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Attachment

## **Department of Transportation Proposed Environmental Justice Strategy**

### **Introduction**

#### *Background*

Executive Order 12898, signed by President Clinton on February 11, 1994, on "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," requires each Federal agency to develop a specific agency-wide strategy for implementing E.O.'s provisions. The thrust of the Executive Order is to avoid disproportionately high and adverse impacts on such populations with respect to human health and the environment.

The Department of Transportation (DOT) is committed to embracing the principles of environmental justice by promoting enforcement of all applicable environmental regulations and legislation, and by promoting non-discrimination in its programs, policies, and activities that affect human health and the environment consistent with the principles of environmental justice. DOT is also committed to bringing government decisionmaking closer to the communities and people affected by these decisions and ensuring greater public participation in decisions relating to human health and the environment.

In the period of the mid 1990's, we are witnessing dramatic changes in the philosophy of private and public decisionmaking. In the private sector, the hierarchical top-down decisionmaking apparatus, so characteristic of the American corporate giants in the past, is giving way to organizational arrangements which bring key decisionmaking authority to these directly performing tasks. Corporations are placing renewed emphasis on listening and responding to the corporate customer and making product quality and service, rather than cost minimization or short-term profit maximization, the top priorities in decisionmaking.

Likewise, American governmental decisionmaking structures are beginning to undergo extraordinary changes. The Vice President's National Performance Review is setting in motion actions that

are intended to make government more effective by becoming more friendly to customers and responsive to taxpayers. All these actions are intended to involve stakeholders in decisions by government.

Adherence to environmental justice principles enhances these trends because they involve stakeholders in decisions by government. Key to these principles is an active community public participation process that provides opportunities for persons living in low-income neighborhoods and minority populations to participate more effectively in governmental decisions and programs.

The new emphasis on environmental justice coincides with DOT's previously announced intent to become a model transportation agency for protecting and enhancing the environment and putting people first. Secretary Federico Peña has called for harmonizing transportation policy and environmental concerns as a major objective within DOT. DOT agencies must now become environmental leaders and demonstrate sensitivity both to the natural environment and to neighborhoods and communities in everything DOT does.

#### **Strategy Development Process**

Upon receipt of the Executive Order and the accompanying Presidential memorandum, DOT established a Department-wide working group, which is comprised of representatives from appropriate secretarial offices and departmental operating administrations. The DOT Working Group established the overall framework for the development of the DOT environmental justice strategy, and over the course of the past several months, provided much of the information incorporated in this draft strategy.

The fundamental purpose of DOT's proposed environmental justice strategy is to design and implement a flexible process that assures the full use of necessary Departmental resources in identifying and addressing program and constituent needs and opportunities consistent with requirements of the Executive Order.

The Working Group's first major activity was to undertake a survey of DOT's current and proposed activities related to environmental justice. Results of this activity were forwarded to the Environmental Protection Agency (EPA) on July 13, 1994. Elements of DOT that completed the survey are using the results to determine the extent to which environmental justice requirements are being met. Where additional information is needed to determine the present level and scope of

implementation, efforts are underway to acquire it.

### **Elements of the DOT Strategy**

#### *1. High Level Involvement*

An overview of DOT environmental justice activities was an agenda item at a senior staff meeting in mid-December 1994. The overview consisted of a summary of Executive Order 12898, a discussion of the outline of DOT's proposed strategy, and an overview of operating administrations' responses to the survey of their environmental justice activities. DOT has, to some degree, already incorporated environmental justice principles into its mission through compliance with requirements and principles of the National Environmental Policy Act, Title VI of the Civil Rights Act of 1964, and related statutes.

Secretary Peña will communicate with all appropriate departmental officials expressing his support for the environmental justice executive order and encouraging them to incorporate the principles of environmental justice in program planning, budgeting, program development, program activities, and program evaluation, as appropriate. This will be done in conjunction with a DOT Order on establishing principles and procedures for environmental justice in all DOT programs, policies, and activities.

#### *2. Public Outreach on DOT Environmental Justice Strategy*

The following represents steps DOT has or is taking to involve the public in the development and implementation of DOT's Environmental Justice Strategy. All outreach activities described below will be carried out consistent with the requirements of the Federal Advisory Committee Act.

##### *a. National Conference on Transportation, Social Equity, and Environmental Justice in Chicago*

This conference, cosponsored by the Federal Transit Administration and the Surface Transportation Policy Project, brought together approximately 150 persons, mostly community activists from around the country, with DOT and other public officials. The meeting, held on November 17-18, 1994, in Chicago identified key transportation-related environmental and social issues of concern to persons living in predominately low-income and minority communities. Suggestions for actions to redress these concerns were also sought. A report of the conference findings is being prepared by the Surface Transportation Policy Project.