

Direction Regarding Federal Environmental Changes to Date
Caltrans Division of Environmental Analysis (DEA)
May 15, 2025

General:

Recently issued presidential Executive Orders and policy memoranda at the federal level have resulted in changes to the environmental process that affect National Environmental Policy Act (NEPA) documentation. Climate change, environmental justice, and cumulative effects analysis are some topics impacted. To be in alignment with the modified federal requirements and priorities, as well as to continue to benefit from the streamlining of joint NEPA/California Environmental Quality Act (CEQA) document preparation, DEA recommends the procedures below until further notice. Following these procedures are vital to stay in alignment with the changes.

Direction on Environmental Justice:

For projects that have NOT circulated the Draft Environmental Document, DO NOT incorporate environmental justice analysis or discussions into the environmental document, even if the environmental justice analysis has already been included in a completed Community Impact Analysis (CIA).

Do not initiate new environmental justice studies and cease all environmental justice studies currently in progress.

For projects that have already circulated the Draft Environmental Document, include the following language in the Final Environmental Document under the header for Environmental Justice, but prior to the Regulatory Setting:

Please note: Executive Order (EO) 12898 has been rescinded pursuant to EO 14173, and EO 14096 has been rescinded pursuant to EO 14148. However, consideration of environmental justice was included in the analyses for the Draft Environmental Document, prior to the rescission of EOs 12898 and 14096, and therefore has been retained in the Final Environmental Document for informational purposes only.

Do not discuss under CEQA; there is no CEQA equivalent.

Direction on Equity:

For projects that have NOT circulated a Draft Environmental Document, DO NOT incorporate equity analysis or discussions into the environmental document, even if the equity analysis has already been included in a completed CIA. Do not initiate new equity studies and cease all equity studies currently in progress.

For projects that have already circulated a Draft Environmental Document, include the following language in the Final Environmental Document under the header for Equity, but prior to the Regulatory Setting:

Please note: Executive Order (EO) 13985 has been rescinded pursuant to EO 14148. However, consideration of equity was included in the analyses for the Draft Environmental Document, prior to the rescission of EO 13985, and therefore has been retained in the Final Environmental Document for informational purposes only.

Do not discuss under CEQA; equity is not a required topic under CEQA.

Direction on Climate Change:

For projects that have NOT circulated a Draft Environmental Documents, DO NOT incorporate climate change into the NEPA portion of the environmental document. Instead, the climate change analysis will stay in the CEQA chapter/section of the document.

For projects that have already circulated a Draft Environmental Document, include the following language in the Final Environmental Document and place underneath the header for Climate Change, but prior to the Regulatory Setting:

Please note: The NEPA Phase II regulations that required climate change to be analyzed have been rescinded pursuant to the Removal of NEPA Implementing Regulations CEQ Interim Rule (effective April 11, 2025). However, inclusion of climate change was included in the NEPA section for the Draft Environmental Document prior to the rescission of the NEPA Phase II regulations. Therefore, it has been retained in the Final Environmental Document NEPA section for informational purposes only.

To meet state law requirements, climate change will continue to be discussed in the CEQA chapter/section of our joint NEPA/CEQA documents and in CEQA-only documents.

Direction on Cumulative Impacts:

Separate guidance regarding cumulative impacts has been prepared and is posted on the [SER Guidance for Preparers of Cumulative Impact Analysis](#).

Direction on Words Not to Include in NEPA Documents:

Avoid the use of the following words except in the CEQA chapter/section and in CEQA-only documents:

- Accessibility (Not related to increasing “access to destinations” on the transportation network)
- Council on Environmental Quality (CEQ), or references to 40 Code of Regulations (CFR), including 1508.1
- Cumulative Impacts (Use reasonably foreseeable effects)
- Climate Change
- Diversity
- Emissions, if it relates to Greenhouse Gases
- Environmental Justice (EJ)
- References to Executive Order 12898, having to do with environmental justice in minority and low-income populations
- Equity, including racial equity and social equity
- Greenhouse Gases
- Inclusion
- Justice 40 Initiative
- Unserved or underserved communities (Use Rural Communities instead)

If it is necessary to use a word on the list, make sure to clarify it is not for purposes of NEPA-based analysis. For example, label it “for CEQA.”

Do not simply replace with synonym, especially with words related to diversity, inclusion, and equity. Avoid all appearance of giving one group preference over another.

Demographics can still be used to describe population but stick purely to the disclosure of the data.

To meet state law requirements, these words will continue to be used in the CEQA chapter/section of joint NEPA/CEQA documents and CEQA-only documents as needed.

Future Changes:

Future changes to federal requirements are anticipated. Updates will be given as soon as possible once they are released.