



Environmental Justice
Annual Implementation Progress Report
FY 2015

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I. Introduction

On February 11, 1994, President William Jefferson Clinton issued Executive Order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, requiring each covered agency to “make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.” Although the U.S. Department of Homeland Security (DHS) did not exist in 1994 and is thus not an agency expressly included in the EO, in August 2011, DHS joined sixteen other federal agencies in signing a *Memorandum of Understanding on Environmental Justice and EO 12898* (EJ MOU),¹ agreeing to make achieving environmental justice part of its mission.

In accordance with EO 12898 and the EJ MOU, DHS has undertaken a number of commitments to further the aims of environmental justice, including publication of an agency-wide Environmental Justice Strategy (DHS EJ Strategy)² and annual progress reports on its implementation.³ DHS is a member of the EPA-sponsored Federal Environmental Justice Interagency Working Group (EJIWG), and facilitates an internal DHS Environmental Justice Working Group (EJWG). The DHS EJWG is co-chaired by the DHS Sustainability and Environmental Programs office (SEP) within the Office of the Chief Readiness Support Officer (OCRSO), and the DHS Office for Civil Rights and Civil Liberties (CRCL).

As explained more fully in the DHS EJ Strategy, the Department approaches environmental justice through the missions and general strategic framework set forth in the 2014 Quadrennial Homeland Security Review (QHSR), which guides the activities of the homeland security enterprise, including those of the Department.⁴ Environmental justice considerations can arise within four of the QHSR’s five homeland security missions: Prevent terrorism and enhance security; enforce immigration laws, secure and manage our borders; and strengthen national preparedness and resilience; as well as all of the strategic priorities. This report summarizes the Department’s progress toward achieving the goals of EO 12898 during fiscal year (FY) 2015.

¹ The EJ MOU is available at <http://www.epa.gov/environmentaljustice/resources/publications/interagency/ej-mou-2011-08.pdf>. Concurrently with the MOU, the participating agencies issued a *Charter for the Interagency Working Group on Environmental Justice*, available at <http://www.epa.gov/environmentaljustice/resources/publications/interagency/iwg-charter-2011.pdf>.

² Department of Homeland Security, *Environmental Justice Strategy* (February 2012), available at <http://www.dhs.gov/xlibrary/assets/mgmt/dhs-environmental-justice-strategy.pdf>.

³ Department of Homeland Security, *Environmental Justice Annual Implementation Progress Report* for the periods FY 2011, FY 2012, FY 2013, and FY 2014 available at <https://www.dhs.gov/dhs-environmental-justice-strategy>.

⁴ Department of Homeland Security, *Quadrennial Homeland Security Review Report: A Strategic Framework for a Secure Homeland* (June 2014), available at <http://www.dhs.gov/publication/2014-quadrennial-homeland-security-review-qhsr>.

II. Implementing Commitments of the EJ MOU

Introduction

In FY 2015, DHS, as an active member of the EJIWG, worked to advance the integration of the principles of environmental justice throughout all levels of government. The EJIWG, chaired by the U.S. Environmental Protection Agency (EPA) Administrator Gina McCarthy with representatives from 17 federal agencies and the White House, played a key role in creating healthy and sustainable communities—a key environmental justice priority—by providing federal leadership, guidance, and support in the following areas:

- Coordinating federal agency efforts that address the environmental, social, economic, and public health burdens in minority, low-income, indigenous, and tribal communities;
- Implementing environmental justice policies;
- Focusing federal resources and technical assistance to address disproportionate health and environmental impacts; and
- Assisting communities with building the capacity to promote and implement innovative and comprehensive solutions to environmental justice issues.

In FY 2015, the EJIWG also focused on strengthening its organizational structure, beginning with revising the 2011 Committee Charter. The Charter revisions included formalizing the EJIWG governance structure, adding a requirement for agency senior leadership to meet twice a year, and institutionalizing through FY 2018 the following existing committees:

- Native Americans/Indigenous Peoples
- Rural Communities
- Impacts from Climate Change
- Impacts from Commercial Transportation (Goods Movement)
- National Environmental Policy Act

DHS furthered its role in advancing environmental justice and emerged as leader on a number of fronts by playing a key role in the following EJIWG accomplishments:

- *FY 2016–2018 EJIWG Framework for Collaboration.*⁵ DHS, in collaboration with agency partners, developed the first ever draft Framework, which builds on decades of environmental justice work and defines the path forward for federal agencies to advance the commitments and principles of EO 12898 and the EJ MOU. DHS also served as the subject matter expert on the environmental justice implications of goods movement during three public webinars focused on seeking comments on the Framework.
- Educate, Motivate, and Innovate (EMI) Climate Justice Youth Leadership Initiative. DHS is a founding member of the federal team launching the EMI Climate Justice Youth Leadership Initiative announced by President Obama in June 2015. During the 2016

⁵ The FY 2016–2018 EJIWG Framework for Collaboration is available at: <http://www3.epa.gov/environmentaljustice/interagency/index.html>.

National Environmental Justice Conference, the EMI Initiative will showcase innovative climate justice projects from students attending Minority Serving Institutions (MSIs) across the country.

Focus Area 1: Implementation of the National Environmental Policy Act

The Secretary delegated authority to lead the Department's implementation of the National Environmental Policy Act (NEPA) to the Under Secretary for Management, who in turn delegated this authority to the Chief Readiness Support Office (CRSO). DHS NEPA implementing procedures contained in DHS Directive 023-01, *Environmental Planning Program*,⁶ require the Department follow guidance issued by the Council on Environmental Quality (CEQ) to identify potential environmental justice issues when conducting the review of proposed actions.

In addition to implementing the Department's NEPA process, OCRSO actively participates in the NEPA Committee of the EJIWG. The NEPA Committee seeks to improve the effective, efficient, and consistent consideration of environmental justice issues in the NEPA process through the sharing of best practices; lessons learned; research; analysis; training; consultation; and other experiences of federal NEPA practitioners. In May 2015, the NEPA Committee completed and released to the EJIWG the *Draft Report on Promising Practices for EJ Methodologies in NEPA Reviews*. The Draft Report—a compilation of methodologies gleaned from current agency practices—addresses the nexus between the NEPA process and environmental justice. In addition, it provides federal practitioners with a framework for meaningful engagement, developing and selecting alternatives, and identifying minority and low-income populations during the NEPA process. The EJIWG plans to complete and post the final report to www.epa.gov in FY 2016.

Focus Area 2: Implementation of Title VI of the Civil Rights Act of 1964, as amended

Title VI of the Civil Rights Act of 1964 (“Title VI”) prohibits race, color, and national origin discrimination by recipients of financial assistance from DHS. Environmental justice issues may arise in programs and activities supported through federal financial assistance. In those circumstances, Title VI is an important tool for addressing those concerns. By delegation from the Secretary and through regulations at 6 CFR Part 21, CRCL leads the Department's compliance and enforcement program to ensure that its federally assisted programs, including those that affect human health or the environment, comply with Title VI and the Department's implementing regulations.

Title VI, through its prohibition against national origin discrimination, also requires recipients of DHS financial assistance to take reasonable steps to provide meaningful access to its programs and activities for limited English proficient (LEP) persons.⁷ LEP persons (i.e., those who have a

⁶ Department of Homeland Security “*Directive and Instruction 023-01, Environmental Planning Program*” <http://www.dhs.gov/national-environmental-policy-act> .

⁷ DHS published in the Federal Register on April 18, 2011, “*Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons.*”

limited ability to speak, read, write, or understand English), may also be a part of low-income or minority communities that are subject to disproportionately high and adverse environmental effects. In carrying out the enforcement of Title VI, it is critical for DHS to identify the intersection with environmental justice and educate recipients on fulfilling their language access obligations. Integrating LEP persons into environmental justice efforts, such as through multilingual outreach and the regular use of competent interpreters at meetings and in other interactions, supports environmental justice goals and Title VI compliance.

Civil rights data collection tool. In FY 2015, CRCL continued to develop and oversee the DHS-wide Title VI compliance program. Major activities included further development of a standard civil rights assurance and data collection process and tool for recipients of DHS grants and other types of federal financial assistance. Once fully implemented, entities receiving financial assistance will be required to submit data and information on civil rights complaints made against them, including complaints that raise environmental justice concerns, and their policies and procedures to fulfill various civil rights obligations. CRCL anticipates implementing the new tool and process in FY 2016.

Other FY 2015 efforts related to Title VI include:

- **Technical assistance to recipients.** CRCL provided targeted technical assistance to recipients of financial assistance on fulfilling their civil rights obligations, including procedures for reporting complaints of discrimination to the Department.
- **Outreach to the public on federal nondiscrimination laws.** A key aspect of ensuring compliance with federal civil rights laws is providing information to the public on their rights. To this end, CRCL carried out the following activities to inform the public of their rights under these laws and resources available to them:
 - **Participation in community engagement roundtables.** CRCL communicates regularly with individuals and communities whose civil rights and civil liberties may be affected by the Department's conducted or assisted programs and activities, and informs them of policies and avenues of redress. One unique mechanism that CRCL employs in engaging stakeholders is the Community Roundtable Model. Community engagement roundtables provide individuals and community leaders with an opportunity to interface routinely and directly with DHS and other federal, state, and local partners on issues most important to them, including concerns that arise out of DHS conducted and assisted activities. Roundtables are held quarterly in cities throughout the country, and are hosted by federal agencies and community organizations on an alternating basis. Information gathered at roundtables can play a vital role in helping to inform policy decisions and compliance activities, and improve the effectiveness of policies and programs.
 - **Resources and information on CRCL website.** The CRCL webpages contain information on the Title VI compliance program, language access, disability policy, and environmental justice. In FY 2015, CRCL undertook an update of the public-facing language access webpage to consolidate and centralize key information on Department language access policy, plans and resources for the public. CRCL

anticipates launching the updated webpage in FY 2016, which will include a companion page dedicated to multilingual resources.

- **Federal interagency coordination on Title VI.** DHS is an active participant on the Title VI Committee of the EJIWG. In addition, CRCL participates on the Title VI Interagency Working Group and co-chairs the Committee on Coordination and Information Sharing that facilitates information sharing and development of tools and resources to advance coordination on Title VI compliance and enforcement matters.

Federal Emergency Management Agency (FEMA)

- FEMA's Office of Equal Rights (OER) has Title VI responsibility for ensuring the Agency's response to environmental justice mandates in Agency and recipient projects. In coordination with other Agency program offices, including Office of Environmental Planning and Historic Preservation (OEHP), OER reviews issues from project activities and develops policy for the implementation of environmental justice concepts. In addition, OER addresses all discrimination complaints that develop from project activities.

Focus Area 3: Impacts from Climate Change

DHS identified climate change as a strategic priority in its mission to prevent, protect against, mitigate, respond to, and recover from threats and hazards, as well as to build in security, ensure resilience, and facilitate customs and exchange. The QHSR states, "Natural hazards are becoming more costly to address, with increasingly variable consequences due in part to drivers such as climate change and interdependent and aging infrastructure." Accordingly, DHS has advanced a number of climate change initiatives within headquarters offices and operational components in support of the *DHS Climate Action Plan* (September 2013) and *Climate Action Plan Addendum* (June 2014), which further elaborate on the Department's climate change efforts.⁸

In FY 2015, DHS reorganized governance and oversight of climate change adaptation and resilience within the Department. The Deputy Under Secretary for Management and Chief Readiness Support Officer lead an Executive Steering Committee (ESC) comprising representatives from all DHS components and headquarters offices with climate related equities. The ESC drives the development of Departmental guidance and establishment of priorities for climate change adaptation and resiliency planning. As the co-lead of the Department's environmental justice program, the OCSRO assures that consideration of vulnerable communities remains a top priority in the Department's climate change efforts. In addition, DHS is an active member of the newly established Federal Environmental Justice Interagency Climate Change Committee, which facilitates collaboration among the Federal Government and communities with climate change related environmental justice concerns.

Other FY 2015 accomplishments related to climate change include:

⁸ The DHS Climate Action Plan and Climate Action Plan Addendum are located at <https://www.dhs.gov/publication/sustainability-performance-plan>.

DHS Flood Management Plan. In response to the issuance of EO 13690, *Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input* on January 30, 2015,⁹ the Department drafted the DHS Flood Management Plan. The Plan translates EO 13690 into specific actions that the Department will implement to improve the nation’s resilience to flooding and better prepare the United States for the impacts of climate change. FEMA’s Floodplain Management Branch within the Federal Insurance and Mitigation Administration provides tools and resources to help communities navigate the National Flood Insurance Program requirements and implement higher standards of floodplain management. Moreover, the National Protection and Programs Directorate (NPPD) Office of Infrastructure Protection supports the critical infrastructure stakeholder community by identifying and sharing best practices; enhancing awareness and understanding of common risks and mitigation strategies; and promoting national level education and training. The Plan reinforces the Department’s commitment to an open, collaborative, and stakeholder-focused process in implementing the Flood Standard.

NPPD

- In July 2015, NPPD Office of Infrastructure Protection Deputy Assistant Secretary Robert Kolasky testified on climate change before the Committee on Homeland Security’s Subcommittee on Oversight and Management Efficiency, United States House of Representatives. The testimony highlighted community engagement efforts in Charleston, South Carolina, an area that includes minority and low-income communities. In particular Mr. Kolasky stated, “We have partnered with the newly formed Charleston Resilience Network in Charleston, SC [South Carolina] to help the region take action to address chronic and long-term hazards.... The stakeholders in Charleston don’t dispute the rainfall, the flooding, the sea-level rise, the continuing chronic and persistent threats they are seeing now and will continue to see. Instead, they are taking action. They are improving their storm water management systems, and now based on the work we performed in the area, they have launched a public-private partnership to address chronic and episodic hazards.... We are doing what we can to support them in these initiatives, while recognizing that this is ... a component of our overall mission.”¹⁰

Focus Area 4: Impacts from Commercial Transportation and Supporting Infrastructure

In its role as protector of the nation’s borders and the grantor of bridge permits, DHS is instrumental in the movement of goods. In FY 2015, DHS assumed the role of Chair of the EJIWG Goods Movement Committee. The Committee leads and directs activities to ensure the appropriate consideration of environmental and human health effects of goods movement and communication with affected communities by federal agencies and other stakeholders. The Committee focuses on enhancing efforts to address direct, indirect, and cumulative goods

⁹ The full written testimony is located at: <http://www.dhs.gov/news/2015/07/08/written-testimony-nppd-house-homeland-security-subcommittee-oversight-and-management>.

¹⁰ Written testimony of PLCY Office of Strategy, Planning, Analysis & Risk Acting Assistant Secretary Thomas Smith for a House Committee on Homeland Security, Subcommittee on Oversight and Management Efficiency hearing titled “Examining DHS’ Misplaced Focus on Climate Change.”

movement impacts in the areas of health, safety, quality of life, and meaningful engagement. “Goods movement” refers to the distribution of freight (including raw materials, parts, and finished consumer products) by all modes of transportation, including marine, air, rail, and truck. Goods movement facilities, also called freight facilities, include seaports; airports; land ports of entry; rail yards and rail lines; highways and high truck traffic roads; and warehouse and distribution centers.¹¹

In FY 2015, the Committee continued to advance enhanced interagency collaboration and stakeholder engagement through the following efforts:

- In May 2015, DHS, on behalf of the Committee, participated in an interagency panel at the National Environmental Justice Advisory Council (NEJAC) public meeting on goods movement. The NEJAC is a federal advisory committee to EPA comprising a range of stakeholders involved in environmental justice, and which provides advice and recommendations about broad, cross-cutting issues related to environmental justice. The public meeting focused on border, port, and international goods movement issues and included representatives from domestic and international non-governmental organizations and the community at large. Approximately 200 members of the public and over 40 community organizations were represented.
- The Committee actively fostered and advanced interagency collaboration and knowledge building through the use of an online platform. In 2015, the Committee’s technical and legal experts created the first ever EJ Goods Movement site on OMB MAX. OMB MAX is an online tool for federal partner “real time” collaboration and information sharing.
- The Committee kicked off the development of the first ever five-year Strategic Action Plan. The Strategic Action Plan—designed to advance the environmental justice /goods movement nexus—aligns and supports the EPA 2016–2018 EJIWG Action Plan for the Federal Government.
- The Committee drafted the framework for the first ever Goods Movement Resource Compendium. The Compendium, designed as an educational tool and reference for federal partners, and public and private stakeholders, will outline agency legal authorities, roles, and responsibilities. The aim of the Compendium is to provide the environmental justice goods movement community with guidance on how to better navigate the federal landscape.

III. Implementation of the DHS Environmental Justice Strategy

The DHS EJ Strategy committed the Department to the seamless integration of environmental justice principles into its operations through concrete steps and ongoing operational

¹¹ Environmental Protection Agency, *EPA’s Response to the National Environmental Justice Advisory Council Report: Reducing Air Emissions Associated with Goods Movement: Working Toward Environmental Justice* (June 28, 2010).

improvements. In addition to the accomplishments in the four interagency focus areas discussed in Part I of this report, in FY 2015 DHS took additional steps to implement the DHS EJ Strategy. This section describes examples of DHS engagement with environmental concerns and active outreach to potentially affected communities.

Creating a directive and instruction on environmental justice. The Department's revised NEPA procedures, *Directive and Instruction 023-01 Rev. 01, Environmental Planning Program*, went into effect in March 2015. The updated procedures strengthen SEP's departmental oversight and compliance with the requirement to consider environmental justice pursuant to CEQ guidance under NEPA, EO 12898, and the DHS EJ Strategy. In accordance with the updated procedures, a number of components are currently pursuing actions required to obtain a DHS delegation of authority for approving NEPA documents, thereby further institutionalizing environmental justice review throughout the enterprise.

Component efforts related to creating a directive and instruction on environmental justice include:

U.S. Customs and Border Protection (CBP)

- CBP's Office of Technology Innovation and Acquisition reached out to the Tohono O'odham Nation community to involve tribal government and individual members of the Nation in the preliminary phase of drafting an environmental assessment. The assessment evaluated potential environmental impacts resulting from the proposed deployment of integrated fixed towers in the Nation.

U.S. Immigration and Customs Enforcement (ICE)

- In FY 2015, ICE drafted the Component Supplemental Instructions for Implementing the National Environmental Policy Act of 1969 and DHS Management Directive 023-01 Rev. 01 on Implementation of NEPA. Delegation authority is at the discretion of DHS headquarters subject matter experts. A final decision on the delegation will be made in FY 2016.

Developing compliance and review capacity. In FY 2015, DHS expanded environmental justice education by introducing the DHS Decision Support System (DSS) train-the-trainer course. As established by Directive 023-01, Rev 01, DSS is the Department's system of record for NEPA compliance. The course provided program managers, NEPA practitioners, and facility managers throughout the nation with hands-on training.

Component efforts related to developing compliance and review capacity include:

FEMA

- A key component of the FEMA Environmental and Historic Preservation (EHP) Program is the training of key staff within the organization. The audiences for the trainings include personnel from program office, headquarters, regional offices and EHP personnel deployed to disasters. In FY 2015, FEMA provided FEMA E/0253 "Introduction to Environmental and Historic Preservation Compliance" (an in-person class) on five separate occasions. The course included environmental justice requirements and

considerations. A total of 95 students received training. In addition, to further hone subject matter expertise, the FEMA's Historic Preservation Officer attended the 2015 National Environmental Justice Conference.

ICE

- In May 2015, the ICE Environmental Program conducted NEPA training for the ICE Office of Diversity and Civil Rights. The training aided in building intra-agency collaboration and knowledge sharing.

Identifying and addressing environmental justice considerations in programs, policies, and activities. In FY 2015, the DHS EJWG, comprising operational components and headquarters support, met monthly to review DHS programs, activities and best practices. The DHS EJWG developed the context of the first ever DHS Environmental Justice Directive and workgroup charter. Additionally, the DHS EJWG supported, via review and evaluation, the EJIWG Framework, which sets the direction for revision of the DHS EJ Strategy.

Component efforts related to identifying and addressing environmental justice considerations in programs, policies, and activities include:

NPPD

- In FY 2015, NPPD developed additional sub-component programmatic documents to ensure compliance with a host of applicable environmental, energy, sustainability, and cultural and historic preservation laws and executive orders, including EO 12898.

U.S. Coast Guard

- The U.S. Coast Guard Office of Environmental Management (CG-47) completed a draft NEPA warrant program. The NEPA Warrant Program will require all U.S. Coast Guard employees signing official U.S. Coast Guard NEPA documents to be trained on the requirements of EO 12898.
- U.S. Coast Guard Seventeenth District (D17) completed an Environmental Assessment (EA) for 2015 summer operations in the Arctic. In addition, a draft Programmatic Environmental Assessment (PEA) and draft Biological Evaluation under Section 7 of the Endangered Species Act for U.S. Coast Guard operations in the Arctic for 2016–2021 was completed. The EA and PEA included consultation and engagement with numerous Arctic village tribal entities.
- The U.S. Coast Guard has begun the process to complete NEPA and other environmental compliance, including the examination of environmental justice issues, for the acquisition of at least two new polar icebreakers that will operate in the Arctic and Antarctic.

CBP

- CBP finalized seven EAs in FY 2015. All EAs presented data on affected populations by income and race/ethnicity to allow for the assessment of disproportionate adverse environmental impacts.

Collaborating with other agencies on environmental justice related matters. As outlined in the QHSR, “Homeland security spans the authorities and responsibilities of federal departments and agencies; state, local, tribal, and territorial governments; the private sector; and private citizens and communities. For this reason, coordination and cooperation are essential to successfully carrying out and accomplishing the homeland security missions.”

Component efforts related to collaborating with other agencies include:

FEMA

- In FY 2015, FEMA Region 2 worked collaboratively with the EPA to draft the environmental justice language for the PEA with the New York City Housing Authority. The PEA addressed the creation of repairs and resiliency measures in communities with a high concentration of low-income and minority residents.

U.S. Secret Service

- In FY 2015, the U.S. Secret Service introduced the community outreach initiative called *Childhood Smart Program*. The Childhood Smart Program, created in partnership with the National Center for Missing & Exploited Children (NCMEC), helps to educate parents and children about online and personal safety. Child safety experts at the NCMEC create educational resources for parents and K-12 students. The U.S. Secret Service helps to disseminate the resources to schools and communities across the nation, including to low-income and minority communities.

Communicating through active outreach efforts. In addition to the outreach activities described in the interagency focus areas in Part I., DHS Components made additional efforts to engage potentially affected communities.

Language Access Plans for DHS Component and Offices. DHS, like its recipients of federal financial assistance, has an obligation to take reasonable steps to provide meaningful access to its programs and activities for persons with LEP. LEP persons may be a part of low-income or minority communities that are subject to disproportionately high and adverse environmental effects.

In FY 2015, DHS components continued their work on finalizing their Language Access Plans¹² describing their efforts to provide meaningful access to DHS programs and activities to persons who are LEP, consistent with the requirements of Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (August 11, 2000) and the DHS Language Access Plan first issued in February 2012. The Plans provide a framework for improving the delivery of language services to LEP persons. DHS received feedback on these plans from the public during an online open comment period and a national stakeholder engagement meeting. The development and implementation of the component Plans help components fulfill their commitments to integrate LEP persons in environmental justice efforts.

¹² The component Language Access Plans are available at <https://www.dhs.gov/language-access>.

Other efforts relating to outreach include:

U.S. Citizenship and Immigration Services (USCIS)

- USCIS held national multilingual engagements focused on obtaining community input on agency updates, immigration related topics, and to answer questions in the stakeholders' specific languages. USCIS conducted engagements in-person, via live stream and teleconference in languages including Spanish; Chinese; Vietnamese; Korean; and Arabic; and made resources available on its public website in 24 different languages.
- USCIS developed a plain writing implementation plan and compliance report to support its effective communication and outreach efforts.

U.S. Citizenship and Immigration Services Ombudsman (CISOMB)

- In October 2015, CISOMB met with the League of United Latin American Citizens to discuss the Ombudsman's Office and immigration issues within the Hispanic community.
- CISOMB ensured that public information, including the Ombudsman site on DHS.gov, was compliant with Section 508 of the Rehabilitation Act of 1973.
- CISOMB translated its 2015 Annual Report to Congress and Executive Summary into multiple languages (Spanish, Arabic, Chinese) to ensure effective communication with the public, including with minority or low-income populations, persons with LEP, and persons with disabilities.

Transportation Security Agency (TSA)

- In FY 2015, per TSA's approved Language Access Plan, TSA began updating its translated checkpoint advertisements to ensure consistency with current procedures.

FEMA

- In FY 2015, FEMA Region 2 Environmental Planning & Historic Preservation conducted Spanish language Special Considerations presentations for municipal and state representatives of Puerto Rico. The presentations included a review of environmental justice as well. In addition, the Region 2 Caribbean Area Division produced Spanish-language versions of NEPA documents.

IV. Making a Visible Difference in Overburdened Communities

DHS, in its mission to protect the homeland, works to preserve communities supporting the operations of the organization. From securing and managing the borders, enforcing immigration laws, to strengthening national and preparedness and resilience efforts, the Department strives to leave a positive imprint on communities.

CBP

- CBP San Diego sector: The Border Community Liaison Agents (BCLA) continued to conduct numerous outreach visits with tribal partners and in rural, low-income areas in an effort to engage the communities and develop these communities into important force

multipliers to aid in the accomplishment of the U.S. Border Patrol's mission. In an effort to preserve the land in its natural state and preserve sacred sites, the BCLA is working with the La Posta Tribe on addressing vehicle access issues on tribal land.

- CBP Tucson Sector: In FY 2015, CBP Public Land Liaison Agents (PLLA) began work with the Casa Grande Ruins National Park in the planning of the 100-year celebration. The planning process includes assuring that individuals from disadvantaged and low-income communities are afforded full opportunity to participate in the celebration.
- CBP Detroit Sector: Sault Ste. Marie Border Patrol Station PLLA are members of the Chippewa Ottawa Resource Authority (CORA) law enforcement committee. CORA represents tribal nations that exercise their fishing, hunting and gathering rights of the 1836 treaty (LEC). The LEC consists of representatives of five tribal governments and meets on a quarterly basis. CBP participation on the LEC resulted in mitigation of issues and concerns relative to operations and interactions with tribal fishermen.

FEMA

- FEMA Region 6 Louisiana Recovery Office continues to provide extensive public notice and expand environmental justice analysis, with special emphasis on projects with increased community interest. The Hazard Mitigation Project 0300 EA: East Carroll Parish - Lake Providence Drainage System Improvements detailed below, is an example of these efforts.
 - Hurricane Katrina caused extensive flood damage to the town of Lake Providence in East Carroll Parish, Louisiana. The town was found to have insufficient drainage due to obstructions, insufficient grading, and undersized and/or clogged culverts. To mitigate future damages, FEMA authorized Hazard Mitigation funds to the East Carroll Parish Police Jury (the applicant). The proposed drainage improvements would provide outfall into the L-25A Canal. FEMA coordinated with the Louisiana Department of Transportation and Development to design a connected drainage improvement project to the L-25A channel that would not have disproportionately high or adverse human health, social, or economic effects on minority and low-income populations. The town of Lake Providence presented unique environmental justice concerns that resulted in extensive media coverage focused on a widening income gap and racial inequalities. According to the U.S. Census Bureau, 2009–2013 Five-Year American Community Survey, the population of the town of Lake Providence is 78.4 percent Black/African American, 21.5 percent White, and 1.5 percent Hispanic/Latino. The median family income in 2013 was \$22,460, and 51.3 percent of families earn incomes below the poverty level.
 - In July of 2015, FEMA published a detailed Public Notice describing the methods by which drainage improvement would be obtained, as well as specific locations to be repaired. The Public Notice was published in two newspapers, and made available online. Physical copies were also made available at the local library and town hall. In the final EA completed August 2015, FEMA provided a detailed

analysis of the current racial and economic demographics, specific hydrologic designs proposed and the improvements the designs would bring to the town.

V. Notable and Innovative Place-Based Interagency Collaborative Projects

DHS continues to be a key player in the Unified Federal Review (UFR), required as part of the Sandy Recovery Implementation Act (SRIA) efforts. The development and consideration of the requirements of EO 12898 as part of unified, multi-agency approaches to review and compliance is a notable addition to current considerations for environmental justice development and implementation of the UFR during reporting period 2015. The creation of new tools and reference documents to assist in implementing the UFR highlight environmental justice. The *Unified Federal Environmental and Historic Preservation Review Guide for Federal Disaster Recovery Assistance Applicants (Applicant Guide)*,¹³ created and released in 2015, provides guidance and information to recovery grant applicants. This document is designed to ensure EO 12898 is considered for federally funded projects.

Component-level place-based interagency collaborative projects include:

CBP

- In FY 2015, the CBP Havre Sector supported the Indian Nations Working Group meeting and expanded interagency collaboration with the National Park Service (NPS). CBP assisted in the evacuation planning for a forest fire in Reynolds Creek, MT. This included coordinating with the NPS on border entries and park closures.

VI. Targeting of Resources to Overburdened, Underserved, and Economically Distressed Communities

CBP

- Yuma Sector PLLA's and Tribal Liaison Programs initiated coordination with the Quechan Tribe to help address damage to the tribal lands caused over the years by illegal cross-border incursions. The Quechan Tribe is located near Yuma, Arizona and has tribal lands in close proximity to the border in both California and Arizona. Human and contraband smugglers discarded large amounts of trash, hazardous waste, and trampled native vegetation. Cultural resource sites as well as sacred lands were frequently transited and disturbed. Multi-year projects aimed at stemming illegal cross-border incursions which included the installation of Tactical Infrastructure Barriers, were initiated following the passage of Quechan tribal resolutions. CBP's partnership with the Quechan Tribe resulted in reduction of illegal cross-border incursions, disappearance of cross-border trails and the associated waste, and re-establishment of native vegetation. In addition, cultural resource sites and sacred lands were no longer violated on a daily basis.

CISOMB

¹³ http://www.fema.gov/media-library-data/1440713845421-9bdb5c0c8fe19ab86d97059ccb26e3b4/UFR_Applicant_Guide_Final_508.pdf.

- CISOMB is making a visible difference to overburdened, underserved, and economically distressed communities by providing an impartial and independent perspective to resolve problems with pending cases. CISOMB is committed to reviewing all incoming requests for case assistance within 30 days, and taking action to resolve 90 percent of case-related inquiries submitted to the office within 90 days of receipt. On a case-by-case basis, CISOMB provides language services to those seeking case assistance. These services are offered free of charge through the Ombudsman's Online Case Assistance (OCA) System.

FEMA

- In FY 2015, FEMA Intergovernmental Affairs met with the Institute for the Black World and National Urban League and Operation HOPE to discuss disaster programs and assist the organizations with ensuring minority populations, low-income populations, persons with LEP, and persons with disabilities are provided with relevant information to prepare and respond to emergencies and obtain assistance.
- FEMA Region 9 published a translated Notice of Availability of Draft EA and FONSI in Samoan for an EA in American Samoa.

U.S. Coast Guard

- In FY 2015, District 17 (D17) continued to advance tribal engagement efforts.
 - In January 2015, D17 implemented a provision for collateral duty tribal coordinators at operational Sector offices to improve tracking and sub-regional awareness and tribal engagement. In addition, D17 revised its tribal consultation guidance and met with over 55 federally recognized tribal governments and 15 Alaska Native Organizations throughout Alaska. Moreover, staff implemented a formal Tribal Engagement Log to track and enable strategic identification of tribal engagement priorities.
 - D17 invited an Alaskan Native community representative onboard the icebreaker U.S. Coast Guard HEALY for a two-week deployment in the Arctic to observe operations and engage with the command, crew, and science team.
 - The U.S. Coast Guard included Alaskan Native tribes in subarea planning and exercises, including a full-scale exercise in Sitka, Alaska, which prepared the tribe for a subsequent community spill.
- The D17 Tribal Liaison engaged with Arctic Shield 2016 planning and operations, and reviewed/assessed U.S. Coast Guard activities for potential impact on Federally Recognized Alaska Native Tribes in Arctic and Northwest Alaska. The briefings and meetings specifically addressed community, subsistence, and environmental concerns. These meetings enhanced tribal council knowledge of U.S. Coast Guard operations and included tours and meetings onboard U.S. Coast Guard vessels and outreach trips to villages.

VII. Public Comments

There were no public comments received on the FY 2014 Environmental Justice Strategy Annual Implementation Progress Report. DHS remains open to public comment on the DHS EJ Strategy and Annual Reports.

VIII. Updates and revisions to the DHS EJ Strategy

The DHS EJ Strategy was approved in February 2012. There are no updates or revisions to the DHS EJ Strategy for this reporting period.

IX. Conclusion

This FY 2015 Annual Progress Report serves as the official update of Department activities relative to the 2012 DHS EJ Strategy. The Department remains committed to the vision of avoiding burdening minority and low-income populations with a disproportionate share of any adverse human health or environmental risks associated with its efforts to secure the nation.