

### Attachment 3

## ENVIRONMENTAL JUSTICE TASK FORCE OF THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

### *Purpose*

The three basic principles of Environmental Justice are to: (1) Ensure public involvement of low-income and minority groups in decision making; (2) Prevent "disproportionately high and adverse" impacts of decisions on low-income and minority groups; and (3) Assure low-income and minority groups receive proportionate share of benefits.<sup>1</sup>

The primary role of the Environmental Justice Task Force of the Southeastern Wisconsin Regional Planning Commission (SEWRPC) is to enhance the consideration and integration of environmental justice throughout the regional planning process. The specific purposes of the Task Force are:

1. To further facilitate the involvement of, and help ensure the full and fair participation of, low-income, minority<sup>2</sup> and disabled individuals and communities at all stages in relevant areas of regional planning, as determined in consultation with them;
2. To make recommendations on, and help monitor, issues and analyses potentially relevant to the needs and circumstances of low-income, minority and disabled communities in the region;
3. To help identify potential benefits and adverse effects<sup>3</sup> of regional planning programs and activities with respect to minority, low-income and disabled populations;
4. To advise and recommend methods to prevent the denial of, reduction in, or significant delay in the receipt of benefits, and/or to avoid, minimize, or mitigate disproportionately

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<sup>1</sup>*Memorandum*, Federal Highway Administration & Federal Transit Administration (10/1/99).

<sup>2</sup>Federal regulations, 23 C.F.R. § 200.5, include as minorities Black, Hispanic, American Indian/Alaska Native, and Asian/Pacific Islander. That definition is incorporated herein.

<sup>3</sup>Adverse Effects may include, but are not limited to, "the totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to: bodily impairment, infirmity, illness or death; air, noise, and water pollution and soil contamination; destruction or disruption of man-made or natural resources; destruction or diminution of aesthetic values; destruction or disruption of community cohesion or a community's economic vitality; destruction or disruption of the availability of public and private facilities and services; vibration; adverse employment effects; displacement of persons, businesses, farms, or nonprofit organizations; increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community; and the denial of, reduction in, or significant delay in the receipt of, benefits of FHWA programs, policies, or activities." *FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, Order 6640.23 (Dec. 2, 1998).

high and adverse human health and environmental effects, including social and economic effects, on minority, low-income and disabled populations; and

5. To enhance awareness, understanding, appreciation, support, and implementation of planning recommendations and benefits, with emphasis on the needs of minority, low-income, and disabled populations.

### ***Structure***

The Environmental Justice Task Force (EJTF) shall have 15 voting members. Membership appointments shall be made as follows:

The membership shall be appointed by the Regional Planning Commission, after consultation with organizations representing low-income, African-American, Latino, Asian, Native American, disabled and transit-dependent populations, including those organizations that have been regularly consulting with SEWRPC on low-income, minority and disability issues, and additional organizations that submitted comments to the Federal Highway Administration and Federal Transit Administration during the Commission's 2004 MPO certification review.<sup>4</sup>

The EJTF members shall be from and represent low-income, minority, disabled and/or transit dependent communities, and thereby enhance representation from low income, African-American, Latino, Asian, Native American, disabled and transit-dependent populations. Meaningful efforts will be made to ensure that the EJTF includes individuals and organizations representing such diverse experiences and interests (*e.g.*: minority organizations; non-English-speaking populations; organizations of or for disabled persons; low-income workers and/or families; low-income neighborhoods; and those representing senior citizens, youth, community health organizations, community environmental organizations, and organizations involved in housing, serving particularly minority, disabled and low-income populations).<sup>5</sup>

Seven of the EJTF members shall be selected to represent the counties in the region (one per county). Three additional members shall be chosen to represent the largest city in the region; three more shall be chosen to represent the three next-largest cities in the region (one per city); and one shall be chosen from the remainder of the region.

The fifteenth member shall be selected as an at-large representative of regional low income,

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<sup>4</sup> Organizations with which Commission staff have held regular consultation meetings regarding low-income, minority and disability issues, and/or which represented such interests and submitted associated comments during the 2004 MPO certification review, include: ACLU of Wisconsin, Bay View Neighborhood Association, Black Health Coalition of Wisconsin, Citizens Allied for Safe Highways, Merrill Park Neighborhood Association, Metropolitan Milwaukee Fair Housing Council, NAACP-Milwaukee Branch, Story Hill Neighborhood Association, Urban Underground, Inc., Wisconsin Coalition for Advocacy, and Youth and Civil Liberties Council.

<sup>5</sup> It is understood that an organization representing low-income, minority or disabled populations which the Regional Planning Commission desires to have participate on the EJTF may identify a representative from within their organization who is not himself or herself a low-income, minority, or disabled individual to be a member of the EJTF.

minority, disabled and/or transit-dependent communities. The Commission shall appoint one of the members of the EJTF as its chair. In their invitation to serve, members will be asked to serve on the EJTF for a term of two years.

The EJTF shall make recommendations to the Regional Planning Commission for persons to fill any vacancies on the EJTF as they occur.

The Task Force will meet as appropriate and necessary, usually on a quarterly basis. All meetings will be held in locations that are physically accessible to persons with disabilities and served by public transportation. All meetings will be publicly announced, including advertising as appropriate in specialized media for Environmental Justice populations. All meetings will be open to the public. All meetings will include a reasonable opportunity for public comment. Depending upon agenda topics, including geographic or subject matter applicability of planning studies, the Task Force may elect to meet in smaller, needs-based configurations supplemented by invited local or specific subject representatives.

### ***Functions***

The Environmental Justice Task Force will engage in the following activities:

1. Review and make recommendations on SEWRPC's public involvement activities regarding Environmental Justice (EJ) populations, and related topics;
2. Assist in obtaining ideas, opinions and feedback from, and disseminating information to, EJ populations;
3. Suggest quantitative and qualitative information and issues regarding EJ populations for SEWRPC to consider in its planning activities;<sup>6</sup>
4. Review and comment upon regional planning documents, at draft or scoping stages (including but not limited to analyses of the effects of particular planning activities or projects on EJ communities), with a specific focus on the effects of plans on EJ populations and whether and how the benefits and burdens of those plans are shared;
5. Identify prospective representatives of EJ organizations (whether or not members of the EJ Task Force) who could be nominated to serve on other SEWRPC advisory

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<sup>6</sup>See, e.g., "Implementing Title VI Requirements in Metropolitan and Statewide Planning," Kenneth R. Wykle, Administrator, FHWA & Gordon J. Linton, Administrator, FTA (10/7/99): "1. Overall Strategies and Goals: Does the planning process seek to identify the needs of low-income and minority populations? Does the planning process seek to utilize demographic information to examine the distributions across these groups of the benefits and burdens of the transportation investments included in the plan and TIP (or STIP)? What methods are used to identify imbalances?" and "2. Service Equity: Does the planning process have an analytical process in place for assessing the regional benefits and burdens of transportation system investments for different socio-economic groups? Does it have a data collection process to support the analysis effort? Does this analytical process seek to assess the benefit and impact distributions of the investments included in the plan and TIP (or STIP)? How does the planning process respond to the analyses produced? Imbalances identified?"

committees;

6. Propose or present environmental justice recommendations, ideas, or concerns to the Commission and to other advisory committees;
7. Recommend additional research or studies for SEWRPC to undertake (*e.g.*, the housing study); and
8. Suggest processes or products to better inform or equip the public, including ways that minority, low-income, and disabled populations might support and help implement plan recommendations of benefit to them and society.

After two years, the impact of the EJ Task Force should be evaluated by the Task Force and the Commission in terms of process (the extent to which public involvement of low-income, minority and disabled groups has been enhanced) and outcomes (the extent to which regional plans and planning processes balance the benefits and burdens of decisions, particularly as related to the interests of low-income, minority and disabled groups). The evaluation should include measures to determine the degree to which Task Force recommendations have been adopted or otherwise acted upon by the Commission and the extent to which those recommendations have been implemented in practice.

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