

National Environmental Justice Advisory Council



PUBLIC MEETING

Washington DC / Alexandra VA

November 29 – December 1, 2022

National Environmental Justice Advisory Council

PUBLIC MEETING

November 29, 2022

DAY 1





REMINDERS



Meeting attendees are in listen/view mode only



The chat feature will not be available in this virtual meeting



Attendees who pre-registered for public comment will be given access to speak as time allows



If you do not get a chance to speak during the allotted time, please submit your comments in writing

Written comments can be submitted until;
December 14, 2022, to nejac@epa.gov

Welcome

- **Paula Flores-Gregg**, Designated Federal Officer – U.S. EPA
- **Sylvia Orduño**, NEJAC Co-Chair – Michigan Welfare Rights Organization
- **Dr. Na'Taki Osborne Jelks**, NEJAC Co-Chair – West Atlanta Watershed Alliance and Proctor Creek Stewardship Council
- **Michael Tilchin**, NEJAC Vice Chair – Jacobs Engineering



Special Acknowledgement of the Establishment of the NEJAC

- **Jacqueline D. Shirley**, Rural Development Specialist,
Rural Community Assistance Corporation

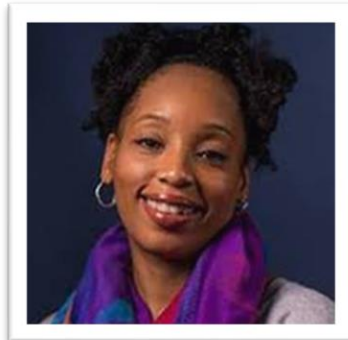




NEJAC Members Introduction

NEJAC MEMBERS

ACADEMIA



April Karen Baptiste, PhD
Colgate University
Region 2 – New York



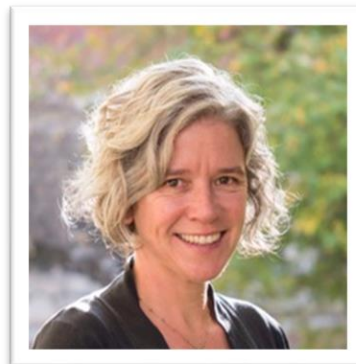
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Region 5 - Michigan



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BUSINESS & INDUSTRY



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Duke Energy
Region 3 – District of Colombia



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Green The Church
Region 9 - California



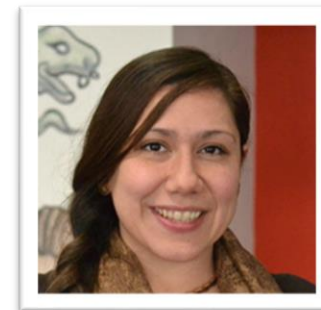
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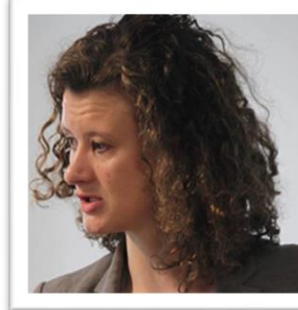
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Green ECO Warriors
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Jerome Shabazz
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Region 3 - Pennsylvania



Cemelli De Aztlan
La Mujer Obrera
Region 6 - Texas



Sofia Owen, JD
Alternatives for Community &
Environment (ACE)
Region 1 - Massachusetts

NEJAC MEMBERS

COMMUNITY BASED ORGANIZATIONS (continued)



Yvonka M. Hall
Northeast Ohio Black Health
Coalition
Region 5 - Ohio



Nina McCoy
Martin County Concerned
Citizens
Region 4 – Kentucky



Richard Mabion
Building A Sustainable Earth
Community
Region 7 - Kansas



CO-CHAIR OF NEJAC

Na'Taki Osborne Jelks, PhD
West Atlanta Watershed
Alliance and Proctor Creek
Stewardship Council
Region 4 – Georgia

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NON-GOVERNMENT ORGANIZATIONS



Andy Kricun
Moonshot Missions
Region 2 – New Jersey



Brenda Torres Barreto (V)
San Juan Bay Estuary Prog.
Region 2 – Puerto Rico



Jeremy F. Orr, JD
Earthjustice
Region 5 – Illinois



Ayako Nagano, JD
Common Vision
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Jacqueline Shirley, MPH
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Assistance Corporation
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Millicent Piazza, PhD

Washington State Department of Ecology
Region 10 - Washington



Loren Hopkins, PhD

City of Houston Health
Department
Region 6 - Texas

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Region 10 - Alaska



John Doyle (V)

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Scott Clow

Ute Mountain Ute Tribe
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Opening Remarks



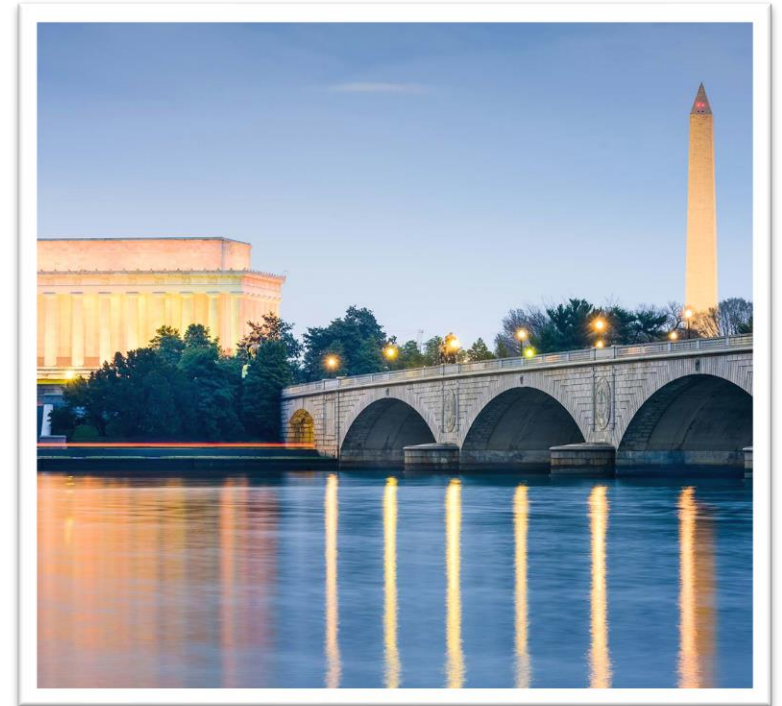


Opening Remarks & External Civil Rights Update and Conversation About a Title VI Workgroup of the NEJAC

- **Lilian Dorka**, Deputy Assistant Administrator for Civil Rights, Office of Environmental Justice and External Civil Rights, U.S. EPA
- **(V) Anhthu Hoang**, Acting Director, Office of Environmental Justice and External Civil Rights, U.S. EPA
- **(V) Kurt Temple**, Senior Advisor, Office of Environmental Justice and External Civil Rights, U.S. EPA

Opening Remarks

- **Matthew Tejada**, Deputy Assistant Administrator for EJ, Office of Environmental Justice and External Civil Rights, U.S. EPA
- **Marianne Engelman-Lado**, Acting Principal Deputy Assistant Administrator, Office of Environmental Justice and External Civil Rights, U.S. EPA





Office of Environmental Justice and External Civil Rights

November 28, 2022

Marianne Engelman-Lado, Acting Principal Deputy Assistant Administrator, OEJECR

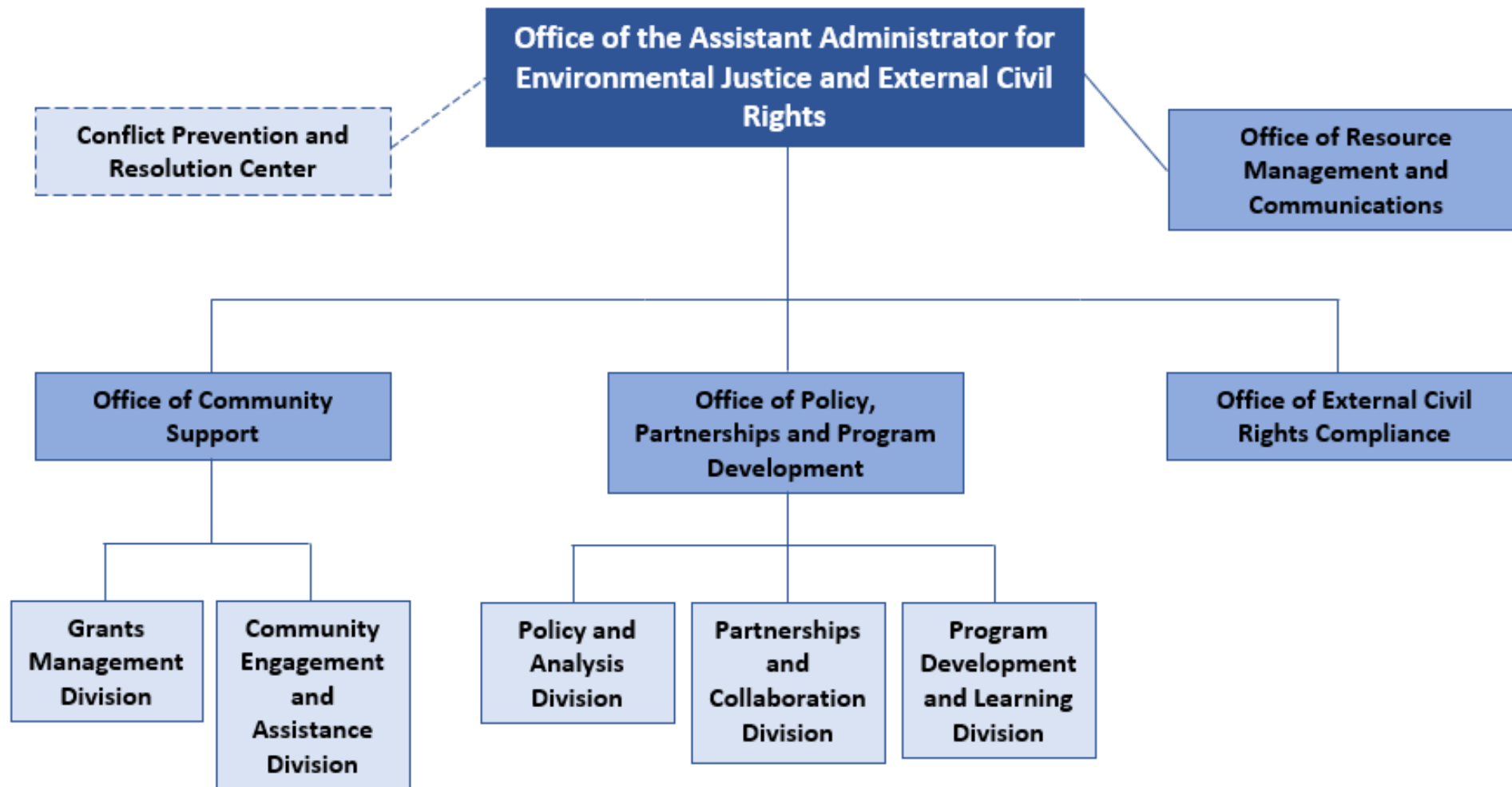
Matthew Tejada, Deputy Assistant Administrator for Environmental Justice, OEJECR

The Reorganization

- EPA combined three existing offices into a single new National Program Office: the Office of Environmental Justice, the External Civil Rights Compliance Office, and the Conflict Prevention and Resolution Center. The new office is the Office of Environmental Justice and External Civil Rights (OEJECR).
- The program will be led by a Senate-confirmed Assistant Administrator.
- OEJECR elevates environmental justice, equity, and civil rights at EPA and puts it on the same playing field as the Office of Air and Radiation, Office of Water, and other national programs.

The Why

- EPA needs high-level, coordinated, and consistent leadership on environmental justice, equity, and civil rights to transform how EPA understands and implements its work—how it prioritizes program resources, allocates funding, implements statutory authorities, and engages communities.
- OEJECR is laser-focused on making sure all relevant agency programs, policies, and regional activities reflect a renewed focus on environmental justice and external civil rights.
- The Assistant Administrator (AA) of the new NPM will serve at the same level as the other AAs and will facilitate critical, peer-to-peer discussions about changing the way EPA does its work.



Staffing Highlights

Environmental Justice

- In FY2021, EPA supported 36 FTE in the EJ Program. With the \$100M appropriation for FY2022, EPA will support **206 FTE** in the EJ Program—an increase of 170 FTE.
 - 84 FTE in the HQ environmental justice program.
 - 12 FTE for dedicated EJ staff in other HQ offices and national programs.
 - 110 FTE for EJ staff across the ten EPA regions (an increase from 13 FTE).

External Civil Rights and Conflict Prevention

- With FY2022 appropriations, EPA is supporting 18 FTE for the External Civil Rights Compliance Office.
- With FY2022 appropriations, EPA is supporting 5 FTE for the Conflict Prevention and Resolution Center.

Total FTE in HQ and the Regions: 229





Adjourn



National Environmental Justice Advisory Council

PUBLIC MEETING

November 30, 2022

DAY 2



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Opening Remarks

Robin Collin, Senior Advisor for
Environmental Justice, U.S. EPA



Welcome & Recap

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- **Matthew Tejada**, Deputy Assistant Administrator for EJ, Office of Environmental Justice and External Civil Rights, U.S. EPA
- **Sylvia Orduño**, NEJAC Co-Chair – Michigan Welfare Rights Organization
- **Na'Taki Osborne Jelks**, NEJAC Co-Chair – West Atlanta Watershed Alliance and Proctor Creek Stewardship Council
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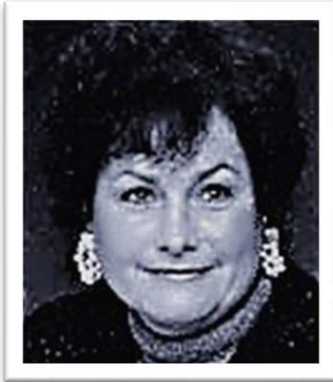
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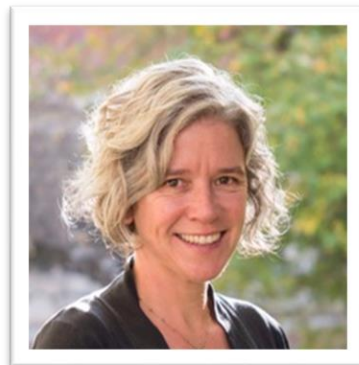
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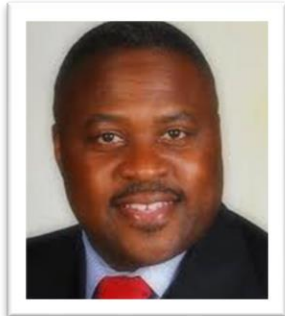
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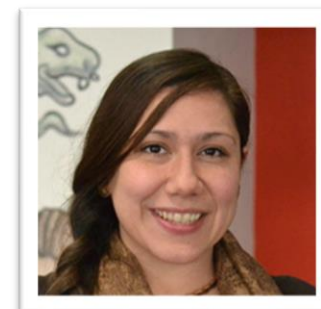
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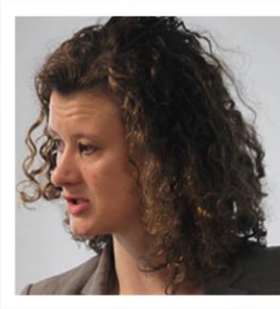
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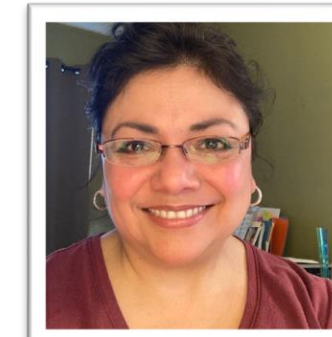
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Inflation Reduction Act

Session 1: Program Design Considerations for the Greenhouse Gas Reduction Fund

- **Alejandra Nunez**, Deputy Assistant Administrator for Mobile Sources, Office of Air and Radiation, U.S. EPA
 - **Tim Profeta**, Senior Advisor, Office of Air Quality Planning & Standards, Office of Air and Radiation, U.S. EPA
 - **Zealan Hoover**, Senior Advisor for Implementation, U.S. EPA
 - **Jahi Wise**, Special Assistant to the President for Climate Policy and Finance, White House Office
- 

A photograph of two wind turbines in a field, with a dark blue sky and a dark blue vertical bar on the left side. The turbines are white and stand on tall poles. The field is grassy and there are some hills in the background.

GREENHOUSE GAS REDUCTION FUND

NEJAC

NOVEMBER 2022

CONTEXT: STATUTORY PARAMETERS

	Funding stream #1	Funding streams #2 and #3
Funding	\$7 billion in competitive grants	\$11.97 billion and \$8 billion in competitive grants
Eligible Recipients	States, municipalities, Tribal governments, and 'eligible recipients' (see righthand column)	<p><i>Eligible recipients</i> defined as:</p> <ul style="list-style-type: none"> • A nonprofit that provides capital, including by leveraging private capital • Does not take deposits other than from repayments and other revenue from using these grant funds • Is funded by public or charitable contributions • Invests in or finances projects alone or with investors
Use of Funds	<ul style="list-style-type: none"> • Provide eligible applicants with funding that can be used as subgrants, loans, other forms of financial assistance, and technical assistance • Distributed technologies on residential rooftops is specifically mentioned as an allowable use, in addition to zero-emission technologies 	<p>Funds for financial and technical assistance in projects that reduce or avoid GHG and other forms of air pollution.</p> <p>Eligible recipients shall make:</p> <ul style="list-style-type: none"> • Direct investments in qualified projects • Indirect investment through funding and technical assistance to establish new or support existing public, quasi-public, and nonprofit entities that provide financial assistance to qualified projects at the state, local territorial, or Tribal level, as well as community lenders
Conditions and Carve-Outs	Funds must enable low-income and disadvantaged communities to deploy or benefit from zero-emission technologies and carry out GHG reduction activities	\$8 billion for qualified projects in low-income and disadvantaged communities

Key Statutory Deadlines:

- Begin making grants on a competitive basis within 180 days of enactment (2/12/23)
- Funding available until September 30, 2024

DISCUSSION: LOW-INCOME AND DISADVANTAGED COMMUNITIES



1. **What should EPA consider when defining “low income” and “disadvantaged” communities for purposes of this program?** What elements from existing definitions, criteria, screening tools, etc., - in federal programs or otherwise - should EPA consider when prioritizing low-income and disadvantaged communities for greenhouse gas and other air pollution reducing projects?
2. **What kinds of technical and/or financial assistance** should the Greenhouse Gas Reduction Fund grants facilitate to ensure that low-income and disadvantaged communities can participate in and benefit from the program?
3. **What kinds of technical and/or financial assistance** should the Greenhouse Gas Reduction Fund grants facilitate to support and/or prioritize **businesses owned or led by** members of low-income or disadvantaged communities?

DISCUSSION: ELIGIBLE PROJECTS

1. **What types of projects should EPA prioritize** under sections 134(a)(1)-(3), consistent with the statutory definition of “qualified projects” and “zero emissions technology” as well as the statute’s direct and indirect investment provisions? Please describe how prioritizing such projects would:
 - a) maximize greenhouse gas emission and air pollution reductions;
 - b) deliver benefits to low-income and disadvantaged communities;
 - c) enable investment in projects that would otherwise lack access to capital or financing;
 - d) recycle repayments and other revenue received from financial assistance provided using
 - e) the grant funds to ensure continued operability; and
 - f) facilitate increased private sector investment.

2. **Please describe what forms of financial assistance** (e.g. subgrants, loans, or other forms of financial assistance) are necessary to fill financing gaps, enable investment, and accelerate deployment of such projects.

DISCUSSION: ELIGIBLE RECIPIENTS

1. **What types of entities (as eligible recipients and/or indirect recipients) could enable Greenhouse Gas Reduction Fund grants to support investment and deployment of greenhouse gas and air pollution reducing projects in low-income and disadvantaged communities?**



Inflation Reduction Act

Session 2: Program Design Considerations for the Office of Air and Radiation Mobile Sources Programs [Ports, Heavy-Duty Vehicles]

- **Jennifer Macedonia**, Associate Deputy Assistant Administrator for Implementation, Office of Air and Radiation, U.S. EPA
- **Alejandra Nunez**, Deputy Assistant Administrator for Mobile Sources, Office of Air and Radiation, U.S. EPA
- **Karl Simon**, Director of Transportation and Climate, Office of Transportation & Air Quality, Office of Air and Radiation, U.S. EPA

EPA IRA MOBILE SOURCE PROGRAMS



CLEAN HEAVY-DUTY VEHICLES

	In General	Nonattainment Area
Funding	\$600,000,000	\$400,000,000
Use of funds	<ul style="list-style-type: none"> • Help cover costs of replacing dirty heavy-duty vehicles with clean <u>ZEVs</u> • Purchase, install, operate, and maintain infrastructure for upkeep of ZEVs • Train and develop workforce to support ZEVs 	
Eligible recipients	<ul style="list-style-type: none"> • States, municipalities, Indian tribes, nonprofit school transportation associations • Eligible contractors who sell, lease, license, or contracts for service ZEVs or charging or other equipment needed to charge, fuel, or maintain ZEVs 	
Conditions and carve-outs	<ul style="list-style-type: none"> • N.A. 	
Statutory deadlines	<ul style="list-style-type: none"> • To start within 180 days of bill enactment • Funding expires September 30, 2031 	

NEJAC DISCUSSION QUESTIONS: CLEAN HEAVY-DUTY VEHICLES



How can EPA ensure the benefits of this program reach **low-income and disadvantaged communities?**

GRANTS TO REDUCE AIR POLLUTION AT PORTS



	General Assistance	Nonattainment Areas
Funding	\$2,250,000,000	\$750,000,000
Use of funds	<ul style="list-style-type: none"> • Purchase and install <u>zero-emission</u> port equipment and technology for use at, or to directly serve, one or more ports • Conduct any relevant planning or permitting in connection with the purchase or installation of such zero-emission port equipment or technology • Develop qualified climate action plans (i.e., a detailed and strategic plan that establishes goals, implementation strategies, accounting and inventory practices to reduce GHG and other air pollutants at one or more ports, and a stakeholder collaboration/communications strategy to address potential effects of plan on stakeholders, including low-income and disadvantaged near-port communities) 	
Eligible recipients	<ul style="list-style-type: none"> • Port authorities • Any state, regional, local, or tribal agency with jurisdiction over a port authority • Air pollution control agency • Private entities that apply for funding in partnership with an entity described above that applies for a grant in partnership with an entity describes above and owns, operates, or uses the facilities, cargo-handling equipment, transportation equipment, or related technology of a port 	
Conditions and carve-outs	<ul style="list-style-type: none"> • N.A. 	
Statutory deadlines	<ul style="list-style-type: none"> • Funding expires September 30, 2027 	

NEJAC DISCUSSION QUESTIONS: PORTS



How can EPA **structure** this program to reduce air pollution in port communities and accelerate long-term trends to decarbonize the nation's ports?

How can we help ensure this program addresses concerns of near-port communities and advances **environmental justice**?

Inflation Reduction Act

Session 3: Program Design Considerations for the Office of Air and Radiation Stationary and Cross-cutting Programs [Climate Planning, Air Monitoring, Methane, Schools]

- **Jennifer Macedonia**, Associate Deputy Assistant Administrator for Implementation, Office of Air and Radiation, U.S. EPA
- **Tomas Carbonell**, Deputy Assistant Administrator for Stationary Sources, Office of Air and Radiation, U.S. EPA
- **Robin Dunkins**, Senior Advisor, Office of Air Quality Planning & Standards
- **Kristen Benedict**, Ambient Air Monitoring Group Leader, Office of Air Quality Planning & Standards, Office of Air and Radiation, U.S. EPA
- **Mark De Figueiredo**, Team Leader, Climate Change Division, Office of Atmospheric Protection, Office of Air and Radiation, U.S. EPA
- **Dave Rowson**, Director of Indoor Environments Division, Office of Radiation & Indoor Air, Office of Air and Radiation, U.S. EPA

EPA OFFICE OF AIR IRA STATIONARY SOURCE PROGRAMS



CLIMATE POLLUTION REDUCTION GRANTS



	Planning Grants	Implementation Grants
Funding	\$250,000,000	\$4,750,000,000
Use of funds	<ul style="list-style-type: none"> Develop plans for reducing greenhouse gas air pollution 	<ul style="list-style-type: none"> Implement the plans developed under the Planning Grants
Eligible recipients	<ul style="list-style-type: none"> States, air pollution control agencies, municipalities, tribes – or a group of such eligible entities 	<ul style="list-style-type: none"> States, air pollution control agencies, municipalities, tribes – or a group of such eligible entities
Conditions and Carve-Outs	<ul style="list-style-type: none"> Grants should be made to at least one eligible entity in each State for the costs of developing a plan for reduction of greenhouse gas air pollution 	<ul style="list-style-type: none"> N.A.
Statutory deadlines	<ul style="list-style-type: none"> Funding opportunity is to be published no later than 270 days after enactment of the IRA Funding expires September 30, 2031 	<ul style="list-style-type: none"> Funding expires September 30, 2026

NEJAC DISCUSSION QUESTIONS: CLIMATE POLLUTION REDUCTION GRANTS

How should the EPA integrate the **needs of underserved communities** into the design of this program, taking into consideration:

- What equity and justice concerns, opportunities, or priorities are most relevant for this program and how can EPA best help address them?
- How can EPA best address the statutory requirement to consider the “degree to which greenhouse gas air pollution is projected to be reduced in total and with respect to low-income and disadvantaged communities”?

What are the **most promising greenhouse gas (GHG) planning and reduction opportunities** that could be catalyzed by the Climate Pollution Reduction grants, taking into consideration gaps in existing resources, programs, or policies?

How can EPA facilitate coordination and leveraging of other available funding and planning efforts to **maximize effectiveness** of the program?

MONITORING

	Fenceline & Screening Air Monitoring	Multipollutant Monitoring Stations	Air Quality Sensors in LI/DAC	Emissions from Wood Heaters	Methane Monitoring
Funding	\$117,500,000	\$50,000,000	\$3,000,000	\$15,000,000	\$20,000,000
Use of funds¹	<ul style="list-style-type: none"> Enhance/extend community air monitoring at or near the fenceline by developing / refining air toxics monitoring methods including appropriate fenceline monitoring approaches, building / enhancing capacity to conduct short-term monitoring for local pollutant concerns, and expanding the nation's air toxics monitoring capabilities 	<ul style="list-style-type: none"> Enhance, modernize, and expand the nation's ambient air surveillance network: Add new monitoring sites in underserved communities Upgrade existing sites to provide more real-time measurements Using latest monitoring technology to improve measurement and delivery of information to the public 	<ul style="list-style-type: none"> Deployment, integration, and operation of air quality sensors in low-income and disadvantaged communities 	<ul style="list-style-type: none"> Testing and other agency activities to address emissions from wood heaters Other activities can include both EPA research, development, etc., and contracts with outside organizations 	<ul style="list-style-type: none"> Methane emission monitoring (flaring, fugitive sources)
Eligible recipients	<ul style="list-style-type: none"> State/local/tribal air agencies, or a group of such eligible entities; multi-jurisdictional organizations; low-income and disadvantaged communities 				
Conditions and carve-outs	<ul style="list-style-type: none"> N.A. 				
Statutory deadlines	<ul style="list-style-type: none"> Funding expires September 30, 2031 				

1. Not all funds will be distributed as grants as some work is needed within EPA to make grants effective for recipients, especially around monitoring methods development and data access

NEJAC DISCUSSION QUESTIONS: MONITORING - CROSS CUTTING



How can EPA **design** these programs to most effectively benefit low-income and disadvantaged communities that face disproportionate impacts from air pollution?

METHANE

	Incentives For Methane Mitigation And Monitoring	Incentives For Methane Mitigation From Conv. Wells	Waste Emissions Charge
Funding	\$850,000,000	\$700,000,000	N.A.
Use of funds	<ul style="list-style-type: none"> Funding to provide financial (grants, rebates, contracts, loans, etc.) and technical assistance to reduce methane emissions 	<ul style="list-style-type: none"> Funding to provide financial (grants, rebates, contracts, loans, etc.) and technical assistance for methane mitigation at marginal conventional wells 	<ul style="list-style-type: none"> Establishes a waste emission charge (\$900-\$1,500 per ton depending on year) on applicable facilities that exceed specified waste emission threshold and emit >25,000 metric tons of CO₂e beginning in 2024
Eligible recipients	<ul style="list-style-type: none"> States, Counties, Cities / Townships, Special Districts, Tribal Governments (federally recognized), Tribal Governments (other than federally recognized), Public Higher-Ed Institutions, Private Higher-Ed Institutions, Nonprofits with 501(c)(3) status, Nonprofits - without 501(c)(3) status, Small Businesses, Businesses (other than small businesses), and / or Individuals 		<ul style="list-style-type: none"> Owner or operator of an applicable facility pays the charge
Conditions and carve-outs	<ul style="list-style-type: none"> N.A. 		<ul style="list-style-type: none"> Unlike prior versions of this provision that have been introduced in Congress, this statute does not allow EPA to retain the collected fees for Agency use
Statutory deadlines	<ul style="list-style-type: none"> Funding expires September 30, 2028 		<ul style="list-style-type: none"> Not later than 2 years after enactment, Administrator shall revise requirements to ensure reporting and charges are based on empirical data and accurately reflect total methane emissions and waste emissions from the applicable facilities, and allow owners and operators of applicable facilities to submit empirical emissions data to demonstrate extent to which a charge is owed

NEJAC DISCUSSION QUESTIONS: METHANE EMISSIONS REDUCTION



The **Methane Emissions and Waste Reduction Incentive Program** provides up to \$1.55 billion to EPA to issue grants, rebates, contracts, loans, and other activities for a number of statutorily specified purposes. How can EPA structure the financial and technical assistance to ensure the greatest possible public health and environmental impact?

How can EPA ensure that the **financial and technical assistance** provided under the Methane Emissions and Waste Reduction Incentive Program **complements rather than duplicates** other federal and state programs, including funding through other IRA programs?

FUNDING TO ADDRESS AIR POLLUTION AT SCHOOLS



	In General	Technical Assistance
Funding	\$37,500,000	\$12,500,000
Use of funds	<ul style="list-style-type: none"> Address environmental issues at schools Develop school environmental quality plans that include standards for school building, design, construction, and renovation Identify and mitigate ongoing air pollution hazards 	<ul style="list-style-type: none"> Provide technical assistance to schools in low-income and disadvantaged communities
Eligible recipients	<ul style="list-style-type: none"> State, local, tribal agencies, not for profit organizations and others for projects supporting schools in low-income and disadvantaged communities 	
Conditions and carve-outs	<ul style="list-style-type: none"> N.A. 	
Statutory deadlines	<ul style="list-style-type: none"> Funding expires September 30, 2031 	

NEJAC DISCUSSION QUESTIONS: AIR POLLUTION AT SCHOOLS



What **specific approaches** do you recommend to promote the successful award of these grants to low income and disadvantaged communities most in need of such support?

DISCUSSION QUESTIONS: CLEAN HEAVY-DUTY VEHICLES

1. How do you see this program working in conjunction with the existing Diesel Emissions Reduction Act (**DERA**), the Bipartisan Infrastructure Law (BIL) **Clean School Bus program**, and programs at other agencies given the overlap in vehicles that could be funded?
2. For which significant **Class 6/7 vehicle sectors** should EPA prioritize funding?
3. How can EPA ensure the benefits of this program reach **low-income and disadvantaged communities**?
4. What should EPA consider in the design of the program to encourage grantees to support **high quality jobs** and adhere to best practices for labor standards, consistent with guidance such as Executive Order 14063 on the Use of Project Labor Agreements and the Department of Labor's Good Jobs Principles?
5. What **metrics** should this program use for measuring success and ensuring accountability?

DISCUSSION QUESTIONS: PORTS



1. How can EPA **structure** this program to reduce air pollution in port communities and accelerate long-term trends to decarbonize the nation's ports?
2. How do you see the IRA ports program complementing **other programs** (e.g., at EPA and the Department of Transportation) that can support efforts to reduce emissions at ports? What **funding gaps** can this program fill (e.g., specific zero emissions technologies or related planning support)?
3. The IRA ports program can fund the development of climate action plans as well as zero emissions port technology, equipment and related planning and permitting. How would you like to see the **action plans and infrastructure funding** work together? Should they be sequenced or combined?
4. What types of zero-emission port **technologies** or related **planning support** do you see as most critical for delivering emissions reductions?
5. What do you see as the biggest **hurdles** to transitioning to zero-emission port equipment?
6. How can we help ensure this program addresses concerns of near-port communities and advances **environmental justice**?
7. What should EPA consider in the design of the program to encourage grantees to support **high quality jobs** and adhere to best practices for labor standards, consistent with guidance such as Executive Order 14063 on the Use of Project Labor Agreements and the Department of Labor's Good Jobs Principles?
8. What **metrics** should this program use for measuring success and ensuring accountability?

DISCUSSION QUESTIONS (1/2)

CLIMATE POLLUTION REDUCTION GRANTS

1. What are the **most promising greenhouse gas (GHG) planning and reduction opportunities** that could be catalyzed by the Climate Pollution Reduction grants, taking into consideration:
 - a. Total potential for GHG reductions and other co-benefits;
 - b. Gaps in existing resources, programs, or policies;
 - c. Availability of other government funding streams?
2. How should the EPA integrate the **needs of underserved communities** into the design of this program, taking into consideration:
 - a. What equity and justice concerns, opportunities, or priorities are most relevant for this program and how can EPA best help address them?
 - b. How can EPA best address the statutory requirement to consider the “degree to which greenhouse gas air pollution is projected to be reduced in total and with respect to low-income and disadvantaged communities”?
3. This program consists of \$250 million in planning grants, \$4.607 billion in climate implementation grants, and \$142.5 million for administrative funding. How should EPA implement and **coordinate planning and implementation funding** to make the greatest impact with the funds as a whole?
4. EPA plans to provide **technical assistance** to grant recipients.
 - a. What technical assistance would be most helpful to eligible entities as they develop climate plans under the Climate Pollution Reduction Program?
 - b. What technical assistance would be most helpful as applicants prepare for the implementation phase of the program?

DISCUSSION QUESTIONS (2/2)

CLIMATE POLLUTION REDUCTION GRANTS

5. How can EPA facilitate coordination and leveraging of other available funding and planning efforts to **maximize effectiveness of the program** (e.g., timing of implementation grant solicitations, time needed to complete a plan, guidance on program interactions, etc.)?
6. What **internal capacity challenges** do you face regarding the development and implementation of GHG reduction plans? How can EPA help address those challenges?
7. What **metrics** should this program use for measuring success and ensuring accountability?
8. How can EPA **structure** this program to facilitate cooperation and coordination within and across tribal, local, regional, and state agencies to implement climate policies?
9. What should EPA consider in the design of the program to encourage grantees to **support high quality jobs** and adhere to best practices for labor standards, consistent with guidance such as Executive Order 14063 on the Use of Project Labor Agreements and the Department of Labor's Good Jobs Principles?
10. How could EPA design this program to align with any legal, regulatory, or voluntary obligations state, local and tribal governments – or regional planning bodies -- may have to **quantify and reduce emissions** including potential requirements from proposed rulemakings?
11. EPA wants to ensure applicants have adequate time and funding to develop their climate action plans before the deadline to apply for implementation funds. In your experience, **how much time and funding is required** to complete a state, municipal, or tribal climate action plan?

DISCUSSION QUESTIONS: MONITORING - CROSS CUTTING



1. How can EPA **design** these programs to most effectively benefit low-income and disadvantaged communities that face disproportionate impacts from air pollution?
2. How can EPA (or the federal government generally) incentivize/facilitate **cooperation/coordination across state agencies** to implement the IRA (to facilitate communication between a state's or tribe's Department of Environmental Protection/Quality, utilities commission, and Department of Transportation and promote coordination among them)?
3. What **metrics** should this program use for measuring success and ensuring accountability?
4. What EPA **technical assistance** (training, tools) or other support is needed by low-income and disadvantaged communities especially for successful application for and implementation of the IRA programs?

DISCUSSION QUESTIONS: MULTIPOLLUTANT MONITORING



1. What are the most important **considerations and needs** for expanding the national ambient air quality network with **new multipollutant monitoring stations**?
2. What should EPA consider when thinking about the **existing and future needs** for replacing, repairing, operating, and maintaining the national air quality monitoring network through September 30, 2031?
3. How should EPA use these funds to support national multipollutant air quality monitoring networks (e.g. the Clean Air Status and Trends Network (CASTNET)) in **underserved rural communities** where gaps in air monitoring data frequently exist?
4. How can **ambient monitoring enhancements in disadvantaged** communities be best used to prioritize and accelerate improvements in air quality?
5. What **training and technical assistance** would best help communities engage in multi-pollutant air quality planning processes to achieve community benefits of multi-pollutant emission reductions?
6. To what extent **has your organization/community integrated a multi-pollutant reduction approach** into your air quality planning process or conversations with local stakeholders? Should EPA conduct additional analysis to help refine current plans, or should EPA first provide foundational information on how to approach this topic in your area?

DISCUSSION QUESTIONS: SENSORS & WOOD HEATERS



Air Quality Sensors:

1. What are the **existing and future needs** for air quality sensors in low-income and disadvantaged communities?
2. How can EPA best support the **deployment, integration, and operation** of air quality sensors?

Emissions from Wood Heaters:

1. Beyond measuring for particle emissions from these appliances, what **other air pollutants** are essential to measure from residential wood heating appliances?
2. What **benefits to public health** and air quality management are gained by improving the testing methods EPA uses to address emissions from wood heaters?
3. What value do you place on **data and emissions information related to cord wood fuel species** burned in your area(s)?
4. Do you feel that it is important for EPA to research the impact of **flue draft** on particulate matter emissions in relation to residential wood heating?
5. Are there other **technological advances** that EPA should be considering to address air emissions from wood heaters?

DISCUSSION QUESTIONS: METHANE MONITORING



1. What **methane sources** might need to be addressed with measurement technology?
2. What **way of presenting methane data** (frequency, resolution, site specificity, etc.) would be most beneficial to addressing methane measurements? Does this vary by geography?
3. What are the existing **knowledge gaps** in methane measurement, and how can training help address these gaps?
4. For methane monitoring, why do **bottom-up sensor estimates** differ so much from **broader scale (e.g., satellite) estimates**? Can this funding help address this fundamental mismatch?

DISCUSSION QUESTIONS (1/2): METHANE EMISSIONS REDUCTION



1. The **Methane Emissions and Waste Reduction Incentive Program** provides up to \$1.55 billion to EPA to issue grants, rebates, contracts, loans, and other activities for a number of statutorily specified purposes. How can EPA structure the financial and technical assistance to ensure the greatest possible public health and environmental impact?
2. How can EPA ensure that the **financial and technical assistance** provided under the Methane Emissions and Waste Reduction Incentive Program **complements rather than duplicates** other federal and state programs, including funding through other IRA programs?
3. The Methane Emissions and Waste Reduction Incentive Program can provide technical assistance to owners and operators of facilities. What **kinds of technical assistance** would be most valuable? How might technical assistance **evolve** over time?
4. The Methane Emissions and Waste Reduction Incentive Program has funding that is allocated for marginal conventional wells. For the purposes of financial and technical assistance specified in the IRA, are there **unique considerations related to marginal conventional wells** that EPA should consider? How can EPA ensure that **relevant stakeholders** are engaged, including owners and operators of marginal conventional wells and those affected by marginal wells and their emissions?
5. What should EPA consider in the design of the program to encourage grantees to support **high quality jobs** and adhere to best practices for labor standards, consistent with guidance such as Executive Order 14063 on the Use of Project Labor Agreements and the Department of Labor's Good Jobs Principles?
6. What **metrics** should this program use for measuring success and ensuring accountability?

DISCUSSION QUESTIONS (2/2): METHANE WASTE EMISSIONS CHARGE



7. The IRA establishes a **waste emissions charge for methane** from applicable facilities that report more than 25,000 metric tons of CO₂ equivalent per year to the Greenhouse Gas Reporting Program (GHGRP) petroleum and natural gas systems source category (GHGRP Subpart W) and that exceed statutorily specified waste emissions thresholds. The IRA specifies certain exemptions and flexibilities related to the charge. What issues should EPA consider related to **waste emissions charge implementation**?
8. The IRA requires EPA to revise the requirements of **GHGRP Subpart W** to ensure that reporting is based on empirical data and accurately reflects total methane emissions. What **revisions** should EPA consider related to GHGRP Subpart W?

DISCUSSION QUESTIONS: AIR POLLUTION AT SCHOOLS



1. What **barriers** might eligible applicants face in applying for these grants? What kind of support would organizations need to apply?
2. What **specific approaches** do you recommend to promote the successful award of these grants to low income and disadvantaged communities most in need of such **support**? What energy efficiency/greenhouse gas emission reduction technologies or approaches do you think would be the most successful in school buildings?
3. What are the **obstacles to integrating indoor air quality improvements** with energy efficiency upgrades in school buildings, and what ideas do you have to address those challenges?
4. What **technical assistance, guidance and other non-financial support** is most needed to help schools in low-income and disadvantaged communities implement effective and sustainable IAQ and energy efficiency programs?



EPA Agency Priority Goal Ten Indicators of Disparity Elimination

- **Matthew Tejada**, Deputy Assistant Administrator for EJ, Office of Environmental Justice and External Civil Rights, U.S. EPA

Ten Indicators to Reduce Environmental and Health Disparities

NEJAC
Briefing:
November
30, 2022

Overview

Agency Priority Goal

Background context on indicators and disparities

10 Indicators workgroup and approach

Using a logic model framework

Strategic vision

Process: small group discussions and evaluation framework

Draft indicators

Next steps

Discussion

Agency Priority Goal (APG)

“Deliver tools and metrics for EPA and its tribal, state, local and community partners to advance environmental justice and external civil rights compliance”

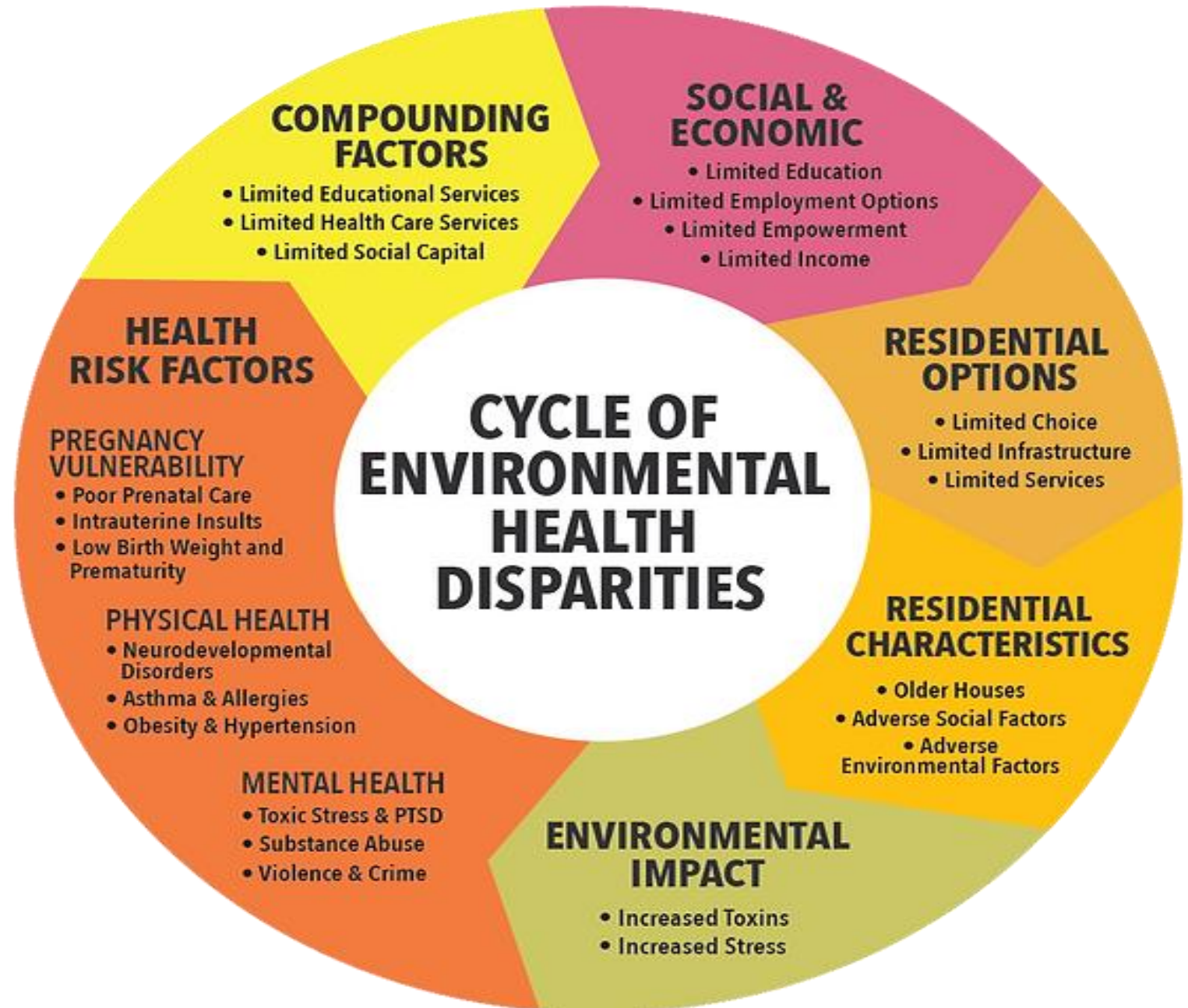
Agency Priority Goal (APG)

By September 30, 2023, EPA will develop and implement a cumulative impacts framework, issue guidance on external civil rights compliance, establish at least 10 indicators to assess EPA's performance in reducing disparities in environmental and public health conditions, and train staff and partners on how to use these resources.

What is a health disparity?

An actionable difference: “a particular type of health difference that is closely linked with social, economic, and/or environmental disadvantage. Health disparities adversely affect groups of people who have systematically experienced greater obstacles to health based on their **racial or ethnic group**; religion; **socioeconomic status**; gender; age; mental health; cognitive, sensory, or physical disability; sexual orientation or gender identity; **geographic location**; or other characteristics historically linked to discrimination or exclusion.”

Breaking the Cycle of Environmental Health Disparities



Key Considerations for 10 Indicators

An indicator is a specific, observable and measurable characteristic that can be used to show changes or progress a program is making toward achieving a specific outcome.

Indicators are at different scales (national, regional, state, local) and provide the ability to potentially downscale for more focused efforts

Potential to look at race/ethnicity/SES in some or look at difference between geographies (e.g., rural vs. urban) in others

Some indicators centrally linked to EPA authorities, others more linked to EPA abilities such as convening and collaborating with partners

Opportunity to show leadership and leverage/coordinate with new efforts by other agencies

Provides excellent opportunity for ongoing engagement with external partners – communities, states, tribes – on focusing our collaborative work

Ongoing effort – can change and increase over time based upon developments and experience

Some proposed ideas are much more well developed than others

10 Indicators Working Group

How we got here:

- Intra-agency workgroup from HQ, ORD, and regions meeting weekly
- Established criteria for indicators (e.g., readily available data)
- Used criteria to develop an indicator submission form
- Workgroup submitted 31 initial indicator ideas (very high level)

Our Future Steps:

- Refining each disparity
- Using a logic model framework
 - Example of childhood asthma
- Connecting the dots with national, programmatic, and regional goals
- Ensuring quality data
- External engagement

Logic Model Framework

We use these resources...

For these activities...

To produce these outputs...

So that these groups can change their ways...

Which leads to these outcomes...

Leading to these results!

Unprecedented era of inputs
– baseline funding, ARP, BIL,
IRA!

Unprecedented era of goal
setting – MYP Strat Plan, BIL
PIPs, Justice40, Equity Plans!

Unprecedented opportunity
to link inputs and outputs
with meaningful outcomes

Preventable factors which contribute to disparities in asthma prevalence and severity of disease



Actions in FY23-26



... and these outcomes will happen FY26 and beyond



and make these results and visions real

Extrinsic Factors (actionable through policy)

- Racial discrimination
- Property redlining
- Quality of educational opportunity
- Inequities in wealth distribution
- Systems for land use decisions (siting, zoning)

- Air pollution exposure (indoor and outdoor sources)
- Access to pollution mitigation
- Housing quality and security
 - Smoking exposures
 - Access to medical care
- Access to community-based asthma care (service delivery, surveillance)
 - Climate change-related asthma triggers (e.g., pollen season, mold from flooding)
 - Chronic stress and acute exposures to violence
 - Access to nutrition
- Behavioral factors (adherence to management plan)

EPA staff knows how to use all available data to reduce disparities in EJ communities

EPA moves forward with national rulemakings to reduce sources of air pollution indoors and ambient (CAA, TSCA)

EPA targets existing voluntary programs (Justice 40 such as Clean School Bus, DERA, Indoor Air) to reduce emissions

EPA works with other Agencies to address systemic sources of disparities and creates new programs where needed

EPA creates map showing where disparities exist and how EPA has helped communities and to track progress, evaluate efforts

EPA has established deep, trust-filled relationships with EJ communities and stakeholders

EPA understands the impacts of our decisions on disparities among vulnerable populations and what the public wants us to do

Vulnerable communities understand EPA's decision-making and meaningfully engage

People outside EPA can use our data tools for their own EJ work

Disparities are reduced /eliminated, and health improved

EPA leaders and staff demonstrate a communities-first mindset to create all-of-government solutions

Communities learn how to successfully address environmental injustices and act on the knowledge

Overall Strategic Vision

Through clear and meaningful metrics, EPA will be able to evaluate its success in eliminating public health and environmental disparities.

Think holistically

- Collaborate across EPA programs
- Engage external agency partners
- Multi-media indicators to address environment and health

Clear connection to EPA's priorities & programs

- Outcomes we can affect through statutes, partnerships, and resources
- Outcomes we can affect through whole of government approach

Be bold

- Use our resources to do things differently
- Think outside of the box—build on what many states are doing, but go further
- Shift from siloed approach to unified, interconnected effort
- Consider cumulative impacts, addressing disparities across multiple stressors

Data integrity, sources, and visualization

- Use accurate and reliable data that has undergone QA/QC and is publicly available
- Allows us to visualize, track and communicate progress effectively to ensure trends are moving in right direction

Meaningful impacts

- Connect to long-term health outcomes
- See real disparity reductions in vulnerable communities—the only way to achieve health equity
- Ensure that communities are moving from surviving to thriving

Evaluation Process

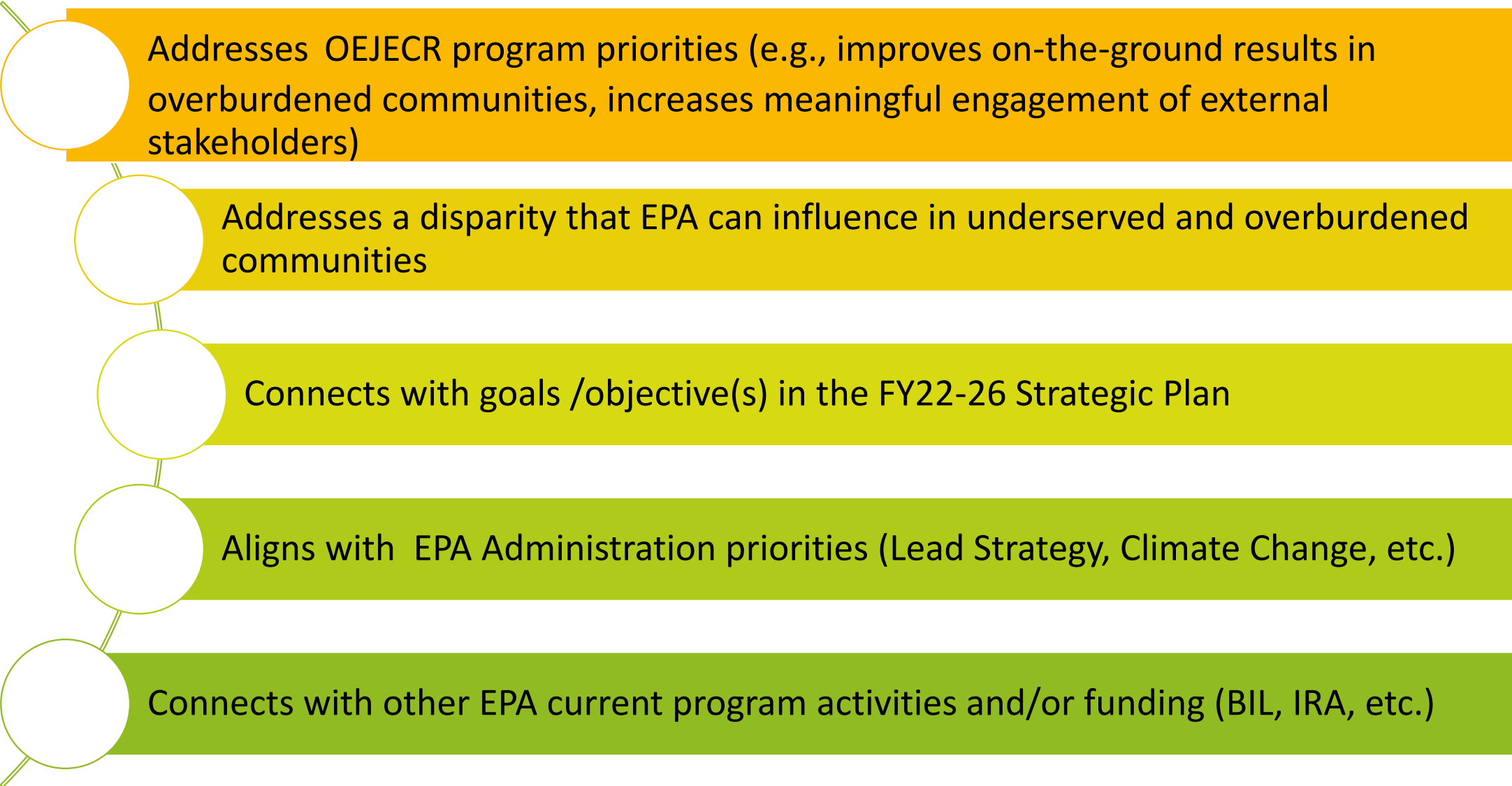
Part 1: Small group meetings

- WG members met in small groups for focused discussions on each category of indicator (e.g. health outcome related indicators, Pb indicators)

Part 2: Evaluation Framework

- **Phase 1:** How does the indicator align with strategic objectives and existing programs?
- **Phase 2:** Data-related questions (e.g. availability, quality)

Evaluation Framework: Phase 1



Addresses OEJECR program priorities (e.g., improves on-the-ground results in overburdened communities, increases meaningful engagement of external stakeholders)

Addresses a disparity that EPA can influence in underserved and overburdened communities

Connects with goals /objective(s) in the FY22-26 Strategic Plan

Aligns with EPA Administration priorities (Lead Strategy, Climate Change, etc.)

Connects with other EPA current program activities and/or funding (BIL, IRA, etc.)

Evaluation Framework: Phase 2 (data-related questions)

Data is consistently generated and publicly available

Adequate frequency of new data collected and reported

Indicator methodology is documented & reproducible

Data is national, meet DQOs and statistic requirements

Progress can be tracked through visual means

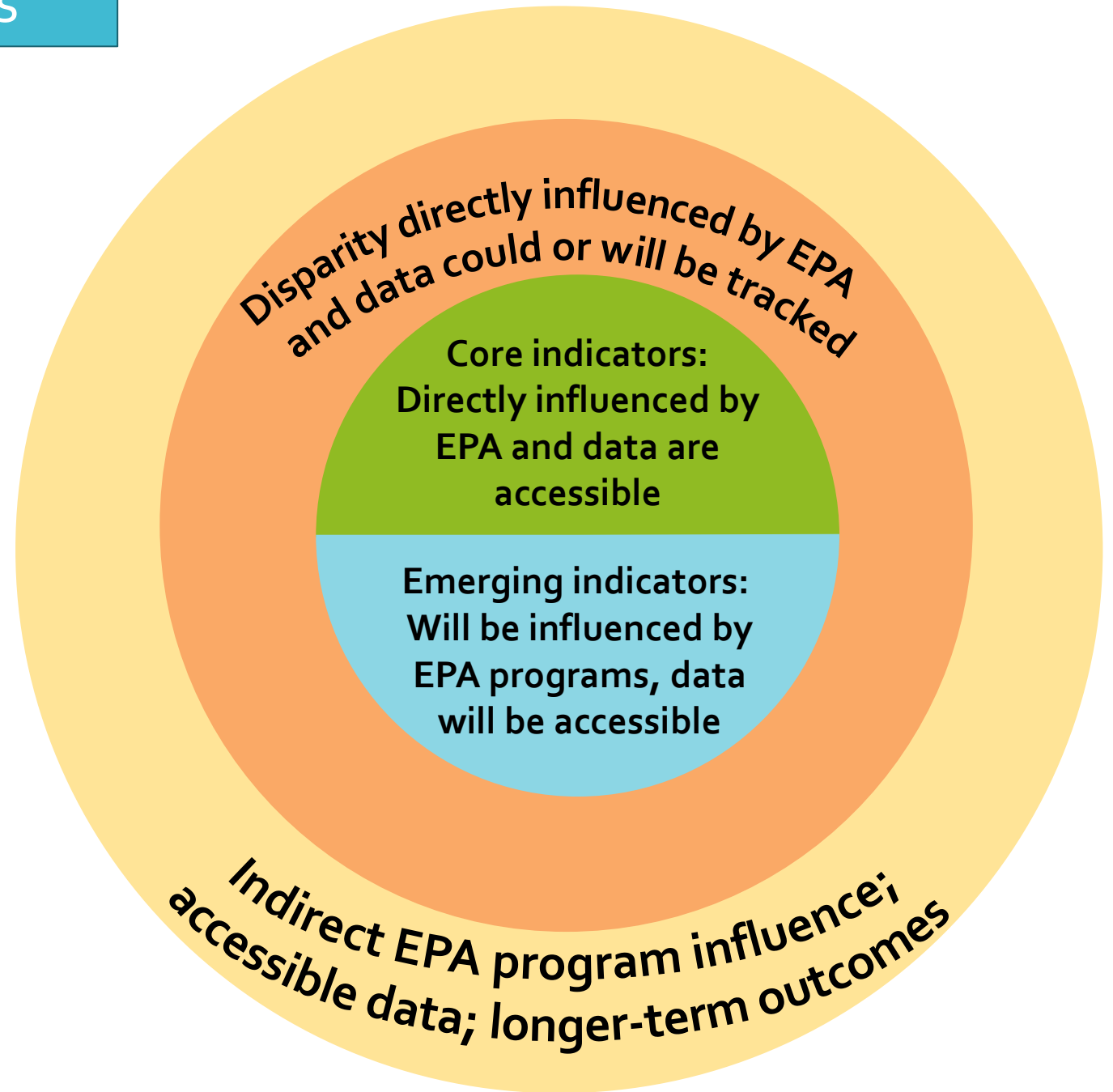
Indicator is easy to understand, share, communicate & track

Can be mapped geographically

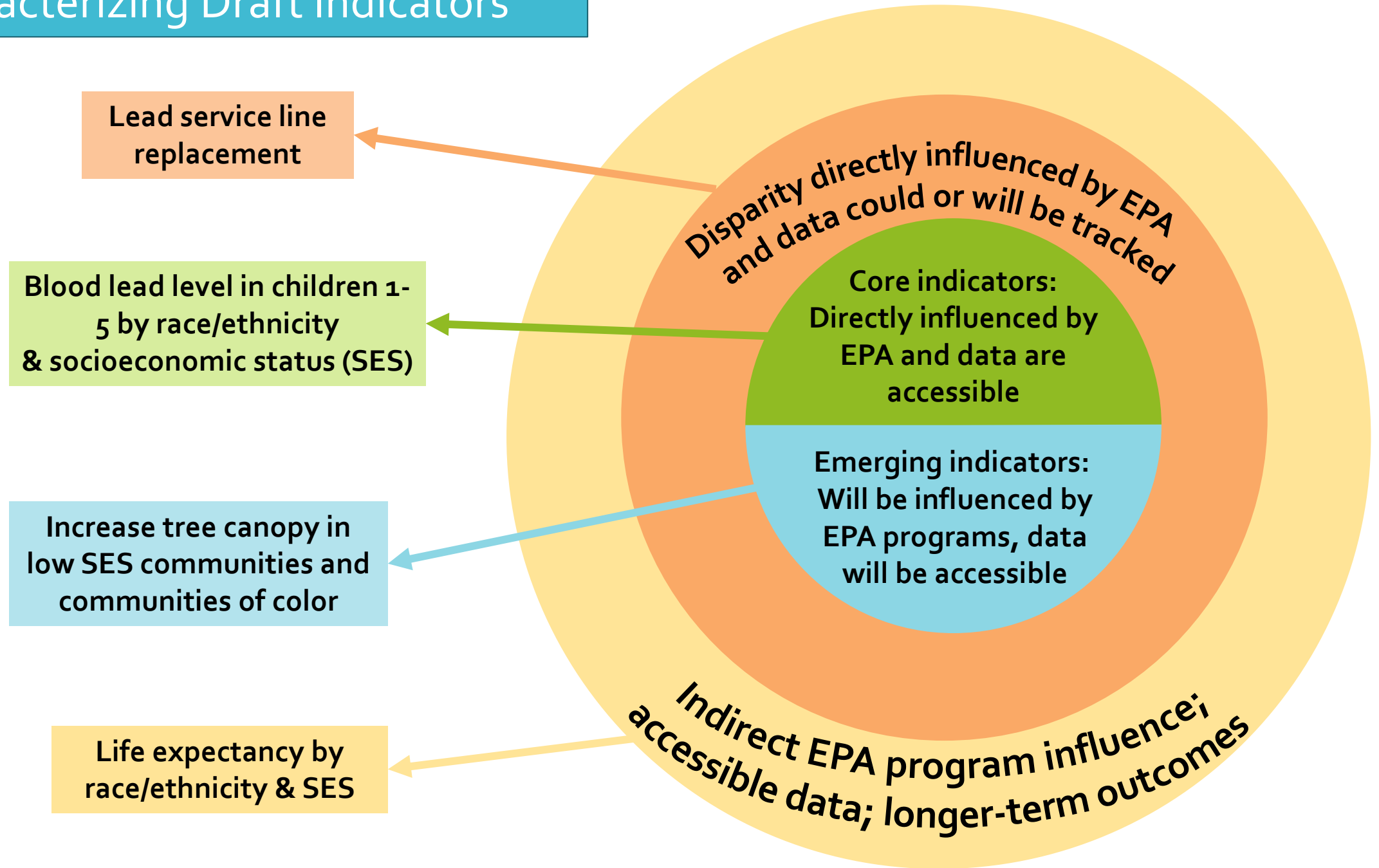
Characterizing Draft Indicators

Two important criteria:

- 1) Direct connection of disparity to EPA's authorities and program
- 2) Data accessibility and reliability



Characterizing Draft Indicators



**Directly influenced by EPA programs;
data source is accessible**

Comms within 1
miles of
Superfund site by
race/ethnicity &
SES

BLL² in children 1-
5 by race/ethnicity
& SES

Children w/
asthma by
race/ethnicity &
SES

CWS³ in Indian
Country in non-
compliance

People of low SES
in areas meeting
PM_{2.5} NAAQS¹

**Emerging indicators:
Will be influenced by EPA programs,
will be accessible**

Increase green
space in low SES
communities

Increase tree
canopy in low SES
communities

Draft Indicators

**Directly influenced by EPA programs;
data is not ready yet nationally;
available in some states**

Data will
be tracked

Pb service line
replacement

Some data
available in
some states

Children with
elevated BLL in
high-risk
communities

**Other indicators: varied influence by EPA
programs; data challenges exist.**

CDC Heat &
Health Tracker

Farmworker
Health

**Indirectly influenced by EPA
programs; data source is
accessible; categories are
long-term (ROE and ACE)**

Age-adjusted CVD/
hypertension by
race/ethnic & SES

Pre-term births by
race/ethnicity &
SES

Life expectancy by
race/ethnicity &
SES

**Other Indicators: Outputs of EPA
Programs**

Increase % of Pb inspections in
communities w EJ concerns

Increase education and
engagement on Pb

Draft Indicators: Directly influenced by EPA, state, and local programs; data source is accessible

Population living within 1 mile of a Superfund site by race/ethnicity & socioeconomic status (SES)

Percentage of children 0-17 reported to have asthma by race/ethnicity & socioeconomic status (SES)

Percentage of population of low socioeconomic status (SES) in areas meeting the PM_{2.5} National Ambient Air Quality Standards (NAAQS)

Blood lead level in children 1-5 by race/ethnicity & socioeconomic status (SES)

Number of community water systems (CWSs) in Indian Country in non-compliance with health-based standards (compared to CWSs elsewhere)

Draft Indicators: EPA programs almost ready; accessible data

Increase tree canopy in low socioeconomic status (SES) communities and communities of color

Increase green space in low socioeconomic status (SES) communities and communities of color

Draft Indicators: Direct influence; data could be or will be tracked

Lead service line replacement (data will be tracked for BIL funded projects)

Children with elevated blood lead levels in high-risk communities (data is available in some areas and varies by state)

Draft Indicators: Indirect influence; accessible data; long-term outcomes

Age-adjusted cardio-vascular disease (CVD)/ hypertension prevalence by race/ethnicity & socioeconomic status (SES)

Percentage of babies born pre-term or underweight by race/ethnicity & socioeconomic status (SES)

Life expectancy by race/ethnicity & socioeconomic status (SES)

Other Draft Indicators: Varied influence of EPA programs; data challenges

Improving farmworker health (some data sources available in some places – could pilot in specific areas)

CDC Heat & Health Tracker (heat data is national but heat-related illness data is limited)

Other Draft Indicators: Outputs of EPA Programs

Increase percentage of lead paint inspections in communities with EJ concerns

Increase education and engagement for families and childcare providers to prevent lead exposure in areas of highest risk

Next Steps

1

Prepare for
engagement
with States

2

Prepare to
gather
feedback from
public

3

Refine
indicators
(directionality
and comparison
groups)

4

EPA finalizes
initial list of
indicators

5

Develop
processes and
tools for data
collection

Discussion questions

- What are the most important environmental health disparity indicators that we need to have ensured examination of feasibility?
- What considerations should we take into account when making final decisions about these indicators?
- What kind of representation/ visualization/ information will be most meaningful when these are implemented?

**National Environmental Justice
Advisory Council
Cumulative Impacts Framework
Session**

Robin Collin and Charles Lee

November 30, 2022

4:15-6:15 pm ET

Agenda and Discussion Objectives

- **Topic #1:** Provide overview of key perspectives and concepts in EPA cumulative impacts framework and obtain feedback (30 minutes)
- **Topic #2:** Perspectives, concerns and priorities of NEJAC members on cumulative impacts issue (30 minutes)
- **Topic #3:** Discuss potential NEJAC workgroup on cumulative impacts framework (45 minutes)
 - Overall framing
 - Purpose
 - Context
 - Considerations for workgroup composition
 - Possible charge questions
- **Topic #4:** Next Steps (15 minutes)



EPA's Cumulative Impacts Framework Key Concepts

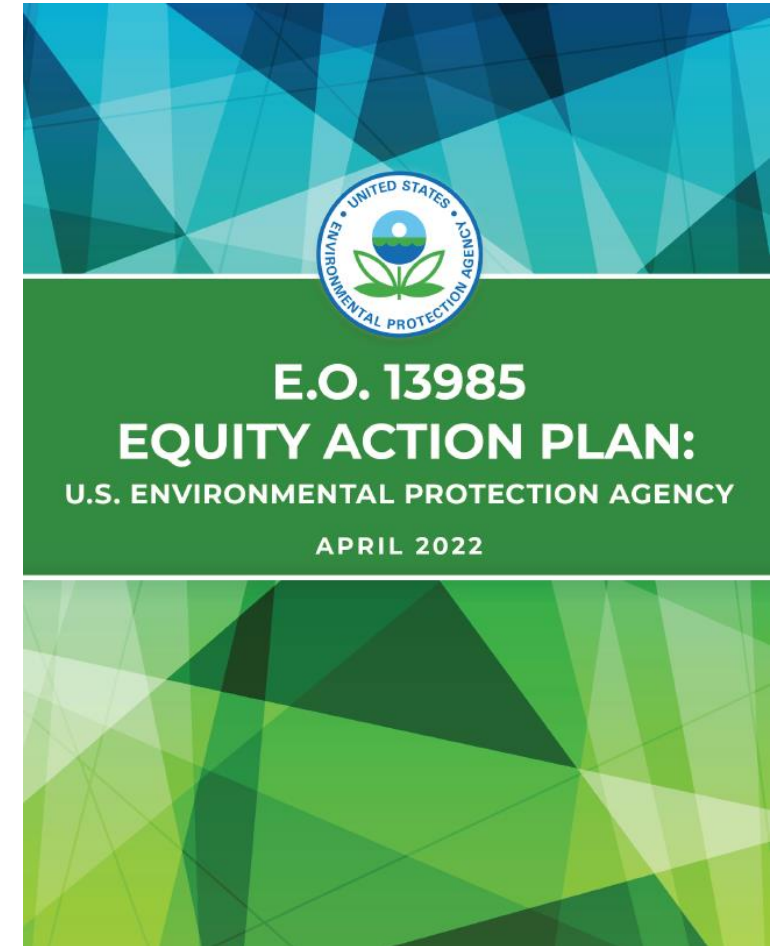
Charles Lee

National Environmental Justice
Advisory Council

November 2022

Commitments

- **Agency Equity Action Plan:** Develop a comprehensive framework for considering cumulative impacts in relevant EPA decisions and operationalize that framework in EPA's programs and activities
- **FY2022-2026 EPA Strategic Plan:** Sets Agency Priority Goal of "by September 30, 2023, EPA will develop and implement a cumulative impacts framework."



Goals

Developing and operationalizing this framework will help EPA make better decisions to ensure that:

- No community bears a disproportionate share of the adverse environmental and public health consequences from the nation's economic and other activities; and
- Existing impacts in overburdened communities are mitigated and a pathway to livability, health, equity, resilience, and sustainability is created.

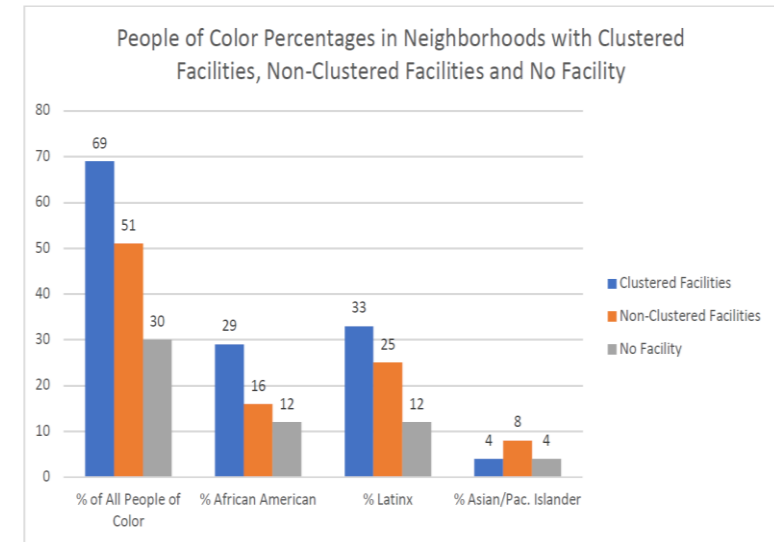


**Decision-
Centered
Framework**

Definition

Cumulative Impacts is defined by EPA's ORD as the totality of exposures to combinations of chemical and non-chemical stressors and their effects on health, well-being, and quality of life outcomes.

Cumulative impacts include contemporary exposures to multiple stressors as well as exposures throughout a person's lifetime. They are influenced by the distribution of stressors and encompass both direct and indirect effects to people through impacts on resources and the environment. Cumulative impacts can be considered in the context of individuals, geographically defined communities, or definable population groups. Cumulative impacts characterize the potential state of vulnerability or resilience of a community.



Source: Toxic Wastes and Race at Twenty

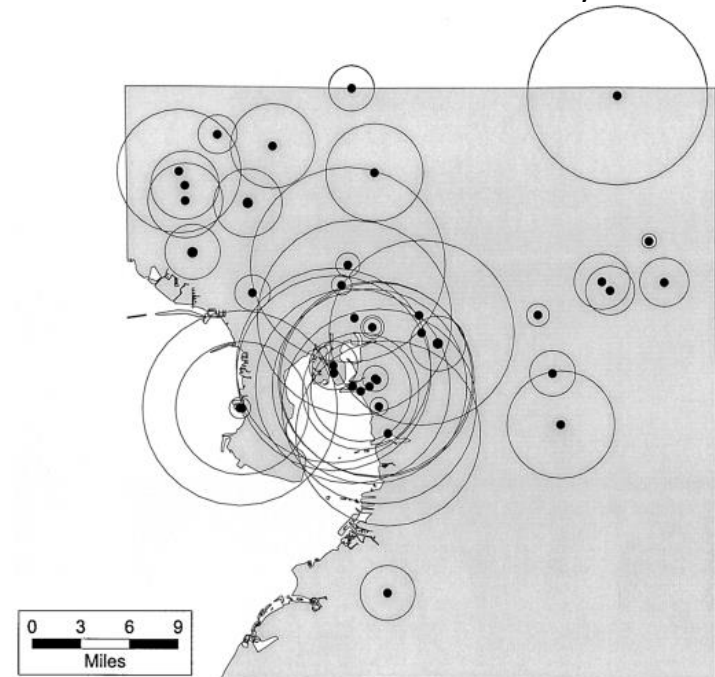
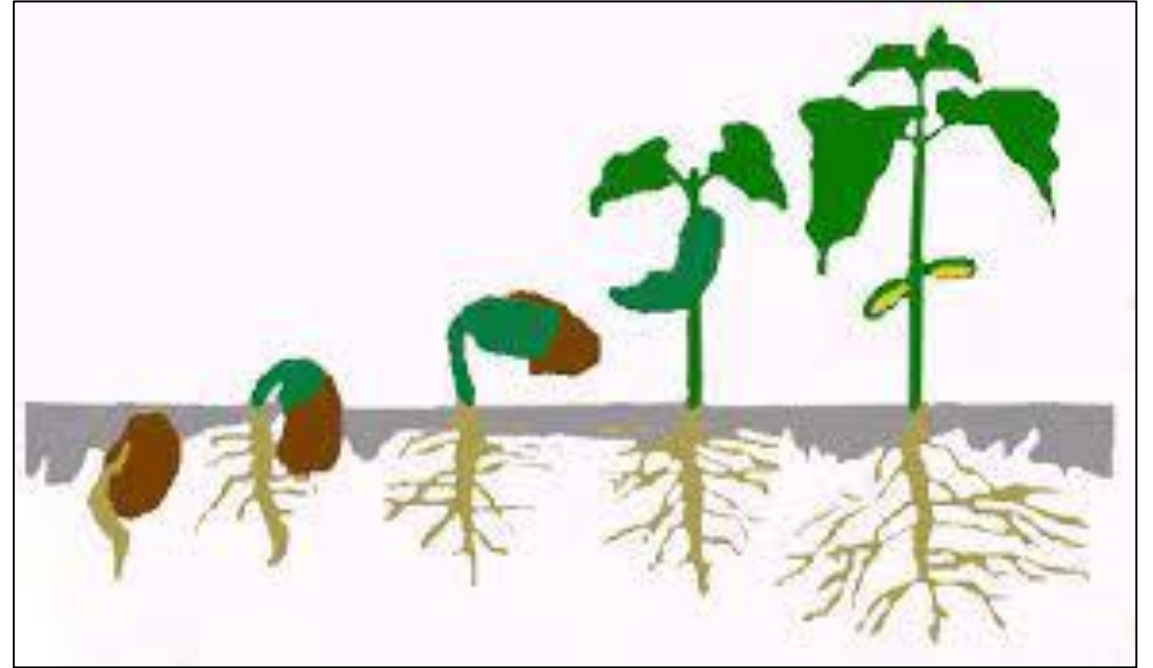


Fig. 2. Circular buffers around extremely hazardous substances facilities in Hillsborough County, Florida. (Chakraborty)

What is a framework?

EPA's cumulative impacts framework is a set of basic principles, concepts, and relationships to support continuing efforts to systematically advance methods, approaches, and practices that address disproportionate concentrations of environmental burdens and benefits.

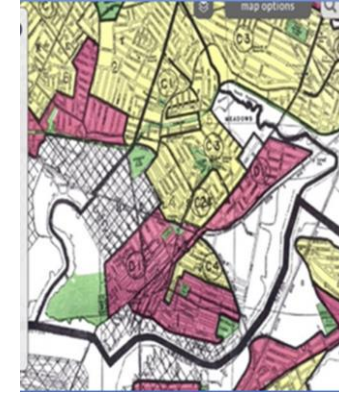


- Will organically evolve through deepened concepts, application, trial and error, shared values, and collective learning
- Not just words conveying static ideas in a policy or guidance document
- Refined through a collective process involving the thinking and practice of multiple players and co-creation of knowledge and expertise

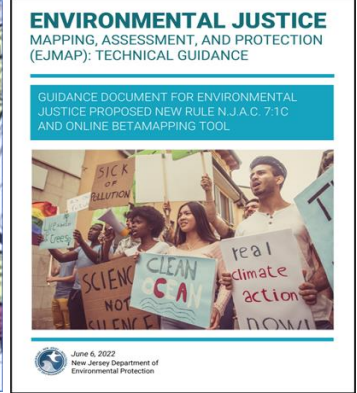
Key Activities

- Development of cumulative Impacts Framework document
- Cumulative Impact Research Recommendations Paper
- EJ Legal Tools document and Cumulative Impacts Addendum
- Guidelines for Cumulative Risk Assessment Planning and Problem Formulation Guidelines forthcoming for comment
- Demonstration Initiatives (Regions 1, 5, and 9)
- Lesson Learned Workshops (Chicago DPH, MPCA, NJDEP)
- Internal webinars and office hours
- Integration in Goal 2 of Strategic Plan implementation plans

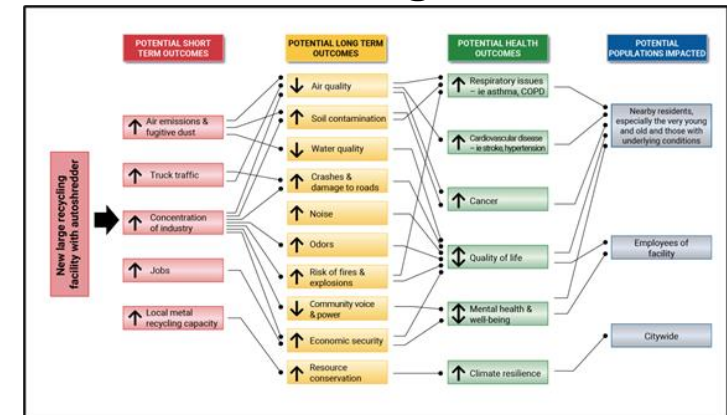
Chelsea



New Jersey



Chicago



NEJAC's Historical Interest in Cumulative Impacts

Reports and Recommendations

- Social Siting Criteria (1995)
- Waste Transfer Stations Regulatory Strategy (2000)
- Cumulative Impacts Report (2004)
- Permitting (2011, 2013)
- Goods Movement (2009)
- EPA's Research Enterprise (2014)
- Air Quality and Community Monitoring (2022)

Public Comment Testimonials

"I am sick and tired of being sick and tired."

NEJAC 2004 Report

Letters of Concern

NEJAC Cumulative Risks/Impacts Recommendations (2004)

Recommendation	EPA Actions
Institutionalize a bias for action	<ul style="list-style-type: none"> • EPA made justice and equity a core principle (2021) • ORD embraced concept for research (2021) • EPA created national program on EJ & external civil rights (2022)
Initiate community-based, collaborative, multi-media risk reduction projects	<ul style="list-style-type: none"> • EJ Collaborative Problem-solving Cooperative Agreement program and model (2003/2007) • Community Action for Renewed Environment program (2005) • Make a Visible Difference in Communities initiative (2015)
Develop tools for targeting and prioritizing communities needing urgent intervention	<ul style="list-style-type: none"> • EJ Strategic Enforcement Assessment Tool (2005) • EJScreen (2012/2016) • Justice40 Initiative (2021)
Lay the scientific basis for incorporating vulnerability into EPA assessment tools, strategic plans, and research agendas	<ul style="list-style-type: none"> • EJ mapping tools efforts, including EJScreen • EJ Research Roadmap (2016) • CRA Planning and Problem Formulation Guidelines (forthcoming) • ORD Priority in Strategic Research Action Plan (FY2023-2026)
Produce guidance on greater use of statutory authorities	<ul style="list-style-type: none"> • Plan EJ 2014 EJ Legal Tools compendium (2011) • EPA Legal Tools to Advance Environmental Justice (2022) • Cumulative Impacts Addendum (2022 forthcoming)

Larger Body of Cumulative Impacts Work to Build On

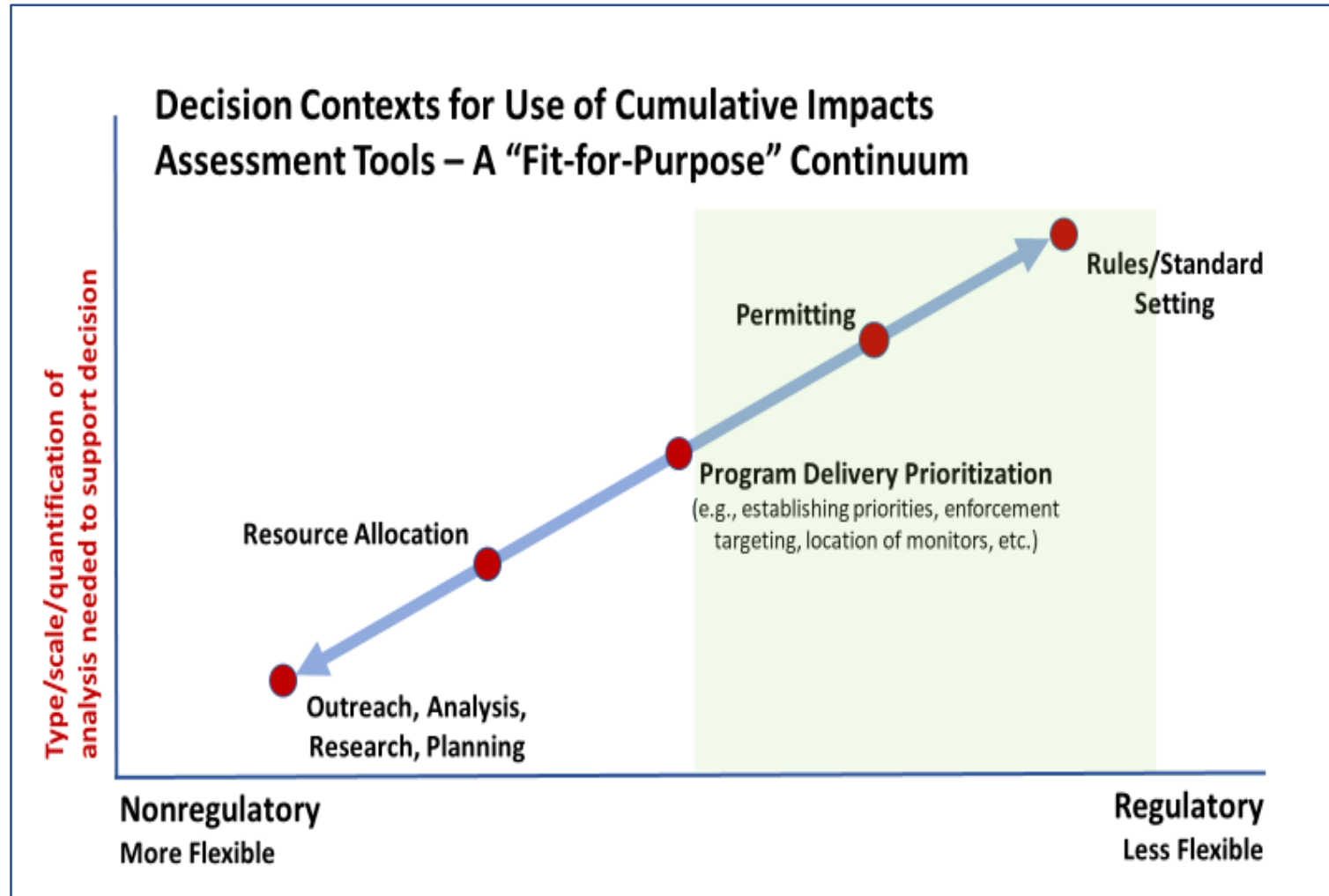
- CalEPA EJ Advisory Committee – Cumulative Impacts Definition/Precautionary Approaches (2005)
- NJ EJAC CI Recommendations (2009)
- CalEPA - Cumulative Impacts: Building a Scientific Foundation (2010)
- CalEnviroScreen (2012) and other state mapping tools
- State and Local Legislation (MN, CA, NJ, CO, MA, OR, WA, VT, etc.)
- Chicago DPH “General Iron” Permit Analysis (2022)
- New Jersey DEP Regulations (forthcoming 2022)
- MassDEP Air Permit Regulations (forthcoming 2022)
- Other important developments, such as California and Minneapolis “Green Zones”



“These rules represent the hard work and diligence of EJ activists that have worked tirelessly alongside NJDEP to produce the strongest environmental justice law in the nation.” (Ana Baptista, Ph.D.)

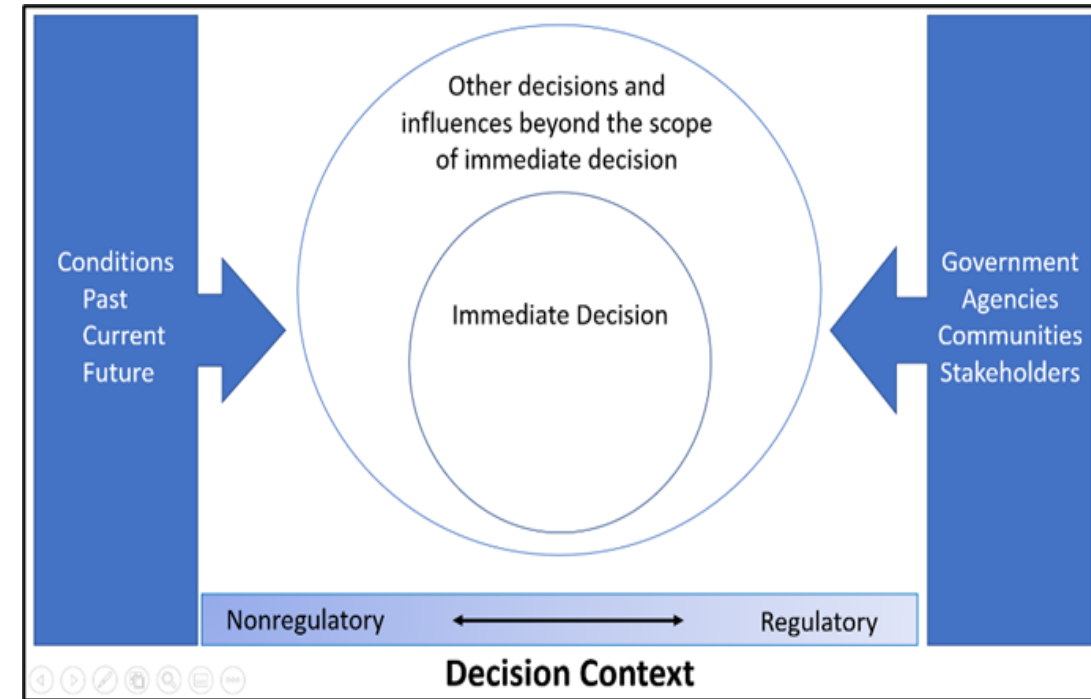
Fit for Purpose

- Cumulative impact assessment information has already been used in significant ways.
- As we move into the regulatory decision contexts, EPA and its partners at the state and local levels are identifying key questions and developing new methods.
- These developments represent major challenges and opportunities for EPA in developing and operationalizing a cumulative impacts framework.



- ❖ Focus on the decisions and actions under consideration, particularly those where we can make a difference;
- ❖ Roles, responsibilities, authorities, and accountability of agency decision-makers,
- ❖ Relationships and coordination among agencies, communities and stakeholders;
- ❖ Baseline characterization of disproportionate, multiple and cumulative impacts;
- ❖ Historical and structural drivers of concentration of environmental burden and what they mean for future trends;
- ❖ Concerns and priorities of impacted communities;
- ❖ Clarity on how an analysis can inform pertinent agency regulatory decision structures.

Understanding Decision Contexts



Core Needs for Cumulative Impacts Analysis

- Address cumulative impacts in particular regulatory decisions
- Address cumulative impacts across multiple regulatory decisions, programs, agencies.
- Address to inform single or multiple decisions in specific places using a transparent process with extensive community, partner, and stakeholder engagement.



Community and Stakeholder Engagement

Principles

- Transparent, authentic and meaningful community and stakeholder engagement a core principle
- Intersection between cumulative impacts and other parts of Equity Action Plan and Strategic Plan
- Co-creation of knowledge and expertise

Actions

- Conduct regular engagement and focus group sessions
- Make community and stakeholder engagement an important element in capacity building
- Build on community engagement within policy, research, enforcement, and other efforts at EPA
- Implement educational and outreach activities

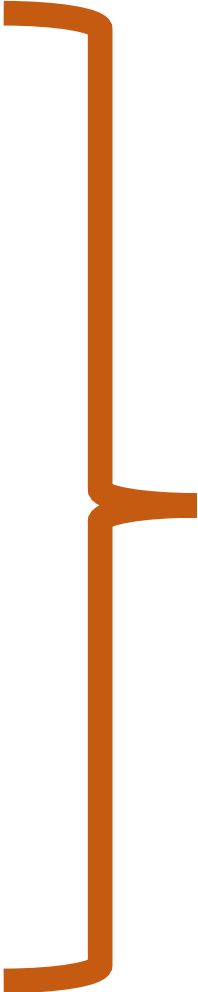


Bay Area Air Quality Management District



Key elements for assessing and addressing cumulative impacts

- Screening and Tiering
- Scoping
 - Community engagement
 - Analysis design
- Assessment
 - Analysis (quantitative, semi-quantitative and qualitative methods)
 - Use of mixed methods
 - Identifying potential actions
- Decisions and Action Plans (Recommendations)
- Implementation (Reporting and monitoring)



**HOW THESE
ELEMENTS
ARE USED
DEPENDS ON
DECISION
CONTEXT AND
OTHER FACTORS**

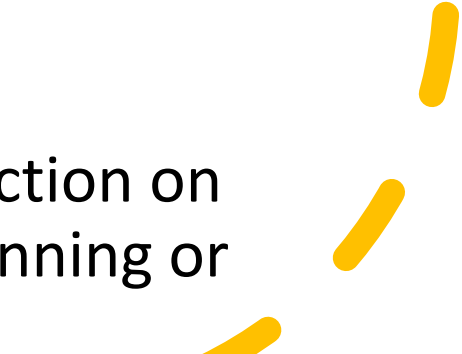
Working across multiple decisions, programs and agencies

- Identify impacts of concern,
 - Health, environmental, social, economic, quality of life
 - EPA regulated, Non-EPA regulated, Unregulated
- Inventory relevant decisions, programs or policies at multiple levels of government
- Promote community involvement and leadership
- Determine desired health, environmental, social, economic and quality of life outcomes
- Look for coordination gaps and opportunities
- Optimize impacts of multiple decisions
- Be realistic about and address capacity issues



**THINKING
STRATEGICALLY
TO DEVELOP
ACTION PLAN**

Examples of Key Imperatives for Developing Framework

- Ensuring that the totality of exposures and lived reality of overburdened communities is considered when assessing and addressing cumulative impacts
 - Ensuring that information from disproportionate and cumulative impact assessments fits with and informs pertinent regulatory decision structures, including appropriate uses of thresholds and criteria.
 - Ensuring that EPA's approaches to cumulative impact assessment and cumulative risk assessment complement and reinforce each other to best inform decisions
 - Facilitating greater attention to and action on upstream factors such as land use planning or infrastructure investment
- 

Next Phase for Development of Framework

Application of Framework to Decision Contexts

- NEPA
- Permitting
- Enforcement (both environmental and civil rights)
- Cleanup and Community Revitalization
- Rulemaking

(with attention to upstream issues like land use)

- Develop Standard Operating Procedures (SOPs) based on concepts in this document with the goal of applying them to regulatory structures within different decision contexts;
- Implement an ambitious agenda of collective learning through demonstration initiatives, workshops, evaluation, and the development educational resources and activities; and
- Address organizational capacity as part the implementation of Goal 2 of EPA's FY2022-2026 Strategic Plan.

Topic #1: Feedback from NEJAC to EPA

Overview

Purpose: To get feedback from NEJAC members on key concepts EPA presented and provide opportunity for NEJAC members to ask questions

- Comments
- Questions
- Interactive Discussion



Topic #2: Perspectives, Concerns and Priorities of NEJAC Members on Cumulative Impacts Issue

Purpose: To hear from NEJAC members about their perspectives, concerns and priorities with respect to the cumulative impacts issue

- Comments
- Interactive Discussion



Topic #3: Discussion of NEJAC Cumulative Impacts Framework Workgroup and Charge

Purpose: To hear from NEJAC members about their views on key issues related to potential cumulative impacts workgroup and charge

- Overall Framing
- Purpose
- Context
- Criteria for Workgroup Composition
- Possible Charge Questions
- Suggested Discussion Questions

See document for detailed discussion of key issues



Topic #4: Next Steps

Purpose: Provide overview of and hear from NEJAC members about next steps toward developing a NEJAC cumulative impacts framework workgroup



FOR MORE INFORMATION:

Contact Charles Lee (lee.charles@epa.gov)

Closing Remarks

- **Dr. Na'Taki Osborne Jelks**, NEJAC Co-Chair – West Atlanta Watershed Alliance and Proctor Creek Stewardship Council
- **Sylvia Orduño**, NEJAC Co-Chair – Michigan Welfare Rights Organization
- **Michael Tilchin**, NEJAC Vice Chair – Jacobs Engineering
- **Matthew Tejada**, Deputy Assistant Administrator for EJ, Office of Environmental Justice and External Civil Rights, U.S. EPA, U.S. EPA
- **Paula Flores-Gregg**, Designated Federal Officer – U.S. EPA





National Environmental Justice Advisory Council

PUBLIC MEETING

DAY 3

December 1, 2022



REMINDERS



Meeting attendees are in listen/view mode only



The chat feature will not be available in this virtual meeting



Attendees who pre-registered for public comment will be given access to speak as time allows



If you do not get a chance to speak during the allotted time, please submit your comments in writing

Written comments can be submitted until;
December 14, 2022, to nejac@epa.gov

Welcome & Recap

- **Paula Flores-Gregg**, Designated Federal Officer – U.S. EPA
- **Matthew Tejada**, Deputy Assistant Administrator for EJ, Office of Environmental Justice and External Civil Rights, U.S. EPA
- **Sylvia Orduño**, NEJAC Co-Chair – Michigan Welfare Rights Organization
- **Na'Taki Osborne Jelks**, NEJAC Co-Chair – West Atlanta Watershed Alliance and Proctor Creek Stewardship Council
- **Michael Tilchin**, NEJAC Vice Chair – Jacobs Engineering

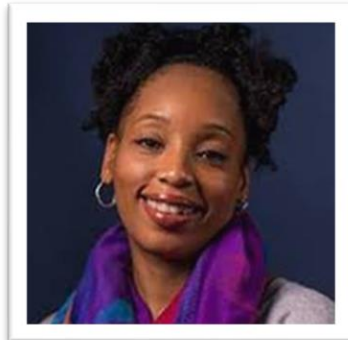




NEJAC Members Introduction

NEJAC MEMBERS

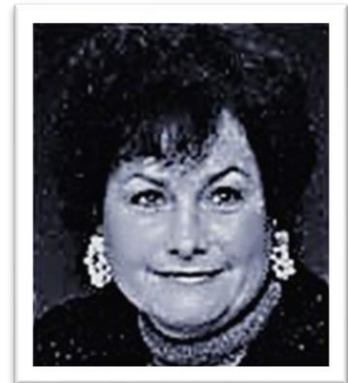
ACADEMIA



April Karen Baptiste, PhD
Colgate University
Region 2 – New York



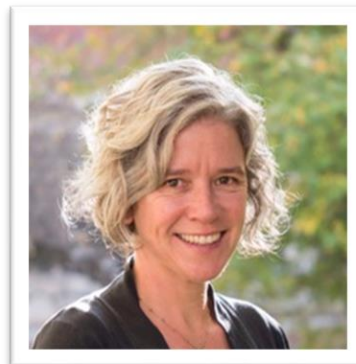
Benjamin Pauli, PhD
Kettering University
Region 5 - Michigan



Jan Marie Fritz, PhD, C.C.S
University of Cincinnati
Region 4 – Florida



Sandra Whitehead, PhD,
George Washington University
Region 3 – District of Columbia



Jill Lindsey Harrison, PhD
University of Colorado Boulder
Region 8 - Colorado

NEJAC MEMBERS

BUSINESS & INDUSTRY



Venu Ghanta
Duke Energy
Region 3 – District of Colombia



VICE-CHAIR OF NEJAC

Michael Tilchin
Jacobs Engineering
Region 3 – Maryland

NEJAC MEMBERS

COMMUNITY BASED ORGANIZATIONS



Rev. Ambrose Carroll, Sr., PhD
Green The Church
Region 9 - California



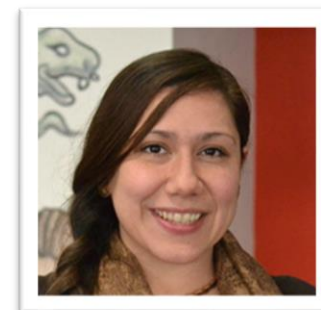
Pamela Talley, PhD
Lewis Place Historical Preservation Inc.
Region 7 - Missouri



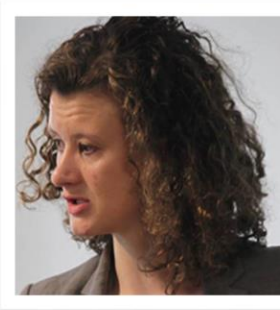
Leticia Colon de Mejias
Green ECO Warriors
Region 1 - Connecticut



Jerome Shabazz
JASTECH Development Services Inc
Region 3 - Pennsylvania



Cemelli De Aztlan
La Mujer Obrera
Region 6 - Texas



Sofia Owen, JD
Alternatives for Community &
Environment (ACE)
Region 1 - Massachusetts

NEJAC MEMBERS

COMMUNITY BASED ORGANIZATIONS (continued)



Yvonka M. Hall
Northeast Ohio Black Health
Coalition
Region 5 - Ohio



Nina McCoy
Martin County Concerned
Citizens
Region 4 – Kentucky



Richard Mabion
Building A Sustainable Earth
Community
Region 7 - Kansas



CO-CHAIR OF NEJAC

Na'Taki Osborne Jelks, PhD
West Atlanta Watershed
Alliance and Proctor Creek
Stewardship Council
Region 4 – Georgia

NEJAC MEMBERS

NON-GOVERNMENT ORGANIZATIONS



Andy Kricun
Moonshot Missions
Region 2 – New Jersey



Brenda Torres Barreto (V)
San Juan Bay Estuary Prog.
Region 2 – Puerto Rico



Jeremy F. Orr, JD
Earthjustice
Region 5 – Illinois



Ayako Nagano, JD
Common Vision
Region 9 - California



Jacqueline Shirley, MPH
Rural Community
Assistance Corporation
Region 6 – New Mexico



CO-CHAIR OF NEJAC
Sylvia Orduño
Michigan Welfare Rights Organization
Region 5 – Michigan

NEJAC MEMBERS

STATE & LOCAL GOVERNMENT



Millicent Piazza, PhD

Washington State Department of Ecology
Region 10 - Washington



Loren Hopkins, PhD

City of Houston Health
Department
Region 6 - Texas

NEJAC MEMBERS

TRIBAL & INDIGENOUS GOVERNMENT & ORGANIZATIONS



Joy Britt (N/A)

Alaska Native Tribal Health Consortium
Region 10 - Alaska



John Doyle (V)

Little Big Horn College
Region 8 - Montana



Scott Clow

Ute Mountain Ute Tribe
Region 8 - Colorado



Jonathan Perry (V)

Becenti Chapter
Region 6 – New Mexico

Environmental Justice Community Panel on Protecting Farmworker Women and Their Families

- **Audelia Cervantes Garcia**, Farmworker/Líderes Campesinas
- **Hormis Bedrolls**, Farmworker/Organizer, Mujeres Divinas
- **Elvira Carvajal**, Farmworker/Organizer, Alianza Nacional de Campesinas (V)
- **Mily Treviño-Sauceda**, Executive Director, Alianza Nacional de Campesinas (V)



Inflation Reduction Act

Session 4: EPA EJ Block Grants & EJ Grant Program

- **Matthew Tejada**, Deputy Assistant Administrator for EJ, Office of Environmental Justice and External Civil Rights, U.S. EPA, U.S. EPA
- **Jacob J. Burney**, EJ Grants Program Manager, Office of Environmental Justice and External Civil Rights, U.S. EPA, U.S. EPA



Environmental Justice
Communities Pass-
through Funder
Program
(EJCPF)

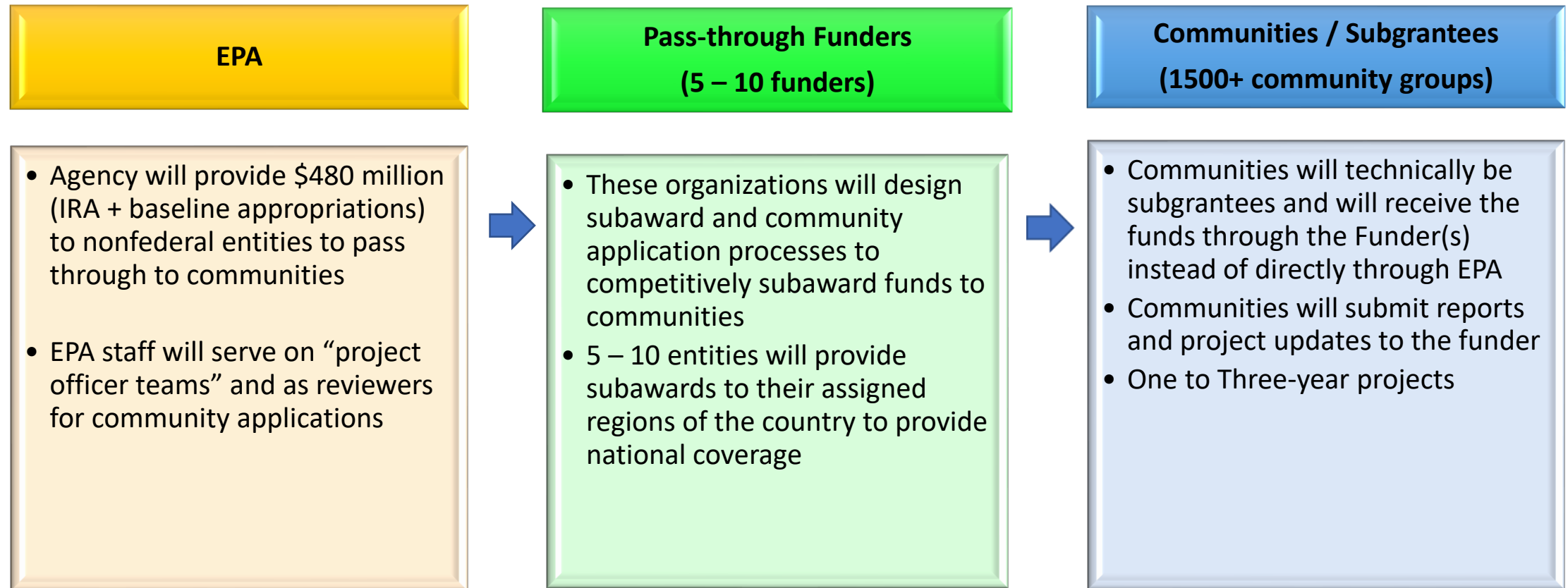
Program Overview

Office of Environmental Justice and External Civil Rights
December 1, 2022

Goals of Pass-through Funder Program

- I. To alleviate burden on small, capacity-constrained applicants, award funds to communities quickly, and remove EPA's administrative barrier to awarding high volumes of grants in condensed timeframes
- II. To select **5 - 10** pass-through funders across the nation to manage a new EJ Subaward program over the next 3 years
 - a. **Original Vision:** 1 – 2 pass-through funders manage the “**EJ Small Grants**” subaward program nationwide for small, competitive \$150K projects addressing EJ issues in communities
 - b. **New Expanded Vision:** 5 - 10 pass-through funders will issue competitive & noncompetitive subawards to Eligible Subrecipients for assessment (\$150K), planning (\$300K), and/or project development (\$500K) projects
- III. To mobilize multiple new funding vehicles across the nation for ready-access to the available Inflation Reduction Act (IRA) funding
 - I. Ideally, communities in each EPA Region will have a dedicated pass-through funder with experience in that Region

Snapshot of Expanded Pass-through Model



Definition of CBO – requirement of IRA

- I. For this RFA, the EJ Grants program defines a “community-based nonprofit organization” (CBO) as a public or private nonprofit organization that supports and/or represents a community and/or certain populations within a community through engagement, education, and other related services provided to individual community residents and community stakeholders. A “community” can be characterized by a particular geographic area and/or by the relationships among members with similar interests and can be characterized as part of a broader national or regional community where organizations can be focused on the needs of urban, rural, and/or tribal areas, farmworkers, displaced workers, children with high levels of lead, asthmatics, subsistence fishers, and other similar groups.*

Funding & Award Information (Section II)

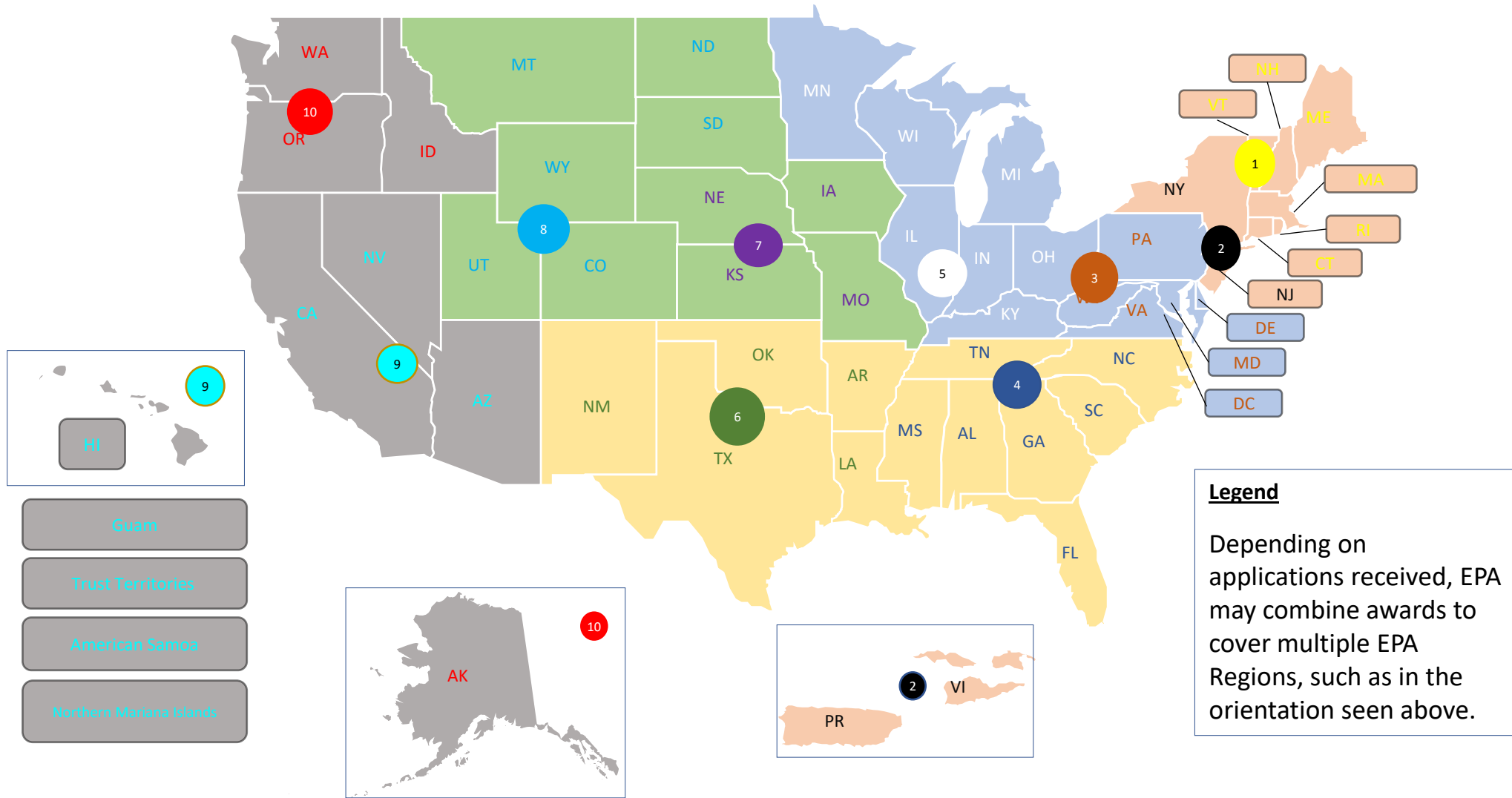
I. Total Funding

- a. Up to approximately \$480 million total nationwide

II. Number of/funding per award (cooperative agreements)

- a. 5 – 10 awards --- \$50 million each
- b. **80%** of awarded funds are **required** to be subawarded to communities
 - a. 80% is a **minimum**, applicants who budget > 80% going to communities will likely score better on that criteria (all else being equal)
- c. Each award will be for coverage of at least one EPA Region
- d. Applicants can submit **two applications** to cover up to two different EPA regions. One application per Region.
- e. Awards may be combined (i.e., if an applicant submits two applications, one for EPA Region 1 and the other for EPA Region 2, and is selected for both, EPA may combine those selections into one award for \$100 million total)

Potential Geographic Area Combinations



Eligibility (Section III)

I. Who is eligible to apply to be a pass-through funder?

- a. a community-based nonprofit organization; or
- b. a partnership of community-based nonprofit organizations
- c. a partnership between — an Indian tribe and a community-based nonprofit organization
- d. a partnership between — an institution of higher education and a community-based nonprofit organization

II. What defines a partnership?

- a. A partnership must include a subaward to a community-based nonprofit organization
- b. A Letter of Commitment is required for each partnership

Responsibilities of each Pass-through Funder

- I. Design a **competitive project application submission and evaluation process** for communities
- II. Develop **outreach efforts** and plans to reach all underserved communities, especially urban, rural and remote communities, to make them aware of the availability of EJ Subaward funding
- III. Develop a **subaward process** that ensures efficient and effective fund dispersal within the 3-year project-period
- IV. Create a **tracking and reporting** system for EJ Subaward projects
- V. Manage the application in-take processes, evaluations, subawards process, and project tracking for communities
- VI. Reserve a limited number of **noncompetitive** (\$75K) EJ Subawards for severely capacity-constrained CBOs
- VII. Collaboratively work with EPA EJ staff**, federal technical assistance providers and other federal programs to provide guidance to communities
- VIII. Share project results**, feedback, and success stories with EPA

Requirements of the EJ Subaward Program

I. Who is eligible for the EJ Subawards:

- Nonprofit organizations
- Tribal governments (both federal and state-recognized) and Native American Organizations
- US Territories and Freely Associated States (FAS)

I. EJ Subawards will be available on a rolling basis (i.e., there will be no set application submission deadlines)

II. Three phases* that communities can apply to (+ noncompetitive awards too):

- Phase I – Assessment subawards (\$150K each for a 1-year project) = ~ 853 projects funded**
- Phase II – Planning subawards (\$300K each for 1 – 2 years) = ~ 426 projects funded
- Phase III - Project Development subawards (\$500K each for a 2-year project) = ~ 256 projects funded
- Noncompetitive, fixed-amount subawards (\$75K for a 6 mo. - 1-year project) = # of projects to be determined

* Each phase will have a total of \$160 million total (IRA + baseline appropriation funds) ** approximate project totals account for 80% of funds being subawarded to communities

Addressing Concerns (Pass-through Subaward Model)

- **I have concerns about who can serve as a pass-through entity...**
 - To be eligible as a pass-through entity, applicants **must** either be a qualifying CBO or partner with at least one qualifying CBO
 - A minimum of 80% of all pass-through funding awarded **must** be sub awarded directly to communities
 - Priority for **Minority Serving Institutions** (MSIs) to serve as pass-through funders
- **I have concerns about these entities' authentic connection to underserved communities and CBOs...**
 - Applicants will be scored on their historical connections and past work with communities within their proposed EPA Region
 - Applicants will be scored on the quality of their proposed partnerships with CBOs in the execution of their pass-through role
- **I'm concerned that these pass-through entities will select groups they're familiar with and EPA will have no say...**
 - Regional EPA EJ Staff will have a direct hand in how the pass-through funders develop their subaward evaluation/scoring and management processes
 - These are cooperative agreements (monthly meetings, quarterly reporting, substantial involvement, etc.)
 - Where capacity allows, Regional EPA EJ staff will serve as reviewers on the subaward scoring panels

Addressing Concerns (Pass-through Subaward Model) cont.

- **I'm concerned about a lack of Regional EPA staff involvement in the subaward projects on the ground...**
 - Where capacity allows, EPA regional staff will serve as “technical” project officers on projects
 - Technical project officers will provide guidance and oversight to communities whether it be an assessment, planning, or project development subaward
 - Additionally, EPA Regional staff will have new avenues in building relationships with communities outside of the traditional EJ Small Grants
 - We are staffing up the Regional EJ programs
 - Thriving Communities Technical Assistance Centers (EJ TCTAC)
 - Approximately 130 EJPCS + EJG2G grants will be awarded in 2023 where partnerships with CBOs are required
 - EPA staff will have more opportunity than ever before to develop relationships with the CBOs on these projects

Tentative Timeline

- January 2023: RFA opens
- **April 2023: RFA closes**
- April – July 2023: Threshold and Scoring Reviews
- August – Sept. 2023: Selectees will be contacted
- October 2023 – National announcement for EJCPF selections
- Late Fall 2023: Pass-through funders begin managing the EJ Subaward Program

Discussion and Feedback on expanded pass-through funder structure

- **EPA is seeking feedback on the expanded pass-through funder structure and overall Environment and Climate Justice Communities Grant funding plan:**
 1. What are your general impressions and/or concerns with the expanded pass-through funder structure (i.e., going from 1 – 2 pass-through funders to 5 – 10) ?
 2. What are your general impressions of the 4-Phase Environment and Climate Justice Communities Grant funding plan?
 3. Do you have concerns with the timeline for release of the upcoming solicitations?
 2. December '22 - EJCPG (collaborative problem-solving) **and** EJG2G (government-to-government)
 3. January '23 - EJCPF (pass-through)
 4. Any other general comments/ concerns about the recent and upcoming EJ Grant opportunities (EJ Thriving Communities Technical Assistance Centers, EJCPG, and/or EJG2G)?
- **Feel free to provide written feedback (general impressions and concerns) to this email address:**
OEJGrants@epa.gov

Contact Information

- Jacob Burney (EJ Grants Program Manager)
 - Burney.jacob@epa.gov
 - 202-564-2907

NEJAC Finance & Investment (J40) Workgroup Recommendations, Deliberation & Vote

WORKGROUP MEMBERS:

April Baptiste, Workgroup Chair
Sacoby Wilson, Co-Chair (Non-NEJAC)

Rev. Dr. Ambrose Carroll, Sr.

Aya Nagano

Sylvia Orduño

Millie Piazza

Jerome Shabazz

Pamela Talley

Richard Mabion

Karen Sprayberry

Finance and Investment Workgroup Members

Current members

April K Baptiste (co-chair)

Richard Mabion

Aya Nagano

Sylvia Orduno

Jerome Shabazz

Pamela Talley

Sacoby Wilson (co-chair, former NEJAC member)

Past members

Ambrose Carroll

Karen Sprayberry

Acknowledgements

The Finance and Investment Workgroup would like to say thank you to the following:

- All the members of the NEJAC for their comments and feedback on the different drafts of the document
- EPA staff in the Office of Environmental Justice [now Office of Environmental Justice and External Civil Rights (OEJECR)]
- All our Designated Federal Officers for EJ
- Public commenters
- Our consultants: Eric Ruder and Gina Jouaneh



Process Questions

Defining Investments and Benefits in EJ Communities

The NEJAC seeks information on how EPA defines investments and benefits so they can be provided in overburdened and under-resourced communities

1. Defining investments and benefits
2. Defining “improved capacity”
3. Standardizing definitions across EJ communities

Prioritizing Investments and Benefits in EJ Communities

1. How is EPA seeking to incorporate community-defined and selected investments?
2. How is equity utilized as a determinant in the EPA's prioritization of when, how, where, and why funding and investments are placed for EJ concerns?
3. Among the [EPA's seventy-three \(73\) pilot areas](#), how are priorities established to determine where, when, and why finances and investments were placed to correct environmental problems in affected communities and to ensure equity?
4. How is the EPA prioritizing the types of technical and financial assistance that is needed in traditionally lower capacity and funded areas?

Assessing/Determining and Distributing Investments and Benefits in EJ Communities

1. What research and methodology are being used to ensure EJ communities directly benefit from current and new investments?
2. How are the EPA National Programs ensuring that their funding and investments are successfully distributed for measurable benefits and outcomes to EJ communities?
3. How can the relationships between EPA regional offices and local community experience be strengthened?
4. How will public engagement in EJ communities become a central component of EPA's success in distributing investments and benefits in these communities?
5. There are key questions about how the Thriving Community Technical Assistance Centers (TCTACS) and other capacity building centers will be developed and operated.

Measuring and Tracking Investments and Benefits in EJ Communities

What types of investments and funding are measured?

1. Direct benefits

- a. In which ways are program investments and benefits for communities with EJ problems measured and tracked for program areas, and what measures were utilized to ensure intended targets receive direct EPA benefits?

2. Indirect benefits

- a. We prefer direct benefits but recognize that indirect benefits are also important

3. Cumulative benefits

- a. What are the methods that are being used to measure and track cumulative benefits and impacts in EJ communities

Measuring and Tracking Investments and Benefits in EJ Communities

How are investments and funding measured?

1. Methodology

- a. What methodologies is EPA using for measuring and tracking each of the following types of benefit indicators in its programs?

2. Tracking Tools:

- a. There is a need to develop a tracking tool that is specific to economic variables of funding, investments and benefits
- b. What are the steps that are currently being taken to create such a tool?
- c. How will such a tool enhance the capacity of EJ communities?

3. Tracking outcomes in funding and investments

- a. What are the short-term, medium-term, and long-term outcomes in funding and investments
- b. How are these outcomes tracked?

Barriers and challenges:

- a. What are the primary barriers to creating a system to track investments and benefits and how can EPA address them?

Mapping and Reporting Investments and Benefits in EJ Communities

1. How is the EPA planning to develop a clear and transparent approach to mapping and reporting to the public on where the Agency's funding is distributed and used?
2. How will EPA develop a visualization tool for funding that includes mapping of indicators, applicants, and awarded grants/projects?



Recommendations

Defining Investments and Benefits in EJ Communities

1. The NEJAC recommends a “model” definition of benefits that will be used to determine how benefits will be assessed in relation to the multiple funding streams that have been designated to address environmental injustices
2. This definition should include a co-creation of metrics through meaningful engagement with communities that face environmental injustices to determine the prioritization of benefits – both direct and indirect.

Prioritizing Investments and Benefits in EJ Communities

1. Clarify the scope and flow of investments, benefits and co-benefits to EJ communities, to ensure that those communities receive direct benefits. Clarify the process for identifying, prioritizing and micro-targeting EJ communities.
2. Environmental justice projects should be designed and determined by impacted EJ communities through local organizations that serve as program leads or principal investigators with supportive partnering organizations and institutions.
3. Project funding should flow directly to communities to leverage, build capacity and expertise
4. Ensure that grassroots organizations, NGOs and CBOs are prioritized for funding with capacity-building administrative and technical support to do the environmental justice work to address their concerns
5. Regional environmental justice advisory councils (REJACs) should be created and implemented in each EPA region to expand and improve EJ community engagement and leadership on issues of concerns.

Assessing/Determining and Distributing Investments and Benefits in EJ Communities

1. The EPA must fund and invest in technical support for NGOs and CBOs to become lead Principal Investigators (PIs)/project directors.
2. EPA regional offices should advance capacity building within under-resourced, overburdened and marginalized communities through adequate funding and investments of resources
3. Fund an assessment of meaningful EJ community engagement and outcomes at national program and regional levels.

Assessing/Determining and Distributing Investments and Benefits in EJ Communities

4. Increase funding for out of time and summer youth programs
5. Investments need to be provided to those organizations that are based in the communities that are experiencing the injustices.
6. The benefits must be experienced by those in the most marginalized spaces. There must be metrics developed that capture these benefits
7. Commit to developing capacity-building centers (including EJ-funding accelerator projects) within marginalized communities to enable them to have local technical resources available for applications

Measuring and Tracking Investments and Benefits in EJ Communities

1. Develop clear and strong guidelines for states with EJ stakeholders to implement environmental justice objectives with the federal funding that they receive
2. Consult with environmental justice communities to expand the EPA database for Supplemental Environmental Projects (SEPs) at the state level.
3. Evaluate and measure performance of the Thriving Communities Technical Assistance Centers (TCTAC) and other capacity-building initiatives designed to assist EJ communities with planning and designing grants and/or bridge loans
4. Provide EJ community organizations with grants for the construction of infrastructure needed to provide safe and healthy neighborhoods

Measuring and Tracking Investments and Benefits in EJ Communities

5. Develop funding mechanisms that ensure investments in target communities will build long-term climate equity and generate community wealth
6. Build new initiatives using community input, that address climate change
7. All EPA supported programs should provide written documentation on the metrics that address direct and indirect investments and benefits to the communities served.
8. All EPA supported programs should measure their effectiveness in informing and engaging community members around the investments needed to produce desired community benefits

Mapping and Reporting Investments and Benefits in EJ Communities

1. Develop an online **visualization tool for EPA funding** to include mapping indicators with provisions on distributed resources and allow for community-based analyses
2. There should be an EJ screening mechanism that ensures that the contractors paid to do the work are members of the affected communities
3. Support improvement of currently existing tools and their concurrent use to identify and prioritize community concerns.
4. Codify the use of screening tools or other processes for microtargeting federal funding allocations to EJ communities and businesses.
5. Use integrated indicators in environmental justice screening tools to consider cumulative impacts in environmental decision making



Questions and Discussion



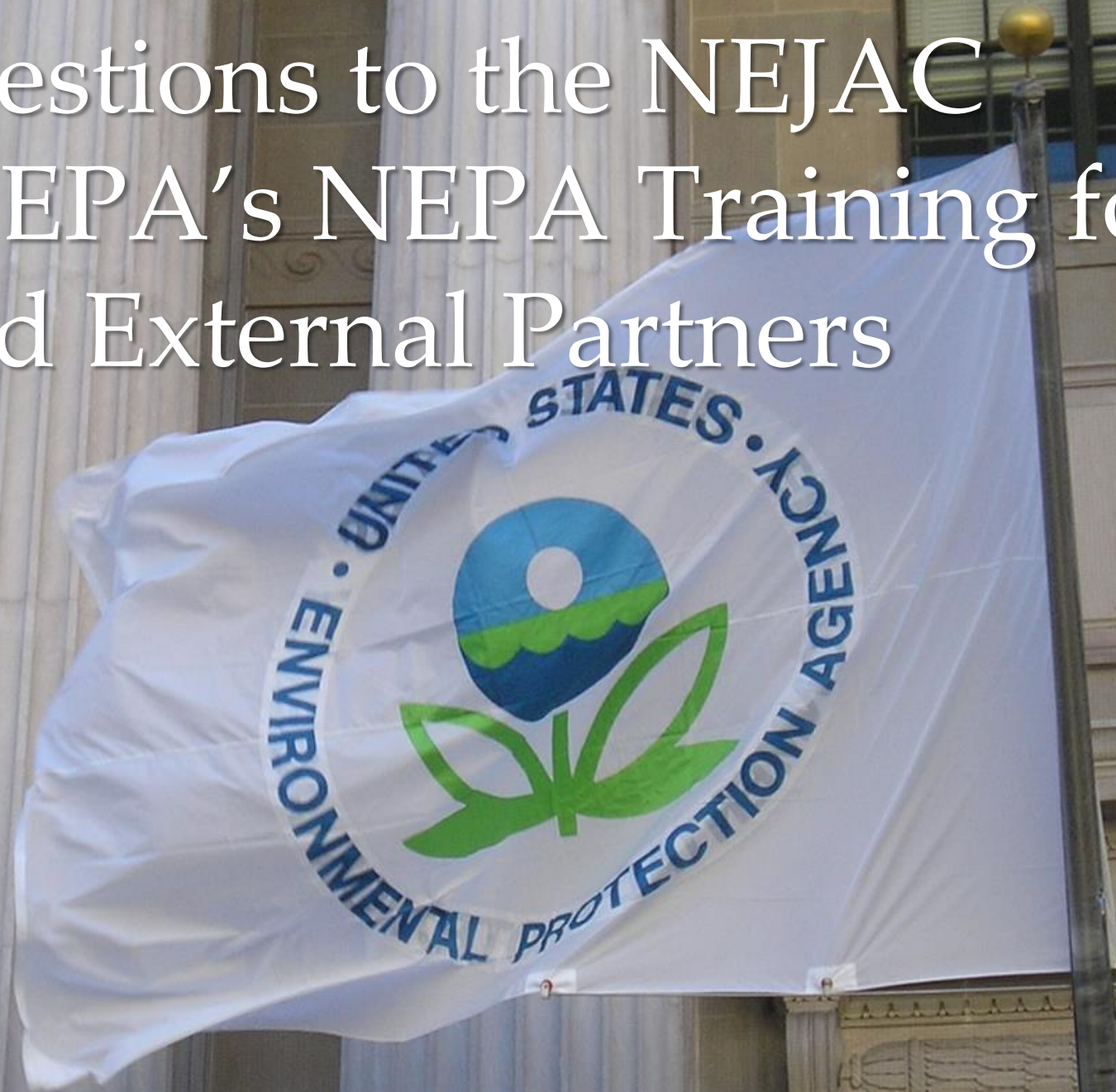
National Environmental Policy Act (NEPA) Charge Presentation

- **Vicki Arroyo**, Associate Administrator, Office of Policy, U.S. EPA
- **Robert Tomiak**, Director, Office of Federal Activities,

Charge Questions to the NEJAC Regarding EPA's NEPA Training for Internal and External Partners

Vicki Arroyo

Associate Administrator
Office of Policy





Background

Under Section 309 of the Clean Air Act (CAA), EPA reviews and makes written comments publicly available on the environmental impacts of actions of other federal agencies. These actions include proposed regulations and projects subject to the EIS requirement in section 102(2)(C) of NEPA.



EPA Role in the NEPA/309 Process

- Consistent with CAA Section 309, EPA's Office of Federal Activities (OFA) and its regional counterparts review and comment on other federal agencies' NEPA documents, including environmental impact statements (EISs).
- EPA's objective under CAA Section 309 is to help agencies identify ways to reduce impacts from proposed actions, including identifying alternatives and mitigation considerations to avoid, minimize, or reduce adverse environmental impacts.
- If after EPA's review, the EPA Administrator determines that a federal action is unsatisfactory from the standpoint of public health and welfare or environmental quality, the Administrator must publish that determination and refer the matter to the Council on Environmental Quality (CEQ) for resolution.



Integration of Environmental Justice into NEPA 309 Reviews

- Administrator Regan directed EPA to integrate the consideration of environmental justice and equity into all EPA programs, policies, and rulemaking processes.
- The Associate Administrator for the Office of Policy (OP) serves as EPA's Senior NEPA Official and establishes policy to ensure consistency across the agency.
- OP's Associate Administrator issued a memo to EPA's NEPA/309 Program.
 - Reinforcing the importance of a well-coordinated, consistent, strong team nationwide to influence positive change within federal decisions subject to NEPA.
 - A well-coordinated, strong and consistent national program requires effective training and tools to support NEPA/309 reviewers in providing recommendations to help federal agencies identify impacts and deliver benefits to communities with environmental justice concerns.



Charge Questions: Internal Training (1/3)

What training **approaches or strategies** would NEJAC recommend for EPA NEPA/309 reviewers seeking intermediate or advanced training on EJ issues, as related to the NEPA/309 review process?



Charge Questions: Internal Training (2/3)

What **topics or content** would NEJAC recommend EPA trainings include for EPA NEPA/309 reviewers to support EPA's objective to help agencies reduce environmental impacts to communities with EJ concerns and improve the NEPA/309 reviewers' understanding of impacts experienced by communities with EJ concerns?



Charge Questions: Internal Training (3/3)

How would NEJAC suggest EPA **determine the effectiveness** of the training of NEPA/309 reviewers to help other federal agencies ensure potential environmental and health burdens on a community with EJ concerns are fully analyzed and addressed?



Charge Questions: External Training (1/3)

To effect practicable and measurable change in communities with EJ concerns, what **approaches or strategies** would NEJAC recommend for training communities and federal and state agencies?



Charge Questions: External Training (2/3)

What **content or topics** would NEJAC suggest EPA include in training of communities and federal and state agencies to reduce adverse impacts to communities with EJ concerns? How would such content differ, if at all, from training for NEPA/309 reviewers?



Charge Questions: External Training (3/3)

How would NEJAC suggest EPA **determine the effectiveness** of training agencies and communities to help other federal agencies ensure potential environmental and health burdens on a community with EJ concerns are fully analyzed and addressed?

Q&A





Public Business Meeting

- **NEJAC Workgroup Updates**
 - *Air Quality & Community Monitoring* – announcement of completion
 - *PFAS Workgroup* – announcement of completion
 - *Farmworkers & Pesticides Workgroup* - strategy in pursuit of a possible charge
 - *Water Infrastructure Workgroup* – progress made
- **Discussion on New Charges & Other Recommendations for Workgroups by the NEJAC**
- **Upcoming Events**

Closing Remarks

- **Dr. Na'Taki Osborne Jelks**, NEJAC Co-Chair – West Atlanta Watershed Alliance and Proctor Creek Stewardship Council
- **Sylvia Orduño**, NEJAC Co-Chair – Michigan Welfare Rights Organization
- **Michael Tilchin**, NEJAC Vice Chair – Jacobs Engineering
- **Matthew Tejada**, Deputy Assistant Administrator for EJ, Office of Environmental Justice and External Civil Rights, U.S. EPA
- **Paula Flores-Gregg**, Designated Federal Officer
U.S. EPA

