The environmental review, consultation, and other actions required by applicable federal environmental laws for these projects are being, or have been, carried out by ODOT pursuant to 23 U.S.C. 327 and a memorandum of understanding dated June 6, 2018, and executed by FHWA and ODOT.

Office of Environmental Services

July 2019
INTRODUCTION
The purpose of this guidance is to provide information on how to properly identify traditionally Underserved Populations (UPs) and appropriately engage them as part of the environmental process and public involvement activities. ODOT defines Underserved Populations as Minorities, Low-Income, Older Adults, Individuals with Disabilities, and Individuals with Limited English Proficiency. See Appendix A for legal requirements and definitions.

ODOT’s Underserved Populations Guidance has been revised to ensure ODOT is in compliance with Environmental Justice (EJ) and Title VI of the Civil Rights Act of 1964 (Title VI) laws, regulations, executive orders, and requirements. This also ensures that ODOT consider other traditionally underserved populations throughout the project development process. This guidance more clearly defines how to identify Underserved Populations and analyze impacts. ODOT District Environmental Staff and consultants must follow this guidance for all Categorical Exclusion (C1 through D3), Environmental Assessment (EA) and Environmental Impact Statement (EIS) environmental documents. Additionally, LPA projects receiving federal funds from ODOT that require the preparation of an environmental document must follow this guidance.

This guidance is the minimum required for ODOT’s projects. Minimum requirements are integrated into ODOT’s Project Development Process (PDP) to assure the appropriate level of engagement with Underserved Populations is conducted for each project. However, this does not mean that each project will only require the minimum level of effort. Each project is different and the approach must be commensurate with a project’s type, complexity, and potential for impacts. Following these minimum requirements ensures legal requirements are met and decision-making is enhanced.

INSTRUCTIONS
Instructions detailing how to identify Underserved Populations and the level of documentation required are included below.

Projects Exempt from Detailed Analysis (See Appendix B)
All C1 level projects, as defined in ODOT’s CE Guidance, are exempt from detailed analysis. Please consult ODOT’s Public Involvement (PI) Manual for additional PI considerations involving Underserved Populations. All environmental document levels above C1 level require a higher level of analysis.

Documentation Requirements by Environmental Document Level
C1 level projects: no mapping from TIMS is required to be uploaded to the project file. Minimum PI requirements per ODOT’s PI Manual should be followed.
C2 level projects: District environmental staff or their consultant must complete the “Underserved Populations Documentation Form for C2 Projects” (UP Form) included in Appendix C. Upload the form to the appropriate project file in EnviroNet (ODOT’s Online Environmental Documentation System) under Underserved Populations/Project Information/Underserved Populations Documentation Form and check Part of CE. Mapping of the Underserved Populations present within the proposed project or study area must be uploaded as a PDF document in EnviroNet under Underserved Populations/Project Information/Census Mapping. Follow the instructions in the “Identifying Underserved Populations” section of this guidance document (See page 4). Minimum PI requirements per ODOT’s PI Manual should be followed.
**D1 level and higher projects:** District environmental staff or their consultant must complete the Underserved Populations tab in EnviroNet. Based on the results of the answers on the UP Tab in EnviroNet, an Underserved Populations Impact Analysis Report (UPIAR) may be required. Follow the instructions in the “Preparing an UPIAR (if required)” section (See page 12). Minimum PI requirements per ODOT’s PI Manual should be followed. In addition to answering the questions in EnviroNet, census mapping is also required.

<table>
<thead>
<tr>
<th>Environmental Document Level</th>
<th>Underserved Population Documentation</th>
</tr>
</thead>
<tbody>
<tr>
<td>C1</td>
<td>None</td>
</tr>
<tr>
<td>C2</td>
<td>UP Form for C2 Projects, TIMS mapping</td>
</tr>
<tr>
<td>D1-D3</td>
<td>Complete UP tab, TIMS mapping, UPIAR if required</td>
</tr>
<tr>
<td>EA/EIS</td>
<td>UP section in EA/EIS, TIMS mapping, UPIAR if required</td>
</tr>
</tbody>
</table>

**Identifying Underserved Populations**

**ODOT requires** the use of ODOT’s Transportation Information Mapping System (TIMS) tool to obtain U.S. Census Data in order to identify whether or not Underserved Populations are present within the proposed project or study area. While this information is looked at collectively, the perspective of each unique Underserved Population Group is considered (i.e., EJ Populations, Title VI, etc). TIMS only includes the following search features/categories in the mapping tool: Minority and Low-Income Populations (EJ), Limited English Proficiency, and Older Adults. (Instructions for identifying Individuals with Disabilities is included below, immediately following the TIMS Instructions.) The block group data obtained for the specific project or study area must be uploaded to EnviroNet. Follow the steps below to use TIMS to obtain this data. See **Appendix D** for screen shots of the steps as well as how the final mapping should look when uploaded to EnviroNet. To use TIMS, first go to the link below: [https://gis.dot.state.oh.us/tims](https://gis.dot.state.oh.us/tims)

**Steps to Complete Mapping:**
1. Click on “Map Viewers”, then click “Environmental”.
2. In the Layers Box on the left hand side of the screen, click on “Projects”.
   a. Select “All Projects Points” and “All Projects Linear”.
3. Next, click on the “Filter Data” button in the blue ribbon above the Layers Box, then select “Filter by Attributes”.
4. In the section title “Where”, click on the first drop-down option and type in “PID”. Then select the option named “PID_NBR”.
   a. In the second drop-down option select “is”. In the third drop-down option type in the Project Identification Number (PID) for the project. Then click the “Search” button.
   b. If the system indicates that it is “Missing inputs for one or more filters”, go to the top of the Layers Box and in the “Select features from” drop-down, select “All Projects Linear”.
5. Click on the “Set Visible Layers” button in the blue ribbon above the Layers Box to return to the Layers. Click on “Projects” and un-select the “All Projects Points” and “All Projects Linear”.
6. Next, select “Demographic Indicators”.
7. Click on “Minority Population”, “Low-Income”, “Linguistically Isolated”, and “Over Age 64” to activate these layers.
8. Click on the “Identify Features” button in the blue ribbon at the top of the Layers Box.
9. Next, click on a blockgroup within the project area.
10. Scroll down in the Layers Box until the “% minority, % low-income, etc.” demographics are displayed.
11. Using either Print Screen or Snipping Tool, select the whole mapping area and include the Layers Box. Save the image as a PDF.

This map shall be made a PDF document and uploaded to the Project File in EnviroNet under Underserved Populations/Project Information/Census Mapping and check Part of CE. Only one map is required for a project.

**HUD or Section 8 Housing:**
Please use the HUD Resource Locator (https://resources.hud.gov/#main-menu) to determine if any HUD or Section 8 properties are located within the project area. Click on the “Find Affordable Housing Opportunities Near Me” button in the dialogue box. A search by city or address is available or you may choose to zoom into your project area.

**Individuals with Disabilities:**
One of the best ways to determine if there are individuals with disabilities that may be affected by your project is to reach out to stakeholders and public service entities in the area. They may be aware of individuals or groups with disabilities who may require special accommodations. Review the project area for signs of special accommodations/needs (such as wheelchair ramps, facilities that provide assistance to people with disabilities, signs that indicate there is a deaf child in the area, etc.). Also, be aware of any facilities in the area such as schools for the blind or deaf, assisted living facilities, etc.

Other data may be available from Metropolitan Planning Organizations (MPOs) or other agencies and can be used in the identification of Underserved Populations and assessment of impacts.

**Assessing Impacts to Underserved Populations**
Once Underserved Populations have been identified within the proposed project or study area, ODOT must make a determination regarding if those populations will be impacted by the proposed undertaking and, if so, how they will be impacted. Adverse impacts to Underserved Populations should be avoided, if at all possible. If it is not possible to avoid impacting these populations, every effort should be made to minimize and/or mitigate the impacts.

The questions provided in the Underserved Populations tab of EnviroNet are meant to aid in the assessment of whether the proposed project will have a disproportionately high and adverse effect on an Environmental Justice population, a disparate impact to a Title VI population, or an impact to any of the other Underserved Populations discussed in this guidance.

Underserved Populations must be included in the Public Involvement process and any comments or concerns must be considered, addressed, and documented. Below is detailed information on how to actively engage Underserved Populations during the PI process.

Minimum PI requirements per ODOT’s PI Manual should be followed, but additional outreach may be done, based on the nature of the project and impacts. The following outreach
methods may be used to aid in the assessment of whether adequate outreach has been done for the proposed project and whether potential effects on an Underserved Population have been considered.

- Gain Stakeholder Input - typical stakeholders may include but are not limited to:
  - Local officials and civic leaders
  - Social Service providers
  - Churches and religious organizations
  - Community Centers
  - Senior Centers
  - Assisted Living Communities
  - Transit Services
- Send Property Owner Notification Letters (PONL) to affected property owners and/or renters.
  - Reader-friendly format (6th grade level)
  - Large Font (14 pt or higher)
  - Translate to non-English languages (if applicable)
  - Include easy to understand graphics such as a map of the project area, detours, etc.
  - Right-of-Entry Letter (required by ODOT Office of Real Estate) and PONL may be combined as one letter but the required language for both must be included
  - Required NEPA Assignment Language must be included
- Post notifications and information at locations serving the affected community, such as:
  - Libraries
  - Parks
  - Community/Senior Centers
  - Social Service providers
  - Churches/Places of Worship
  - Schools
  - Laundromats
  - Food Pantries
  - Grocery/convenience stores
  - Gas stations
  - Transit centers/bus stops
- Work with religious leaders to announce information to their congregation
- Work with school officials to have information sent home with students
- Set up a table in a public location (library, grocery store, community fair, shopping mall, etc.) to hand out information and answer questions
- Community newspapers and non-English publications
- Translate materials into non-English languages
- Neighborhood canvassing and/or face-to-face meetings in LEP areas
  - Be sure community leaders are present to help disseminate information and lend credibility/trust
Addressing Impacts to Underserved Populations

Avoidance, minimization, and/or mitigation is required if disproportionately high and adverse effects will occur to an EJ population, if disparate impacts will occur to a Title VI population, or if there are any negative impacts (temporary or permanent) to any of the other Underserved Populations. When considering impacts and/or effects, keep in mind that the level of measures to address impacts and/or effects will depend on the context and intensity of the project, as well as common sense. If there are questions regarding impacts and/or effects on a project please contact OES-Policy Section for assistance. These measures must consider all affected populations to ensure the equitable distribution of benefits and burdens related to the project.

Avoidance

Every effort must be made to avoid impacting an Underserved Population, if possible. This may be achieved by selecting an alternative for the project that avoids impacting the Undeserved Population(s). If avoidance is not feasible, minimization and/or mitigation measures must be considered. At all times, ODOT must consider the circumstances impacting a community's mobility and connectivity.

Minimization/Mitigation

If ODOT determines negative impacts will occur to an Underserved Population (such as a disparate impact to a Title VI population or a disproportionately high and adverse effect to an EJ population, etc.), minimization and/or mitigation efforts must be taken. Examples of minimization/mitigation may include but are not limited to:

- Increased access to facilities/services (For instance, adding a bus stop, providing a sidewalk where one didn’t previously exist, etc.)
- Agreed upon enhancements to affected communities
- Restoration of connectivity that was previously lost
- Restoration of circulation and pedestrian patterns
- Replacement housing and/or relocation assistance, advisory services, and moving payments for displaced families and businesses, above what is already required as part of the Real Estate relocation process
- Aesthetic and visual improvements
- Traffic signalization and street lighting improvements
- Employment, training, and contracting opportunities
- Noise barriers and buffer zones
- Landscaping
- Improved safety by adding sidewalks, lighting, etc.

Additionally, if the project will impact public or Section 8 housing (HUD’s housing choice voucher program), coordination with HUD and with the Local Public Housing Authority or private entity that manages the property (e.g. Columbus Metropolitan Housing Authority) is required. The information to be coordinated shall include but is not limited to the following:

- Purpose and Need (P&N) Statement
- Project mapping
• Impacts to public or Section 8 housing (including measures to avoid, minimize, and mitigate impacts).

The coordination and results of coordination must all be documented in the appropriate project file in EnviroNet under Underserved Populations/Project Information/Correspondence with HUD.

An Underserved Populations Impact Analysis Report (UPIAR) must be completed if impacts will occur to public or Section 8 housing and the disputes cannot be resolved and/or if the answers to the questions in EnviroNet indicate one is required (see below).

Determine whether or not an UPIAR is required
Answer the questions in the Underserved Populations tab (see below) in EnviroNet. The answers to these questions will indicate whether or not an UPIAR is required. These questions represent the minimum level of analysis required and should not be used solely to determine if there will be any disproportionately high and adverse effects on EJ populations or disparate impacts on Title VI populations. The Underserved Populations tab remarks box must indicate impacts to each of the underserved populations.

Questions in the Underserved Populations Tab of EnviroNet
1. Are there any relocations?
   a. Are there residential relocations?
      i. Is Housing of Last Resort anticipated (determined by District Real Estate Office)? (NEPA managers can use Housing of Last Resort as an indication that residents in the project area may be low income and may require special outreach and coordination as specified in this guidance.)
         • If the answer to this question is Yes; an UPIAR is required.
   b. Are there business relocations?
      i. Will any businesses primarily serving an Underserved Population be relocated as part of the proposed project?
         • If the answer to this question is Yes; an UPIAR is required.

EXAMPLE: A daycare primarily serving minority and low-income families will be relocated.

   ii. Will there be any job loss for an Underserved Population as a result of the business relocation?
       • If the answer to this question is Yes; an UPIAR is required.

2. Will there be changes to access?
   a. Will access to shopping, bus stops, schools, jobs, recreational resources, community centers, etc. be diminished or completely restricted on a permanent basis, for an Underserved Population?
      i. If the answer to this question is Yes; an UPIAR is required.
      ii. If it is determined that a temporary access restriction is adverse; contact OES to determine if an UPIAR is required.
b. Will man-made dividers such as an overpass, bridge, 4-lane or greater roadway or railroad negatively impact the extent to which a community feels connected or cohesive for an Underserved Population?
   i. If the answer to this question is Yes; an UPIAR is required.

EXAMPLE: Closure of full movement intersection to right-in/right-out only intersection which separates residences from the rest of the village and its amenities
EXAMPLE: New roadway built with barrier installation which divides a community

EXAMPLE: Adding tolls in a low-income neighborhood
EXAMPLE: Relocating an access ramp from a low-income neighborhood which increases the time it takes to access the highway

3. Will the proposed project result in unanticipated additional impacts to any Underserved Populations?

EXAMPLE: Pedestrians or homes in closer proximity to traffic
EXAMPLE: Increase in distance for pedestrians to access frequently visited venues
EXAMPLE: Negative change in tax base or property values

4. Were any concerns related to impacts on Environmental Justice Populations or any other unique factors that could result in a disproportionately high and adverse effect raised during Public Involvement?
   a. If the answer to this question is Yes; an UPIAR is required.

EXAMPLE: Negative health and/or environmental impacts such as noise, air, water, vibration, community character, etc.
EXAMPLE: Possible removal of public housing, religious center, bus stop, etc.

5. Were any concerns related to impacts on Title VI Populations or any other unique factors that could result in a disparate impact raised during Public Involvement?
   a. If the answer to this question is Yes; an UPIAR is required.
EXAMPLE: Not providing translated materials or translators in a largely non-English speaking community

6. Were any concerns or any other unique factors that could result in an impact to any of the other Underserved Populations (Limited English Proficiency, Older Adults, or Individuals with Disabilities) raised during Public Involvement?
   a. If the answer to this question is Yes; an UPIAR is required.

EXAMPLE: Concerns over adding a roundabout in an area with a high percentage of Older Adults or individuals with Disabilities

After answering these questions, the system will automatically indicate whether or not an UPIAR is required. The remarks box in the Underserved Populations tab should discuss how UPs were actively engaged during the decision-making process as well as a summary of impacts. Additionally, if an UPIAR is not required, please add the following statement in the remarks box to record that there will be no disproportionately high and adverse effects to an Environmental Justice Population, and no disparate impacts to a Title VI Population:

The proposed project will have no disproportionately high and adverse effects to minority or low-income populations or disparate impacts to a Title VI population based upon the table above, the attached mapping, and the answers to the questions above. No concerns related to impacts on Environmental Justice or Title VI populations were raised as a result of public involvement activities conducted as part of the proposed project. Therefore, in accordance with the protections of Executive Order 12898, FHWA Order 6640.23A and Title VI of the Civil Rights Act of 1964, no further analysis is required.

Next, add the following statement in the remarks box of the environmental document to record that there will be no substantial impacts to any of the other Underserved Populations (Limited English Proficiency, Older Adults, and Individuals with Disabilities):

The proposed project will have no substantial impacts to Limited English Proficiency, Older Adults, and Individuals with Disabilities Populations based upon the table above, the attached mapping, and the answers to the questions above. No concerns related to impacts on these Underserved Populations were raised as a result of public involvement activities conducted as part of the proposed project. Therefore, in accordance with the protections of the Age Rehabilitation Act of 1973, Discrimination Act of 1975, Americans with Disabilities Act of 1990, and Executive Order 13166, no further analysis is required.

Next, add the following statement in the remarks box of the environmental document to record that an UPIAR is not required:

Based on the above findings an UPIAR is not required.

Then, upload the following documentation to the project file in EnviroNet under Underserved Populations/Project Information, if applicable (not every project will have this type of documentation):
- Potential impacts
- Outreach details
- Avoidance, minimization, and/or mitigation efforts

Then, upload the following documentation to the project file in EnviroNet under Public Involvement/Project Information, if applicable (not every project will have this type of documentation):
- Comments received
- Response to comments

Any documents uploaded to the project file must be discussed in the UP tab remarks box and referenced by name and location.

**Preparing an UPIAR (if required)**
If the EnviroNet system indicates an UPIAR is required for your project, please contact the ODOT-OES Policy Section, which will make the final determination regarding the level of UPIAR required. If this is a C2 level project, it is required to fill out the “Underserved Populations Documentation Form for C2 Projects”. Based on the answers to the questions in the form, if a UPIAR is required, please contact the ODOT-OES Policy Section, which will make the final determination regarding the level of UPIAR required.

An UPIAR is prepared to determine whether or not the project will have a disproportionately high and adverse effect to an EJ population, disparate impacts to a Title VI population, or impacts to any of the other Underserved Populations. It also documents avoidance, minimization, and mitigation measures.

Please note, depending on the context and intensity of the project, the UPIAR may be completed as an Inter-Office Communication (IOC), also referred to as a short report, or as a full report which includes a more detailed discussion of impacts. Each report will follow the format below. The sub-bullets include information that should be discussed under each heading, if applicable. Consult the OES-Policy Section to determine which format is appropriate for the project.
Outline for UPIARs

1. Project Description - the exact wording used in the environmental document
2. Purpose and Need Statement Summary - summarize the P&N that is included in the environmental document and reference the full P&N Statement
3. Underserved Populations in the Project Area - summarize the results of the efforts to identify Underserved Populations that may be impacted by the project
4. Underserved Populations Impacts Discussion
   a. Amount of temporary and/or permanent right-of-way to be acquired that would impact Underserved Populations
   b. Number of residential relocations
   c. Note if Housing of Last Resort is anticipated
   d. Number of business relocations
   e. Number of businesses primarily serving an Underserved Population
   f. Number of business relocations resulting in job loss for an Underserved Population
   g. Changes to access that could potentially restrict an Underserved Population from routinely visited venues (church, grocery, medical facilities, work, etc.)
   h. Unanticipated additional impacts to an Underserved Population that were identified during public involvement (increasing the amount of time it takes to access routinely visited venues, etc.)
   i. Changes in ability to access or use (due to cost, etc.) of transportation modes such as transit, vehicles, bike/pedestrian facilities, etc.
   j. Environmental impacts (noise, air, vibration, water quality, etc.)
   k. Positive outcomes and/or benefits to an Underserved Population as a result of the project
5. Public Involvement Summary
   a. Describe how Underserved Populations were included in the Public Involvement process
   b. State whether or not concerns related to impacts to Underserved Populations were raised during the Public Involvement process
   c. If concerns related to impacts to Underserved Populations were raised during Public Involvement, discuss these concerns and the responses provided
   d. Include concerns/comments and responses related to Underserved Populations in an Appendix
6. Discussion of Avoidance, Minimization, and Mitigation Measures
   a. Describe other alternatives and whether or not the impacts were different for each alternative (to show avoidance)
   b. Describe any mitigation or enhancement measures and include as environmental commitments
   c. Describe temporary impacts, access changes during construction, maintenance, etc.
7. Summary
   a. The summary should recap the report and include a final determination regarding whether or not the project will have a disproportionately high and adverse effect to an EJ population, a disparate impact to a Title VI population, and impacts to any other Underserved Populations. The summary must include justification for the determination, a summary of impacts, and positive outcomes.
Once completed, all UPIARs must be submitted to the ODOT-OES Policy Section for review and concurrence. If a Full UPIAR is required, it shall be uploaded to the project file in EnviroNet under Underserved Populations/Reports/Underserved Populations Impact Analysis. If a short report is required, it shall be uploaded to the project file in EnviroNet under Underserved Populations/Reports/Underserved Populations Impact Analysis - Short. Once it has been determined that the report meets all criteria, ODOT-OES Policy will upload the Approval IOC to EnviroNet under Underserved Populations/Coordination/OES Approval - Underserved Populations Impact Analysis Report. When the Approval IOC has been uploaded to EnviroNet by OES, the Underserved Populations identification and impact analysis process is complete.
Appendix A: Legal Requirements and Definitions

Executive Order 12898
This executive order directs each Federal agency to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities upon minority and low-income populations.

FHWA Order 6640.23A
This agency order defines a disproportionately high and adverse effect on a minority or low-income population as an adverse effect that is predominately borne by such populations or that will be suffered by the minority and/or low-income population and is appreciably more severe or greater in magnitude on the minority or low-income population than the adverse effect that will be suffered by the non-minority or non-low-income population.

Title VI of the Civil Rights Act of 1964
Title VI states that no person in the United States shall, on the ground 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.

Age Discrimination Act of 1975
This act states that no person shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity receiving federal financial assistance.

Section 504 of the Rehabilitation Act of 1973
This Act states that no individual with a disability shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. Amendments to this section can be found in the Rehabilitation, Comprehensive Services, and Development Disabilities Act of 1978.

Americans with Disabilities Act of 1990
This Act states that individuals with disabilities must be provided equal opportunity to participate in or benefit from public services, programs, and activities. The ADA prohibits discrimination and ensures equal opportunity for persons with disabilities.

Executive Order 13166
This Executive Order requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them.

Disproportionately High and Adverse Effect on Minority and Low-Income Populations is defined by FHWA Order 6640.23A as an adverse effect that:
1. is predominately borne by a minority population and/or a low-income population; or;
2. will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the nonminority population and/or non-low-income population.
**Adverse Effects** is defined by FHWA Order 6640.23A as the totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to: bodily impairment, infirmity, illness or death; air, noise, and water pollution and soil contamination; destruction or disruption of human-made or natural resources; destruction or diminution of aesthetic values; destruction or disruption of community cohesion or a community’s economic vitality; destruction or disruption of the availability of public and private facilities and services; vibration; adverse employment effects; displacement of persons, businesses, farms, or nonprofit organizations; increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community; and the denial of, reduction in, or significant delay in the receipt of, benefits of FHWA programs, policies, or activities.

**Disparate** is defined in the Title VI Legal Manual by the U.S. Department of Justice as an adverse effect of a policy or practice that falls disproportionately on a race, color, or national origin group; a discriminatory impact or effect as a result of either intentional discrimination (disparate treatment) or resulting of an action independent of any intent (disparate impact).

**Equity/Equitable** is defined by FHWA as seeking fairness in mobility and accessibility to meet the needs of all community members.

**Individuals with Disabilities** is defined by the United States Department of Justice as a physical or mental impairment that substantially limits one or more major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

**Low-income** is defined as: A median household income that is at or below the Department of Health and Human Services Poverty Guidelines. The guidelines are updated annually.

**Limited English Proficiency** is defined by the United States Department of Justice as Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English, otherwise known as limited English proficient, or “LEP.” These individuals may be entitled language assistance with respect to a particular type or service, benefit, or encounter.

**Minority** is defined by the Federal Highway Administration (FHWA): Black or African American, Hispanic, Asian American, American Indian and Alaskan Native, and Native Hawaiian or Other Pacific Islander.

**Older adults**, for purposes of this guidance, is defined as individuals over the age of 64 based on the search feature.

**Section 8 Housing** is the federal government’s housing choice voucher program for assisting very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market.
Appendix B: Projects Exempt from Detailed Analysis (C1 Level Projects)

The following projects are unlikely to adversely affect social resources. No further analysis is needed if the primary work activities meet one or more of the criteria listed below.

1. Activities which do not involve or lead directly to construction, such as planning and technical studies; grants for training; engineering to define the elements of a proposed action or alternatives so that social, economic, and environmental effects can be assessed; and Federal-aid system revisions which establish classes of highways on the Federal-aid highway system. Examples include:
   - Study type projects (i.e. feasibility studies, etc.).
   - Projects that utilize no federal monies or require no federal actions (State-funded actions only).*
   - Land donations to ODOT associated with ROW permits (non-NHS/non-Limited Access right-of-way). (Environmental Site Assessment issues will require coordination with ODOT-OES) (State-funded actions only).*
   - Early right-of-way acquisition in accordance with 23 CFR 710.501(e)**

2. Approval of utility installations along or across a transportation facility. Examples include:
   - Utility tower lighting and street lighting projects.

3. Construction of bicycle and pedestrian lanes, paths, and facilities. Examples include:
   - Walkways, sidewalks, shared-use paths, and facilities, small passenger shelters, (i.e. construction of a bike path on an existing railroad bed, designations of certain highways as bike routes, painting of existing paved shoulders as bike lanes, ADA ramps, etc.) provided that no new disturbance will occur.


5. Transfer of Federal lands pursuant to 23 U.S.C. 107(d) and/or 23 U.S.C. 317 when the land transfer is in support of an action that is not otherwise subject to FHWA review under NEPA.

6. The installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction. Examples include:
   - Maintenance and/or replacement of existing noise wall panels and/or posts

7. Landscaping. Examples include:
   - Herbicidal spraying,
   - Mowing or brush removal/trimming projects.
   - Beautification or facility improvement projects (i.e. landscaping, curb and gutter replacement, installation of park benches, decorative lighting, etc.).

* This is an example added for State administrative purposes only. Its inclusion in this list of examples does not mean that the action is a major Federal action subject to NEPA. It has been added to illustrate to State practitioners that this type of State-only action is similar to the type of actions associated with this CE.
8. Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur. Examples include:
   - The installation or maintenance of signs, pavement markings/raised pavement markers/sensors, traffic calming activities, and/or new or replacement fencing (right-of-way, vandal, etc.).
   - General pavement marking or “line painting” projects.

9. The following actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of the State and concurred in by the Secretary, or a disaster or emergency declared by the President pursuant to the Robert T. Stafford Act (42 U.S.C. 5121):
   a. Emergency repairs under 23 U.S.C. 125; and
   b. The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:
      i. Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and
      ii. Is commenced within a 2-year period beginning on the date of the declaration.

10. Acquisition of scenic easements. Examples include:
    - Conservation/mitigation easements and fee simple.
    - Land acquisition by a public agency/public park entity for passive recreational use.


12. Improvements to existing rest areas and truck weigh stations. Examples include:
    - Improvements to existing rest areas and weigh stations for minor maintenance (i.e. mill and resurfacing of existing parking areas). Projects involving major construction may require a higher level of documentation.
    - Truck stop electrification and construction/installation of alternative energy facilities (CNG, solar, etc.) at existing facilities

13. Ridesharing activities. Examples include:
    - Transportation corridor fringe parking facilities, park-and-ride lots and ridesharing activities


15. Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.
16. Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.

17. The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which themselves are within a CE. Examples include:
   - Purchase or conversion of vehicles to alternative fuel uses (CNG, E-85, etc.)

18. Track and railbed maintenance and improvements when carried out within the existing right-of-way. Examples include:
   - Track and railbed acquisition.

19. Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.

20. (Not applicable to ODOT)

21. Deployment of electronics, photonics, communications, or information processing used singly or in combination, or as components of a fully integrated system, to improve the efficiency or safety of a surface transportation system or to enhance security or passenger convenience. Examples include, but are not limited to, traffic control and detector devices, lane management systems, electronic payment equipment, automatic vehicle locaters, automated passenger counters, computer-aided dispatching systems, radio communications systems, dynamic message signs, and security equipment including surveillance and detection cameras on roadways and in transit facilities and on buses. Examples include:
   - Replacement of existing or installation of new traffic signals, flashing beacons, railroad warning devices and the installation of ITS system components
   - Upgrade of existing tower lighting to new technologies that ensure a lesser impact than the current system.
   - Implementation of other new safety or operations technologies (must be approved by OES).

22. Projects, as defined in 23 U.S.C. 101, which would take place entirely within the existing operational right-of-way. Existing operational right-of-way refers to right-of-way that has been disturbed for an existing transportation facility or is maintained for a transportation purpose. This area includes the features associated with the physical footprint of the transportation facility (including the roadway, bridges, interchanges, culverts, drainage, fixed guideways, mitigation areas, etc.) and other areas maintained for transportation purposes such as clear zone, traffic control signage, landscaping, any rest areas with direct access to a controlled access highway, areas maintained for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transit power substations, transit venting structures, and transit maintenance facilities. Portions of the right-of-way that have not been disturbed or that are not maintained for transportation purposes are not in the existing operational right-of-way. Examples include:
• Tower lighting within the existing operational right-of-way.
• Guardrail installation and replacement (including median cable barriers) where roadway ditches and back-slopes will not be relocated
• Improvements to existing ODOT/County maintenance facilities.
• Construction of new ODOT/County maintenance facilities within existing operational right-of-way.
• Environmental mitigation activities within existing operational right-of-way.
• Work on pedestrian and vehicle transfer structures and associated utilities, buildings, and terminals within existing operational right-of-way.
• Construction of alternative energy facilities (fuel tank farms, wind turbines, etc.)

23. Projects that receive less than $5,179,656.40 of Federal funds or with a total estimated cost of not more than $31,077,938.40 and with Federal funds that comprise less than 15 percent of the total estimated project cost.

24. Localized geotechnical and other investigations to provide information for preliminary design and for environmental analyses and permitting purposes, such as drilling test bores for soil sampling; archeological investigations for archeology resources assessment or similar survey; and wetland surveys. (This only applies to stand alone projects, not for environmental surveys being conducted as part of a project with an environmental document)

25. Environmental restoration and pollution abatement actions to minimize or mitigate the impacts of any existing transportation facility (including retrofitting and construction of storm water treatment systems to meet Federal and State requirements under sections 401 and 402 of the Federal Water Pollution Control Act (33 U.S.C. 1341; 1342)) carried out to address water pollution or environmental degradation. Examples include:
   • Related environmental mitigation activities (wetland, stream, upland, etc.).

26. Purchase, construction, replacement, or rehabilitation of ferry vessels (including improvements to ferry vessel safety, navigation, and security systems) that would not require a change in the function of the ferry terminals and can be accommodated by existing facilities or by new facilities which themselves are within a CE.

27. Rehabilitation or reconstruction of existing ferry facilities that occupy substantially the same geographic footprint, do not result in a change in their functional use, and do not result in a substantial increase in the existing facility’s capacity. Example actions include work on pedestrian and vehicle transfer structures and associated utilities, buildings, and terminals.
Appendix C: Underserved Populations Documentation Form for C2 Projects
The environmental review, consultation, and other actions by applicable Federal environmental laws for the project are being, or have been, carried-out by ODOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated June 6, 2018, and executed by FHWA and ODOT.

**Underserved Populations Documentation Form for C2 Projects (Rev. July 2019)**

1. Are there any relocations?
   
   a. Are there any residential relocations?
      
      i. Is housing of Last Resort anticipated?
         
      b. Are there business relocations?
         
         i. Will any businesses primarily serving an Underserved Population be relocated as part of the proposed project?
         
         ii. Will there be any job loss for an Underserved Population as a result of the business relocation?

2. Will there be changes to access?
   
   a. Will access to shopping, bus stops, schools, jobs, recreational resources, community centers, etc. be diminished or completely restricted on a permanent basis, for an Underserved Population?
The environmental review, consultation, and other actions by applicable Federal environmental laws for the project are being, or have been, carried-out by ODOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated June 6, 2018, and executed by FHWA and ODOT.

b. Will man-made dividers such an overpass, bridge, 4-lane or greater roadway or railroad negatively impact the extent to which a community feels connected or cohesive for an Underserved Population?

c. Will access to or use of the transportation improvement be denied to any Underserved Populations (for reasons such as cost to use, ability to access, etc.)?

3. Will the proposed project result in unanticipated additional impacts to any Underserved Populations?

4. Were any concerns related to impacts on Environmental Justice Populations or any other unique factors that could result in a disproportionately high and adverse effect raised during Public Involvement?

5. Were any concerns related to impacts on Title VI Populations or any other unique factors that could result in a disparate impact raised during Public Involvement?

6. Were any concerns or any other unique factors that could result in an impact to any of the other Underserved Populations (Limited English Proficiency, Older Adults, or Individuals with Disabilities) raised during Public Involvement?
Appendix D: TIMS Mapping Examples

Step 2

Step 3
Steps 9-10 (How mapping should be in EnviroNet)
Appendix E: Language Identification Chart
<table>
<thead>
<tr>
<th>Europe</th>
<th>Europe - continued</th>
<th>Pacific islands</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Albanian</strong></td>
<td><strong>Icelandic</strong></td>
<td><strong>Fijian</strong></td>
</tr>
<tr>
<td>Shqip</td>
<td>Íslenska</td>
<td>Vosa Vakaviti</td>
</tr>
<tr>
<td><strong>Armenian</strong></td>
<td><strong>Italian</strong></td>
<td><strong>Hokano</strong></td>
</tr>
<tr>
<td>Հայերեն</td>
<td>Italiano</td>
<td>Ilokamo</td>
</tr>
<tr>
<td>Դադավի մե բուժի եսլեր ես տիրեն. Պետականային օտորիտատները շարունակ են մեկանական իջեցի լսալությունը.</td>
<td></td>
<td>Indro yo ti tao yo. Ag swag da ti mafya nga manggaparapara nga tumulung kadakayo nga awan ti bayad na.</td>
</tr>
<tr>
<td><strong>Basque</strong></td>
<td><strong>Lithuanian</strong></td>
<td><strong>Indonesian</strong></td>
</tr>
<tr>
<td>Euskara</td>
<td>Lietuvių</td>
<td>Bahasa Indonesia</td>
</tr>
<tr>
<td><strong>Bosnian</strong></td>
<td><strong>Macedonian</strong></td>
<td><strong>Malay</strong></td>
</tr>
<tr>
<td>Bosanski</td>
<td>Македонски</td>
<td>Bahasa Melayu</td>
</tr>
<tr>
<td><strong>Bulgarian</strong></td>
<td><strong>Norwegian</strong></td>
<td><strong>Marshallese</strong></td>
</tr>
<tr>
<td>Български</td>
<td>Norsk</td>
<td>Kaajin Majol</td>
</tr>
<tr>
<td>Посочете вашата език. Ще бъдете включен в преводач</td>
<td>Pek på språket dit. Et tall vil bli tilkalt.</td>
<td>Kelele kaajin ko am. 1am emajin kaj jene am Re-Ukok.</td>
</tr>
<tr>
<td><strong>Croatian</strong></td>
<td><strong>Polish</strong></td>
<td><strong>Samoan</strong></td>
</tr>
<tr>
<td>Hrvatski</td>
<td>Polski</td>
<td>Fa’asamo’a</td>
</tr>
<tr>
<td><strong>Czech</strong></td>
<td><strong>Portuguese</strong></td>
<td><strong>Tagalog</strong></td>
</tr>
<tr>
<td>Čeština</td>
<td>Português</td>
<td>Tagalog</td>
</tr>
<tr>
<td><strong>Danish</strong></td>
<td><strong>Romanian</strong></td>
<td><strong>Tongan</strong></td>
</tr>
<tr>
<td>Dansk</td>
<td>Română</td>
<td>Lea Faka-Tonga</td>
</tr>
<tr>
<td>Pek på dit sprog. En folk vil blive tilkalt.</td>
<td>Indicați limbaj pe care o vorbiiți. Vi se va face legătura cu un interpreter care va fi așteptat gratuit.</td>
<td>Tubu’i tafo ho o lea fa’alosasa. 'E ti ha fa’akamanu.</td>
</tr>
<tr>
<td><strong>Dutch</strong></td>
<td><strong>Russian</strong></td>
<td><strong>North America, South America, and Caribbean</strong></td>
</tr>
<tr>
<td>Nederlands</td>
<td>Русский</td>
<td><strong>French</strong></td>
</tr>
<tr>
<td>Wijs uw taal aan. Er zal contact worden opgenomen met een doc.</td>
<td>Укажите язык, на котором вы говорите. Вам назначат переводчика.</td>
<td><strong>Haitian Creole</strong></td>
</tr>
<tr>
<td><strong>Estonian</strong></td>
<td><strong>Serbian</strong></td>
<td><strong>Kreyòl</strong></td>
</tr>
<tr>
<td>Eesti keel</td>
<td>Српски</td>
<td>Kreyòl</td>
</tr>
<tr>
<td><strong>Finnish</strong></td>
<td><strong>Slovak</strong></td>
<td><strong>Navajo</strong></td>
</tr>
<tr>
<td>Suomi</td>
<td>Slovenská</td>
<td>Diné Kelchi</td>
</tr>
<tr>
<td><strong>French</strong></td>
<td><strong>Spanish</strong></td>
<td><strong>Portuguese</strong></td>
</tr>
<tr>
<td>Français</td>
<td>Español</td>
<td>Português</td>
</tr>
<tr>
<td>Indiquez votre langue et nous appellerons un interprète. Le service est gratuit.</td>
<td>Señale su idioma y llamaremos a un intérprete. El servicio es gratuito.</td>
<td>Indique o seu idioma. Um intérprete será chamado.</td>
</tr>
<tr>
<td><strong>German</strong></td>
<td><strong>Swedish</strong></td>
<td><strong>Spanish</strong></td>
</tr>
<tr>
<td>Deutsch</td>
<td>Svenska</td>
<td>Español</td>
</tr>
<tr>
<td><strong>Greek</strong></td>
<td><strong>Ukrainian</strong></td>
<td><strong>Spanish</strong></td>
</tr>
<tr>
<td>Ελληνικά</td>
<td>Українська</td>
<td>Español</td>
</tr>
<tr>
<td>Σαβείτε τη γλώσσα σας και θα καλούνετε ένα διαμετρέτη. Ο διαμετρέτης σας θα παρέχει θρυλικά.</td>
<td>Вкажіть вашу мову. Вам виключно перекладача.</td>
<td>Indique su idioma y llamaremos a un intérprete. El servicio es gratuito.</td>
</tr>
<tr>
<td><strong>Hungarian</strong></td>
<td><strong>Yiddish</strong></td>
<td><strong>Spanish</strong></td>
</tr>
<tr>
<td>Magyar</td>
<td>יידיש</td>
<td>Español</td>
</tr>
</tbody>
</table>
References

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https://www.dol.gov/oasam/regs/statutes/age_act.htm

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https://www.eeoc.gov/eeoc/history/35th/1990s/ada.html

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https://www.sba.gov/offices/district/oh/cleveland

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Rehabilitation, Comprehensive Services, and Development Disabilities Act of 1978

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