Appendix C Annex O

Environmental Justice

Environmental Justice (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental, and commercial operations or policies. (https://www.epa.gov/environmentaljustice/learn-about-environmental-justice, accessed 01/2023).

EJ is institutionally significant because of Executive Order (EO) 12898 of 1994, EO 14008 of 2021 and the Department of Defense's Strategy on Environmental Justice of 1995. Federal agencies are to identify and address any disproportionately high and adverse human health or environmental effects of Federal actions to minority and/or low-income populations and to those populations challenged with environmental hazards. This resource is technically significant because the social and economic welfare of minority and low-income populations may be positively or adversely disproportionately impacted by the proposed actions. This resource is publicly significant because of public concerns about the fair and equitable treatment (fair treatment and meaningful involvement) of all people with respect to environmental and human health consequences of Federal laws, regulations, policies, and actions.

Below are other relevant Executive Orders and Memorandum related to Environmental Justice:

1. Executive Order 13985, Advancing Racial Equity and Support for Undeserved Communities through the Federal government dated 20 January 2021;

2. Executive Order 13990, Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis dated 20 January 2021;

3. Executive Order 14008, Tackling the Climate Crisis at Home and Abroad dated 27 January 2021; Office of Management and Budget Memorandum M-21-28;

4. Comprehensive Documentation of Benefits in Decision Document, January 5, 2021, Issued by the Assistant Secretary of the Army (Civil Works);

5. Indian Self-Determination and Education Assistance Act, as Amended (25 U.S. Code Chapter 46) SACW Subject; Implementation of Environmental Justice and the Justice40 Initiative 2;

6. Water Resources Development Act (WRDA) of 2020, December 27, 2020;

7. Interim Implementation Guidance for the Justice40 Initiatve, dated 20 July 2021; and Memorandum for Commanding General. U.S. Army Corps of Engineers Subject: Implementation of Environmental Justice and the Justice40 Initiate Dated 15 March 2022.

8. Executive Order 14096: Revitalizing Our Nation's Commitment to Environmental

Justice for All

Minority populations are those persons who identify themselves as Black, Hispanic, Asian American, American Indian/Alaskan Native, Pacific Islander, some other race, or a combination of two or more races. A minority population exists where the percentage of minorities in an affected area either exceeds 50 percent or is meaningfully greater than in the general population. Low-income populations as of 2020 are those whose income are $26,200 for a family of four and are identified using the Census Bureau's statistical poverty threshold. For the purpose of this study, a low-income population is defined as a geographic area, such as a census block group, exceeding Louisiana's 2020 low-income percentage of 19.6%. Minority and low-income populations, identified using the above thresholds, are considered area of EJ concern and an evaluation of the federal action impacts to areas of EJ concern is provided in this section.

Justice40

As per Executive order 14008, Tackling the Climate Crisis at Home and Abroad, Section 223, the Federal Government has made it a goal that 40 percent of the overall benefits of certain Federal investments flow to disadvantaged communities that are marginalized, underserved, and overburdened by pollution. This goal has been designated the Justice 40 Initiative. There are nine census tracks in St. Tammany Parish that have been identified as disadvantaged communities according to the Justice 40 criteria. Each of these communities qualify due to their low-income designation and the economic loss to building value resulting from natural hazards each year. Additionally, categories shared by some but not all these communities include barriers to transportation, unemployment, percent of adults with less than a high school diploma, high rates of heart disease, and projected flood risk. Forty-six percent of the benefits provided by the Slidell levee and floodwall system and sixty-eight percent of the benefits provided by the channel improvements in Mile Branch accrue to these disadvantaged communities. Four percent of the benefits provided by the nonstructural plan accrue to disadvantaged communities. The low percent of benefits under the non-structural plan is primarily due to community locations. Most of these communities are located either in northern areas of the parish that are not subject to frequent flooding or they are located in the parts of the parish that would benefit from the levee system in Slidell. The disadvantaged communities where nonstructural measures would be applied are in largely rural areas that are more sparsely developed and have lower flood risk. Overall, approximately 20 percent of the benefits provided by the Recommended Plan accrue to disadvantaged communities. For more information on the Justice40 Initiative and the percentage of overall benefits of the project going to disadvantaged communities in St. Tammany Parish, see Appendix F, Economics, Section 9.

Demographic indicators are often used as proxies for a community's health status and potential susceptibility to pollution. Environmental and demographic data and indicators may be viewed separately or in combination. The EJ indexes presented in Table 1 combines demographic data with environmental indicators and are presented as a percentile.

The EJSCREEN tool, developed by EPA, uses environmental indicators to help identify environmental risks to communities. EPA selected the following environmental indicators for use in the 2020 version of EJSCREEN:

1. Air pollution
   a. PM2.5 level in air.
   b. Ozone level in air.
   c. NATA air toxics:
      i. Diesel particulate matter level in air. Air toxics cancer risk.
      ii. Air toxics respiratory hazard index.
2. Traffic proximity and volume: Amount of vehicular traffic nearby, and distance from roads.
3. Lead paint indicator: Percentage of housing units built before 1960, as an indicator of potential exposure to lead.
4. Proximity to waste and hazardous chemical facilities or sites: Number of significant industrial facilities and/or hazardous waste sites nearby, and distance from those:
   a. National Priorities List (NPL) sites.
   b. Risk Management Plan (RMP) Facilities.
   c. Hazardous waste Treatment, Storage and Disposal Facilities (TSDFs).
5. Wastewater discharge indicator: Proximity to toxicity-weighted wastewater discharges

If an EJ area's exposure to the environmental indicators is above the 80th percentile in the state or the nation and the Federal action exacerbates any of those environmental risks, a potential disproportionate impact may occur. Specifically, a disproportionate impact occurs when a proposed project impacts a much higher percentage of minority and low-income populations than other communities located within the project area or when the benefits and impacts are not evenly distributed between EJ and non-EJ communities. According to EPA, Environmental Indicators above the 80th percentile in

the State or USA indicate that one could expect environmental concerns.

The EJ study area includes St. Tammany Parish. Environmental Indicators for St. Tammany Parish are presented in Table 1. None of the indexes in Table 1 are at or above the 80th percentile as compared to Louisiana or the USA. Much of the construction activities associated with the RP will not exacerbate environmental concerns as identified by EPA's EJSCREEN tool. Nonetheless, best management practices will be utilized to avoid, reduce, and contain temporary impacts to human health and safety.

Table 1
EJSCREEN Report (Version 2019)
County: St. Tammany Parish
LOUISIANA, EPA Region 6
Approximate Population: 249,201
Input Area (sq. miles): 1095.57

Selected Variables	Percentile in State	Percentile in EPA Region	Percentile in USA
EJ Indexes			
EJ Index for Particulate Matter (PM 2.5)	16	13	17
EJ Index for Ozone	14	13	21
EJ Index for NATA* Diesel PM	16	12	18
EJ Index for NATA* Air Toxics Cancer Risk	18	10	10
EJ Index for NATA* Respiratory Hazard Index	16	9	9
EJ Index for Traffic Proximity and Volume	13	10	20
EJ Index for Lead Paint Indicator	34	20	42
EJ Index for Superfund Proximity	3	2	7
EJ Index for RMP Proximity	22	18	25
EJ Index for Hazardous Waste Proximity	31	26	41
EJ Index for Wastewater Discharge Indicator	2	1	3

This report shows the values for environmental indicators and EJSCREEN indexes. It shows environmental raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the buffer area (in this case St. Tammany Parish, LA) compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports.

Table 2 is a summary table of the RP measures showing temporary, permanent impacts as well as any modifications made to these measures during the early part of the planning process. More information on the RP impacts to EJ areas of Concern are provided in the main report.

Table 2: Summary of RP Measure Impacts to Areas of EJ Concern

		EJ Impact Level			
Alternative	**EJ Community**	**Temporary Impacts**	**Permanent**	**Alignment Mod to reduce EJ impacts**	**Communities just outside of protection**
West and South Slidell Levee	Yes	Minor construction impacts	Major acquisition impacts, positive flood risk reductior	Yes, modifications were made based upon EJ impacts, resulting in most recent alignment.	EJ and non EJ communities outside of protection are part of the NS plan.
Mile Branch Channel Impr	Yes	Moderate construction impacts	Housing will be directly impacted because of acquisitions, along the proposed improvement.	Channel improvements and needed ROW have been modified to minimize impacts to housing and the human environment since the areas nearby are areas of EJ concern.	EJ community north of W 21st Ave, non EJ south. The main report EJ section describes the areas of EJ concern beneficially impacted by the Channel Improvement and identifies those who may not benefit from the improvement.
NS Plan	Yes	Potential impacts to EJ homeowners who volunteer to participate in the elevation program and cannot afford the temporary quarters during during elevation (about 2-3 months).	Potential impacts to EJ homeowners who volunteer to participate in the elevation program and cannot afford the costs associatec with structure elevation, such as asbestos roof removal and other ancillary costs to the home elevation positive flood risk reduction to homes	N/A	Structures part of the NS plan are outside of the protection provided by the West and South Slidell Levee and would be eligible to participate in the elevation program. Eligible structures are in both areas of EJ and non EJ concern. The main report EJ section discusses the proportion of eligible structures that are in EJ and non EJ areas and the mitigation of the elevation impact.