

# ENVIRONMENTAL JUSTICE FACTORS & THRESHOLDS

CMMPO

November 16, 2022

# WHAT IS ENVIRONMENTAL JUSTICE

Is the ***fair treatment*** and ***meaningful involvement*** of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

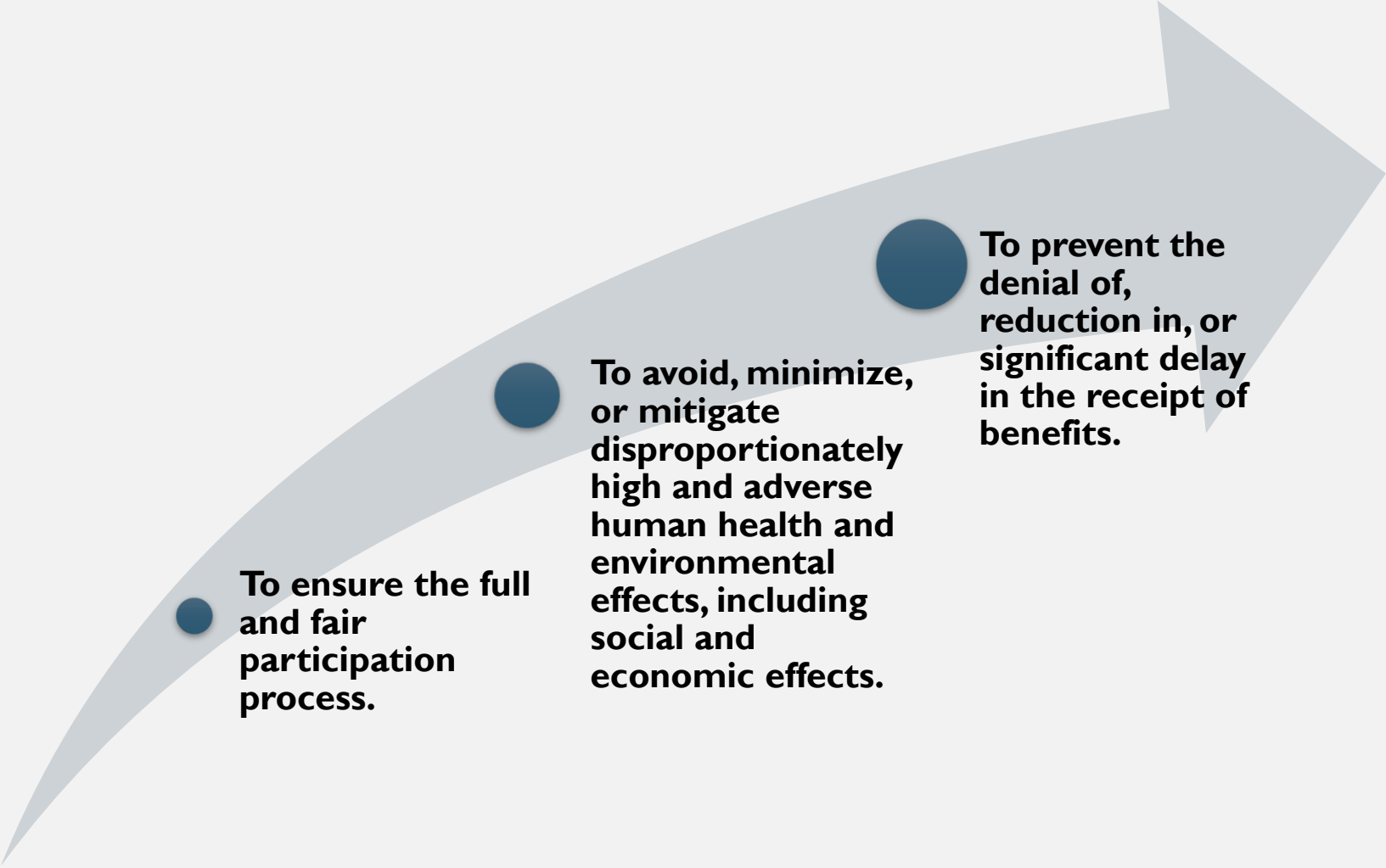
## ***Fair treatment*** means:

No group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.

## ***Meaningful involvement*** means:

- 1) People have an opportunity to participate in decisions about activities that may affect their environment and/or health.
- 2) Their contribution can influence the regulatory agency's decision.
- 3) Their concerns will be considered.
- 4) The decision makers seek out and facilitate the involvement of those potentially affected.

# **ENVIRONMENTAL JUSTICE** **PRINCIPLES**



**To ensure the full and fair participation process.**

**To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects.**

**To prevent the denial of, reduction in, or significant delay in the receipt of benefits.**

# FROM GRASS ROOT MOVEMENT TO FEDERAL TO POLICY

The environmental justice movement was started by individuals, primarily people of color, who sought to address the inequity of environmental protection in their communities.

Grounded in the struggles of the 1960's Civil Rights Movement, this movement sounded the alarm about the public health dangers for their families, their communities and themselves.

## **Policy Framework**

- **Executive Order 12898** (1994)
- **Memorandum of Understanding on Environmental Justice and Executive Order 12898** (2011)
- **US DOT Order 1000.12C** (2021)
- **Executive Order 13985 - Racial Equity** (2021)

# EJ POPULATIONS

**Minority** - Includes **persons** who are American Indian and Alaska Native, Asian, Black or African American, Hispanic or Latino, and Native Hawaiian and other Pacific Islander.


- Minority population is any readily identifiable group or groups of minority persons who live in **geographic proximity**, and if circumstances warrant, geographically dispersed/transient persons.

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


- Low-income population is any readily identifiable group or groups of low-income persons who live in **geographic proximity**, and if circumstances warrant, geographically dispersed/transient persons (such as migrant workers).

# TRANSPORTATION DISADVANTAGE POPULATIONS

The **Executive Order** directed federal agencies to develop environmental justice strategies to aid identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on **minority and low-income populations**.



**USDOT's** planning regulations require MPO's to "***seek out and consider the needs of those traditionally underserved*** by existing transportation systems, including, but not limited to, low-income and minority households."



The **Federal Certification Review** recommended the MPO to look beyond minority and low-income populations based on regional characteristics.

- Additional criteria is often used as a second level of analysis for project outreach and mitigation activities.
- The 4 additional criteria are:
  - **Linguistically Isolated Households**
    - Households in which no one 14 years old and over speaks only English and no one 14 years old and over speaks a language other than English speaks English very well
  - **Zero Car Households**
    - Occupied housing units without a vehicle available
  - **Population of Older Adults**
    - Household with a person 75 years or older
  - **Population with Disabilities**

# MA ENVIRONMENTAL JUSTICE THRESHOLDS

In Massachusetts, an environmental justice population is a neighborhood where one or more of the following criteria are true:

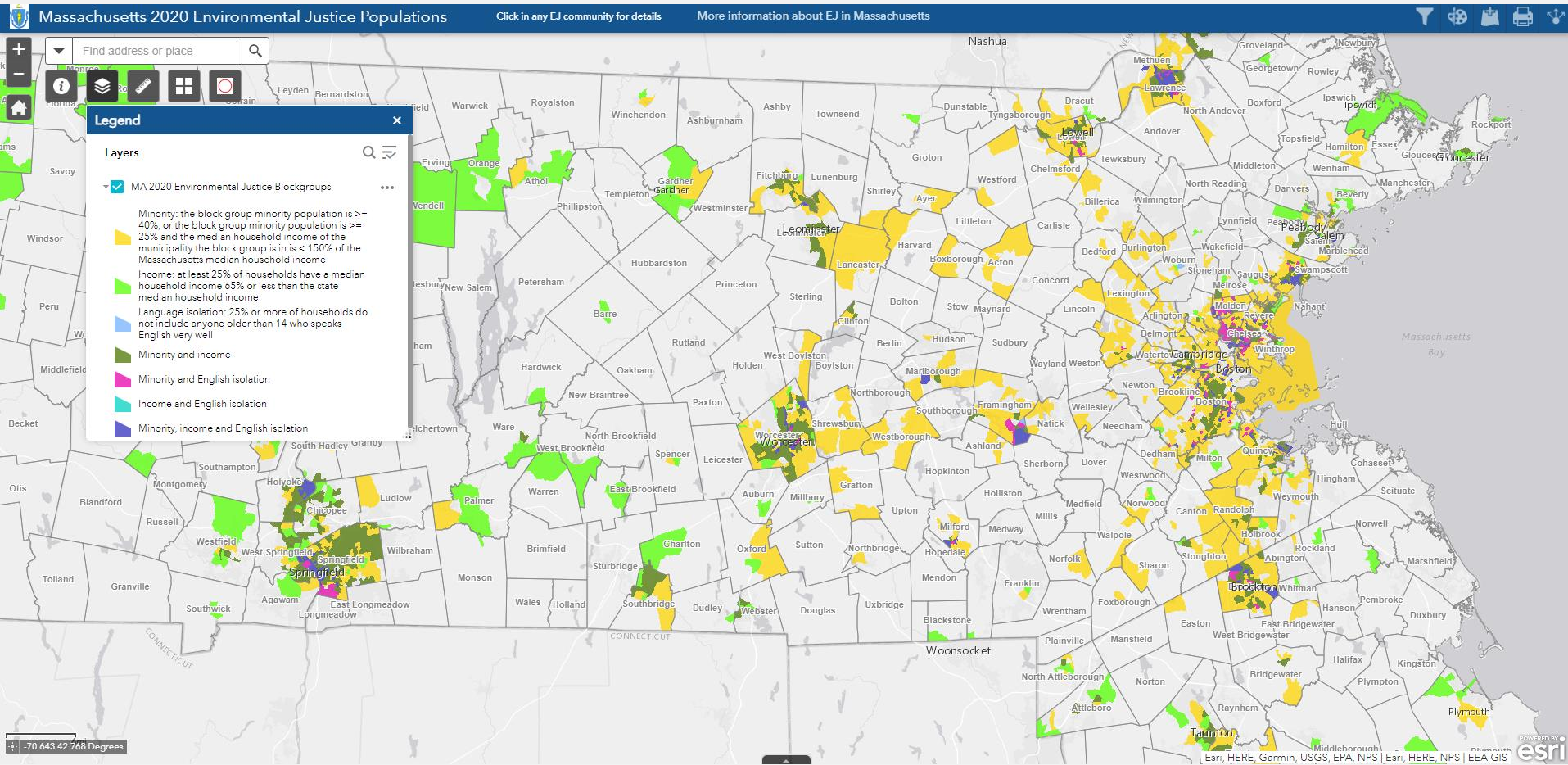
1. The annual median household income is 65% or less of the statewide annual median household income
2. Minorities make up 40% or more of the population
3. 25% or more of households identify as speaking English less than "very well"
4. Minorities make up 25% or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the statewide annual median household income.

The thresholds defined by the EOEEA are used by all agencies in MA, including MassDOT.

Some of the applications are:

- Grant making
- Project selection
- Planning
- Evaluation
- Assessments

# MA EOEEA EJ MAP VIEWER



<https://mass-eoea.maps.arcgis.com/apps/webappviewer/index.html?id=1d6f63e7762a48e5930de84ed4849212>



# CMMPO ENVIRONMENTAL JUSTICE THRESHOLDS

For the CMMPO a “Neighborhood of Environmental Concern” is a U.S. Census Block Group where one or more of the following criteria are true:

1. The annual median household income is 65% or less of the statewide annual median household income
2. Minorities make up 22.2% or more of the regional average

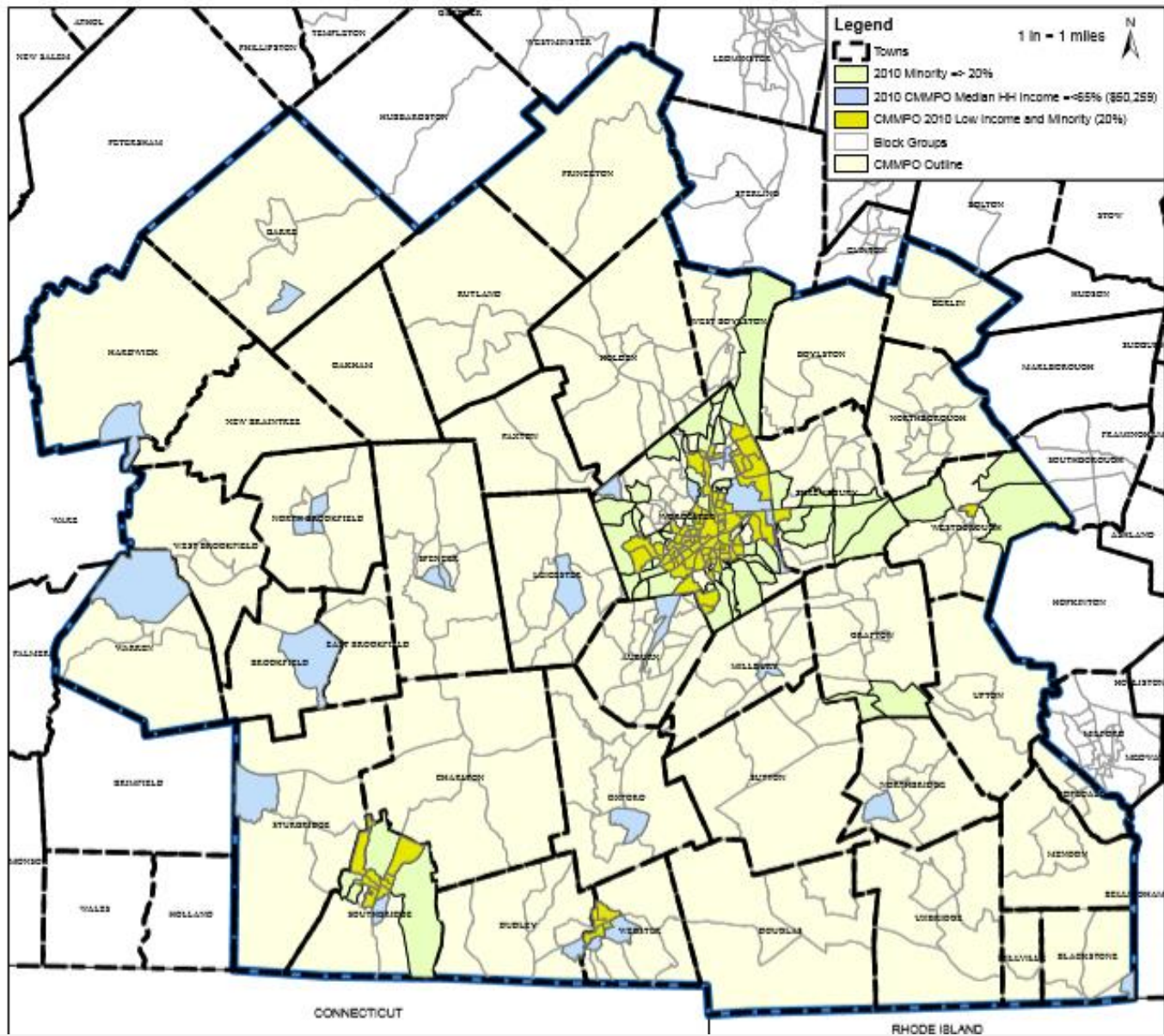
For the CMMPO a transportation disadvantaged population is a U.S. Census Block Group where the proportion is 150% higher than the region’s average for the following criteria:

1. Households with a person 75 years or older, 9.3%
2. Households without a vehicle available, 13.5%
3. Linguistically isolated households, 9.45%

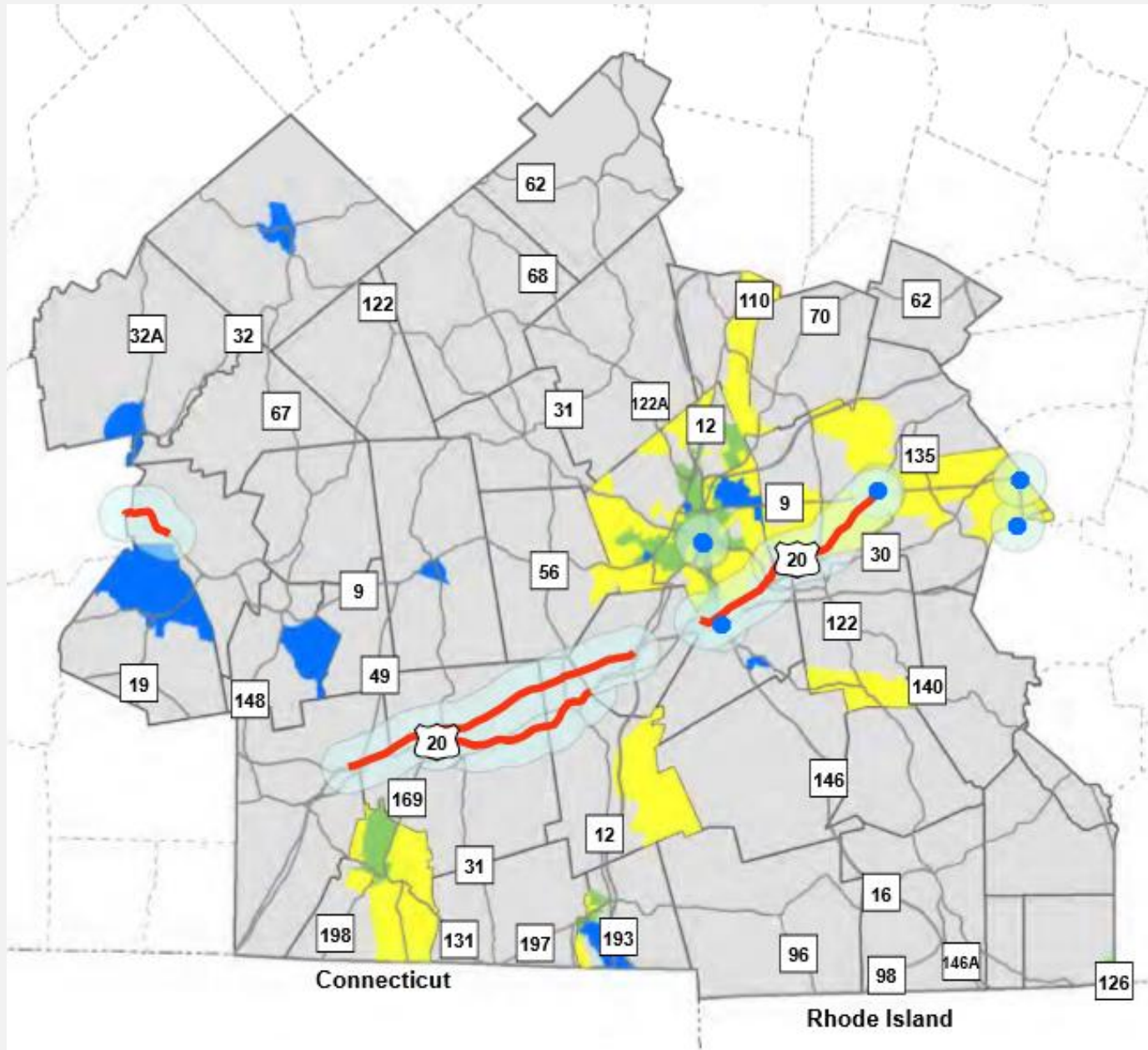
Each MPO determines its own thresholds.

The thresholds are used to identify high-priority areas, to analyze the regional distribution of underserved populations, for transportation equity analysis, to understand demographic changes, among other purposes.

## CMMPO EJ MAP 2010

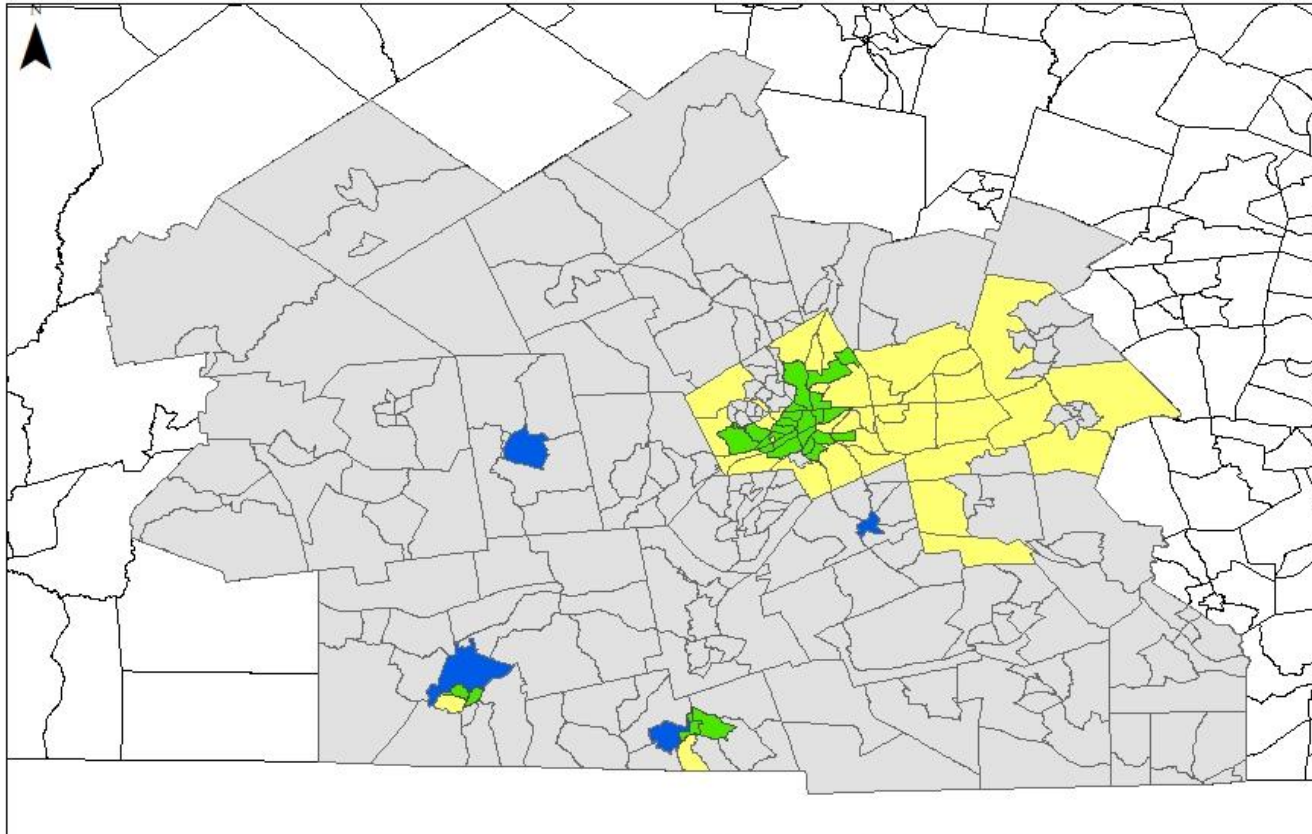


# CMMPO EJ MAP 2015

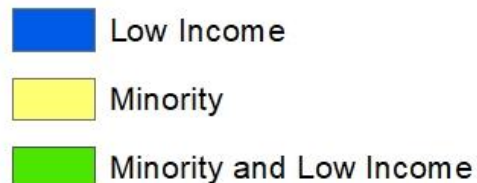




# CMMPO EJ MAP 2020 MINORITY AND LOW-INCOME POPULATIONS



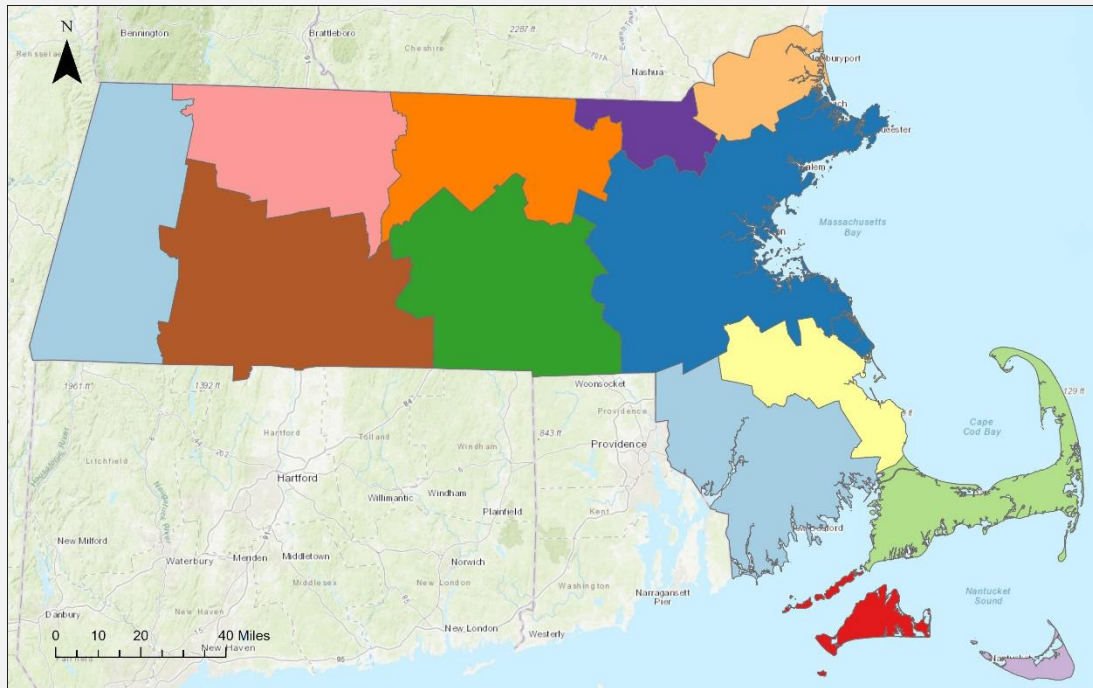
**CMMPO Environmental Justice Tracts**



## WHAT IS AN REJ+ COMMUNITY?

- Regional Environmental Justice “Plus” Communities are environmental justice populations that are most impacted by transportation changes
- At least one of three EJ criteria must be true:
  - Annual median household income  $\leq$  MPO 25<sup>th</sup> percentile
  - Percent of Minorities  $\geq$  MPO 75<sup>th</sup> percentile
  - Percent of Households with Limited English Proficiency  $\geq$  MPO 75<sup>th</sup> percentile
- At least one of the following three transportation criteria must be true:
  - Percent of Households with Zero Vehicles  $\geq$  MPO 75<sup>th</sup> percentile
  - Percent of Households with Disabilities  $\geq$  MPO 75<sup>th</sup> percentile
  - Percent of Seniors (65+ years)  $\geq$  MPO 75<sup>th</sup> percentile
- The geography of the REJ+ indicator is census block groups

# REJ+ THRESHOLDS ARE RELATIVE TO AN MPO REGION



## MPO

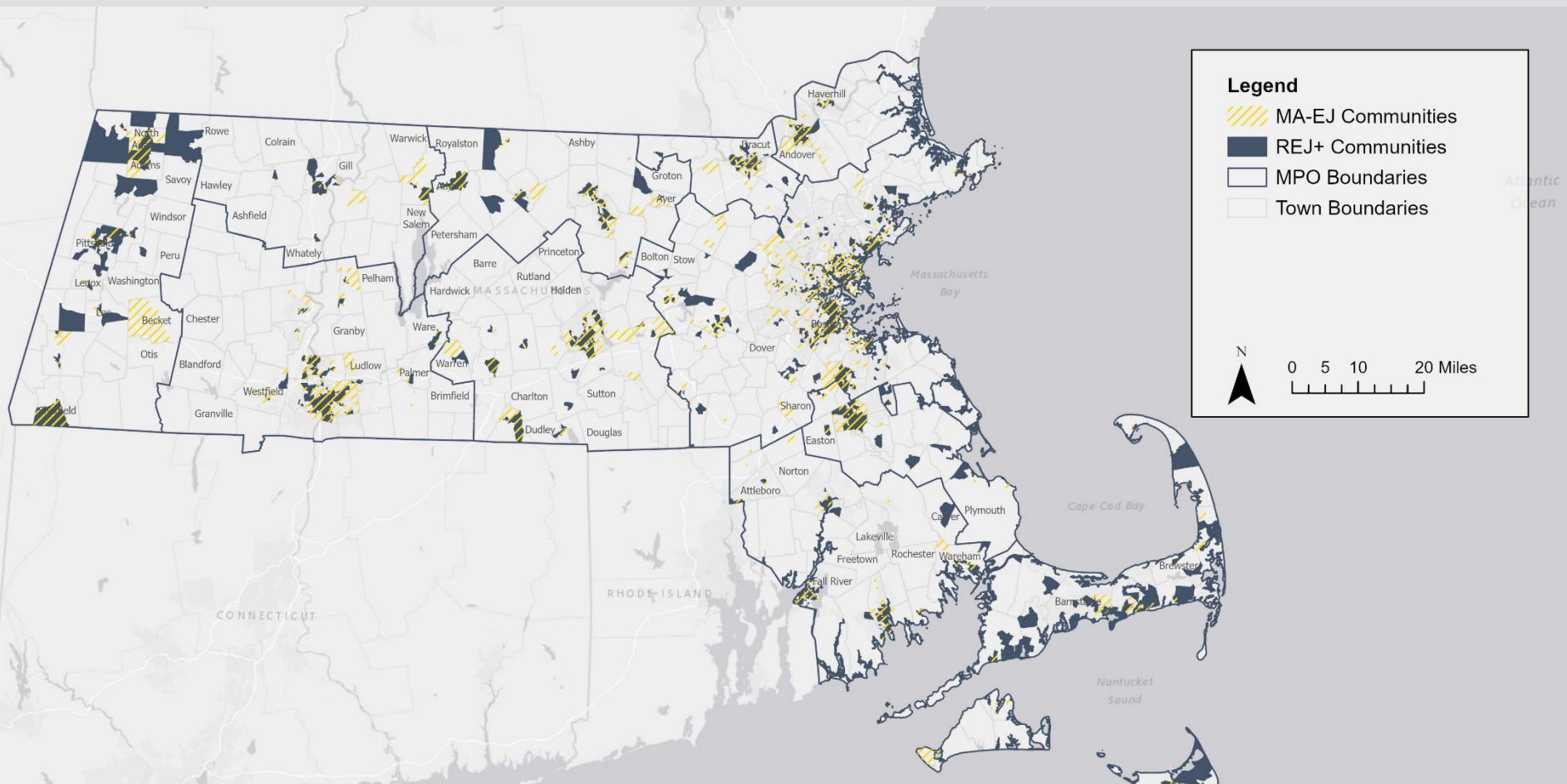
- Berkshire
- Boston Region
- Cape Cod
- Central Massachusetts
- Franklin
- Martha's Vineyard
- Merrimack Valley
- Montachusett
- Nantucket
- Northern Middlesex
- Old Colony
- Pioneer Valley
- Southeastern Massachusetts

# REJ+ THRESHOLDS

	Income (65% MHI)	Minority	LEP	Disability	Zero- Vehicle	Older Adults
MA EOEEA 2019 ACS	\$56,220	39.5%	24.5%	-	-	-
MassDOT / CMMPO	\$53,780	41%	7%	33%	13%	21%
CMMPO 2010 US Census	\$50,219	20.3%	6.3% (9.45%)	-	8.5% (12.75%)	12.5% (18.8%)
CMMPO 2015 ACS	\$44,901	22.2%	5.8% (8.7%)	23.8% (35.7%)	9% (13.5%)	6.2% (9.3%)
CMMPO 2020 ACS*	\$54,190	17.8%	7.2%	32%	11%	

Thresholds by Block Groups

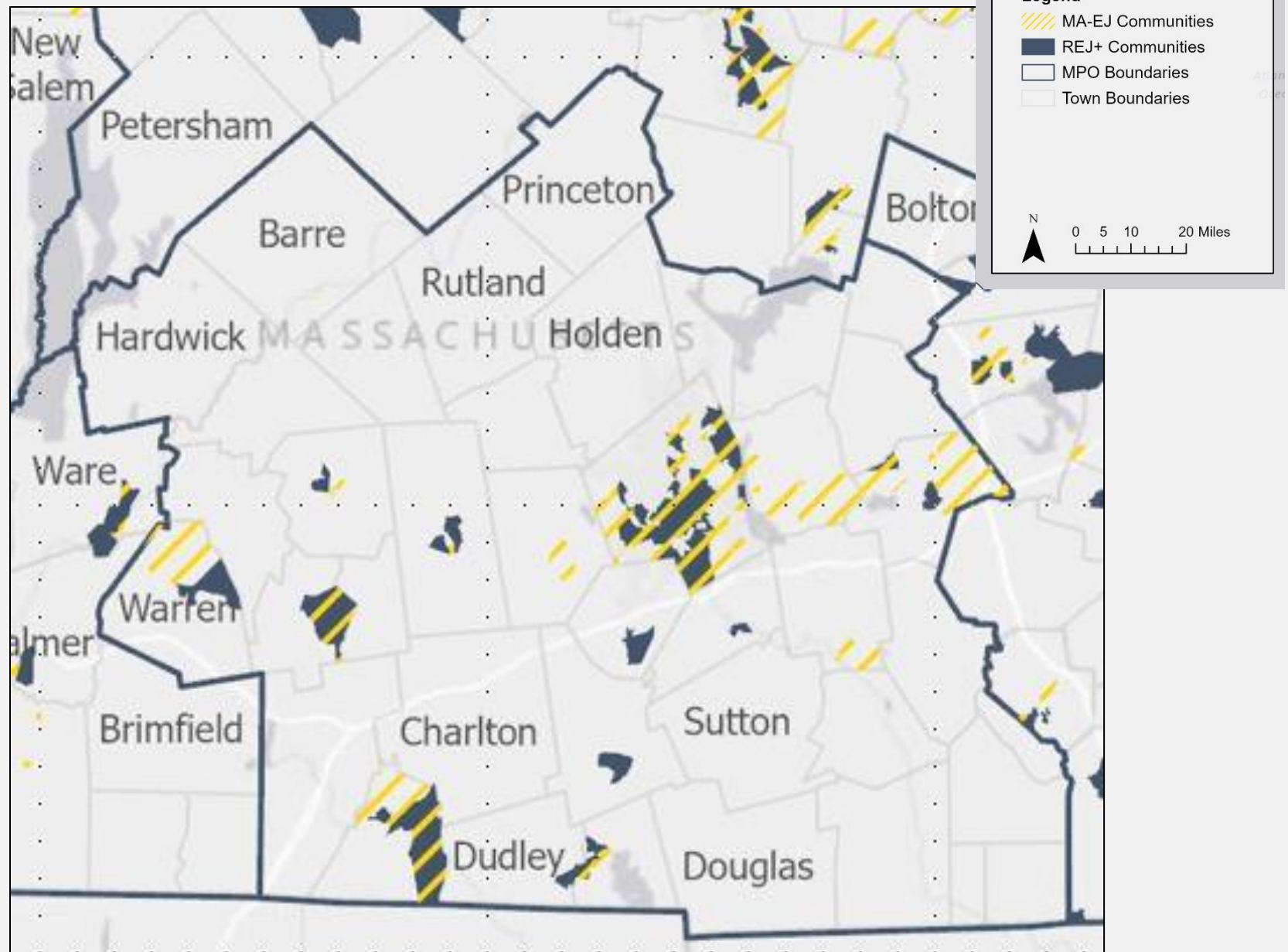
\*For 2020ACS using Census Tracts.



## REJ+ Communities VS. MA-EJ Communities (Statewide)



# MASSDOT EJ MAP 2020



**THANK YOU**