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From: Indiana Department of Transportation <dot@subscription.in.gov>
Sent: Wednesday, February 26, 2025 12:28 PM
To: Passmore, Andrew D
Subject: Interim INDOT ESD Guidance for Environmental Justice Analysis

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INDIANA DEPARTMENT OF TRANSPORTATION

Due to recent federal actions, INDOT ESD is in the process of revising guidance pertaining to Environmental Justice analysis for environmental documents. Until such guidance is finalized, including appropriate input from FHWA, the following represents interim guidance for environmental documents categorized as CE-1, CE-2, or CE-3.

- For projects that are currently in review and/or have an EJ analysis that has been completed (*i.e. approved/concurred by ESD*), the language below should be added to the EJ section of that document in **bold** text as the first text in the textbox. The remainder of the text (*i.e. the EJ analysis text or standard guidance language*) can remain in the CE and any items in the appendix can remain as well. This language can be added for any document that ESD is approving, regardless of CE level and regardless of whether an EJ analysis is included in the CE (*ex. Even for CE-1s with no analysis*).

This analysis was performed for this project prior to the issuance of recent federal Executive Orders (EO) from January 2025, including EO 14154, EO 14148, and EO 14173. As such, this analysis is included for transparency but is no longer applicable to the impacts analysis for federal projects and this impact was not considered in the federal decision.

- For any new documents, until a more permanent process is in place, ESD asks that documents be submitted with the EJ section blank, and that the following statement below be added to that section. This will be for any newly submitted documents. This will apply to all projects requiring a NEPA document until the CE forms are revised to remove the EJ section.

Due to the issuance of recent federal Executive Orders (EO) from January 2025, including EO 14154, EO 14148, and EO 14173, EO 12898 has been rescinded and this section is no longer applicable.

Again, projects that had an EJ analysis reviewed and concurred by INDOT ESD can still submit the CE with the analysis included and use the first language provided as we still want to disclose that analysis. If a

project has not yet completed an EJ analysis or didn't need to and has not yet been submitted, it can follow the second scenario.

This will be an interim situation until we can get the CE forms adjusted and get a new procedure together for a community analysis. In the meantime, please contact INDOT ESD if there are any questions or concerns. **As mentioned above, this interim guidance applies to environmental documents categorized as CE-1, CE-2, or CE-3 that are submitted to INDOT for review. For CE-4 level documents or EA level documents, please contact your NEPA reviewer in ESD and we can help you work through those scenarios on a case-by-case basis.**

Contact INDOT4U



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