Victoria Robinson: Hello, everybody.

My name's Victoria Robinson with EPA's Office of Environmental Justice.

I'd like to welcome you to our National Environmental Justice Community Engagement Call. Now, before we get started, I'd like to go over a few housekeeping items with you.

First is we're asking folks to join by phone or computer, but not both.

It will help with saving bandwidth on your end, as well as allow as many participants as
possible into the room.

Participants are all on mute, so we're asking folks to enter your comments into the Q&A pod, which is located on the toolbar for the Zoom meeting, and when we do get to the part where we actually open up for questions,

if you're selected during that dialogue time, we're going to ask you to limit your comment to one minute.
Please note that a recording and a transcript will be available online in the near future. For those who would prefer to listen to the media in Spanish, we do have the interpretation mode enabled so that if you want to, you can switch to the Spanish language audio channel by clicking that interpretation globe.

You can also add questions in Spanish to the Q&A pod, and we will attempt to respond to those questions.
Then later on, our meeting materials will be made available in Spanish as much as we can do at that time.

But yes, thank you very much.

Now I'm going to turn it over to Matthew Tejada, the director of the EPA's Office of Environmental Justice, to take it from here.

Thank you, Matt.

Matthew Tejada: Thank you, Victoria.
Thanks to everyone so much for joining us today.

Again, my name is Matthew Tejada.

I’m the Director of the Office of Environmental Justice and the EJ program here at EPA. We are doing these biweekly engagement calls.

We know it's a lot.

As I said, I think last time, it’s a lot for us,
we know it's a lot for our community leaders and community organizations, but that's because there is a lot going on.

It is an unprecedented historic time for advancing equity and justice and civil rights across the federal government, especially at EPA.

We felt these were necessary for some time to continue these biweekly.

But we will look in the new year, potentially to ease off the gas a little bit
as we hopefully settle into a more regular cadence of work on equity and justice at EPA.

But today, the day after we celebrated Indigenous Peoples Day, I'd like to begin a little bit differently, instead of just jumping right in to talking at you all with a bunch of information and then engaging on that information,

I'd like to invite you all to take just a moment to arrive at this meeting by noticing where you are in time and in space right now.
I want you to notice how do your feet feel on the ground or how does that chair feel underneath your body that's connecting you to the ground?

Feel the texture of the socks or the shoes you're wearing.

For me, I'm actually barefoot, so thinking about that carpet underneath my feet right now. Notice how solid though your legs feel or how solidly you're planted in that chair.

The ground that I'm standing on is actually the native land of the Nacotchtank or
Anacostian people or potentially the Piscataway people, but it's generally the land now referred to as Silver Spring, Maryland.

By sharing this with you, I'm reminding myself as many of our indigenous colleagues in the EJ network often remind us that I am not doing this work alone.

I'm connected to the actions of my ancestors, and I have a responsibility to my forebears through
what I do in this lifetime.

00:04:10,870 --> 00:04:14,710
We just wanted to take that little moment of mindfulness, and I really want to thank

Chitra Kumar, our Assistant Director in the Office of Environmental Justice, for urging

me to take the time to start our meeting this week today, especially given that

yesterday was Indigenous Peoples Day.

When we work on EJ, we spend so much time acting and

reacting, and resisting,
and fighting, and surviving.

But to move EJ forward, we really have to move together more intentionally, so we're trying to work both to honor that mindfulness, there's actually folks at EPA who have started a mindful EPA council to help all of us really think about these things as we proceed throughout our very hectic days.

But of course, also to lift up and remind ourselves that we are not here alone and we
are not the first ones to arrive here,
many people have come before us.

Again, we've learned this from our indigenous
colleagues who start every meeting with an

acknowledgement to their
ancestors and to the Earth.

That's one thing that we're going to start
practicing more of within the EJ program across

EPA, and as we engage more externally.

If you're interested in learning more about
the location where you're at,
I found that a really good resource for that is a very simple URL.

It's native-land.CA

So that's native-land.CA

Again, thanks to Chitra for urging me and helping me to prevail or to engage with you all at the beginning of this meeting that way.

We've got a very action packed meeting.

We're going to start getting right to it.
We've got a section up front that's going to be specific to Justice 40.

Some very good colleagues from the Office of Transportation Air Quality are going to talk about DERA and the Ports initiative.

That's the Diesel Emission Reduction Act and the Ports Initiative.

Then we're going to change gears, though, and part of again, having these biweekly meetings is all the stuff happening.
Last week, a little before last week actually, EPA released our next multi-year strategic plan.

There's a huge section for the first time just on environmental justice.

We wanted to save the latter part of this meeting for me and some other colleagues to provide information about that strategic plan and then start engaging with folks because it is out for public comment right now.
With that, I'm going to pass it back over, I believe, to Victoria to get us teed up for our first session.

Victoria Robinson: Actually, Matt, I was going to leave that to you to introduce the individuals from EPA's Office of Air, who'll be speaking about DERA, the Diesel Emissions Reduction Act and the Ports Initiative, and how they are integrating Justice 40 into that process.
Then when that's done, we'll go ahead and turn back to do the EJ strategic plan,

Matthew Tejada: Great. Okay.

[CROSSTALK]

Are you going to lead this section?

Christine Koester: Yes, I'll kick us off here.

Matthew Tejada: All right. Go for it.

Christine Koester: Hi, everybody.

My name is Christine Koester.
I'm with EPA's Office of Air and Radiation, and I'm here to talk about the Diesel Emissions Reduction Act, which is a grant program that we call DERA.

And I'm joined by my colleague, Sarah Froman.

We'll be talking about EPA's Ports Initiative.

Next slide, please.

Just a quick overview of what Sarah and I are going to be
discussing, we'll be talking about why it's important to reduce diesel emissions.

The two programs DERA and the Ports Initiative, we will give an overview of both and how they incorporate environmental justice priorities.

Then we're looking forward to a discussion in which we'll answer questions you all have about the two programs.

We're also interested to hear your perspective about how DERA and the Ports
Initiative can better reach underserved communities and how to promote benefits there.

Next slide, please.

A big question that why is it important to reduce diesel emissions?

Diesel exhaust contains a number of harmful components, one of which is particulate matter, and another of which is nitrogen oxide, both of which contribute to adverse health outcomes, including exacerbating asthma, respiratory illness,
leading to missed school or workdays, and in some cases, even premature death.

Communities that are located in close proximity to where a lot of older diesel vehicles operate are particularly susceptible to these poor health outcomes due to the concentration of these diesel vehicles that operate nearby.

We mostly focus in our programs on what we call the legacy diesel engines, and these are the older ones that predate EPA's more
stringent standards.

These are the ones that produce a lot more diesel exhaust and pollution than their newer models, and we estimate that there's about 10 million of these older diesel vehicles on the road still.

Even though EPA has made a number of regulations that control the exhaust from newer diesel engines, there's still these older legacy diesel engines that are
still in operation, the 10 million or so, that are operating in communities and EPA has two programs that are designed to address the emissions from these older diesel vehicles, and that includes the Diesel Emissions Reduction Act, the grant program called DERA and the Ports Initiative.

The Ports Initiative is focused on reducing diesel emissions from goods movement facilities, and DERA is broader and covers more sectors.
I'll talk about DERA, and then I'll pass it to Sarah Froman to talk about the Ports Initiative.

DERA is a funding program, we provide grants and rebates to eligible entities to reduce diesel emissions, and we fund a variety of sectors and types of equipment, including on-road vehicles like buses or trucks, on-road equipment, construction or agriculture, locomotive, and marine vessels.
The projects can include an entire vehicle replacement or just an engine replacement, idle reduction technologies, or exhaust retrofits.

We have four different funding programs.

I'll talk a little bit more in detail about each one of those.

Congress provides DERA an annual appropriation, and we immediately set 30% aside for the state program, which is a formula grant program.
The remaining funds are put towards the national program, and the national program includes three different funding opportunities.

The first is our national competitive competition. Then we have our Tribal and Insular area Competition, and then we provide rebates for school bus replacements.

In fiscal year 21, the annual DERA appropriation was $90 million.
The national RFA was for about $45 million.

The Tribal and Insular area was for about 5, and the school bus program is receiving about 10 million from that appropriation.

To talk a little bit more in depth, the national program awards funds across the country for projects that reduce diesel emissions and exposure, especially from fleets that operate in areas of poor air quality.
Eligible entities that can apply in the national competition include regional, state, local, tribal, port agencies with jurisdiction over transportation or air quality, or non-profit organizations that reduce emissions or promote transportation or air quality. We fund a wide range of highway and non-road diesel engine upgrades through the national program. Though private fleets are not eligible to apply directly for DERA funds, they can...
partner with eligible entities and can therefore benefit through DERA funds that way.

We typically open this program around the wintertime.

It varies depending on when we have the appropriation from Congress.

Our second competitive program is the Tribal and Insular area grant program.

This is a narrower eligibility than the national program.

Both Tribal governments and Insular area
governments are able to apply in the national

177
00:13:27,730 -- 00:13:31,960
competition, but they also have their own
set of side competition that they can apply

178
00:13:31,960 -- 00:13:35,280
for, and eligibility is
limited to tribal governments.

179
00:13:35,620 -- 00:13:39,600
Alaska Native villages or insular area
governments, which in the U.S. code

180
00:13:39,600 -- 00:13:41,960
is defined as the U.S. Virgin Islands,

181
00:13:42,100 -- 00:13:46,360
Guam, American Samoa, and the Commonwealth
of the Northern Mariana Islands.

182
00:13:46,570 -- 00:13:52,870
We establish the separate funding
competition because there are unique

considerations and needs for the Tribal and Insular area applicants.

This makes it so that they can compete for DERA funds and that they can actually implement diesel emissions reduction projects in their communities.

In the most recent year, this summer, we had offered a Tribal and Insular area competition and based on feedback we'd received from tribal governments,
we waived the mandatory cost share.

00:14:17,980 --> 00:14:22,360
Usually there is a cost share for applicants for DERA projects.

00:14:22,420 --> 00:14:24,100
We have limited amount of funding.

00:14:24,130 --> 00:14:26,440
So the cost share helps stretch the balance further.

00:14:26,950 --> 00:14:33,130
But in this case, we were hearing that the cost share was preventing some organizations from applying, so we waived the cost share, made the funding more accessible to more applicants, and we were very pleased with
the results.

00:14:41,320 -- 00:14:46,120
There were new applicants to the program who
had never applied for DERA funding before, and we

00:14:46,120 -- 00:14:49,360
look forward to announcing the winners of
that competition later this year.

00:14:53,390 -- 00:14:58,190
Our next program is that the state
program and this is that 30% that gets

00:14:58,190 -- 00:15:00,080
set aside according to the statute.

00:15:00,830 -- 00:15:06,260
EPA awards these non-competitive formula
grants to participating states and

territories to establish their own diesel
emission reduction program and how much each

state or territory gets is dependent on
the total appropriation for that year,

how many states and territories are
participating, and whether or not they match

the EPA funding?

If a state or territory matches EPA
funding, they can receive a bonus of 50%

of the initial allocation.

It's the same eligibility criteria as the
national grants, and it funds the same sort
of on highway and non-road projects.

Typically, we announce this program in the spring and we just work directly with the state context. We have to determine if they want to participate that year.

Our other program is the school bus rebate program, so every fall we open a school bus rebate program and it differs from the grants.

It's a shorter timeline, shorter project period and a shorter application than the
grants. Grants tend to be longer applications on multiple pages.

The rebate application is a one page form that you just download from our website and you submit to us along with the bus titles and registration.

Then the project period is much shorter.

So it tends to be about a year long for the rebate program from the time the school district is selected to the time that they receive their rebate payment, and we select
applications via a lottery system.

The rebate program tends to be oversubscribed by about four to one.

So we do a lottery system, and the amount, the rebate, that a school
receives depends on the fuel type of the bus that they are purchasing.

The only buses that school district could replace in this program are those older legacy fleet buses, so 2006, and older.
They can purchase new buses.

They can purchase a new diesel bus and receive a $20,000 rebate, or they could go and purchase a new zero emission bus, and receive $65,000 for the rebate.

Zero emission is the rebate amount we pay the highest amount for, and we currently have a school bus rebate program open right now.
We're offering about $10 million in funding, and we are accepting applications until November 5th. You can go to our website EPA.gov/bureau/rebates to learn more about the program and to find the application that you can download.

Our next funding opportunity is a new one. This is a one time only funding opportunity under the American Rescue Plan, EPA received some funds, and seven million of that went to the DERA program to run a
rebate program to fund their electric school buses in underserved communities.

This is a much narrower applicant field than the other rebate program. The regular DERA rebate program, all school districts and private companies with the contract that serve the school district are eligible to apply.

Under the American Rescue Plan Electric Rebate Program,
There's only seven million available.

School districts that are included on the ARP Electric School Bus Eligibility List are able to apply.

You can find that list on our website, that's listed there.

This list was determined using censuses, small area income and poverty estimate.

Tribal schools are also eligible to apply, and then private fleets that have a contract.
with any of those previously mentioned eligible applicants are able to apply.

Like I mentioned before, under our regular rebate program, we offer $65,000 for electric school bus replacements. Under the ARP rebate program,

we offered $300,000.

The rebate amount is much higher in this program.

This program is currently open.

It's running concurrently with the regular
school bus rebate program.

You can email your application and a scan of your bus title and registration to DERArebates@EPA.gov. Again, the website is listed there, so you can find more information about program eligibility and rules on our website.

There are a few ways in the DERA grant program that we've prioritized environmental justice, and the three main areas are project location, community engagement.
partnerships and project sustainability,
and I'll talk a little bit more about each three

00:19:52,770 --> 00:19:53,280
of these.

00:19:58,100 --> 00:20:02,340
The first is project priority location.

00:20:02,760 --> 00:20:08,340
We in the grant program prioritize projects
that take place in areas of poor air quality

00:20:08,610 --> 00:20:13,590
and we define areas of poor air quality for
the DERA program is those that are in non

00:20:13,590 --> 00:20:20,160
attainment for PM and Ozone, and counties
with a high... an 80th percentile or higher

00:20:20,370 --> 00:20:22,890
congestion of diesel particulate matter.
We put together before every competition what we call a priority county list, counties across the country that meet either of those two criteria, and applications where projects’ the vehicles operate a majority of the time in that county are given extra points, priority points in the scoring of their proposals.

We also prioritize projects that take place at goods movement facilities, so these are projects where vehicles operate at ports,
airports, railyards, terminals or distribution centers, those sort of projects also receive additional priority points under the DERA scoring.

Another way that we have prioritized environmental justice is through community engagement and partnerships.

Points are awarded to projects that demonstrate community engagement and partnerships, including seeking input from the affected communities with respect to
the project design and those that have support and involvement from project partners.

Applicants can include a letter of support and partnership with local communities and project partners.

In addition, we ask applicants to describe how the projects will provide a benefit to the community, so communities with environmental justice concerns,

we'd like to hear about what the concerns are and how the proposed project will help
address some of those concerns, and alleviate those concerns, and points are awarded for projects that can demonstrate a benefit to communities with environmental justice concerns.

The final area here is project sustainability.

Projects’ periods of time tend to be about two to three years. We're looking to provide additional points and select projects that commit to
reducing emissions after the DERA funding has concluded.

These are projects that have an idle-reduction policy or have a publicly available emissions inventory that people can look up or a plan to reduce mobile source emissions or even a clear point of contact that the public could look up for questions or concerns about any one of those topics they just mentioned.

We look for the emissions to be
continuing after the period of performance,

298
00:22:56,930 -- 00:23:00,740
that will also award additional points for
DERA projects.

299
00:23:01,400 -- 00:23:05,420
With that, I'm going to stop talking
about DERA, and I'm going to turn it over to

300
00:23:05,420 -- 00:23:08,960
my colleague Sarah Froman to talk about the
Ports Initiative.

301
00:23:10,930 -- 00:23:15,070
Sarah Froman: Thanks, Christine. As Christine
mentioned, the Ports Initiative and DERA are

302
00:23:15,070 -- 00:23:17,010
complimentary programs.

303
00:23:17,020 -- 00:23:22,780
The Ports Initiative is focused on
addressing diesel pollution from ships and trains and trucks and cargo handling equipment operating at ports, often in close proximity, in some cases across the fence line from where people live and play.

I'm sure many on the call are aware, near port communities that bear the brunt of air pollution from diesel engines are often comprised of low income populations and people of color.

Go to the next slide.
The five elements of the Ports initiative are very much informed by stakeholder input, including some formal recommendations we received.

EPA received back in 2016 from a federal advisory committee that was charged with identifying ways EPA could enhance our work to address diesel pollution at ports.

These five elements are funding, technical resources, community port collaboration, federal government coordination, and
communications creating a knowledge

316
00:24:16,810 --> 00:24:20,380
clearinghouse. It's through these
program elements that we're trying to

317
00:24:20,410 --> 00:24:24,730
accelerate the adoption of cleaner
technologies like those funded through the

318
00:24:24,730 --> 00:24:30,220
DERA program, as well as operational
strategies and clean air planning practices

319
00:24:30,220 --> 00:24:33,790
that we know support for stakeholders in
making informed decisions.

320
00:24:33,820 --> 00:24:38,650
These are the things like emissions
inventory, and conducting emissions inventory,

321
00:24:38,920 --> 00:24:42,820
and engaging community that we know can help target efforts.

The next slide is program’ quick snapshot.

This program is led out of EPA’s Office of Transportation and Air Quality, but we work really closely with EPA's Office of Environmental Justice and our 10 regional offices, and it's our regional team members that are working with stakeholders at a very local level, so building relationships and working to support the very needs of those
stakeholders on the ground.

This is very much a partnership program with those external stakeholders, the port industry, state, local and other federal agencies, as well as community groups and environmental groups.

One goal of the Ports Initiative is to help connect port stakeholders with funding.

At the bottom of the slide, you see a link to a searchable table we have with over 70
funding opportunities.

One of those funding opportunities is DERA, as Christine spoke to before.

We have been successful as this chart shows, in attracting good port applicants and applications through the DERA program.

The program prioritizes, as Christine mentioned, port and goods movement projects, as well as applicants that either have or commit to undertaking the Good Clean Air Plan.
and planning practices that we promote in the Ports Initiative and things like inventories and clean air plans, and community engagement.

This next slide is just a sampling of technical resources that we created to help port stakeholders identify strategies to address diesel pollution, that makes sense for the unique situation including the priorities and goals for residents. These resources include things like information on emissions
reduction strategies and guidance on how to conduct emissions inventories, and I'm going through these slides pretty quickly.

We intend to post these online so that they can serve as a reference for everyone on the call today. Then the next slide.

It's our program's collaboration element.

We're working to support better communication and engagement between port
operators and near port communities.

This is where we're trying to help ensure that those dialogue is productive and that communities have a seat at the table and a voice in the port planning process.

The three core tools developed and field tested during four different pilots in Providence, Savannah, New Orleans and Seattle.

The first is the Port's Primer for Communities.
It's a one on one on how ports work.

The second is a Community Action Roadmap, which outlines step by step process that communities can follow to more effectively engage in port decisions.

Then the last is an EJ Primer for ports, which includes both an EJ 101 for ports, as well as a step by step Good Neighbor Roadmap about how to engage, to better engage with communities.

Again, it's our EPA regional offices who
are working to help support the use of these

resources on the ground.

Just one example recently, our Region three office hosted a training on the

Community Action Roadmap to support a community group with concerns about diesel activity over Wilmington.

One thing that we have found in our pilot projects and all of our regional work, and I'm sure it's not news to most folks on this call, is that community representatives,
they need more resources and support to effectively engage with port and rail yard operators, they are often unpaid volunteers, lots of demand on their time, so, one thing we've done to try to provide more support to communities is that we partnered with EPA's Office of Environmental Justice, OEJ, to include a special emphasis on Ports Initiative projects in this year's EJ Small Grants program. That small grants opportunity closed back in June,
but we're very excited to be announcing grant awards soon, including we anticipate about six community group projects with the focus on diesel emissions, rail yard, ports and railyards.

The next slide, the stakeholders have told us they find value in hearing about real world examples, so that's something the Ports Initiative also does.

We curate case studies.
An example here is some case studies on our community port collaboration pilot projects where we try to draw out lessons learned that can inform efforts elsewhere.

Things like making sure to address participation barriers for community leaders, things like language translation, and child care, as well as getting early buy-in and involvement from senior port leadership.

I think the next slide is just one other example of a case study, a more in-depth one that
we released in April, highlighting lessons learned and best practices from the cleaner planning efforts at the ports of L.A. and Long Beach.

There's a ton to learn from that experience.

L.A and Long Beach have advanced technologies tremendously, but another really critical part of the story is how communities and EJ organizations have powerful change
agents there, and I'll give a shout out to

the National EJ Group.

Many are familiar with
the moving forward network.

It was their idea, their
suggestion to our Region nine.

That this case study would be a valuable
resource to help inform other communities and
port operators, so we're pleased to provide
that report and very grateful to the ports
and the communities groups in San
Pedro Bay for their input and their insights.

I think this last slide is just something I also wanted to share, which is an interactive map that we published earlier this year with information publicly available.

Information on clean air practices being implemented at some of the busiest ports across the U.S.. The practices in the map are very similar to those that Christine outlined in the project sustainability section.
The DERA RFA,

given, there are indicators of a commitment towards continued emissions reductions,

things like emissions inventories and setting emissions reduction targets and

engaging neighboring communities.

We hope making this information available and more easily accessible can inform

others who are trying to expand their efforts, including engaging neighboring communities, to do the kind of work that's
necessary to address EJ concerns.

With that, we're onto the next slide, where we wanted to pause,

we're about to transition to just a little bit of a background on Justice 40 for those of you who may not be familiar with it, but then a discussion about how we can maximize goals, maximize benefits in DERA and Ports Initiative disadvantaged communities

Before we turn to that discussion, we wanted to just
pause and see if anyone had questions about
the two programs DERA and Ports Initiative,

419
00:31:28,210 --> 00:31:30,820
how they're currently
operating before we moved on.

420
00:31:32,450 --> 00:31:36,380
Victoria Robinson: This is Victoria. In
order to be able to participate in this,

421
00:31:36,850 --> 00:31:41,660
make sure you write any questions or comments
in the Q&A pod and we will read out a couple

422
00:31:41,660 --> 00:31:47,360
of questions, but then we will also ask if
anybody would like to speak, give an oral comment.

423
00:31:47,360 --> 00:31:50,000
comment when prompted, we're
going to ask you to raise your hand
to ask, you can actually raise your hand right now to ask a question.

If you're on the phone, you can press *9 to raise your hand, and please limit your questions or comments to one minute.

I'm going to go ahead and turn to Christina.

If you've got any questions that are in the Q&A pod that relate to these clarifying questions on DERA or the Ports initiative, go ahead and read them out.
Christina: Ok, great, thank you so much, Victoria.

One question we have is will the ARP DERA program also be based on lottery?

Christine Koester: Yes, selections for the DERA ARP rebate program, which is the electric bus in underserved community. Yes, it will also be...

we'll make our selections based off lottery.

If you're eligible and you've submitted your application by
the deadline, you'll be included in the lottery.

We'll make selections that way.

Once selections have been made for either program, the regular rebate or the ARP rebates, we will notify the selected districts within about a month time frame.

Christina: Great, thank you so much.

The next question to answer aloud is, can school districts that lease their buses apply
for DERA school bus funds?

Christine Koester: The buses need to be owned by the school district, so we ask that you submit when you apply, a copy of the title and registration, because we do require that the bus be scrapped. In order to scrap the bus, we want to make sure that we're actually working with the entity that owns the bus before it's destroyed.
The reason that we require scrappage is to ensure that the older, heavier polluting engine is taken off of the road.

Christina: Great. Thank you so much.

The last one, we answered this in the chat, but if you could also answer it aloud for anyone on the phone.

How do we find out who is in charge of our school district's bus programs?

Christine Koester: Schools usually
have school bus fleet managers,

so I would recommend reaching out to the school district to find out who that person is.

Christina: Great, thank you so much.

Victoria, is there anyone that has their hand raised that would like to ask a question?

Victoria Robinson: No, not this time.

Not at this time. But I think there's another question where somebody wanted you to
go over the point system for DERA and the Ports Initiative again.

What criteria is shared between the two programs and which ones differ?

Sarah Froman: I thought that might be helpful to answer live and just to take a step back, the DERA and Ports Initiative programs, they're complementary, but they're distinct in one important way.

DERA is a funding program, so it's through the DERA program that all of the
grants are awarded and the criteria that Christine mentioned,

while Port's initiative is a complementary program that helps build the capacity of port stakeholders to both prepare for and apply for DERA grants and other, and undertake other emissions reduction projects, but it is broader than just the DERA grants.

Anything else you wanted to add, Christine, to help clarify.

Christine Koester: I think that covers it.
Victoria Robinson: We don't have any more questions, no hands raised at this time.

Christina? Oh yes, we do.

We have Stephanie Thomas.

I'm going to allow her to unmute her line.

Stephanie, can you unmute your line to be able to ask your question? There you Go.
Stephanie Thomas: Hi.

Hi, good afternoon, everyone.

I really appreciate you all giving this presentation and I have a question about the Ports Initiative.

Is there someone from every region who’s connected to this program or should communities directly reach out to, I guess, at the federal level, I’m sorry, I’m not saying this quite right.
Sarah Froman: I know exactly what you're asking, Stephanie.

Absolutely. There is context for you in each region.

I might ask one of my team members to put a link to all of our regional contacts in each of our 10 regional offices.

Stephanie Thomas: Thank you, I appreciate it.

Sarah Froman: Absolutely.
You're welcome to reach out to me, but your regional context is probably even more knowledgeable.

Christina: We have one more quick question.

How old is too old to replace a bus?

Christine Koester: In the rebate program, we don't have a floor, as long as the bus is a model year 2006 engine or older, it's eligible to be replaced.
I think in the program we've seen some from the 80s.

If you have a very old bus and it is in use, that's key point.

It doesn't really matter what its age is, as long as it's being used at least three days a week or 10,000 miles within the last year, then it's eligible to be replaced.

Victoria Robinson: Right, we do have another person who raised their hand.
Alana Langdon, I'm going to ask you to unmute your line.

Alana Langdon: Thank you. I put this quickly in the chat.

This is Alana Langdon.

I'm with Nikola Corp., or a designer manufacturer of zero emission heavy duty trucks and the infrastructure to support them, just wanted to know if the EPA has their own standards or criteria for what you utilize to classify disadvantaged communities.
across the country.

And if you could let us know where those are, if there's going to be a process by which to do that, may be different from how California defines it.

Just wanted to ask that question.

Matthew Tejada: Hey Alana, thanks.

I'll take a first pass at this, I know for the DERA rebate for the American
Rescue Plan, Christine and Sarah, I think, can readdress the specific thing that they are looking for for that, and that's just for the American Rescue Plan.

For Justice 40, the executive order stipulates the creation of a climate and economic justice screening tool, which we have lovingly been referring to CEJST which I'm hopeful,
once it comes out, they will give
it a catchier name than CEJST.

But we are not in charge
of producing that tool.

That tool is being produced by the White
House Offices of Management and Budget, and

Council on Environmental Quality.

We are waiting on that tool as well.

We engaged with the folks who are leading
that effort early on to share all of our

knowledge, thoughts, suggestions from our
experience maintaining EJ screen for the

00:39:26,680 -- 00:39:29,770
last decade. But we're not the ones building it.

00:39:29,770 -- 00:39:32,990
We don't have our hands or our eyes on that project.

00:39:33,760 -- 00:39:38,590
As soon as that tool comes out, though, that is the tool that will be used for Justice 40 globally.

00:39:38,590 -- 00:41,290
I don't know if they're going to say that tool is a floor, and if there's more specific things you can use those, we don't know, all
that guidance and the tool itself are yet to be provided by the White House.

Alana Langdon: Is there an estimate, Matthew, on when they are trying to have that ready by?

I wouldn't hazard a guess right now.

Everyone asks. We ask a lot.

Everyone's asking, and it's going to come out... as soon as it comes out,

I think we'll all find out about it right at about the same time.
Alana Langdon: Thank you.

Matthew Tejada: You're welcome.

Victoria Robinson: All right. We do not have any more raised hands.

We're going to go ahead to the feedback section and then people can still ask additional questions.

Did you want to go ahead and start this slide, Christine?
Sarah Froman: I'll cover it.

00:40:40,890 --> 00:40:44,820
I just wanted to briefly mention the slide before really quickly for those because there

00:40:44,820 --> 00:40:50,520
might be some folks who are joining, who maybe don't have the full context of Justice 40,

00:40:50,970 --> 00:40:56,340
obviously there's a ton going on across federal government to address equity issues.

00:40:56,340 --> 00:41:02,480
Justice 40 refers to something specifically in an executive order, Biden

00:41:02,490 --> 00:41:08,160
signed one of his first executive orders in January, which created a Justice 40 initiative
to deliver this 40% of overall benefits of federal climate and clean energy

555
00:41:12,480 -- 00:41:14,970
investments to disadvantaged communities.

556
00:41:15,300 -- 00:41:18,450
Oh, I know the OEJ team is always helpful to stress.

557
00:41:18,450 -- 00:41:22,230
It's not a new program or a new grant.

558
00:41:22,230 -- 00:41:26,010
It's just a government wide initiative looking at federal investments in certain

559
00:41:26,010 -- 00:41:28,020
areas, and it's whole of government.

560
00:41:28,020 -- 00:41:30,210
It's not EPA leading this charge.
But the reason I mentioned is that the DERA and along with that, the Ports Initiative program are one of six programs that are participated in a pilot across the government. Back in January, the Office of Management and Budget, [INAUDIBLE] White House agency released this interim guidance, directing federal agencies to do a few things to support the Justice 40 Initiative, like develop a stakeholder engagement plan, identify benefits of the program and propose methods to calculate and report on program
benefits for disadvantaged communities.

You'll note there that the first one is to engage with our stakeholders.

so that's what we want to do a little bit up today because the whole initiative is

hoping to learn from the pilot programs of which DERA and Ports Initiative are one of them.

So we're excited to have an opportunity to do that today.

This next slide is just to help frame the discussion today on Justice 40. At a very
high level, we see DERA and Port's initiative offering two primary benefits.

The first and the big one is sort of direct diesel emissions reductions and the associated health benefits from DERA funded projects.

Then the second one is enhanced capacity for additional diesel emissions reductions beyond DERA funded projects.

As we think about maximizing benefits in underserved and disadvantaged communities,
we want to continue to prioritize Justice 40 goals and regular updates to the zero funding program that Christine was talking about.

We also want to continue to build capacity of our respective grantees and then promote additional emissions reductions in communities with EJ concerns above and beyond those projects were able to fund through DERA.

We've always really valued stakeholder
input to strengthen our programs, and we're

looking forward to hearing from stakeholders on today's call and others who aren't able to

join us, who are experiencing diesel pollution in their community communities.

We want to know, are there opportunities for programs to further maximize benefits to disadvantaged communities?

In this next slide, we've teed up a few questions to get the discussion started, but we very much welcome your input.
and thoughts are really only ways that we can

maximize benefits from these program
in disadvantaged communities.

I will read these questions.

I think I see some Q&A questions
happening [INAUDIBLE] raise hands.

But the first one is a methodology question,
which is how should EPA determine benefits to

a particular community for these mobile
source projects, which means things like the

vehicles that travel
between different communities?

Another question is we want to hear are disadvantaged communities aware of your funding and its potential to help communities.

If not, how could EPA reach more communities and support them in partnering with eligible DERA applicants?

Then are there additional ways that EPA can be encouraging community engagement, diesel emissions reductions in
disadvantaged communities, both as part of the DERA projects and beyond the life of the DERA projects, e.g. additional outreach, technical resources, training, other information that we could be developing? And then specifically with respect to school buses, how can we be engaging better with school districts in disadvantaged communities about these funding opportunities and about the adoption of newer technologies like
electric school buses?

Again, these are starter questions, and we look forward to engaging with you today.

Victoria Robinson: Go ahead and see if there's any questions in the Q&A pod that can be read out and then we'll move to people who've raised their hands.

If you want to ask a question, please don't hesitate to raise your hand.

Press *9 for those of you who are on
the phone.

Christina, do you see any question that might be relevant to ask in response to these questions?

Christina: I had a question that is slightly related, but I did think would be good to read out loud, which is can schools, for example, apply directly for funding of replacing buses, or does the applicant need to be a state entity?
Christine Koester: That's a good question.

School can apply directly for DERA funds.

Most of the applications that we do receive in the rebate program are from school districts directly. As long as the school district owns the bus that they're seeking to replace, they're eligible to apply.

In some cases, like in South Carolina, the state owns all of the buses.
So in that case, the state would apply on behalf of the school districts.

But that’s a unique circumstance in most cases, it seems.

The school districts own their own buses.

Christina: Great, thank you.

Another question we have is

Has EPA conducted monitoring by which to show the improvement in air quality by the DERA and Ports Initiative to front line communities?
Christine Koester: We have not done monitoring, we really rely on modeling, so we have an online tool called the Diesel Emissions Quantifier, where we can input the information about the old vehicle and the information about the new vehicle to determine the emissions reduction that has occurred from the project.

Christina: Great. Thank you.
Victoria, I think we have a hand raised.

Victoria Robinson: Yes, I'm going to go ahead and ask Denise Bennett to unmute her line.

Are you able to do that, Denise?

So far, I think her hand, she is still muted.

Hold on one second. Denise, if you do get unmuted.

Christina, go ahead and read another question while we work with Denise to unmute
her phone.

Christina: Absolutely.

The next question is do the DERA staff reach out to those communities that meet the 80 percentile of air pollution to encourage those school districts to apply for the grant opportunities?

Christine Koester: For the the 80 percent number that comes from our priority counting list that is
created for the grant program, so we put together a list of counties that are in that attainment for PM or Ozone, or 80 percentile or higher exposure for diesel particulate matter.

We do not reach out directly to every single county on the list, but instead we do advertise the DERA funding opportunity.

We do national press releases, list serves and then our regions are pretty active in reaching out to organizations in their region to apply and to answer questions that way.
We do try to maximize the amplification of the announcements, but we would like to even do more outreach to communities as well, but we do try to amplify the announcements as much as we can.

Christina: Great, thank you so much, do we have time for another?

Victoria Robinson: Yes, you do.

Christina: Ok.
Victoria Robinson: Denise is not unmuted.

Christina: The next question is, does DERA cover only the cost of replacing these buses?

Are there any programs to cover or help to cover the cost of installing charging stations for new zero emissions buses?

Christine Koester: In the DERA grant program, EPA will pay 45% for the cost for a zero emission replacement, so if a selected grantee is
going to replace and purchase a new electric school bus, we'll pay 45% of the cost of the bus itself and 45% of the cost of the charging station that it comes with. In the rebate program, we just provide a flat amount and it's up to the recipient if they want to use that to reimburse themselves for the cost of the bus or if they want to use it to reimburse themselves for the cost of the charger, installation for that charger.
For the rebate program, to receive the rebate payment, the applicant would have taken delivery of the new bus, scrapped the old bus, and then submitted the proof of paperwork to us. Then we would provide them the rebate payment. At that point, they can decide how they want to reimburse themselves for the cost of the charger and the new vehicle.
Matthew Tejada: I just wanted to add in a couple of points.

I see a few questions getting at this.

This is a pilot, right?

DERA, the Diesel Emissions Reduction Act program has been around for quite some time, but because of the American Rescue Plan funding for environmental justice the EPA received earlier this year, as the COVID relief package,
there were four statutes specifically not mentioned, but we were...

690
00:50:53,070 --> 00:50:55,740
They gave us four statutes to use.

691
00:50:56,490 --> 00:50:59,700
Congress did, for spending that $50 million.

692
00:50:59,730 --> 00:51:01,680
One of those four was DERA.

693
00:51:01,980 --> 00:51:06,690
We sat down with our colleagues in OTAQ, in the Office of Transportation Air

694
00:51:06,690 --> 00:51:12,870
Quality and said, OK, if we have some money for DERA, that's specific around

695
00:51:13,140 --> 00:51:20,850
trying to do something for the disproportionate impacts of COVID on certain
communities based upon the pollution they have. Obviously, focusing on

environmental justice, what would be a great use of a smaller amount of money than DERA

usually receives?

The answer we got, and the answer that was confirmed by engaging with some other stakeholders, particularly through the NEJAC was figure out how to use DERA for

electric school buses.
This is us really figuring it out.

We thought the rebate program would be better than the grant program because there's a lower threshold for people to request it.

Our colleagues in the Office of Transportation Air Quality thought that $300K that's a lot more than we would typically give out, I believe, because we really wanted to see, well, is that enough to try to get electric
school buses to the districts, to the parts of the country that we really want,

the parts of the country that were suffering disproportionately from COVID-19?

But this is a pilot, right?

We want to see how this works.

Thinking ahead, thinking to the future, where hopefully the DERA program will get more and more funding to do specifically this sort of work, really to try to drive
electrification into places that need it, that are harder to penetrate.

That's why this is working this way.

That's why this pilot has been set up this way.

We really are using this American Rescue Plan funding not just to have some benefits out in communities, but to try to catalyze our understanding in preparation for future efforts to do more and more of this.
Christina: Great, thank you. Do we have
time for another question?

Victoria Robinson: Yes, we have time
for one more question.

One or two.

Christina: Forgive me if I pronounce your name
wrong, but I believe it's Alan Harnett,

asked a question and it's quite long, but
there's a good question in the

middle of it that says do the state DERA
programs provide capacity support to local
governments to apply for DERA programs?

Christine Koester: Yes, that is a good question.

There's a limited amount of the DERA funding that can be used for education and outreach.

Most of the funding should be used for the actual vehicle or engine replacement to maximize benefits, but the states can use a small portion for education and outreach to reach communities.

Sarah Froman: I just wanted to add one thing, but I'll check to see if you can hear me,
someone said that was difficult earlier.

Am I coming through? [CROSSTALK]

Both DERA and Ports Initiative team, so

DERA is really focused on getting grants out and real emissions reductions,

but both of our teams, we work a lot at the headquarters and regional level to try to build the capacity of grantees.

One of the ways that happens is our regional offices will hold
workshops with local stakeholders.

Often state and local agencies are there.

It is something that we try to do regularly and are always open to feedback on what kind of information sessions might be helpful to support our prospective grantees.

Christina: Great, thank you.

Victoria Robinson: I have one person
who has raised their hand.

Leticia Colombia Mejias, I apologize if I mangled your name pronunciation.

so if you go ahead and unmute your line, Leticia.

Leticia Colombia: Thank you, ma'am. I appreciate it.

Thank you for providing this wonderful information.

I'm learning a lot, that's for sure.

I had asked the question about schools applying directly because I was fortunate
enough to work with legal conservation voters and Chispa here in Connecticut to get

an electric school bus.

We found multiple barriers to the process while applying. Here in Connecticut,

we found that the areas where buses were being placed, for example, were often

communities that were not at risk or vulnerable, and they were more likely to be

communities that had additional supports, such as a staff that wrote Grant, a staff
writer, rather to write the grants or had direct connections with programs that were already calculating implications of emissions related to buses.

Really, it's more of a comment that in relationship to looking for ways to expand the pilot, I think that one of the biggest things that I've seen needed across our nation is a support person directly able to actually help schools apply for the resources. And then the other thing that
because oftentimes they don't have someone on staff to do that process.

Then the other piece that I wanted to bring forward was that in some cases, in outreach communities, the buses are actually provided by other people and through contract. It's the lowest bidder who gets the contract and then they're not worried about the buses emissions because they're just worried about the lowest cost of the contract. I just wanted to bring that
forward because I see that you’re doing a

very good job of working on that equity,
inclusion and diversity lens.

It would require the acknowledgement
that in the low income communities, they just
don't have the time to attend this type of
educational presentation, and they need more

hand-holding to actually complete the
application process.

Thank you.

Christine Koester: Yeah,
thanks for that comment.

I really appreciate it, it's something that we're aware of and we're trying to come up with more strategies to help low income and underserved communities with the application process. We appreciate the feedback like that and it is something that we're trying to be mindful of.

One of the nice things about the rebate program is it is just a one page application rather than a 12 page narrative that is
needed for the grants.

That is something that we can provide.

Try to figure out ways to provide more education about the difference between the grant and the rebate program, and that the rebate program is less of an administrative burden for some applicants.

Leticia Colombia: The other thing that's important on the equity lens as well is that it's a leveraged application, so you're cash matching 60% or 65% in those
risk communities, they already don't even have budgets for like, let's say, science or art at all.

So leveraging funds is truly impossible when they can't meet their basic needs.

An equity based approach to addressing this would be that additional resources would go to communities, for example, that were title one, schools or those vulnerable populations that historically don't apply would get additional
funding in a higher amount than, for example, a community that already had resources. So that's all I have to contribute today.

But obviously going forward, there'll be opportunity for continued discussion.

Christine Koester: Thank you for that, and like Matt said, the American Rescue Plan rebate program is a pilot, and that's why we set the $300,000 limit where we did because we've heard feedback that some
schools can't even afford the cost of a new diesel bus, which could be about $90,000.

We are trying the $300,000 threshold in this very targeted rebate program to see if that is the tipping point or if an adjustment needs to be made there.

Victoria Robinson: Thank you very much, Leticia.

Christine, Sarah, do you want to go ahead and close out with any other closing comments?

Sarah Froman: I have none
but to say thank you.

00:59:21,710 -- 00:59:25,010
I don't know if we put it in here, but we should.

00:59:26,340 -- 00:59:30,240
Our email address is DERA@EPA.gov.

00:59:30,270 -- 00:59:33,990
If you have any other further input because you really want to hear from folks and I'm

00:59:33,990 -- 00:59:39,360
seeing some additional questions come in, I will definitely take a look at, and

00:59:39,360 -- 00:59:41,370
suggestions. Thank you for all of that.

00:59:42,120 -- 00:59:44,600
Christine Koester: Thanks, everybody for your questions and comments.
Much appreciated.
Thanks for having us.

Victoria Robinson: I'll also add that

the questions that are posed in the Q&A pod, if there isn't an answer provided during

the call, that we will publish that as part of our summary of the Q&A pod, we will try to

get an answer, and put an answer into the pod,

in our summary, I'm sorry, of the questions and answers, so thank you very much.
I'm now going to move it over to the program updates with Matthew Tejada.

Matthew Tejada: Thanks, Victoria.

So very quickly, I just wanted to go over a few updates with folks before we get into the EPA multi-year strategic plan conversation.

Obviously that is the biggest update right now, the overall agency's strategic plan is out on the street.
We're going to be going over that plan today.

We will also be using the next of these calls in the same fashion that we are today.

We will have some of our program colleagues join us to talk about Justice 40 and how their program is implemented.

Justice 40, I believe we have the Office of Water next time.

Victoria?

Victoria Robinson: Yes, that's correct.
Matthew Tejada: Thank you.

And then we'll do a repeat or kind of a refresher of the information I'm about to share with you all, and receive some more feedback because this multi-year agency strategic plan, it is out on the street right now.

The public comment period for it ends on November 12.

So we're using these two calls in October to provide a bunch of information, receive any
feedback we can during the length of these calls.

Then also, I'm not sure if it's even hit the Federal Register yet, but we are planning for the afternoon of November 10th.

We will convene the National Environmental Justice Advisory Council or the NEJAC that is our Federal Advisory Committee on EJ to EPA.

They'll be convened on the afternoon of November 10th to focus in even more on
receiving some feedback and advice from the NEJAC on this multi-year strategic plan.

This really kind of the biggest game in town right now for us.

Obviously, a lot of the other things that we have that we want to work on, such as standing up a national program as was requested in the president's budget request to Congress.

Anything that might be contemplated through the American Jobs Plan or the Build Back
Better agenda. We’re all just as excited as anyone else out there about the potential for those things to come through.

But we are just like everyone else, waiting for them to come through to see where Congress lands on multiple packages.

Hopefully, all this fall, we’ll see.

But that would include like the American Jobs Plan, the Build Back Better
reconciliation package and then the fiscal year 22 federal budget, which would include the budget for EPA.

And hopefully we'll see where that lands with respect to President Biden's historic, unprecedented request for funding for environmental justice.

With that, I don't have any other immediate updates.

I wanted to get on to the strategic plan information and engagement.
I think there was, I'm sorry, I can't remember, it was from the Gulf.

Your name is just escaping me now.

Somebody in chat had asked if they could ask a general EJ question.

I don't know if that person can raise their hand real quickly or if they ever put their question in the chat.

I don't think I ever saw any of the questions.

There it is, Naomi.
Can we unmute Naomi real quickly, Victoria.

Victoria Robinson: Yes, I'm doing that right now.

Matthew Tejada: Thank you. I'll be just a second.

Victoria Robinson: Go ahead Naomi.

Matthew Tejada: Here we go.

Naomi: Great, thank you so much.

I had a couple of issues I wanted to raise.
In particular, I wanted to talk about the air and pollution issues in Louisiana and Texas. Right now, each company is permitted to emit air pollution as though it's the only plant in the area.

We also have an issue with what happened regarding information and data that the EPA collected after Hurricane Ida for what was spilled and released. That information of what was actually being emitted into the air and water has
still not been made available.

It also wasn't ever made available to the people that live next to those facilities.

What is being done to address this issue of telling people in Louisiana and Texas environmental justice communities, which is pretty much all of the industrial corridor in the Mississippi River Valley, plus Lake Charles?
What is being done to let people know what is in their air and water?

Matthew Tejada: Thank you for that, Naomi.

On the first part of that, that actually ties in with something I'm going to talk about here in a moment where I think for the first time ever, we have drafted commitments for the agency to finally make meaningful, substantive progress on disproportionate impacts.
Disproportionate impacts was a term used in the original executive.

It really, I think, to a lot of us, disproportionality and really defining what disproportionality means and doing so in a way that is then operationalizable, if that's a word.

In a way that we can actually integrate thinking about disproportionality in our analyses and in the actual decisions we make, whether that's in the context of a
rulemaking or a permitting process.

Those are front and center.

Some of the most important things that we have got to figure out in this administration and what you are, I believe, pointing to in terms of the reality faced by communities in areas like along the Gulf Coast, heavily industrialized areas, cumulative impacts is part of that disproportionality.
It is the beating heart of disproportionality for many, if not most, communities with EJ concerns. I'll get to that, hopefully in a minute, but it is a very high priority issue for this administration. Some of the stuff that the administrator has already signed out publicly, including his letter on general iron earlier this summer, has put a marker down that we will figure this out and we will start to implement and integrate and
appreciation for cumulative impacts in things such as permitting processes.

That is one of the big pieces of work we have finally undertaken with all seriousness at EPA.

On the second point, we completely hear you and agree that information, data transparency, usable data and information, in real time is needed.

Hurricane Ida made that point.
The deep freeze earlier this year that was suffered by a lot of these same areas made that point. We are working right now with our colleagues in the Office of Emergency Management and other parts of the agency to really take a hard look at EPA policies and resources that can be brought to bear in a quicker way.

I don't have a satisfying answer for you right now, except to say that for the first time since I've been at this agency, I think we're finally starting to have some of the
conversations we really need to have to get the agency in a better place in terms of integrating EJ concerns, EJ realities in times of crisis, in times of disaster, and the role EPA and the rest of the federal government should be playing to respond to those to support the communities that are most overburdened and most vulnerable to them. Some stuff I hope you see reflected here.
The stuff on emergency management, I can't really share more of that yet, but we are spending, we're putting a lot of work into trying to improve how the agency responds and and provides information, and support, and clarity in those times to the communities that need it the most. Thank you very much for those questions.

Naomi: I just wanted to respond and say thank you and that I guess I would like to
encourage you all to consult with some of us on the ground that are trying to do some of this work to get the information to the communities and the roadblocks that we're running into, because I think that we can solve this together.

But it needs to be logical.

Matthew Tejada: I absolutely agree with you.

I mean, we we held a NEJAC down in Gulfport a number of years ago.
I think once we get this to a place and I'm hopeful that it's not super long,

I'm hopeful that here in the next couple of months, we'll have some things on paper that we think is a good starting point.

Then we'll probably be thinking about the NEJAC, thinking about some other ways to get that out to folks and get some input on it because we absolutely want a ground truth. The things we think will work with the folks that actually need it to
work, to make sure it
actually will work for them.

We definitely hear you there, Naomi.

Thank you.
I think we want to go ahead.

We're going to do. I know some of the folks
have some questions if folks could hold on

just a minute more, I'm going to get
through this as quickly as I can.

It is a lot of information, though.

This is a historic and
unprecedented opportunity.

We have never had environmental justice in the profile and the position that it is in, in

in the multi-year strategic plan.

Just for folks, it took me a few years to really understand the importance of the strategic plan in a government agency.

But it dictates so much of anything that happens, whether it's the budgets that get made, the things that individual
staff are assigned to do or committed to do

01:11:12,430 -- 01:11:18,100
on an annual basis and then appraised on
that, and receive raises or anything else, or

01:11:18,100 -- 01:11:23,920
promotions based upon that, how
whole programs prioritize their efforts.

01:11:24,070 -- 01:11:32,230
The strategic plan of a federal agency is a
keystone of everything that the agency does.

01:11:32,650 -- 01:11:36,560
We've never had environmental justice
incorporated in it.

01:11:36,580 -- 01:11:41,110
What's even more exciting is not only do
we have a goal that's dedicated to
environmental justice, but it’s dedicated to environmental justice and civil rights

01:11:46,630 --> 01:11:47,920 compliance together.

01:11:47,920 --> 01:11:53,890 Because this administration sees the relationship and the synergies and the

01:11:53,890 --> 01:11:59,500 reinforcing ability that exists between our environmental justice program and our

01:11:59,500 --> 01:12:01,000 external civil rights program.

01:12:01,540 --> 01:12:03,650 This is a really exciting time.

01:12:03,670 --> 01:12:07,410 Like I said before, it’s out for a few weeks right now to get public feedback.
That's why we wanted to use these meetings to make sure we were sharing it with folks, make sure folks had as much insight into it as possible and to start that conversation back so we can hear feedback from folks.

We're going to the next slide, please, Victoria.

Just wanted to say, the Administrator, since his first days has made it crystal clear that he is centering the mission of EPA on advancing equity and
justice, that everyone in this nation
deserves clean air, clean water, clean land

and a prosperous future.

To me, this is the most important platform

we have to look at things like Justice 40, to
look at things like executive order 13985,

the equity executive order that
the president signed on his first
day in office and to really bring these
things together to drive them forward through
EPA for the next several years.

Next slide, please, Victoria.

What we're going to do today is we're just going to provide that overview, there's a lot going on in the strategic plan.

It's a bureaucratic document.

It is what it is, but we want to try to break it down and explain it as well as we
can. And then we want to start that conversation coming back.

01:13:23,800 -- 01:13:26,260

We want to get your feedback, we want to get your questions.

01:13:26,260 -- 01:13:31,000

Like I said earlier, we'll be doing this again on October 26, which is the next of these biweekly meetings in case folks have something to say or in case folks miss it. We want to provide as much as we can during this public feedback period.

01:13:31,000 -- 01:13:34,780

01:13:34,780 -- 01:13:39,430


Next slide.
There's a few really key elements of the strategic plan, and you'll see these as we start to walk through it, there's the overall mission statement for the agency.

Then there are a number of principles.

There are four principles for EPA that we must follow across the board.

Then you have a number of cross agency strategies. In the past, this is where environmental justice would typically be mentioned.
We would get a mention in the cross agency strategy here or there.

But those are the ones that really kind of cut across the entire strategic plan.

The real pillars of the strategic plan, though, are the strategic goals, and you'll see what those look like here in a minute.

In those goals, those are like the chapters.

Think of the goals as the big chapters of this book, and inside of those
chapters, you have sections of each chapter.

Those are the objectives.

You break each strategic goal down into objectives to make it more manageable. Inside of those objectives, then, is where you actually have the very clear commitments, the measurable outcome based things that we want to achieve across all of these different strategic priorities.

Those are the things that to me, I think
are really the most important, are those long
term performance goals is what we call them.

Then we have some smaller goals that underlie those, that are year by year goals that get different pieces of business done to support achievement of those long term performance goals.

Next Slide.

Some of the things that are new in this strategic plan, like I was
saying, environmental justice and civil rights are right there as a core goal as well

as environmental justice and civil rights.

Climate change has also been added as its own goal.

It used to be tucked in typically into the goal on air quality that has been pulled out

and it is now a goal for the whole agency just on climate change in the same way that EJ and civil rights are.
There are, as I mentioned, four cross-agency strategies.

You'll see those here in a minute.

There's a lot in here specific to tribes, to our tribal partners.

There's also an increased emphasis overall just on enforcement, enforcement and enforcement for environmental justice is back in this administration.

Our colleague, Larry Starfield has very clearly said that in a number of places, but
want to make sure that that is really seen in this as well.

That's another goal area that we're not going to talk about too much today or really at all. Next slide.

It is in there.

You can see the entire strategic plan online.

I wanted to note that those principles I was mentioning, there's four of them.

Before this administration, there were three.
There was science, law, transparency.

Administrator Regan has added advancing justice and equity as a core principle instead of the agency, just core principle straight up.

Then you'll see there, you see the cross cutting strategies, scientific integrity, protecting children's health, and other vulnerable populations.

Just strategy three.
Just the ability of EPA as an organization to achieve our mission supporting that and then strategy four, strengthening partnerships across the board.

But then those big pieces, those chapters are these goals you see down tackling the climate crisis.

Goal two is the one we're going to talk about today.

Then you have the rest of the goals that really align with EPA structure.
Goal three is the one that goes to the Office of Enforcement and Compliance.

Goal four is the Office of Air and Radiation. Goal five, the Office of Water.

Goal six, Office of Land Emergency Management.

Goal seven, Office of Research and Development.

This is part of kind of treating EJ and civil rights as a national program. Goal two is really lifting that up.
I want to make sure folks understand, though, that at EPA, we actually have two offices that handle different parts of civil rights.

We have the traditional Office of Civil Rights, which is in the administrator's office and still is in charge of all of our equal employment opportunity issues, EEO diversity, equity, inclusion.

They work a lot with our Office of Mission...
Support on diversity, equity, inclusion

issues. There's that office that still exists and is still doing its own thing as

the Office of Civil Rights.

For goal two, we are talking about another facet of civil rights at EPA, and that is external civil rights compliance.

So that is making sure that anybody who receives EPA funding complies with Title six of the Civil Rights Act, as well as other civil rights acts such as Americans with
Disability. And also just making sure that everything we do at EPA is accessible, both in language terms as well as disability access just across the agency.

That is the office and the program that is working with the EJ program on goal two.

Next slide, please.
platform, it's the venue where we're going
to see a lot of these different efforts,

efforts from right now, like Justice 40,
like executive 13985

but also historic things.

What the NEJAC has been telling us for
decades, what just community leaders have

been telling us for decades, what other
bodies like the General Government

Accountability Office or the Office of
Inspector General or other institutions
that have recommended or critiqued the agency, or criticized the agency for a long time about advancing environmental justice and civil rights.

We really see goal two, as the first major platform we have to really say very clearly, here's how we see this.

We hear you.

These are the commitments we're going to set for ourselves at EPA for the next four years,
and we're going to do this in a way that's transparent and accountable moving forward.

We move to the next slide.

A few things to think about as we move through these, a few questions to consider.

do you think these goals that we're about to describe, do you think these are a good way of tracking our progress?

Reporting on these goals,
accountability to you?

Do you think you will see the things that you want to see the agency do by the way that we are committing ourselves in these goals and tracking it?

Do you see a connection between what is written in this strategic plan and the the issues that communities have been bringing to us for so long or the issues like Naomi was just bringing to us about folks down on the Gulf Coast?
Do you think there are specific actions that we could take at the implementation of these goals to make sure that your concerns are being addressed?

There's one in here specifically that's talking about making some outcome commitments for the agency. If anybody has some clear examples or ideas of what are some outcomes that we should be signing up for at EPA to make sure that we're measuring our achievement of real outcomes on the ground.
What are some examples of that that you'd like to see us consider?

Next slide.

Starting off with goal two, like I mentioned before,

this is the goal, take decisive action to advance environmental justice and civil rights, and there are three objectives.

There are three sub parts to goal two.

The first one is basically everything
outside of EPA.

Our relationship with states, the support we provide to communities.

Our actions in Indian country and in tribal lands.

It's all the external work of the agency.

That's all an objective 2.1.

Again, that's for EJ and for external civil rights compliance, are all in that objective.

Objective 2.2 is then all inside of the agency.
How do we pursue community driven work?

How do we make sure we integrate environmental justice and disproportionate impacts inside of our major decisions and the things that we actually do in the agency?

How do we make really clear commitments to change on the ground that we're going to measure our success by year over year?

Objective 2.2 point two is all inside of EPA. Objective 2.3 is
specific to that external civil rights office.

Because that office, that program, is experiencing an unprecedented level of support, just like the EJ program is.

There's an objective here that's just about really propelling that program forward in this administration.

There's some very specific stuff to them in that program and 2.3.
Next slide.

Starting off with that first one, objective 2.1, and I'm sorry, these next few slides, it's going to be a lot of words.

People told me it needs more pictures.

I couldn't think of any pictures for these but our big guiding principles for just objective 2.1, building capacity for communities to be resilient to climate and to maximize
benefits to communities engaging and

01:22:41,080 --> 01:22:44,980
supporting the other parts of the
environmental regulatory endeavor,

01:22:45,180 --> 01:22:49,420
states, tribes, local governments,
for them to push forward on equity and

01:22:49,420 --> 01:23:00,820
justice achievements in partnership with
communities. Then also looking at the

01:22:54,460 --> 01:23:05,800
implementation of our authorities in Indian
country to make sure that everything the EPA

does, we see that achieving our mission in
Indian country is a part of our environmental
justice mission overall, as well as a part
of our centering the agency's mission on

environmental justice.

If you go forward to
the next slide, you'll see the actual...

These are the actual goals and typically
in the rest of the strategic plan,

there's one or two goals in each objective.

We took some liberty because we know that
there's a lot of ground to make up.

There's a lot of ground to cover in terms of
environmental justice and civil rights.

We by far have more commitments for the agency in goal two than any other part of the strategic plan. The first one of these is that any agency at EPA that needs to meaningfully engage with communities has got to provide that communities with the capacity support to engage back with us, no more of these days of programs going out and wanting to hear from communities, but not providing
them with information, not providing them with training, not providing them with support to understand what it is we're doing, and to actually be able to talk back to us in a way that we can then do something, that it's our responsibility to provide that capacity to communities if we want and need to engage with them to inform our thinking. That first one is just making sure any part of the agency that does that has got to provide that capacity support.
We're going to measure that, every part of the agency that does so is providing capacity support during the length of the strategic plan. That we will also, on the second one here, that any of our formal agreements with states or with tribes or other levels of government that stand in EPA shoes, those other government agencies that actually implement EPA's authority for us in their areas, that we're going to start to look at
how will we include commitments to
address disproportionate impacts in those

agreements? Disproportionate impacts

is that term that is encompassing in
our understanding of it, of cumulative

impacts. Cumulative impacts and
disproportionate impacts aren't the same thing.

But if we get to disproportionate
impacts, that is cumulative impacts and other

things, because you can still have...there are
still communities with EJ concerns out
there that are really being impacted by one place or one source, but that impact is disproportionate. We want to see a reflection of that in our formal agreements with other levels of government.

The third one here by September 30th, this is one we worked on with our colleagues in the American Indian environmental office that looking at our direct implementation, because in most Indian country, in most tribal lands
across the United States, the tribes aren't actually standing in our shoes.

There are some that do for some programs.

But for the most part, EPA is still responsible for protecting health and environments in Indian country, in tribal lands.

We're going to start measuring the fact that, yeah, we need to achieve our mission in Indian country just as much as we do for anywhere else in the United States.
That'll be a part of environmental justice.

Protecting those overburdened and vulnerable communities in Indian country is pursuing environmental justice, is advancing it.

It is centering the agency's mission on environmental justice.

You'll see here there's an X so this is still a draft.

We want to hear anywhere, any of this.
we want to receive feedback on it.

Do you think these are right?

Do you think there's a reflective like on number two?

Do you have examples of what sorts of formal agreements you'd like to see us include in this? Because we still got to do some defining and some hammering on this. Same thing on number three, there's that X in there.

How many actions do
you think would be meaningful?

A thousand, one hundred?
Should we do a percentage?

A percentage might be hard to count.

But anytime you see an X, that's us saying we don't know what the right number is.

We want to hear from the public on this stuff.

And then Kurt, if Kurt is on, Kurt, do you want to take this fourth one?

Kurt Temple: Yeah, sure.
That relates to the civil rights obligations under our EPA nondiscrimination regulation at 40 CFR, parts five and seven.

That our state recipients are obligated to have in place foundational requirements of a nondiscrimination program such as non-discrimination coordinator, nondiscrimination statement, grievance procedures.

In addition, that they also are providing meaningful access to persons with limited
English proficiency and individuals with disabilities.

This is part of our obligation in the external civil rights office to ensure that recipients of EPA funding have this system in place.

Matthew Tejada: Thanks, Kurt, and I should have introduced Kurt.

Kurt is our very good colleague from the external civil rights compliance office, so we wanted to
make sure that he was on for this

1217
01:28:12,800 --> 01:28:15,560
presentation. If we can go
ahead a slide please, Victoria.

1218
01:28:15,650 --> 01:28:19,010
Now looking at objective 2.2,
it's that next section.

1219
01:28:19,010 --> 01:28:21,440
This is looking at everything inside of EPA.

1220
01:28:21,590 --> 01:28:24,740
This first one is a
big one to unpack, or wait,

1221
01:28:24,740 --> 01:28:28,370
I'll get to that a minute, but we want to
make commitments on actual change on the

1222
01:28:28,370 --> 01:28:30,380
ground. These are the principles here.
We want to make sure that EPA decision making is really incorporating what we hear from communities and that it analyzes and addresses disproportionality in our actual decisions.

We want to continue to build the capacity of EPA to pursue community driven solutions.

We think that actually working with communities on the ground in a community centered way isn't just a powerful way to advance environmental justice,
it's a necessary way, that we have got to start looking at the holistic challenges of communities, engaging with them, and driving our work forward in a way that really answers those needs of communities.

Then, of course, again, we have the Civil Rights Compliance Program, making sure that all of the programs across EPA, whether it's the water program or the air program that everyone in EPA, all of our programs are fully compliant with our civil
rights obligations. Go forward one more slide, please, Victoria.

Here are the actual goals.

Again, here are the things that to me are the most...

This is the actual teeth of what we have in the strategic plan.

This first one, I need to unpack.

Back in the EJ 2020 action agenda, which was the EJ strategic plan, the standalone EJ strategic
plan that we crafted and finalized in October of 2016, it was never...

But we knew then, just as we know today, in almost 30 years of EPA advancing environmental justice, we've got to start showing what we're doing.

We've got to start showing the change happen on the ground.

We got a lot of work to get there.
We've got to figure out what are the commitments that we want to make? Things like

100% of the people in the United States should have access to drinking water. That's a good commitment.

We don't have the capacity right now to measure how many people in the United States actually has access to drinking water?

We've got a lot of figuring out to do just to be able to make those sorts of very
clear meaningful commitments operational because they don't...

We're not talking about the bureaucratic commitments that we typically make in the government.

We're talking about very clear, compelling commitments to advance environmental justice.

We want to make at least ten of these commitments.

This is what we're proposing and spend the next three years, four years just figuring
out who's responsible? What policy changes do we need? What program changes do we need?

What kind of new data sources do we have?

How do we put the tracking in place?

We've got a lot of work to do to figure out how to make really clear compelling commitments to outcomes on the ground, but this is signing EPA up to overcome that challenge. The second one, looking at significant EPA actions with EJ implications.
Permits, rules, rods.

The other big... the actual decisions that EPA makes, they have got to start being responsive to EJ concerns and to addressing disproportionality.

It's got to be in the document.

It's got to be in the decision.

It's got to be clear, all of this work we do for environmental justice, we have got to start showing our homework and showing where it's been actually impacting our decisions.
Again, you’ll see here, is it 100%?

Do folks think 100% of all significant EPA actions?

Is that too ambitious?

60 percent?

I want 100%, but we want to hear from folks.

What percentage of this do you think is a meaningful commitment for the agency to make?
Same on this one, XX %, but of the programs that work in and with communities will do so in ways that are community driven.

Not just the government showing up and doing the government business and then walking away, but really thinking about us showing up as an EPA or showing up as a government with other federal agencies, with our state, tribal and local partners, really showing up to engage the community around the community's holistic concerns.
What can we do with our statutory authorities and with our other authorities to really drive change that is centered on the community's needs?

Then, Kurt, would you take the fourth one again please, sir?

Kurt Temple: Yeah, sure. We want to make sure that EPA, across all its offices and regions, is looking at areas where we can ensure compliance by our recipients with civil rights. In order to do that, we have to look at how our programs work and also
integrate these issues into the planning, guidance, and policy directives and monitoring, etc., from the outset.

In addition, internally at EPA, we have some obligations to ensure that when we are engaging with stakeholders, communities, others that we're providing language access for doing so under the EPA order, and also access for individuals with disabilities.
Matthew Tejada: Thanks, Kurt.

Then if we can go forward one, I think, Kurt, these next couple are all for you.

Kurt Temple: Sure enough, this is about really strengthening the external civil rights compliance office.

This is the best way. It's a strong legal tool to ensure that our environmental justice efforts and our civil rights efforts are addressing
disparities. This is the overall goal of this objective 2.3 with respect to the external civil rights compliance office.

Title six is a powerful tool, and it's been around since 1964.

See the next slide.

To that end, here are the goals underneath 2.3.

Often it's been pointed out to us from the outside that we need to do more
civil rights compliance reviews.

To that end, we've committed to doing that in goal number 1.

In addition, we have to focus on our pre-award obligations to ensure that those individuals who are applying, and groups who are applying for, and receiving EPA funding, are meeting their obligations because the grant terms and conditions say that there's an agreement to be bound by civil rights laws in order, as a
prerequisite to receiving EPA money.

There's a post award element of that, and to ensure that number one, that we're not holding up grant process, but also we're ensuring compliance.

We're going to start to do audits of the submissions to ensure that those who are applying for EPA funding are actually doing what they say they are doing.

Then engagement is really important and not only just engagement as to what
we're doing like with this conversation, but also engaging folks in our complaint.

resolution processes. Particularly, we've heard that communities want to be more in part of our resolutions and have input into that.

So we're going to have more engagement on that end.

Then also, number 4, it says it's under development, but the goal is also to incorporate some of these commitments regarding permitting and other things into
our informal resolution agreement to ensure that civil rights analyses are done

before permits are issued and things of that nature.

Matthew Tejada: All right. Thanks, Kurt.

Just real quickly, we'll wrap this up. If we can go forward one, Victoria?

Just making sure everyone knows, obviously, October 12th is today, on 26th,
we'll be rehashing, redoing this conversation, getting more feedback.

1332
01:36:46,190 --> 01:36:47,780
Maybe we'll do it a little bit snappier.

1333
01:36:48,770 --> 01:36:54,380
There are also specific meetings on the 14th and the 28th where there will be a similar presentation, but it'll be focused on tribes.

1334
01:36:54,380 --> 01:36:56,720
Then, on November 10th, the NEJAC, the National Environmental Justice Advisory Council, will be meeting to discuss the strategic plan and give us some feedback there. There will be a public hearing at the
end of that so folks can testify to the NEJAC.

01:37:11,360 --> 01:37:15,980
if you like, then we'll be taking all
of this in for the rest of November and

01:37:15,980 --> 01:37:19,400
through December, taking all
this feedback in. making changes,

01:37:19,820 --> 01:37:25,760
working on the plan revisions in January, and
then sometime in February, we're going to pop

01:37:25,760 --> 01:37:29,630
out with this next multi-year strategic plan
for the agency.

01:37:30,130 --> 01:37:31,370
Can we go forward a slide, please?

01:37:34,370 --> 01:37:36,980
Here's all of our contact information.
Myself and Chitra Kumar, the Assistant Director of OEJ, who's been really co-leading this with me, and then Kurt Temple, you see his name and email here, and his and the Director of the ECRCO, External Civil Rights Compliance Office, Lilian Dorka,

If we haven't sent this out yet, we will send this around to everyone who registered for today. Next slide, please.
If you want more information about the tribal consultation, that is, and there's those tribal informational sessions happening Thursday and then two weeks from Thursday.

You can contact our new chief financial officer Faisal Amin, or just with written comments, generally Joey Bailey, or Judy Lieberman.

Their information is here.
Then we'll leave this up for a minute, so you can see the draft plan at either of these two URLs.

Any comments today?

We want to hear them.

We're recording, we're taking notes, but we would also encourage folks if you really had some meaty comments, if you really want to give it to us, please do it through the docket that makes a public
record of it, that make sure everyone can see

1363
01:38:47,950 --> 01:38:51,280
it, that make sure my bosses at EPA see it.

1364
01:38:51,850 --> 01:38:55,270
We don’t have the whole agency leadership on
this call for them to hear you.

1365
01:38:55,630 --> 01:38:58,640
That is the best place for everyone in the agency

to hear you through that docket system.

1366
01:38:58,640 --> 01:39:01,240
I think we’re going to
leave that up for a minute.

1367
01:39:01,930 --> 01:39:03,640
There's a couple of folks that had their
hands up since I started to talk, including
our very good friend and colleague and
former NEJAC member, Edith Castagna from the

Great State of Connecticut.

99% sure it's Connecticut, but
Edith, why don't you kick us off with a

question or comment?

Well, I think we're trying to unmute you, Edith.

Victoria Robinson: She has
to unmute herself.
I've asked her to unmute, so waiting for her to do that.

1376
01:39:34,640 --> 01:39:35,800
You want to go to Anthony?

1377
01:39:36,220 --> 01:39:37,960
Matthew Tejada: Sure. It looks like Anthony is ready to go.

1378
01:39:39,210 --> 01:39:41,640
Yes. So, Anthony, go ahead and unmute your line.

1379
01:39:43,580 --> 01:39:46,190
Anthony: Thank you, Director. My name is Anthony [UNINTELLIGIBLE].

1380
01:39:46,190 --> 01:39:49,790
I believe I am in the EPA region five in Michigan.

1381
01:39:49,790 --> 01:39:53,810
I just wanted to currently say as an activist in Flint, I wanted to say thank you for your weighing in on our current situation as that we are facing Ajax permitting, Ajax asphalt plant being permitted in our community. It serves predominantly a minority community of 500 families in 13 park areas. We're very thankful to see that you got involved and weighed in on that, and we are very interested in working with people in the area regarding all these wonderful moving
forward plans that you have over the next coming years.

I would like to say thank you once again and to please be expecting an email reaching out to me to see how that I can work with you and your organization moving forward.

Thank you.

Matthew Tejada: Thanks, Anthony. I really appreciate that.

I was trying when I mentioned the general iron letter, I was like, we just did
one in Michigan, but I couldn't remember the facility name.

That's another great example, hopefully of really showing on paper and in action that the Administrator isn't fooling around.

The Administrator is serious about figuring out disproportionate impacts.

The Administrator is serious about us figuring out how the EJ program and the external civil rights compliance office can work together not just in the ways we already
are inside of the agency, which is great,

it's great having such close colleagues, but
actually, bringing it to bear in

the business of the agency so that
Ajax letter, I think, is another
great example of that.

I'm sure our staff who is
staffing the chat is trying to find that
letter so they can put
a link in chat for everyone.
Edith, were you able to get your mute figured out?

Oh, my gosh, she's been sitting there for so long she can't figure unmuting.

Victoria Robinson: We're going to go ahead, and I'll allow Eric to go ahead and ask his question.

Eric: My name is Eric. I want to weigh in on what Anthony just said.

The letter you guys sent was great and we
are grateful.

But my question is if EGLE ignores that letter and goes ahead and grants the permit,

which is what EGLE is trying to do right now, what is the next step

EPA is going to take to make sure that...

to make sure that agencies like EGLE is able to respect the objective that you have laid out, like objective 2.3.

Matthew Tejada: Thank you, Eric. I'm not going to
obviously project into the future and make a
decision that's not mine to make.

I will say, though, that these letters
and the positions the agency is taking are...

there is a lot of involvement and there is a
lot of thoughtfulness that goes into them,

and they are absolutely in response to the
direction of the Administrator, and where he
wants to take this agency and the
priorities he wants to project out into the

United States to really deliver on what he
again says repeatedly, centering the mission

of the Agency on environmental justice, ensuring clean air, clean land, clean water

for everyone in this country, which means, doing so for the communities that

have not received it.

I think the position of the agency was very thoughtfully crafted and very

clearly communicated in the Ajax letter.

Still, no, Edith. Well, maybe, Victoria, we need to go over to some
01:43:50,500 --> 01:43:52,030
questions from the Q&A pod.

01:43:52,520 --> 01:43:53,770
Victoria Robinson: Yes, let me go ahead and do that.

01:43:56,350 --> 01:43:58,740
Christina, do you have any questions cued up?

01:43:58,990 --> 01:44:00,220
Matthew Tejada: Before you start. Hold on.

01:44:00,340 --> 01:44:02,240
I know that there was already one.

01:44:02,260 --> 01:44:03,970
Somebody in the chat...
I had the same reaction the first time I encountered this term of Indian country.

I was like, What? Is that how we refer to tribal lands? Indian country? Especially, of course, with yesterday being Indigenous Peoples Day,

It is a term of ART, and we use that term very purposefully because it is the clearest, the most clearly defined and all encompassing term that the U.S. government, not just EPA, that the U.S.
government uses to refer to indigenous lands, including reservation lands, including lands in places like Alaska.

I found it abrupt when I first started using it, but it is a term of ART. We're not just saying Indian country thoughtlessly, it means something very specific legally and in government speak.

It is the most encompassing word that we can use for that.
I just wanted to say that first, I'm sorry, Christina.

Christina: No, not at all. Thank you very much.

Appreciate it. The next question we have is how was the date of September 30th, 2026 chosen for many of these LTPGAs?

Matthew Tejada: This is a multi-year strategic plan.

It's the next four years. We just started... four fiscal years,
Sorry, and the federal fiscal year ends on September 30th every year.

So this is for the next four FY-22, which is right now.

Remember a few weeks ago, like the government was maybe going to shut down, yada yada yada, continuing resolution.

That's because September 30th into October 1st is when we flip over into a new budget year, a new fiscal year.
That's when we need to have a budget or else we shut down.

This is the strategic plan that will take us through the next four fiscal years, ending on September 30th, 2026.

Christina: Great, thank you.

The next question we have is how do the goals of EPA transfer to state departments of Environmental Quality?
Matthew Tejada: That's what we're going to figure out.

It's a big one to me, it's a big one to a lot of us at EPA.

I've said many times when I was in Houston, running that organization, I hardly ever thought about EPA, but I thought about the state and I thought about the city, and the county, and the port, and the hospital district, all day long. That's why to me personally, but also to the EPA, we know that this
this issue of... The fact that the vast majority of the environmental regulatory endeavor is not implemented by EPA.

That's not how this whole thing was set up from the very beginning.

Back in the 1970s, it was set up for EPA to be this big and for states and everyone else, cumulatively to be this big and actually be doing the work.

We work in partnership with states, and with local governments, and with tribal
governments when they hold our authority.

Otherwise, we work with them in a nation to nation or we also work with them in a nation-nation capacity.

But we have got to start figuring out what that relationship means in terms of environmental justice.

This is one of those areas where we need to figure out the interplay between the environmental justice and the
external civil rights compliance office

1486
01:47:38,250 --> 01:47:40,800
because we don't have an EJ law.

1487
01:47:41,010 --> 01:47:45,180
Although I would argue the Clean Air Act
doesn't say it's okay to poison 10% of

1488
01:47:45,180 --> 01:47:49,200
the population, but we need to
figure that out just what EJ

1489
01:47:49,200 --> 01:47:52,500
means in our regular environmental statutes.

1490
01:47:52,920 --> 01:47:55,650
But the Civil Rights Act is a law.

1491
01:47:55,650 --> 01:47:57,390
What is the interplay between EJ
and civil rights, and what does that interplay going to look like in black and white, in an actual written agreement, with another level of government that is implementing our authorities? That's what the strategic plan is saying. We're going to figure this out.

Victoria Robinson: Thank you, Matt. We do have a person, Anita Cunningham.
She has her hand raised.

Anita Cunningham: Hi, can you hear me?

Victoria Robinson: Yes.

Anita Cunningham: Thank you so much for your presentation.

I asked the question about how does that transfer to states because I am in eastern North Carolina and environmental justice communities are continuously overburdened by dirty industries, wood pellet and bio-gas, and biomass,
and it seems that the Department of Environmental Quality,

their interests or more profits over people, and continue to allow the permitting of these industries that scientifically have been proven that are harming these communities, and they're primarily in black and brown and underserved communities. It's extremely frustrating going and being at a public hearing and having all of these people, lawyers, and
scientists, and community leaders, and

1511
01:49:23,530 -- 01:49:26,110
community members, talk about the impacts.

1512
01:49:26,110 -- 01:49:31,750
Then the next thing you see, the permit
was issued anyway, and they're talking about

giving so many jobs to the communities,
, when in fact, it may be 50 jobs that

1513
01:49:32,020 -- 01:49:37,390
aren't very high paying jobs,
but at the same time, they're

1514
01:49:37,390 -- 01:49:43,150
they're cutting our forests,
our trees that we need.

1515
01:49:43,150 -- 01:49:46,780
It's just a lot of assault
on our communities.

And quite frankly, it doesn't appear that it has gotten any better.

I just wanted to know what kind of interactions can I take as a community organizer to have some kind of meaningful discussion around the things that we talk about when we talk about environmental injustices.

Matthew Tejada: Thank you for that, Anita.
I would say, just like you're doing right now, by speaking up and speaking out about it.

Again, going back to Houston, it was something that I had gotten really jaded about doing in Texas there at the end, primarily talking to EPA, like I wouldn't go to Dallas again unless somebody bought me a plane ticket.

I was not driving four hours to Dallas just to sit in the hearing room one more time.
I will tell you, though, from... a couple of things I'll tell you. One, the voice is just like yours, even though I know it's exhausting to have to do it over and over again, year over year.

It is absolutely critical that in every opportunity, at every juncture and every venue, that we hear from folks like you and not just me, but the rest of the leadership, the rest of the programs.
Again, that’s one of the things that in this strategic plan trying to push out there, the agency to engage with communities more proactively, to try to support communities, to be able to lift their voices more clearly back to us.

We're trying to push the agency, to lead the agency, to help the agency into that place of more effectively and meaningfully engaging with communities and being responsive to the sorts of issues like the
wood pellet issue that we’re hearing tons of

1541
01:51:50,440 --> 01:51:51,520
or biomass.

1542
Those are big issues that we better wrap
our head around.

1543
01:51:53,590 --> 01:51:58,720
I see in the chat and Naomi is bringing up
LNGs, great big issue for us to figure out

1544
01:51:58,720 --> 01:52:01,270
A little bit of dissonance there.

1545
01:52:03,010 --> 01:52:05,650
That's one thing that I want to say.

1546
01:52:05,650 --> 01:52:14,420
Also I don't know of a state
right now, and I don't know, maybe I'll lose
a bit of credibility if I say this,

I don't know of a state that's just saying, Hell, no, we don't want to work on EJ,

even if publicly they're like, we're not going to say EJ, but all right, we get it.

There are communities that are disproportionately impacted.

What can we do about that?

The arc is bending in this direction.
Some states are leading the way.

I see EPA's role as bringing along the other states that aren't leading the way, and providing some support, and providing some guidance, and providing some mandate, to go out there and figure this out.

Continuing to raise those issues to us.

If you can put in some comments in this public comment period, we need the public. We need the public to tell EPA,
We need you to do this, we need you to take these commitments seriously, we need you to be even more ambitious than what you had in the paper, if that's what you think.

We need that.

We need to hear directly from you all to make sure that this strategic plan is going to get at the issues that matter to you, that are going to get at the problems affecting your lives.
So please take any...

Hey, it's Melanie Oldham.

There's a voice. Please take every opportunity you can to lift up your voice so that we hear it. I'd love to hear Melanie Oldham's voice real quickly, Victoria.

Victoria Robinson: I've asked her to unmute herself.

Matthew Tejada: There she is. Hey, Melanie.
Melanie Oldham: Hello.

Matthew Tejada: There you are.
I'm fine, how are you?

Melanie Oldham: Pretty good, I'm actually seeing a patient, but as you know, I live in Freeport, Texas, on the Texas Gulf, and as you know, Freeport, Texas, which you used to come visit is an environmental justice community.

As you know, I just got on the call about 30 minutes ago, but I've been taking notes and listening, and I think
this is really great, the strategic plan that

we are putting together as a
group of people in EJ communities.

Anyway, I'm very excited
along with a lot of people that are in my

little group Citizens for Clean Air, Clean
Water in Brazoria County.

Anyway, I would like to participate any
way I can and thank you all so much for what

you're doing and for working on the
strategic plan, which will help all of us.
Matthew Tejada: Thank you, Melanie.

01:54:47,020 -- 01:54:50,800
We don't do this without folks out
there like you who are actually on the

01:54:50,800 -- 01:54:53,290
front lines fighting for
justice for your community.

01:54:53,290 -- 01:54:58,720
It's great to hear your voice and I'm
glad you're still out there doing the work.

01:54:59,870 -- 01:55:00,800
Melanie Oldham: Thank you, sir.

01:55:02,700 -- 01:55:09,920
Matthew Tejada: We look forward
to hearing from you.

01:55:00,800 -- 01:55:02,090
Melanie Oldham: I'm going to try to participate or
be prepared more on the 26 meeting, but

again, we have so many issues as you're aware of Port, Freeport and anyway, all of our

issues we have here. But anyway, thank you for listening to us and helping.

Matthew Tejada: Thank you.

Melanie Oldham: Bye.

Victoria Robinson: Christina, do you have any other questions in the chat?

Christina: Yes, absolutely.
The next one is how do we know the status of state and local agencies with respect to having foundational civil rights programs?

What percent of agencies have mature civil rights programs?

Matthew Tejada: If Kurt is still on, there you go, Kurt.

Kurt Temple: I can say that EPA has a lot of federal funding recipients beyond just the states, number one; but we know for a fact that not all of them do.
Which was really the push for the initiative in the last few years.

One of our strategic goals, of course, is to get all those in place.

But where we've asked states to put this information is on their websites, but not only on websites, because not everybody has the internet and whatnot, but to ensure that it's in their publications and things.

One of the triggers, of course, is if you see a non-discrimination statement on
publications and things, or if you go to state DEQ's web page and you see a link for discrimination information.

We've been very instrumental in helping the states figure out how to do that, but to set up a civil rights page where they can access the information about the coordinator and grievance procedures.

Maybe instead of filing a complaint with EPA, you can file a complaint with the state
and see how they respond to that complaint.

That's how you can see if your particular state agency has those things in place.

Certainly, we continue to work on that and we are actively engaged right now in a number of initiatives with different states.

Matthew Tejada: Thanks, Kurt.

Victoria Robinson: Christina, do you have any question?
Christina: Yes, I actually really like this one.

Couldn't all EPA programs that are operating in communities be community driven rather than a lower percentage?

How do you define community driven?

Matthew Tejada: Community driven,

a lot of what is happening right now is that since this is the first time we're
able to play in this space that we have a
big chunk of the strategic plan real estate

1629
01:57:52,770 --> 01:57:54,150
to try to figure out.

1630
01:57:54,390 --> 01:57:56,390
That's part of the thing we got to figure out.

1631
01:57:56,640 --> 01:58:04,320
How are we going to define community driven?

1632
01:57:58,950 --> 01:58:04,320
As we're still receiving input from the
public and fine tuning the strategic

1633
01:58:04,320 --> 01:58:09,270
plan and making changes, there's a lot of
pieces in here that we've got to define,

1634
01:58:09,280 --> 01:58:11,710
We just have to scope out
or we have to baseline.
One of them is community driven.

What are we going to define as community driven?

One of the other commitments about providing capacity support to communities, if we're engaging them, what do we define as capacity support?

Is that probably a range of stuff from making sure we have flyers in different languages available all the way up to a grant program and not every program that EPA
would need to do all those things, but there's got to be some right sizing within that definition. What do we mean by significant actions with EJ

That's an idea. Which formal agreements with states and tribe and local government like we put in there, I think performance partnership grants.

But what other formal agreements should we maybe look at?
That's exactly the sort of stuff that we want to hear back from you all on.

I think it is completely reasonable to say that the goal should be 100%.

If a program is working with communities, they should be doing so in a community driven way. I think 100% to me, to Matthew Tejada is a completely reasonable goal to put on there, but we'd like to hear from you.

all what do you think the goal should be?
Again, we need to hear from you because we're going to go back inside the agency over the winter and keep working on this.

We need to have your thoughts to help us continue to push forward in this part of the strategic plan.

Victoria Robinson: Thank you, Matt.

It's almost four o'clock, do you want to go over a little longer?
Matthew Tejada: I can go over. Yeah, I know that we talked for a while today, so.

Victoria Robinson: Okay.

Christina, are there any more questions in the chat in the pod?

Christina: Yes, there are; one very quick one.

I know that we were referencing a letter earlier and someone was asking if we could provide a link to that letter.

I don't have that.
If someone could get that to me or is that available?

Matthew Tejada: Kurt, do you know if we've published the Ajax letter anywhere publicly so that we can put a link in the chat?

Kurt Temple: I don't, but I can check.

Matthew Tejada: Kurt will check real quick.

Thank you.
Christina: Okay, great.

If we aren't able to get that before the it closes, that will be provided in the follow up Q&A meeting materials for people to be able to grab at a later date. The next question is for the strategic plan.

What about offering a review of the plan in sections that allows for verbal comment from attendees? This may take some of the burden off the communities to type and organize
their comments. This is a meet them where they are at provide support to EJ folks and

[UNINTELLIGIBLE] folks approach.

Matthew Tejada: That's what we're doing right now.

We're going to repeat this and probably do a little less presenting and a little more dialogue on the call on the 26th.

So two weeks from now.

We have one more call after that in November.
I think it’s November 8th.

We have another one of these calls.

If we want to just go straight up, dialogue, unpacking of this goal two in that call, we can do that too. I don't know that we have that November 8 call programmed yet.

That's why I wanted to do these.

That's why I wanted to use these biweekly calls for this because again,
if I was back in Houston, I might have time to read this thing and write up some comments, but I sure should rather just get on and share some thoughts if I could.

We still need folks to give us some written comments, please.

They will be helpful for us over the winter as we finalize this plan, absolutely,

We're doing it for goal two.

Again, there's a couple more of these happening in October for anything to do
with tribal or indigenous issues in the strategic plan.

I don't know. I frankly don't know what any other plans there are by other parts of the agency on goals specific to their parts of the agency, but at least for at least for the EJ and civil rights one, we wanted to do. I hope, I think exactly what you're suggesting, trying to have some dedicated time to unpack this and gauge dialogue, get some feedback.
That's exactly what we're trying to accomplish here and we will continue to do during the public comment period.

Victoria Robinson: Thank you, Matthew.

Matthew Tejada: Christina, I can start scrolling through these.

Jeff Wolf is asking if we have any tools that would help communities or municipalities to create a single comprehensive framework or roadmap?
He's aware of EJ screen, but another tool,

I'm not sure what other tool you might have heard us say earlier.

I will say, though, that we do have...

We have some resources that we are working on.

We've actually been working on them for a little longer than this administration to provide tools both to communities in terms of training, information, capacity building directly to communities,
as well as building some more consistent

information and tools
for people who practice EJ

at EPA with the intent of sharing that
publicly for our state partners, for local
governments, for whoever wants to use it.

We are working to get those tools
out of EPA's hands so that they're just

publicly available.

I'm not going to try to explain the
bureaucracy of publishing a document that
literally has almost 2000 pages because one of these tools is a whole curriculum.

But we are working through the process of getting these things out on the street.

And please, please these calls, our website, even though it's a government website, it's as good as it's going to get.

But please do look at those.

Please do engage with us, either here or send us an email or on Twitter.
The voice of Christina, who you keep hearing is our Twitter goddess.

She's the one constantly in control of that.

But please engage back with us, tell us what you need, and if we can connect you to something that's already available, we will.

If it's something that we need to think about, or it can help us to try to get things out of the agency because people are asking us for it.
That really does help us.

Like if we can turn around, say no, we need to publish this because they are asking for it. I feel like, Oh my gosh, all right.

Well, let's get this out the door.

And I don't know if that bought us some more time to look for another question, or maybe...

Christina: Yes.

There are a few. First of all, I'm very much going to take the term Twitter goddess.
I love that very much. Another question we had was assuming no civil rights issues are identified, will the Civil Rights Reviews under 2.3 of permit action extend the permit timeline?

Matthew Tejada: That is a good question.

I think that's a question Kurt that we might have to figure out.

Kurt Temple: I don't have an answer for that.
We'll have to take that back and talk about it.

I don't know if that's something we worked out, but in an event, I did find out that the Ajax letter is public and so I'll try to get that posted.

Matthew Tejada: Awesome. Thank you, Kurt.

That sort of a question coming up with clear outcome commitments.

We've been doing EJ at EPA for 30 years,
and there's been a lot of progress
and a lot of advances in a lot of
different places in
terms of what that means.

But then there's other places where we're
still standing on the threshold of really
going down to brass
tacks and figuring it out.

And especially in permitting.

Even back in the Plan EJ 2014 days,
which I came in on the second half of
that when I came to the agency, permitting
was, I think, the toughest nut to crack.

1760
02:06:37,850 --> 02:06:44,240
But we've got a lot of support and
a lot of mandate from leadership

1761
02:06:44,240 --> 02:06:48,440
from the Administrator all the way on
down to to get these things figured out finally.

1762
02:06:48,440 --> 02:06:52,220
A a lot of folks are asking, we engage
with states and other government

1763
02:06:52,220 --> 02:06:54,940
agencies on an almost daily basis.

1764
02:06:54,950 --> 02:06:56,150
Everyone is asking for it.

1765
02:06:56,180 --> 02:06:58,610
Everyone is looking to us to figure these
things out.

1766
02:06:58,610 --> 02:07:02,000
They are huge priorities for us right now.

1767
02:07:03,680 --> 02:07:07,340
But we’re not going to get out there ahead
of ourselves with answers or with

1768
02:07:07,340 --> 02:07:11,840
solutions that we don’t think are really
going to work and then have been vetted.

1769
02:07:12,200 --> 02:07:14,600
That’s just going to take a minute.

1770
02:07:14,780 --> 02:07:18,760
But we’re committed to advancing
these things and figuring them

1771
02:07:18,770 --> 02:07:21,160
out in this administration
in this strategic plan.
Christina: Thank you, Matt.

Do we have time for another?

Matthew Tejada: Yeah, let me do one more and then we'll wrap it up.

Christina: Okay. All right.

The next one is, can you update on cumulative impacts analysis?

How are those defined and when is a cumulative impact?
Matthew Tejada: That's a great question; going back to my last answer.

That's exactly one of the things we're working to figure out.

Again, going back to those two letters, one of which we're getting the link to, the Ajax letter, the Administrator has set a very clear marker for us to figure out what do things like cumulative impacts mean and not doing it.
in a way that helps us to make progress now on operationalizing as much of it as we can,

while also then identifying where are the science gaps, where are the research gaps, where are maybe the policy or legislative gaps, that need filling in for the longer term piece. But we're not going to wait until everything is figured out.

We've got enough experience, we've got enough information, we've got enough data that we're starting to bring that together right now.
It is one of the highest priorities in this administration.

That's why... even though it's not cumulative, it's why we have disproportionate impacts on twice in goal two. Disproportionate impacts is inclusive of cumulative impacts.

I hope that isn't lost on anyone.

We are putting on paper that we're going to figure this out and we're going to operationalize our ability to analyze for and respond to in our decisions and in our
actions the realities on the ground facing communities with EJ concerns.

Again, any information, any thoughts, any examples people have that they want to offer to us, we're going to take all comers right now because we've got a lot of work to do to figure this out.

There are a lot of people and hopefully we'll be getting some more people soon to help us figure it out and to really focus on exactly that issue in this administration.
I think we should probably wrap up.

Christina and Victoria.

Victoria Robinson: We've updated this slide.

Go ahead.

Matthew Tejada: Okay, thanks.

Again, our next call is on October 26.

Please do join us again.
I actually might not be on that call, but we'll have some of our other leadership from the Office of Environmental Justice will be joining us for that one again.

I believe colleagues from the Office of Water will be sharing same sort of information that our colleagues from the Office of Transportation Air Quality were sharing today.

Here's more information. To find out about anything going on EJ@EPA,
you can join our listserv.

There's information right there.

join-epa-ej@lisits.epa.gov

All you have to do is send an email to that and you'll get signed up.

We also have our own Twitter account now @EPAEnvJustice

That's the best we could do.

Promise, Christina worked really hard to get us the best one, and that was @EPAEnvJustice
Anything we do, any of these sorts of sessions, information, news, she pushes it out through that Twitter handle.

Then any follow up questions to this, you saw individual folks' emails before.

If there's more general questions you all have, please email Environmental-Justice@EPA.gov

We don't let a single email slide through that account, so please just let us know.
Reach out to us and we'll be seeing y'all on email in the next couple of weeks, and look forward to engaging folks again on the 26th.

All right. Thank you, everybody.

Victoria Robinson: Thank you, Matt.

Matthew Tejada: Thanks, Victoria.

Thanks, team. Thank you, [UNINTELLIGIBLE]
Thank you all so much for interpreting as always today.

Thank you, everyone that made this another successful community engagement call.

Victoria Robinson: Wonderful.