

OVERVIEW

- Environmental Protection Agency, Office of Environmental Justice (OEJ)
- The U.S. Environmental Protection Agency (EPA), Office of Environmental Justice, seeks a non-profit, non-governmental organization to develop and support the 2004-2006 Training on Using Environmental Laws to Achieve Environmental Justice. The cooperative agreement is to provide a curriculum for the training course, the agenda for the training, identification of recommended attendees, and the conduct of three training sessions over a 3 year period. Activities under this program will assist the Agency in its mission of ensuring environmental justice and education of the public.
- Initial announcement of this funding opportunity. Approximately \$300,000 in grant funds to be awarded over a 3-year period to one eligible organization. The award will be made in the form of a cooperative agreement.
- **Catalogue of Federal Domestic Assistance Number:** 66.607 Training and Fellowships for the Environmental Protection Agency.
- The application must be **date stamped by courier service or postmarked by the U. S. Postal Service by midnight, March 1, 2004.** All applications are to be sent to: Linda K. Smith, Project Officer, U.S. EPA, Office of Environmental Justice, then add the appropriate address depending on type of delivery.

If by Postal Service:
(Mail Code 2201A),
Washington, DC 20460

If by Courier Service:
1200 Pennsylvania Avenue N.W.,
Room 2232 Ariel Rios South,
Washington, DC 20004

The purpose of the training is to educate community residents who want to know how the environmental laws can be used to promote environmental justice in their communities, without the use of lawyers. It needs to focus on opportunities, legal rules, and tools that community residents have available to them under environmental laws. The course will be designed to help non-lawyer citizens understand how they can use the law and work effectively and constructively with non-governmental organizations, the private sector, and the government to promote environmental and health protection.

FULL TEXT ANNOUNCEMENT

- I. Funding Opportunity Description
- II. Award Information
- III. Eligibility Information
- IV. Application and Submission Information
- V. Application Review Information
- VI. Award Administration Information
- VII. Agency Contact(s)
- VIII. Other Information

SECTION I - Funding Opportunity Description

Scope of the Training on Using Environmental Laws to Achieve Environmental Justice

In its 1992 report entitled, “*Environmental Equity: Reducing Risk for All Communities*,” the EPA found that minority and/or low-income populations may experience disproportionate exposure to toxic pollutants than the general population. The EPA established the Office of Environmental Justice (OEJ) in 1992 to, among other things, help these populations identify and assess pollution sources, to implement environmental awareness and training programs for affected residents, and to work with stakeholders to devise strategies for environmental improvements.

Environmental justice is the ***fair treatment*** and ***meaningful involvement*** of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. *Fair treatment* means that no one group of people, including racial, ethnic, or socioeconomic groups, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal environmental programs and policies. *Meaningful involvement* means that: (a) the potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health; (b) the public’s contribution can influence the regulatory agency’s decision; (c) the concerns of all participants involved will be considered in the decision-making process; and (d) the decision-makers seek out and facilitate the involvement of those potentially affected.

Purpose of the Training on Using Environmental Laws to Achieve Environmental Justice

The purpose of the training is to educate community residents who want to know how the environmental laws can be used to promote environmental justice in their communities, without the use of lawyers. It focuses on opportunities, legal rules, and tools that community residents have under environmental laws to protect their health, the health of their families and neighbors, and their environment. The course will be designed to help non-lawyer citizens understand how they can use the law and work effectively and constructively with non-governmental organizations, the private sector, and the government to promote environmental and health protection.

This training will be a continuation of efforts commenced in 2001 when several educational materials were developed. The training is to include:

- the research report entitled “Opportunities for Advancing Environmental Justice: An Analysis of U.S. EPA Statutory Authorities”, November 2001;
- the community handbook entitled “A Citizen's Guide to Using Federal Environmental Laws to Secure Environmental Justice”, 2002;
- the video entitled “Communities and Environmental Laws”; and
- the use of five cases studies which outline the use of a range of alternative dispute resolution techniques which demonstrate how to resolve environmental disputes involving at-risk communities.

The training curriculum is to be based on existing material already available which includes the above items and other material provided by EPA. The recipient will develop a two and one-half day course, based on these earlier materials. Using the basic model developed for those workshops, the recipient will create a new training course that incorporates: a) the Citizen’s Guide, noted above, b) the Environmental Justice video, noted above, and c) alternative dispute resolution (ADR) materials, and teaching techniques.

The support sought by this solicitation will build on preliminary work for a similar project funded under an existing agreement. This new effort will include the development of the training module, agenda and materials and enable the partners to review and participate in the finalization of the agenda and materials. The support will also enable the parties to conduct outreach/implement logistics, deliver the training course, and evaluate the module for subsequent training sessions.

For this Cooperative Agreement, the recipient will work to develop a training module that reflects issues of interest to the audience that can be resolved through the use of non-litigation legal tools provided by environmental laws. The recipient will identify individuals and organizations to represent the individuals to be trained. Among the partner organizations and networks identified, legal expertise of a seasoned expert in the use of alternative dispute resolution in environmental justice issues. A pilot workshop will be developed and delivered in 2004. This workshop will be revised and re-delivered on two separate occasions during the second and third years of the project. Each workshop will be delivered in a different geographical region of the U.S., to be determined by the recipient and its partners, in consultation with the Office of Environmental Justice, during the course of the project. The project will be carried out in the following phases:

Phase 1: Course Development

The recipient, in conjunction with OEJ, will determine training needs by reviewing environmental justice issues in the region and assessing the background, needs and interest of the potential audience; determining the issues which can be addressed by environmental laws without the use of attorneys; and determining the issues which can be addressed through the use of such training materials.

The recipient, in conjunction with OEJ, will determine the content of material to be presented on both substantive and procedural issues. As part of this effort, the team will develop interactive problems and role playing exercises. The workshop sessions will be presented by attorneys, community members, and our ADR consultant. The recipient, in conjunction with OEJ, will identify lawyers that have expertise in the topics that are included in the workshop agenda, and identify community representatives with relevant experience. Based upon the identified topics and potential faculty, the recipient, in conjunction with OEJ, will select the speakers and format of the training.

Phase 2: Outreach, Logistics, and Registration

Workshop participants will include grassroots environmental justice activists from the region in which the workshop will be held. The recipient, in conjunction with OEJ, will develop a strategy for identifying and inviting workshop participants. We will then produce and disseminate announcements for the training, and provide follow-up measures to facilitate full participation in the training workshop. The recipient, in conjunction with OEJ, will work with the selected participants to facilitate their travel arrangements in an efficient and effective manner. It is anticipated that there will be approximately 30-35 participants for each training course.

Phase 3: Delivery of Course:

The first training course will take place in September, 2004. The course will be interactive, including class problems and role playing, tailored to the needs of the audience, and designed to assure a practical understanding of how citizens can use the law without attorneys, how they can more effectively participate in government decision making, and how they can participate in alternative dispute resolution as a means of protecting their families' and communities' health and environment. The course will be designed to increase the number of well informed citizens who can: participate effectively in environmental decision making, locate information about specific environmental problems, and help insure compliance with relevant standards. The partners will also secure translation of the course.

The training will be conducted again on two separate occasions, in September of 2005 and 2006, in a different region of the country. Prior to each of these workshops, the recipient will make any revisions to the agenda, faculty and materials as necessary to ensure direct applicability of the training workshop to the participants in the different regions. The recipient will also work with EPA to determine the regions where the course will be held.

Phase 4: Evaluation

Following each training, the recipient will conduct an evaluation of effectiveness and lessons learned. The training will then be reviewed with EPA in preparation for the next training session. The recipient will also incorporate applicable environmental justice issues from the region in which the training will be held into the core training module. Modifications in written materials, training approaches, and other elements will be addressed.

SECTION II - Award Information

Total amount of funding available for this program is approximately \$300,000 in grant funds to one eligible organization. The award will be made in the form of a Federal grant, incrementally funded over the 3 year project period. A project start date is anticipated of March 15, 2004. The recipient organization is responsible for the successful completion of the project.

SECTION III - Eligibility Information

1. *Eligible Applicants*

Any non-profit, non-government organization demonstrated through designation by the Internal Revenue Service as a Section 501 (c)(3) organization or incorporated as a nonprofit under applicable state law may submit an application during the period of solicitation.

2. *Cost Sharing or Matching - None required.*

SECTION IV - Application and Submission Information

1. *Address to Request Applications:* Application instructions can be downloaded from <http://www.epa.gov/compliance/recent/ej.html> Or you can obtain copies of the required forms at [Application Kit For Federal Assistance](#).

2. *Content and Form of Application Submission:* **Proposals from eligible organizations must include the following:**

i. The Application for Federal Assistance (SF 424) is the official form required for all federal grants that requests basic information about the grantee and the proposed project. The applicant must submit the original application form, and one copy, signed by a person duly authorized by the governing board of the applicant. Please complete Part 10 of the SF 424 form, "Catalog of Federal Domestic Assistance Number" with the following information: 66.607 - Training and Fellowship Grants Program for EPA. Grant applicants are required to provide a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number when applying for Federal grants.

ii. The Federal Standard Form (SF 424A) which provides information on your budget.

iii. Detailed Budget estimates should support your work plan narrative.

iv. Work plan narrative of the proposal is not to exceed five (5) pages. A work plan narrative describes the applicant's proposed project. The pages of the work plan must be letter size (8 ½ x 11 inches), with normal type size (12 characters per inch), and at least 1" margins.

The work plan narrative is one of the most important aspects of your application and (assuming that all other required materials are submitted) will be used as the primary basis for selection. Work plans must include the following items:

- a. A one-page summary that describes your qualifications for the project.
- b. A concise introduction that states: (1) the nature of the organization (i.e. how long it has been in existence, describe how the applicant is community-based); (2) how the organization has been successful in the past; (3) completion plans/time frames, and (6) expected results.
- c. A concise project description that describes the activities the organization will undertake to examine and address the training need described above.
- d. A conclusion discussing how the applicant will evaluate and measure the success of the project, including anticipated benefits and challenges in implementing the project.
- v. An appendix with resumes of up to three key personnel who will be significantly involved in the project.
- vi. Nonprofit Status. The applicant must provide documentation of the organization's nonprofit status.

Applications that do not include all applicable information listed above, will not be considered for an award.

3. *Submission Dates and Times*

The full application package must be date stamped by courier service or postmarked by the U. S. Postal Service by midnight, Monday, March 1, 2004. Use the address provided in on Page 1 Overview.

4. *Confidentiality and Intergovernmental Review*

Please mark any information in the proposal that you consider confidential. EPA will follow the procedures at 40 CFR Part 2 if information marked confidential is requested from the Agency under the Freedom of Information Act.

Please note: Your application to this EPA program may be subject to your state's intergovernmental review process and/or the consultation requirements of Section 204, Demonstration Cities and Metropolitan Development Act. See 40 CFR Part 29 for details. Check with your state's Single Point of Contact to determine your requirements. Some states do not require this review. Applicants from American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands should also check with their Single Point of Contact. A list of the states Single Point of Contact is available at <http://www.whitehouse.gov/omb/grants/spoc.html> and is also provided in Appendix E. See 40 CFR 29.7(b).

5. Are There Any Restrictions on the Use of the Federal Funds?

Yes. EPA grant funds can only be used for the purposes set forth in the grant agreement, and be consistent with the statutory authority for the award. Grant funds from this program cannot be used for matching funds for other federal grants, lobbying, or intervention in federal regulatory or adjudicatory proceedings. In addition, the recipient may not use these federal assistance funds to sue the federal government or any other government entity. Refer to 40 CFR 30.27, entitled “Allowable Costs”. The scope of environmental justice grants may not include construction, promotional items (e.g., T-shirts, buttons, hats), and furniture purchases. Applicants may not receive funding from more than one source for the same project.

SECTION V - Application Review Information

A. Criteria: All applications, regardless of project type, will be evaluated according to the following criteria.

1. Evaluation Criteria. Applications will be evaluated by an EPA Review Panel and selected according to the following criteria. The corresponding points next to each criterion are the weights EPA will use to evaluate the applications. Points will range depending on how well the applicant meets the given criteria. Please note that certain sections are given greater weight than others. Your application will be ranked based on the following evaluation criteria:

(1) The extent to which the recipient has experience in the fields of training, environmental laws, and working with community organizations. **(30 points)**

- (2) The extent to which the proposal includes the following; **(40 points)**
- a. Specific realistic goals and objectives that deal with the environmental justice training issue. (10)
 - b. A well-conceived strategy to achieve the goals and objectives. (10)
 - c. A description of partnering or participating community organizations. Describe how they will participate in the project and explain the strategies for cooperation and communication with the identified organizations. (10)
 - d. Letters of commitment from significant partners. (10)

(3) The extent to which the project clearly and effectively discusses how the applicant will evaluate the success of the project including appropriate qualitative and quantitative measures. **(15 points)**

(4) The extent to which the project has participants who are well qualified to conduct the proposed project based on a demonstrated record of success in their area of expertise?. **(15 points)**

Note: The qualifications of the recipient’s project manager is subject to approval by the EPA project officer)

2. Performance Measures: How to Evaluate the Training Program on Using Environmental Laws to Achieve Environmental Justice

As required by 40 CFR Part 30.60, anticipated accomplishments must be stated. The overarching goal of the Training Program on Using Environmental Laws To Achieve Environmental Justice is to build the capacity of the communities to understand which laws can be used strategically to address the multiple environmental harms and risks that impact the environment and health of their community.

The following criteria will be used by EPA to measure the success of the overall training program. These criteria are for the evaluation of the grant program as a whole. The recipient should describe individual measures and criteria for how each training session and each milestone along the way will be evaluated.

- a. Documentation and identification of the individual training modules.
- b. Development of mechanisms to share lessons learned from the process.
- c. Identification of tangible benefits by the attendees.
- d. Documentation of the training course for future use by EPA

B. Review and Selection Process

The *EPA Office of Environmental Justice* will convene a review panel to review, evaluate, and rank grant applications. Applications will be screened to ensure that they meet all eligibility requirements described in Sections II - IV. Applications will be disqualified if they do not meet these eligibility standards.

After the individual applications are reviewed and ranked, the EPA Decision Official will make final recommendation for award of a single cooperative agreement.

A listing of other EPA grant programs may be found in the Catalog of Federal Domestic Assistance. This publication is available on the internet at www.cfda.gov and at local libraries, colleges, or universities

C. Anticipated Announcement and Award Dates

January 1, 2004	FY 2004 Program Application Guidance is available
January 1-March 1, 2004	Applicants develop and complete their applications
March 1, 2004	The application must be date stamped by courier service or postmarked by the U. S. Postal Service by midnight, Monday, March 1, 2004

March 1-April 1, 2004	EPA panel reviews and evaluates applications
April 15, 2004	Applicants will be contacted by the EPA if their application is being considered for funding. Additional information may be required from the finalists..
April 30, 2004	EPA announces award.

SECTION VI - Award Administration Information

A. Award Notices

After all applications are received, acknowledgments will be mailed to applicants. Once applications have been recommended for funding, the EPA will notify the finalists and request any additional information necessary to complete the award process. The finalists will be required to complete additional government application forms prior to receiving a grant, such as the EPA Form SF-424B (Assurances - Non-Construction Programs) and EPA Form 5700-49, the Certification Regarding Debarment, Suspension, and Other Responsibility Matters. The federal government requires all grantees to certify and assure that they will comply with all applicable federal laws, regulations, and requirements. The designated EPA official or their designees will notify those applicants whose projects are not selected for funding.

B. Reporting: Award document will describe reporting requirements.

Recipients must submit final reports for EPA approval within ninety (90) days of the end of the project period. Specific report requirements (e.g., Quarterly or Semi-annual Progress Reports, a Final Technical Report and a Financial Status Report) will be described in the award agreement. The EPA will collect, review, and disseminate grantees' final reports to serve as models. A report will be required at the end of each training. Monthly conference calls will be held between EPA and recipient throughout the project period.

For further information about this program, please visit the EPA's website at <http://www.epa.gov/compliance/recent/ej.html>

SECTION VII - Agency Contact(s)

When and Where Must Applications be Submitted?

The applicant must submit, have delivered by courier, or postmarked by U.S. Postal Service one signed original application with required attachments and two copies by midnight, Monday, March 1, 2004, to:

Courier/Delivered:

**Linda K. Smith,
US EPA/Office of Environmental Justice,
1200 Pennsylvania Avenue NW, Room 2232
Washington, DC 20004**

Phone: 202-564-2602

E-Mail: smith.linda@epa.gov

U.S. Postal Service:

**Linda K. Smith
US EPA/OEJ
1200 Pennsylvania Ave NW
Mail Code 2201A
Washington, DC 20460**

Phone: 202-564-2602

E-Mail: smith.linda@epa.gov