

Environmental Justice Plan

Approved March 4, 2013

□

The Bannock Transportation Planning Organization (BTPO) does not discriminate on the basis of race, color, national origin, income, gender, age, or disability in access to, or operation of its programs, services, activities or in its hiring or employment practices.



Table of Contents

Summary	1
Demographic Profile of the metropolitan area	2
Data Source.....	2
Demographic Data and Methodology	2
Step 1: Define the population.....	3
Step 2: Determine the urban percentage for low income, minority populations, elderly populations, and limited English proficiency populations	3
Step 3: Use a graduated percentage as threshold for determining location of low income, minority populations, and elderly populations	4
Step 4: Map the urban percentage by Census Block Group	4
Identification and considered of mobility needs of minority populations within the planning process.....	8
Environmental Justice Analysis of the MPO’s transportation system investments	8
Project benefits and adverse impacts.....	8
Disproportionately high and adverse effect	9
Appendix A Acronyms and Glossary	10

Summary

In 1994 Executive Order 12898 Environmental Justice (EJ) included identifying and addressing the effects of all programs or activities of Federal-aid recipients, sub-recipients, and contractors, whether or not such programs and activities are federally assisted.

Executive Order 12898 was created to bring federal attention to the environmental and human health conditions in low-income and minority communities with the goal of achieving EJ. The goal of Environmental Justice is to ensure that any adverse human health or environmental effects of any government activities do not disproportionately affect minority or low-income populations. EJ does not intend to provide preferential treatment to these populations, but rather fair treatment to all populations. Specific to transportation, Executive Order 12898 has been issued in order to ensure that all federally funded transportation-related programs, policies, and activities that have the potential to cause adverse affects, specifically consider the effects on minority and low-income populations. EJ is a public policy objective that has the potential to improve the quality of life for those whose interests have traditionally been overlooked.

According to the United States Department of Transportation (USDOT), there are three core principles of Environmental Justice:

- To avoid, minimize, or mitigate disproportionately high and adverse human health or environmental effects, including social and economic effects, on minority and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in or significant delay in the receipt of benefits by minority and low- income populations.

Bannock Transportation Planning Organization (BTPO) as the Governor's designated Metropolitan Planning Organization (MPO) for the Pocatello/Chubbuck urbanized area is required to develop a Metropolitan Transportation Plan (MTP) and a Transportation Improvement Program (TIP). Both these documents need to address EJ concerns.

Addressing Environmental Justice Concerns include:

- Identify low-income and minority populations so that their needs can be identified and addressed and that the benefits as well as the burdens of transportation investments can be fairly distributed throughout the planning area.
- Enhance existing analyses processes to ensure that the Long Range Plan and TIP comply with Title VI requirements.
- Evaluate the existing public involvement processes and improve if necessary to include minority and low-income populations in the decision making process

In 2000 Executive Order 13166 Limited English Proficiency required Federal agencies to assess and address the needs of otherwise eligible limited English proficient persons seeking access to the programs and activities of the recipient of Federal financial assistance.



Demographic Profile of the metropolitan area

The demographic profile identifies the locations within the urban area where specific protected classes are represented in higher number than the other areas. This section provides the methodology used to locate minority, low income, elderly populations, and limited English proficiency. This data is needed to determine if the projects and activities of the MPO impact and to what extent these populations. Appendix E includes the maps and data produced as a result of the procedures identified in this section. The appendix should be updated every four years or when the Metropolitan Transportation Plan is approved or updates.

Data Source

The decennial United States Census and the American Community Survey (ACS) are the two primary sources of demographic data. The U.S. Census Bureau is responsible for both surveys. The Census is conducted every ten years, which can limit the accuracy of the data over time. Additionally, the information collected by the Census form is decreasing over time. In the 2010 Census the long form was eliminated and data such as mode of travel to work and language spoken were eliminated.

The ACS has been developed as the replacement of data that was collected by the Census. The ACS was created so that we would have such data not just once every ten years, but once every year of the decade. The survey has been conducted since 2006, based on surveys conducted nationwide starting in 2005. The ACS is also reported for a three-year and five-year period. The three and five-year surveys are a running average and are intended to provide information on Census block group level for smaller areas. For populations similar to BTPO’s planning area the five-year average is considered the most accurate.

Table 1 shows the ACS table used for each population.

TABLE 1: DEMOGRAPHIC DATA SOURCES

Population	Source	Table	Geography
Minority Population	U.S. Census	SF1	Block Group
Low Income Population	ACS	C17002 -RATIO OF INCOME TO POVERTY LEVEL IN THE PAST 12 MONTHS	Block Group
Elderly Population	U.S. Census	SF1	Block Group
Limited English Proficiency	ACS	Table: B16005 - NATIVITY BY LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER	Census Tract

Demographic Data and Methodology

To meeting the requirements of Title VI, Environmental Justice, and other planning requirements low income, elderly populations, minority populations, and limited English proficiency will be identified within the urban area. The requirements are designed to ensure that protected populations do not bare a distortional burden or do not share in the benefits of transportation projects and programs.

The methodology to determine the location and concentration of identified groups involves four steps, which are:



Bannock Transportation Planning Organization

- Step 1: Define the population
- Step 2: Determine the urban percentage for low income, minority populations, elderly populations, and limited English proficiency populations
- Step 3: Use a graduated percentage as threshold for determining location of low income, minority populations, and elderly populations
- Step 4: Map the urban percentage by relevant geography (Table 1)

Step 1: Define the population

Minority means a person who is:

- Black (having origins in any of the black racial groups of Africa);
- Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race)
- Asian American (having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands); or
- American Indian and Alaskan Native (having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition)

Low Income means a person whose median household income is at or below the Department of Health and Human Services (HHS) poverty guidelines.

Elderly population means a person who is 65-years of older.

Limited English proficiency means a person who does not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP." The ACS identified persons who speak and do not speak English very well. For purposes of this report those persons who do not speak English very well are considered as a LEP person.

Step 2: Determine the urban percentage for low income, minority populations, elderly populations, and limited English proficiency populations

The average percentage for Bannock County and BTPO was by determined for each population using the sources in Table 1. ACS data and Census data do not match do to the sample size of each survey. ACS is a 5-year average using sample for each block group. The Census data is the total count of persons.

TABLE 2: DEMOGRAPHIC INFORMATION

	BTPO Urban Area	Non Urban Bannock County
Population	72,980	82,839
Minority Population	7,111	5,896
Percent Minority Population	9.74%	7.12%
Person below the Poverty Level	10,334	11,098
Percent Below Poverty	14.16%	13.40%
Elderly Population	7,767	9,263
Percent Elderly Population	10.64%	11.18%
Limited English Proficiency	1,774	2,564
Percent Not English Proficient	2.43%	3.10%
Non urban Bannock County is the area outside the Pocatello/Chubbuck Urban area.		



Step 3: Use a graduated percentage as threshold for determining location of low income, minority populations, and elderly populations

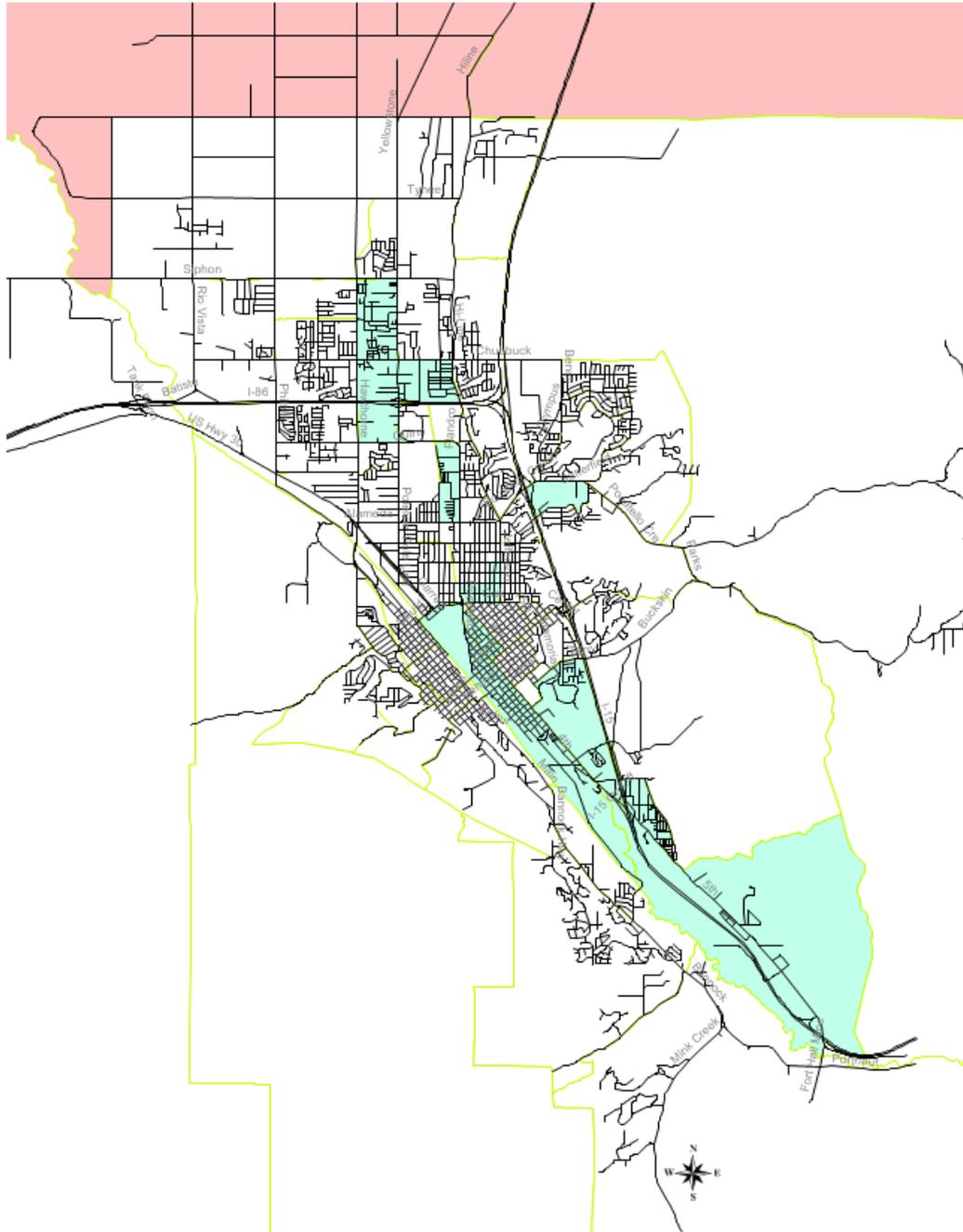
Establishing the thresholds in determining where protected classes are within the urban area is required to help assess the impacts of plans and programs on these populations. Only identifying where the percentage of a population is greater than the urban average might not show higher concentrations of a specific population. To assist in this effort not only the urban average but also a range from 1.5 to 2.0 times the urban average will be mapped.

Step 4: Map the urban percentage by Census Block Group

The mapping of protected populations is a static activity. Maps show what existed in a specific point in time. The maps used here are anticipated to be updated using the latest demographic information for each plan or project requiring analysis.

Figures 1, 2 and 3 show the locations of minority populations, persons below the poverty level, and percent elderly respectively.





Percentage of minority populations by census block group

Map layers

- Block Group
- Street Network

Minority Percent

- Less than Urban Average: 0.00% to 9.74%
- Urban Average to 1.5 times urban average: 9.74% to 14.61%
- 1.5 times urban average to 2.0 times urban average: 14.61% to 19.48%
- Over 2.0 times urban average: 19.48% to 100.00%

0 1 2 3
Miles

Source: 2010 Census. Urban Percent is 9.38



FIGURE 1: PERCENTAGE OF MINORITY POPULATION



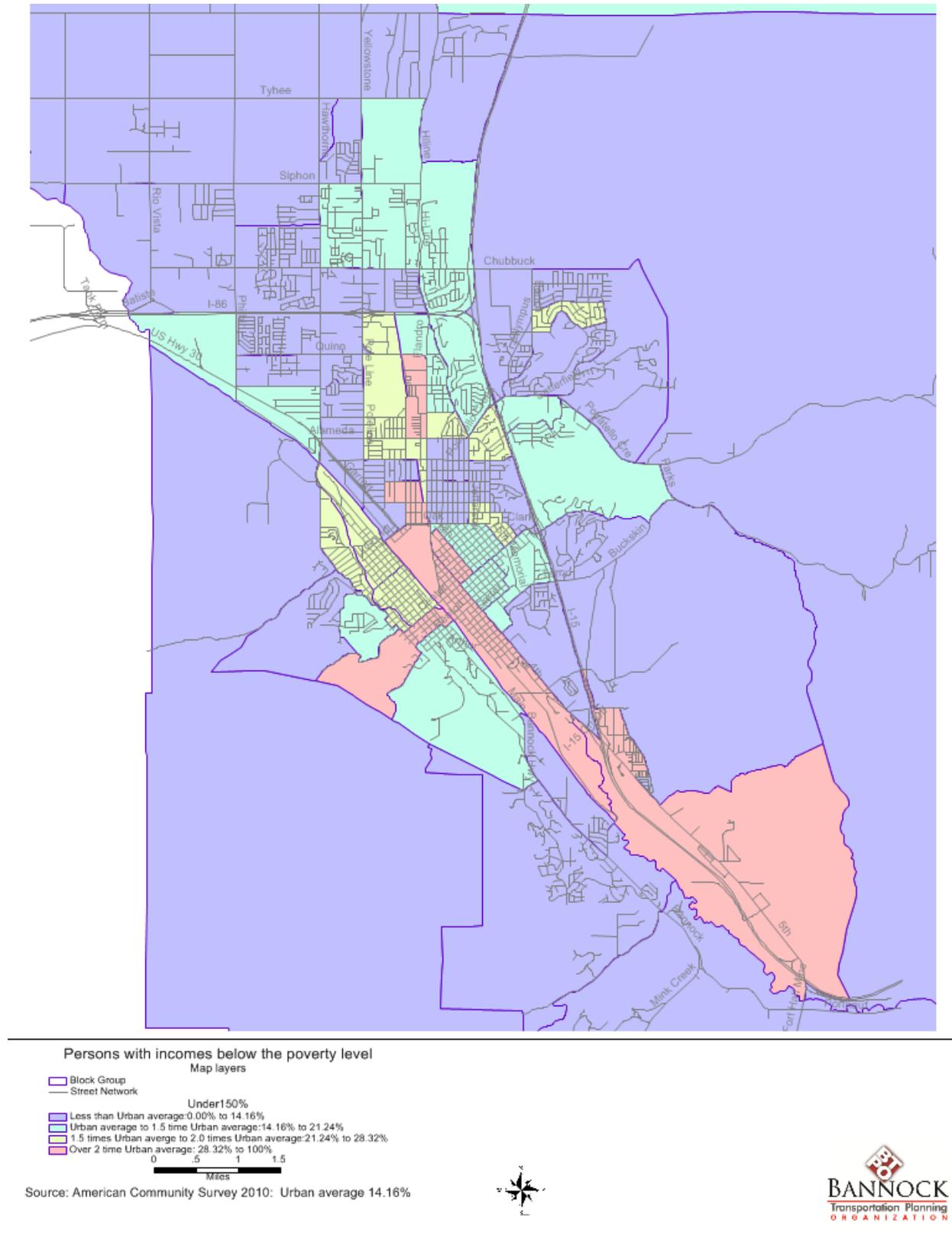


FIGURE 2: PERCENTAGE OF PERSONS BELOW POVERTY LEVEL



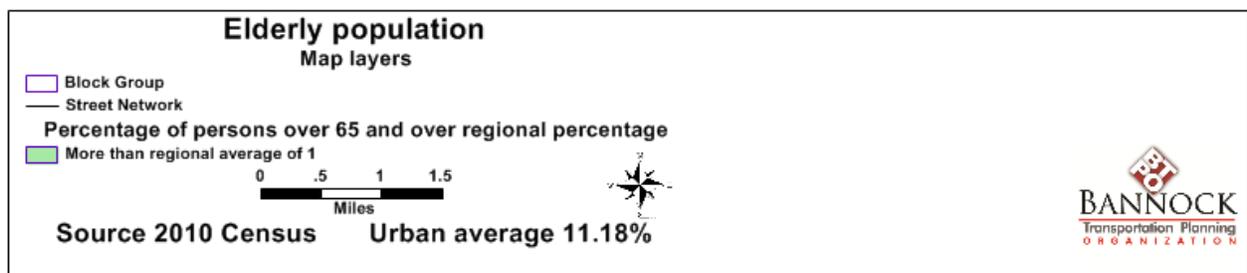
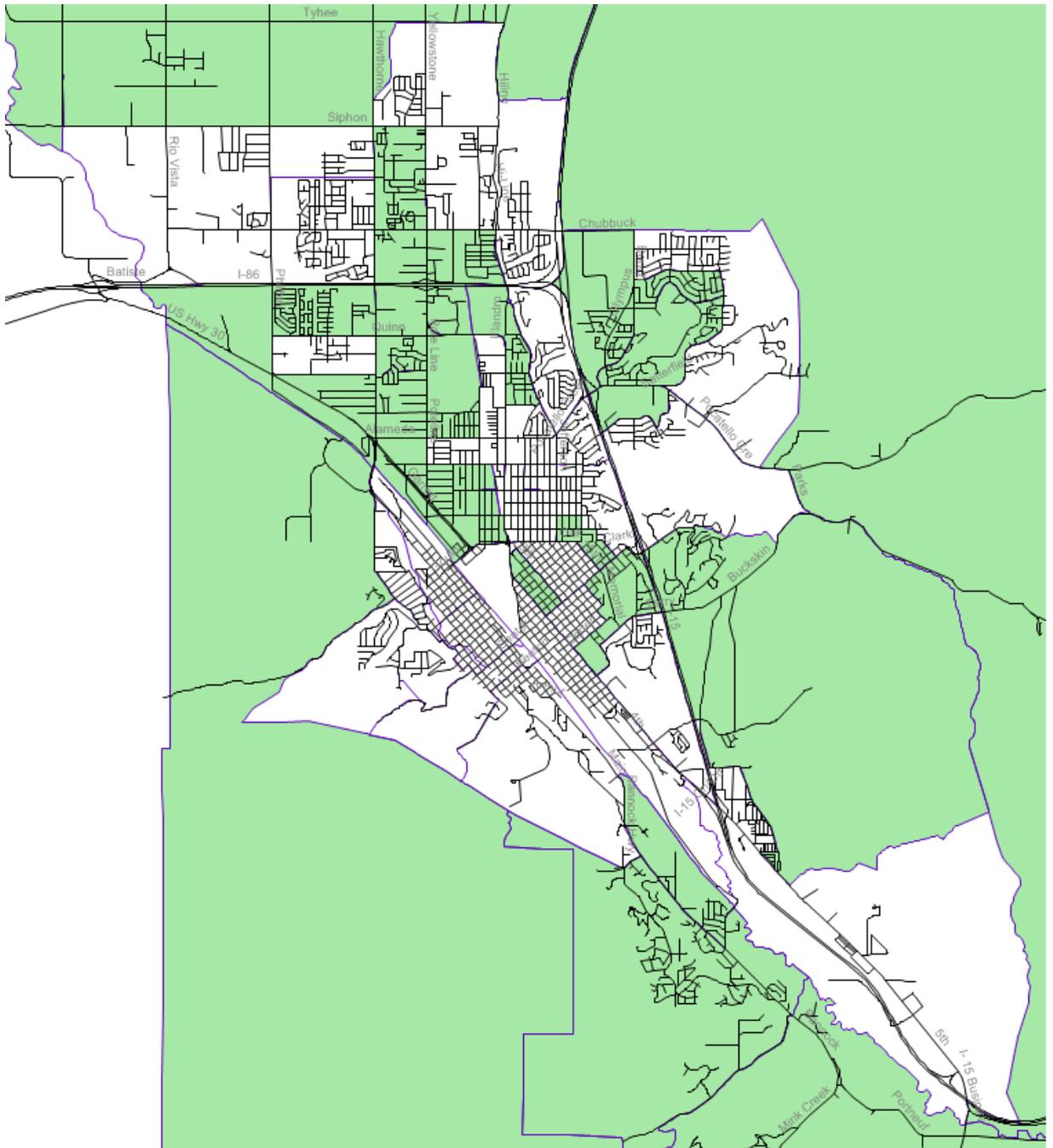


FIGURE 3: PERCENTAGE OF ELDERLY POPULATION



Identification and considered of mobility needs of minority populations within the planning process

BTPO is committed to actively engage traditionally underserved populations. In past Public Involvement Plans (PIP) this effort has been less than successful. BTPO worked with a consultant firm to develop the current PIP. The strategies included in the PIP will be conducted but there also long term activities which can affect the outreach efforts. These strategies include:

- BTPO will develop a distribution list of agencies, civic groups, and other organizations which are actively engaged with minority and low income populations.
- BTPO will when possible send news releases to and place advertisements in minority newspapers and non-English newspapers. BTPO will also explore other free publications and media outlets that may be accessed by minority or low income populations.

Environmental Justice Analysis of the MPO's transportation system investments

This section is the process which will evaluate the plans and projects which are considered as part of any Metropolitan Transportation Plan (MTP). The MTP is a twenty-year planning document which established to goals and priorities for transportation system over that twenty-year period. The analysis is completed within the development of the MTP.

The process in determine the benefits and impacts of transportation system are also required in conducting an Environmental Justice (EJ) analysis. Four steps have been identified by FWHA and Federal Transit Administration (FTA) is conducting an Environmental Justice analysis, they are:

- Demographic data
- Public Engagement in Planning Process
- Consider the proposed projects and their likely benefits and adverse impacts
- Select alternatives

Demographic data and Public Engagement in Planning Process have already been discussed.

Project benefits and adverse impacts

The Department of Transportation issued an EJ order which defines adverse effects of a project or program. In summary adverse impacts are the significant individual or cumulative health, environmental, social, and economics impacts of a project or set of projects.

Project benefits are the anticipated results of a project which improve performance measures or quality of service. The benefits of project will vary depending upon the project. Projects are identified within the planning process by failure to meet specific requirement or performance measures. The improved performance measure should be the primary benefit.

Other potential benefits include:

- Decreased travel time
- Increased access to employment or businesses
- Increased access to transit
- Improved pedestrian or bicycle facilities
- Improved air quality
- Safety



Project impacts are the individual and cumulative effects of completing a project. They include:

- Increased traffic
- Noise
- Displacement or relocations
- Neighborhood intrusion
- Water quality impacts
- Air quality impacts
- Green space
- Decreased access to transit
- Decreased access to employment or businesses

Considering project benefits and impacts is complicated and not easy to show graphically. Where possible the benefit or impact should be shown graphically. The process used to evaluate project impacts is:

- List all project benefits
- List all project impacts
- Provide discussions of the how benefits and impacts might affect low income and minority populations.
- Include discussion in meeting materials where possible

Disproportionately high and adverse effect

A disproportionately high effect is one that:

- Is predominately borne by a minority population and /or a low income population, or
- Will be suffered by the minority and/or low income population and is appreciable more severe or greater in magnitude than the adverse effects suffered by non-minority and/or non-low income population.

To determine if either one or both of these conditions apply a map showing the locations of protected populations along with the anticipated projects derived from the MTP. This along with a written analysis of the benefits and burdens should be presented to BTPO's boards. A separate analysis should be completed on the financially constraint project lists. If a disproportionately high or adverse effect is found in either analysis additional study or substitution of another project(s) should be completed.



Appendix A *Acronyms and Glossary*

Acronyms

- AADT – Annual Average Daily Traffic
- ADA - Americans with Disabilities Act
- ADT – Annual Daily Traffic
- BTPO – Bannock Transportation Planning Organization
- CFR - Code of Federal Regulations
- CMAQ - Congestion Mitigation and Air Quality program
- CTPP - Census Transportation Planning Package
- DOT - Department of Transportation
- FTA - Federal Transit Administration
- FHWA - Federal Highway Administration
- GIS - Geographic Information System
- ITD – Idaho Transportation Department
- LEP – Limited English Proficiency
- MAP-21 – Moving Ahead for Progress in the 21st Century
- MPO - Metropolitan Planning Organization
- MSA - Metropolitan Statistical Area
- MSP – Master Street Plan
- MTP – Metropolitan Transportation Plan
- NAAQNA - National Ambient Air Quality Nonattainment Area
- NAAQS - National Ambient Air Quality Standards
- PRT – Pocatello Regional Transit
- SAFETEA-LU - Safe, Accountable, Flexible, Efficient Transportation Equity Act - A Legacy for Users
- TEA-21 - Transportation Efficiency Act for the 21st Century
- TIP - Transportation Improvement Program



Glossary

Americans with Disabilities Act (ADA) – Barriers to employment, transportation, public accommodations, public services, and telecommunications have imposed staggering economic and social costs on American society and have undermined our well-intentioned efforts to educate, rehabilitate, and employ individuals with disabilities. The Americans with Disabilities Act gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, State and local government services, and telecommunications.

Average Daily Traffic (ADT) – The total amount of traffic observed, counted or estimated during a single, 24-hour period. Number is determined by averaging a two or three day period.

Discrimination – refers to any action or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, sub-recipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.

Disparate impact – refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient's policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.

Federal Transit Administration (FTA) – is one of 11 operating administrations within the U.S. Department of Transportation with over 500 employees located in Washington, DC and 10 regional offices across the nation. As authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users of 2005 (SAFETEA-LU), the FTA provides stewardship of combined formula and discretionary programs totaling more than \$10B to support a variety of locally planned, constructed, and operated public transportation systems throughout the United States. Transportation systems typically include buses, subways, light rail, commuter rail, streetcars, monorail, passenger ferry boats, inclined railways, or people movers.

Federal Highway Administration (FHWA) – is a division of the United States Department of Transportation that specializes in highway transportation. The agency's major activities are grouped into two "programs," the Federal-aid Highway Program and the Federal Lands Highway Program.

Geographic Information System (GIS) – is any system that captures, stores, analyzes, manages, and presents data that are linked to location. In the simplest terms, GIS is the merging of cartography, statistical analysis, and database technology. GIS systems are used in cartography, remote sensing, land surveying, public utility management, natural resource management, photogrammetry, geography, urban planning, emergency management, navigation, and localized search engines.

Idaho Transportation Department (ITD) – ITD is the transportation department for the State of Idaho.

Limited English Proficient (LEP) – refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

Low-income person – means a person whose median household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines.



Moving Ahead for Progress in the 21st Century (MAP-21) - "Moving Ahead for Progress in the 21st Century Act" (MAP-21) was passed in the Congress on June 29, 2012 and signed into law (Public Law No:112-141) by the President on July 6. The Act extends federal highway and transit funding through federal fiscal year 2014.

Metropolitan Planning Organization (MPO) – The Metropolitan Planning Organization (MPO) of urban areas with a central city of 50,000 or more population is responsible for "...plans and programs which lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people and goods".

Metropolitan Statistical Area (MSA) – A U.S. Government classification for a free-standing urban population center with a population in the urban center of at least 50,000 and a total MSA population of 100,000 or more.

Metropolitan Transportation Plan (MTP) – means the official multimodal transportation plan addressing no less than a 20-year planning horizon that is developed, adopted, and updated by the MPO through the metropolitan transportation planning process.

Technical Advisory Committee – The Technical Advisory Committee (TAC) is an advisory committee to the BTPO Policy Board. The committee is comprised of engineers, planners, and others who have expertise related to transportation, planning, or environment.

Minority persons – include the following:

- American Indian and Alaska Native, which refers to people having origins in any of the original people of North and South America and who maintain tribal affiliation or community attachment.
- Asian, which refers to people having origins in any of the original peoples of Far east, Southeast Asia, or the Indian Subcontinent, including but not limited to Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, Northern Mariana Islands, India, Pakistan or Bangladesh.
- Black or African, which refers to people having origins in any of the Black racial groups of Africa.
- Hispanic or Latino, which includes persons of Cuba, Central or South America, Mexico, Puerto Rican, regardless of race.

National Origin - means the particular nation in which a person was born, or where the person's parents or ancestors were born.

Title VI Program - refers to a document developed by an recipient of Federal funds to demonstrate how the recipient is complying with Title VI requirements.

