

CHAPTER 9 COMMUNITY IMPACT ASSESSMENT

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9-1 OVERVIEW

9-1.1 Background

Community Impact Assessment (CIA) is supported by a multitude of federal laws, regulations, and policies dating back to the 1960s. **Title VI of the Civil Rights Act of 1964** provides that no person in the United States shall, on the grounds 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. **Title VIII of the Civil Rights Act of 1968** addresses discrimination in regard to the sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling on the basis of race, color, religion, sex, disability, familial status, or national origin. FHWA's **Environmental Impact and Related Procedures** (23 CFR 771) provides that no person, because of disability, age, race, color, sex, or national origin, be excluded from participating in, or denied benefits of, or be subject to discrimination under any Administration program or procedural activity required by or developed pursuant to this regulation.

The pivotal legislation requiring attention to community impacts is the **National Environmental Policy Act of 1969 (NEPA)**, which requires analysis of the social, economic and environmental impacts of projects using federal funds, including the integrated use of the social sciences in assessing impacts on the human environment. This law was reinforced by the **Federal Aid Highway Act of 1970 (23 USC 109(h))**, which defines specific impacts that must be considered in developing any project on any Federal-aid system, including social and economic impacts to communities. The Council on Environmental Quality (CEQ) issued **Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act** (40 CFR 1500-1508) in 1978. These regulations require Federal agencies to use all practicable means, consistent with the requirements of NEPA, to avoid or minimize any possible adverse effects of their actions upon the quality of the human environment. In 1987, the Federal Highway Administration (FHWA) issued **Environmental Impact and Related Procedures** (23 CFR 771), which prescribes policies and procedures for implementing NEPA and the CEQ Regulations, among these being early and continuing opportunities during project development for the public to be involved in the identification of social, economic, and environmental impacts, as well as impacts associated with relocation of individuals, groups, or institutions. At this time, FHWA also issued **Guidance for Preparing and Processing Environmental and Section 4(f) Documents** (TA6640.8A). This document reiterates the FHWA philosophy regarding early coordination with agencies and the public to determine the scope of issues to be addressed and to identify and focus on the proposed action's important issues, a process which normally entails the exchange of information from inception of the proposed action to preparation of the environmental document.

To ensure these community issues receive adequate evaluation, the FHWA issued an **Environmental Policy Statement** in 1990 to affirm the agency's commitment to environmental protection and enhancement. A second FHWA **Environmental Policy Statement**, issued in 1994, is a formal commitment to ensure that policies and investments embrace the concerns of neighborhoods, communities, and society as a whole. Also in 1994, **Executive Order 12898:**

Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations was issued to address environmental justice, requiring special attention to addressing disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.

Complimenting these policy initiatives, the **Intermodal Surface Transportation Efficiency Act of 1991** (ISTEA) gave state and local governments more flexibility in determining transportation solutions, made highway funds available for activities that enhance the environment, and revitalized public involvement requirements. This funding authorization was replaced by the **Transportation Equity Act for the 21st Century** (TEA-21) in June 1998. TEA-21 continues programs from ISTEA and provides new initiatives for improving safety, protecting and enhancing communities and the natural environment, and advancing economic growth through efficient and flexible transportation.

The Florida Department of Transportation (FDOT) has been a strong supporter of this growing movement for Community Impact Assessment (CIA), participating on national committees and assisting in the development of Community Impact Assessment: A Quick Reference for Transportation, published by FHWA in September 1996. This guide outlines the CIA process, highlights critical areas that must be examined, identifies basic tools and information sources, and stimulates the thought process related to individual projects.

FDOT also convened a working group, the Community Impact Assessment (CIA) Team, in August 1996, to assess how FDOT addresses socioeconomic, public involvement, relocation, environmental justice and civil rights issues throughout all phases of the transportation development process. The CIA Team found FDOT procedures in general compliance with state and federal policies and procedures; however, they identified some program areas where strengthening was needed to more thoroughly comply with the spirit of existing regulations and recent guidances. Their recommendations were published in May 1997 as the Report of the Working Group on Community Impact Assessment, Public Involvement, and Environmental Justice.

This chapter, combining previous manual sections dealing with social issues and relocation, is one outcome of the CIA report.

To address these issues, all CIA efforts must be consistent with the FDOT's Community Impact Assessment policy (000-650-015-a) effective August 15, 2002, which states:

“It is the policy of the Florida Department of Transportation to work proactively with communities in implementing the principles, concepts, and philosophy of Community Impact Assessment throughout the transportation project development process. Transportation facilities and services make an important contribution to a community's economy and quality of life. Understanding the vision, goals and objectives, and the values of a community's citizenry is essential to providing effective, community based solutions to transportation while addressing appropriate community concerns.

Also, see Policy 000-625-060, Transportation Design for Livable Communities.”

9-1.2 Definition

Community Impact Assessment is a process used to evaluate and address the effects of a transportation action on a community and its quality of life. Information gathered through the CIA process is used as a basis for decision-making during development, refinement and selection of project alternatives process (i.e., planning (concept), PD&E, design, construction and maintenance). Determinations of significance may influence the NEPA class of action determination. Although the steps in this CIA process are logically sequential, communities are dynamic; therefore, the analyst must be prepared to re-evaluate findings and make adjustments if necessary as the project evolves.

Early identification of community issues is a cornerstone of CIA. With the focus on key areas of importance to people, CIA issues can be grouped into six general categories: Social, Economic, Land Use, Relocation and Displacement, Aesthetics and Livability, and Civil Rights.

Proactive community involvement, including all segments of society, is an integral part of CIA. This outreach leads to decision-making that is more likely to be responsive to community concerns and goals, resulting in greater community acceptance of proposed transportation improvements, enhancing agency credibility, and ensuring non-discrimination. By identifying and alerting decision-makers to civil rights issues, the potential for disproportionately high and adverse effects on protected populations can be addressed and resolved early in the transportation development process.

9-1.3 Philosophy

The Department has undertaken a proactive policy and philosophy regarding CIA as a business practice in project development, to:

1. Ensure that community issues are identified and project effects are addressed and incorporated into the decision-making process;
2. Try to avoid, minimize or mitigate, where feasible, adverse community effects;
3. Ensure the incorporation of environmental protection and community impact considerations from the earliest stages of project or plan development; and
4. Provide for the participation and consultation of communities affected by the proposed project throughout the life of the project development process (i.e., planning (concept), PD&E, design, construction and maintenance).

The CIA philosophy and business practice encompass the following ideals:

1. **Comprehensiveness** of process to discover the interrelationships between all proposed transportation actions and other government and private actions, so that secondary and cumulative impacts can be identified early and mitigation strategies developed;

2. **Accommodation** of community values and concerns in transportation project development, where feasible, reasonable and within the Department's purview to do so;
3. **Networking** with agencies and community groups to establish a strong foundation for two-way communication, information exchange, data gathering and problem solving;
4. **Facilitation** to promote interaction between outside agencies and local groups as necessary to develop solutions to identified community problems;
5. **Partnering** with agencies and other groups to allow for joint use of resources to solve problems and meet community goals;
6. **Openness and equal access** to information and decision-makers so that non-discrimination can be achieved through inclusion of all citizens in the transportation decision-making process;
7. **Continuous public involvement**; and
8. **Collaboration** for problem-solving.

CIA requires transportation planners and project managers to be **responsive**, where feasible, to community issues and proactive in identifying and addressing adverse community impacts. The CIA process must have **continuity**, building on issues identified in the planning phase, carrying early commitments through the PD&E phase, and ensuring the continued flow of information into subsequent project development phases.

Internal coordination within the FDOT, including thorough documentation of any community issues and solutions, is critical to maintain continuity in decision-making and provides for commitment-compliance. External coordination and consultation with other agencies is critical to ensure both a **comprehensive and balanced approach** to project development and collaboration among partners that have a role in addressing community impacts. By addressing a broad range of community issues, the CIA process helps to link processes and improve coordination between the agencies involved in transportation, land use and economic development.

9-2 PROCEDURE

9-2.1 Community Impact Assessment Process

Ideally, CIA begins in the planning phase of project development. In this ideal situation, a wealth of information regarding the community and potential issues will be available from the supporting documentation gathered in the planning phase. The analyst should review this information for use in completing the CIA steps (see below), and update the information as necessary for any changes in the community since the planning phase was completed. For projects where CIA has not been implemented in the planning phase, additional effort will be required to develop the information required to complete the CIA process flow chart (See Figure 9.1).

CIA is a fluid process. Depending upon the length of the project phase, it may be necessary to periodically re-evaluate earlier findings to assure that the assessment is still accurate. To streamline the CIA process, future needs and relevant data should be collected early in the process.

The level of effort involved in each step is a function of the size and complexity of the project, the amount of information available from the planning phase, the level of controversy involved, and the potential for significant community impacts. If a project requires preparation of an environmental impact statement, it will also require a more detailed Community Impact Assessment. It will be up to the analyst to determine what is reasonable in the given context. If an issue surfaces that is of considerable concern to an affected community, it should be assessed regardless of the nature of the project. This will help assure that all issues are adequately addressed and reduce the probability that community impacts alter the project later in production.

The basic steps of the CIA process are listed below. Public involvement is an integral part of each of these steps:

1. Define the project and study area;
2. Develop a community profile;
3. Analyze impacts;
4. Identify solutions; and
5. Document findings.

Each step is described in the following subsections. Additional detail is provided in [Community Impact Assessment: A Quick Reference for Transportation](#).

9-2.1.1 Define the Project and Study Area

The initial step in the CIA process involves defining the project and delineating the study area. The analyst should work with engineers and transportation planners to provide input into the project purpose and suggest new options based on preliminary indications of likely community issues and special areas to avoid. The preliminary project description and study area boundaries should be available from the supporting documentation for the planning phase.

The analyst should use the information gathered during prior planning activities to delineate the CIA study area, a geographic region encompassing the communities that may be affected by identified project alternatives. This CIA study area typically includes communities within and immediately surrounding the traditional project study area. However, the analyst should consider that the project might have social benefits or consequences to communities well beyond the immediate geographic area. It is important to keep in mind that the CIA study area may change as more information is collected and the project description evolves.

Develop a Community Profile

The analyst must develop a community profile in conjunction with other planning and transportation organizations, summarizing the history, present conditions and anticipated future needs of the CIA study area (See Figure 9-2 CIA Responsibilities). This profile will be used to describe the “affected environment” in the environmental document and will serve as the basis for identifying potential impacts of the proposed transportation improvement. When available, information from the planning phase should be used as a starting base for the community profile. This information must be reviewed to determine any changes in the community since completion of the planning phase, and data must be updated if necessary. It may also be necessary to expand the information, depending on the level of detail developed during the planning phase.

The community profile will typically include:

1. A visual map or maps that depict physical characteristics, such as neighborhood boundaries, land uses, public facilities, and commercial centers;
2. Narrative text that describes community characteristics, such as population demographics, economic, social history and values of the communities, the importance of various facilities, and plans for the future; and
3. Tables or graphics that summarize important data or conclusions, such as population demographics or employment trends.

Neighborhood boundaries can be defined using physical barriers, land-use patterns, political or area of responsibility divisions (e.g., school districts and police precincts), selected demographic characteristics, and/or resident perceptions as appropriate. Other sub-communities or stratifications should be identified by the analyst based on economic or demographic characteristics.

As a general rule, secondary data should be supplemented with stakeholder interviews and field visits. Stakeholders are persons in the community who have an interest or involvement in the proposed action.

9-2.1.2 Analyze Impacts

Anticipating future conditions are key components of CIA. The analyst must study a minimum of two scenarios, including the community without the proposed transportation improvement and the community under one or more project alternatives. Community impacts of the project can then be interpreted as the difference between these two (or more) scenarios.

All feasible project alternatives, including the no-build alternative, must be investigated. Establishing the consequences of doing nothing helps to clarify what impacts can be attributed to the project and the relative importance of those impacts, in relation to the potential benefits. In addition, conducting this analysis for each project alternative provides a meaningful basis for comparing alternatives and selecting a final alternative.

Community impact analysis addresses three general categories of impacts:

1. Direct impacts, such as loss of structural or environmental features in the Right of Way and relocation of residents or businesses;
2. Indirect impacts, those which are caused by direct impacts and often occur later in time or further away in distance than direct impacts; and
3. Cumulative impacts, the combined effects produced when seemingly minor project impacts take on greater significance when considered in combination with the impacts of other past, present, or reasonably foreseeable future actions.

When identifying and analyzing impacts, both, positive and negative impacts as well as short and long term impacts must be considered. The counterbalancing effects of various impacts and any community goals are important. Any time there is a public perception of an impact, be sure to review and research the issues involved. There may be information available from the planning phase regarding potential impacts. This information can provide a starting point for further evaluation. When such information is available, the analyst should not assume that the list of issues is all-inclusive. At a minimum, the analyst should conduct a screening exercise, including consultation with the community, to determine if there are additional issues to be addressed. In addition, any planning information regarding potential impacts must be reviewed in light of changes in the community since completion of the planning phase, and data must be updated if necessary.

The anticipation of future scenarios and identification of potential impacts can be accomplished in a variety of ways, depending on the issue. An effective Community Impact Assessment requires a solid understanding of the community, including direct observation of the affected area, as well as research and evaluation of data. It does not, however, require or necessarily benefit from sophisticated models or many hours of technical analysis. Sections 9-2.1.3.1 and 9-2.1.3.2 provide guidance on determining the appropriate level of assessment to undertake, as well as determining the importance of an impact within the context of the community.

9-2.1.2.1 Determining the Appropriate Level of Assessment

Common sense and logic should guide the determination of what level of assessment is needed, how best to approach that task, and what degree of mitigation is appropriate. The level of assessment and documentation that is reasonable for a project will vary depending upon the size and complexity of the project, the level of controversy involved, and the potential for significant community impacts.

Scenarios that may trigger the need for a more extensive community impact analysis include transportation projects that:

1. Require large amounts of Right of Way or would displace a large number of people;
2. Could cause a substantial increase or decrease in traffic through an area;

3. Conflict with local comprehensive plans;
4. Impact community facilities, such as schools, parks or churches;
5. Impact historic districts or community landmarks;
6. Adversely affect aesthetic features, such as canopy roads or scenic vistas; or
7. Disrupt or divide an established or cohesive neighborhood.

Recent major shifts in the demographics of a region or the introduction of a community planning initiative (e.g. sustainable development, community redevelopment areas, or Main Street program) may also indicate the need for a more extensive analysis.

Case law has established guidelines for use in determining whether an impact warrants further exploration. Legal principles call for analysis of only those impacts that are “reasonably foreseeable.” This has been defined as impacts that are both (1) probable, and (2) significant. Guidelines from the environmental assessment case law include the following questions:

1. With what confidence can you say that the impact is likely to occur?
2. Is there sufficient knowledge about the impact to make its consideration useful?
3. Is there a need to know about the impact, due to controversy or other reasons?

9-2.1.2.2 Determining the Magnitude of an Impact

The relative magnitude of social and economic impacts can vary across communities, neighborhoods, and stakeholder groups due to differing degrees of sensitivity toward a particular issue or impact. An impact that is perceived by one community as significantly adverse might be widely tolerated or even desirable to another. Such variation can make determining the importance of an impact both challenging and unpredictable. Guidance to making this determination is gained through adaptation of criteria established by the **CEQ Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act** (40 CFR 1500-1508), as follows:

1. Probability of the effect occurring;
2. Number of individuals affected;
3. Likely duration of the impact;
4. Relative value of benefits or costs to groups (i.e., the intensity of the impact);
5. Extent that negative impacts can be mitigated;
6. Likelihood and nature of secondary impacts;
7. Relevance to present and future policy decisions;
8. Level of uncertainty over possible effects; and
9. Presence or absence of controversy.

9-2.1.4 Identify Solutions

The analyst must work with engineers and transportation planners to develop methods to address identified adverse impacts. Four primary methods should be considered, in order:

1. Avoidance – alter the project so an impact does not occur;

2. Minimization – modify the project to reduce the severity of an impact;
3. Mitigation – undertake an action to alleviate or offset an impact, or to replace an appropriated resource; and
4. Enhancement – incorporate desirable or attractive features to the project to make it fit more harmoniously into the community (not designed to replace lost resources or alleviate impacts caused by the project).

There may be information available from the planning phase regarding a preliminary strategy for addressing potential impacts. This information should provide a starting point for further discussion and development with the community. However, the analyst should not assume that this preliminary strategy is the final solution. At a minimum, the analyst should evaluate the acceptability of the preliminary strategy in light of changes in the community since completion of the planning phase, including consultation with the community to determine if there are other strategies that should be considered.

The analyst should recognize that an effort to address one impact might create other adverse impacts. These situations should be carefully reviewed to make sure that proposed solutions support the purpose and need of the project. In addition, methods must be considered to address the newly created impacts.

This step provides an opportunity for incorporating community values and specific project features as part of the project if it is appropriate or feasible to do so.

Community Impact Assessment: A Quick Reference for Transportation provides additional guidance and suggestions for identifying solutions.

9-2.1.5 Document Findings

The results of the Community Impact Assessment are used for decision-making throughout the project development process. Therefore, it is important to preserve this information in a clear and concise manner for reference during the PD&E and future project phases. All assessment materials (e.g., maps, analyses, public comments, survey responses, minutes of meetings, etc.) should be collected and maintained in the project file. A written summary of this material should be prepared near completion of the PD&E phase, both for inclusion in the NEPA document as well as for reference as the project moves into the next phase of project development.

This written summary may be prepared for direct inclusion in the NEPA document, or a separate stand-alone report can be prepared for summarization and reference in the NEPA document. Generally a separate technical report is prepared if the complexity of the project, severity of the impacts, or quality of data justify a specialized technical report. Since environmental documents are usually prepared to comply with NEPA, it is prudent to use a compatible format when developing a separate technical report.

Upon completing the assessment of social impacts, consider the following:

1. Incorporate all relevant actions taken, findings reached, and commitments made as part of the assessment of social impacts;
2. File all relevant documentation in the official project log;
3. Incorporate the relevant findings of this assessment into the project development process to minimize the social impacts of the final project on study area neighborhoods; and
4. Incorporate the documentation from the assessment into the relevant section of the environmental document for this project per the Engineering Reports Chapter in Part I of the PD&E Manual.

General guidelines for written documentation:

1. Discuss only topics relevant to the project, with the exception of topics identified in 23 USC 109(h) which should always be addressed to avoid the impression that they were not examined (i.e., air, noise, and water pollution; destruction or disruption of man-made and natural resources, aesthetic values, community cohesion and the availability of public facilities and services; employment, tax and property values; displacement of people, businesses and farms; and disruption of desirable community and regional growth);
2. Summarize all public involvement activities (e.g., meetings held, continuing efforts, and substantive comments);
3. Prepare an executive summary of key findings, including public concerns, conclusions of various analyses, strategies for addressing impacts, and any commitments made to the public;
4. Use clear, non-technical language and graphics to help explain any assessment results; and
5. Use an objective tone, avoiding the use of descriptions and terms that suggest a bias or might offend readers;
6. Reach conclusions on each topic discussed, including concerns, alternative strategies and commitments.

Regardless of whether a separate technical report is prepared, documentation must be provided in the appropriate section of the NEPA document, with each topic generally discussed under a separate subheading, depending on class of action as follows:

1. “Impacts” section of an Environmental Assessment (EA);
2. “Environmental Consequences” section of an Environmental Impact Statement (EIS); and
3. Box 6A of the Class of Action Determination (See Part 1, Chapter 3 concerning level of detail) for Type 2 Categorical Exclusions (CE’s).

Specific documentation requirements for each of the CIA issues addressed in this chapter: social impacts, economic impacts, land use, aesthetics, relocation and displacement, and civil rights, are provided in section 9-2.3. The level of detail required in discussing these impacts depends upon the impact potential determined by the analyst.

Community Impact Assessment: A Quick Reference for Transportation provides additional guidance on how to document findings.

9-2.2 Public Involvement

The two basic objectives served by public involvement during PD&E studies are providing information about the proposed transportation improvement to the public; and receiving information useful to the development of the project from the public. Public involvement plays an expanded role in the CIA process, being essential for the following activities:

1. Validating the purpose and need statement;
2. Identifying project alternatives;
3. Preparing the community profile;
4. Assessing and evaluating impacts;
5. Identifying ways to avoid, minimize or mitigate adverse impacts;
6. Identifying potential enhancement opportunities; and
7. Resolving any disputes or controversy that may arise.

The analyst should initiate close coordination with the project public involvement coordinator early in the project. The public involvement plan and initial contacts list must be reviewed to determine if planned activities are adequate to develop the community profile, including the identification of community groups and issues. The analyst must work with the public involvement coordinator to identify, plan and implement additional activities specific to a given issue or potential impact as project development proceeds and be able to refine the plan if necessary.

See Part I, Chapter 8 for detailed procedural guidance on the development and implementation of a public involvement plan, as well as for information regarding other public involvement resources.

9-2.3 Documentation

This section outlines documentation requirements for each of the CIA issues addressed in this chapter: social impacts, economic impacts, land use, aesthetics, relocation and displacement, and civil rights. The level of detail required in discussing these impacts depends upon the impact potential determined by the analyst.

9-2.3.1 Social Impacts

Social impacts that may occur as the result of proposed transportation improvements include impacts on community cohesion, community facilities and services, mobility and safety.

The following sections provide specific guidance for documentation for each of the social impact areas.

9-2.3.1.1 Community Cohesion

The community profile development process will have allowed the analyst to reach conclusions regarding the degree of cohesiveness of various groups within the adjacent neighborhoods and the community as a whole. The Community Cohesion section should discuss the impacts of each alternative for the proposed action on this cohesiveness. The types of impacts that should be evaluated include:

1. Bisecting (dividing) neighborhoods;
2. Social isolation (isolating a portion of an ethnic group or neighborhood);
3. Facilitating new development (infill);
4. Urban renewal;
5. Decreased neighborhood size (relocation);
6. Joint land use;
7. Changes in property values;
8. Changes in neighborhood or community access;
9. Changes in quality of life;
10. Changes in neighborhood identification; and
11. Separation of residences from community facilities.

This section should also identify the community social groups that will benefit from the proposed improvement as well as those social groups that may be adversely affected by the proposed action. Particular attention should be given to groups that traditionally experience a higher level of impact relative to the population at large. These may include:

1. Elderly persons;
2. Disabled persons;
3. Nondrivers and transit-dependent individuals;
4. Minority groups; and
5. Low-income individuals and households.

The analyst should address and evaluate the impacts of each alternative on each of these groups. If the effects are substantial then the possibility of mitigation must be discussed.

Where the impact of the proposed action on minority or low-income populations (as a group) is determined to be substantial or significant, the environmental document should include the following information:

1. Demographic breakdown of the community by race, color, and national origin;
2. Population in the study area;
3. Number of displaced households;
4. Type and number of displaced businesses;
5. Type and number of displaced employees per business;

6. Type and number of displaced residences;
7. Type and number of displaced employees;
8. Changes in minority employment opportunities;
9. Relationship of the proposed action to other Federal actions which may serve or affect the minority population; and
10. Any proposed mitigation measures to reduce or avoid impacts on the minority population.

Secondary sources of information, such as census data reports, should be utilized in obtaining this type of information. Other sources that should be considered are interviews with social service agencies that serve the community, and interviews with employers in the project area. Access to the community through local minority leaders and local religious leaders also provides a wealth of information. See Section 9-2.3.6 for additional guidance on minority and low-income groups.

9-2.3.1.2 Community Facilities and Services

Community facilities and services will have been identified during development of the community profile. The Community Facilities and Services section should address impacts of each alternative for the proposed action on these community facilities and services. The following specific types of facilities must be addressed:

1. Schools;
2. Religious institutions;
3. Parks, recreation centers and playgrounds;
4. Social service agencies;
5. Housing for the elderly, retirement centers, or other special needs residential facilities;
6. Hospitals and other medical facilities;
7. Community centers;
8. Senior centers;
9. Libraries;
10. Retail and other commercial establishments;
11. Day care centers; and
12. Emergency services, such as fire and police stations.

The level of detail for discussion on each of these is predicated on the extent of the impact determined by the analyst. The document should:

1. Identify the existence of these services;
2. Show on a map the proximity of each facility to the project;
3. Define service areas, user groups and affected populations;
4. Discuss their principle involvement with the community;
5. Determine the value of the service/facility to the community; and
6. Determine the project's impact on these services/facilities.

Where information determines that the impact to the community is substantial, the document should provide discussion of possible mitigation to reduce the impact potential. The project file should be documented with correspondence and telephone contact information with these community service groups, as well as minutes of meetings where appropriate. This section should provide assurance that the social service needs of the community have been taken into consideration during project development.

Mobility

The Mobility section should describe and discuss changes in travel patterns and accessibility (e.g., vehicular, commuter, bicycle, or pedestrian). Particular attention should be given regarding the effects of such changes on community mobility and neighborhood interaction.

If any of the proposed alternatives will close cross streets, documentation should address the impacts of closing each street. If pedestrian/bicycle routes are closed or otherwise modified, the document should identify and discuss potential impacts on community mobility and neighborhood interaction. The views of the community and the city and/or county government on such changes must be clearly presented.

Particular attention should be given to groups that may experience more severe mobility impacts due to physical limitations, including the elderly, disabled persons and children.

Where the evaluation determines that potential impacts on community mobility are substantial, the document should also provide discussion of possible mitigation to reduce the impact potential.

9-2.3.1.4 Safety

The Safety section should discuss and evaluate the impacts of each alternative for the proposed action on both traffic and neighborhood safety. Neighborhood safety issues to be addressed include:

1. Police/emergency services,
2. Emergency services, and
3. Bicycle/pedestrian safety.

Where the evaluation determines that potential impacts on neighborhood or traffic safety are substantial, the document should provide discussion of possible mitigation to reduce the impact potential.

9-2.3.2 Economic Impacts

Economic impacts that may occur as the result of proposed transportation improvements include changes in growth rates, business activity, property values, and tax revenues. These impacts are generally related to one of two factors: changes in the accessibility of an area and/or changes in the local environment.

Transportation improvements tend to affect businesses, residences and taxing authorities in different ways; therefore, the impacts to various land uses and local government should be evaluated and addressed separately in the documentation. The types of impacts that should be evaluated for businesses include:

1. Changes in regional traffic (bypass impacts);
2. Changes in business environment (noise, air quality, aesthetics, amenities, traffic volumes and traffic speed);
3. Access changes (delivery, employee, customer);
4. Changes in customer and/or employee base (relocations); and
5. Compatibility with economic development plans.

The type of impacts that should be evaluated for residential areas include:

1. Changes in residential environment (noise, air quality, aesthetics, amenities, traffic volumes and traffic speed); and
2. Changes in employment opportunities and retail shopping/services related to changes in businesses.

The types of impacts that should be evaluated for local taxing authorities include:

1. Conversion of taxable property to public use;
2. Affected taxing authorities; and
3. Revenue losses and the affect on taxing authorities.

Other issues affecting the economic health of a community include land use changes, aesthetics, and relocation. Sections 9-2.3.3, 9-2.3.4 and 9-2.3.5 address these concerns, respectively.

The Economic Impacts section of the document should identify and discuss the long-term effects of the proposed action on the economic health of the community as a whole. Short-term effects will be addressed under Construction Impacts (See Part 2, Chapter 30 of the PD&E Manual). The document should:

1. Identify affected businesses, residential areas and/or local taxing authorities;
2. Show on a map the proximity of the project to each affected business or residential area;
3. Show on a map the jurisdictional boundaries of affected local taxing authorities;

4. Define the employee and customer base for affected businesses;
5. Discuss the value of the businesses or residential area to the community; and
6. Determine the project's impact on these businesses or residential areas.

Where the evaluation determines that potential economic impacts are substantial, the document should provide discussion of possible mitigation. Particular attention should be given to the effects on small businesses or businesses with a unique customer and/or employee bases, since these businesses are more sensitive to change.

9-2.3.3 Land Use Impacts

The Land Use discussion must address the information required in the sections that follow. This section essentially describes the existing land use, proposed future land uses, and whether or not the proposed action will contribute to achieving the land use patterns planned by the community. In essence, the analyst should discuss how the project will or will not meet the Long Range Transportation Plan and the local comprehensive plan.

Assessment techniques are provided for determining land use consistency, as well as direct and secondary impacts.

9-2.3.3.1 Existing and Future Land Use

This section should provide a description of the existing and planned future land use in the project area. It should also provide a discussion of current development trends in the project vicinity and the community at large. In discussing development trends, this section should provide:

1. The name of each development;
2. The status of each development (i.e., existing, under construction, or proposed);
and
3. The size of each development (i.e., area, type of use, density).

If the document is an EIS, this type of information is usually found in the Affected Environment section; however, some reiteration is required to focus on the impact potential of the proposed action.

9-2.3.3.2 Consistency with Land Use Planning

In addition to the information provided in section 9-2.3.3.1, the Land Use section must describe the state and local government plans and policies regarding land use controls and community growth management in the project area. This discussion should entail a brief overview of existing land use and growth management planning for the county and/or city. It should further show how that planning effort merges with the planning effort of the State as set out in the State Comprehensive Plan. The ultimate goal of this portion of the Land Use section is to ensure that the reader gains a clear understanding of the prevailing land use and growth management policies practiced in the county and/or city, substantiated by the State through the

State Comprehensive Plan, community growth patterns, economic incentives, and conservation/preservation areas.

In discussing the policies of the county and/or city and state regarding land use controls, this section should also show how the existing community has grown and expanded, consistent with these plans and policies or otherwise. The section should reference appropriate sections of the approved Local Government Comprehensive Plan, community services element, and other areas that would substantiate the information presented. Where conflict exists among these policies and/or land usages within the community, these areas should be identified.

Finally, this portion of the Land Use section should assess and evaluate the consistency of each alternative for the proposed action with the approved local government comprehensive plans of the affected local governments within the community. In discussing the consistency of the proposed action with local planning, the analyst should evaluate how the development of various project alternatives will directly impact local zoning, where zoning is applicable, and contribute to land use change in the project area.

9-2.3.3.3 Joint Land Use Development

In developing a project, there may arise an opportunity to utilize public lands (Right of Way) for more than just transportation purposes. Because transportation is the ultimate reason for the purchase of Right of Way, any deviation from such use should be with the expressed written understanding (agreements) that, should the need arise, the land would revert back to its intended use - transportation.

When appropriate, the Type 2 CE, EA, or DEIS should discuss how the implementation of joint development projects will preserve or enhance the community's social, economic, environmental, and/or visual values. This discussion should include information on commercial and residential opportunities, conservation and preservation opportunities, and opportunities for increasing community accessibility and retail sales.

Where the improvements proposed through joint development will have a substantial impact on the economic viability of affected communities, the extent of this impact should be evaluated and a summary provided of any efforts taken and agreements reached for using the transportation investment to support both public and private development plans. To the extent possible, this discussion should rely upon reviews (the views) of state, county, and city officials in growth management and community development goal attainment and upon studies performed under 23 U.S.C. 134.

In addition to the above, where joint development projects will lead to or support large commercial development, the Type 2 CE, EA, or EIS should provide information on any substantial or significant effects the pending action would have on established business districts, and any opportunities for mitigation by the public and/or private sectors.

9-2.3.4 Aesthetics and Livability Impacts

The Aesthetics and Livability section should identify and discuss impacts on community aesthetics and livability that may result from each alternative for the proposed action. Aesthetics refers to the community perception of what constitutes a pleasing environment. Livability is a measure of the collective qualities of a community that make it a desirable place in which to live.

Aesthetic resources (positive features) and detractors (negative features) will have been defined during development of the community profile. Particular attention should be given to the assessment process when aesthetic concerns are identified as a significant issue during the community profile process. The environmental document should:

1. Show on a map the aesthetic resources and detractors that may be impacted;
2. Discuss the value of the resources to the community; and
3. Determine the project's impact on these resources.

Where the evaluation determines that negative impacts on aesthetic resources and livability are substantial, the document should also provide discussion of possible mitigation to reduce the impact potential. Aesthetic designs or other context sensitive design features, as well as consideration of joint funding or cost sharing should be considered. The views of the community, and the city and/or county government on such impacts and proposed mitigation must be clearly presented.

Part 2, Chapter 15 of the PD&E Manual outlines additional requirements for evaluation and documentation related to visual impacts/aesthetics.

9-2.3.5 Relocation & Displacement Impacts

The Relocation and Displacement section should identify and discuss any residential, business, farm operation or nonprofit business relocations associated with the proposed transportation improvement.

This section of the environmental document should also include a discussion of how the relocations caused by the proposed project will facilitate or inhibit access to jobs, educational facilities, religious institutions, health and welfare services, recreational facilities, social and cultural facilities, pedestrian facilities, shopping facilities, and public transit services.

Detailed data on relocations, replacement property and relocation assistance will be available in the Conceptual Stage Relocation Plan, prepared by District Right of Way Relocation staff to comply with 23 CFR 771. A wide range of methods for addressing potential impacts, including financial, design, replacement/restoration, planning/programmatic assistance, and regulatory strategies is available in Chapter 9 of the Right of Way (ROW) Manual.

To comply with the FHWA Technical Advisory T6640.8A and Chapter 9, Section 1 of the Right of Way Manual, the District Right of Way Office must prepare a Conceptual Stage Relocation Plan (CSRP) and the data must be incorporated into the environmental document (Type 2 CE, EA, DEIS or SEIR). A CSRP must also be prepared whenever the District Environmental Management Office is evaluating an action for Type 1 or Programmatic CE determination and relocations are involved.

9-2.3.5.1 Conceptual Stage Relocation Plan (CSRP)

The CSRP is prepared by District Right of Way Relocation staff at the same time that the environmental document is being prepared by the District Environmental Management staff. It is the responsibility of District Environmental Management staff to coordinate with the Relocation Office to ensure that the preparation of the CSRP coincides with project scheduling and that delays are avoided. Close coordination will also ensure that all alignment alternatives under consideration have been properly assessed and the prospect of error in data development is markedly reduced.

Once the Relocation Office has completed the CSRP, the plan is submitted to District Environmental Management staff for inclusion in the environmental document. Upon receipt of the plan, District Environmental Management staff will include in the environmental document either a write-up of the complete CSRP or a summary of the plan in sufficient detail to adequately address the relocation impacts anticipated in the area. The environmental document must also reference that a CSRP was prepared on the project. The CSRP is developed for in-house use only, the plan will become a part of the project file and is NOT appended to the environmental document.

Since there is no Federal requirement for the preparation of a CSRP, Federal approval of the plan is not necessary. The plan is, however, the principal data used in discussing relocation impacts in the environmental document, and therefore, FHWA must accept the CSRP as adequate supporting documentation in compliance with 23 CFR 771. This acceptance depends on the type of environmental document being prepared, as follows:

1. In preparing an EA or DEIS, a copy of the CSRP must accompany the transmittal of the environmental document to FHWA. FHWA acceptance of the plan occurs when the EA or DEIS is approved for public availability. Once the project has been approved for public availability, the CSRP is placed in the project file for the administrative record.
2. In preparing a Type 2 CE, a copy of the CSRP will also accompany the transmittal to FHWA. FHWA acceptance of the CSRP as adequate supporting documentation occurs when the Type 2 CE is approved. Once the Type 2 CE has been approved, the CSRP is placed in the project file for the administrative record.
3. In preparing a SEIR, the CSRP is placed in the project file consistent with Part 1, Chapter 3 of the PD&E Manual.

The CSRP is updated at each project reevaluation phase as the project progresses through design, Right of Way and construction, consistent with Part 1, Chapter 11 of the PD&E Manual. This update must show how, if any, the relocation impacts originally evaluated have changed and determine if these changes are considered to be significant. Any commitments made in the CSRP and incorporated into the Commitments and Recommendation Section of the environmental document must be addressed for commitment compliance purposes. Project files must contain sufficient documentation to substantiate all reevaluation updates.

9-2.3.5.2 Documentation

The development of information in the CSRP should correspond to the level of complexity of the project. In areas where there is little or no involvement with businesses or relocations are limited to signs only, the information provided in the plan and the environmental document should reflect the level of impact predicted. Information provided should be secondary type information (e.g., census data, or other published survey research data) in combination with a windshield survey to verify the reasonableness of the secondary source information.

The CSRP must address each alternative under consideration by the Department for additional study. When an alternative has been dismissed, the plan must support the rejection of such alternative if relocation impacts are a principle reason for dismissal. In discussing each alternative for the proposed action, the CSRP must include the following information, consistent with Chapter 9, Section 1 of the Right of Way Manual:

1. An estimate of types of households to be displaced, including:
 - a) An estimate of the percentage of minority (racial, national origin, and ethnic) households to be displaced;
 - b) An estimate of the income range (in dollars) of the affected neighborhoods or community;
 - c) An estimate of the tenure (or age) of the structures which are being displaced, taking into consideration the types, effective and chronological age;
 - d) An estimate of the percentage of elderly households to be displaced in relationship to the total households being displaced;
 - e) An estimate of the percentage of households containing five or more family members; and
 - f) An estimate of disabled residential occupants for whom special assistance services may be necessary.
2. A discussion comparing available (decent, safe, and sanitary) housing in the area with the housing needs of displacees. The comparison should include a) price ranges, b) size (number of bedrooms), and c) occupancy status (owner/tenant).
3. A description of special relocation advisory services that will be necessary for identified unusual conditions or unique problems. This description should identify special cases involving disabled, elderly, low income, racial and/or

ethnic and governmental and social agencies available to serve these particular needs. Consideration should be given to establishing a social service network to provide assistance if none is available.

4. A discussion of the actions proposed to remedy insufficient relocation housing, including a commitment to housing of last resort, if necessary.
5. An estimate of the number, type, and size of businesses to be displaced including special business characteristics, such as services to specialized clientele, or cultural orientation. The approximate number of employees for each business should be included along with the general impact on the business dislocation(s) on the economy of the community. Additionally, the discussion should identify:
 - a) Sites available in the area to which the affected businesses may relocate;
 - b) Likelihood of such relocation;
 - c) Impacts on remaining businesses; and
 - d) Sign relocations.
6. A discussion of the results of early consultation with the local government(s) and any early consultation with businesses subject to displacement, including any discussions of potential sources of funding, financing, planning for incentive packaging (e.g., tax abatement, flexible zoning, and building requirements), and advisory assistance which has been or will be furnished along with other appropriate information.
7. A description of the actions proposed to remedy insufficient relocation housing including, if necessary, Last Resort Housing. If Last Resort Housing is anticipated, the plan should address how this housing could be provided; that is, whether newly constructed housing must be made available, or if there is sufficient replacement housing on the resource market to handle these Last Resort Housing situations.
8. The results of discussions with local officials, social agencies, and such groups as the elderly, disabled, non-driver, transit-dependent, and minorities regarding the relocation impacts.
9. A statement that:
 - a) The acquisition and relocation program will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended; and
 - b) Relocation resources are available to all residential and business relocates without discrimination
10. A summary of any potential contamination concerns.

11. An identification of any publicly-owned lands, as defined in Chapter 7, Section 11 of the Right of Way Manual which may require consideration for functional replacement of real property in public ownership. Discussion of the results and decisions of any meetings with property owners or jurisdictional agencies where the potential for "functional replacement" exists pursuant to 23 CFR 712 and Chapter 7, Section 11 of the Right of Way Manual shall be documented and may include the land or facility or both.

It is the responsibility of District Environmental Management Office to evaluate and address the social and economic impacts of the project in the environmental document so as to provide the reader with a good understanding of the project's impacts on the human environment. Listed below are some important points for the analyst to keep in mind in developing the information from the CSRP for inclusion in the environmental document:

1. All relocation information must be quantifiable (i.e., a general statement such as "There are sufficient resources available for residential displaces" is not acceptable as quantifiable data).
2. The CSRP must document the sources of information utilized in developing the plan. Since most of the information provided in the CSRP is secondary-type information, these figures are estimates. The analyst must take care to ensure that the information provided in the environmental document is accurate, timely and reasonably adequate with respect to identifying and discussing relocation impacts and problems within the project area.
3. All pertinent data in the CSRP must be incorporated into the environmental document. All substantive issues identified in the CSRP should be discussed.
4. A brief discussion of Last Resort Housing must be provided when comparable replacement housing is not available. Section 9-2.3.5.3 provides standard information to be incorporated into the environmental document.
5. A brief summary of the Department's Relocation Assistance Program must also be provided. Sections 9-2.3.5.4 and 9-2.3.5.5 provide standard information to be incorporated into the environmental document depending on whether there is involvement with relocatees or not.
6. If "functional replacement" pursuant to 23 CFR 712 may be provided, the results of discussions and decisions concerning "functional replacement" must be included in the environmental document. Any commitments or recommendations must also be listed in the appropriate sections.

9-2.3.5.3 Last Resort Housing

The discussion on Last Resort Housing is generally limited to an estimate of the number of households that will likely require Last Resort Housing and the inclusion of the following standard paragraph in the environmental document:

Comparable replacement housing for sale and rent is available in (Any City). However, there may be some last resort rent supplements and last resort replacement housing payments necessary. Last resort housing payments would be used in order to place the relocatees in decent, safe, and sanitary housing, if necessary. Should last resort housing be constructed, the housing would be available before the displacees are required to vacate their dwellings. There are numerous residential lots available for new construction within the Any City area. Lot sizes range from ___ square feet to ___ square feet and are priced from \$ ___ to \$ ___.

The Department will ascertain exactly how many households actually require Last Resort Housing or rent supplements during the development of the Relocation Needs Assessment Survey during the Right of Way acquisition phase of project development.

9-2.3.5.4 Information Required When A Relocatee Is Involved

The following standard information must be included in the environmental document when there is an involvement with a relocatee:

In order to minimize the unavoidable effects of Right of Way acquisition and displacement of people, the Florida Department of Transportation will carry out a Right of Way and relocation program in accordance with Florida Statute 339.09 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646 as amended by Public Law 100-17).

The Florida Department of Transportation provides advance notification of impending Right of Way acquisition. Before acquiring Right of Way, all properties are appraised on the basis of comparable sales and land use values in the area.

Owners of property to be acquired will be offered and paid fair market value for their property rights.

No person lawfully occupying real property will be required to move without at least 90 days written notice of the intended vacation date and no occupant of a residential property will be required to move until decent, safe and sanitary replacement housing is made available. "Made available" means that the affected person has either by himself obtained and has the right of possession of replacement housing, or that the Florida Department of Transportation has offered the relocatee decent, safe and sanitary housing which is within his financial means and available for immediate occupancy.

At least one relocation specialist is assigned to each highway project to carry out the relocation assistance and payments program. A relocation specialist will contact each

person to be relocated to determine individual needs and desires, and to provide information, answer questions, and give help in finding replacement property. Relocation services and payments are provided without regard to race, color, religion, sex, or national origin.

All tenants and owner-occupant displacees will receive an explanation regarding all options available to them, such as (1) varying methods of claiming reimbursement for moving expenses; (2) rental replacement housing, either private or publicly subsidized; (3) purchase of replacement housing; and (4) moving owner-occupied housing to another location.

Financial assistance is available to the eligible relocatee to:

- 1. Reimburse the relocatee for the actual reasonable costs of moving from homes, businesses, and farm operations acquired for a highway project;*
- 2. Make up the difference, if any, between the amount paid for the acquired dwelling and the cost of a comparable decent, safe and sanitary dwelling available on the private market;*
- 3. Provide reimbursement of expenses, incidental to the purchase of a replacement dwelling;*
- 4. Make payment for eligible increased interest cost resulting from having to get another mortgage at a higher interest rate. Replacement housing payments, increased interest payments, and closing costs are limited to \$22,500 combined total.*

A displaced tenant may be eligible to receive a payment, not to exceed \$5,250, to rent a replacement dwelling or room, or to use as down payment, including closing costs, on the purchase of a replacement dwelling.

The brochures that describe in detail the Department's relocation assistance program and Right of Way acquisition program are "Your Relocation: Residential", "Your Relocation: Business, Farms and Nonprofit Organizations", "Your Relocation: Signs" and "The Real Estate Acquisition Process". All of these brochures are distributed at all public hearings and made available upon request to any interested persons.

9-2.3.5.5 Information Required When There Are No Relocations

The following standard information must be included in the environmental document whenever the proposed action does not involve a residential or business relocation:

The proposed project, as presently conceived, will not displace any residences or businesses within the community. Should this change over the course of the project, the Florida Department of Transportation will carry out a Right of Way and relocation program in accordance with Florida Statute 339.09 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646 as amended by Public Law 100-17). The brochures that describe in detail the Department's

relocation assistance program and Right of Way acquisition program are “Your Relocation: Residential”, “Your Relocation: Business, Farms and Nonprofit Organizations”, “Your Relocation: Signs” and “The Real Estate Acquisition Process”. All of these brochures are distributed at all public hearings and made available upon request to any interested persons.

9-2.3.6 Civil Rights

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds 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. **Title VIII of the Civil Rights Act of 1968** addresses discrimination in regard to the sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling on the basis of race, color, religion, sex, disability, familial status, or national origin. The **Civil Rights Restoration Act of 1987** clarified the intent of Title VI to include all program and activities of Federal-aid recipients, sub-recipients and contractors whether those programs and activities are federally funded or not.

FHWA’s **Environmental Impact and Related Procedures** (23 CFR 771) provides that no person, because of disability, age, race, color, sex, or national origin, be excluded from participating in, or denied benefits of, or be subject to discrimination under any Administration program or procedural activity required by or developed pursuant to this regulation.

Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994) re-emphasizes the intent of the Civil Rights Acts and expands protection to low-income populations. It also requires Federal agencies to provide minority communities and low-income communities access to public information and opportunities for community input in the NEPA process, including identifying potential effects and mitigation measures in consultation with affected communities and improving the accessibility of meetings, crucial documents, and notices.

DOT Order 5610.2: Department of Transportation Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (April 1997) establishes procedures for the Department of Transportation (DOT) to use in complying with Executive Order 12898 (see above), providing that disproportionate impacts on low-income and minority populations are to be avoided, if practicable, that is, unless avoiding such disproportionate impacts would result in significant adverse impacts on other important social, economic, or environmental resources. Guidance is provided for making determinations regarding disproportionately high and adverse effects on minority and low-income populations, providing that mitigation and enhancements measures that will be taken and all offsetting benefits to the affected minority and low-income populations may be taken into account, as well as the design, comparative impacts, and the relevant number of similar existing system elements in non-minority and non-low-income areas. It also provides guidance for determining whether a mitigation measure or an alternative is “practicable,” providing that the social, economic (including costs) and environmental effects of avoiding or mitigating the adverse effects will be taken into account.

DOT Order 6640.23: FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (December 1998) requires the FHWA to implement the principles of the DOT Order 5610.2 and E.O. 12898 by incorporating environmental justice principles in all FHWA programs, policies and activities.

9-2.3.6.1 Procedure

To address civil rights in NEPA-related activities, the analyst must evaluate the following:

1. Analyze environmental effects on all communities, including human health, economic, and social effects on all citizens, with special consideration for minority and low-income populations;
2. Identify if disproportionately high and adverse environmental effects exist;
3. Ensure that mitigation measures address any disproportionately high and adverse environmental effects of proposed actions on minority populations and low-income populations within the study area; and
4. Provide opportunities for community input throughout the project development process, including consultation with affected communities to identify potential effects and possible mitigation measures, and improving accessibility to public meetings, project documents, and project decision-makers.

For example, the analyst must ensure that the selection of a roadway alignment does not intentionally follow the path of the lowest property values which take principally low-income housing or minority neighborhoods, without adequate study and reasonable engineering, economic, and social justification. Similarly, the analyst must ensure that the proposed improvement does not discriminate in providing access and egress to adjacent neighborhoods based on race, color, religion, sex, disability, familial status, national origin, or income level. In short, the analyst must provide reasonable assurance (file documentation) that the selection of a project alternative was not a discriminatory act. Coordination with the FHWA and Environmental Management Office (EMO) in highly controversial situations will aid in providing such assurance.

Title VIII guarantees each person equal opportunity in housing. The analyst, in working with District Relocation staff, can ensure that the Department complies with this law.

The analyst must also ensure that all aspects of the Civil Rights Acts have been addressed through additional coordination with the District Minority Programs Coordinator. Consultation with FHWA is necessary in situations where disproportionately high and adverse impacts affecting protected social groups are involved. The Central Environmental Management Office and District Minority Programs Coordinator should also be consulted. The files should be documented to show consideration of Title VI and Title VIII accordingly.

9-2.3.6.2 Documentation

The environmental document must provide the following documentation regarding civil rights:

1. Identification of social groups afforded protection under civil rights legislation;
2. Potential impacts to such groups;
3. Determination of effects;
4. Proposed mitigation; and
5. Records of involvement and consultation with such groups.

Finally, to document in the Type 2 CE, EA, EIS or SEIR that the project has fully considered impacts to minorities and other groups under the Civil Rights Acts of 1964 and 1968, the following standard statement must be included in this section of the document.

This project has been developed in accordance with the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1968.

It also addresses special considerations for developing mitigation strategies for civil rights impacts. Part 1, Chapter 8 provides a checklist for Title VI, Title VIII and ADA Compliance.

9-3 REFERENCES

1. U.S. Department of Transportation, Federal Highway Administration, October 30, 1987, Guidance for Preparing and Processing Environmental and Section 4(f) Documents, FHWA Technical Advisory T6640.8A.
2. U.S. Civil Rights Act of 1964.
3. U.S. Civil Rights Act of 1968.
4. Civil Rights Restoration Act of 1987.
5. National Environmental Policy Act of 1969 (NEPA).
6. Federal Aid Highway Act of 1970 (23 USC 109 (h)).
7. Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR 1500-1508).
8. Environmental Impact and Related Procedures (23 CFR 771).
9. U.S. Department of Transportation, Federal Highway Administration, 1990, Environmental Policy Statement.
10. U.S. Department of Transportation, Federal Highway Administration, 1994, Environmental Policy Statement.
11. U.S. Department of Transportation, Federal Highway Administration, April 1992, Position Paper: Secondary and Cumulative Impact Assessment in the Highway Project Development Process.
12. Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.
13. DOT Order 5610.2: Department of Transportation Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (April 1997).
14. DOT Order 6640.23: FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (December 1998).
15. Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA).
16. Transportation Equity Act for the 21st Century (TEA-21).
17. U.S. Department of Transportation, Federal Highway Administration, September 1996, Community Impact Assessment: A Quick Reference for Transportation.

18. Community Impact Assessment (CIA) Team, May 1997, Report of the Working Group on Community Impact Assessment, Public Involvement, and Environmental Justice.
19. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646 as amended by Public Law 100-17).
20. Letter, titled “Environmental Processing and the Conceptual Stage Relocation Plan” from James M. Tumlin, Assistant Division Administrator, Florida Division Office, Federal Highway Administration to J.C. Kraft, November 30, 1983.
21. Chapter 7, Section 11, “Acquisition of Rights-of-Way from Governmental Agencies”, Right of Way Manual.
22. Chapter 9, Section 1, “Right of Way Relocation Assistance Program”. Right of Way Manual.

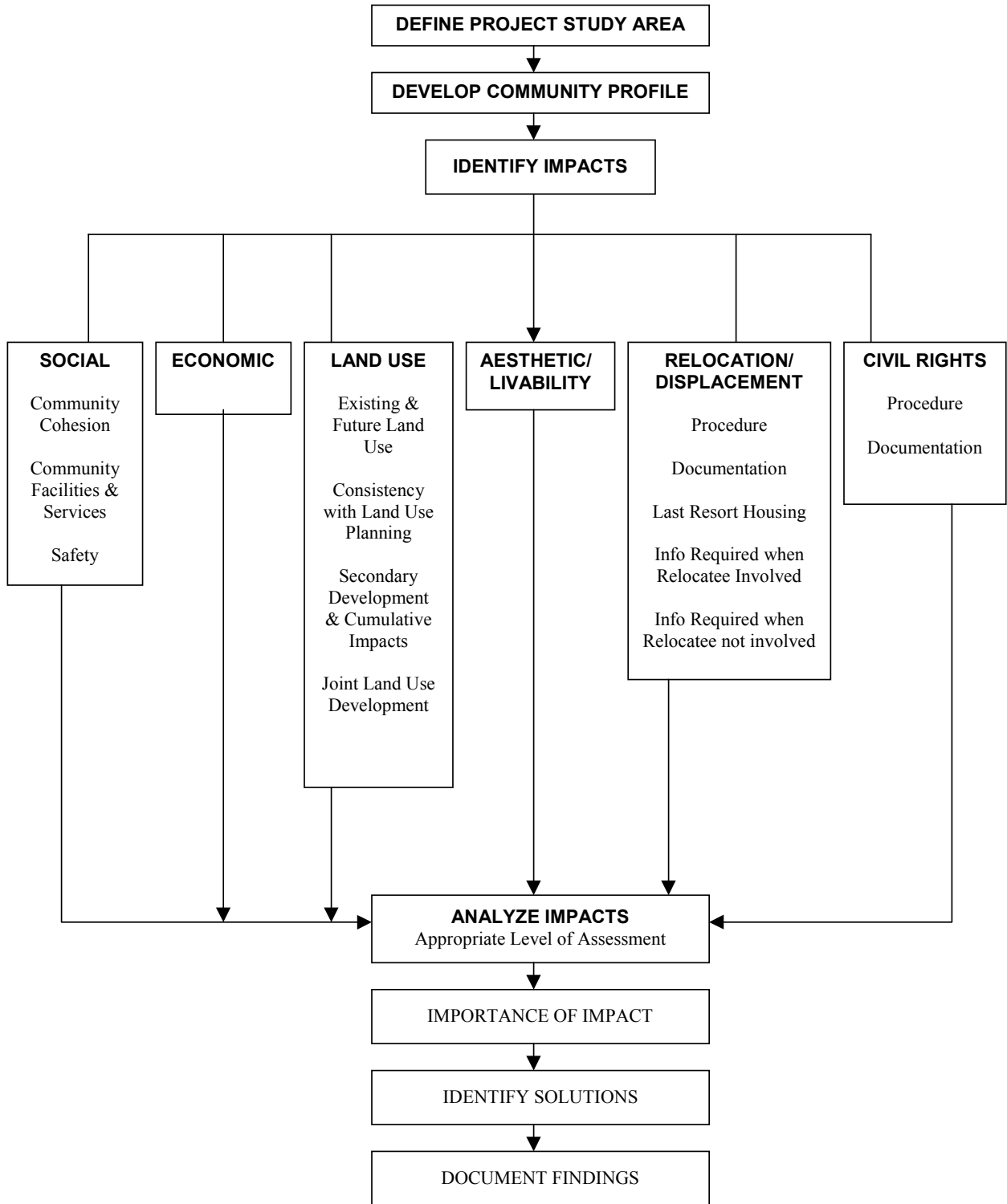


FIGURE 9.1 Community Impact Assessment Process Flow Chart

CIA RESPONSIBILITIES: FROM PLANNING THROUGH PROJECT IMPLEMENTATION

	PLANNING	PD&E	DESIGN, ROW, CONSTRUCTION, & MAINTENANCE
FDOT	<ul style="list-style-type: none"> ➤ Oversee MPO efforts ➤ Information Exchange ➤ Partnering/Assistance 	<ol style="list-style-type: none"> 1. Define the Study Area 2. Update/Expand the Community Profile 3. Assess/Analyze Impacts 4. Identify Strategies to Address Impacts 5. Document Findings <ul style="list-style-type: none"> ➤ Environmental Document ➤ Technical Reports ➤ Comments & Coordination Report (Public Involvement Report) 	Review the CIA documentation from prior planning or PD&E. Reassess if the project or community changes significantly.
MPO <i>FDOT in NON-MPO Areas</i>	<ol style="list-style-type: none"> 1. Define the Study Area 2. Develop the Community Profile <ul style="list-style-type: none"> ➤ Demographics ➤ Economy ➤ Facilities and Services ➤ Plans & Programs ➤ Vision & Values ➤ Land Use & Infrastructure ➤ Community Contacts 3. Identify/Analyze Issues & Concerns 4. Identify Strategies to Address Issues & Concerns 5. Document Findings <ul style="list-style-type: none"> ➤ Maps ➤ Data Sources ➤ PI Records ➤ Forms/Checklists 	<ul style="list-style-type: none"> ➤ Information Exchange ➤ Community Liaison 	<ul style="list-style-type: none"> ➤ Information Exchange ➤ Community Liaison
LOCAL GOVERNMENT	<ul style="list-style-type: none"> ➤ Comprehensive Plan Update ➤ Information Exchange 	<ul style="list-style-type: none"> ➤ Comprehensive Plan Updates ➤ Information Exchange 	<ul style="list-style-type: none"> ➤ Comprehensive Plan Updates ➤ Information Exchange

FIGURE 9.2 CIA Responsibilities: From Planning through Project Implementation