US Army Corps of Engineers®

Piat Place & Harding Ditch

Flood Hazard Analysis

(Floodplain Management Services - FPMS)

Appendix C – Environmental Justice

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Environmental justice (EJ) is defined as 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, with no group bearing a disproportionate burden of environmental harms and risks.

Several Executive Orders direct federal agencies to identify and address any disproportionately high adverse human health or environmental effects of federal actions to communities of color and/or populations with low income:

- Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 16, 1994)
- Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities through the Federal Government (January 20, 2021)
- Executive Order 13990: Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis (January 20, 2021)
- Executive Order 14008: Tackling the Climate Crisis at Home and Abroad (January 27, 2021)
- Executive Order 14096: Revitalizing Our Nation's Commitment to Environmental Justice for All (April 21, 2023)

Environmental justice concerns may arise from impacts on the chemical, biological, and physical environment, such as human health or ecological impacts on communities of color and/or populations with low-income, and Native American tribes or from related social or economic impacts. The Council of Environmental Quality (CEQ) guidance on conducting EJ analyses in NEPA documents (CEQ, 1997) and Promising Practices for EJ Methodologies in NEPA Reviews (CEQ, 2016) indicate that minority populations exist where the percentage of people of color in an affected area either exceeds 50 percent or is meaningfully greater than in the general population or other appropriate unit of geographic analysis. The CEQ guidance also recommends utilizing the Census Bureau's poverty measures in determining populations with low-income.

CEQ has developed a Climate and Economic Justice Screen Tool (CEJST) to identify disadvantaged communities and the categories of burden. The CEQ screen tool highlights disadvantaged census tracts across all 50 states, the District of Columbia, and the U.S. territories. Communities are considered disadvantaged if they 1) are in census tracts that meet the thresholds for at least one of the tool's categories of burden, or 2) are on land within the boundaries of Federally Recognized Tribes. The tool uses datasets as indicators of burdens. The burdens are organized into categories. A community is highlighted as disadvantaged on the CEJST map if it is in a census tract that is (1) at or above the threshold for one or more

environmental, climate, or other burdens, and (2) at or above the threshold for an associated socioeconomic burden.

Per Implementation Guidance of the Water Resources Development Act 2020, Section 160, an economically disadvantaged community is defined as meeting one or more of the following:

a. Low per capita income - The area has a per capita income of 80 percent or less of the national average;

b. Unemployment rate above national average - The area has an unemployment rate that is, for the most recent 24-month period for which data are available, at least 1 percent greater than the national average unemployment rate;

c. Indian country as defined in 18 U.S.C. 1151 or in the proximity of an Alaska Native Village;

d. U.S. Territories; or

e. Communities identified as disadvantaged by the Council on Environmental Quality's Climate and Economic Justice Screening Tool (USACE, Implementation Guidance for Section 160 of the Water Resources Development Act of 2020 dated 14 March 2023). (USACE, Implementation Guidance for Section 160 of the Water Resources, 2023)

Due to the limitations of this study, a full evaluation of EJ impacts was not conducted. However, an initial screening using the (USEPA, 2023) CEQ's CJEST (version 1.0) (CEQ, 2024) was used to determine that this study area does meet the criteria as a disadvantaged community. Per CJEST the study area is economically disadvantaged because it meets the following categories: climate change, energy, health, workforce development and low income. This information may aid in the development of applications for technical/financial resources for securing additional support for city officials to support their respective communities.

For this study, no construction will be included as a part of the immediate scope of work. The study will present alternatives to reduce flood risk within specific flood vulnerable geographies of Cahokia Heights and East St. Louis as they make future decisions for flood mitigation. The information pertaining to Environmental Justice as it relates specifically to this study area may be beneficial should city officials seek financial resource assistance to implement flood risk reduction measures. Flood mitigation projects identified in the study can be prioritized by the cities and added to the following for future funding consideration.

In fall 2023 Congresswoman Nikki Budzinski (IL-13th) and U.S. Senators Tammy Duckworth and Dick Durbin announced that the U.S. Environmental Protection Agency (USEPA) Region 5 appointed a coordinator for Cahokia Heights and the Metro East to support progress on flooding, sewage and drinking water challenges of Cahokia Heights and East St. Louis. Upon appointment of the USPEA Metro East Coordinator and extensive coordination with federal, state and local government a Funding Matrix has been created to serve as a comprehensive list of projects and funding sources / opportunities with emphasis on water infrastructure and

flood mitigation. The primary goal of this Matrix is to share funding and technical assistance opportunities that are open now or coming soon, that could be used to help address flooding, water and wastewater infrastructure and associated issues. The Matrix can be accessed at the following link: https://www.epa.gov/il/environmental-issues-illinois-cahokia-heights-and-metro-east-neighborhoods

The USEPA Metro East Coordinator is continuing collaboration with government agencies and continues to periodically update and share this information with the whole of government. While it is up to the cities to update projects, identify opportunities, deadlines and eligibility requirements a recurring monthly meeting forum exists that is facilitated by the Illinois Department of Natural Resources and entitled Metro East Flood Relief where federal, state and local officials meet on the 4th Thursday of each month to discuss grant and funding opportunities that have either been awarded, or are becoming available to help with flood mitigation and how this funding might best be utilized to target priority projects in Cahokia Heights and East St. Louis.

References

CEQ. (1997). *Economic Justice Guidance Under the National Environmental Policy Act.*

CEQ. (2024). Retrieved from Climate and Economic Justice Screening Tool v. 1.0: https://screeningtool.geoplatform.gov/en/#12.06/38.58843/-90.09418

USACE. (2023). *Implementation Guidance for Section 160 of the Water Resources.*

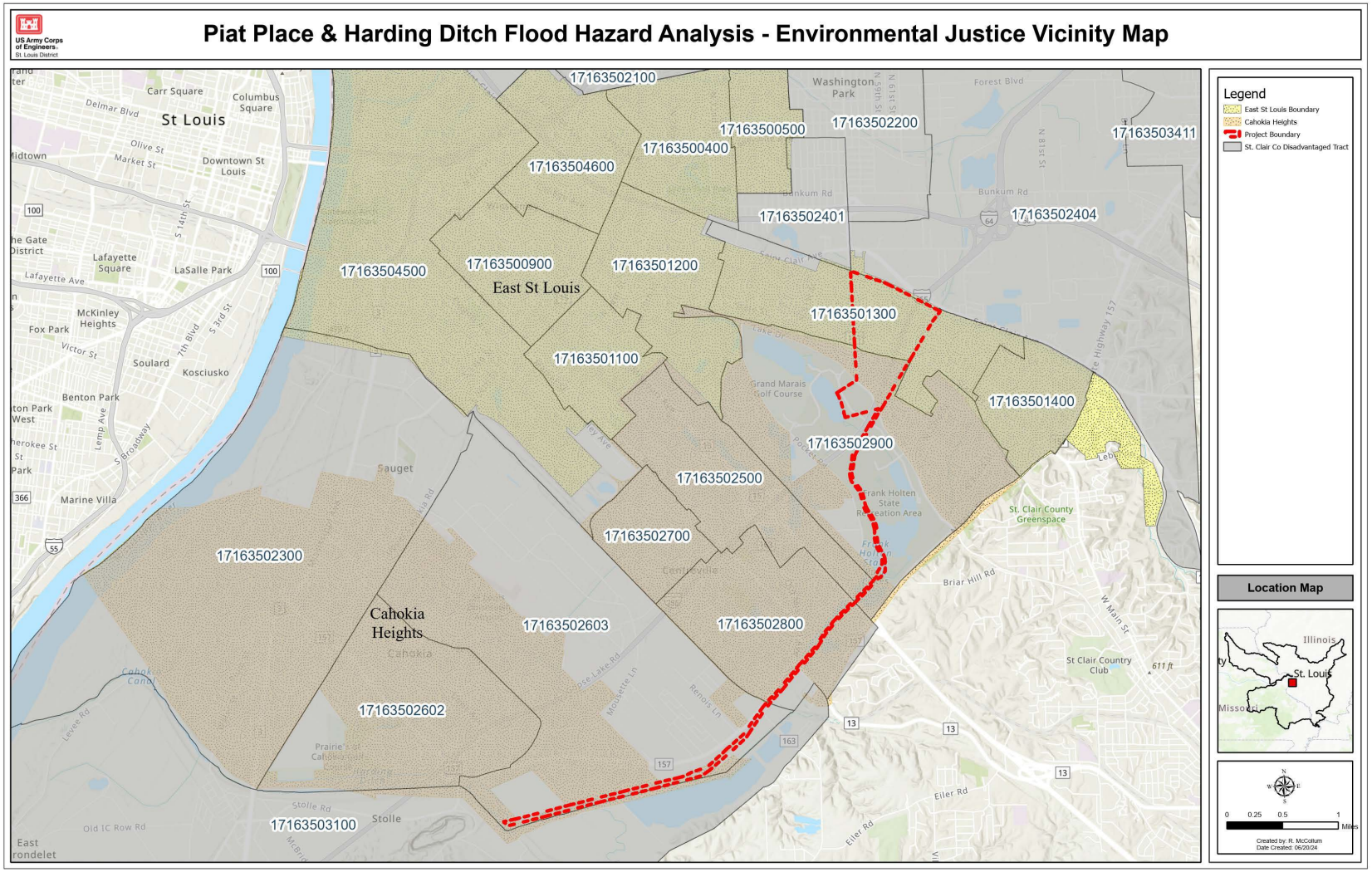

Figure B - 1: Census tracts designated as disadvantaged communities in CEJST

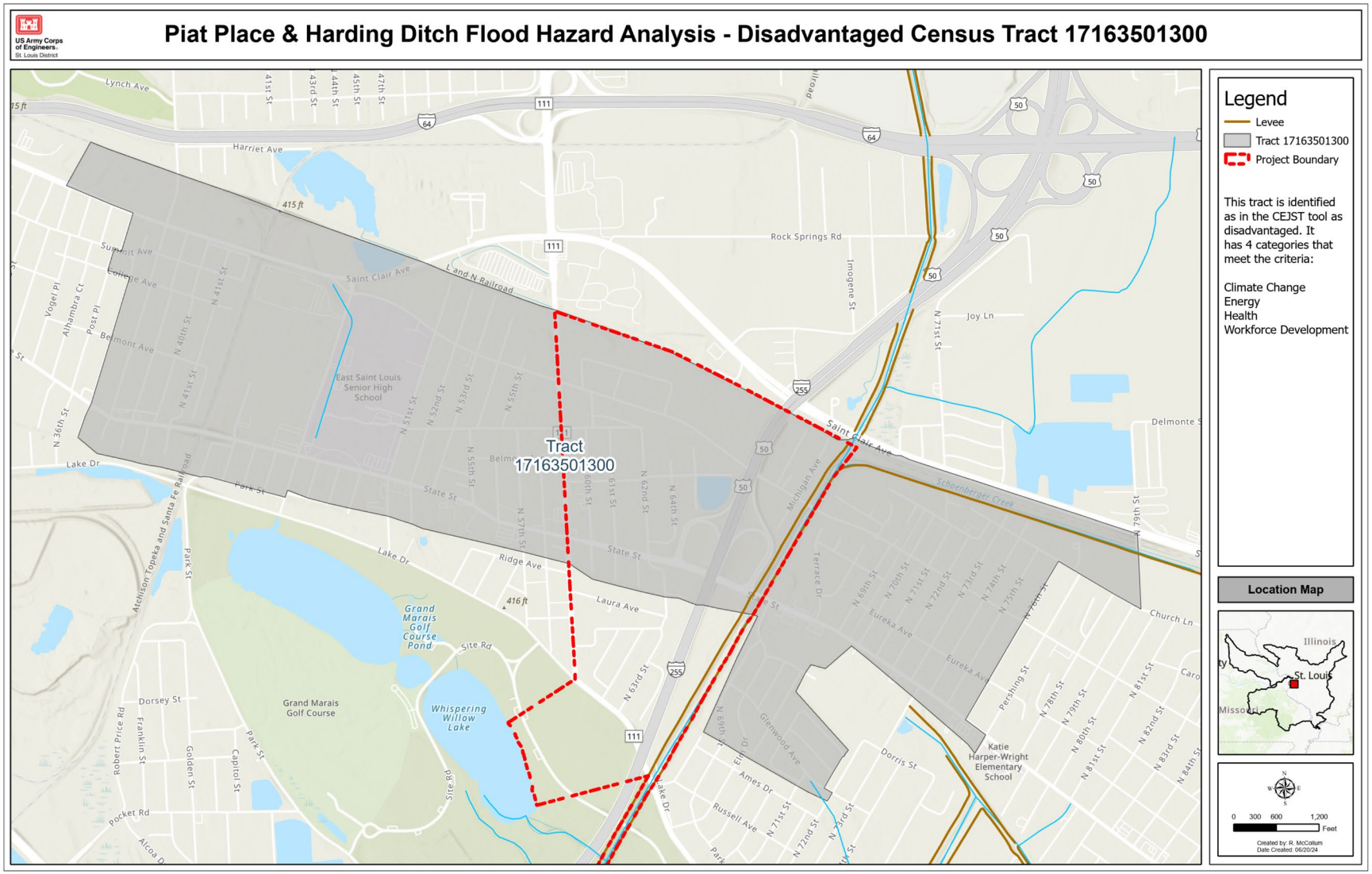

Figure B - 2: Census tract 17163501300 designated as disadvantaged community in CEJST

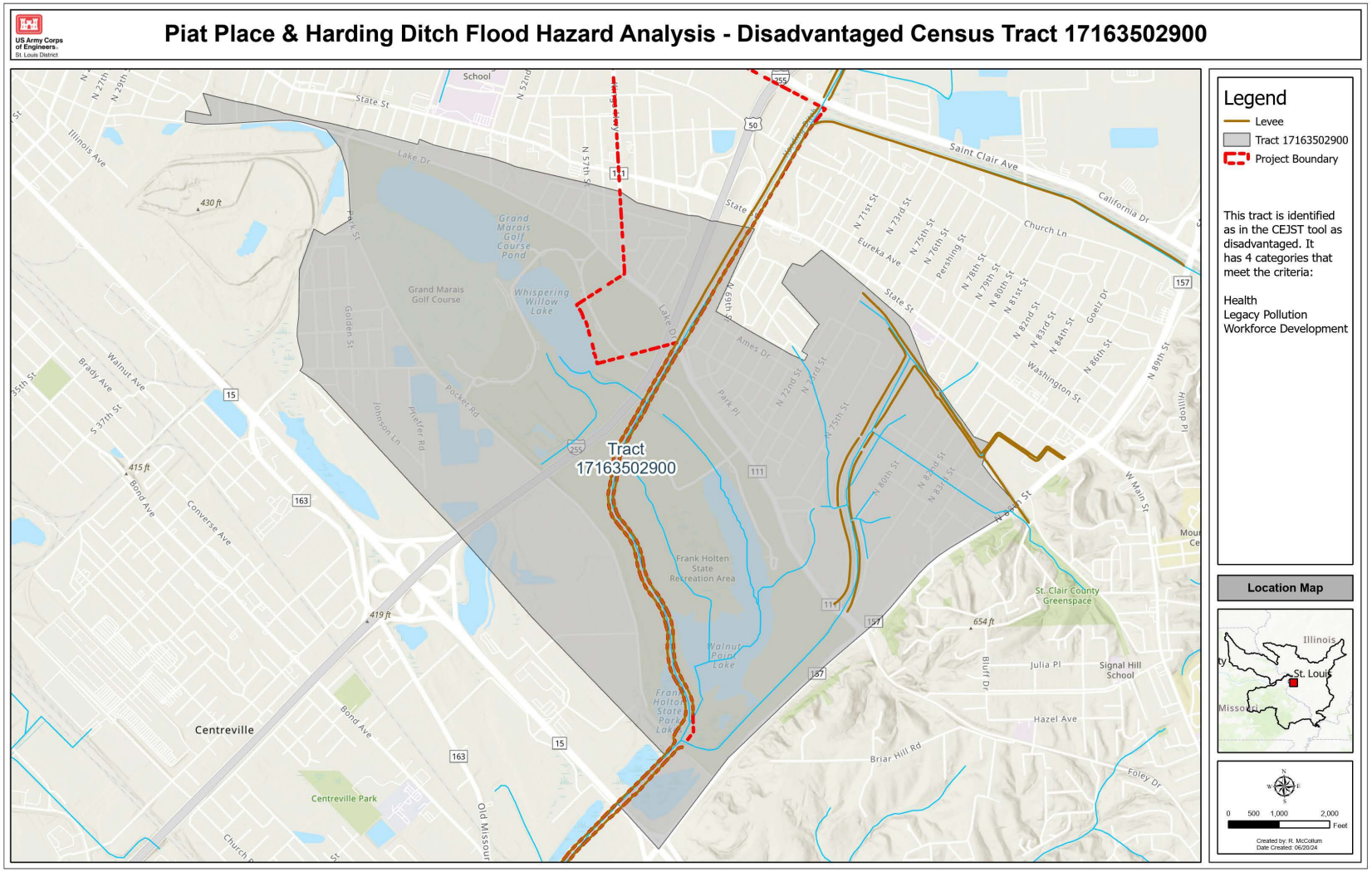

Figure B - 3: Census tract 17163502900 designated as disadvantaged community in CEJST