## 2003 Annual Update "...and Justice for All"

DVRPC'S Strategy for Fair Treatment and Meaningful Involvement of All People



DELAWARE VALLEY REGIONAL PLANNING COMMISSION

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Fair Treatment

## Meaningful Involvement



### 2003 Annual Update to "...and Justice for All": DVRPC's Strategy for Fair Treatment and Meaningful Involvement of All People



Delaware Valley Regional Planning Commission The Bourse Building—8<sup>th</sup> Floor 111 South Independence Mall East Philadelphia PA 19106-2582

www.dvrpc.org

August 2003

Created in 1965, the Delaware Valley Regional Planning Commission (DVRPC) is an interstate, intercounty and intercity agency that provides continuing, comprehensive and coordinated planning to shape a vision for the future growth of the Delaware Valley region. The region includes Bucks, Chester, Delaware, and Montgomery counties, as well as the City of Philadelphia, in Pennsylvania; and Burlington, Camden, Gloucester and Mercer counties in New Jersey. DVRPC provides technical assistance and services; conducts high priority studies that respond to the requests and demands of member state and local governments; fosters cooperation among various constituents to forge a consensus on diverse regional issues; determines and meets the needs of the private sector; and practices public outreach efforts to promote two-way communication and public awareness of regional issues and the Commission.



Our logo is adapted from the official DVRPC seal, and is designed as a stylized image of the Delaware Valley. The outer ring symbolizes the region as a whole, while the diagonal bar signifies the Delaware River. The two adjoining crescents represent the Commonwealth of Pennsylvania and the State of New Jersey.

DVRPC is funded by a variety of funding sources including federal grants from the U.S. Department of Transportation's Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), the Pennsylvania and New Jersey departments of transportation, as well as by DVRPC's state and local member governments. The authors, however, are solely responsible for its findings and conclusions, which may not represent the official views or policies of the funding agencies.

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#### **Executive Summary**

The Delaware Valley Regional Planning Commission (DVRPC) is the Metropolitan Planning Organization for the nine-county, bi-state Philadelphia-Camden-Trenton Region. In furtherance of DVPRC's mission "to plan for the orderly growth and development of the Delaware Valley Region", and to respond to federal guidance on environmental justice ("EJ"), the agency published "...and *Justice for All": DVRPC's Strategy for Fair Treatment and Meaningful Involvement of All People* in September 2001. That environmental justice report provided background information on what environmental justice (EJ) is; summarized DVRPC's existing EJ-related plans, policies, and public involvement activities, and described a quantitative and qualitative methodology for evaluating the long-range plan, the Transportation Improvement Program (TIP), and other programs.

The quantitative methodology developed in the original report relies primarily upon available U.S. Census data, analyzed at a nine-county, regional scale for various indicators of disadvantage: concentrations of minorities, Hispanics, the elderly, the disabled, and car less and poverty households. The unit of measurement is either the municipality or census tract. The number of these factors that apply in a given census tract represent the "Degrees of Disadvantage."

The following year, in September 2002, the agency published Annual Update to "...and Justice for All": DVRPC's Strategy for Fair Treatment and Meaningful Involvement of All People. The update refined the quantitative methodology of the first report, by adding two new "degrees of disadvantage" demographic variables, including Female Head of Household with Child and Limited English Proficiency populations. Thus, disadvantage was expanded to eight factors. Added significance was placed on poverty as a contributor to disadvantage, and new maps with poverty as a constant variable were created. This more fine-tuned approach located those most in need in the region.

This report further updates and refines the quantitative methodology. This year's technical work program focused on an assessment of regional benefits and burdens for different socio-economic groups, including updating demographic variables to reflect the Year 2000 United States Census.

In addition, DVRPC has increased public involvement efforts by creating a quarterly EJ newsletter, a EJ public involvement website (<u>www.dvrpc.org/press/ej.htm</u>), and developing a Staff Protocol aimed at incorporating EJ concerns in the daily programs, policies, and work of the staff.

#### Introduction

Title VI of the Civil Rights Act of 1964 and the 1994 President's Executive Order on Environmental Justice (#12898) states that no person or group shall be excluded from participation in or denied the benefits of any program or activity utilizing federal funds. Each federal agency is required to identify any disproportionately high and adverse health or environmental effects of its programs on minority populations and low-income populations. In turn, Metropolitan Planning Organizations (MPO's), as part of the United States Department of Transportation's Certification requirements, are charged with evaluating their plans and programs for environmental justice sensitivity, including expanding their outreach efforts to low-income and minority populations.

#### Year 2000 Census Data for Degrees of Disadvantage

As environmental justice is concerned with the impacts of disparate funding and disparate services on defined minority and low-income groups, locating and mapping these groups in the region, at the smallest geographic units possible (either census tract or municipality), is important.

The quantitative methodology developed in the original report and subsequent update relies primarily upon available U.S. Census data. The update expanded the categories of disadvantage by two, thus there are now eight degreee of disadvantage. These are: minorities, Hispanics, the elderly, the disabled, car less households, impoverished households, female head of household with child households, and limited English proficiency households.

A regional threshold, or average, is determined to assess whether each census tract meets or exceeds this average. A total of all persons in the specified demographic group in the nine-county region is divided by the total nine-county population to obtain this average. Each census tract that meets or exceeds the regional average is considered an "environmental justice area", and is highlighted on the corresponding maps. These tracts are areas of concern and sensitivity, based on their population composition, and form the basis for the remainder of the geographic analysis. The number of these factors that apply in a given census tract represent the "Degrees of Disadvantage (DOD)."

At the time of publication of the last report, the most recent data available for several demographic variables was the 1990 Census. Since then, 2000 Census data has been released, and the following factors can be updated from 1990 to 2000: poverty, limited English proficiency, car less, disabled, and elderly populations.

#### Poverty

Poverty, or low-income, concentrations include persons whose household income is at or below the Department of Health and Human Services poverty guidelines. These poverty guidelines are updated annually, and are used as eligibility criteria for federal programs, such as Community Services Block Grants. The 2001 poverty guidelines only reflect cost changes through 2000; therefore, they are approximately equal to the Census Bureau poverty thresholds for calendar year 2000. The HHS poverty guidelines for 1990 and 2001 (equal to 2000 Census) are shown in Figure 1.

Size of Family Unit	1990 Household Income	2001 Household Income
1	\$6,280	\$8,590
2	\$8,420	\$11,610
3	\$10,560	\$14,630
4	\$12,700	\$17,650
5	\$14,840	\$20,670
6	\$16,980	\$23,690
Each additional person	Add \$2,140	Add \$3,020

#### Figure 1: Poverty Guidelines by Family Size –1990 and 2001

Source: Federal Register, Vol. 66, No. 33, February 16, 2001, pp. 10695-10697. \* Note: These figures are for the 48 contiguous states and D.C. Figures for Alaska and Hawaii are higher.

In 1990, a family of four qualified as low income if their household income was at or below \$12,700. The regional threshold for low-income persons for the year 1990 was 10%. In 2000, a family of four qualified as low income if their household income was at or below \$17,650. The regional threshold for lowincome persons for the year 2000 is 11%. These concentrations are shaded on Map 1: Poverty Concentrations—2000.

#### Limited English Proficiency

"Limited English Proficiency" is defined in the U.S. Census as "Primary Language Spoken At Home Other Than English and Speak English "Not Very Well". This captures the populations with a primary language other than English spoken at home, such as Spanish or one of many Asian languages, and of these, those who cannot speak English very well. It is assumed that an inability to speak English well can be a barrier to accessing goods and services, including transportation. In addition, identifying these populations and their locations is important to DVRPC's outreach efforts particularly in assessing the need to make the agency's publications and written materials available in additional languages. Limited English Proficiency status does not include those households whose primary language is other than English but who do speak English well. It would be false to assume, for instance, that all Primary Language Spoken at Home Other Than English households do not speak English well or have multiple fluencies.

The regional threshold for Limited English Proficiency for the year 1990 was 4%. In the 2000 Census, the regional threshold is 2%. Therefore, any census tract that contains a concentration of limited English proficiency households that is equal or greater than 2% is shaded on Map 2: Limited English Proficiency Population Concentrations—2000.

#### Car Less

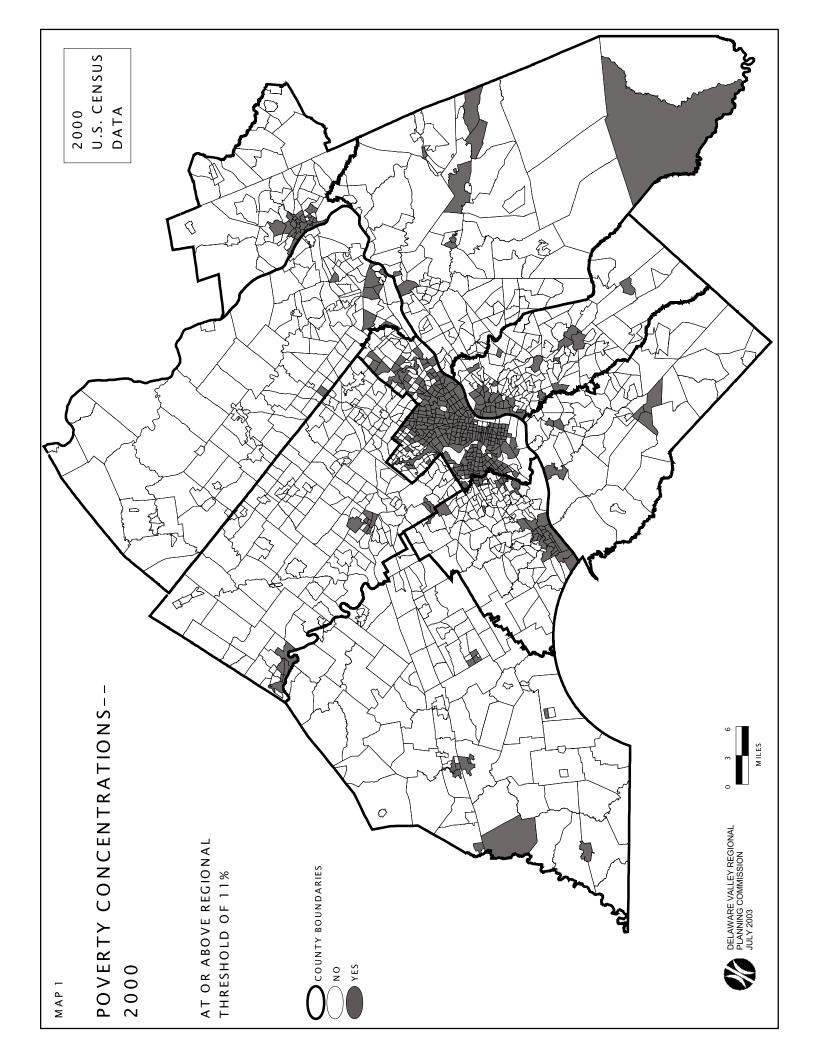
Car less households are defined in the U.S. Census as having zero vehicle availability. This population is often referred to as "transit dependent", i.e., those who must rely on public transit for their daily travel needs and who have limited mobility. The regional threshold for car less households in 1990 was 18%. In 2000, car less households dropped to 16%. These concentrations can be found on Map 3: Car Less Household Concentrations—2000.

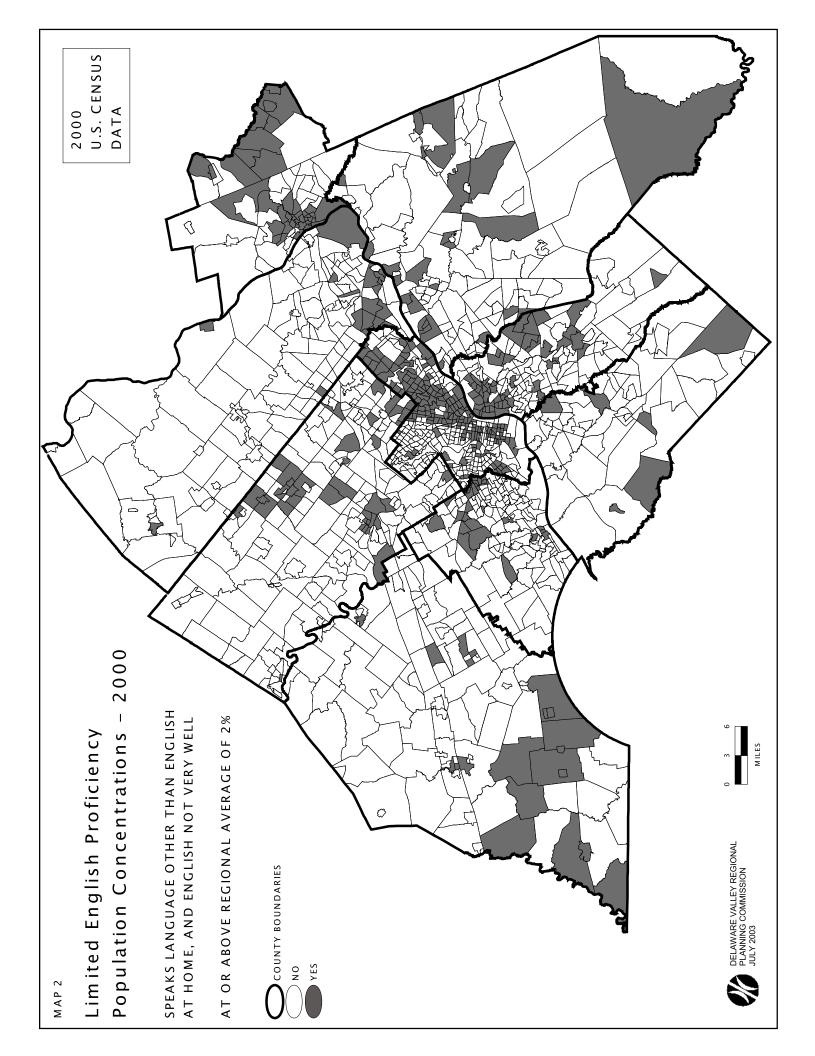
#### Disabled

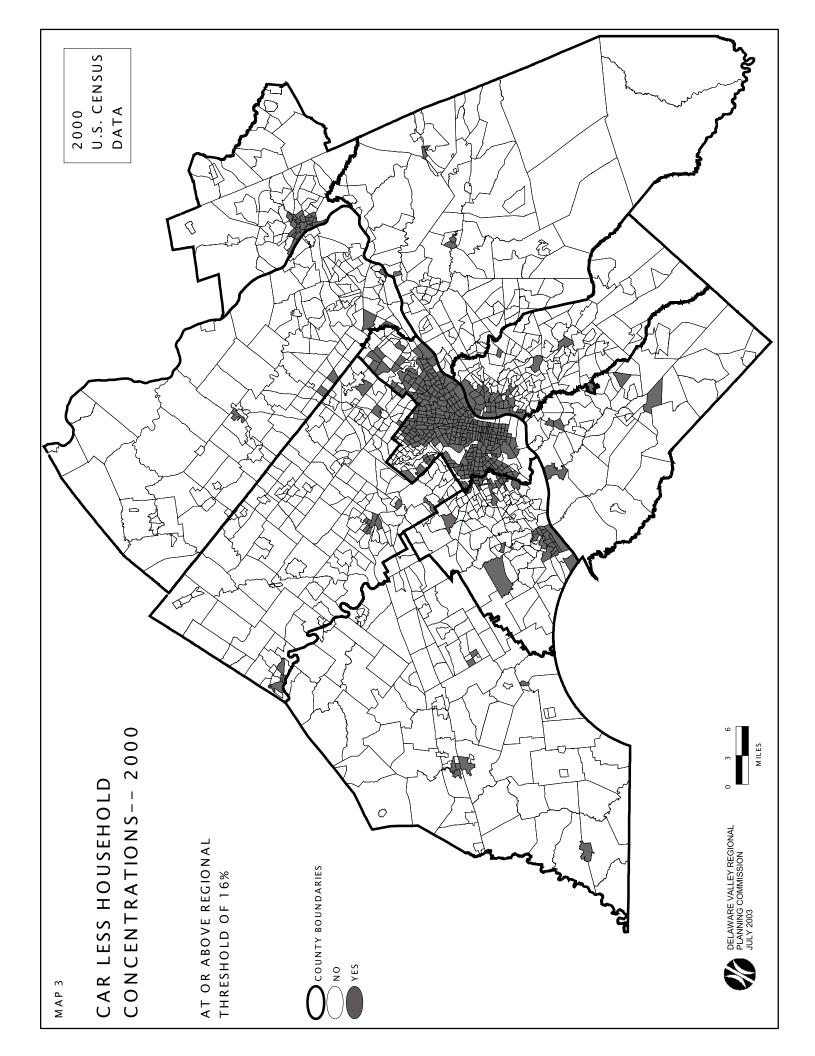
Although no generally accepted definition of disability exists in this country, the 2000 U.S. Census identifies disabled persons according to the categories of sensory, physical, mental, self-care, and employment capabilities. For this analysis, physically disabled persons were mapped. The regional threshold in 2000 is 7%. Areas that meet this 7% threshold are shaded on Map 4: Disabled Population Concentrations—2000. In 1990, persons with a mobility or self-care limitation were mapped and the regional threshold was 6%. Changes in categories from the 1990 to 2000 Census make comparison of these groups over the last decade difficult.

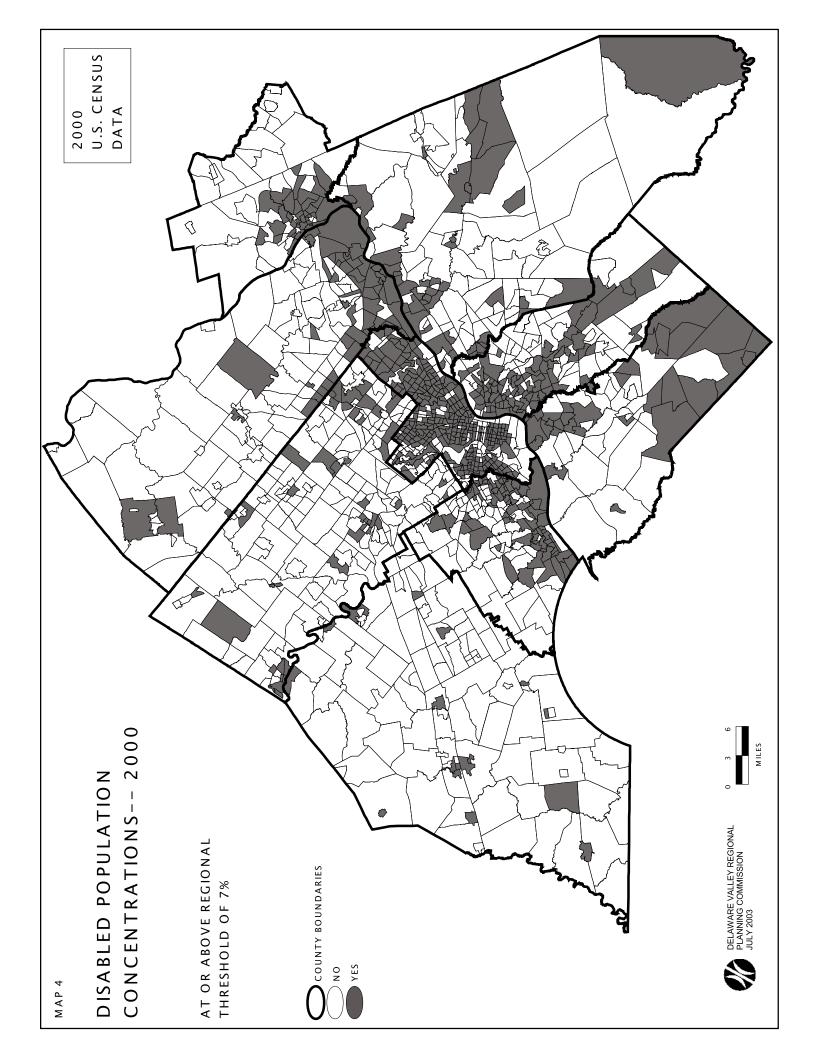
#### Elderly

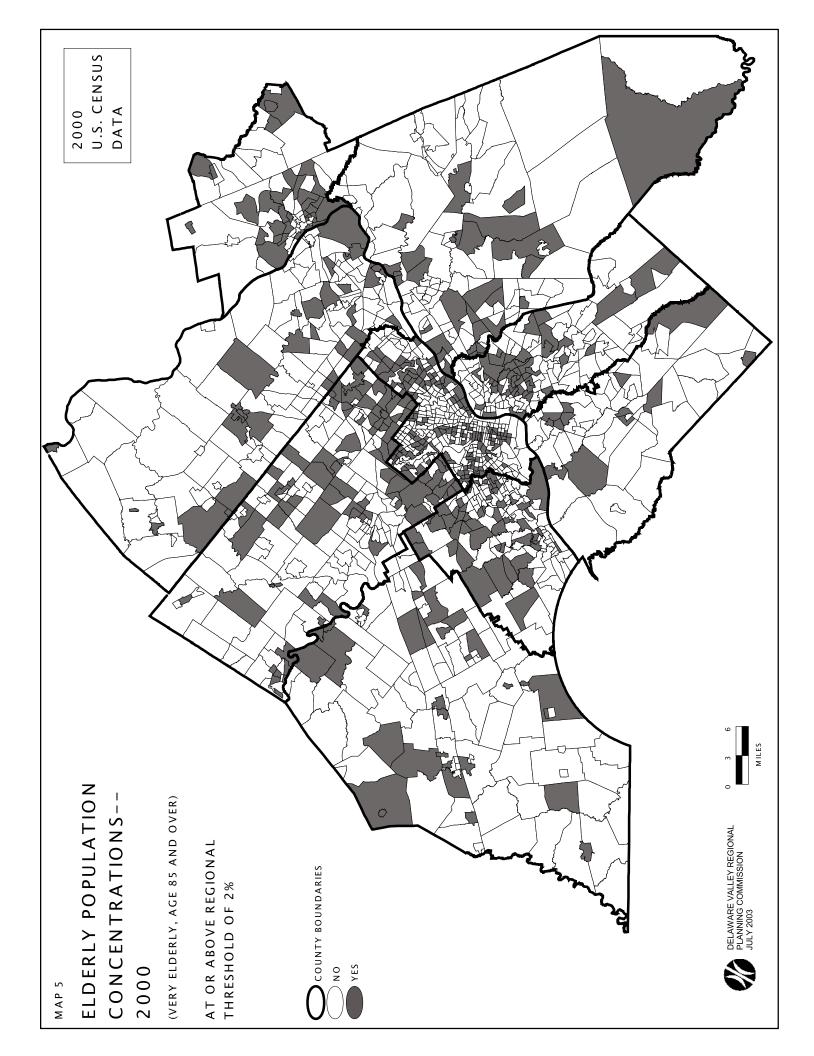
In assessing elderly populations, DVRPC has chosen to define only those considered extremely old, age 85 and older. Prior to the publication of this report, 2000 census data on elderly populations had only been released by minor civil division, which generated a regional threshold of 2%. Since that time, elderly by census tract data in the 2000 Census has been released, and the regional threshold is also 2%. Map 5: Elderly Population Concentrations—2000 locates these elderly concentrations by census tract.











#### **Updated Degrees of Disadvantage**

Thus, with all 2000 Census data available and updated, a new 2003 map combining the eight degrees of disadvantage (poverty, minority, Hispanic, elderly, car less, disabled, limited English proficiency, and female head of household with child) was compiled. Map 6: Degrees of Disadvantage—2003 shows concentrations of disadvantage, with categories of zero degrees of disadvantage, one to two DOD, three to four DOD, five to six DOD, and seven to eight DOD. Previous maps produced showed degrees of disadvantage broken out into 1-4 degrees and 5-8 degrees. More categories allow for closer inspection of the varying degrees of disadvantage and those geographic areas with the greatest EJ concerns.

Figure 2: Degrees of Disadvantage 2003 and Number of Census Tracts shows that of the total 1,387 census tracts in the region, the majority, or 74%, have at least one degree of disadvantage, which is not surprising given the multiple demographic categories. The largest percentage of tracts have 1-2 degrees of disadvantage, followed by zero degrees of disadvantage, followed by 5-6 degrees of disadvantage. Ninety-two tracts have 7-8 degrees of disadvantage, and these are mostly found in the core cities of Philadelphia, Camden, Chester, and Trenton, as well as older boroughs such as Oxford, Coatesville, and Pottstown.

Number of DOD	Number of Census	% of Tracts	
	Tracts		
0	361	26%	
1-2	468	33%	
3-4	205	15%	
5-6	261	19%	
7-8	92	7%	

#### Figure 2: Degrees of Disadvantage 2003 and Number of Census Tracts

Source: DVRPC, 2003.

Figure 3: Difference in Number of Census Tracts with Degrees of Disadvantage Between 2002 Analysis and 2003 Analysis (Using Updated Census Data) indicates that given the updated 2000 census figures, more census tracts qualify as "disadvantaged", with a total of 1,026 having at least one degree of disadvantage, as compared to 891 who had at least one degree in the 2002 analysis (which used the latest census data available, a combination of 1990 and 2000). It must be noted that in the 1990 Census the region had 1,384 census tracts, while in the 2000 Census the region now has 1,387 census tracts.

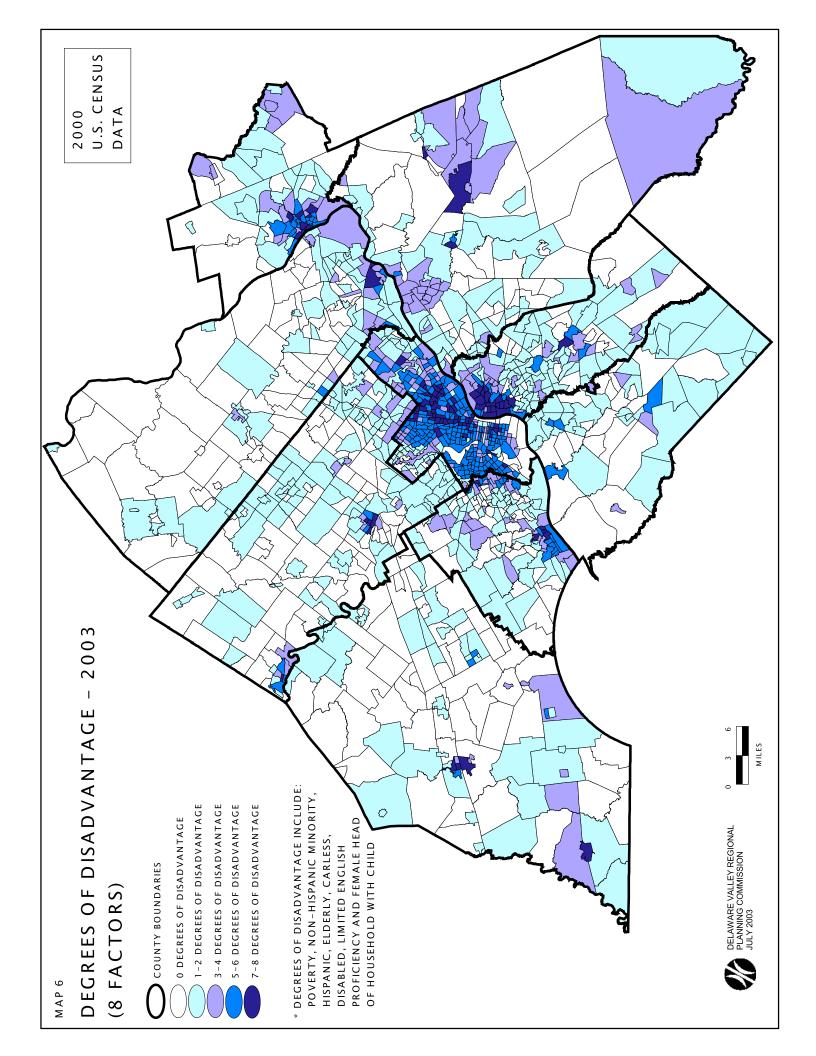
# Figure 3: Difference in Number of Census Tracts with Degrees of Disadvantage Between 2002 Analysis and 2003 Analysis (Using Updated Census Data)

2002 DOD Analysis (1990 and 2000 Census)			2003 DOD Analysis (all 2000 Census)			Difference between 2002 and 2003 DOD Analysis
Number	Number	% of	Number	Number	% of	Number
of DOD	of Tracts	Tracts	of DOD	of Tracts	Tracts	of Tracts
0	493	36%	0	361	26%	-132
1-4	636	46%	1-4	673	49%	+37
5-8	255	18%	5-8	353	25%	+98

Source: DVRPC, 2003.

Thus, the 2000 Census data indicates that fewer census tracts in the region have zero degrees of disadvantage (a loss of 132 tracts), while a few more have 1-4 degrees of disadvantage (37 more), and the most disadvantaged, the 5-8 DOD category, has 98 more tracts qualifying.

The region's four Core Cities of Philadelphia, Chester, Camden, and Trenton, contain 295, or 83%, of the 353 highly disadvantaged (5-8 DOD) census tracts in the 9-county region. By comparison, in the 2002 analysis, using 1990 and 2000 Census data, 85% of the highly disadvantaged tracts were within the four Core Cities. The new core city breakdown using all 2000 Census data is as follows: Philadelphia has 243 highly disadvantaged tracts, which constitute 69% of the region's total highly disadvantaged tracts; Chester has 12 highly disadvantaged tracts, which constitute 3% of the region's highly disadvantaged tracts, which constitute 6% of the region's highly disadvantaged tracts, which constitute 6% of the region's highly disadvantaged tracts, which constitute 6% of the region's highly disadvantaged tracts, which constitute 6% of the region's highly disadvantaged tracts, which constitute 6% of the region's highly disadvantaged tracts.



#### Limited English Proficiency by Primary Language Spoken at Home

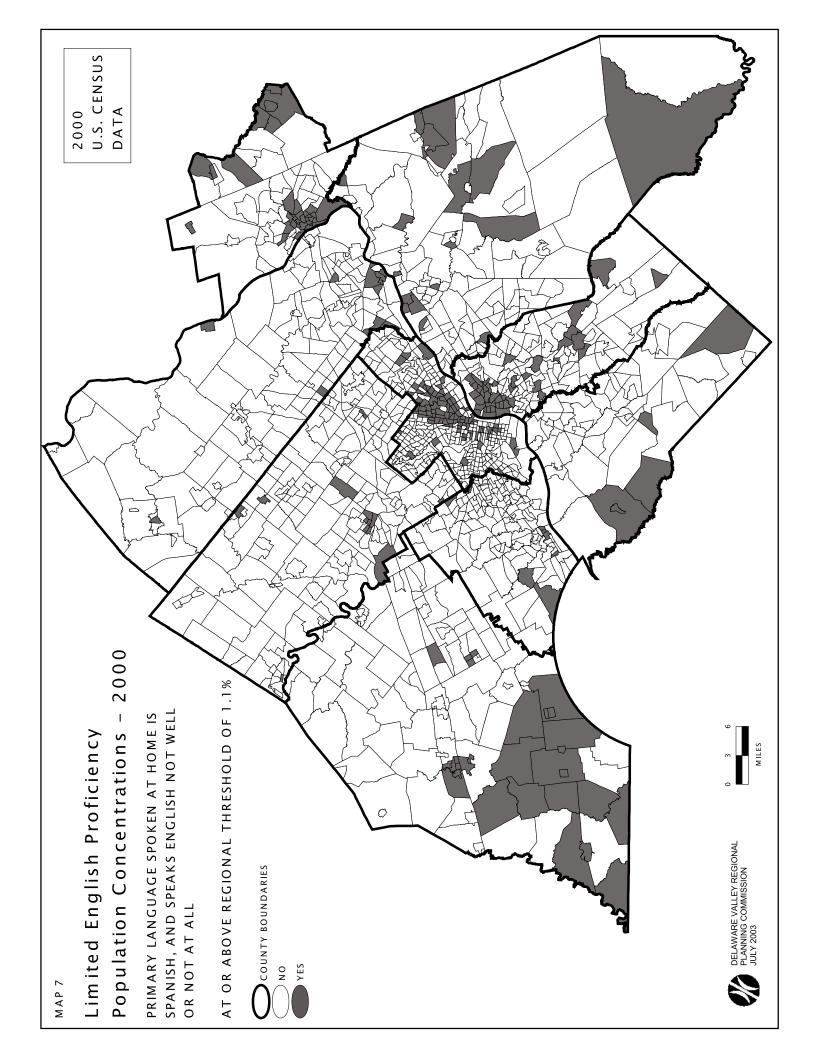
To further DVRPC's understanding of the Limited English Proficiency populations in the region, separate maps were created that display the locations of these populations by their primary language spoken at home, including Spanish, Asian/Pacific Island, other Indo-European (Italian, French, German, Czech, Polish, Russian, Persian, Urdu, Yiddish, and others belonging to this family), or other language entirely.

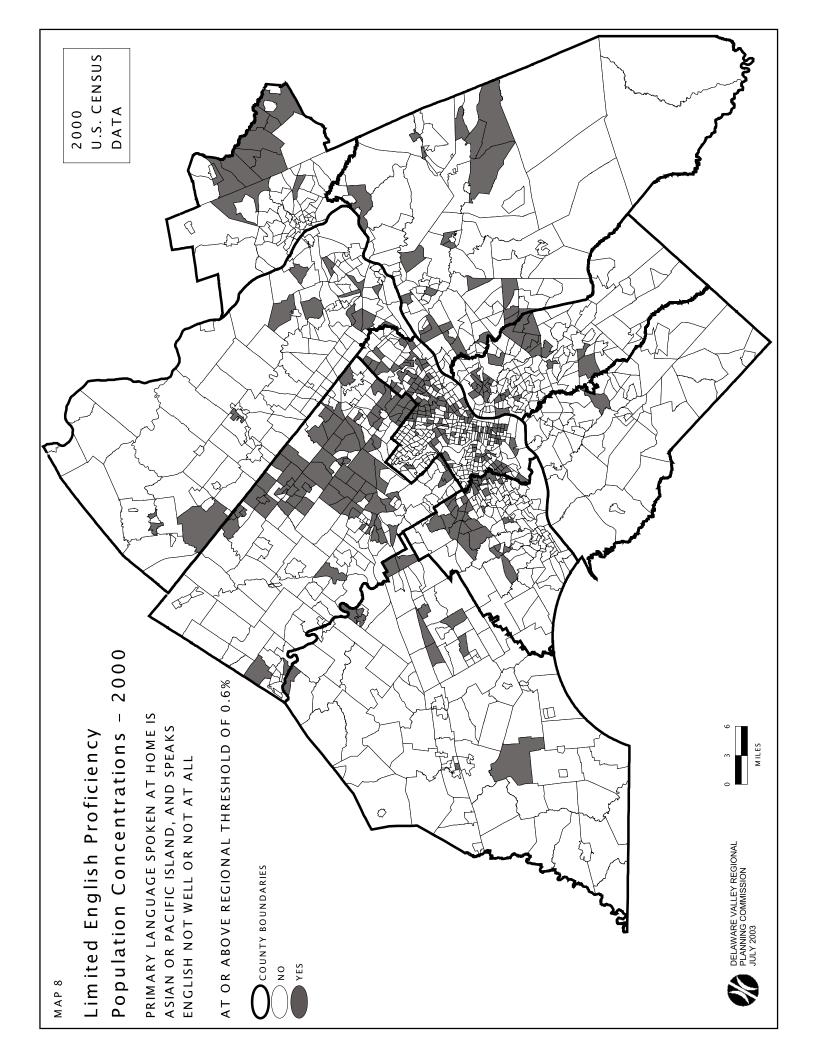
Map 7: Limited English Proficiency Population Concentrations—2000 (Speak Spanish At Home) locates these populations that have a regional threshold of 1.1% (the regional average). Particular geographic areas with multiple census tracts meeting this criteria of Spanish speakers with limited English proficiency can be found in southern Chester County, north Philadelphia, the City of Camden, and the City of Trenton.

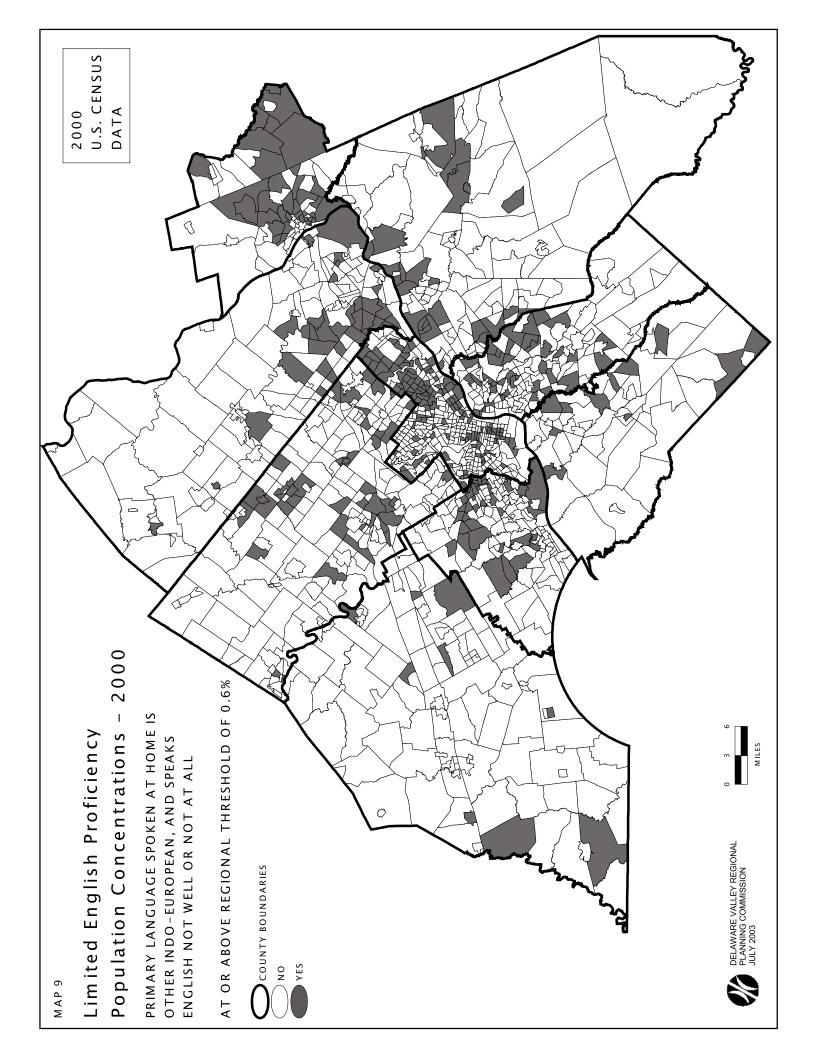
Map 8: Limited English Proficiency Population Concentrations—2000 (Speak Asian or Pacific Island Language At Home) locates these populations that have a regional threshold or average of .6%. Particular areas of interest that have Asian or Pacific Island language speakers with limited English proficiency include Center City Philadelphia, south and southwest Philadelphia, Northeast Philadelphia, Haverford and Marple townships in Delaware County, City of Camden, eastern Mercer County, and large portions of eastern and central Montgomery County.

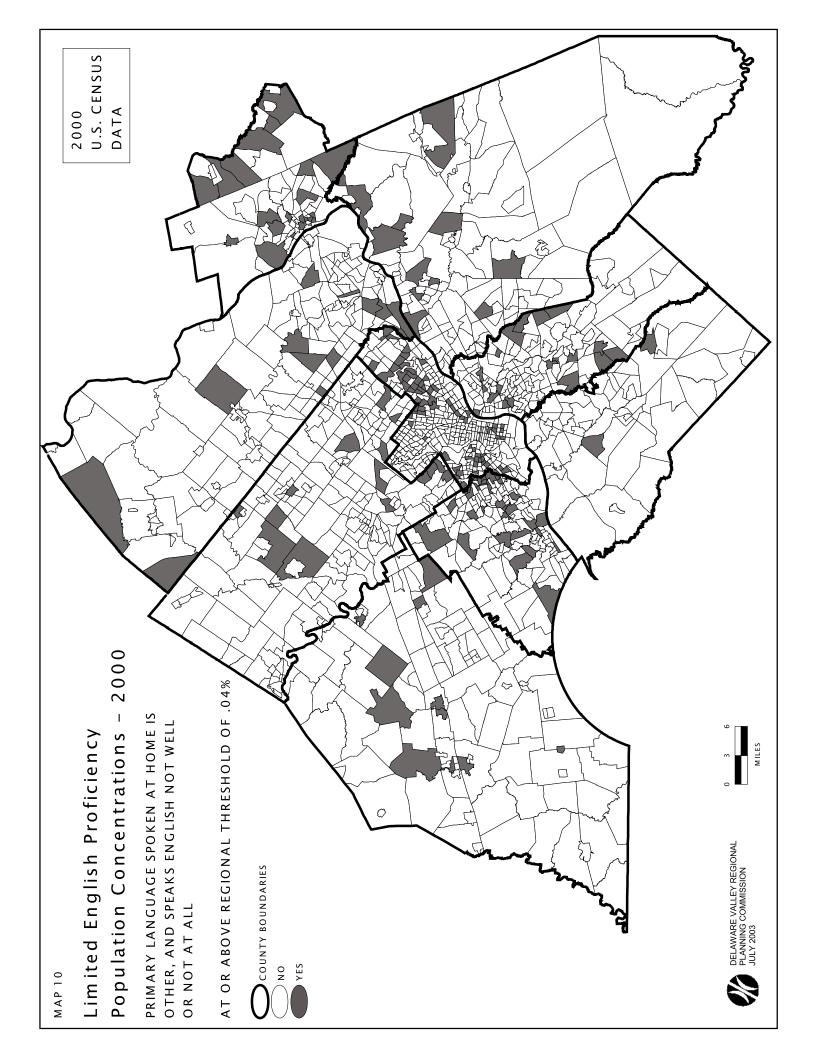
Map 9: Limited English Proficiency Population Concentrations—2000 (Speak Other Indo-European Language At Home) locates these populations that have a regional threshold of .6%. Given the broad nature of this category, these concentrations are scattered throughout the nine-county region. Particular geographic areas with multiple census tracts meeting this criteria can be found in south Philadelphia, Northeast Philadelphia (possible Russian or Yiddish immigrants), and many tracts in Mercer County.

Map 10: Limited English Proficiency Population Concentrations—2000 (Speak Other Language At Home) locates these populations that have a regional threshold of .4%. Given the nature of this category as the "catch all" for all languages not represented in the other groups, the concentrations are dispersed throughout the region.









### **Transportation Improvement Program 2003**

The locations of transportation investments in the region greatly influence the level of mobility and accessibility of areas in the region. The Transportation Improvement Program (TIP) represents the region's transportation priorities, in accordance with the requirements of the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21). The TIP includes all projects in the Delaware Valley that intend to use federal funds, along with non-federally funded projects that are regionally significant. The TIP is authorization to seek funding for projects, but is not a commitment of funds or obligation. Public involvement is an integral part of developing the TIP for the region.

The original report (September 2001) assessed the Fiscal Year 2001 TIP in relation to the locations of disadvantage areas, in order to identify any possible gaps in mobility and accessibility in the region. The annual update (September 2002) analyzed the current TIP of Fiscal Year 2003. The Fiscal Year 2003 TIP covers the years 2003-2005 in New Jersey, and the years 2003-2006 in Pennsylvania. The TIP was overlaid on the 2002 8-factor Degrees of Disadvantage Map, to assess how the TIP intersects with the identified disadvantaged and highly disadvantaged census tracts. This year's update has created a new 8-factor Degrees of Disadvantage map using all Year 2000 census data. This can then be compared to the Fiscal Year 2003 TIP as has been done in years past. Map 11: Current Transportation Improvement Program Evaluation with Updated Degrees of Disadvantage locates TIP projects within the region.

TIP projects do not need to be directly located at an area of high disadvantage for a tangible benefit to be realized. Disadvantaged areas that may not be directly touched by TIP projects do benefit from other quality of life factors, particularly Job Access Reverse Commute Routes that connect residents to job locations.

TIP projects are mapped according to type of project, including Bridge Improvement, Intersection Improvement, Rail Station Improvement, Bicycle/Pedestrian Trail, Roadway Improvement, Rail Freight Improvement, and Area Improvement. Map 11: Current Transportation Improvement Program Evaluation, however, does not accurately display the number of transit and nonmotorized improvements, since many projects categorized as roadway or bridge or intersection also contain pedestrian and bicycle improvements. A bridge improvement will often include a widening or creation of sidewalks and bike lanes on the bridge, though this will be mapped only as a bridge improvement. A traffic signals coordination project, which may appear to only improve a roadway, may also include transit coordination and new pedestrian markings at intersections. The elimination of a traffic circle may include the construction of a pedestrian overpass. A highway corridor study will almost always include multi-modal improvements and accommodation for pedestrian, bicyclists, and transit. Thus, many non-motorized and transit improvements are not readily apparent from the title of the TIP project or its overall category.

The DVRPC website lists all TIP projects for the region, and a new search tool allows the user to search for projects by county, key word, project identification number, or by funding source. This can be accessed at <a href="http://www.dvrpc.org/transportation/tip.htm">http://www.dvrpc.org/transportation/tip.htm</a>. If one searches by key word, one can obtain a more accurate list of projects, since this tool also searches the description of projects, not just the title. Figure 4: Fiscal Year 2003 TIP Projects That Benefit the Non-Motorized Population better illustrates the number of these types of projects.

Keyword Search	# of TIP Projects In Pennsylvania—5 Counties	# of TIP Projects In New Jersey—4 Counties	Total for 9- County Region
Pedestrian	63	27	90
Bicycle	27	21	48
Transit	36	53	89
Bus	58	23	81
Rail	115	34	149
Streetscape	22	1	23
Air Quality	2	2	4
Non-	1	1	2
Motorized			
Sidewalk	38	8	46
Landscaping	8	2	10
Total	370	172	542

# Figure 4: Fiscal Year 2003 TIP Projects That Benefit the Non-Motorized Population

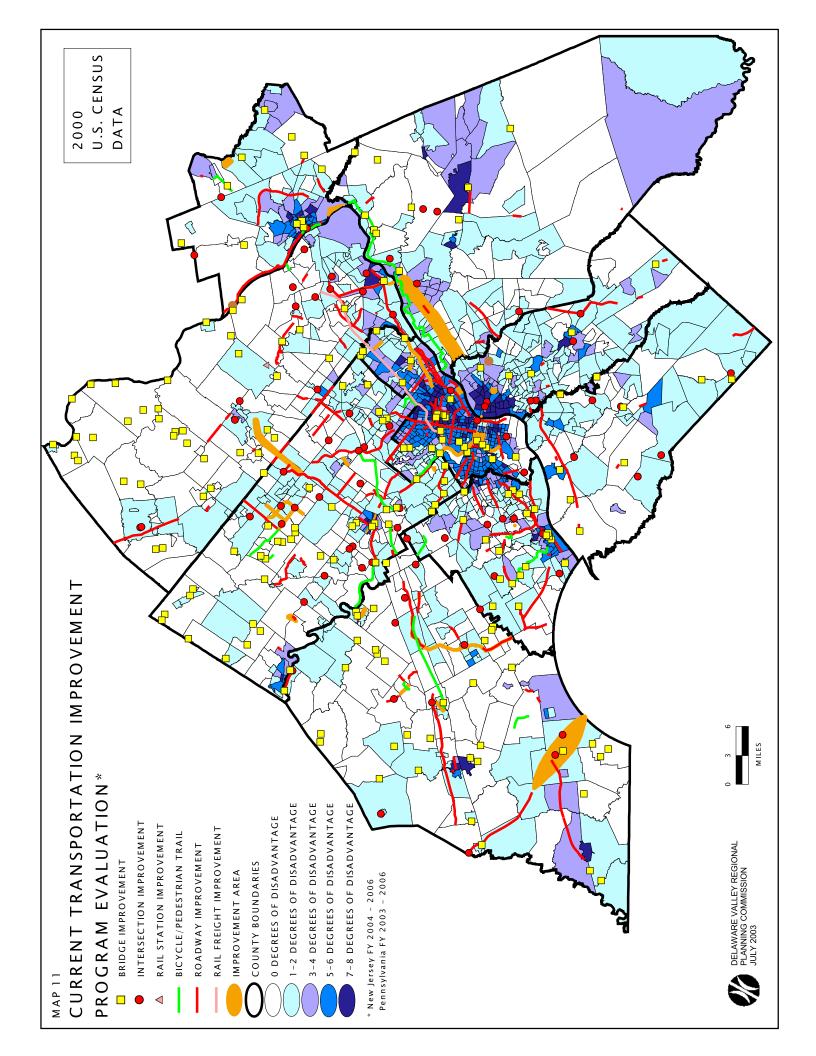
Source: DVRPC Transportation Improvement Program for Fiscal Year 2003. \* Note: Many projects may be listed in two or more categories.

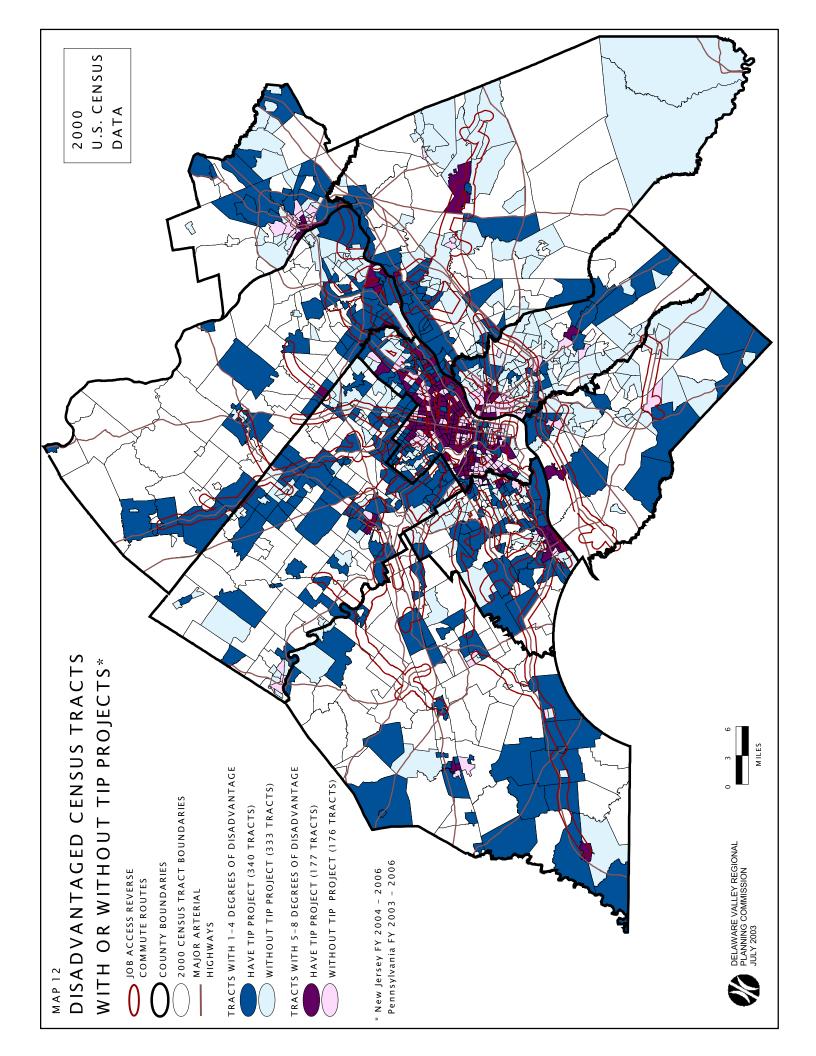
In Pennsylvania, the TIP contains over 530 projects totaling almost \$3.5 billion for the phases to be advanced over the next four years. It includes \$1.85 billion of projects primarily addressing the highway system and \$1.64 billion of transit projects for SEPTA, Pottstown Urban Transit, and the Keystone Service. In New Jersey, the TIP contains nearly 200 projects totaling \$936 million for the phases to be advanced over the next three years. It includes \$506 million of projects primarily addressing the highway system and \$430 million of transit projects for Delaware River Port Authority/PATCO and New Jersey Transit. While the above Figure 4 obviously contains projects that overlap between categories, making the total projects for non-motorized and transit categories difficult to accurately portray, it does indicate that all modes are well represented in the TIP. In addition to the TIP Search feature on the DVRPC website, there is now an Interactive TIP Mapping feature, allowing the user to display a color map of TIP projects (<u>http://www.dvrpc.org/transportation/tip.htm</u>). A user can search by county or municipality, select data layers, and use the "identify" tool to display project identification information below the map. Further clicking on the "report" link will bring up the actual full TIP entry, giving a description of the project, its funding sources, and phasing. This feature allows for customizable searches based on type of project and geographic location, and can be very useful to communities interested in finding out more about what TIP projects are in their area.

Map 12: Disadvantaged Census Tracts With or Without TIP Projects illustrates that of the region's 353 most highly disadvantaged census tracts (those with 5-8 degrees of disadvantage), 177 tracts, or 50%, have a TIP project, while 176 tracts, or 50% do not have a TIP project. Those highly disadvantaged tracts with a TIP project are shaded dark red, and those without a TIP project are shaded pink. Of those 673 census tracts that meet 1-4 degrees of disadvantage, 340 tracts, or 51%, have a TIP project, while 333 tracts, or 49%, do not have a TIP project. Those disadvantaged tracts with a TIP project are shaded deep blue, and those without a TIP project are shaded deep blue.

The 2002 study that analyzed the FY2003 TIP in comparison to degrees of disadvantage (using 1990 and 2000 Census data, as opposed to this year's study that uses all 2000 Census data) found that of the region's 255 most highly disadvantaged census tracts (those with 5-8 degrees of disadvantage), 136 tracts, or 53%, have a TIP project, while 119 tracts, or 46% do not have a TIP project. Of those 638 census tracts that meet 1-4 degrees of disadvantage, 305 tracts, or 48%, have a TIP project, while 333 tracts, or 52%, do not have a TIP project. Those disadvantaged tracts with a TIP project are shaded deep blue, and those without a TIP project are shaded light blue.

It should be noted that even if a disadvantaged census tract does not have a TIP project within its boundaries, it does not mean the tract is without any benefits provided by other regionally significant transportation investments and quality of life factors.





## Use of Environmental Justice Criteria in DVRPC's Transportation and Community Development Initiative (TCDI)

The Transportation and Community Development Initiative (TCDI) is a DVRPC funding program begun in May 2002 with the support of the Pennsylvania and New Jersey Departments of Transportation. The program offers grants to municipalities to assist in reversing the trends of disinvestment and decline in the region's Core Cities and First Generation Suburbs. In 2002, the first year of the program, municipalities were eligible if they were a "revitalizing center" in *Horizons* 2025, the region's long-range plan; or if they had lost 5% or more of their population between 1990-2000 and are designated as a "future growth" area in *Horizons* 2025; or if their median household income is less than 75% of their respective County average, and are designated as "future growth" areas in *Horizons* 2025. This resulted in 78 municipalities being eligible to apply for funding. A total of \$1.5 million was awarded to 26 municipalities in 2002.

In 2003, the qualifying criteria were updated to include DVRPC's environmental justice eight degrees of disadvantage analysis. Census tracts that met two or more degrees of disadvantage and were identified as already developed or appropriate for future growth qualified to apply for the grants. Areas identified as "revitalizing centers" in the regional plan were also eligible. By tailoring the eligibility criteria to census tracts rather than to municipalities, and by including disadvantage as a factor, the program ensures that the grant funds (and resulting studies) are awarded to those areas most in need. Using the new criteria, 135 municipalities are now eligible—in some cases the entire municipality and in others only a single census tract is eligible. In 2003, 24 grants were awarded for a total of \$1.5 million.

A description of projects awarded TCDI funding is available on the DVRPC website at <u>www.dvrpc.org/planning/tcdi.htm</u>.

### **Future Direction**

In Fiscal Year 2004, DVRPC will continue implementation of the federal Environmental Justice requirements in the Delaware Valley region by monitoring the effectiveness of the policy statement and public participation strategies developed in Fiscal Years 2001-2003. DVRPC will also continue to assess longrange land use and transportation planning and capital improvement program processes to identify the regional benefits and burdens for different socioeconomic groups. Continuing legal developments in regards to Title VI will be closely watched. Analysis of transportation performance measures in relation to disadvantaged groups will be explored.

Public involvement and outreach efforts will continue to expand, with future quarterly issues of the *EJ Chronicle* newsletter planned, as well as a DVRPC-sponsored regional conference on Environmental Justice scheduled for June 2004 in Philadelphia.

**Title of Report:** 2003 Annual Update to "...and Justice for All": DVRPC's Strategy for Fair Treatment and Meaningful Involvement of All People

Publication No.: 03024

Date Published: August 2003

**Geographic Area Covered:** Nine-County Delaware Valley Region, including the counties of Bucks, Chester, Delaware, Montgomery and Philadelphia in Pennsylvania; and Burlington, Camden, Gloucester and Mercer in New Jersey.

**Key Words**: environmental justice (EJ), Title VI, President's Executive Order 12898, minority, low income, disabled, elderly, car less, limited English proficiency, female head of household with child, degrees of disadvantage, regional thresholds, census tract, Transportation Improvement Program (TIP)

#### **ABSTRACT:**

This update is based on previous work performed at DVRPC on the topic of Environmental Justice, namely, "...and Justice for All": DVRPC's Strategy for Fair Treatment and Meaningful Involvement of All People (September 2001) and Annual Update to "...and Justice for All" (September 2002). This report further updates and refines the quantitative methodology, using Year 2000 U.S. Census data.

Delaware Valley Regional Planning Commission The Bourse Building – 8<sup>th</sup> Floor 111 South Independence Mall East Philadelphia PA 19106-2582

 Phone:
 215-592-1800

 Fax:
 215-592-9125

 Internet:
 www.dvrpc.org

Staff contact :Karin Morris, AICPDirect phone:215-238-2838E-mail:kmorris@dvrpc.org



The Bourse Building 111 South Independence Mall East Philadelphia, PA 19106 Phone: 215-592-1800

www.dvrpc.org

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