NARC Summary

U.S. Department of Transportation
Order to Address Environmental Justice in
Minority Populations and Low-Income Populations

The U.S. Department of Transportation (DOT) issued an updated Order to Address Environmental Justice in Minority Populations and Low-Income Populations on May 10, 2012. This order updated their original 1997 order and their more recently revised environmental justice (EJ) strategy (March, 2012). The directive follows the Memorandum of Understanding on Environmental Justice, which was signed by the heads of Federal agencies on August 4, 2011. Both initiatives stem from the Clinton Administration's 1994 Executive Order 12898, designed to focus Federal attention on the environmental and human health conditions in vulnerable populations. The DOT's newest revision supports its overarching goal to incorporate EJ principles in all departmental programs, policies, and activities in order to eliminate disproportionately high or adverse public health effects on minority or low-income populations. The order aims to prevent inequality by integrating EJ principles throughout all stages of Federal transportation planning and decision making.

The U.S. DOT strongly recommends metropolitan planning organizations (MPOs) take EJ and Title VI principles into account during the initial stages of transportation planning and decision making to avoid disproportionate or adverse effects on future developments. The U.S. DOT will deny Federal assistance to MPOs or planners whose projects exclude, discriminate against, or deny benefits to any person based on race, color or national origin. Low-income and minority populations must have access to public information regarding health risks and environmental impacts of projects and initiatives in their earliest phases, and input from all stakeholders will be considered when deciding between alternatives. The U.S. DOT will establish or expand procedures in order to ensure these populations are recognized; and also ask that MPOs integrate and document EJ principles into all transportation planning activities subject to the requirements of NEPA, Title VI, URA, SAFETEA-LU and other statutes that may allow for discrimination or misallocation. MPOs may only carry out actions that have an adverse effects on vulnerable populations if: 1) there exists a substantial need for the project based on overall public interest; 2) alternatives would have other adverse social, economic, environmental or human health impacts, or; 3) the actions do not involve increased costs of extraordinary magnitude. The U.S. DOT have included definitions in this latest order of the various populations, stakeholders, impacts, and other organizational terminology as further clarification for planners and decision makers.

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