



Greater Buffalo Niagara Regional Transportation Council

Equity and Environmental Justice Analysis 2023

Title VI and Environmental Justice Legal Framework

Both federal and state legislation require that the transportation planning process and outcome are fair, equitable, and non-discriminatory. On December 14, 2012, the GBNRTC approved the Transportation Equity Statement and Title VI Plan. The document contains written procedures that demonstrate the GBNRTC's commitment to ensuring nondiscrimination based on grounds of race, color, sex, age, disability or national origin, within any of its activities, programs, or projects as required by federal nondiscrimination statutes, regulations, and orders. Compliance with such regulations is demonstrated through FHWA/FTA planning process certification. For more information on the GBNRTC's Environmental Justice activities visit <http://www.gbnrtc.org/planning/environmental-justice/>.

Title VI of the Civil Rights Act requires agencies receiving federal funds to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion.

The National Environmental Policy Act of 1969 (NEPA) addresses both social and economic impacts of environmental justice. NEPA stressed the importance of providing for "all Americans safe, healthful, productive and anesthetically pleasing surroundings" and provides a requirement for taking a "systematic, interdisciplinary approach" to aid in considering environmental and community factors in decision-making. To certify compliance with Title VI and address environmental justice, MPOs need to:

- Enhance their analytical capabilities to ensure that the long-range transportation plan and the transportation improvement program (TIP) comply with Title VI.
- Identify residential, employment, and transportation patterns of low-income and minority populations so that their needs can be identified and addressed, and the benefits and burdens of transportation investments can be fairly distributed.
- Evaluate and – where necessary – improve their public involvement processes to eliminate participation barriers and engage minority and low-income populations in transportation decision-making.
- There are three fundamental environmental justice principles:
- 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.

Identifying Communities of Concern

GBNRTC uses a three-step process to identify communities of concern:

1. Determine the regional percentages of low-income and minority populations. Use the regional percentages as thresholds for determining whether or not a particular Census tract is considered to be predominantly low-income or minority.
2. Map these thresholds (individually and together) to provide a visual representation of the spatial distribution of low-income and minority populations in the region (demographic profile maps are available online at gbnrtc.org).
3. Locations qualified as community of concern if any of the listed factors in census tract concentration (percentage) was greater than the regional threshold values

As one of three defined objectives contained within the Transportation Equity Statement and Title VI Plan, the GBNRTC uses Geographic Information Systems and other tools and data sources to determine the needs of traditionally underserved communities and to assess how regional transportation programs and plans impact different population groups in the region.

The criteria used to identify location and concentrations of communities of concern (EJ) included the following American Community Survey variables above the Regional Thresholds values for each census tract:

MINORITY POPULATION GROUP (Regional Threshold: 23.28%)

- This population group includes the following racial categories: Black or African American, American Indian and Alaska Native, Asian, Native Hawaiian and Pacific Islander, Some Other Race, Two or More Races, and Hispanic or Latino.

YOUTH POPULATION GROUP (>18) (Regional Threshold: 20.25%)

- This population group includes the total population of those under 18 years.

ELDERLY POPULATION GROUP (75+) (Regional Threshold: 7.91%)

- This population group includes the total population of those 75 years and older.

LIMITED ENGLISH PROFICIENCY POPULATION GROUP (LEP) (Regional Threshold: 3.50%)

- This population group refers to anyone above the age of five (5) who speaks English less than “very well,” as classified by the U.S. Census Bureau.

DISABLED POPULATION GROUP (Regional Threshold: 13.51%)

- This population group includes total civilian noninstitutionalized population with a disability.

LOW INCOME POPULATION GROUP (Regional Threshold: 28.83%)

- This population group includes the total population for whom poverty is determined. Population with total income below the 200% Federal Poverty Levels (FPL). FPLs are used to determine eligibility for federal programs.

NATIONAL POPULATION GROUP (Regional Threshold: 6.63%)

- This population group represents the total population of those who are foreign born.

ZERO CAR HOUSEHOLDS GROUP (Regional Threshold: 11.99%)

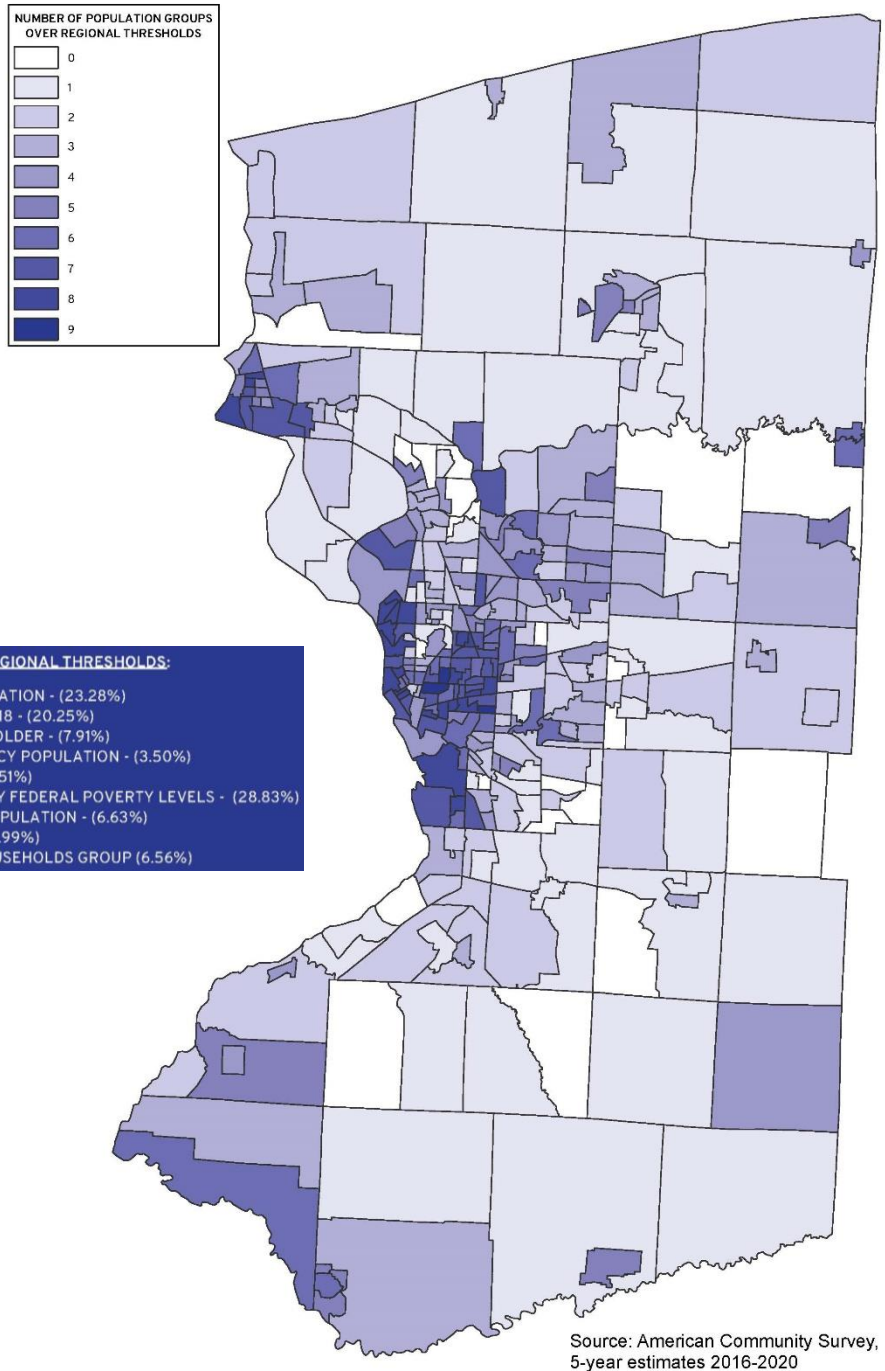
- This population group represents households with no vehicle available for use by household members.

FEMALE SINGLE PARENT HOUSEHOLDS GROUP (Regional Threshold: 6.56%)

- This population group represents female householder, with no husband present, family households, with children under 18 years of age.

COMMUNITIES OF CONCERN (COCs)

The population groups above are used to identify location and concentrations of Communities of Concern (COCs). They are combined into a single database and displayed showing census tracts that are above regional thresholds for each value.



Out of 325 census tracts in the GBNRTC Region, 93.5% of those have some level of concern.

Environmental Justice Analysis of Proposed Projects

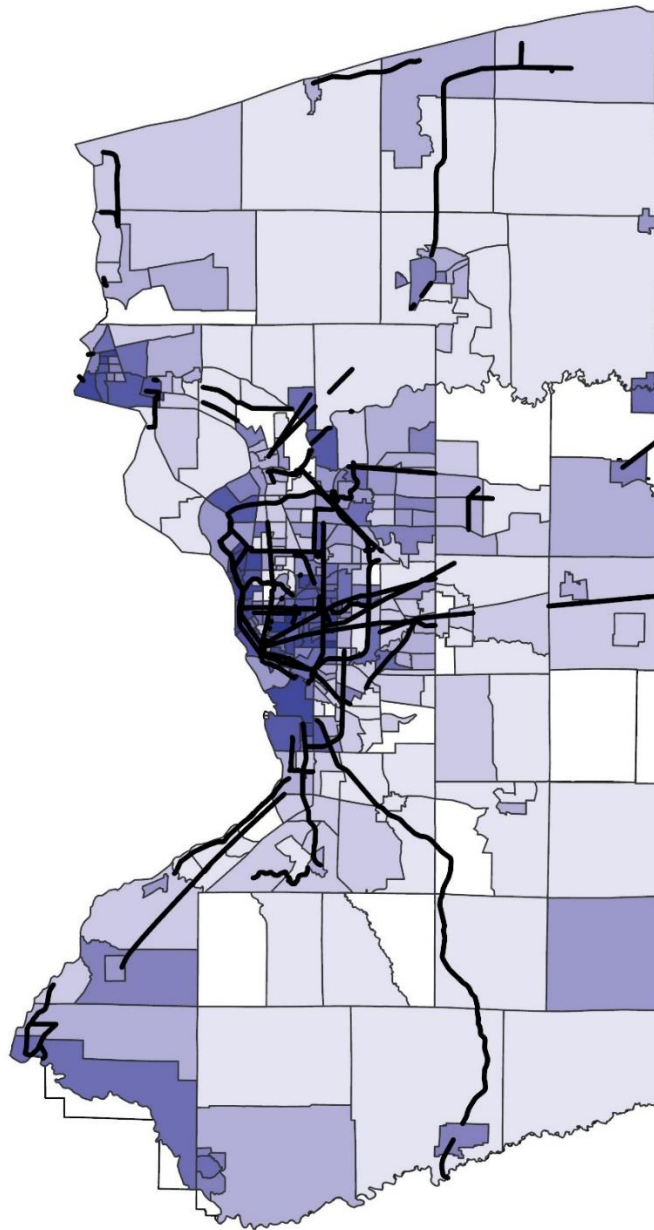
Number of Population Groups	Number of Tracts	Percentage of Tracts
0	21	6.46%
1	56	17.23%
2	56	17.23%
3	48	14.77%
4	32	9.85%
5	23	7.08%
6	32	9.85%
7	30	9.23%
8	24	7.38%
9	3	0.92%

Total costs of constrained MTP Projects (beyond preservation) is approximately \$8,898 M. Of that, \$5,024 M are location specific projects, accounting for about 56.45% of total Region-Wide Proposed costs.

Total Proposed Project Costs (\$Mil)	Total Location Specific Costs (\$Mil)	Percent of Location Specific Costs
8,898	5,024	56.46%

Of the 304 tracts identified as Communities of Concern, 252 or 82.89% of 2050 MTP projects are within COC.

Number of Population Groups	Number of Communities of Concern within a ½ Mile of Projects	Percentage of Communities of Concern within a ½ Mile of Projects
1 - 3	124	49.21%
4 - 5	44	17.46%
6 - 7	57	22.62%
8 - 9	27	10.71%



- POPULATION GROUPS AND REGIONAL THRESHOLDS:**
- * RACE AND ETHNICITY POPULATION - (23.28%)
 - * YOUTH POPULATION UNDER 18 - (20.25%)
 - * ELDERLY POPULATION 75 & OLDER - (7.91%)
 - * LIMITED ENGLISH PROFICIENCY POPULATION - (3.50%)
 - * DISABLED POPULATION - (13.51%)
 - * LOW INCOME POPULATION BY FEDERAL POVERTY LEVELS - (28.83%)
 - * NATION OF BIRTH, ORIGIN POPULATION - (6.63%)
 - * ZERO CAR HOUSEHOLDS - (11.99%)
 - * FEMALE SINGLE PARENT HOUSEHOLDS GROUP (6.56%)

Next Steps

GBNRTC’s current Title VI and Environmental Justice Plan is available [online](#). This Plan will be updated with more recent demographic data and analysis as it becomes available. In addition, MTP and TIP projects will be evaluated based on accessibility and other indicators that compare impacts on communities of concerns with the entire population.