

15 January 1997

Re: NEPA Call-In Technical Inquiry 0016 - Environmental Justice

Dear NEPA Call-In User:

This letter is in response to your January 7, 1997 request for information on GSA's policies related to environmental justice. NEPA Call-In understands you are scheduled to represent GSA at a meeting on environmental justice and you would like to obtain information regarding environmental justice and GSA's position.

Executive Order (EO) 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," dated February 11, 1994 (enclosed) indicates that "each Federal agency shall make achieving environmental justice part of its mission" by developing an environmental justice strategy. Section 1-103, Development of Agency Strategies," establishes a time line for agencies to follow in meeting this goal: "

(a)...each Federal agency shall develop an agency-wide environmental justice strategy...to, at a minimum: (1) promote enforcement of all health and environmental statutes in areas with minority populations and low-income populations; (2) ensure greater public participation; (3) improve research and data collection relating to the health of and environment of minority populations and low-income populations; and (4) identify differential patterns of consumption of natural resources among minority populations and low-income populations....

(b) within 4 months of the date of this order, each Federal agency shall identify an internal administrative process for developing its environmental justice strategy...

(c) within 6 months of the date of this order, each Federal agency shall provide...an outline of its proposed environmental justice strategy.

(d) within 10 months of the date of this order, each Federal agency shall provide...its proposed environmental justice strategy.

(e) by March 24, 1995, each Federal agency shall finalize its environmental justice strategy..."

Section 6-604 of this order indicates the term "Federal agency," for the purpose of the order, includes any agency on the Working Group (as defined in the order), and any other agencies designated by the President. The General Services Administration (GSA) is not an agency included in the Working Group referenced in the order.

To verify GSA is not a member of the Working Group, NEPA Call-In contacted the Office of Environmental Justice, and found no additional agencies were designated by the President. Therefore, the requirement of EO 12898 to develop an environmental justice strategy does not apply to GSA. The Environmental Justice office indicated that some agencies, not included in the Working Group of EO 12898, have voluntarily prepared Environmental Justice Strategies. However, to the Environmental Justice office's knowledge, GSA has not completed a strategy in response to this order.

NEPA Call-In then contacted GSA Real Estate, Environmental Attorney, who believes GSA did not have an environmental justice strategy. We then contacted the NEPA Call-In Program Manager, GSA, who confirmed GSA has no policy on environmental justice.

NEPA Call-In recommends you review the following documents which provide general information on environmental justice:

1. "Memorandum for the Heads of all Departments and Agencies on EO 12898," President Clinton, February 11, 1994. This document follows up on the Executive Order and lists statutory provisions that protect minority populations from disproportionately adverse environmental effects. These provisions include the Civil Rights Act, the National Environmental Policy Act, the Clean Air Act, and the Freedom of Information Act. This memorandum can be found on the NEPA Call-In Web Site at [www.gsa.gov/pbs/pt/call-in/nepa.htm](http://www.gsa.gov/pbs/pt/call-in/nepa.htm).
2. "EPA's Environmental Justice Strategy," Environmental Protection Agency (EPA), April 13, 1995. This report outlines EPA's goals for obtaining environmental justice. Their principles are: "1) Environmental justice begins and ends in our communities. EPA will work with communities through communication, partnership, research, and the public participation process. 2) EPA will help affected communities have access to information which will enable them to meaningfully participate in activities. 3) EPA will take a leadership and coordination role with other Federal agencies as an advocate of environmental justice." This document can also be found on the NEPA Call-In Web Site.

NEPA Call-In also obtained several background documents and guidelines on environmental justice. These enclosed documents are described below:

1. "Environmental Protection - Has It Been Fair?," EPA Journal, Vol. 18, No. 1, March/April 1992, 175N-92-001. This journal contains numerous articles on environmental justice. The topics covered include the history of the environmental justice issue, different types of environmental justice, the overall environmental movement, environmental equity efforts by grass-roots organizations, and the need for an environmental justice office and legislation. This journal provides an excellent summary of the development of the environmental justice movement.
2. "Interim Report of the Federal Facilities Environmental Restoration Dialogue Committee - Recommendations for Improving the Federal Facilities Environmental Restoration Decision-Making and Priority-Setting Processes," Federal Facilities Environmental Restoration Dialogue Committee, February 1993, also known as "The Keystone Report." It is a product of the "Keystone Group" consisting of representatives from environmental groups, labor unions, and Federal and state government. The group was created by EPA to work towards a consensus on Federal facility cleanup issues. This publication discusses the need for clean-up of Federal facilities. The recommendations focus on: a) improving the dissemination of federal facilities environmental restoration (FFER) related information (Section 2); b) improving stakeholder involvement in key FFER decisions (Section 3); and c) improving consultation on FFER funding decisions (Section 4). The committee also recommended the creation and use of site-specific advisory boards (SSABs) (discussed in Section 3) to involve the local community in the environmental decision-making process. The committee recognized the need for increased public

participation in the clean-up process, allowing the opinions of minority populations to be expressed.

3. "The Model Plan for Public Participation," National Environmental Justice Advisory Council, November 1996, produced by the Public Participation and Accountability Subcommittee. This publication discusses public participation and suggested methods for incorporating public participation in environmental decision making. It also includes an "Environmental Justice Public Participation Checklist for Government Agencies."

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Sincerely,

(Original Signed)

NEPA Call-In Researcher