

Capital District
Transportation Committee

Environmental Justice Analysis

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CDTC'S TITLE VI - ENVIRONMENTAL JUSTICE EVALUATION

CDTC's Title VI/ Environmental Justice Program

Introduction

The Capital District Transportation Committee (CDTC) is the designated Metropolitan Planning Organization (MPO) for Albany, Rensselaer, Saratoga, and Schenectady counties. As a federally mandated agency CDTC serves as a forum for carrying out a comprehensive and cooperative regional transportation planning process. CDTC is responsible, with the New York State Department of Transportation (NYSDOT) and the Capital District Transportation Authority (CDTA), for producing a long-range regional transportation plan that meets the social, environmental, economic, and travel needs of the region. CDTC is also responsible for a Transportation Improvement Program (TIP) which assigns federal transportation funds to specific projects. CDTC involves and informs the public on transportation planning decisions. The implementation of CDTC's transportation plan is carried out by CDTC's member agencies.

The DBE/Title VI Program Update (Task 1.66 in CDTC's Unified Planning Work Program) routinely includes an effort by the Capital District Transportation Committee to perform a review of Environmental Justice (EJ) issues, as well as to implement a standard procedure for including Environmental Justice in the planning process.

Environmental Justice Requirements

On February 11, 1994, President Clinton issued Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations". This Executive Order is closely related to Title VI of the Civil Rights Act of 1964. As a federally funded agency, the Capital District Transportation Committee is required to be in compliance with both of these federal regulations. USDOT has encouraged a proactive approach to the implementation of Title VI and Environmental Justice. In April of 1997, USDOT issued an Order on Environmental Justice (EJ Order 5610.2) requiring DOT to implement the principles of Executive Order 12898 through the incorporation of EJ principles in all programs, policies and activities carried out by USDOT. In December of 1998, the Federal Highway Administration issued a similar order requiring the incorporation of EJ principles in all FHWA programs, policies, and activities.

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.

As the primary forum for the cooperative development of regional transportation plans, MPO's need to be in compliance with Title VI and incorporate EJ concerns. *MPO responsibilities 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.

CDTC's Program Objective

CDTC's Title VI-Environmental Justice initiative is intended to ensure that EJ principles are included in CDTC's planning process. CDTC's objective is to fulfill this requirement proactively. The following steps describe CDTC's approach to implementing EJ:

1. Educate staff on EJ regulations, issues, and components. In the past several years, CDTC has participated in a number of state and federal EJ workshops and conferences to gain greater understanding.
2. Provide staff with case studies of successful EJ implementation. CDTC has reviewed and gleaned insights from a number of successful case studies, most notably that of Wilmapco, the MPO in Wilmington, DE and that of Columbus, OH.
3. Collaborate with NYSDOT and other MPO's regarding their status/approach concerning EJ implementation.

4. Formulate a standard procedure that allows for the realistic implementation and documentation of EJ analysis and principles. CDTC staff continues to develop more effective approaches. EJ consideration has been explicitly added to TIP and UPWP planning considerations.

Tools, Data Collection, and Technical Analysis

CDTC uses attribute data primarily from the U.S. Census Bureau as well as any additional available data that will be useful in identifying EJ populations. Analysis is performed where possible using Geographic Information Systems. The following components are present in CDTC's EJ program as directed in the existing federal guidelines:

1. Public Involvement - Meaningful public participation is critical to the successful implementation of EJ. Public involvement occurs throughout the CDTC process. Public participation will be inclusive of all affected parties and will consider their needs into consideration.
2. Systems Level Approach – EJ is considered at the program level as well as the project level. The overall 20-year plan is responsive to citizens' concerns. EJ is inherent in the planning process, not something extra that is sometimes included.
3. Non-traditional Approach - For successful implementation of EJ practices, CDTC goes beyond traditional means of reaching out to the public. Mitigation measures also need to include non-traditional measures. In order to make communities livable, some improvements need to be made that have not traditionally been considered to be transportation related. These non-traditional approaches will aid in improving the overall quality of life of the various affected populations.
4. Documentation - EJ assessment is documented and included in the planning documentation.
5. Teamwork - CDTC's EJ policy adheres to the EJ policies of cooperating agencies, particularly NYSDOT. As an MPO, CDTC will serve as a point of intervention regarding EJ issues.

Technical Approach

The following sections describe the technical approach to evaluating the extent to which CDTC's planning program achieves the objectives of Executive Order 12898 and the overall requirement of Title VI.

Objective: Assure equitable *access* to, *consideration* within and *effects* of the *planning agenda, planning products and program* of federally-assisted transportation projects in the Capital District.¹

The approach seeks to answer three core questions:

1. Is there adequate access to the process?
2. Is the outcome equitable?
3. Are the impacts fairly distributed?

Method: Use Geographic Information System (GIS) tools to facilitate the identification of geographic areas of "special concern" -- low income and minority geographic areas.

To the degree possible, quantify the relative transportation-related needs of special concern areas and other areas.

Examine processes for access and for consideration of need.

To the degree possible, quantify the impacts of the plans, programs and projects relative to the identified need.

Recommend modifications to processes, plans, programs and projects as necessary to assure equity.

CDTC's initial emphasis has been to complete a systems-level EJ/Title VI evaluation of the planning program, adopted plans and programs. From this, EJ/Title VI methodology will be continually refined and documented.

Definitions

Special Concern Areas: CDTC initially intended to define geographic areas as ones requiring special consideration for environmental justice and civil rights examination (a) based on the proportion of persons at 125% of the poverty level, relative to the regional proportion of persons at 125% of the poverty level; and (b) based on the proportion of minority persons relative to the regional proportion of minority persons. After reviewing the work of other areas, it became clear that a threshold of 100%, rather than 125%, was more common. CDTC has since used the 100% value (essentially the

¹ Equitable access to, consideration within and effects of the design and implementation of federally-assisted projects is also a key aspect of environmental justice. However, design and implementation is the responsibility of project implementers -- in the case of the Capital District, implementers include the New York State Department of Transportation, Capital District Transportation Authority, New York State Thruway Authority, Albany County Airport Authority, and the region's counties, cities and (occasionally) towns and villages. CDTC's environmental justice program cannot fully address the adequacy of processes used by these entities.

regional mean). Areas exceeding thresholds for either criterion are identified as "Special Concern" (SC) areas. CDTC staff has worked with 2000 Census data to identify the appropriate thresholds.

Geographic Units: Because of the orientation of CDTC's data, traffic analysis zones will serve as the primary geographic unit of aggregation. Traffic analysis zones represent a finer geographic level than census tracts. (Use of an even finer level of detail such as census blocks and block groups would be impractical, given the zonal nature of most of CDTC's travel and system data.) Currently there are 924 traffic analysis zones in the four-county Capital District.

Need: Need is defined as the precipitating cause of CDTC's planning and programming process -- that is, the need to improve pavement conditions; the need to improve transit access; the need to restore economic activity to an area, the need to address congestion and so forth. In CDTC's approach, the needs of different areas may differ in kind as well as degree. The greatest need of an area of Special Concern may not be traffic congestion or transit service improvement, but economic revitalization or relief from noise exposure, for instance.

Measures of Effectiveness: Where appropriate, quantitative measures complement qualitative assessment. Quantitative measures are derived primarily from CDTC's core and supplemental system performance measures developed in its New Visions process. These measures match the eight planning issues of SAFETEA-LU very well and are quite comprehensive. While many measures (such as energy consumption, emissions contributing to ground level ozone or impact on climate change) are best assessed at a regional level, a number of others can be used at a local level to measure need (in examining the emphasis of the planning program) and effect (in examining the equity of positive and negative impacts of recommended actions and projects). This is a work in progress and quantitative measurement is still evolving.

CDTC staff will continue to explore the feasibility of assessing need and effects using a combination of these measures in EJ documentation. Additional experience will be required to identify what set of these measures constitutes a practical reflection of a range of needs and impacts for which equitable consideration is required. At all times, CDTC will seek to keep the EJ/Title VI measures integrated into the overall system planning and project-level measures used for decision-making.

In response to the federal mandate to incorporate Environmental Justice (EJ) considerations into our planning process, CDTC has developed this report to document our progress to date and to build a framework for future EJ incorporation.

Identification of Geographic Areas of Special EJ Concern in the Capital District

Methodology Used to Identify Environmental Justice Areas

CDTC has identified target populations for minority and low-income residents within the four county planning area in accordance with Executive Order 12898. CDTC's planning area consists of Albany, Rensselaer, Saratoga, and Schenectady Counties. The Town of Moreau in Saratoga County is part of the Adirondack-Glens Falls MPO planning area, but is included on CDTC's map coverage.

To identify the size and location of minority and Hispanic population groups CDTC used initial releases of 2000 Census Redistricting Data, specifically the Public Law 94-171 Summary File. CDTC aggregated the Census data to the Traffic Analysis Zone (TAZ) level. TAZ's are the geographic units used in CDTC's travel-demand forecasting model. In 1990 the TAZ structure consisted of 473 zones. In 2000 the TAZ structure increased to 924 zones. Many 1990 TAZ's were divided into several smaller zones in 2000 to accurately represent traffic generators. Percentages of minority and Hispanic populations were calculated for each TAZ. Population "thresholds" were calculated by determining the four county planning area percentages of minority and Hispanic populations. It should be noted that the U.S. Census Bureau's 2000 data on race can not be directly compared with race data from the 1990 census and previous censuses. This is mainly due to the fact that in the 2000 census, respondents were given the option to report more than one race. Also, the Hispanic population is identified separately due to the fact that the Census Bureau considers race a separate concept from Hispanic origin. Persons identified as Hispanic may be of any race.

From this effort, it was determined that the four county region is composed of 11.2 percent minority population and 2.6 percent Hispanic population. Any TAZ's that were equal to or greater than these percentages were identified as Environmental Justice target areas.

2000 Census data was used to determine the percentage of the four county population with incomes below the 1999 poverty level. 8.9 percent of the four county region was below the poverty level in 1999. Therefore any TAZ with 8.9 % or greater population below the poverty level has been identified as a low-income target area.

Table 1: Regional Profile

Data Set	Total for MPO Area	Regional Percentage (Threshold)
Total Population	794,293	
Total Households	318,255	
Total Land Area	2,250 sq. miles	
Minority Population	89,021	11.2%
Hispanic Population	19,777	2.6%
Low Income Population	70,544	8.9%
Total EJ Population	179,342	23%
Total EJ Land Area	200 sq. miles	8.9%
Zero Car Households	36,022	11.3%
CDTC TIP Projects	246	
TIP Projects in EJ Areas	117	48%

Identification of EJ Populations:Minority or Hispanic Populations

According to the 2000 Census data, there are 293 TAZ's out of a total of 924 in the four county area with either Hispanic or minority populations equal to or greater than the regional percentage. Of these, 199 TAZ's are located within one of the eight cities in the region. Cohoes, Mechanicville, and Saratoga Springs are the only cities in the region with less than 50 percent of their TAZ's meeting one of the minority/Hispanic thresholds. The three largest cities in the Capital District all have more than 70 percent of their TAZ's within the target populations. In addition to the three largest cities, 70 percent of Watervliet's TAZ's have minority or Hispanic populations greater than the regional percentage. Map 1 identifies those TAZ's that meet or exceed the EJ minority/Hispanic threshold.

Low-Income Populations

A total of 110 of the 924 TAZ's have a percentage of their population equal to or greater than the regional threshold for population below the poverty level. Map 2 illustrates the location of these TAZ's. Of these TAZ's, 92 are located within one of the region's cities. The remaining 18 low-income TAZ's are located in suburban and rural areas of all four counties. All but two of TAZ's with 25 percent or more below the poverty level are located within the region's cities. The highest concentrations of low-income populations are located within the inner cities of Albany, Schenectady, and Troy. Three TAZ's were identified as having 50 percent or greater of their population below the poverty level. One is located in the city of Albany and one is located within the City of Schenectady. The third TAZ is located in the Town of Colonie, along Wolf Road. All three of these TAZ's are outliers that are skewed by the low total populations within these TAZ's. For instance, the TAZ identified in Schenectady has the region's highest percentage of persons

below the poverty level (93.75), however there are only 16 people living in this TAZ and fifteen have incomes below the poverty level.

The top three TAZ's with the greatest concentration of persons in poverty in rural areas are located in Guilderland, East Greenbush, and Berne, respectively.

Environmental Justice Target Populations

In order to assess the location of all Environmental Justice target populations in the Capital District, it was necessary to combine the minority and Hispanic target population with the low-income target population. Out of a total of 924 TAZ's in the region, 403 meet one or more of the threshold levels for Environmental Justice. Therefore, 44% of the region's TAZ's are Environmental Justice target population areas.

When the two Environmental Justice measures are combined, the number of both urban and rural TAZ's with target populations' increases. The majority of the EJ target population using the combined measures is still primarily located in urban areas, particularly within the inner cities. Map 3 shows the TAZ's housing the Environmental Justice population using the combined (income and race) indexes.

At the county level, Albany County has the highest percentage of EJ TAZ's with 52% of TAZ's meeting the EJ threshold. Schenectady and Rensselaer Counties have 37% and 27% of their TAZ's within the EJ threshold. In Saratoga County 14% of the TAZ's can be defined as EJ target areas. Please note that this analysis did not include TAZ's located within the Town of Moreau. The patterns by county can be compared to the overall regional pattern. Concentrations of EJ populations are located within cities and to a lesser extent within rural areas.

Evaluation of CDTC's Plans, Programs, Processes and Public Participation

Long-Range Regional Transportation Plan

CDTC's long range regional transportation plan, "New Visions", was developed initially through a broad technical and public process between 1993 and 1997. The plan was updated with the New Visions 2021 document in October 2000 and its project schedule and air quality conformity assessment further updated in 2001 and 2003. A New Visions 2025 Amendment was adopted in August 2004, reaffirming existing policies and principles. The current effort, New Visions 2030, has taken special steps to increase stakeholder participation.

Title VI/EJ Aspects of the Current New Visions 2025 Plan

CDTC's New Visions plan resulted from extensive technical work and public outreach. The plan reflects greater integration of the wide range of transportation-related "need" than the typical MPO long range plan. Among EJ-relevant features are the following:

1. Use of innovative performance measures which elevate such non-traditional concerns as transportation / community compatibility, community character, economic health and noise exposure issues to a place of prominence.
2. Use of an Urban Issues Task Force to identify and elevate the importance of problems of older cities with pressing social demands.
3. Creation of a budgetary plan that establishes a policy for subsequent Transportation Improvement Programs (TIPs) and Unified Planning Work Programs (UPWPs) that creates budgetary space for such initiatives as (1) community compatibility and economic development projects, and (2) increased land use and economic development assistance to municipal and other local planning.
4. Emphasis in the Transit Futures report on developing the NY 5 corridor as an early priority, rather than pursuit of long-distance commuter corridors for advanced transit service. The NY 5 corridor is largely an EJ corridor, whereas longer-distance corridors are not.
5. Adoption of policies ensuring equitable access to TIP funds based on need without regard to jurisdiction. This has had the effect of increasing access of older cities to TIP funds for rehab and revitalization, often in EJ areas.
6. Recognition of the "opportunity cost" (in terms of lost ability to make cost-effective improvements throughout the region) of potential big-ticket projects and exclusion of such projects from the regional plan.
7. Use of workbooks, policy worksheets and a year-long public outreach and review process prior to assembling the plan.

Title VI/EJ Considerations in the New Visions 2030 Planning Process

The current effort to update New Visions to a 2030 planning horizon is exploring more fully questions of regional form, social equity and policy regarding highway expansion to address growing suburban congestion. The update is building upon the strength of the existing plan. Among EJ-relevant and innovative features of this update are the following:

1. CDTC and its members have extensively interacted with several other regional forums to seek to establish a broad vision and coordinated effort to achieve the regional vision. These groups have included the Business / Higher Education Roundtable, the Center for Economic Growth, and ARISE.
2. ARISE (A Regional Initiative to Support Empowerment) is a regional organization covering the same planning area as CDTC. Its goal is to seek empowerment

of minorities and inner-city residents within the framework of effective regional planning. Membership of ARISE is a mix of urban and suburban churches, along with labor groups. Because of ARISE's potential to bring minority and other EJ populations' needs to the regional table, CDTC has assisted ARISE in many way over the past several years. CDTC's Staff Director and senior staff have facilitated breakout groups and committees for ARISE. In 2003, CDTC's Staff Director was honored as ARISE's "Ally of the Year".

3. CDTC provided the majority financial support for a regional forum on development and poverty sponsored by ARISE in 2002. The forum was attended by several hundred people, representing a mix of urban residents, pastors and advocates alongside public officials.
4. CDTC has conducted the majority of the New Visions 2030 effort through the guidance of its Quality Region Task Force. Membership in the task force includes minority representatives, board members from ARISE and other urban advocates.
5. The Quality Region Task Force published a core policy document for the New Visions 2030 effort in the fall of 2002, titled "Pursuing Quality in the Capital Region." The contents of the paper derived from the external discussions (such as at ARISE) as well as internal discussions. Title VI and EJ considerations are quite evident in the following discussion from the report regarding the definition of a quality region and the Capital District's current conditions:

*"Definition: A quality region develops and sustains healthy urban, suburban, and rural communities that function interdependently and readily adapt to change. A quality region creates economic, educational, social, cultural and recreational opportunities and provides safe neighborhood environments and housing choices for all; protects sensitive environmental resources; and fosters community identity and "a sense of place" in **all** parts of the region.*

"As defined, a region that fully achieves a "quality" status incorporates all of the positive attributes of the Capital Region described earlier. At the same time, it addresses the identified weaknesses -- the disparities, the urban decline, the mixed success of suburban development. The definition emphasizes the need for quality throughout the region and the need for ensuring that benefits extend to all residents.

"Within the context of this general definition, it is apparent that the strengths and weaknesses of the Capital Region must be acknowledged by its leaders in seeking to achieve quality. Specifically:

"The Capital District of New York's efforts to more fully achieve these attributes must recognize the region's unique set of characteristics --- its settlement pattern comprising numerous small, older, traditionally-industrial urban centers and the suburban areas located primarily between these centers; its abundance of both underused land in older areas and undeveloped land in outlying areas; its strong home rule tradition; its high degree of auto-oriented mobility and its substantial numbers of households without vehicles; its stable but slow-growing economy

(largely based on government, health care and educational institutions); its increasingly diversified population; and its growing concentrations of poverty in older urban areas."

6. Use of web-based interactive comment form for public reaction to the paper.
7. Based on the reaction to the paper and based on the tenor of the various regional discussions, CDTC staff have continued to advocate a regional approach building on the "convergence" of thought. The convergence argument is that:
 1. All regional initiatives reflect a belief that there is a need for some degree of economic growth in the region in order to sustain and enhance the region's quality of life.
 2. All assert that, along with nurturing heritage tourism and retaining current industry, growth in the high tech sector offers opportunities to the region for developing a local economy with a range of career-type jobs.
 3. All the initiatives seek to revitalize the region's older urban areas through economic development.
 4. All the initiatives recognize that much of the growth will occur in suburban areas, and seek to have that growth help construct communities that are stronger and better than what was there before, while retaining the character of the community that brought the residents there.
 5. All the initiatives seek to have growth benefit all the region's residents through adequate access to jobs, education and training.
 6. Regarding transportation, all have expressed a desire to find ways to prevent serious loss of the highway mobility that is part of the region's quality of life. All have articulated a desire to use public transportation, walkable communities and alternate modes to the maximum degree feasible to assure access and travel options.
 7. The best way to address these issues regionally is to assign responsibilities for different facets to different agencies and initiatives.
8. CDTC has suggested a division of responsibility for this broad vision but offering to use the New Visions 2030 process to put "flesh on the bones" of the discussions in the areas of: regional growth and the impacts of alternative growth levels and development patterns; local community assistance in the context of regional needs; "big ticket" and "big idea" transportation concepts; transportation system performance; and larger-than-regional policy questions. Social equity issues are included in this agenda, which will be blended with educational, jobs access and capital access initiatives headed by ARISE and other groups.
9. Among the big ticket and big idea subjects explored is noise mitigation. This is the regional system level follow-up to NYSDOT Region 1's technical analysis of expressway noise exposure in the Capital District. Much of the excess noise exposure falls on minority and low income urban neighborhoods. Mitigation concepts have been explored and a "Regional Noise Program" with an emphasis on

mitigation of noise in EJ areas is one of the candidate big initiative programs for ongoing exploration.

The Transportation Improvement Program (TIP)

General Discussion

CDTC has institutionalized a strong connection between the New Visions plan (including the Congestion Management System) and the Transportation Improvement Program (TIP). This connection is made through (a) adopted principles guiding planning and investment; (b) the strong budgetary component of the plan; (c) a strong linkage between planning products and TIP candidate projects and (d) a high level of cooperation among parties in assembling the plan. The net effect is to produce a more balanced TIP than otherwise would be the case. Additionally, CDTC's TIPs over the past decade have shown remarkable flexibility in matching fund sources to needed projects.

The following highlights key Title VI / EJ considerations in CDTC's TIP process and program:

1. An early step in selecting candidate projects for funding is comparison of the existing program's funding balance against that in the plan. Under-represented project categories in the program are given earmarks of funding for the first round of project programming. This has resulted in increased emphasis on community compatibility projects and urban revitalization projects. Examples have included the Elm Street truck bypass in Colonie/Watervliet (removing trucks from an EJ residential neighborhood); the South Troy Industrial Access Road in Troy (removing trucks from an EJ residential neighborhood), and a number of revitalization projects such as State Street (Schenectady), South Pearl Street (Albany), Congress Street (Troy) in EJ areas.
2. On the same basis, transit and urban and transit-related ITS initiatives have received explicit attention. This has led to use of highway financing for such projects as the major CDTA fleet replacement, acquisition of real time information displays, GPS devices, and Transit Signal Priority treatment on the NY 5 corridor and Washington and Western Avenue (Albany) corridors – all within EJ areas.
3. Impact on Environmental Justice and location within defined EJ geographic areas is an explicit factor in the merit evaluation of candidate projects.

TIP Project Distribution

The general TIP process safeguards results in an equitable distribution of projects throughout the region.

There are currently 246 projects on the TIP. Forty-eight percent of these projects are located within EJ target areas. Of the 117 TIP projects located within EJ areas, approxi-

mately sixty-eight percent are located within one of the region's cities, with over 50% in the City of Albany. (Regional projects and projects that are located in multiple municipalities are included in this analysis).

Bridge projects constitute the largest percentage of TIP projects overall, at thirty-two percent. Eleven percent of TIP projects are Bridge projects located within the EJ target areas. Overall, Bridge type projects are concentrated mainly in suburban/rural areas, with 68% of all Bridge-related projects located outside of an urban area.

Highway projects account for twenty-five percent of all TIP projects, and Highway projects in EJ TAZ's account for 18% of all TIP projects. Due to the linear nature of Highway projects, many are located in urban, suburban and rural EJ areas. Nearly sixty percent of all Highway TIP projects are located partly within the region's cities. In general bridge and highway type projects improve existing facilities and infrastructure. Beyond the initial disruption caused during the actual reconstruction/rehabilitation period, populations should not be negatively impacted. The end product is intended to enhance both the transportation system and the overall quality of life. It is important to acknowledge that the distribution of highway and bridge projects is evenly divided between Environmental Justice areas and non-Environmental Justice areas.

Nearly five percent of TIP projects are Bicycle/Pedestrian type projects located within an EJ TAZ. Overall, 17% of TIP projects are Bike/Ped related. Bike/Ped projects located in suburban/rural areas account for 67% of all Bike/Ped related projects. However of the Bike/Ped projects located within EJ areas, seventy-three percent are in urban areas. Bike/Ped projects, such as bike trail construction and improvements, sidewalk connections, and installation of city bike racks improve accessibility and walkability to, from, and within urban and suburban areas. These types of projects also create a safe pedestrian environment, especially for children. Bicycle/Pedestrian enhancements are a positive contribution to the overall quality of life within neighborhoods. Bike/Ped projects enhance the feasibility of utilizing an alternative mode of transportation. Walking and biking is particularly important to the EJ population, as households within EJ areas are more likely to be zero vehicle households.

Transit projects account for thirteen percent of all TIP Projects and Transit projects in EJ areas account for 10% of all TIP projects. Over 50 percent of Transit projects are located within the region's cities and therefore are also located in EJ target areas. Many of the Transit TIP projects are regional scale projects that are located within many municipalities throughout the region. The majority of transit projects consist of improvements to the existing transit network, including transit facilities such as park and ride lots, passenger shelters, and passenger information systems as well as technological transit operator improvements, such as Automated Vehicle Location Systems and transit priority signalization. Several Transit projects are dedicated to improving rail stations and rail infrastructure as well as facility improvements at the Port of Albany.

Improvements to the transit flow within the Route 5 corridor will benefit large numbers of the EJ population, as this is a significant transit corridor within the region and home to

a significant concentration of the region's EJ population. Several TIP Projects will help to enhance the transit experience in this corridor by helping to fund and implement a BRT (Bus Rapid Transit) system. Transit type projects enhance the feasibility of utilizing an alternative mode of transportation, much like Bike/Ped Projects. Public transit use is particularly important to the EJ population, as households within EJ areas are more likely to be zero vehicle households.

Miscellaneous type projects account for only 6% of TIP projects overall and one percent of all TIP projects within EJ areas. New Construction projects account for only 5% of TIP projects overall and two percent of all TIP projects within EJ areas.

The new construction projects are as follows; In the Town of Colonie, Northway Exit 3 or 4 Airport Connector, Elm Street Bypass, Relocation of Maxwell Road, Part 2: Wolf Road Service Road, and the Siena College Perimeter Loop Road. In the City of Troy, South Troy Industrial Park Road. In the Town of North Greenbush, I-90 Exit 8 Connector, Phase 2: ITS Demonstration. In the Town of Bethlehem, Slingerlands Bypass Phases 2 and 3 and the Selkirk Bypass. In the Village of Round Lake, Round Lake Bypass. In the City of Rensselaer, New Access Road from the high school campus to 10th Street and South Rensselaer County Port Connector. In multiple municipalities in Saratoga County, Commercial Access Highway Improvements for Luther Technology Park.

Possible impacts for all New Construction projects are minimal. Residential property is not likely to be seized and commercial property seizure should be minimal. With the exception of noise impacts from the addition of exit ramps, and actual construction, conditions in these project areas should not be greatly altered. Many of the New Construction projects are intended to improve traffic flow and access.

Miscellaneous type projects include projects such as drainage improvements, waterfront improvements, canal lock repairs, and trail related enhancements. These projects are more common in rural/suburban areas with only 29% located in urban areas.

Safety projects account for only 2% of all TIP projects and Safety projects within EJ TAZ's account for less than one percent of total TIP Projects. Problem Assessment projects account for less than 1% of all TIP projects and there are no Problem Assessment projects located in EJ areas. Table 2 provides a listing of projects by type, comparing the number located within EJ TAZ's with the total number in the region. Map 4 identifies the TIP projects by type and geographic location.

TABLE 2: TIP Distribution

Project Type	Number in EJ TAZ's (% of all TIP Projects)	Total Number (% in EJ TAZ's)
Bridge - Capacity Deck repair Inspection Miscellaneous work Problem Assessment Ramp Repair Reconstruction Rehabilitation Replacement Restoration	27 (32)	78 (35)
Bicycle/Pedestrian - Bicycle Improvements Bike Paths Bike Racks Multi-use Paths Pedestrian Improvements Pedestrian Bridges Pedestrian Safety Rail Trails Sidewalks Streetscape Trail Improvements	11 (17)	42 (26)
Miscellaneous – Canal Lock Repairs Drainage Improvements Pavement Markings Rehabilitate Existing Trails Trail Signage Service Area Truck Parking Slide Repair Waterfront Improvements	3 (6)	14 (21)

Project Type	Number in EJ TAZ's (% of all TIP Projects)	Total Number (% in EJ TAZ's)
New Construction – Commercial Access High- way Improvements ITS New Roads Relocate Existing Roads	4 (5)	13 (31)
Highway/Intersection - Capacity Improvement Corridor Improvements Highway Reconstruction Highway Resurfacing Intersection Improvements ITS Transit Signal Priority Port Security Improvements Rehabilitation and Preserva- tion Roundabout Construction Traffic Operations Im- provement	45 (25)	61 (74)
Safety Improvements – Grade Crossing Realignment Reconstruction Sign Management	2 (2)	4 (50)
Problem Assessment – Technical Services	0 (<1)	1 (0)
Transit - Capital Facilities Improve- ment Capital Vehicle Improve- ment Miscellaneous Operational Assistance	25 (13)	33 (76)
Total	117	246 (48)

Apart from the initial disruption caused by construction work, overall the TIP projects enhance safety, accessibility, and the quality of life in EJ areas. New construction projects increase accessibility, but have the potential of deteriorating quality of life issues for the immediate residents of the construction areas. Although residents benefit from the increased accessibility, these benefits are more likely to affect those who live outside of the immediate area, with the exception of neighborhood scale connector projects.

A concern for localized negative impact can be said to a lesser extent for several of the transit projects, including the Route NY5 Corridor. These projects will enhance the immediate surrounding areas, but the majority of the benefits will be realized by those who use the services, not necessarily those who reside in the immediate area.

Projects with Significant, Negative Environmental Justice Impacts

The TIP does not contain any major transportation project with significant negative EJ impacts. That is, the TIP contains no projects for construction or major expansion to bus garages in EJ areas, no projects for expressway construction or widening in EJ areas. In fact, only 31% of new highway construction projects impact EJ residential areas, and the impacts are predominantly positive.

The Planning Program

General Discussion

The Unified Planning Work Program (UPWP) is the mechanism used to coordinate transportation planning activity in the Capital District. The UPWP has several features that enhance sensitivity to Title VI and EJ issues.

1. A large portion of the UPWP activity is contained in CDTC's Community and Transportation Linkage Planning Program. The objectives of the Linkage program are to advance the regional plan in concert with local initiatives. Since the program's inception in 2000, 55 Linkage studies have been advanced. Solicitation for Linkage candidates is distributed to every municipality, and since 2002, to every entity on the Enhancement list. CDTC has advanced studies proposed by the Albany Housing Authority and the W. Haywood Burns Environmental Center in Albany, for example, to address Environmental Justice issues. As described below, *nearly half of the Linkage studies are in the region's cities and over 70% of all Linkage studies address EJ areas.*
2. CDTC's broad agenda in the New Visions plan provides access to Linkage funds for non-traditional planning efforts. These have included commercial revitalization efforts in Arbor Hill, neighborhood traffic calming in EJ neighborhoods, gateway planning in EJ neighborhoods and improved truck access routing in EJ neighborhoods.

3. Significant staff resources have been provided for ongoing involvement with ARISE and other community groups.
4. The single largest sub-area initiative by CDTC in recent years has been the NY 5 Land Use and Transportation Concepts study. This has been followed by the joint CDTC-CDTA Bus Rapid Transit (BRT) design study currently underway. Thus the single largest geographic-specific commitment that CDTC has made since adopting the New Visions plan in 1997 has been the \$200 M urban revitalization / streetscape / bike / ped / safety / land use / BRT plan for the NY 5 corridor – the majority of which is a defined EJ population area.

Linkage Project Distribution

CDTC has assisted communities and not for profit agencies by partially funding transportation planning projects under the Community and Transportation Linkage Planning Program. A total of 55 projects have been funded since the program began in 2000. To demonstrate the distribution of these projects the project locations have been mapped as an overlay to the EJ target population areas. Map 6 displays the distribution of all current and completed CDTC Linkage Projects. Of the 55 total projects twenty-four are in one of the region's cities. Forty-one of the fifty-five Linkage projects are located in Environmental Justice target areas. Several projects have addressed transportation planning in areas especially high in EJ populations, such as inner city Schenectady, Albany, and Troy. Table 3 provides a complete listing of completed and currently funded Linkage projects.

TABLE 3: Linkage Project Distribution

Project Name	County	EJ Population
Albany County Commercial Transportation Access Study	Albany	YES
Albany County Railroad Avenue Corridor Study	Albany	NO
Albany Intermodal Center Planning Study	Albany	YES
Albany Mansion Neighborhood Parking Study	Albany	YES
Bethlehem Delaware Avenue Hamlet Enhancement Study	Albany	NO
Bethlehem Route 9W Corridor Study	Albany	YES
Broadway Commercial Corridor Development Strategy (Albany)	Albany	YES
Broadway (Menands) Transportation, Access, and Land Use Study	Albany	YES
Cohoes Route 470 Corridor Study	Albany	YES
Cohoes Van Schaick Island Transportation and Revitalization Plan	Albany	YES

Project Name	County	EJ Population
Colonie Route 7/Route 2 Corridor Study	Albany	YES
East Berne Hamlet Design and Land Use Standards (Berne)	Albany	NO
Fort Hunter/Carman Neighborhood Transportation Plan (Guilderland)	Albany	YES
Guilderland Hamlet Neighborhood Master Plan	Albany	YES
Guilderland/Princeton Land Use and Transportation Study (Route 20 Corridor)	Albany	NO
Harriman Campus- SUNYA Fuller Road Transportation Linkage Study	Albany	YES
Lawn Avenue Gateway Design Study (Albany)	Albany	YES
McKownville Corridor Study (Guilderland)	Albany	YES
Neighborhood Master Plan for the Hamlet of Guilderland Center	Albany	NO
North Swan Street Multimodal Accessibility Study (Albany)	Albany	YES
Patroon Greenway Trail (Albany)	Albany	YES
Pine Bush Transportation Study Update (Albany/Guilderland/Colonie)	Albany	YES
Village of Colonie Streetscape Guidelines and Architectural Design Standards	Albany	YES
Congress & Ferry Street Corridor – Mixed Use Development Study (Troy)	Rensselaer	YES
East Greenbush Route 4 Corridor Study	Rensselaer	YES
East Greenbush Routes 9 & 20 Design Enhancements	Rensselaer	YES
East Greenbush Route 151 Corridor Study	Rensselaer	YES
Hoosick Falls Parking and Pedestrian Plan	Rensselaer	NO
Hoosick Street Phase II Corridor Study (Troy)	Rensselaer	YES
Hudson River Valley Greenway Trail	Rensselaer	YES
Lansingburgh 112 th Street Corridor Study	Rensselaer	YES
Rensselaer Impact of Proposed Development on Traffic Patterns and Connectivity	Rensselaer	YES
Rensselaer Route 20 Corridor Study	Rensselaer	YES
Ballston Route 67 Corridor Study	Saratoga	YES
Charlton Historic Main Street Improvement Plan	Saratoga	NO
Clifton Park/Halfmoon Exit 9 Land Use and Transportation Plan	Saratoga	YES
Hadley Pedestrian Linkage Study and Main Street Improvement Plan	Saratoga	NO
Halfmoon Center Master Plan	Saratoga	YES
Malta DISTRICT Plan	Saratoga	YES

Project Name	County	EJ Population
Malta Route 9 Corridor Plan	Saratoga	YES
Saratoga Springs Downtown Parking Study	Saratoga	YES
Saratoga Springs Downtown Transportation Improvement Plan	Saratoga	YES
Stillwater Route 4 Main Street Plan	Saratoga	YES
Weibel Avenue/Gilbert Road Subarea Study	Saratoga	NO
Adapting Scotia Waterfront Concept Study to Master Plan Overlay	Schenectady	NO
Burdeck Street Corridor Traffic Study Update	Schenectady	NO
Central State Street Neighborhood Land Use and Transportation Study (Schenectady)	Schenectady	YES
Freemans Bridge Road/Dutch Meadows Master Plan (Glenville)	Schenectady	NO
Glenville Town Center Master Plan	Schenectady	YES
Nott Terrace Conceptual Plan (Schenectady)	Schenectady	YES
Rotterdam NY 7 & NY 146 Land Use and Transportation Study	Schenectady	YES
Rotterdam NYS Thruway Exit 26 & I-890 Land Use and Transportation Study	Schenectady	NO
Route 7, I-88, NYS Thruway Exit 25A Land Use & Transportation Study	Schenectady	NO
Schenectady Route 5 Transit Oriented, Mixed Use Catalyst Project Study	Schenectady	YES
Schenectady Urban Bike Route Master Plan	Schenectady	YES

Public Participation

Adequate participation of traditionally under-represented population groups is a continuing challenge for CDTC and other public agencies. CDTC has made some inroads into this area in several ways.

1. The reliance on local planning before system improvements are added to the plan ensures greater public involvement before commitments are made.
2. Reliance on and support for local planning efforts through the Linkage program has extended CDTC's resources greatly into local issues.
3. Requirements for adequate public participation in Linkage efforts has resulted in significant public participation in those studies.
4. Cooperation and support to groups such as ARISE has provided access for CDTC into minority and low income communities' concerns, allowing a reframing of regional objectives as shown in the Quality Region material.

5. Outreach to all public and not-for-profit entities for TIP and UPWP proposals and the use of an extensive mailing list to share draft products has led to connectivity with a wide range of groups.
6. Rapidly greater reliance on CDTC's web site for public access and comment is also expanding access.
7. Respond as appropriate upon request for alternate language representation of our planning materials.

CDTC is currently in the process of preparing a new public participation plan that addresses the requirements of SAFETEA-LU. The plan is expected to be adopted as CDTC policy in June of 2007.

Transit Accessibility

Distribution of the benefits of transportation facilities and services is one aspect of EJ analysis. Transit service in minority and low income EJ population areas is generally more prevalent than elsewhere. With the exception of some of the rural TAZ's within the four counties, transit routes are accessible from most of the EJ target areas. As shown in Map 5, pockets of inaccessibility exist in the most rural sections of each county.

The following information was derived from CDTA's Title VI Compliance Report of 2005. Please note that CDTA's analysis included minority populations only, low-income populations are not included in their analysis. According to CDTA's customer surveys, which are completed three times a year, about 33% of respondents identify themselves as non-white. This response rate indicates that a larger proportion of CDTA customers are minorities than are represented demographically in the region. To this point, there has been no significant difference in the response on quality concerns between CDTA's minority and total customers. The survey also shows that many of our CDTA's customers (57%) have an annual income of \$25,000 or less and many report that they do not own a car (65%).

Due to the radial nature of CDTA's bus route system, the urban areas are well served by transit services. Virtually all of the minority neighborhoods are well served by bus routes, as they are mostly located within the three central cities of the region. Night and weekend service is concentrated on urban routes. Progress has been made by CDTA to provide comfortable amenities to passengers at bus stops located within minority population areas. Of CDTA's 198 bus shelters, 66 % are located within minority areas. CDTA has determined that there are no disparities between minority and non-minority neighborhoods in regards to transit access. Transit access refers to the distance a person must travel to gain access to transit service. Map 5 displays the location of CDTA bus routes within the region.

Additionally, CDTA has achieved significant success with its Jobs Access / Reverse Commute program and is an active participant in the region's Welfare-to-Work Program.

CDTA also intends to expand the provision of bike racks on buses. CDTC has also expanded its' Bikes on Buses Program to include bicycle racks on all of their full size buses. This effort emphasizes the importance of alternative modes to EJ populations.

Currently, CDTA has the lead in a joint effort with CDTC and with assistance from CDRPC on the development of a ten-year Transit Development Plan. To date, CDTA has adopted transit service principles (derived from and consistent with CDTC's adopted principles) and has engaged extensively in public outreach, ridership surveys and other mechanisms to assess customer satisfaction and concerns. A particular effort of the TDP has been the identification (through CDRPC GIS work) of the "Transit Propensity Index" (TPI) of particular areas, seeking to identify under-served locations based on density, income and other characteristics. The TPI provides a relative measure of an area's likelihood to support new or improved transit service.

To conclude, there are no transit service areas requiring immediate improvement, as CDTA meets or exceeds the requirements of Title VI in terms of service provision, equity of distribution of passenger amenities, fleet deployment, and perceived customer service quality. CDTA intends to continue to improve its service to customers.

Conclusions

CDTC's Title VI / EJ program continues to develop. By embracing a comprehensive agenda and seeking to identify differing, community-specific needs throughout the region, CDTC has increased access to its process for those with knowledge of minority and low income communities' concerns. The New Visions plan, the TIP and the UPWP all reflect a sincere concern for these issues. The positive benefits of CDTC's process are equitably distributed, and negative consequences of transportation projects in EJ areas are not disproportionate. In fact, there are a number of transportation projects on the TIP designed to mitigate negative impact in EJ areas.

CDTC's Title VI / Environmental Justice Program sets forth three questions:

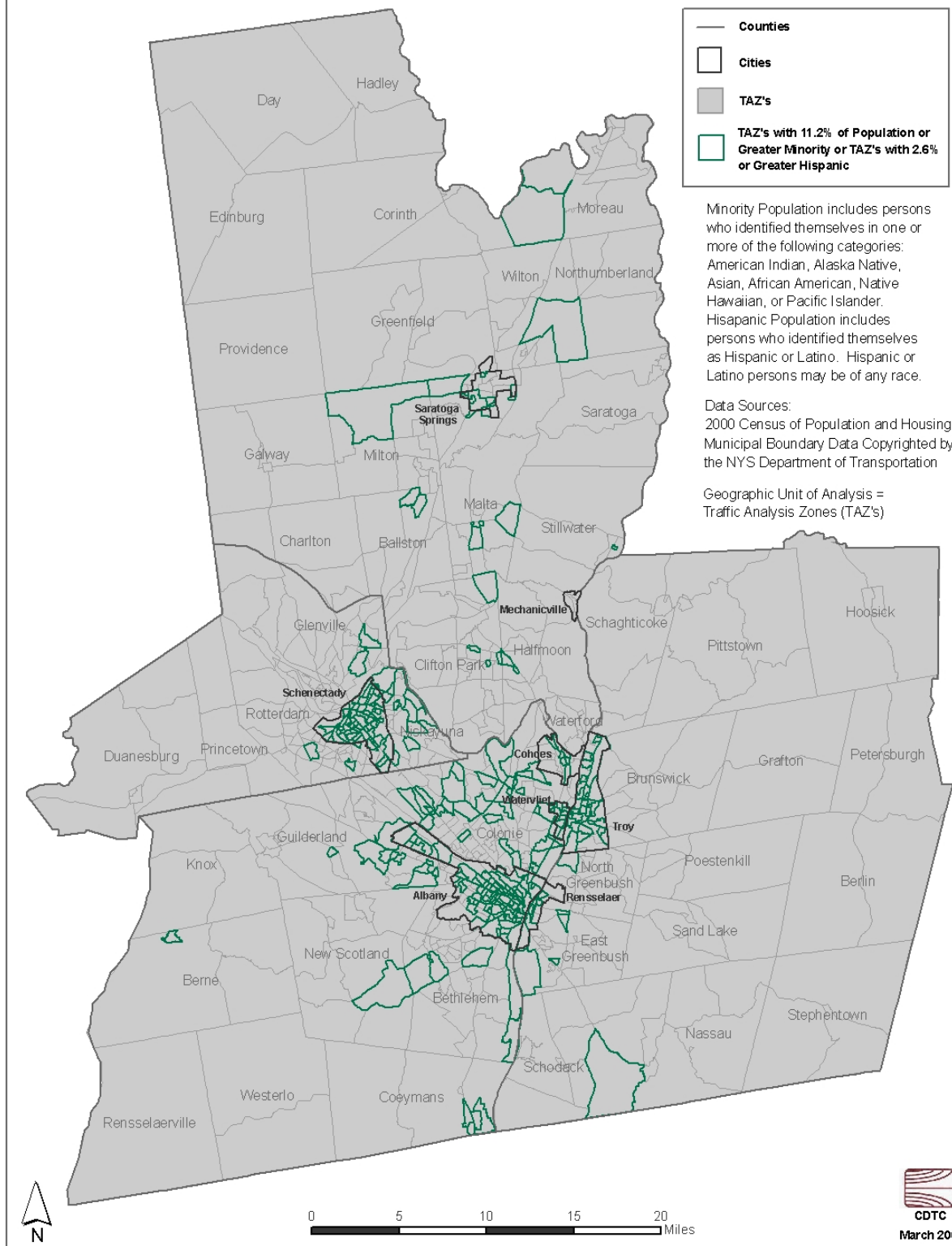
1. Is there adequate access to the process?
2. Is the outcome equitable?
3. Are the impacts fairly distributed?

Future EJ analyses will seek to quantify additional aspects of transportation system performance in EJ areas and compare that performance to that elsewhere. Additionally, CDTC will continue to explore improved participation of traditionally under-represented groups in the transportation planning process.

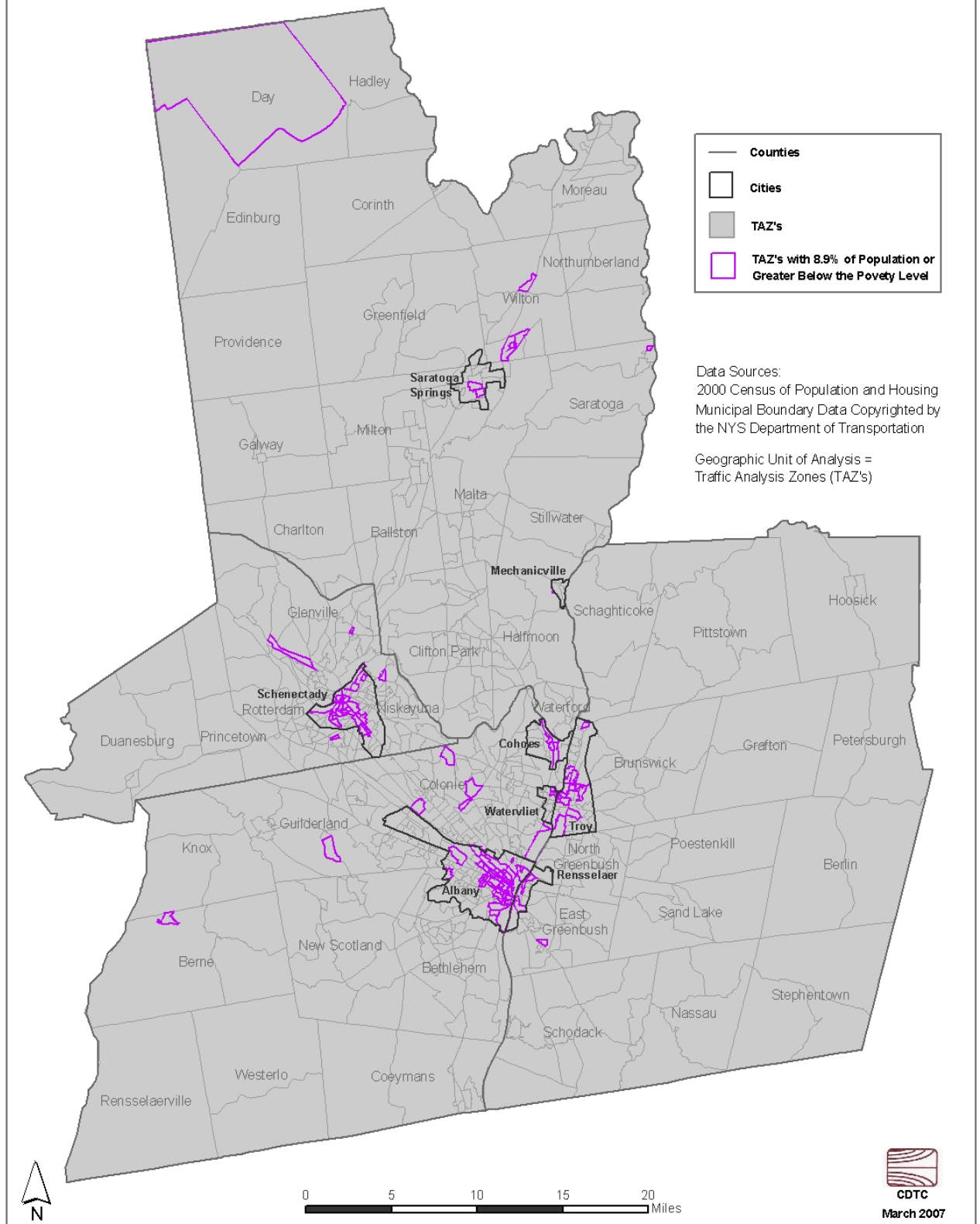
However, even at this stage of development, CDTC can point to accomplishments in providing adequate access to its process, in achieving an equitable outcome, and in seeing fair distribution of the positive and negative impacts of its process.

Appendix: Maps

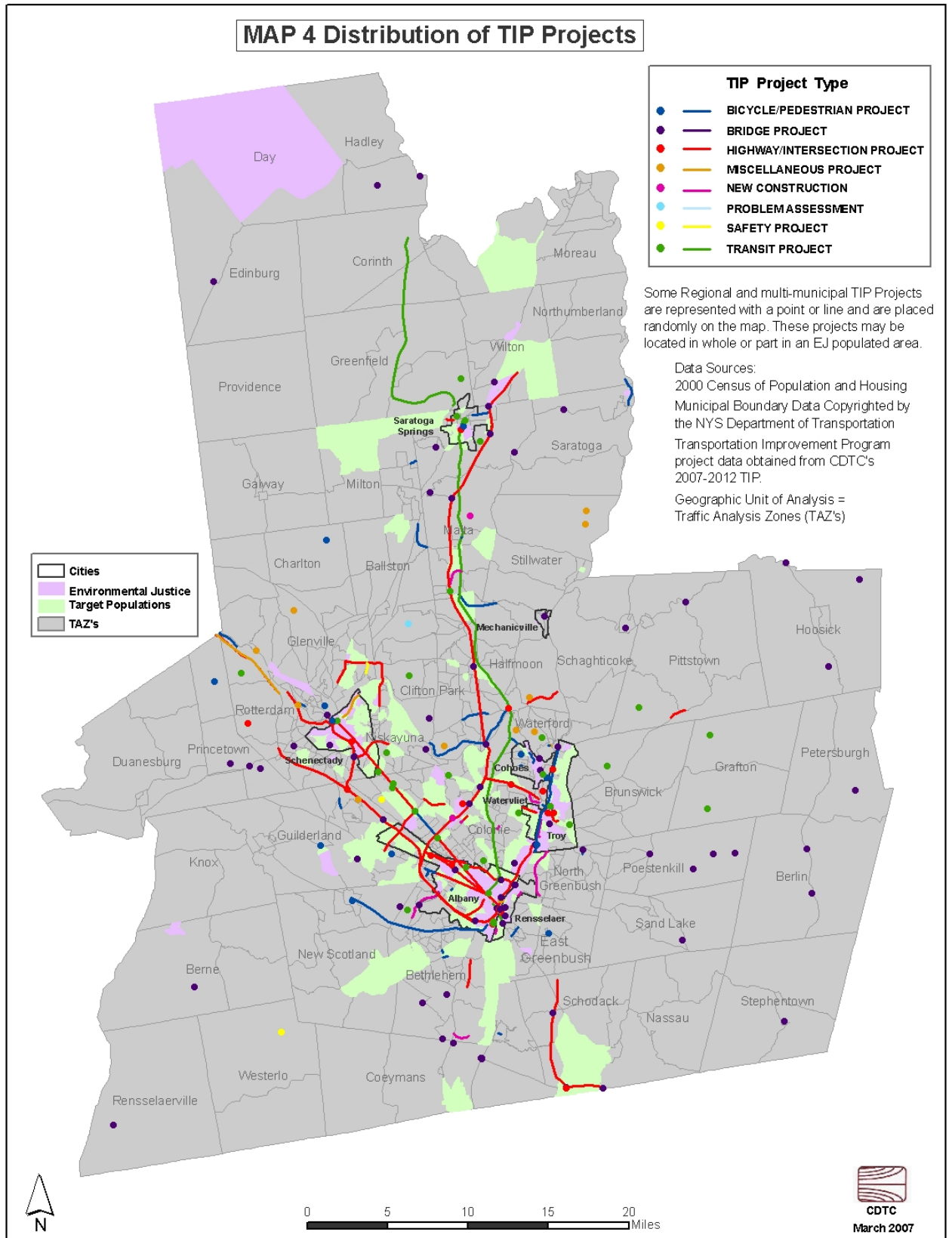
MAP 1 Distribution of Hispanic or Minority Population Thresholds



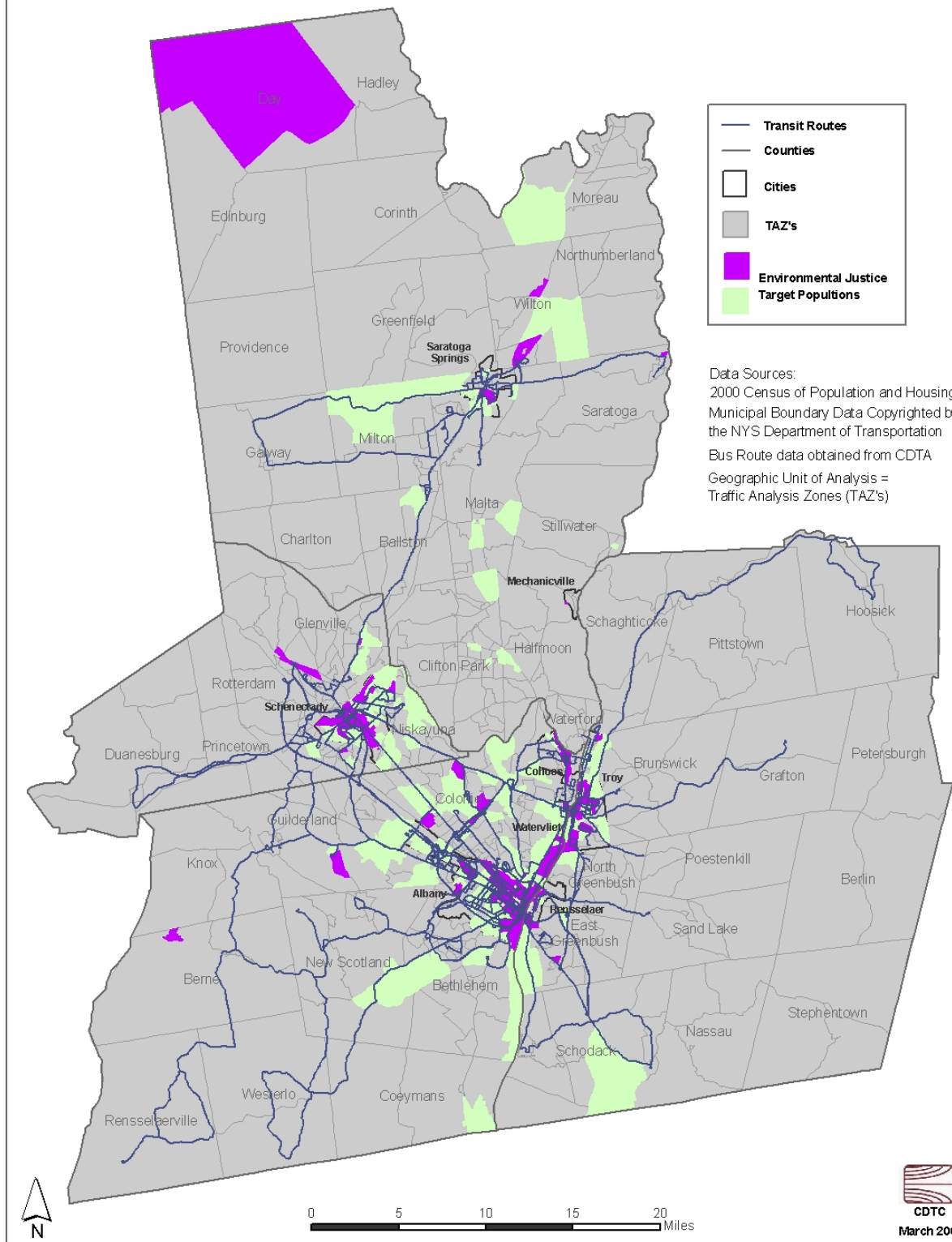
MAP 2 Distribution of Low-Income Population Thresholds



MAP 4 Distribution of TIP Projects



MAP 5 Transit Routes



MAP 6 Distribution of Linkage Projects

