



Meaningful Engagement for Environmental Justice Without Public Meetings





Dave Biggs

Chief Engagement Officer
MetroQuest



Agenda

The Environmental Justice imperative of 2020

Our panel: Federal Interagency Working Group on Environmental Justice

Case studies of EJ success

Q&A



20 years of best practices research



Federal Transit
Administration



Association of
Metropolitan
Planning
Organizations

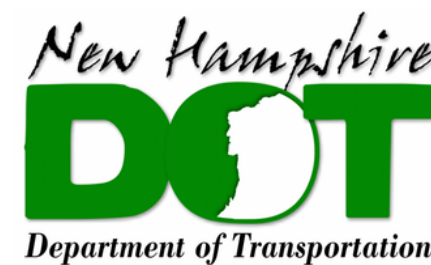


Select MetroQuest subscribers

Local Agencies



State Agencies

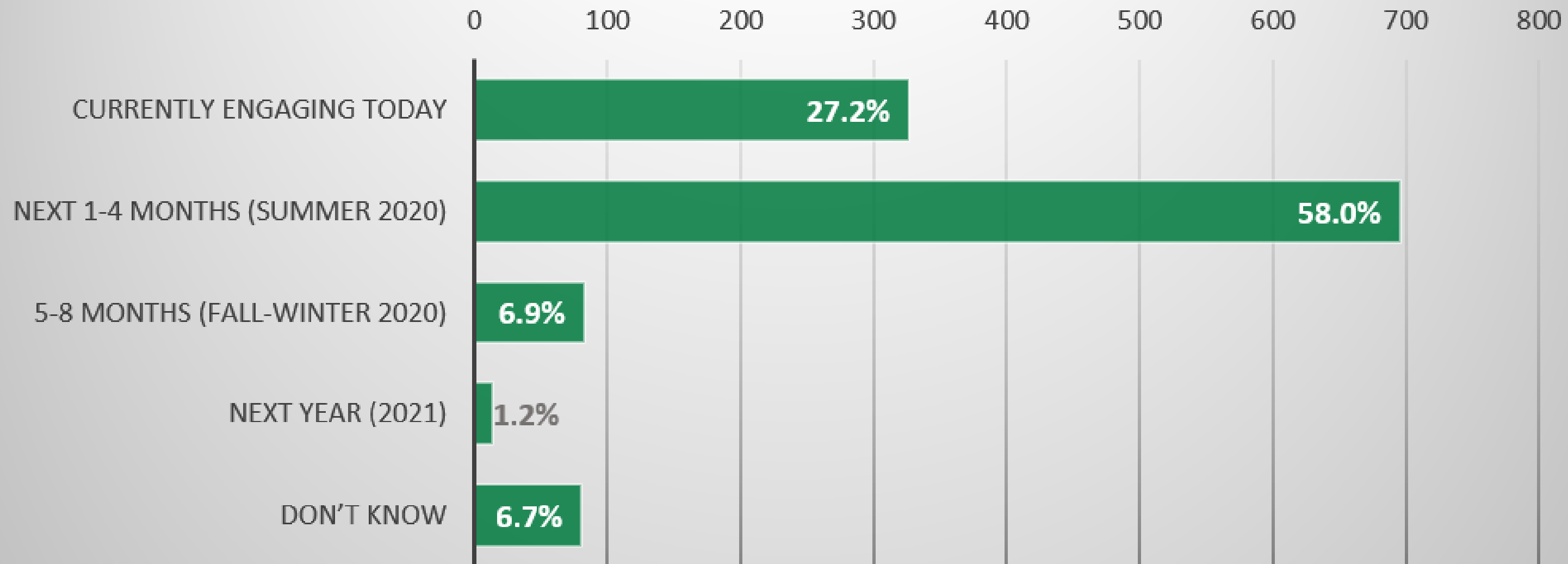


Consulting Firms



Timing for next public engagement

When are you planning to engage the public?

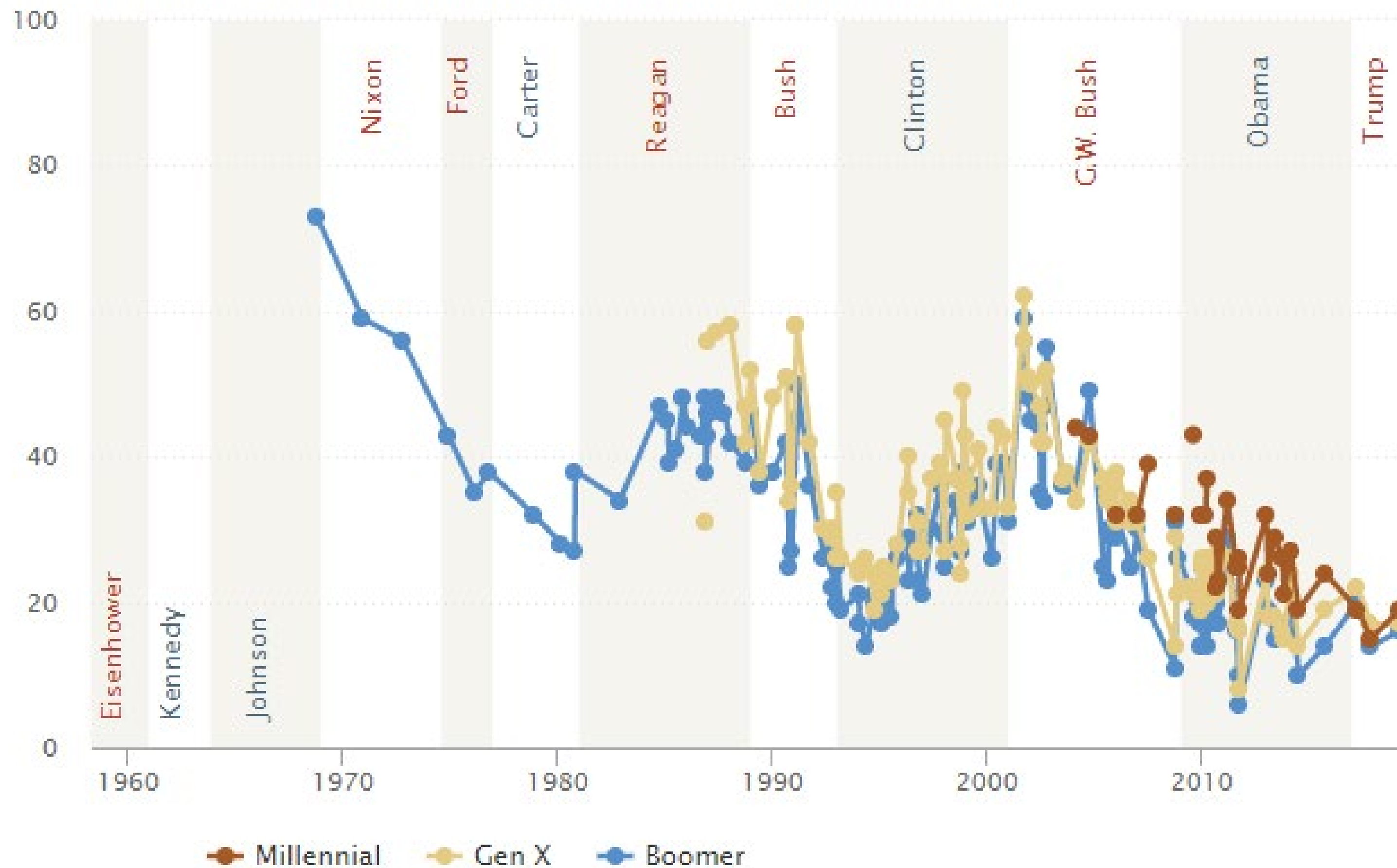


2020: The Perfect EJ Storm

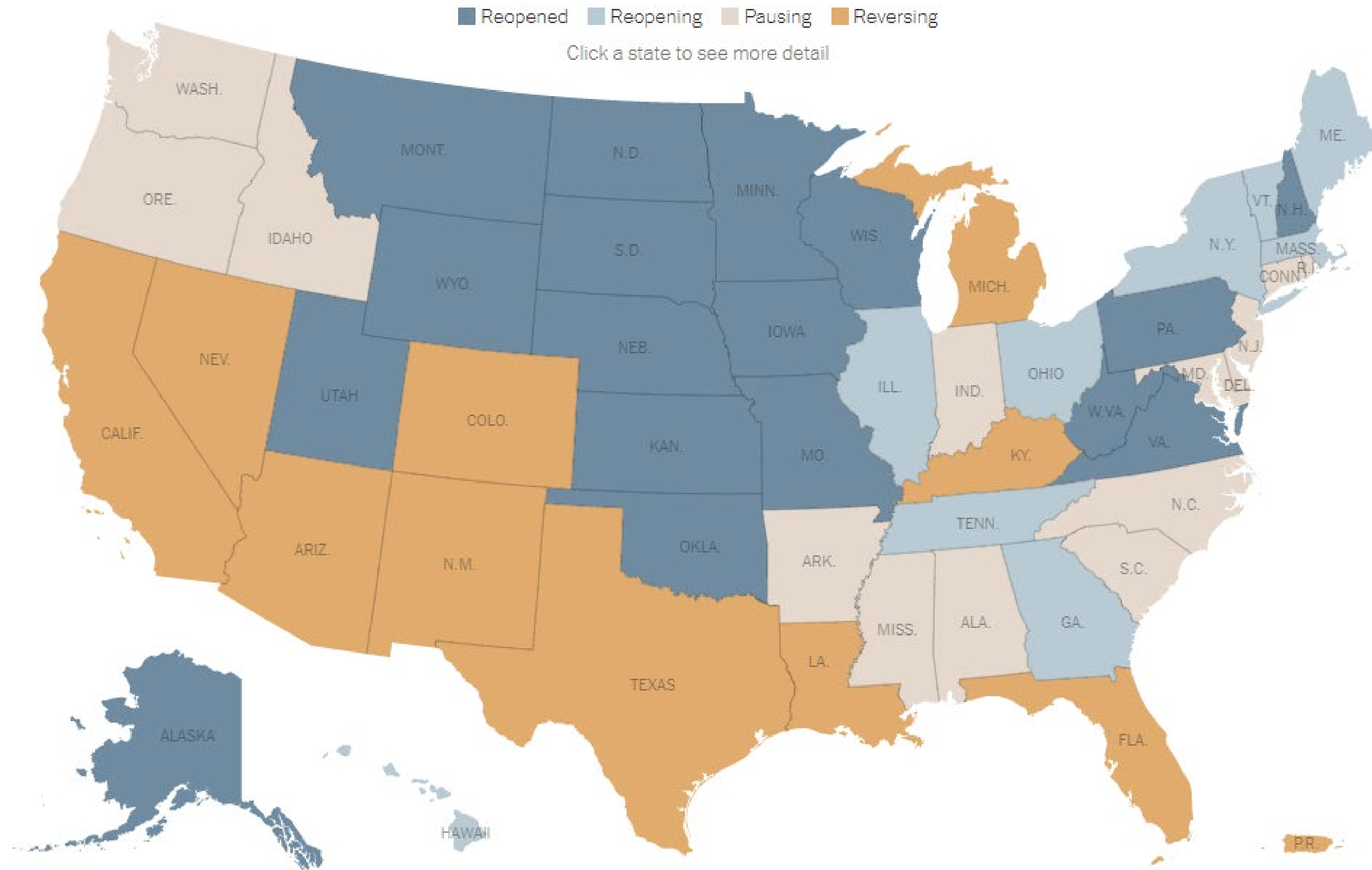


Trust in government is low

% who trust the govt in Washington always or most of the time



State and local lockdowns



NEPA modernization



Federal Interagency Working Group on Environmental Justice



Denise Freeman

Department
of Energy



Elizabeth Poole

Environmental
Protection Agency



Carolyn Nelson, PE

Federal Highway
Administration

Environmental Justice

For Everyone... For the Future



"It really boils down to this: that all life is interrelated. We are all caught in an inescapable network of mutuality, tied into a single garment of destiny. Whatever affects one directly, affects us all indirectly."

Martin Luther King, December, 1967



Webinar: *Meaningful Engagement in Environmental Justice without Public Meetings*

Denise Freeman

Co-chair, NEPA Committee of the
*Federal Interagency Working Group on
Environmental Justice*

U.S. Department of Energy
Office of Legacy Management

August 5, 2020



Definition of Environmental Justice



- Environmental Justice (EJ) is *“fair and equal treatment and meaningful involvement of all people, regardless of race, ethnicity, culture, income or education level with respect to development, implementation, and enforcement of environmental laws, regulations, and policies.”*
- Fair treatment means that racial, ethnic, or socioeconomic groups should **not bear a disproportionate share of negative environmental consequences** resulting from (BUSINESS OPERATIONS) or from the execution of laws, regulations, and policies.
- EJ is enforced by law, under the U.S. Court of Appeals



Environmental Justice Background/History



- 1964 – Civil Rights Act
- 1971 - CEQ Annual Report
- 1982 – Warren County PCB Landfill/GAO Report
- 1987 – United Church of Christ Study
- 1994 – Executive Order 12898
- 2001 – Warren County PCB Landfill Remediation
- 2011 – Federal Memorandum of Understanding on EJ



Executive Order 12898



- On February 11, 1994, President William J. Clinton signed Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*.



Executive Order 12898 (Continued)



- The Order also called for the establishment of a Federal Interagency Working Group on Environmental Justice (known as the EJ IWG).
- EPA was designated as the lead coordinator and the EPA administrator also chairs the EJ IWG.



Memorandum of Understanding



- To expand upon its commitment to EJ, on August 4, 2011, 17 Federal Cabinet level officials in signing a *Memorandum of Understanding on Environmental Justice* (MOU).
- The MOU advances federal agencies responsibilities under EO 12898. Specific areas of focus include: *National Environmental Policy Act (NEPA)* and Title VI of the Civil Rights Act of 1964, and Goods Movement - transportation of foods/products.

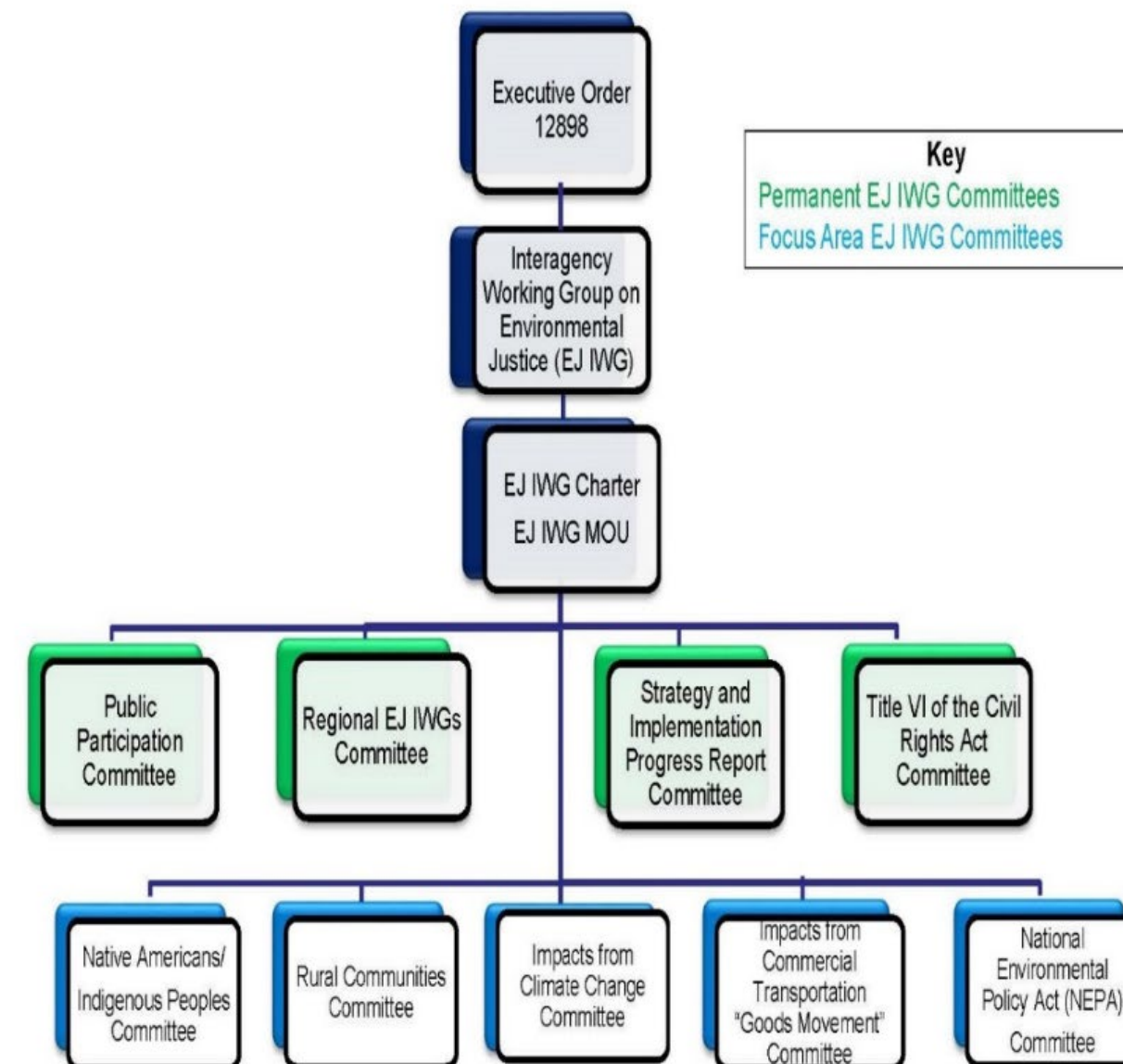


Relationship between NEPA and the Federal Interagency Working Group on Environmental Justice



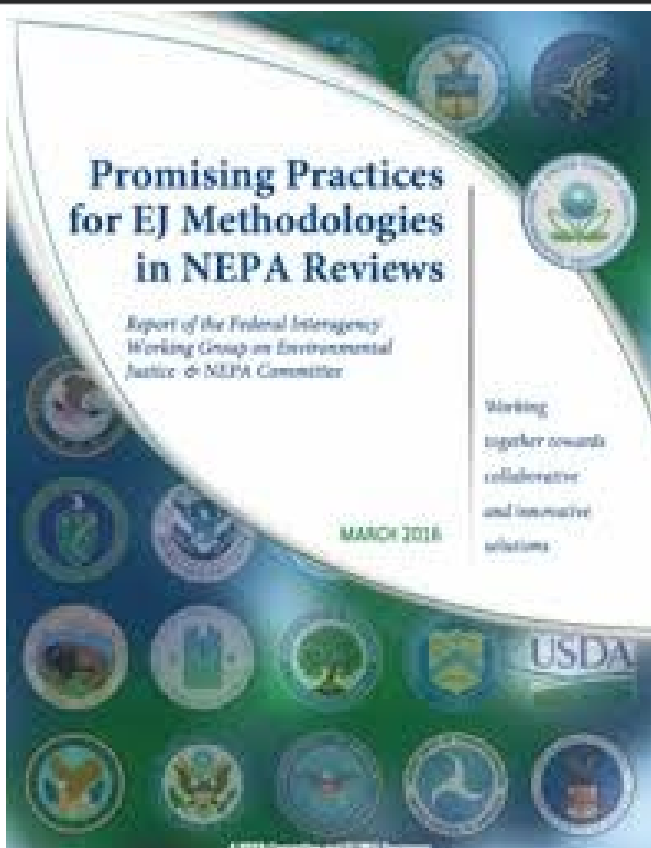
EJ IWG Governance Structure 2016 - 2018

- **Charter & MOU (2011)**
- **NEPA Committee Purpose:**
 - ✓ Improve effective, efficient and consistent consideration of EJ in the NEPA process
 - ✓ Share promising practices/lessons learned developed by federal government NEPA practitioners
 - ✓ Provide cross agency training on EJ and NEPA



December 2015





Meaningful Engagement



A process that allows a Federal agency to build ongoing relationships with the community along with building their trust.

- **Meaningful engagement** can be best described as a two-way street:
- Informing the community (public outreach)
- Involving the communities in project discussions (participation) and seeking community input



Questions?



Denise Freeman

Co-chair, NEPA Committee

Federal Interagency Working Group on Environmental Justice

U.S. Department of Energy

Office of Legacy Management

**Denise.freeman@hq.doe.gov
(202) 641-1837**





Promising Practices for Environmental Justice Methodologies in NEPA Reviews

August 5, 2020

Elizabeth Poole

Roadmap

- ▶ EJ and NEPA
- ▶ Promising Practices Details
- ▶ Other tools and resources

Promising Practices for EJ Methodologies in NEPA Reviews

*Report of the Federal Interagency
Working Group on Environmental
Justice & NEPA Committee*

MARCH 2016

Working
together toward
collaborative
and innovative
solutions

NEPA and EJ

Promote healthy and sustainable communities

Ensure that everyone is treated equitably

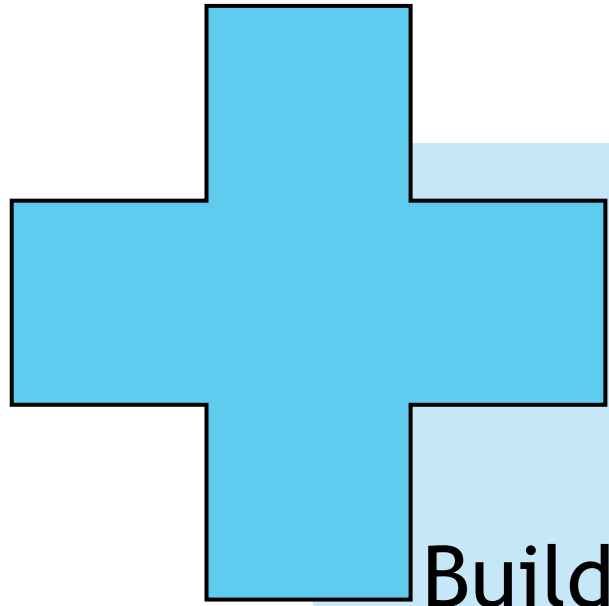
Informs the decision-making process

Identify adverse effects; determine significance; avoid, minimize, mitigate

Benefits and burdens

Consider EJ in all decisions (EIS/ROD, EA/FONSI, & CatEx)

Promising Practices Report



It is:

Builds on existing NEPA guidance and practices

Represents professional knowledge and expertise

Captures collective thinking and thoughtful deliberation

Allows for comparison and improvement

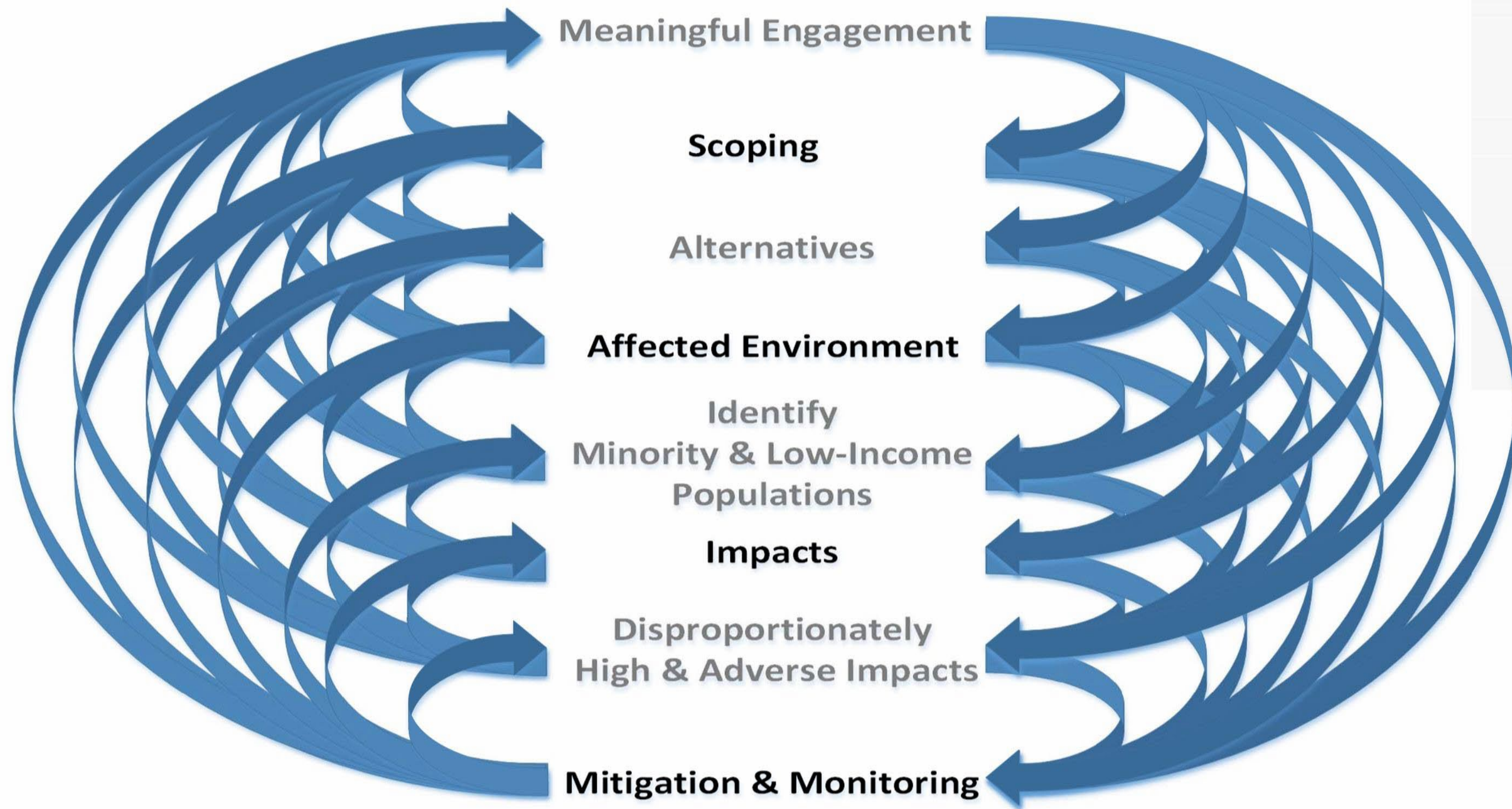
It's not:

Does NOT establish new requirements for NEPA analyses

Is NOT formal agency Guidance

Is NOT intended to be legally binding or create rights or benefits for any person(s)

NEPA and EJ - PPR



Foundation

▶ Meaningful Engagement

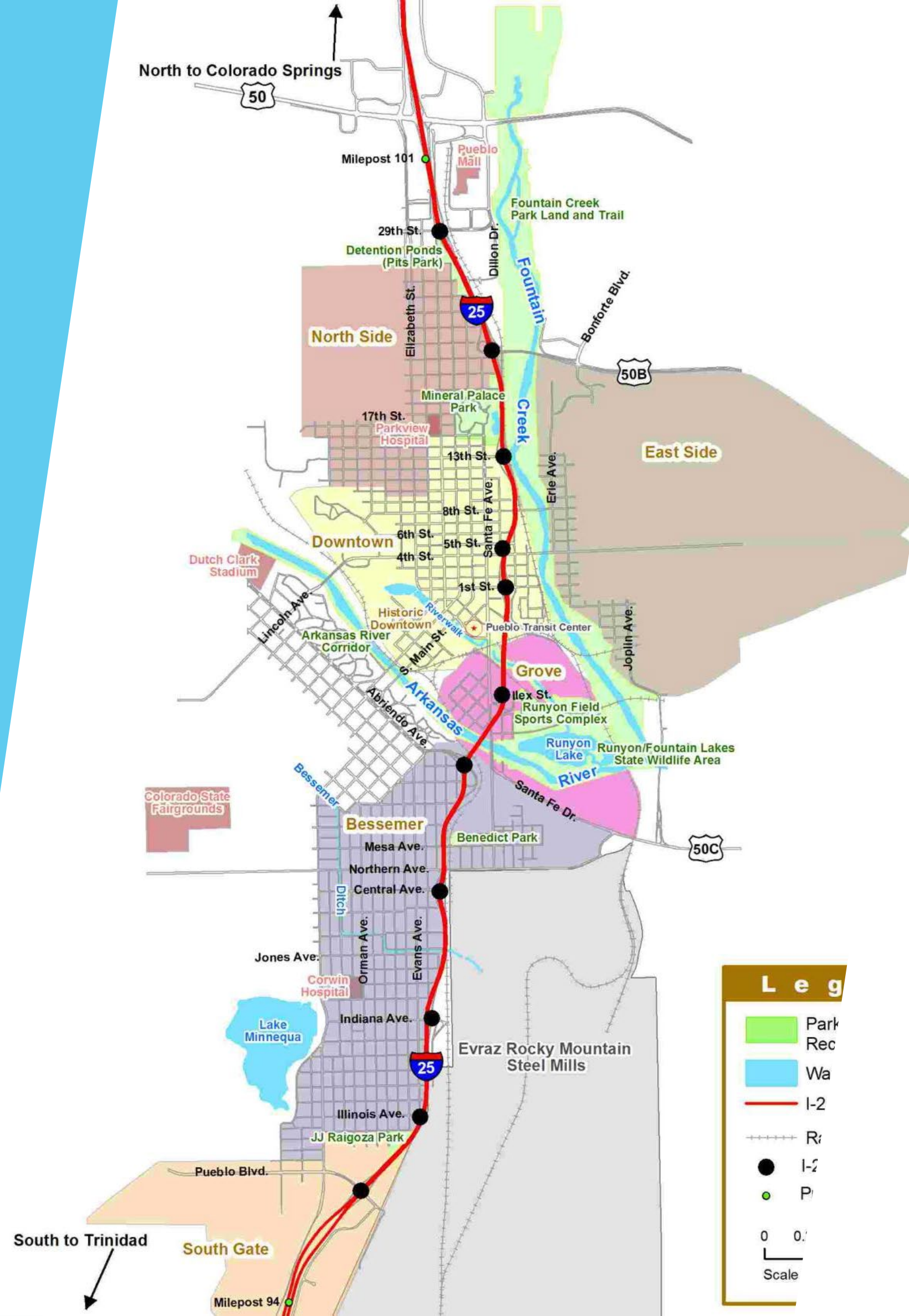
- ▶ Early, often, ongoing
- ▶ Adaptive and innovative approaches

▶ Scoping

- ▶ Begin to determine affected environment
- ▶ Consider methodologies and required data sources

▶ Defining the Affected Environment

- ▶ Appropriate range and unit of analysis
- ▶ Data Selection and interpretation



Identification

Identifying Minority Populations

- ▶ No-Threshold analysis or the Fifty Percent/Meaningfully Greater analysis
- ▶ Reference Communities

Identifying Low-Income Populations

- ▶ Alternative Criteria or Low-Income Threshold Criteria Analysis
- ▶ Data Selection

Analysis

Developing Alternatives

Impact Analysis

- ▶ Scoping frames this section
- ▶ Additional data sources
- ▶ Incorporate health considerations

Disproportionately High & Adverse Impacts

- ▶ Definition discussion
- ▶ Two methodologies: balancing and impact-focused approaches
- ▶ Conclusions

Range of
Alternatives

Reduce Impacts

Reduce Project
Footprint

Change Location to
Avoid

Change based on
comments

Increase or Add
Benefits

Alternatives
Analysis

Follow Through

Monitoring and Mitigation

- ▶ Adaptive and innovative approaches
- ▶ Transparency and sharing commitments with public



Tools and Resources

IWG Work:

- ▶ Community Guide to EJ/NEPA Methods

Other Tools:

NEPAssist (<https://www.epa.gov/nepa/nepassist>)

EJSCREEN (<https://www.epa.gov/ejscreen>)

Questions?

► Contact information

Elizabeth Poole

US EPA - Region 5 - Tribal and Multimedia Programs Office

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312-353-2087

NEPA Committee Leads

Denise Freeman (US DOE)



Carolyn Nelson, P.E.

Federal Highway
Administration

carolyn.nelson@dot.gov

Virtual Public Involvement

*slides not available

“...the use of digital technology to engage individuals or to visualize projects and plans.”

For more information, please watch the webinar recording or visit the website:
https://www.fhwa.dot.gov/planning/public_involvement/vpi





CEQ Final Rule

In effect
Sept 14th, 2020

Requires agencies to engage the public earlier in the process

Adds requirements to engage traditionally underrepresented groups

Promotes use of modern technologies beyond public meetings

Urges agencies to solicit comments “in a manner designed to inform”

20 Years of Analysis & Training

Barrier/Challenge	Tactics										Design				
	Face to face workshops	Peer to peer	Pop-up events	Accessible text options	Online	Smartphone	ipad one on one	Kiosks	Educational surveys	Make it visual, less reading	Keep it short	Support multiple languages	Listen early & reflect it	Leverage local champions	
Limited reading ability	•	•	•		•	•	•	•		•	•				
Impaired vision	•		•	•	•						•				
Limited time			•		•	•	•	•		•	•				
Limited mobility			•		•	•									
Limited access	•	•	•				•	•							
Other languages		•	•		•	•	•	•		•		•		•	
Limited understanding	•	•	•		•	•	•	•	•	•			•	•	
Different priorities/perspectives	•	•	•		•	•	•	•	•				•	•	
Other cultures	•	•	•				•		•	•		•	•	•	
Not connected in community			•			•	•	•	•						
	Tactics									Design					






Citizen panels

3 Paths to
EJ Success


America Speaks

EJ Optimized Online +

A man with a beard, wearing a blue hoodie, is sitting on a dark grey couch. He is looking down at a laptop screen that is partially visible. His right hand is resting on his chin, and his left hand is on the laptop. The background is a blurred indoor setting with large windows. A semi-transparent blue rectangle is overlaid on the left side of the image, containing white text. In the bottom right corner, there is a small white logo on a dark background.

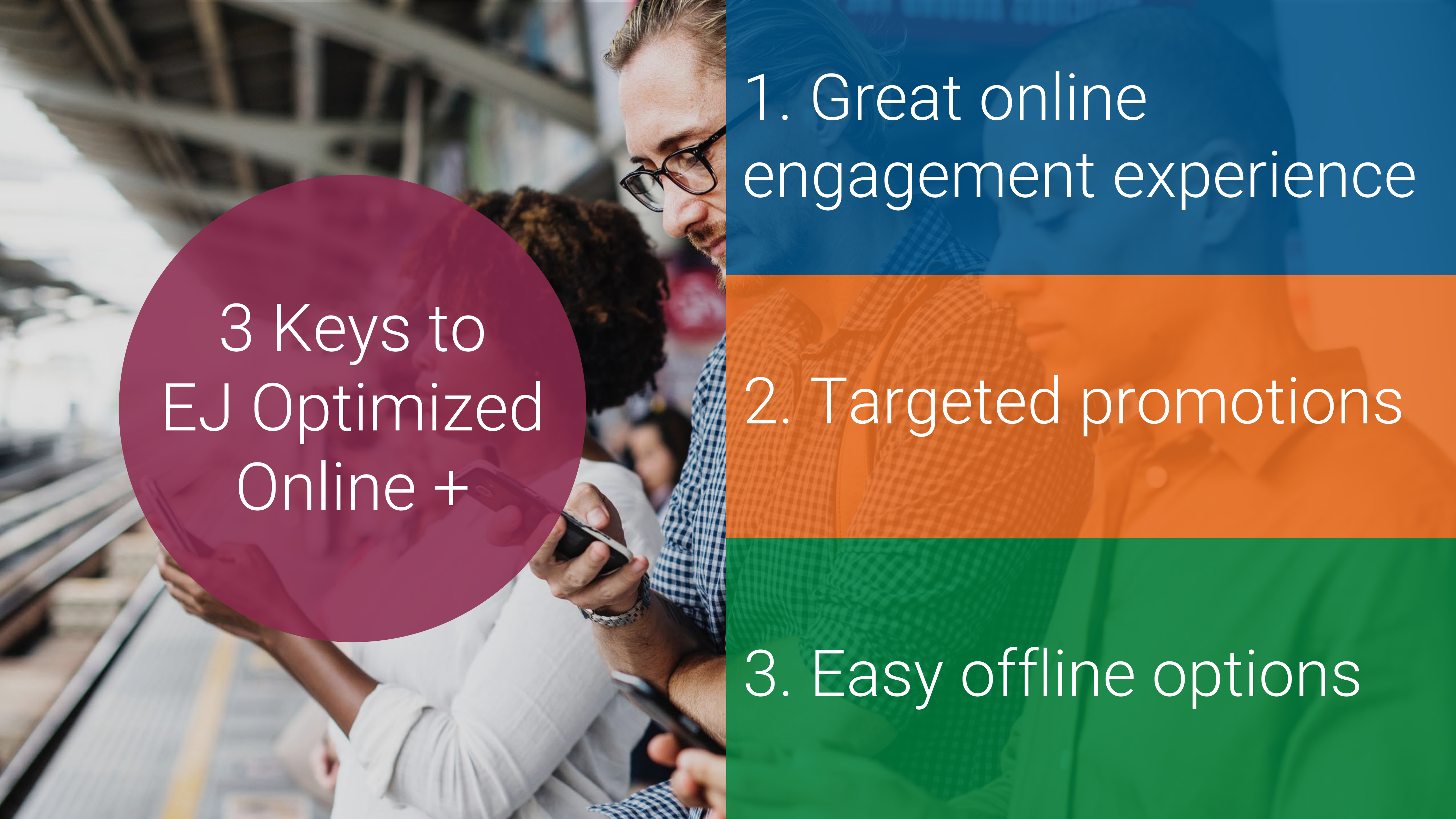
POLL How many outreach projects does your organization conduct annually?



A photograph of two women in an office. The woman in the foreground is a Black woman with curly hair and glasses, wearing a white shirt, smiling and looking towards the right. She is sitting at a desk with a laptop. The woman in the background is a white woman with blonde hair, also looking towards the right. The background shows office cubicles with glass partitions.

POLL Where are you in
your online engagement
journey?



A man with glasses and a woman are looking at a smartphone together on a train platform. The man is holding the phone, and the woman is pointing at the screen. They are both smiling and appear to be engaged in a conversation. The background shows a train platform with tracks and a building.

3 Keys to EJ Optimized Online +

1. Great online
engagement experience

2. Targeted promotions

3. Easy offline options

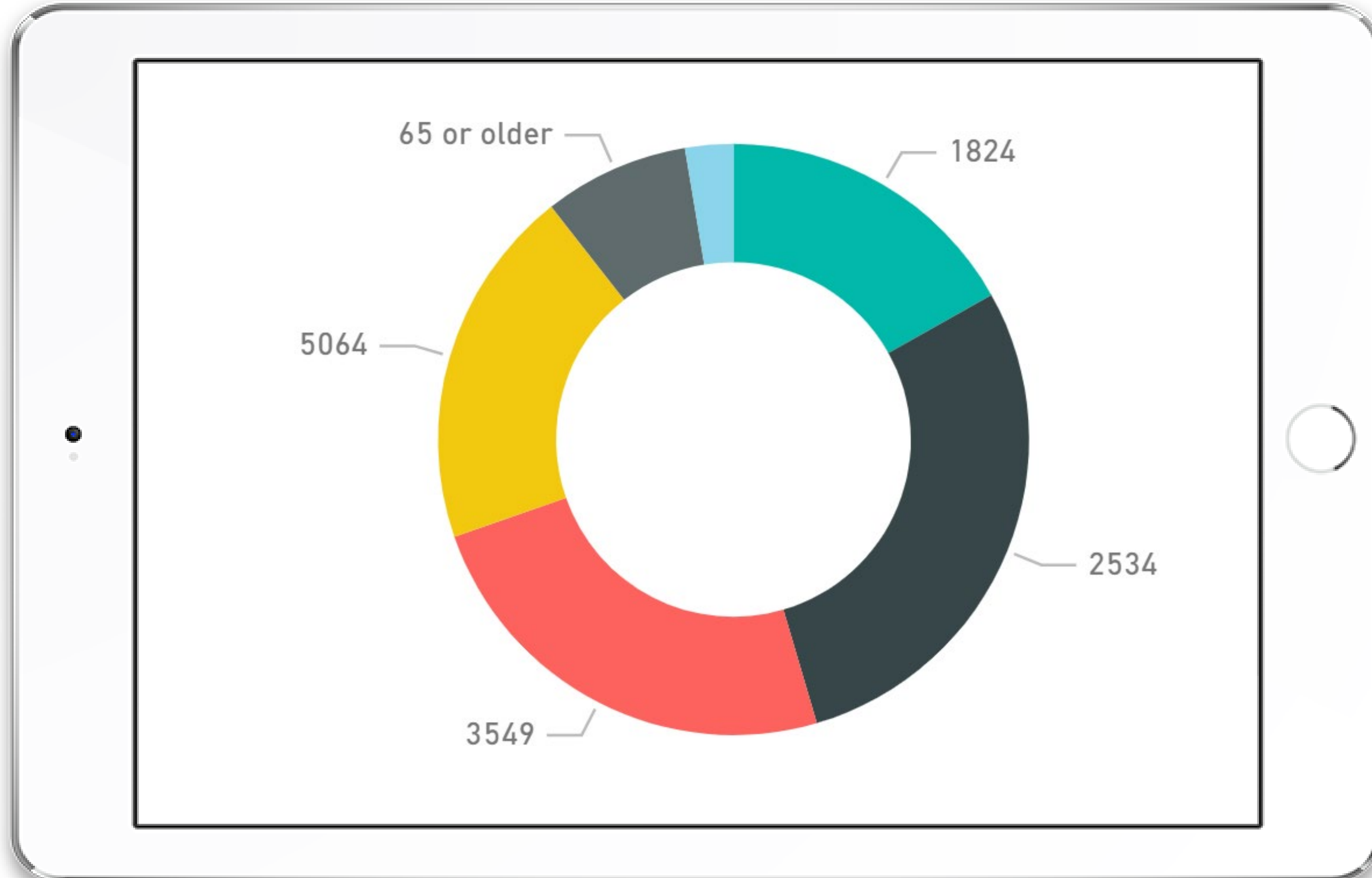


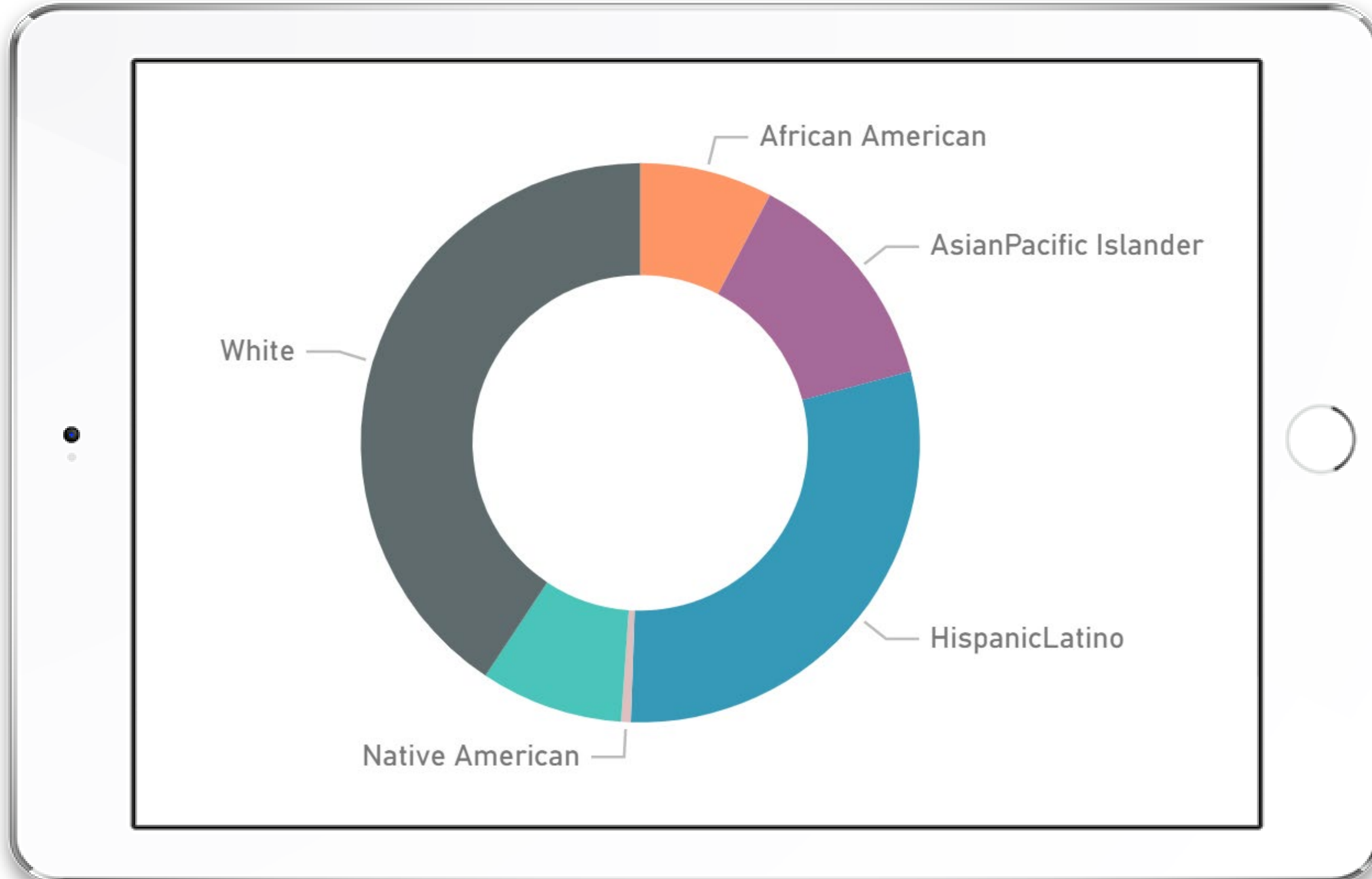
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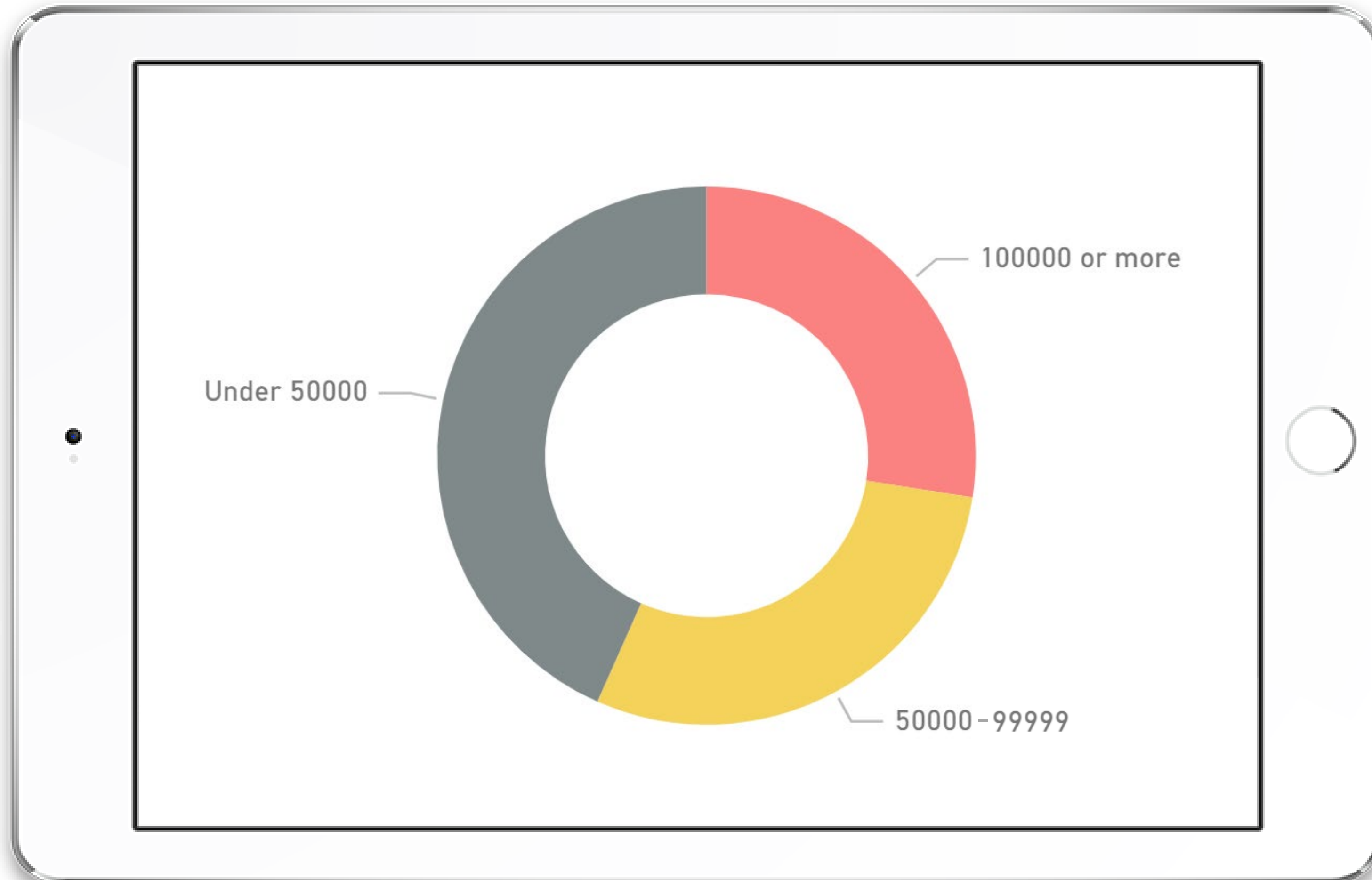
Great online
engagement
experience

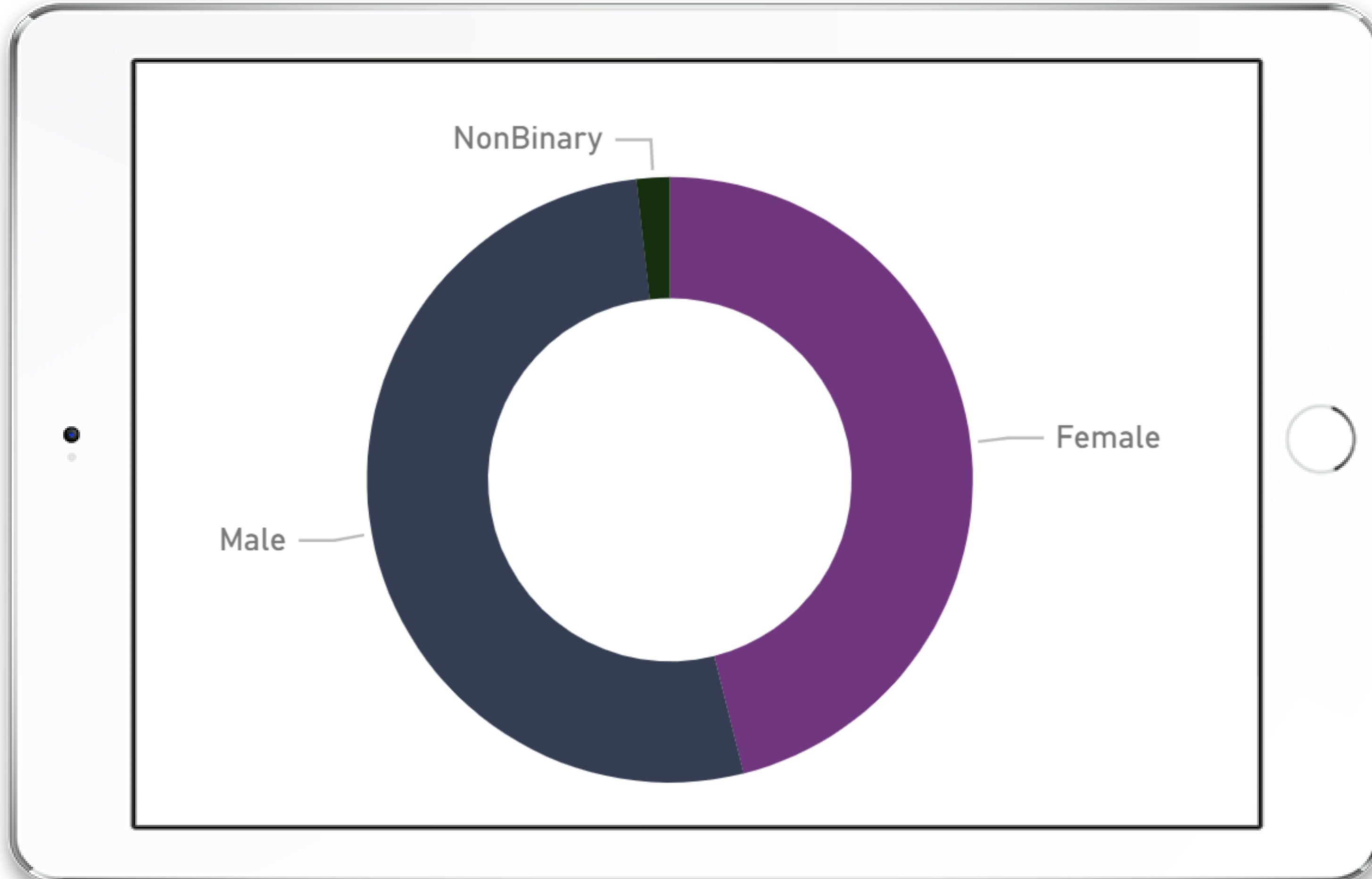


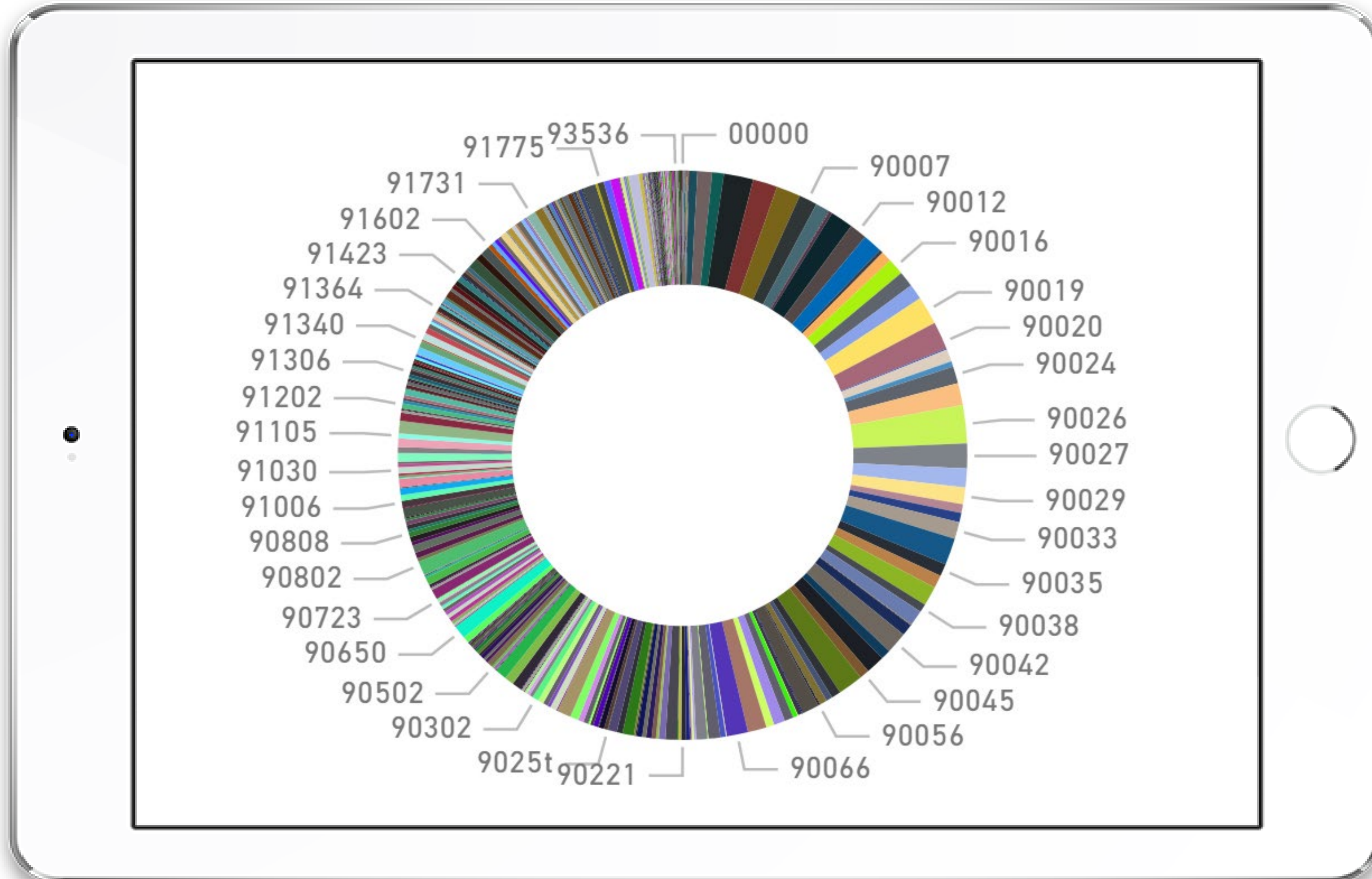




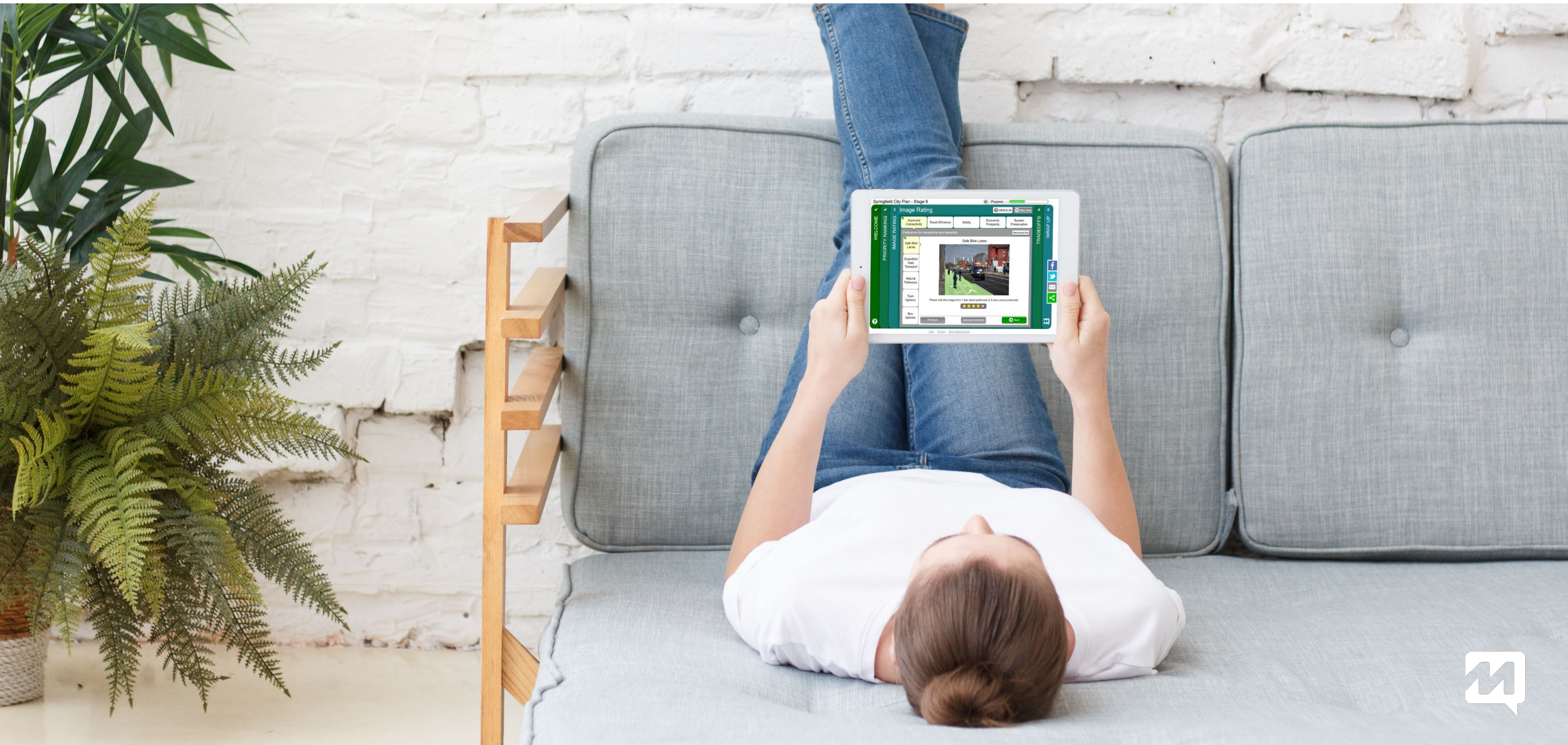




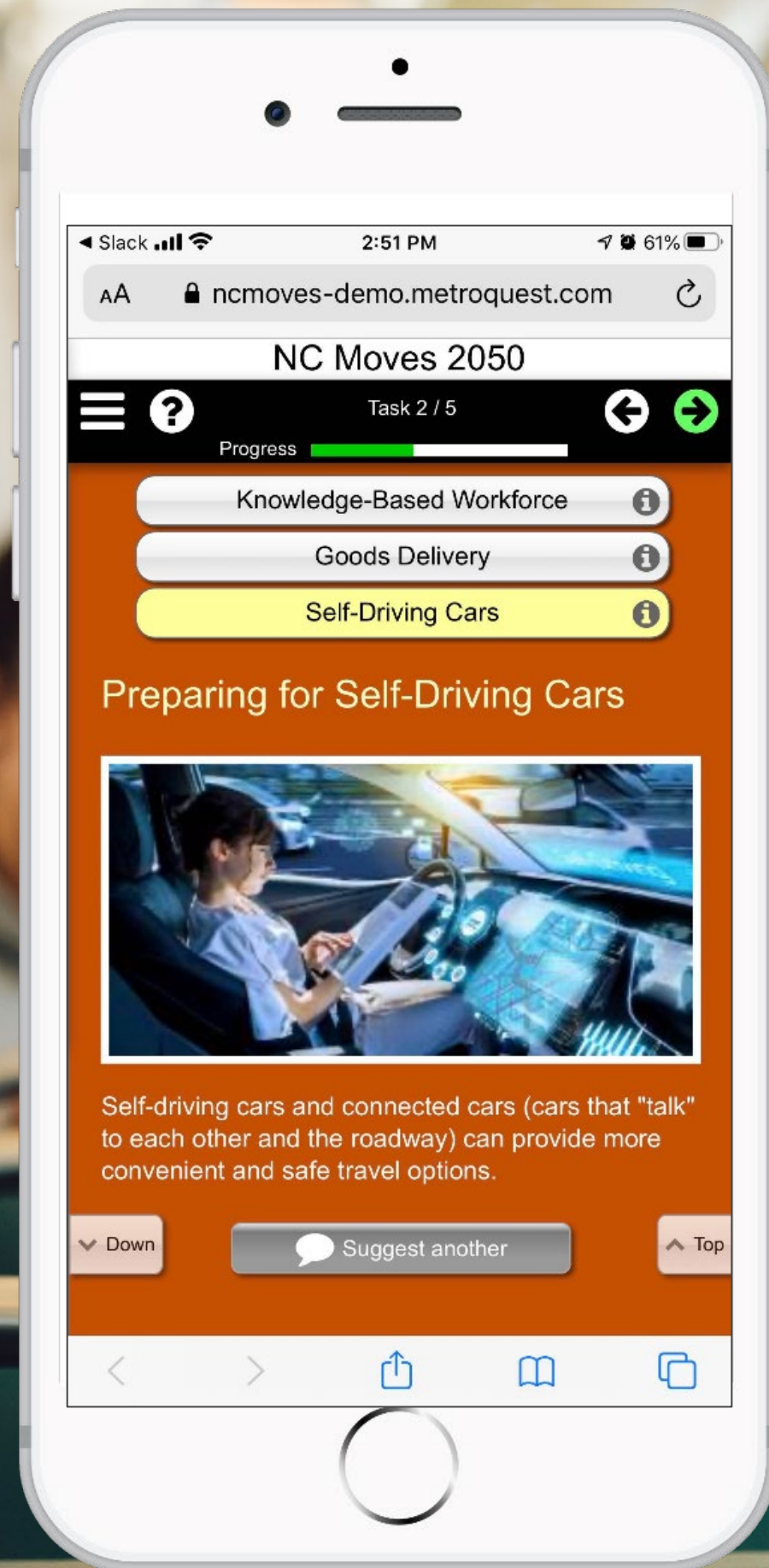




Make it fun and sharable



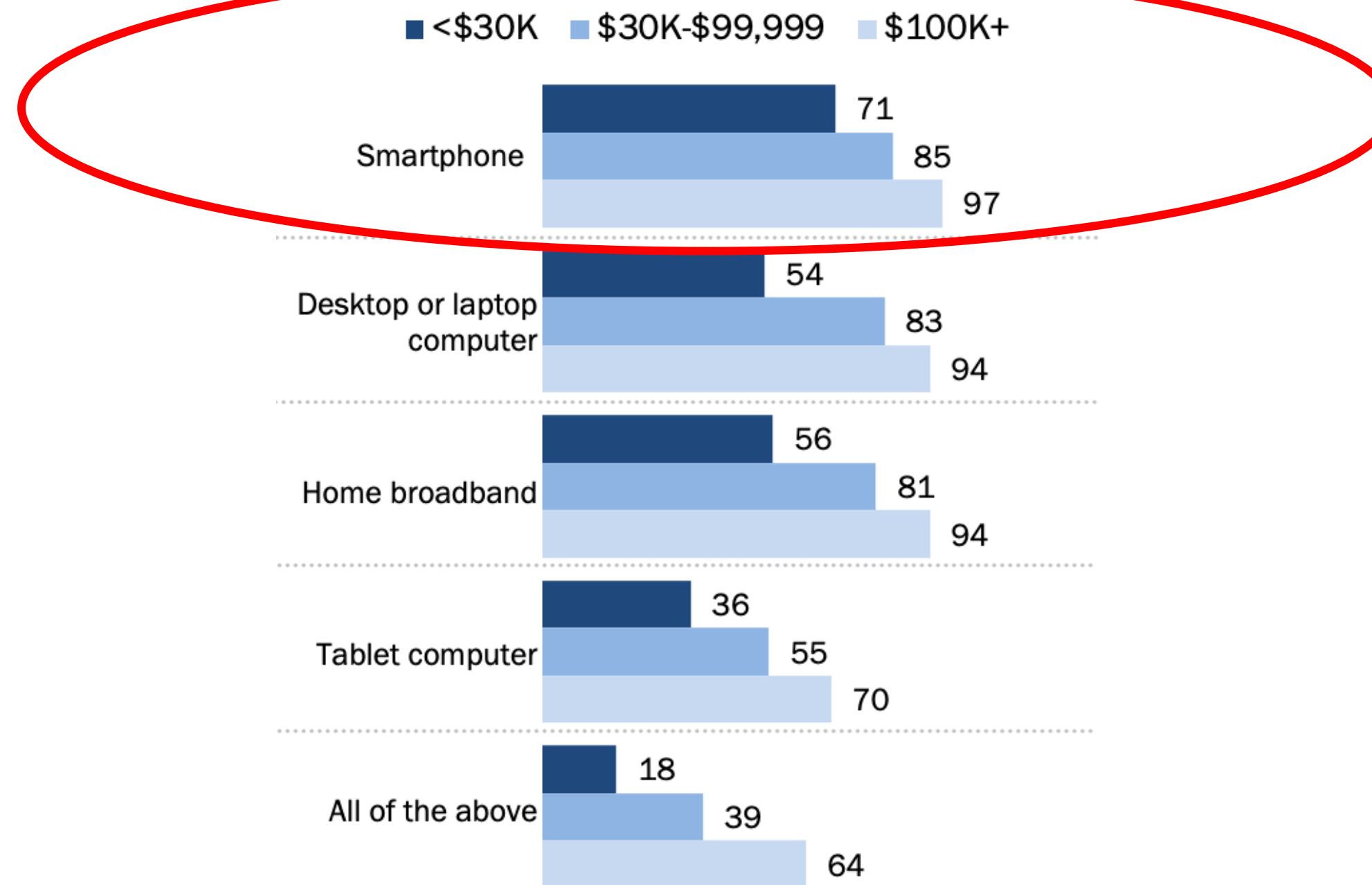
... and think mobile



...to reach all income groups

Lower-income Americans have lower levels of technology adoption

% of U.S. adults who say they have the following ...



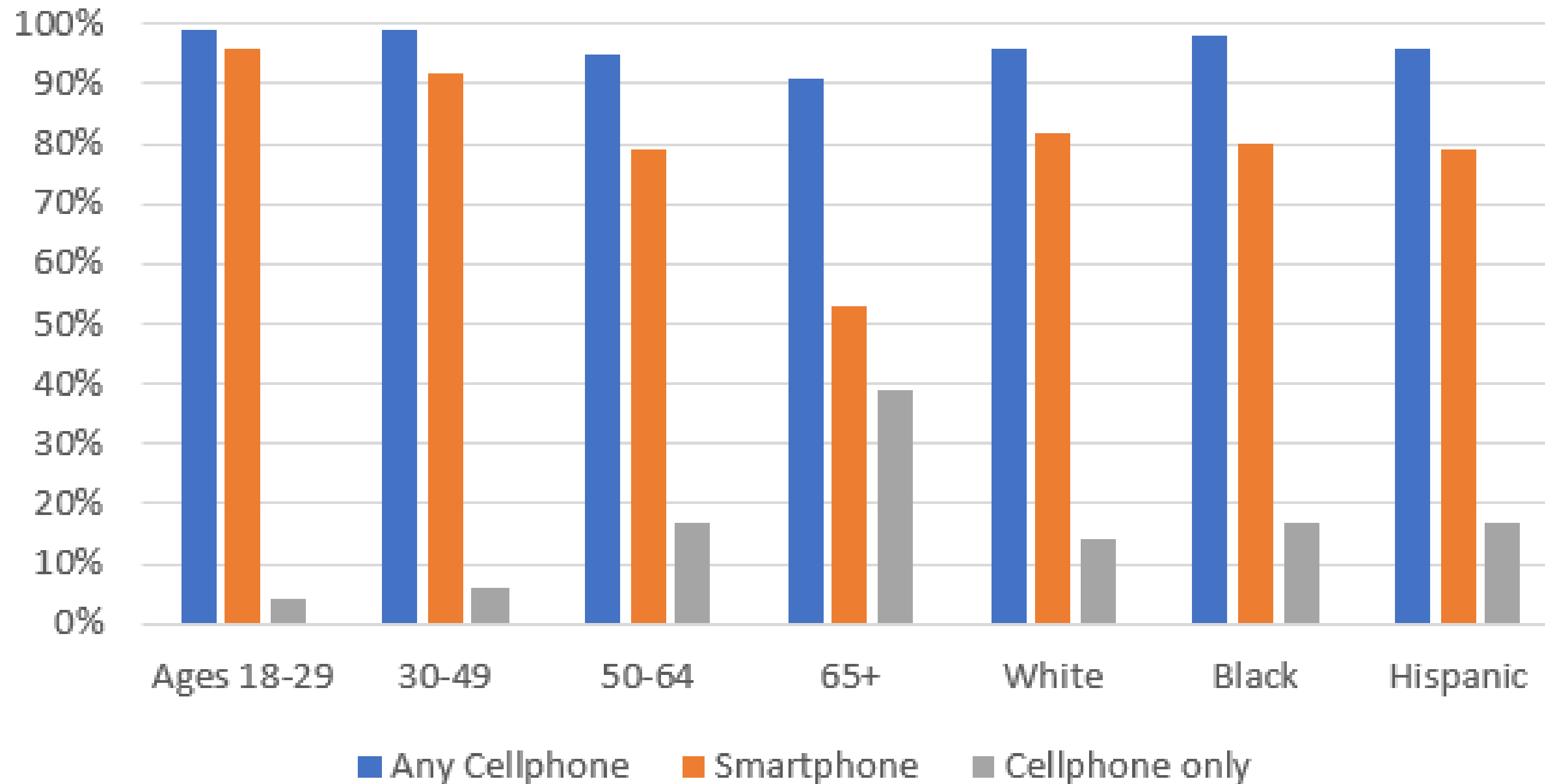
Note: Respondents who did not give an answer are not shown.
Source: Survey conducted Jan. 8-Feb. 7, 2019.

PEW RESEARCH CENTER



... across all demographics

% of U.S. adults who own mobile devices



Source: Survey conducted Jan. 8 to Feb. 7, 2019.



Keep it private for true, unbiased input



Choose visuals to avoid jargon



Gamify “in a manner designed to inform”

Transportation Priorities and Funding

Progress

2 New Money How would you spend new transportation dollars?

WELCOME PRIORITIES FUNDING

Assuming \$20 billion in new revenue is available to spend on transportation infrastructure projects, how would you spend the money?

Each star represents 1 or 10 percent.

Roadway Improvements Details	New Roads Details	Maintenance Details
10 10	23 1	1
Transit Details	High Capacity Transit Details	Technology Details
10 30	1	2

33

Placer Regional Transportation Plan

Progress

4 Map Issues You See In Placer

WELCOME TRADEOFFS PRIORITIES ISSUES

Please drag and drop at least 3 markers on the map.

- Safety Issue
- Traffic
- Needs Sidewalk
- Needs Bike Lane
- Poor Paving
- Other

Zoom to:

Zoom in

Zoom out

Map data ©2020 Terms of Use Report a map error

STAY INVOLVED

Facebook Twitter Email RSS

Unsafe Intersection

There is a crosswalk needed here.

Submit

Create microlearning moments

Richmond Transit Network Plan

Progress

2 3 Three Network Concepts 4 5

WELCOME PRIORITIES THREE CONCEPTS

Familiar High Coverage High Ridership

High Coverage

This network is designed to cover all the places in the city that have service today, and more, with at least minimal service. [See a bigger map](#)

Please rate this scenario:

★★★★★

More about this

Faster bus speeds


Shorter walks

Higher ridership

More coverage

Shorter waits

Performs worse Performs better



Northern Virginia Regional Bikeway and Trail Network Study

Progress

2 3 Level of Comfort 4 5

WELCOME REGIONAL NETWORK LEVEL OF COMFORT MAP YOUR COMFORT ABOUT YOU

Introduction Path Bike Lane Shoulder Shared Lane Marking Mixed Traffic

Please rate your level of comfort cycling on a shared use path

Shared Use Path



★★★★★

Rate this image from 1 star (Very Uncomfortable) to 5 stars (Very Comfortable)

Previous Optional Comment Next

Build appreciation for trade-offs

Rim Of The World Active Transportation Plan






Progress

What to do Next Task

WELCOME RANKING SHOW US FUNDING BALANCE

Revenue Tools

Use the sliders to create enough funding to meet the target.

	Non-Profit Fundraising	<input type="range"/>	15%
	Grants	<input type="range"/>	30%
	Property Tax	<input type="range"/>	20%
	Sales Tax	<input type="range"/>	20%
	Volunteer Labor	<input type="range"/>	15%

Eastern Panhandle Transit Authority Survey

Progress

CHALLENGE COMMUTE TRADE-OFFS

Indicate Your Preference For Each Trade-Off

Intro How Far Will You Walk? Reliability or Coverage Service Area Peak First or All-Day Service

How Far Will You Walk?

I want a short walk to my bus stop even if it means the bus will run less frequently.

neutral

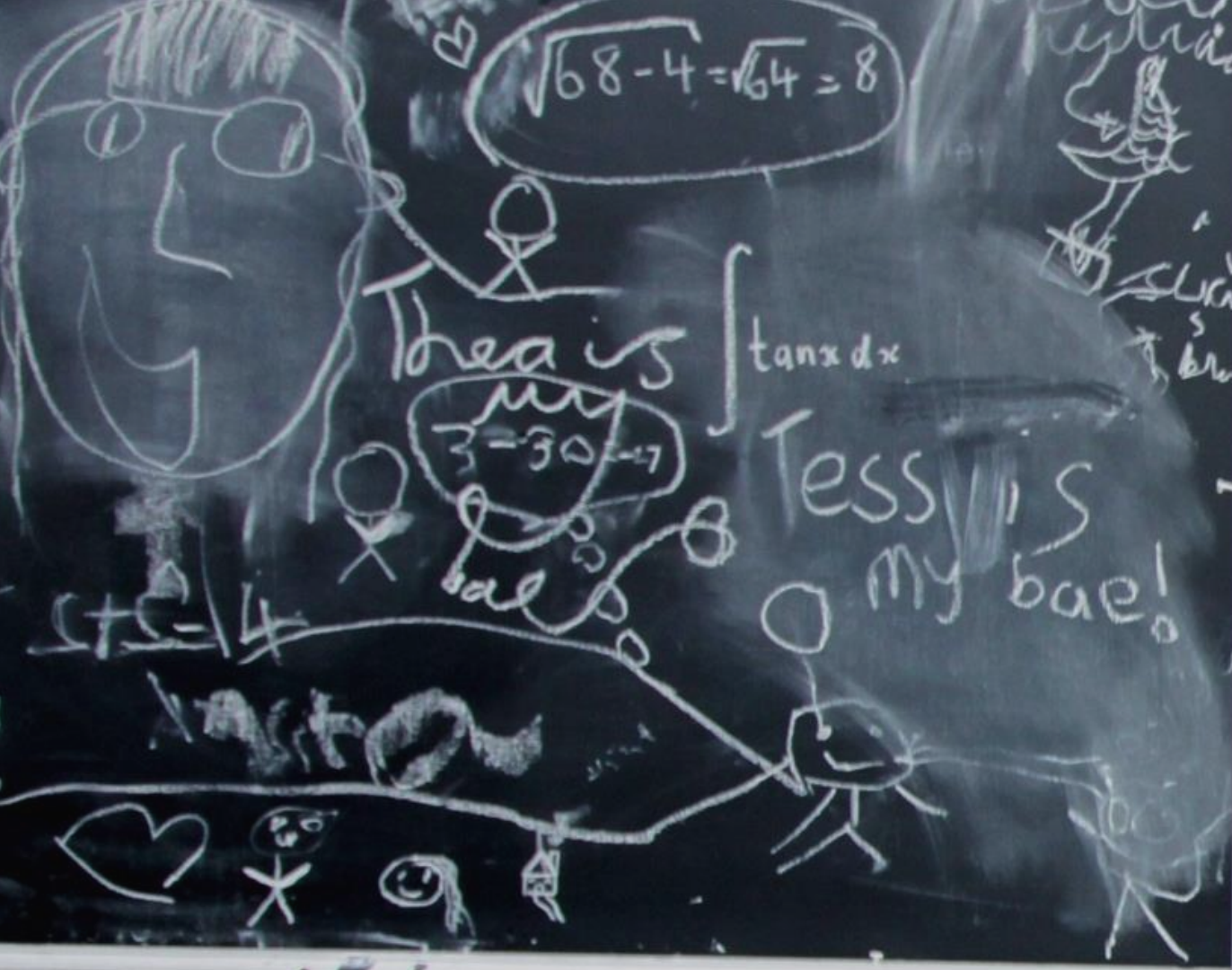
I would rather walk farther to my bus stop if it means the bus will come more often.

Previous Optional Comment Next

SURVEY STAY INVOLVED

Facebook Twitter Email Share





POLL What types of projects are coming up for you?





2

Targeted promotions



Collect & monitor demographics ...

NextGen Bus Study

See Results Progress

5 Stay Connected What to do

WELCOME SET YOUR BUDGET TRADEOFFS MAP MARKERS WRAP UP

Thank You

Thanks for your feedback! It will help us evaluate priorities and design a better bus system!

Please answer a few final questions to help us understand your input better.

Please share this survey with your neighbors and friends.

Visit our [website](#) or try our [interactive tool](#) to learn more about the project.

Final Questions

What is your age?
35-49

What is your gender identity?
Female

What is your ethnicity?
Hispanic/Latino

Your household's annual earnings?
\$50,000-\$99,999

What is your home zip code?
90210

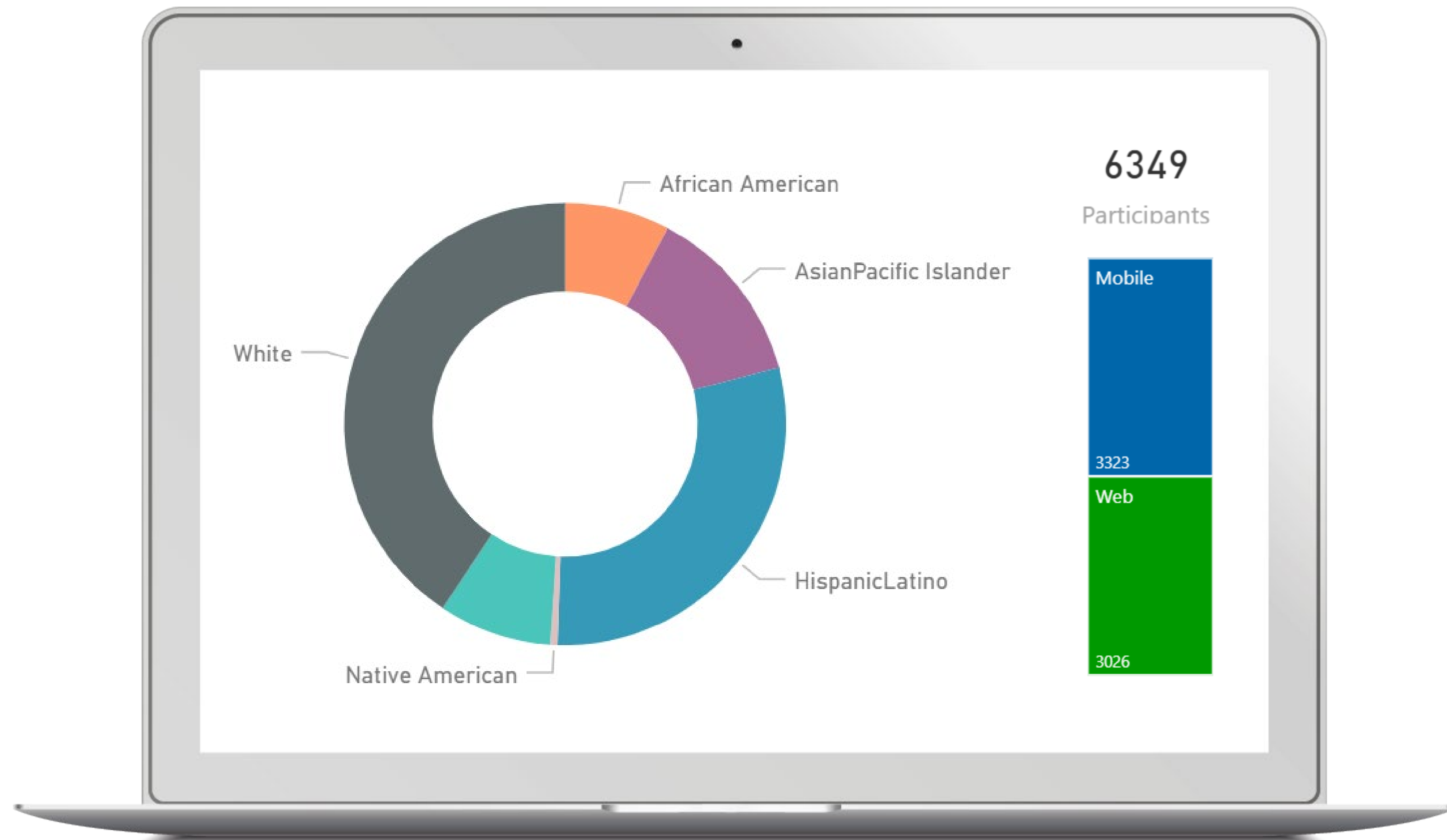
Provide your email to receive NextGen updates
maria@hotmail.com

Submit Final Questions Skip

M Metro



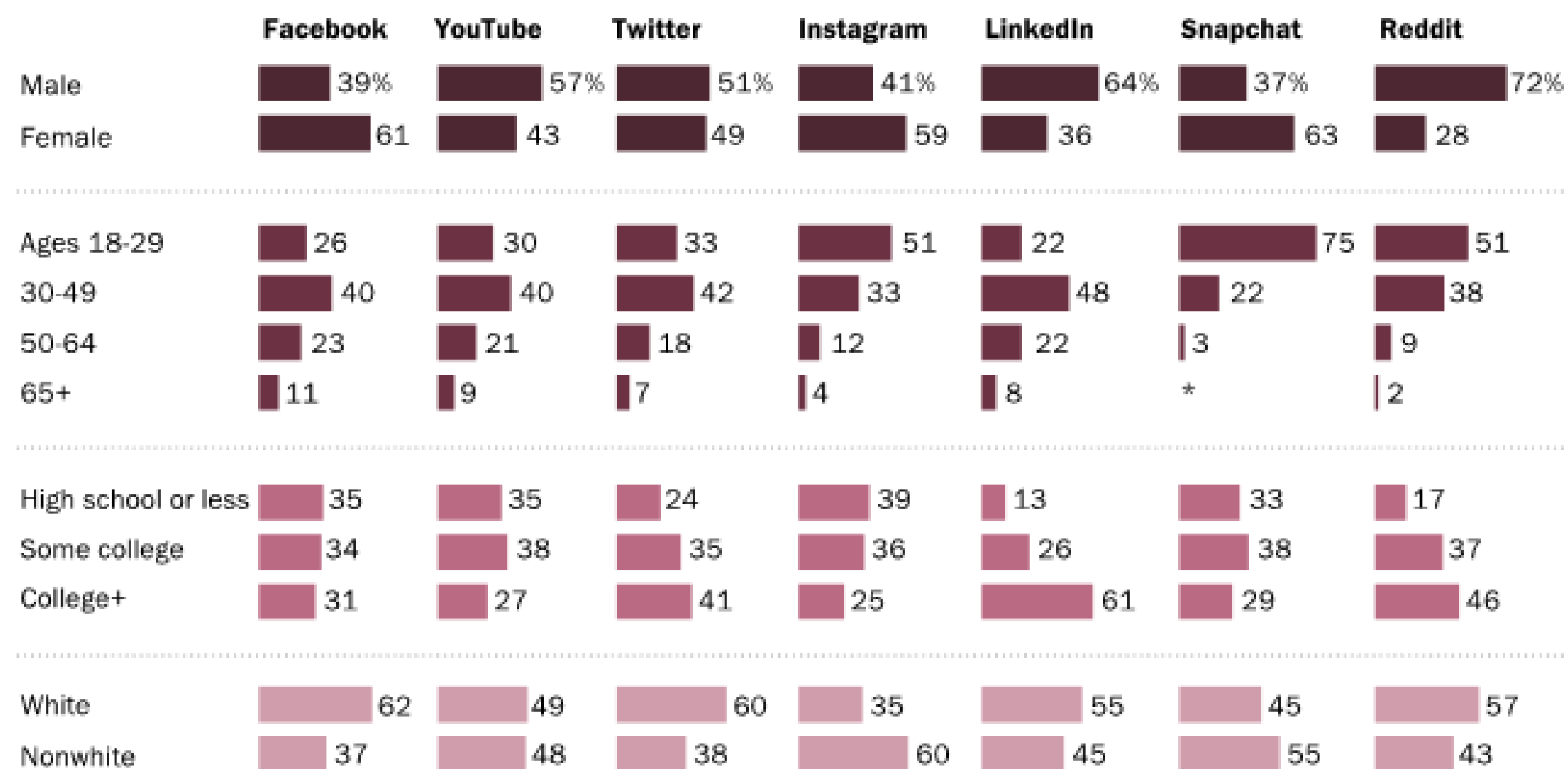
... so you can refocus promotions



Target with social media ...

Profiles of social media news consumers

% of each social media site's news consumers who are ...



Note: Tumblr and WhatsApp not shown. Nonwhite includes all racial and ethnic groups, except non-Hispanic white.

Source: Survey conducted July 30-Aug. 12, 2018.

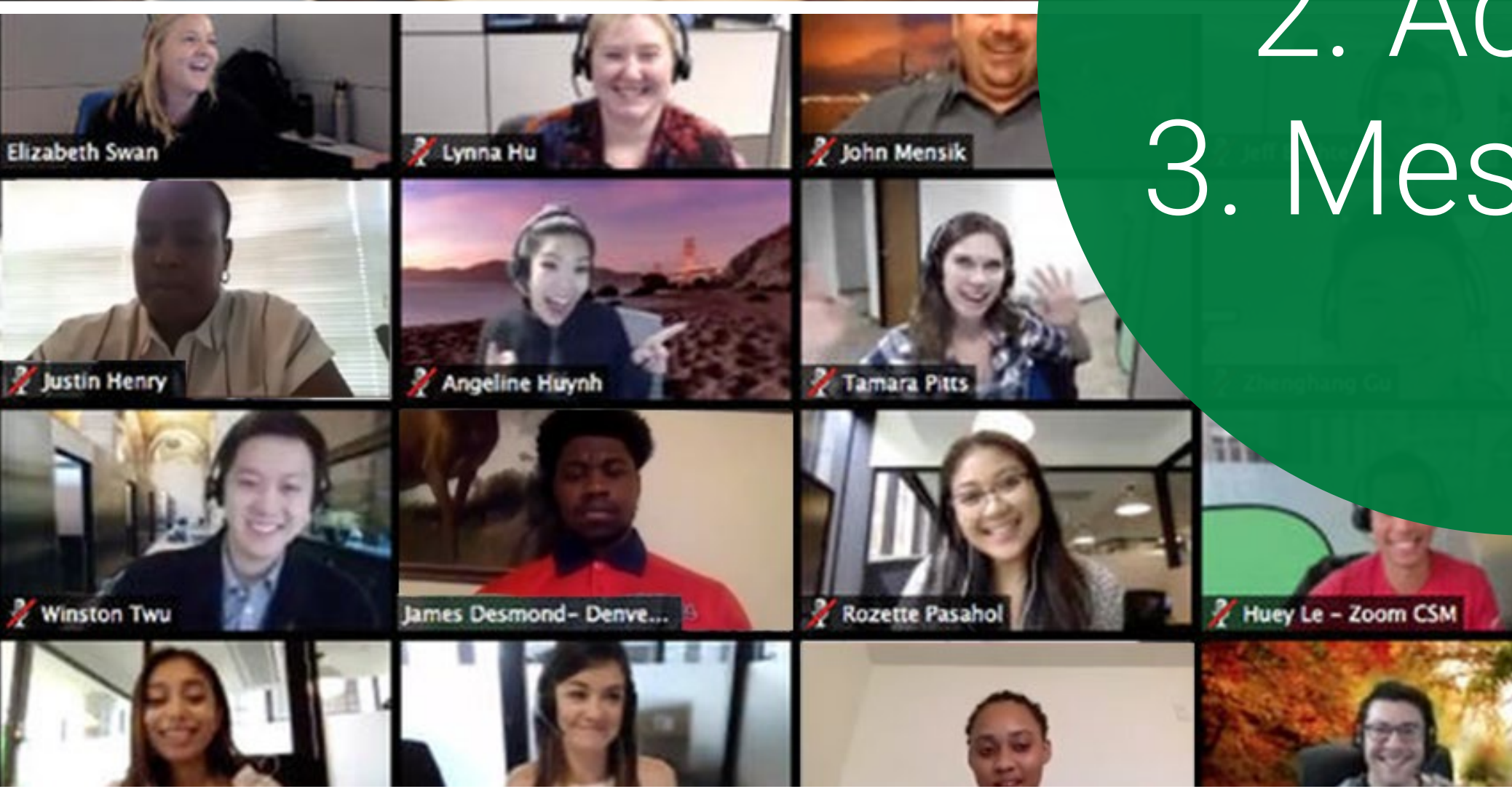
"News Use Across Social Media Platforms 2018"

PEW RESEARCH CENTER



Partner to go-to-them online

1. Trust
2. Access
3. Messaging



Use these 12 promotional tools

12 Ways to Promote Your Online Survey Like a Pro

- 12 proven promotional strategies
- 70+ tips & tricks
- Real-world examples

We will email you a PDF copy!





3

Easy offline
options



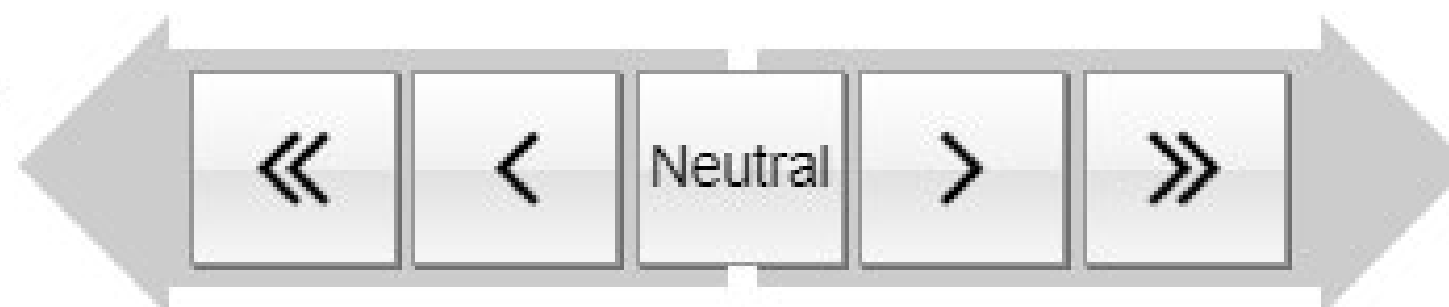
No tech options: paper, phone, etc...

Page 3 of 14

Speed vs Access


Choose the option that best shows which tradeoff you prefer

Fewer stops for a
faster trip on the
bus



More stops for a
shorter walk to and
from the bus



A man with glasses and a woman are looking at a smartphone together on a train platform. The man is holding the phone, and the woman is pointing at the screen. They are both smiling and appear to be engaged in a conversation. The background shows a train platform with tracks and a building.

3 Keys to EJ Optimized Online +

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engagement experience

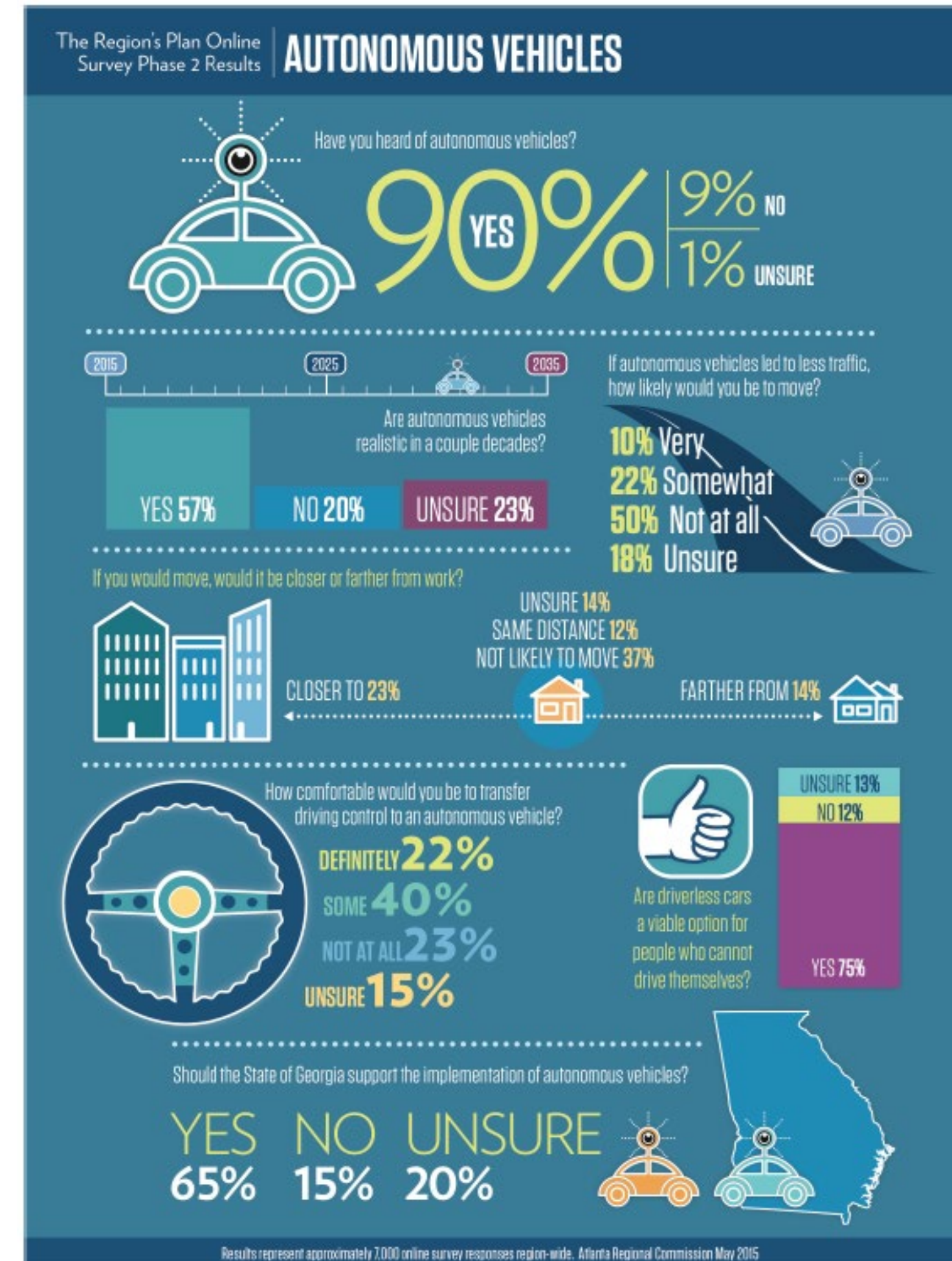
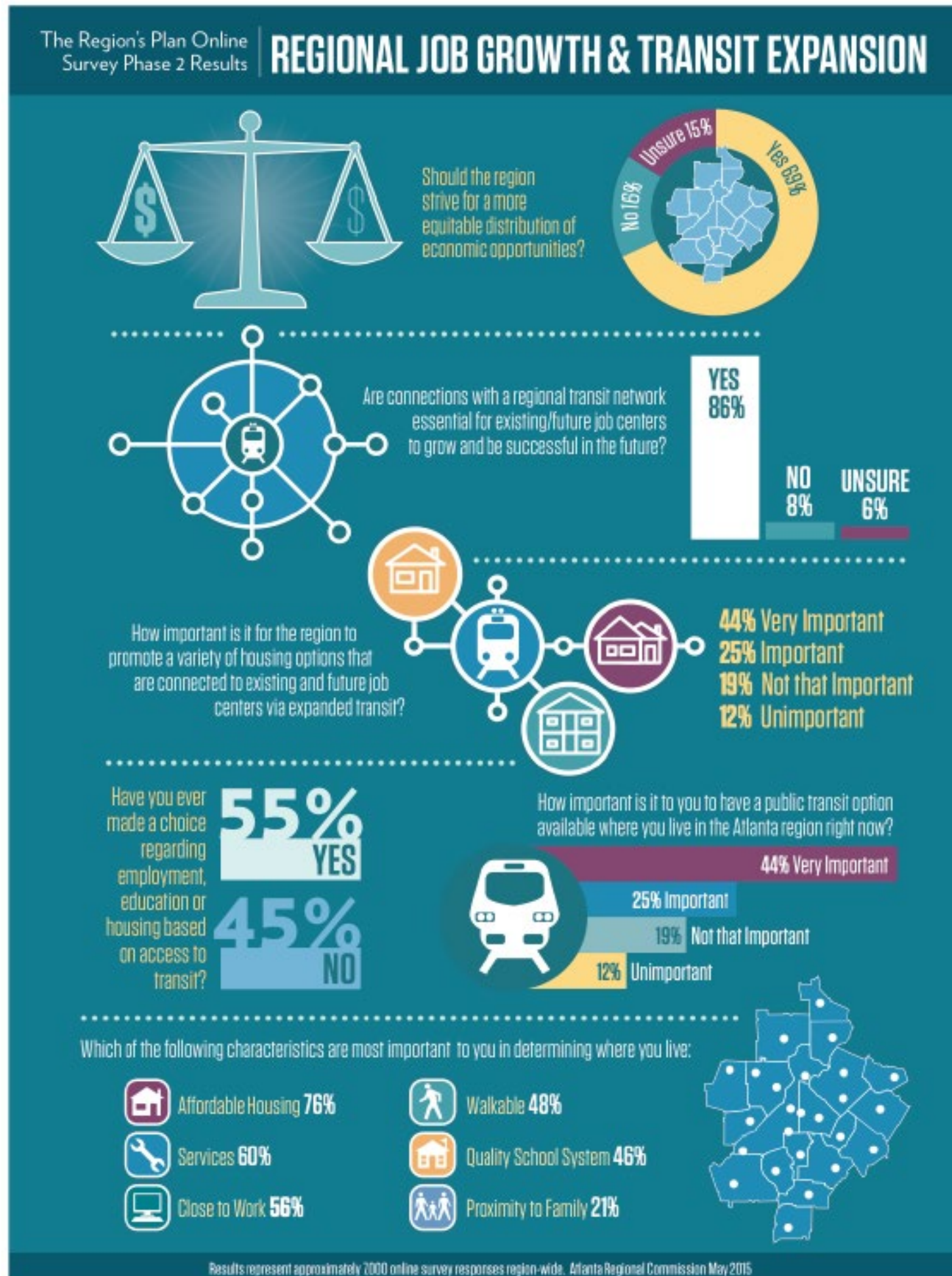
2. Targeted promotions

3. Easy offline options

In the end, mine your results ...



Close the loop to build trust



Questions?



Denise Freeman

Department
of Energy



Elizabeth Poole

Environmental
Protection Agency



Carolyn Nelson, PE

Federal Highway
Administration



Dave Biggs

MetroQuest

Thank you for participating

AICP CM:

<https://www.planning.org/events/course/9203425/>

