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
Select MetroQuest subscribers

Local Agencies

State Agencies

Consulting Firms
Timing for next public engagement

When are you planning to engage the public?

- Currently engaging today: 27.2%
- Next 1-4 months (Summer 2020): 58.0%
- 5-8 months (Fall-Winter 2020): 6.9%
- Next year (2021): 1.2%
- Don't know: 6.7%
2020: The Perfect EJ Storm
Trust in government is low

% who trust the govt in Washington always or most of the time
Widespread civil rights unrest
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
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

“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
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

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

- **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
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
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

Meaningful Engagement

Scoping

Alternatives

Affected Environment

Identify

Minority & Low-Income Populations

Impacts

Disproportionately High & Adverse Impacts

Mitigation & Monitoring
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
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
Poole.Elizabeth@epa.gov
312-353-2087

NEPA Committee Leads
Denise Freeman (US DOE)
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”

*Council on Environmental Quality
## 20 Years of Analysis & Training

<table>
<thead>
<tr>
<th>Barrier/Challenge</th>
<th>Tactics</th>
<th>Design</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limited reading ability</td>
<td>• • • • • • •</td>
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<tr>
<td>Impaired vision</td>
<td>• • • • • •</td>
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<td>Limited time</td>
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<td>Limited mobility</td>
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<td>Limited access</td>
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<tr>
<td>Other languages</td>
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<tr>
<td>Limited understanding</td>
<td>• • • • • •</td>
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<tr>
<td>Different priorities/perspectives</td>
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<tr>
<td>Other cultures</td>
<td>• • • • • •</td>
<td>• • • • • •</td>
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<tr>
<td>Not connected in community</td>
<td>• • • • • •</td>
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POLL How many outreach projects does your organization conduct annually?
POLL Where are you in your online engagement journey?
3 Keys to EJ Optimized Online +

1. Great online engagement experience
2. Targeted promotions
3. Easy offline options
Great online engagement experience
Case Study: LA Metro

Help us design a better bus system!

Metro is reimagining its bus system for the next generation. It’s time for a better bus system that fits your lifestyle, integrates with all the ways you travel throughout LA County, and gets you where you need and want to go, with flexibility for the future.

Did you know that our current bus system carries over 70% of Metro’s customers.
All income levels

- Under 50000
- 50000-99999
- 100000 or more
Gender balance

- Male
- Female
- NonBinary
All neighborhoods
Make it fun and sharable
... and think mobile
To reach all income groups...

<table>
<thead>
<tr>
<th></th>
<th>&lt;$30K</th>
<th>$30K-$99,999</th>
<th>$100K+</th>
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<tbody>
<tr>
<td>Smartphone</td>
<td>71</td>
<td>85</td>
<td>97</td>
</tr>
<tr>
<td>Desktop or laptop computer</td>
<td>54</td>
<td>83</td>
<td>94</td>
</tr>
<tr>
<td>Home broadband</td>
<td>56</td>
<td>81</td>
<td>94</td>
</tr>
<tr>
<td>Tablet computer</td>
<td>36</td>
<td>55</td>
<td>70</td>
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<tr>
<td>All of the above</td>
<td>18</td>
<td>39</td>
<td>64</td>
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Note: Respondents who did not give an answer are not shown.

PEW RESEARCH CENTER
... across all demographics

% of U.S. adults who own mobile devices

Keep it private for true, unbiased input
Choose visuals to avoid jargon
Gamify “in a manner designed to inform”
Create microlearning moments
Build appreciation for trade-offs
POLL What types of projects are coming up for you?
Targeted promotions
Collect & monitor demographics ...
... so you can refocus promotions
### Profiles of social media news consumers

% of each social media site’s news consumers who are …

<table>
<thead>
<tr>
<th></th>
<th>Facebook</th>
<th>YouTube</th>
<th>Twitter</th>
<th>Instagram</th>
<th>LinkedIn</th>
<th>Snapchat</th>
<th>Reddit</th>
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</thead>
<tbody>
<tr>
<td>Male</td>
<td>39%</td>
<td>67%</td>
<td>51%</td>
<td>41%</td>
<td>64%</td>
<td>37%</td>
<td>72%</td>
</tr>
<tr>
<td>Female</td>
<td>61%</td>
<td>43%</td>
<td>49%</td>
<td>55%</td>
<td>36%</td>
<td>63%</td>
<td>28%</td>
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<th>LinkedIn</th>
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<tr>
<td>Ages 18-29</td>
<td>26%</td>
<td>30%</td>
<td>33%</td>
<td>51%</td>
<td>22%</td>
<td>75%</td>
<td>51%</td>
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<tr>
<td>30-49</td>
<td>40%</td>
<td>40%</td>
<td>42%</td>
<td>33%</td>
<td>48%</td>
<td>22%</td>
<td>38%</td>
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<tr>
<td>50-64</td>
<td>23%</td>
<td>21%</td>
<td>18%</td>
<td>12%</td>
<td>22%</td>
<td>3%</td>
<td>9%</td>
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<tr>
<td>65+</td>
<td>11%</td>
<td>9%</td>
<td>7%</td>
<td>4%</td>
<td>8%</td>
<td>2%</td>
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</table>

<table>
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<th>Education</th>
<th>Facebook</th>
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<th>Instagram</th>
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<tbody>
<tr>
<td>High school or less</td>
<td>35%</td>
<td>35%</td>
<td>24%</td>
<td>39%</td>
<td>13%</td>
<td>33%</td>
<td>17%</td>
</tr>
<tr>
<td>Some college</td>
<td>34%</td>
<td>38%</td>
<td>35%</td>
<td>38%</td>
<td>26%</td>
<td>38%</td>
<td>37%</td>
</tr>
<tr>
<td>College+</td>
<td>31%</td>
<td>27%</td>
<td>41%</td>
<td>25%</td>
<td>61%</td>
<td>29%</td>
<td>46%</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Race</th>
<th>Facebook</th>
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<th>Twitter</th>
<th>Instagram</th>
<th>LinkedIn</th>
<th>Snapchat</th>
<th>Reddit</th>
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</thead>
<tbody>
<tr>
<td>White</td>
<td>62%</td>
<td>49%</td>
<td>60%</td>
<td>35%</td>
<td>55%</td>
<td>45%</td>
<td>57%</td>
</tr>
<tr>
<td>Nonwhite</td>
<td>37%</td>
<td>48%</td>
<td>38%</td>
<td>60%</td>
<td>45%</td>
<td>55%</td>
<td>43%</td>
</tr>
</tbody>
</table>

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 2019”*
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!
Easy offline options
No tech options: paper, phone, etc...

Speed vs Access
Choose the option that best shows which tradeoff you prefer

Fewer stops for a faster trip on the bus

Neutral

More stops for a shorter walk to and from the bus
3 Keys to EJ Optimized Online +

1. Great online 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/