

## **ENVIRONMENTAL JUSTICE**

Environmental Justice (EJ) is a federal directive (Executive Order 12898, enacted in 1994) requiring all federal programs to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects as the result of its programs, policies, and activities on minority populations and low-income populations. Populations which require special consideration include historically under-represented populations like African Americans, Asian Americans, Native Americans, or Hispanic Americans, the elderly and low-income households.

In addition to the general EJ mandate, the U.S. DOT published its own Order (5610.2) in the federal Register on April 15, 1997. This Order requires the incorporation of EJ principles in all U.S. DOT programs, policies and activities. The U.S. DOT is to integrate the goals of the Executive Order through a process developed within the framework of existing requirements, primarily the National Environmental Policy Act of 1969 (NEPA), Title VI of the Civil Rights Act of 1964 (to ensure that no person is excluded from participation in, denied the benefits of, or is subjected to, discrimination).

Within the NATS area, efforts are undertaken to ensure that transportation system improvements that are implemented do not have disproportionately negative effects on minority and low-income populations. In addition, system investments must provide for an equitable distribution of benefits to the areas that are traditionally underrepresented in the planning process. In order to ensure that NATS transportation investments are equitably benefiting (and not having a disproportionately negative affect) all of the region's diverse populations, the following procedures described below were undertaken.

### **Methodology to Identify Environmental Justice Populations**

In June of 2007, the SWMPC revisited its procedures by which NATS EJ populations were identified. Staff turned to representatives from MDOT to determine the procedures used at the state level for EJ analysis. The methodology described below outlines the procedures used for NATS EJ analysis, and parallels what is being used at the state level.

Minority group population numbers were assembled from the following 2000 US Census sources:

1. Total Population (Summary File 1, P003001);
2. Black or African American alone (Summary File 1, P003004);
3. American Indian and Alaskan Native alone (Summary File 1, P003005);
4. Asian alone (Summary File 1, P003006); and
5. Hispanic or Latino (Summary File 1, P004002).

All but Hispanic or Latino population numbers were drawn from populations of one race. Since the US Census does not consider Hispanic or Latino to be a race designation, there can be, by definition, individuals who identified themselves of two or more races within the Hispanic or Latino designation.

Low-income population numbers were drawn from the following 2000 US Census sources:

1. Population for whom poverty status is determined (Summary File 3, PCT049001) and
2. Income in 1999 below poverty level (Summary File 3, PCT049002).

Despite the fact that more current poverty data is available from the US Department of Health and Human Services, the 2000 US Census was used in order keep the poverty data in sync chronologically with the minority data. This means that Environmental Justice areas will not vary from year to year based on poverty.

Census Block Groups were used because they are the smallest geographic summary areas for which minority and poverty data are available. The advantage of utilizing Block Groups over Census Tracts is that the smaller geographical unit is more effective in identifying concentrations of targeted populations.

Once the EJ populations were identified, the population of the targeted group was compared to the overall population of the entire NATS area. The EJ areas were then mapped along with the 2008-2011 TIP and LRTP projects to determine potential impacts to EJ populations. These maps can be found in Appendix K.

**Conclusion**

After reviewing the EJ maps with the project locations, it has been determined that there will be no adverse effects on EJ targeted populations and that EJ populations will not be excluded from the benefits of receiving projects in their area.