

Environmental Justice Technical Report



Genesee County Environmental Justice Technical Report

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The most recent transportation legislation: Moving Ahead for Progress in the 21st Century Act (MAP-21) continues to place a substantial emphasis on an integral, proactive public involvement component throughout the metropolitan transportation planning processes. This component supports early and continuing public participation in the development of plans and programs including the Flint-Genesee County 2040 Long Range Transportation Plan (LRTP). The Genesee County Metropolitan Planning Commission (GCMPC) makes every effort to ensure that the public is provided complete information, timely public notice, full public access to key decisions, and opportunities to be proactively involved in the transportation planning process for Genesee County.

What is Environmental Justice?

GCMPC, through the Genesee County Metropolitan Alliance (Metro), as the MPO for Genesee County transportation planning, recognizes the diversity of Genesee County citizens and communities and their transportation needs. The Metro serves as the primary forum where MDOT, the Mass Transportation Authority (the area's public transit provider), local agencies, and the general public develop Genesee County transportation plans and programs. GCMPC adheres to publicly approved guidelines of the Public Participation Plan through which all citizens, regardless of race, color, gender, age, physical ability, or national origin are guaranteed full opportunity to participate in programs, plans and processes, including transportation planning and the 2040 LRTP.



In 1964, the Civil Rights Act under Title VI was enacted and stated that “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” The Civil Rights Restoration Act of 1987 broadened the scope of Title VI, clarified the intent, and expanded the definition of the terms “programs and activities” to include all programs and activities of Federal aid recipients, sub-recipients and contractors, whether such programs are Federally assisted or not.

In 1994, an Executive Order (Number 12898) directed every Federal agency including the U.S Department of Transportation (DOT) to identify and address the effects of all programs, policies, and activities on “minority populations and/or low-income populations”. This Order was consistent with Title VI in considering fundamental environmental justice principles affecting low income

and minority populations. The three fundamental environmental justice principles are:

- To avoid, minimize or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations 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.

In 1997, the U.S. DOT issued an Order that summarized and expanded on environmental justice requirements. The U.S. DOT Order applies to all transportation planning policies decisions, and activities undertaken, funded, or approved by Federal Highway Administration (FHWA), Federal Transit Administration (FTA) and Metropolitan Planning Organizations (MPO) among other U.S. DOT components. Also, the U.S. DOT Order specifically identifies five population groups in its emphasis on environmental justice requirements.



In 2012, the department of transportation issued an update to the original order from 1997. This updated Order reaffirms DOT's commitment to environmental justice and clarifies certain aspects of the original Order, including the definitions of "minority" populations in compliance with the Office of Management and Budget's (OMB) Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity of October 30, 1997. The revisions clarify the distinction between a Title VI analysis and an environmental justice analysis conducted as part of a NEPA review, and affirm the importance of considering environmental justice principles as part of early planning activities in order to avoid disproportionately high and adverse effects. The updated Order maintains the original Orders general framework and procedures and DOT's commitment to promoting the principles of environmental justice in all DOT programs, policies, and activities.

Environmental Justice and Transportation Planning

In order to address the three environmental justice principles in the LRTP, the following summary approach was taken by staff according to guidelines developed by the U.S. DOT, FHWA and FTA:

- Minority populations and low-income populations were identified.
- An extensive public outreach effort was conducted.
- Economic investments in the transportation system were analyzed to assess whether minority and/or low-income populations were adversely affected in the receipt of transportation system benefits.

The Genesee County Metropolitan Planning Commission conducted an Environmental Justice (EJ) analysis for the proposed projects in the 2040 LRTP. The analysis undertaken by GCMPC supports principles and requirements of Title VI of the Civil Rights Act of 1964 (Title VI), the Executive Order (E.O.) 12898 and the 1997 and 2012 U.S. Department of Transportation's (DOT) Orders to Address Environmental Justice.

Evaluation of Defined Populations

The following process was used to analyze whether GCMPC has addressed the EJ principles in the 2040 LRP:

1. Genesee County "Threshold Percentages" were developed for the populations identified in E.O. 12898 as "persons belonging to any of the following groups: American Indian/Alaska Native, Asian American, Black/African American, Hispanic of any origin, Native Hawaiian & Other Pacific Islander, and persons whose income is at or below poverty guidelines.
2. Maps showing Genesee County areas where identified populations are concentrated were developed based on Census Block Group level data.
3. These areas of concentration in which the percentage of identified persons exceeds the Threshold Percentages were determined to be EJ Zones.
4. The EJ Zones were related to the location of the projects contained within the TIP for further analysis of the proposed projects to ensure that the proposed projects deliver equitable levels of service to all persons and to determine any disproportionate impacts to identified populations.
5. An intensive public involvement effort was designed to eliminate participation barriers and fully engage minority and low-income persons in the decision making process for the proposed project.

6. Conclusions were drawn from the EJ analysis of the proposed projects.

Genesee County Threshold Percentages

A critical part of identifying and addressing needs of minority populations and low-income populations is identifying patterns and geographic locations. In this manner, the planning process can ensure that benefits and burdens of transportation investments are fairly distributed.

In order to determine the EJ effects of any Federal aid transportation project, it was necessary to identify areas within Genesee County in which the levels of identified population groups meet or surpass the average levels for the County. Calculating the average number of persons in the identified groups and applying that percentage to each Census Block Group within the County allowed the establishment of these areas.

Threshold Percentages for minority races and Hispanic origin are based on U.S. Bureau of the Census - 2010 Block Group level data. The total population of Genesee County in 2010 was 425,790. This analysis considered 414,774 persons (97.4%) of the total who declared themselves to be of one race in the 2010 Census. Percentages for American Indian/Alaskan Native, Asian, Native Hawaiian & Other Pacific Islander, and Black/African American of one race were taken of the total of one race. Persons of Hispanic origin are of any race, and therefore the county average and Threshold Percentage is derived from the total Genesee County population.

Genesee County Identified Population Groups	Population	County Average
American Indian/Alaskan Native	2,252	0.5%
Asian	3,879	0.9%
Black/African American	88,127	20.7%
Hispanic Origin	12,983	3.1%
Native Hawaiian & Other Pacific Islander	79	0.02%
Persons Living below the Poverty Level	80,049	18.8%

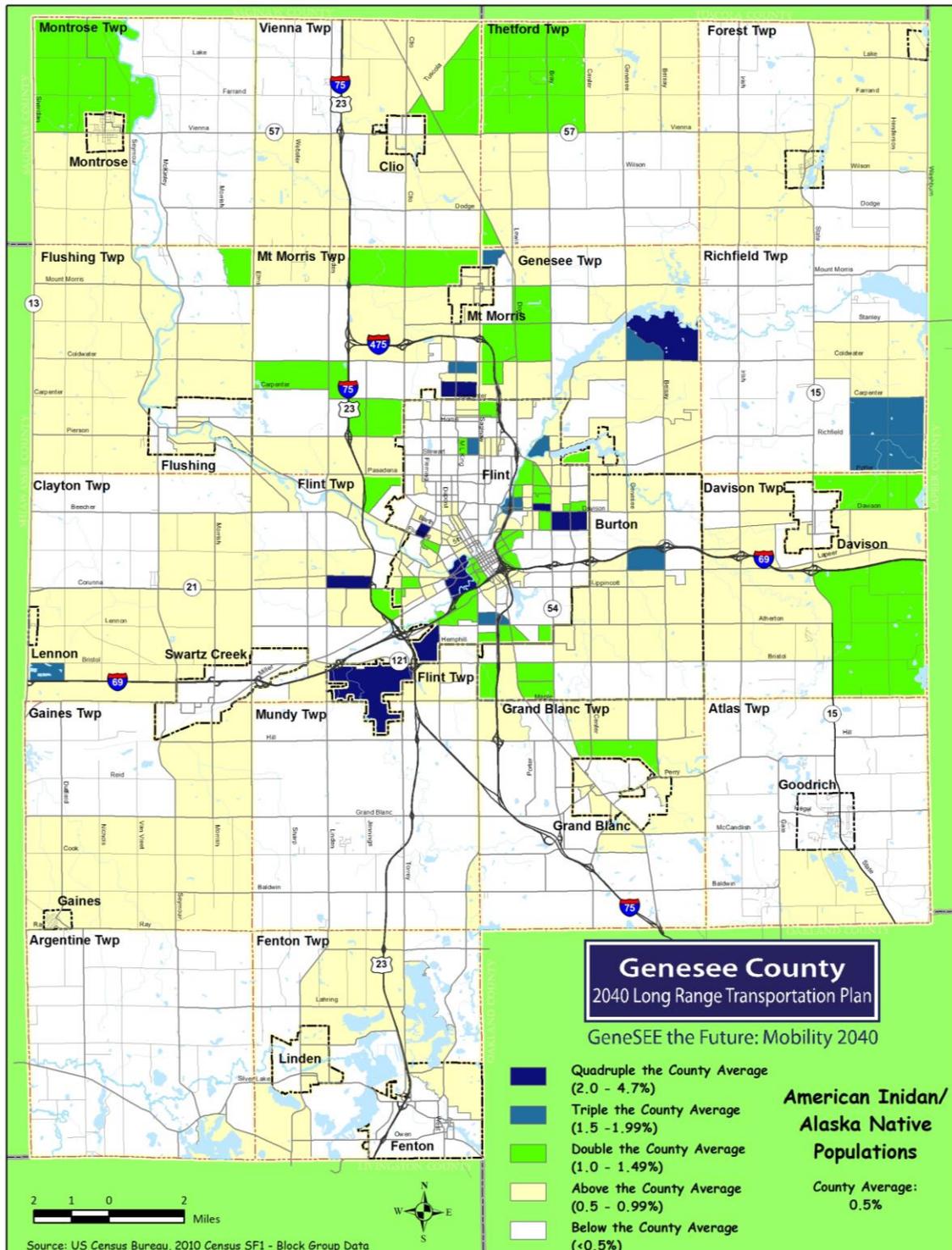
Source: U.S. Census Bureau, 2010 Census.

Targeted Groups:

Maps based on 2010 Census information were developed for each of the identified population groups. Information relative to each map is included on the following pages. Ranges were set to distinguish areas below and above the county average.

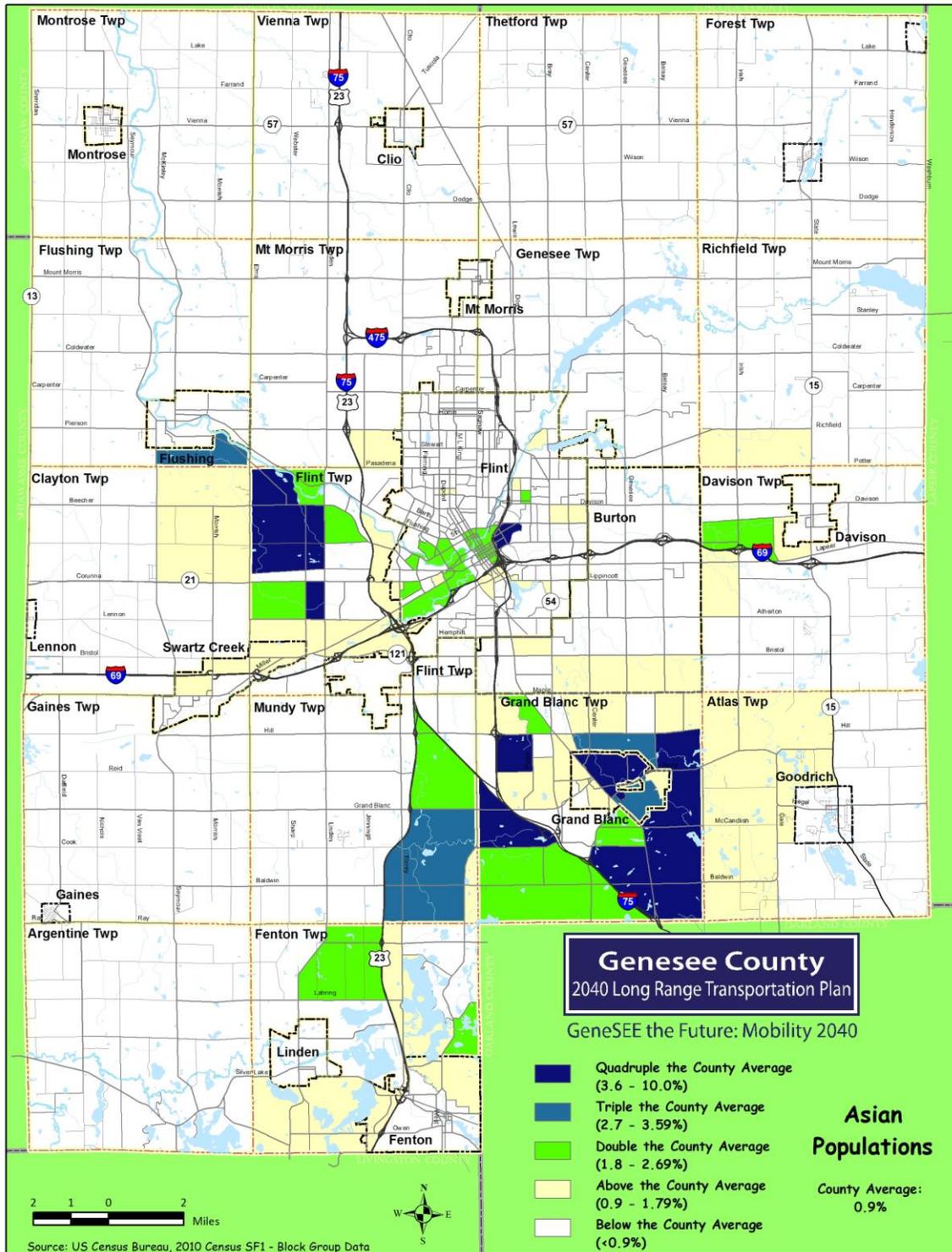
Location of American Indian/Alaska Native Populations

The map on the following page illustrates Genesee County areas where the concentration of American Indian/Alaskan Native persons within each Block Group is greater than the Genesee County average percentage. In 2010, there were 2,252 persons (0.5% of the Total of One Race Population) residing in Genesee County that indicated themselves to be of the American Indian/Alaskan Native race.



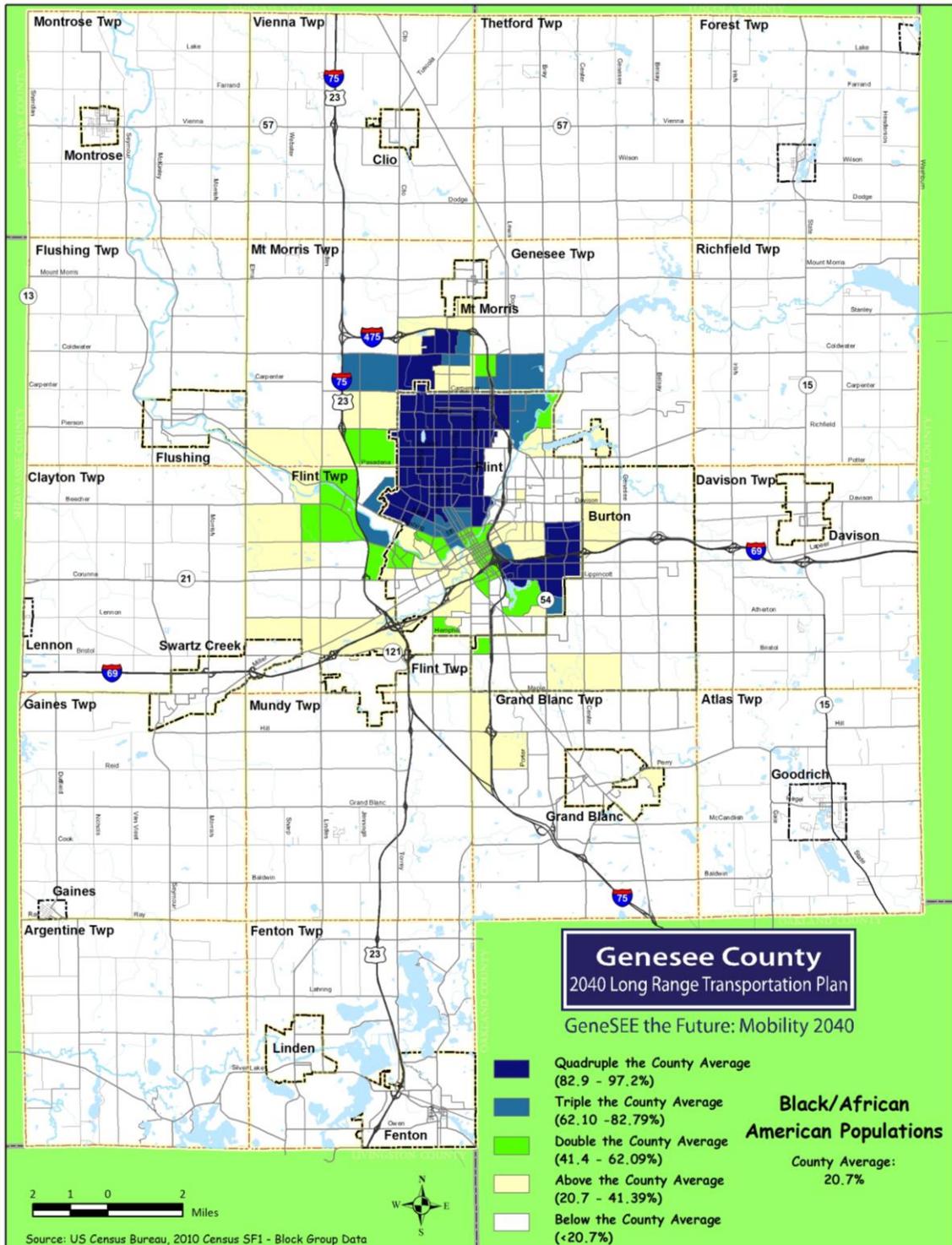
Location of Asian Populations

The following map illustrates Genesee County areas where the concentration of Asian American persons within each Block Group is greater than the Genesee County average. In 2010, there were 3,879 persons (0.9% of the Total of One Race Population) residing in Genesee County that indicated themselves to be of the Asian race.



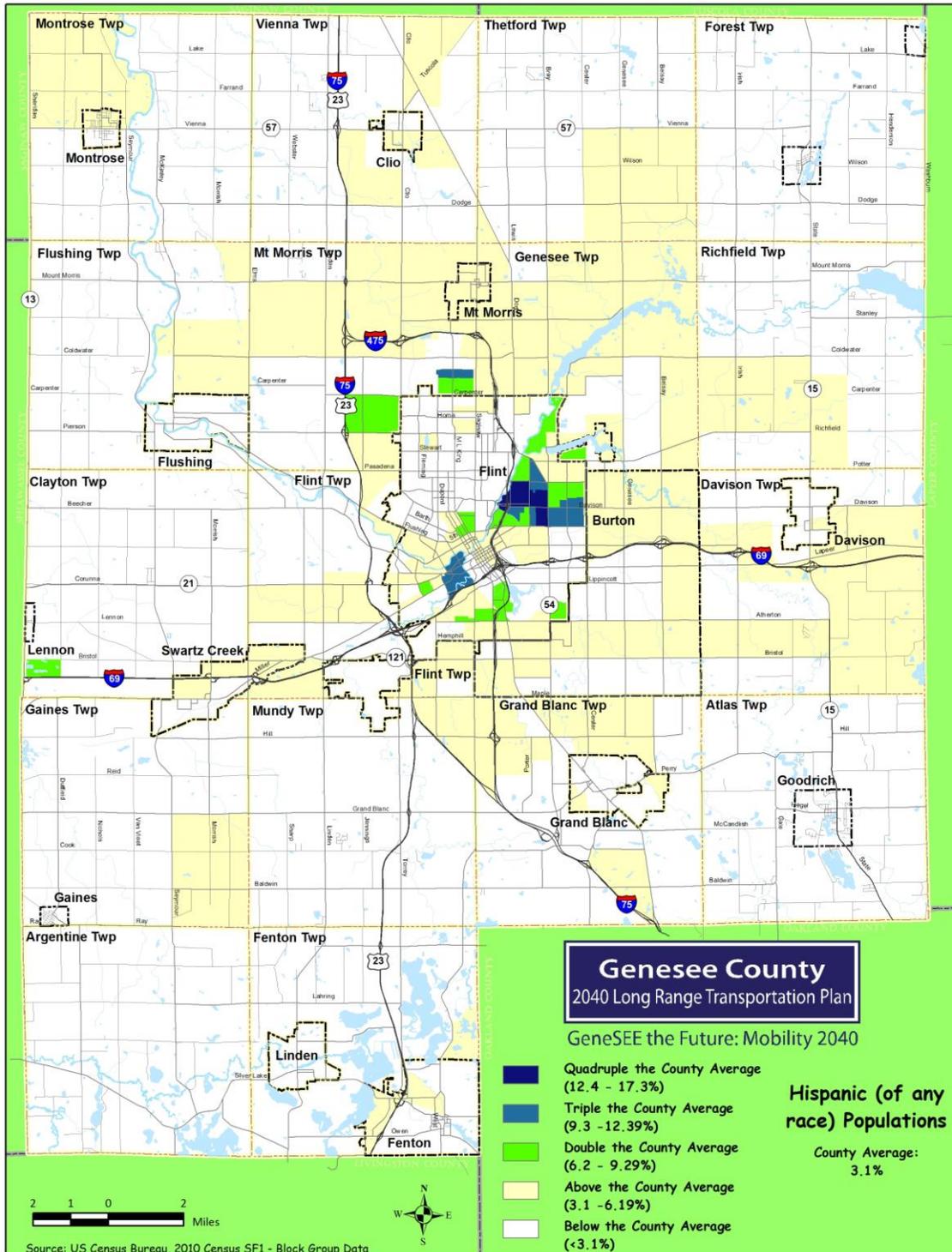
Location of Black/African American Populations

The following map illustrates Genesee County areas where the concentration of Black/African American persons within each Block Group is greater than the Genesee County average percentage. In 2010, there were 88,127 persons (20.7% of the Total of One Race Population) residing in Genesee County that indicated themselves to be of the Black/African American race.



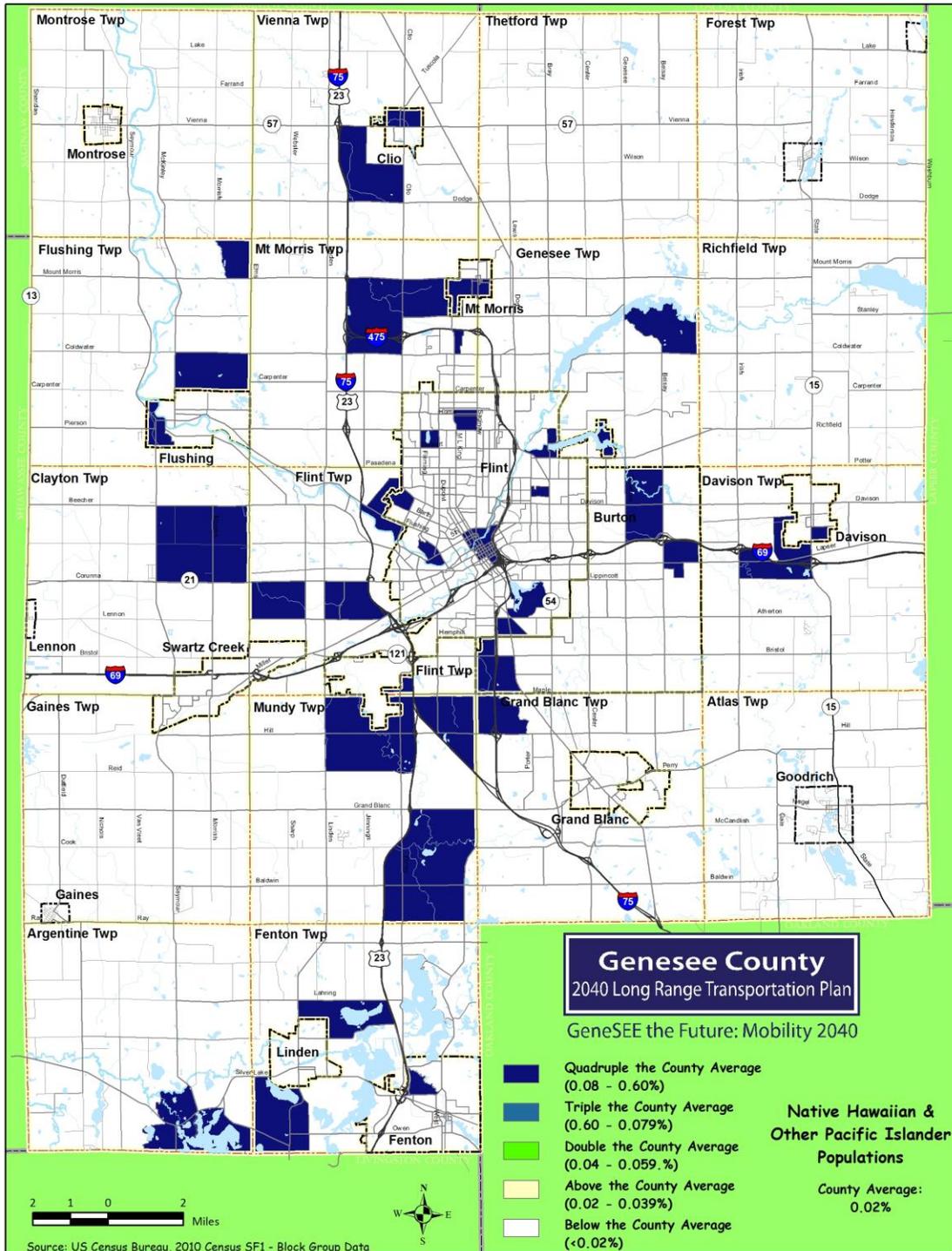
Location of Hispanic (of any race) Populations

The following map illustrates Genesee County areas where the concentration of Hispanic Origin (of any race) persons within each Block Group is greater than the Genesee County average. In 2010, there were 12,983 persons (3.1% of the Total Population) residing in Genesee County that indicated themselves to be of Hispanic Origin of any race.



Location of Native Hawaiian & Other Pacific Islander Populations

The following map illustrates Genesee County areas where the concentration of Native Hawaiian & Other Pacific Islander persons within each Block Group is greater than the Genesee County average. In 2010, there were 79 persons (0.02% of the Total Population) residing in Genesee County that indicated themselves to be of Native Hawaiian & Other Pacific Islander.



Low Income Populations

The following table presents several data items relative to low-income populations. Recognizing the varied categories of representative data, GCMPC has chosen the Census defined Universe of "Persons whose income is at or below the poverty level" to analyze transportation planning activities and any associated EJ effects on this population. The "Persons" data Universe is consistent with the data level used for analyses for each of the other identified populations.

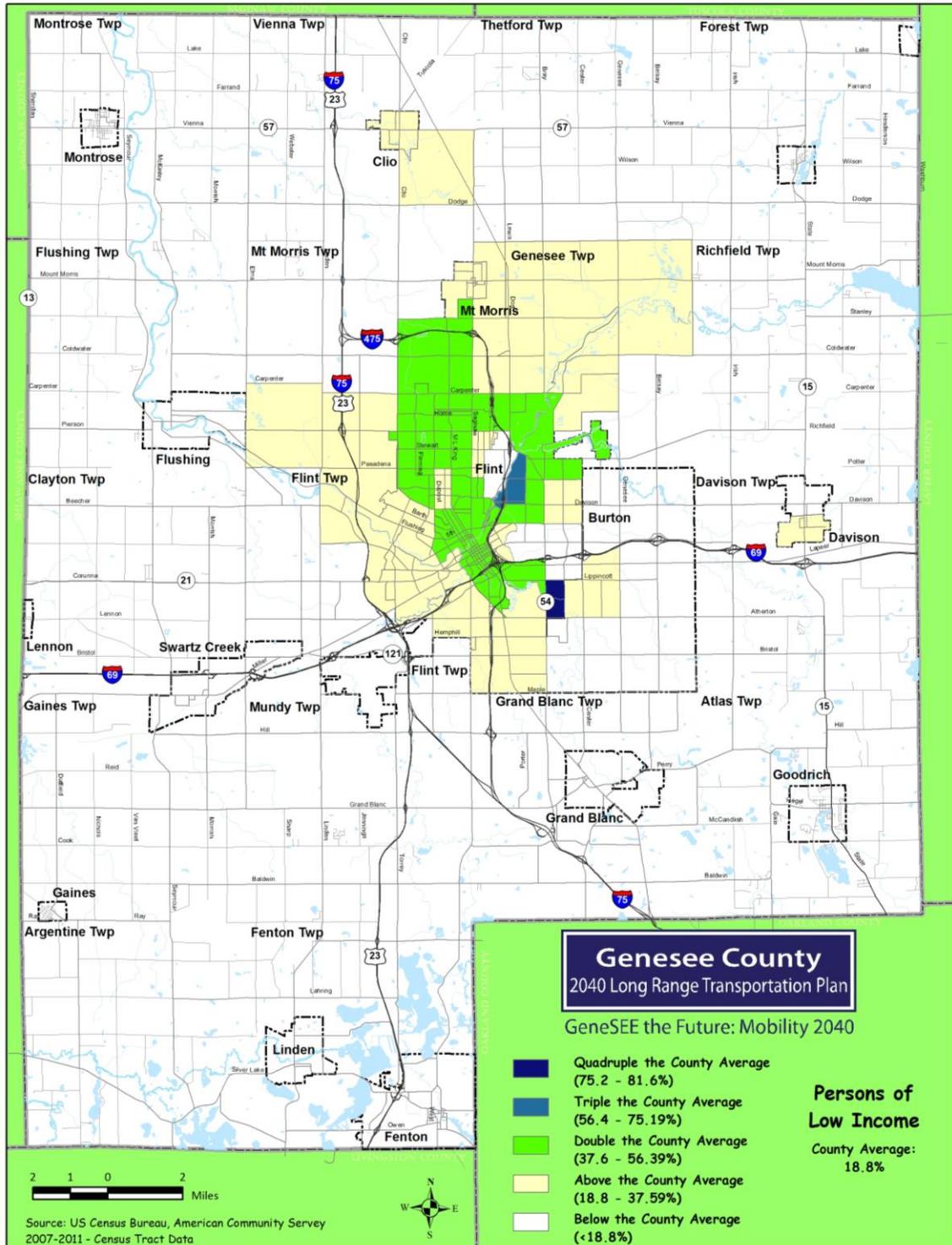
Low Income Population	
Genesee County Population (2010)	425,790
Family Households (of Total) (2010)	115,956
Average Household Size (2010)	2.48
Threshold (for a family of three)*	18,222
Persons Below Census Poverty Level** (ACS 2008-2012 Census Tract Data)	~82,660

*Source U.S. Census Bureau: State and County QuickFacts 2013

**Based upon 2013 Population Estimates from U.S. Census Bureau

Location of Persons with Low Income

American Community Survey 2007-2011 Census Tract Data for persons residing in Genesee County, whose income during that time period was below the poverty level, is illustrated on this map. Areas of concentration occur for this group where the number of persons below the poverty level in a Census Tract is greater than the Genesee County average percentage of 18.8%.



Genesee County Comparison

To compare the composition of Genesee County's population to other areas, an analysis of the six selected minority populations was conducted and compared to state and national figures. The table below illustrates these figures.

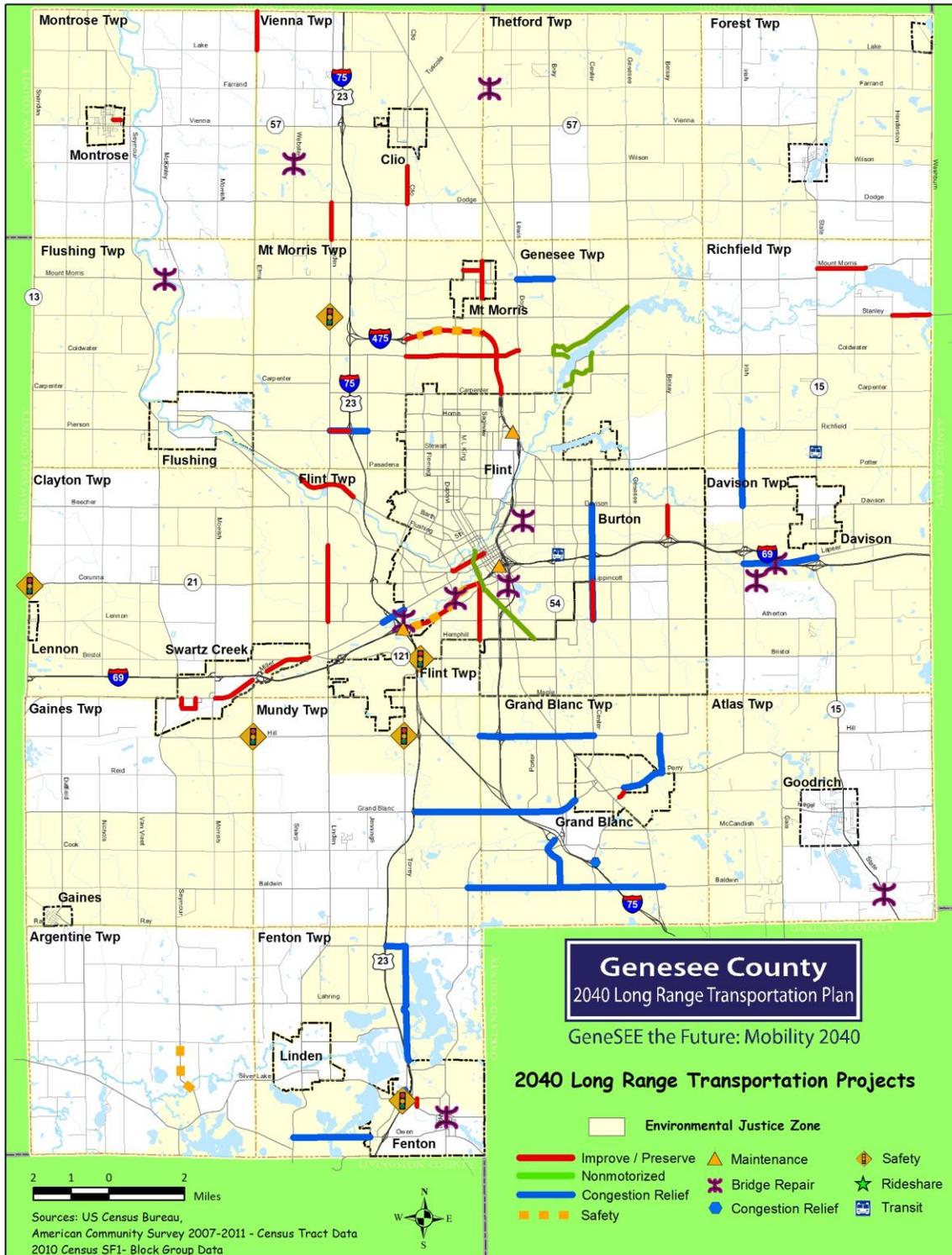
Genesee County has a very large population of Black/African American persons as well as a high percentage of residents below the poverty line. Of the other populations studied—American Indian/Alaska Native, Asian, Hispanic, and Native Hawaiian & Other Pacific Islander Origin—all are below state and national averages.

Comparison of Minority Populations (% of total population)			
Identified Population Groups	Genesee County	State of Michigan	USA
American Indian/Alaska Native	0.5%	0.7%	1.2%
Asian	0.9%	2.7%	5.3%
Black/African American	20.7%	14.3%	13.2%
Hispanic Origin	3.1%	4.7%	17.1%
Native Hawaiian & Other Pacific Islander	0.02%	0.03%	0.2%
Low Income	18.8%	16.3%	14.9%

Source: U.S. Census Bureau, 2010 Census.

Environmental Justice Zones

An Environmental Justice Zone was established wherever the percentages of identified populations per each Census Block Group meet or exceed the average Threshold Percentage for Genesee County, as seen below. Of the total 649 square miles that make up Genesee County, there are 429 square miles (66%) identified as EJ Zones. Each EJ Zone is depicted in beige. Staff utilized this information in order to assess the significance of transportation projects on identified population groups.



GCMPC staff identified environmental justice areas and the projects proposed for those areas. Any property parcel that touches the proposed roadway improvement within an Environmental Justice area is highlighted through the use of Geographic Information System (GIS) technology. From the data, a mailing list is generated and GCMPC staff sends notices to all property owners along the proposed corridors notifying them of the potential project. Public meetings are also held for the purpose of providing citizens the opportunity to learn more about the transportation planning process as a whole. This level of analysis and notification helps to insure that neighborhoods are informed of projects, have the ability to provide input into the transportation planning process, and are minimally impacted by future transportation improvements.

L RTP Projects

Of the 198 2040 L RTP Projects, 72 (totaling approximately \$665,507,036 in funding) were successfully mapped. Of those, 67 projects (totaling approximately \$660,840,909 in funding) are located within an EJ Zone. For purposes of this analysis, staff makes the assumption that the improvement of the condition of the transportation system through these types of transportation projects also is a direct improvement to the overall well-being of the community.

Projects which are an expansion of the transportation system may have potential adverse impacts to the community through the displacement or relocation of individuals, economic hardship or losing a sense of community. There are a total of 19 expansion projects (totaling approximately \$110,096,349 in funding), all of which are located in an EJ Zone. Of these 19 expansion projects, 18 are expected to have a minor impact on the community (projects that will not displace or relocate residents). These projects will improve travel time, safety and access for the residents within the EJ zone and provide a measure of congestion relief. However, the Dort Highway Extension Project could potentially result in displacement of residents. Residents often find relocation difficult, especially if persons in the home are elderly, have disabilities, depend upon local networks for social support, or have lived in the home for many years. The Dort Highway Extension Project also potentially impacts near-by wetlands. This project will continue to be monitored as the project develops through the preliminary engineering, environmental assessment reports, and right-of-way acquisition phases. All federal regulations related to the potential displacement of residents and environmental impacts will be followed to minimize the potential impacts.

Summary

It is suffice to conclude that the GMCPC's EJ analysis for the areas 2040 L RTP follows and adheres to the requirement of Title VI and E.O 12898 and the U.S DOT order by demonstrating the following:

1. The intent to avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.

- The public participation process for the proposed projects has ascertained that persons residing within Genesee County have been included in the continuous and on-going public involvement process and that at this time no adverse effects have been identified, with the exception of the Dort Highway Extension Project. This project generated a great deal of public controversy due to potential displacement of residents and concerns about near-by wetlands , it has been determined that no adverse impacts are readily associated with the proposed system improvements, and should any impact(s) be identified during the implementation phase, such impact(s) will be appropriately mitigated in accordance with Federal guidelines and regulations.
 - Economic conditions will not be adversely impacted, no existing businesses must relocate, and access to jobs will not be adversely affected within Genesee County.
 - The proposed projects do not adversely affect mobility and access for persons residing in Genesee County to businesses, public services and other area facilities.
2. To ensure the full and fair participation by all potentially affected communities.
- This was accomplished through a public outreach process of mailing notifications to each of the households surrounding the proposed projects as well as notification to all of the individuals and groups on our Public Participation Mailing List.
 - In addition, a public announcement on the proposed projects was published in the Flint Journal newspaper. The same notice was published on the GCMPC's website: www.gcmopc.org with a dedicated e-mail address for staff to receive and respond to any and all public comments on the proposed projects.
 - Three public input sessions for the proposed projects were held throughout Genesee County: one in east Genesee County; one in west Genesee County; and one in the City of Flint. Staff felt that these strategic locations provided an open forum that would be well received and attended by persons interested in the proposed projects. Notices of the input sessions was included in the advertisements identified above.
 - Staff was available during the public input sessions to provide information, take comments, answer questions, and to respond to any public concerns on the proposed projects.
 - A public hearing was held for the entire 2040 Long Range Transportation Plan.
3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.
- This is achieved by maintaining system-wide policies that are the same for every person in Genesee County.

- Genesee County "Your Ride" passengers have access to direct travel services and links to any destination including work, shopping, and recreational trips.
- The proposed transportation improvement projects are an economic investment in an area where identified populations are concentrated.

Conclusions

This analysis concludes that there will be no disproportionately high or adverse impacts to any of those persons identified in Executive Order 12898 of 1994. In addition, this analysis concludes that the proposed projects have not excluded any person from participation in, nor does it deny or delay benefits to, or discriminate against any person or group of persons in Genesee County.