



Civil & Environmental  
Consultants, Inc.

# Environmental Justice and Tribal Relations

Relationships, Compliance, and Success with Sovereign Nations

Pennsylvania Brownfields

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March 2026



**Sincerity and  
respect are the  
keystones of the  
future**

# Steps for Complying with the Environmental Justice Policy

## Project Identification and Assessment

Identify project location and assess if it falls within an Environmental Justice Area using mapping tools. This determines additional EJ requirements.

## Community Outreach and Engagement

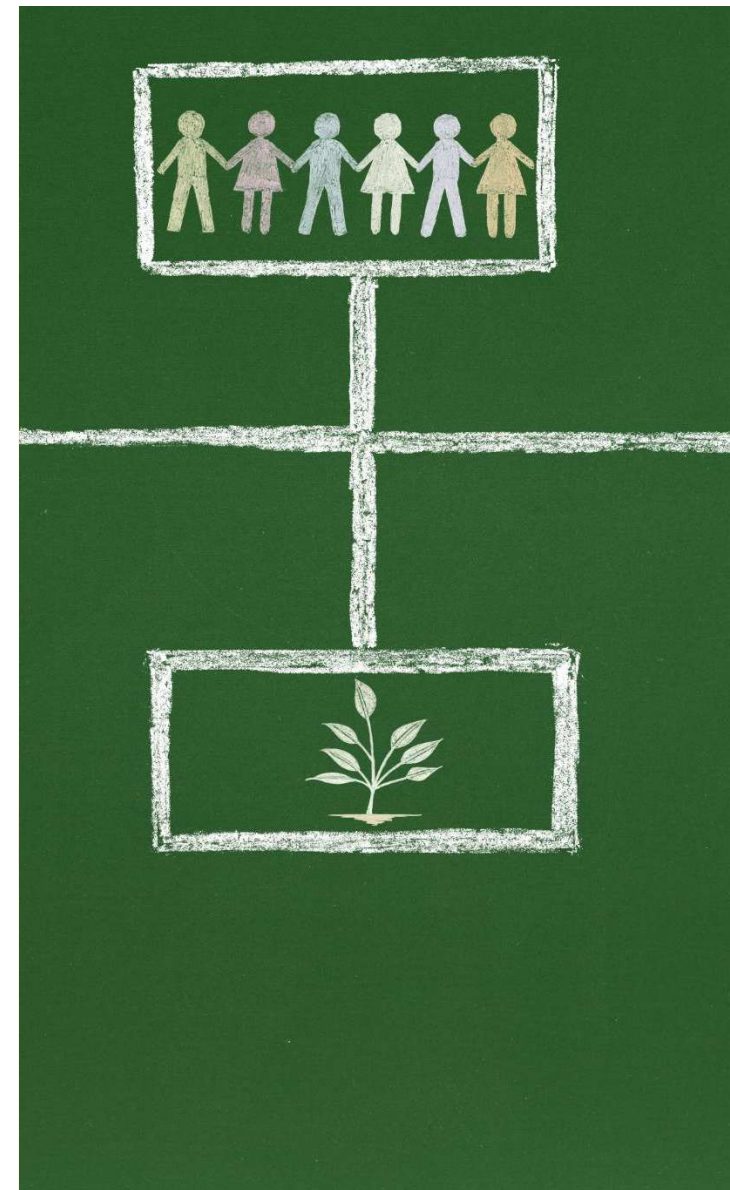
Conduct early community outreach to gather concerns and maintain open communication before permit submission to ensure inclusion.

## Public Participation Strategy

Develop a strategy with DEP Office of Environmental Justice for public notices, meetings, language access, and ongoing communication.

## Regulatory Review and Decision

DEP conducts technical review, accepts public comments, and issues final decisions while ensuring transparency and community support.





# **Step 1: Identifying Tribal Communities**

# Resources for Identifying Tribes

- EJScreen



- TDAT



- Federal Register

**FEDERAL REGISTER**

The Daily Journal of the United States Government



- Bureau of Indian Affairs

U.S. Department of the Interior

**Indian Affairs**

- Agency-specific Lists

- Justice40 Mapping Tool



Climate and Economic Justice  
Screening Tool

- State Historic Preservation Offices

- National Association of Tribal Historic Preservation Offices



**NATIONAL ASSOCIATION  
OF TRIBAL HISTORIC  
PRESERVATION OFFICERS**

- What about tribes with no land that these mapping tools won't identify? How to identify legal and ancestral ties outside of simple mapping tools?
  - Federal highway lists are great!
  - PennDOT One Map



## **Step 2: Engagement**

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## Community Engagement is Key to a Successful EJ Program

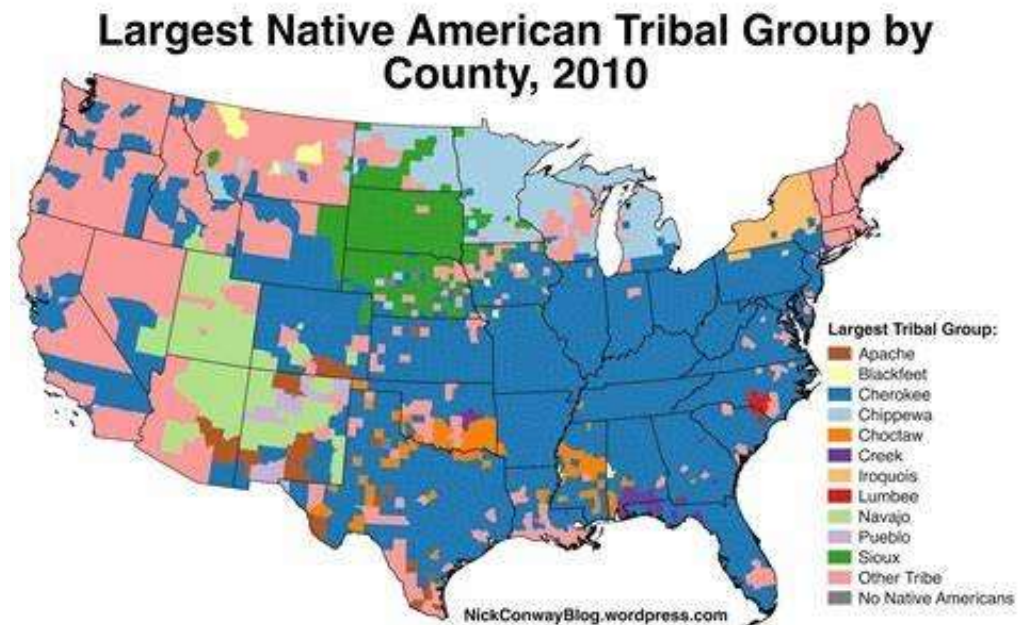
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- How can you build successful EJ programs without understanding the group you are building them for?
- Understanding is the result of strong, clear, and heartfelt relationships built amongst peers
  - These relationships require trust, respect, and open communication



# Engaging Tribal Communities

- Understanding the needs of impacted communities is **key** in determining actions to address environmental justice.
  - Community leaders
  - Understanding the history and context of the conversations needed.
  - Developing relationships
  - Tribal Consultation vs Tribal Engagement



# What is Tribal Consultation

- Consultation between the US Federal government and Federally recognized tribal organizations is a directive at the highest level
  - Nation to Nation
  - Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (2000)
  - Each Tribe is a sovereign nation
  - U.S. Federal agencies have responsibilities under treaties, statues, and executive orders
  - Many agencies have their own directives and orders



# What is Tribal Engagement

Engagement is developing relationships to foster an environment where both parties are able to move forward in their interests together through:

- Communication—Allow tribal organizations to exchange information, opinions, and recommendations
- Coordination—Allow tribal organizations to coordinate their activities to reduce potential conflicts
- Collaboration—Allows all parties to work together in evaluating potential project impacts and develop mutually beneficial ways to avoid, minimize, or mitigate these impacts



# Understand who you are working with

- Learn about the people you are hoping to work with
  - History and current state of the people you are working
  - Forget the stereotypes you been taught. These are sovereign nations of current and living cultures
  - Sovereign nation – You must bring the respect you would to any other government and its people
- Surveys sent to members of the tribe to assess interest, needs, and preferences
- Preparing your engagement plan based on the results of the engagement





# Step 3: EJ Engagement Outcomes

## Examples of EJ Programs



- **Youth Pipeline**
- **Scholarships**
- **Job Placement**
  - Blue and White Collar
- **Community Investment**
- **Family Support Programs**
- **Sponsorship of Cultural Activities and Awareness**
- **Heritage Education in and out of the Tribal Community**
- **Regional Synthesis**

## Project Mitigation or Enhancement

- Determine positive, negative, or neutral impacts related to the proposed project that include the mitigation measures
  - Engage with the governing agency early and often





# Step 4: Documentation

## Documentation

- Document all stages of the process
- Include documentation of tribal engagement
- Results of EJ will be used in Section 106, all NEPA, ESA, CWA Compliance



# Discussion



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