



## CONSIDERING EQUITY IN COMMUNITY IMPACT ANALYSIS FOR PROJECTS

**Note: Executive Order 13985, referenced in this guidance, has been revoked pursuant to Executive Order 14148. Additionally, several federal webpages and tools mentioned in this guidance have been removed from their respective sources. This guidance will be revised at a later date.**

### **INTRODUCTION**

The purpose of this document is to inform Environmental Planners/Generalists how to consider equity **for transportation projects and is meant to provide background information on** equity, basic steps to perform an equity analysis, where to include equity in the Community Impacts Analysis (CIA) and environmental document (ED), and the resources and tools available. Equity may be incorporated into the analysis already performed for the CIA and should not be considered an independent **study**.

### **BACKGROUND**

President Biden's Executive Order (EO) 13985 (January 20, 2021) "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government" serves to "pursue a comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality."

Definitions per EO 13985:

- (a) The term "equity" means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.
- (b) The term "underserved communities" refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the preceding definition of "equity."

The California Department of Transportation (Caltrans) Equity Statement (December 10, 2020) acknowledges that communities of color and underserved communities experienced fewer benefits and a greater share of negative impacts associated with our state's transportation system. Some of these disparities reflect a history of transportation decision-making, policy, processes, planning, design, and construction that "quite literally put up barriers, divided communities, and amplified racial inequities, particularly in our Black and Brown neighborhoods."

## EQUITY ANALYSIS

Impacts to underserved communities within and surrounding the project area should be assessed for every proposed project. If the Environmental Planner/Generalist determines that a proposed project may have the potential to impact an underserved community, an equity analysis may help to identify underserved populations, determine how those underserved communities may be impacted, and potential solutions. This information can then be used to inform project development and design.

The steps for an equity analysis may be incorporated into the five basic steps already outlined in the Standard Environmental Reference (SER), Volume 4, Chapter 2.1 (Assessing Community Impacts.) These five basic steps are shown below:

1. Develop an understanding of the nature of the transportation plan or project, and identify communities that could potentially be affected by the project.
2. Create a profile of the community or communities that may be affected by the project to establish the baseline conditions in the community.
3. Analyze the potential impacts that each project alternative would have on the community.
4. Identify opportunities to avoid, minimize, and/or mitigate any adverse effects of the action.
5. Prepare a report documenting the results of the assessment, including public involvement activities and any commitments made.

Note that not every project will require all five steps for an equity analysis. This will be determined by the Environmental Planner/Generalist.

Equity Analysis Step 1: *Develop an understanding of the nature of the transportation plan or project, and identify communities that could potentially be affected by the project.*

Identify underserved communities within and surrounding the project area. The Environmental Planner/Generalist may use resources such as CalEnviroScreen, EJScreen, and U.S. Census Bureau data to determine if their project impact area includes underserved communities. Each resource may vary in which indicators are measured and how those same indicators are measured. As a result, one resource may identify an underserved community whereas another may not when searching within the same area. All appropriate resources should be utilized to support a comprehensive search and if found, each underserved community should be disclosed.

Information on these tools and the indicators they measure may be found in the Equity Resources for Project Development section below.

If underserved communities are not identified, this can be documented in the CIA or ED and the equity analysis may stop here.

Equity Analysis Step 2: *Create a profile of the community or communities that may be affected by the project to establish the baseline conditions in the community.*

As described in the SER, Volume 4, Chapter 2.2.4 (Develop a Community Profile), “The community profile should describe the character of the community with respect to geography, demographics, institutions, neighborhood groups and organizations, businesses, access and circulation, and public services and facilities.”

Using the data gathered from sources such as CalEnviroScreen, EJScreen, the U.S. Census Bureau and local and regional planning agencies, the Environmental Planner/Generalist may describe the physical and nonphysical characteristics of each underserved community to gain a better understanding of potential project impacts and community concerns. Characteristics of underserved communities may include, but are not limited to:

- Demographic data
- Exposure and sensitivity to pollution
- Environmental health
- Historic impacts such as divided communities

Equity Analysis Step 3: Analyze the potential impacts that each project alternative would have on the community.

If underserved communities are identified, assess potential impacts to those communities. Consider the history of an underserved community when analyzing project impacts. Some underserved communities have experienced a history of negative impacts through decision making related to infrastructure improvement, including those associated with transportation, such as divided communities and other actions that exacerbated inequity. The Environmental Planner/Generalist can consider this history, along with potential project impacts, to help assess impacts to an underserved community and determine appropriate avoidance, minimization, and/or mitigation measures (AMMMs).

For example, communities located near freeways may already experience additional air quality and noise impacts that others do not; in some communities, that additional impact may be a direct result of development activities such as those associated with transportation. Additional impacts from a new project may be various, such as adding to community character impacts from:

- new visual/aesthetic impacts such as removal of landscaping/trees
- new light/glare, noise, or air quality impacts
- any type of community impact that affects peoples’ access, or safe pedestrian/bicycle/transit usage, or community cohesion
- increased vehicle traffic and/or traffic speeds which may further act to divide a community

Communities living adjacent to freeways are often assumed to be users of the facilities that would benefit from improvements on these facilities. By utilizing U.S. Census Bureau data, the Environmental Planner/Generalist may discover that a community is identified as having a high number of households without vehicle ownership and thus may

inaccurately be assumed as benefitting from the freeway facility. Utilizing U.S. Census Bureau data within the project impact area would provide insight on the actual users of the facilities and more accurately represent impacts to the community.

Equity Analysis Step 4: Identify opportunities to avoid, minimize, and/or mitigate any adverse effects of the action.

If impacts may occur, public outreach may help gain input from the community and may be used by the Project Development Team (PDT) to drive project decisions and determine appropriate AMMMs.

The Caltrans Equity Statement makes a commitment to meaningfully engage vulnerable communities. Providing communities with the proper platform to express their concerns is part of ensuring equity. The PDT should engage early with the local community, underserved community groups, and/or grassroots organizations so that the concerns of the community are better understood and can aid in developing projects that improve access for, and provide meaningful benefits to, underserved communities.

All communities potentially affected by a proposed project should be aware of the project impacts and each project may require its own unique means of outreach to encourage community participation. When conducting outreach, consider ideas for more equitable community outreach, taking into account accessibility, access to information, and new methods of communication (social media, local organizations, etc.).

Environmental Planners/Generalists may also visit the specific locations to be impacted and observe or interact with communities directly to gain an understanding of the community itself and which outreach and engagement practices may be most effective. Valuable information may also be gained on community outreach from staff who may have completed public outreach during the earlier phases of the project in the District Public Information Office and the Division of Transportation Planning. Emphasis should be placed on receiving input from communities historically underserved.

If impacts to underserved communities are anticipated, the Environmental Planner/Generalist, along with the PDT and while considering input from the community, may decide on the tasks needed for equity such as special outreach, potential modification of project features, and the utilization of AMMMs. Various measures that could be proposed may include, but are not limited to:

- improving access for the community
- improving pedestrian/bicycle or transit access such as adding sidewalks or bus stops or pullouts
- adding aesthetic measures/landscaping/trees to improve community character
- improving community character/cohesion at community activity nodes/centers

Public Notification and Languages: Written materials routinely provided in English should be provided in regularly encountered languages other than English if the project impact area contains high populations of minority or Limited English Proficiency (LEP) persons.

Project information and meeting notifications may be placed in frequently used areas such as local markets, community centers, community billboards, libraries, bus stops, as well as posted in local community newspapers or social media in the appropriate language.

California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) public noticing requirements may be found in the SER Volume 1, Chapters 30 through 38.

More information on public involvement may be found in the SER Volume 1, Chapter 3; SER Volume 4, Chapter 3; and in Chapter 11 and Appendix HH of the Project Development Procedures Manual.

*Equity Analysis Step 5: Prepare a report documenting the results of the assessment, including public involvement activities and any commitments made.*

As mentioned previously, equity may be incorporated into the analysis already performed for the CIA and therefore may be included in the CIA document. While there may be some instances of overlap between Environmental Justice (EJ) and equity within the CIA, EJ is clearly defined in FHWA guidance and should be kept separate from the equity discussion. However, to avoid duplication, the Environmental Planner/Generalist may cross reference demographic information, tables, public involvement activities, and other information applicable to equity from other sections of the CIA or ED. Additional information may be needed to fully analyze equity.

If an underserved community is identified, the Environmental Planner/Generalist may address this in the CIA in a new section titled Equity. This new section may be placed in Chapter 4, Section 4.6 of the CIA as follows:

#### 4.6 Equity

##### 4.6.1 Affected Environment

##### 4.6.2 Environmental Consequences

##### 4.6.3 Avoidance, Minimization, and/or Mitigation Measures

For equity, the CIA may document the underserved communities within and surrounding the project area, potential impacts, outreach activities, concerns and input from the community, how Caltrans intends to address those concerns, and if applicable, the recommended AMMMs.

If a CIA is not needed for the proposed project, this information may be included in the ED itself, when warranted.

Local community groups should be included in the distribution list for the environmental document.

## **TOOLS**

### CalEnviroScreen

Senate Bill 535 directed the California Environmental Protection Agency (CalEPA) to identify disadvantaged communities for the purpose of dispersing money from the Greenhouse Gas Reduction Fund, and CalEnviroScreen is the tool that was developed to identify those communities. The California Office of Environmental Health Hazard Assessment, on behalf of CalEPA, released Version 4.0 of the California Communities Environmental Health Screening Tool, CalEnviroScreen, which identifies California communities that are disproportionately burdened by, and especially sensitive to, multiple sources of pollution using environmental, health and socioeconomic information. Environmental indicators include air quality, water quality, traffic density and hazardous waste. Demographic indicators include factors such as asthma, cardiovascular disease, low birth weight infants, educational attainment, housing burdened low-income households, linguistic isolation, poverty level and unemployment.

Scores representing pollution burden are produced for each census tract in California and mapped so different areas may be compared. CalEPA considers the top 25% scoring areas to be a disadvantaged community. A list of disadvantaged communities may be found using the link below in the [Equity Resources for Project Development](#) section.

### EJSCREEN

Developed by the United States Environmental Protection Agency (U.S. EPA), EJSCREEN is an EJ screening and mapping tool which uses several environmental and demographic indicators to calculate EJ indexes for mapping or comparing areas.

Environmental indicators include air quality, water quality, hazardous waste, and proximity to traffic and traffic volume. Demographic indicators include percent low income, percent People of Color, less than high school education, linguistic isolation, individuals under age 5 and individuals over age 64. EJSCREEN also includes a Demographic Index which is based on the average of percent low-income and percent minority.

### U.S. Census Bureau

U.S. Census Bureau data provides statistics on indicators including population, housing, race, age, sex, family composition, marital status, nativity, parentage, country of origin, school enrollment, health, years of school completed, birth rates, place of work, means of transportation, employment status, occupation, industry, class of worker, and income.

### Other

Many local and regional planning agencies including Metropolitan Planning Organizations and Regional Transportation Planning Agencies have developed their own tools to identify underserved communities in their regions, which the Environmental Planner/Generalist may refer to.

## **EQUITY RESOURCES FOR PROJECT DEVELOPMENT**

EO 13985:

<https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>

Caltrans Equity Statement:

<https://dot.ca.gov/about-caltrans/equity-statement>

SER, Volume 1, Chapter 3 (Public Participation):

<https://dot.ca.gov/programs/environmental-analysis/standard-environmental-reference-ser/volume-1-guidance-for-compliance/ch-3-public-participation>

SER, Volume 4, Chapter 3 (Involving the Public and Developing a Community Profile):

<https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/ser/f0004158-ch3-com-profile-21102011-a11y.pdf>

EJ and Equity at FHWA:

[https://www.fhwa.dot.gov/environment/environmental\\_justice/equity/](https://www.fhwa.dot.gov/environment/environmental_justice/equity/)

CIA at FHWA:

<https://www.fhwa.dot.gov/livability/cia/>

SCAG equity resources (MPO):

<https://scag.ca.gov/ahsc-resources>

FHWA, Virtual Public Involvement:

[https://www.fhwa.dot.gov/planning/public\\_involvement/vpi/](https://www.fhwa.dot.gov/planning/public_involvement/vpi/)

Project Development Procedures Manual (Public Involvement):

<https://dot.ca.gov/-/media/dot-media/programs/design/documents/pdpm-chapter11-a11y.pdf>

Project Development Procedures Manual (Appendix HH - Public Involvement):

<https://dot.ca.gov/-/media/dot-media/programs/design/documents/pdpm-appendixhh-a11y.pdf>

CalEnviroScreen:

<https://oehha.ca.gov/calenviroscreen>

CalEnviroScreen Disadvantaged Communities

<https://oehha.ca.gov/calenviroscreen/sb535>

EPA EJ screening and Mapping Tool, EJSCREEN:

<https://ejscreen.epa.gov/mapper/>

Urban Studies and Planning Faculty Publications and Presentations, “Comparing Two Common Approaches to Public Transit Service Equity Evaluation”:

[https://pdxscholar.library.pdx.edu/usp\\_fac/221/](https://pdxscholar.library.pdx.edu/usp_fac/221/)

Public Health Benefits of Nature-Based Solutions:

<http://nrcsolutions.org/>

Caltrans Race and Equity Branch:

<https://dot.ca.gov/programs/esta/race-equity>