

## **APPENDIX VIII**

# **ENVIRONMENTAL JUSTICE, ENVIRONMENTAL MITIGATION AND LIMITED ENGLISH PROFICIENCY SUMMARY**

## **Environmental Justice**

### **Introduction**

Per federal requirements, the Capital Region Transportation Council 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 the Transportation Council'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 the Transportation Council 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 the Transportation Council'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 the Transportation Council is not.

### **Data and Analysis**

The Transportation Council 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 the Transportation Council'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 Route 4 Corridor Study: Inter-Municipal Update study area. The Route 4 Corridor Study: Inter-Municipal The study area consists of portions of 3 Census Tracts (524.03, 524.02, 523.01). None of the Census Tracts within the study area are identified as containing minority or low income populations above the regional average (21.5% for minority and 12.5% low income). One adjacent Census Tract (516) is identified as containing a minority population of 22%, which is just above the regional average of 21.5% The Census Tract does not meet the threshold for Low Income populations, as it is below the regional average.

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

## Environmental Justice Populations within the Towns of East Greenbush & North Greenbush Route 4 Corridor Linkage Project Study Area



Census Tract 516  
22% Minority

Rosemont Park

Van Allen Park

DeForestville

Census Tract 523.01

Census Tract 524.03

Census Tract 524.02

Clinton Park

Prospect Heights

Hampton Manor

Clinton Heights

Hampton Park

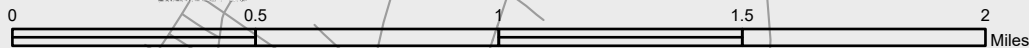
Cougar

Sherwood Park

- Road
- Environmental Justice Population
- Linkage Project Study Area



June 2020



Data Sources: 2013-2017 American Community Survey, NYS GIS Program Office, CDTC, Esri, HERE, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, EPA

Consideration for including these minority populations in the planning process was given in the following ways:

- The Internet was used to display and advertise information about the study.
- Social media was used to provide information and input opportunities.
- Three formal public participation opportunities were provided.
- Public comment was accepted throughout the study process.
- Final products will be posted to the Transportation Council's website, the *Town of East Greenbush* website, and on social media.

## **Conclusion**

The Transportation Council defines plans and projects with a primary or significant focus on transit, bicycling, walking, or carpool as being "positive". The Route 4 Corridor Study: Inter-Municipal Update study area does not contain any census tracts with minority or low-income populations above the regional average. One adjacent census tract has a minority population which is slightly higher than the regional average. As the primary purpose of the Route 4 Corridor Study is increase reliability along the corridor within the existing the right-of-way, it has been determined that the Route 4 Corridor Study will not have a negative impact on the adjacent affected populations. The Study makes recommendations for roadway capacity and safety improvements, traffic signal modifications, access management, pedestrian-bicycle facilities, and transit improvements which, if implemented, will provide positive benefits for Environmental Justice populations adjacent to the study area.

## Environmental Mitigation

### Introduction

Per federal requirements, the Capital Region Transportation Council undertakes an Environmental Features Scan in all Community and Transportation Linkage Planning Program (Linkage Program) initiatives. 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. The Transportation Council is not an implementation agency.

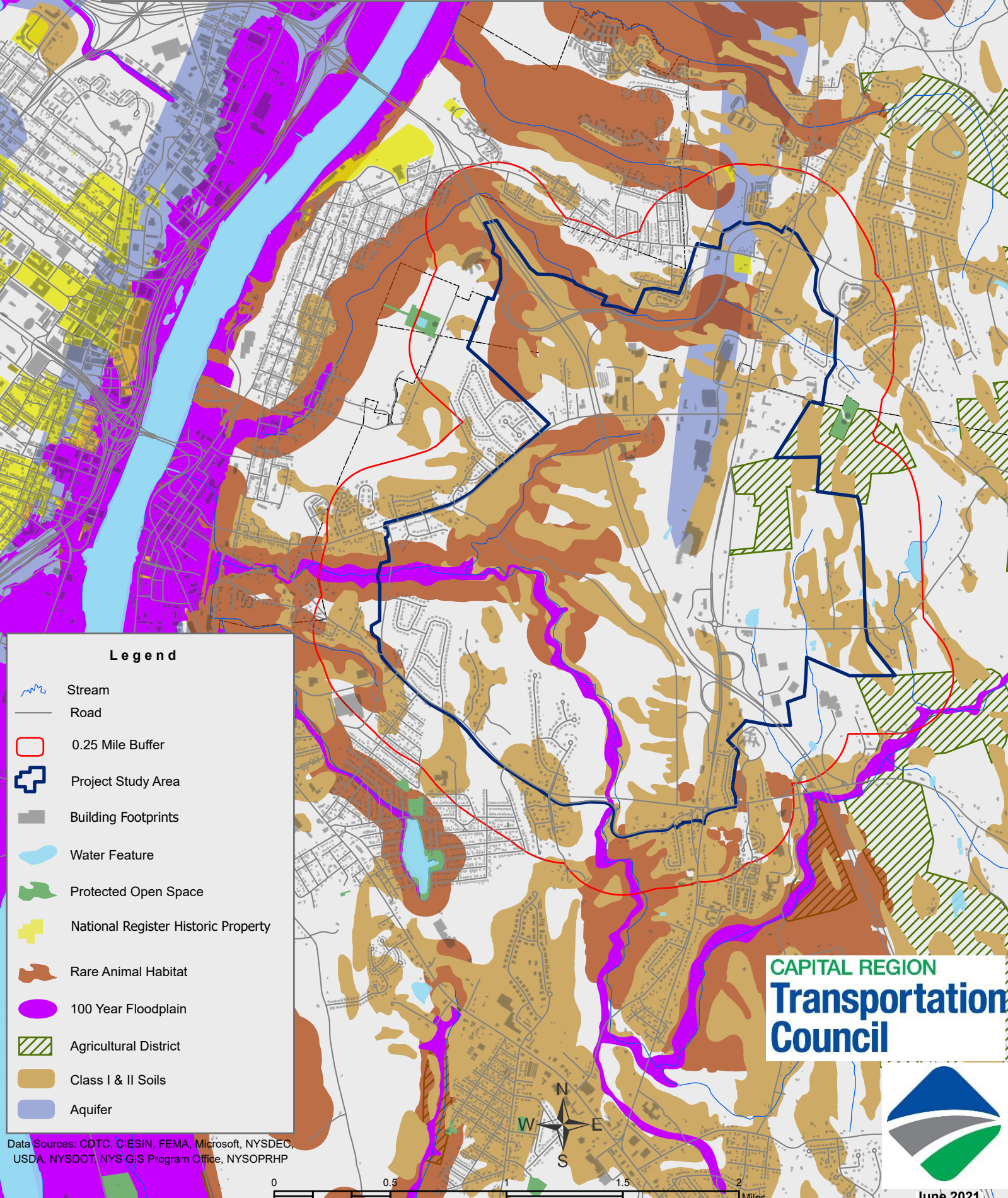
### Data and Analysis

Transportation Council 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 3 provides an overview of the environmentally sensitive (cultural and natural) features located within the Route 4 Corridor Study: Inter-Municipal Update study area as well as within a quarter mile buffer of the defined study area boundary.

**Map 3**  
**Towns of East Greenbush & North Greenbush Route 4 Corridor Linkage Study:**  
**Environmental Features within 0.25 miles**



**Legend**

-  Stream
-  Road
-  0.25 Mile Buffer
-  Project Study Area
-  Building Footprints
-  Water Feature
-  Protected Open Space
-  National Register Historic Property
-  Rare Animal Habitat
-  100 Year Floodplain
-  Agricultural District
-  Class I & II Soils
-  Aquifer

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



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## **Conclusion**

The US 4 Inter-Municipal Update makes recommendations for access management, traffic mitigation, pedestrian facilities, bicycle facilities and new local roads. If implemented, most of these recommendations will likely have no known impact on these environmental areas. The recommended new local roads or projects that could increase the footprint of the current roadway(s) will be evaluated for environmental impacts if/when that recommendation is advanced, as required by state and federal regulations.

## **Limited English Proficiency**

### **Introduction**

Inclusive public participation is a priority consideration in Capital Region Transportation Council-sponsored plans, studies, and programs. Understanding and involvement are encouraged throughout the process. The Transportation Council 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 Transportation Council 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 2 provides an overview of the Route 4 Corridor Study: Inter-Municipal Update. The Route 4 Corridor Study: Inter-Municipal Update 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. There are no LEP populations within or adjacent to the study area according to the LEP thresholds (5% or 1,000 people).

**Map 2**  
**Limited English Proficiency Populations**  
**within the Towns of East Greenbush &**  
**North Greenbush Route 4 Corridor**  
**Linkage Project Study Area**



Census Tract 516

Census Tract 523.01

Census Tract 524.03

Census Tract 524.02

Mill Creek

Mill Creek






Mill Creek

LISAS AVE

MANNIX RD

David R Orfesonk Jr Memorial Park

Hampton Lake Park

-  Road
-  Census Tract
-  Municipal Boundary
-  Limited English Proficiency Population
-  Linkage Project Study Area



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Data Sources: 2013-2017 American Community Survey,  
 Esri, HERE, Garmin, INCREMENT P, USGS, EPA  
 NYS GIS Program Office, CDTC

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

- Identifying Individuals who May Need Language Assistance: Transportation Council 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, Transportation Council 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.

Transportation Council staff will use a free online translation service for all other requests for translations of documents. The Transportation Council 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, Transportation Council will provide interpreting services at meetings, in person if possible. If formal interpretation is required and an interpreter is not available, Transportation Council 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.