

# Environmental Justice Analysis - April 2016

## WV 601 Jefferson Road, US 119 to US 60

### Environmental Assessment

#### 1.0 Introduction

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994), requires each federal agency to “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.” The FHWA has identified three fundamental principles of environmental justice:

- 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 decision-making process; and
- To prevent the denial of, reduction in, or substantial delay in the receipt of benefits by minority and low-income populations. (FHWA, 2013)

The potential for the proposed project to have an environmental justice impact was examined through visits to the area, investigation of data from the U.S. Census Bureau, and other locally specific information.

As part of the PEL study, race, income, and language data were downloaded from the U.S. Census Bureau to identify any disproportionately high populations within the Study Area. Below is a discussion of the findings for each of the categories.

#### 2.0 Study Area

WVDOH developed alternatives to satisfy the project’s purpose and need within a rectangular Project Area surrounding the existing Jefferson Road (Figure 1). For examining the populations affected by the proposed project, U.S. Census data were used. The project lies within two Census Tracts (Figure 1) roughly divided by Jefferson Road south of Kanawha Turnpike. Census Tract 130 is located on the west side of Jefferson Road south of Kanawha Turnpike and includes all of the Project Area north of Kanawha Turnpike. Census tract 128 is located on the east side of Jefferson Road and south of Kanawha Turnpike.

Within these Census Tracts, there are subdivisions called Blocks, which are also grouped into Block Groups. Data were collected for the Blocks and Block Groups that would be crossed by the range of build alternatives developed for the project, and it is the boundaries of these Blocks that make up the Environmental Justice study area. The study area includes 35 Census Blocks within three (3) Census Block Groups. These Blocks and Block Groups are shown in Figure 2 along with the two Build Alternatives (1 and 5) carried forward for detailed study in the Environmental Assessment (EA).

In the 2010 U.S. Census, Kanawha County had a total population of 193,063 people. Census Tracts 130 and 128 had populations of 4,475 people and 4,341 people, respectively. The Census Block Groups overlapping the Build Alternatives had population totals of 1,157 (Tract 130, Block Group 1), 2,726 (Tract 130, Block Group 3), and 1,609 (Tract 128, Block Group 4). The twenty-six Census Blocks overlapping the Build Alternatives included a total of 393 residents. Population totals are provided in Table 1.



Figure 1. Jefferson Road Corridor improvement Project Area with US Census Tract Boundaries. The Project Area overlaps Census Tracts 013000 (or "130") and 012800 (or "128").

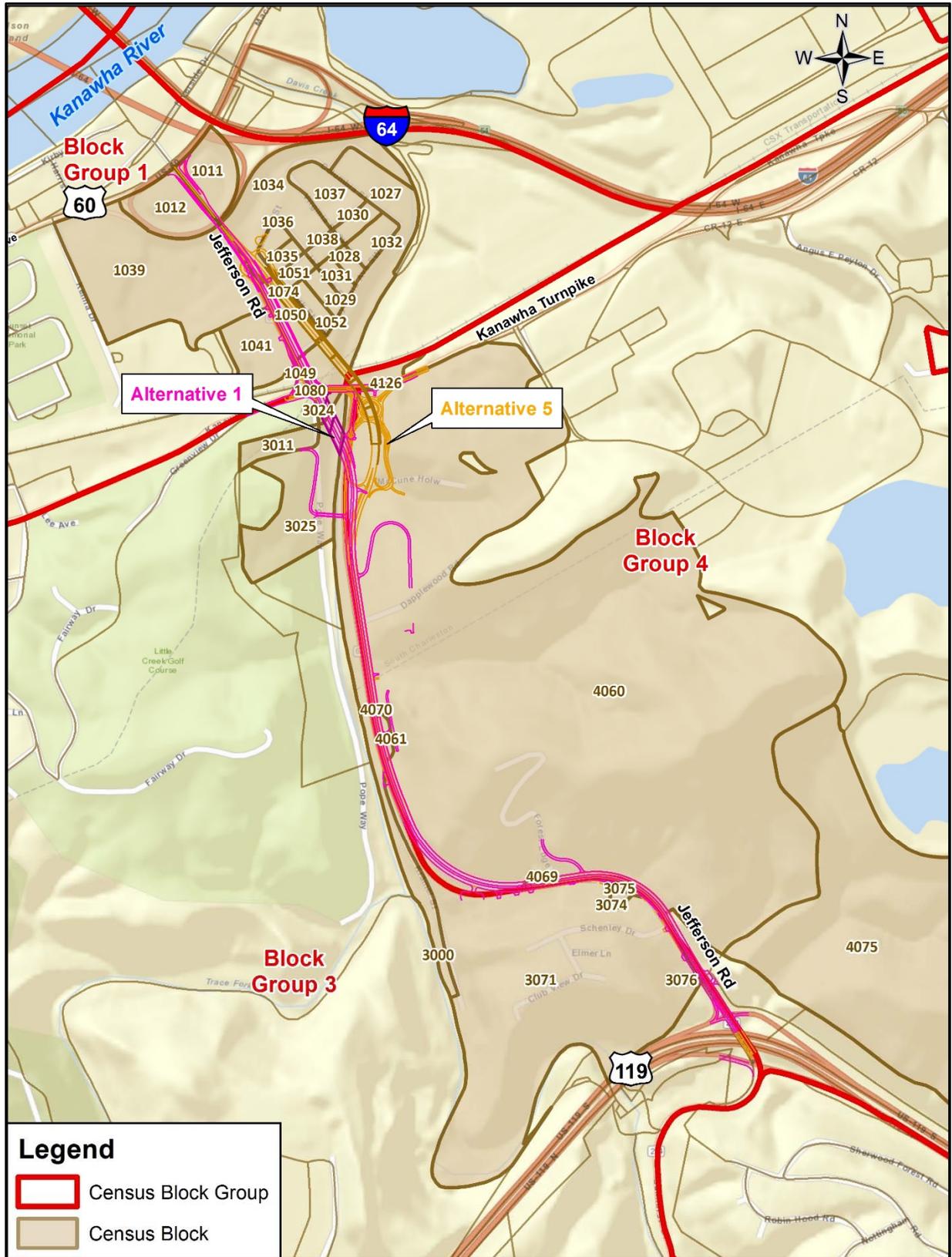


Figure 2. The environmental justice study area, with Block Groups, Blocks, and the two Build Alternatives carried forward for detailed analysis in the EA.

Table 1. Summary of Minority and Income Data

Area	Total Population	Minorities <sup>1</sup>	Median Household Income <sup>2</sup>	Below Poverty Threshold
West Virginia	1,852,994	6.1% (113,006)	\$41,576	18.1%
Kanawha County	193,063	10.9% (21,000)	\$46,583	15.0%
Census Tract 130	4,475	10.8% (484)	\$35,690	14.0%
Census Tract 130, Block Group 1	1,157	12.9% (149)	\$24,146	16.3%
<i>Census Tract 130, Block Group 1, Block 1011</i>	<i>0</i>	<i>0</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1012</i>	<i>0</i>	<i>0</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1027</i>	<i>58</i>	<i>22.4% (13)</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1028</i>	<i>11</i>	<i>0</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1029</i>	<i>13</i>	<i>0</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1030</i>	<i>16</i>	<i>13% (2)</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1031</i>	<i>11</i>	<i>0</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1032</i>	<i>11</i>	<i>0</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1034</i>	<i>31</i>	<i>0</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1035</i>	<i>10</i>	<i>0</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1036</i>	<i>14</i>	<i>0</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1037</i>	<i>25</i>	<i>0</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1038</i>	<i>8</i>	<i>0</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1039</i>	<i>170</i>	<i>3% (5)</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1041</i>	<i>0</i>	<i>0</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1049</i>	<i>0</i>	<i>0</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1050</i>	<i>32</i>	<i>0</i>	<i>NA</i>	<i>NA</i>
<i>Census Tract 130, Block Group 1, Block 1051</i>	<i>9</i>	<i>22.2% (2)</i>	<i>NA</i>	<i>NA</i>

Area	Total Population	Minorities <sup>1</sup>	Median Household Income <sup>2</sup>	Below Poverty Threshold
<i>Census Tract 130, Block Group 1, Block 1052</i>	15	0	NA	NA
<i>Census Tract 130, Block Group 1, Block 1074</i>	5	0	NA	NA
<i>Census Tract 130, Block Group 1, Block 1080</i>	0	0	NA	NA
Census Tract 130, Block Group 3	2,726	13.1% (357)	\$41,851	1.6%
<i>Census Tract 130, Block Group 3, Block 3000</i>	0	0	NA	NA
<i>Census Tract 130, Block Group 3, Block 3011</i>	0	0	NA	NA
<i>Census Tract 130, Block Group 3, Block 3024</i>	0	0	NA	NA
<i>Census Tract 130, Block Group 3, Block 3025</i>	86	12% (10)	NA	NA
<i>Census Tract 130, Block Group 3, Block 3071</i>	58	1.7% (1)	NA	NA
<i>Census Tract 130, Block Group 3, Block 3074</i>	0	0	NA	NA
<i>Census Tract 130, Block Group 3, Block 3075</i>	0	0	NA	NA
<i>Census Tract 130, Block Group 3, Block 3076</i>	0	0	NA	NA
<b>Census Tract 128</b>	4,341	8.6% (373)	\$54,668	6.1%
Census Tract 128, Block Group 4	1,609	6.3% (102)	\$54,135	7.2%
<i>Census Tract 128, Block Group 4, Block 4060</i>	91	4.4% (4)	NA	NA
<i>Census Tract 128, Block Group 4, Block 4061</i>	0	0	NA	NA
<i>Census Tract 128, Block Group 4, Block 4069</i>	0	0	NA	NA
<i>Census Tract 128, Block Group 4, Block 4070</i>	0	0	NA	NA
<i>Census Tract 128, Block Group 4, Block 4075</i>	57	0	NA	NA
<i>Census Tract 128, Block Group 4, Block 4126</i>	0	0	NA	NA

Sources: 2010 U.S. Census for population and minority data; U.S. Census Bureau, 2010-2014 American Community Survey, 5-Year Estimates for income data.

<sup>1</sup> Minorities include people identifying themselves on the U.S. Census as Black, Hispanic, Asian American, American Indian and Alaskan Native, and other non-white persons, including those persons of two or more races.

<sup>2</sup> Median Household Income can be compared to the DHHS poverty guideline of \$24,250 (for a family unit size of four persons) to estimate poverty status. However, this table also presents the percentage of all people living below the Census poverty threshold (2010-2014 5-yr estimates).

### 3.0 Low Income

Low-income is defined as households living below the 2015 Department of Human Health Services (DHHS) poverty guideline of \$24,250 (for a family unit size of four persons) (DHHS, 2015). In Table 1, the percent below poverty threshold is actually referring to the U.S. Census Bureau's poverty threshold, which is somewhat different from the DHHS poverty guideline; however, as stated at the DHHS website, "The best approximation for the number of people below the HHS poverty guidelines in a particular area would be the number of persons below the Census Bureau poverty thresholds in that area." (DHHS, 2013a and 2013b) Also, Table 1 provides the area's median income as a means of directly comparing to the DHHS threshold.

Income data are shown for the Census Tracts and Census Block Groups, but are not available at the Census Block level of analysis. Data were retrieved from the most recent database, the 2010-2014 American Community Survey, 5-Year Estimates.

Median household incomes are higher, on average, south of Kanawha Turnpike than they are north of Kanawha Turnpike. In the two Block Groups south of Kanawha Turnpike (Census Tract 130, Block Group 3 to the west and Census Tract 128, Block Group 4 to the east), median household incomes for the 5-year period (2010-2014) were \$41,851 and \$54,668, respectively. These values approach or exceed both the county (\$46,583) and state (\$41,576) levels. However, Census Tract 130, Block Group 1, which includes the northern Project Area, had a median household income of \$24,146, which is lower than both the county and state levels, and is also slightly below the DHHS poverty threshold of \$24,250.

This trend is supported by examining the percentage of people living below the Census Bureau's poverty threshold within the Block Groups. The Block Group north of Kanawha Turnpike has 16.3% living below the threshold, and the Block Groups south of it have 1.6% and 7.2% living below the poverty threshold.

In addition to examining Census data, field views, comments from the public, school data, and planning documents were consulted. Specific data were available from the National Center for Education Statistics (NCES), which reports the number of students who are eligible to receive free or reduced-price lunch. A student from a household with an income at or below 130 percent of the poverty income threshold is eligible for free lunch. A student from a household with an income between 130 percent and up to 185 percent of the poverty threshold is eligible for reduced price lunch. The NCES is currently reporting data for the school year 2013-2014.

For the local elementary schools (Bridgeview, Richmond, and Kenna), school lunch data were not available because the level of data was not considered adequate for reporting by the NCES. However, the data were available for the South Charleston Middle and High Schools. Of the 407 students at the Middle School, 177 (43%) were eligible for free lunch and an additional 27 (7%) were eligible for reduced-price lunch. Of the 987 students at the High School, 400 (41%) were eligible for free lunch and an additional 51 (5%) were eligible for reduced-price lunch. (NCES, 2015)

### 4.0 Minority

According to FHWA Order 6640.23 (1998), "FHWA Actions to Address Environmental Justice in Minority and Low-Income Populations," population groups defined as minorities include the following:

- Black (having origins in any of the black racial groups of Africa);
- Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture of origin, regardless of race);
- Asian American (having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands);
- American Indian and Alaskan Native (having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition); or
- Other non-white persons, including those persons of two or more races.

The percentage of the population composed of minorities in the 2010 Census data was somewhat lower in the Census Block Groups south of Kanawha Turnpike than those north of Kanawha Turnpike. In the two Block Groups to the south (Census Tract 130, Block Group 3 to the west and Census Tract 128, Block Group 4 to the east), the percentages of the total populations who were minorities were 1.7% and 4.4%, respectively. These are less than both the county (10.4%) and state (6.1%) levels. In Census Tract 130, Block Group 1, the total population was 12.9% minority, which is higher than both the county and state levels. However, for race data, one can examine data at a more refined level than Block Group.

Most Blocks in the environmental justice study area had zero people classified as minorities in the 2010 Census. The Blocks within Census Tract 130, Block Group 3 had 11 minorities out of a total population of 86 (8%), with 10 of the 11 people living in the Mathias Lane community by the golf course (Block 3025). The Blocks within Census Tract 128, Block Group 4 had four minorities out of a total population of 148 (3%), and Census Tract 130, Block Group 1 (the Blocks north of Kanawha Turnpike), had 22 minorities out of a total population of 439 people (5%).

In addition to examining Census data, WVDOH examined comments from the public, planning documents, and field views. No businesses, community centers, or newspapers that cater to a particular minority group were identified in the study area.

## 5.0 Impacts

As preliminarily designed, the proposed project will be displacing 26 or 35 houses and one small business building. With both Build Alternatives, roughly half of the relocations will occur north of Kanawha Turnpike and half south of that intersection. Also, there will be two to three noise impacts with the project, and these are houses in the far south of the Project Area. Relocations are shown in Figures 3 and 4.

With the existing percentages of low-income and minority populations in the Study Area, it is expected that some individuals experiencing this impact will be low-income or minority or both. In order to fulfill the purpose and need for the project, there must be disturbance near the existing offset intersection between Jefferson Road and Kanawha Turnpike. Comments from the public have also voiced support for bridging both the Kanawha Turnpike and the CSX railroad, which necessitates impacts in the dense residential area between Kanawha Turnpike and MacCorkle Avenue.

The Census Block within Jefferson Place that runs parallel to the railroad track (Census Tract 130, Block 1027; Figure 2) is the Block with the highest percentage of minorities (13 out of 58 residents, or 22.4%) (Table 1). No feasible solution for the project's purpose and need could completely avoid this Census Block. However, relocations from this Block have been minimized to the extent practicable, with three (3) displacements with either of the Build Alternatives carried

forward in the EA. Another Block with a high percentage of minorities (2 out of 9 residents, or 22.2%) is within the Jefferson Place neighborhood, and will not experience relocations, although Alternative 5 will run close to this Census Block (Census Tract 130, Block 1051; Figure 2).

Roughly half of the residential relocations with either Build Alternative will be occurring to the south of Kanawha Turnpike (12 of 26 with Alternative 1, and 17 of 35 with Alternative 5). Relocations along Jefferson Road were a challenge to avoid in this portion of the Project Area because the project involves widening an existing road and many houses are close to the road. Also, natural features constrain options for construction (Davis Creek to the west and steep hillside to the east).

For those who are displaced, acquisition and relocation will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended. The owner of a displaced residence is eligible to receive reimbursement for the fair market value of the property acquired, as well as moving costs, and will be provided relocation assistance and advisory services together with the assurance of the availability of decent, safe, and sanitary housing. Displaced renters who have rented their apartment/home for at least 90 days before negotiations will be provided with relocation assistance advisory services and compensation, which may be used to rent another housing property or to purchase a home.

In addition, there will be temporary disruption to travel in the Project Area during construction. A maintenance of traffic plan will be developed and implemented during construction to assure both motorist and construction worker safety. This plan will be developed using guidelines of FHWA, the American Association of State Highway and Transportation Officials (AASHTO), and WVDOH.

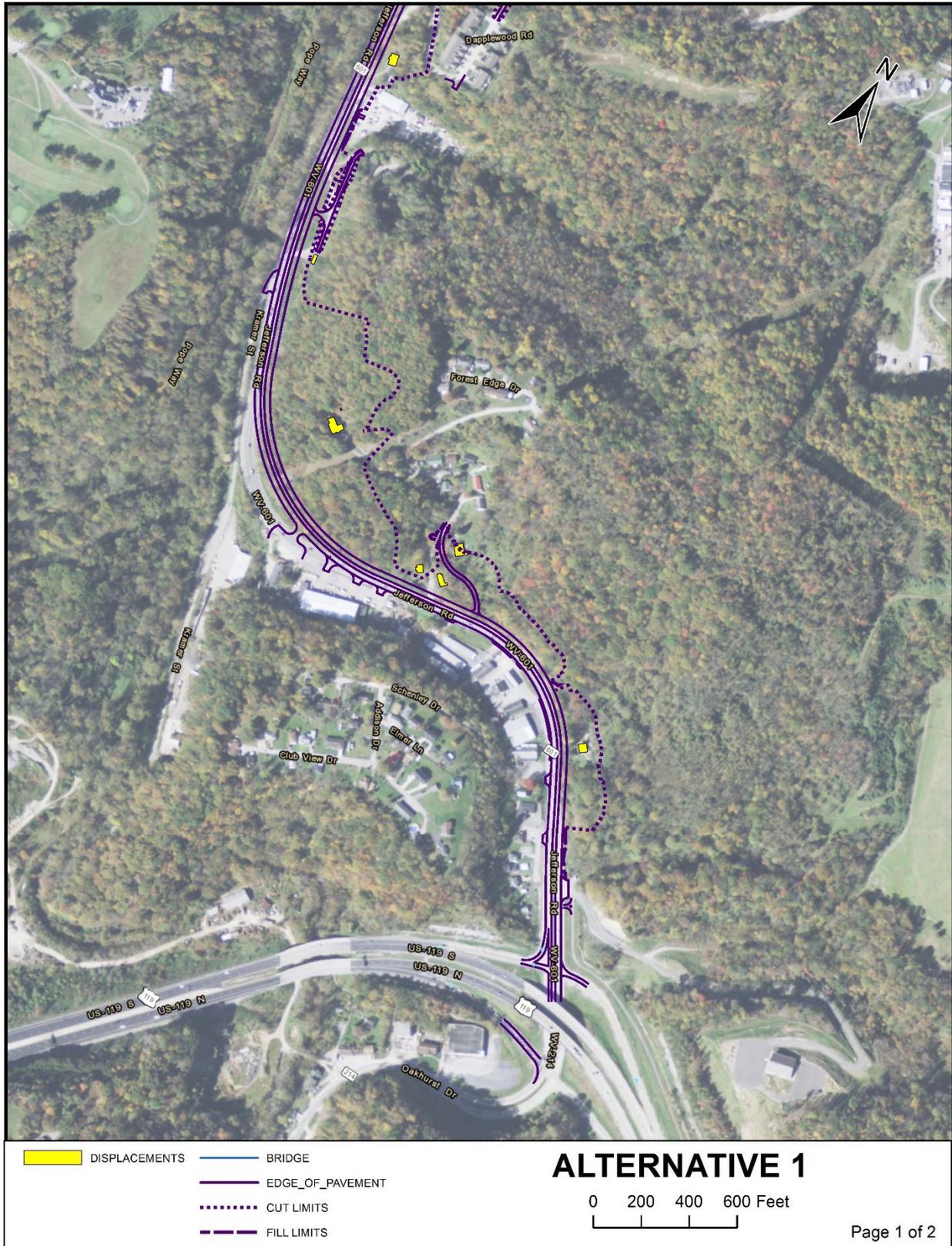


Figure 3. Relocations required with Alternative 1.

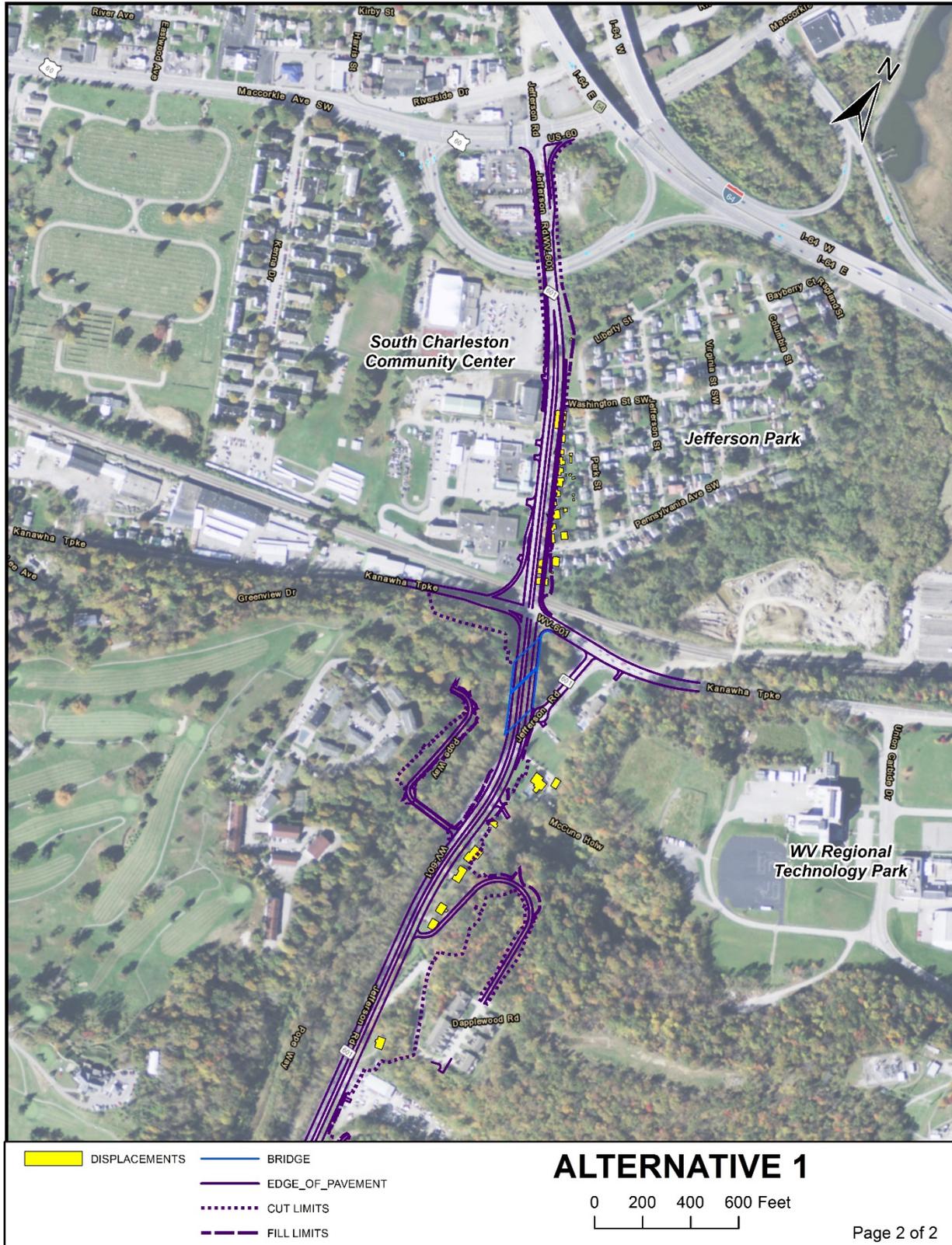


Figure 3 (continued).



Figure 4. Relocations required with Alternative 5.

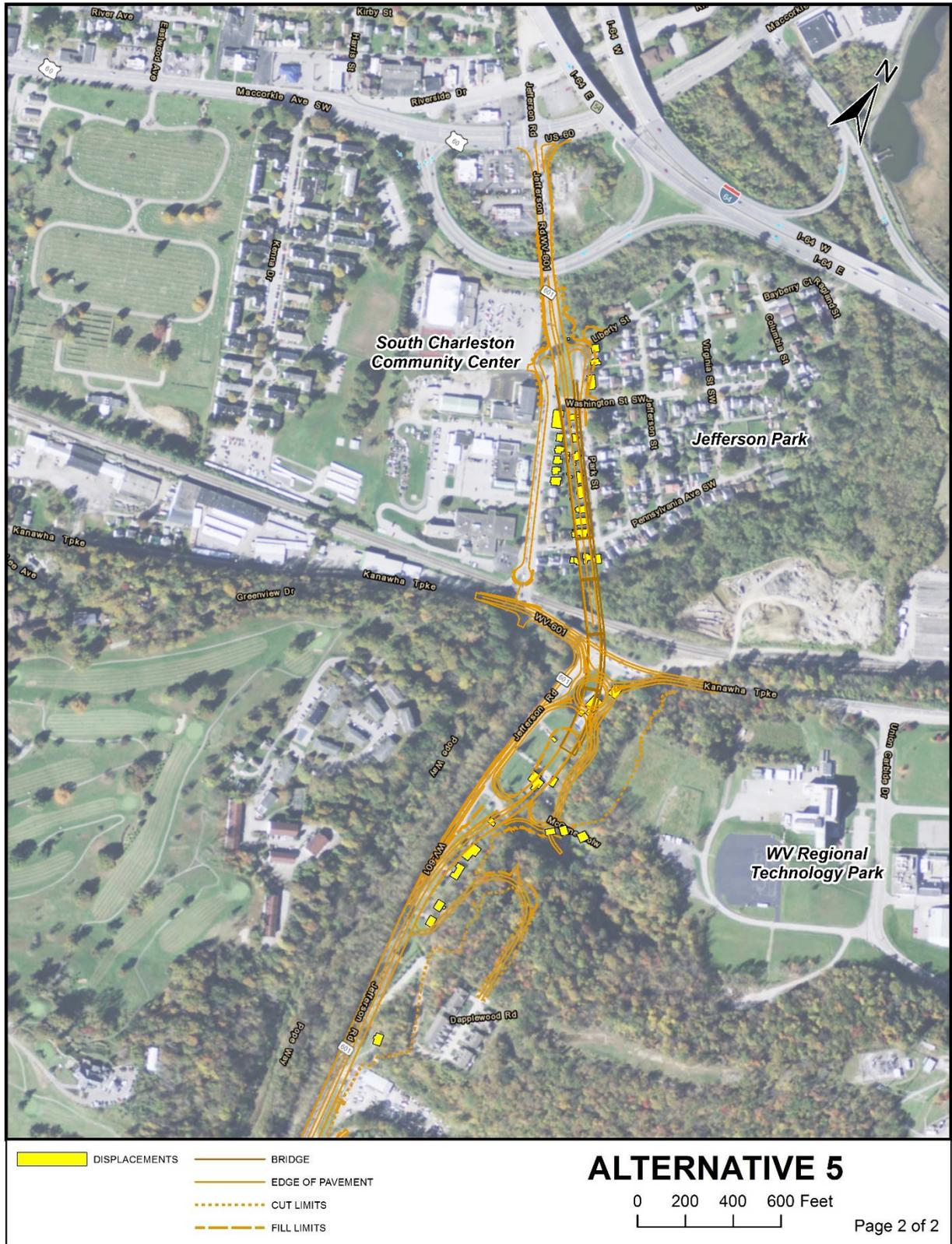


Figure 4 (continued).

Potential benefits of the project will serve all of the public and help to offset adverse effects. Benefits include:

- improved efficiency of travel to employment and community centers;
- improved safety with improved flow of traffic;
- improved economic activity, particularly in the Shops at Trace Fork and the WV Technology Park
- improved access for emergency response.

To disseminate information about the project and to learn more about the Study Area from residents and local officials, WVDOH has conducted interviews and hosted a public workshop for this project in March of 2013. Comments on the project were received and considered prior to moving forward with selection of a Preferred Alternative. The public will also be afforded opportunity to learn more about the project during a public workshop in February of 2016 and through the project website.

## 6.0 Conclusions

Although individual low-income or minority persons may experience impact, the proposed project is not likely to cause disproportionately high and adverse effects on any minority or low-income populations as discussed in the Executive Order 12898 regarding environmental justice.

WVDOH has minimized impacts to the extent practicable while fulfilling the project's purpose and need; is implementing mitigation measures for the impacts; and is implementing a public coordination plan to afford opportunities for exchange of information.

## 7.0 References

National Center for School Statistics (NCES). 2015. Enrollment Characteristics (2013-2014 school year). Available from the online database: <http://nces.ed.gov/ccd/schoolsearch/index.asp>.

U.S. Census Bureau. 2011. 2010 Decennial Census – 2010 Population Data. Available via the internet through <http://www.census.gov/>.

\_\_\_\_\_. 2015. 2010-2014 American Community Survey, 5-Year Estimates. Available via the internet through <http://factfinder2.census.gov/>.

U.S. Department of Health and Human Services. 2015. 2015 Poverty Guidelines. <https://aspe.hhs.gov/2015-poverty-guidelines>.