

Lake to Sound Trail – Segment B Final Environmental Justice Discipline Report

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Acronyms and Abbreviations

AASHTO	American Association of State Highway and Transportation Officials
FHWA	Federal Highway Administration
GIS	geographic information system
NEPA	National Environmental Policy Act
SR	State Route
USDOT	U.S. Department of Transportation
WSDOT	Washington State Department of Transportation

1 SUMMARY AND PROJECT DESCRIPTION

1.1 Executive Summary

In compliance with Title VI of the Civil Rights Act of 1964, Executive Order 12898, U.S. Department of Transportation (USDOT) Order 5610.2, and Federal Highway Administration (FHWA) Order 6640.23, the purpose of this analysis is to determine whether the proposed Lake to Sound Trail project would result in disproportionately high and adverse human health or environmental effects on minority and low-income populations. This analysis focuses on:

- The population demographics of the project study area;
- The results of specific public outreach efforts that were conducted to engage minority and low-income populations and how these groups were included in the decision-making process; and
- The location, intensity, and duration of anticipated project effects as reported in the various discipline reports and studies prepared as part of this document.

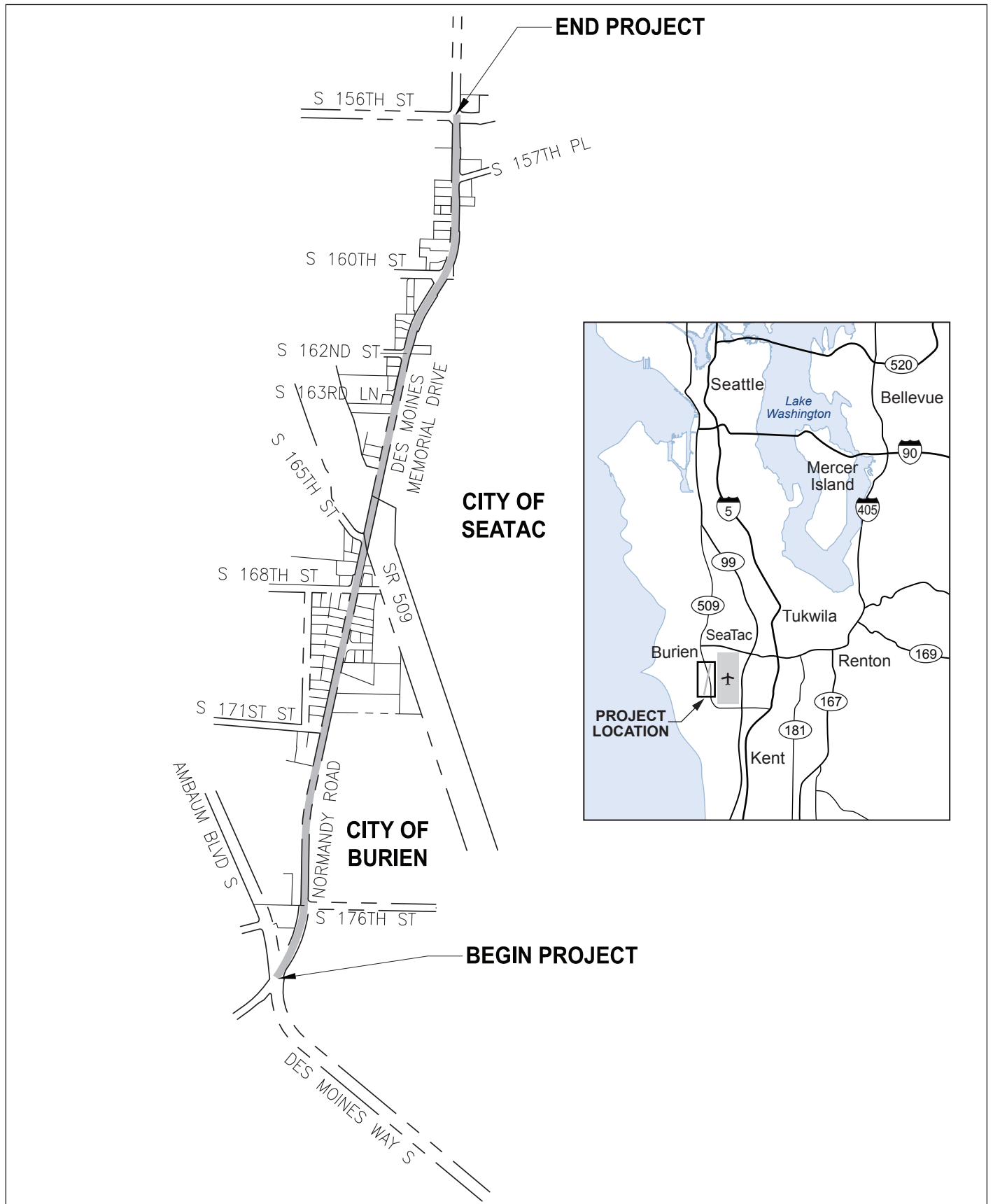
As discussed in this discipline report, the project would not result in disproportionately high and adverse effects on minority or low-income populations. Minority and low-income populations would experience benefits from the project equally with the rest of the general population, due to access to new trail facilities, increased mobility for trail users, and easier access to regional park and recreational facilities. Because the proposed project is located almost entirely within existing right-of-way, no effects are anticipated to neighborhood cohesion and social services. Therefore, these environmental elements are not discussed in this discipline report.

1.2 Project Description

King County, together with the cities of SeaTac and Burien, the Washington State Department of Transportation (WSDOT) and the FHWA, is proposing to develop a 1.5-mile segment of what would ultimately be the 16-mile Lake to Sound Trail. The 1.5-mile segment is referred to as Segment B of the Lake to Sound Trail, and is also commonly referred to as an extension of the Westside Trail. Segment B extends along the east side of Des Moines Memorial Drive from Ambaum Boulevard South to South 156th Street (Figure 1-1).

Segment B, as well as the longer Lake to Sound Trail, is part of a Regional Trail System that provides non-motorized, alternative transportation and a recreation corridor for multiple trail users, including bicyclists, pedestrians, skaters, and others. A goal of the Lake to Sound Trail is to provide non-motorized transportation facilities to economically disadvantaged communities in southwest King County that have been historically underserved by such facilities.

Once complete, Segment B would become part of a larger planned system that will serve employment and residential centers in South King County and connect to regional trails in Seattle and the greater Regional Trail System network. Segment B would connect at the north to the recently completed Westside Trail to North SeaTac Park and to existing bike lanes running east-west on S 156th Street. This network includes connections to the Duwamish Trail to the north and the Seahurst Park Trail and Burien Town Square to the west. To the east, this project would connect with a multi-use trail and on-street bike lanes along South 154th Street, built by the Port of Seattle in 2006 in conjunction with the third runway project.



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NOT TO SCALE

**Figure 1-1
Vicinity Map**

Lake to Sound Trail — Segment B

1.2.1 Project Features

Segment B is typically 10 to 12 feet of porous asphalt pavement bounded by two 2-foot-wide shoulders and 1-foot-wide clear zones, in accordance with American Association of State Highway and Transportation Officials' (AASHTO) guidelines. The project includes:

- Construction of a 10- to 12-foot-wide porous asphalt pavement with soft-surface (gravel) shoulders;
- Fill import and excavation for general grading, pavement sections, and retaining walls;
- Separation of the trail from the adjacent road with a planter strip, which could include replacement elm trees where practical and other landscaping;
- Relocation of above-ground utilities to either the back side (east side) of the trail or underground;
- Drainage improvements related to the trail and conveyance of stormwater from the adjacent road across the trail;
- Retaining walls in some places to reduce the cut-and-fill areas needed for the trail;
- A short boardwalk section through an area in which the trail cannot avoid an adjacent Walker Creek wetland complex;
- Channelization and consolidation of driveways where multiple driveways exist for a given property to reduce the potential for conflicts between trail users and vehicles; and
- Other access and traffic control features (bollards, striping, signage, etc.).

1.2.2 Project Area and Setting

The Segment B project area is a linear corridor mostly within the existing right-of-way for Des Moines Memorial Drive. Segment B is located in Sections 20, 29, and 32, Township 23 North, Range 4 East, Willamette Meridian. North of State Route (SR) 509, the trail will be within in the City of SeaTac; south of SR 509, in the City of Burien.

Des Moines Memorial Drive is a historic living memorial and tribute to those who died in World War I. In 1921, elm trees were planted along the east side of the roadway to create a “living road of remembrance.” Over time, disease, development and road and utility improvements have threatened the trees. Of the originally planted trees, eight remain in the project area.

At the north end, most of the adjacent property to the east is owned by the Port of Seattle. The Port's property is undeveloped and includes wetland mitigation constructed in conjunction with the third runway project. The undeveloped property, while fenced, provides a natural park-like setting along this otherwise urban corridor. Several small private properties (a small warehouse and a gas station/convenience store) also abut the trail in the north end.

South of SR 509, over a dozen single-family residential properties are immediately east of the trail. Farther south, a vacant property owned by the City of Burien and a mini-warehousing facility are east of the trail.

To the west of Segment B, on the other side of Des Moines Memorial Drive, relatively dense residential development occurs throughout the corridor.

1.2.3 Project Purpose and Need

The purpose of the Lake to Sound Trail – Segment B is to design and construct an alternative non-motorized transportation corridor and multi-use recreational trail along the east side of Des Moines Memorial Drive from Ambaum Boulevard South to South 156th Street, in the cities of Burien and SeaTac.

The multi-use Lake to Sound Trail – Segment B would provide non-motorized access to recreation and employment centers, and complete a link in the Regional Trail System network. The trail is intended to safely accommodate a variety of user groups such as bicyclists, pedestrians, runners, wheelchair users, and skaters. Trail design standards would safely accommodate different ages and skill levels within those groups.

The Lake to Sound Trail – Segment B would:

- Serve local and regional non-motorized transportation needs and provide access to the trail for local communities.
- Help satisfy the regional need for recreational trails and provide safe recreational opportunities to a wide variety of trail users.
- Provide a critical link in the regional trails system.
- Provide economic and health benefits to communities along the trail.

2 REGULATIONS, STUDIES, AND COORDINATION

The concept of “environmental justice” has been discussed publicly for decades. Environmental justice acknowledges that the quality of our environment affects the quality of our lives, and that negative environmental effects should not disproportionately burden low-income or minority populations. Effects associated with transportation projects may include disruptions in community cohesion, restricted commercial access, presence of hazardous material, raised noise levels, increased water and air pollution, and other adverse effects. On February 11, 1994, President Clinton issued Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (Executive Order 12898). In a memorandum accompanying the Executive Order, President Clinton urged federal agencies to incorporate environmental justice principles into planning and programming activities. The National Environmental Policy Act (NEPA) provides a forum for environmental justice analysis and involving minority and low-income populations in the planning and project development process. Executive Order 12898 lists three major principles of environmental justice:

- Avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations 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.

In response to Executive Order 12898, the USDOT issued Order 5610.2, Order to Address Environmental Justice in Minority Populations and Low-Income Populations. It outlined generally how environmental justice analyses should be performed and how transportation project decisions should be made. The USDOT Order requires agencies to accomplish the following:

- Explicitly consider human health and environmental effects related to transportation projects that may have a disproportionately high and adverse effect on minority or low-income populations; and
- Implement procedures to provide “meaningful opportunities for public involvement” by members of those populations during project planning and development.

In response to the above, FHWA issued its own order, FHWA Order 6640.23 Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. It contains almost identical language to USDOT Order 5610.2.

Title VI of the Civil Rights Act of 1964 requires that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” FHWA provides guidance for documenting the potential social, economic, and environmental effects considered in the selection and implementation of highway projects (FHWA Guidance for Preparing and Processing Environmental and Section 4(f) Documents [FHWA Technical Advisory 6640.8A]). Executive Order 12898 is a renewed focus on the Title VI law with respect to minority populations, and adds emphasis on low-income populations.

This environmental justice analysis was developed in a manner consistent with NEPA, Executive Order 12898, USDOT Order 5610.2, FHWA Order 6640.23, and the following guidance documents:

- Section 458 Environmental Justice from the WSDOT Environmental Procedures Manual, M31-11, March 2006 (WSDOT 2006)
- Environmental Justice: What You Should Know, FHWA Washington Division, June 13, 2003 (FHWA 2003).

Environmental justice is analyzed for this project in compliance with FHWA guidance, due to the presence of low-income and minority populations in the study area. The project's adverse effects were identified and were then evaluated for disproportionality by using a Geographic Information System (GIS). The following criteria were used to determine whether the effect fell disproportionately on environmental justice populations.

1. A minority and/or low-income population would predominately bear the effects; or
2. The minority and/or low-income population would suffer the effects and the effects would be appreciably more severe or greater in magnitude than the adverse effects suffered by the non-minority and/or low-income population.

2.1 Coordination

FHWA and King County have identified public involvement as a key to engaging all people in the decision-making process as well as identifying adverse effects on a community. Public involvement includes providing meaningful access to public information concerning the human health, social, or environmental effects of a project and soliciting input from affected minority and low-income populations. Outreach can also help to identify specific concerns of low-income and minority populations as well as identify any benefits to these populations that would result from the project.

Key stakeholders for the project include area residents, businesses, schools, agencies, elected officials, tribes, organizations, and special populations such as elderly, disabled, minority, and low-income populations. Past and ongoing public outreach efforts are summarized below in Section 4.2.

2.1.1 Limited English Proficiency

Information on race/ethnicity is useful in identifying populations with limited ability to understand English and the need for translation services. The U.S. Department of Justice recommends that agencies consider providing language translation services if an ethnic group with a primary language other than English comprises 5 percent or 1,000 persons or more of an area. For example, if 5 percent or more of an area's population is Hispanic, there is a strong possibility that individuals may be limited in their understanding of English, thereby limiting their ability to participate in the project decision-making process. In this case, translation and interpreter services should be provided.

Table 2-1 above indicates that all the study area block groups have Hispanic, Black, and Asian populations that comprise 5 percent or more of the population. Table 4-1 shows 2000 Census numbers for populations who speak a language other than English. According to the Census data, large portions of the population speak either Spanish, an Indo-European language (East-Indian languages, Middle-Eastern languages,

European languages), or an Asian language. Information gathered from the Burien Library (2011) shows specific language groups serviced at that library include Spanish, Vietnamese, Korean, Hindi, Cambodian, Arabic, and Somali. In order to help persons with limited ability to understand English to use project materials and participate in the decision-making process, translation and interpreter services will be offered in some or all of these languages.

Table 2-1. Populations in the Study Area with Limited English Proficiency (2000 Census data)

Census Tract	Total Population over 5 Years	Speak Spanish		Speak Other Indo- European Languages		Speak Asian and Pacific Island Language		Speak Other Language	
	Count	Count	Percent	Count	Percent	Count	Percent	Count	Percent
CT 280, BG 1	859	17	2%	125	15%	35	4%	0	0%
CT 280, BG 2	256	9	4%	0	0%	18	7%	0	0%
CT 280, BG 4	1021	206	20%	185	18%	82	8%	33	3%
CT 284.02, BG 4	1139	244	21%	169	15%	57	5%	130	11%
CT 285, BG 1	172	0	0%	13	8%	0	0%	0	0%
CT 285, BG 2	790	32	4%	12	2%	53	7%	0	0%
CT 285, BG 3	1556	113	7%	80	5%	100	6%	41	3%
Study Area Total	5793	621	11%	584	10%	345	6%	204	4%

2.1.2 Outreach Activities

In February, 2011, letters were delivered to property owners along Des Moines Memorial Drive, providing notice of the March 16 open house, describing potential nearby construction activities within street right-of-way, and soliciting feedback. One property owner elected to meet with County staff onsite to discuss the project.

On Wednesday, March 16, 2011 King County hosted an open house to introduce the Lake to Sound Trail project to the public and share information on 30 percent design plans for Segment B. The open house was held at the Burien Community Center from 5 p.m. to 7 p.m. Approximately 40 people attended to learn about the project, meet the project team and provide feedback.

In addition, County staff has participated in three meetings with the Des Moines Memorial Drive Committee to discuss approach to preserving the intent of the Memorial Drive as a tribute to WWI veterans.

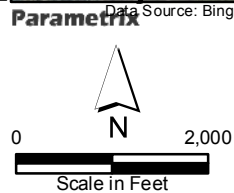
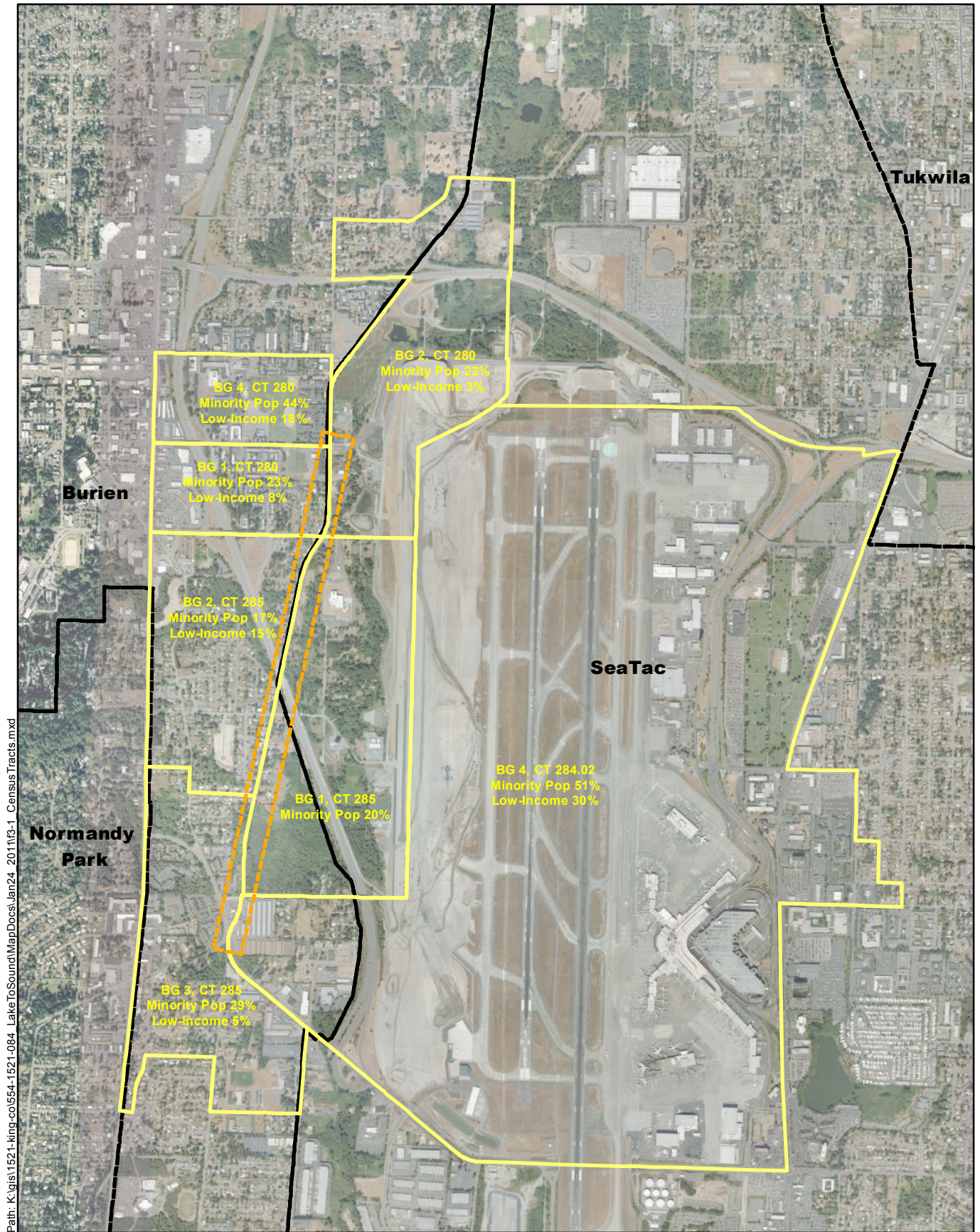
3 EXISTING CONDITIONS

3.1 Demographics

The study area falls within the cities of SeaTac and Burien, in King County. The study area was set to include all Census Tract Block Groups within a .25-mile radius of the project area, although it is anticipated that most project effects would not extend farther than Census Tract 285 Block Groups 1 and 2. The study area consists of the following seven block groups:

- Census Tract 280 Block Group 1
- Census Tract 280 Block Group 2
- Census Tract 280 Block Group 4
- Census Tract 284.02 Block Group 4
- Census Tract 285 Block Group 1
- Census Tract 285 Block Group 2
- Census Tract 285 Block Group 3

Figure 3-1 shows the individual Census Tract Block Groups within the study area and the percentage of minority and low-income populations residing within each block group. Detailed race and poverty data for the block groups in the study area are provided in Table 3-1.



Legend

- Project Site
- Census Tract/Block Group
- City Boundary

Figure 3-1
Census Tracts and Block Groups
in the Study Area

Lake to Sound Trail - Segment B

Table 3-1. Number of Individuals and Percentage of Total Populations Representing Low-Income and Minority Populations in the Study Area (2000 Census data)

City or Census Tract and Block Group	Total Population	Income in 1999 below Poverty Level		Black or African American		American Indian and Alaska Native		Asian		Native Hawaiian and Other Pacific Islander		Hispanic or Latino		Some Other Race		Two or More Races	
		Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
King County	1,737,034	142,546	8.4	93,875	5.4	15,922	0.9	187,745	10.8	9,013	0.5	95,242	5.5	44,473	2.6	70,499	4.1
Renton	50,052	4,798	9.7	4,238	8.5	358	0.7	6,692	13.4	250	0.5	3,818	7.6	2,122	4.2	2,287	4.6
Tukwila	17,181	2,167	12.7	2,198	12.8	223	1.3	1,870	10.9	312	1.8	2,329	13.6	1,385	8.1	1,119	6.5
Burien	31,881	2,961	9.4	1,638	5.1	411	1.3	2,232	7.0	370	1.2	3,397	10.7	1,720	5.4	1,364	4.3
SeaTac	25,496	2,839	11.5	2,334	9.2	382	1.5	2,822	11.1	677	2.7	3,302	13.0	1,634	6.4	1,620	6.4
Des Moines	29,267	2,141	7.6	2,106	7.2	280	1.0	2,422	8.3	393	1.3	1,936	6.6	972	3.3	1,392	4.8
CT 280, BG 1	894	70	7.8	43	4.8	13	1.5	57	6.4	16	1.8	74	8.3	41	4.6	74	8.3
CT 280, BG 2	251	7	2.8	14	5.6	4	1.6	22	8.8	4	1.6	12	4.8		0.0	7	2.8
CT 280, BG 4	1,136	208	18.3	116	10.2	18	1.6	124	10.9	28	2.5	209	18.4	122	10.7	89	7.8
CT 284.02, BG 4	1,257	372	29.6	257	20.4	19	1.5	118	9.4	50	4.0	195	15.5	105	8.4	129	10.3
CT 285, BG 1	175		0.0		0.0	2	1.1	15	8.6	7	4.0	11	6.3	5	2.9	4	2.3
CT 285, BG 2	846	127	15.0	21	2.5	7	0.8	53	6.3	1	0.1	58	6.9	19	2.2	29	3.4
CT 285, BG 3	1,753	86	4.9	160	9.1	24	1.4	136	7.8	21	1.2	161	9.2	89	5.1	97	5.5
Study Area Total	6,312	870	13.8	611	9.7	87	1.4	525	8.3	127	2.0	720	11.4	381	6.0	429	6.8

CT = Census Tract, BG = Block Group

The study area block groups have a combined population of 6,312 people. The population contains 33 percent minorities (2,070 minority individuals) and the following race groups: Black or African American, American Indian, Asian, Native Hawaiian and other Pacific Islander, and Hispanic or Latino. This number is higher than King County's minority rate of 23 percent (401,797 minority individuals). Study area city statistics for minority race groups compares as follows: the total for Burien is lower (25 percent) than the study area total but the total for SeaTac is higher (37 percent). Relatively high concentrations (the highest in the study area) of minority populations occur in Census Tract 284.02 Block Group 4 and Census Tract 280 Block Group 4.

Census Tract 285 Block Groups 1 and 2 where the most project effects would occur, have the lowest percentage of minority populations in the study area and also compare lower to city statistics. Minority populations in Census Tract 285 where most effects would occur comprise 20 percent of the total population in Block Group 1 and 17 percent of the total population in Block Group 2. The predominant minority race groups in the study area block groups are Hispanic, Black, and Asian.

The study area is made up of 870 low-income individuals (14 percent), which is more than King County's rate of 8 percent of low-income individuals. This percentage is also higher than the study area cities; Burien has a low-income population of 9 percent and SeaTac has a low-income population of 11 percent. The highest concentrations of low-income populations reside in Census Tract 284.02 Block Group 4 (30 percent), Census Tract 280 Block Group 4 (18 percent), and Census Tract 285 Block Group 2 (15 percent). Census data at the block group level can be suppressed due to inadequate survey response; therefore, demographic data for Census Tract 285 Block Group 1 was included in the table, though poverty data was not available.

The presence of minority and low-income populations in the study area was further confirmed by obtaining school data for the 2009–2010 school year for schools in the project vicinity (Highline 2011). Local schools include Bow Lake Elementary and Highline High School. These data are provided in Table 3-2. The school data reflect higher levels of low-income populations and minority populations as compared to the census data (National Center for Education Statistics 2010). School data revealed the most prominent ethnic minority group in both schools to be Hispanic (percentages ranged from 26 percent to 30 percent). Students eligible for financial assistance through government lunch programs comprise a large portion of the student population (70 percent in Bow Lake Elementary and 48 percent in Highline High). The National School Lunch Program ([NSLP](#) 2010) provides the following criteria for eligibility for free or assisted lunch programs. Children from families with incomes at or below 130 percent of the poverty level are eligible for free meals. Those with incomes between 130 percent and 185 percent of the poverty level are eligible for reduced-price meals, for which students can be charged no more than 40 cents. (For the period July 1, 2010, through June 30, 2011, 130 percent of the poverty level is \$28,665 for a family of four; 185 percent is \$40,793.)

Table 3-2 School District Statistics on Low-Income and Minority Populations in the Study Area ^a

Total Students	American Indian/Alaskan		Asian/Pacific Islander		Black		Hispanic		White	
	Count	Percentage of Total	Count	Percentage of Total	Count	Percentage of Total	Count	Percentage of Total	Count	Percentage of Total
Bow Lake Elementary School										
630	12	1.9	144	22.9	140	22.2	189	30.0	145	23.0
Free lunch eligible: 354					Reduced-price lunch eligible: 92					
Highline High School										
1299	30	2.3	194	14.9	165	12.7	348	26.8	549	42.3
Free lunch eligible: 472					Reduced-price lunch eligible: 147					

^a This information was downloaded from the National Center for Education Statistics (NCES) on January 19, 2011 and is subject to verification by the Highline School District.

4 POTENTIAL EFFECTS

Effects to neighborhood characteristics once the proposed project has been constructed and is in use would include visual changes with the addition of retaining walls, a permanent change in access to some properties, reduced privacy, and permanent loss of some on-street parking.

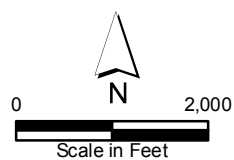
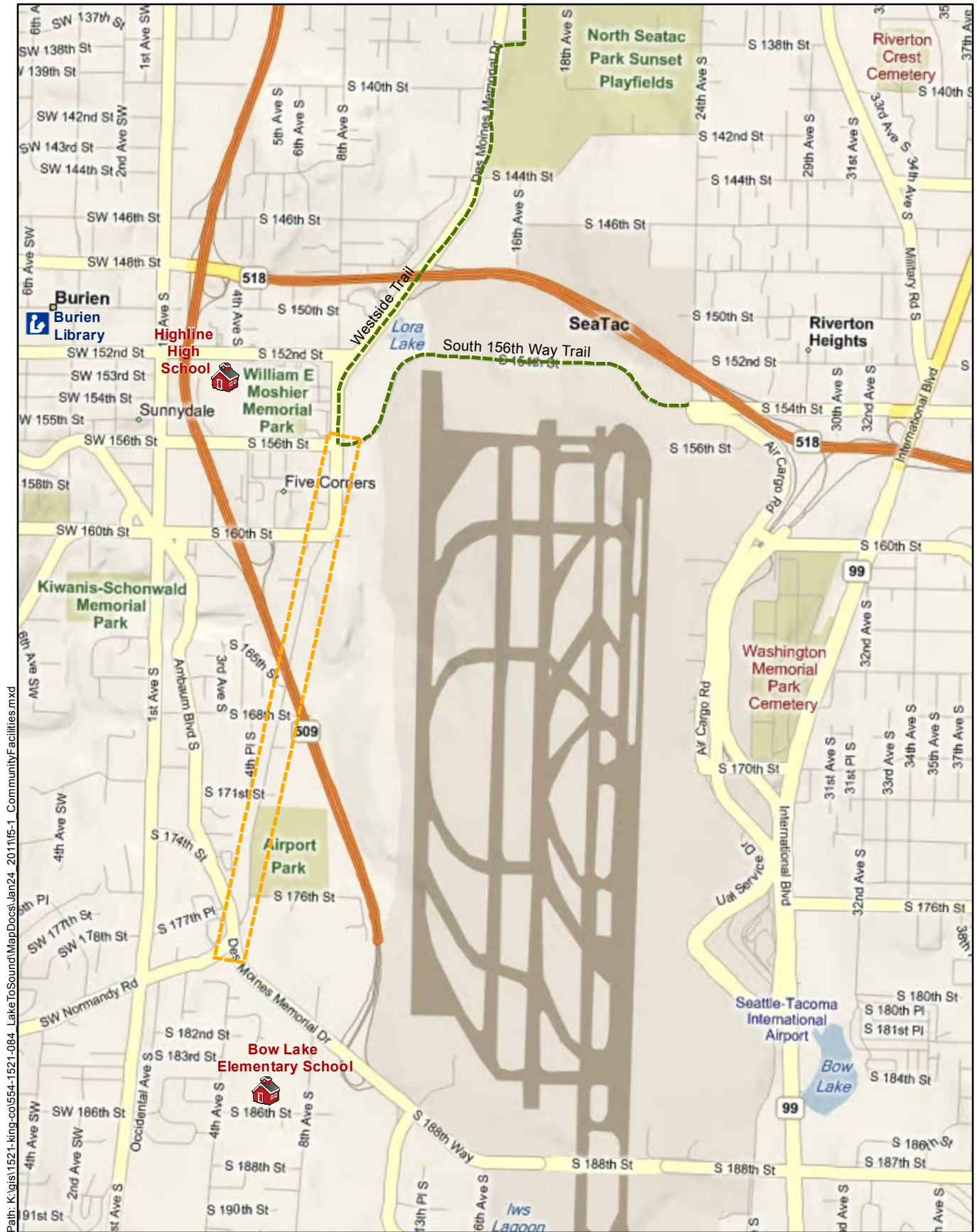
Retaining walls. In order to minimize impacts to adjacent property owners, the use of retaining walls is proposed for some portions of the trail. These short retaining walls create a slight visual change because they may be visible to trail users and residents along the trail. In one place, the top of a cut retaining wall may be close to an existing residence. However, this would not be visible from the residence. In some cases, while the face of the wall may be in the road right-of-way, the back of the wall is not, and an easement will be required.

Change in access. The project may result in altered access to some driveways adjacent to the trail. Where a property is served by more than one driveway, the elimination of a driveway is proposed.

Loss of parking. The residential neighborhoods along the proposed trail may experience increased traffic and a shortage of parking caused by people seeking access to the trail. Some residents in homes adjacent to the trail have been using the road right-of-way for additional parking. This on-street parking would be eliminated.

Reduced privacy. The proposed trail would be at the same elevation as nearby homes. Neighbors would have ready access to the trail but would also experience more people in their neighborhoods. Residents may experience reduced privacy due to the presence of the trail and trail users. This reduced sense of privacy would be more pronounced in areas where less than 25 feet would exist between the proposed trail and a home. Voices and the physical proximity of trail users could be considered an intrusion by some of these residents. However, trail users would likely be passing through rather than lingering in the vicinity of a given residence. Worst-case scenario is that voices from trail users may be audible inside adjoining residences where a window is open near the trail.

The project's effects would be predominantly borne by the residents adjacent to the project. As shown in the demographic analysis above, concentrations of low-income and minority populations in the study area are higher than the county-wide and city-wide concentrations. However, none of the potential effects above would be adverse, and some would be beneficial. For example, the proposed trail would enhance connectivity through neighborhoods and to regional recreational facilities for pedestrians, bicyclists, and other non-motorized trail users (see Figure 4-1). Therefore, the project would not result in high and disproportionate adverse effects to environmental justice populations.



Legend

-  Burien Library
-  Local Schools
-  Project Site
-  Existing Trails

**Figure (-1
Community and Recreational Facilities
in the Project Vicinity**

Lake to Sound Trail - Segment B

5 MEASURES TO AVOID OR MINIMIZE EFFECTS

By locating the trail predominantly within the road right-of-way, the potential effects to adjacent property owners have been greatly minimized.

In order to help persons with limited ability to understand English to use project materials and participate in the decision-making process, translation and interpreter services will be offered in some or all of the languages identified in the Limited English Proficiency section above.

In order to avoid or minimize the effects to adjacent property owners, ongoing coordination and outreach activities will be used to solicit property owner input. This input will guide project designs revisions as necessary.

Acquisitions of property will be performed in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

6 ENVIRONMENTAL JUSTICE DETERMINATION

The effects discussed in the Potential Effects section would be predominantly borne by the residents adjacent to the project. As shown in the demographic analysis above, concentrations of low-income and minority populations in the study area are higher than the county-wide and city-wide concentrations. However, none of the potential effects above would be adverse. Beneficial effects due to the addition of a new trail in the neighborhood, increased mobility for trail users, and increased access to regional recreational facilities beyond the project area would be experienced equally by the general population and minority and low-income populations. Therefore, the proposed action project would not result in high and adverse disproportionate impacts on identified minority or low-income populations. This proposed project has met the provisions of Executive Order 12898, as it is supported by Title VI of the Civil Rights Act.

7 REFERENCES

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