Center for Environmental Excellence

Environmental Justice Community of Practice

September 14, 2017
Call Agenda

• Welcome and Introductions
• Past Center for Environmental Excellence Environmental Justice Work
  Samantha Hoilett, Program Coordinator for Environment, AASHTO
• FHWA Updates and Resources, Fleming El-Amin II, AICP, Federal Highway Administration, Office of Human Environment Livability Team
• Environmental Justice Analysis
  • Residence in a Transportation Right-of-Way, John Sherrill, Illinois DOT
• Open Discussion—Lessons Learned and Best Practices (all)
Center for Environmental Excellence

Visit our Website:
http://www.environment.transportation.org

Use our resources:
✓ Weekly Website Updates
✓ Broadcast Emails
✓ Practitioner's Handbooks
✓ Communities of Practice
✓ Peer Exchanges
Environmental Justice Community of Practice

✓ Task included in Center for Environmental Excellence Work Plan (April 2017 – March 2018)
✓ Conduct 6 webinars – Cover emerging issues on Environmental Justice to be selected by the EJ Community of Practice
✓ Case study development
✓ Increase technical assistance and coordination between state DOTs and MPOs (specific to EJ Analysis and consistency of data and information exchange).
Past CEE Environmental Justice Work

• National EJ Peer Exchange on February 17 and 18, 2016
  • Discussed best practices, lessons learned during planning and project development

• Webinar May 18, 2016 to share the focus areas developed by the peer exchange participants (350+ attendees)
  • Variety of professionals present, discussion helped build on Peer Exchange and inform Roadmap. Several polls were taken to get the most out of the large audience.

• Practitioners Peer Exchange Environmental Justice Roadmap, released November, 2016
  • Outlines key issues, current state of the practice, considerations and benefits to practitioners for 8 Focus Areas
EJ Data & Analysis: Potential Strategies

• The strategies listed here were developed through discussions with 350+ EJ practitioners as well as research on the current state of the practice.

• These strategies can be found on page 29 of the EJ Roadmap.
Environmental Justice (EJ) at the FHWA means identifying and addressing disproportionately high and adverse effects of the agency's programs, policies, and activities on minority populations and low-income populations.

**Guiding Principles**

- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority or low-income populations.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority or low-income populations.
Key Policy References

- Executive Order 12898 on EJ (1994)
- Guidance on EJ and NEPA (2011)
- USDOT EJ Order 5610.2(a) (2012)
- FHWA EJ Order 6640.23A (2012)
- USDOT EJ Strategy (2016)
Environmental Justice Programmatic Activities

State and Regional Support
• AASHTO Center for Environmental Excellence, EJ Discipline Coordination
• National Research/Case Studies
• Technical Assistance, Workshops, Webinars, and Peer Networks

Federal Coordination
• Collaboration Working Groups
• Best Practices and Resource Development
• Annual Reporting
Environmental Justice Resources

Recently Published

• Environmental Justice Fact Sheets (e.g. tolling, connected and automated vehicles)
• Developing and Advancing Effective Public Involvement and EJ Strategies for Rural and Small Communities
• Impacts of Congestion Pricing on Low-Income Populations Report
• Environmental Justice Reference Guide
• EJ Screening Tools Peer Network Summary Report
• *Environmental Justice: The New Normal in Transportation* (Public Roads Magazine)

Under Development

• EJ Analysis in Transportation Planning and Programming, State of the Practice Study
• Addressing Changing Demographics in Environmental Justice Analysis
• Community Impact Assessment Guidebook Update
• Highway Impacts on Communities, An Assessment

http://www.fhwa.dot.gov/environment/environmental_justice
Transportation Decision making Resources

**Foundational**
- How to Engage Low-Literacy and Limited-English Proficiency Populations
- Guidebook for State, Regional, and Local Governments on Addressing Potential Equity Impacts of Road Pricing
- Practical Approaches for Involving Traditionally Unserved Populations in Transportation Decision making (NCHRP 710)
- Effective Methods for Environmental Justice Assessment (NCHRP 532)

**Recent**
- Every Place Counts Leadership Academy Transportation Toolkit
- A Guide to Transportation Decision making
- Public Involvement Techniques for Transportation Decision making
Federal Highway Administration
Environmental Justice Reference Guide
April 1, 2015

EJ Analysis Resource

EJ Screening Tools Peer Network Summary Report

September 2016

Introduction/Background

Environmental Justice (EJ) Analysis is an integral part of the Federal Highway Administration (FHWA) Planning and Project Development processes. Practitioners have expressed interest in staying current on existing and emerging screening tools for EJ analysis. The FHWA EJ Tools Peer Network was created in response to this interest, and an effort to improve efficiency in transportation decision making and accelerate project delivery through information sharing on EJ analysis tools. The EJ Tools Peer Network is an effort to share transportation practitioners’ real-world experiences using EJSCrear and American FactFinder in transportation planning or project-development processes. Practitioners also shared the benefits and challenges that the tools offer. While FHWA does not endorse a tool, it hopes to highlight the strengths and weaknesses of tools from a practitioner perspective, so other practitioners have additional information to determine which tool best fits their needs.

As part of this voluntary effort, users provided information on their experiences using various EJ screening tools, documenting the benefits and challenges of two national data analysis tools, EJSCrear and American FactFinder, and three regional tools: Miami-Dade Transportation Planning Organization’s Transportation Outreach Planner, North Central Texas Council of Governments’ Environmental Justice Index, and Atlanta Regional Commission’s Equitable Target Area Index.

The FHWA solicited interest of EJ practitioners from several State Departments of Transportation (DOT) and Metropolitan Planning Organizations (MPO) to be part of the Core Group of EJ Practitioners to report their experiences and participate in an EJ Peer Network, in general. During the initial outreach and subsequent webinars, members of the Core Group shared their experiences using the EJ tool of their choice. FHWA received submissions from 18 members: 9 on EJSCrear, 6 on American FactFinder, and 3 on regional tools. Figure 1 shows the distribution of these members; Table 1 identifies the organizations by tool.
EJ Analysis Resource
Case Studies

MPO Environmental Justice Report

Mid-Ohio regional planning commission

Introduction

In the wake of new Federal guidelines on environmental justice that amplify Title VI of the Civil Rights Act, growing attention has been placed on the need to incorporate environmental justice principles into the processes and products of transportation planning. In response to this important challenge, Metropolitan Planning Organizations (MPOs) around the country have begun developing methods to assess the impacts of their transportation plans and planning processes on low-income and minority populations. One such agency is the Mid-Ohio Regional Planning Commission (MORPC), the MPO for the greater Columbus, Ohio, region.

Regional Job Access and Reverse Commute Planning: North Jersey Transportation Planning Authority and New Jersey Workfirst Program

Regional Job Access and Reverse Commute Planning: North Jersey Transportation Planning Authority and New Jersey Workfirst Program

Introduction

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) replaced the former Federal welfare program with the Temporary Assistance to Needy Families (TANF) program. A hallmark of the legislation was imposed time limits and mandatory work requirements for welfare recipients. Commonly known as the welfare-to-work (WtW) program, TANF's goals include reducing welfare rolls and providing job skills for welfare recipients and opportunities for steady employment.
Environmental Justice

FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

On June 14, 2012, FHWA issued the FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations directive, which establishes policies and procedures for FHWA to use in complying with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (EO 12898), dated February 11, 1994.

Final DOT Environmental Justice Order

On May 2, 2012, U.S. DOT issued the Final DOT Environmental Justice Order, which is an update to U.S. DOT's original Environmental Justice Order (Departmental Order 5010.2(a) - Actions to Address Environmental Justice in Minority Populations and Low-Income Populations), which was published on April 15, 1997. The Order continues to be a key component of U.S. DOT's strategy to promote the principles of Environmental Justice in all Departmental programs, policies, and activities.

Guidance on Environmental Justice and NEPA

On December 16, 2011, FHWA issued a memo titled Guidance on Environmental Justice and NEPA. This guidance describes the process to address Environmental Justice during the NEPA review, including documentation requirements. It supplements the FHWA Technical Advisory 6540.8A, which provides guidance for documenting the potential social, economic, and environmental impacts considered in the selection and implementation of highway projects.

Environmental Justice Reference Guide

The Federal Highway Administration (FHWA) Environmental Justice (EJ) Reference Guide (April 1, 2015) is a resource for FHWA staff to help them ensure compliance with EJ requirements. EJ at FHWA means identifying and addressing disproportionately high and adverse effects of the agency's programs, policies, and activities on minority populations and low-income populations to achieve an equitable distribution of benefits and burdens. This also includes the full and fair participation by all potentially affected communities in the transportation decisionmaking process. The EJ Reference Guide does not establish any new requirements or replace any existing guidance. The FHWA EJ Workgroup, comprised of staff from different offices throughout the agency, collaboratively developed this reference guide.

Environmental Justice and NEPA Case Studies

FHWA has developed a series of Environmental Justice and NEPA case studies that focus on Environmental Justice analysis during the environmental review process. The case studies highlight 10 projects where agencies addressed Environmental Justice concerns early in the NEPA process.

For questions or feedback on this subject matter content, please contact Harold Peaks.
EJ Courses and Technical Assistance

FHWA/NHI EJ Courses

- Fundamentals of Environmental Justice Web-based Course (NHI #142074)
- Fundamentals of Environmental Justice Instructor-Led Course (NHI #142042).
- Environmental Justice Analysis (NHI) Under Development

Additional Training Resources

- Resource Center EJ Technical Assistance
  https://www.fhwa.dot.gov/resourcecenter/
- FTA/NTI EJ Courses
  http://www.ntionline.com/courses/
Federal EJ Data Sources

U.S. Census, American Community Survey (ACS)

- American Community Survey
  - [http://www.census.gov/programs-surveys/acs/about.html](http://www.census.gov/programs-surveys/acs/about.html)

- American FactFinder (AFF)
  - [www.factfinder2.census.gov](http://www.factfinder2.census.gov)

- Public Use Microdata Sample (PUMS)
  - [http://www.census.gov/programs-surveys/acs/data/pums.html](http://www.census.gov/programs-surveys/acs/data/pums.html)

- Census Transportation Planning Products (CTPP)
  - [http://ctpp.transportation.org/Pages/5-Year-Data.aspx](http://ctpp.transportation.org/Pages/5-Year-Data.aspx)
EJ profiles in CTPP

- American Community Survey (ACS) CTPP Environmental Justice Profiles

Poverty

- U.S. Department of Health & Human Services
  - [https://aspe.hhs.gov/poverty-guidelines](https://aspe.hhs.gov/poverty-guidelines)
  - Additional tables for Alaska and Hawaii

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Other Federal Resources

- **EJSCREEN (EPA)**  
  [https://www.epa.gov/ejscreen](https://www.epa.gov/ejscreen)

- **Affirmatively Furthering Fair Housing Mapping Tool (HUD)**  
  [https://egis.hud.gov/affht/](https://egis.hud.gov/affht/)
Human Environment Newsletters

Human Environment Digest

April 6, 2017

Welcome to the Federal Highway Administration (FHWA) Office of Human Environment weekly email digest. This digest shares the latest information from a range of Federal and non-Federal sources, addressing transportation and its relationship to the human environment. Through this information exchange, FHWA hopes to foster dialogue at all levels and continue to further the state of the practice on these important topics.

For more information on any of these topics, see the FHWA Related Links on the sidebar.

*The information provided in this mailing does not necessarily reflect the view of the Federal Highway Administration or the U.S. Department of Transportation.

Contents:
- Announcements
- Bicycle/Pedestrian
- Livability

Announcements

16th TRB National Transportation Planning Applications Conference: Early Bird Registration Closes April 13th

The Transportation Research Board (TRB) will sponsor the 16th TRB National Transportation Planning Applications Conference on May 14-18, 2017, in Raleigh, North Carolina. The conference will provide opportunities to showcase new transportation planning techniques and methods emphasizing practical, innovative, and timely technical and policy approaches to transportation planning. Register by April 13, 2017 to qualify for the Early Bird Registration Rate.

For more information about events and webinars, see the HEP Calendar.

Events

- April 23-25, 2017: Local Leadership Summit: P3 for Partnership, Placemaking, and Policy, Washington, DC. (There is a fee)
- May 1-3, 2017: Main Street America. Pittsburgh, PA. (There is a fee)
- May 7-10, 2017: 23rd International Trails Symposium, Dayton, OH. (There is a fee)
- May 9, 2017: National Association of City Transportation Officials: Great Streets, Complete Streets, New York, NY
- May 14-18, 2017: 2017 International Conference on Ecology and Transportation: Salt Lake City, UT. (There is a fee)
- July 31-August 4, 2017: IBPI’s Comprehensive Bikeway Design 2.0, Portland, OR. (There is a fee)
- August 20-24, 2017: IBPI’s Comprehensive Bikeway Design 1.0, Portland, OR. (There is a fee)

Webinars

- April 12, 2017: 2:00 – 3:30 PM ET: FHWA’s Incorporating Context Sensitive Solutions and Environmental Justice to Enhance Livability
- April 12, 2017: 2:00 – 3:30 PM ET: FHWA’s Incorporating Context Sensitive Solutions and Environmental Justice to Enhance Livability

http://www.fhwa.dot.gov/livability/he_digest

https://www.fhwa.dot.gov/livability/newsletter/
Office and Program Websites

- Environmental Justice
  http://www.fhwa.dot.gov/environment/environmental_justice

- Project Development and Environmental Review
  https://www.environment.fhwa.dot.gov/index.asp

- Transportation Planning
  https://www.fhwa.dot.gov/planning/

- Human and Natural Environment
  https://www.fhwa.dot.gov/environment/

- Office of Civil Rights
  https://www.fhwa.dot.gov/civilrights/

- Context Sensitive Solutions
  https://www.fhwa.dot.gov/planning/css

- Livability
  http://www.fhwa.dot.gov/livability

- Community Connections
  https://www.fhwa.dot.gov/innovation/everydaycounts/edc_4/connections.cfm
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Residence in a Transportation Right-of-Way

John Sherrill
Illinois Department of Transportation
West Lawrence Avenue, under North Lake Shore Drive  Chicago, Illinois
(per Screenshot on Google Maps)
Residence in a Transportation Right-of-Way

Background:

* The Illinois Department of Transportation and City of Chicago are currently involved in a transportation project that requires substantial repairs and restructuring of two bridges (viaducts) in the City of Chicago.

* Upwards of 75 homeless individuals lived in the viaducts.
Mary Tarullo, center, in blue, of the Chicago Coalition for the Homeless meets with several homeless tent residents, near the overpass at Lake Shore Drive and Wilson Avenue on Aug. 15, 2017. (Antonio Perez/Chicago Tribune)
What steps do transportation environmental justice practitioners, take?

• Can the homeless be considered an environmental justice issue?

• Homelessness (per the U.S. Dept. of Housing and Urban Development) is an individual who lacks a fixed, regular, and adequate nighttime residence; or, an individual who has a primary nighttime residence that is a public or private place not designed for regular sleeping accommodations.

• U.S Census Bureau’s Residence Rule to determine where people should officially be counted during the Census: Typically, people are counted at their usual residence, which is the place where they live and sleep most of the time. People in certain types of facilities or shelters (i.e., places where groups of people live together) on Census Day should be counted at the respective facility or shelter.

  People who do not have a usual residence, or cannot determine a usual residence, should be counted where they are on Census Day. For example, people at soup kitchens and regularly scheduled mobile food vans - if they do not have a place they live and sleep most of the time, they are counted at the soup kitchen or mobile food van location where they are on Census Day. Thus, a homeless person’s residence can be considered a soup kitchen or mobile food van’s location. For this project, it appears the homeless’ residence (in terms of the US Census) would be considered the location of a nearby soup kitchen, and not the viaduct.

• A correct first step for the respective Department of Transportation is to get the local respective city or county government’s human support services (Chicago’s Department of Family and Support Services) and charitable organizations, etc., involved and in contact with the homeless.

• Be compassionate.

* Resolving the issue(s) will take longer than 30-days.
General Info

• For EJ CoP Information, Resources, and webinar recordings:
  http://environment.transportation.org/center/products_programs/communities_of_practice.aspx#EnvironmentalJustice

• For past EJ Resources such as Peer Exchange, Webinar, and Roadmap:
  http://environment.transportation.org/center/products_programs/conference/2016_environmental_justice_peer_exchange.a spx

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