



# Environmental Justice and External Civil Rights Implementation Plan

U.S. Environmental Protection Agency, Region 9

This page is left intentionally blank

## Table of Contents

Background	1
Overview	1
Leadership Team & Regional Organization	1
External Partnership & Coordinated Engagement	2
Community Work	2
External Partners	5
Environmental Justice & External Civil Rights Integration	9
External Civil Rights Compliance	9

## Background

This document summarizes the U.S. Environmental Protection Agency, Region 9’s Environmental Justice and External Civil Rights Implementation activities for Fiscal Year 2023. This Plan describes how the Region will implement: (a) [FY 2023-2024 National Program Guidance](#) for (b) Goal 2 of EPA’s [FY2022-2026 Strategic Plan](#); and (c) [EPA’s Equity Action Plan](#) priorities. The goal of this plan is to outline what is needed to achieve tangible progress in FY 2023 and beyond for historically overburdened and underserved communities and ensure the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income in developing and implementing environmental laws, regulations, and policies.

Each National Program of the U.S. EPA has developed a national program implementation plan. Each Region of the U.S. EPA has developed a Regional Plan describing how the Regions will elevate and achieve national priorities. Further, Regional Plans articulate strategies and activities unique to each Region.

## Leadership Team & Regional Organization

The **Regional Administrator** and **Deputy Regional Administrator** are responsible to set broad Regional direction and priorities, and for approving the final Region 9 plans to implement the Agency Strategic Plan and national guidance.

Each member of the **Senior Management Team** has responsibility for developing plans that operationalize the Agency Strategic Plan and National Program Guidance. Senior Management Team performance is evaluated in part on their ability to lead management and staff in the execution of plans. The Senior Management Team holds a **Monthly Business Review**, at which Regional Environmental Justice priorities are discussed to promote collaboration among divisions.

**Every division** is represented by **staff** and **managers** participating in the **Regional Environmental Justice Organizational Implementation Council** (REJOIC), which convenes monthly under the leadership of the Division Directors for the Enforcement and Compliance Assurance Division, Land, Chemicals, and Redevelopment Division, and Tribal, Intergovernmental, and Policy Division. REJOIC engages on cross-division information sharing and the identification of tools and resources to address barriers to Environmental Justice and Civil Rights implementation in the Region.

In the **Tribal, Intergovernmental, and Policy Division** and the **Office of Regional Counsel**, **work units** with expertise on Environmental Justice and Civil Rights integration will support National Program Manager priorities (grants, technical assistance) and additionally advise divisions in their implementation of Environmental Justice and Civil Rights programs and priorities.

**Every member of Region 9’s workforce** is responsible to know and understand Environmental Justice and Civil Rights priorities and responsibilities, and to be able to articulate the connections between their work and these goals.

## Overview

Environmental Justice and Civil Rights priorities have long been central to Region 9’s identity. The Region has many unique communities (half of all Indian Country, three Pacific Territories, the Freely Associated States, the U.S.-Mexico Border) and many communities challenged by drought, climate change, and environmental stressors. The continuous improvement of the Region’s practice to engage upon, consider, and act in the interests of communities is important to the Region’s continued ability to deliver on the mission of the Agency.

This Plan is a summary of the Region’s highest-priority intentions related to Environmental Justice and Civil Rights Integration.

The following pages include summary information about the organization of environmental justice and civil rights work within the Region, and highest-priority activities planned for FY 2023 to further: community work, work with external partners, activities to integrate environmental justice and civil rights principles into the work of the Region, activities to elicit compliance with Title VI of the Civil Rights Act of 1964, and ways the Region engages with others on this work. Each activity is identified by whether it responds to a Regional priority, a National Program priority, or another stimulus. Where activities planned are place-specific, the geography is identified.

## External Partnerships & Coordinated Engagement

**The Region Coordinates:** At the Federal level, the Region coordinates with partner agencies through the Federal Executive Board and on various task forces and otherwise as needed to advance initiatives. At the State level, the Region's Senior Management Team coordinates with State Environmental Program leadership in each state at least monthly.

**Divisions Coordinate:** At the Federal, Tribal, Territorial, and State level, Senior Managers in the Region coordinate with counterparts in regular engagements, generally at least quarterly. At the local level, Sections and Branches engage with local governments and communities as projects or initiatives require. Where more than one division is coordinating with the same community, the Region seeks to have cross-regional discussions in the planning of engagements and the communication of information.

**Tribal, Intergovernmental, and Policy Division Coordinates:** The Tribal, Intergovernmental, and Policy Division coordinates monthly community check-in calls for members of communities in Region 9 to have access to the Region, monthly calls with state environmental programs to support environmental justice program development, quarterly meetings with tribes, regular engagement with partners and communities along the border, and regular engagement with Territorial and Freely Associated States governments.

## Community Work

*Activities where EPA works in and with communities and that build capacity for communities to engage with EPA to address disproportionate impacts. Activities that ensure that underserved and overburdened communities have a seat at the decision-making table.*

The Region has a long history of engaging directly with affected communities on Tribal land, in states, and in territories. In FY 2023, the Region seeks to deepen existing practice generally. The Region has identified some of the specific locations where this work is anticipated to take place. They are described in the below commitments:

- *In Central California:* Collaborate with 70-100 study participants and the Central California Environmental Justice Network in Tulare County to conduct a study on in-home actions to help reduce exposure to smoke during wildfire smoke events. Participants will help us evaluate effectiveness more affordable do-it-yourself air cleaners by participating in indoor air quality monitoring and health measures. Study will continue into FY 2024 and will result in a final report of the findings. This is an Air and Radiation Division Regional Priority.
- *In Coachella Valley, CA:*
  - Conduct Environmental Justice screening to determine when enhanced outreach should be conducted for EPA-issued permits. In FY 2023, conduct outreach for a tribal minor New Source Review permit for a proposed project to construct two new emergency engines at an energy generating facility on the Twenty-Nine Palms Band of Mission Indians reservation. Host a public meeting to discuss the tribal minor New Source Review permitting process and a hearing to take public comments on the proposed project. This is an Air and Radiation Division Regional Priority.
  - Work closely with this community on air and drinking water compliance. Participate in California Assembly Bill 617 Community Air Protection Program community meetings concerning a bio-mass power plant; support the Regional Administrator's task force to address water and housing issues in the valley; and meet at least bi-monthly with mobile home residents to keep residents informed on the progress of interagency efforts to address compliance issues in the community. This is an Enforcement and Compliance Assurance Division Regional Priority consistent with the Office of Enforcement and Compliance Assurance National Plan.
  - In coordination with Enforcement and Compliance Assurance Division and the Coachella Valley Task Force, partner with state and local governments and disadvantaged communities, including residents of the mobile home parks and Torres Martinez Desert Cahuilla Indians' Reservation, to address elevated levels of arsenic in community's drinking water systems. Participate in regular community housing meetings hosted by Riverside County. This is a Water Division Regional Priority.
  - Continue to utilize the range of public outreach tools to raise the profile of Region 9's investments in and support for communities with environmental justice needs. This will include on-the-ground, in-person community meetings and other outreach work in Spanish to reach the residents of mobile home parks. This is an Office of Public Affairs Regional Priority.
- *In Coachella Valley, CA and Hawai'i:* Convene regular, accessible forums for communities to share perspectives and voice concerns, including regular community check-ins as well as focused events or forums for communities with specific environmental justice concerns including, for example, meetings with communities impacted by the drinking water contamination in Oahu, communities impacted by contaminated drinking water at in Thermal, California, and indigenous communities concerned about construction activities at Mauna Kea, among others. This is a Tribal, Intergovernmental, and Policy Division Regional Priority.

## Community Work (continued)

- *In Indian Country:* Convene regular, accessible forums for tribal partners to share perspectives, including quarterly Regional Tribal Operations Committee meetings and associated workgroups, tribal leaders' roundtable meetings, and the annual Tribal/EPA Region 9 Conference. This is a Tribal, Intergovernmental, and Policy Division Regional Priority consistent with the Office of International and Tribal Affairs National Plan.
- *In Los Angeles, CA:* The Community Involvement team will prioritize efforts in the disproportionately affected community near the Central Metal site in Huntington Park. This is an Office of Public Affairs Regional Priority.
- *In McFarland, CA:* Implement a pilot to conduct outreach and engagement in disadvantaged communities, identified via EJScreen, with proposed sites for geologic carbon sequestration projects, with an initial focus in the City of McFarland, CA. Conduct a cumulative impacts analysis to look more holistically at environmental and public health issues related to a proposed project. This is a Water Division Regional Priority consistent with the Office of Water National Plan.
- *On the Navajo Nation:*
  - Continue weatherization and change-out of old and make-shift stoves, with the goal to weatherize 150-160 homes and replace 150 to 160 polluting stoves with cleaner burning ones. This multi-year project is projected to be completed in FY2023. To date, 289 appliance change-outs have been completed. This total includes 99 Woodstock Soapstone, 89 US Stove, 44 US Stove or Ashley, 64 Pellet stoves, and 4 natural/propane gas stoves. To date, 283 homes have been weatherized. During the latest reporting period (August 1, 2022 – January 31, 2023) 87 homes weatherization and stove installations were completed. This is an Air and Radiation Division Regional Priority.
  - Award the Response, Assessment, and Evaluation Services II contract to assess abandoned uranium mines for cleanup, including evaluation factors that require awardees to include a plan for creating employment and training opportunities for the Navajo Nation. This is a Mission Support Division Regional Priority consistent with the 10-Year Plan to Address Impacts of Uranium Contamination on Navajo Nation.
  - In Quarter 2, the Abandoned Uranium Mine program will propose cleanup alternatives for ten abandoned uranium mine sites that contain a combined total of nearly 2 million cubic yards of mine waste. The Region is committed to solicit community input and to closely coordinate with the Navajo government before identifying preferred options. This is a Superfund and Emergency Management Division Regional Priority consistent with the 10-Year Plan to Address Impacts of Uranium Contamination on Navajo Nation.
- *In the San Joaquin Valley, CA:* Meet regularly with advocacy groups to engage on air quality issues of concern. When appropriate, invite the corresponding state or local air agencies to join these meetings. This is an Air and Radiation Division Regional Priority consistent with the Office of Air and Radiation National Plan.
- *Along the U.S.-Mexico Border:*
  - Convene regular, accessible forums for partners and communities located in the U.S.-Mexico Border Region to share perspectives and voice concerns, including, Regional Coordinator Meetings, Task Force Meetings, and regular outreach events along the border. This is a Tribal, Intergovernmental, and Policy Division Regional Priority consistent with the Office of International and Tribal Affairs National Plan and the Border 2025 Program Priorities.
  - Fulfill the mandate under the U.S.-Mexico-Canada Agreement to reduce transboundary flows in San Diego/Tijuana by identifying feasible infrastructure project alternatives, conducting National Environmental Policy Act environmental review, and engaging with Mexico to prioritize construct projects included in the EPA-CONAGUA Statement of Intent and Treaty Minute 328 by , coordinate planning and design, and negotiate cost sharing agreements for capital and operation and maintenance costs. Project milestones are reported to key stakeholders 2-3 times per year. This is a Water Division Regional Priority consistent with the Office of Water National Plan.
- *In the Pacific Islands:* Convene regular, accessible forums for partners and communities located in the Pacific Territories and U.S.-affiliated Islands to share perspectives and voice concerns, including, quarterly environmental director meetings. This is a Tribal, Intergovernmental, and Policy Division Regional Priority.
- *Region-wide:* Establish a new Environmental Justice Branch or Section, fully staffing and training team members, establishing roles and responsibilities, developing standard operating procedures for capturing and responding to community environmental justice concerns, clarifying approaches to internal regional coordination, and assigning geographic areas of focus allowing individual team members to provide focused attention to communities with environmental justice concerns in that region. This is a Tribal, Intergovernmental, and Policy Division Regional Priority.



## Community Work (continued)

- Incorporate environmental justice considerations into permitting oversight practices and participate in the national “Environmental Justice and Permitting Community of Practice” to further develop environmental justice and permitting tools. This is an Air and Radiation Division Regional Priority consistent with the Office of Air and Radiation National Plan, EJ/Civil Rights FY23 Plan.

### **The Region will also prioritize community perspectives as follows:**

- Participate in national workgroup discussions that are exploring how to incorporate environmental justice and Title VI into our air quality planning efforts. We currently participate in HQ-led sessions on topics including EJ Tools for permitting, EJ trainings, and information sessions to increasingly incorporate those resources into air quality planning efforts as appropriate, and train others to do the same. On a regional level, and separately with R5 and R8, we meet regularly to discuss best practices. This is an Air and Radiation Division Regional Priority consistent with the Office of Air and Radiation National Plan, EJ/Civil Rights FY23 Plan.
- Integrate community engagement into inspections and enforcement actions (including Supplemental Environmental Projects). Continue to engage with community and elected officials to understand their concerns. Increase inspections in overburdened communities to exceed the national goal of 50% of all inspections in overburdened communities. This is an Enforcement and Compliance Assurance Division Regional Priority consistent with the Office of Enforcement and Compliance Assurance National Plan and the FY 2023-2024 [OECA National Program Guidance](#).
- Through Region 9’s “Vacant to Vibrant: Land Renewal Campaign” involving webinars, one-on-one technical assistance, and workshops, support Brownfields revitalization and Bipartisan Infrastructure Law grant awards by educating disadvantaged communities on the flexibility of EPA assistance programs. We will provide targeted site assessments in underserved areas for tribal, local government, and nonprofit partners to identify environmental concerns and set the stage for pre-development planning. This is a Land, Chemicals, and Redevelopment Division Regional Priority.
- Expedite Remediation Acquisition Framework awards through lessons-learned and best practices to enable additional sites to be readied for cleanup under the Infrastructure Investment and Jobs Act in communities. This is a Mission Support Division Regional Priority.
- Emphasize the importance of environmental justice for communities bearing the brunt of environmental impacts through press releases, social media, and web content, and support development of talking points that highlight this priority for EPA leadership talking points and quotes. This is an Office of Public Affairs Regional Priority.
- Two new Pathways interns will use EJScreen and other relevant data sets to draft 10-12 profiles of communities affected by Superfund sites. The interns will further refine the guidance/template document (prepared in Fiscal Year 2022) to create the profiles. The team will also devise options for distributing the template and training the R9 environmental justice team and other divisions on how to use it for more effective outreach and community participation efforts that advance environmental justice principals. This is an Office of Public Affairs Regional Priority.
- Children’s Health staff will promote environmental health considerations in school, childcare, and home settings, holding at least four training and/or outreach events/presentations. At least three of these events will focus on reaching communities with environmental justice needs. At least one of these events will include multi-lingual content. At least one of these events will focus on schools. At least one of these events will focus on tribes. This is an Office of Public Affairs Regional Priority.
- Children’s Health staff will promote environmental health considerations by creating at least three outreach products, taking advantage of video and other digital tools, such as GovDelivery. At least two of these products will include multi-lingual content. At least one will focus on schools. This is an Office of Public Affairs Regional Priority.
- Focus efforts to further train up to three divisions on implementing Plain Writing principals in their work products. This will ensure all communities can readily access outreach materials, correspondence, web content, and other communications. This is an Office of Public Affairs Regional Priority.
- Office of Research and Development environmental justice Council: Consistent with Office of Research and Development Strategy, work with Office of Research and Development to promote the positive impacts of science on addressing communities’ concerns. This is a Laboratory Services and Applied Science Division Regional Priority consistent with the Office of Research and Development National Plan.
- Environmental Education staff will work to translate commonly used Environmental Education outreach materials in up to five languages. Additionally, staff will continue collaborating with other EPA and external partners to identify environmental education information needs and develop environmental education publications and resources like “Why is Coco Red?” and “Mercury Messes with the Environment.” This is an Office of Public Affairs Regional Priority.

## Community Work (continued)

- Build awareness internally and externally on technical and financial (e.g., grant) assistance opportunities including information on how to apply, qualification and eligibility requirements, how to manage, etc., including through trainings, webinars, newsletters, etc. This is a Tribal, Intergovernmental, and Policy Division Regional Priority.
- Explore new Memoranda of Understanding with universities in communities with environmental justice concerns to help grow opportunities for interested community members to leverage internship and employment opportunities with EPA. This is a Tribal, Intergovernmental, and Policy Division Regional Priority.
- Convene at least four roundtables or summits to create space for focused discussions on environmental justice with Region 9 communities and partners. This is a Tribal, Intergovernmental, and Policy Division Regional Priority.
- Implement the Water Infrastructure Improvements for the Nation Act Grant Program and provide funding to improve small and disadvantaged communities' access to safe drinking water, reduce lead exposure, and conduct voluntary lead testing in drinking water at schools and childcare facilities. Using EJScreen, identify disadvantaged communities with lead action-level exceedances for targeted technical assistance. This is a Water Division Regional Priority consistent with the Office of Water National Plan.
- Conduct EJScreen analyses for all proposed National Pollutant Discharge Elimination System and Underground Injection Control permits and implement enhanced public outreach as warranted to ensure robust community engagement and participation. This is a Water Division Regional Priority consistent with the Office of Water National Plan.

## External Partners

*Activities that build strong, collaborative relationships with and that articulate commitments of governmental partners, tribes, academia, business, philanthropy, and community partners to further environmental justice and Civil Rights work for underserved and overburdened communities.*

**The Region will work with a broad assembly (Federal, Tribal, Territorial, State, Local, Academia) of partners in the following ways.**

- *Along the U.S.-Mexico Border:*
  - Convene regular Task Force meetings and Regional Coordinator Meetings under Border 2025 and further explore with counterparts ways to elevate equity and environmental justice in that work. This is a Tribal, Intergovernmental, and Policy Division Regional Priority consistent with the Office of International and Tribal Affairs National Plan and Border 2025 Program Priorities.
  - In coordination with external partners, support asthma outreach and education for communities and tribes through project funding and organizing and/or hosting virtual and in-person training. Work with the U.S. Mexico Border Team to increase asthma outreach and in-home programs in tribal communities. This is an Air and Radiation Division Regional Priority consistent with the Office of Air and Radiation National Plan.
    - » Work with the Border Program to award a Border 2025 Grant to the Regional Asthma Management and Prevention (RAMP) to work with Border-area Tribes in CA and AZ to address asthma disparities, identify and provide needed tools and capacity building.
    - » During the R9 EPA Tribal Conference, present 3 sessions on indoor air and asthma.
    - » In partnership with HUD and the Tribal Healthy Homes Network we are developing Comprehensive Housing, Environmental and Indoor air Programs to address asthma in tribal communities.
    - » In partnership with Regional Asthma Management and Prevention (RAMP) we presented “Asthma Home Visiting” addressing the intersection of health, housing and the environment.
    - » In partnership with ITEP we presented information on practical indoor air quality monitoring, filtration, and ventilation.
    - » Provided support and information during the Tribal Air Quality Workgroup meeting during the “After a Wildfire Training”.
  - Co-lead Goal 3 Border 2025 workgroup on waste issues; assist the North American Development Bank in managing four border solid waste projects to create more comprehensive solid waste management programs in Tijuana and Sonora communities. This is a Land, Chemicals, and Redevelopment Division Regional Priority consistent with Border 2025 Program Priorities.

## External Partners (continued)

- CA Smoke Communications Group: Convene, leverage resources, and coordinate public health messaging, outreach, and education efforts with partners from state, local and federal agencies to help reduce the health hazards of wildfire smoke, particularly on overburdened communities. FY2023 products of this group included an interagency Wildfire Smoke Resources Inventory system and Prescribed Fire FAQ Talking Points Guide. This is an Air and Radiation Division Regional Priority.
- Advise partner (Federal, State/Territory) agencies to analyze environmental justice and climate change impacts; plan for climate change adaptation, resilience, and equitable outcomes; and include project design or mitigation commitments to minimize adverse community impacts and climate change impacts. This is a Tribal, Intergovernmental, and Policy Division Regional Priority.
- Communicate with 12 lead agency (Federal/Territory/ State) partners to advocate for meaningful and inclusive stakeholder engagement as early as possible in the National Environmental Policy Act process, including engagement with interested Tribes and community members. This is a Tribal, Intergovernmental, and Policy Division Regional Priority.

### The Region will work with select Federal, Tribal, Territorial, State, Local, Academia partners in the following ways.

- *In the Inland Empire, CA:* Fund an electricity powered “BreathMobile” with the South Coast Air Quality Management District that will provide a mobile pediatric asthma management program within San Bernardino County for school children residing in low-income communities that are experiencing high rates of asthma. This is an Air and Radiation Division Regional Priority consistent with the Office of Air and Radiation National Plan.
- *In Los Angeles, CA:*
  - Remove vapors affecting residences and businesses at the Waymire site in Los Angeles. Superfund and Emergency Management Division expects to complete the installation of the soil vapor extraction system and conduct a pilot study to determine the system’s efficacy in first quarter FY 2023. Work with the Los Angeles Regional Water Quality Control Board by the second quarter of FY 2023. This is a Superfund and Emergency Management Division Regional Priority.
  - The Central Metal site in Los Angeles was selected in FY 2022 as a collaboration pilot to promote a comprehensive approach to address potential residential lead contamination among a broad range of stakeholders. The Pilot includes collaboration with local health departments, community groups, and others. In FY 2023, initial results of the site investigation will be shared with residents and/or property owners as the investigation continues. This is a Superfund and Emergency Management Division Regional Priority consistent with the National Lead Strategy.
- *In a California community, tbd:* In partnership with the California Department of Toxic Substances Control, conduct a Cumulative Impact Study in a community close to a Resource Conservation and Recovery Act hazardous waste treatment, storage, or disposal facility. This is a Land, Chemicals, and Redevelopment Division Regional Priority.
- *In Hawai’i:*
  - Explore partnership with the State of Hawai’i Department of Health (HDOH) to do blood-lead level sampling and/or soil scanning for lead and other metals. Work with HDOH to identify school/s that serve children from disadvantaged communities. Conduct joint outreach and promotion to residents. This is an Office of Public Affairs Regional Priority consistent with the National Lead Strategy.
  - Continue to participate in regular external Hawai’i Cesspool Conversion Working Group and the Region 9 cross-media “Tiger Team” to assist the State and County of Hawai’i in developing and implementing a comprehensive plan for cesspool closures and elimination. This is a Water Division Regional Priority.
  - Work closely with the HDOH and with the U.S. Navy to strengthen communication and trust with residents regarding contamination of the O’ahu sole-source aquifer. Continue a long-term focus on aging infrastructure and cesspools on the Island of Hawai’i. In FY 2023, we will support the County of Hawai’i and HDOH to seek community input on wastewater solutions including semi-annual meetings. On O’ahu and Hawai’i, we will meet at least annually with community and address concerns over unpermitted filling of wetlands. This is a Regional Priority of Enforcement and Compliance Assurance Division, Water Division, and Land, Chemicals, and Redevelopment Division and consistent with the Office of Enforcement and Compliance Assurance National Plan.
  - Work with the Regional Asthma Management and Prevention (RAMP) and the Hawai’i Asthma Leadership Team (HALT) to address gaps in asthma self-management and environmental trigger identification and remediation and the need for sustainable financing for asthma programs. Conduct initial meeting and presentation to HALT to address capacity building and technical assistance needs that RAMP can provide. This is an Air and Radiation Division Regional Priority consistent with the Office of Air and Radiation National Plan.



## External Partners (continued)

- *On the Navajo Nation:* Work with the Office of Small and Disadvantaged Business Utilization and Small Business Administration to increase registration of Historically Underutilized Businesses in the Navajo Nation to expand the pool of businesses there for which certain federal contracts can be set aside. This is a Mission Support Division Regional Priority.
- *On the San Carlos Reservation:* In Fiscal Year 2023, provide technical assistance and funding to the San Carlos Apache Tribe through “Closing America’s Wastewater Gap”, a joint national pilot program with USDA, supporting wastewater infrastructure needs of 11 disadvantaged rural communities. This is a Water Division Regional Priority consistent with the Office of Water National Plan.
- *In Tucson, AZ:* For the underserved community at the Tucson International Airport Area Superfund Site in Tucson, AZ, EPA is working with the State of Arizona and the potentially responsible parties to address contaminants in groundwater in order to protect this community. This is a Superfund and Emergency Management Division Regional Priority.
- *In Yerington, NV:* At the Anaconda Superfund Site, EPA is partnering with the Yerington Paiute and Walker River Paiute Tribes and assisting in the negotiations with the State of Nevada in the Memorandum of Understanding to support a collaborative cleanup process. Final signatures by all parties are anticipated by Quarter 4 of FY 2023. This is a Superfund and Emergency Management Division Regional Priority.
- *In Alpine County, CA:* At the Leviathan Mine, continue coordination with the Washoe Tribe of Nevada and California on a Final Remedial Action to implement year-round capture of Acid Mine Drainage from the site and plan for a Proposed Plan in Quarter 4 of FY 2023. This is a Superfund and Emergency Management Division Regional Priority.
- Leverage participation with the Educational Partnerships for Innovation in Communities Network to engage university students in addressing issues of concern within environmental justice communities and build capacities for communities to engage with EPA. This is an Mission Support Division Regional Priority consistent with the Office of Research and Development National Plan.
- Engagement and coordination with federal and state partners, including standing calls and regular in-person meetings, leveraging Interagency Agreements and other agreements, and coordinating how environmental justice, climate change, and cumulative impacts are considered in decision making and National Environmental Policy Act reviews. This is a Tribal, Intergovernmental, and Policy Division Regional Priority.
- Fully utilize funding and conduct outreach to support communities and tribes to leverage federal funding opportunities, including the Clean School Bus Program (under the Bipartisan Infrastructure Law), American Rescue Plan monitoring projects, and Inflation Reduction Act funding. Examples of outreach included emails, webinars, and in-person outreach to eligible parties for these programs, including 33 outreach events specifically for the IRA Climate Pollution Reduction Grants to tribes and eligible community groups. This is an Air and Radiation Division Regional Priority consistent with the Office of Air and Radiation National Plan.
- Expand the tribal grants compliance assistance, early non-compliance detection and intervention program to include territorial and environmental justice grantees. This is a Mission Support Division Regional Priority.
- Pursue funding to implement a project that will focus on increasing knowledge about indoor air quality and asthma among Spanish-speaking farmworker communities by partnering with a non-governmental organization to produce public service announcements on Radio sin Fronteras Radio Station. This is an Air and Radiation Division Regional Priority consistent with the Office of Air and Radiation National Plan.
  - Successfully worked with Radio sin Fronteras/Camesinos sin Fronteras to develop workplan and budget for grant program in March 2023.
- With the Western States Pediatric Environmental Health Specialty Unit, the Children’s Health program will support the development of multi-lingual, culturally relevant content to better reach communities with environmental justice needs. This will include at least one project with deliverables to serve Pacific Island communities. This is an Office of Public Affairs Regional Priority.
- Work with the Regional Asthma Management and Prevention and the Hawai’i Asthma Leadership Team to address gaps in asthma self-management and environmental trigger identification and remediation and the need for sustainable financing for asthma programs. This is an Air and Radiation Division Regional Priority consistent with the Office of Air and Radiation National Plan.
- Provide focused emphasis on tribal activities including regular calls and in-person meetings with tribal partners, advocacy for early engagement with tribes in the National Environmental Policy Act process and in EPA actions, and increased involvement of tribes in Agency efforts along the border and other community work. This is a Tribal, Intergovernmental, and Policy Division Regional Priority consistent with the Office of International and Tribal Affairs National Plan.

## External Partners (continued)

- Partner with states and the Sacramento Environmental Finance Center to increase the flow of State Revolving Fund and Bipartisan Infrastructure Law funds to disadvantaged communities through technical assistance and training on developing eligible water infrastructure projects and accessing Federal funding (those funded by the Bipartisan Infrastructure Law and other sources). This is a Water Division Regional Priority consistent with the Office of Water National Plan.
- Conduct outreach to state and local partners to encourage permitting agencies to conduct inclusive outreach activities; and provide communities with environmental justice concerns better access to permitting information and permitting actions. To date, trainings with AZ and CA agencies have been accomplished. This is an Air and Radiation Division Regional Priority consistent with the Office of Air and Radiation National Plan.
- Under the joint 2023 Enforcement Action Plan, EPA and CalEPA will prioritize actions and community engagement in Hunters Point, West Oakland, Fresno County, Kern County, Los Angeles, Torrance, and Coachella Valley. Launch a joint inspection framework, a rapid response task force for compliance incidents, and in the agricultural sector, a community engagement training for Agriculture Commissioners. We will provide report at end of the year that will provide results of pilots. This is an Enforcement and Compliance Assurance Division Regional Priority consistent with the EPA/CalEPA Environmental Justice Enforcement MOU.
- Additional details and commitments related to Action Plan (with Cal EPA):
  - Established sustained community engagement on enforcement with five community partners including the Bay View-Hunter Point, Kern, Fresno and Coachella Valley Identifying Violations Affecting Neighborhoods (IVAN) Networks and the LA EJ Network. Work with each community to identify 2-3 compliance concerns and develop roadmaps for investigating and addressing the concerns, as appropriate.
  - Stand up one cross-agency Rapid Response Task Force responding to one major environmental incident that requires enforcement investigation and oversight. Report out on lessons learned and provide guidance for future incidents.
  - Develop two Joint Inspection Best Practices plans to outline coordinated approach to investigate facilities with high-levels of multi-media community concerns.
  - Complete three Activity Logs cataloguing the work environmental regulators are doing at specific facilities to increase transparency on EPA's role and progress in addressing concerns from community at priority facility.
  - Develop a partnering protocol in two communities (West Oakland and Coachella Valley) to work through one agency taking lead to address community concerns and engaging and reporting back to partner regulators, as appropriate.
  - Complete a 2023 EJ Action Plan Assessment to better understand whether the Action Plan has helped meet needs of communities and consider next steps for additional support throughout state and in other communities across the region.
- Identify opportunities for early outreach and engagement on regional water-related actions that may affect tribal interests to ensure early and meaningful consultation. Facilitate consultation offers and engage with tribal leaders, as requested, in accordance with the Water Division Tribal Consultation Standard Operating Procedure. This is a Water Division Regional Priority consistent with the Office of Water National Plan.
- Partner with USDA, BIA, and IHS on water, wastewater and sanitation needs in Indian Country to ensure tribes have equitable access to water infrastructure technical assistance and funding. Water Division will actively participate on the national Water Infrastructure Taskforce with USDA, BIA and IHS. This is a Water Division Regional Priority consistent with the Office of Water National Plan. EJ/Civil Rights FY23 Plan.
- In coordination with the State of California and the Elem Indian Colony, a formal decision for the cleanup of the mine site and residential soils portions of the Sulphur Bank Mercury Mine in Lake County, CA is expected in Quarter 4 of FY 2023. This remedy will expand opportunities for the safe practice of traditional tribal lifeways in the area by addressing residual mercury and arsenic contaminated soils on the Elem's lands, control the release of mercury from the site into Clear Lake, and see the 2.5 million tons of mercury and arsenic-rich mine waste at the site consolidated and capped. This is a Superfund and Emergency Management Division Regional Priority.
- In partnership with Federal Insecticide, Fungicide, and Rodenticide Act grantees, provide multi-lingual outreach and training on the Worker Protection Standard, Integrated Pest Management, and general pesticide safety to farmworkers, farmworker crew leaders, farm labor contractors, pesticide applicators, and community health workers. This is a Land, Chemicals, and Redevelopment Division Regional Priority consistent with the Office of Chemical Safety and Pollution Prevention National Plan.
- Award Region 9's allocation of the new \$140M nationally available in FY 2023 for solid waste infrastructure that will address climate change and create jobs. Communities facing environmental justice concerns will be a focus with a particular Region 9 emphasis on tribes and the Pacific territories. This is a Land, Chemicals, and Redevelopment Division Regional Priority

## Environmental Justice & External Civil Rights Integration

*Activities that embed the consideration and implementation of environmental justice and external civil rights compliance into EPA processes, procedures, and policies. Activities that center on equity and justice.*

### **Region 9 will pursue External Civil Rights compliance in the following places.**

- Create a list of Superfund sites adjacent to communities with environmental justice concerns that are vulnerable to climate related impacts. Give particular consideration to sites that are at risk of a catastrophic release as a result of a climate related disaster. Prioritize climate vulnerability assessments at these sites. As part of the Site Contingency and Communications Plans for sites with acute wildfire, flood and sea level risks, incorporate outreach to key community leaders to identify dissemination channels for important public health messaging before a major climate impact. This is a Superfund and Emergency Management Division Regional Priority.
- To improve awareness of requirements of Title VI of the Civil Rights Act of 1964, participate in the national workgroup that will be developing guidance on how to incorporate Title VI into state implementation plans developed to meet Clean Air Act requirements in areas that do not attain the national health-based air quality standards. Develop staff expertise on Title VI and when appropriate, conduct outreach to state and local air agencies on the Title VI guidance. This is an Air and Radiation Division Regional Priority consistent with the Office of Air and Radiation National Plan.

### **Region 9 will otherwise pursue External Civil Rights compliance in the following ways.**

- Evaluate the limitations of EJScreen and the Climate and Economic Justice Screening Tool for territories and tribes and make recommendations to close gaps by the end of Fiscal Year 2023. This is a Laboratory Services and Applied Science Division and Tribal, Intergovernmental, and Policy Division Regional Priority, and consistent with the Office of Research and Development National Plan.
- Improve the process for reviewing EPA Form 4700-4 using the EPA Grants E-File Solution to accommodate External Civil Rights Compliance Office's strengthening of the Pre-award Compliance Review for all applicants and recipients requesting federal financial assistance. This is a Mission Support Division Regional Priority.
- Collaborate with regional staff to promote Title VI awareness in R9 communities so that they are aware of the rights that they are allotted under Title VI and understand the processes for filing Title VI complaints. Invite a speaker to external meetings, conferences, or summits. Host Title VI trainings during State Environmental Justice Cooperative Agreement grantee workshops. This is a Tribal, Intergovernmental, and Policy Division Regional Priority.

## External Civil Rights Compliance

Activities that strengthen external civil rights compliance including working with states to ensure permits, grants, guidance, and policies comply with civil rights obligations.

- Regionwide: Ensure that all State and local grant recipients conform to applicable requirements associated with Title VI of the Civil Rights Acts of 1964. This is an Air and Radiation Division Regional Priority consistent with the Office of Air and Radiation National Plan.
- In the Bay Area, CA: Conduct a Clean Air Act Title V program evaluation for FY 2023 (Bay Area Air Quality Management District). The evaluation is underway and will complete by the end of September 2023. Review whether permit program complies with any existing relevant Title VI of the Civil Rights Act of 1964 guidance especially regarding accessibility to permit-related public information. This is an Air and Radiation Division Regional Priority consistent with the Office of Air and Radiation National Plan.
- Scrutinize state, tribal and territory enforcement programs to ensure public complaints reporting systems can be accessed by those with limited English proficiency. Work with Land Division and California Department of Pesticide Regulation regarding language access for those filing pesticide misuse complaints with the California County Agriculture Commissioners, who are the local enforcement agencies. This is an Enforcement and Compliance Assurance Division Regional Priority.
- Continue to provide legal assistance to ECRCO and Region 9 on all Title VI of the Civil Rights Act of 1964 complaints, compliance reviews, and EPA Form 4700-4 reviews as well as on environmental justice and Civil Rights implementation across programs. This is an Office of Regional Counsel Regional Priority.