

TITLE VI AND ENVIRONMENTAL JUSTICE

Quick Reference Guide

December 2010

Environmental Justice and Title VI

Title VI of the Civil Rights Act of 1964 and President Clinton's 1994 Executive Order on Environmental Justice (#12898) state that no person or group shall be excluded from participation in, or denied the benefits of, any program or activity utilizing federal funds. Each federal agency is required to identify any disproportionately high and adverse health or environmental effects of its programs on minority populations and low-income populations. In turn, Metropolitan Planning Organizations (MPO's), as part of the United States Department of Transportation's certification requirements, are charged with evaluating their plans and programs for environmental justice sensitivity, including expanding their outreach efforts to low-income, minority, and other disadvantaged populations.

What does this mean to you as a planner or engineer?

It means that you may need to approach a planning project with more sensitivity, to address the needs of the underserved. This may require inclusion of extra analysis or public outreach activities. When additional efforts are required, this guide is meant to help DVRPC staff better understand Environmental Justice (EJ) and Title VI.

DVRPC addresses EJ through our technical work and public outreach. The technical EJ analysis identifies potential disadvantaged populations and attempts to mitigate adverse project or program consequences. Public outreach ensures that project information is accessible, and all residents in the Delaware Valley have the opportunity to participate in the regional planning process.

Title VI Compliance Plan

In January 2007, the DVRPC Board approved the Commission's Title VI Compliance Plan, which establishes a framework for DVRPC's efforts to ensure compliance with Title VI, as well as with other EJ and nondiscrimination mandates.

The Plan outlines how Title VI and environmental justice considerations are reflected in the Commission's Work Program, publications,

communications, public involvement efforts, and general way of doing business.

A Title VI Compliance Manager, as well as Title VI Liaisons in each of DVRPC's divisions are available to assist you with carrying out Title VI, EJ and public outreach responsibilities.

Degrees of Disadvantage Analysis

One of the primary outcomes of DVRPC's EJ work is the creation of an internal method of analysis used to identify disadvantaged populations within the Delaware Valley region. Using 2000 US Census data, DVRPC currently analyzes eight possible degrees of disadvantage (DOD), including poverty, non-Hispanic minority, Hispanic, elderly, carless households, physically disabled, Limited English Proficiency, and female head of household with child.

Census tracts that have higher concentrations of a particular population than the regional average are considered to be at a disadvantage, and should be further analyzed to uncover challenges and concerns that relate to the population group. Studies with EJ population groups greater than twice the regional threshold concentration should be brought to the attention of the EJ planning staff for further assistance.

The Degrees of Disadvantage Map, located on the back of this guide, illustrates the census tracts and their degrees of disadvantage. Additional maps are available that can identify both total numbers and percentages for all eight criteria.

Meeting Notices

All DVRPC public meeting notifications and other informational items released to the public must include the following Title VI notice. This applies to all Board and Committee meeting notices as well as to announcements of project-specific meetings.

"DVRPC fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. DVRPC

public meetings are held in ADA and transit-accessible locations when possible. Auxiliary services can be provided to individuals who submit a request at least seven days prior to a meeting. For more information please visit the DVRPC website (www.dvrpc.org) or call (215) 238-2871."

Next Steps: Technical and Outreach Ideas

When starting most planning projects, the EJ DOD analysis can be used to better understand the study area demographics. After population groups are identified, their needs and wants may be incorporated into the project and plan. While each study is different, the underlying principles are universal. Some ideas are listed below.

- If a particular population stands out as being much higher than the regional threshold, contact an organization that works with that EJ-related population to ascertain how the project or program affects that group. The public affairs office can assist with identifying the appropriate organization.
- Once an EJ related organization is identified, you can invite them to be a part of the study advisory committee. They can advocate for the needs and wants of that particular population.
- Many individuals in our region do not speak or read English. The study and other outreach information can be printed in different languages for limited English speaking populations and can be sent to organizations that work with these individuals.
- The DOD analysis may reveal a substantial carless population. Public meetings should be conducted near major transit stops to accommodate these stakeholders.
- Do not recommend increasing roadway speeds or widening the roadway if there are significant numbers of transit dependent pedestrians.
- In areas with elderly populations, constructing wider sidewalks, larger lettering on signs, and more lighting may be an appropriate recommendation.

- All meeting places should be ADA compliant and handicapped accessible. Furthermore, additional assistance may be provided for the hearing or visually impaired if requested.

DVRPC Programs

The DOD method of analysis is incorporated into several projects and studies. Programs that contain EJ elements include:

TIP Analysis – For the FY 2009-2012 Pennsylvania Transit and Highway TIP, 180 tracts (62 percent) of the 288 census tracts with five to eight DOD have a TIP project while 315 (68 percent) of the 463 census tracts with one to four DOD have a TIP project. For the FY 2010-2013 New Jersey Transit and Highway TIP, 40 tracts (60 percent) of the 66 census tracts with five to eight DOD have a TIP project, while 95 (43 percent) of the 233 census tracts with one to four DOD contain a TIP project.

Transportation and Community Development Initiative (TCDI) – Municipalities with census tracts containing three or more DOD are eligible for grants intended to support growth or redevelopment in the region's socially or economically disadvantaged communities.

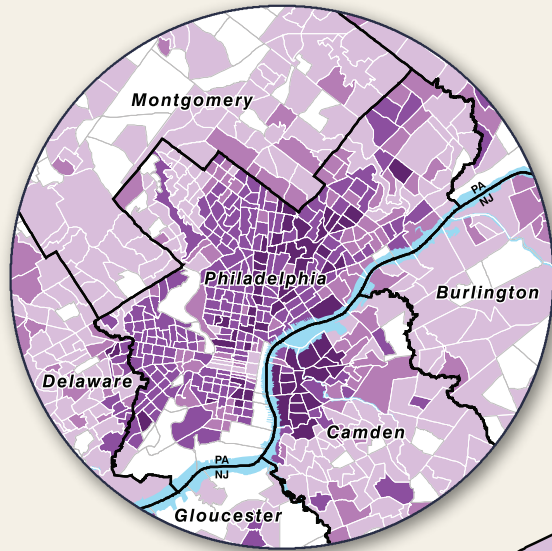
Congestion Management Planning (CMP) – The CMP contains several congestion management strategies that are explained in terms of EJ sensitivity, and correlated to a specific disadvantaged group or groups.

Coordinated Human Service Transportation Plan (CHSTP) - This program utilizes the DOD analysis to measure how CHSTP services connect disadvantaged populations to the regional transit system and employment opportunities and helps to define future CHSTP routes.

2035 Long-Range Plan - An Equity and Opportunity section is included in *Connections*, the regional long-range plan. With a focus on land use, this section identifies barriers to opportunity due to challenges in affordable housing, job access, quality of education, access to resources, and transportation choices.

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County Boundary

Degrees of Disadvantage by Tract



POPULATION GROUPS AND REGIONAL THRESHOLDS:

- NON-HISPANIC MINORITY (24.9%)
- CARLESS HOUSEHOLDS (16%)
- HOUSEHOLDS IN POVERTY (10.9%)
- PERSONS WITH A PHYSICAL DISABILITY (7.7%)
- FEMALE HEAD OF HOUSEHOLD WITH CHILD (7.4%)
- ELDERLY OVER 75 YEARS (6.6%)
- HISPANIC (5.4%)
- LIMITED ENGLISH PROFICIENCY (2.4%)

