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***Environmental Justice  
Discipline Report***

**Project Name**

*Prepared for:*

**Washington State Department of Transportation**

Street Address

City, WA Zip

*Prepared by: (use if prepared by consultant)*

**Firm Name**

Street Address

City, WA Zip

**Month Year**

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*These are suggested categories and headers. They are consistent with NEPA and Plain Talk guidelines. These can be altered to fit the project, other formats and the level of effects.*

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### List of Exhibits

List any exhibits used in the discipline report after the table of contents. These exhibits can be included at the end of the discipline report or inserted appropriately in the text. The following is an example list of exhibits. These would vary depending on the project and report and would not necessarily be in this order.

- Exhibit 1. Project Area Vicinity Map
- Exhibit 2. Community Agencies and Organizations interviewed
- Exhibit 3. Study area showing Demographics<sup>1</sup> by Census Block Group<sup>2</sup>
- Exhibit 4. Poverty Guidelines
- Exhibit 5. Poverty in the Project area by Census Block Group
- Exhibit 6. Reference Population Poverty Level (this should be just outside the study area)
- Exhibit 7. Reference Minority Population (this should be just outside the study area)
- Exhibit 8. Alternative 1
- Exhibit 9. Alternative 2
- Exhibit 10. No-Build Alternative

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<sup>1</sup> If this is a combined social and environmental justice report, demographics should show at a minimum, minorities, low-income, limited English proficient, disabled and elderly. Depending on situation, other data such as car ownership could be included to indicate transit dependency. If report is only environmental justice, demographics should be low-income and minority only.

<sup>2</sup> If this project includes tolling, include a graphic that shows the travelshed.



*If there are potential effects on environmental justice (EJ) populations, based on the results of working through the Environmental Justice Decision Matrix, a discipline report is likely the appropriate method of documentation. If the project is minor and it does not appear that there would be any effects on a project area's EJ populations, describing the steps taken to arrive at this conclusion in a note to the project file may serve as adequate documentation. Use the following discipline report template for more detailed documentation. This document should be prepared using the guidance in the Environmental Procedures Manual and our [Web site](#). It is difficult to provide a template to fit all situations. Consider the project and level of effects and right size your document accordingly.*

## **Summary and Project Description**

Briefly describe the project, including the project study area<sup>3</sup>, key points from this report, and proposed solution, for inclusion in the larger environmental document (e.g., EA, EIS, DCE). The summary should include the following information:

- study approach
- existing conditions
- project effects (for all build alternatives and the no-build alternative)
- measures to avoid or minimize effects
- project benefits
- determination of disproportionately high adverse effects
- unavoidable adverse effects

## **Regulations, Studies, and Coordination**

### **What regulations, studies, or coordination did we use in the EJ analysis?**

This section should briefly mention the following:

- NEPA and SEPA as they relate to the human environment (if appropriate)
- Title VI of the Civil Rights Act of 1964
- Presidential Executive Order 12898 – Environmental Justice

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<sup>3</sup> Include a separate study area for the travelshed if this is a tolling project.

- The Uniform Relocation Act as amended (if there are relocations)
- Presidential Executive Order 13166 – Limited English Proficiency if census block group populations meet the DOJ threshold <sup>4</sup>
- List other discipline reports reviewed such as noise, transportation, social, land use, economics, and air quality.
- WSDOT’s Environmental Procedures Manual Chapter 458 and Web site
- Other studies or coordination with local jurisdictions and social service providers

**How will minority or low-income populations be involved?**

- Describe public meetings and outreach efforts, as well as outreach materials. Does the demographics analysis indicate the presence of populations with Limited English Proficiency (LEP) that meet the DOJ threshold? If so, check with WSDOT [Web site](#) for assistance.<sup>5</sup>
- Describe how the general public and minority or low-income populations were involved in the decision-making process.
- Describe any interviews the team will conduct with service organizations that work with EJ populations. Describe any applicable business interviews. (When appropriate, the survey and results can be included in an appendix.)
- Discuss EJ-related comments and concerns.

**Existing Conditions**

Briefly discuss community cohesion<sup>6</sup>; population characteristics and growth; religious and social facilities and services; pedestrian, transit, and bicycle facilities; parks and recreation activities and facilities that EJ populations use. Briefly describe these elements as related to the project.<sup>7</sup> Briefly describe any gathering places, businesses, or services that are important to EJ

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<sup>4</sup> Five percent or 1,000 or more persons in a project area (by census block group) who speak a language other than English.  
<sup>5</sup> Detailed LEP data is more appropriately included in a social report and any effects on EJ populations summarized in this document.  
<sup>6</sup> See definition of community/neighborhood cohesion in the Environmental Procedures Manual Glossary, Appendix B  
<sup>7</sup> If there is a separate social report, include this information in social. Include information specific to EJ in the EJ report.

populations. Include a map showing the demographics<sup>8</sup> and the study area, which is usually between one half to one mile from the centerline of the project. Explain rationale for the study area. (ie: because project effects are not expected to extend farther than this). Discuss the study area and briefly describe any affected neighborhoods. Data should be presented at the block group level when available. Use at least two data sources<sup>9</sup> for your discussion.

## Potential Effects

This section will vary in length depending on whether there are minimal effects or ones of significance. If there is any local controversy, consider adding more detail to address those areas. Make sure you document enough, both so the reader can clearly understand what the effects are and to support any conclusions. Please right size your document. For information about how to determine project effects refer to the guidance in the [environmental justice FAQs](#) on our Web site.

If more than one alternative is under consideration, describe the effects of each alternative as well as the no-build.

Describe, when appropriate, the following effects:

- **Construction effects** – Briefly discuss potential construction effects on community cohesion, safety, transit, bicycle and pedestrian issues, and noise and dust effects. Discuss temporary effects on local businesses if they are minority owned, employ large numbers of minorities or low-income people, or fill a specific cultural niche.<sup>10</sup> Discuss relocation or property acquisitions in the next section.
- **Operational effects** – Describe permanent changes to neighborhoods and community resources important to the EJ populations. Discuss any effects to community cohesion<sup>11</sup>. Discuss permanent effects on local businesses if they are minority owned, employ large numbers of minorities or low-income people, or fill a specific cultural niche. Briefly discuss access changes to community facilities, services including transit, and recreation in the area. Discuss changes in noise, air quality, and visual or other effects affecting EJ populations. Discuss relocations or property acquisition along with the potential for affecting the community.

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<sup>8</sup> Demographics should include affected low-income and minority as well as the nearby unaffected reference population.

<sup>9</sup> Data sources commonly are US Census and school data.

<sup>10</sup> A business survey is the best tool to gather this type of information. Public involvement can also supply data.

<sup>11</sup> These could be positive or negative E.g. divisions in the community caused by the project, changes in livability, elimination of gathering places, addition of sidewalks etc.

- **Indirect effects** – Discuss any effects caused by the project on EJ populations that would or could happen later in time or further from the project area.
- **Cumulative effects** – Consider cumulative project effects on EJ populations.<sup>12</sup>

## Measures to Avoid or Minimize Project Effects

### How will we avoid or minimize adverse effects from construction?

Briefly discuss strategies for avoiding and minimizing construction effects such as: construction closures timed to minimize inconvenience; information about construction and travel options posted using a method most appropriate for the population in the project area; and describe methods that will be used to control dust, glare, and noise.

### How will we avoid or minimize permanent adverse effects from the project?

Briefly describe how we avoided or minimized any permanent effects. Discuss any avoidance or minimization that happened during alternatives development. If there are relocations or property acquisitions, discuss mitigation through the Uniform Relocation Act. Discuss any other mitigation. Discuss any project benefits for the affected community along with any benefits specific to the affected EJ population. These specific benefits could include new sidewalks and crosswalks, improved air quality due to less congestion, improvements to community cohesion, etc. Discuss whether or not adverse effects are disproportionately high for EJ populations. Include in your discussion how public outreach helped to determine the adverse effects.<sup>13</sup>

## Environmental Justice Determination<sup>14</sup>

- Summarize any anticipated disproportionately high and adverse effects to EJ populations. If you conclude there is a high and disproportionate adverse effect, after considering mitigation and any offsetting benefits; include justification for why it is still appropriate to select the proposed alternative. Your analysis should also discuss whether the other alternatives including the no-build would have fewer effects. Or:

<sup>12</sup> If cumulative effects are discussed in a cumulative effect discipline report, include a short summary here.

<sup>13</sup> Adversity is determined in combination between the analyst and the affected EJ populations. For instance, the relocation of a local store could be very adverse if it is also the only gathering spot in the community and provides services not available elsewhere.

<sup>14</sup> The biggest challenge with writing an environmental justice discipline report is reaching a determination. Even the same effects from two different projects could result in different determinations. For help with how to reach a determination, refer to our EJ FAQ section, “For the Analyst” on the Environmental Web site.

<http://www.wsdot.wa.gov/Environment/EJ/EJfaq.htm>

- If you conclude there are no disproportionately high and adverse effects then, state that the proposed action will not disproportionately adversely affect identified minority or low-income populations; therefore, this proposed project has met the provisions of Executive Order 12898, as it is supported by Title VI of the Civil Rights Act of 1964.

## References

Format references using the *Chicago Manual of Style, 15th Edition*.

### Documents and Publications

Examples could include WSDOT *Environmental Procedures Manual*, Chapter 458 (use latest version), *Environmental Justice: What You Should Know*, FHWA - WA Division, and relevant city, county and regional data.

### Personal Communications

Examples could include telephone, email, or interview communications with local officials, businesses, and service providers. Any surveys done and results can be included here.

### Internet Web sites

Examples could include U.S. Census Data, school data, ethnic and ethnic media resources, and city and county information.

### Acronyms and Abbreviations

Acronyms and abbreviations are defined in the text.

### Glossary of Terms

A glossary of terms is included in the EPM, which is available online:

<http://www.wsdot.wa.gov/publications/manuals/fulltext/M31-11/appendixb.pdf>

## Appendix A: Methods<sup>15</sup>

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Briefly describe the rationale for completing a discipline report to address project effects on EJ populations.

Describe the steps conducted for the environmental justice analysis. Examples of the types of data that can be used to determine the effects on EJ populations are as follows:

- Resources reviewed, such as U.S. Census Bureau, school demographic data from National Center for Education Statistics or a local source, and local MPO/city/county data.
- Feedback from public involvement that can verify demographic data, community characteristics, community issues, level of adversity and suggested mitigation).
- Interviews conducted and surveys distributed. (Include the survey and analysis of results in an appendix.)

Briefly discuss how you collected and analyzed data to evaluate potential effects on EJ populations. The most important part of the methods section is to make sure that you explain the process you will follow to reach your conclusions.

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<sup>15</sup> This template shows methods in a separate appendix. If you are doing an EIS, SAFETEA-LU mandates that methods are shared. For an EA or DCE, this section should be included in the Regulations and Coordination section of the discipline report.