

Center for Environmental Excellence

Environmental Justice Community of
Practice

September 14, 2017



Center for Environmental Excellence by AASHTO
One Stop Source of Environmental Information for Transportation Professionals

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



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Environmental Justice Community of Practice

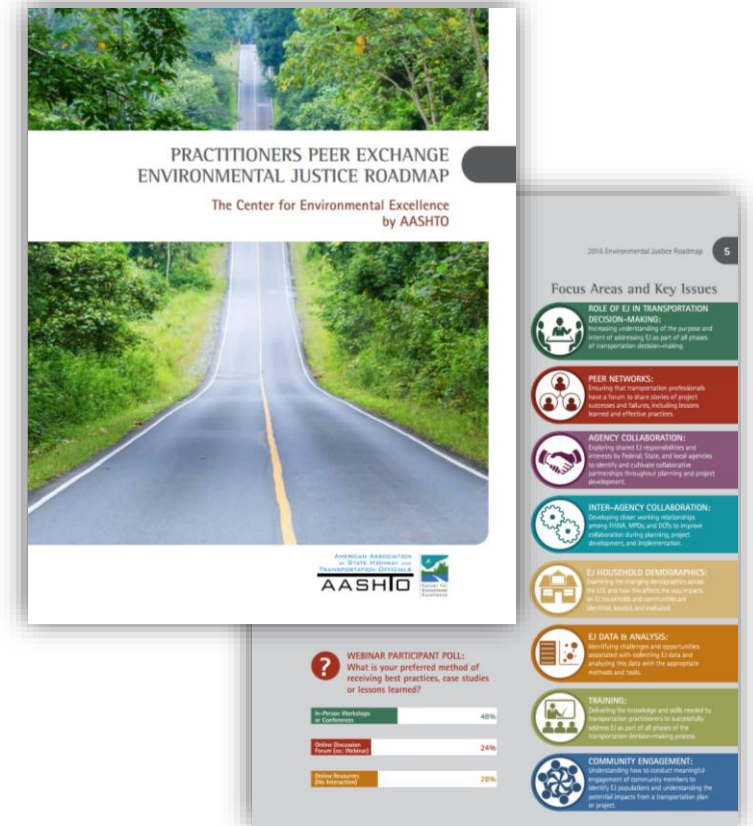


- ✓ Task included in Center for Environmental Excellence Work Plan (April 2017 – March 2018)
- ✓ Conduct 6 webinars – Cover emerging issues on Environmental Justice to be selected by the EJ Community of Practice
- ✓ Case study development
- ✓ Increase technical assistance and coordination between state 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](#).



STRATEGIES

- ✓ Develop guidance on the consistency of data and information exchange between MPOs and DOTs for environmental justice analysis.
- ✓ Research how transportation agencies are determining disproportionate impacts and develop guidance to reflect best practices.
- ✓ Develop analytical tool(s) to standardize the evaluation of disproportionate impacts on environmental justice communities while allowing calibration/flexibility for project-specific information.
- ✓ Adapt methods to changing demographic data and explore new methods of obtaining data.

Federal Highway Administration Environmental Justice Resources

AASHTO Center for Environmental Excellence
Environmental Justice Community of Practice
September 14, 2017



Environmental Justice (EJ)

Overview

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



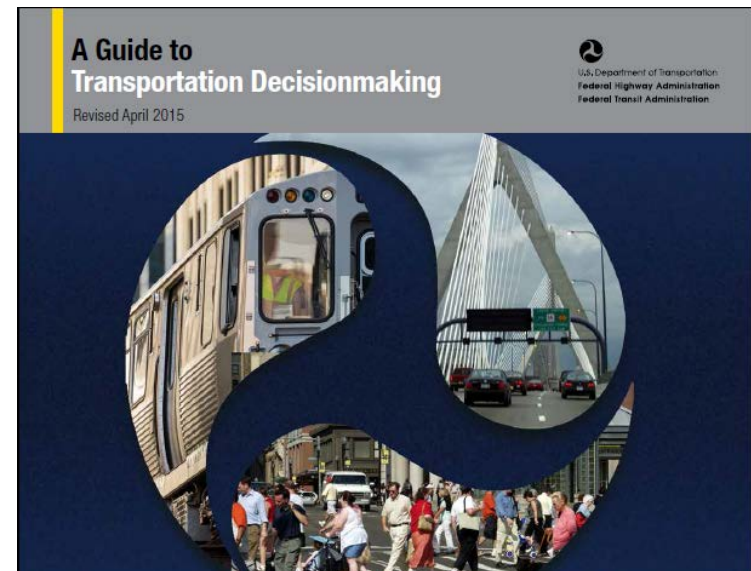
Transportation Decision making Resources

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



EJ Analysis Resource

Federal Highway Administration Environmental Justice Reference Guide

April 1, 2015



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http://www.fhwa.dot.gov/environment/environmental_justice/resources/reference_guide_2015/



EJ Analysis Resource

EJ Screening Tools Peer Network Summary Report

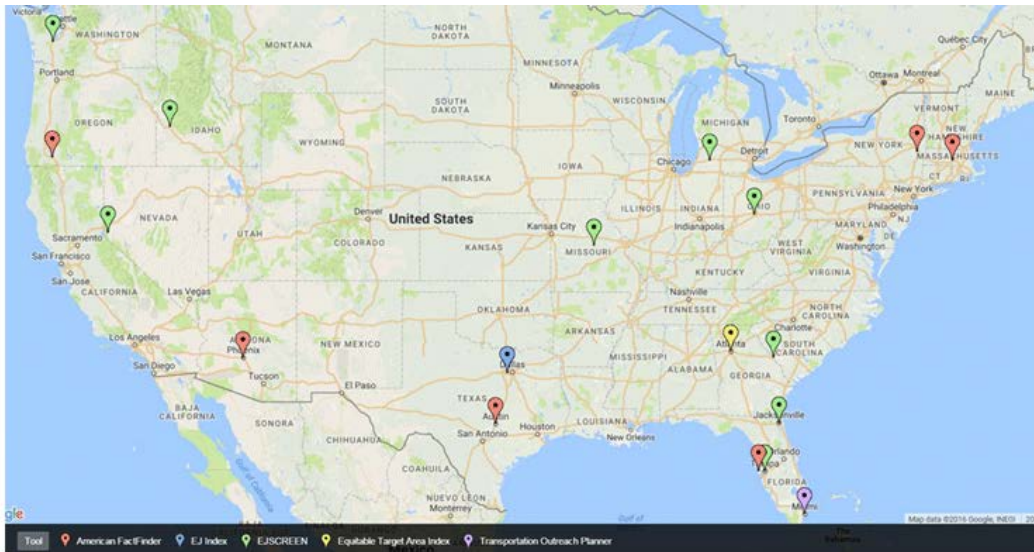
September 2016

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 *EJSCREEN* 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, *EJSCREEN* 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 *EJSCREEN*, 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

[Home](#)[Decision Guide](#)[Assessments](#)[User Portals](#)[Applications](#)[Library](#)[Glossary](#)

Decision Guide

[Long Range Transportation Planning](#)[Programming](#)[Corridor Planning](#)[Environmental Review/NEPA Merged with Permitting](#)

Applications



How do I get started?

Please answer a few questions to help us guide you to the information most applicable to your needs.

[Go »](#)

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



NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY AND NEW JERSEY WORKFIRST PROGRAM

[PDF Version for Printing](#) 

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 Review Toolkit

Home

Planning and
Environment

NEPA and Project
Development

Accelerating
Project Delivery

Historic
Preservation

Section 4(f)

Water, Wetlands,
and Wildlife

NEPA and Project Development

Program Overview

NEPA Implementation

NEPA and Transportation
Decisionmaking

NEPA Documentation

Environmental Justice

- FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
- Final DOT Environmental Justice Order
- Guidance on Environmental Justice and NEPA
- Environmental Justice and

Safety and NEPA

Interim Guidance on the
Application of Travel and
Land Use Forecasting in
NEPA

Bridge Case Study

EIS Tracking



Submit Feedback

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 5610.2(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 6640.8A, 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

<https://www.nhi.fhwa.dot.gov/home.aspx>

- 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

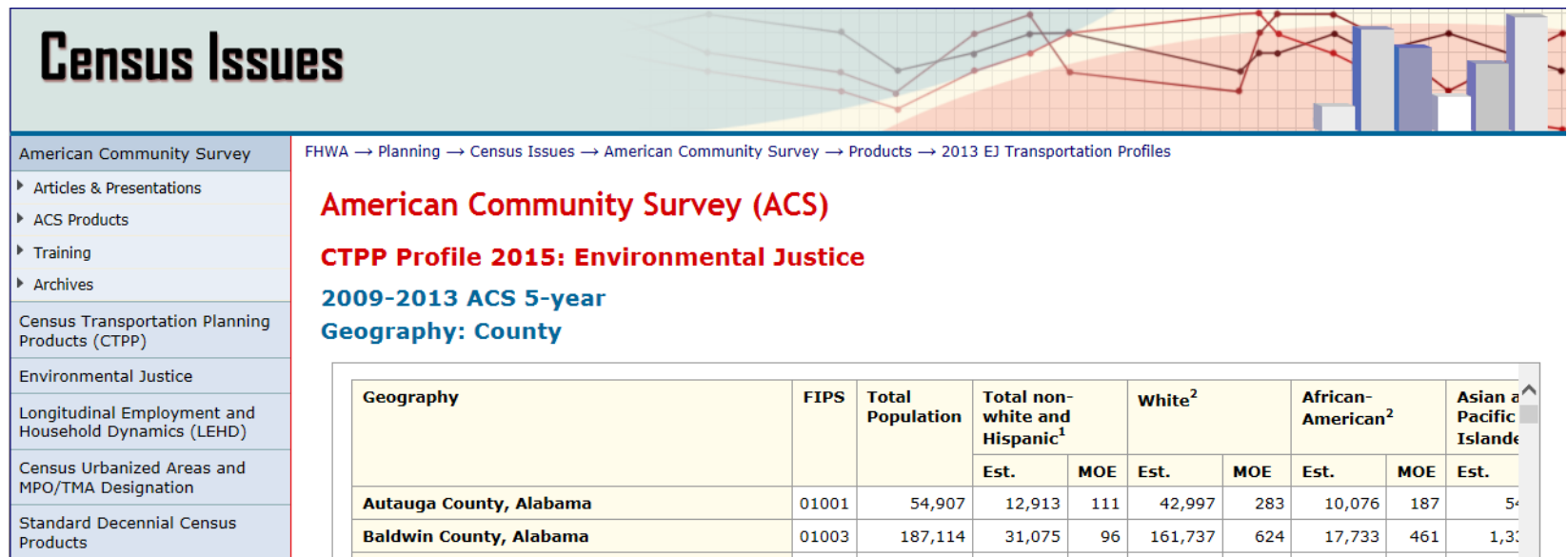
U.S. Census, American Community Survey (ACS)

- American Community Survey
 - <http://www.census.gov/programs-surveys/acs/about.html>
- American FactFinder (AFF)
 - www.factfinder2.census.gov
- Public Use Microdata Sample (PUMS)
 - <http://www.census.gov/programs-surveys/acs/data/pums.html>
- Census Transportation Planning Products (CTPP)
 - <http://ctpp.transportation.org/Pages/5-Year-Data.aspx>

EJ profiles in CTPP

■ American Community Survey (ACS) CTPP Environmental Justice Profiles

http://www.fhwa.dot.gov/planning/census_issues/american_community_survey/products/2013_ej_transportation_profiles/ej_county.cfm



Poverty

- U.S. Department of Health & Human Services

<https://aspe.hhs.gov/poverty-guidelines>

- Additional tables for Alaska and Hawaii

2017 POVERTY GUIDELINES FOR THE 48 CONTIGUOUS STATES AND THE DISTRICT OF COLUMBIA	
PERSONS IN FAMILY/HOUSEHOLD	POVERTY GUIDELINE
For families/households with more than 8 persons, add \$4,180 for each additional person.	
1	\$12,060
2	\$16,240
3	\$20,420
4	\$24,600
5	\$28,780
6	\$32,960
7	\$37,140
8	\$41,320



Other Federal Resources

- EJSCREEN (EPA)
<https://www.epa.gov/ejscreen>
- Affirmatively Furthering Fair Housing Mapping Tool (HUD)
<https://egis.hud.gov/affht/>

 United States Environmental Protection Agency

EJSCREEN Fact Sheet



How does EPA use EJSCREEN?

EPA uses EJSCREEN to identify areas that may have higher environmental burdens and vulnerable populations as the Agency develops programs, policies and activities that may affect communities. A few examples of what EJSCREEN supports across the Agency include:

- Informing outreach and engagement practices;
- As an initial screen for voluntary programs, enhanced outreach in permitting, and prioritizing enforcement work;
- Developing retrospective reports of EPA work; and
- Enhancing place-based activities.

EJSCREEN is not used by EPA staff for any of the following:

- As a means to identify or label an area as an "EJ community;"
- To quantify specific risk values for a selected area; or
- As the sole basis for EPA decision-making or making a determination regarding the existence or absence of EJ concerns.

Additionally, note that EPA is not requiring state, local, or tribal partners to use EJSCREEN in any context.

What is Environmental Justice?

EPA defines environmental justice (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." EPA's goal is to provide an environment where all people enjoy the same degree of protection from environmental and health hazards and equal access to the decision-making process to maintain a healthy environment in which to live, learn, and work.

What is EJSCREEN?

An important first step to ensuring environmental justice for all people in this country is to identify the areas where people are most vulnerable or likely to be exposed to different types of pollution. For this reason, EPA developed EJSCREEN to help aid in efforts to ensure programs, policies, and resources are appropriately inclusive and consider the needs of communities most burdened by pollution.

EJSCREEN is an environmental justice screening and mapping tool that utilizes standard and nationally-consistent data to highlight places that may have higher environmental burdens and vulnerable populations. The tool provides both summary and detailed information at a high geographic resolution for both demographic and environmental indicators.

EJSCREEN also provides 11 EJ Indexes, which combine demographic information with a single environmental indicator (such as proximity to traffic) that can help identify communities that may have a high combination of environmental burdens and vulnerable populations. The tool displays this information in color-coded maps, bar charts, and standard reports on an easy to use web interface. All of this information can be used to assist efforts by stakeholders and advocates to protect human health and the environment in communities affected by pollution.

How can EJSCREEN be accessed?

EJSCREEN will be available as part of EPA's GeoPlatform that helps coordinate mapping activities, applications, and data across the Agency. It will be available through the EPA website, and will not require any downloads to use the tool.



Proximity to traffic is one of the 11 environmental indicators.

U.S. Environmental Protection Agency

Human Environment Newsletters

FHWA → Livability → Human Environment Digest

Human Environment Digest

April 6, 2017

PDF files can be viewed with the [Acrobat® Reader®](#)

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:** Locus Leadership Summit: P3 is 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: Green 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



April 2017 Volume 6, Number 1
FHWA-NRP-17-044

FHWA's Fostering Livable Communities Newsletter

In This Issue

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From Routine Resurfacing to Complete Street in Longwood, Florida	3
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Introduction

The Federal Highway Administration's (FHWA's) Fostering Livable Communities Newsletter is intended to provide transportation professionals with real-world examples of ways that transportation investments promote livability, such as providing access to good jobs, affordable housing, quality schools, and safer roads. The FHWA Livable Communities Newsletter also includes topics related to Safe Routes to School (SRTS), Context Sensitive Solutions, and Environmental Justice. To access additional tools and resources, please visit FHWA's [Livability website](#). To read past issues of the newsletter, visit [www.fhwa.dot.gov/livability/newsletter/](#). To subscribe to the newsletter, visit [GovDelivery](#).

Want to continue the discussion? Have a question about one of the topics you read here? Visit the [FHWA Livable Communities Discussion Board](#) to join the conversation.

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, if 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.aspx
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