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# APPENDIX D - ENVIRONMENTAL JUSTICE AND TITLE VI ANALYSIS

MnSHIP provides the framework for MnDOT decision-making and for prioritizing investments on Minnesota’s highway system. This appendix provides an analysis of how investment priorities established in MnSHIP may positively or negatively impact the state’s environmental justice populations. Similar to the Statewide Multimodal Transportation Plan (SMTP), this environmental justice analysis is general and qualitative in nature. This is due to the fact that while MnSHIP identifies investment categories for implementation over the next 20 years, specific project details and associated details such as potential project limits and impacts have not yet been identified. Minnesota Department of Transportation (MnDOT) will complete additional environmental justice analyses for modal plans, other plans and studies and capital investment projects. Those individual project analyses identify specific impacts on communities and neighborhoods. The analysis completed during project planning processes and related project design decisions helps avoid, minimize or mitigate adverse impacts.

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## ENVIRONMENTAL JUSTICE AND TITLE VI OVERVIEW

Presidential Executive Order 12898, issued in 1994, directed each federal agency to “make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority and low-income populations.” The order builds on Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin. The order also provides protection to low-income groups. The three fundamental principles of environmental justice are to:

- Avoid, minimize or mitigate disproportionately high adverse human health and environmental effects, including social and economic effects, on minority and low-income populations.
- Ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- Prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Executive Order 12898 and U.S. Department of Transportation define minority populations as:

- Black – a person having origins in any of the black racial groups of Africa.
- American Indian and Alaskan Native – a person having origins in any original people of North America and who maintains cultural identification through tribal affiliation or community recognition.
- Asian – a person having origins in any of the original peoples of the Far East, Southeast Asia or the Indian subcontinent.

- Native Hawaiian or Other Pacific Islander – a person having origins in any of the original people of Hawaii, Guam, Samoa and other Pacific Islands.
- Hispanic – a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

The executive order and U.S. Department of Transportation also define low-income populations as:

- Low-income – a person whose household income (or in the case of a community or group, whose median household income) is at or below the U.S. Department of Health and Human Services poverty guidelines.

Executive Order 13166: Improving Access to Services for Persons with Limited-English Proficiency, issued in 2000, further clarified Title VI of the Civil Rights Act of 1964. It stated that individuals who do not speak English well and who have a limited ability to read, write, speak or understand English are entitled to language assistance in order to access public services or benefits for which they are eligible. MnDOT is a recipient of federal funds from the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) and other federal agencies. Accordingly, MnDOT is required to have a Language Assistance Plan. More information can be found in MnDOT’s Language Assistance Plan.

Executive Order 14096: Revitalizing Our Nation’s Commitment to Environmental Justice for All, issued in 2023, expanded environmental justice populations to include persons with disabilities. It also clarified the administrations Justice 40 initiative whereby 40% of the overall benefits of certain federal investments flow to disadvantage communities.

While not identified by Title VI, Executive Order 12898 or Executive Order 13166, this analysis also includes people age 65 and older, people age 17 and younger and zero vehicle households because these groups have unique transportation needs. These groups in addition to those listed in the executive orders will collectively be referred to as “EJ and Title VI populations” unless referred to specifically.

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## **TRANSPORTATION EQUITY STATEMENT OF COMMITMENT**

### **ACKNOWLEDGMENT OF PAST HARMS**

MnDOT acknowledges the transportation system and agency decisions have underserved, excluded, harmed and overburdened some communities. We understand some of our past decisions denied Black and Indigenous communities as well as people with disabilities the full participation of transportation benefits. These and other underserved communities have historically carried disproportionate burdens of transportation decisions.

### **WHAT EQUITY MEANS TO MNDOT**

MnDOT is committed to creating an equitable transportation system.

Transportation equity means the benefits and burdens of transportation systems, services and spending are fair and just, which historically has not been the case. Transportation equity requires ensuring underserved communities, especially Black, Indigenous and People of Color, share in the power of decision making.

The journey of transforming our transportation systems, services and decision-making processes will require ongoing listening, learning, changing, implementing and adapting.

Everyone in our agency regardless of position or work assignment has a role to advance transportation equity. We will partner with community members, community-based organizations, transportation service providers, Tribal Nations and government institutions to evolve our work and to change outcomes for our communities.

## OVERVIEW OF MINNESOTA’S POPULATION

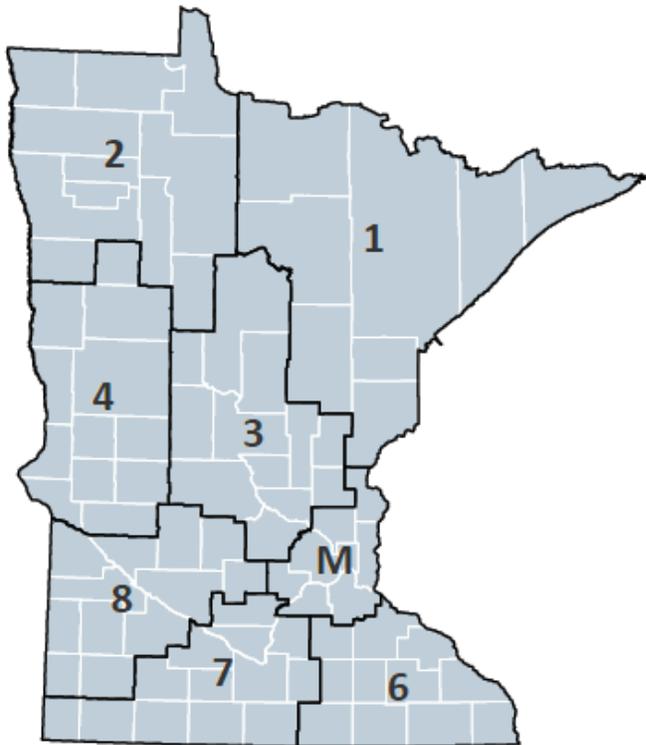
According to the U.S. Census, 2017 – 2021 American Community Survey five-year estimates, 5,670,472 people live in Minnesota. Figure D-1 shows the population based on race, ethnicity, disability status, limited-English proficiency, low income and households with zero vehicles. While Figure D-1 provides a statewide overview, population is not evenly distributed across the state. The following pages provide a breakdown of these populations based on Area Transportation Partnership (ATP) boundaries as shown in Figure D-2. While not exact, the ATP boundaries closely follow MnDOT district boundaries. Each ATP breakdown by population has a corresponding map locating areas with higher concentrations of populations and their relation to the National Highway System (NHS).

**FIGURE D-1: MINNESOTA’S DEMOGRAPHICS**

Population Group	Total Group Population	Percent of Total Population
Total Population	5,670,472	100.00%
White alone	4,441,935	78.33%
Black alone	371,249	6.55%
American Indian or Alaskan Native alone	46,371	0.82%
Asian alone	281,572	4.97%
Native Hawaiian or other Pacific Islander alone	2,047	0.04%
Some other race alone	17,042	0.30%
Two or more races	190,428	3.36%
Hispanic	319,828	5.64%

Age 65 and older	901,517	16.06%
Age 17 and under	1,323,569	23.57%
Persons with a disability	616,470	10.98%
Total Households	2,229,100	100.00%
Households below the poverty level	206,178	9.25%
Limited English-speaking households	48,431	2.17%
Households with zero vehicles	144,942	6.50%

**FIGURE D-2: AREA TRANSPORTATION PARTNERSHIPS**



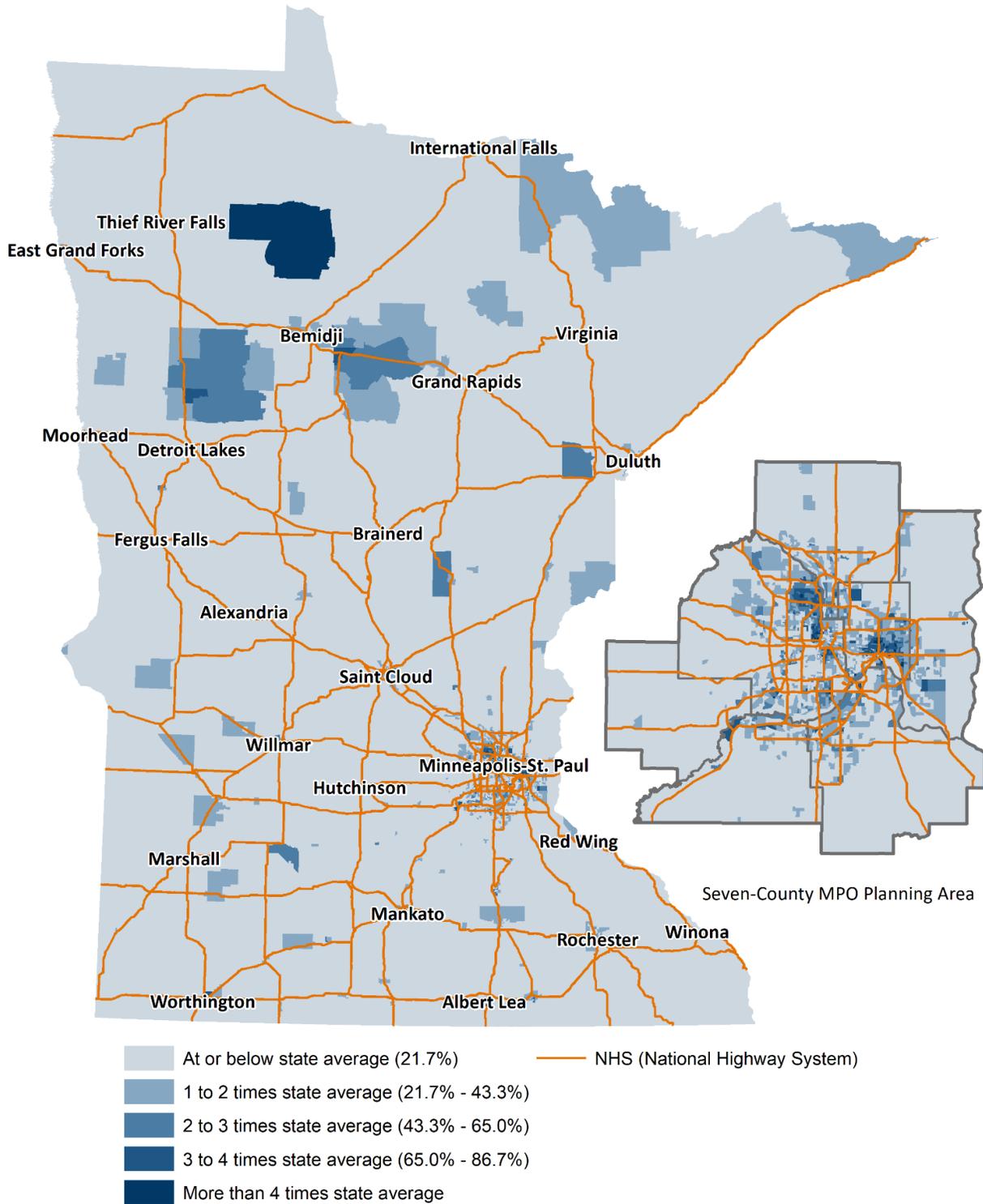
From a population perspective, the Metro ATP has the greatest number of the different population groups compared to the other ATPs. However, from a percentage of total ATP population, it varies by group. While Metro ATP has the state’s largest American Indian population, ATP 2 follows it closely. After Metro ATP, ATP 6 has the state’s largest Asian and Hispanic populations while ATP 3 has the largest Black populations. Populations that self-identify as part of a race, or multiple races, other than those five the US Census Bureau tracks are estimated to

make up 3.7% of that state's population. Figure D-4 shows the relation of higher concentrations of minority populations to the NHS. Most census blocks are near an NHS route with a few exceptions; most notably the Red Lake Nation in Northern Minnesota.

**FIGURE D-3: MINNESOTA’S RACIAL AND ETHNIC POPULATIONS BY AREA TRANSPORTATION PARTNERSHIP**

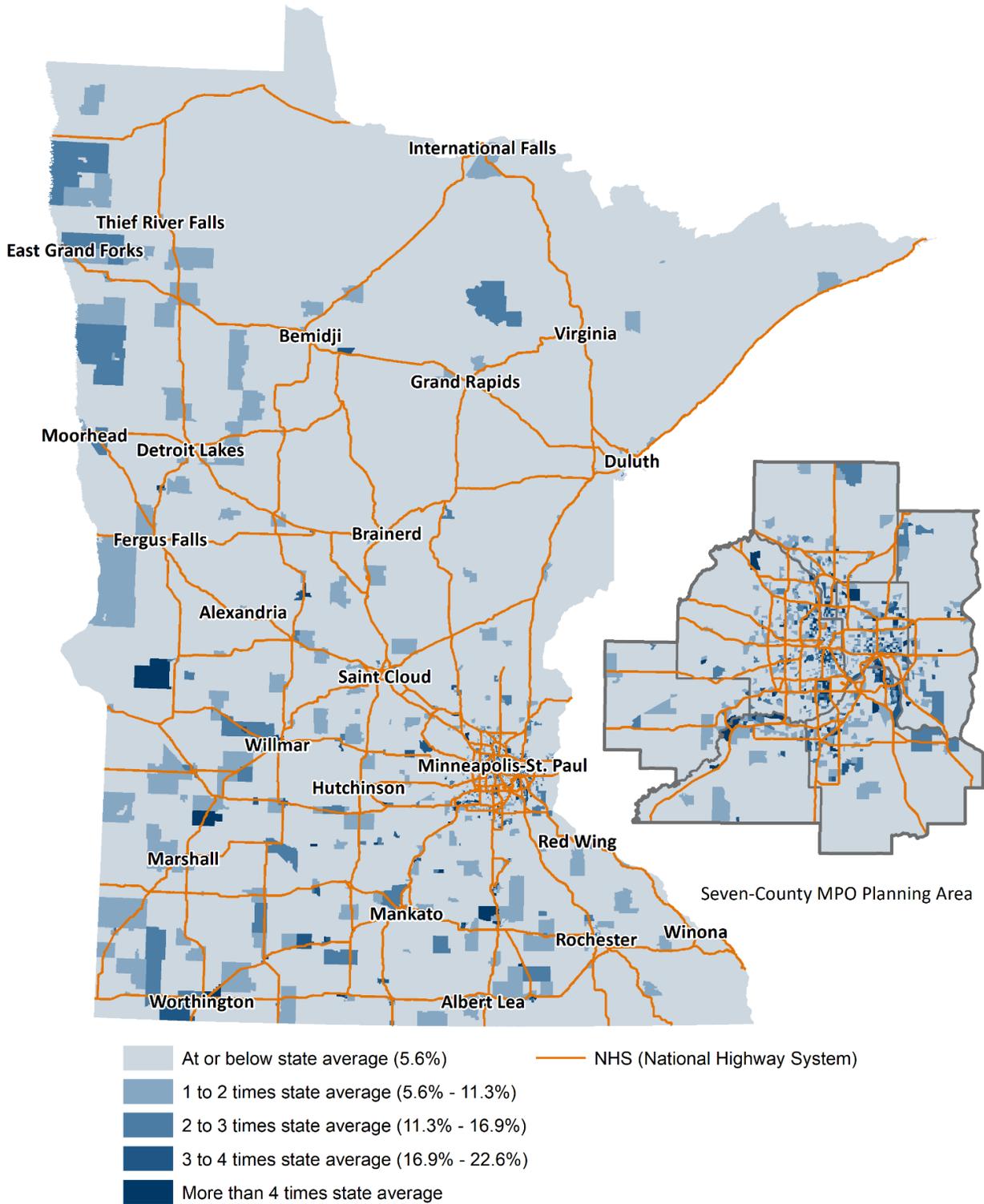
ATP	Total Population	White Alone	Black Alone	American Indian or Alaskan Native Alone	Asian Alone	Native Hawaiian or Other Pacific Islander Alone	Some Other Race Alone	Two or More Races	Hispanic
<b>1</b>	354,781	319,789	5,022	8,068	2,806	85	519	11,797	6,695
<b>1</b>	100%	90.14%	1.42%	2.27%	0.79%	0.02%	0.15%	3.33%	1.89%
<b>2</b>	163,937	137,615	1,830	10,745	1,516	72	396	5,957	5,806
<b>2</b>	100%	83.94%	1.12%	6.55%	0.92%	0.04%	0.24%	3.63%	3.54%
<b>3</b>	686,717	611,177	20,121	5,689	8,218	129	2,083	18,871	20,429
<b>3</b>	100%	89.00%	2.93%	0.83%	1.20%	0.02%	0.30%	2.75%	2.97%
<b>4</b>	255,621	227,031	4,346	5,527	2,138	360	376	6,693	9,150
<b>4</b>	100%	88.82%	1.70%	2.16%	0.84%	0.14%	0.15%	2.62%	3.58%
<b>Metro</b>	3,192,704	2,281,632	310,210	12,946	243,312	807	12,039	123,938	207,820
<b>Metro</b>	100%	71.46%	9.72%	0.41%	7.62%	0.03%	0.38%	3.88%	6.51%
<b>6</b>	515,553	433,700	19,434	1,135	16,094	309	844	13,196	30,841
<b>6</b>	100%	84.12%	3.77%	0.22%	3.12%	0.06%	0.16%	2.56%	5.98%
<b>7</b>	289,918	248,492	6,243	734	4,668	88	372	5,925	23,396
<b>7</b>	100%	85.71%	2.15%	0.25%	1.61%	0.03%	0.13%	2.04%	8.07%
<b>8</b>	211,241	182,499	4,043	1,527	2,820	197	413	4,051	15,691
<b>8</b>	100%	86.39%	1.91%	0.72%	1.33%	0.09%	0.20%	1.92%	7.43%

**FIGURE D-4: LOCATIONS OF HIGHER CONCENTRATIONS OF RACIAL MINORITIES IN MINNESOTA**



Source: 2021 American Community Survey, 5-year estimates

**FIGURE D-5: LOCATIONS OF HIGHER CONCENTRATIONS OF HISPANIC POPULATIONS IN MINNESOTA**



Source: 2021 American Community Survey, 5-year estimates

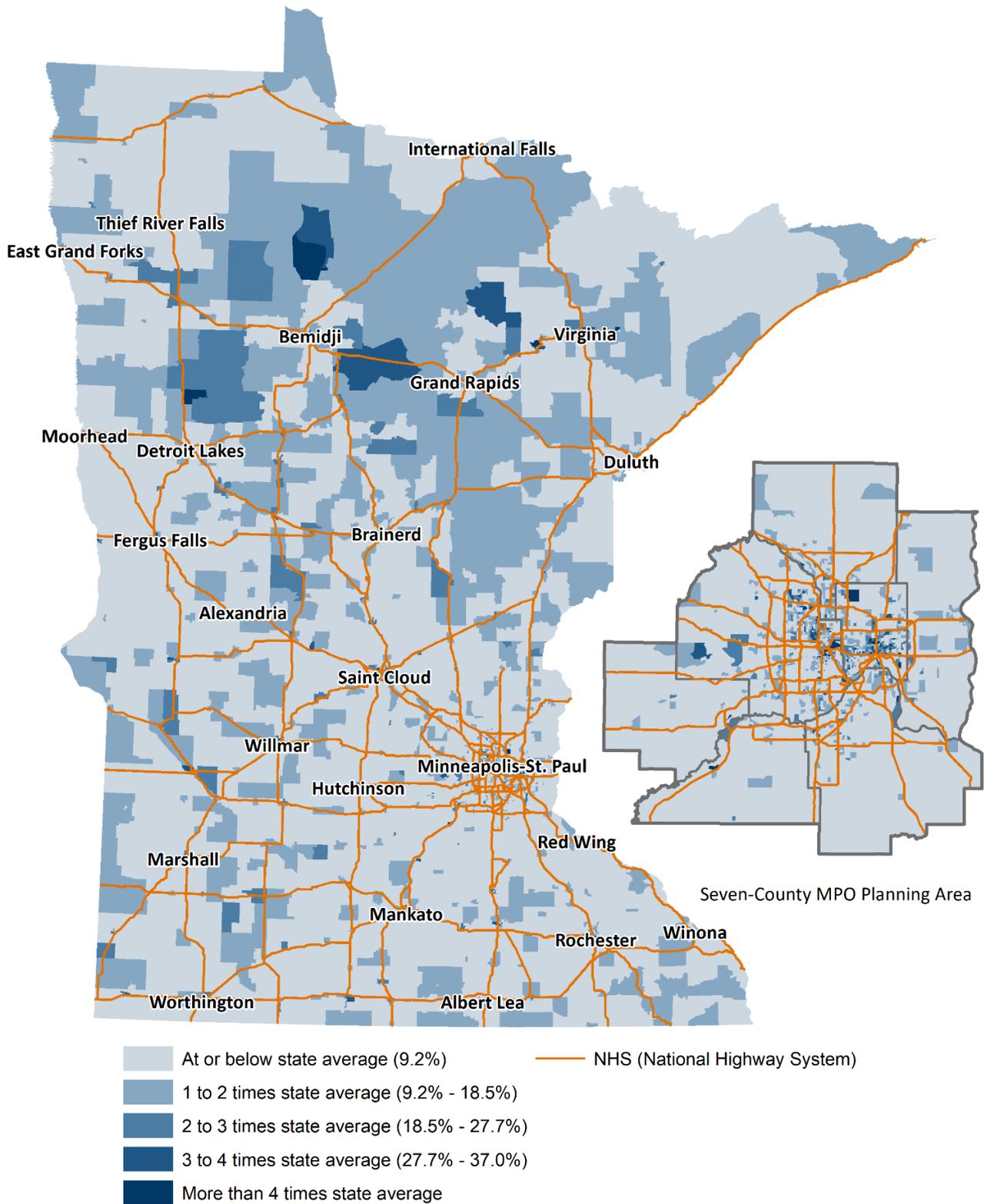
## LOW INCOME

Figure D-6 provides a summary of low-income population within each ATP. Low-income populations include all persons whose median household income is at or below the guidelines set by the Department of Health and Human Services. Statewide, 9.3% percent of households were below the poverty level. ATP 1 and 2 had the highest percentage of their population below the poverty level, 12.5% and 12.2% respectively. The Metro area had the lowest, at 8.2%. As shown in Figure D-7, most areas of higher concentrations of low-income population are located within portions of the Twin Cities urban core communities and in northern Minnesota.

**FIGURE D-6: MINNESOTA’S LOW-INCOME POPULATIONS BY AREA TRANSPORTATION PARTNERSHIP**

ATP	Total Households	Households Below Poverty Level	% Households Below Poverty Level
<b>1 Northeast</b>	148,033	18,539	12.5%
<b>2 Northwest</b>	64,522	7,886	12.2%
<b>3 Central</b>	261,394	24,583	9.4%
<b>4 West Central</b>	104,272	11,910	11.4%
<b>Metro</b>	1,248,352	102,826	8.2%
<b>6 Southeast</b>	204,016	19,052	9.3%
<b>7 South Central</b>	114,300	12,893	11.3%
<b>8 Southwest</b>	84,211	8,489	10.1%
<b>Total</b>	<b>2,229,100</b>	<b>206,178</b>	<b>9.3%</b>

**FIGURE D-7: LOCATIONS OF HIGHER CONCENTRATIONS OF LOW-INCOME HOUSEHOLDS IN MINNESOTA**



Source: 2021 American Community Survey, 5-year estimates

## PERSONS WITH A DISABILITY

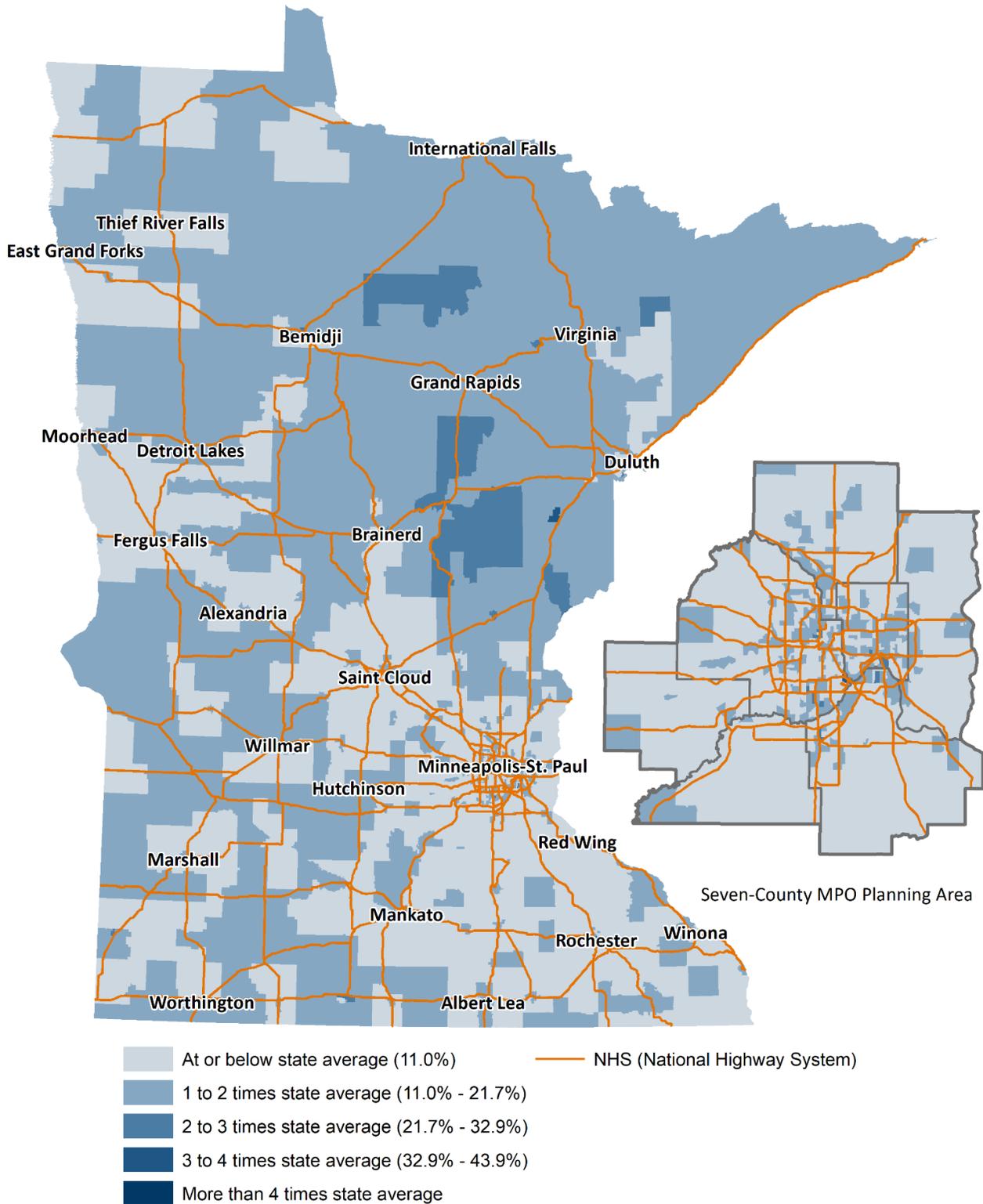
In 2023, the federal government expanded the definition of environmental justice to include persons with disability. This population was not included in the previous environmental justice review for the 2017 edition of MnSHIP but is included in this year’s update.

In Minnesota, persons with disability are spread relatively evenly across the state as shown in Figure D-9. The highest percentage of persons with a disability is in ATP 1 and the lowest is in the Metro area.

**FIGURE D-8: PERSONS WITH DISABILITY BY AREA TRANSPORTATION PARTNERSHIP**

ATP	Civilian Noninstitutional Population	Persons with a Disability	% Persons with a Disability
<b>1 Northeast</b>	347,227	53,882	15.5%
<b>2 Northwest</b>	161,819	22,259	13.8%
<b>3 Central</b>	679,676	78,999	11.6%
<b>4 West Central</b>	252,896	32,607	12.9%
<b>Metro</b>	3,170,322	316,336	10.0%
<b>6 Southeast</b>	508,060	52,371	10.3%
<b>7 South Central</b>	286,350	33,863	11.8%
<b>8 Southwest</b>	208,418	26,153	12.6%
<b>Total</b>	<b>5,614,768</b>	<b>616,470</b>	<b>11.0%</b>

**FIGURE D-9: LOCATIONS OF HIGHER CONCENTRATIONS OF PERSONS WITH DISABILITIES IN MINNESOTA**



Source: 2021 American Community Survey, 5-year estimates

## LIMITED ENGLISH SPEAKING

A person’s ability to speak English, at least moderately well, can be a barrier to participation in the transportation planning process. The American Community Survey estimates the number of individuals aged 5 years and older who speak English “less than very well.” Figure D-10 provides a summary of limited English-speaking populations by ATP and as a percentage of the total population. Limited English speakers make up approximately 48,431 or 2.2% of Minnesota’s households. The majority, 77%, live in the Metro ATP. ATP 2 had the fewest number of persons who spoke English less than “very well.”

**FIGURE D-10: MINNESOTA’S LIMITED ENGLISH SPEAKING HOUSEHOLDS BY AREA TRANSPORTATION PARTNERSHIP**

ATP	Total Households	Limited English Proficiency Households	% Limited English Proficiency
<b>1 Northeast</b>	148,033	556	0.4%
<b>2 Northwest</b>	64,522	351	0.5%
<b>3 Central</b>	261,394	2,098	0.8%
<b>4 West Central</b>	104,272	659	0.6%
<b>Metro</b>	1,248,352	37,330	3.0%
<b>6 Southeast</b>	204,016	4,310	2.1%
<b>7 South Central</b>	114,300	1,883	1.7%
<b>8 Southwest</b>	84,211	1,244	1.5%
<b>Total</b>	<b>2,229,100</b>	<b>48,431</b>	<b>2.2%</b>

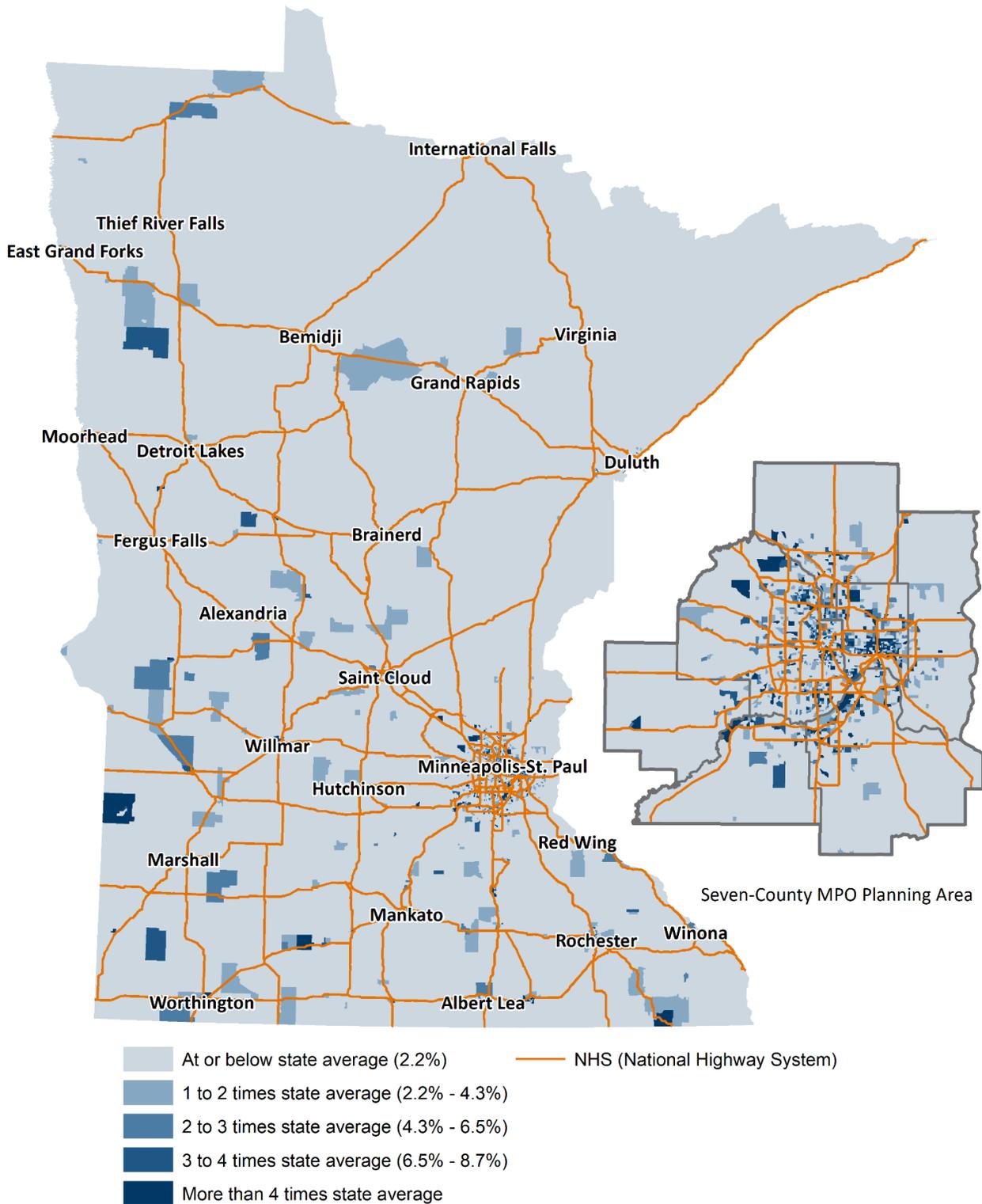
Figure D-11 compares languages spoken at home and what percentage of each community speaks limited English. Spanish is by far the highest, followed by Hmong and African languages (this category includes Swahili, Somali, Amharic, Ibo, Twi, Yoruba and Bantu, amongst others). More than half of Khmer, Thai, Lao and Vietnamese speakers are also limited in their English.

Figure D-12 shows a map of areas of higher concentration of limited English-speaking population by Census Block Group. Not surprisingly, most of the higher concentration areas are within the Twin Cities area. There are additional higher concentrations in western and southern Minnesota. Most of these areas are concentrated around an NHS route.

**FIGURE D-11: LANGUAGE SPOKEN AT HOME IN MINNESOTA**

Language Spoken at Home	Number	% of Total Population	Speaks English less than "very well"	% of Population Speaking English less than "very well"
Speaks only English	4,733,194	88.0%	NA	NA
Spanish	205,084	3.8%	80,809	39.4%
Somali, Amharic or Other Afro-Asiatic Languages	89,687	1.7%	36,170	40.3%
Hmong	75,827	1.4%	29,265	38.6%
Khmer, Thai, Lao or Other Languages of Asia	37,408	0.7%	22,661	60.6%
Hindi (including Urdu), Nepali, Bengali or Other Indic Languages	24,438	0.7%	5,344	21.9%
Chinese (including Mandarin, Cantonese)	23,461	0.4%	9,328	39.8%
Vietnamese	22,187	0.4%	14,106	63.6%
French (Including Creole, Cajun)	20,336	0.4%	5,353	26.3%
German or Other West Germanic Languages	19,611	0.4%	3,141	16.0%
Yoruba, Twi, Igbo, or Other Languages of Western Africa	19,195	0.4%	5,543	28.9%
Arabic	14,981	0.3%	4,689	31.3%
Russian	13,747	0.3%	6,018	43.8%
Swahili or Other Languages of Central, Eastern, and Southern Africa	13,027	0.2%	4,028	30.9%
Tagalog (including Filipino) or other Austronesian Languages	12,836	0.24%	3,880	30.2%
Telugu, Tamil or Other Dravidian Languages	11,926	0.22%	2,218	18.6%
Other Slavic Languages	11,859	0.22%	4,112	34.7%
Other Languages	27,852	0.52%	5,629	20.2%

**FIGURE D-12: LOCATION OF HIGHER CONCENTRATIONS OF LIMITED ENGLISH SPEAKING HOUSEHOLDS IN MINNESOTA**



Source: 2021 American Community Survey, 5-year estimates

## YOUTH AND SENIOR

Figure D-13 provides a summary of Minnesota senior and youth populations by ATP. While not specifically required as part of the EJ analysis it is important to consider how these populations use transportation and could be adversely affected by investments. Those 17 years old and under make up 23.3% of Minnesota’s population, while seniors make up 15.9%. Minnesota’s youth and senior populations total 2,225,086 or 39% of the state. Senior populations in the state are estimated to increase significantly over the next 30 years and by 2035 there are projected to be over 1.2 million seniors in Minnesota.

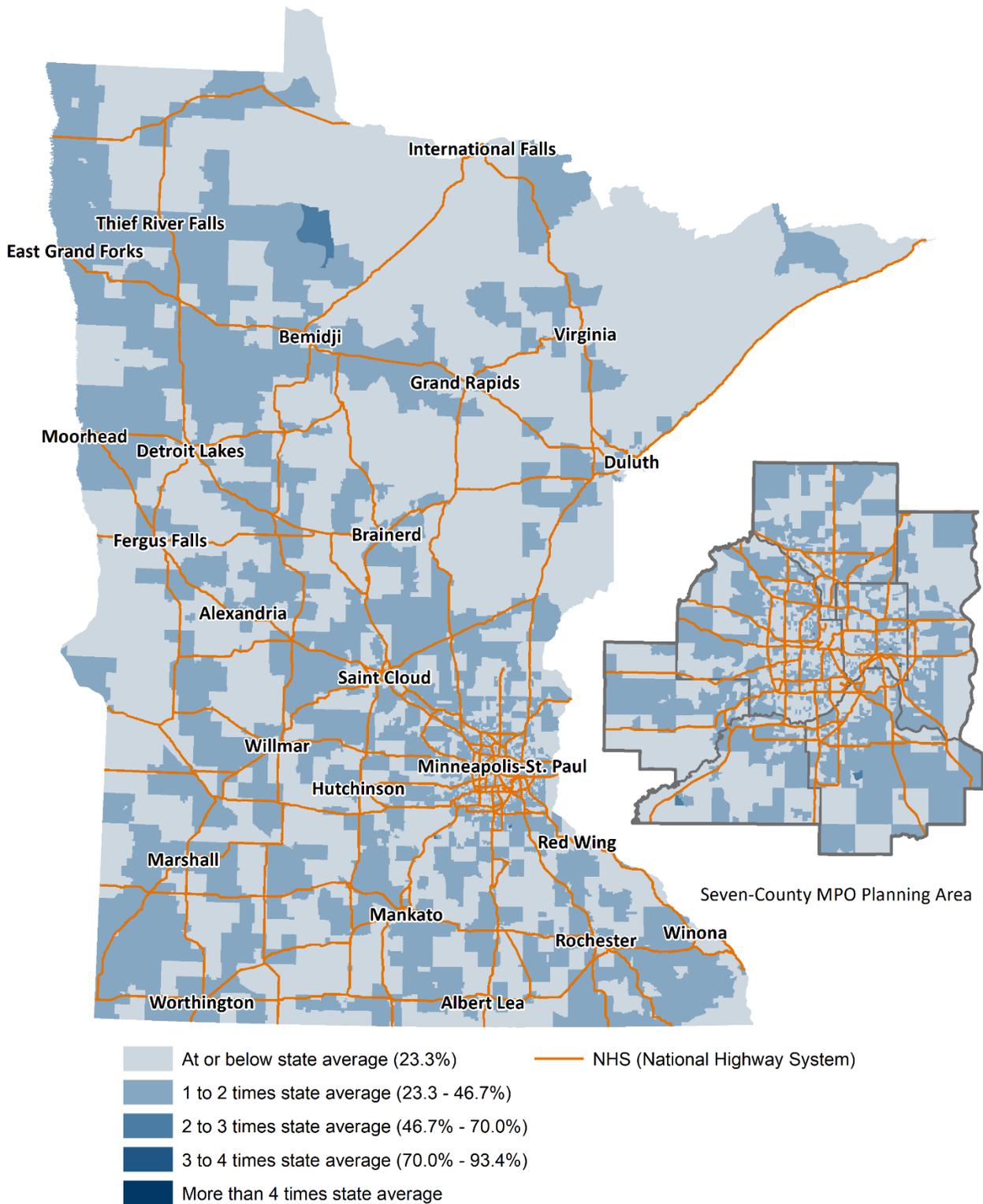
ATP 1 has the largest percentage (21.1%) of persons age 65 and older. The Metro area has the smallest percentage (14.1%) of those age 65 and older. ATP 3 has the highest percentage of those age 17 and younger (24.7%), while ATP 1 has the smallest percentage (19.5%) of those 17 and younger.

**FIGURE D-13: MINNESOTANS AGE 17 AND UNDER AND AGE 65 AND OLDER BY AREA TRANSPORTATION PARTNERSHIP**

ATP	Total Population	Age 65 and Older	% 65 and Older	Age 17 and Younger	% 17 and Younger
<b>1 Northeast</b>	354,781	74,677	21.1%	69,132	19.5%
<b>2 Northwest</b>	163,937	31,492	19.2%	39,486	24.1%
<b>3 Central</b>	686,717	109,856	16.0%	169,732	24.7%
<b>4 West Central</b>	255,621	50,837	19.9%	59,393	23.2%
<b>Metro</b>	3,192,704	451,225	14.1%	749,025	23.5%
<b>6 Southeast</b>	515,553	89,736	17.4%	119,770	23.2%
<b>7 South Central</b>	289,918	51,808	17.9%	65,896	22.7%
<b>8 Southwest</b>	211,241	41,886	19.8%	51,135	24.2%
<b>Total</b>	<b>5,670,472</b>	<b>901,517</b>	<b>15.9%</b>	<b>1,323,569</b>	<b>23.3%</b>

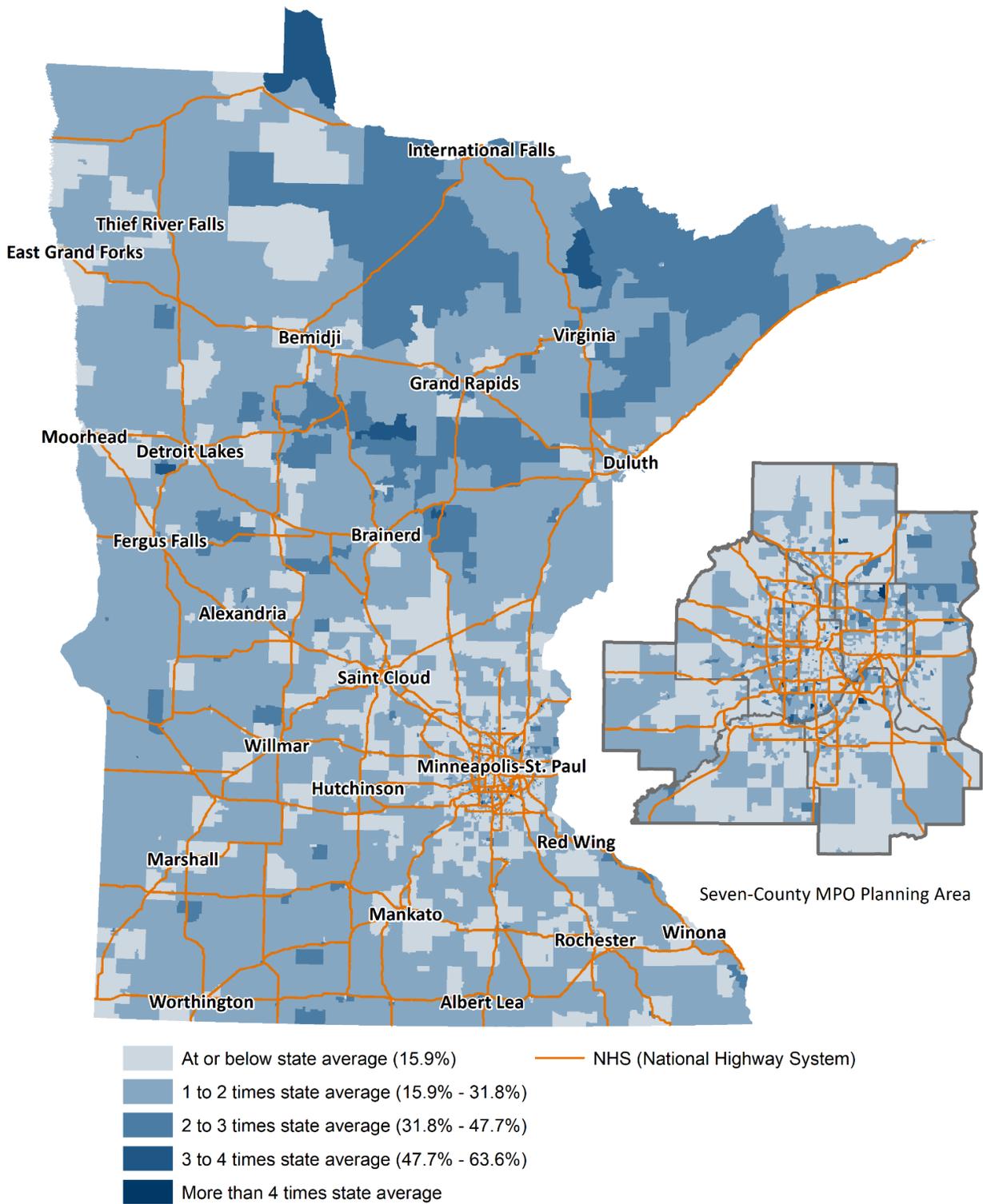
Figure D-14 shows a map of youth population by Census Block Group. Figure D-15 shows a map of senior population by Census Block Group. Senior population is spread out across the state with slightly higher concentration of seniors in northern Minnesota as well as the Twin Cities suburbs. Likewise, Minnesota’s youth population is spread out across the state without many areas of high concentration.

**FIGURE D-14: LOCATION OF HIGHER CONCENTRATIONS OF POPULATIONS AGE 17 AND UNDER IN MINNESOTA**



Source: 2021 American Community Survey, 5-year estimates

**FIGURE D-15: LOCATION OF HIGHER CONCENTRATIONS OF POPULATIONS AGE 65 AND OLDER IN MINNESOTA**



Source: 2021 American Community Survey, 5-year estimates

## ZERO-VEHICLE HOUSEHOLDS

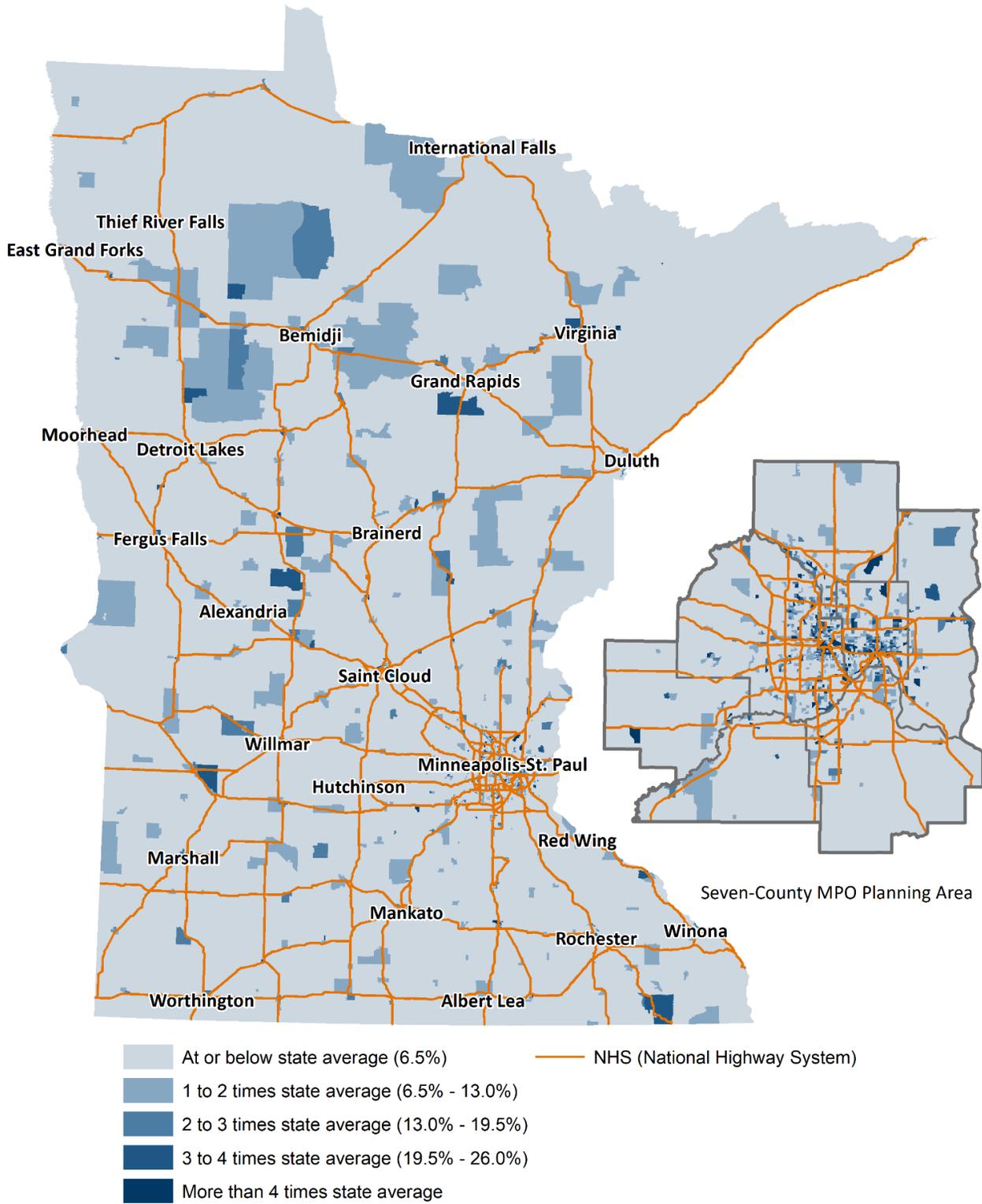
Households with zero vehicles may have a greater reliance on transit and non-motorized transportation. Figure D-16 shows the estimated number of Minnesota households that have zero vehicles. The American Community Survey estimated that 7.3 percent, or approximately 153,366 Minnesota households, do not have a vehicle. Zero vehicle households tend to use the transportation system differently by relying more on transit, biking, walking, taxis and more recently car-sharing and ride-sharing services (e.g Uber).

**FIGURE D-16: MINNESOTA HOUSEHOLDS WITH ZERO VEHICLES BY AREA TRANSPORTATION PARTNERSHIP**

ATP	Total Households	Households with No Vehicle	% Households with No Vehicle
<b>1 Northeast</b>	148,033	10,389	7.02%
<b>2 Northwest</b>	64,522	4,074	6.31%
<b>3 Central</b>	261,394	12,157	4.65%
<b>4 West Central</b>	104,272	5,690	5.46%
<b>Metro</b>	1,248,352	89,937	7.20%
<b>6 Southeast</b>	204,016	12,177	5.97%
<b>7 South Central</b>	114,300	6,030	5.28%
<b>8 Southwest</b>	84,211	4,488	5.33%
<b>Total</b>	<b>2,229,100</b>	<b>144,942</b>	<b>6.50%</b>

Figure D-17 shows a map of households without vehicles. Most of the higher concentrations of zero vehicle households are within the urban core of the Twin Cities area. There are also concentrations of zero vehicle households in northern Minnesota which seem to correlate with the location of tribal nations.

**FIGURE D-17: LOCATION OF HIGHER CONCENTRATIONS OF HOUSEHOLDS WITH ZERO VEHICLES IN MINNESOTA**



Source: 2021 American Community Survey, 5-year estimates

## JUSTICE 40

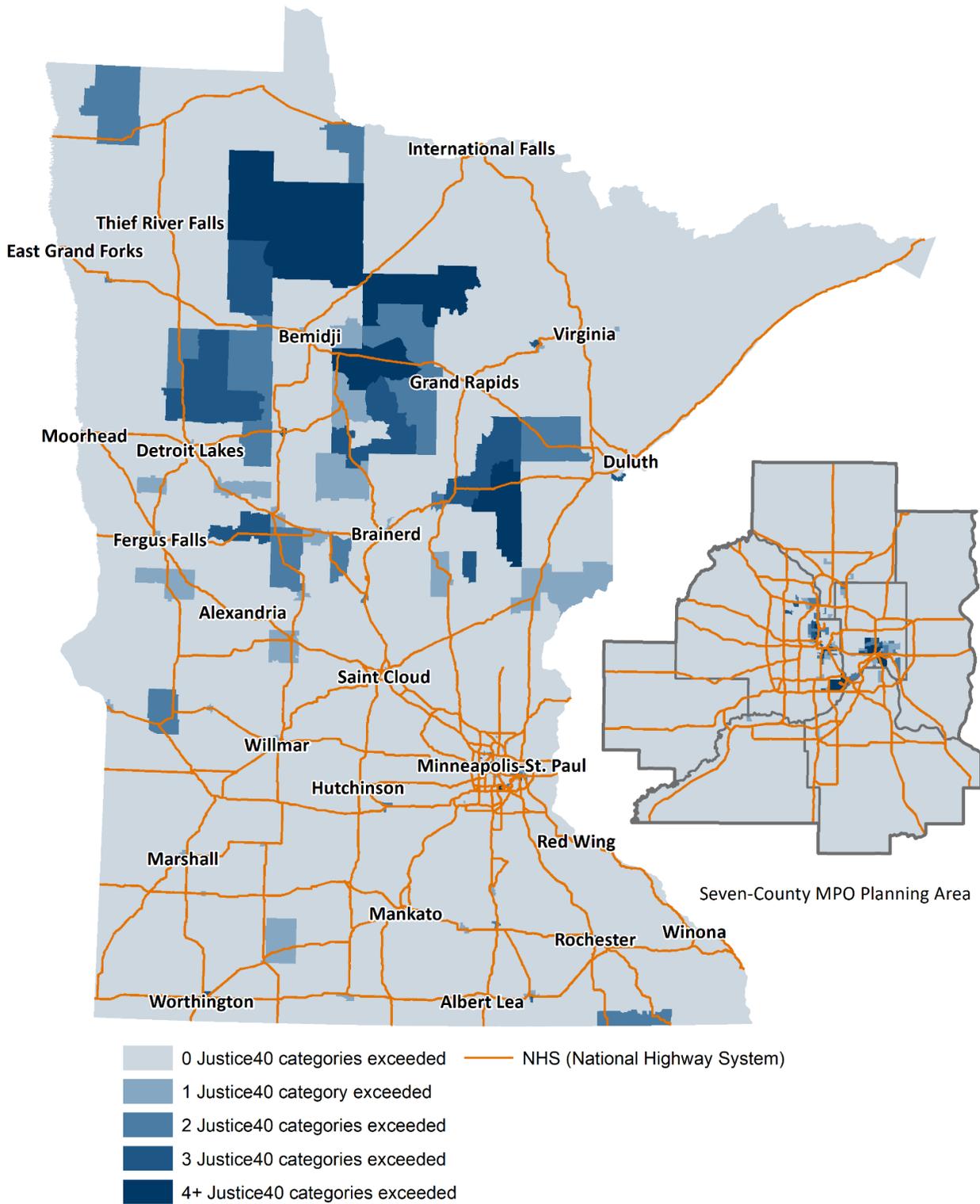
Justice 40 is an initiative that began in January 2021 when President Biden signed Executive Order 14008: Tackling the Climate Crisis at Home and Abroad. It strives to deliver 40% of the overall benefits of investments in climate, clean energy, and related areas to disadvantaged communities and tasked the Council on Environmental Quality (CEQ) with developing a new screening tool to target federal programs to communities with the greatest needs. The tool incorporates low-income census tracts, which it defines as those at or above the 65<sup>th</sup> percentile for the percentage of the population living in households at or below 200% of the Federal poverty level, excluding post-secondary students. It then identifies the low-income tracts that face particular burdens in eight major areas:

- Climate change
- Energy
- Health
- Housing
- Legacy pollution
- Transportation
- Water/wastewater
- Workforce development

Justice 40 defines a disadvantage as being at or above the 90<sup>th</sup> percentile in at least one major risk area.

For climate, these include expected agriculture loss rate, expected building loss rate, expected population loss rate, projected flood risk, and projected wildfire risk. For energy, they include energy cost and PM2.5 in the air. For health, they include rates of asthma, diabetes, heart disease and low life expectancy. For housing they include historic underinvestment, housing cost, lack of green space, lack of indoor plumbing and lead paint. For legacy pollution, they include having at least one abandoned mine, formerly used defense sites, proximity to hazardous waste facilities, proximity to Superfund sites, and proximity to Risk Management Plan facilities. For transportation, they include diesel particulate matter exposure, transportation barriers, and traffic proximity and volume. For water and wastewater, they include underground storage tanks and releases and wastewater discharge. For workforce development, they include linguistic isolation, low median income, poverty and unemployment, as well as another requirement that at least 10% of the population over the age of 25 lack a high school diploma. The screening tool also includes census tracts at or above the 50<sup>th</sup> percentile for low income that are surrounded by tracts with specific burdens. The map below shows Minnesota's census tracts with shading that reflects that number of disadvantages in each low-income tract.

**FIGURE D-18: OVERBURDENED AND UNDERSERVED CENSUS TRACTS AS IDENTIFIED BY THE JUSTICE 40 INITIATIVE**



Source: Climate and Economic Justice Screening Tool, 2022 Update

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## ENVIRONMENTAL JUSTICE AND MNSHIP

MnDOT met with an equity workgroup throughout the MnSHIP process to review MnSHIP materials and approach to public engagement. MnDOT reviewed the investment direction-setting process and outcomes through an equity lens and analyzed the Phase I engagement results by demographics. With the Equity Work Group, MnDOT staff discussed who are the beneficiaries of the proposed direction and who is potentially burdened.

### ANALYSIS OF INVESTMENT CATEGORIES

MnDOT reviewed each of the MnSHIP investment categories to determine who are potential beneficiaries of investment in that category and who may potentially be burdened. This informed the development of the investment approaches used for public engagement.

#### PAVEMENT CONDITION

##### Identified benefits

- Provides an opportunity to improve roadway conditions and design
- Provide benefits to lower income communities and on tribal lands where roadways were under designed without/narrow shoulders or safe places for walking/biking

##### Identified burdens

- Prioritizing pavement condition may steer more investment to less expensive fixes on rural roadways and away from more investment in urban areas
- Pavement investment strategy maintains the existing roadway footprint without considering whether the existing roadway is overbuilt and the possibility reducing lane miles

#### BRIDGE CONDITION

##### Identified benefits

- Provides opportunities for more replacement/redesign of bridges to incorporate improved connections for all modes

#### ROADSIDE INFRASTRUCTURE

- Benefits or burdens not identified

#### REST AREAS

##### Identified Benefits

- Provides funding to make rest area buildings and sites to be accessible for people with disabilities

## **CLIMATE RESILIENCE**

### **Identified Benefits**

- Green infrastructure focused in urban areas could be a benefit if in areas that will be more affected by climate change – high priority areas would need to be selecting based on various safety, health, and equity criteria
- Improvements after highway projects such as replacing/adding more trees and incorporation of native plantings and seeding can restore/improve environment around highways

### **Identified Burdens**

- Limitations on the use of trunk highway funds within right-of-way limits restorations and broader benefits to the surrounding communities

## **TRANSPORTATION SAFETY**

### **Identified Benefits**

- Non-Motorized Safety
  - Provides benefits for those who don't drive, either by choice or by circumstance through adding connections and improving safety along and across highways
  - Investment need calculation incorporated priorities based on equity

## **ADVANCING TECHNOLOGY**

It was difficult to assess/predict benefits and burdens of Advancing Technology with limitations of trunk highway funding and types of improvements being discussed. There are potential benefits with upgrades to traffic signal technology and readiness for new intersection technology.

## **FREIGHT**

- Benefits or burdens not identified

## **HIGHWAY MOBILITY**

### **Identified Benefits**

- Transit-supportive (bus shoulders/ramps, transit signal priority, safety enhancements) and managed lane investments provide advantages for transit users which historically made up of a higher percentage of lower income populations than the overall population

### **Identified Burdens**

- Spot mobility, managed lane, and capacity/expansion improvements
  - Expansion benefits those with cars and those traveling through a community, not those living near the state highway

- Added lanes burdens communities near roadway such as increase air pollution, noise pollution, and can induce demand and traffic to surrounding area
- Adding a lane can mean taking property from communities that have been harmed in the past
- Overall, there are more investments in Highway Mobility that add or continue burdens rather than address inequities

## **PEDESTRIAN AND BICYCLE**

### Identified benefits

- Provides benefits for those who don't drive, either by choice or by circumstance through adding connections and improving safety along and across highways
  - Investment need calculation incorporated priorities based on equity
- Addresses and rectifies the barriers caused by existing pedestrian infrastructure that is not compliant with the America's with Disabilities Act including sidewalks, curb ramps, and crossing signals

### Identified burdens

- Need to ensure benefits to communities living near improvement, not just those using facility to travel through – a bike path do not always translate to advancing equity
- Identified goal of reaching ADA compliance by 2037 is too long of a wait and continues burdens
- Implementation is key to whether investments advance equity or continue burdens

## **LOCAL PARTNERSHIPS**

### Identified Benefits

- Reduces system size and future maintenance burden allowing for more investment towards other priorities that better advance equity
- Provides additional opportunity for improvements especially in urban areas where a MnDOT project may not be upcoming
  - Potential benefits in partnering on locally-led projects and investment targeting urban areas 62% of BIPOC populations live within Greater MN urban areas

### Identified Burdens

- Differing visions and interest between MnDOT and local partners can lead to inability to advance equity and continue inequitable outcomes

## **MAIN STREETS/URBAN PAVEMENTS**

### Identified Benefits

- Ability to address local safety concerns, improve/add non-motorized infrastructure, urban aesthetic improvements for the surrounding community
- Helps mitigate/balance pavement projects between rural and urban

## EQUITY EVALUATION ON THE MNSHIP INVESTMENT DIRECTION

As part of the investment direction development for MnSHIP, MnDOT staff worked with the equity workgroup to complete an equity evaluation of the plan process including analysis of public engagement results, the investment direction and strategy recommendations.

### PUBLIC ENGAGEMENT

#### How did public engagement results from different demographic groups influence the development of the initial draft investment direction?

MnSHIP asked optional demographic information and tracked results during the first round of public engagement. The MnSHIP team analyzed the results by different locations and demographic groups to determine differing priorities. Overall, results between different demographic groups were very close. For example:

- Men most selected approach was Improve Mobility for All Highway Users while women selected most often the Focus on Safe and Equitable Communities. Improve Mobility for All Highway Users was the 2<sup>nd</sup> most selected approach among women.
- The top investment approach selected by both BIPOC responses and White non-Hispanic responses was Improve Mobility for All Highway Users.
- Results from the online budget tool showed no sizable differences were BIPOC respondents vs White non-Hispanic respondents would prioritize investment.
- BIPOC responses were more likely to Main Streets/Urban Pavement and Roadside Infrastructure in their Top 5 most important improvements while White non-Hispanic responses were more likely to have Pavement Condition and Bridge Condition in their Top 5. However, both groups included Pedestrian & Bicycle, Climate Resilience and Local Partnerships most frequently in their Top 5.
- Women were more likely to have Climate Resilience in their Top 5 most important improvements while Men were more likely to have Bridge Condition. But the other four Top 5 improvements were the same between Men and Women. Both had Local Partnerships, Pedestrian & Bicycle, Pavement Condition, Main Streets/Urban Pavements in their Top 5.

The results from different demographics groups were analyzed to ensure the draft investment direction was aligned with the priorities identified by different demographic groups. The draft investment direction shifts towards investing more in priorities that will help address existing inequities such as:

- Increasing investment in Pedestrian and Bicycle investment to address infrastructure that is not compliant with the Americans with Disabilities Act and address gaps in the existing pedestrian and bicycle networks
- Creating a livable communities program to provide funding such as improved aesthetics, creative use of right of ways into community spaces, and pilot 1-3 smaller cap/stitch projects to reconnected communities separated by the state highway system
- Investing in transit-supportive infrastructure where it uses or crosses state highway such as bus-only ramps or shoulders, signal priority, or improvements around stations such as lighting, signals, or pedestrian infrastructure

## **INVESTMENT DIRECTION**

### **Who are the potential beneficiaries of the draft investment direction and investment priorities?**

All users of the state highway system are the intended beneficiaries of the MnSHIP investment direction. The 2023 MnSHIP investment direction incorporates an increased revenue outlook from both federal and state revenue sources from the 2017 plan. It shifts the primary focus from minimizing miles of pavements in poor conditions towards more fully addressing the impacts of climate change, supporting multimodal investments, and investing in urban areas and communities.

### **How have proposed changes from the current 2017 MnSHIP investment direction impacted who are the beneficiaries?**

Some of the populations which will benefit from the proposed changes to the investment direction include people with disabilities, tribal communities especially in Greater MN, those who don't drive (either by choice or by circumstance), and people living near state highways. People may also experience greater benefits if several of these characteristics apply to them.

## ***PEOPLE WITH DISABILITIES***

Increased investment in Pedestrian and Bicycle, Rest Areas, Transportation Safety, and Main Streets/Urban Pavements will benefit people with disabilities. The 2023 MnSHIP investment direction commits to address non-compliant infrastructure by 2037 including:

- Sidewalks
- Curb ramps
- Signals
- Pedestrian bridges

In addition, the investment direction includes funding for addressing accessibility at rest areas and with multiuse trails. Investment in Pedestrian and Bicycle will allow for filling gaps in the pedestrian infrastructure network including 100-150 miles of sidewalks and 200-250 intersection improvements and providing a more complete system.

Transportation Safety investment includes non-motorized safety to implement safety countermeasures as a part of projects to reduce pedestrian and bicyclist fatalities and serious injuries.

The creation of a Main Streets/Urban Pavements investment category focuses funding on urban projects to help cover the cost of expanding a project from a resurfacing project to a larger reconstruction fix. Reconstruction projects provide the opportunity to do more than manage the pavement condition. MnDOT receives request to provide more complete projects that address local priorities such as:

- Local utilities under the roadway
- Address pedestrian infrastructure that is non-compliant
- Implement safer roadway designs for all users in urban areas

## ***GREATER MN TRIBAL COMMUNITIES***

State highways through tribal lands were often under designed lacking infrastructure for safe crossings or infrastructure for pedestrian and bicyclists that were provided in other communities in Minnesota. MnDOT has and continues to work to improve conditions and make additional improvements through the implementation of the 2013 and 2017 MnSHIP investment directions. This investment direction provides the opportunity through funding priorities to provide more resources to continue to address those inequities at a greater rate including:

- Investing in new safety improvements
- Addressing impacts of climate changes on state highways
- Preventing detours caused by flooding or roadway washouts
- Improving the pedestrian and bicycle connectivity and accessibility
- Prioritizing more funding towards reconstruction projects on state highways in communities across the state including tribal communities

Increasing investments in urban reconstruction projects provides opportunities to redesign and reconfigure the existing state highway to improve safety, better accommodate walkers and bicyclists, and address community concerns.

## ***THOSE WHO DO NOT DRIVE***

Those who do not drive, either by choice or circumstance, are also beneficiaries from the areas of increased investment compared to the 2017 investment direction. There is additional focus to improve the state highway system for pedestrian, bicyclists, and transit users.

Transit users historically include of a higher percentage of lower income people than the overall population. The Highway Mobility investments provide additional funding for transit-supportive investments. Funding helps to expand advantages for transit that travels on or crosses the state highway in the Twin Cities metro area. This funding does not go towards funding operations or capital costs for transit service but include improvements to accommodate transit on the state highway system such as:

- Expanding bus-only shoulders and ramps
- Transit signal priority
- Safety enhancements around transit stops
- E-Z Pass lanes which buses which provide a congestion free option to buses and other users

Those who do not drive also see benefits from investments in Transportation Safety, Pedestrian and Bicycle, and Bridge Condition. All these categories would bring improved connectivity and safety to the system for walkers and bicyclists. Transportation Safety investment includes a non-motorized safety program to implement safety countermeasures as a part of projects to reduce pedestrian and bicyclist fatalities and serious injuries. Investment in Pedestrian and Bicycle will allow for:

- Filling gaps in the pedestrian infrastructure network including 100-150 miles of sidewalks and 200-250 intersection improvements and providing a more complete system
- Adding over 150 miles of bicycle lanes and 20 miles of separated bicycle lanes
- Repair or replacing pedestrian bridges that are not ADA compliant

Increased investment in Bridge Condition provides more opportunities to reconstruct bridges to include better accommodations and provide connections for walkers and bicyclists across barriers such as other highways or rivers.

### **PEOPLE LIVING NEAR STATE HIGHWAYS**

Other beneficiaries include people who live near state highway which historically have been lower incomes communities and Black, Indigenous, and People of Color. Like the groups above, people living near state highways would benefit from increased investment in Pedestrian and Bicycle, Transportation Safety and Main Streets/Urban Pavements.

People living near state highways will also see benefits from investments in Local Partnerships and Climate Resilience. Through Local Partnership investments, there will be funding available to partner on projects led by local governments to address community priorities and improving livability through a new Livable Communities program. This program could fund up to 100 smaller projects or improvements that creatively use MnDOT right of way including:

- Reuse of under bridge areas for community spaces
- Incorporate better lighting
- Aesthetic improvements to better integrate infrastructure into the surrounding community
- Pilot between 1-3 small bridge caps or “stitches” to improve connections between communities divided by state highways
  - Examples of existing stitches in Minnesota include in Duluth over I-35 connecting downtown to the lake front or in Minneapolis over Highway 55/Hiawatha connecting Southeast Minneapolis to Minnehaha Park.

Investments in Climate Resilience would:

- Fund up to 10 flood mitigation projects at locations with existing flooding issues
- Address locations which could be impacted more by our changing climate due to culverts not designed to handle increase stormwater run-off and slopes that may fail to cover or wash out roads
- Add 100-200 miles of new or improved green infrastructure along state highways such as:
  - Planting more shade trees to reduce heat island effects
  - Incorporate more native plantings
  - Add natural stormwater management systems such as rain garden/bioswales to handle run-off and filter pollutants and salt from entering the surrounding lakes and streams

The new federal infrastructure bill, the Infrastructure Investment and Jobs Act, funds several new and existing competitive solicitation programs including the Reconnecting Communities Pilot Program and the RAISE (Rebuilding America’s Infrastructure with Sustainability and Equity) discretionary grants program. MnSHIP does not assume Minnesota is successful in securing any funding from these programs in the investment direction. However, the MnSHIP investment direction holds \$230 million for the potential state match to any successful federal grant awards that fund new state highway projects.

## **WHO IS POTENTIALLY BURDENED, OR EXCLUDED, FROM THIS INVESTMENT DIRECTION AND PRIORITIES?**

There are several continuing burdens that would still exist to people who use or live near state highways.

- Adding more localized/intersection mobility improvements and E-Z Pass lanes can continue burdens to those living around state highways
  - Expansion benefits those with cars and those traveling through a community, not those living near the state highway
  - Added lanes burdens communities near roadway such as increase air pollution, noise pollution, and can induce demand and traffic to surrounding area
  - Improving mobility can mean taking property from communities that have been harmed in the past
- Investment direction will not significantly reverse past or continuing burdens
  - Air and noise pollution continues to be a burden especially for those living near state highways
  - Limitations on the use of trunk highway funds within right-of-way limits restorations and broader benefits to the surrounding communities
- The investment direction does continue the status quo that maintains the existing roadway footprint based on historic commitments and won't repair all past harms from historic transportation decisions. There are resources for strategies like 4 to 3 lane conversions in urban areas to improve safety and provide space for bicyclists on roadways.
- For those with a disability, the identified goal of reaching ADA compliance by 2037 is too long of a wait and continues burdens.
- Prioritizing pavement condition may also steer more investment to less expensive fixes on rural roadways and away from more investment in urban areas and addressing historic inequities.
- Rural low-income populations that rely on driving would see an increased burden. Pavement conditions are projected to decrease substantially on lower volume state highways over the next 20 years. Though the pavement outcomes from this plan are substantially better than the 2017 MnSHIP.

## **STRATEGY RECOMMENDATIONS**

### **HOW DOES THE INVESTMENT DIRECTION AND PRIORITIES INCLUDE FOCUS ON INCREASING TRANSPORTATION EQUITY?**

The 2023 MnSHIP investment direction begins to shift investment towards investment categories and investment strategies that would support increasing transportation equity. As demonstrated previously, investments in certain areas will provide benefits to groups that have seen inequitable outcomes and burdens due to previous transportation decisions and work to correct those inequities.

### **WHAT ARE SOME WAYS THAT THIS INVESTMENT DIRECTION COULD CHANGE SO THAT IT INCREASES TRANSPORTATION EQUITY?**

MnSHIP is a broad 20-year statewide investment plan and does not and cannot identify with any specificity where investments will be made on the system, only how much investment we would put together different priorities. The state road construction funds, which is the funding considered in MnSHIP, can only be used within the state

highway right-of-way and only used for a trunk highway purpose. There are other sources of funding available to address other priorities not on the state highway system.

There is not enough funding over the next 20 years to address all priorities on the state highway system. But there is significant funding outside of MnDOT's state road construction budget. As stated above, MnDOT is holding \$230 million to match additional funding through competitive solicitations and discretionary grants. Additional funding opportunities include:

- Federal discretionary grant programs
- Met Council's Regional Solicitation Program
- State legislative bonding
- New state transportation revenue or budget surplus

There are other plans, reports, business processes and project selection criteria that could further advance equity.

Implementation and project selection will also be key to ensuring further increasing transportation equity. MnSHIP will continue the discussion of advancing equity through implementation strategies, work plan tasks, and additional planning to be completed after the adoption of MnSHIP and before the next update in five years. Example items include:

- Equity needs to be a factor in funding distribution and project selection
- Through MnDOT's own project selection process, there is a need to develop projects that ensure improvements benefit the communities living near improvement, not just those using facility to travel through and does not further inequities. A new bike path does not always translate to advancing equity.

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## TITLE VI ANALYSIS

Title VI and its regulations require MnDOT to take reasonable steps to ensure meaningful access to the department's information and services. What constitutes reasonable steps to ensure meaningful access is contingent on a four-factor analysis established by the U.S. Department of Justice<sup>1</sup>. The four-factor analysis is an individualized assessment that should be applied to all districts, offices, programs, and activities to determine what reasonable steps must be taken to ensure meaningful access for individuals with limited-English proficiency (LEP).

### FACTOR 1: DEMOGRAPHY

The number or proportion of LEP individuals in the service area who may be served or likely to be encountered by MnSHIP.

MnDOT has reviewed the 2018-2022 ACS five-year estimates and identified Spanish, Hmong, and Amharic, Somali or other Afro-Asiatic languages as the top three LEP groups in Minnesota (see Figure D-19). The third category includes several languages. As of 2018, the Minnesota State Demographer's Office reported Somali-born Minnesotans were the second-largest group of foreign-born immigrants living in Minnesota<sup>2</sup>. Therefore, programs providing statewide information to the public should consider Spanish, Hmong and Somali as the primary languages for any necessary language assistance services.

Although these are the primary languages in Minnesota for necessary language assistance services, languages needing assistance vary throughout the state. It's important that when doing public engagement it is understood what language assistance services are in highest demand.

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<sup>1</sup> Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons with Limited English Proficiency, effective August 11, 2000, <https://www.justice.gov/sites/default/files/crt/legacy/2010/12/14/eolep.pdf>.

<sup>2</sup> Immigration and Language: Key Findings, accessed January 21, 2002, <https://mn.gov/admin/demography/data-by-topic/immigration-language/>

**FIGURE D-19: LANGUAGE SPOKEN AT HOME IN MINNESOTA**

Language Spoken at Home	Number	% of Total Population	Speaks English less than "very well"	% of Population Speaking English less than "very well"
Speaks only English	4,733,194	88.0%	NA	NA
Spanish	205,084	3.8%	80,809	39.4%
Somali, Amharic or Other Afro-Asiatic Languages	89,687	1.7%	36,170	40.3%
Hmong	75,827	1.4%	29,265	38.6%
Khmer, Thai, Lao or Other Languages of Asia	37,408	0.7%	22,661	60.6%
Hindi (including Urdu), Nepali, Bengali or Other Indic Languages	24,438	0.7%	5,344	21.9%
Chinese (including Mandarin, Cantonese)	23,461	0.4%	9,328	39.8%
Vietnamese	22,187	0.4%	14,106	63.6%
French (Including Creole, Cajun)	20,336	0.4%	5,353	26.3%
German or Other West Germanic Languages	19,611	0.4%	3,141	16.0%
Yoruba, Twi, Igbo, or Other Languages of Western Africa	19,195	0.4%	5,543	28.9%
Arabic	14,981	0.3%	4,689	31.3%
Russian	13,747	0.3%	6,018	43.8%
Swahili or Other Languages of Central, Eastern, and Southern Africa	13,027	0.2%	4,028	30.9%
Tagalog (including Filipino) or other Austronesian Languages	12,836	0.24%	3,880	30.2%
Telugu, Tamil or Other Dravidian Languages	11,926	0.22%	2,218	18.6%
Other Slavic Languages	11,859	0.22%	4,112	34.7%
Other Languages	27,852	0.52%	5,629	20.2%

## FACTOR 2: FREQUENCY

*The frequency with which LEP persons come in contact with MnSHIP.*

MnDOT staff reviewed the frequency of interactions with LEP individuals. MnSHIP engagement occurred throughout the state. For each engagement effort, staff reviewed data for those areas to see if there would be potential interactions with LEP individuals. At times engagement efforts were directly coordinated with community-based organizations that primarily spoke a language other than English. In these instances, documents were translated and an interpreter was present.

The Minnesota GO website can be translated using Google Translate and requests for translation services can be made by one of the following language assistance services listed in the [MnDOT Language Assistance Plan](#).

## FACTOR 3: IMPORTANCE

*The nature and importance of the program, activity or service provided by the MnSHIP to people's lives.*

The more important the activity, information, service or program or the greater the possible consequences of the contact to the LEP individuals, the greater the need for language assistance services. MnSHIP project staff determined whether denial or delay of access to services or information had serious implications for the LEP individual. Generally, programs providing information and services related to accessing benefits, opportunities, or rights are considered high importance.

## VITAL DOCUMENTS

Vital documents are paper or electronic written material containing information that is:

1. Critical for accessing programs, services, benefits, or activities;
2. Directly and substantially related to public safety; or
3. Required by law

Whether a document (or the information it solicits) is “vital” may depend upon the importance of the program, information, encounter or service involved, and the consequence to the LEP person if the information in question is neither accurate nor timely. Sometimes a large document may include both vital and non-vital information. For these documents, vital information may include providing notice in the necessary non-English languages explaining where an LEP individual can obtain an interpretation or translation of the document.

Although the SMTP is required by law to be completed and contains information for policy direction related to transportation safety, MnDOT has opted to take the following approach:

1. The document has been made available online at MinnesotaGO.org. The Minnesota GO website can be translated using Google Translate.
2. The following LEP notice will be placed on the inside cover of the SMTP in English, Spanish, Hmong and Somali.
  - o To request this document in another language, please send an e-mail with the document attached to [languageservices.dot@state.mn.us](mailto:languageservices.dot@state.mn.us).

- Para pedir este documento en otro idioma, envíe un correo electrónico y adjunte el documento a [languageservices.dot@state.mn.us](mailto:languageservices.dot@state.mn.us).
- Yog xav kom muab daim ntawv no sau ua lwm hom lwm, thov sau ntawv nrog daim ntawv tuaj rau ntawm [languageservices.dot@state.mn.us](mailto:languageservices.dot@state.mn.us).
- Si aad u codsato dukumeentigan oo ku qoran luqad kale, fadlan e-mail u soo dir oo ku soo lifaaq dukumiintiga [languageservices.dot@state.mn.us](mailto:languageservices.dot@state.mn.us).

MnDOT took this approach to language assistance for the MnSHIP because of (1) the significant time and resources required to translate a document of this size, and (2) the nominal impact on the lives of the LEP public caused by this information not being readily available in non-English languages. However, MnDOT is committed to providing meaningful access to LEP individuals and will promptly respond to any requests for specific SMTP information in non-English languages.

Within the MnSHIP document development process, the vital documents were the notices of public engagement.

#### **FACTOR 4: RESOURCES**

MnDOT's available resources and the costs of providing language assistance services may impact the steps taken to provide meaningful access to LEP individuals. Generally, MnDOT should have sufficient resources to provide meaningful access through reasonable language assistance measures. However, language assistance measures may cease to be reasonable where the costs imposed substantially exceed the benefits.

The four-factor analysis necessarily implicates a spectrum of language assistance measures. For instance, written translations can range from translation of an entire document to translation of a short description of the document, and interpretation services may range from using telephone-based interpretation services to providing in-person interpretation at a public event. Language assistance measures should be based on what is necessary and reasonable after considering the four-factor analysis.

For the SMTP, staff ensured any resource limitations were documented and explained before using this factor as a reason to limit language assistance. MnDOT staff proactively identified how to provide language assistance services efficiently and cost-effectively while ensuring meaningful access to LEP individuals. An example of this was during Phase 1 public events, where MnDOT provided a Spanish speaker to administer surveys at locations that had a large Spanish speaking population.

#### **COMPLIANCE WITH LANGUAGE ASSISTANCE PLAN**

The MnSHIP update process was conducted in accordance with [MnDOT's Language Assistance Plan](#).