Every Voice Counts

PennDOT Office of Planning

Environmental Justice Plan

Developed for:

Pennsylvania Department of Transportation
Office of Planning
Center for Program Development and Management

By: Parsons Brinckerhoff

May 2004
Letter from the Secretary

PennDOT is committed to serve and respond to the transportation needs of all the people of the Commonwealth of Pennsylvania. In 2000, the PennDOT Office of Planning completed a groundbreaking long-range transportation plan for the Commonwealth, PennPlan Moves. PennPlan sets forth our vision for the Pennsylvania transportation system through 2025, a blueprint for the investment of billions of state and federal dollars in the roads, bridges, rail systems, transit and trails. Planners took great pride in developing our most inclusive public involvement program ever in the development of the plan - an estimated 2,000 people participated through interviews, surveys, meetings and other activities.

Despite such an achievement, we know we can do more to reach out to a broader array of Pennsylvania residents, including lower income residents, minorities, and persons with limited English proficiency. This is a challenge we must undertake to create full and equal access to the mobility required to meet the challenges of the 21st Century.

The development of a transportation system that benefits all residents of Pennsylvania equitably, regardless of race, income or national origin, is a priority goal of our planning process. Every Voice Counts represents an important first step in the achievement of that goal. From here on, PennDOT will rededicate itself to providing the leadership skills, training and other resources needed for PennDOT and our planning partners at the regional and local levels to respond to the challenge of environmental justice. Together we can increase and improve access to the transportation decision-making process for the citizens of the Commonwealth.

Every Voice Counts will provide Pennsylvania transportation agencies with the guidance they need to create the course of action for any transportation plan or program they are in the process of developing. The approach we have selected is to provide choices, not rules and regulations, to permit maximum flexibility in order to meet the unique needs of every agency and jurisdiction in our Commonwealth. This places much responsibility in the hands of the Department and our planning partners to dedicate themselves to the charge of environmental justice. I am confident this is a challenge we can all live up to.

Sincerely,

Allen D. Biehler, P.E.
Secretary of Transportation
# Every Voice Counts

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In 2002, PennDOT decided to develop a comprehensive guidance document to assist PennDOT planners and its planning partners to address environmental justice (EJ) during the planning and programming processes. In view of the lack of documented guidance and best practices available to assist State departments of transportation (DOTs) to incorporate environmental justice into the early stages of the planning process, the PennDOT Office of Planning has decided to develop its own guidance.

*Every Voice Counts* culminates months of study and work by the PennDOT Office of Planning and was built in conjunction with the counsel of an appointed Environmental Justice Advisory Committee (EJAC). The EJAC consisted of individuals representing fifteen different transportation and community stakeholder groups across the Commonwealth, many with direct experience in environmental justice. The group helped PennDOT develop guidance that provides an instructional yet flexible tool that can meet the diverse needs of planning organizations. Figure 1 lists the groups represented on the EJAC.

PennDOT and the EJAC met several times over fifteen months to discuss the principles and practice of addressing environmental justice in transportation planning and programming activities. Each meeting addressed a different technical topic area related to developing this guidance, including an overview of Title VI and environmental justice, the development of EJ Vision and Mission statements for the PennDOT Office of Planning, techniques and data sources for identifying EJ target populations, methods for addressing EJ in plans and programs, and techniques for effective public involvement.

**Figure 1: The PennDOT Environmental Justice Advisory Committee**

- Federal Highway Administration
- Pennsylvania Department of Environmental Protection
- Andrew Young National Center for Social Change
- Center for Rural Pennsylvania
- Tri-County Regional Planning Commission
- Federal Transit Administration
- PennDOT Bureau of Equal Opportunity
- Delaware Valley Regional Planning Commission
- Penn State School of Public Affairs
- Southwestern Pennsylvania Commission
- Clean Air Council
- Governor’s Advisory Committee on Latino Affairs
Inside Every Voice Counts
The purpose of Every Voice Counts is to provide guidance and flexibility rather than fixed prescriptions for addressing EJ in transportation planning and programming. There is no one-size-fits-all method of addressing EJ. Agencies should be prepared to use this guidance to develop unique processes that address their distinct jurisdictions, including area demographics, the size and character of their jurisdictions (rural, suburban, or urban), specific transportation needs and priorities, and the agency’s resources.

The primary components of Every Voice Counts are:

1. An overview of the PennDOT planning and programming process, including the major players, federal and state process requirements, and products;
2. Technical guidance addressing the three major components of an EJ process:
   a. Identifying EJ target groups and populations - identifying those populations targeted for compliance with Title VI and EJ requirements;
   b. Public involvement - how to enhance public involvement to address a wider array of transportation stakeholders, including those populations targeted for EJ and Title VI compliance; and
   c. Integrating EJ into plan or program development - identifying and integrating transportation needs of targeted EJ populations and evaluating alternatives and draft plans and programs for EJ considerations.
3. Recommendations for PennDOT and the Planning Partners for getting started in implementing a Title VI and environmental justice program.
4. Appendices - supplemental information to provide additional detail where needed, including:
   a. A list of terms and acronyms used throughout the document
   b. The legal background for environmental justice
   c. A list of references used in developing this guidance
5. The Every Voice Counts Toolbox, a CD of resources and materials for agencies to refer to and use to strengthen their ability to meet EJ requirements, including:
   a. Internet links to supplemental guidance on EJ including documented case studies, guidance, training, and other resources
   b. Lists of national and Commonwealth EJ support organizations
   c. Contact information for PennDOT headquarters planning and support offices, District Offices, the MPOs, RPOs and independent counties
   d. Supplemental guidance for the public involvement of EJ target populations
   e. Supplemental guidance for using Geographic Information Systems to support EJ analysis.
II. Planning and Programming in Pennsylvania - An Overview

The Transportation Planning and Programming Process

The planning and programming process should set the framework for ensuring that EJ is adequately addressed during project delivery and should help PennDOT district staff or transit property staff to identify issues of concern in advance of initiating project development. An effective planning process that seeks out and considers the needs of low-income, minority and other targeted populations should result in:

1. Policies and plans that reflect the transportation needs and priorities of all Pennsylvanians;
2. Projects that are identified and prioritized in Transportation Improvement Programs (TIPs), the Twelve Year Transportation Program (TYP), and Statewide Transportation Improvement Program (STIP) that reflect the priorities of all Pennsylvanians; and
3. Projects with the potential for impacts to targeted communities are flagged to help decision makers during project planning and development at the PennDOT District Office or by a transit property.

Transportation planning is a continuous process that begins with the development of a long-range plan and leads to the development and implementation of specific projects. Frequently, people associate EJ with an assessment of the performance of a proposed plan or program results against EJ criteria. However, each of the elements of the planning process has important implications for meeting environmental justice. By addressing these as the process is being implemented, an agency improves its chances of developing a plan or program that provides an equitable distribution of transportation benefits to all Pennsylvanians. The following describes the elements of a typical planning and programming process and how environmental justice can be brought into it.

• **Plan Development** - Plan development refers to the process of identifying goals and objectives, conducting a needs assessment, and defining, evaluating, and selecting alternative policies or infrastructure strategies. Each of these process elements is described below. The final plan documents this process and its outcomes.

• **Goals and Objectives** - The policy driving the specific transportation investments in the TIP or STIP are long-range transportation goals and objectives. They indicate what the state, MPO or RPO intends to achieve for the transportation system. The plan’s goals and objectives should reflect the needs and interests of identified EJ populations as well as other stakeholders.

• **Needs Assessments and Problem Statements** - Specific transportation needs and problems are identified relative to the scope of the plan. A needs assessment or problem statement for a long range plan focuses on system-wide performance. EJ comes into play in long-range planning with the recognition of differences in transportation usage trends and system performance.

• **Alternatives Definition** - Specific alternatives are defined to address the needs and/or problems identified above. The alternatives present different transportation policy strategies and/or investment scenarios that should result in different outcomes. Alternatives should be discussed with members of the public to ensure that all reasonable alternatives will be evaluated.
• **Alternatives Analysis/Evaluation** - The process of evaluating plan alternatives against the goals and objectives is what leads to selection of an alternative and adoption of a plan by the political leadership of a State, MPO or RPO. Alternatives are evaluated against measures of effectiveness based on the plan goals and objectives. Alternatives are evaluated for the distribution of benefits and impacts against defined EJ populations and groups.

• **Program Development** - Programming is the process of identifying specific projects and allocating transportation funds and a schedule for their implementation. Programs may be assessed for their EJ implications from multiple perspectives, such as the allocation of dollars to different modes or geographic areas; transportation system performance; and environmental performance.

• **Project Delivery** - The process of planning, designing and implementing a project is called project delivery. EJ in project delivery is not the focus of this guidance. However, planning and programming should provide a smooth transition into project development. Project development includes project planning environmental analysis and design. Construction and operations and maintenance are also elements of project delivery. How projects are planned, designed, constructed and operated all have very distinct EJ implications.

• **Performance Monitoring** - An assessment of how well a transportation system is meeting goals and objectives is an important part of transportation planning. This monitoring initiates updates to the long range plan and TIP. As mentioned before, performance objectives and measures of effectiveness need to reflect EJ considerations.

Federal transportation policy, as provided in authorizing legislation and supportive regulations, frames the planning and programming process followed by PennDOT and the planning partners. PennDOT, like most state DOTs, has institutionalized its own version of the transportation planning process. The following describes each of the major elements of that process.

**Statewide Long-Range Transportation Plan**

Federal transportation policy requires state departments of transportation (DOTs) to develop a long-range transportation plan (LRTP) that articulates transportation policy for the state, addressing all applicable transportation modes and covering seven planning areas: economic vitality, safety and security, mobility and accessibility for persons and freight, system integration and coordination, environmental protection, system management and operation, and system preservation. The statewide LRTP is to be developed in cooperation with a state’s MPOs and non-metropolitan planning officials. In Pennsylvania, non-metropolitan coordination takes place with Rural Planning Organizations (RPOs) and the independent counties. Plan development must include consultation with citizens, transportation providers and other interested parties. State DOTs are to continually evaluate and update their LRTP to ensure adequate reflection of current policy.

Pennsylvania’s current Long Range Transportation Plan is *PennPlan Moves!* It outlines a 25-year blueprint of strategies, programs, projects and other activities to be used in the execution of improving and operating the transportation system in the Commonwealth for the years 2000 through 2025. PennDOT Secretary Biehler has directed PennDOT to update PennPlan to address the transportation priorities of this Administration. The update, expected to take on the title, *Mobility Plan for Pennsylvania*, is scheduled to begin development in early 2004.

**Metropolitan Planning Organization Long-Range Transportation Plan**

MPO LRTPs are similar in content and scope to the Statewide LRTPs. MPO LRTPs are to be developed in cooperation with the State DOT, local officials and transit providers. In Pennsylvania, RPOs are also responsible for developing a LRTP.

A primary difference between the Statewide LRTP and MPO/RPO LRTP is that MPO and RPO plans are required to be financially constrained by the revenues that they estimate to be available over the life of the plan. Additionally, MPO plans are subject to federal air quality standards set forth by the Clean Air Act. The plans, programs and projects within the plan must conform with the Statewide Implementation Plan for air quality.
Twelve Year Transportation Program (TYP)

Act 120 of 1970, as amended, requires PennDOT to prepare and submit to the State Transportation Commission every two years a program of transportation improvements that PennDOT recommends for implementation over the next twelve years. The PennDOT TYP is developed in collaboration with the PennDOT planning partners. Transportation projects comprise all transportation modes including highways, bridges, aviation, rail freight, bicycle/pedestrian, and public transit. Projects in the TYP are divided into three four-year periods.

The State Transportation Commission (STC), a body of fifteen members, provides policy direction and oversight in TYP development. The Secretary of Transportation chairs the STC. The other fourteen members include four members of the State Legislature and ten additional representatives appointed by the Governor. Input on the TYP is solicited from the public and interested parties through regional hearings, typically held during September and October on a biannual basis.

Statewide Transportation Improvement Program (STIP)

The first four years of projects in the TYP is the Statewide Transportation Improvement Program (STIP). The STIP is required of all State DOTs, and must cover a minimum of three years. MPOs and RPOs are also required to develop TIPs. TIPs developed within the Commonwealth cover a four-year period.

Transportation Improvement Programs

Multimodal in scope, a TIP contains a prioritized list of projects for the designated period and is fiscally constrained by year based on the resources that can be expected to be available. Together with PennDOT, the MPO, RPOs, and independent counties help to prioritize the projects that comprise the Statewide Transportation Improvement Program and the Twelve Year Program through the process described above. The Commission biannually adopts the TYP. Subsequently, the Commission submits the program to the Governor, General Assembly, and Transportation Secretary for approval. The TYP and the STIP serve as the blueprint for improving the Commonwealth’s transportation system.

As described above, each of these products has a different reach, focus, and level of detail, but all build upon the relationship and roles between the local governing bodies and the public to reflect the inclusion of ideas from the ground upward.
III. Identifying Targeted Communities

The USDOT Order on Environmental Justice issued in April 1997 provides broad descriptions of the individuals and groups that are to be considered when identifying targeted communities. The exact descriptive language is provided in Appendix B of this guidance. The groups include low-income persons and populations as defined by the U.S. Department of Health and Human Services (DHHS) Poverty Guidelines and minority persons and populations - Black, Hispanic, Asian American, American Indian and Alaskan Natives. These definitions can be viewed as the minimum requirements against which an agency can establish its own, more inclusive procedures for addressing EJ in transportation decision-making.

There are three primary reasons for identifying targeted populations. One is to integrate techniques for involving such populations and individuals in the public involvement process. A second purpose is to identify and integrate the transportation needs and priorities of these populations in plans and programs. The third is to assess the effects of alternative policies, investments and programs on these individuals.

The underlying principle in identifying a targeted population is inclusiveness. It is important to consider all groups that are typically underrepresented in transportation decision-making or affected by other factors that might limit their access to transportation choices or the full benefits of the transportation system. Figure 2 provides a checklist to use when developing the community identification process.

Figure 2: Identifying Targeted Populations Process Checklist

- Make a list of potential demographic groups to consider for the region or start with the required EJ populations defined by the Executive Order and supportive guidance;
- Consider groups that are underrepresented in typical public involvement and transportation decision making processes, have limited access to the full benefits of the transportation system, or have encountered disproportionate impacts from past transportation decisions;
- Decide on the level of detail required for identifying groups spatially and identify data sources to use to conduct a spatial demographic profile;
- Engage leaders and representatives of demographic groups to help identify target populations, spatially and non-spatially;
- Conduct a spatial demographic inventory to identify the distribution and concentrations of targeted groups identified above;
- Verify results through field visits and community consultation, as appropriate and feasible.
Agencies should consider the following when identifying targeted EJ populations for their planning process:

1. **Indicators of low-income** - Depending on cost of living, the DHHS poverty threshold may not be an appropriate measure from which to define a low-income population. For example, the 2003 DHHS poverty level for a family of four is $18,400\(^{(36)}\), an amount that may seem extraordinarily low, particularly in an environment where the cost of living tends to be high. An agency may wish to identify areas of 200%, 300% or more of the federal poverty level as a more appropriate indicator of transportation need based on income. For example, a family of four at 300% of the current poverty level would have an income of $55,200 (300% x $18,400). If $55,200 is substantially under the “typical” income for a family of four, the agency may choose to target such households in their EJ analyses. Other indicators of low-income include average property values and automobile ownership rates.

2. **Language issues** - Populations or individuals with limited English language proficiency may feel uncomfortable voicing their transportation concerns, particularly in a public forum, and may face unique challenges in the transportation system. Persons with limited English proficiency include those who primarily communicate in other languages as well as persons with limited English language reading and writing skills. Special consideration for how to communicate with such populations will be critical. The use of visualization techniques and graphics may be particularly effective communication tools for situations in which language barriers exist.

3. **Special transportation needs** - Agencies should consider targeting groups with limited transportation choices that may be more vulnerable to the impacts of transportation decisions. This includes groups and individuals who have limited access to motor vehicles and tend to use public transportation and other alternative modes of transportation.

4. **Age groups** - Both youth and the elderly are populations frequently targeted during the planning process because of their unique mobility needs.

5. **Persons with disabilities** - Though protected through the Americans with Disabilities Act (ADA), persons with disabilities possess additional transportation needs, which cannot be grouped together and assumed to be the same for all physically challenged people. For example, the needs of the blind are not the same as persons that rely on wheelchairs for personal mobility. Yet, both groups require special service and design considerations in the transportation system.

**The Importance of Outreach**
Agencies should consult with leaders of groups and organizations that serve different populations early in the planning processes to help identify which groups or communities within the study area have special transportation concerns that might prompt an agency to target them from an EJ perspective. Such outreach ensures that smaller groups or communities that aren’t easily captured by the data or in spatial definitions (see the following section) are adequately considered and brought into the process. It also can bridge communication gaps with targeted EJ communities and open the door to partnerships in implementing public involvement activities focused on them.

**Defining Target Groups Spatially**
*Spatial definitions* of targeted groups map their distribution within a plan or program study area. Spatial definitions are used to demonstrate the geographic relationship between areas that include concentrations of targeted EJ groups and the transportation system, key destinations such as employment centers, and proposed plan or program alternatives. Spatial analyses are also used to identify transportation needs, analyze how targeted groups fare under the existing transportation system, and assess the effects of proposed transportation investments included in statewide, MPO, and RPO long-range plans and programs. They are also useful for planning the public involvement process. **Figure 3** illustrates how mapping can be used to identify low-income communities along one of the 28 PennPlan corridors.
The level of detail and units of spatial analyses will differ among agencies. A statewide demographic analysis will use the largest units of analysis, such as Census tracts, counties, or metropolitan statistical areas to identify spatial distributions of different targeted groups. Analyses for an MPO, RPO, or corridor plan will be smaller, because of the more regional and local focus of the planning process. Census tracts, census blocks and Traffic Analysis Zones (TAZs) are the most appropriate unit of analysis for these agencies.

**Thresholds** are a common means of spatially identifying targeted communities. Typically, agencies target communities based on the comparative concentration of a population relative to its statewide or regional representation or some other defined “threshold”. For example, for an MPO study area where ten percent of the population is African American, an African American community would be defined for those areas within the MPO (such as Traffic Analysis Zones, Census Blocks, or other defined zones) with an African American population equal to ten percent or greater.

Some agencies establish a flat percentage of minority composition as the means of targeting EJ communities, rather than identifying geographic communities for each of the individual minority groups called for by the EJ Executive Order. This can be useful for areas that have diverse communities of various races and incomes. An agency that applied this technique was the Metropolitan Transportation Commission (MTC) in the San Francisco Bay Area. The MTC identified “communities of concern” for their 2001 Regional Transportation Plan to include Traffic Analysis Zones (TAZ) with at least 70% of its population as “minority” or 30% of its population with incomes 200 percent below the poverty level. This identification reflected the considerable diversity of the region, which is over 50% minority. (8, 27)
Data Sources
A variety of sources provide data that facilitate identifying minority and low-income populations for a given jurisdiction. The most commonly used and comprehensive source of data comes from the U.S. Census Bureau. Census data is used to identify minority and low-income populations by collecting socio-economic and demographic data in ten-year cycles. Census data provide packaged information on populations that serve as the main or primary source of data useful for environmental justice analysis. Many demographic databases and projections developed to support local government activities utilize Census data. Some Census data packages, such as the Census Transportation Planning Package and Journey-to-Work data can provide information on transportation behaviors and needs by demographic group.

While Census data are easily available and comprehensive, census data are limited in that they can only be disaggregated to certain prescribed levels, such as census tract or census block levels. The traditional method of analysis using census tracts or blocks may overlook pockets of minority or low-income populations or may distort population breakdowns. Agencies may wish to consult supplemental sources of data to balance the accuracy of Census data and/or provide a different means of identifying a target group.

Data packages and programs, such as the travel demand models used by many MPOs, are important for understanding how populations interact with their transportation environment. Some useful data sources and modeling programs that supplement more traditional Census data include:

- Property appraisals from tax records to identify neighborhoods with homes assessed under $25,000 or some other reasonable threshold. This could be a secondary means of identifying low-income communities, other than relying on the federal poverty guidelines.

- State free and reduced-cost school lunch program data as a similar proxy for identifying low-income communities.

- State employment data from the Department of Social Security to identify location of low-income families, racial minorities, and location of entry level or low wage earning jobs.

Figure 4 summarizes the features of many data sources useful for addressing EJ issues.

Once You Identify, Verify!
During and after the time in which EJ populations are being identified using traditional data, agencies should be reaching out into the community to test the validity of their data and assumptions with a field review and direct public involvement.

Visiting the community through a “windshield” or walking tour, as feasible, can help an agency decide upon the actual physical boundaries of what are considered to be low-income and minority communities. Agency staff persons need to look for “clues” for evidence that indicates a clear presence of specific demographic groups. For example, signage in multiple languages or restaurants and shops that contain items of interest to specific cultures are important clues of a predominant presence of those groups. Coordination with community leaders, statewide or regional representatives of demographic groups, District level PennDOT staff, or their planning partners with intimate knowledge of the communities is strongly recommended for verifying the results of the demographic data and mapping software.

A cautionary note: groups and communities may bristle at being labeled. When reaching out to community leaders, agencies need to use terms that don’t unfairly characterize a community but still achieve the objective of identifying communities that ought to be targeted for environmental justice. Agency staff should focus on the factors that might indicate a specific need in a transportation decision-making context: the availability of a full range of transportation services and facilities, a high use of public transportation and/or limited availability of automobiles, concentrations of immigrants or persons speaking English as a second language, etc.
### Table: National and Local Data Sources and Analysis Tools

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| U.S Census Bureau                                | Population data pertaining to low-income and minority populations             | Statewide, regional, MPO, RPO, countywide, transit agency        | Demographic data in the following units:  
  - Block  
  - Block Group  
  - Census Track  
  - State  
  - Region  
  - Congressional districts  
  - Zip Codes  
  - Places |
| American Community Survey                        | Provides statistical summary for planning and evaluating public programs. Updated annually for statistical accuracy. | Statewide, MPO, RPO, countywide, transit agency                  | • Provide estimates of demographic, journey-to-work, housing, social, and economic characteristics every year for all states, cities, counties, metropolitan areas, and population groups of 65,000 people or more.  
  • The ACS will report summary data cross tabulated down to the block-group level. |
| Census Transportation Planning Package 2000 (CTPP) | Decennial Census contains tabulations by place of residence and by place of work and home. | Statewide, MPO, RPO, countywide, transit agencies               | • Transportation and travel flow data can be cross tabulated by race, ethnicity and income and compared between and within states, metropolitan areas, counties, and municipalities  
  • Provides options to aggregate categories, summarize the data and export data into other formats such as ASCII, GIS, spreadsheets and databases  
  • Data may be used to create simple maps without a separate GIS or mapping software |
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| Surface Transportation Efficiency Analysis Model (STEAM) | User benefits model for system-wide analysis of multi-modal transportation investment alternatives. | MPO, RPO, countywide | • Travel demand analysis using specified demographic and transportation system data inputs  
• For the evaluation of cross-modal alternatives for long-range planning and major investment studies  
• Estimation of emissions impacts proposed for funding through congestion mitigation and air quality funds  
• Analysis of costs, benefits, and economic and environmental impacts of multimodal investment and demand management alternatives |
| Public Use Microdata Sample | Data set contains records from the long-form census survey. The files contain records for a sample of housing units with information on the characteristics of each unit and each person in it. | Statewide, MPOs, RPOs, transit agencies. Also used by social service agencies. | • State  
• County  
• Metropolitan Statistical Area  
• Census tract  
• Place |
| Claritas Connect | Population data based on over 19,000 individual census based data variables. | MPOs, RPOs, transit agencies | • Block groups  
• Census tracts  
• Zip codes  
• County  
• State |
| U.S. Department of Education Office of Civil Rights | Race/Ethnicity and children with disability data based on five racial categories and the Individuals with Disabilities Education Act (IDEA) | Utilized by State Education Departments, MPO’s, and disability-specific organizations. | • Block groups  
• Census tracts  
• County  
• State |
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| U.S. Department of Housing and Urban Development Data Sets | Family and housing income limits and metropolitan area information | Statewide, MPOs, RPOs       | • State  
• Region  
• Block group  
• Zip Codes  
• Congressional districts |
| Pennsylvania Labor Market Information Database Systems | Provides on-line access to variety of workforce data including past and future employment trends; wage data; career-related and education topics and profiles | Statewide, MPOs and RPOs | Demographic counts and area profile and labor force statistics by:  
• County  
• State  
• Zip Codes  
• Gender  
• Census Tract |
| Pennsylvania Americans with Disabilities Data Sets | Provides information on persons in need of special transportation | Statewide, MPOs, RPOs       | Data focused on persons with disabilities by county and census tract, including:  
• Population  
• Employment  
• Age  
• Gender, and  
• Race |
IV. Public Involvement

Public involvement is the cornerstone of an effective Environmental Justice (EJ) strategy for transportation planning and programming. It is the fundamental tool by which minority and low-income populations have representation and a voice in the process and as such, it must be meaningful and measurable. Figure 5 outlines a strategy for building and implementing an effective public involvement program that incorporates outreach to EJ target communities.

The goal agencies should strive to achieve with their public involvement programs is to build public ownership of the resulting transportation plan or program. The efficacy of a comprehensive public involvement program that incorporates an effective EJ strategy rests in its ability to:

- Identify and involve target populations;
- Determine transportation needs and concerns of all affected publics;
- Develop goals to guide a public involvement plan that include specific performance expectations for involving low-income, minority and other targeted populations in the process; and
- Test the effectiveness of the process against these goals and make necessary adjustments to achieve desired results.

Figure 5: Public Involvement Program Checklist

- Begin networking to get the word out of your upcoming process, identify key stakeholders, transportation issues, and public involvement strategies and techniques.
- Develop specific performance goals for your Public Involvement Program (PIP) that reflect issues in your area or with this plan. The goals should facilitate evaluation of the PIP midstream and after implementation.
- Identify all stakeholders, including targeted EJ communities. (For more on how to do this, see Section III of this document.)
- Identify issues and barriers related to involving specific groups, such as language concerns, that need to be addressed in the PIP.
- Compile a “long list” of possible public involvement techniques that include interactive and more passive forms of public involvement.
- Develop a milestone chart of the plan or program development chart with identified public involvement activities for each.
- Begin implementation.
- Evaluate and modify PIP as needed.
The Public Involvement Program
An often overlooked, but critical step of implementing effective public involvement is to compose a specific public involvement program (PIP), an action plan for the specific planning or programming process. A good place to start in developing the PIP is to establish how public involvement supports the planning process. Agencies should develop a broad PIP that not only ensures participation by targeted and non-targeted populations alike. The PIP should include the following:

- A description of the plan or program in question and its purposes.
- A purpose statement and list of goals and/or objectives for the public involvement process for this plan or program that can be used to evaluate and modify the PIP mid-stream and again after implementation. Agencies should develop flexible PIPs that enable some modification in techniques or allow some extra room for additional outreach as needed to achieve the public involvement they are seeking in their plan or program development process.
- A broad list of stakeholders to be covered, including agencies, citizens, communities and community groups, users, and targeted EJ and other groups.
- A mix of strategies and techniques that provide a range of opportunities for outreach and education as well as participation in the process. This is the most important element of the PIP. It should include a specific strategy for involving groups targeted for EJ.
- A schedule of the plan or program development process oriented around decision milestones, such as that provided in Figure 6. These milestones are the targets of the input. All outreach and involvement should take place with the purpose of providing input to these critical decision points.

Figure 6: PennDOT Transportation Planning Process Milestones and Public Involvement

<table>
<thead>
<tr>
<th>PennDot</th>
<th>MPO’S AND RPO’S Individual Counties</th>
<th>Public Involvement Program - Process Milestones</th>
</tr>
</thead>
</table>
| Public Involvement/Planning Process Development | • Define overall stakeholders  
• Define contacts, partners  
• Define targeted communities | |
| Long-Range Plans | • Identify transportation needs and priorities  
• Define performance measures  
• Define Plan goals, objectives and other major elements  
• Test proposed plans | |
| TYP | • Call for projects  
• Identify criteria for prioritizing projects  
• Feedback on proposed program or program options | |
| STIP | TIPs | • Call for projects  
• Identify criteria for prioritizing projects  
• Feedback on proposed program or program options  
• Review of final TIPs/STIP |
Basic Principles
An effective public involvement program designed to support an agency’s EJ requirements should be developed around six basic principles:

1. **EJ is an automatic consideration in public involvement.** EJ is all about achieving equity in access to decision-making and to the benefits of transportation decisions. Transportation planning occurs for the purpose of identifying transportation goals, projects and activities that will serve the public’s current and future transportation needs. Marrying these objectives requires agencies to make an extra effort to involve those persons and groups called for in EJ requirements as well as those with special transportation needs. Reaching out to community leaders, elected officials, religious leaders and the general public will help to identify those populations that should be targeted from an EJ perspective.

2. **Reengineer existing processes.** Frequently, public involvement is an “afterthought” rather than a process fully integrated into decision-making. The public needs to be involved during each major milestone of the process for there to be broad public acceptance and ownership of the final product. Figure 6 illustrated how public involvement can be used to support the milestones of the PennDOT planning process. Agencies must use techniques that facilitate dialogue among participants that influences agency decisions.

3. **Think “outside of the box.”** Public involvement need not be formal and can occur in a wide range of locations and formats. Attending neighborhood meetings or addressing the congregations of community religious institutions within minority and low-income areas provides access to persons who might not attend a “typical” public meeting. Advertising public meetings on public transit allows an agency to reach households that do not own cars. Cable access television provides another venue for getting the word out. Production costs are affordable, if not free, under public access rules, and these stations may be effective in reaching targeted communities. For example, PCTV, the cable access television station in Pittsburgh, has a predominately African American audience.

Public events, such as farmers markets, fairs, festivals and other gatherings provide access to citizens who might not be plugged into the plan or program development process. Agencies should distribute written material about the plan or program, such as a newsletter, flier, or brochure. Agency representatives should be on hand to answer questions and discuss issues one-on-one. Materials for kids, such as coloring books or games, make it educational and fun for everyone. Short surveys and comment cards are a great way to collect feedback.

Creativity in how information is conveyed is very important. Text must use common language, not the vernacular used by engineers and planners. “A picture is worth a thousand words,” and drawings and maps must be simple and easy to follow.

Technology also should be deployed. Interactive websites, on-site voting and polling, computer visualization, GIS mapping and other technology tools can provide effective means of providing information and obtaining input. Keep in mind the need to remain simple and provide hands-on instruction as needed to cater to people unfamiliar with technology and computers. There are also specific Americans with Disabilities Act guidelines on the use of internet-based technology that should be followed. If the clarity and usefulness of public involvement materials and tools is in question, have someone who is unfamiliar with transportation planning test them for you.
4. Consider language and customs. Agency staff needs to do their homework to understand the factors that might disengage or antagonize a community to a public involvement approach. A painful lesson was learned in this regard in a largely African American church where an agency representative addressed the congregation from the pulpit, traditionally reserved for the clergy. The agency had to work overtime to overcome the impact of this unintentionally insulting action, which was conducted with all good intentions in mind. Language considerations are also extremely important. Documents, websites, media outreach and advertising of public meetings and other events should be provided in appropriate languages. Agency representatives with the appropriate language skills should be available to address the community at public meetings and to respond to written correspondence.

5. Continually evaluate and revise the PIP. A true commitment to proactive and effective public involvement requires an agency to reexamine their public involvement programs and procedures before, during and after implementation. Before initiating a planning process, agencies need to be sure they are comfortable with the public involvement program that they’ve outlined. What are the goals for public involvement? Are resources in place to make these activities happen? Who else should the agency contact to ensure proper inclusion of targeted communities and the right balance of techniques?

During implementation, each activity needs to be closely monitored to be sure it is achieving its intended result. Frequently, things will not go as planned or intended. Public involvement and planning staff need the attitude and agility to modify activities and strategies to improve performance the next time around.

At the end of each planning or programming process, and before initiating the next, agencies need to take stock of how their entire public involvement program worked. Ideally, this should occur on an annual basis or some other appropriate interval, examining the agency’s public involvement plan for all of its activities.

Agencies should develop performance expectations from the outset of the planning process and express those in the PIP goals and performance measures. These should include both quantifiable and subjective expectations. For example:

- Does the public input into plans reflect the diversity of the individual MPO/ RPO or County?
- Has the agency adequately identified viable and effective strategies for involving underserved populations in its public involvement process?
- Does the proportion of minority and low-income representation on the community advisory committee or other technical committees accurately reflect the proportions these populations represent to the community?
- Does the PIP provide multiple avenues for providing input towards key decisions?

If there is uncertainty, discuss it among the planning team. Periodically review and revise the EJ strategy and public involvement process to make certain it is still valid and achieving its performance goals.
Addressing the Barriers to Public Involvement

The PIP techniques should address the barriers to participation experienced by everyone, including the non-targeted populations. The PIP should create a balance of interactive (interviews, workshops, charrettes, etc.), active (briefings, open houses, speakers bureaus, etc.) and remote (surveys, websites, newsletters, etc.) means of involvement to provide multiple avenues for education about and participation in the process.

Understanding and directly addressing the barriers to public involvement can increase access. Use community networks and partnerships to identify these barriers and mitigation strategies. Figure 7 provides a sample of solutions to common barriers to participation in public involvement.

Figure 7: Solutions to Addressing Common Barriers to Public Involvement

<table>
<thead>
<tr>
<th>Public Involvement Barrier</th>
<th>Sample Solutions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time conflicts</td>
<td>Hold multiple public meetings at varying locations, times, and days. Attend already scheduled community events and meetings and ask to be added to the agenda rather than scheduling a separate meeting.</td>
</tr>
<tr>
<td>Mobility limitations</td>
<td>Offer a transportation solution when requested, if possible. Always hold public meetings at locations accessible by public transportation and persons with disabilities. Go where the people are: participate in community meetings and events and offer alternative means of participation other than attending public meetings.</td>
</tr>
<tr>
<td>People with children</td>
<td>Consider a means to provide childcare or children’s activities during the public meeting. A display or area focused on children may provide a welcoming environment for the kids and provide an opportunity for adults to focus on their part of the meeting.</td>
</tr>
<tr>
<td>Limited English proficiency</td>
<td>Prepare meeting materials and publications in a bilingual or multilingual format. Make available a member of the planning team to interact with the public at meetings, to respond to phone calls, emails, letters and other forms of correspondence. Use graphics and visual communication.</td>
</tr>
<tr>
<td>Discomfort with technical issues</td>
<td>Use “plain English” language on all displays and handouts when making presentations. Avoid using acronyms and terms familiar to those only in the transportation industry. Don’t rely on a website or email to act as a sole source of communication with the public.</td>
</tr>
<tr>
<td>Building trust with an unfamiliar community</td>
<td>Build relationships early in the process with respected leaders of targeted EJ communities, such as elected leaders, religious, civic, and school leaders. Use the community’s communication networks - their churches, newsletters, barbershops and restaurants, etc. - in partnership with these leaders to generate participation in the planning process.</td>
</tr>
</tbody>
</table>
V. EJ During Plan or Program Development

The intent of EJ is to seek an equitable distribution of benefits and impacts that can be attributed to specific transportation actions. To accomplish this, agencies need to understand and address the transportation needs and concerns of the EJ targeted communities in the plan or program. The following describes how EJ may be addressed during a system wide needs analysis and during the definition and evaluation of plan or program alternatives.

Defining Transportation Needs

A transportation needs assessment examines the quality of the transportation network with the goal of building a “to-do” list to be addressed through the long-range plan or program. The outcomes of a needs assessment become the basis for identifying plan goals and objectives as well as alternative plan or program scenarios. Needs assessments include technical analysis and public involvement. The technical elements use data to examine such factors as condition of infrastructure, modal usage data, customer satisfaction data, and operations efficiency.

A needs assessment based on EJ considerations uses a demographic assessment of the area to identify transportation trends and service quality to EJ communities. Imbalances in system performance vis-à-vis the population-at-large or among different demographic groups are identified using this approach. To support long-range transportation planning, transportation needs should be defined not only in the context of the present, but also in consideration of what the future has in store. Forecasts help us to understand demographic shifts, future system capacity needs, funding requirements to meet those needs, and the availability of funds over the life of the plan. Forecasts may also reveal changes in travel patterns and land uses that would affect targeted EJ communities. Figure 8 outlines a process for conducting a needs assessment, featuring a demographic assessment.

Non-spatial demographic assessments identify transportation needs and performance issues by demographic group without a focus on geographic distribution. For example, statistics on modal usage data, auto ownership, and commute times and distances by race or income can be analyzed for the entire area. Differences in performance among demographic groups in key performance characteristics may indicate a need that should be addressed through the plan or program. For example, low auto ownership statistics and long commute times may indicate a need for improvements to the transit system.

Spatial assessments identify transportation needs and service imbalances among geographic sub-areas. Maps are used to overlay demographic data and other selected information over the transportation system to compare service quality and access. For example, a spatial profile could assess access to transit services, a major trail network or the interstate system by EJ target communities relative to other communities in the study area. Alternatively, a spatial assessment may compare transportation service options to key destinations, such as employment centers, by EJ targeted communities.

Defining Alternatives

The fundamental focus of achieving environmental justice in transportation planning is how the plan’s policies, investments, or services impact or benefit EJ groups relative to the population as a whole. EJ should be proactively addressed by integrating environmental justice into the definition and analysis of plan or program alternatives, rather than waiting to assess the impacts of a draft plan or program. This helps avoid the need to recreate the wheel during the final stages of the process.

Addressing EJ in plan development may affect how transportation benefits, as well as strategies to provide transportation benefits, are defined. For example, mobility, the ability to travel, is a common focus of transportation performance. Mobility is typically measured by traditional performance measures such as levels of service (LOS), vehicle miles of travel (VMT), and travel speeds that focus on the quality of service to the vehicle, not the traveler. Improving performance for these measures will likely result in policies and investment strategies for improving highways. However, many people’s mobility needs may not be best served by automobiles (some people can’t afford them), but by transit, bicycle and pedestrian services and facilities.
Figure 8: Needs Assessment Checklist

- Conduct a system wide technical review of transportation performance to identify needs.
- Create a non-spatial demographic assessment that correlates transportation performance and usage data against demographic groups in the Plan jurisdiction, such as modal usage data and commute times.
- Create a spatial demographic assessment to correlate current transportation system performance against spatially distributed demographic groups, such as lane miles, levels of service, and access to transit routes and facilities.
- Conduct public involvement to share data and discuss transportation needs, priorities and preferences of targeted EJ populations and to verify conclusions drawn from data profiles.
- Project spatial and non-spatial demographic information to the end year of the plan or program in question to forecast changes in demographics over time.

Many agencies have supplemented a focus on mobility with accessibility, a measure of the potential to reach desirable destinations or use various travel options within a reasonable timeframe or cost. This switch has broader implications for performance measurement and for policies, investment strategies, and projects identified to address people’s need for access to destinations.

A sample of transportation policy or project strategies to meet a wide range of stated needs (not just mobility and accessibility) is provided in Figure 9.

Figure 9: Sample Transportation Needs and Strategies

<table>
<thead>
<tr>
<th>Sample Transportation Needs/Goals</th>
<th>Sample Transportation Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Economic/ Community Development</td>
<td>• Transit-oriented development</td>
</tr>
<tr>
<td></td>
<td>• Transportation enhancements</td>
</tr>
<tr>
<td></td>
<td>• Streetscapes and “Main Street” programs</td>
</tr>
<tr>
<td></td>
<td>• Airport or Port access improvements</td>
</tr>
<tr>
<td>Mobility</td>
<td>• Highway improvements</td>
</tr>
<tr>
<td></td>
<td>• Bike and pedestrian facilities</td>
</tr>
<tr>
<td></td>
<td>• Transit lines, routes and services</td>
</tr>
<tr>
<td>Safety and Security</td>
<td>• Lighting and signage</td>
</tr>
<tr>
<td></td>
<td>• Traffic calming and routing</td>
</tr>
<tr>
<td></td>
<td>• Pedestrian crossings, markings and signage</td>
</tr>
<tr>
<td></td>
<td>• Marked or barrier separated bike lanes</td>
</tr>
<tr>
<td></td>
<td>• Police presence or security procedures</td>
</tr>
<tr>
<td>Accessibility</td>
<td>• Land use incentives / programs</td>
</tr>
<tr>
<td></td>
<td>• Modal improvements targeting underserved destinations</td>
</tr>
</tbody>
</table>
Alternatives Analysis and Selection
Wherever possible, agencies should assess a range of alternative plans of policy or investment strategies for addressing environmental justice (and other transportation system performance factors) in advance of finalizing a plan or program. This provides the opportunity to adopt a plan or program that performs best against EJ as well as other performance criteria.

There are numerous tools on the market that facilitate alternatives analysis and work well in a public setting. An analysis of performance can be conducted on plans of projects or investment scenarios affecting a corridor region, MPO or RPO using the outputs of advanced travel demand models and geographic information systems mapping. Alternative investment scenarios are assessed on their ability to achieve certain outcomes, such as improved travel times to jobs, improved access to facilities, or reductions in congestion. These outcomes may be mapped and overlayed with demographic data that enable an EJ assessment of impacts. The Every Voice Counts toolbox CD contains a guide on how to use GIS to support EJ analysis.

Agencies should adopt a set of criteria for selecting among the alternatives, based on a technical analysis of the alternatives compared to the status quo and one another. Any or all of the following questions may be appropriate as the basis for a comprehensive alternatives impact assessment:

☑ Under which plan or program alternative are targeted communities better off?
☑ How well do targeted communities benefit relative to other (non-targeted) communities?
☑ Which scenario of policies or projects offers the most benefits to targeted communities, regardless of other beneficiaries?
☑ Which scenario offers the least benefits and/or the most impacts (or costs) to the targeted communities relative to other (non-targeted) communities?

Performance Measures
Performance measurement in long-range planning is nothing new to PennDOT. PennDOT established thirty measurable objectives and over fifty corresponding performance measures to track over the twenty-year life of PennPlan Moves! These performance measures were used to assess the impact of goals and objectives included in PennPlan. PennDOT will reexamine these measures during the LRTP update process in light of their reflection of the transportation needs and interests of EJ communities in the Commonwealth.

Performance measures can be either quantitative or qualitative; the type used typically depends on the amount of specific data and analysis tools that are available to an agency. These types of measures can be applied at several levels - be it statewide, by a MPO or RPO, county, township, or municipality. Figure 10 shows a list of possible performance measures agencies may select by area of transportation performance.

EJ Performance Measures in Action: A Practical Example
By way of illustrating EJ in action, the following is a brief synopsis of the comprehensive environmental justice analysis conducted by the Southern California Council of Governments (SCAG) for their 2001 Regional Transportation Plan. The focus is on the performance measures and analysis used, typically one of the most perplexing aspects of implementing EJ.

SCAG used a sophisticated quantitative approach to evaluating how their 2001 Regional Transportation Plan performs against selected EJ performance criteria. The example illustrates that there is no one-size-fits-all way to analyze EJ impacts. SCAG selected a handful of performance criteria as the basis of their EJ analysis. They used the tools they had available to identify specific performance measures and a methodology for their analysis.
SCAG used selected results of the travel demand model with U.S. Census demographic data, transportation funding, cost, and tax data for their analysis. Their analysis included the following performance factors:

- **Plan expenditures** - The distribution of expenditures by mode (both public and private, such as fares and user fees) compared against Census data reporting mode usage by income. These data were translated into an “expenditure by income category” table that reports the public expenditures by income.

- **Tax burdens** - An analysis of the tax burden by income quintile in the region. The analysis demonstrated that the lowest income quintile contributed the most in sales and fuel excise taxes, those taxes that form the foundation of transportation revenues in the region.

- **Travel time savings** - SCAG used transportation modeling results with data on mode choice by ethnic group and income group to determine travel time savings by populations. The travel time savings were calculated for all modes together and displayed by race and ethnicity. Transit travel time savings were analyzed separately, where travel time savings for “low-cost” transit (local bus and urban rail as opposed to more costly commuter rail) were compared with transit time savings as a whole. Again these data were displayed by race and ethnicity. Lastly, the travel time savings by automobile by race and ethnicity and income group was analyzed.

- **Accessibility** - Access to jobs formed the basis of this analysis, based on data available at the Transportation Analysis Zone (TAZ) level using the travel demand model and Census data. Jobs were broken down by employment type - service jobs, retail jobs, and all jobs. Job access was analyzed for 30 minutes by automobile and 45 minutes by transit and “low-cost” transit. The time assigned to each mode is based on an assumption of acceptable commute times by those modes. These data were reported as increases in jobs accessible by the assigned timeframes overall and then by ethnicity and income group.

- **Environmental Impacts** - Air quality and noise impacts of the plan were also assessed. Emissions exposure by TAZ was calculated for those pollutants for which local concentrations could be estimated. Demographic data showing the distribution of the population by TAZ allowed an analysis of the distribution of emissions. SCAG noted technical shortcomings with their air quality analysis based on the tools available for data collection and analysis. Noise impacts were assessed from aviation and highway sources. Contours of areas of effect were mapped and the percent of the population of the affected TAZ calculated.

Figure 10: Examples of Performance Measures

<table>
<thead>
<tr>
<th>Performance Category</th>
<th>Examples of Performance Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accessibility</strong></td>
<td>• Number of jobs within “X” minutes by mode</td>
</tr>
<tr>
<td></td>
<td>• Average number of defined destinations (college, hospital, retail centers) within “X” minutes travel time</td>
</tr>
<tr>
<td></td>
<td>• Demographic distribution of people living ¼ mile from fixed route transit station</td>
</tr>
<tr>
<td></td>
<td>• Households with &lt;1 mile access to bike paths, marked bike routes</td>
</tr>
<tr>
<td></td>
<td>Access to transit facilities by type - rail, bus, express services, etc. (distance to major facilities by type)</td>
</tr>
<tr>
<td><strong>Fees and Expenditures</strong></td>
<td>• Share of user fees, taxes or fares compared to modal use or income (ability to pay)</td>
</tr>
<tr>
<td></td>
<td>• Distribution of alternative plan/program expenditures by mode (compared against needs or access, stated preferences, or usage data)</td>
</tr>
<tr>
<td>Performance Category</td>
<td>Examples of Performance Measures</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Travel times/                              | • Average or distribution of travel times for work trips  
| Congestion or Delay                       | • Average travel times to regional activity centers  
|                                            | • Average travel times by trip type  
|                                            | • Travel time savings by population group  
|                                            | • Travel times by mode, incorporating effects of improvements contained in transportation plan  
| Transit service                            | • Percentage of population within “X” miles of bus route or transit station  
|                                            | • Percentage of population with quality of transit service “X” (such as rail or bus/cost of service/travel times or frequencies of service)  
| Distribution of                              | • Distribution of new or improved transportation facilities, including new roads, bridges, trails, sidewalks, etc.  
| transportation investments                 |                                                                                                                                                                                                                                |
| Infrastructure                              | • Quality of pavements/bridges serving areas (Surface Roughness Indices, for example)  
| conditions                                  | • Quality of pedestrian facilities including access to/connectivity of sidewalks  
|                                            | • Distribution of vehicle ages and types (transit vehicle breakdown rates; average fleet age)  
| Safety                                     | • Accident rates - by modal category  
|                                            | • High-accident locations  
|                                            | • Reported criminal incidents at various facilities, such as rest areas, transit stations, parking lots.  
| Environmental quality                       | • Air quality conformity  
|                                            | • Distribution of environmental mitigation, such as noise walls  
|                                            | • Distribution of transportation enhancements  

VI. The Path Forward: Recommendations to PennDOT/MPOs/RPOs

In developing this guidance, PennDOT has stressed the need for flexible, yet straightforward direction. The previous sections of this document set the context and provided techniques that can be used to incorporate EJ into existing planning practices. However, guidance alone cannot convey what an agency needs to do to achieve EJ and meet Title VI requirements. To give this guidance additional value, it helps to have a certain level of consistent policy direction and oversight.

Specific recommendations for the PennDOT Office of Planning to consider for meeting these general expectations include the following:

a. **Formalize the Environmental Justice Advisory Committee.** The EJAC should be institutionalized as a consultative body for compliance with environmental justice and Title VI in planning and programming. Additionally, there should be a reassignment of the members to ensure consistent participation and adequate coverage of affected agencies and constituencies. PennDOT should consult with members of the Governor’s Commissions on African American, Latino, and Asian American Affairs in naming EJAC members. The group should be assigned a regular PennDOT staff liaison to take charge of the logistics and planning of meetings and other activities and to provide an interface with PennDOT. It is recommended that a budget be established that provides basic support.

b. **Assign EJ to Title VI coordinators at the PennDOT districts.** Assign PennDOT District Office Title VI coordinators the responsibility of overseeing and implementing EJ at the district level. Consistent direction coming from the PennDOT Office of Planning on EJ implementation will be important to support this assignment.

c. **Continue active coordination with the Bureau of Equal Opportunity.** Through the development of this EJ guidance, the Office of Planning and the Bureau of Equal Opportunity began closer coordination on a number of activities designed to improve the Department’s implementation of EJ and Title VI requirements.

d. **Coordinate with the PennDOT Agility Center.** The PennDOT Agility Center is a community outreach program office, designed to bring PennDOT closer to the people it serves. Among the services provided are the PennDOT Ambassadors program (an advocacy-building program for the Department among community leaders who have limited interaction with PennDOT) and the “PennDOT: Keeping You Connected” interactive CD. These services provide an opportunity to increase outreach to EJ target populations and encourage active participation of all stakeholders in transportation planning activities. The PennDOT Office of Planning staff should work with the Agility Center staff to create tools and techniques for reaching those target groups.

e. **Provide leadership to PennDOT districts and planning partners on EJ.** Make EJ an integral part of the PennDOT Office of Planning mission. Advocate proper attention to EJ at all levels - with interactions with public officials, the public, and both PennDOT and planning partner leadership and staff.

f. **Provide funding to PennDOT and the Planning Partners for EJ activities.** Members of the EJAC, particularly representatives of the planning partners, expressed considerable concern about the lack of resources available to enhance planning activities to meet EJ expectations. The concern reflects a common problem affecting states and local governments alike - decreased transportation planning funding with increased demands for spending. Should increased funding not be available, PennDOT needs to help the planning partners to allocate their funding such that EJ receives an appropriate share of funding resources. One way to help ensure proper allocation of resources to EJ is to encourage MPOs and RPOs to itemize EJ activities as standalone tasks or subtasks on their Unified Planning Work Programs (UPWP). Agency representatives reported that in the past, their EJ activities in the UPWP were “buried” in public involvement and other planning activities. Without specifically calling EJ out in the UPWP, it would likely be overlooked unless a vocal public cried out for it.
g. **Provide PennDOT and the Planning Partners with proper technical training and guidance on EJ.** *Every Voice Counts* is an important first step in providing planning staff from PennDOT and the planning partners with the technical guidance they need to proactively address EJ in their planning activities. This first step should be backed up with access to training in EJ and key related areas, such as diversity training and public involvement. The *Every Voice Counts Toolbox* contains references to training, conferences and documents available nationally that could be made available to appropriate staff.

h. **Hold Annual EJ Forums.** Annual forums on the consideration of EJ in the planning process should be held with key players such as PennDOT planning partners, PennDOT headquarters and district staff, EJAC members, and representatives of transit agencies. This is important for ensuring that all perspectives are fully understood and for establishing consistent standards of practice across agency lines.

The following are a series of recommendations that address the specific requirements for the development of updates of PennPlan Moves, the Twelve Year Program and STIP. The recommendations are intended to complement the guidance provided in the previous sections of *Every Voice Counts* and reflect the concerns and needs that were discussed with PennDOT and the planning partners as part of the EJAC deliberations.

**Recommendations for *Mobility Plan for Pennsylvania*, the LRTP update to PennPlan Moves**

a. **Reflect the transportation needs and priorities of EJ populations in the definition of LRTP policy goals, objectives, and performance measures.** Incorporating all of the recommendations above, PennDOT should strive to refine and reprioritize the new LRTP to incorporate EJ principles into long-range transportation goals. A specific EJ-related objective and performance measure should be included as part of PennDOT’s next LRTP and follow-on Report of Achievements. PennDOT should verify with the community if transportation planning efforts are working for them.

b. **Enlist the help of a CAC or TAC to guide the LRTP update.** A Citizens Advisory Committee (CAC) or Technical Advisory Committee (TAC) should be created that includes representatives from EJ populations to provide input to the Mobility Plan. The committee could focus on EJ specifically, or provide general input to the plan development process. In either case, the committee should represent a wide range of community stakeholders from the Commonwealth. This CAC or TAC should be adequately supported and correspond to the interests of all Pennsylvanians, not just the CAC or TAC member’s interests. The group can be used to provide a perspective on long-term transportation needs in the Commonwealth.

c. **Include EJ community representation in other advisory committees.** PennDOT should move to involve EJ community members in other advisory committees as necessary to guide the development of long range plans. Examples at PennDOT include the Rail Freight Advisory Committee, the Aviation Advisory Committee, and the Bike and Pedestrian Advisory Committee. These committees should include appropriate representation of disadvantaged populations. PennDOT should establish contacts with various EJ groups to allow for quicker response to EJ issues and concerns.

d. **Use demographic assessments and modeling to accurately identify EJ populations along corridors.** Regardless of how objectives are organized in the LRTP, PennDOT should make the most of technology to provide additional insight on the location, distribution, and density of EJ populations.

e. **Consider EJ community travel patterns and needs when defining and developing long-range planning objectives for the PennPlan transportation corridors.** The identification of corridors, evaluation of objectives, and reporting of achievements should all consider the travel needs of EJ communities. The process of selecting and analyzing transportation corridors of statewide significance should include identification of EJ populations along these corridors as well as consider a means for involving all persons directly affected by the corridors in the planning process.
**Every Voice Counts**

Recommendations for the PennDOT TYP and STIP

a. **Address EJ first with the MPO and RPO TIPs.** Enhanced coordination and more effective outreach begins at the MPO and RPO level and it is important for the Planning Partners to incorporate EJ-related outreach in their work programs. There is also an opportunity to improve efficiency of public involvement efforts by developing partnerships between PennDOT and the planning partners versus duplication of outreach efforts at the state and local levels. This coordination should involve regular, documented oversight from PennDOT to the planning partners to verify that the planning partner is following through with incorporating EJ into existing processes.

b. **Advocate diversity on the STC.** PennDOT should recommend to the Secretary of Transportation and the Governor of the Commonwealth of Pennsylvania that they consider that future appointments to the State Transportation Commission (STC) include representatives of traditionally lower income and minority populations or representatives/advocates for these groups. Consultation with the Governor’s Advisory Commissions on African American Affairs, Asian American Affairs and Latino Affairs would be a good first step in identifying qualifying candidates for the STC. The end result of this effort would be stronger citizen empowerment and involvement.

c. **Modify public hearings.** The current public hearing process can be viewed as intimidating to those unfamiliar with or wary of government. Alternative formats should be explored, tailored to specific audiences, in particular traditionally low-income or minority areas of the Commonwealth. For example, interactive workshops that include participation of stakeholders with members of the STC could be used to develop alternative TIP/STIP scenarios that could be ‘voted on’ by participants. This input could be forwarded to the STC for final action. Meeting locations and schedules should consider the needs of a diverse public.

d. **Incorporate other forms of public involvement.** Working with the planning partners, PennDOT should seek opportunities for using additional public involvement methods (see Section IV) to develop TIPs/STIP. In public involvement, the ultimate goal should be to eliminate participation barriers and provide full access to decision-making processes. Public involvement should not be limited to the single act of presenting and obtaining comment on the final draft TYP/STIP.

e. **Provide translation as needed.** Documents and presentations should be translated into appropriate languages, including Braille, to reflect the composition of the community. Translators should be provided at public meetings and hearings for the TIP/STIP as necessary.

f. **Offer education and outreach.** PennDOT should use the Bureau of Municipal Services Ambassadors and/or the Bureau of Equal Opportunity to reach out to the network of low-income and minority group leaders and representatives to request their support with the transportation planning process. PennDOT should explain why this process is important and provide tips on participation as well as the schedule for the TIP/STIP development process.

g. **Develop performance criteria.** PennDOT should work with members of the STC, its planning partners, and members of the public to develop a series of performance criteria for the selection and advancement of transportation projects. These criteria should take into consideration the needs and concerns of low-income and minority residents of the Commonwealth.
Recommendations for the PennDOT Planning Partners’ Planning and Programming Process

Many of the recommendations provided to PennDOT in the previous pages apply to the planning partners as well. Nevertheless, the planning partners also need their own specific template for how to get started in implementing EJ to support their planning and programming activities. Some ideas follow:

a. **Conduct a comprehensive review of existing practices and modify them to address EJ.** Agencies should take a good hard look at the existing planning and programming process they use and consider how the process should be modified to address EJ. All aspects of the process should be examined, from how projects and policies are defined and evaluated to public involvement. Ideally, agencies should consult with some primary stakeholders on the process review, such as their PennDOT District Office staff, Federal Highway Administration staff, and community stakeholders on this review.

b. **Integrate EJ activities into the UPWP.** The Unified Planning Work Program (UPWP) is a document that outlines the work to be performed and establishes resource requirements for its implementation. Agencies should specifically call out EJ in the UPWP to ensure that the dollars, staff, and other resources needed to address EJ are acknowledged and set aside.

c. **Initiate outreach with local community leaders that represent EJ communities.** Agencies should set up interviews with leaders within the community that represent EJ communities as well as other stakeholders to introduce them to the transportation planning process and how they can become involved. The discussion should include time for the leaders to discuss transportation issues and concerns with the agency.

d. **Update/develop the public involvement program.** Agencies should review current practices and techniques and brainstorm ideas on how to modify processes to reach out to groups that are under represented in the planning process, particularly low-income and minority residents of the community. The outcome of the review should be a retooled public involvement program, tied closely to decision milestones in the planning and programming process. Section IV of this document and Figure 8 provide helpful guidance on how to tackle this effort.

e. **Invest in tools, as needed, to supplement your EJ analytical capabilities.** An agency should be sure that they have the tools they need to address EJ in their jurisdictions. Staff with specialized skills, GIS software and computers, and travel demand models are examples of the kinds of tools agencies should seek to address EJ properly.
At the End of the Day...

After reading through this guidance and toolbox, the intent of a more equitable and fair transportation planning process is likely to be heard loud and clear. Nonetheless, in actually applying the techniques, some uncertainties may remain, such as: “What have we really accomplished?” or “Have our EJ efforts been successful?” At the “end of the day,” agencies should feel comfortable if they have achieved the following list of EJ accomplishments:

- **EJ groups and communities have been identified for the study area.** Agencies should feel familiar with the demographic composition of the study area and which groups they intend to target for compliance with EJ and Title VI. These groups should be identified area wide (non-spatially) as well as spatially. Any assumptions made about community demographics should be verified through meetings with community leaders and visual tours, as appropriate.

- **Agency staff has identified and met with community leaders representing targeted EJ communities.** Establishing relationships with community leaders representing targeted EJ communities can go a long way in building trust with members of those communities and drawing their participation into the planning process. Community leaders can assist an agency with identifying EJ communities in the study area; by using public involvement techniques, venues and forums that draw participation by community members; by raising transportation needs and issues important to their constituency; and can be knowledgeable participants on a community advisory committee.

- **The public involvement program includes a strategy for engaging minority and low-income populations in transportation decision-making.** The public involvement program should include multiple approaches for involving minority and low-income populations in the planning and programming process, such as conducting leadership interviews, holding meetings in the communities, participating in community events, producing targeted mailings and publications, and advertising in popular TV, radio and other print media.

- **The transportation needs of EJ populations and any potential system performance imbalances have been identified.** A system wide analysis of the transportation needs has identified the needs of EJ targeted communities and groups. Additionally, imbalances in system performance among demographic groups, such as differences in mobility, accessibility or quality of services, have been identified and flagged for response through the planning and programming process. Needs have been identified both through a technical review of system performance as well as through involvement of targeted groups and citizens.

- **The process has an established procedure for evaluating and selecting among proposed plan or program alternatives.** Performance measures have been used to assess the effects of proposed plan or program alternatives on EJ targeted communities and groups. Different agencies will utilize different tools and measures for evaluating their plan or program alternatives, depending on the content of the plan or program, the size and character of their jurisdiction (rural, suburban, urban), and available resources. However, at the “end of the day” an agency should feel comfortable that plan and program alternatives have been evaluated in consideration of the needs and preferences of EJ communities and groups. Additionally, the agency has established criteria for selecting among alternatives that includes consideration of EJ issues and concerns. And finally, that the evaluation and selection process actively involved the public in decision-making.
✓ A process has been established for considering the issues and concerns raised by targeted EJ communities in decision-making. Public involvement is about listening - and about acting. An agency ought to have an established system for seriously considering the issues raised by members of the EJ population. Ideally public involvement reinforces the technical process, such as the identification of transportation needs and the evaluation of alternatives. This offers a direct means of applying public input to the decision-making process.

✓ The long-range plan includes goals and objectives that reflect the transportation needs of targeted EJ populations. For an agency balancing numerous interests and demands, it can be particularly challenging to specifically integrate the interests of EJ communities into the plan. Ideally, the long-range plan contains goals and objectives that reflect the transportation needs and priorities of the targeted EJ communities. Some agencies may wish to include goals and objectives that specifically address environmental justice or equity concerns.

✓ The TIP, STIP and/or TYP provide a fair distribution of resources, as determined through the planning and programming process. The transportation needs and preferences of targeted EJ communities reflected in the long-range plan should result in a program of projects that address those needs. Again, this can be a particularly challenging goal to meet, given competing demands for scarce transportation resources, but this is often a true test of an agency's attention to EJ and Title VI concerns. Evidence of attention to EJ in programming can include anything from including or advancing specific projects of importance to EJ communities to how resources are allocated among geographic areas or modes.
Appendix A: List of Terms and Acronyms

EJ targeted groups, populations and communities - used interchangeably to refer to individuals and groups identified in the Executive Order on Environmental Justice, including low-income and minorities, as well as others who have been identified by a planning agency as significant from the perspective of environmental justice and Title VI, such as the elderly, disabled or ethnic minorities not specified by the executive order.

EJAC - Environmental Justice Advisory Committee - the committee formed by the PennDOT Office of Planning to assist PennDOT with the development of this guidance.

Long-Range Transportation Plan (LRTP) - a transportation plan to be developed by state departments of transportation and Metropolitan Planning Organizations (MPOs) and Rural Planning Organizations (RPOs) that addresses transportation policy and investments over a minimum twenty-year timeframe. Metropolitan LRTPs include specific requirements of financial constraint and demonstrated compliance with federal clean air standards.

Metropolitan Planning Process - refers to the planning process undertaken by Metropolitan Planning Organizations that follows the requirements for metropolitan planning established in federal transportation authorization legislation. The products of the metropolitan planning process are a fiscally constrained Long-Range Transportation Plan and Transportation Improvement Program (TIP).

MPO - Metropolitan Planning Organization - identified in federal transportation authorization legislation as a forum for cooperative transportation decision-making designated by the governor for metropolitan areas with population of at least 50,000. MPOs are PennDOT planning partners, and in cooperation with PennDOT and other transportation providers, are responsible for the preparation of a metropolitan transportation plan and a transportation improvement program.

PennDOT Office of Planning - the Pennsylvania Department of Transportation Office of Planning, including the Center for Program Development and Management, the Bureau of Planning and Research, and the Bureau of Municipal Services.

Planning partners - The PennDOT Office of Planning works in partnership with regional planning bodies from around the Commonwealth on planning activities, including the MPOs, RPOs and independent counties.

Programming - refers to the process to set transportation project priorities and allocate funds, leading to adoption of the TIP/STIP and TYP.

RPO - Rural Planning Organization - a rural area regional planning body that can consist of a single or multiple rural counties and other jurisdictions, but that does not include any metropolitan areas. RPOs are PennDOT planning partners with a modified list of planning requirements. RPOs are not specifically identified in federal transportation law, but state departments of transportation are required to coordinate with rural planning and local officials on transportation policy and planning.

Statewide planning process - refers to the process in place at PennDOT to implement the federal transportation planning requirements, articulated in federal transportation authorization legislation. The products of the process include the PennDOT long-range transportation plan (PennPlan Moves!), the Statewide Transportation Improvement Program (STIP), and the Twelve Year Program (TYP).
**STC - State Transportation Commission** - created by Act 120 of 1970. Its purpose is to:
- Evaluate and determine the condition and performance of the Commonwealth’s Transportation System;
- Assess the resources required to preserve, restore, extend, and expand transportation facilities and services;
- Conserve Pennsylvania’s communities; and
- Ensure the economic development of the Commonwealth.

These activities are conducted as part of the development of the TYP.

**STIP - Statewide Transportation Improvement Program** - The STIP is a four-year financially constrained prioritized program of projects for all types of modes that PennDOT updates every two years as part of the development of the Twelve Year Program. The STIP is the first four years of the TYP. It contains each of the TIPs developed by the individual MPOs and RPOs in the Commonwealth.

**State DOT** - State department of transportation. PennDOT is the State DOT for the Commonwealth of Pennsylvania.

**TIP - Transportation Improvement Program** - A TIP is a program of transportation projects for all types of modes. In Pennsylvania, TIPs cover a four-year timeframe and are developed by MPOs and RPOs in cooperation with PennDOT and other transportation providers. They are fiscally constrained by year, updated at least every two years, and conform to the State Implementation Plan for air quality and the air quality standards established by the Environmental Protection Agency (EPA), where appropriate.

**TYP - Twelve-Year Program** - Created by state law, Act 120 of 1970. The TYP is a schedule of projects that PennDOT will implement with the planning partners over a twelve-year time frame. It is comprised of three, four-year programs of highway and bridge, transit, bicycle and pedestrian, rail freight and aviation projects. It is financially constrained and is consistent with anticipated available funding. The first four-years of the TYP is the STIP.
What is Environmental Justice?

*Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.*  
(U.S. Environmental Protection Agency)

The achievement of environmental justice practice is grounded in three fundamental principles:

- Avoid, minimize or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority 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 of, or significant delay in the receipt of benefits by minority and low-income populations

Environmental justice (EJ) is not a new requirement. EJ represents an effort on the part of environmental and civil rights advocates and the government to emphasize and enforce existing federal civil rights legislation. The movement resulted from a well-documented history of discrimination against minority and low-income communities with regard to receiving a disproportionately low share of transportation program benefits and a disproportionately high share of adverse impacts on human health and the environment. The lack of access to decision-making processes by these communities was highlighted as a major contributor to such discrimination.

Specifically, environmental justice refers to the implementation of Title VI of the Civil Rights Act of 1964. The landmark civil rights legislation directs all recipients of federal funding to eliminate discrimination on the basis of race, color, or national origin. Title VI states:

*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 subjected to discrimination under any program or activity receiving Federal financial assistance,*  
(Title VI, Civil Rights Act of 1964, U.S.C. 42, Sec 2000d et seq)

Title VI bars intentional discrimination and unjustified disparate impact discrimination. Disparate impacts result from policies and practices that are neutral on their face (i.e., there is no evidence of intentional discrimination), but have the effect of discrimination on protected groups. Under Title VI of the Civil Rights Act of 1964 and related statutes, each federal agency, including the U.S. Department of Transportation, is required to ensure that no person is excluded from participation in, denied the benefit of, or subject to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion.
Language addressing Title VI requirements appears in a wide range of laws governing transportation. For example, the Federal-Aid Highway Act of 1970, 23 USC 109 (h), establishes a basis for equitable treatment of communities being affected by transportation projects. It requires consideration of the anticipated effects of proposed transportation projects upon residences, businesses, farms, accessibility of public facilities, tax base, and other community resources. Additionally, the National Environmental Policy Act of 1969 (NEPA), which addresses the environmental impacts of transportation and other federally funded infrastructure projects, stresses the importance of providing for “all Americans (a) safe, healthful, productive, and aesthetically pleasing surrounding,” and requires a “systematic, interdisciplinary approach” to aid in considering environmental and community factors in decision-making. The Federal Highway Administration and Federal Transit Administration Statewide Planning and Metropolitan Planning Rule, 23 CFR Part 450, calls for actions to prevent discrimination early in the planning process, affecting long-range planning and project programming at the Statewide and local levels. These regulations establish performance expectations of public involvement to include “a process for seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households which may face challenges accessing employment and other amenities.”

Persistent problems with discrimination concerns led to the issuance of Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations: Executive Order 12898 (E.O. 12898). E.O. 12898 promotes nondiscrimination in federal programs affecting human health and the environment, and provides minority and low-income communities with access to public information and an opportunity to participate in matters relating to the environment. The Executive Order stipulates that each Federal agency shall, to the greatest extent allowed by law, administer and implement its programs, policies, and activities that affect human health or the environment so as to identify and avoid “disproportionately high and adverse” effects on minority and low-income populations. The Executive Order contains specific language defining those populations covered by the protections. See Key Definitions on the following page for a list of the protected groups identified in the E.O. 12898 and implementing guidance.

Technically, an Executive Order is addressed to federal agencies that fall within the purview of the executive branch of the United States government. However, as a means to melding these obligations, and creating consistency in their implementation, the U.S. Department of Transportation, Federal Highway Administration, and Federal Transit Administration published a series of orders, memoranda and other guidance directed internally and to their funding recipients, including the State departments of transportation, Metropolitan Planning Organizations, Rural Planning Organizations, and transit agencies. In 1995 the U.S. Department of Transportation published its draft Order to Address Environmental Justice in Minority Populations and Low-Income Populations in the Federal Register. The report was a reaffirmation of the principles of Title VI. Following this Order, USDOT published the final Order to Address Environmental Justice in Minority Populations and Low-Income Populations (US DOT 5610.2). This order complies with the E.O.12898.

Related Legislation and Guidance
Many affected agencies choose to apply a broader definition of groups specifically covered under E.O. 12898 to include others traditionally disenfranchised by existing transportation services and processes, such as persons with disabilities, elderly Americans, and other groups. This approach is consistent with the principles of Title VI of the Civil Rights Act of 1964 and is the approach assumed in this guidance. Many groups that aren’t necessarily specified in the EJ Executive Order are specifically protected from discrimination through federal and state legislation and regulation. A notable example is The Americans with Disabilities Act of 1990, Title I and V, established to present clear and comprehensive prohibition of discrimination on the basis of physical or mental abilities. Persons with disabilities can bear substantial inequities with regard to access to mobility and the transportation decision-making processes that could lead to mobility improvements for them. Title VI, by not specifying the groups covered by its language, leaves open to interpretation how all Americans are to be protected by federal transportation and other actions. Defining groups to include in EJ processes and evaluations is specifically addressed in Section V of this guidance document.
Pennsylvania Department of Transportation and Title VI
The Pennsylvania Department of Transportation has an established policy and set of assurances related to compliance with Title VI. The PennDOT Title VI Policy Statement lists three primary commitments in the execution of its basic mission:

1. Conducting and operating each of its programs and facilities in compliance with all requirements imposed by, or pursuant to, Title VI of the Civil Rights Act and other pertinent directives;

2. Providing nondiscriminatory methods of administration for programs and to give reasonable guarantee that the Pennsylvania Department of Transportation, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interests, and other participants of Federal financial assistance under such programs will comply with all requirements imposed by Title VI of the Civil Rights Act and other pertinent directives; and

3. Promptly taking any measures necessary to effect compliance with Title VI of the Civil Rights Act and other pertinent directives.

PennDOT also has instituted a set of Title VI Assurances that relate specifically to the execution of its Federal-Aid Highway Program. Every Voice Counts is a manifestation of the department’s implementation of its Title VI policies, because it gives PennDOT and the PennDOT planning partners some of the tools needed to comply with Title VI in the planning and programming functions of the organization.

Key Definitions in Executive Order 12898
Fair Treatment is defined to mean that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

Meaningful Involvement means that (1) potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment decision; (2) the concerns of all participants involved will be considered in the decision making process; and (3) the decision makers seek out and facilitate the involvement of those potentially affected (U.S. Environmental Protection Agency).1

Low-Income is defined as a person whose median household income is at or below the U.S. Department of Health and Human Services poverty guidelines. These guidelines are provided in the box below.

Minority is defined as a person who is: (1) Black (a person having origins in any of the black racial groups of Africa); (2) Hispanic (a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race); (3) Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands); or (4) 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 Population** is defined as any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant geographically dispersed/transient persons (such as migrant workers or Native Americans who will be similarly affected by a proposed DOT program, policy or activity.

**Minority Population** is defined as any readily identifiable persons who live in geographic proximity, and if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy or activity. Also, under Title VI, the law is required to ensure that no person on the ground of race, color, or national origin is subjected to discrimination under any program or activity receiving federal financial assistance.

**Disproportionately high and adverse effect** is defined as a high and adverse effect that (1) is predominantly borne by minority population and or a low-income population, or (2) is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority and/or low-income population.

### 2002 U.S. Department of Health and Human Services Poverty Guidelines (36)

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Appendix C: References

Environmental Justice and Public Involvement


(2) Minnesota Department of Transportation. (1999). Hear Every Voice: a Guide to Public Involvement at MnDOT.

(3) Minnesota Department of Transportation. (1997). Methods and Approaches to Enhance Involvement in Non-traditional Transportation Stakeholder Communities and Neighborhoods.


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(12) Code of Maryland Regulations. EXECUTIVE ORDER 01.01.2001.01. *Commission on Environmental Justice and Sustainable Communities.*


(15) Maryland Department of Transportation, State Highway Administration. *Title VI Programs and the Environmental Justice (Executive Order 12898).*


(18) Ohio Department of Transportation, Office of Urban and Corridor Planning. *Complying with Executive Order 12898 Environmental Justice: Guidance and Best Practices.* Ohio Department of Transportation, Office of Urban and Corridor Planning. (2002). *Guidance and Best Practices for Incorporating Environmental Justice into Ohio Transportation Planning and Environmental Processes.* Columbus, OH.


National Industry-wide Environmental Justice Guidance and Discussions.


   a. “Economic Benefits of Transportation Investment”
   b. “Environmental Benefits of Transportation Investment”
   c. “Community and Social Benefits of Transportation Investment”


**Federal Guidance and Recommendations**


Federal and Commonwealth of Pennsylvania Executive Orders and Policies Related to Environmental Justice and Title VI of the Civil Rights Act of 1964


PennDOT Planning and Programming and Related Documents


