

# Chapter 1 Introduction

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## 1.1 Purpose of Volume 4

Volume 4 of the California Department of Transportation (Caltrans) Environmental Handbook series provides guidance and procedures for assessing the impacts of proposed transportation projects on communities and neighborhoods and for achieving context sensitive solutions in the design of transportation projects. This guidance is intended to assist Caltrans environmental personnel, consultants, and other transportation partners in completing the community impact assessment report or documentation; engaging the public and other stakeholders in the transportation planning process; avoiding, minimizing, or mitigating for adverse effects, and increasing project benefits.

To assist in this objective, Volume 4 provides a discussion of the most vital laws, regulations, guidelines, practices, and procedures that must be addressed as part of the project planning and development processes. Additionally, this volume provides links to many valuable Internet resources that will assist in conducting the analysis. This volume is intended to be used as a guide and is not a substitute for legal requirements nor does it impose requirements different from or in addition to those imposed by law.

## 1.2 Volume 4 Update

This update to Volume 4 incorporates information from recent studies published by the Transportation Research Board (TRB), guidance on social impact assessment and context sensitive solutions published by the Federal Highway Administration (FHWA), and recent changes to guidance provided in the Caltrans Standard Environmental Reference (SER), particularly in regard to the preparation of environmental documents (ED). Volume 4 has been reorganized in an effort to improve its usefulness for the community impacts analyst. Updates to this volume are based largely on the Florida Department of Transportation (DOT) Community Impact Assessment Handbook.

## 1.3 Contents of Volume 4

Volume 4 of the Caltrans Environmental Handbook series focuses on the community impact assessment as a part of the overall project development process. It describes the methodological approaches and the variety of sources available for obtaining the information needed for the assessment process. A quick look at the Table of Contents will familiarize the reader with the arrangement of this volume. Volume 4 is organized into eight main chapters and five appendices.

Volume 4 begins with an introduction to community impact analysis for transportation projects, how it relates to organizational objectives, and an overview of related laws and requirements. Chapter 2 provides a conceptual overview of the community impact assessment process and how that process relates to the various phases of transportation planning and project development. Chapter 3 provides guidance on how to develop a community profile so that the analyst can describe the affected environment as it relates to communities and neighborhoods. Chapter 3 also provides common data sources and techniques to describe the affected environment. Chapters 4

through 8 describe techniques for assessing land use, social, and economic impacts including: community cohesion, community facilities and services, farmland impacts, access, relocation, and environmental justice. The appendices at the end of Volume 4 provide supplementary material on related topics including property value considerations and relocation policies.

Most of the data collection and analysis required in the preparation of a community impact assessment can be carried out by persons without specialized training, although prior experience and an educational background in geography, social ecology, economics, sociology, or regional planning may be very helpful, particularly in complex situations.

## **1.4 What Is a Community Impact Assessment?**

A community impact assessment is “a process to evaluate the effects of a transportation action on a community and its quality of life” (FHWA 1996). Community impact assessments serve a number of uses. Most commonly they are used as background technical reports for EDs; however, their true value is in their role in facilitating the public involvement process and the development of context sensitive solutions—a concept that is explained in more detail later in this chapter. Some of the topics addressed in community impact analysis are:

### Land Use and Growth Effects

- Consistency of projects with local plans and policies
- Compatibility with existing and planned land uses
- Direct or indirect influences on growth
- Impacts on farmlands and timberlands

### Social Effects

- Community character and cohesion
- Community facilities
- Relocation of housing
- Environmental justice

### Effects on Public Services

- Police, fire, and emergency services
- Utilities

### Economic Effects

- Relocation of businesses
- Change in access to and parking for businesses
- Change in employment
- Tax base changes

Although economic effects are not currently listed as a topic for discussion in the ED [annotated outlines](#) found in the Caltrans Standard Environmental Reference (SER), these effects are addressed in the community impact assessment because transportation projects can have profound effects on the local and regional economy that need to be considered during project planning and design.

As one can see from the above lists, a community impact assessment considers how the proposed project will affect the people, institutions, neighborhoods, communities, organizations, and larger social and economic systems. Of course, many of the effects mentioned in the above lists are not mutually exclusive. A transportation-related “social” effect on the local population caused by displacement may also have an effect on the local economy and vice versa. For example, a project that would result in displacing a large number of residents would have more than just social effects. There may be fiscal impacts due to properties being removed from the local tax roll. There also may be economic effects if consumers and/or employees in the local labor market are displaced.

The human environment section of an ED prepared for Caltrans should focus on important topics identified through the preliminary and formal scoping processes, including a thorough public involvement effort. A good community impact assessment should clearly describe the relevant existing conditions, the potential impacts of the project on the community and its neighborhoods, the extent of the identified impacts, and potential solutions to best avoid, minimize, or mitigate for any adverse impacts. It is important to keep in mind that for many projects it will not be necessary to analyze each and every issue described in this volume. For example, a project to upgrade—but not expand—an existing highway facility in a heavily urbanized region may not be expected to result in growth-related impacts. In such a case, the project’s growth-related impact on the capacity of public services and/or facilities in the community probably does not need to be considered in depth, unless other circumstances suggest it. Likewise, consideration of neighborhood effects may not be appropriate for many projects situated in unpopulated rural areas, although farmland and timberland issues may indeed be relevant.

In addition, even when there appears to be an outstanding community issue in need of further exploration, many of the analytical techniques found in this volume will provide a very high degree of detail. Usually it will not be necessary to analyze every impact as rigorously as outlined in this volume.

While no two community impact assessment reports will be exactly the same, because of differences in project characteristics and local setting, a standard methodology or use of a checklist is nevertheless useful to ensure that a complete analysis is undertaken for each project. The information presented here is designed to help the analyst focus on the appropriate issues, methodology, and data sources available in preparing the community impact assessment or specific ED section. Additionally, the ED annotated outlines found in the SER can provide insight into the types of effects to analyze and how best to organize the community impact assessment to aid in the preparation of the ED.

A community impacts assessment, in most cases, will be produced as a separate document (one that is summarized within, but not included in the ED), that can be made available to the public upon request. If community impacts are substantial, however, the technical report should be a bound appendix accompanying the ED. For further discussion see “[NEPA’s Forty Most Asked Questions,](#)” March 16, 1981 [The Council on Environmental Quality, questions 25a, and 25b,](#) and [FHWA, Community Impact Assessment: A Quick Reference for Transportation,](#) pp 36-38. For direction on CEQA documents, see the [CEQA Guidelines](#), Section 15147. It is important to note that the significance of impacts is not determined in technical reports. The community impacts assessment should simply identify the potential effects of a project, both positive and adverse, and present measures to avoid, minimize, or mitigate any identified adverse effects. The significance of impacts is addressed within the ED, which should adequately summarize all technical reports.

There is one major difference between the technical reports prepared for such environmental areas as cultural resources or natural resources and those prepared for addressing community issues. Resource agencies such as the State Office of Historic Preservation (within the Department of Parks and Recreation) and the California Department of Fish and Game have regulatory responsibilities to review and approve certain technical reports prepared by Caltrans. There is no comparable state agency responsible for the review and approval of community impact assessment reports. On the other hand, FHWA and FTA, as well as interested citizen groups and decision makers, may wish to see a technical report that explores community impacts in some degree of detail.

## **1.5 Laws, Regulations, and Executive Orders**

### **1.5.1 National Environmental Policy Act (NEPA)**

The [Council on Environmental Quality \(CEQ\) regulations](#) specify that “effects” include social and economic effects. [Section 1508.14](#) of the CEQ regulations states that economic or social effects are not intended by themselves to require preparation of an [Environmental Impact Statement](#) (EIS). However, it further states that when an EIS is prepared and economic or social and natural or physical environmental effects are interrelated, then the document will discuss all of these effects on the human environment. Oversight of the NEPA environmental process for transportation projects has historically been the responsibility of the FHWA. In August 2005, President George W. Bush signed into law a federal transportation reauthorization bill called the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users ([SAFETEA-LU](#)). Two sections of the law allow Caltrans to assume the FHWA’s responsibilities under the National Environmental Policy Act and other federal environmental laws such as the Endangered Species Act and Section 106 of the National Historic Preservation Act. These programs offer the opportunity to test a streamlined environmental process. Caltrans is, in essence, the federal agency for those projects where it assumes FHWA’s environmental responsibilities. Caltrans assumed responsibility for NEPA implementation on July 1, 2007.

Additional information on the [NEPA Delegation Pilot Program](#) in California is available on the Caltrans website.

### 1.5.2 California Environmental Quality Act (CEQA)

Many people in California, including some decision makers, mistakenly believe that [CEQA](#) addresses only purely “environmental” issues, not social, demographic, or economic issues resulting from proposed projects. This mistake, however, is understandable due to the complex linkage that must be demonstrated between the physical, social, and economic environment and the determination of “significance.” This nexus is discussed below.

The CEQA *Guidelines* define a “significant effect” as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance” ([CEQA Guidelines](#), 15382). Further, “An ironclad definition of significant effect is not possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area” ([CEQA Guidelines](#) 15064 (b)).

There must be a direct or indirect physical change resulting from the project before CEQA will apply. The following passages from the CEQA *Guidelines* address the linkage between socioeconomic and physical impacts:

*(a) Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.*

*(b) Economic or social effects of a project may be used to determine the significance of physical changes caused by the project. For example, if the construction of a new freeway or rail line divides an existing community, the construction would be the physical change, but the social effect on the community would be the basis for determining that the effect would be significant. As an additional example, if the construction of a road and the resulting increase in noise in an area disturbed existing religious practices in the area, the disturbance of the religious practices could be used to determine that the construction and use of the road and the resulting noise would be significant effects on the environment. The religious practices would need to be analyzed only to the extent to show that the increase in traffic and noise would conflict with the religious practices. Where an EIR uses economic or social effects to determine that a physical change is significant, the EIR shall explain the reason for determining that the effect is significant. ([CEQA Guidelines](#) 15131 (a) (b)).*

Clearly then, CEQA does not focus solely on physical changes in the environment. Thus, if an economic impact will cause physical change, or a physical change will cause an economic impact, then the impact should be considered.

### **1.5.3 Title VI of the Civil Rights Act and Executive Order 12898**

[Title VI of the Civil Rights Act of 1964](#), and related statutes, requires there be no discrimination in federally-assisted programs on the basis of race, color, national origin, age, sex, or disability (religion is a protected category under the [Fair Housing Act of 1968](#)). Because much of the information needed to assess possible discrimination during project development is obtained during the study of potential community impacts, Title VI issues can logically be evaluated and covered in the section of EDs dealing with the social or human environment. Caltrans must act in full compliance with Title VI.

[Executive Order \(EO\) 12898](#), signed by President Clinton in 1994, addresses environmental justice in low-income and minority communities. EO 12898 is not technically a law, and is discussed in Chapter 8 of this volume. Essentially, the environmental justice movement is part of a larger trend toward achieving social equity in environmental planning and land use. Social equity calls for a more forward-looking and “proactive” planning approach that fully identifies community effects, considers alternatives (including avoidance), and meaningfully involves the public early and throughout the life of the project. Planners at the state and local levels are increasingly expected to eliminate unnecessary barriers, look for ways to enhance access to project information, facilitate full participation in the project planning process, and help people to create sustainable communities. Appropriate implementation of Title VI and EO 12898 can be accomplished through proper implementation of the FHWA/FTA NEPA process.

### **1.5.4 Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**

The [Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended in 1987](#), is often referred to simply as the Uniform Act. The Uniform Act provides for uniform and equitable treatment of persons displaced from their homes, businesses, non-profit associations, or farms by federal and federally-assisted programs, and establishes uniform and equitable land acquisition policies. Please see Appendix C for more information on these policies.

### **1.5.5 Other Relevant Laws**

There are other laws that involve community impact analysis. The [Intermodal Surface Transportation Efficiency Act of 1991](#) (ISTEA) incorporates Sections 109(h) and 128 of Title 23 (Highways) of the United States Code of Federal Regulations (CFR), which require that social and economic impacts of proposed federal-aid projects be determined, evaluated, and eliminated or minimized as part of the EDataion for project development. These include “destruction or disruption of man-made and natural resources, aesthetic values, community cohesion and the availability of public facilities and services; adverse employment effects, and tax and property values losses; injurious displacement of people, businesses and farms; and disruption of desirable community and regional growth.” Implementing regulations for the legislation are contained in [23 CFR 771](#). Many of the provisions originated in ISTEA have been continued or expanded in subsequent surface transportation legislation—the Transportation Efficiency Act for the 21st Century ([TEA-21](#)) and [SAFETEA-LU](#).

[The Americans with Disabilities Act \(ADA\) of 1990](#) extends the protection of the 1964 Civil Rights Act to the disabled, prohibiting discrimination in public accommodations and transportation and other services. Caltrans’ ADA policy states:

Caltrans makes every effort to ensure equal employment opportunities for employers and applicants, including those with a disability, by providing access opportunities to departmental programs, services, and activities. The Department considers the accessibility needs of customers with disabilities to enable participation in all departmental programs, services, and activities available to the public. The Department with its partners, identifies accessibility deficiencies and addresses those over which the Department has control.

The ADA stipulates involving the disabled community in the development and improvement of services. For example, participation by the disabled community is essential for the development of a station plan for a rail transit project. Likewise, in planning for roadway improvements in a town, it is important to listen to and engage the disabled community in the development of access at sidewalks and ramps, street crossings, and in parking or transit access facilities. See further discussion on public involvement in Chapters 2 and 3, as well as the Caltrans [Public Participation Guide](#).

## **1.6 Community Impact Assessment in the Transportation Planning Process**

### **1.6.1 Transportation Planning Process**

[Volume 1](#) of the Caltrans Environmental Handbook series describes the regulatory steps and consideration involved in the transportation planning and environmental processes. As described in [Chapter 4 of Volume 1](#), transportation planning begins at the statewide level with regional and system planning. Regional and system planning identifies the need for individual and specific projects. If a major transportation need is identified, studies are performed to compare potential transportation investments before deciding what to build. Project initiation follows planning. It represents the first phase of project development, obtaining approval to fund projects. All proposed transportation project candidates require a [Project Initiation Document \(PID\)](#) that provides the information necessary to program funds for project development activities, acquisition of rights of way, and construction. [Preliminary scoping](#), such as the Preliminary Environmental Analysis Report (PEAR) or Preliminary Environmental Study (PES) occurs during the project initiation phase and is conducted to develop the list of potential impacts and concerns related to the proposed project.

During the Project Approval and Environmental Document Phase (PA&ED) [formal scoping](#) as warranted by the level of ED takes place. During formal scoping, the various stakeholders, interest groups, and involved local governments and state and federal regulatory agencies play a major role. Efforts to involve neighborhoods, businesses, non-profit organizations, and specific groups of people must be considered at every stage of the planning process. Scoping requirements vary depending upon the type of ED that is being prepared. If the early Caltrans Project Development Team (PDT) meetings or scoping meetings indicate that there is high community interest in the project, *and* a higher level ED is expected to be prepared, it may be appropriate to prepare a stand-alone community impact assessment. The preparation of a separate community impact assessment, however, is not always necessary even when the decision to prepare a higher level ED has been made.

If during scoping or with meetings involving the public and/or local agencies, it appears that a separate technical report is not necessary, the analyst may instead prepare brief text sections on the pertinent social, economic, and land use topics that can be inserted directly into the ED. The content of these sections should be appropriate to both the setting and the expected consequences of the transportation project as revealed through the scoping effort, as well as the use of common sense judgment. When environmental justice issues might be a concern, i.e., there is the presence of a minority or low-income community that will be adversely affected, it may be necessary to prepare a stand-alone community impact assessment, even though the need for one was not identified through the formal scoping process, as prior outreach to minority or low-income populations may have been absent or ineffectual.

### **1.6.2 Context Sensitive Solutions**

[Context sensitive solutions](#) (CSS) refers to the practice of achieving environmental sensitivity by means of incorporating consideration of social, economic, and environmental effects throughout the project development process. The [Director's Policy on CSS](#) states that Caltrans uses "Context Sensitive Solutions" as an approach to plan, design, construct, maintain, and operate its transportation system. These solutions use innovative and inclusive approaches that integrate and balance community, aesthetic, historic, and environmental values with transportation safety, maintenance, and performance goals. Context sensitive solutions are reached through a collaborative, interdisciplinary approach involving all stakeholders. The context of all projects and activities is a key factor in reaching decisions. Inherent in Caltrans' mission to increase mobility across California is the need for context sensitive solutions that consider collaborative, community-sensitive approaches to transportation decision-making. To support these approaches Caltrans has adopted a number of policies and an [implementation plan for CSS](#) that encourage the appropriate functional disciplines to respond to community values.

In the framework of CSS, community impact analysis is an iterative process that informs planning, project development, and decision-making. In the CSS model, the community impact assessment guides the design of project alternatives leading to a refined impact analysis. Public participation and engagement is a key aspect of CSS. Caltrans supports a balanced representation of all stakeholders in the planning, especially those that are traditionally underserved.

### **1.6.3 Caltrans Policies**

The content of community impact assessments must comply with all applicable state and federal laws, regulations and executive orders. The practices described in this volume are to be considered standard Caltrans approaches to preparing a community impact assessment, but are not mandatory or exclusionary.

Caltrans has formulated purpose, mission, vision, and goals statements for the purpose of guiding Caltrans' efforts in delivering quality transportation services. In part, Caltrans' Vision states: "We will work in partnership with other agencies and the public to assure that our work is done in a way that is sensitive to the needs of the environment and communities."

## **1.7 Additional Resources**

The FHWA sponsors a [community impact assessment website](#) that is administered by the University of South Florida. The site contains a comprehensive [list of resources](#) that covers a

wide spectrum of topics that may be of interest to analysts preparing community impact assessments. The following resources are also recommended for gaining a better understanding of the relationship between community impact assessment, context sensitive solutions, and highway design:

- Context Sensitive Solutions Website. Accessed January 2011. Available at: <http://contextsensitivesolutions.org/>
- FHWA. *Community Impact Assessment: A Quick Reference for Transportation*. 1996. Accessed January 2011. Available at: [http://www.ciatrans.net/CIA\\_Quick\\_Reference/Purpose.html](http://www.ciatrans.net/CIA_Quick_Reference/Purpose.html)
- FHWA. *Flexibility in Highway Design*. ND. Accessed January 2011. Available at: <http://www.fhwa.dot.gov/environment/flex/>
- Florida Department of Transportation. *Sociocultural Effects Evaluation Handbook*. 2005. Accessed January 2011. Available at: <http://www.dot.state.fl.us/EMO/pubs/sce/sce1.shtm>
- Transportation Research Board. NCHRP Report 480: “A Guide to Best Practices for Achieving Context Sensitive Solutions.” Washington D.C. 2002. Accessed January 2011. Available at: <http://www.trb.org/Main/Public/Blurbs/152625.aspx>