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TRB TRANSPORTATION RESEARCH BOARD

TRB Webinar: Successful Environmental Justice Planning

August 29, 2023

2:00 – 3:30 PM



PDH Certification Information

1.5 Professional Development Hours (PDH) – see follow-up email

You must attend the entire webinar.

Questions? Contact Andie Pitchford at TRBwebinar@nas.edu

The Transportation Research Board has met the standards and requirements of the Registered Continuing Education Program. Credit earned on completion of this program will be reported to RCEP at RCEP.net. A certificate of completion will be issued to each participant. As such, it does not include content that may be deemed or construed to be an approval or endorsement by the RCEP.

ENGINEERING



REGISTERED CONTINUING EDUCATION PROGRAM

AICP Credit Information

1.5 American Institute of Certified Planners Certification Maintenance Credits

You must attend the entire webinar

Log into the American Planning Association website to claim your credits

Contact AICP, not TRB, with questions

Purpose Statement

This webinar will look at the history of EJ within transportation projects and what it looks like in 2023. Presenters will share successful strategies for addressing EJ and equity and coordinating with the public. Presenters will also discuss the impacts of EJ.

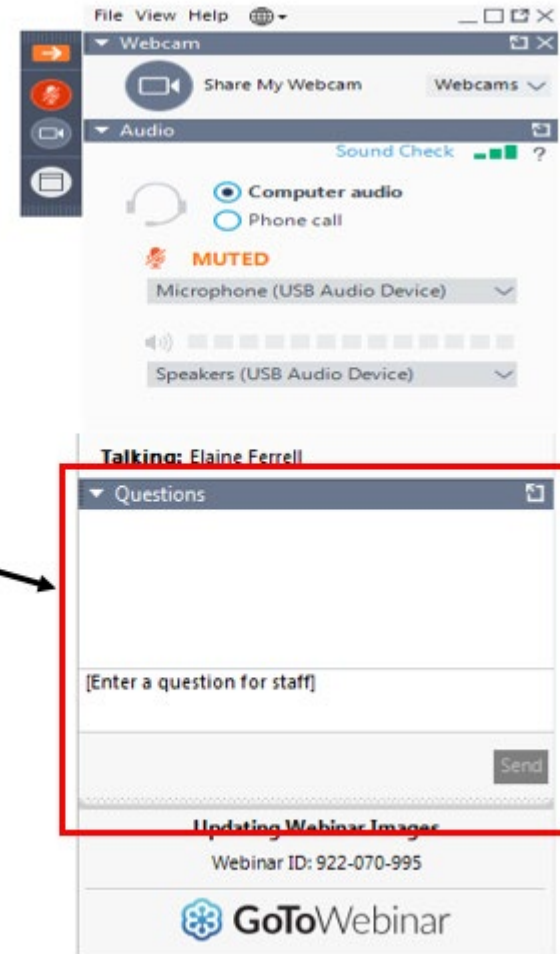
Learning Objectives

At the end of this webinar, you will be able to:

- Identify elements of a successful EJ action plan that can be applied to plans with similar goals
- Evaluate a nationally recognized EJ plan

Questions and Answers

- Please type your questions into your webinar control panel
- We will read your questions out loud, and answer as many as time allows



Today's Presenters



Carolyn Nelson, P.E.
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*US DOT - Pipeline and Hazardous
Materials Safety Administration (PHMSA)*



Will McGoldrick
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Cathy LaFata
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HDR



Diane Nulton
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TRB Webinar: Successful Environmental Justice Planning

History of EJ, Successful Planning and NEPA in 2023

Carolyn Nelson, P.E.

*White House Environmental Justice Interagency
Council (IAC) – NEPA Committee Co-Chair*

Director Environmental Policy & Justice

USDOT-PHMSA

August 29, 2023



526 LOWCOUNTRY CORRIDOR

Chad C. Long

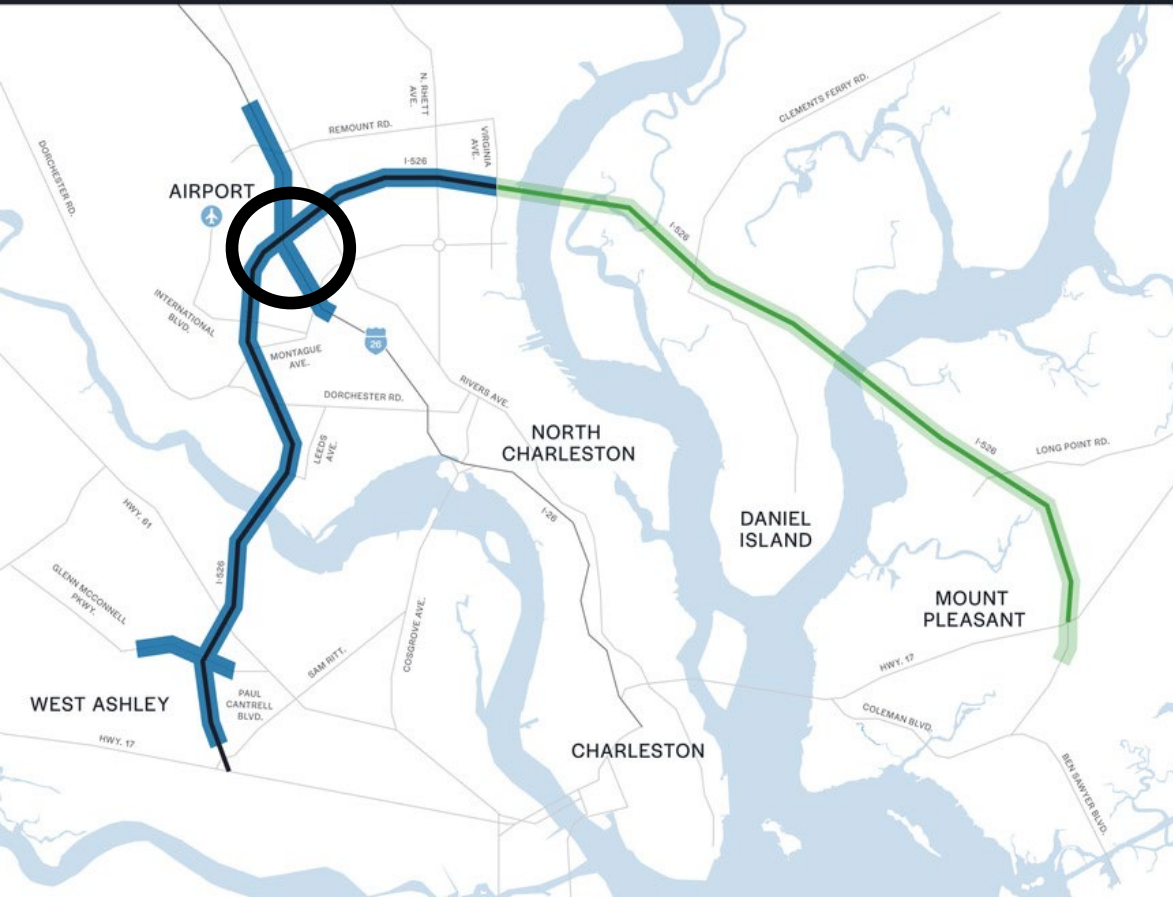
SCDOT Director of Environmental

Successful Environmental Justice Planning and Mitigation



U.S. Department of Transportation
Federal Highway Administration





I-526 Lowcountry Corridor **WEST & EAST**

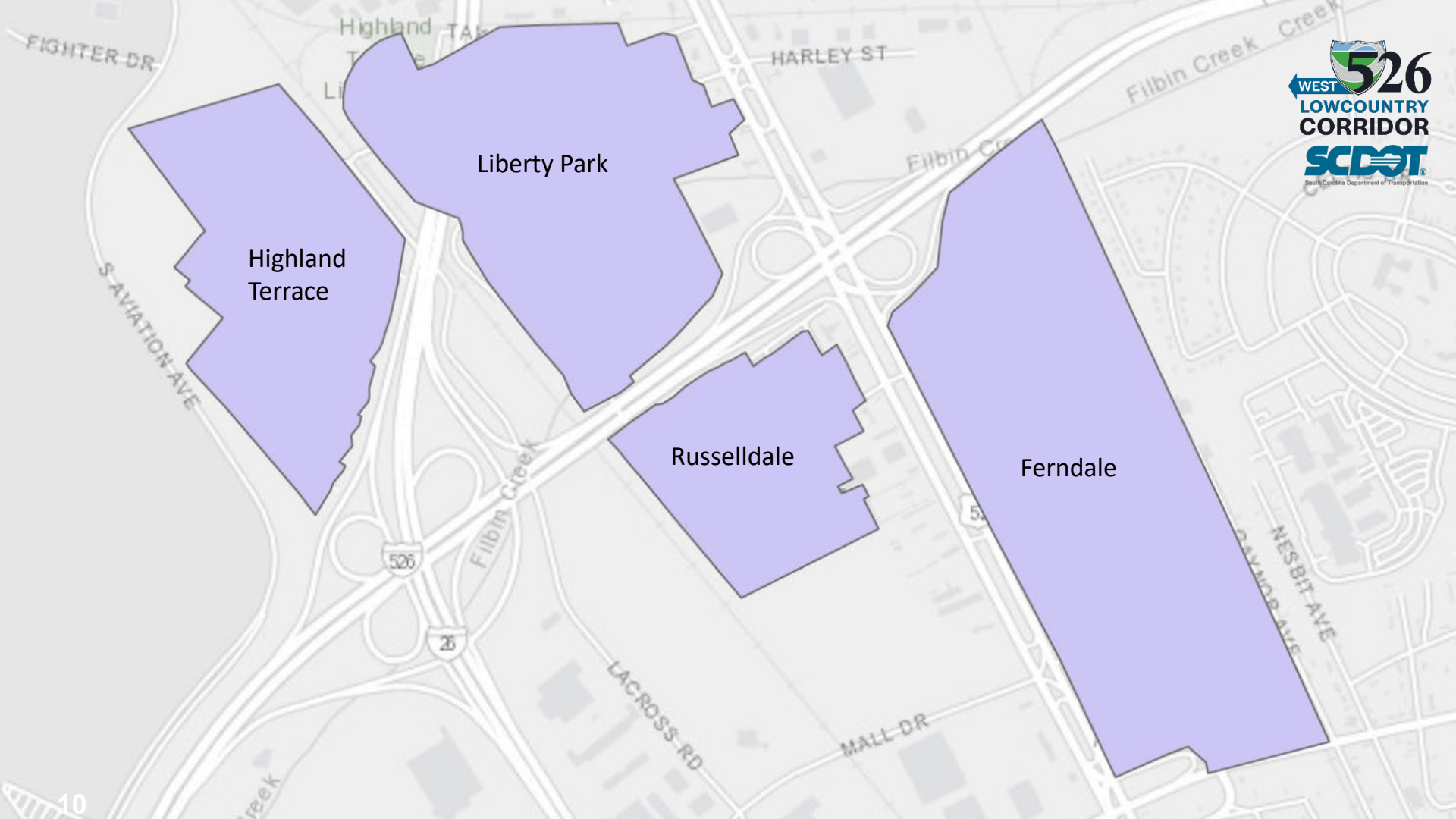
Two Projects under development along the exiting I-526 Corridor:

West: *Paul Cantrell to Virginia Ave, includes reconstruction of the I-26 and I-526 System to System Interchange*

**ENVIRONMENTAL IMPACT STATEMENT
ROD Approved in October 2022**

East: *Virginia Ave to US 17 in Mount Pleasant*
PLANNING PHASE of WORK

**Planning & Environmental Linkages
PEL STUDY complete Jan 2022**



Liberty Park

Highland Terrace

Russelldale

Ferndale

FIGHTER DR

Highland Terrace

HARLEY ST

Filbin Creek

S AVIATION AVE

526

26

Filbin Creek

LACROSS RD

MALL DR

NESBIT AVE

10

Updated Sept. 8 at 8:00 a.m.

Originally published Sept. 8, 2021

This 1957 aerial photograph shows the neighborhoods of Liberty Park and Highland Terrace in North Charleston prior to the construction of a freeway in 1969. At the time of the freeway construction, these neighborhoods were majority-Black, according to residents and state officials.



Updated Sept. 8 at 8:00 a.m.
Originally published Sept. 8, 2021

In the decades since this photo was taken, two freeways cutting through the neighborhoods have displaced dozens of buildings – homes, churches, businesses. “Low-income and minority residents felt they were not properly informed or assisted with relocation,” the state wrote in a community impact assessment.

HIGHLAND
TERRACE

LIBERTY
PARK

Buildings removed
since 1967

RAILROAD

RUSSELLDALE

I-26 AND I-526
INTERCHANGE



Environmental Justice Relocation Impacts

Type	EJ	Total
Apartment Units	66	78
Hotel Long Term Tenants	15	15
Single Family Homes	42	52
Mobile Homes	11	11
Churches	1	1
Recreation	2	2
Commercial	0	72
Totals	137	231



Legend

- Proposed ROW
- Mitigation: Replacement Recreational Facility
- New Relocation Since DEIS
- Commercial
- Recreational
- Single Family Residence
- Billboard

86% of the residential relocations are located within the EJ communities

‘We got nightmares’: North Charleston residents who may be displaced by I-526 meet with SCDOT

BY HANNAH ALANI HALANI@POSTANDCOURIER.COM

MAY 16, 2018 UPDATED SEP 14, 2020



How do we achieve inclusive engagement?



Focused Outreach

By identifying & considering the social needs & priorities of neighborhood residents.

Community Office

In November 2019, a Community Office was opened in close proximity to the potentially impacted communities. Located in Gas Light Square at 5627 Rivers Avenue (CARTA Route 10), the Community Office is where you can meet one-on-one with the project team and connect with resource specialists such as right-of-way relocation experts.



CAC's Role



Advise

Connect

Represent

Communicate

Community Advisory Council (CAC)

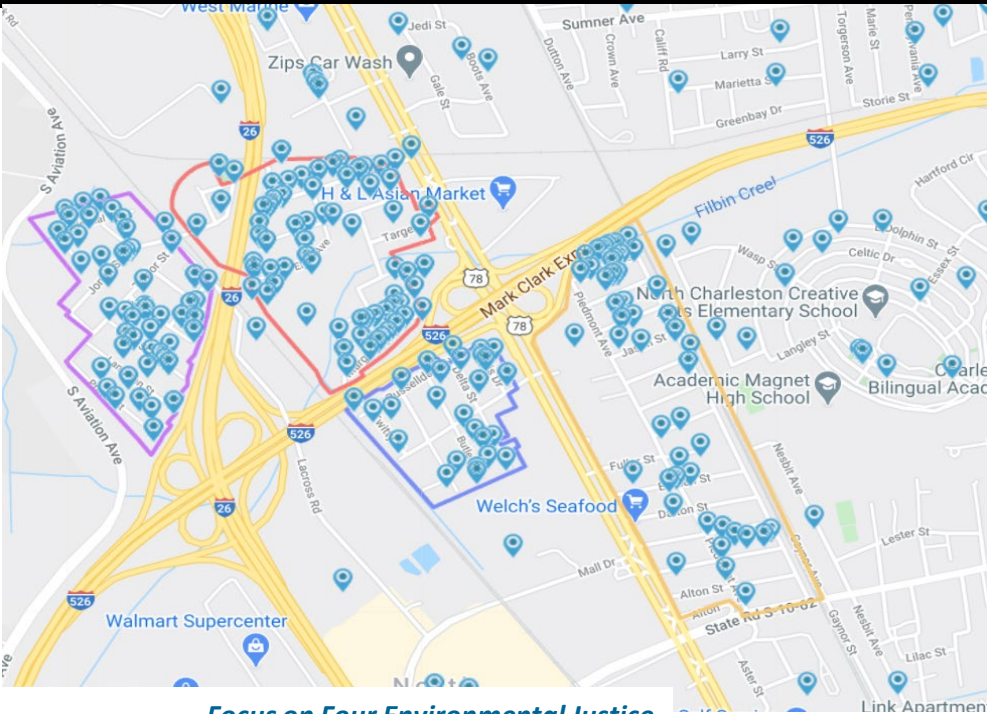
A Community Advisory Council (CAC) was formed as a resident-led group to facilitate meaningful engagement between residents and SCDOT.

Social Needs Assessment

The CAC and residents of the potentially impacted neighborhoods completed a Social Needs Assessment survey to provide insight into the daily operations, needs, and desires of the community.



Addressing Gaps



Focus on Four Environmental Justice Neighborhoods

Team Recommendations:



Canvas streets



Send Mailers



Place Yard Signs



Set a "meet neighbor day"

WHAT CHANGES WILL I SEE IN MY COMMUNITY? *And When?*

SCDOT will implement ALL community mitigation PRIOR to the interstate project construction, except for the mitigation barriers, railroad crossing upgrades and a pedestrian bridge which all require additional coordination.

DESIGN 2021-2029

Mitigation schedule is based on approval of environmental documentation without legal challenge; subject to change

RIGHT-OF-WAY 2023-2029

CONSTRUCTION 2029-2039

As of May 2023



Community History Preservation Study (2021 - 2027)

The history and culture of the communities being impacted will be documented. The study will be available online and at the new, state-of-the-art community center.

The study will be completed within 2 years of the Final Environmental Impact Statement/Record of Decision (FEIS/ROD).



Focused Community Outreach (2019 - 2039)

The I-526 Lowcountry Corridor Community Office opened in 2019 and will operate through construction as a central place for all project-related and community resources. Free information sessions will also be held at this location. The Community Advisory Council will become a Project Oversight Committee (POC) with local community leaders. The POC will meet with residents to ensure that commitments made in the mitigation plan are completed during construction.



Affordable Housing (2022 - 2029)

Replacement affordable housing will be built near the impacted communities. A First-Time Homebuyer Grant Program and counseling will be available to residents being displaced to assist in securing residential loans and transitioning to homeowners.

This process may extend into construction. Relocated residents in the impacted communities will get first priority. Any remaining units will be open to other residents in the impacted communities.



Enhanced Right-of-Way Services (2023 - 2029)

Special services will be available to residents who will be displaced, including rental assistance and an acquisition fairness program.



Education, Employment & Economic Opportunities (2023 - 2039)

Pre-employment training, on-the-job training, educational & scholarship opportunities, and a Small Business Development Program will be offered. Paid transportation-focused internships and up to \$500,000 in scholarships will be awarded by SCDOT to students from the impacted communities.



Community Infrastructure Improvements (2023 - 2039)

Improvements to address bicycle and pedestrian safety, access to community centers, enhanced street aesthetics/lighting, community mitigation barriers, project-related stormwater improvements, pedestrian bridges, and traffic calming will be included in the project. A large, centrally-located community center complex and 2 smaller parks will be constructed within the affected neighborhoods to replace lost, smaller centers and parks.

Mitigation Funding: 23 CFR 771.105(e)

(e) Measures necessary to mitigate adverse impacts be incorporated into the action. Measures necessary to mitigate adverse impacts are eligible for Federal funding when the Administration determines that:

- (1) The impacts for which the mitigation is proposed actually result from the Administration action; and
- (2) The proposed mitigation represents a reasonable public expenditure after considering the impacts of the action and the benefits of the proposed mitigation measures. In making this determination, the Administration will consider, among other factors, the extent to which the proposed measures would assist in complying with a Federal statute, Executive Order, or Administration regulation or policy.

Contact Information

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www.526LowcountryCorridor.com



www.facebook.com/526Corridor



[@526Corridor](https://twitter.com/526Corridor)



info@526LowcountryCorridor.com



Community Office:
5627 Rivers Avenue | North Charleston, SC 29406



866.632.5262 (toll free)
843.258.1135





Environmental Justice in Transit and Highway Projects

Cathy LaFata, AICP CTP
Transportation Equity Director



8.29.2023





What is Environmental Justice?

1994 – 2023, in a nutshell:

- the **fair treatment** and **meaningful involvement** of all people regardless of **race, color, national origin, or income**

2023 forward (based on EO 14096):

- The **just treatment** and **meaningful involvement** of all people, regardless of **income, race, color, national origin, Tribal affiliation, or disability**, in agency decision-making and other federal activities, that affect human health and the environment so that people:
 - ✓ Are fully protected from disproportionate and adverse human health and environmental effects (including risks) and hazards, including those related to climate change, the cumulative impacts of environmental and other burdens, and the **legacy of racism** or other **structure or systemic barriers**; and
 - ✓ Have equitable access to a **healthy, sustainable, and resilient environment** in which to live, play, work, learn, grow, worship and engage in cultural and subsistence practices.

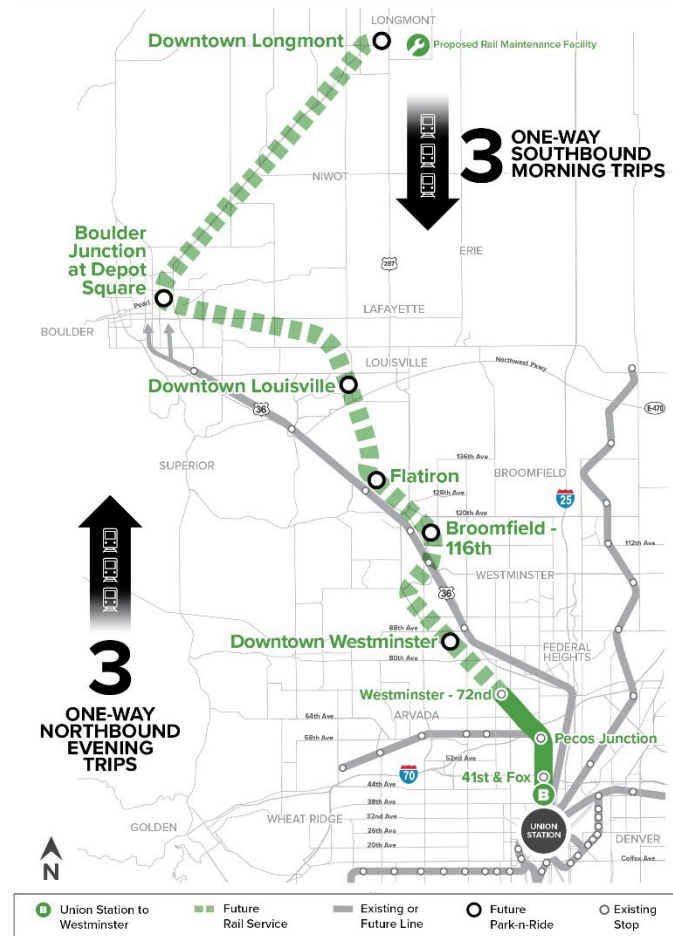


STARTING EARLY: EJ IN PLANNING

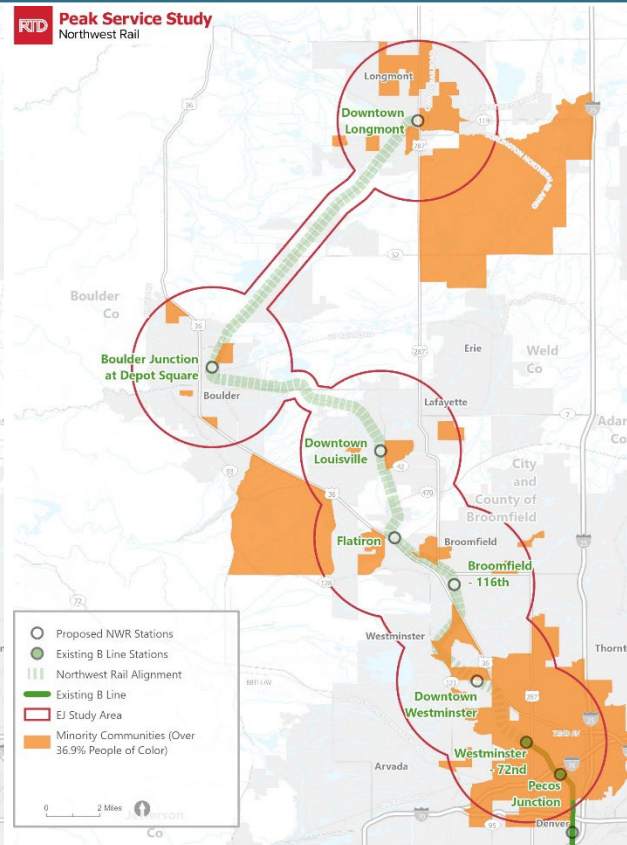
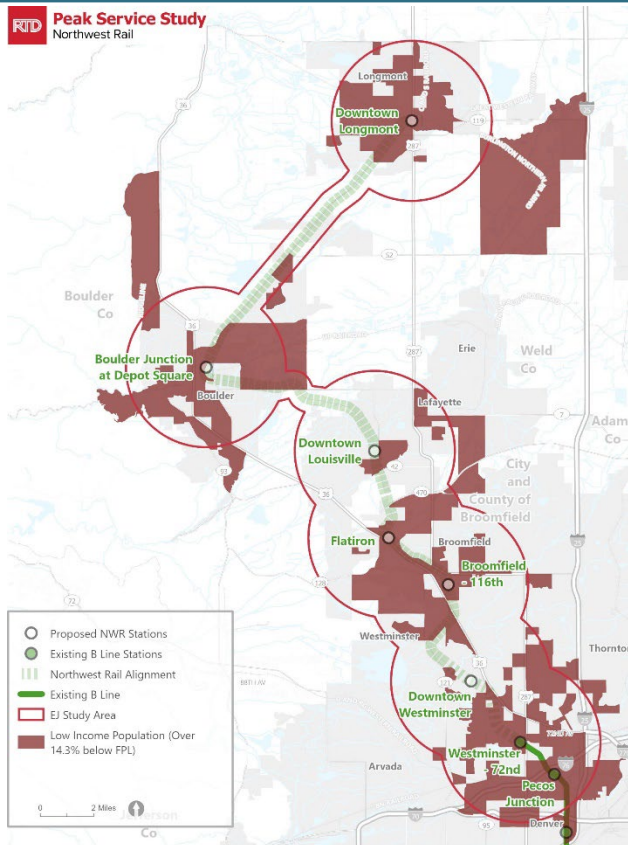
RTD Northwest Rail Peak Service Study

Regional Transportation District Denver, CO

- Currently in a pre-NEPA planning phase
- Planning the delivery of passenger rail service for the 35-mile segment from the existing B Line Westminster Station to future Longmont Station
- Part of the voter-approved FasTracks transit expansion program
- Proposes 3 peak-period / peak-direction round trips
- Includes 6 new stations and a new rail maintenance facility



Environmental Justice in the Planning Phase



- Identified “traditional” low-income and minority (people of color) populations using census data and RTD thresholds
- Identified additional populations: zero-car households and limited-English proficiency

Environmental Justice in the Planning Phase: Communities Helping to Identify EJ Populations

Survey Questions:

1. Do you know of any immigrant groups that are new to the community who live in the study area? If yes, please list below.
2. Are you aware of any people without housing in the study area? If so, where do they typically reside?
3. Do you know of any areas that have a large number of older adults, LBGTQ communities, people with a disability, or members of non-Christian religious groups? If yes, please provide the type of community and location.
4. Are you aware of any businesses in the study area that are minority-owned or employ minority populations? If yes, please list the business name and location (address, cross streets, or other geographical markers).

Solicited input from communities on EJ populations:

- Created and sent an “**Identifying EJ Communities Survey**” to ~ 60 community-based organizations and community leaders along the corridor

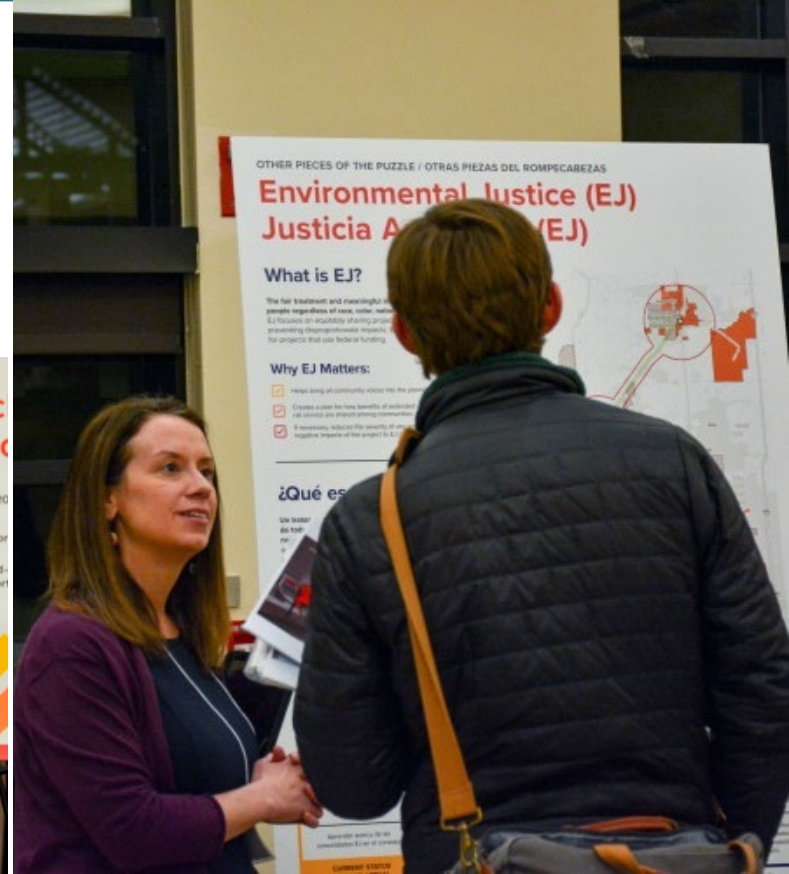
Environmental Justice in the Planning Phase: Hearing from Diverse Communities

- Continuing engagement with communities through public open houses, pop-up events, and a self-guided online meeting in 2023
- Approximately **3,300 people** provided invaluable input through these efforts to date

RTD Peak Service Study
Northwest Rail

THANK
YOU FOR
PARTICIPATING

Stay informed about the project
and learn more online!



Environmental Justice in the Planning Phase: Communities Helping to Identify Impacts

Continuing this **feedback loop** through the identification of impacts and mitigation measures

- Identifying potential impacts as part of a Planning and Environmental study process
- Holding workshops with community members to better understand how these project impacts may affect EJ communities
- Asking the questions:
 - How will the proposed project impact your community?
 - What are the benefits of the project?
 - Are there new opportunities which you could connect to if the project is implemented?
 - What might the project do to help minimize or mitigate these impacts?





RESPONDING TO THE NEW EXECUTIVE ORDER

UDOT I-15 Farmington to Salt Lake City

Utah Department of Transportation

Salt Lake City, UT

- Currently in NEPA phase:
Development of a Draft EIS
- Defining a project to improve mobility along a 17-mile segment of I-15 from the U.S. 89/
Legacy Parkway/Park Lane interchange in Farmington to the I-80 West/400 South interchange in Salt Lake City
- Including a variety of potential improvements:
highway widening, managed lanes, new and improved interchanges, improved highway crossings, bike lanes, and shared-use paths



Environmental Justice in NEPA: Addressing Past Harms

- Project acknowledges a history of **impacts as a result of past actions**
 - Pre-existing barriers and separations formed by I-15 and a major railroad
 - 1939 redlining and industrial uses
- Project strives to provide new **amenities/improvements** to help **mitigate current and past impacts** related to I-15

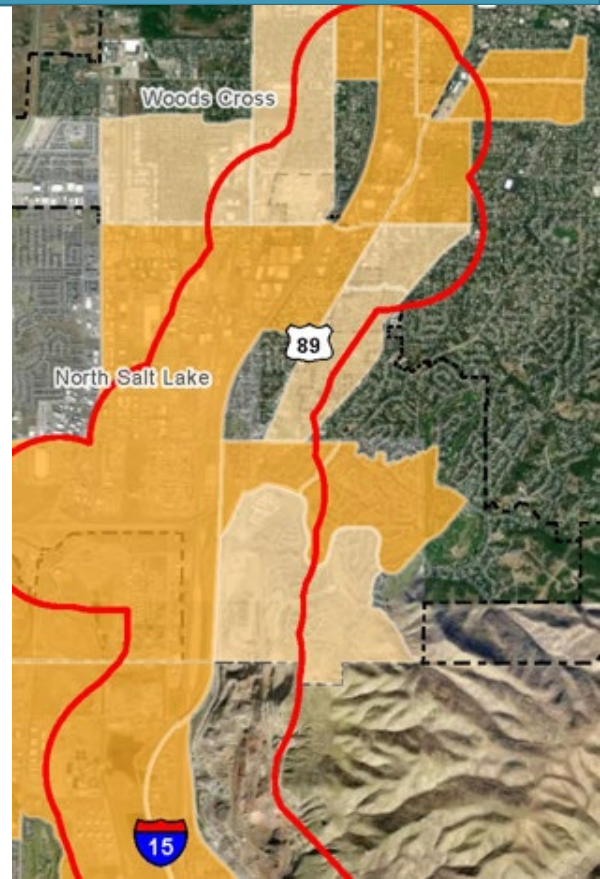


UDOT's Quality of Life Framework



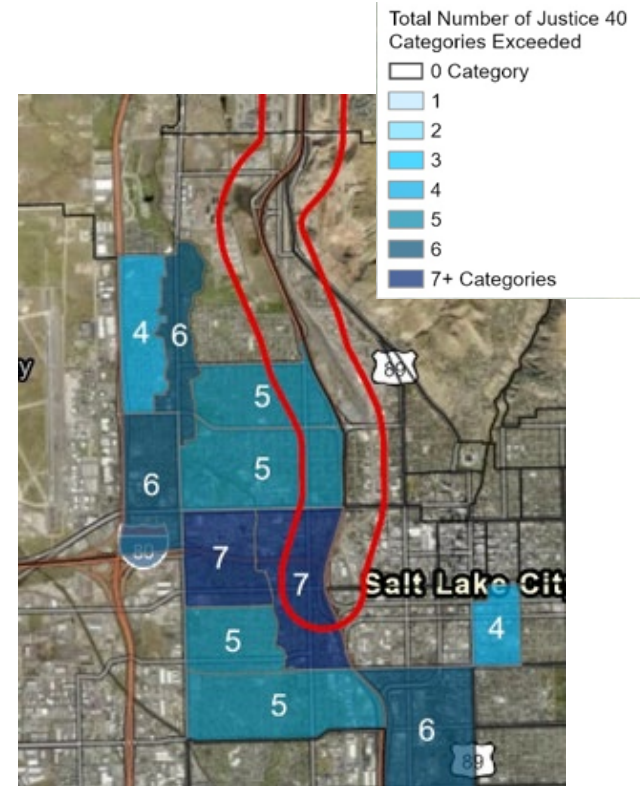
Environmental Justice in NEPA: Defining EJ Populations

- For EJ, identified “traditional” low-income and minority (people of color) populations using U.S. Census data
- Included households with 1 or more persons with a disability, **based on EO 14096**
 - Identified **Additional Potentially Burdened Communities** as those identified as EJ populations according to the original definition (lighter shading) and those that have an additional burden of households with one or more persons with a disability
- Used EPA’s **EJScreen** tool to confirm EJ communities and to help identify existing issues, burdens, and disparities



Environmental Justice in NEPA: Identifying Burdens and Disparities

- Confirmed and identified EJ communities through input from stakeholders during the NEPA process
- Used the **Climate and Environmental Justice Screening Tool (CEJST)** to identify disadvantaged communities in line with the Justice40 Initiative
 - Identified census tracts that exceeded the Justice 40 thresholds
 - Further illustrated existing environmental disparities, including **heightened projected flood risk, asthma prevalence, a history of underinvestment in housing, proximity to Superfund sites, and wastewater discharge**





COMMUNITY-DRIVEN PROJECT DEVELOPMENT

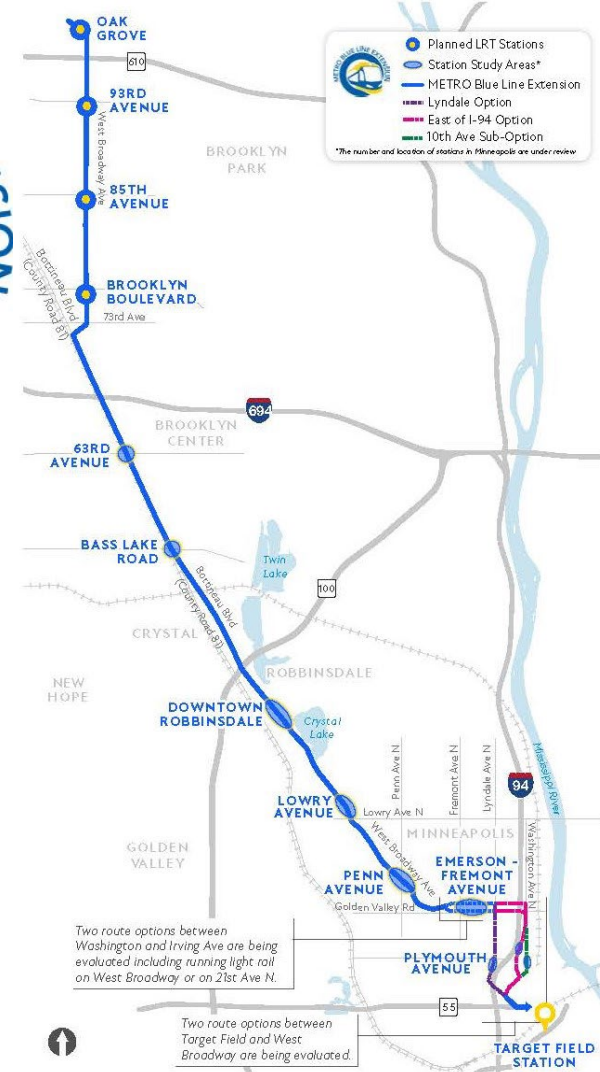
METRO Blue Line Extension

Metropolitan Council and Hennepin County

Minneapolis, MN

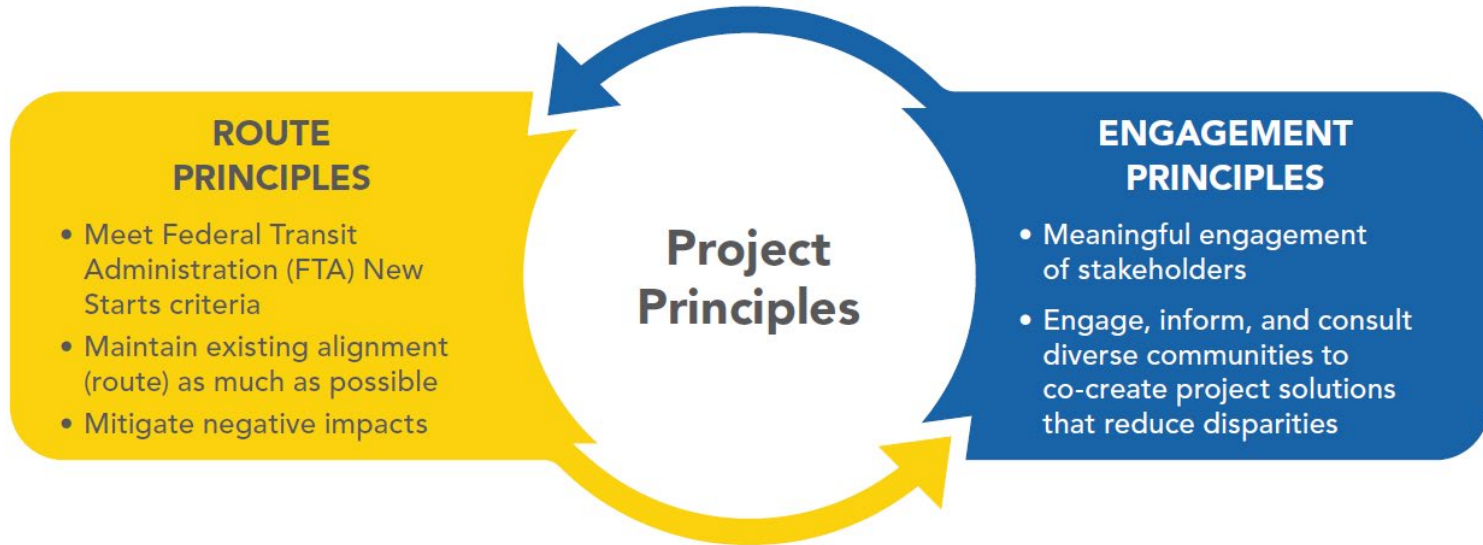


- Currently in NEPA phase: Development of a Supplemental EIS
- Advancing a project that extends the METRO Blue Line from the existing Blue Line light rail transit from Target Field Station along West Broadway Avenue in Minneapolis to Bottineau Boulevard (County Road 81) in Crystal and Robbinsdale, and along West Broadway Avenue (County Road 130/103) in Brooklyn Park
- Includes connections to other existing and planned light rail, bus rapid transit, local bus, and express bus routes



Environmental Justice in NEPA: Co-creating Project Solutions with Communities

- 2016: Blue Line Extension Project received Record of Decision from FTA
- 2017 – 2020: During engineering phase, need to consider alternative route emerged
- 2020 – *present*: Project sponsor and partners seize the opportunity to develop a **community-supported route** based on extensive public and stakeholder engagement



Environmental Justice in NEPA: Meaningful Engagement



MEANINGFULLY ENGAGE STAKEHOLDERS

- ✓ Honor and build on previous robust community engagement
- ✓ Tailor engagement practices to meet the needs of the individual communities in the corridor



ENGAGE, INFORM, AND CONSULT DIVERSE COMMUNITIES TO CO-CREATE PROJECT SOLUTIONS THAT REDUCE DISPARITIES

- ✓ Ensure corridor communities of all races, ethnicities, incomes, and abilities are engaged so all communities and corridor cities share in growth opportunities, with an emphasis on low-income and cultural communities
- ✓ Use community goals, priorities, and criteria for growth to inform decision-making
- ✓ Adjust strategies and approach as needed to ensure corridor communities are fully represented in engagement efforts

Benefits of the Blue Line Extension Community-Supported Route:

- Best meets the Project goals
- Grounded in community feedback through collaboration with stakeholders
- Supported by project corridor communities and decision-makers

Environmental Justice in NEPA: Meaningful Engagement

- Developed several options from 2020 to 2022 in collaboration with communities
- Responded to community input about an option east of I-94
 - Avoids community impacts on west side
 - Provides access to industrial job opportunities
 - Serves affordable housing
 - Opportunity to invest in community with new infrastructure improvements
- Engaged communities through several in-person meetings, door-knocking, virtual events, and on-line survey

Options Considered



Environmental Justice in NEPA: Including Anti-Displacement Policies

- Hennepin County developed an Anti-Displacement Working Group in response to community concerns about housing affordability, business support, and displacement
- Partnered with the University of Minnesota's Center for Urban and Regional Affairs (CURA) to lead this effort
- Worked with community, local governments, and other stakeholders to evaluate the potential for current and future displacement related to the project

Fighting Against Gentrification

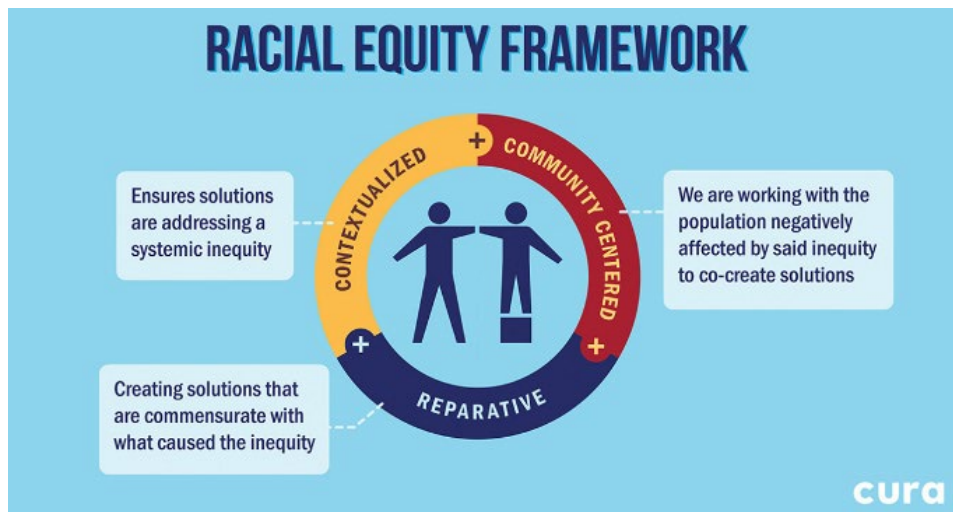


Source: CURA, April 2023

Environmental Justice in NEPA: Including Anti-Displacement Policies

- Applied a Reparative Justice Framework and Organizing Philosophy that sought to:
 - Contextualize displacement in the Twin Cities through research
 - Center community by creating a workgroup that elevated community agency and capacity
 - Recommend anti-displacement strategies and policies that would lead to important community-defined outcomes

- Developed **17 recommended policies**, including:
 - ✓ Tenant Opportunity to Purchase
 - ✓ Rent Control / Stabilization
 - ✓ Zero- to Low-Interest Loans
 - ✓ Small Business Grants / Small Business Support
 - ✓ Workforce Programs
 - ✓ Naturally Occurring Affordable Housing Preservation
 - ✓ Limiting Investor Purchasing and Corporate Ownership
- **Community added:** community development that increases safety, walkability, and urban amenities in the corridor





Summary

Thinking and Planning Ahead: Best Practices in Transit and Highway Project EJ Going Forward

- Rethink who are defined as EJ populations or EJ communities
- Move beyond considerations of fairness (equality) to considerations of equity and justice
- Expand time frame for cumulative impacts
- Address any legacy of racism or past harms that have contributed to systemic barriers
- Build trust with communities
- Listen to and incorporate community impact
- Start early





Questions?

For more information, please reach out to:

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Today's Presenters



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TRB's Transportation Resilience 2023

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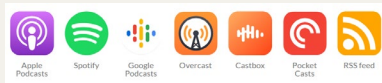
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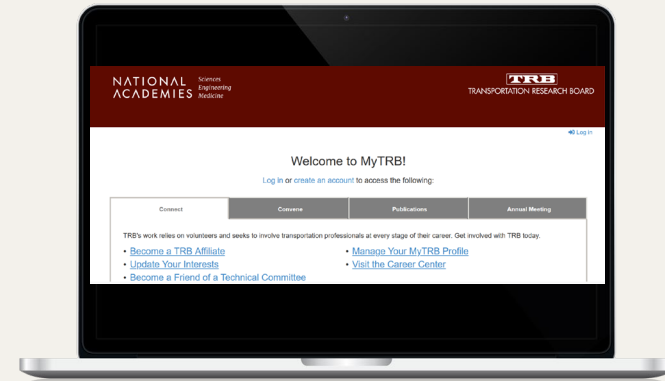
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