

Environmental Justice Analysis Procedures

I. Introduction and Regulatory Background

A. *Regulatory Framework*

This document outlines the Arizona Department of Transportation (ADOT) Environmental Planning’s (EP) supplemental procedures for ensuring compliance with requirements for the State’s transportation projects related to Executive Order (E.O.) 12898 [Environmental Justice (EJ)] and E.O. 14096. These procedures are intended to be used with other relevant ADOT guidance such as the Public Involvement Plan (PIP), Categorical Exclusion (CE) Manual, and Environmental Planning Environmental Assessment (EA)/ Environmental Impact Statement (EIS) Guidance.

Environmental Justice

Executive Order (EO) 12898, Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-Income Populations, requires the “the fair treatment and meaningful involvement of all people, particularly minority and low-income populations, in the environmental decision-making process.” Under E.O. 12898, each federal agency must identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.

The United States Department of Transportation (USDOT) Order 5610.2C and Federal Highway Administration (FHWA) Order 6640.23A incorporate the requirements of Executive Order 12898 and outline DOT and FHWA-specific policies regarding environmental justice.

II. Environmental Planning EJ Role & ADOT Standard Processes

A. *ADOT National Environmental Policy Act (NEPA) Assignment & EP Role*

Signed into law on August 10, 2005, Section 6005 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Act (SAFETEA-LU) established the Surface Transportation Project Delivery Pilot Program. The pilot program enabled the Secretary of Transportation to assign up to five States federal responsibilities under NEPA, including responsibility for environmental reviews and categorical exclusion (CE) determinations. Under Section 1313 of the Moving Ahead for Progress in the 21st Century Act (MAP-21) the pilot program was replaced with the permanent Surface Transportation Project Delivery Program (NEPA Assignment). The statutory requirements related to NEPA assignment are codified at 23 U.S.C. 327 (program assignment) and 23 U.S.C. 326 (categorical exclusion assignment).

To help implement the efficiencies incorporated into federal law, the Arizona Department of Transportation (ADOT) has assumed Federal Highway Administration (FHWA) responsibility for carrying out environmental approvals under both available programs concurrently: Responsibility for CE's (23 USC 326) and the Surface Transportation Project Delivery Program (23 USC 327). With this assignment of federal environmental review responsibility, ADOT is responsible for complying with all applicable federal environmental laws, regulations, executive orders and policies, and is solely legally responsible for environmental decisions made on all ADOT federal-aid highway projects. ADOT assumed FHWA responsibility for carrying out environmental approvals under two memorandum of understanding (MOU) agreements:

- 326 CE MOU (December 20, 2023) and;
- 327 NEPA Assignment MOU (April 16, 2019)

ADOT EP has oversight responsibility for all NEPA decisions and is responsible for the development of environmental documents including compliance with EJ. As a recipient of federal funding from the FHWA, the ADOT is required to comply with the Title VI of the Civil Rights Act of 1964 (Title VI), which provides: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." ADOT complies with these requirements as part of overall agency requirements outlined in 49 CFR 21 Appendix C(a)(2) and Title 23 section 200.7. Though not an assigned responsibility under NEPA Assignment, environmental documents by ADOT are developed and associated actions such as right-of-way are acquired in accordance with the Title VI requirements.

B. ADOT EP EJ NEPA Initial Screening Evaluation and Scoping Considerations

FHWA Order 6640.23A states that FHWA (and ADOT because of the MOUs) are required to "administer their programs to *identify and address, as appropriate*, disproportionately high and adverse human health or environmental effects of FHWA programs, policies, and activities on minority populations and low-income populations.... In implementing these requirements, the information should be obtained where *relevant, appropriate, and practical*." Per FHWA Order 6640.23A, "a disproportionately high and adverse effect on a minority or low-income population means the adverse effect is predominantly borne by such population or is appreciably more severe or greater in magnitude on the minority or low-income population than the adverse effect suffered by the non-minority or non-low-income population."

ADOT has developed flowcharts that outline the general EP considerations, coordination, and steps that are taken to determine EJ considerations as part of the overall project development process (Appendix D) for the different levels of class of action. ADOT EP has identified the following "core project team" groups that are essential to the decision making process for

determining EJ analysis needs and overall project recommendations for all projects: ADOT Communications, ADOT Multimodal Planning Division, ADOT Project Management, ADOT Civil Rights Office, appropriate ADOT Districts, Tribes and project-specific stakeholders (metropolitan planning organizations, councils of government, local governments, and other federal, state, or local agencies and organizations), and professional consultants. Early coordination as part of project scoping and/or kickoff meetings should occur to inform timely decision making and confirm the approach and considerations required for each project. As a fundamental step, the ADOT EP Environmental Planners will review the scope and context of a project on every class of action as part of the initial scoping phase and as part of routine design plans review to determine EJ analysis requirements as part of the project development process.

EJ Considerations for 326 MOU Projects (c-listed CE's)

Per the [FHWA Environmental Justice Reference Guide](#), not all NEPA analyses require a formal EJ analysis, but they should contain and address EJ impacts, as appropriate. The following screening evaluation process will be undertaken for EJ considerations for each listed CE under the 326 MOU:

- i. Option 1: The CE project meets the criteria listed on the screening evaluation process (outlined below). The review for EJ considerations is complete and documented in the project file as part of the CE quality control review process and on the ADOT CE Checklist with the following statement: *“Screened. This project has no displacements, no impactful access changes or detours, and no environmental, social, or economic impacts that could result in potential Environmental Justice impacts. In accordance with the provisions of E.O. 12898 and FHWA Order 6640.23A, no further EJ analysis is warranted.”*
- ii. Option 2: The CE project does not meet the criteria listed on the screening evaluation process. The Environmental Planner will collect demographic data and complete EJ analysis if low income and/or minority populations are in the project area. The EJ analysis information is reviewed with the core project team groups and documented in the project file in the “Environmental Justice” folder. If it is determined through the EJ analysis that there are no adverse effects and thus no disproportionately high and adverse impacts, then the ADOT CE Checklist will be completed with the following statement: *“Not a screened project. This project has no disproportionately high and adverse effects on minority and/or low income populations. In accordance with the provisions of E.O. 12898 and FHWA Order 6640.23A, no further EJ analysis is warranted.”*

Screening Evaluation Process

No detailed EJ analysis is required if the Environmental Planner can confirm through design plans review and confirmation of Project Manager, as needed, that the scope of work meets one or more of the criteria below **and** does not include any of the additional constraint considerations noted below:

Scope of Work:

- Installation or upgrade of multi-use pathways and/or bicycle and pedestrian lanes, paths, and facilities
- Pavement preservation and rehabilitation projects that do not expand the existing wearing surface such as overlays, shoulder treatments and widening, pavement repair, seal coating, pavement grinding, and pavement marking
- Addition or modification of sidewalks, curb ramps, curb and gutter, and other pedestrian features
- New installation, replacement or repair of lighting, signs, signals, and other traffic control devices, informational signage,
- Landscaping removal and/or revegetation activities
- Adding or modifying signing, fencing, guardrail, reflective markers, ramp metering devices or other hazard and safety elimination items
- Improvements to and/or additions of rest areas and truck weigh stations
- Pavement restriping, reflective markers and traffic signs
- Bridge rehabilitation, replacement, or reconstruction, or the construction of grade separation to replace at grade railroad crossings
- Construction of turning lanes and pockets, auxiliary lanes (e.g. truck climbing, acceleration, and deceleration lanes), sidewalks and shoulder widening
- Approval and/or installation of utility, broadband, or intelligent transportation system (ITS) devices that includes electronics, photonics, communications, and information processing systems
- Installation of electric vehicle charging stations
- Immediate emergency repairs to respond to disaster event and maintain the structural integrity of a bridge or roadway
- Activities included in the State's highway safety plan under 23 U.S.C 402
- Transfer of federal lands pursuant to 23 U.S.C. 107(d) and/or 23 (U.S.C 317) when the land transfer is in support of an action that is not otherwise subject to FHWA review under NEPA
- Installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction
- Environmental restoration and pollution abatement actions to any existing transportation facility
- Ridesharing activities, bus, and rail car rehabilitation
- Track and railbed maintenance and improvements within the existing right of way
- Completion of early preliminary engineering activities such as geotechnical activities and environmental investigations (archeology, wetland, etc.)
- Utility installations and/or replacements

- Other projects that would be categorized as non-infrastructure or construction project that can be cleared as a c(1) CE

Additional Constraint Considerations:

- Project does not require any displacements or acquisitions of structures or lands, unless land is unoccupied and not used by community (i.e. vacant land)
- Project does not require expansion of roadway right-of-way (ROW) by adding additional lanes and/or width in a populated area and would not require more than a minor amount of ROW. Refer to ADOT CE Manual for further definition of more than minor amount of right-of-way.
- Project does not require access changes that would deny or reduce access to any driveway, cross street, pedestrian facility (bike lanes, pathways, transit facility access, sidewalks, etc.), and would not impacts a school and/or emergency responder locations (police/fire station, healthcare facility, hospital/urgent care) in the project area.
- Project does not have any adverse effects to any environmental, social, or community resource. Examples of adverse effects under this constraint would include adverse effects to air, noise, water, pollution, destruction or disruptions of community cohesion or a community's economic vitality.

If a CE level project in option 2 (above) involves potential adverse impacts or disproportionately high and adverse impacts, immediate coordination on the class of action, impacts of concern, potential avoidance, minimization, and mitigation efforts for project will occur with EP management and the core project team groups to determine the appropriate course of action for the project.

EJ Considerations for 327 MOU Projects (Unlisted CEs, EISs, EAs, and Re-Evaluations)

All unlisted CEs, EAs, EISs, and EIS Re-Evaluations will have EJ documented as a standard in the NEPA document and in the project file if there are EJ populations identified through the demographic data collection efforts. For CE and EA Re-Evaluations, ADOT will complete updated EJ analysis if a substantial amount of time has elapsed (approximately 5 years or more) from the original NEPA determination, and/or if there have been changes to the project that may introduce new adverse impacts that require consideration. For each Re-Evaluation project, the Environmental Planner will evaluate the length of time since the original NEPA documentation, evaluate if any of the “additional constraint considerations” noted above apply with the project changes, and obtain confirmation from the ADOT EP Project Delivery Manager (PDM) on the required level of EJ analysis. All updated EJ analysis will be documented in the Re-Evaluation document. ADOT will complete all analysis, data collection, and coordination steps as documented in the ADOT EP flowchart for 327 MOU projects (Appendix D).

For projects with anticipated public involvement activities and EJ analysis considerations, ADOT EP follows the guidelines outlined in the ADOT Public Involvement Plan to ensure early,

frequent, and meaningful public involvement with low income and minority populations. Early coordination as part of project scoping and/or kickoff meetings to discuss the approach to public involvement and EJ analysis should occur to inform timely decision making and confirm the approach for public involvement methods, schedules, and various milestones of the project.

III. Analysis, Mitigation and Documentation

A. Standard Definitions for Documentation

In an effort to establish consistency in ADOT NEPA documents, ADOT uses the following definitions below as cited in FHWA Order 6640.23A.

Minority:

DOT and FHWA define (5) minority persons as follows:

- Black (a person having origins in any of the black racial groups of Africa)
- Hispanic or Latino (a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race)
- Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent)
- American Indian and Alaskan Native (a person having origins in any of the original people of North America, South America, including Central America, and who maintains cultural identification through tribal affiliation or community recognition)
- Native Hawaiian or Other Pacific Islander (people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands).

Low Income: A low- income population is defined as a person whose median household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines

Low-Income Population: Any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed FHWA program, policy, or activity.

Minority Population: Any readily identifiable groups of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed FHWA program, policy, or activity.

Adverse Effects: The totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to: bodily impairment, infirmity, illness or death; air, noise, and water pollution and soil contamination; destruction or disruption of human-made or natural resources; destruction or diminution of aesthetic values; destruction or disruption of community cohesion or a community's economic vitality; destruction or disruption of the availability of public and private facilities and services; vibration; adverse employment effects; displacement of persons, businesses, farms, or nonprofit organizations; increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community; and the denial of, reduction in, or significant delay in the receipt of, benefits of FHWA programs, policies, or activities.

Disproportionately High and Adverse Effect on Minority and Low-Income Populations: An adverse effect that:

- (1) is predominately borne by a minority population and/or a low-income population; or
- (2) will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the nonminority population and/or non-low-income population.

B. Data Collection for Analysis

Identifying Study Area Boundaries for Analysis

As part of the standard project development process, a project study area is defined to inform general project limits for proposed improvements and direct impact areas. In addition to defining the general project study area, a larger community study area will be defined for the purposes of EJ analysis. The study area boundary for the purposes of EJ analysis and community information should capture the direct impact areas and the broader geographic area within which project-induced indirect changes could possibly occur. Project-induced changes can occur in projects that require significant permanent or temporary access changes, modifications of travel patterns, or affect overall community cohesion. In addition to evaluating direct and project-induced impacts, consideration should also be given to the geographic area of the project area (urban, suburban, rural). As an ADOT standard practice, the study area boundary for EJ analysis in an urban or highly populated area should be a mile in each direction, and two miles in each direction for a rural project area. Coordination with ADOT core team members should occur when initially defining the study area boundary to confirm general consistency with public involvement assumptions for the project area and capture any needed considerations.

Data Sources & Collection for Demographic Analysis

The next step after determining the initial study area boundary for EJ analysis and community information is the collection of demographic and economic data. In addition to collecting demographic data specific to EJ analysis (low income and minority), other demographic data will be collected for the NEPA document as well (language, household, disabilities, age, female head of household, historically disadvantaged populations) to provide a full picture of community characteristics, and acknowledge other relevant federal laws such as the American with Disabilities Act (ADA) of 1990, E.O 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, E.O. 14091: Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, and E.O 13166: Improving Access to Services for Persons with Limited English Proficiency.

Demographic and economic data should be collected from the U.S. Census Bureau decennial census or the American Community Survey (ACS). Detailed instructions for collecting U.S Census Bureau data can be found in Appendix C. Data should be collected using the most recent census data or 5-year ACS Data. When collecting the data through census or ACS, the following methodology should be used:

- Demographic data for EJ analysis (race, ethnicity, income) should be collected at block group level to ensure collection of data at the smallest census geography available. If block groups cannot be used, tract level data should be used with an explanation of why block groups cannot be used in the NEPA document. Income data should be consistent with data from (HHS) poverty level for average household size (generally a family of four based on Arizona census data) and the overall census data.
- Data for other demographic purposes (language, household, disabilities, age, female head of household) that will be outlined in the NEPA document to provide a community assessment and acknowledge other relevant laws should also be collected at block group level.
- When identifying languages for purposes of LEP, use tables C16001 and B16001 to locate languages by ability to speak English at the census tract or block group level. If block group level information is not available, tract level data should be used.

In addition to these common data resources, data for an initial evaluation effort can also be collected from sites such as EJSCREEN, FHWA's STEAP tool, CEQ's CEJST Tool, and public state information (SNAP benefits, free school lunch data, etc.). In addition to the initial desktop evaluation efforts, efforts on the ground through project canvassing, local event participating, and establishing communication groups can help inform community characteristics and should be included in project efforts to understand community needs and preferences of the community for communication and outreach. As part of the review of the demographic data and

these efforts for meaningful public involvement, the presence and location of potential EJ populations should be identified early in the project process to ensure that potential community related impacts are identified and then avoided and minimized as much as possible. See Appendix C for guidance on how to collect initial Census Data.

C. ADOT Standard Analysis Steps & Documentation Approaches

Following the collection and evaluation of demographic and economic information collected, the next step is to complete an analysis of the project impacts on potential EJ populations and other relevant population and community characteristics. ADOT fundamentally approaches EJ analysis through guidance from the overarching executive orders, USDOT directives, and specific methodologies outlined in the below resource documents:

- [ADOT Environmental Assessment \(EA\) and Environmental Impact Statement \(EIS\) Guidance \(Appendix\)](#)
- [FHWA Memorandum: Guidance on Environmental Justice and NEPA \(2011\)](#)
- [Federal Interagency Working Group on Environmental Justice & NEPA Committee's "Promising Practices for EJ Methodologies in NEPA Reviews"](#)

As outlined in the ADOT EA and EIS Guidance, there is no difference in how EJ analysis is completed between an EA and an EIS. While the same fundamental data collection will be complete for all NEPA classes of action, the level of detailed analysis completed for EJ considerations will ultimately be dependent on the degree of the proposed project improvements and the associated anticipated impacts (beneficial and/or non-beneficial). The following guidelines below provide ADOT best practices for organizing an initial analysis for this topic in NEPA documents:

- Ensure NEPA documents clearly distinguish EJ considerations from other non-EJ protected population considerations in the introductory and analysis section of the NEPA document. Analysis for EJ should be analyzed separately since they have different regulatory considerations.
- Ensure NEPA documents identify and present low-income populations in table and maps format using the "Alternative Criteria" analysis method defined in the Federal Interagency Working Group on Environmental Justice & NEPA Committee's "Promising Practices for EJ Methodologies in NEPA Reviews". Include citations of data used in tables and graphs, block groups and census tract information, and any "pockets" of low-income populations that may be within a community.
- Ensure NEPA documents identify and present minority populations in table and maps format using the "No Threshold" analysis method defined in the EPA Promising Practices Guidance. The "No Threshold" analysis focuses on full identification of minority populations within a project area and requires no rationale for thresholds or reference

communities. Include citations of data used in tables and graphs, as well as block groups and census tract information (see Appendix A).

- Ensure NEPA documents provide clear rationale if any reference community (City, County, Region, etc.) is used for comparison area to the project area. Reference communities can also be used to compare one segment of the proposed project that had EJ population to a segment of the proposed project that has non-EJ impacts.
- Ensure NEPA documents provide tables and graphs of socioeconomic considerations in block group and tract format and provide citations of data used.
- Ensure NEPA documents provide a clear summary of how potential EJ populations were included in the public involvement process, specific efforts that were made to involve them in the decision-making process, and the efforts made to incorporate their comments into the process. The NEPA document will summarize the efforts made and ensure consideration of standard requirements outlined in the ADOT Public Involvement Plan and US Department of Transportation’s “Promising Practices for Meaningful Public Involvement in Transportation Decision-Making” guidance. The project file will also document public involvement efforts and outreach that was undertaken.

D. Determining Impacts & Standard Questions to Consider

As previously mentioned, USDOT orders (DOT Order 5610.2(c) and FHWA Order 6640.23A) outline the requirements of EJ analysis to determine whether *disproportionately high and adverse impacts* to EJ populations would occur as a result of a project's proposed improvements. FHWA and USDOT further state that “disproportionately high and adverse” refer to an adverse effect that:

- 1) is predominantly borne by a minority or low-income population; or
- 2) will be suffered by a minority and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-EJ population.

When evaluating impacts as part of EJ analysis in a NEPA document, the analysis should be focused not only on the direct impacts but also the indirect and cumulative impacts that will be introduced as a result of a project's proposed improvements. Project impacts in the EJ analysis should cover the effects of the proposed project improvements on EJ populations from a human, environmental, and social aspect, which may involve incorporating information from other environmental technical analysis in the NEPA document into the EJ analysis. Consideration should also be given to reasonably foreseeable actions, any influence the proposed improvements will have on other future actions, past historic impacts that have taken place within the EJ community, and any project impacts on a community that may also be beneficial.

Similar to the approach for determining impacts related to NEPA decisions, determining whether an impact is significant and potentially disproportionate to EJ populations requires a close look at the context (the specific affected region and interests), intensity (severity of the impact) of the specific EJ community of concern within the study area, and mitigation or overall benefits that will be implemented to offset any potential impacts. Examples that should be addressed include: air, noise, water pollution, destruction or diminution of aesthetic values, destruction or disruption of community cohesion or a community's economic vitality, displacement of business (type and estimated number), adverse employment effects (an estimate of the number of displaced employees in each business sector), displacement of persons, separation of minority or low-income individuals within a given community or from the broader community, the denial of, reduction in, or significant delay in the receipt of benefits of FHWA/DOT programs, policies, or activities.

The following questions should be used to guide decision making for determining adverse impacts and possible disproportionate impacts on EJ populations:

- Will there be significant impacts related to access and/or travel patterns (temporary or permanent)?
- Will there be long term impacts to community cohesion?
- Will there be any significant impacts to the human environment (noise, air quality, etc.) that cannot be mitigated or minimized?
- Will there be displacements within potential EJ population areas (displacement of residences, businesses that serve EJ populations, places of worship, community centers, schools, etc.)?
- Are there other factors documented in the NEPA document that are inter-related to EJ concerns (economics, visual impacts, changes to modes of transportation, travel times, etc.)?
- What feedback has been received by the public as part of the public involvement process? Is there a level of controversy or specific concern from the public related to the proposed project improvements?
- Are there any impacts that will be beneficial to communities within the study area?

If it has been determined as part of the analysis that there will be no disproportionately high and adverse effects to EJ populations, then the NEPA document should state the determination as part of the "Environmental Consequences" section of the EJ section of the NEPA document. The following conclusion statement should be provided to document this finding:

No minority or low-income populations have been identified that would be adversely impacted by the proposed project as determined above. Therefore, in accordance with the provisions of E.O. 12898, DOT Order 5610.2(c), and FHWA Order 6640.23A, no further EJ analysis is required.

If there is the potential for and an actual identification of disproportionately high and adverse impacts to EJ populations, additional measures to avoid, minimize, and mitigate impacts should be evaluated with EP management and with the core project team groups to sufficiently lower the adversity of disproportionately high and adverse impacts and explore all options for mitigation. If it is determined through outreach and coordination with the EP management, core project team groups, and affected communities that mitigation to a project is insufficient, then the project class of action should be reviewed and possibly adjusted. Although there may not be disproportionately high and adverse impacts to EJ populations, Environmental Planners should still evaluate and discuss impacts on minority and low-income populations in the NEPA document, and evaluate efforts to avoid, minimize, and mitigate according to NEPA, as appropriate.

E. Evaluating Mitigation

As a standard ADOT practice and fundamental step of the NEPA process, mitigation measures are developed through technical analysis, discussion with the core project team groups, and through feedback received in the public and agency involvement process. Some mitigation for activities such as right-of-way (ROW) displacements are a standard requirement as outlined by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), and other mitigation can be evaluated further as part of technical analysis for issues such as noise, historic elements, businesses, or community resources.

However, some impacts do not have clear mitigation requirements such as community cohesion or access and must be discussed with the core project team to determine feasible options. Feasible mitigation options may involve rectifying impacts by restoring, rehabilitating, or restoring elements of a project area or resource within a community, or compensation by providing substitute and additional resources. Final NEPA documents should clearly indicate the timing of the mitigation efforts, responsible parties, and any additional efforts that will be undertaken for these mitigation measures to ensure effective implementation in the mitigation and/or environmental consequences section. Environmental Planners need to discuss avoidance, minimization, and mitigation measures with the core project team groups to document agreement and process steps for the implementation of the environmental commitments.

IV. Review Timelines for EJ Analysis and NEPA Documents

A. Standard Review timelines for EA/EIS

As communicated in ADOT Environmental Planning Project Procedures and Delivery Manual, the Environmental Planner distributes the initial draft environmental document to the specific Environmental Technical Specialists. In addition to sharing this with EP Technical Specialists,

Environmental Planners will also ensure the draft NEPA documents have been shared with ADOT Civil Rights Office, core project team members, and any other pertinent stakeholders (Cooperating Agencies, Participating Agencies, Tribes, etc.).

These documents should be provided for a 30-day review for the initial Draft EA/ Draft EIS, with subsequent drafts for 1 to 2 weeks review for the purposes of confirming comment resolution.

B. *Standard Review timelines for Individual CE (ICE)*

As communicated in the ADOT Environmental Planning Project Procedures and Delivery Manual, the Environmental Planner distributes the draft ICE to Environmental Technical Specialists and other pertinent core project team groups (Civil Rights Office, Project Management Group, District, etc.) for review for a 5 working days review.

If as part of the ICE an environmental justice analysis was completed, 10 working days will be provided to the Civil Rights Office for review of the CE and associated documents:

- Engineering Plans/Maps
- Right of way (ROW) Plans
- Environmental Commitments
- Technical Reports (Air Quality, Noise) Screening Checklist, EJ Analysis).
- Public Involvement Documentation

C. *Standard review timelines for EA/EIS Re-Evaluations*

As communicated in the ADOT Environmental Planning Project Procedures and Delivery Manual, the Environmental Planner distributes the draft Re-Evaluation document to Environmental Technical Specialists and other pertinent core project team groups (Civil Rights Office, Project Management Group, District, etc.) for review for 2 weeks (4 weeks for complex projects).

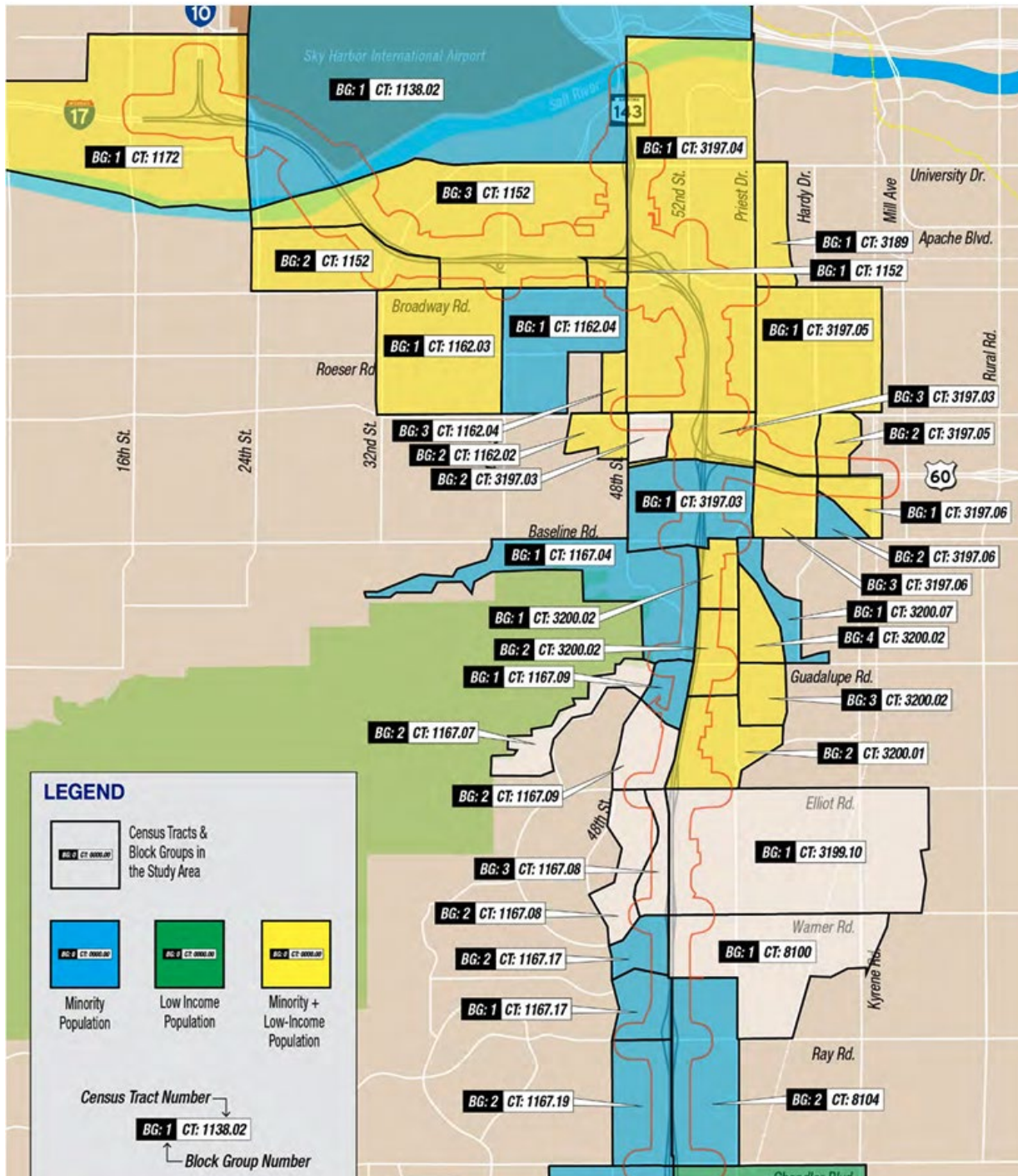
If as part of the Re-Evaluation an environmental justice analysis was completed due to a change in the scope or time elapsed from a project, the Civil Rights Office will be provided supplemental documents as needed such as:

- Original EA/EIS
- Engineering Plans/Maps
- Re-Evaluation
- Screening Checklist
- ROW Plans
- Technical Reports (Air Quality, Noise)
- Public Involvement Documentation

V. Regulatory and Guidance Reference Documents

- [EO 12898](#)
- [E.O. 14096](#)
- [FHWA Order 6640.23A](#)
- [US DOT Order DOT 5610.2C](#)
- [FHWA Memorandum: Guidance on Environmental Justice and NEPA \(2011\)](#)
- [USDOT Environmental Justice Strategy \(2016\)](#)
- [CEQ Environmental Justice: Guidance Under the National Environmental Policy Act \(1997\)](#)
- [23 CFR Part 771 Environmental Impact and Related Procedures](#)
- [FHWA Website: Environmental Justice \(includes case studies\)](#)
- [FHWA Website: Environmental Justice Emerging Trends and Best Practices Guidebook \(2011\)](#)
- [April 2019 Project Development Procedures For Federal-aid Highway Projects](#)
- [April 2019 Quality Assurance/Quality Control \(QA/QC\) Plan For Federal-aid Highway Projects](#)
- [ADOT's June 2022 NEPA EA and EIS Guidance](#)
- [ADOT's June 2022 NEPA EA and EIS Guidance - Appendix A](#)
- [ADOT Civil Rights Office: Includes the Title VI Program information and Language Assistance Plan](#)
- [ADOT Public Involvement Plan](#)
- [EJ Interagency Working Group and NEPA Committee Report: Promising Practices for EJ Methodologies in NEPA Reviews \(2016\)](#)

Appendix A: Example Map (Minority and Low Income Block Groups)



Appendix B: Example Data Table (Minority / Low Income Block Level Group)

Table 1. 2021 American Community Survey 5-Year Estimate: Racial and Ethnic Demographics (Table ID: B03002)

Area	Total Population	White alone		Black or African American alone		American Indian and Alaska Native alone		Asian alone		Native Hawaiian and Other Pacific Islander alone		Some other race alone		Two or more races		Hispanic or Latino*	
		#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
CT 2.01, BG 1	3,449	2,998	86.9	0.0	0.0	21	0.6	33	1.0	0.0	0.0	0.0	0.0	117	3.4	280	8.1
CT 2.01, BG 2	2,454	2,298	93.6	0.0	0.0	26	1.1	0.0	0.0	0.0	0.0	0.0	0.0	222	9.0	156	6.4
CT 4, BG1	942	197	21.0	8	0.8	0.0	0.0	26	2.8	0.0	0.0	0.0	0.0	7	0.7	704	74.7
CT4, BG2	505	231	45.7	0.0	0.0	0.0	0.0	64	12.7	0.0	0.0	0.0	0.0	0.0	0.0	210	41.6
CT4, BG3	517	128	24.8	7	1.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	382	73.9
CT4, BG4	715	332	46.4	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	2	0.3	6	0.8	375	52.4
All Block Groups	8,582	6,184	60.4	15	0.2	47	0.8	123	1.4	0.0	0.0	2	0.0	352	4.1	2,107	24.6
Pinal County	420,626	233,066	55.4	18,480	4.4	16,534	4.0	6,064	1.4	1,374	0.3	997	0.24	14,078	3.3	130,018	31.0

Hispanic refers to ethnicity and is derived from the total population, not as a separate race; i.e., it is calculated differently from the other columns in this table

(Minority Population Table)

Table 2: 2021 American Community Survey 5-Year Estimate: Median Household Income In The Past 12 Months (Table ID: B19013)

Area	Median Household Income In The Past 12 Months
CT 2.01, BG 1	\$62,333
CT 2.01, BG 2	\$65,133
CT 4, BG1	\$41,845
CT 4, BG2	\$36,116
CT 4, BG3	N/A (Data not available)
CT 4, BG4	35,852
Pinal County	\$65,488

(Low Income Population Table)

Appendix C: Census Data Quick Start Guide

Purpose: To continue to provide guidance in accessing demographic data for Title VI and Environmental Justice (EJ) requirements.

Finding Census Tract/Block Groups:

1. In order to find the Census Tract/Block Groups, a GIS application with the tracts/block groups may save time (such as EPA's EJ Screen). The data.census.gov site has a map selection tool but only allows for square shaped selections. If you need to follow a more irregular shaped road, you may want to identify the tracts and block groups with another GIS application, first. You can also use a [census block group map](#) to manually identify the area involved.
2. Once you have a data table which lists the Census Tract/Block Groups, follow the below steps to gather demographic data from data.census.gov.

To Find Race/Minority Data:

***NOTE: Be sure to further narrow Race/Minority and Income data by block group.

1. In the search bar on the data.census.gov page, enter the table "B03002" which is "Hispanic or Latino Origin by Race".
2. Ensure that the Survey Data selected is "2021: ACS 5-Year Estimates Detailed Table"*¹
3. On the toolbar, select "Geos" and then select "Block Group".
4. Select "Arizona" and then the appropriate County.
5. The B03002 Table displays data on the Census Tract/Block Group level. Referencing the table which contains the Census Tract/Block Groups in the project area, select the Census Tracts in your project area. Once the Census Tracts have been selected, there will be the option to select your Block Groups. If you want to locate block groups using the census map, you can do so by selecting "All Block Groups" by County and using the map tool to locate your project area (see screenshot below).

¹ More recent years can be used but be sure it is the ACS 5-Year Estimates

SPANIC OR LATINO ORIGIN BY RACE

Advanced Search

Microdata Help FAQ Feedback

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2019 ACS 5-Year Estimates Detailed Tables | Universe: Total population

Block Group / Arizona / Pinal County, Arizona / Select Census Tract

Block Group 2, Census Tract 2.01, Pinal County, Arizona | Block Group 1, Census Tract 2.04

Available filters are limited by your chosen result in combination with selected filters. Some filters may be unavailable.

All Block Groups within Pinal County, Arizona

Margin of Error	Estimate	Margin of Error
±687	2,454	±694
±635	2,098	±689
±654	2,050	±666
±113	0	±113
±122	26	±40
±50	0	±113
±113	0	±113
±113	0	±113
±126	222	±179
±113	79	±104
±126	143	±142
±366	156	±110
±338	78	±71
±113	15	±24
±113	45	±76
±113	0	±113
±113	0	±113
±113	0	±113
±104	18	±29
±113	18	±29
±94	0	±113

B03002 | HISPANIC OR LATINO ORIGIN BY RACE

2019: ACS 5-Year Estimates Detailed Tables | Universe: Total population

Notes | Geos | Years | Topics | Surveys | Codes | Hide | Transpose | Margin of Error | Restore | Excel

Block Group / Arizona / Apache County, Arizona / Select Tract

Within other geographies

Available filters are limited by your chosen result in combination with selected filters. Some filters may be unavailable.

All Block Groups within Apache County, Arizona

Census Tract 9426, Apache County, Arizona

American Community Survey
B03002 | HISPANIC OR LATINO ORIGIN BY RACE
 2019: ACS 5-Year Estimates Detailed Tables | Universe: Total population

Notes | 2 Geos | Years | Topics | Surveys | Codes | Hide | Transpose | Margin of Error | Restore

Block Group / Arizona / Apache County, Arizona / Census Tract 9426, Apache Co
Select Block Group

Available filters are limited by your chosen result in combination with selected filters unavailable.

All Block Groups within Census Tract 9426, Apache County, Arizona

Block Group 1, Census Tract 9426, Apache County, Arizona

Block Group 2, Census Tract 9426, Apache County, Arizona

6. The data will populate in the Table.

American Community Survey
B03002 | HISPANIC OR LATINO ORIGIN BY RACE
 2019: ACS 5-Year Estimates Detailed Tables | Universe: Total population

Notes | 2 Geos | Years | Topics | Surveys | Codes | Hide | Transpose | Margin of Error | Restore | Excel | CSV | ZIP | Print | Map

Label	Block Group 1, Census Tract 9426, Apache County, Arizona		Block Group 2, Census Tract 9426, Apache County, Arizona	
	Estimate	Margin of Error	Estimate	Margin of Error
▼ Total:	819	±155	923	
▼ Not Hispanic or Latino:	819	±155	923	
White alone	0	±12	0	
Black or African American alone	0	±12	0	
American Indian and Alaska Native alone	819	±155	918	
Asian alone	0	±12	0	
Native Hawaiian and Other Pacific Islander alone	0	±12	0	
Some other race alone	0	±12	0	
▶ Two or more races:	0	±12	5	
▶ Hispanic or Latino:	0	±12	0	

7. To export the data, select Excel or CSV in the top toolbar.

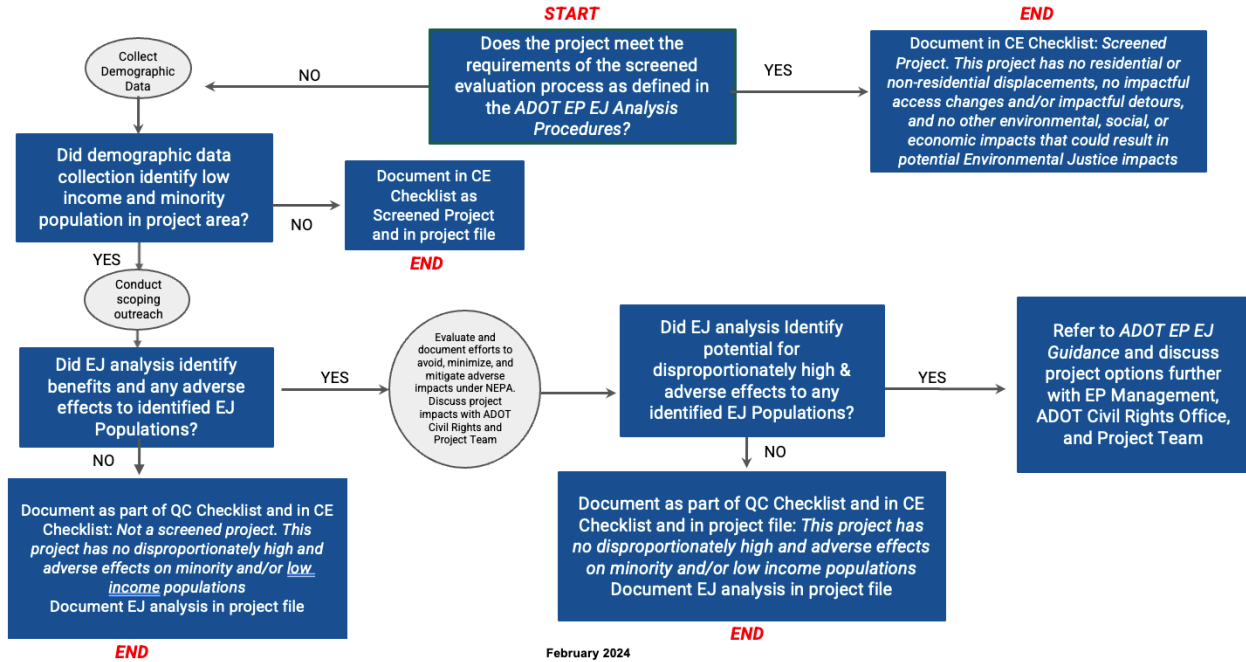
To Find Low Income Populations:

1. On data.census.gov, enter the table “B19013” which is “Median Household Income In The Past 12 Months”.
2. Follow instructions 2-7 above.

Compare the median income for each block group with the Department of Health and Human Services Poverty Guideline for a family of four (or other appropriate number based on project area) of the census data. For 2021, the guideline is \$26,500. If you are using another year, you will need to look up the matching guidelines.

Appendix D: ADOT EJ Flowcharts

Environmental Justice Flowchart for 326 MOU CE Projects



Environmental Justice Flowchart for 327 MOU (Unlisted CE, EA, EIS) Projects

