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2018

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Background

The U.S. Environmental Protection Agency’s Office of Environmental Justice defines Environmental Justice (EJ) as: “The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies. Fair treatment means that no group of people, including racial, ethnic, or socioeconomic group should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.”

Title VI of the Civil Rights Act of 1964 prohibits discrimination in federal programs on the basis of race color and national origin. Title VI and subsequent laws that extended civil rights protection to prohibit discrimination on the basis of sex, disability (physical and mental), and age are the roots of Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations. The EJ Executive Order requires that federal agencies incorporate EJ analysis in their policies, programs, and activities by identifying and addressing disproportionately high and adverse human health and environmental impacts of its programs, policies and activities on minority and low-income populations. Executive Order 13166 requires that federal agencies undertake proactive efforts to ensure meaningful access to federally funded programs for persons with Limited English Proficiency (LEP).

In the context of transportation, effective and equitable decision-making depends on understanding and properly addressing the unique needs of different socioeconomic groups. U.S. Department of Transportation (USDOT) Order 5610.2(a), Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, identifies three fundamental principles of EJ that guide USDOT actions:

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

Although the nondiscrimination principles of Executive Order 12898 and the Title VI statute intersect, they are two separate mandates and each has unique requirements.

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1 Title IX of the Education Amendments, 1972
Section 504 of the Rehabilitation Act of 1973; The Americans with Disabilities Act (ADA) of 1990
The Age Discrimination Act of 1975
As illustrated in the graphic below, the federal Title VI Program is broader than the Title VI statute and encompasses other nondiscrimination statutes and authorities under its umbrella, including Executive Order 12898 on EJ.

**Approach**

Environmental Justice directives mandate fair and equitable processes and outcomes and an effective, multifaceted environmental justice program that has both a participatory component and a data driven analysis component. This report summarizes multiple activities and analyses that have been conducted as part of the region’s planning process for developing Southwestern Pennsylvania’s 2019-2022 Transportation Improvement Program (TIP), in accordance with environmental justice.

**Public Participation**

To foster community engagement in a region as large as Southwestern Pennsylvania, SPC develops and maintains an outreach program designed to bring information to the community, rather than expecting community residents to come to SPC. Public meetings for project-level improvements are held in the county affected by the proposed action. Public meetings for region-wide planning and programming efforts such as the Long Range Transportation Plan (LRTP) and Transportation Improvement Program (TIP) are held in the region’s Central Business District, and also in each of the other member counties. In that way, no resident is required to travel very far from their home or work community in order to participate. All public meetings are held in locations that are easily accessible by all interested parties, regardless of physical limitations.
To encourage participation, SPC has established working groups, in each county, known as a Public Participation Panels. Public Participation Panel (PPP) membership is designed to be reflective of the social and economic character of the county population. Community leaders, representatives of social service agencies, and area residents are represented on every Public Participation Panel in order to promote broad public awareness of participation opportunities.

In order to communicate with as many of the region’s residents as possible, relationships have also been developed with our regional planning partners, local service organizations, faith-based groups, cultural groups and others to continually expand our outreach to assist in enabling all area residents to actively participate in the transportation planning process.

**Accessibility of Information**

To make the regional planning process more accessible to the public, SPC has developed a “Public Participation Portal” on the agency’s website. The Portal’s purpose is to create an easy-to-access tool for the public where they can review information about regional projects and programs. The Portal also offers an opportunity for open dialogue between the public and SPC staff and our partners, where interested parties can submit comments, project ideas, ask questions and make suggestions to enhance the portal.

Similar steps have been taken to enhance the readability of SPC’s documents and reports. The SPC website (www.spcregion.org) is continually expanded to enhance our ability to disseminate information efficiently and to gather public input effectively. Documents are made available for public review and direct links are provided to permit the public to submit input via forms and e-mail, as well as information on other ways to submit input. Illustrative graphics and information on obtaining translated documents and interpretation services are available to increase comprehension by non-native English speakers. In 2015, SPC adopted an updated Public Participation Plan for the region. This document provides guidance on SPC’s increased use of web-based technology such as online forms and webinars to enhance the public involvement process. SPC also uses social media channels such as Facebook to help reach a wider audience.

**Public Meetings**

Public Participation Panel meetings typically include an interactive workshop in which area residents are encouraged to discuss transportation plans and programs with SPC staff, county representatives, local transit service providers and PennDOT District staff; an informational session on transportation planning; and, an opportunity for the public to submit their formal comments.

To enhance participation in public meetings, SPC conducts the meetings in diverse types of communities and neighborhoods, ranging from urban centers, to small communities, to rural areas. During the development of the 2019-2022 Transportation Improvement Program, SPC conducted a series of public meetings in each of the ten counties of the region. SPC has found that in less urbanized counties, a centralized meeting site, such as the county seat, can help
facilitate participation by residents from all parts of the county. In addition, public meeting facilities are readily available in these central communities. In heavily urbanized Allegheny County, public meetings are held in the City of Pittsburgh’s Central Business District, where public transportation service is most readily accessible. In accordance with SPC’s Public Participation Plan, meetings are always scheduled at locations that are ADA accessible, and whenever possible, also served by fixed route public transportation. Public transportation information is included in each of the meeting announcements.

Recognizing the power of networking, SPC updates its meeting notification database regularly to include local service providers, community groups and others to help spread the word to area residents. This helps to increase interest in the public meetings, permits suggestions for future potential meeting sites, and frequently results in invitations to present program or project level information at scheduled meetings of community organizations and other groups.

To make public documents available to community residents, SPC also maintains a document review network that includes dozens of regional libraries, ten county planning offices and the offices of the City of Pittsburgh Department of City Planning. Meeting notices are published in regional newspapers and minority media.

**Traditionally Underserved Populations**

Minority and low-income populations in the region are identified as environmental justice populations, but the consideration of fair and equitable distribution of transportation planning and programming includes other demographic groups that face challenges when engaging with the transportation process and receiving equitable benefits, including older adults, the disabled, households with no access to vehicles, and non-English speakers.

The enhancement of public involvement activities in reaching out to such population groups is continuous and ongoing. The chairpersons of the 10 Public Participation Panels are asked to help identify ways in which public information sharing, public meeting attendance, and participant diversity may be enhanced in their communities. SPC has initiated an outreach program to health and human service providers throughout the region in an effort to inform their clients of SPC’s programs and opportunities for public input, and continues to work with the Allegheny County Task Force on Disabilities and other area community service agencies. In addition, SPC works with the City of Pittsburgh’s immigration efforts via “Welcoming Pittsburgh”, a consortium of local individuals creating a grassroots, comprehensive program to make Pittsburgh a welcoming destination spot for immigrants.

Some residents of the region speak a language other than English at home, and self-identify as speaking English “less than well.” To better serve these non-English speaking residents, SPC makes essential information available in Spanish, Italian, Traditional Chinese and English, as well as Indic languages upon request. As identified in SPC’s Public Participation Plan, these are the most predominant languages used in the region. Materials are available in other languages and formats upon request.
Equity Analysis

As required by FHWA and USDOT EJ Orders, the environmental justice (equity) analysis of the transportation investments found in 2019-2022 Transportation Improvement Program (TIP), is used to determine whether the implementation of the TIP will have “disproportionately high and adverse” effects on minority and low-income populations:

A disproportionately adverse effect is one that (1) is predominately borne by a minority population and/or a low-income population; or (2) will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.\(^2\) Figure 1, found in Appendix A – Report on Environmental Justice Mapping, illustrates the spatial distribution of Environmental Justice Census Block Groups in Southwestern Pennsylvania.

Additionally, this equity analysis will map the locations of other traditionally underserved populations that are defined in the Title VI of the Civil Rights Act and subsequent nondiscrimination laws, as referenced on page 1 – the elderly (Figure 2), the disabled (Figure 3), and limited English proficiency populations (Figure 4). Lastly, as a reference, areas that have high concentrations of households with no access to an automobile will be mapped (Figure 5) in order to determine where these populations may benefit by non-roadway related improvements, programs and strategies.

To identify how the burdens and benefits of the transportation planning process and how transportation improvements are distributed within the region, a series of analyses were completed. The steps used in the completion of these analyses are summarized in this report. Common to all analyses were the use of USDOT definitions of minority and low-income populations. These definitions can be found in Appendix B of this document.

Demographic Profile

Minority and Low-Income Populations

Using USDOT definitions, 12.4% of all residents of the region were minorities and 12.7% of all households in the region met the federal definition of below the poverty level\(^3\). By analyzing Census data, SPC was able to identify and map areas across the region where the percentage of minority residents and low-income households were equal to or greater than the regional averages.

\(^3\) Source: 2012-2016 American Community Survey 5-YearEstimates
As illustrated in Figure 1, in many instances, low-income and minority populations may overlap, identifying areas that are over the regional average for both low-income and minority populations. Minority populations are found most frequently in older urban communities around the region. Low-income populations are sometimes found in these same areas, again in older urban communities, but there is also a wide distribution of low-income households in the rural communities at the periphery of the region. These low-income and minority areas were identified as priority areas for analysis of transportation benefits and burdens.

**Other Traditionally Underserved Populations**

In accordance with guidance from the FHWA Order on Environmental Justice, which encourages MPOs to identify and address the transportation needs of any individuals or groups who have been traditionally underserved by the existing transportation planning process, SPC included mapping for three additional population groups in its assessment of environmental justice: older adults, the physically disabled, and persons with Limited English Proficiency. These are population groups assured fair and equitable consideration in transportation planning and programming under Title VI Statute and Program Assurances.

According to the 2012-2016 American Community Survey 5-Year Estimates, there are 464,986 elderly persons, defined as persons aged 65 and over, in the region. This represents 18.4% of the region’s population. As illustrated in Figure 2, the elderly were found to be widely distributed throughout the region, with some concentrations in the region’s older urban centers, as well as in some of the rural communities at the periphery of the region.

Persons with disabilities are defined as identifying themselves as having a physical, emotional or other condition lasting six months or longer that limits their ability to function independently outside of the home. According to the 2012-2016 American Community Survey, 334,687 of the region’s adult, non-institutionalized population were identified as having a “go outside the home” disability. This represents 16.4% of the adult, non-institutionalized residents of the region. The regional distribution of those with a go-outside-the-home disability in Southwestern Pennsylvania is provided in Figure 3. As illustrated, there is less geographic clustering of the disabled population when compared to minority and low-income populations.

For most individuals in the region, languages other than English represent a second language, in that they also speak English “well” or “very well.” The 2012-2016 American Community Survey, 5 Year Estimates Summary Report estimates that about 5% of the regional population speaks a language other than English at home. About 1.6% of the regional population identified themselves as speaking English “less than very well” according to the same report. These residents are widely distributed throughout the region.
Population Change

According to the 2012-2016 American Community Survey Five-Year Estimates published by the US Census Bureau, the SPC region’s total population has increased by 165 persons from the 2010 Decennial Census. However, when examined individually, counties within the region have realized population changes ranging from losing approximately 2,600 residents (Westmoreland County) to gaining over 5,800 residents (Allegheny County). With the exception of Greene County, minority populations in the region have by and large declined since 2010. Table 1 summarizes the population change in the region since the 2010 Census.

The largest minority groups in Southwestern Pennsylvania are African American (7.8%), Hispanic (3.1%) and Asian (2.0%).

Population sampling conducted by the Census Bureau in the annual American Community Survey yields additional data on an annual basis for many population and housing criteria. However, due to the large size of the SPC region, data is not fully representational of the region until the annual data is aggregated into five-year summary reports. Table 2 illustrates that between the 2010 decennial Census and the 2012-2016 American Community Survey 5-Year Summary Report, population estimates declined slightly for the region.
Table 3 displays the number of households below the poverty level as determined from the 2010-2014 American Community Survey 5-Year Estimates and the 2012-2016 American Community Survey Five-Year Estimates, the most current source for this information. This data supports regional observations that there have been only small changes in regional population and composition over the past several years. SPC’s planning process will continue to monitor population change and conduct public outreach to ensure that all of the region’s citizens are treated equitably.

| Table 3 |
|------------------|------------------|------------------|
| **Households Below Poverty Level for Southwestern Pennsylvania 2008-2014** |
| **2010-2014 ACS** | **2012-2016 ACS** | **Difference** |
| Total Households in Region | 1,075,052 | 1,076,865 | 1,813 |
| Households in Poverty | 136,769 | 135,273 | -1,496 |
| % of Total Households | 12.7% | 12.6% | -0.1% |

**Equity Analysis of Transportation Investments**

An assessment of the benefits and burdens was completed to analyze the location of all mappable highway and bridge transportation improvement projects for the 2019-2022 Southwestern Pennsylvania Transportation Improvement Program (TIP) relative to locations of minority and low-income populations. This information, summarized in Figure 6, illustrates all of the mappable highway and bridge investments (433 projects) in the region. These investments are broken into three broad categories: Bridge and Highway Capital Maintenance, Operations and Safety and Community and Economic Development (which contains a broad range of projects including: roadway and bridge improvements, park and ride expansions, as well as bicycle and pedestrian facility improvements). Figures 7, 8 and 9 further analyze the transportation investments by investment category in relation to the location of minority and low-income populations.

In addition to location specific improvements, the TIP contains a significant number of non-mappable projects, most notably the purchase of public transportation vehicles and capital maintenance to transit facilities. Also included in the TIP are bridge and roadway repair line items in which projects are defined at a later date. These line items act as contingencies for situations such as emergency repairs due to flooding, landslides or other unforeseen circumstances that may arise. These investments are not included in the EJ analysis because their locations are currently unspecified. Projects such as bus replacements and interstate highway improvements benefit the region as a whole and are expected to provide improved access and mobility to and within key employment centers including downtown Pittsburgh, as well as communities throughout the region.

The 2019-2022 TIP is the first phase of SPC’s Long-Range Transportation Plan (*Mapping the Future: The Southwestern PA Plan*). The TIP is the main implementation vehicle for the Long-Range Plan.
As noted in Table 4, on the following page, approximately 319,265 of the region’s population are classified as a minority; 248,139 of those persons reside in a Census Block Group that exceeds the regional average percentage (12.4%) of minority population; those Census Block Groups are classified as EJ Block Groups. Similarly, there are 135,273 households in the region that are classified as below the poverty level; 93,346 of those households are within Census Block Groups that exceeds the regional average percentage (12.6%) for households below the poverty level.

<table>
<thead>
<tr>
<th>Community Type</th>
<th>Regional Total</th>
<th>*EJ Census Block Group Total</th>
<th>% Represented in EJ Block Groups</th>
<th>***# of Projects</th>
<th>% of Projects</th>
<th>***Total Investment ($1,459,016,921)</th>
<th>% of Total Investment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low-Income Households</td>
<td>135,273</td>
<td>93,346</td>
<td>69%</td>
<td>199</td>
<td>45.6%</td>
<td>$859,218,417</td>
<td>58.9%</td>
</tr>
<tr>
<td>Minority Population</td>
<td>319,265</td>
<td>248,139</td>
<td>77.7%</td>
<td>133</td>
<td>30.7%</td>
<td>$634,163,634</td>
<td>43.5%</td>
</tr>
</tbody>
</table>

*The EJ Census Block totals represent 8.7% of total households in the region and 9.6% of the total regional population (all races)
** 482 mappable projects found in the 2019-2022 TIP
** Total Investment is all mappable highway and bridge projects, not total amount invested in TIP

Within the SPC region, Allegheny County and the City of Pittsburgh contain the highest concentrations of minority and low-income populations. In Allegheny County, the 2019-2022 TIP contains 147 mappable projects, totaling $670.3 million in highway and bridge investments (46.2% of total amount of mappable, programmed funds); 51 of those projects, totaling $280.7 million, are completely or partially located within the City of Pittsburgh.

A key policy goal in SPC’s current Long-Range Transportation Plan (*Mapping the Future: The Southwestern PA Plan*) states that “Maintenance of the existing transportation system will be a regional priority.” Investment in the maintenance of regional transportation assets extends the lifespan of those assets, promotes sustainability, improves system performance, makes the system safer for all modes, and maximizes the use of public resources. As clearly demonstrated in the 2019-2022 TIP, keeping the region’s transportation system in a state of good repair has been, and will continue to be, at the forefront of regional efforts. Maintaining the region’s existing highways and bridges as well as keeping the public transportation system in a state of good repair benefits everyone in the region by increasing mobility, system reliability and safety. As illustrated in Figure 7, many of the highway and bridge maintenance projects found in the 2019-2022 TIP are located in identified low-income and minority communities and the corridors which connect them, particularly within the City of Pittsburgh and Allegheny County.

The safety and reliability the region’s transportation system for all modes of transportation is a top priority. A consistently safe and reliable system is important for goods and service delivery as well as the mobility and quality of life for all of the region’s residents. As illustrated in Figure 8, a significant investment in the safety and reliability of the region’s transportation system is
made in areas low-income and minority communities and the corridors which connect them throughout the region.

In addition to serving basic transportation functions, investments in the transportation system can have significant community and economic benefits. One of the main policy goals in SPC’s Long-Range Plan (Mapping the Future) is that revitalization and redevelopment of the region’s existing communities is a priority. As illustrated in Figure 9, most of the improvements categorized as community and economic development projects are located in communities that are classified as low-income or minority.

Summary

Area residents of all races and income levels were invited to participate in the planning and development of the 2019-2022 TIP. Outreach to traditionally underserved populations including the elderly and the disabled was conducted, and vital documents associated with the TIP planning process were made available in the predominant non-English languages in the region. Translations to additional language and alternate format documents were also available upon request.

An analysis of the impacts of the projects identified in the 2019-2022 TIP demonstrates that the benefits of the regional transportation planning and programming process accrue to all residents of the region. No population groups were found to be disproportionately or adversely affected by implementation of 2019-2022 TIP. SPC continues to work with our regional partners in the advancement of environmental justice principles throughout the regional planning process.

All materials contained in this report are available in electronic format on SPC’s website: www.spcregion.org, as is an extensive library of maps and data.
APPENDIX A

Report on Environmental Justice Mapping
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Figure 2, Population Age 65 Years and Older by Census Block Group

Figure 3, Population with a Go-Outside-the-Home Disability by Census Tract

Figure 4, Population Speaking English less Than Very Well by Census Tract

Figure 5, Households with No Vehicle Available by Census Block Group

Figure 6, All Mappable TIP Projects with Environmental Justice Areas

Figure 7, Roadway and Bridge Maintenance Projects with Environmental Justice Areas

Figure 8, Reliability and Safety Projects with Environmental Justice Areas

Figure 9, Community and Economic Development Projects with Environmental Justice Areas
Population Age 65 and Older
by Block Group

Figure 2

Population Age 65 and Older
(Where the Population Age 65 and Older is Greater than or Equal to
the Regional Average of 18.4%)

Source: 2012 - 2016 American Community Survey (ACS)
5-year Estimates by Census Block Group

No Factor
Figure 3

Population with a Go-Outside-the-Home-Disability

Where the Percentage of the Population that has a Go-Outside-the-Home-Disability is Greater than or Equal to the Regional Average of 15.9%.

Source: 2012 - 2016 American Community Survey (ACS)
5-year Estimates by Census Tract

No Factor
Population that Speaks English "Less Than Very Well"
by Census Tract

Figure 4

Legend:
- Green: Population That Speaks English Less Than "Very Well"
- Light Green: Areas where the Percentage of the Population that Speaks English Less Than "Very Well" is Greater than or Equal to the Regional Average of 15.1%

Source: 2013-2015 American Community Survey (ACS)

No Factor:
- No Factor

Scale: 0 to 20 miles
APPENDIX B

USDOT Environmental Justice Definitions
**Adverse effect** - FHWA and USDOT EJ Orders state that "adverse effects" means the totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to: bodily impairment, infirmity, illness, or death; air, noise, and water pollution and soil contamination; destruction or disruption of human-made or natural resources; destruction or diminution of aesthetic values; destruction or disruption of community cohesion or a community's economic vitality; destruction or disruption of the availability of public and private facilities and services; vibration; adverse employment effects; displacement of persons, businesses, farms, or nonprofit organizations; increased traffic congestion, isolation, exclusion, or separation of minority or low-income individuals within a given community or from the broader community; and, the denial of, reduction in, or significant delay in the receipt of benefits of FHWA/DOT programs, policies, or activities.

**Disproportionately high and adverse** - The FHWA and USDOT EJ Orders state that "disproportionately high and adverse" refers to an adverse effect that (1) is predominately borne by a minority population and/or a low-income population; or (2) will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

**Low-income** – The FHWA and USDOT EJ Orders define a "low-income" individual as a person whose median household income is at or below the Department of Health and Human Services (HHS) poverty guidelines.

**Minority** – FHWA and USDOT EJ Orders define a "minority" individual as a person who is: (1) Black: a person having origins in any of the black racial groups of Africa; (2) Hispanic or Latino: a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race; (3) Asian American: a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent; (4) American Indian and Alaskan Native: a person having origins in any of the original people of North America, South America (including Central America), and who maintains cultural identification through Tribal affiliation or community recognition; or (5) Native Hawaiian and Other Pacific Islander: a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**Populations** – For the terms "minority" and "low-income," the FHWA and USDOT EJ Orders define a "population" as any readily identifiable group of minority and/or low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons of those groups (such as migrant workers, homeless persons, or Native Americans) who will be similarly affected by a proposed FHWA/DOT program, policy, or activity.
**Underserved population** – (also "traditionally underserved population") refers to a broad category that includes minority and low-income populations but may also include many other demographic categories that face challenges engaging with the transportation process and reaping equitable benefits, such as children, the elderly, and the disabled.

**Title VI populations** – Although the nondiscrimination principles of Executive Order 12898 and the Title VI statute intersect, they are two separate mandates and each has unique requirements. Title VI statutes protect persons from discrimination solely on the basis of race, color, and national origin. The FHWA Title VI Program includes other nondiscrimination statutes and authorities under its umbrella to ensure that FHWA policies, programs, and activities do not discriminate based on race, color, national origin, income, sex, age, disability, or limited English proficiency.

**Title VI Notice to the Public**

The Southwestern Pennsylvania Commission (SPC) hereby gives public notice that it is the policy of the Commission to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI and other related statutes require that no person in the United States of America shall, on the grounds of race, color, sex, national origin, age, or disability, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which SPC receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice by SPC under Title VI has a right to file a formal complaint with the Commission. Any such complaint must be in writing and filed with SPC’s Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discrimination Complaint Form, please see our website at: www.spcregion.org or call 412-391-5590.