

4.8 ENVIRONMENTAL JUSTICE

In the past, public agencies have sometimes discriminated against certain population groups. Whether this discrimination was intentional or not, it has disadvantaged these groups. To prevent these practices from continuing, Title IV of the Civil Rights Act was enacted in 1964. It addressed discrimination on the grounds of race, color, or national origin. Title VI was augmented in 1994 by then President Clinton's Executive Order 12898, which was directed toward preventing disproportionately high and adverse environmental impacts of federal actions on both low income and minority people.

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 (MPOs), 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.

The Office of Management and Budget (OMB) issued Policy Directive 15, Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity, in 1997, establishing five minimum categories for data on race. Executive Order 12898 and the DOT and FHWA Orders on Environmental Justice address persons belonging to any of the following groups:

Black - a person having origins in any of the black racial groups of Africa.

Hispanic - a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

Asian - a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.

American Indian and Alaskan Native - a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

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.

Note: OMB, in its Bulletin No. 00-02, "Guidance on Aggregation and Allocation of Data on Race for Use in Civil Rights Monitoring and Enforcement," issued March 9, 2000, provided guidance on the way Federal agencies collect and use aggregate data on race. Added to the previous standard delineations of race/ethnicity was the category of:

Native Hawaiian or Other Pacific Islander - a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Race and ethnicity thresholds are calculated to determine if the population qualifies as a “protected population”. DOT and FHWA do not specify thresholds for determining whether a target population qualifies as “minority” and/or “low income.” In fact, FHWA policy states that even if the minority or low-income population in a project, study, or planning area is very small, that does not eliminate the possibility of a disproportionately high and adverse effect on this population

(<http://www.fhwa.dot.gov/environment/ejustice/facts/#QA>). In contrast, CEQ’s environmental justice guidance under NEPA recommends that minority populations should be identified where either:

the minority population of the affected area exceeds 50 percent, or

the minority population percentage is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis.

<http://ceq.eh.doe.gov/nepa/regs/ej/justice.pdf> , p. 25

The HPMPO chose to use approach (b), basing the threshold for minority populations on the overall minority percentage of general HPMPO population.

Threshold calculations were made using data from the U.S. Census 2010 which has several unavoidable limitations:

Units of geographic analysis driven by census units— The Census geographic “building blocks” are census blocks, block groups (BG), and tracts. Those boundaries do not coincide with the HPMPO boundaries, so entire census units are included if even a portion of the HPMPO is within them. Based on which building block must be used, population totals and percentages vary.

Smallest scale analysis: limited data— Although census blocks are the smallest building blocks and would seem to be the best solution when trying to match the HPMPO boundary, block boundaries are not permanent between decades so long-term comparison becomes difficult. Therefore, the block group is the preferred census units for analysis if the data is available. Furthermore, poverty data is only available at the tract data level through the American Community Survey (ACS) which estimates data based on small samples of the population.

Data “decay”—The U.S. Census is only conducted every 10 years. In addition, some of the most detailed data files do not become available until several years after the census has been conducted. Although the ACS is conducted annually, it produces estimates based on data from a population sample.

Census data for ethnicity and race are in separate tables, so percentages were calculated based on the group’s corresponding total population estimate. When calculating the total minority threshold percentage, the total population estimates for all groups were averaged.

2010 CENSUS/ACS GEOGRAPHY	TOTAL MPO POPULATION	HISPANIC/LATINO	BLACK	ASIAN	AMERICAN INDIAN / ALASKA NATIVE	NATIVE HAWAIIAN/PACIFIC ISLANDER	TOTAL MINORITY	BELOW POVERTY
BLOCK GROUPS	302,047	20,611 (6.8%)					88,477 (29%)	
BLOCK GROUPS	307,795		53,747 (17.5%)	10,667 (3.5%)	3,211 (1%)	241 (0%)		
TRACTS	324,225							51231 (15.8%)

If the population of interest comprised more than the overall percentage for the HPMPO area, those particular block groups were mapped to show the percentages of population above the established thresholds, broken down into 4 classes based on equal interval breaks. For example, 17.5% of the HPMPO’s total population is African American; therefore any block group having more than 17.5% African Americans in its population was mapped. The other thresholds set were 6.8% for Hispanic/Latino, 3.5% for Asian American, 1% for American Indian/Alaska Native, 0% for Native Hawaiian/Pacific Islander, and 15.8% for low-income.

It must be stressed that Environmental Justice screening is intended to identify projects in the L RTP that have the potential to affect communities of special interest, not to quantify specific impacts. When individual studies begin as part of project implementation a more detailed analysis, including field surveys, will be needed to identify and minimize specific community impacts.

Minority and Low Income populations were identified and mapped in order to examine the potential impacts, positive and negative, of proposed transportation projects. U.S. Census 2000 Block Group data was used to identify Minority and Low Income populations within the High Point MPO. (Needed TAZ data was not available for the MPO.) Census Tracts were viewed as too large of geographic areas to appropriately identify populations and Blocks presented limitations in reported data needed for the analysis. There are 117 Block Groups pertaining to the High Point MPO. This includes Block Groups that are location partially in the MPO.

Data on Race, Hispanic or Latino Origin, and Persons Below Poverty were used. Calculations were performed on the data to determine the percentage of persons within each Block Group, based on the total Block Group’s population, that were within the following groups: Black/African American, Asian, American Indian/Alaska Native, Hispanic/Latino Origin, and Below Poverty. A calculation was then done combining the Race and Hispanic/Latino Origin data to identify the Total Minority population and

percentage for each Block Group. The calculated percentages for each of the Minority and Low Income populations were graphed to determine the thresholds for mapping. The thresholds were determined based on where key shifts occurred in population representation by Block Group.

The following table illustrates the thresholds established based on the analysis. Block Groups with a percentage above the established thresholds were identified as significant for the corresponding population.

Table 1

Population	Black/African American	Asian	American Indian/ Alaska Native	Hispanic/Latino Origin	Total Minority	Below Poverty
Threshold	20%	3%	none established	5%	30%	20%

Based on these percentages, all Minority and Low Income populations were mapped to show the geographical distribution of the populations within the High Point MPO. As well, the Total Minority and Below Poverty populations were superimposed on one another to see any noted relationships.

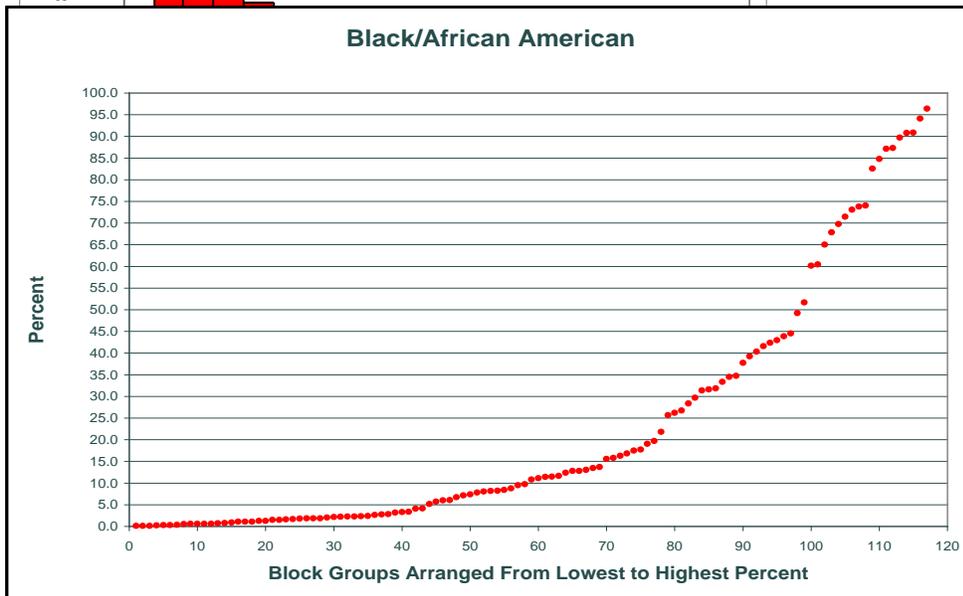
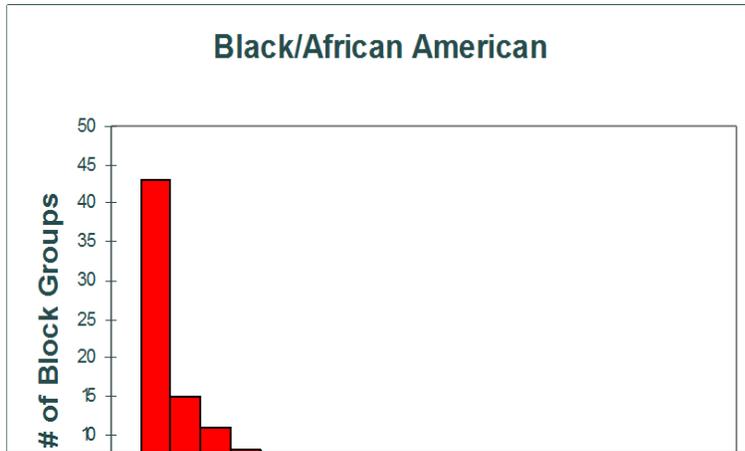
On the next page is an example to illustrate the approach taken with the analysis. In this example, the data illustrates that the Black/African American population within the Block Groups ranges from 0.11% to 96.42% with an average of 22.76%. A threshold of 20% was used based on what the data revealed as the point where a key shift in the population representation by Block Group occurs. Block Groups with greater than 20% were seen as having a higher representation of the Black/African American population than the remaining Block Groups within the MPO.

The transportation projects by horizon year were then superimposed on the maps to determine the relationships between the projects and Minority and Low Income populations. The mapped data combined with impact assessment criteria will determine project impacts.

Environmental Justice Methodology Example

Black/African American	
Mean	22.7606598
Median	10.80271795
Standard Deviation	27.61314985
Minimum	0.11055832
Maximum	96.41909814

The two-tiered approach (above the threshold and below the threshold) establishes the framework for a public involvement campaign.



Data Source:
U.S. Bureau of
the Census,
Census 2000

TO AND INCLUDING
TAGES ABOVE

The following Environmental Justice maps show the High Point MPO transportation projects by horizon year in relation to the minority or low income population.

<i>Percent Ranges</i>	<i># of Block Groups</i>
0	0
5	43
10	15
15	11
20	8
25	1
30	5
35	6
40	2
45	6
50	1
55	1
60	0
65	2
70	3
75	4
80	0
85	2
90	3
95	3
More	1

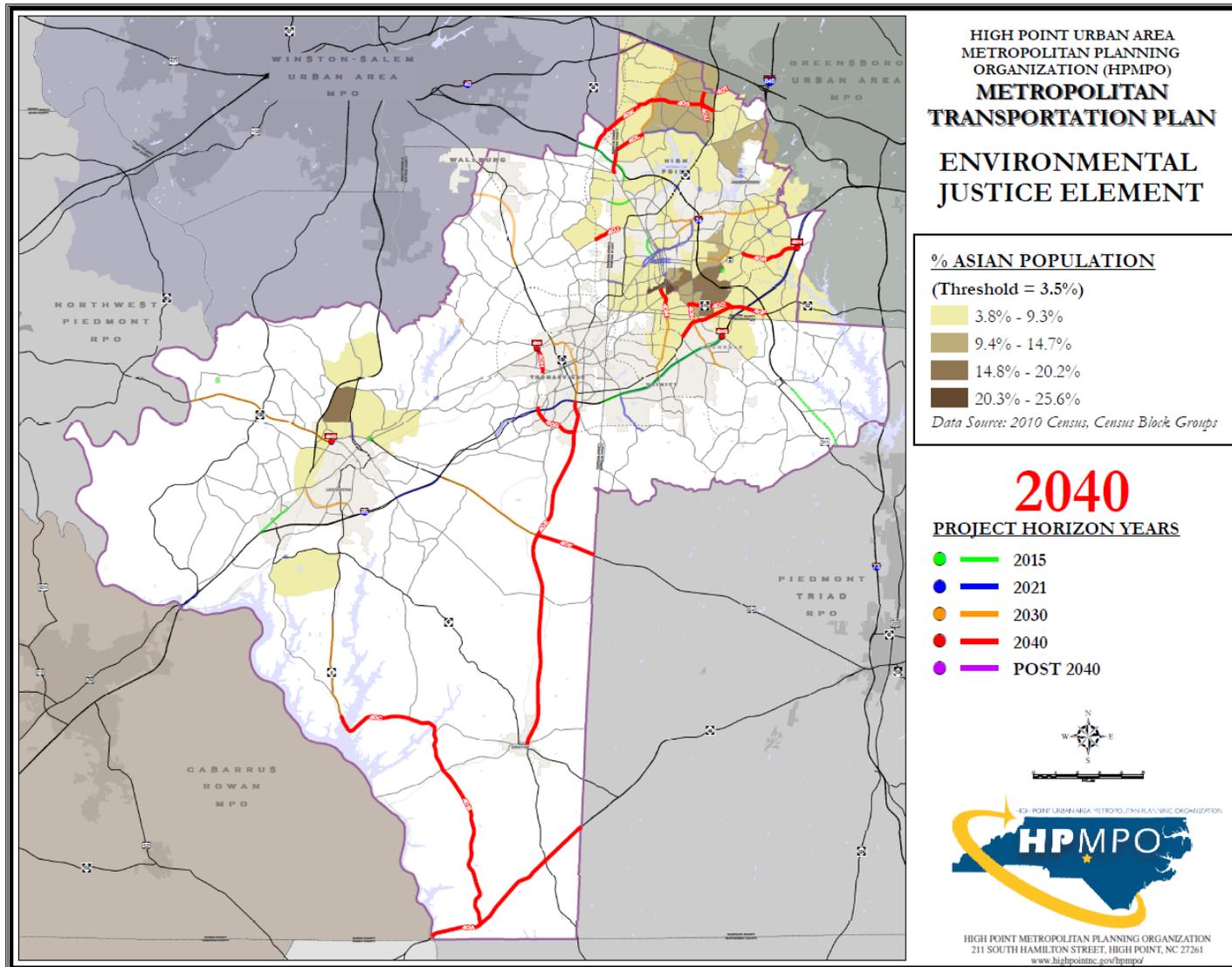


FIGURE 4.8-1 ASIAN POPULATION

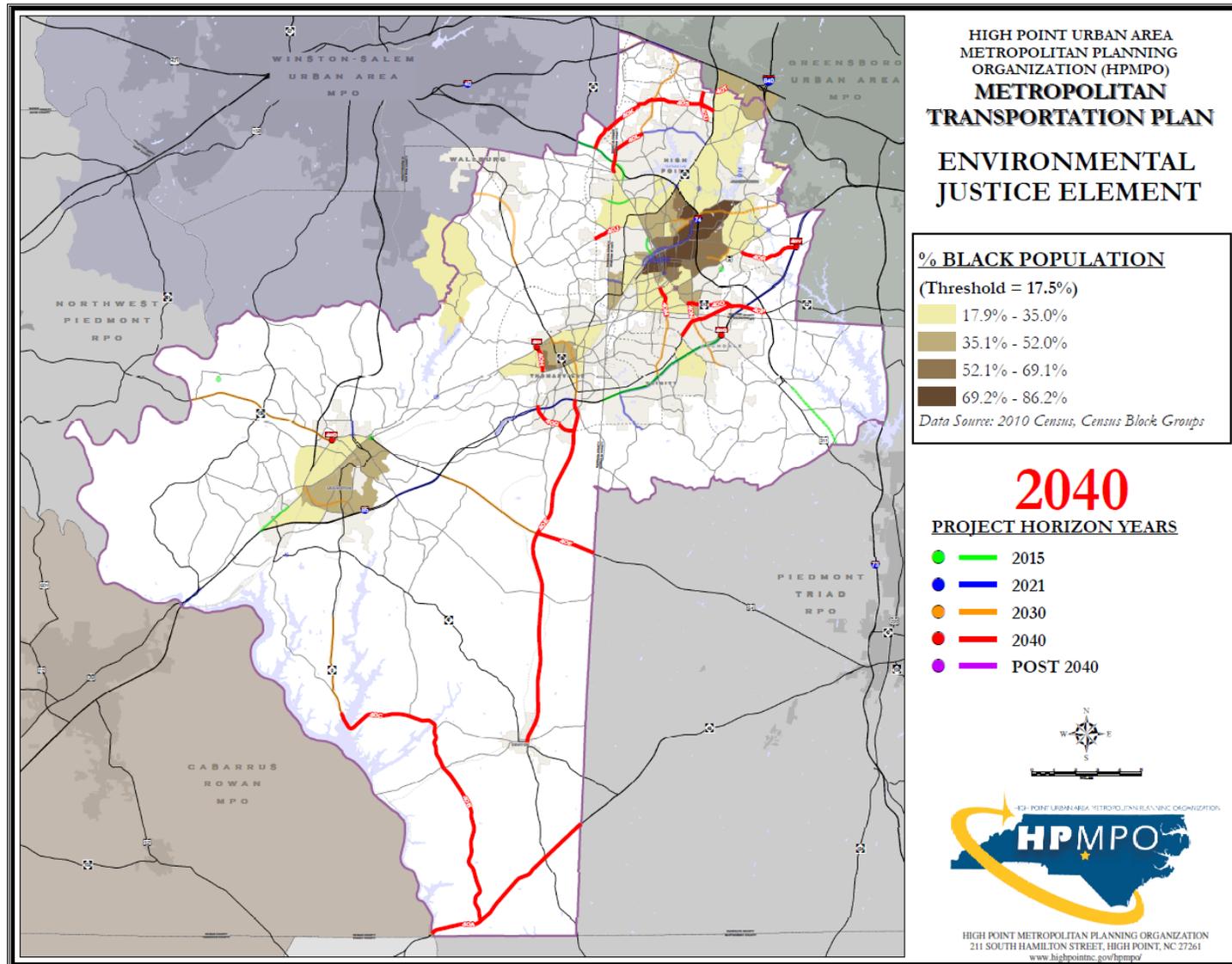


FIGURE 4.8- 2 BLACK POPULATION

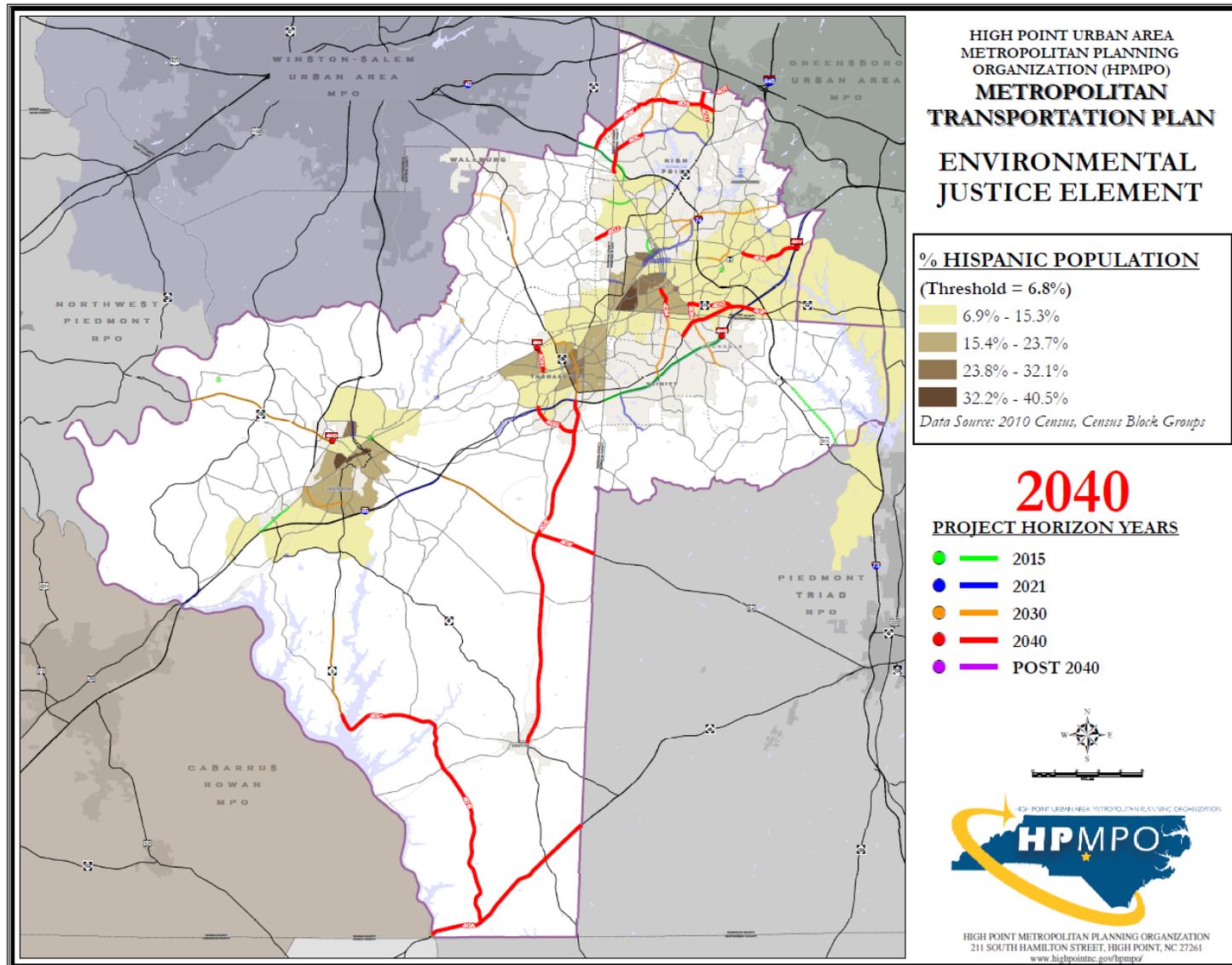


FIGURE 4.8-3 HISPANIC POPULATION

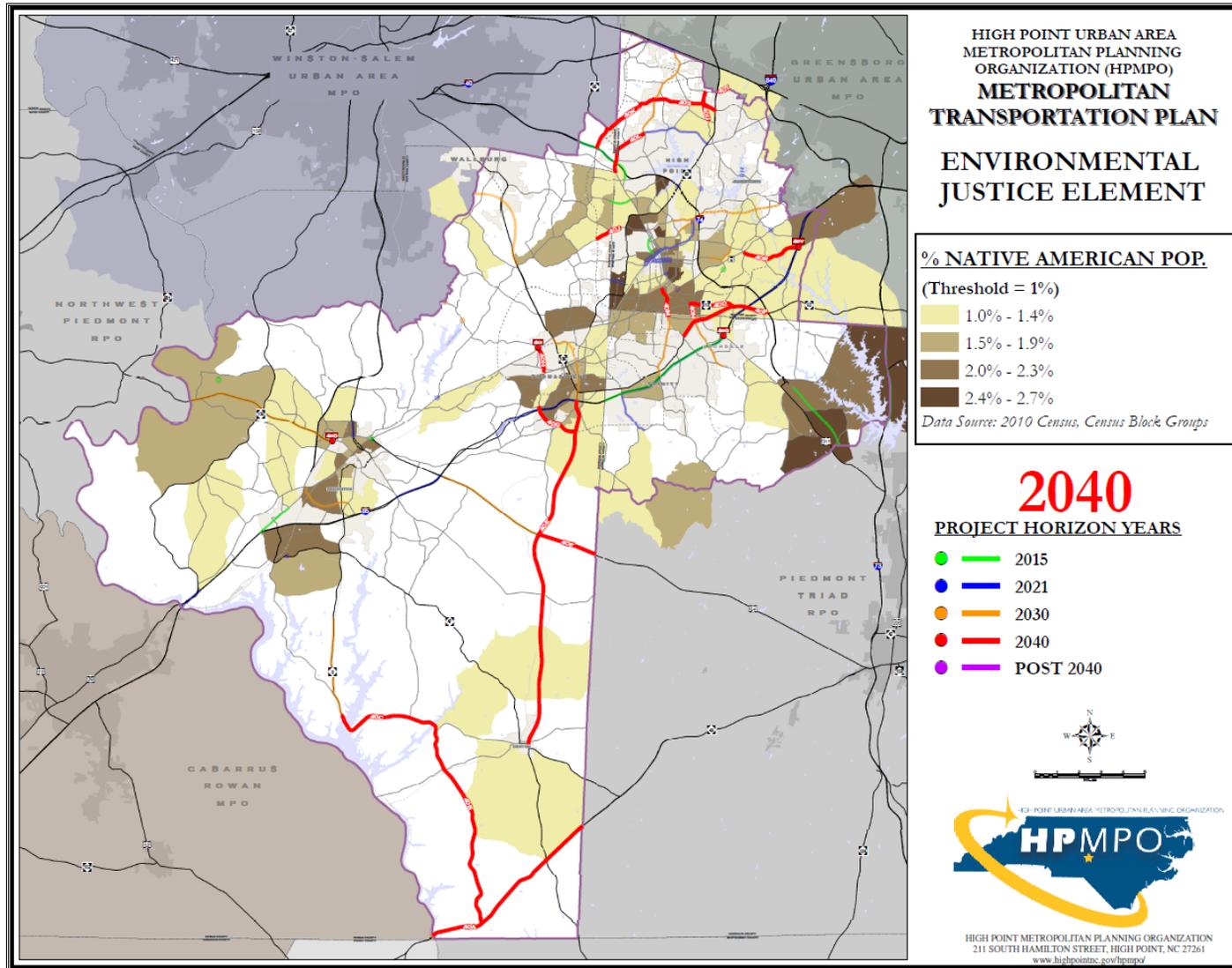


FIGURE 4.8-4 NATIVE AMERICAN POPULATION

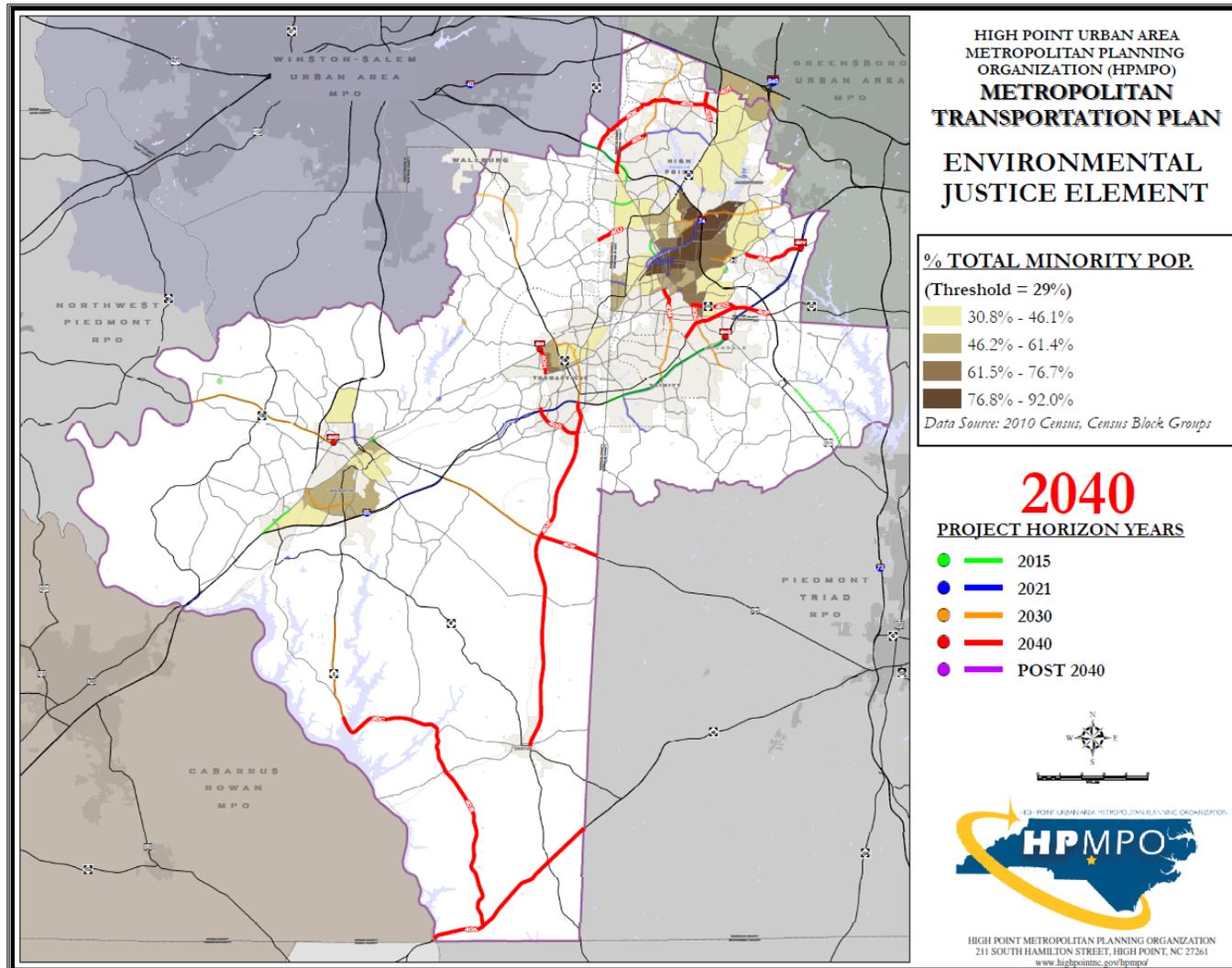


FIGURE 4.8-5 TOTAL MINORITY POPULATION

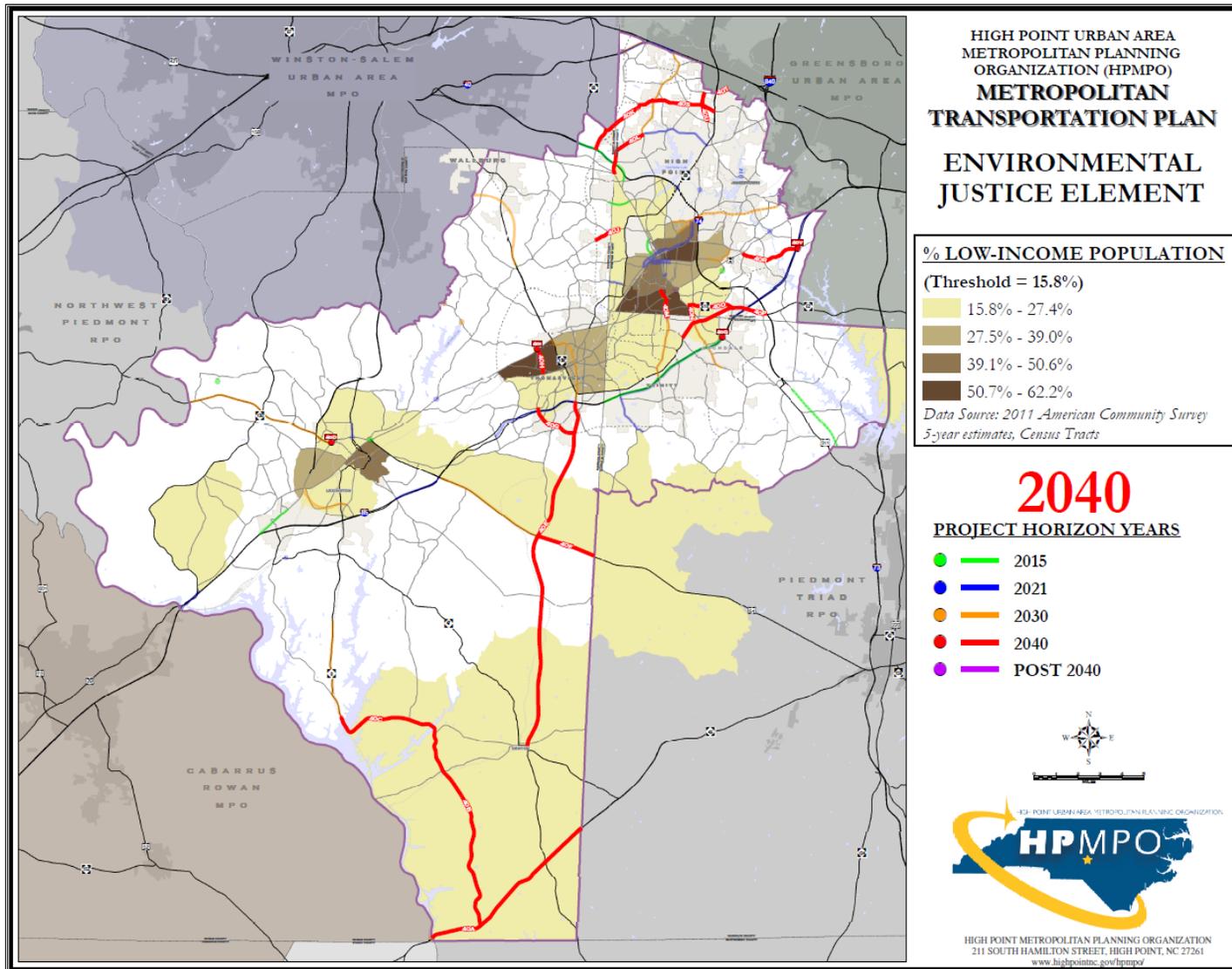


FIGURE 4.8-6 LOW INCOME POPULATION