

## ENVIRONMENTAL JUSTICE

### INTRODUCTION

This plan will focus on Title VI: Environmental Justice and ensuring fair and equitable distribution of transportation services and facilities. Environmental justice is part of Executive Order 12898 directing federal agencies to identify and address the effects of all programs, policies, and activities on “minority populations and low-income populations.”

The federal Department of Transportation’s environmental justice initiatives would accomplish this goal by involving the potentially affected public in developing transportation projects that fit harmoniously within their communities without sacrificing safety or mobility.

Environmental justice is based on three fundamental principles:

- 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.
- Ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- Prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

### RESPONSIBILITIES AND OBJECTIVES

1. **The Metropolitan Planning Organization** serves as the primary forum where municipalities, transit providers, local agencies, and the public develop local and regional transportation plans, programs, and projects that address a metropolitan area's needs. This is done by identifying the potentially affected public, asking about their needs and opinions, and keeping them informed of the planning process. MPOs can help local public officials understand how Title VI and environmental justice requirements improve planning and decision-making. To certify compliance with Title VI and address environmental justice, the MPO will:

- Enhance its analytical capabilities to ensure that the Metropolitan 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 the MPOs public involvement processes to eliminate participation barriers and engage minority and low-income populations in transportation decision-making.
- Develop and maintain transportation facilities and services that meet the special needs of low-income families, minorities and those without access to private automobiles.

2. **Transit Providers in the Strafford Region and Greater Seacoast Area** offer mobility for all citizens whether they own a vehicle or not. The transit providers provide an essential service for many low-income and minority populations who have no other way to get to work, shopping, child care, medical appointments, recreation, or other destinations. To certify compliance with Title VI and address environmental justice, the transit agencies will:

- Ensure that new investments and changes in transit facilities, services, maintenance and vehicle replacement deliver equitable levels of service and benefits to minority and low-income populations.
- Avoid, minimize or mitigate disproportionately high and adverse effects on minority and low-income populations.
- Enhance public involvement activities to identify and address the needs of minority and low-income populations in making transportation decisions.
- Support and encourage the coordination of resources and efforts of transportation providers toward developing a more efficient intercity transit system throughout the region.
- Assist COAST and urban municipalities in developing and implementing intra-city transit routes to allow for better internal mobility.

3. **The Public Participation Process** cannot fully meet community needs without the active participation of well-informed, empowered individuals, community groups, and other nongovernmental organizations, such as businesses and academic institutions. Marketing and education activities targeted at promoting public transportation can help increase ridership, and thus should be viewed as integral parts of creating a viable and successful public transportation system. Public and private transit operators need to actively promote and advertise their services just as other businesses do with their products. To advance the letter, spirit and intent of Title VI and address environmental justice, these individuals and groups will:

- Participate in public involvement activities (meetings, hearings, advisory groups, and task forces) to help responsible state and local agencies understand community needs, perceptions, and goals.
- Provide transportation officials with new ideas and solutions, and alerting officials to potential environmental justice concerns during the planning stages of a project.
- Get involved with state and local agencies to link federal transit and transportation programs with other federal, state, and local resources to fund projects that support community goals.
- Engender a sense of ownership among the people, especially among those who are often at the mercy of their surroundings.

The principle of environmental justice in transportation planning ensures that transportation projects do not have a disproportionately negative impact on minority and

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low-income populations. The goal is to achieve environmental justice protection within all communities.

For transportation, Title VI means assessing the nature, extent, and incidence of probable impacts, both negative and positive, from any transportation-related activity on minority, low income and other disadvantaged populations. Transportation activities include the broad pattern of transportation investment and impacts considered in the metropolitan planning process through implementation of individual transportation projects.

**METHODOLOGY, IDENTIFICATION OF TARGET POPULATIONS (DEMOGRAPHICS), AND SPATIAL CONCENTRATIONS OF TARGETED POPULATIONS**

The geographic basis for Title VI analysis is based on U.S. 2000 Census data. For purposes of Title VI analysis, it is desirable to make the analysis on the smallest geographic unit available for which information is obtainable for all relevant groups. Census data is available at different levels, including political jurisdictions, urban area, place, census tract, block group, and block.

The Census Bureau does not calculate all of its data on each of these areas. The smallest geographic area that the Census Bureau calculates the appropriate information on each relevant group is the block group level. Therefore, the block group was chosen to analyze Title VI issues.

The federal Department of Transportation Orders on Environmental Justice address persons belonging to any of the following target groups:

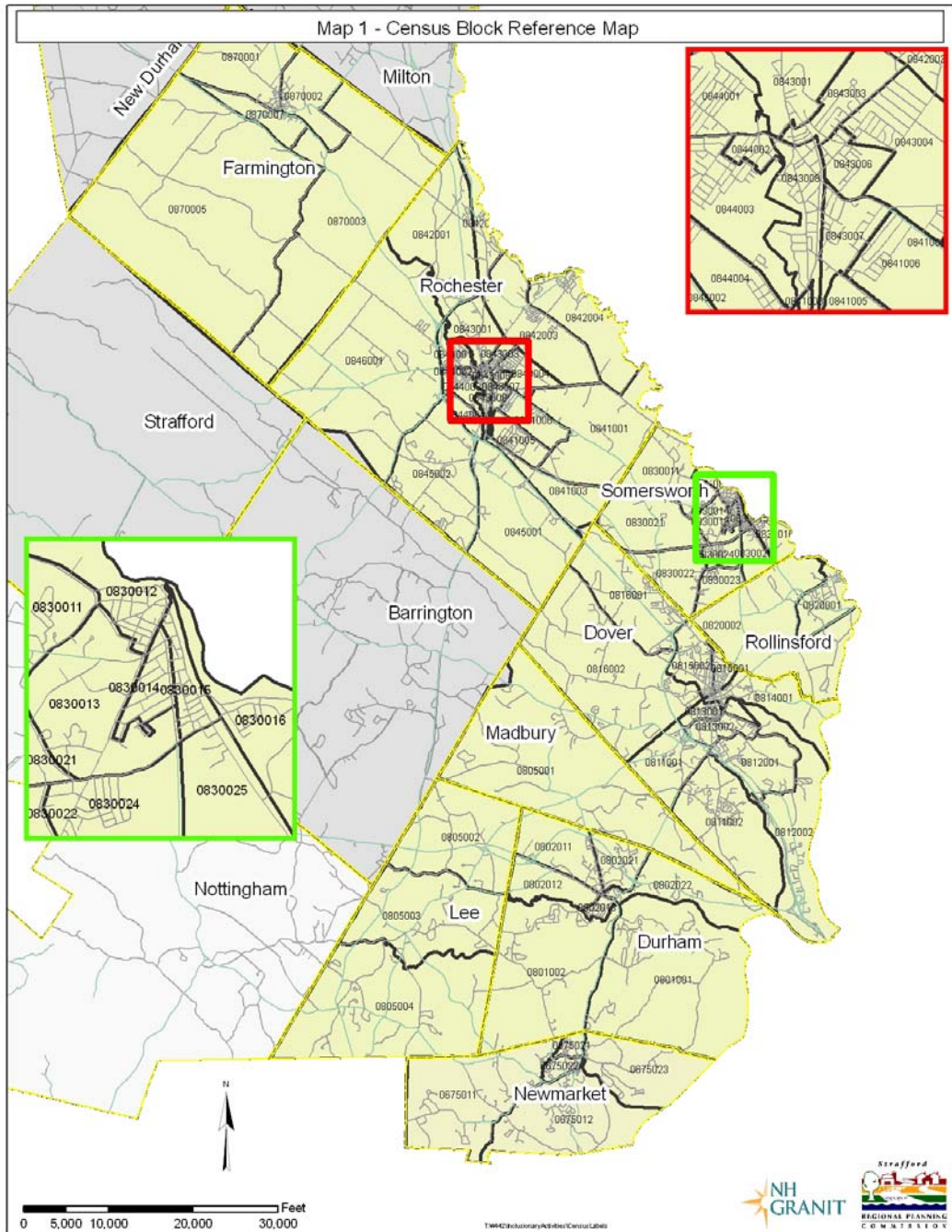
- **Low-Income**
- **Minority Populations**
- **Disadvantaged Populations**

Following the identification of the relevant groups for analysis, the next step undertaken was to identify the general distribution of each Title VI population group throughout the region and then define where each group is most concentrated.

For the purpose of this study, the focus area will be the transit corridor from Newmarket to Farmington. Figure 15 shows the Census Blocks in each municipality.

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Figure 15: Census Block Reference Map



[Source: US Census Bureau, 2000]

## LOW INCOME

Following the Office of Management and Budget's (OMB) Statistical Policy Directive 14, the Census Bureau uses a set of money income thresholds that vary by family size and composition to determine who is in poverty. If a family's total income is less than the family's threshold, then that family and every individual in it is considered in poverty. Many government aid programs use a different poverty measure. For the purpose of this chapter the Department of Health and Human Services (HHS) poverty guidelines were used. <http://aspe.hhs.gov/poverty/poverty.shtml>.

The U.S. Census Bureau measures poverty using a complex set of thresholds that vary by family size, number of children and age of the householder. The data collected by the Census Bureau excludes some sub-populations such as those living in college dormitories, institutionalized individuals, those living in military group quarters, and unrelated individuals under fifteen years of age. Therefore, the poverty data presented is based on approximately 97 percent rather than 100 percent, of the total regional population. 1999 is the most recent year for which Census-based income and poverty data was available. Thus, it may not accurately reflect current income and poverty status within the region.

Lower income households are less able to purchase, insure, and maintain a vehicle, along with other spending restrictions. In the seacoast region, especially in the smaller outlying towns without fixed transit services, not having access to a vehicle or transit is likely to mean that individuals cannot adequately access jobs, health care, shopping venues, and other vital community services.

Table 19 and Figure 16 present data on income for the year 1999. The highest concentrations of those living below the poverty level are found in the downtown areas of Dover, Durham, Newmarket, Rochester, and Somersworth. As one moves from these downtown areas, the number of poverty populations slowly begins to decline. The surrounding towns of Rollinsford, Madbury, Lee, and Farmington all have significantly lower poverty levels. This trend holds true for the remaining towns that are further away from the downtown areas.

Also represented on Figure 15 is the major transit network, which is made up of COAST, UNH Wildcat, the Downeaster public transportation systems, and the locations of all FY2008-09 Obligated Transportation Projects. When looking strictly at the transit network, it is easy to see that most of the routes run through areas with higher poverty levels. At the same time, moving further away from these areas decreases the opportunity for public transportation. A good amount of the projects that have taken place in the last two years fall within areas where the highest concentrations of poverty level populations are located. Many of these projects were designed to help enhance public transportation, restore transportation infrastructure, and improve pedestrian safety to all of those living in the area.

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Even though Census data excludes individuals living in college dormitories, Durham has the highest percentage of its population living below the poverty level, with over 2,200 people. This is a much higher percentage than any other community in the region. It should be noted that this figure is based on Census surveys of only 64 percent of Durham's population. It is therefore likely to over-estimate the overall poverty level population in town. This anomaly may be due to the significant number of UNH students who live in off-campus housing in the town. These individuals may be more likely to have lower incomes than working age nonstudents. However, these individuals in Durham are also served by fixed-route transit that operates on campus and between Durham, Newmarket, Dover, Portsmouth and other seacoast communities.

As our region's population ages, more individuals and households will be limited by their inability to drive or secure a ride. The MPO is a partner in the Alliance for Community Transportation (ACT) whose purpose is to facilitate and provide transportation services for individuals. ACT is a group of area agencies and consumers working to develop a regional transportation brokerage system, designed to coordinate reservations, scheduling, and dispatching of rides for multiple agencies in southeastern New Hampshire. With the implementation of the brokerage system, the goal is to assist our citizens who need rides to manage their healthcare and quality of life.

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*Table 19: Low Income Households in the SRPC Transit Corridor by Town and Census Block*

<b>*Municipality</b>	<b>Block Groups</b>	<b>Poverty Population</b>	<b>Poverty %</b>
Dover	811001	188	9.71%
	811002	103	2.75%
	812001	100	5.24%
	812002	82	4.14%
	813001	174	9.53%
	813002	275	10.15%
	814001	328	18.15%
	815001	178	8.21%
	815002	270	9.05%
	816001	159	7.24%
	816002	336	11.93%
Durham	801001	17	1.30%
	801002	0	0%
	802011	997	55.67%
	802012	135	28.30%
	802013	267	33.50%
	802021	589	35.55%
	802022	241	27.14%
Farmington	870001	89	7.44%
	870002	220	17.19%
	870003	106	8.98%
	870005	12	1.17%
	870007	118	11.30%
Lee/Madbury	805001	87	5.80%
	805002	52	6.20%
	805003	63	3.93%
	805004	96	5.75%
Newmarket	675011	72	4.77%
	675012	309	9.78%
	675021	177	12.22%
	675022	54	5.21%
	675023	57	6.60%
Rollinsford	820001	59	3.80%
	820002	39	3.57%

\*Note: Block group boundaries don't always follow municipality boundaries. The municipality column should be interpreted as a relative area.

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Table 19: Low Income Households in the SRPC Transit Corridor by Town and Census Block (continued)

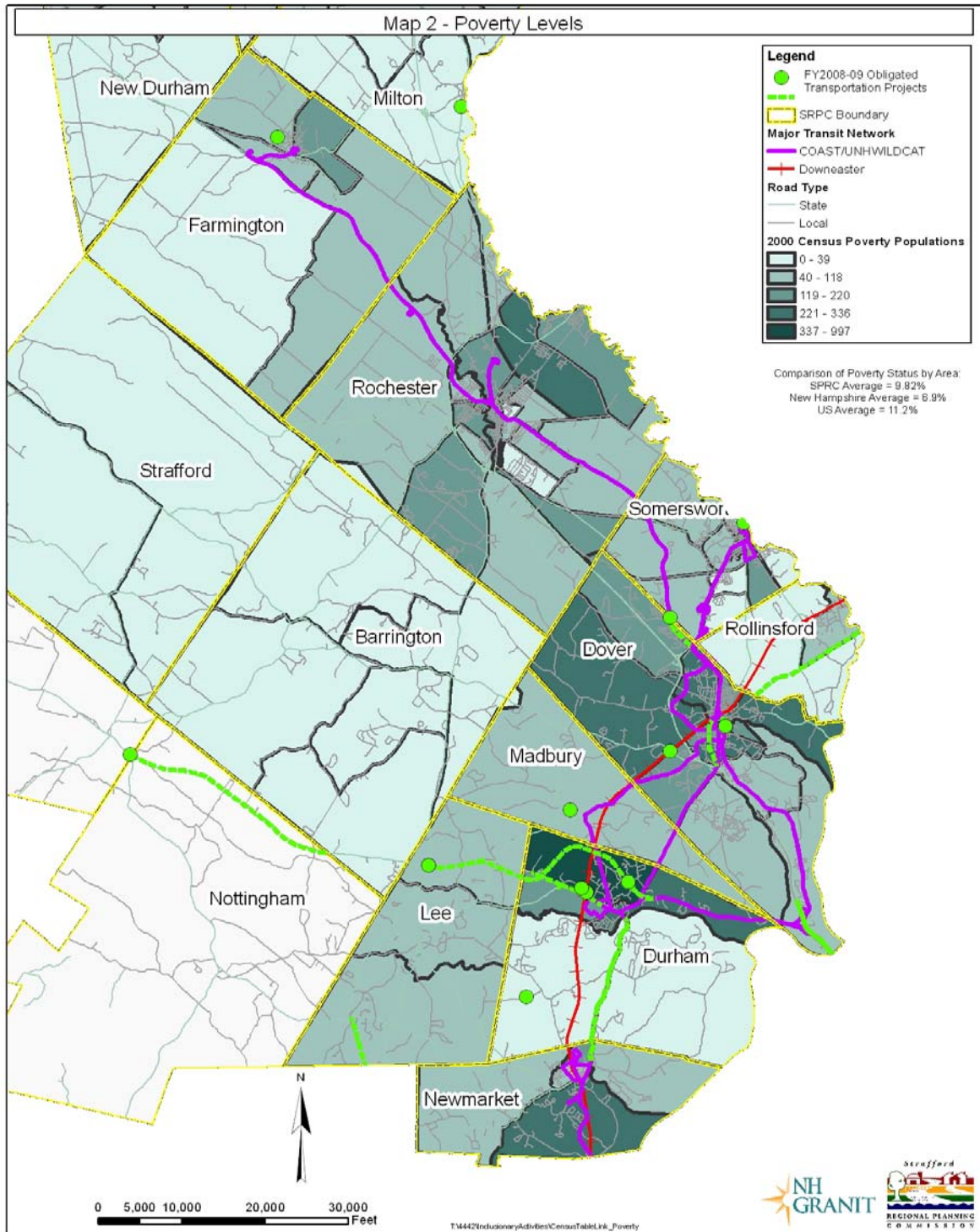
Municipality	Block Groups	Poverty Population	Poverty %
Rochester	841001	84	8.66%
	841003	137	8.39%
	841005	0	0.00%
	841006	43	4.10%
	842001	58	6.05%
	842002	100	5.49%
	842003	237	10.51%
	842004	154	6.90%
	843001	144	14.55%
	843003	141	13.82%
	843004	109	8.05%
	843006	21	3.61%
	843007	90	13.25%
	843008	202	12.32%
	844001	86	7.63%
	844002	244	25.50%
	844003	188	12.75%
	844004	47	8.48%
	845001	61	4.77%
	845002	164	6.79%
846001	47	1.98%	
Somersworth	830011	59	4.29%
	830012	66	6.30%
	830013	48	4.09%
	830014	191	16.12%
	830015	263	22.19%
	830016	7	1.01%
	830021	63	6.19%
	830022	65	5.23%
	830023	3	0.34%
	830024	14	1.80%
830025	216	28.57%	
Total	-	9401	9.82%

[Source: US Census Bureau, 2000]



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Figure 16: Poverty Levels



[Source: US Census Bureau, 2000]

## MINORITY POPULATIONS

Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, or national origin. The federal Office of Management and Budget (OMB) issued Policy Directive 15, Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity, in 1997, establishing five minimum categories for data on race. Executive Order 12898 and the federal Department of Transportation Orders on Environmental Justice address persons belonging to any of the following groups:

- **Black** – a person having origins in any of the black racial groups of Africa.
- **Hispanic** – a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- **Asian American** – a person having origins in the Far East, Southeast Asia, or the Indian subcontinent.
- **American Indian and Alaskan Native** – a person having origins in North America and who maintains cultural identification through tribal affiliation or community recognition.
- **Native Hawaiian or Other Pacific Islander** – a person having origins in any of the original peoples of Hawaii, Guam, Samoa or other Pacific Islands.

For the purpose of this study, all minority types (Black, Hispanic, Asian American, American Indian and Alaskan Native, Native Hawaiian or Other Pacific Islander) have been grouped together. For a complete analysis of minority populations for all municipalities in the state please visit the following link: [New Hampshire -- Place and County Subdivision -- Geographic Comparison Table.](#)

Table 20 and Figure 17 represent data on the minority population by community for the year 1999. The minority population for all communities within the focus area totaled 4,287 of the total population of 101,589. This represents approximately 4.2 percent within the focus area. Communities with the highest minority populations were Dover, Durham, Rochester, Newmarket and Somersworth. While Dover, Rochester and Somersworth are more urban in character, Durham and Newmarket remain suburban except for their downtowns. Lee, Madbury, Rollinsford, and Farmington all had much lower minority populations. Similar to the poverty level trends, moving further away from the developed urban areas results in minority populations decreasing.

Durham and Newmarket have particularly higher percentages of minority populations than other smaller towns due to the presence and diversity of the University of New Hampshire. Many students from all over the country reside in on-campus housing within Durham or in surrounding towns such as Newmarket, which has adequate public transportation to and from campus. Towns having the lowest percentage of minority populations were Madbury, Lee, Rollinsford, and Farmington.

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*Table 20: Minority Populations in the SRPC Transit Corridor by Town and Census Block*

<b>*Municipality</b>	<b>Block Groups</b>	<b>Poverty Population</b>	<b>Poverty %</b>
Dover	811001	114	6.09%
	811002	99	2.57%
	812001	96	4.66%
	812002	86	4.27%
	813001	123	6.56%
	813002	131	4.83%
	814001	163	9.04%
	815001	222	10.13%
	815002	201	6.38%
	816001	83	3.86%
Durham	801001	30	2.21%
	801002	19	1.66%
	802011	130	3.49%
	802012	344	11.18%
	802013	46	6.04%
	802021	79	4.83%
	802022	42	4.36%
Farmington	870001	35	2.91%
	870002	20	1.56%
	870003	10	0.78%
	870005	27	2.73%
	870007	12	1.19%
Lee/Madbury	805001	51	3.38%
	805002	32	3.58%
	805003	86	5.12%
	805004	47	2.99%
Newmarket	675011	48	3.20%
	675012	238	7.25%
	675021	67	4.69%
	675022	51	5.03%
	675023	65	8.13%
Rollinsford	820001	47	3.03%
	820002	12	1.09%

\*Note: Block group boundaries don't always follow municipality boundaries. The municipality column should be interpreted as a relative area.

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Table 20: Minority Populations in the SRPC Transit Corridor by Town and Census Block (continued)

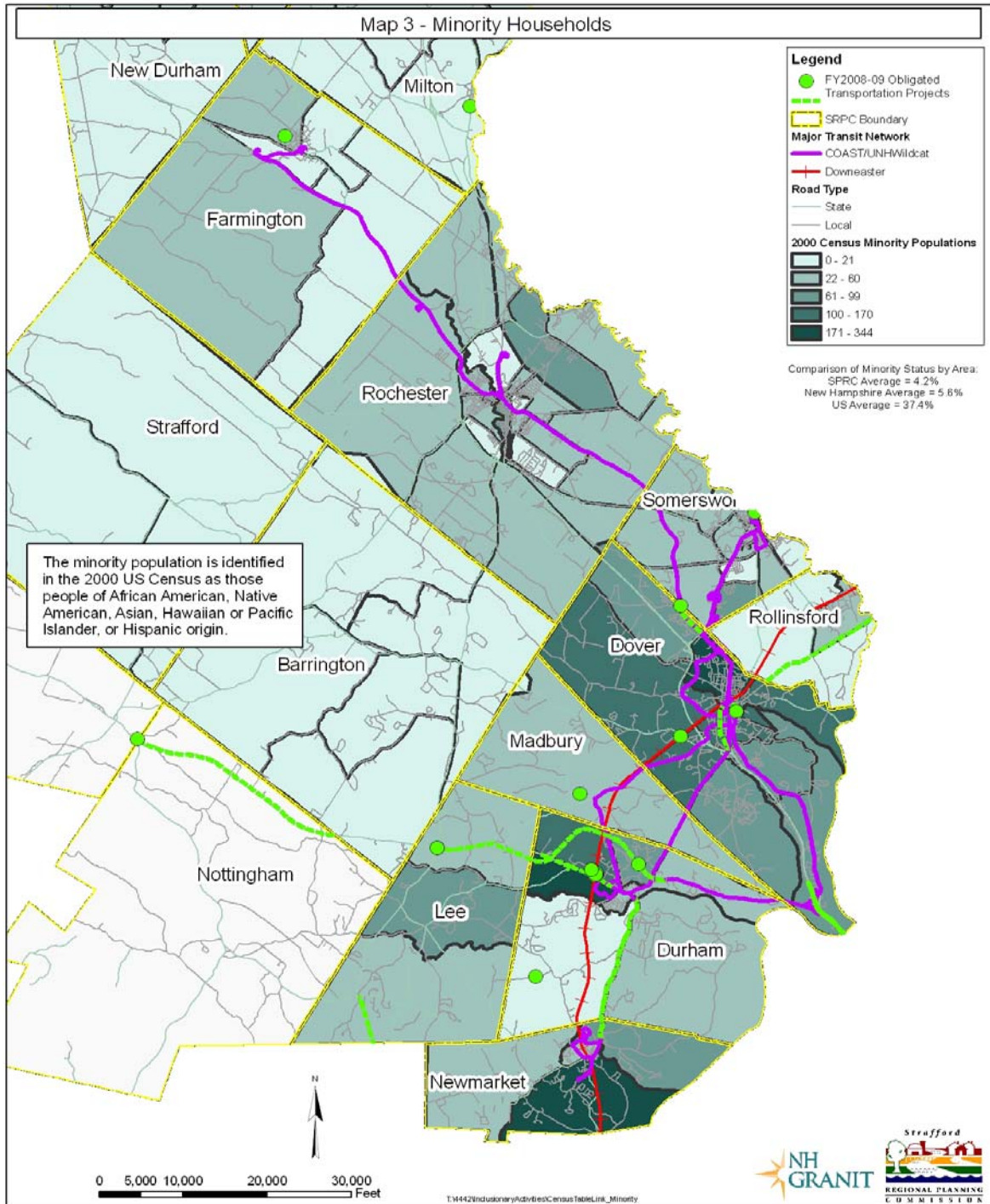
Municipality	Block Groups	Poverty Population	Poverty %
Rochester	841001	34	3.09%
	841003	31	2.03%
	841005	12	1.46%
	841006	38	3.57%
	842001	26	2.62%
	842002	47	2.55%
	842003	89	3.96%
	842004	58	2.61%
	843001	21	1.93%
	843003	27	2.64%
	843004	47	3.23%
	843006	14	2.39%
	843007	31	4.39%
	843008	88	5.58%
	844001	26	2.21%
	844002	62	6.78%
	844003	39	2.62%
	844004	12	2.15%
	845001	31	2.41%
	845002	53	2.20%
846001	35	1.47%	
Somersworth	830011	31	2.26%
	830012	35	3.30%
	830013	60	4.95%
	830014	33	2.84%
	830015	46	3.60%
	830016	12	1.82%
	830021	41	3.88%
	830022	46	3.92%
	830023	70	7.22%
	830024	18	2.38%
830025	48	6.20%	
Total	-	4287	4.22%

[Source: US Census Bureau, 2000]



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Figure 17: Minority Households



[Source: US Census Bureau, 2000]

## DISADVANTAGED POPULATIONS

There are several relevant groups identified by Title VI as disadvantaged populations. They are described below:

- **Federal Assistance Recipients** – people who receive grants or federal funds. The assistance might be in the form of public housing, food stamps, or support services.
- **Elderly** – any person over the age of 65.
- **Low literacy/English proficiency or English spoken as second language** – any readily identifiable group of persons whose ability to read, write, and speak in English, and compute and solve problems at levels of proficiency necessary to function on the job and in society, to achieve one's goals, and develop one's knowledge and potential.
- **Disabled populations** – persons who have mobility and/or self-care limitations as defined by the Census. The disability may be physical or mental (people with a health condition that lasts six or more months that make it difficult to go outside the home alone or difficult to take care of their own personal needs).
- **Zero car households** – households without cars or access to one.

For the purpose of this study, these groups have been identified with the intent for planning officials to understand that environmental justice is equally important to all relevant groups. Agencies must be proactive when it comes to determining better methods to serve the public who rely on transportation systems and services to maintain their quality of life.

## RECOMMENDATIONS

The SMPO uses existing collaborative mechanisms at federal, state, regional and local levels 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. This will be done by incorporating development practices consistent with Smart Growth Principles in New Hampshire as discussed in Chapter 2: Land Use & Demographics; by incorporating development practices consistent with the EnLibra Doctrine principles as discussed in Chapter 3: Natural Resources; and by incorporating public participation practices as discussed in the Strafford MPO Public Participation Plan.

The SMPO encourages full and fair participation by all potentially affected communities in the development of transportation improvement projects in the region. This will be done through outreach and education activities within the region's communities and by direct participation with transit and human service agencies in regard to environmental justice requirements and compliance with Title VI.

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The SMPO discourages the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations. This will be done through the administrative processes incorporated in the MPO programs and by oversight of the Technical Advisory Committee and Policy Committee.

The SMPO updates its databases and enhances its analytical capabilities to ensure that the Metropolitan Plan and TIP comply with Title VI.

The SMPO identifies 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. Based on the SRPC 2009 Regional Housing Needs Assessment and the analysis completed for this chapter, the SMPO will focus on best practices, such as those incorporated in *Mixed-Income Housing Near Transit: Increasing Affordability with Location Efficiency*.