

Policy and Procedure Development Study: Effective Practices in Title VI, Environmental Justice, and Limited English Proficiency

Presented by: The Louis Berger Group, Inc. and New Jersey Department of Transportation

Overview of Legal Framework and Regulatory Mandates

- ◆ Title VI of the Civil Rights Act of 1964 - Prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.
- ◆ Environmental Justice (EJ) - Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, reminds all government agencies in receipt of Federal funds that they are required to address discrimination and the consequences of the decisions that may result in disproportionately high and adverse environmental and health impacts on minority and low-income populations.
- ◆ United States Department of Transportation - Order to Address Environmental Justice in Minority Populations and Low-Income Populations addresses the requirements of Executive Order 12898 and sets forth DOT's policy to promote the principles of environmental justice in all programs, policies, and activities under its jurisdiction.
- ◆ Limited English Proficiency (LEP) - Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, requires Federal agencies to examine the services they provide, identify any need for services to those with LEP, and develop and implement a system to provide those services so LEP persons can have meaningful access to them.

Advisory Services to Assist in Agency-wide Policy and Procedure Development

Overview

- ◆ Reviewed agency policies and procedures for incorporating and evaluating how protected populations are identified and considered in the transportation decision-making process.
- ◆ Worked with the NJDOT Division of Civil Rights & Affirmative Action to identify the appropriate mix of staff to participate in a series Working Group Sessions.
- ◆ Prepared customized questionnaires and interviewed NJDOT staff from 10 different divisions to identify the activities they conduct and their effectiveness for considering protected populations in the various stages of transportation decision-making.
- ◆ Identified effective practices used by transportation agencies nationwide to assist NJDOT to develop customized policies and procedures for assessing potential project-induced impacts on protected populations.

Results



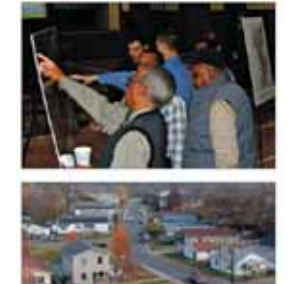

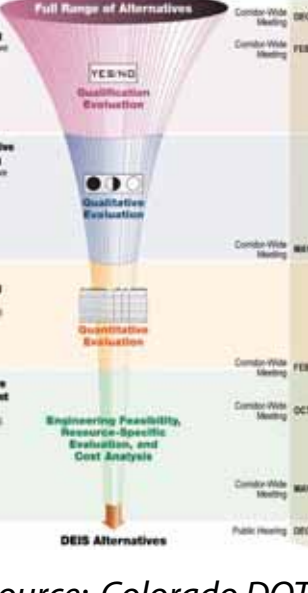

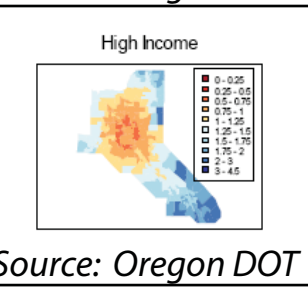

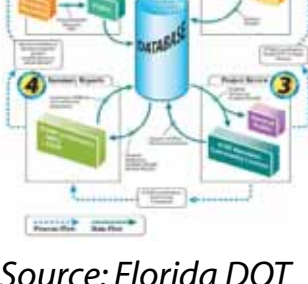
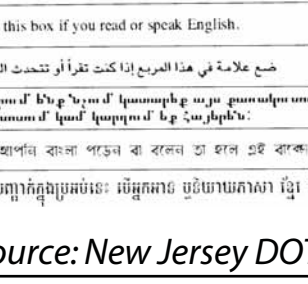



- ◆ Selected a diverse mix of effective practices to be showcased in a final report.
- ◆ Made recommendations, including training sessions for agency staff, for improving staff awareness of the legal and regulatory framework guiding agency policies and procedures.
- ◆ In 2009, the Division of Civil Rights & Affirmative Action developed and conducted training sessions with approximately 180 Project and Program Engineers. Training highlighted a diverse mix of effective practices as showcased in the Effective Practices report, among other topics.

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Examples of Effective Practices

| Summary of Effective Practices | Agency | Stage of Decision Making | | | Type of Effective Practice | |
|---|---|--------------------------|---------------------|----------------------------|--|--|
| | | Planning | Project Development | Operations and Maintenance | | |
| Development of a Public Involvement Manual to Enhance Involvement in Non-Traditional Transportation Stakeholder Communities <ul style="list-style-type: none">Prepared handbook to assist planning and project development managers understand how to effectively engage non-traditional transportation stakeholder communities and neighborhoods.Conducted a series of small and large stakeholder meetings to review project findings, share ideas, prioritize issues, and make recommendations.Formed a response team of MnDOT and Metropolitan Council staff to review project findings and make recommendations of project elements with the greatest potential for implementation.Revised existing public involvement program and designed training sessions. | Minnesota DOT | • | | | Policies and Procedures |  Source: Minnesota DOT |
| Incorporation of a Public Involvement Plan for Traditionally Underserved Populations (PIPTUP) in the Long-Range Transportation Plan (LRTP) <ul style="list-style-type: none">Reviewed demographic characteristics to identify the locations of traditionally underserved populations and to better tailor outreach strategies to help assess the benefits and burdens from components of the State Plan.Statewide Steering Committee (65-members) and Regional Working Groups (9 regions with 38-66 members) reported on existing needs and how projects would affect constituencies.Traveling Exhibits deployed at conventions, conferences, special events and stores. Comment forms distributed in Spanish and English.Feedback and Adjustments to Public Involvement Plans. Weekly meetings with TDOT (i.e., Community Relations, Planning, Civil Rights), FHWA and Project Team Consultants. | Tennessee DOT | • | | | Outreach Activities |  Source: Tennessee DOT |
| Newtown Pike Extension Project: Designing the Appropriate Community Impact Assessment Package <ul style="list-style-type: none">"Place-Based" Public Involvement – Extensive research to understand the history and sensitivity of the project area.Initial efforts included a study which sought to identify a road alignment generally acceptable to the community – the citizen's alignment."Early and Often" - Created a dialogue between transportation agencies and neighborhood residents affected by the project through high levels of public involvement.The pairing of road and neighborhood planning processes allowed for funding from multiple sources to maximize benefits and save valuable time. | Lexington-Fayette Urban County Government | | • | | Assessment |  Source: Lexington-Fayette Urban County Government |
| Alaskan Way Viaduct Corridor and Seawall Replacement Project: Expanding Public Involvement into a Continuing Dialogue <ul style="list-style-type: none">Translated public documents and other related materials into four languages other than English (i.e., Spanish, Chinese, Tagalog and Vietnamese).Created a leadership group of civic, business, freight, downtown, and neighborhood representatives to offer ideas and input on community values with regard to retrofitting and replacing viaduct.Targeted public involvement techniques to reach populations of concern, included over 175 community briefings and a project-specific website. | Washington State DOT | | • | | Outreach Activities |  Source: Washington DOT |
| I-70 East Corridor: Engaging Traditionally Disenfranchised Groups in Context Sensitive Solutions <ul style="list-style-type: none">Hired a third party to design and lead outreach efforts. Designed program of outreach strategies to encourage public involvement and have it play an integral part in the planning process. Meetings with formal and informal leaders to introduce project and outreach approaches.Initial contact with residents was made by community members who had received mandatory training (e.g., history of neighborhood and role playing).Door-to-Door Outreach - Outreach specialists wore bright yellow I-70 corridor t-shirts and identification badges. Distributed flyers and visited churches.Block meetings were in backyards and neighborhood parks (10-15 people).Neighborhood meetings addressed local issues and questionnaire results (typically 120 people).Corridor-wide – local newspaper ads, flyers, I-70 corridor newsletter.Meals, translations, and childcare often available. | Colorado DOT | | • | | Outreach Activities |  Source: Colorado DOT |
| I-5 Delta Park Project: Advisory Groups Input during Project Alternatives Selection <ul style="list-style-type: none">Formation of a partnership between two State Departments of Transportation.Citizen Advisory Committees formed to address community concerns weighed heavily in the selection of the Preferred Alternative. Environmental Justice Working Group also formed to give its input.Participants helped in the identification of measures to mitigate potential impacts.Communities worked together to design and submit applications for Community Enhancement Funds to support safety enhancements, neighborhood beautification and meet other social and economic objectives. | Oregon DOT | • | • | | Funding & Resource Allocation; Outreach Activities |  Source: Oregon DOT |
| Identification of Performance Measures to Evaluate Socioeconomic Effects of Transportation Projects <ul style="list-style-type: none">Identification and development of performance measures to support an assessment of the benefits and burdens of transportation investments in accordance with social equity considerations.Performance measures include transportation cost index, percent of travel market-basket accessible by non-auto modes, and auto-dependency index. | Oregon DOT | • | | | Assessment |  Source: Oregon DOT |
| Sociocultural Effects Handbook and Design and Implementation of Efficient Transportation Decision Making Manual <ul style="list-style-type: none">Created an easy to use handbook that identifies techniques and methods for considering community interest and needs as part of the decision-making process.Staff dedicated to ensuring that the procedures outlined in the handbook are effectively implemented through planning, programming, and project development. Located in all FDOT Districts and MPOs.Enhances continuity and consistency for evaluating and processing community data and information from planning through project development. | Florida DOT | • | • | | Policies and Procedures |  Source: Florida DOT |
| Design and Implementation of an Environmental Screening Tool <ul style="list-style-type: none">Created an internet-accessible interactive database and mapping application, available to both the agency and the public, which provides information about planned transportation projects and the surrounding environment.Supports agency participation and civic involvement through the project life cycle.The tool acts as a support mechanism by which to analyze, visualize, communicate, and facilitate the sharing of information and ideas.Early identification of potential direct and indirect impacts. | Florida DOT | | • | | Mapping and Database |  Source: Florida DOT |
| Mobility Information Needs of Limited English Proficiency Travelers in New Jersey <ul style="list-style-type: none">Academic research institution (i.e., third-party) was retained to assess techniques to reach and improve services to LEP populations.Designed a questionnaire distributed at local community colleges offering English as a Second Language (ESL) courses across the state. Allowed respondents to express their concern regarding the transportation network and transportation services.Cost-effective method for ensuring rigorous evaluation of agency practices. | New Jersey DOT | • | | • | Assessment |  Source: New Jersey DOT |
| Assessing and Improving the Distribution of Safe Routes to School (SRTS) Funding <ul style="list-style-type: none">Academic research institution (i.e., third party) was hired to examine the spatial distribution of SRTS funds and the program's promotional marketing to determine if they were hindering traditionally underserved populations from applying.Formed an Urban Task Force to promote SRTS in urban environments with high concentrations of low-income and/or minority residents.Fostered better understanding of the academic institutions, social circumstances and potential barriers to accessing SRTS funding. | New Jersey DOT | • | • | | Funding and Resource Allocation |  Source: New Jersey DOT |
| Transportation Planning Capacity Building, Planning Assistant <ul style="list-style-type: none">An easy to use online tool for identifying public outreach techniques that would be helpful for specific projects.Inquires can be saved and modified at a later date. This is helpful if project design is refined or changed. It can be used during the various stages of transportation decision-making. | Federal Highway Administration | • | • | • | Assessment & Outreach Activities |  Source: Federal Highway Administration |
| Transportation Planning Grants <ul style="list-style-type: none">Targeted grant program to foster collaborative planning between communities and local government agencies. Grants include Environmental Justice: Context-Sensitive Planning Grants and Community-Based Transportation Planning Grants.Engages communities, particularly traditionally underserved populations, in transportation planning.Demonstrates a good faith effort on the part of the agency to support healthy relationships between transportation and land uses on the local level. | Caltrans (CADOT) | • | • | | Funding and Resource Allocation |  Source: Caltrans |

