



Title VI and Environmental Justice Assessment Guide for Planning Studies

As a recipient of federal funding, the NJTPA is required to comply with various civil rights statutes, executive orders, and regulations intended to ensure that the planning process includes traditionally underserved populations and those populations have access to the agency's activities. While compliance is required by subrecipients of federal funding, the NJTPA is committed to equitable outcomes because that reflects our values and mission to be a forum for shaping transportation investments that meet the needs of all residents, especially those traditionally underserved or most vulnerable. Equity must be a robust part of all planning processes and the agency's commitment to serving the region's diverse populations must be reflected in agency activities. In order to fulfill these goals, we must recognize the populations in our region, and within each study area, that are or have traditionally been underrepresented in the planning process and ensure that their needs are identified and equitably addressed.

The following Equity Assessment Guide provides instruction for identifying populations that traditionally have been underrepresented in the planning process as a starting point for equity assessment in NJTPA supported work. Identifying these communities enables planners and engineers to tailor their studies to involve these populations and to create recommendations equitable to all members of the community and region. At a minimum, an assessment will examine where low-income, minority, national origin and limited English proficiency (LEP) populations live, how they travel, and any other special issues to be considered. NJTPA recommends that additional factors be examined, such as age, ability status, sex, zero-vehicle households, and others relevant to the study.

The guide provides direction for collecting assessment-related data consistent with the NJTPA Title VI Implementation Plan. When used in collaboration with the Public Engagement Plan, NJTPA studies integrate Title VI, Environmental Justice (EJ) and additional civil rights authorities' requirements into the planning process. Links to the Title VI Implementation Plan and the Public Engagement Plan can be found in the Additional Resources section below.

Equity Assessment Guide

Step 1 – Compile Demographic Data for Study Area

Using the most recent [U.S. Census, American Community Survey](#) 5-year estimates at the census tract or block group level, the following factors will be considered for each study and examined:

Title VI Factors

- Minority (defined by US DOT as Black, Hispanic or Latino, Asian American, American Indian and Alaskan Native, Native Hawaiian or other Pacific Islander) (*also an EJ factor)
- Place of Birth

Environmental Justice Factors

- Low Income
- Minority (defined by US DOT as Black, Hispanic or Latino, Asian American, American Indian and Alaskan Native, Native Hawaiian or other Pacific Islander) (*also a Title VI factor)

Additional Civil Rights Authorities' Factors

- Limited English Proficiency — defined as individuals who have identified themselves as speaking a language other than English and speaking English less than well.
- Age — Population 65 years and older, under 5, and 5 to 17 years old
- People with Disabilities
- Sex

Additional Equity Factors to Consider

- Zero Vehicle Households
- Education

Step 2 – Compare the Data to Gain Understanding

After compiling the data for each of the factors at the block group/census tract level, the same data will be gathered for each factor at additional levels of comparison — such as the county or the NJTPA region, depending on the parameters of the study — and will compare percentages in each factor to subregional and NJTPA regional percentages. Graded comparisons are generally more useful than binary threshold-based comparisons that provide an above/below analysis. While data may be available at a census tract and block group level, and should be analyzed at that level, the study area should guide how this data may be aggregated to arrive at an analysis relevant to the study. The data should be represented in a way that provides insight into the population in the study area. Identifying these areas and patterns in a study area enables the project team to make additional efforts to engage these populations and consider their needs in the planning process.

Step 3 – Determine Planning Approach

Once the demographic profile is complete, use insights from the profile to assess the study area population. The assessment will:

- Identify patterns to ensure needs are identified and addressed and that the project or plan limits are reassessed to include the communities identified as is reasonable;
- Avoid recommendations that have disproportionately high and adverse effects to any of the identified populations;
- Strive to reduce and eliminate barriers to meaningful participation in the planning process to the identified populations; and
- If every reasonable effort is made to eliminate barriers to participation for individuals living and working within the project limits and participation from the public is still low the project team should ensure that input is sought from local religious, civic or grassroots organizations that could serve as representatives of the community.

Best Practice Questions to Consider

When conducting an equity assessment, consider key questions and best practices as they relate to data collection and analysis, as well as public outreach. Those listed below are not exhaustive and may not be applicable in every situation. Some of the questions are derived from the Federal Highway Administration's (FHWA) Environmental Justice Reference Guide linked in the Additional Resources section.

- Are the geographic boundaries for analysis reasonable and logical?
- Have you included a question about zip codes or other geographical identifiers in your surveys, to determine you have input from your entire study area?
- Have you invited at least one representative from your Title VI and EJ communities to serve on the study Technical Advisory Committee (TAC)?
- Did you gather feedback from and involve Title VI and EJ populations in early planning stages?
- Did you work to overcome linguistic, cultural, institutional, geographic, and other barriers to meaningful participation? (i.e. translating materials, or hosting pop-up outreach at various locations)
- Did you consider non-traditional methods of outreach? (For ideas visit njtpa.org/engage)
- Have you reported back to the community about how you're incorporating public input into analyses and decisions?
- Did you work with the identified populations to determine a method for delivering benefits and mitigating adverse impacts?
- Do the study recommendations create an adverse effect in the short-, medium-, or long-term that is predominately borne by members of the identified Title VI and EJ communities or is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the general population?
- Have you integrated input from potentially impacted Title VI and EJ communities into the analysis?
- Did you provide documentation to support and explain your decision-making?

Examples of Assessments from Other Regions

Broward MPO

The Broward County MPO uses a Title VI Transportation Planning Equity Assessment to include both Title VI and EJ factors in its planning process. <http://browardmpo.org/title-vi-transportation-planning-equity-assessment>. The MPO also created a useful fact sheet: http://browardmpo.org/images/20190204_BMPO_Equity_-_Combined_Flyer.pdf

DVRPC MPO

The Delaware Valley Regional Planning Commission displays EJ maps that include a regional threshold for each factor. <https://www.dvrpc.org/GetInvolved/TitleVI/ejmaps.htm>

Additional Resources

NJTPA Title VI Implementation Plan

http://www.njtpa.org/NJTPA/media/Documents/About-NJTPA/Federal-Regulations/Title-VI/Title_VI_Implementation_Plan.pdf

NJTPA Public Engagement Plan

<http://www.njtpa.org/NJTPA/media/Documents/Get-Involved/Public-Involvement/Public-Engagement-Plan/Public-Engagement-Plan-2.pdf>

NJTPA Open Data Portal

Census data for the NJTPA region is available on the NJTPA Open Data Portal: <http://share-open-data-njtpa.hub.arcgis.com/datasets/b6c57b7c127141b6b1df2561b78ab3d5>

NJTPA Diversity Profiles

These profiles summarize languages, races, ethnicities, national origins and poverty levels present in each of the NJTPA subregions:

<http://www.njtpa.org/NJTPA/media/Documents/About-NJTPA/Federal-Regulations/Title-VI/NJTPA-Subregion-Diversity-Profiles-4-21-20.pdf>

FHWA Environmental Justice Reference Guide

FHWA provides a reference guide to ensure compliance with EJ requirements:

https://www.fhwa.dot.gov/environment/environmental_justice/publications/reference_guide_2015/fhwahep15035..pdf, and provides a page dedicated to data collection and analysis located here:

https://www.fhwa.dot.gov/environment/environmental_justice/publications/reference_guide_2015/section06.cfm

New Jersey Department of Transportation

NJDOT provides guidance on its Title VI/EJ program on its webpage,

<https://www.state.nj.us/transportation/business/civilrights/ej.shtm>, and provides Census Data maps related to Title VI/EJ communities:

<https://www.state.nj.us/transportation/business/civilrights/maps.shtm>