

## **Environmental Justice**

### **Introduction**

Per federal requirements, the Capital District Transportation Committee (CDTC) undertakes an analysis of Environmental Justice in all Community and Transportation Linkage Planning Program (Linkage Program) initiatives to evaluate if transportation concepts and recommendations impact Environmental Justice populations. Impacts may be defined as those that are positive, potentially negative and neutral as described in CDTC's Environmental Justice Analysis document, dated March 2020. The goal of this analysis is to ensure that both the positive and negative impacts of transportation planning conducted by CDTC and its member agencies are fairly distributed and that defined Environmental Justice populations do not bear disproportionately high and adverse effects.

This goal has been set to:

- Ensure CDTC's compliance with Title VI of the Civil Rights Act of 1964, which states that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance,"
- Assist the United State Department of Transportation's agencies in complying with Executive Order 12898 stating, "Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations."
- Address FTA C 4702.1B TITLE VI REQUIREMENTS AND GUIDELINES FOR FEDERAL TRANSIT ADMINISTRATION RECIPIENTS, which includes requirements for MPOs that are some form of a recipient of FTA, which CDTC is not.

### **Data and Analysis**

CDTC staff created demographic parameters using data from the 2013-2017 American Community Survey (ACS). Threshold values were assigned at the census tract level to identify geographic areas with significant populations of minority or low-income persons. Tracts with higher than the regional average percentage of low-income or minority residents are identified as Environmental Justice populations. Minority residents are defined as those who identify themselves as anything but white only, not Hispanic or Latino. Low-income residents are defined as those whose household income falls below the poverty line.

The transportation patterns by race/ethnicity, income, age, English ability, disability status, and sex in CDTC's planning area are depicted in table III-2 through III-7, using the commute to work as a proxy for all travel. The greatest difference between the defined minority and non-minority population is in the Drive Alone and Transit categories: The minority population is almost 20% less likely to drive alone, 11% more likely to take transit, and is also more likely to walk and carpool. The defined low-income

population and the non-low-income population follow the same trend, with the low-income population 20% less likely to drive alone, 10% more likely to commute via transit, and more likely to walk and carpool. Other categories showed a lesser difference.

**Table 1: Commute Mode by Race/Ethnicity**

By Race/Ethnicity	Drive Alone	Carpool	Transit	Other	Walk	Work at Home
All Workers (16+)	80.0%	7.6%	3.7%	1.2%	3.4%	4.1%
White Alone Not Hispanic or Latino	83.3%	6.9%	1.8%	1.0%	2.7%	4.2%
<b>Minority</b>	<b>63.8%</b>	11.0%	<b>12.9%</b>	2.0%	7.0%	3.3%

**Table 2: Commute Mode by Income**

By Income	Drive Alone	Carpool	Transit	Other	Walk	Work at Home
At/Above 100% Poverty Level	81.8%	7.4%	3.2%	1.1%	2.6%	3.9%
<b>Below 100% Poverty Level</b>	<b>61.3%</b>	11.3%	<b>13.2%</b>	2.4%	8.8%	3.0%

**Table 3: Commute Mode By Age**

By Age	Drive Alone	Carpool	Transit	Other	Walk	Work at Home
<b>16-19 Years</b>	<b>59.9%</b>	<b>16.2%</b>	4.3%	2.9%	<b>13.0%</b>	3.8%
20-64 Years	80.8%	7.4%	3.7%	1.1%	3.1%	3.9%
65+ years	80.7%	5.0%	2.9%	1.3%	2.5%	7.6%

**Table 4: Commute Mode by English Ability**

By English Ability	Drive Alone	Carpool	Transit	Other	Walk	Work at Home
Speak English Very Well	70.3%	11.7%	4.8%	1.8%	7.0%	4.4%
Speak English Less than Very Well	65.6%	14.3%	8.3%	1.2%	7.4%	3.2%

**Table 5: Commute Mode by Disability**

By Disability Status*	Drive Alone	Carpool	Transit	Other	Walk	Work at Home
Without any Disability	80.7%	7.4%	3.5%	1.1%	3.4%	4.0%
<b>With a Disability</b>	<b>71.1%</b>	11.2%	6.7%	2.4%	4.3%	4.3%

**Table 6: Commute Mode by Sex**

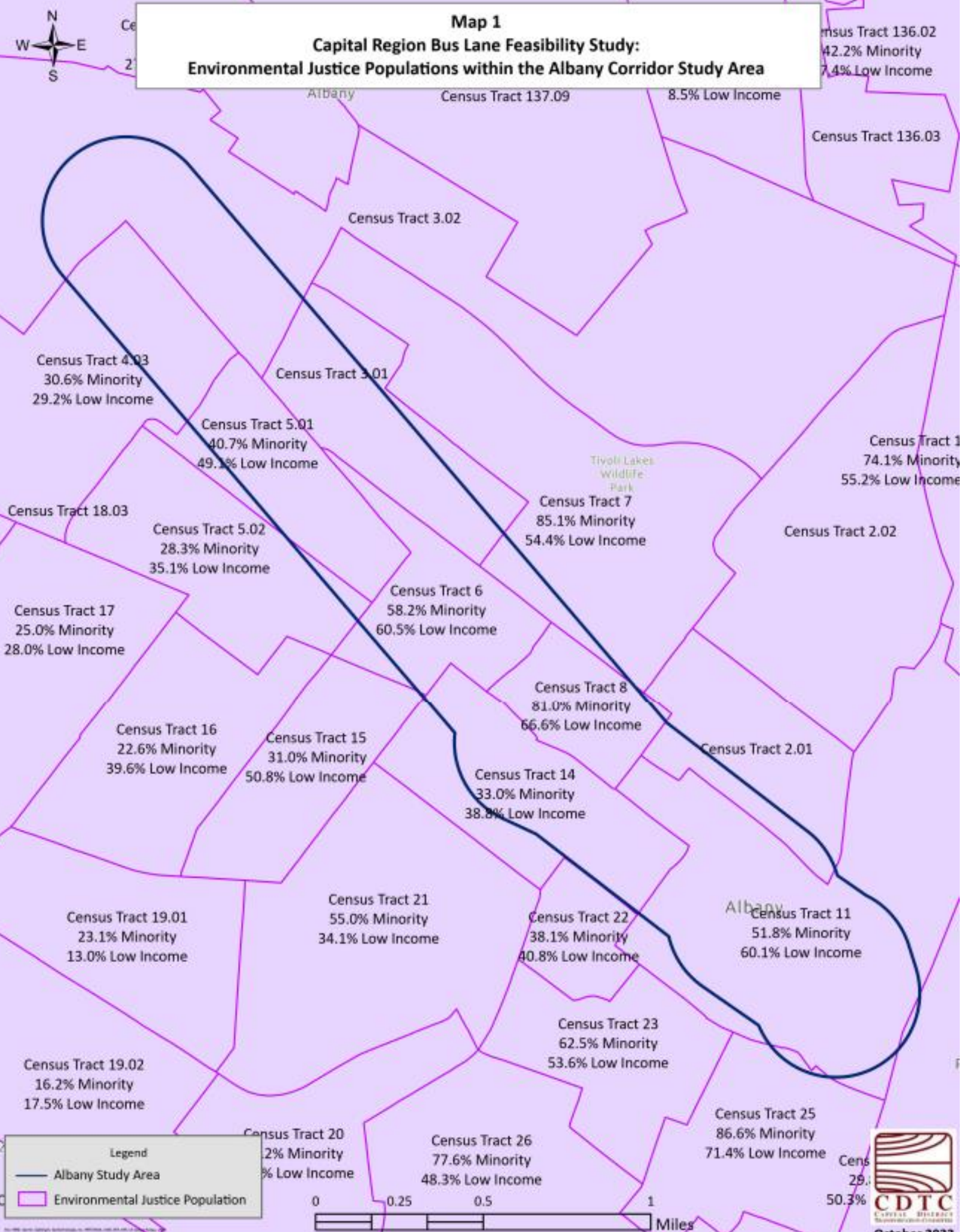
By Sex*	Drive Alone	Carpool	Transit	Other	Walk	Work at Home
Male	80.1%	7.5%	3.4%	1.5%	3.7%	3.9%
Female	80.2%	7.8%	3.9%	0.9%	3.1%	4.3%

Data is from the American Community Survey 2017 5-year estimates, tables S0802, B08105H, B08101, B08122, S0801, B08113, and S1811. Other includes taxi, motorcycle, and bicycle. \*Data for sex and disability status include all people in Albany, Rensselaer, Saratoga, and Schenectady Counties.

Map 1 provides an overview of the Capital Region Bus Lane Feasibility Albany Corridor study area. The Albany study area is included in the Environmental Justice area based on the study area Census Tracts having a higher than regional average percentage of minority and low-income residents.

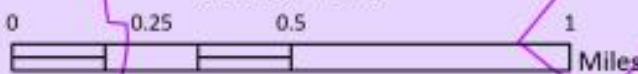
The Capital Region Indicators website, maintained by the Capital District Regional Planning Commission (CDRPC), provides information by race and ethnicity (White, Black or African American, Asian, and Hispanic or Latino) that may be useful to further understand the population within a study area. Since this document is a regional analysis performed at the census tract level, small scale populations may be overlooked. It therefore may still be useful to scan the project area, particularly if the project area is small, as minority or low-income populations may form a significant portion of the study area residents but not be reflected in the larger census tract areas. In addition, the project should look for worksites and other generators where minority and/or low-income people are over-represented, as the data only captures the residential population.

# Map 1 Capital Region Bus Lane Feasibility Study: Environmental Justice Populations within the Albany Corridor Study Area



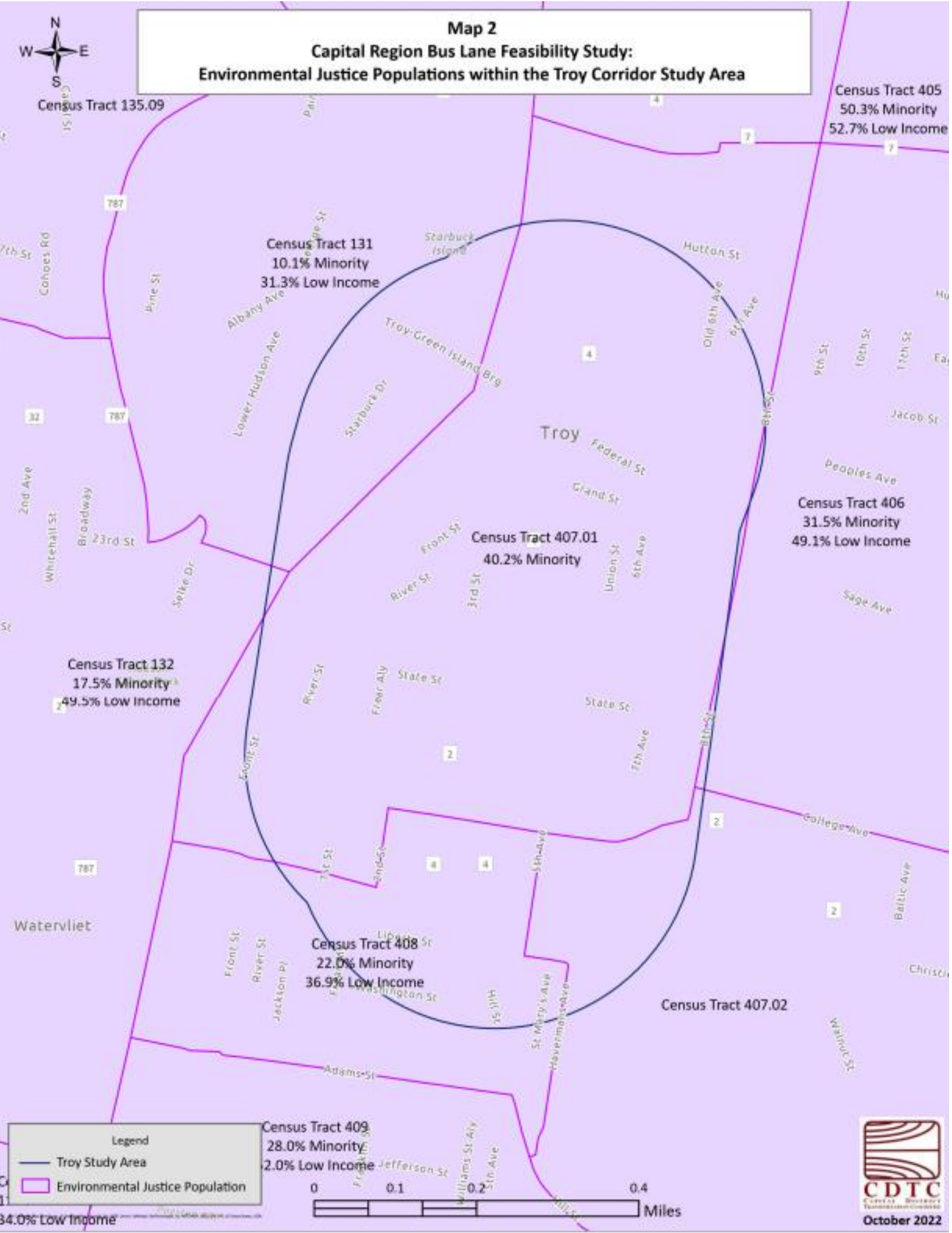
**Legend**

- Albany Study Area
- Environmental Justice Population



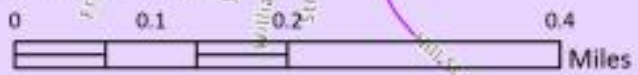
Map 2 provides an overview of the Capital Region Bus Lane Feasibility Troy Corridor study area. The Troy study area is included in the Environmental Justice area based on the study area Census Tracts having a higher than regional average percentage of minority and low-income residents.

## Map 2 Capital Region Bus Lane Feasibility Study: Environmental Justice Populations within the Troy Corridor Study Area



**Legend**

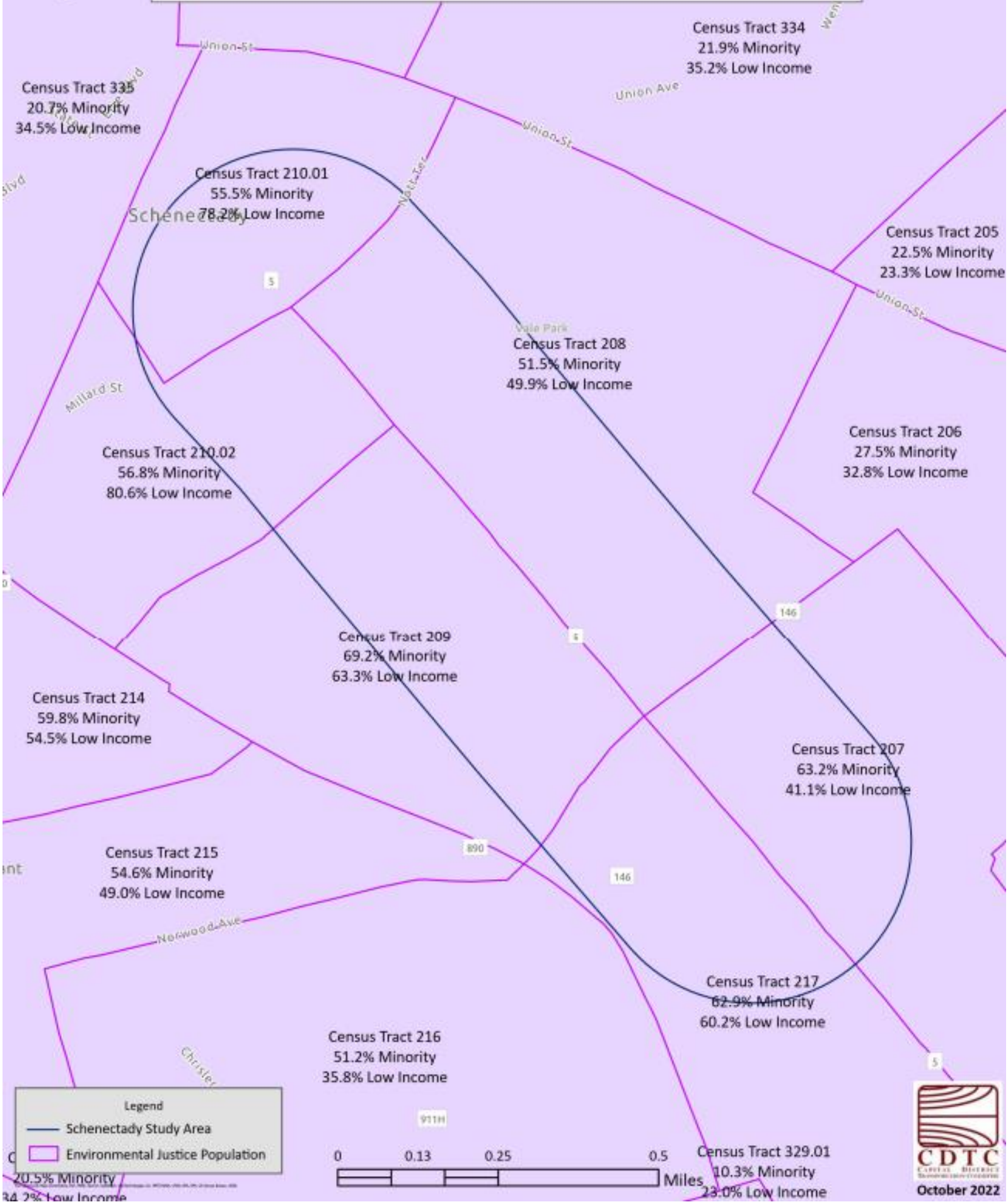
- Troy Study Area
- Environmental Justice Population



Map 3 provides an overview of the Capital Region Bus Lane Feasibility Schenectady Corridor study area. The Schenectady study area is included in the Environmental Justice area based on the study area Census Tracts having a higher than regional average percentage of minority and low-income residents.

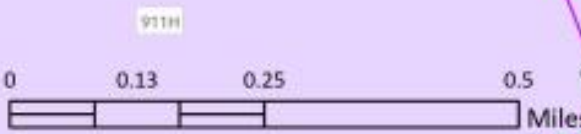


### Map 3 Capital Region Bus Lane Feasibility Study: Environmental Justice Populations within the Schenectady Corridor Study Area



**Legend**

- Schenectady Study Area
- Environmental Justice Population





Consideration for including minority and low-income populations in the planning process was given in the following ways:

- A detailed demographic analysis was performed to identify corridors of interest and the density of minority and low-income populations were used to evaluate and rank the corridors. These populations were given significant weight in determining the score and ranking.
- The Internet was used to display and advertise information about the study.
  - CDTC (<https://www.cdtcmpo.org>), CDTA (<https://www.cdta.org>), Project Website ([www.buslanestudy.com](http://www.buslanestudy.com))
- Social media was used throughout the study to provide information and input opportunities including:
  - Facebook, Instagram, Twitter
  - Agency email distribution lists
- Three formal public participation phases were provided to gather public comment throughout the study process.
  - Phase I included:
    - 4 pop-up events at high ridership locations
    - Two webinars
    - Detailed public survey utilizing the Metroquest platform
      - 833 respondents
  - Phase II included:
    - 3 pop-up events at high community activity locations
    - Detailed public survey utilizing the SurveyMonkey platform
      - Paid advertisement using Facebook
      - 959 respondents
  - Phase III will include publishing the final report online and accepting public comments for 45 days.
- Final products will be posted to the following websites and promoted using social media and email:
  - CDTC (<https://www.cdtcmpo.org>), CDTA (<https://www.cdta.org>), Project Website ([www.buslanestudy.com](http://www.buslanestudy.com))

## Conclusion

CDTC defines plans and projects with a primary or significant focus on transit, bicycling, walking, or carpool as being “positive”. As the primary purpose of the Capital Region Bus Lane Feasibility Study is to implement multimodal transportation improvements across all four corridors, that include neighborhoods with Environmental Justice populations, it has been determined that the Capital Region Bus Lane Feasibility Study will have a positive impact on the affected populations. The Study makes recommendations pedestrian- bicycle facilities and bus priority treatments that, if implemented, will provide positive benefits for Environmental Justice populations in the study area. These improvements will improve safety for bicyclists and pedestrians and increase the attractiveness of the transportation environment for these modes by providing enhanced facilities and amenities. These improvements will improve bus speeds and reliability that will reduce delays for bus riders, of which Environmental Justice populations are a large component.

## **Limited English Proficiency**

### **Introduction**

Inclusive public participation is a priority consideration in CDTC-sponsored plans, studies, and programs. Understanding and involvement are encouraged throughout the process. CDTC encourages input from all stakeholders and ensures that all segments of the population, including those that do not speak English as their primary language and who have a limited ability to speak, read, write, or understand English, have the opportunity to be involved in the transportation planning process.

Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" (LEP) was signed in 2000 to improve access to federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency. To ensure that programs and activities normally provided in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of Title VI of the Civil Rights Act of 1964, recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

### **Data and Analysis**

According to 2013-2017 data from the American Community Survey (ACS) table B16004, 3.2 percent of the region's population 5 years of age and older, or over 25,000 people, reported that they do not speak English "very well". USDOT guidance sets a written translation threshold at 5% eligible to be served or 1,000 people, whichever is less. Thus, any census tract with a rate of 5% or higher of LEP persons or 1,000 LEP persons are identified as LEP census tracts.

The CDTC project manager should seek further data sources or community knowledge to indicate which languages are present. If any of them constitute 1,000 people or 5% of the total study area population, whichever is less, key documents will be translated into those languages on request, and requested oral interpreting services will be provided when necessary and possible. In addition, initial outreach materials should be translated into languages meeting the above criteria.

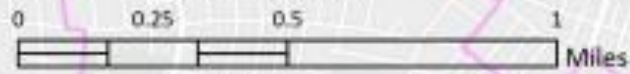
Map 1 provides an overview of the Capital Region Bus Lane Feasibility Albany Corridor Study area. The Albany study area is included in the Limited English Proficiency area based on the study Census Tracts having 5% of more or at least 1000 limited English proficient residents. If there are multiple census tracts within the study area, the LEP population numbers should be added together to see if they sum to 1000 or greater.

# Map 1 Capital Region Bus Lane Feasibility Study: Limited English Proficiency Populations within the Albany Corridor Study Area



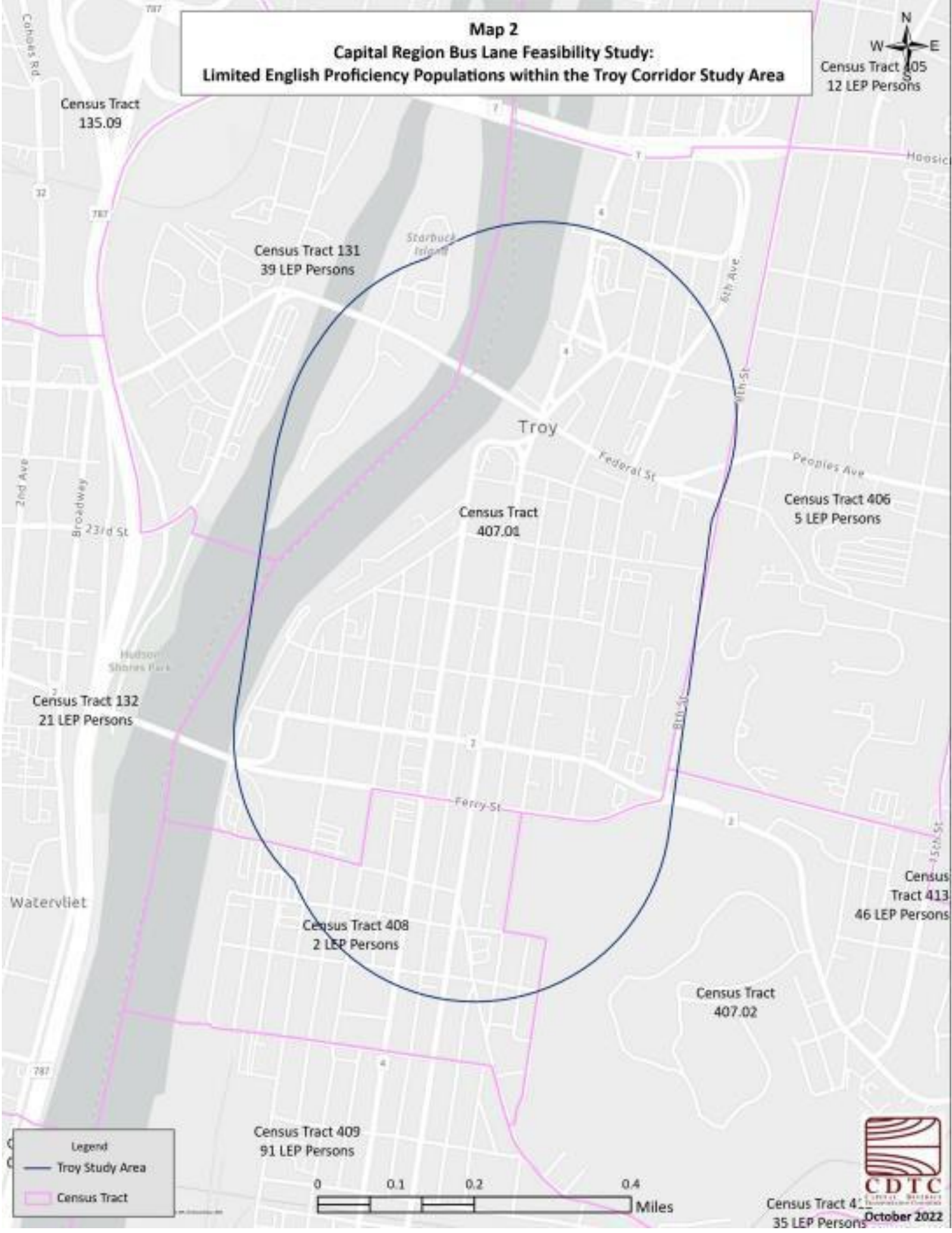
**Legend**

- Albany Study Area
- Census Tract



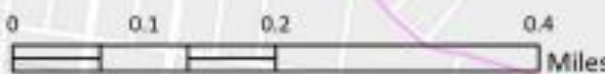
Map 2 provides an overview of the Capital Region Bus Lane Feasibility Troy corridor study area. The Albany study area is included in the Limited English Proficiency area based on the study area Census Tracts having 5% or more or at least 1000 limited English proficient residents

**Map 2**  
**Capital Region Bus Lane Feasibility Study:**  
**Limited English Proficiency Populations within the Troy Corridor Study Area**



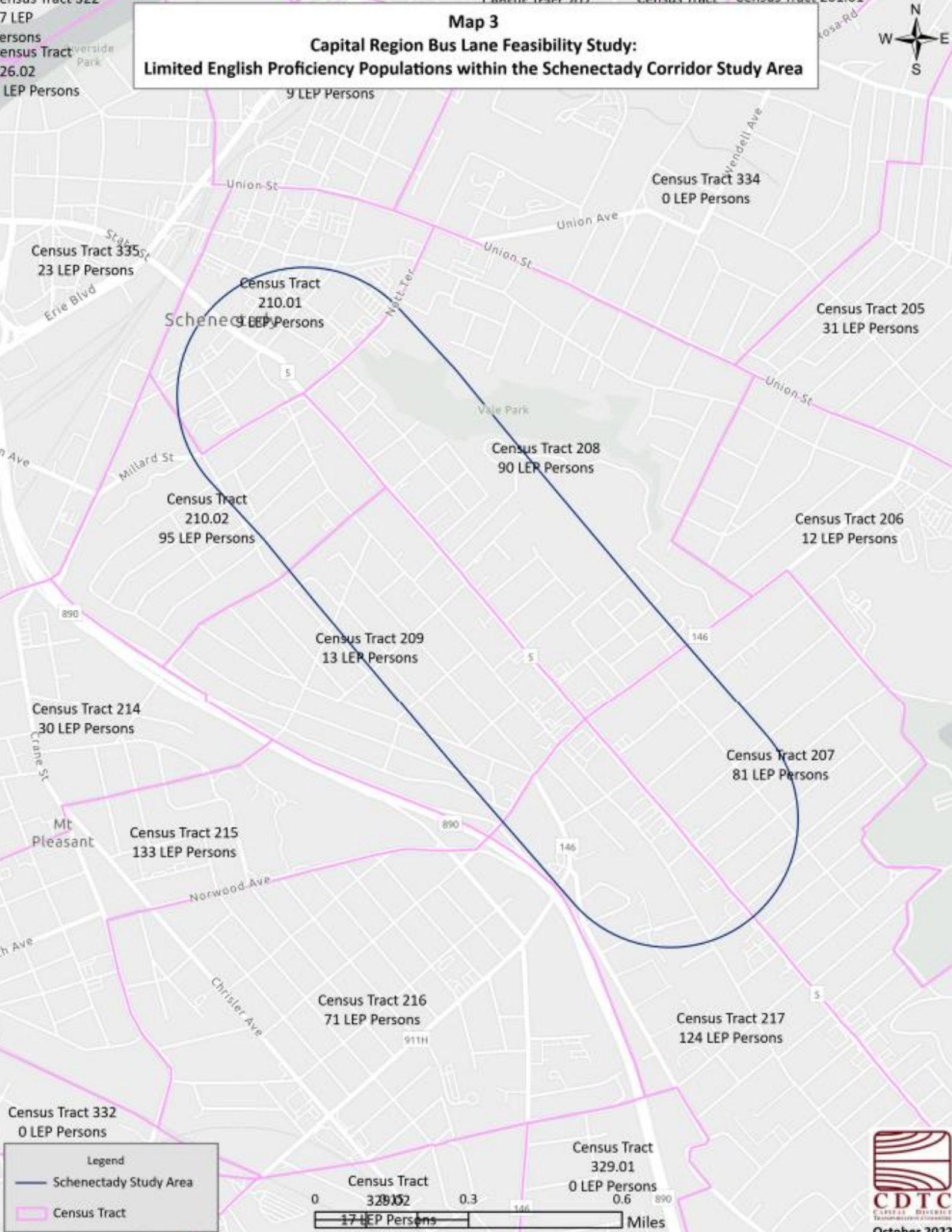
**Legend**

- Troy Study Area
- Census Tract



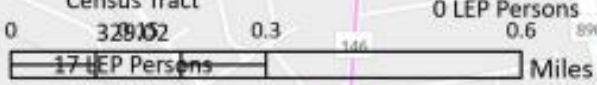
Map 3 provides an overview of the Capital Region Bus Lane Feasibility Schenectady corridor study area. The Schenectady study area is included in the Limited English Proficiency area based on the study area Census Tracts having 5% or more or at least 1000 limited English proficient residents.

# Map 3 Capital Region Bus Lane Feasibility Study: Limited English Proficiency Populations within the Schenectady Corridor Study Area



**Legend**

- Schenectady Study Area
- Census Tract



If a language group meets the 5% or 1,000 people threshold, whichever is less, the following will apply. CDTC's Limited English Proficiency Plan can be viewed at: [https://www.cdtcmpo.org/images/othercdtproducts/2020\\_Limited\\_English\\_Proficiency\\_Plan.pdf](https://www.cdtcmpo.org/images/othercdtproducts/2020_Limited_English_Proficiency_Plan.pdf)

- Identifying Individuals who May Need Language Assistance: CDTC staff will use Language Identification Flashcards when encountering a LEP individual to identify that person's primary language. The Language Identification Flashcards are free and available online at <http://www.lep.gov/ISpeakCards2004.pdf> and will be made available at public meetings. Once a LEP person's primary language is identified by means of the flashcards, CDTC staff will assess the feasibility of providing translation and/or interpretation assistance.
- Language Assistance Measures: Language assistance will be provided for LEP individuals speaking languages that meet the threshold through the translation of vital documents, as well as selected key documents on request, and oral interpreting when necessary and possible. Visitors to the website can utilize the website translate feature to view the website in different languages.
- Translation of Written Documents: Written executive summaries of studies conducted in geographic subareas where language groups within the population constitute 1,000 people or 5% of the subarea will be translated into those languages upon request and posted on-line.

CDTC staff will use a free online translation service for all other requests for translations of documents. The CDTC website may be translated into many different languages using free online translation services such as Google Translate. In this way, meeting agendas and minutes, notices of official actions, public comment requests, and other documents may be translated.

- Oral Interpretation: Upon at least one-week request of LEP individuals speaking languages that meet the threshold, CDTC will provide interpreting services at meetings, in person if possible. If formal interpretation is required and an interpreter is not available, CDTC staff will use the telephone interpreter service, Language Line, at 1-800-752-6096.

The Capital Region Indicators website, maintained by CDRPC, provides information on language spoken at home by ability to speak English that may be useful to further understand the population within a study area. Where the data shows a significant population speaking a broad language group, further investigation may be necessary. School districts maintain language data for attendees who do not speak English well and this information will generally reflect the children's families. There may be nearby religious institutions and local businesses that cater to people speaking a particular language or language group and could provide insight on the size of the population as well as appropriate ways to engage with them.

Since this document is a regional analysis performed at the census tract level, small scale populations may be overlooked. It therefore may still be useful to scan the project area, particularly if the project area is small, as people who don't speak English very well may form a significant portion of the study area residents but not be reflected in the larger census tract areas. In addition, the project should look for worksites and other generators where people who don't speak English very well are over-represented, as the data only captures the residential population.



## **Environmental Mitigation**

### **Introduction**

Per federal requirements, the Capital District Transportation Committee (CDTC) undertakes an Environmental Features Scan as part of its metropolitan transportation planning process. In our studies we encourage smart growth as well as investment and development in urban areas as a method to protect natural resources. Smart growth policies also help to protect rural character and open space, and protect quality of life in the Capital Region. The Environmental Features Scan identifies the location of environmentally sensitive features, both natural and cultural in relation to project study areas. Although the conceptual planning stage is too early in the transportation planning process to identify specific potential impacts to environmentally sensitive features, the early identification of environmentally sensitive features is an important part of the environmental mitigation process. It should also be noted here that as specific projects advance through the project development process, the applicable NEPA and SEQRA regulations requiring potential environmental impact identification, analysis and mitigation will be followed by the implementing agencies as required by federal and state law. CDTC is not an implementing agency.

### **Data and Analysis**

CDTC staff relies on data from several state and federal agencies to maintain an updated map-based inventory of both natural and cultural resources. The following features are mapped and reviewed for their presence within each study area as well as within a quarter mile buffer of the defined study area boundary.


- sole source aquifers
- aquifers
- reservoirs
- water features (streams, lakes, rivers and ponds)
- wetlands
- watersheds
- 100 year flood plains
- rare animal populations
- rare plant populations
- significant ecological sites
- significant ecological communities
- state historic sites
- national historic sites
- national historic register districts
- national historic register properties
- federal parks and lands
- state parks and forests
- state unique areas
- state wildlife management areas
- county forests and preserves
- municipal parks and lands
- land trust sites
- NYS DEC lands
- Adirondack Park
- agricultural districts
- NY Protected Lands
- natural community habitats
- rare plant habitats
- Class I & II soils

Map 1 provides an overview of the environmentally sensitive (cultural and natural) features located within the Capital Region Bus Lane Feasibility Albany Corridor study area as well as within a quarter mile buffer of the defined study area boundary.

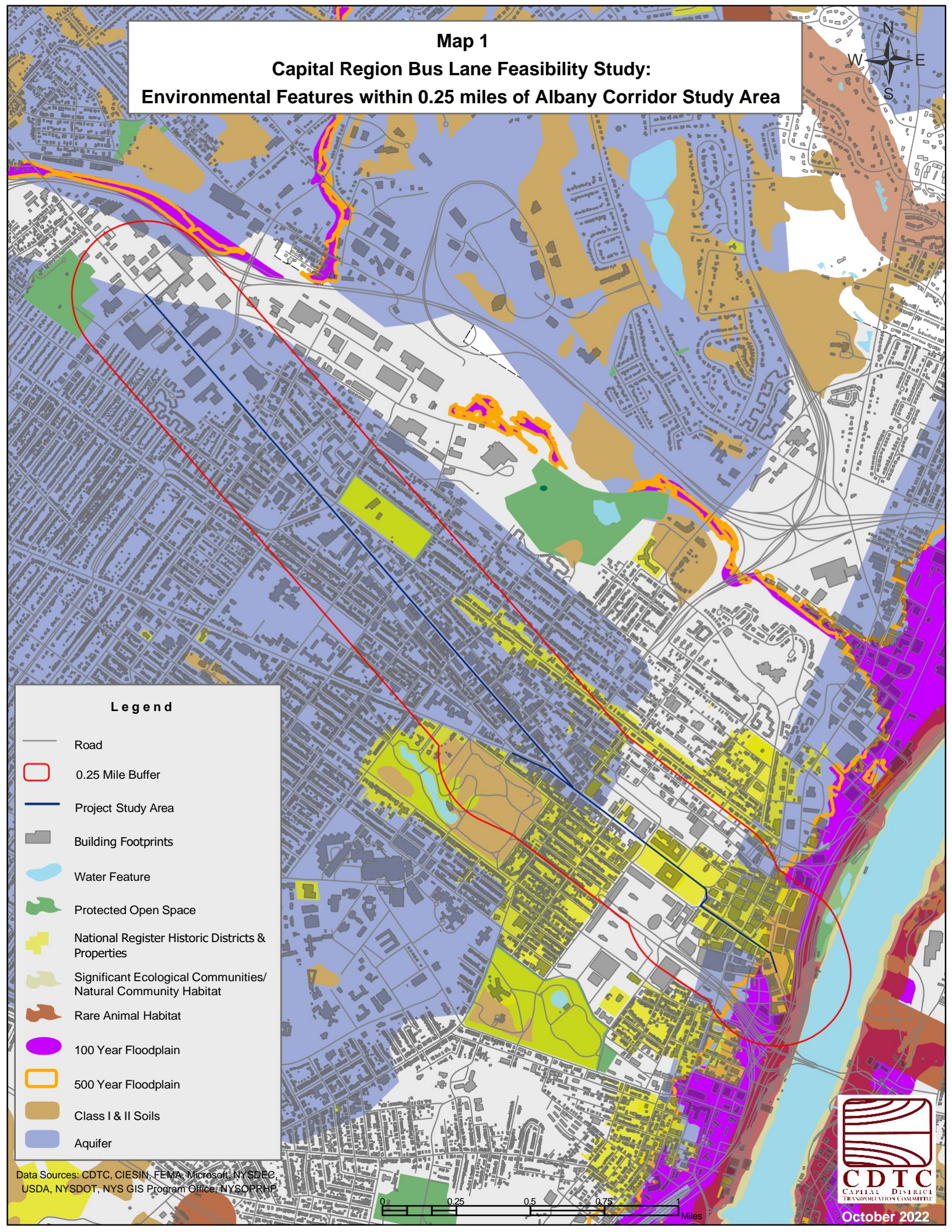
**Map 1**  
**Capital Region Bus Lane Feasibility Study:**  
**Environmental Features within 0.25 miles of Albany Corridor Study Area**



**Legend**

-  Road
-  0.25 Mile Buffer
-  Project Study Area
-  Building Footprints
-  Water Feature
-  Protected Open Space
-  National Register Historic Districts & Properties
-  Significant Ecological Communities/ Natural Community Habitat
-  Rare Animal Habitat
-  100 Year Floodplain
-  500 Year Floodplain
-  Class I & II Soils
-  Aquifer

Data Sources: CDTC, CIESIN, FEMA, Microsoft, NYSDEC, USDA, NYSDOT, NYS GIS Program Office, NYSOPRHP



The following features occur within the study area or within a quarter mile of the Capital Region Bus Lane Feasibility Albany Corridor study area; hydrological features, protected open space, National Register Historic Districts & Properties, Significant Ecological Communities/Natural Community Habitats, Rare Animal Habitats, 100 Year Floodplain, 500 Year Floodplain, Class I & II Soils and Aquifers.

Map 2 provides an overview of the environmentally sensitive (cultural and natural) features located within the Capital Region Bus Lane Feasibility Schenectady Corridor study area as well as within a quarter mile buffer of the defined study area boundary.

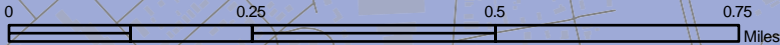
**Map 2**  
**Capital Region Bus Lane Feasibility Study:**  
**Environmental Features within 0.25 miles of Schenectady Corridor Study Area**



**Legend**

- Road
- 0.25 Mile Buffer
- Project Study Area
- Building Footprints
- Water Feature
- Protected Open Space
- National Register Historic Properties
- Aquifer/Schenectady/Niskayuna Sole Source Aquifer Boundary

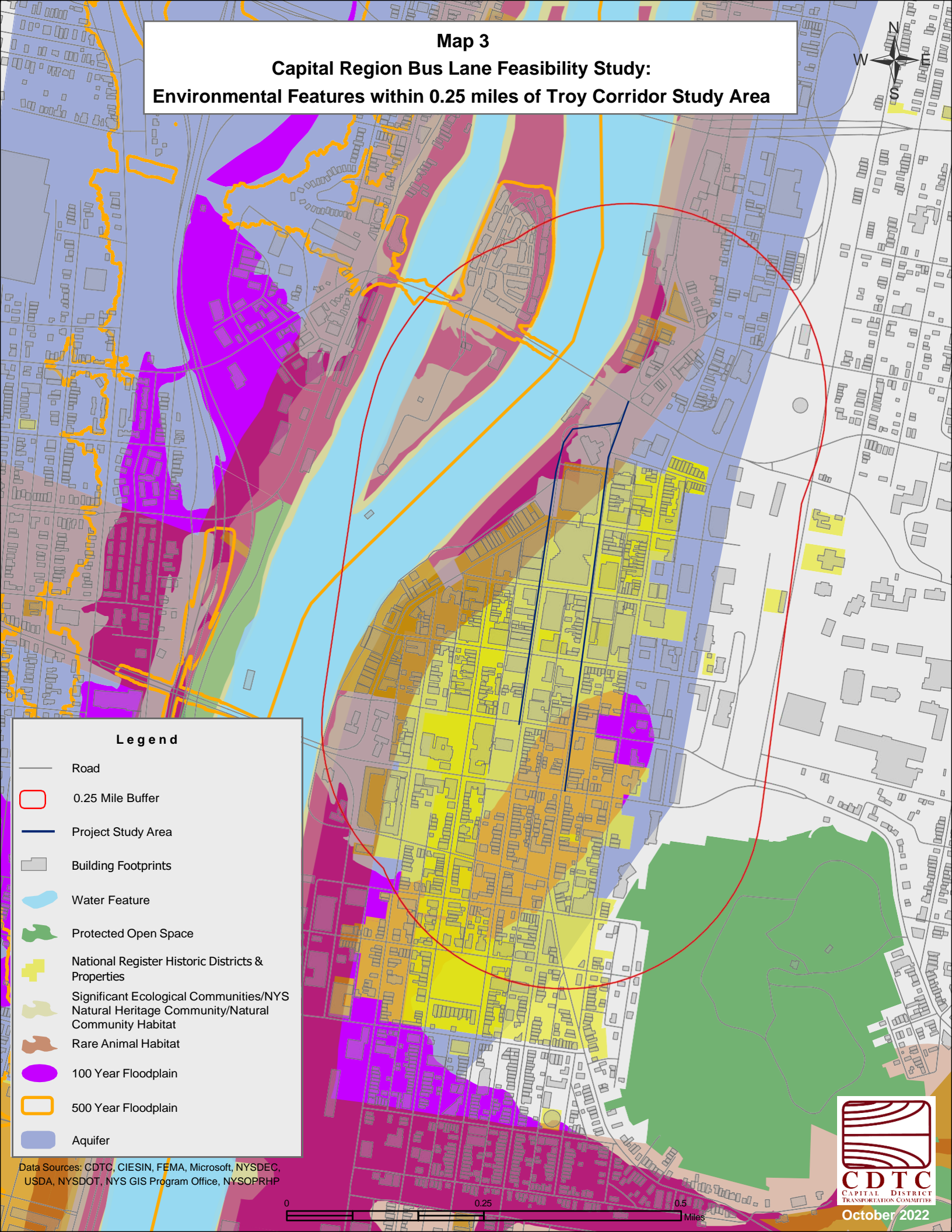
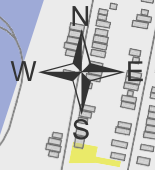
Data Sources: CDTC, CIESIN, Microsoft, USDA, NYSDOT, NYS GIS Program Office, NYSOPRHP















The following features occur within the study area or within a quarter mile of the Capital Region Bus Lane Feasibility Schenectady Corridor study area; hydrological features, protected open space, National Register Historic Properties, and aquifers including the Schenectady/Niskayuna Sole Source Aquifer Boundary.

Map 3 provides an overview of the environmentally sensitive (cultural and natural) features located within the Capital Region Bus Lane Feasibility Troy Corridor study area as well as within a quarter mile buffer of the defined study area boundary.

**Map 3**  
**Capital Region Bus Lane Feasibility Study:**  
**Environmental Features within 0.25 miles of Troy Corridor Study Area**



**Legend**

-  Road
-  0.25 Mile Buffer
-  Project Study Area
-  Building Footprints
-  Water Feature
-  Protected Open Space
-  National Register Historic Districts & Properties
-  Significant Ecological Communities/NYS Natural Heritage Community/Natural Community Habitat
-  Rare Animal Habitat
-  100 Year Floodplain
-  500 Year Floodplain
-  Aquifer

Data Sources: CDTC, CIESIN, FEMA, Microsoft, NYSDEC, USDA, NYSDOT, NYS GIS Program Office, NYSOPRHP



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The following features occur within the study area or within a quarter mile of the Capital Region Bus Lane Feasibility Troy Corridor study area; hydrological features, protected open space, National Register Historic Districts & Properties, Significant Ecological Communities/NYS Natural Heritage Community/Natural Community Habitats, Rare Animal Habitats, 100 Year Floodplain, 500 Year Floodplain, and Aquifers.

### **Conclusion**

The Bus Lane Feasibility Study makes recommendations for transit improvements, streetscape improvements, and pedestrian-bicycle facilities which, if implemented, will have no known impact on the environmentally sensitive features in the study area.