



Adapting Community Analyses in a Changing Regulatory Environment

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Presenters



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Presentation Goals



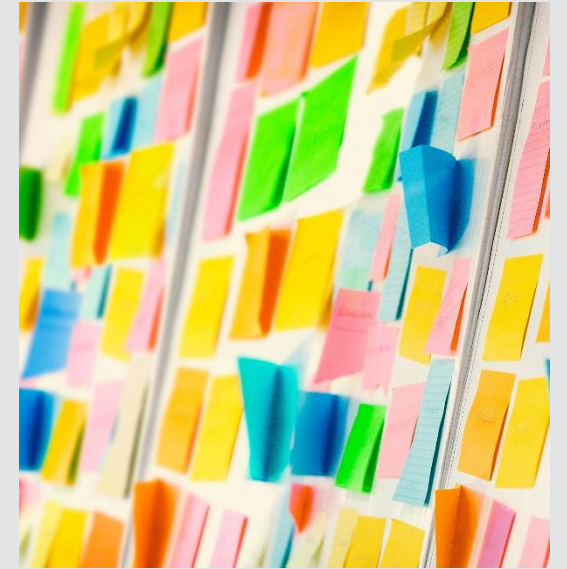
Regulatory history



Current NEPA requirements



Methods of analyses



Impact of analyses



Regulatory History

Regulatory Timeline



1994

2000–2023

Jan
2025

Feb–Jul
2025

Dec
2025

Jan
2026

EO 12898
EJ Mandate

**EOs 13166,
13990, 14008,
& 14096**
LEP, Climate,
Justice40,
CEJST,
WHEJAC, &
Revitalize EJ

**EOs 14148,
14154, & 14173**
Rescissions

**EO 14224, CEQ
Interim Final
Rule** on
Removal of
NEPA
Implementing
Regs, Removal
of EJScreen &
LEP.gov

DOJ Final Rule
on Rescinding
Portions of Title
VI Regulations

CEQ Final Rule
on Removal of
NEPA
Implementing
Regs

Executive Orders that Shaped Community and Environmental Justice Analysis (1994–2023)



EO 12898 (1994)

EJ Mandate

- Directed federal agencies to address disproportionate environmental and health burdens
- Formally integrate EJ into federal decision-making
- Established the foundation for EJ analysis under NEPA

EO 13166 (2000)

Limited English Proficiency

- Required agencies to provide meaningful access for individuals with limited English proficiency
- Influenced community engagement and analysis practices

EO 13990 (2021)

Climate & Science

- Re-focused federal action on climate change and scientific integrity
- Integrated climate and EJ considerations

EO 14008 (2021)

Justice40 Initiative

- 40% of benefits from key investments directed to disadvantaged communities

EO 14096 (2023)

Revitalizing EJ

- Expanded and clarified responsibilities across federal agencies
- Emphasized community engagement and cumulative impacts

EOs & Rules that Rescinded Prior Directives (2025–2026)



EOs 14148 & 14154 (2025)

Initial Rescissions and Unleashing American Energy

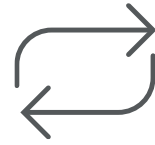
- Rescinded climate- and EJ-focused EOs, shifting federal priorities away from centralized climate and EJ initiatives



EO 14173 (2025)

Ending Illegal Discrimination & Restoring Merit- Based Opportunity

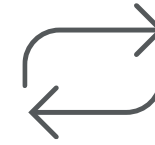
- Rescinded EO 12898, eliminating the federal mandate tied to minority and low-income populations



EO 14224 (2025)

Designating English as the Official Language of the U.S.

- Rescinded EO 13166, removing the requirement to provide meaningful access for individuals with limited English proficiency



DOJ Rule (2025)

Rescinding Portions of Title VI Regulations

- Rescinded disparate-impact liability under Title VI
- Limited DOJ enforcement to intentional discrimination
- Narrowed federal oversight of community and demographic impacts



CEQ Rule (2025/2026)

Removal of NEPA Implementing Regulations

- Removed CEQ's centralized NEPA implementing regulations, ending government-wide procedural requirements
- Directed agencies to develop their own NEPA processes
- Increased agency discretion in evaluating environmental, social, and community impacts



Current NEPA Requirements

Current NEPA Requirements

- Sections 101(b) and 102 of NEPA require federal agencies to assess social and community impacts and consider alternatives and mitigation when undertaking major federal actions.
- Public involvement is still required, but only during scoping when an NOI is issued to prepare an EIS.
 - Public review of draft EISs and EAs is now discretionary, determined by the lead agency.
- Agencies must analyze reasonably foreseeable environmental effects of a proposed action.
 - While the scope has narrowed after the *Seven County* ruling and agencies are no longer required to include how these effects fall disproportionately on EJ communities, they can still choose to analyze effects on communities and consider mitigation measures, if needed.





Methods of Analyses

Breaking down Methods of Analyses



ESTABLISH AREA

ANALYZE DATA

ASSESS IMPACTS

Establishing a Study Area

Type of Proposed Action	Study Area	Largest Resource Area
Solar	1 mile	Transportation, noise, visual
Pipeline or transmission corridor	1 mile	Transportation, noise, visual
Natural gas plant	10 miles	Transportation, air quality
Nuclear plant	50 miles	Public health and safety (radiological effects)



Cover project effects to other resources

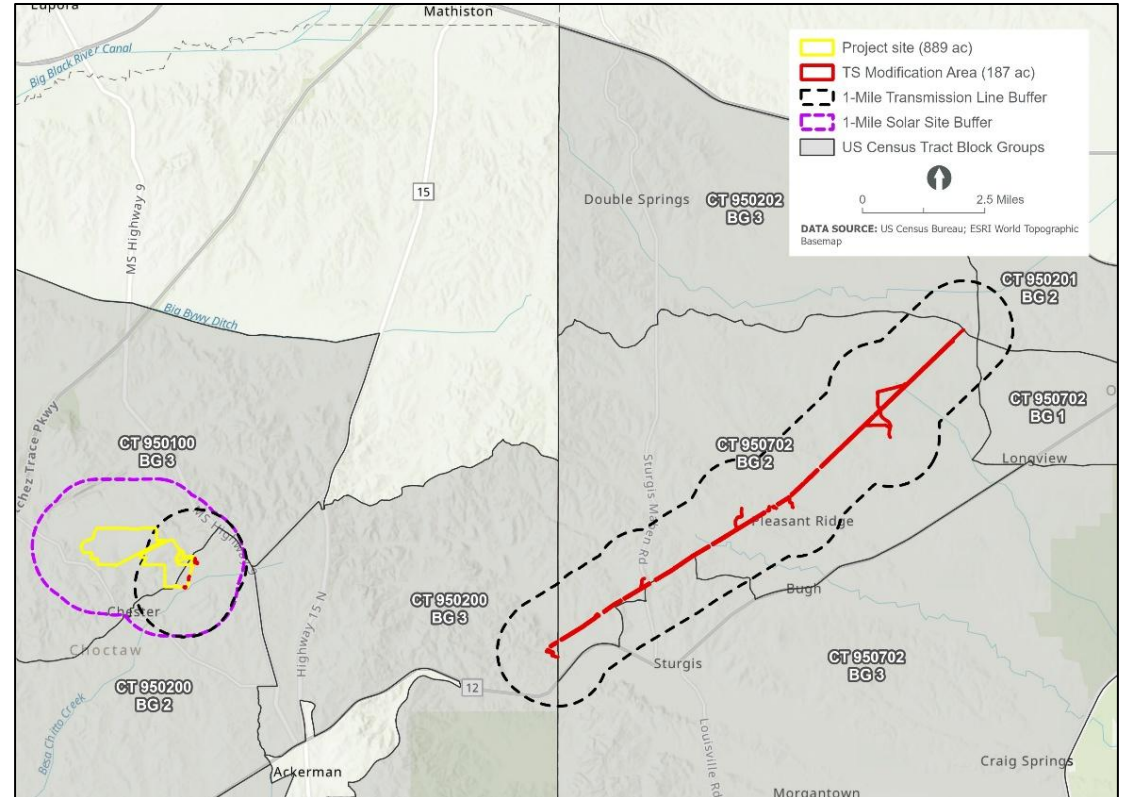
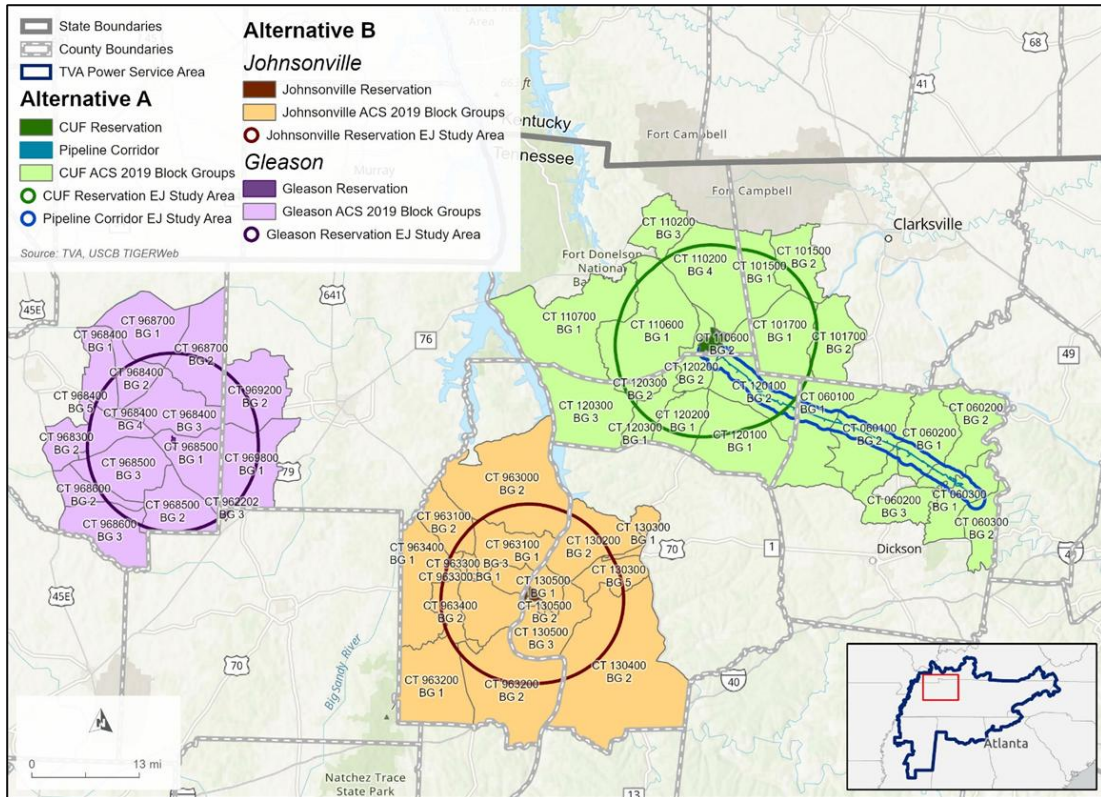


Understand the demographic context



Analyze effects on communities

Examples of Study Areas for Different Projects



Gathering Data to Understand Population and Demographics

Category	Data Source	Table	Smallest Available Geography
Population and Demographic Characteristics	U.S. Census Bureau (USCB)	Race P1	Block Group
		Sex by Age B01001	
		Median Age by Sex B01002	
		Educational Attainment for the Population 25 Years and Over B15003	
	American Community Survey (ACS)	Tenure B25003	
		Median Year Structure Built B25035	
		Hispanic or Latino Origin by Race B03002	
		Demographic and Housing Estimates DP05	
State data centers	Population Projection	County	

How is the Population Changing?



Population Trends

Geography	2010 Census	2020 Census	% Change 2010–2020	Projection 2040	% Change 2020–2040
Alabama	4,779,736	5,024,279	5.1	5,588,829	11.2
<i>Lawrence County</i>	34,339	33,073	-3.7	31,523	-4.7
CT 9791 BG 1	1,078	964	-10.6	—	—
CT 9791 BG 2 ^a	590	559	-5.3	—	—
CT 9792* BG 1	1,067	—	—	—	—
CT 9792* BG 2	723	—	—	—	—
CT 9792.01 BG 1 ^b	—	902	—	—	—
CT 9792.01 BG 2 ^{a,b}	—	972	—	—	—
CT 9792.02 BG 1	—	492	—	—	—
<i>Lauderdale County</i>	92,709	93,564	0.9	99,172	6.0
CT 117 BG 2	1,257	1,272	1.2	—	—
CT 118.02 BG 1	1,380	1,155	-16.3	—	—

Getting further into the Details



Demographic Characteristics

Geography	% Population 65 Years and Over	Median Age	% High School or Higher of Population 25 Years and Over	% Occupied Housing Units, Renter Occupied	Median Year Housing Units Built
Mississippi	17.2	38.6	87.1	30.0	1986
Choctaw County	23.2	43.2	86.8	20.6	1980
CT 9501 BG 3	28.5	45.9	91.2	5.3	1975
CT 9502 BG 2	21.5	38.4	92.2	14.1	1979
CT 9502 BG 3	25.8	45.6	81.0	27.2	1973
Oktibbeha County	12.2	25.5	91.2	52.0	1993
CT 9502.01 BG 2	14.8	26.9	93.0	67.0	2003
CT 9502.02 BG 3	18.8	34.5	95.8	0.0	1988
CT 9507.02 BG 1	9.4	29.7	91.8	40.4	1985
CT 9507.02 BG 2	71.3	73.3	96.9	5.7	1982
CT 9507.02 BG 3	12.6	34.4	94.7	35.3	1989

Adapting Methods of Analyses



Race and Ethnicity

Before Rescissions

Geography	% Minority
<i>Alabama</i>	35.4
<i>Lawrence County</i>	23.7
<i>Minority EJ Threshold to Meet or Exceed</i>	26.1
CT 9791 BG 1	85.5
CT 9791 BG 2^a	28.4
CT 9792.01 BG 1^b	55.9
CT 9792.01 BG 2^{a,b}	68.7
CT 9792.02 BG 1	44.4
<i>Lauderdale County</i>	16.6
<i>Minority EJ Threshold to Meet or Exceed</i>	18.3
CT 117 BG 2	4.4
CT 118.02 BG 1	21.7

After Rescissions

Geography	White alone (%)	Black or African American alone (%)	American Indian and Alaska Native alone (%)	Asian alone (%)	Native Hawaiian and Other Pacific Islander alone (%)	Some other race alone (%)	Two or more races (%)	Hispanic or Latino ¹ (%)
Mississippi	55.2	36.3	0.4	1.0	0.0	0.3	3.0	3.7
Choctaw County	67.0	27.8	0.2	0.9	0.0	0.2	2.0	1.9
CT 9501 BG 3	92.5	3.9	1.3	0.0	0.0	0.0	2.2	0.0
CT 9502 BG 2	69.9	20.1	0.0	0.0	0.0	0.0	10.0	0.0
CT 9502 BG 3	88.2	6.7	0.0	0.0	0.0	0.0	0.0	5.1
Oktibbeha County	54.7	35.4	0.2	3.2	0.0	0.1	4.0	2.4
CT 9502.01 BG 2	63.1	30.2	0.0	0.7	0.0	0.0	3.3	3.3
CT 9502.02 BG 3	84.4	0.4	0.0	0.0	0.0	0.0	10.5	4.7
CT 9507.02 BG 1	39.9	52.2	0.0	0.0	0.0	0.0	7.9	0.0
CT 9507.02 BG 2	41.1	58.9	0.0	0.0	0.0	0.0	0.0	0.0
CT 9507.02 BG 3	77.7	19.8	0.0	0.2	0.0	0.0	2.2	0.1

Exploring Employment and Income Data

Category	Data Source	Table	Smallest Available Geography
Employment and Income	ACS	Ratio of Income to Poverty Level in the Past 12 Months C17002	Block Group
		Poverty Status in the Past 12 Months by House Type by Age of Householder B17017	
		Median Household Income in the Past 12 Months B19013	
		Per Capita Income in the Past 12 Months B19301	
		Sex by Industry for the Civilian Employed Population 16 Years and Over B23025	
	Sex by Industry for the Civilian Employed Population 16 Years and Over B24030		
	USCB	Small Area Poverty Estimates	County
Bureau of Labor Statistics (BLS)	Labor Force Data Series		

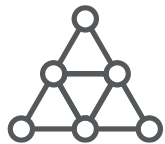
Sharing the Results

Before Rescissions

Geography	% Persons in Poverty, 2022 SAIPE	% Households Below Poverty Level, 2022 ACS	Poverty Ratio, Two Times U.S. Threshold*, 2022 ACS	Per Capita Income (\$), 2022 ACS
Alabama	16.2	15.9	34.8	33,344
Lawrence County	16.4	15.5	37.5	29,486
Low-income EJ Threshold to Meet or Exceed	17.2	16.3	—	28,011
CT 9791 BG 1	—	9.8	27.3	32,994
CT 9791 BG 2^a	—	10.9	31.8	30,883
CT 9792.01 BG 1^b	—	16.0	52.8	26,918
CT 9792.01 BG 2^{a,b}	—	30.3	44.5	24,181

After Rescissions

Geography	% Civilian Labor Force of Entire Pop., 2024 ACS	Unemployment Rate (%), 2024 ACS	Unemployment Rate (%), December 2025, BLS	Median Household Income (\$), 2024 ACS	Per Capita Income (\$), 2024 ACS	% Persons in Poverty, 2024 SAIPE	% Households Below Poverty Level, 2024 ACS	Poverty Ratio, Two Times U.S. Threshold (%), 2024 ACS
Mississippi	56.9	5.8	3.7	56,447	31,549	17.8	19.3	40.1
Choctaw County	51.4	9.8	3.9	50,919	26,576	20.6	19.3	40.4
CT 9501 BG 3	52.6	6.1	—	61,000	28,776	—	12.8	22.6
CT 9502 BG 2	63.8	0.0	—	54,567	32,676	—	10.8	34.5
CT 9502 BG 3	48.9	0.0	—	56,250	34,797	—	7.4	38.0
Oktibbeha County	56.8	5.8	3.1	46,695	30,700	19.4	30.5	45.7
CT 9502.01 BG 2	61.4	0.0	—	36,989	37,542	—	28.7	43.2
CT 9502.02 BG 3	57.3	0.0	—	48,919	27,733	—	26.6	46.8
CT 9507.02 BG 1	73.7	11.0	—	29,712 ^a	24,025	—	38.9	53.0
CT 9507.02 BG 2	23.2	0.0	—	54,525	32,964	—	5.7	13.8
CT 9507.02 BG 3	67.9	4.5	—	56,250	35,760	—	12.3	33.3



**Employment,
Income, and Poverty**

Geography	Ranking		
	Highest Percentage	Second Highest Percentage	Third Highest Percentage
Alabama	<i>Educational services, and health care and social assistance (22.5%)</i>	<i>Manufacturing (14.2%)</i>	<i>Retail trade (11.7%)</i>
Lawrence County	<i>Educational services, and health care and social assistance (21.9%)</i>	<i>Manufacturing (21.8%)</i>	<i>Retail trade (12.8%)</i>
CT 9791 BG 1	Manufacturing (26.3%)	Educational services, and health care and social assistance (17.6%)	Finance and insurance, and real estate, and rental and leasing (10.4%)
CT 9791 BG 2^a	Educational services, and health care and social assistance (30.9%)	Retail trade (30.7%)	Agriculture, forestry, fishing and hunting, and mining (16.8%)
CT 9792.01 BG 1^b	Retail trade (35.5%)	Manufacturing (33.3%)	Educational services, and health care and social assistance (13.2%)
CT 9792.01 BG 2^{a,b}	Manufacturing (27.1%)	Educational services, and health care and social assistance (21.1%)	Arts, entertainment, and recreation, and accommodation and food services (9.9%)
CT 9792.02 BG 1	Manufacturing (34.3%)	Transportation and warehousing, and utilities (18.2%)	Retail trade (13.3%)
Lauderdale County	<i>Educational services, and health care and social assistance (21.0%)</i>	<i>Retail trade (16.3%)</i>	<i>Manufacturing (15.1%)</i>
CT 117 BG 2	Professional, scientific, and management, and administrative, and waste management services (32.5%)	Retail trade (30.6%)	Educational services, and health care and social assistance (14.4%)
CT 118.02 BG 1	Professional, scientific, and management, and administrative, and waste management services (21.1%)	Educational services, and health care and social assistance (19.6%)	Retail trade (18.3%)

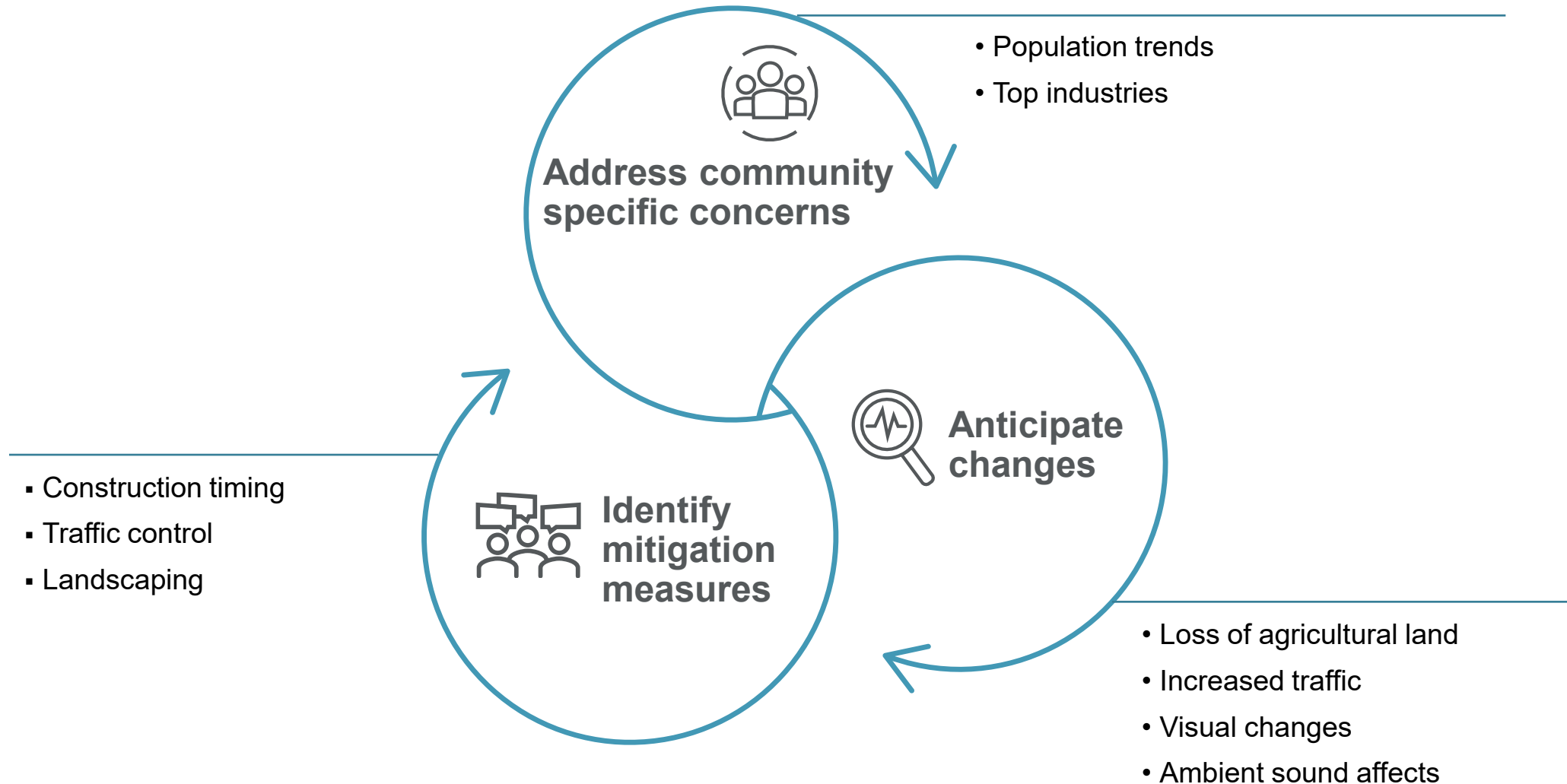


**Top
Industries**



Value of Analyses

Ensuring Community Concerns are Addressed



Setting the Project up for Success

COMPLIANCE

- Comply with Sections 101(b) and 102 of NEPA
- Comply with state and local requirements for public engagement

ENGAGEMENT

- Prepare for public engagement with consideration of community needs such as internet access, education level, travel patterns, etc.



Questions?