Chapter Ten

Participation Plan for Transportation Planning and Environmental Justice

Summary of Objectives

- Create a plan that will enable BCATS to improve & increase participation into the transportation planning process
- Develop measures to prevent the denial of, reduction in, or significant delay in the receipt of transportation benefits by low-income and minority population.
- Facilitate participation of non-traditional participants in the planning process.
- To provide and encourage timely and early participation to ensure the opportunity for comment (by stakeholders and the public) on transportation decisions.
- Develop transportation plans and projects that reflect BCATS communities' values.

Overview of Participation Plan Development Process

The Bay City Area Transportation Study (BCATS) is the principal public agency, as per Section 134 (a) of title 23, United States Code, conducting regional transportation studies for the Bay City Urbanized Area. BCATS, through an agreement with the Bay County Board of Commissioners, provides management and policy functions for the transportation planning programs as required by the **Fixing America's Surface Transportation Act (FAST Act) of 2015**. BCATS provides transportation planning services on behalf of the metropolitan planning organization (MPO) for the cities of Bay City and Essexville and the townships of Bangor, Monitor, Hampton, Portsmouth, Kawkawlin, and Frankenlust. The MPO is established by federal law in all urbanized areas of the nation to carry out the "3C" (continuing, cooperative and comprehensive) transportation planning process. This process is required for the area to continue to receive U.S. Department of Transportation (USDOT) funding. Extensive USDOT funds are spent annually in the Bay City area for highway, bridge, transit, transportation enhancement and safety projects and improvements.

The FAST Act continues the **Moving Ahead for Progress in the 21st Century Act (Map-21) of 2012** trends of federal legislation that moves the decision making authority away from the federal government and closer to the citizens. The federal government wants transportation decisions to be more responsive to state and local needs. The updated the requirements of MPOs to develop, advertise, and adopt participation plans from MAP-21 and SAFETEA-LU. In response, BCATS has developed this Public Participation Plan that includes provisions to ensure early and continuing involvement of the public in (a) the transportation planning process, (b) the development of transportation plans, and (c) the development of Transportation Improvement Program (TIP). Therefore, the Public Participation Plan shall reflect consultation with interested parties. At a minimum, the BCATS Organization shall

publish the Public Participation Plan to be used and allow 45 days for written public comment before the revised plan is adopted.

Citizens, public officials, affected public agencies, representatives of transportation agency employees, users of public transit, freight shippers, private providers of transportation and other interested parties shall have full access to plans and programs, their supporting materials, and an opportunity to participate in all stages of the planning process. The Public Participation Plan shall dictate the methods of the publication for the Public Participation Plan, the Transportation Plan and the TIP to make it readily available for public review and comment. The Public Participation Plan will comply with the Open Meetings Act of 1976 and the Americans with Disabilities Act of 1990. The public participation process described herein is used to satisfy the public participation process for the Program of Projects (POP), as prescribed in accordance with Chapter 53 of Title 49, United States Code (FTA requirements), and the metropolitan and statewide planning regulations under MAP-21, for the following grantees: Bay Metropolitan Transportation Authority (BMTA).

TIP and MTP Development Process

BCATS shall consult with governmental units within the MPO, local economic development organizations, freight related businesses, non-motorized transportation groups and clubs, local transportation providers, and other interested parties in the development of the Transportation Improvement Program and the Metropolitan Transportation Plan. BCATS shall also conduct outreach, public comment periods and public hearings as described in the Participation Plan.

Both the initial Transportation Improvement Program (TIP) and Metropolitan Transportation Plan (MTP) shall be published for a minimum of 30 days to receive written public comment before adoption. For any amendments that are deemed necessary for the adopted TIP and/or the MTP, BCATS shall publish at least one notice in a local news publication of general circulation within the Bay City Urbanized Area prior to the approval of the amendment.

BCATS Participation Plan

The BCATS Participation Plan consists of the following tools:

Notice of Meetings
Annual Report
Public Comment Period
Public Hearings
Radio, TV, Newspaper, Internet
Outreach

Visualization Techniques
Environmental Justice
Development & Analysis
Summary

Notice of Meetings

All notices of BCATS Policy Committee meetings and public hearings will be published in a local news publication of general circulation within the Bay City urbanized area and will also be listed on the Bay County Board of Commissioners official calendar of monthly meetings. Notices will also be posted on the bulletin board in the Office of the BCATS Secretary which is at the Bay County Building, 5th floor, 515 Center Avenue, Bay City, Michigan as well as the Bay County Transportation Planning Division website. Should the proposed agenda for the meeting include action on the Participation Plan, the Transportation Plan or the Transportation Improvement Program, it shall be specifically noted.

It is also the adopted policy of the BCATS Policy Committee to include in all public meeting notices the following paragraph:

Pursuant to the Americans with Disabilities Act, individuals with disabilities may request aids/services within a reasonable time period to participate in the meeting. Contact Amber Davis-Johnson, Director of Corporation Counsel, 515 Center Avenue, Suite 402, Bay City, MI 48708-5125; phone: 989-895-4131 or 989-895-4049 TDD.

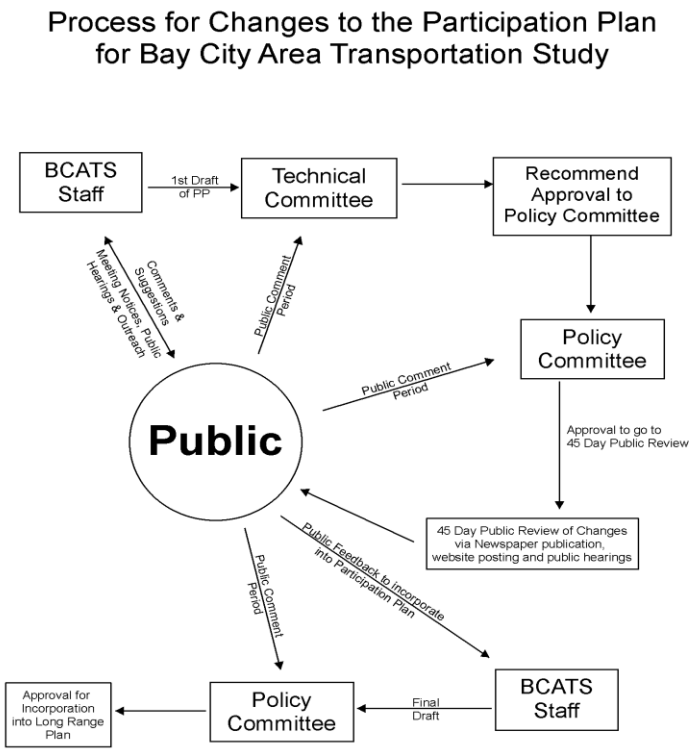


Figure 12: Public Participation Flow Chart

Figure 13

Annual Report

Publishing of the BCATS Annual report in a local news publication of general circulation within the Bay City urbanized area occurs every December. The BCATS annual report shall also be included on the Transportation Planning website. This multi-modal report is a summary of the previous year's

work in transportation. It includes updates on planning studies, completed and upcoming roadway construction projects, transit related information and other general data concerning the activities of BCATS. The report also provides names and phone numbers the public can contact regarding transportation issues.

Public Comment Period at all BCATS Policy Committee Meetings

During each BCATS Policy Committee meeting, time shall be allocated for public comment. The public may submit comments to BCATS in person or in any other form of communication (letters, phone, e-mail, fax, etc.). All comments that are received will be read at the meeting during the public comment period. In addition, BCATS encourages citizens to go to the source, that is, the best place to influence a project is at the local level ▪ where projects begin. For example, if a citizen has a suggestion for improving a roadway or transit route, find out who has jurisdiction over the road or route (for example, is it the city of Bay City, the city of Essexville, the Bay County Road Commission, the Michigan Department of Transportation or the Bay Metro Transit Authority). Once you know who's in charge, take advantage of opportunities to voice your support or objection of a proposed project. Projects are approved at the local level (by planning commissions, township boards, city commissions, or road commissions) before they make it on to the BCATS approved project list for federal funding.

Public Hearings

Specifically, before approving any Participation Plan, Transportation Plan or Transportation Improvement Program, BCATS shall conduct a public hearing to solicit comments. Such hearings shall take place during the regularly scheduled BCATS meeting unless deemed otherwise by the BCATS Policy Committee. Notice of public hearings will be administered in the same manner as notice of meetings. To supplement the public hearing process, BCATS may also engage in hosting public information/ public open house meetings in publicly convenient and accessible locations such as, but not limited to, public libraries, schools, shopping malls, or township halls. During public hearing BCATS will utilize various visualization techniques, as described in section 7, to assist in conveying the transportation plans and programs.

Radio, TV, Newspaper, Internet

To the extent feasible, BCATS staff will utilize the opportunities provided through local radio, TV, Bay County TV, newspaper, Internet, and social media to inform the public of the development of transportation planning products such as the Metropolitan Transportation Plan or the Transportation Improvement Program. This would include news releases, bulletin board formats, public service announcements and interview opportunities that may be available. Citizens with internet access can go to the BCATS homepage at *www.baycounty-mi.gov/Transportation*.

Outreach

BCATS staff will attempt to identify and contact special interest groups in the community to assure their opportunity to have input. These would include organizations such as citizen district councils, minority populations, low-income populations, private transportation providers, etc. These groups will receive a direct mailing which describes the transportation planning process and their opportunity for input. This includes but is not limited to the organizations listed below. This list may be added to at any meeting of the BCATS Policy Committee:

Midland Salzburg Citizen District Council (CDC)
Northwest CDC
Northeast CDC
Columbus Avenue CDC
Midland Street Management Board CDC
South-End CDC
NAACP, Bay City Branch
Bay City Downtown Development Authority (DDA)
Essexville DDA
Hampton DDA
Bangor DDA
Monitor DDA
Senior Citizens Advisory Committee
Bay Future Inc.

Community Foundation Railtrail/Riverwalk Committee
James Clements Airport Advisory Committee
AAA Taxi Company
Bangor Township Public Schools Transportation Program
Bay City Public Schools Transportation Program
Essexville-Hampton Public Schools Transportation Program
Bay City Housing Commission (elderly and low income housing)

United Way of Bay County
Bay County Division on Aging
Region VII Area Agency on Aging
Tri-City Cyclist
Bicycling Awesome Riding Society (BARS)
Great Lakes Bay Region Hispanic Business Association
Bay City Riverwalk/Railtrail Committee
Bay Area Runner's Club

Visualization Techniques

BCATS will utilize various visualization techniques to inform the public and convey the message of transportation projects, plans, and programs ranging from, but not limited to, static maps, interactive GIS demonstrations, computer model simulations, photo manipulation to artist renderings. For each individual project, plan, or program, BCATS will use the most efficient visualization technique possible to best inform the public.

Public Participation Plan Process for Major Transportation Documents

BCATS shall consult with governmental units within the MPO, local economic development organizations, freight related businesses, non-motorized transportation groups and clubs, local transportation providers, and other interested parties in the development of the TIP and the Metropolitan Transportation Plan. BCATS shall also conduct outreach, public comment periods and public hearings as described in the Public Participation Plan.

Both the initial TIP and Metropolitan Transportation Plan shall be published for a minimum of 30 days to receive written public comment before adoption. When significant written and/oral comments are received on the draft Metropolitan Transportation Plan and TIP, BCATS will prepare a summary, analysis, and report on the disposition of comments as part of the final Metropolitan Transportation Plan and TIP. For any amendments that are deemed necessary for the adopted TIP and/or the Metropolitan Transportation Plan, BCATS shall publish at least one notice in a local news publication of general circulation within the Bay City Urbanized Area prior to the approval of the amendment.

Environmental Justice

In April 1997 the U.S. Department of Transportation (DOT) issued the DOT order on environmental justice to Address Environmental Justice in Minority Populations and Low-Income Populations (DOT Order 5610.2). The order generally describes the process for incorporating environmental justice principles into all DOT programs, policies, and activities.

Environmental justice is an important part of the planning process and must be considered in all phases of planning. This includes all Participation Plans and activities, the development of Regional Transportation Plans and Transportation Improvement Programs adopted by BCATS. Specifically, BCATS will consider environmental justice concerns within their established participation procedures.

There are three fundamental concepts of environmental justice:

1. To avoid, minimize, or mitigate disproportionately high and adverse human health or environmental effects, including social and economic effects, on minority populations and low-

income populations.

2. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.

3. To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority populations and low-income populations.

BCATS will continue to work to identify residential, employment, and transportation patterns of low-income and minority populations so that their needs can be identified and addressed, and the benefits and burdens of transportation investments can be fairly distributed. BCATS will also continue to evaluate and where necessary, improve the Participation Plan to eliminate barriers and engage minority and low-income populations in transportation decision making. However, BCATS cannot fully meet community needs without the active participation of well-informed, empowered individuals; community groups; and other non-governmental organizations. These individuals and groups advance the letter, spirit, and intent of environmental justice in transportation when they participate in public participation activities (meetings, hearings, advisory groups) to help BCATS understand community needs, perceptions, and goals.

Our basic message to all citizens is that the earlier you get involved, the better your chances will be to create the impact you desire. There are many situations where public participation has influenced transportation decisions made in our community. Transportation programs and projects cannot proceed without citizen acceptance and support that come through an educated public and an open inclusive process.

At this time BCATS has identified the following groups to begin initial outreach efforts for environmental justice purposes: All Citizen District Councils, NAACP Bay City branch, the Saginaw Chippewa Indian Tribe, and the Senior Citizen Advisory Committee. This list may grow significantly as environmental justice efforts increase. Specific strategies will be developed with each group after initial contact and discussions have occurred. This will ensure that the strategies will be developed jointly and cooperatively between the MPO and community organizations representing low-income populations and minority populations.

Definition of Minority for Purposes of Environmental Justice

According to the U.S. DOT Order 5610.2 the following groups are defined as minority:

1. Black (a person having origins in any of the 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 people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands).
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).
5. Native Hawaiian and Other Pacific Islanders (a person having origins in any of the original people of Hawaii, Guam, Samoa, or other Pacific Islands).

Definition of Low-income for Purposes of Environmental Justice

Low-income is defined as a person whose household income is at or below the Department of Health and Human Services (HHS) poverty guidelines. HHS poverty guidelines are used as eligibility criteria for the Community Services Block Grant Program and a number of other federal programs. However, a state or locality may adopt a higher threshold for low-income, as long as the higher threshold is not selectively implemented and is inclusive of all persons at or below the HHS poverty guidelines.

Development & Analysis

BCATS has developed and will update as necessary a demographic profile of the transportation planning area that includes identification of the locations of minority populations and low-income populations as covered by the executive order on environmental justice. Maps of minority and low-income areas which have had the proposed MTP projects overlain on them to provide a visual analysis of potential impacts are located on the following pages.

BCATS will continue to address environmental justice issues over the coming months. Coordination with the MDOT with assistance and guidance provided by the FHWA will help to refine and expand on our efforts.

Summary

The BCATS Participation Plan described above will ensure maximum access by the public and encourage proactive public participation to all aspects of the transportation planning process. This increased access for local citizens and other groups to transportation planning will help foster the continuous improvement of BCATS plans and programs to serve the Bay City area.

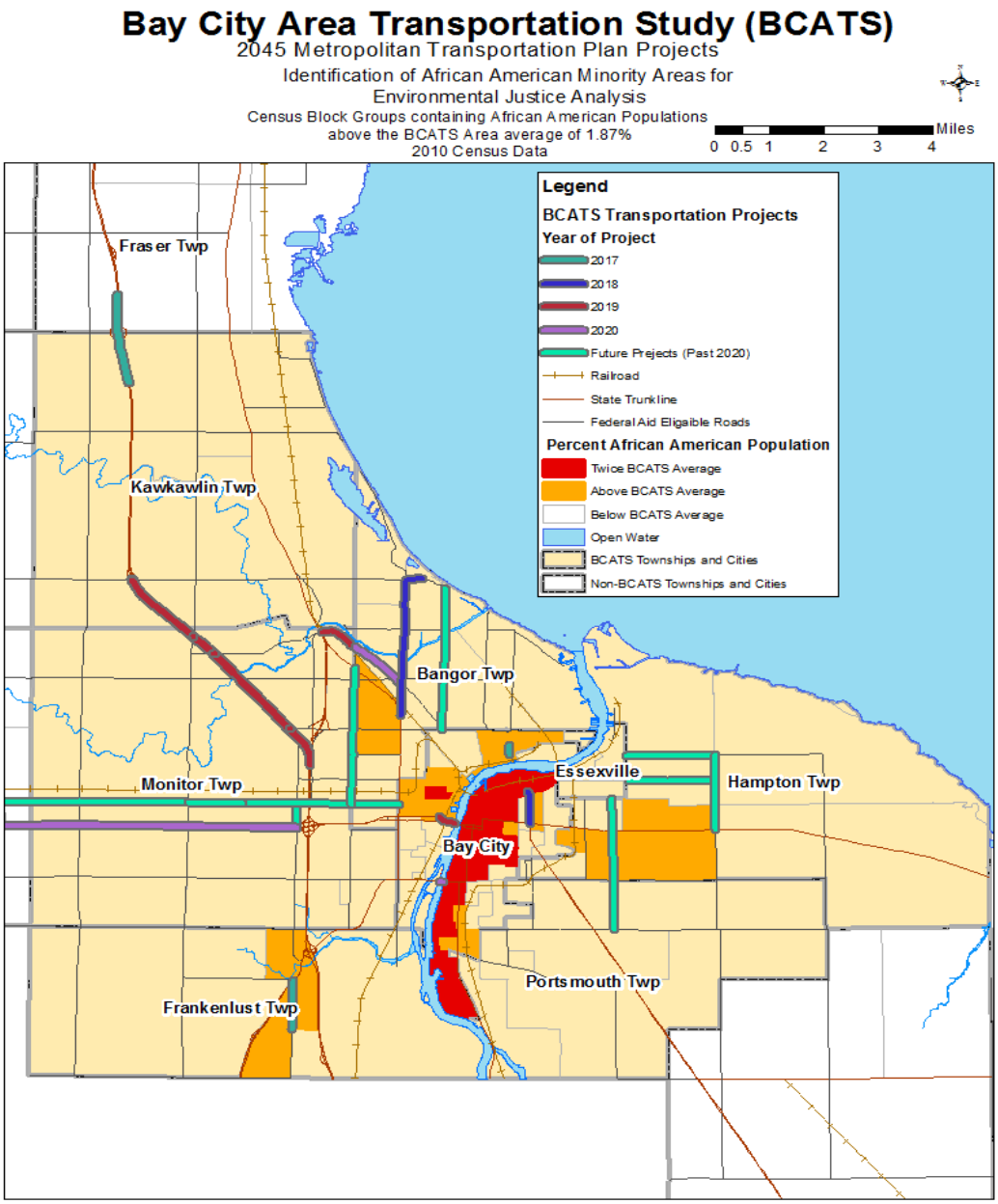
Of the 31 total street and highway projects in the MTP, 5 projects are located within or adjacent to census block groups identified as having a total minority percentage higher than the overall BCATS average for all census block groups. For each identified minority population, 8 projects are located within or adjacent to African American minority areas, 16 projects are located within or adjacent to Asian minority areas, 18 projects are within or adjacent to Native American minority areas, and 6

projects are within or adjacent to Hispanic minority areas. In addition, 9 of the 31 projects are within or adjacent to block groups which have been identified to have a low-income population higher than the overall BCATS average for all block groups.

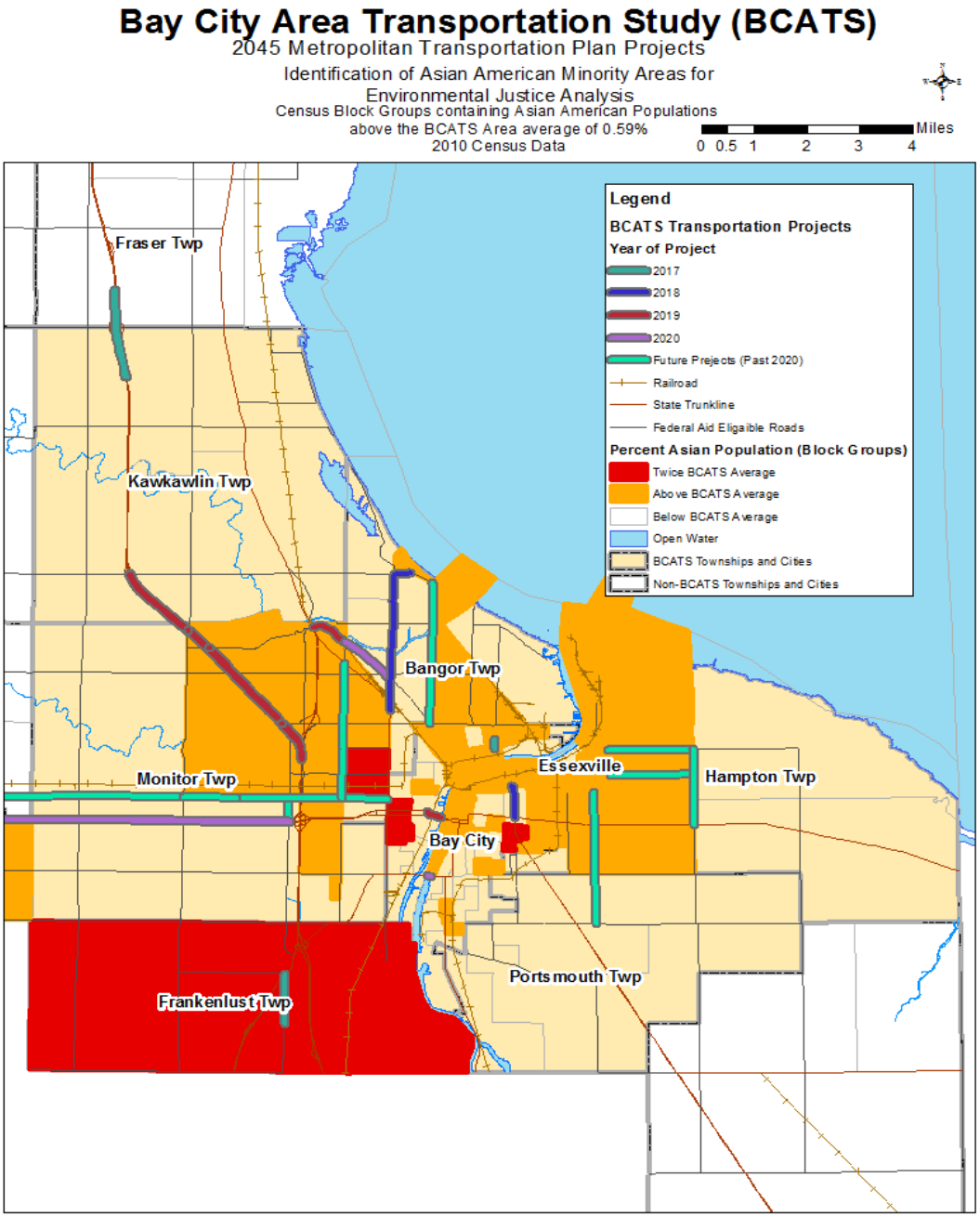
Overall, 21 of the 31 projects are complete preservation and maintenance in nature. These projects do not include any relocations and displacements.

During the planning process, all projects will have an opportunity for public comment and participation. A project open house is held for major projects to discuss the socio-economic impacts of the project on the community which includes any low-income populations or minority populations. Also, during construction, appropriate detour routes are developed to minimize delay and disruption on all population groups. Having followed the adopted environmental justice practices BCATS has not identified any disproportionate adverse effects on minority or low-income populations.

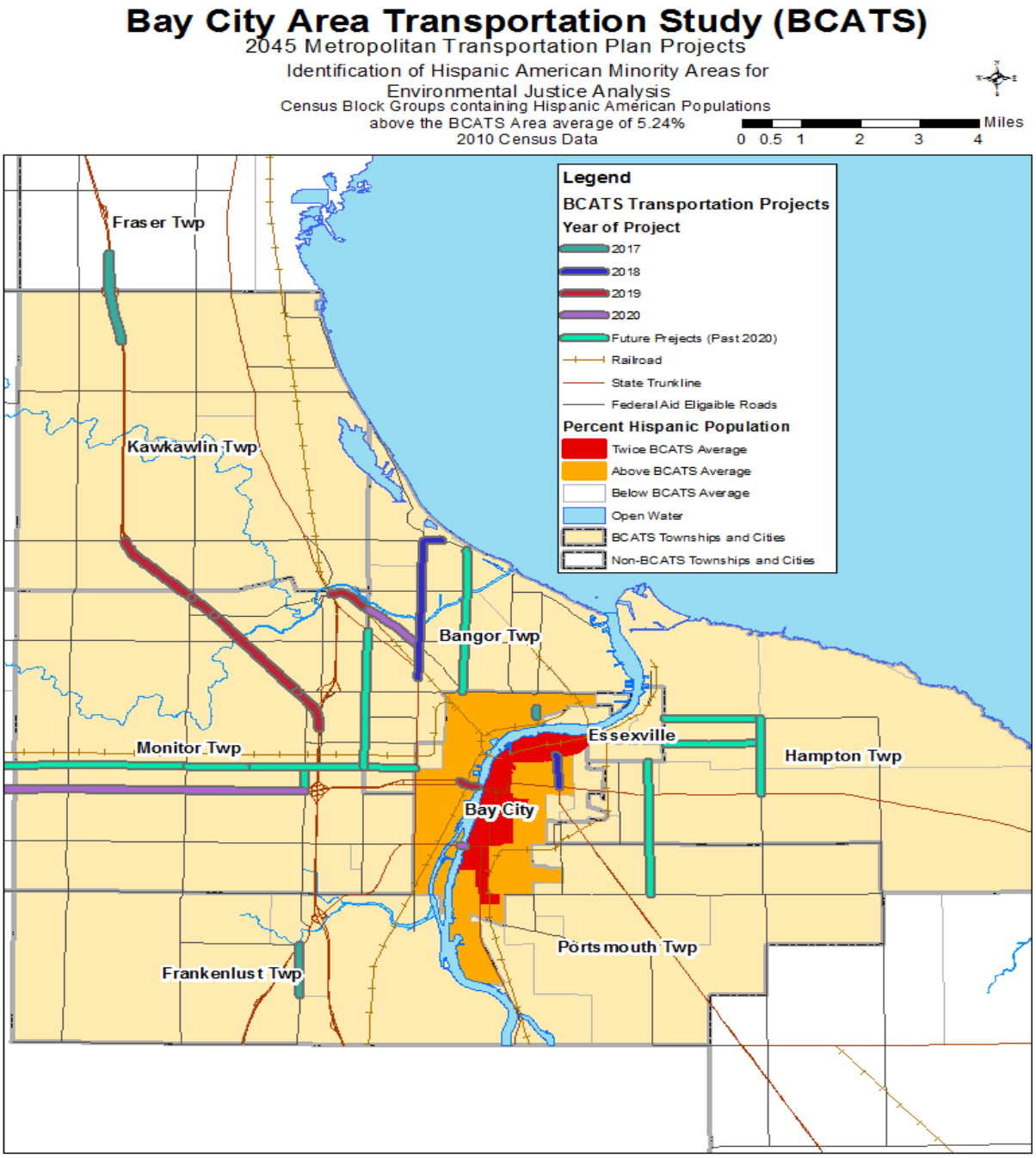
Environmental Justice Maps



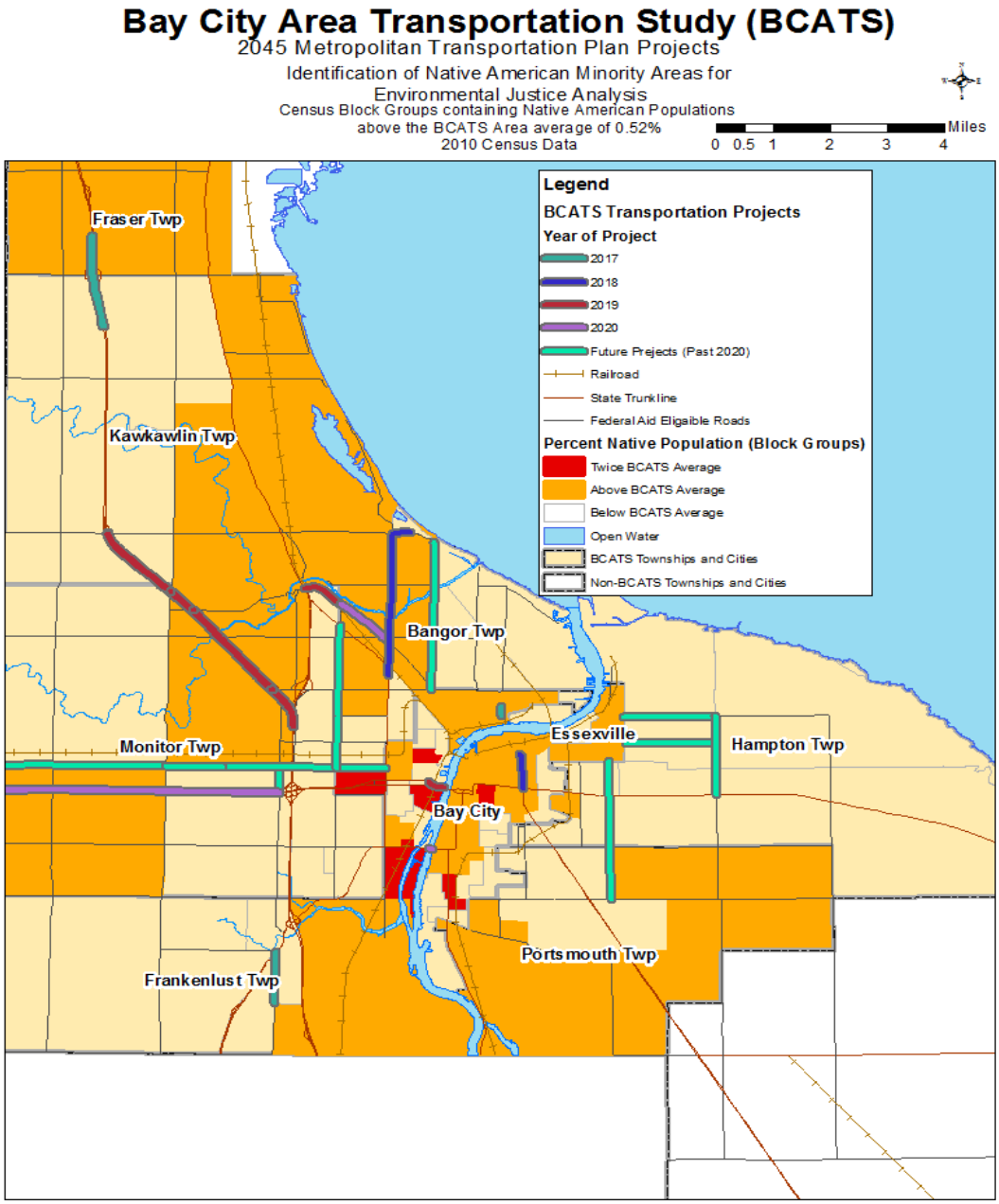
Map 12: Environmental Justice Maps African American Population



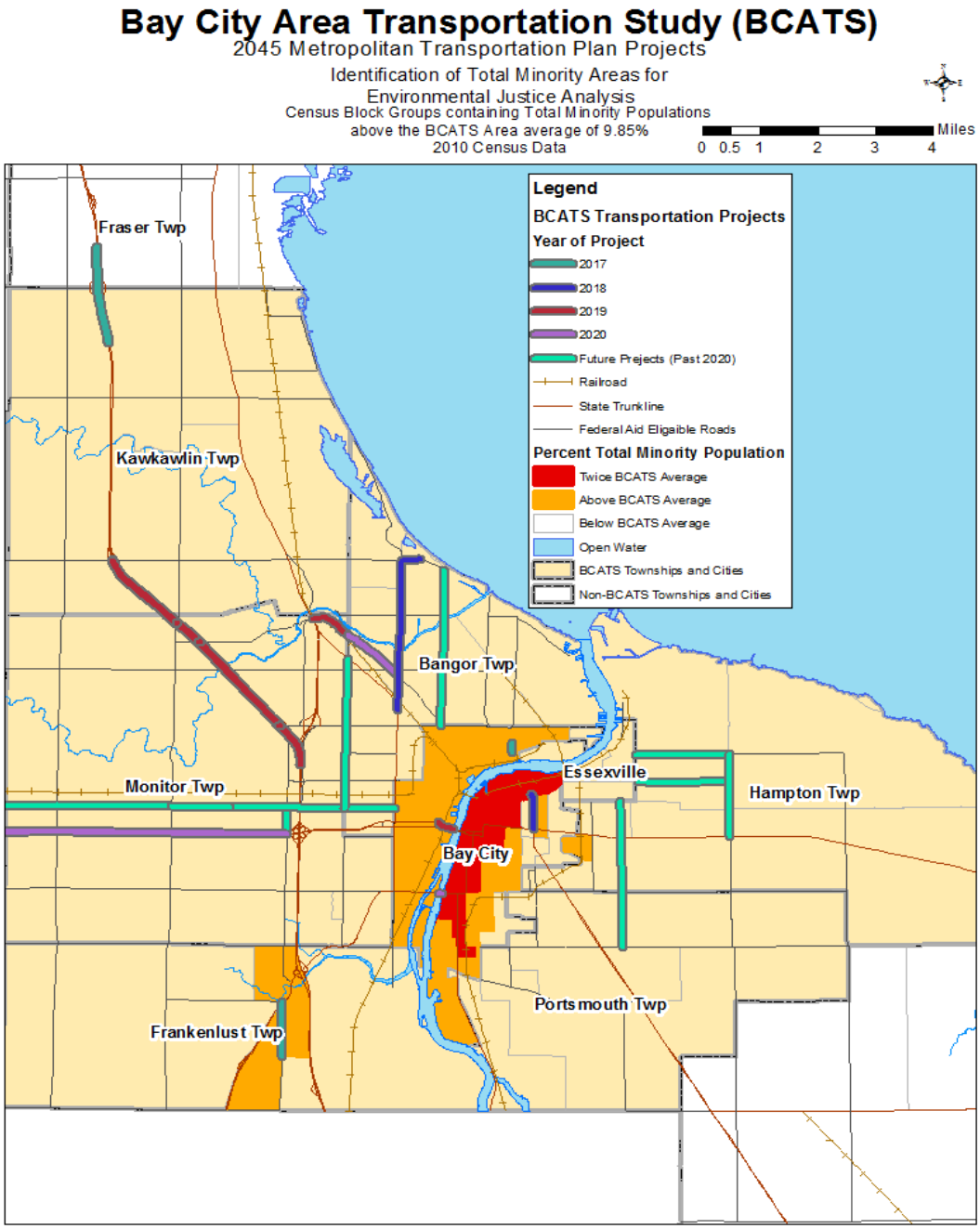
Map 13: Environmental Justice Maps Asian American Population



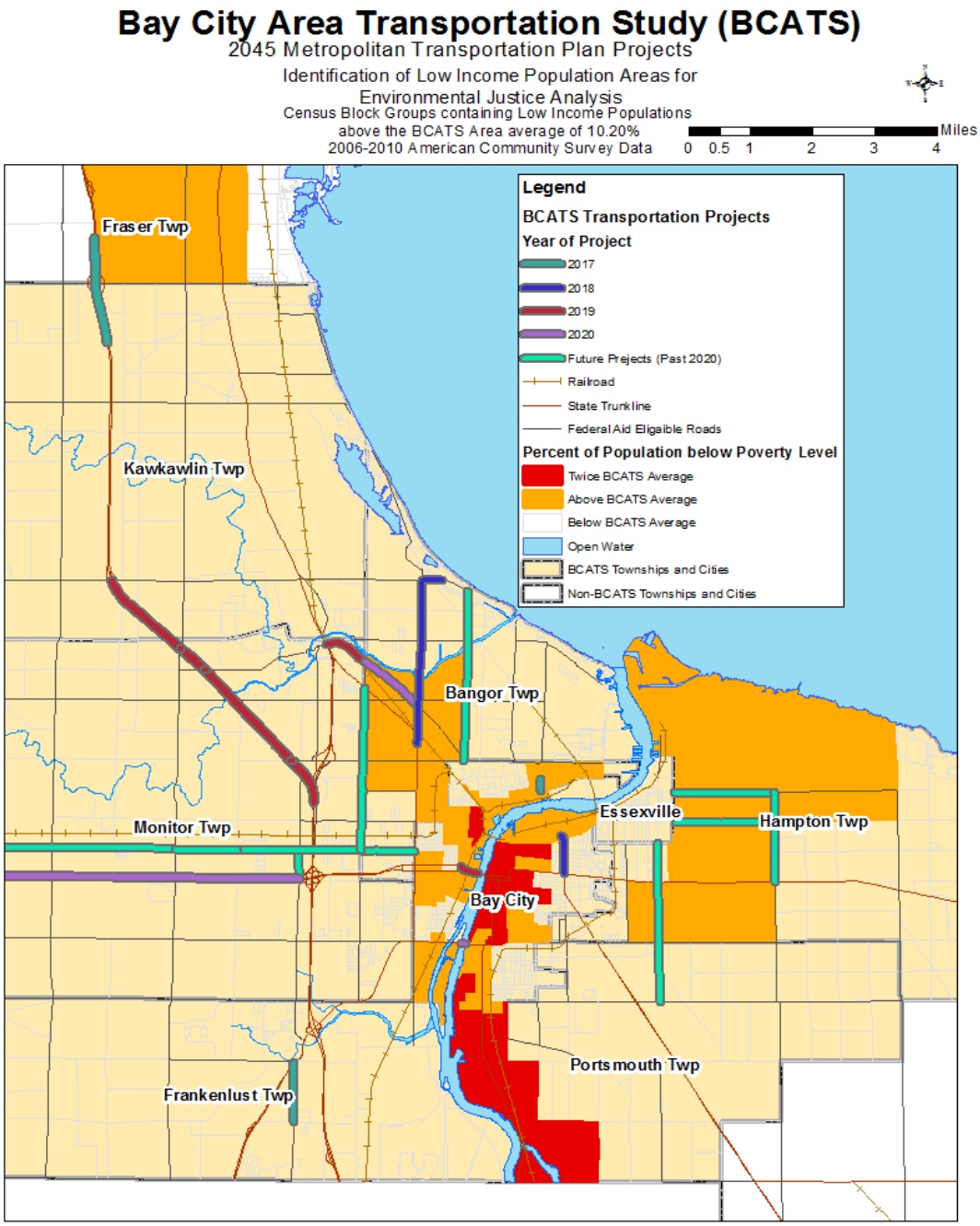
Map 14: Environmental Justice Maps Hispanic American Population



Map 15: Environmental Justice Maps Native American Population



Map 16: Environmental Justice Maps Total Minority Population



Map 17: Environmental Justice Maps Low Income Population

Block Group	Total Pop.	African Amer. Pop.	% African Amer.	Native Amer. Pop.	% Native Amer.	Asian Amer. Pop.	% Asian Amer.	Hispanic Amer. Pop.	% Hispanic Amer.	Total Minority Pop.	% Minority
Bangor											
2858001	2816	54	**1.92%**	15	**0.53%**	28	**0.99%**	106	3.76%	248	8.81%
2858002	737	1	0.14%	1	0.14%	0	0.00%	21	2.85%	31	4.21%
2858003	1943	17	0.87%	7	0.36%	46	**2.37%**	89	4.58%	187	9.62%
2858004	867	10	1.15%	18	**2.08%**	3	0.35%	27	3.11%	68	7.84%
2859001	1332	6	0.45%	3	0.23%	6	0.45%	57	4.28%	82	6.16%
2859002	1885	18	0.95%	9	0.48%	12	**0.64%**	65	3.45%	112	5.94%
2859003	1868	10	0.54%	11	**0.59%**	9	0.48%	78	4.18%	132	7.07%
2860001	984	4	0.41%	6	**0.61%**	5	0.51%	33	3.35%	56	5.69%
2860002	782	2	0.26%	2	0.26%	5	**0.64%**	31	3.96%	60	7.67%
2860003	1427	7	0.49%	9	**0.63%**	2	0.14%	60	4.20%	85	5.96%
Bay City											
2803001	1300	94	**7.23%**	9	**0.69%**	6	0.46%	118	**9.08%**	281	**21.62%**
2804001	645	15	**2.33%**	5	**0.78%**	5	**0.78%**	67	**10.39%**	100	**15.50%**
2804002	592	30	**5.07%**	4	**0.68%**	0	0.00%	47	**7.94%**	102	**17.23%**
2804003	766	92	**12.01%**	8	**1.04%**	8	**1.04%**	84	**10.97%**	207	**27.02%**
2804004	975	73	**7.49%**	14	**1.44%**	1	0.10%	102	**10.46%**	231	**23.69%**
2805001	1124	40	**3.56%**	6	**0.53%**	3	0.27%	80	**7.12%**	127	**11.30%**
2805002	1046	14	1.34%	2	0.19%	8	**0.76%**	52	4.97%	84	8.03%
2805003	680	6	0.88%	4	**0.59%**	9	**1.32%**	30	4.41%	58	8.53%
2805004	648	10	1.54%	4	**0.62%**	0	0.00%	38	**5.86%**	57	8.80%
2806001	748	32	**4.28%**	5	**0.67%**	0	0.00%	79	**10.56%**	140	**18.72%**
2806002	916	10	1.09%	4	0.44%	6	**0.66%**	66	**7.21%**	101	**11.03%**
2806003	1148	47	**4.09%**	3	0.26%	5	0.44%	105	**9.15%**	180	**15.68%**
2807001	1366	78	**5.71%**	14	**1.02%**	0	0.00%	214	**15.67%**	358	**26.21%**
2807002	1381	82	**5.94%**	10	**0.72%**	3	0.22%	202	**14.63%**	356	**25.78%**
2807003	713	40	**5.61%**	5	**0.70%**	0	0.00%	89	**12.48%**	159	**22.30%**
2808001	1468	21	1.43%	2	0.14%	5	0.34%	93	**6.34%**	133	9.06%
2808002	1231	6	0.49%	1	0.08%	6	0.49%	115	**9.34%**	159	**12.92%**
2808003	892	10	1.12%	5	**0.56%**	1	0.11%	68	**7.62%**	105	**11.77%**
2809001	909	30	**3.30%**	11	**1.21%**	7	**0.77%**	132	**14.52%**	209	**22.99%**
2809002	898	24	**2.67%**	4	0.45%	0	0.00%	65	**7.24%**	121	**13.47%**
2809003	1145	48	**4.19%**	5	0.44%	1	0.09%	119	**10.39%**	211	**18.43%**
2810001	705	4	0.57%	9	**1.28%**	0	0.00%	64	**9.08%**	84	**11.91%**
2810002	709	12	1.69%	2	0.28%	2	0.28%	45	**6.35%**	74	**10.44%**
2810003	569	5	0.88%	9	**1.58%**	1	0.18%	43	**7.56%**	79	**13.88%**
2810004	726	12	1.65%	5	**0.69%**	0	0.00%	52	**7.16%**	85	**11.71%**
2810005	692	8	1.16%	3	0.43%	15	**2.17%**	41	**5.92%**	79	**11.42%**
2810006	627	14	**2.23%**	4	**0.64%**	13	**2.07%**	38	**6.06%**	78	**12.44%**
2813001	826	24	**2.91%**	6	**0.73%**	6	**0.73%**	51	**6.17%**	90	**10.90%**
2813002	709	15	**2.12%**	6	**0.85%**	1	0.14%	40	**5.64%**	74	**10.44%**
2813003	1633	19	1.16%	10	**0.61%**	12	**0.73%**	94	**5.76%**	162	**9.92%**
2865001	1796	148	**8.24%**	15	**0.84%**	12	**0.67%**	190	**10.58%**	395	**21.99%**
2866001	751	9	1.20%	1	0.13%	2	0.27%	48	**6.39%**	74	**9.85%**
2866002	847	23	**2.72%**	4	0.47%	4	0.47%	71	**8.38%**	145	**17.12%**
2866003	999	31	**3.10%**	1	0.10%	5	0.50%	66	**6.61%**	140	**14.01%**
2866004	839	47	**5.60%**	13	**1.55%**	5	**0.60%**	61	**7.27%**	155	**18.47%**

2866005	814	18	**2.21%**	3	0.37%	2	0.25%	58	**7.13%**	96	**11.79%**
2866006	1099	31	**2.82%**	8	**0.73%**	5	0.45%	43	3.91%	111	**10.10%**
Essexville											
2851001	1286	20	1.56%	10	**0.78%**	13	**1.01%**	42	3.27%	102	7.93%
2851002	1461	5	0.34%	8	**0.55%**	12	**0.82%**	38	2.60%	74	5.07%
2851003	731	7	0.96%	2	0.27%	3	0.41%	25	3.42%	45	6.16%
Frankenlust											
2854001	741	3	0.40%	5	**0.67%**	18	**2.43%**	13	1.75%	44	5.94%
2854002	1548	49	**3.17%**	4	0.26%	37	**2.39%**	56	3.62%	166	**10.72%**
2854003	1273	3	0.24%	5	0.39%	20	**1.57%**	32	2.51%	63	4.95%
Fraser & Garfield											
2862001	877	2	0.23%	5	**0.57%**	0	0.00%	13	1.48%	24	2.74%
2862002	1872	4	0.21%	17	**0.91%**	2	0.11%	50	2.67%	87	4.65%
2862003	1233	2	0.16%	6	0.49%	0	0.00%	23	1.87%	36	2.92%
2862004	953	2	0.21%	4	0.42%	3	0.31%	23	2.41%	42	4.41%
Hampton											
2852011	692	1	0.14%	1	0.14%	3	0.43%	15	2.17%	22	3.18%
2852012	795	14	1.76%	2	0.25%	0	0.00%	26	3.27%	61	7.67%
2852013	2252	46	**2.04%**	9	0.40%	16	**0.71%**	92	4.09%	187	8.30%
2852014	1090	1	0.09%	0	0.00%	8	**0.73%**	39	3.58%	71	6.51%
2852015	1005	22	**2.19%**	9	**0.90%**	10	**1.00%**	50	4.98%	105	**10.45%**
2852021	2007	29	1.44%	4	0.20%	17	**0.85%**	62	3.09%	136	6.78%
2852022	1811	28	1.55%	5	0.28%	8	0.44%	61	3.37%	151	8.34%
Kawkawlin											
2861001	1501	2	0.13%	7	0.47%	0	0.00%	27	1.80%	62	4.13%
2861002	880	4	0.45%	3	0.34%	0	0.00%	19	2.16%	29	3.30%
2861003	836	0	0.00%	5	**0.60%**	1	0.12%	10	1.20%	27	3.23%
2861004	1631	4	0.25%	16	**0.98%**	7	0.43%	37	2.27%	86	5.27%
Monitor											
2855001	2670	16	0.60%	1	0.04%	11	0.41%	66	2.47%	130	4.87%
2855002	1481	7	0.47%	0	0.00%	6	0.41%	22	1.49%	43	2.90%
2855003	962	0	0.00%	7	**0.73%**	0	0.00%	36	3.74%	58	6.03%
2855004	1580	5	0.32%	4	0.25%	16	**1.01%**	32	2.03%	66	4.18%
2857001	1700	6	0.35%	8	0.47%	15	**0.88%**	67	3.94%	126	7.41%
2857002	1004	2	0.20%	3	0.30%	4	0.40%	11	1.10%	34	3.39%
2857003	1338	4	0.30%	8	**0.60%**	10	**0.75%**	23	1.72%	58	4.33%
Portsmouth & part of Merritt											
2853001	1312	10	0.76%	3	0.23%	2	0.15%	51	3.89%	74	5.64%
2853002	1002	2	0.20%	6	**0.60%**	3	0.30%	36	3.59%	49	4.89%
2853003	475	3	0.63%	3	**0.63%**	1	0.21%	21	4.42%	29	6.11%
2853004	1097	7	0.64%	8	**0.73%**	1	0.09%	38	3.46%	57	5.20%
BCATS Totals											
	88,346	**1,656**	**1.87%**	**460**	**0.52%**	**522**	**0.59%**	**4,630**	**5.24%**	**8,699**	**9.85%**

Table 16: Census Data Table

Bold *percentages are greater than BCATS average,* ***Red*** *percentages are twice the BCATS average.*
Data Source: 2010 United States Census