



COLORADO

Department of Transportation



Topic: EJ/Title VI
Date: June 1st 2021



COLORADO

Department of Transportation



ACEC

AMERICAN COUNCIL OF ENGINEERING COMPANIES



COLORADO

Department of Transportation

December	PEL
February	Water Quality/MS4
March	Cultural Resources
April	Visual
May	Wetlands and Wildlife
June	EJ/Public Involvement
July	FHWA/CEQ Regulations



COLORADO
Department of Transportation

Census 2020 Data





COLORADO
Department of Transportation

Section 508 Product Accessibility Testing



COLORADO
Governor's Office of
Information Technology
Serving people serving Colorado



COLORADO

Department of Transportation

CatEx Title VI/EJ Review



Colorado Department of Transportation NEPA DETERMINATION / PROJECT CERTIFICATION

A. PROJECT INFORMATION				Form:
Environmental Scoping Date:	Project #:	Subaccount #:	Related Subaccount #:	
Project Name:				
Project Description (and Location):				
Region:	CDOT Program/Residency:	Environmental PM:	FHWA Area Engineer:	
FHWA NEXUS	<input type="checkbox"/> Yes <input type="checkbox"/> No	Other Federal NEXUS:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Project Lead: <input type="checkbox"/> CDOT <input type="checkbox"/> Local Agency <input type="checkbox"/> Other
Class of Action:	<input type="checkbox"/> EIS/ROD <input type="checkbox"/> EA/FONSI <input type="checkbox"/> CatEx	Construction/Contracting Method:	<input type="checkbox"/> Design-Bid-Build <input type="checkbox"/> Design Build	
If CatEx, the project fits the following CE number:		<input type="checkbox"/> GM/GC <input type="checkbox"/> Other:		
B. THE NEPA PROCESS				
Resource Clearances		Revised Clearances		
<i>Check Box Only if Impacted</i>	Clearance Date	Revised Clearance date	Revised Clearance date	Revised Clearance date
Air Quality (hot spot analysis)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Noise	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hazmat - ISA/MESA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
T&E and State Listed Species	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wetland Delineation (Survey)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paleontology	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Archaeology	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
History	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



COLORADO
Department of Transportation

EJ Analysis vs Title VI Analysis

EJ (Disproportionately High Impact)	Title VI (Disparate Impact)
Low Income	Race
Minority	Color
	National Origin



COLORADO

Department of Transportation

Corpus Christi Case Study





COLORADO

Department of Transportation

Corpus Christi Case Study





COLORADO

Department of Transportation

Corpus Christi Case Study





COLORADO
Department of Transportation

Equity Analysis - Title VI

- FTA requires its recipients to complete an equity analysis when constructing facilities (including storage, maintenance and operation centers) to ensure site locations are selected without regard to race, color, or national origin (FTA Circular 4702.1B)
- Must occur during the planning stages prior to selection of a site
- Requires outreach to persons potentially impacted and an analysis of local census data
- If it is determined that the location of a facility will result in a disparate impact on the basis of race, color, or nation origin, then the project can only move forward if there is a substantial legitimate justification for the location and there are no alternative locations that would have a less disparate impact



COLORADO

Department of Transportation

Federal Executive Order

- EO: “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government” (issued January 20, 2021)
 - Federal agencies conducting equity assessment
 - Created Interagency Equitable Data Working Group
- FHWA reviewing Title VI program
- Likely some kind of update/guidance coming this year

Sec. 2. Definitions. For purposes of this order: (a) The term “equity” means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

(b) The term “underserved communities” refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the preceding definition of “equity.”



COLORADO

Department of Transportation

CO Senate Bill 260

A BILL FOR AN ACT

101 **CONCERNING THE SUSTAINABILITY OF THE TRANSPORTATION SYSTEM**
102 **IN COLORADO, AND, IN CONNECTION THEREWITH, CREATING**
103 **NEW SOURCES OF DEDICATED FUNDING AND NEW STATE**
104 **ENTERPRISES TO PRESERVE, IMPROVE, AND EXPAND EXISTING**
105 **TRANSPORTATION INFRASTRUCTURE, DEVELOP THE**
106 **MODERNIZED INFRASTRUCTURE NEEDED TO SUPPORT THE**
107 **WIDESPREAD ADOPTION OF ELECTRIC MOTOR VEHICLES, AND**
108 **MITIGATE ENVIRONMENTAL AND HEALTH IMPACTS OF**
109 **TRANSPORTATION SYSTEM USE; EXPANDING AUTHORITY FOR**
110 **REGIONAL TRANSPORTATION IMPROVEMENTS, AND MAKING AN**
111 **APPROPRIATION.**



COLORADO
Department of Transportation

CO Senate Bill 260 Section 20

EJ	Title VI	CO SB 260
Low Income	Race	Cost Burdened*
Minority	Color	Low Income
	National Origin	Minority

*"COST-BURDENED" MEANS A HOUSEHOLD THAT SPENDS MORE THAN THIRTY PERCENT OF ITS INCOME ON HOUSING