

Title VI Equity Analysis

Facility Site Selection: Skagit Transit
Maintenance, Operations, and
Administrative Base

May 4, 2015



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Background and Project Description

Skagit Transit has outgrown its current Maintenance, Operations, and Administrative base (MOA) on County Shop Lane in Burlington, Washington. Understanding that space and capacity constraints would hinder organizational growth and service expansion, Skagit Transit applied for and won a planning grant to study the feasibility of expanding in place or relocating to a new site. The MOA Feasibility Study was completed in March 2015. It found that a site more than two times the size of the current MOA property would be needed to accommodate the next 20 years of growth. The study included the identification and evaluation of possible new sites for the construction of a new MOA.

Study Purpose

Building a new MOA facility will require the acquisition of property or a long-term lease. The purpose of this study is to analyze the top MOA locations identified in the MOA Feasibility Study to ensure the locations were selected without regard to race, color, or national origin. This study also compares the equity impacts of three siting alternatives.

1. FedEx Site - 7.4 acres on Bay Ridge Drive
2. South Mount Vernon Site - 9.3 acres in South Mount Vernon on Old Highway 99 South Road
3. Higgins Airport Way - 9.9 acres on Higgins Airport Way at the Port of Skagit

As per FTA C 4702.1B, Title VI equity analyses for the location of facilities must occur in the planning stage before a preferred site has been selected. Sites have been evaluated and ranked as part of the MOA Feasibility Study process and the Skagit Transit Board of Directors has been notified of top sites through the publication of Feasibility Study 3/18/2015, a Public Open House on 3/31/2015, and a Board Workshop presentation 5/1/2015. To date, no selection of a preferred site has been made and it is unclear when this direction may come.

Title VI Compliance

Skagit Transit is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.B. The public can find Skagit Transit's current Title VI Program/Plan that includes steps for submitting a Title VI complaint on the web at:

<http://www.skagittransit.org/about-us/planning-documents/>.

Title 49 CFR Section 21.9(b)(3) states, "In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part." Title 9 CFR part 21, Appendix C, Section (3)(iv) provides, "The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin."

Skagit Transit is required to conduct a Title VI equity analysis to ensure the location is selected without regard to race, color, or national origin. Per guidance in the circular, this analysis must:

- Include outreach to persons potentially impacted by the siting of the facility;
- Compare impacts of various siting alternatives;
- Determine if cumulative adverse impacts might result due to the presence of other facilities with similar impacts in the area; and
- Occur before the selection of the preferred site.

Community Outreach

Skagit Transit sought community input on the MOA Feasibility Study findings during a month-long public comment period. Between 3/19/2015 and 4/19/2015, Skagit Transit accepted public comments on the MOA Feasibility Study. On 3/31/2015, Skagit Transit held a public open house for people to review study findings, ask questions of staff, and make comments. Notification of the release of the study was made in the following ways:

1. Feasibility Study uploaded to website with information on the Open House and Comment Period
2. Direct mailing to surrounding neighbors and property owners of top sites
3. Email to known stakeholders
4. Notice published in *Skagit Valley Herald*
5. Spanish notice published in the *El Mundo*

During the course of the public comment period, five comments were received.

1. One comment in support of the South Mt. Vernon site but expressing serious concerns about water level and flow rate in the ditch on the east end of the property and how flows and flooding would be impacted by development. The concern was for how filling the property could impact flooding events.
2. One comment in support of the South Mount Vernon site.

3. One comment expressing concerns about impacts to the residents of the mobile home parks to the north and south of the South Mount Vernon site. The commenter was the owner of these age-restricted 55+ mobile home parks. Specific concerns were for increased vehicular traffic, increased noise, and the general increase in activity.
4. One comment in support of the Port properties for emergency management purposes. This comment letter also expressed a general concern for ensuring any project was done in a fiscally responsible way.
5. One comment from the Port of Skagit informing Skagit Transit that one top site (Westar Lane Site) identified in the study was no longer available because the Port had secured another lessee.

Benefits and Burdens Analysis

Benefits and burdens of the project at the community level are different than at the project vicinity level.

There would be no displacement of residents or businesses at any of the three sites considered in this study. Existing buildings on the South Mount Vernon Site are vacant and the FedEx site will be vacant by late fall/early winter of 2015.

At the community level, the biggest difference in the sites is the increased hardship that locating at the FedEx Site or Higgins Airport Way Site would place on public access to the facility. Currently most customer interactions occur at Skagit Station and many transactions occur by mail or email. However, there are customers who come to the MOA to pick up or submit applications for Paratransit service, to purchase bus passes, to apply for reduced fare cards, and to make vanpool payments. The level of transit service to the South Mount Vernon site is planned to be higher than bus service to the FedEx or Higgins Airport Way Sites.

At the project vicinity level, there is concern for adequately mitigating against impacts from noise, traffic, and light on seniors living near the South Mount Vernon site. The South Mount Vernon site shares a north property line with a 34-unit senior community called Evergreen Park. There are also several single family houses across Old Highway 99 from the site that have the potential to be impacted. Vegetative screening along the north property line would be part of design if the South Mount Vernon site is selected and is, in fact, a City of Mount Vernon development code requirement. It is unlikely that the industrial and commercial businesses located at or near the Port or in South Mount Vernon would be impacted by Skagit Transit's operations which are typical of many other light industrial and commercial users.

| Port of Skagit Properties | |
|---|---|
| Potential Positive Community Impacts (Benefits) | Potential Adverse Community Impacts (Burdens) |
| 1. Absence of residential properties in the vicinity of the properties make it unlikely that adverse impacts of noise, light and traffic will have adverse impacts. | 1. Weak transit service to area and longer distance from population centers will make it more difficult for the public to access the MOA. |

| FedEx Property | |
|---|---|
| Potential Positive Community Impacts (Benefits) | Potential Adverse Community Impacts (Burdens) |
| 2. Absence of residential properties in the vicinity of the properties make it unlikely that adverse impacts of noise, light and traffic will have adverse impacts. 3. Repurposing of existing building would result in minimal environmental impacts. | 2. Weak transit service to area and longer distance from population centers will make it more difficult for the public to access the MOA. |

| South Mount Vernon Site | |
|--|--|
| Potential Positive Community Impacts (Benefits) | Potential Adverse Community Impacts (Burdens) |
| 1. Increased bus service along Old Highway 99 in south Mount Vernon. 2. Comparable, if not increased, public access to the facility based on distance from population centers and transit availability. 3. Redevelopment of vacant commercial/industrial land to higher use (previously used as outdoor storage for portable toilets). | 1. Without adequate mitigation, increased traffic, noise, and light from the facility has the potential to impact residential neighbors. |

Site Selection Process

Over 22 properties were identified during the course of the MOA Feasibility Study. These properties were evaluated and ranked based on criteria. The end result that was any property that made it through the two-tiered system received a quantitative score or ranking. Race, color, and national origin were not considered during the identification or evaluation of potential sites.

| Tier 2 Site Selection Criteria | |
|---------------------------------------|-------------------------------|
| Size | Soil Liquefaction |
| Useable Area | Utilities (Readily Available) |
| Location / Operation Efficiency | Fiber |
| Zoning / Permitting | Site Circulation |
| Future Growth Potential | Archeological Risks |
| Expansion/Flexibility | Site Setting /Compatibility |
| Lot Shape | Traffic Impacts |
| Topography/Developable | Radio Coverage |
| Site Encumbrances | Ease of Acquisition |
| Site Access | Ease of Assemblage |
| Major Streets Proximity | Fire Marshal Consideration |
| Steep Slopes | Risk Management |
| Geology | Land Cost |

Alternatives Equity Analysis and Cumulative Impacts

Skagit County has a countywide poverty rate of 12.0%, a minority rate of 23.3%, and a limited English proficiency (LEP) rate of 4.75% or 5,215 individuals (Skagit Council of Governments, 2013 Demographic Profile, www.scog.net). All three sites identified are located in Census Block Groups with lower than countywide averages in these categories.

The South Mount Vernon Site is located in Census Tract 952600, Block Group 3. The FedEx Site and Higgins Airport Ways Site are both located in US Census Tract 951900, Block Group 2. WSDOT'S Application for Local Planning and Community Accessibility (ALPACA) tool was used to populate the following tables (<http://www.wsdot.wa.gov/mapsdata/tools/communityaccessibility/>). ALPACA was developed to facilitate compliance with Federal Transit Administration guidance regarding Title VI non-discrimination, and provide local jurisdictions with information for planning accessible communities and conducting outreach

| | South Mount Vernon Site Census Block Group |
|--------------------|---|
| Total Population | 726 |
| White | 561 |
| Minority | 165 |
| Percent Minority | 22.73% |
| Total in Poverty | 10 |
| Percent in Poverty | 1.38% |
| Median Income | \$55,625 |
| LEP (Spanish) | 3.0% 21 Count |

| | FedEx and Higgins Airport Way Site Census Block Group |
|--------------------|--|
| Total Population | 2,644 |
| White | 2,445 |
| Minority | 199 |
| Percent Minority | 7.53% |
| Total in Poverty | 178 |
| Percent in Poverty | 6.73% |
| Median Income | \$82,222 |
| LEP (Spanish) | 2.1% 54 Count |

| | Higgins Airport Way | South Mt. Vernon | FedEx Site |
|--|--|--|--|
| Will selection require displacement of residents or businesses? | No, undeveloped greenfield | No, previously developed brownfield with vacant structures | No, FedEx is vacating site willingly to relocate to new facility in Burlington |
| List of similar facilities nearby | Uses including transportation and light industrial are located in project vicinity | Autobody, towing, freight transportation, and truck repair shops are in the project vicinity | Uses including transportation and light industrial are located in project vicinity |

Conclusions

All locations identified and evaluated for the construction of a new M.O.A. were selected without regard to race, color, or national origin. An evaluation of the poverty rate, minority population rate, and LEP rate in the vicinities of the top 3 sites shows no disparate impact would occur should any of these sites be selected. This conclusion is based on the fact that the rates of poverty, minority population, and LEP are lower in the Census Block Groups than countywide averages. Concerns have been raised for the senior residents living in the mobile home park to the north of the South Mount Vernon site. If this site is selected, project design and operational decisions would consider how to abate impacts. One potential negative impact of locating at the FedEx Site or Higgins Airport Way site is the lower level of planned bus service to these sites as compared to the South Mount Vernon Site. However, there is no bus service to the current MOA so this would not be a reduction in service or accessibility.