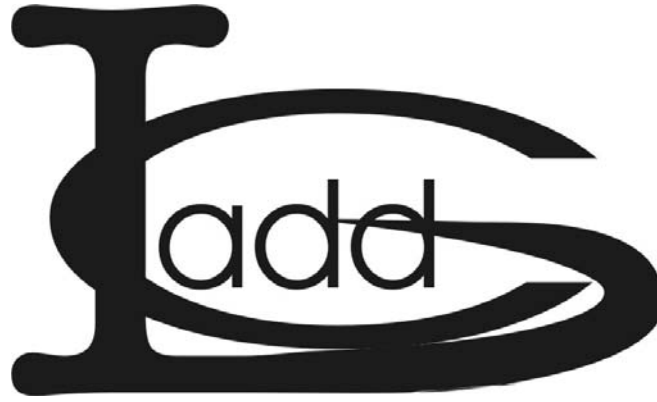


Appendix D

Environmental Justice Report

Lake Cumberland Area Development District



KY 76 CORRIDOR STUDY Environmental Justice Report Item No. 8-8302.00



TABLE OF CONTENTS

1.0 Introduction	1
2.0 What is Environmental Justice?	1
2.1 Definitions	2
3.0 Methodology	2
4.0 Census Data Analysis	3
5.0 Study Findings	3
6.0 Study Findings/ Population by Race	4
6.1 Russell County	4
6.2 Adair County	4
7.0 Study Findings/ Population by Poverty Level	5
7.1 Russell County	5
7.2 Adair County	5
8.0 Study Findings/ Population by Age Group	6
8.1 Russell County	6
8.2 Adair County	6
9.0 Conclusion	6
APPENDIX 1: Planning Study Contact List	8
APPENDIX 2: Methodology for Assessing Potential Environmental Justice Concerns for KYTC Planning Studies	9
APPENDIX 3: KY 76 Corridor Study Map	11
APPENDIX 4: KY 76 Corridor Study Area and Census Tracts	12
APPENDIX 5: KY 76 Corridor Study Census Data Map	13
APPENDIX 6: Russell County and Adair County Census Data	14

1.0 INTRODUCTION

This document is an assessment of the community characteristics for the proposed improvements outlined in the KY 76 Corridor Study from US 127 & KY 76 intersection in Russell County to KY 76 to KY 206 intersection in Adair County, Kentucky (Appendix 3). The data used in this report has been compiled from a number of sources including the U.S. Census Bureau Census 2000, Kentucky Transportation Cabinet (KYTC), Division of Planning, local officials, and field observations of the project area. The information and results are intended to assist the Kentucky Transportation Cabinet in making informed and prudent transportation decisions in the project area, especially with regard to the requirements of Executive Order 12898¹, to ensure equal environmental protection to all groups potentially impacted by this project.

The following report outlines Census 2000 statistics for the KY 76 Corridor Study in Russell County and Adair County using data tables and maps.

Census data was also compiled for Census divisions directly in and around the portion of the study area located in Russell County and Adair County. Statistics are provided for minority, low-income, and elderly populations for the project area, nation, state, region, census tracts, and block groups.

2.0 WHAT IS ENVIRONMENTAL JUSTICE?

The U.S. Environmental Protection Agency (EPA) Office of Environmental Justice (EJ) defines 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 socio-economic 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.”

A disproportionately high and adverse effect on a minority or low-income population means an adverse effect that:

1. Is predominately borne by a minority population and/or 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.

¹ Executive Order 12898 signed on February 11, 1994 states “...each Federal agency shall 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...”

2.1 Definitions

U.S. Department of Transportation (USDOT) Order 5610.2 on EJ, issued in the April 15, 1997 Federal Register defines what constitutes low income and minority populations.

- Low-Income is defined as a person whose median household income is at or below the U.S. Department of Health and Human Services poverty guidelines.
- Minority is defined as a person who is: (1) Black (a person having origins in any black racial groups of Africa); (2) Hispanic (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, the Indian subcontinent, or the Pacific Islands); or (4) American Indian and Alaskan Native (a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition).
- Low-Income Population is defined as any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant geographically dispersed/transient persons who will be similarly affected by a proposed USDOT program, policy or activity.
- Minority Population is defined as any readily identifiable group of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed/transient persons who will be similarly affected by a proposed USDOT program, policy or activity.

Executive Order (EO) 12898 and USDOT Order 5610.2 do not address consideration of the elderly population. However, the USDOT encourages the study of these populations in EJ discussions and in accordance with EJ, Title VI of the Civil Rights Act of 1964 and the Kentucky Transportation Cabinet's advocacy of inclusive public involvement and equal treatment of all persons this study includes statistics for persons age 65+ that are within the project and comparison areas.

3.0 METHODOLOGY

For this study, data was collected by using the method outlined by the KYTC document, "Methodology for Assessing Potential Environmental Justice Concerns for KYTC Planning Studies".

The primary sources of data were the U.S. Census Bureau, Census 2000, local leaders, and field observations. Statistics were compiled to present a detailed analysis of the community conditions for the KY 76 Corridor Study.

4.0 CENSUS DATA ANALYSIS

The U.S. Census Bureau defines geographical units as:

- Census Tract (CT) – “A small, relatively permanent statistical subdivision of a county or statistically equivalent entity delineated for data presentation purposes by a local group of census data users or the geographic staff of a regional census center in accordance with Census Bureau guidelines. CTs generally contain between 1,000 and 8,000 people. CT boundaries are delineated with the intention of being stable over many decades, so they generally follow relatively permanent visible features. They may also follow governmental unit boundaries and other invisible features in some instances; the boundary of a state or county is always a census tract boundary.”
- Block Group (BG) - “A statistical subdivision of a CT. A BG consists of all tabulation blocks whose numbers begin with the same digit in a CT. BGs generally contain between 300 and 3,000 people, with an optimum size of 1,500 people.”
- Census Block (CB) – “An area bounded on all sides by visible and/or invisible features shown on a map prepared by the Census Bureau. A CB is the smallest geographic entity for which the Census Bureau tabulates decennial census data.”

The project and comparison area analysis include the percentages for minorities, low-income and elderly population levels for the census tract block group, Russell County, Adair County, the Commonwealth of Kentucky and the United States.

5.0 STUDY FINDINGS

This Environmental Justice and Community Impact Report is to be used as a component of a Planning Study for highway transportation improvements to KY 76 between US 127 & KY 76 intersection in Russell County and the KY 76 to KY 206 intersection in Adair County. This study is intended to help define the location and purpose of the project and better meet federal requirements regarding consideration of environmental issues as defined in the National Environmental Policy Act (NEPA).

The 2000 Census identifies two Census Tracts in this study area. These tracts are listed below by county and are illustrated in Appendices 4 and 5 along with the study area. Appendix 6 has the tabular data for comparison purposes in the report.

Russell County – Tract #9601
Adair County – Tract #9703

6.0 STUDY FINDINGS / POPULATION BY RACE

6.1 Russell County

The defined study area in Russell County encompasses portions of the following Census Tract: 9601. Following the compilation of pertinent information, Lake Cumberland Area Development District (LCADD) Staff met with local officials and community members to review maps and Census data related to the study. The intent of these discussions was to confirm previous conclusions and solicit input into the process of developing this Environmental Justice Report.

The methodology used to determine minority concentrations was to compare the percentages for the Census Tracts and Block Groups in the study area to the state and national averages. If they were within 3% of the state and national averages, we considered it to be comparable.

The majority of Census Tracts and Block Groups in the study area contain minority populations that are considerably less than the national, state, and county averages; however, there are a few particular Block Groups in the study area that warrant further discussion.

Census Tract 9601 has a 0% percentage of black population in a county average of 0.44%. The Hispanic population is 1.26%, which is comparable to the county and state average of 0.80% and 1.48% respectively, but is considerably less than the national average of 12.52%. Reconstruction of the existing road would have no adverse affect.

Meetings with local officials and community members resulted in the conclusion that additional concentrations of minorities are not located in the study area; therefore, it is anticipated that the implementation of this project would not have a disproportionate effect on minorities residing in the proposed study area. LCADD Staff will continue to monitor racial composition in the study area and report any changes and/or developments that may occur in the future that could alter the findings of this report.

6.2 Adair County

The defined study area within Adair County encompasses portions of Census Tract: 9703. Census Tract 9703 has percentage of black population of 0.85%, which is well below the average. Block Group 1 in Census Tract 9703 contains a percentage of black population of 2.85%, which is comparable to the county average of 2.99%, but is considerably less than the national and state average of 12.21% and 7.27% respectively. While the other Block Groups in Tract 9703 located in the study area have percentages well below the county average. The Hispanic or Latino percentage population for Adair County is 0.60%, which is comparable with Census Tract: 9703 having 0.41%. However Block Group 2 is higher with 1.03%, but is still comparable with county and state averages and well below the national average of 12.52%. Based on the census data, there appears to be no concentrations of minorities in this specific study area.

7.0 STUDY FINDINGS / POPULATION BY POVERTY LEVEL

7.1 Russell County

The percentage of the population below the poverty level for Russell County and Census Tract 9601 in the study area are significantly higher than national averages and state averages. A review of additional data shows that all Block Groups in the study area are at or exceed the state and national averages for the percentage of population below the poverty level, and these percentages range from a low of 20.94% to a high of 30.76%. The State average is 15.37 % and the national average is 12.05 %.

It is evident that a high percentage of population below the poverty level is a universal issue that occurs throughout the entire county, as well as the other counties in this study area, and that the chance of encountering significant concentrations of populations falling under this distinction is very likely. It should also be noted that these percentages are indeed comparable to many surrounding counties in this particular section of southeastern Kentucky. All of the counties within this study area are often identified as economically distressed due to high unemployment rates that can be attributed to the unavailability of quality employment opportunities.

The improvement of the KY 76 Corridor is viewed by many local officials and community members as a project that could potentially be beneficial for further economic growth and development; thereby improving conditions for the population of the county that currently fall below the poverty level. Following the selection of a preferred alternate for this proposed roadway, LCADD Staff recommends that a subsequent review of poverty data within affected Census divisions be undertaken to determine if particular concentrations of population below the poverty level exist in the project area; and if so, proactive measures be undertaken to insure that these groups are not disproportionately affected by the project.

7.2 Adair County

The defined study area within Adair County encompasses portions of the following Census Tracts: 9703. Census Tract 9703 has a percentage of 29.42%, which is more than twice that of the national average. This is not totally unexpected considering the entire study area and the percentages of all the Block Groups.

Again, a further review of poverty data within the affected census tracts should be undertaken to determine if particular concentrations of population might be adversely affected.

8.0 STUDY FINDINGS / POPULATION BY AGE GROUP

8.1 Russell County

Aging characteristics in the overall population of Russell County are slightly higher percentage of persons age 65 and over than the state and national averages of 12%. Census Tract 9601 has a percentage of persons age 65 and over of 15.68%. Which is comparable with the county average. Based on the census data and other discussions, there seem to be no significant concentration of a specific age group in this study area.

8.2 Adair County

The defined study area within Adair County and Census Tracts 9703 shows percentages for the aging population are consistent with those of the state, and the nation. The county average is 14.59% comparable to the state and nation of 12%. Based on the census data and other discussions, there seem to be no significant concentration of a specific age group in this study area.

Discussions with local officials and community members resulted in the conclusion that additional concentrations of persons age 65 and over are not located in the study area; therefore, it is anticipated that the implementation of this project would not have a disproportionate effect on the population of persons age 65 and over residing in the proposed study area.

9.0 CONCLUSION

Based on data obtained from the U.S. Census Bureau for income, race and age, discussions with local officials, and field observations, LCADD Staff has concluded that a defined Environmental Justice community does not exist within the study area of Russell or Adair Counties.

Analysis of the minority population data showed several of the block groups as having an identified concentration of some sort. Some were significant, some were only minor. The more significant concentrations identified were noted in the narrative analysis of that county. All areas within this study should be given full consideration in the planning process to achieve the goals put forth by the U. S. Department of Transportation. The concentrations identified in both counties should not be affected by improvements to this route.

The elevated percentages in the populations below poverty level might be indicative of concentrations throughout the study area. However, based on the economic status of these rural depressed counties, these percentages are not uncommon for this area. Discussions with local officials and a field review came to the conclusion that no concentration of individuals below the poverty level will be disproportionately affected by this project.

There appear to be few small concentrations of populations by age in Russell and Adair counties. Age analysis indicates that the distribution of elderly residents in Adair County closely resembles the national and state average. Russell County has a slightly higher concentration of elderly, but the concentrations identified should not be affected by improvements to this route.

Efforts were made to identify any high concentrations of a specific population. Community citizens, other ADD planners, local officials, and statistical data were all used in this process.

LCADD Staff will continue to monitor the progress of this project and reevaluate the Environmental Justice Report to document any demographic and/or socioeconomic changes that may occur in and around the study area throughout the development of the project.

APPENDIX 1

PLANNING STUDY CONTACT LIST

Judge Ann Melton
Adair Co. Judge Exec.
424 Public Square, Suite1
Columbia, KY 42728

Judge Mickey Garner
Russell Co. Judge Exec.
P.O. Box 397
Jamestown, KY 42629

Jimmy R. McQueary
Russell Co. Magistrate Dist. 4
P.O. Box 397
Jamestown, KY 42629

Rodger Stephens
Adair Co. Magistrate
424 Public Square, Suite1
Columbia, KY 42728

Sheriff Larry Bennett
Russell Co. Courthouse
Jamestown, KY 42629

Tom Clouse
DEPT. OF HIGHWAYS
DISTRICT 8
1660 S. Highway 27
Somerset, KY 42501

APPENDIX 2

Methodology for Assessing Potential Environmental Justice Concerns for KYTC Planning Studies

Updated: February 1, 2002

The demographics of the affected area should be defined using U.S. Census data (Census Tracts and Block Groups) and the percentages for minorities, low-income, elderly, or disabled populations should be compared to those for the following:

- Other nearby Census tracts and block groups,
- The county as a whole,
- The entire state, and
- The United States.

Information from Property Valuation Administration (PVA) offices, social service agencies, local health organizations, local public agencies, and community action agencies can be used to supplement the Census data. Specifically, we are interested in obtaining the following information:

- Identification of community leaders or other contacts who may be able to represent these population groups and through which coordination efforts can be made.
- Comparison of the Census Tracts and Block Groups encompassing the project area to other nearby Census Tracts and Block Groups, county, state, and United States percentages.
- Locations of specific or identified minority, low-income, elderly, or disabled population groups within or near the project area. This may require some field reviews and/or discussions with knowledgeable persons to identify locations of public housing, minority communities, ethnic communities, etc., to verify Census data or identify changes that may have occurred since the last Census. Examples would be changes due to new residential developments in the area or increases in Asian and/or Hispanic populations.
- Concentrations or communities that share a common religious, cultural, ethnic, or other background, e.g., Amish communities.
- Communities or neighborhoods that exhibit a high degree of community cohesion or interaction and the ability to mobilize community actions at the start of community involvement.
- Concentrations of common employment, religious centers, and/or educational institutions with members within walking distance of facilities.
- Potential effects, both positive and negative, of the project on the affected groups as compared to the non-target groups. This may include, but are not limited to:
 1. Access to services, employment or transportation.
 2. Displacement of persons, businesses, farms, or non-profit organizations.
 3. Disruption of community cohesion or vitality.
 4. Effects to human health and/or safety.

- Possible methods to minimize or avoid impacts on the target population groups.

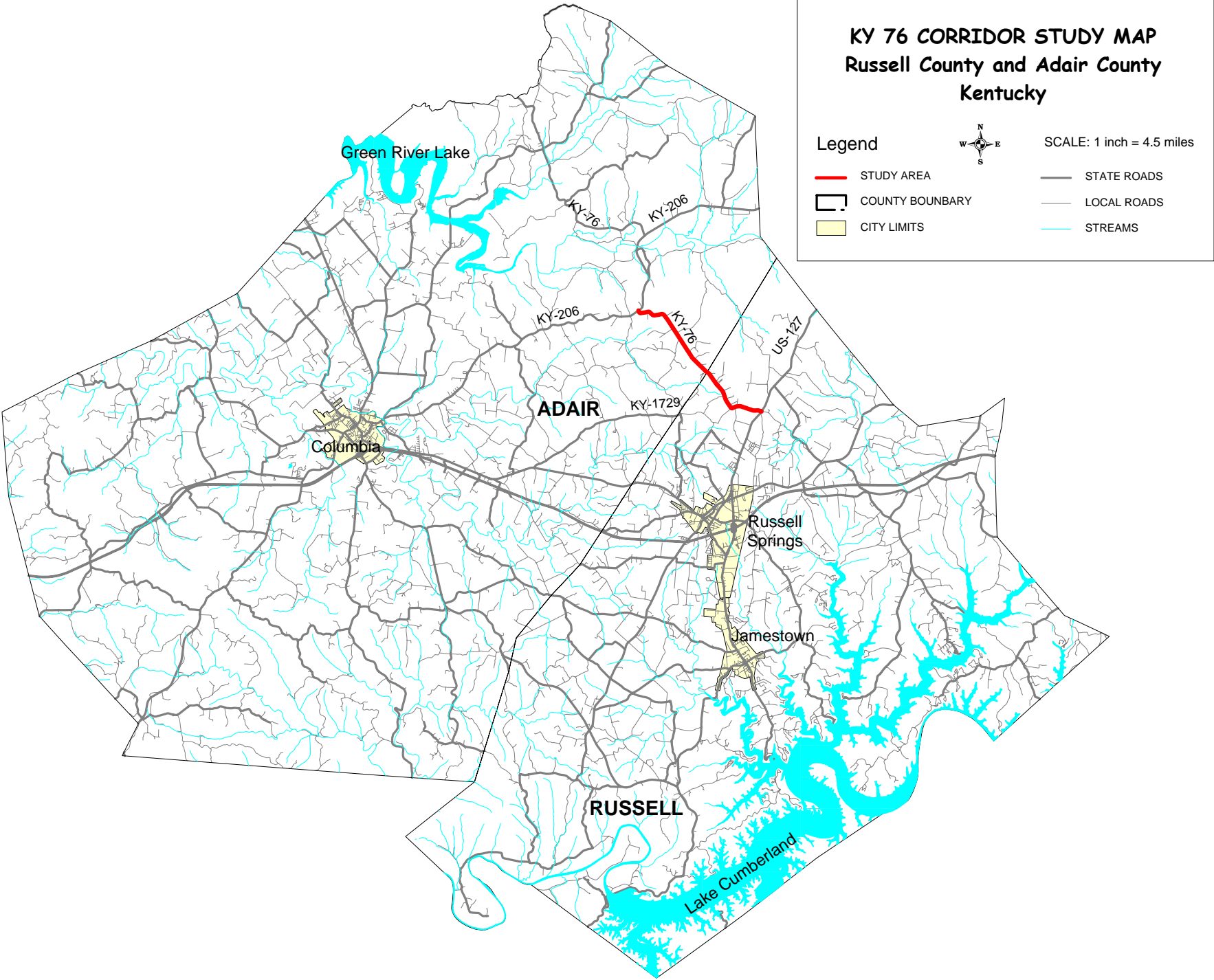
Methodology for Assessing Potential Environmental Justice Concerns
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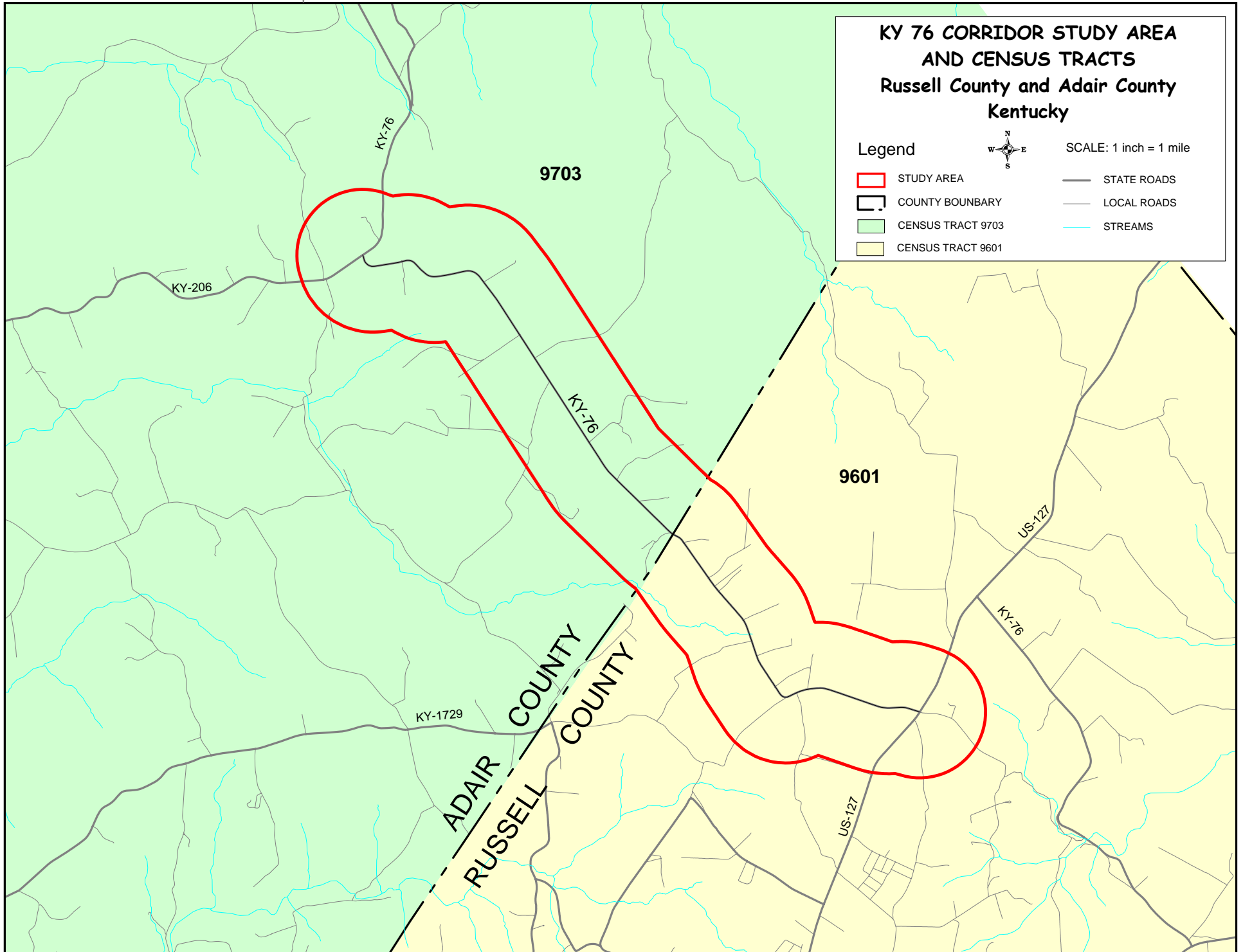
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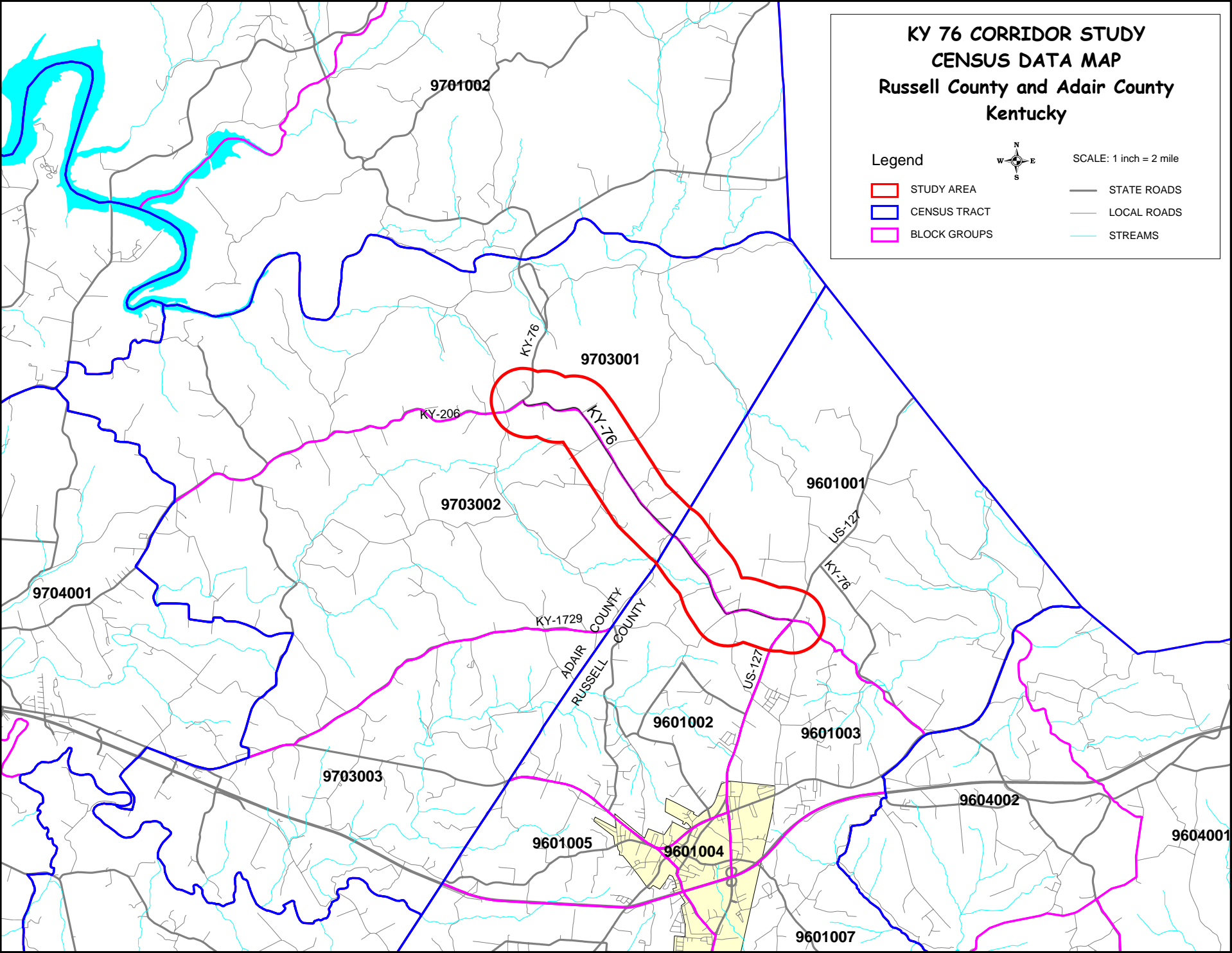
If percentages of these populations are elevated within the project area, it should be brought to the attention of the Division of Planning immediately so that coordination with affected populations may be conducted to determine the affected population's concerns and comments on the project. Also, with this effort, representatives of minority, elderly, low-income, or disabled populations should be identified so that, together, we can build a partnership for the region that may be incorporated into other projects. Also, we hope to build a Commonwealth-wide database of contacts. We are available to participate in any meetings with these affected populations or with their community leaders or representatives.

In identifying communities, agencies may consider as a community either a group of individuals living in geographic proximity to one another, or a geographically dispersed/transient set of individuals (such as migrant workers or Native Americans), where either type of group experiences common conditions of environmental exposure or effect. The selection of the appropriate unit of analysis may be a governing body's jurisdiction, a neighborhood, census tract, or other similar unit that is to be chosen so as not to artificially dilute or inflate the affected population. A target population also exists if there is (1) more than one minority or other group present and (2) the percentages, as calculated by aggregating all minority persons, exceed that of the general population or other appropriate unit of geographic analysis.

Maps should be included that show the Census Tracts and Block Groups included in the analysis as well as the relation of the project area to those Census Tracts and Block Groups.







APPENDIX 6: RUSSELL COUNTY AND ADAIR COUNTY CENSUS DATA

REGION	TOTAL POPULATION	WHITE ALONE	PERCENT WHITE ALONE	BLACK OR AFRICAN AMERICAN ALONE	PERCENT BLACK OR AFRICAN AMERICAN ALONE	AMERICAN AND ALASKA NATIVE ALONE	PERCENT AMERICAN INDIAN AND ALASKA NATIVE ALONE	ASIAN ALONE	PERCENT ASIAN ALONE	NATIVE HAWAIIAN AND OTHER PACIFIC ISLANDER ALONE	PERCENT NATIVE HAWAIIAN AND OTHER PACIFIC ISLANDER ALONE
United States	281,421,906	211,353,725	75.10%	34,361,740	12.21%	2,447,989	0.87%	10,171,820	3.61%	378,782	0.13%
Kentucky	4,041,769	3,639,168	90.04%	293,915	7.27%	9,080	0.22%	28,994	0.72%	1,155	0.03%
Russell Co.	16,315	16,063	98.46%	72	0.44%	31	0.19%	57	0.35%	2	0.01%
Census Tract 9601	7,827	7,715	98.57%	0	0.00%	31	0.40%	53	0.68%	0	0.00%
Block Group 1	998	975	97.70%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Block Group 2	1,518	1,484	97.76%	0	0.00%	0	0.00%	29	1.91%	0	0.00%
Block Group 3	14,708	1,383	9.40%	0	0.00%	25	0.17%	0	0.00%	0	0.00%
Adair Co.	17,244	16,573	96.11%	515	2.99%	16	0.09%	27	0.16%	0	0.00%
Census Tract 9703	2,957	2,908	98.34%	25	0.85%	0	0.00%	0	0.00%	0	0.00%
Block Group 1	876	851	97.15%	25	2.85%	0	0.00%	0	0.00%	0	0.00%
Block Group 2	1,167	1,163	99.66%	0	0.00%	0	0.00%	0	0.00%	0	0.00%

Source: www.census.gov

Summary File 3 (SF3)

Detailed Tables: P.6-Race, P.8-Sex by Age, P.87-Poverty Status in 1999 by Age

Summary File 3 (SF3)

Hispanic or Latino Origin was found on Table: P7. Hispanic or Latino by Race

APPENDIX 6: RUSSELL COUNTY AND ADAIR COUNTY CENSUS DATA (Continued)

REGION	SOME OTHER RACE ALONE	PERCENT SOME OTHER RACE ALONE	TWO OR MORE RACES	PERCENT TWO OR MORE RACES	HISPANIC OR LATINO ORIGIN	PERCENT HISPANIC OR LATINO ORIGIN	PERSONS 65 AND OVER	PERCENT PERSONS 65 AND OVER	PERSONS BELOW POVERTY LEVEL	PERCENT PERSONS BELOW POVERTY LEVEL
United States	15,436,924	5.49%	7,270,926	2.58%	35,238,481	12.52%	34,978,972	12.43%	33,899,812	12.05%
Kentucky	22,116	0.55%	47,341	1.17%	59,939	1.48%	488,248	12.08%	621,096	15.37%
Russell Co.	7	0.04%	83	0.51%	130	0.80%	2,694	16.51%	3,921	24.03%
Census Tract 9601	0	0.00%	28	0.36%	99	1.26%	1227	15.68%	1,931	24.67%
Block Group 1	0	0.00%	23	2.30%	0	0.00%	130	13.03%	209	20.94%
Block Group 2	0	0.00%	5	0.33%	0	0.00%	279	18.38%	467	30.76%
Block Group 3	0	0.00%	0	0.00%	66	0.45%	182	1.24%	287	1.95%
Adair Co.	27	0.16%	86	0.50%	103	0.60%	2,516	14.59%	3,954	22.93%
Census Tract 9703	17	0.57%	7	0.24%	12	0.41%	444	15.02%	870	29.42%
Block Group 1	0	0.00%	0	0.00%	0	0.00%	128	14.61%	270	30.82%
Block Group 2	4	0.34%	0	0.00%	12	1.03%	87	7.46%	304	26.05%

Source: www.census.gov

Summary File 3 (SF3)

Detailed Tables: P.6-Race, P.8-Sex by Age, P.87-Poverty Status in 1999 by Age

Summary File 3 (SF3)

Hispanic or Latino Origin was found on Table: P7. Hispanic or Latino by Race