

V. Title VI/Environmental Justice Analysis

V. Title VI – Environmental Justice Analysis

Background

Title VI of the Civil Rights Act of 1964 states that “No person in the United States shall, on the grounds 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.” Title VI bars intentional discrimination as well as disparate impact discrimination (i.e., a neutral policy or practice that has a disparate impact on protected groups).

The Environmental Justice Order, signed by President Clinton in February 1994, (Executive Order 12898) further amplifies Title VI by providing that “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 and low-income populations.”

Minority Populations and Low-Income

HDOT reports to FHWA on the benefits of its programs and activities in the racial categories of Asian, Black, Native Hawaiian or Other Pacific Islander, American Indian and Alaska Native, and White.

The State DOT Title VI Plan states that racial categories and sub-categories should be used to analyze the benefits of transportation improvements. For the purposes of this analysis, the following minority population sub-categories will be studied.

Asian – Japanese, Chinese, Filipino, Korean
Hawaiian (including Part Hawaiian)
Pacific Islander – Samoan, Tongan, Micronesian
Black
Native American
White

Although the White race is the majority for the United States as a whole, the State of Hawaii has no dominant racial majority, so every race and ethnic group could be considered a minority. This can make it challenging to come up with distinct and meaningful results.

Because of the relative prevalence of some minority populations over another, a number indicating a high concentration of one race might equal to a relatively small number of another. For the purposes of this analysis, to assure that one minority population was looked at equally as any other, **T6/EJ populations were identified as census tract groups where relatively high concentrations of each minority or low-income**

population were found. Maps of the distribution of the populations were color coded to indicate where relatively high populations live. Darker colored census tracts represented relatively higher populations than lighter colored tracts.

Low-Income

Poverty is a leading indicator of income. The poverty guidelines are the federal poverty measure. They are used each year in the Federal Register by the Department of Health and Human Services (HHS). The guidelines are a simplification of the poverty thresholds for use for administrative purposes – for instance, determining financial eligibility for certain federal programs. For Hawaii in 2010, the poverty guideline for a family of four is \$25,360 annual income. Note that the poverty guideline for Hawaii differs from the 48 contiguous states. Updates on the poverty guidelines for Hawaii can be obtained at the HSS website:

<http://aspe.hhs.gov/poverty/10poverty.shtml>

The State DOT Title VI Plan outlines the compliance responsibilities and Title VI/EJ considerations for the planning process and all other program areas.

Public Involvement/Outreach

See Section 4 on public involvement/outreach plan for this STIP update.

Methodology

Utilizing Maps obtained from the Department of Business and Economic Development, Tourism's Office of Planning (OP) and 2000 Census data, locations of each minority group and low-income populations have been identified statewide in census tract groups. Using GIS, project locations (and project limits, if applicable) were overlaid on these maps. Project effects on identified T6/EJ populations were evaluated by breaking the projects into six categories.

The following is a color identification code for the overlay:

Green - System Preservation

Purple - Safety

Brown - Congestion Mitigation

Pink – Modernization

Orange – Enhancement

Blue - Transit and Human Services

Each T6/EJ population was separately analyzed statewide to determine any inequities based on the following performance measures:

- Equity - Is there an equitable distribution of Transportation investment benefits (as share of benefits) to the target population areas?
- Displacement - Could there be potentially significant Right-of-Way impacts in the target population areas?
- Mobility - How do these projects impact mobility of the target populations? (In general, all projects can have some degree of positive effect on the mobility of all populations)

Analysis and Discussion

The City and County of Honolulu’s High Capacity Transit Corridor Project (HHCTC) was initially considered in this analysis, however, because the cost of this project equals about 68% of the sum total of federal aid funds statewide (FHWA and FTA), the results became skewed heavily towards the areas where the transit corridor is proposed. The transit corridor is proposed to cover significant T6/EJ populations as well as non-T6/EJ populations on Oahu, the most populated island. For the purposes of revealing a more useful view of T6/EJ benefits on the entire state, the HHCTC was omitted from the final analysis.

Bus operations were also not accounted for in this analysis since the benefits are island and statewide and potentially benefit everyone.

Equity: The following tables summarize the results of an equity analysis of STIP projects located in identified T6/EJ tract groups. Two separate analyses were done for Minority populations and Low-income populations. These analyses compared the amount of projects programmed and the amount of funding related to those projects in T6/EJ tract groups versus non-T6/EJ tract groups. For the purposes of this analysis, STIP projects with a statewide scope were not included. It is assumed that these projects will have an equal effect on all areas of the state.

Of the 279 census tracts in the State, 232 were identified as minority populations (83% of all tracts) and 64 were identified as low-income populations (23% of all tracts).

The 2011-2014 STIP includes a total of 210 line itemed projects that were analyzed. Of those projects, 177 projects or 84% of all projects benefit minority populations. 68 projects, or 32% of all projects, benefit low-income populations.

The 2011-2014 STIP includes over \$1.59 billion (excluding HHCTC, etc.) in FHWA **and** FTA funds being programmed for investment in Highway and Transit projects. Of the total federal aid funds invested for projects

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Minority Populations			
Projects			
County	Total Number of Projects	Total Projects in or adjacent to Minority Populations	Percent Projects located in or adjacent to Minority Populations
Oahu			
FHWA	67	61	91%
FTA	11	6	55%
Total	78	67	86%
Hawaii			
FHWA	42	30	71%
FTA	2	0	0%
Total	44	30	68%
Maui			
FHWA	47	43	91%
FTA	7	5	71%
Total	54	48	89%
Kauai			
FHWA	32	32	100%
FTA	2	0	0%
Total	34	32	94%
GRAND TOTAL	210	177	84%

Minority Populations			
Costs			
County	Total Cost of Projects	Total Cost of projects in or adjacent to Minority Populations	Percent of investments located in or adjacent to Minority Populations
Oahu			
FHWA	\$ 620,903,000	\$601,176,000	97%
FTA	\$ 347,306,000	\$273,357,000	79%
Total	\$ 968,209,000	\$874,533,000	90%
Hawaii			
FHWA	\$ 293,635,000	\$235,238,000	80%
FTA	\$ 6,952,000	\$0	0%
Total	\$ 300,587,000	\$235,238,000	78%
Maui			
FHWA	\$ 165,300,000	\$124,511,000	75%
FTA	\$ 47,396,000	\$40,444,000	85%
Total	\$ 212,696,000	\$164,955,000	78%
Kauai			
FHWA	\$ 109,527,000	\$109,527,000	100%
FTA	\$ 6,952,000	\$0	0%
Total	\$ 116,479,000	\$109,527,000	94%
GRAND TOTAL	\$ 1,597,971,000	\$ 1,384,253,000	87%

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Low-Income Populations			
Projects			
County	Total Number of Projects	Total Projects in or adjacent to Low-Income Populations	Percent Projects located in or adjacent to Low-Income Populations
Oahu			
FHWA	67	32	48%
FTA	11	1	9%
Total	78	33	42%
Hawaii			
FHWA	42	14	33%
FTA	2	0	0%
Total	44	14	32%
Maui			
FHWA	47	15	32%
FTA	7	0	0%
Total	54	15	28%
Kauai			
FHWA	32	6	19%
FTA	2	0	0%
Total	34	6	18%
GRAND TOTAL	210	68	32%

Low-Income Populations			
Costs			
County	Total Cost of Projects	Total Cost of projects in or adjacent to Low-Income Populations	Percent of investments located in or adjacent to Low-Income Populations
Oahu			
FHWA	\$ 620,903,000	\$ 196,937,000	
FTA	\$ 347,306,000	\$ 63,672,000	
Total	\$ 968,209,000	\$ 260,609,000	27%
Hawaii			
FHWA	\$ 293,635,000	\$ 178,075,000	
FTA	\$ 6,952,000	\$ -	
Total	\$ 300,587,000	\$ 178,075,000	59%
Maui			
FHWA	\$ 165,300,000	\$ 36,048,000	
FTA	\$ 47,396,000	\$ -	
Total	\$ 212,696,000	\$ 36,048,000	17%
Kauai			
FHWA	\$ 109,527,000	\$ 23,020,000	
FTA	\$ 6,952,000	\$ -	
Total	\$ 116,479,000	\$ 23,020,000	20%
GRAND TOTAL	\$ 1,597,971,000	\$ 497,752,000	31%

analyzed, \$1.38 billion, or 87% of the total investments, benefit minority populations. Over \$497 million, or 31% of the total investments, benefit low-income populations.

Minority Populations

About 83% of all census tracts in the state were identified as minority populations. 84% of all 2011-2014 analyzed STIP projects were programmed in minority population areas. 87% of all 2011-2014 STIP funding for the projects analyzed was programmed in minority population areas. This analysis indicates that minority populations are receiving slightly more than its fair share of transportation benefits.

Low-Income Population

About 23% of all census tracts in the state were identified as low-income populations. 32% of all analyzed STIP projects were programmed in low-income population areas. 31% of all STIP funding for the projects analyzed was programmed in low-income areas. This analysis indicates that low-income population areas are receiving moderately more than its fair share of transportation improvement benefits.

Displacement: The potential for displacements occur most for new roadways and to a lesser extent, widening projects. These projects are generally distributed throughout the state based on the need for it. These projects, including The City and County of Honolulu's High Capacity Transit Corridor Project on Oahu, the Kawaihae Bypasses on the Big Island, Lahaina and Paia Bypasses on Maui and the Kapaa Bypass on Kauai, have the biggest **potential to displace** EJ populations in those affected tract groups. However, these areas also have the biggest **potential to benefit** the mobility and safety of EJ populations. Furthermore, each individual project has or will develop a plan to avoid, minimize and/or mitigate all environmental impacts, including ROW displacements.

Mobility: The intent of all transportation projects is to better mobility, whether or not it is to provide more capacity or safer roadways or provide alternate transportation options. Furthermore, local betterment of mobility through a single project can have secondary mobility benefits nearby or even regionally, where other projects are not physically planned. With STIP projects programmed statewide, generally consistent where population is growing or anticipated to grow, it is expected that overall mobility will increase for all.

Evaluation Considerations

This analysis considered the limited scope (four-year window with limited funding) and purpose of the STIP. The STIP is essentially the dynamic implementation of the Hawaii Statewide Transportation Plan (HSTP) and the Counties' Regional Long Range Land Transportation Plans (RLRLTP) and is based on the priorities, needs, goals and objectives identified in these plans.

STIP projects not specifically named in the HSTP and RLRLTPs are consistent with goals and objectives and are also based on prioritized **needs** identified in program management plans (see Section 6). There are many State and County programs and management plans that identify specific transportation needs/priorities such as safety (Highway Safety Improvement Program – HSIP, based on accident data and number of public complaints), system preservation (bridge and pavement management plans). These priorities, once developed, are implemented through the STIP, as appropriate.

The status, or implementation readiness, of a project is an important factor to consider when a project is placed on the STIP. The STIP needs to be amended periodically to take project status and changing cost estimates into account.

Through the normal STIP development, update and amendment process, these needs are identified and filled in time (not always within the four-year STIP window), as identified by these management systems. Needs are also identified in other planning and traffic circulation studies. These needs are funded based on money available, not necessarily with federal aid (therefore not listed on the STIP). Also, projects, in different stages, may already have been previously funded that could address different needs in different areas. These past federal funding obligations would also not show up in the current STIP. These programs are also taken into account in this analysis when addressing statewide needs.

The census data available statewide was at the census tract level. Should consistent data at the census block group level be available for the entire state, it could produce a more accurate picture of the benefits to T6/EJ populations using this analysis.

Further T6/EJ analysis in the HSTP and Counties' RLRLTPs, and mid-range plans, as well as an individual project level analysis should also be conducted for a holistic assessment.

Conclusions

Given the equity analysis and the analysis of the displacement and mobility performance measures; and considering the outreach efforts and communication tools used to provide a comprehensive **public involvement process** (see Section 4); the vetting of the STIP and the STIP itself was found to provide equitable treatment of the low income populations and areas of minority populations and minority sub-group populations.