

EPA National Environmental Justice Community Engagement Call

October 12, 2021

1

Housekeeping



PLEASE JOIN BY PHONE OR COMPUTER, NOT BOTH



YOU ARE ON MUTE. ENTER COMMENTS INTO THE Q&A POD



IF SELECTED
DURING THE
DIALOGUE, LIMIT
COMMENT TO 1
MINUTE



RECORDING & TRANSCRIPT
WILL BE AVAILABLE
ONLINE IN THE
NEAR FUTURE.

En Español

Tenemos interpretación en español disponible para aquellos que prefieren escuchar en español.

- Cómo cambiar el canal de audio en español
- Las personas pueden agregar preguntas en español al módulo de preguntas y respuestas
- Los materiales de la reunión estarán disponibles en español.



Spanish-language interpretation is available for those who prefer to listen in Spanish.

- ☐ How to switch to Spanish language audio channel
- ☐ Individuals can add questions in Spanish to the Q&A Pod
- Meeting materials will be made available in Spanish.

3

Agenda

Welcome

Featured Topic: *Justice 40 – A focus on DERA and Ports Initiative*

EJ Program Update: *EPA FY2022-26 Strategic Plan – EJ and Civil Rights*

Listening Session and Dialogue

Upcoming Engagement Opportunities

Closing Remarks



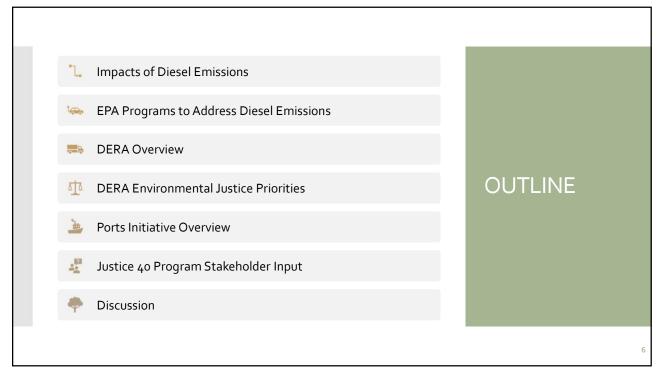
Justice40 Initiative Pilot Diesel Emissions Reduction Act (DERA) and EPA Ports Initiative

EPA National Environmental Justice Community Engagement Call

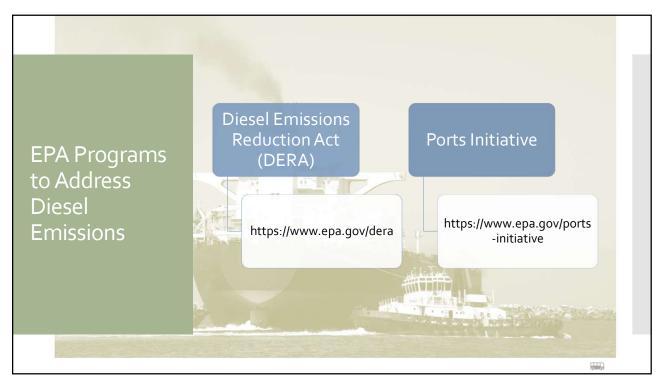
Presented By: Christine Koester and Sarah Froman

October 12, 2021 U.S. Environmental Protection Agency Office of Transportation and Air Quality Transportation and Climate Division

5

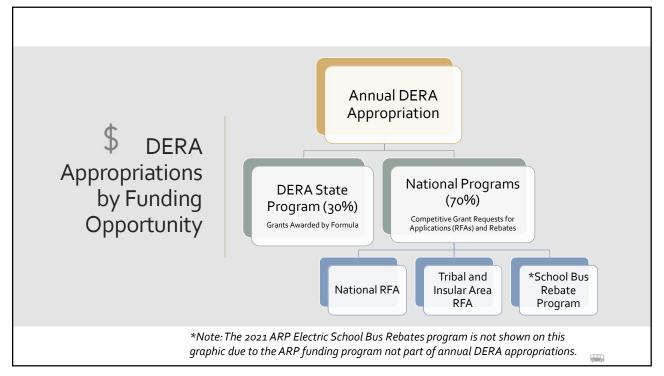








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National Grant Program

Request for Applications typically in Fall to Spring. www.epa.gov/dera/national



- The National grant program awards funds nationwide for projects that reduce diesel emissions and exposure, particularly from fleets operating in poor air quality areas. Eligible entities include:
 - Regional, state, local, tribal or port agencies with jurisdiction over transportation or air quality; and
 - Nonprofit organizations which provide pollution reduction or educational services to diesel fleets; or promote transportation or air quality
- Funds a wide range of highway and nonroad diesel engine upgrades and replacements
- Public and private fleets can benefit through partnerships with eligible entities



Photo: 2017 DERA National Grant Program – VA Port Authority Terminal Optimization Via Diesel with Hybrid Straddle Carriers

11

Tribal and Insular Area Grant Program



- The Tribal and Insular Area grant program awards funds to eligible entities including tribal governments (or intertribal consortiums), Alaska Native villages, and insular area government agencies (U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands).
- EPA has established a separate funding opportunity with flexibilities to address the unique considerations of tribal and insular area applicants so they can compete for DERA funds and implement diesel emissions reduction projects.
- Informed by tribal feedback, the open RFA has no mandatory cost share to make DERA accessible to more applicants.



Photo: Tribal Grant Program: Lummi Nation Fishing Boat Courtesy of Northwest Indian Fisheries Commission

State Grant Program

State allocations typically announced in Spring with projects beginning in the Fall. www.epa.gov/dera/state

- EPA allocates DERA funds (in 2021 \$24.4 million to be awarded) to eligible U.S. states and territories to establish diesel emissions reduction programs and projects.
- Noncompetitive formula grants with a funding allocation based on:
 - How many states/territories are participating
 - Whether states/territories will match EPA funding allocation dollar-fordollar, which qualifies them for a bonus of 50% of that initial EPA allocation
- Eligibility criteria same as National grants
- Funds a wide range of highway and nonroad diesel engine upgrades and replacements





Photo: FY2017-2018 DERA State Program: School Bus and Public Works Vehicle Replacement Project with the Nevada Division of Environmental Protection.

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13

DERA School Bus Rebate Program

Applications being accepted until 4:00 p.m. ET November 5, 2021 www.epa.gov/dera/rebates

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The DERA School Bus Rebates program provides funding for school bus replacement.

- Eligible Applicants:
 - Government agency with jurisdiction over transportation and air quality (e.g., school districts and municipalities)
 - Private entities that operate school buses under a contract with an entity listed above
- Applicants are selected in a lottery:
 - At least one applicant per state/territory is chosen (if application is submitted)
 - Rebate of \$20,000-\$65,000 per bus, depending on the fuel type of the replacement bus.
 - 2021 Program Approximately \$10 million



Photo: FY18, Fulton County Schools, School Bus Expansion Project

*2021 American Rescue Plan (ARP) Electric School Bus Rebates

*Note: The 2021 ARP Electric School Bus Rebate program is a separate program from DERA.

Applications being accepted until 4:00 p.m. ET, November 5, 2021.

www.epa.gov/dera/2021-americanrescue-plan-arp-electric-school-busrebates

- ARP will offer \$7 million to eligible school districts and private fleet owners for the replacement of old diesel school buses with new electric school buses.
- Eligible Applicants:
 - Public school districts listed on the ARP Electric School Bus Rebates Eligibility List
 - Tribal schools, including federally recognized tribal governments responsible for providing school bus transportation
 - Private fleets that operate school buses under a contract with an eligible entity listed above
- The 2021 ARP Electric School Bus Rebates runs concurrently with the annual DERA School Bus Rebates. Email applications with scans of bus titles and registrations to <u>DERARebates@epa.gov</u>.



Photo: 2016 EPA DERA Staff; Jason Wilcox, Washington, D.C.

15

DERA Funding and Environmental Justice (EJ)

DERA prioritizes projects and emissions reductions in communities with EJ concerns by awarding points to applicants that demonstrate the project will:

- Take place in nonattainment areas or areas with disproportionate exposure to diesel emissions, and in or near ports, railyards, or other goods movement centers.
- Provide benefits to underserved communities, community engagement, and project sustainability.

Project Location

Community Engagement and Partnerships

Project Sustainability

DERA Funding and Environmental Justice (EJ)

Project Priority Location

Areas of Poor Air Quality: Priority is given to projects operating in areas designated as having poor air quality. To receive points under this criterion, vehicles or equipment proposed for funding must be operated a majority of the time in one or more of the priority project locations based upon:

- Designated from NAAQS sourced from EPA's Green Book of Nonattainment Areas for Criteria Pollutants, and
- Counties that contain at least one census tract where the modeled ambient diesel PM concentration from the 2014 NATA is above the 80th percentile (0.68 µg/m₃) for census tracts nationwide.

Goods Movement Facilities: Priority is given to projects based on whether the vehicles/engines/equipment targeted for diesel emissions reductions are located at, or service, goods movement facilities as defined in the request for applications (RFA) including port, airport, rail yard, terminal, or distribution center where the affected vehicles operate.



17

DERA Funding and Environmental Justice (EJ)

Benefits to the Community & Community Engagement and Partnerships

Community Engagement and Partnerships: Priority and review points are given to projects which support community engagement and partnerships. Applicants are evaluated based on the extent and quality the application demonstrates:

- Input from affected communities with respect to the design and performance of the project, and
- That support and involvement from project partners has been obtained to more effectively perform the project.

Benefits to the Community: Priority and review points are given to projects which address the needs and concerns of affected communities, especially any communities or populations that have faced or are facing environmental justice concerns and/or health disparities.

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The term "affected communities," means populations, groups, and other interested parties that are affected by the health, environmental and/or other issues that the project is intended to address.



DERA Funding and Environmental Justice (EJ)

Project Sustainability



idle-reduction policies or other strategies to promote efforts to reduce diesel emissions.



publicly available baseline mobile source emission inventory



publicly available plan with target to reduce mobile source emissions for PM2.5 and/or NO_x



clear point of contact in a public platform for community issues and complaints and a publicly documented policy or process to engage communities and get their input on operations and projects that impact air quality

Project Sustainability: Priority is given to projects which can demonstrate the ability of the applicant and project partners to promote and continue efforts to reduce emissions after EPA funding for this project has ended. Applications are evaluated on whether the applicant and/or project partners have established or commit to establishing before the end of the project period these four aspects.



19

Diesel emissions and near-port communities







Photo source: Angelo Logan, East Yards Communities for Environmental Justice presentation on 1/14/14 EPA webinar: "A National Conversation on the State of US Ports"







Through EPA tools and assistance in the five program areas, we aim to accelerate adoption of:

- Cleaner technologies and other strategies
- Clean air planning practices (emissions inventories, clean air plans, community engagement) that inform strategic clean air investments

21

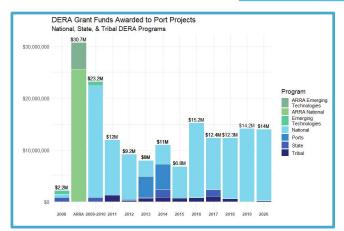
21

External Stakeholders Port industry Community groups Local/state/federal agencies **Environmental NGOs** And more! Collaboration Communications **Funding** Technical Coordination **EPA** Resources **EPA Regional Offices** Office of Office of (R1 - R10)**Transportation and Environmental Justice Air Quality** (OTAQ)

Helping ports capitalize on funding for clean technologies



- DERA
 - Priority for port and other goods movement projects.
 - Extra points for inventories, clean air plans, community engagement.
 - DOT funding programs now includes similar criteria
- EPA Regional staff helping to make connections to other funding sources.



Searchable table of local, state, federal, and other funding opportunities on our website:

www.epa.gov/ports-initiative/funding-opportunities-ports-and-near-port-communities

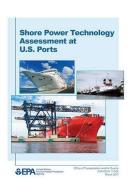
23

Providing tools to help identify smart infrastructure investments



National Port Strategy Assessment: Reducing Air **Pollution and Greenhouse** Gases at U.S. Ports

September 2016 www.epa.gov/ports-initiative/national-port-strategy-assessment-reducing-air-pollution-and-greenhouse-gases-us



Shore Power Technology Assessment at U.S. Ports* April 2017

www.epa.gov/ports-initiative/shore-power-

*Update planned for later this year

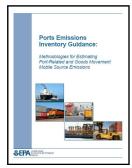


EPA, Port Everglades Report Shines Light on New Methods for Analyzing Potential Air **Pollution Reductions**

June 2018

www.epa.gov/ports-initiative/epa-and-porteverglades-partnership-emission-inventories and-reduction-strategies





Port Emissions Inventory **Guidance: Methodologies** for Estimating Port-Related and Goods Movement Mobile Source Emissions, September 2020

https://www.epa.gov/ports-initiative/portand-goods-movement-emission-inventories 24

Promoting community-port collaboration for effective planning





Port of Savannah Tour

- Tools and training:
 - Ports Primer for Communities
 - Community Action Roadmap
 - EJ Primer for Ports, including Good Neighbor Roadmap
- Case studies on pilot projects in Providence (Region 1), Savannah (Region 4), New Orleans (Region 6), Seattle (Region 10)
- Regional staff convening stakeholders, supporting use of above EPA resources at ports and railyards across the country.
- FY21 EJ Small Grants RFA emphasis on Ports Initiative projects



www.epa.gov/community-port-collaboration

25



Case Studies: Community-Port Collaboration Pilot Projects



Savannah, Seattle, New Orleans and Providence









www.epa.gov/community-port-collaboration/community-port-collaboration-pilot-projects



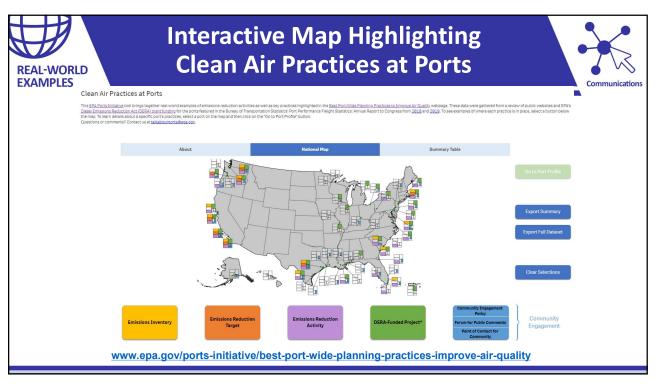
Case Study of San Pedro Bay Ports Clean Air Action Plan (CAAP)



- Highlighting aspects of the Ports of Los Angeles and Long Beach plan that can inform other port authorities and near-port communities across the country.
- Includes summary of 2006-2018 CAAP's background and history, and three focused discussions:
 - Environmental justice and levers of community influence
 - Technologies and practices for development and deployment
 - The 2017 Clean Truck Program
- Report and fact sheets: www.epa.gov/ports-initiative/san-pedro-bay-ports-clean-air-action-plan-best-practices-and-lessons-learned



27



PAUSE

Q&A on EPA Diesel Emissions Programs Before we move to a discussion on achieving Justice40 Initiative goals through these programs, do you have any clarifying questions on how either the DERA program or Ports Initiative program work?

29

Listening Session and Dialogue



WRITE ANY
COMMENTS/ QUESTIONS
IN THE Q&A POD



WHEN PROMPTED, RAISE YOUR HAND TO ASK A QUESTION

USING A PHONE? PRESS *9 TO RAISE YOUR HAND



PLEASE LIMIT
QUESTIONS OR
COMMENTS TO 1
MINUTE

Federal Government Justice40 Initiative

- Executive Order 14008 created government-wide Justice40 initiative with goal of delivering 40% of overall benefits from federal investments in climate and clean energy to disadvantaged communities.
- Interim Guidance directs federal agencies to:
 - Develop a plan to engage with communities and other stakeholders
 - · Identify benefits of programs
 - Propose methods to calculate and report on program benefits for disadvantaged communities
- DERA/Ports Initiative is one of six EPA programs participating in the Justice40 pilot across federal government.
- Interim Guidance on Justice 40: www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf
- For more information on Justice40 at EPA: <u>www.epa.gov/system/files/documents/2021-09/slides-epa-natl-ej-engagement-call-aug-31_0.pdf</u>

31

Justice40 Pilot

Diesel Emissions Reduction Act (DERA) and Ports Initiative

- Benefits from DERA and Ports Initiative program include:
 - Direct diesel emission reductions and associated health benefits from DERA-funded projects
 - Enhanced capacity for additional diesel emission reductions beyond DERA-funded projects.
- DERA to prioritize Justice 40 goals in regular program updates to ensure benefits reach underserved communities.
- EPA to continue to build capacity of prospective grantees and promote additional emissions reductions in communities with EJ concerns.
 - Works with stakeholders, including community organizations, through both the DERA and Ports Initiative programs.
- Goals for Justice 40 engagement:
 - Hear more from communities
 - · Learn about additional outreach and education that is needed
 - Help communities partner with eligible DERA applicants

Questions For Input

EPA is seeking input on ways we can maximize benefits from the DERA and EPA Ports Initiative programs in disadvantaged communities, including:

How should EPA determine benefits to a particular community for mobile source projects when vehicles travel between communities?

Are disadvantaged communities aware of DERA funding and its potential to help communities, and if not, how can EPA reach more communities and support them in partnering with eligible DERA applicants?

Are there additional ways EPA can help encourage meaningful community engagement and diesel emissions reductions in disadvantaged communities – both as part of DERA projects, and beyond the life of DERA projects (e.g., additional outreach, technical assistance, training, or other information resources)?

How can EPA better engage with school districts in disadvantaged communities about funding opportunities and adoption of new, cleaner technologies, like electric school buses?

33

EJ Program Updates Matthew Tejada Director, EPA Office of Environmental Justice

Draft FY 2022-2026 EPA Strategic Plan

GOAL 2 - PROMOTE ENVIRONMENTAL JUSTICE AND CIVIL RIGHTS AT THE FEDERAL, STATE, TRIBAL, AND LOCAL LEVELS

35

"Every person in the United States has the right to clean air, clean water, and a healthier life no matter how much money they have in their pockets, the color of their skin or their zip code" EPAADMIN. MICHAEL REGAN



PHOTO: CAROLINE BREHMAN/CQ ROLL CALL/BLOOMBERG

THIS IS AN UNPRECEDENTED OPPORTUNITY TO SERVE OVERBURDENED AND VULNERABLE COMMUNITIES ACROSS THE UNITED STATES.

WE VALUE YOUR FEEDBACK AND WANT TO MAKE SURE THAT OUR STRATEGIC PLAN MAKES SENSE, SHOWS ACCOUNTABILITY, AND ACHIEVES CLEAR IMPROVEMENTS ON THE GROUND.

Purpose

Provide an overview of *Draft FY 2022-2026 EPA Strategic Plan* focused on Goal 2 for EJ and Civil Rights

Receive feedback from community leaders, partners, and other stakeholders

37

Key Elements of EPA's Strategic Plan

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	Element	Definition
	Mission Statement	Defines the basic purpose of the agency, consistent with the agency's core programs and activities
	Principles	Form the foundation of agency culture and guide operations and decision making now and into the future
	Cross-Agency Strategies	Are instrumental to accomplishing EPA's mission work and integral to achieving strategic goals and objectives
	Strategic Goal	Articulates the broad outcomes the agency wants to achieve to advance its statutory mission
	Strategic Objective	Reflects the outcome or impact the agency is trying to achieve under the strategic goal
	Long-Term Performance Goals	Vleasures the quantifiable outcomes or accomplishments to be achieved for each strategic objective over the four years of the Strategic Plan
	Agency Priority Goals	Reflects agency leadership's top near-term performance improvement priorities that can be implemented in two years

New and Notable

- · Unprecedented Environmental Justice/Civil Rights goal
 - o Agency Core Principle: Advance Justice and Equity
- · First time Climate Change is a stand-alone strategic goal
- · Four Cross-Agency Strategies, the bedrock of how we work to accomplish strategic goals:
 - Ensure Scientific Integrity and Science-Based Decision Making;
 - Consider the Health of Children at All Life Stages and Other Vulnerable Populations;
 - o Advance EPA's Organizational Excellence and Workforce Equity;
 - Strengthen Tribal, State, and Local Partnerships and Enhance Engagement
- · Seven Tribal Long-term Performance Goals; other LTPGs focus on meeting needs of underserved populations
- Increased emphasis on enforcing environmental laws, especially in overburdened communities

39





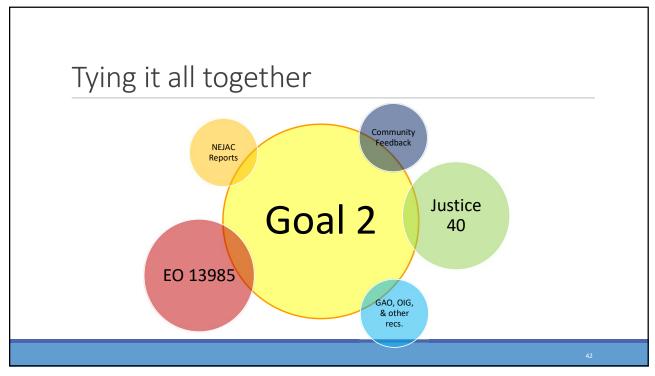
External Civil Rights Compliance Office (ECRCO)

- EPA \$\$\$ recipient compliance with Title VI of Civil Rights Act and others
- Language and disability access to EPA

Office of Civil Rights (OCR)

- EPA compliance with Equal Employment Opportunities
- Agency efforts on diversity, equity, inclusion

41



Questions to Consider???

- o Do you think that these goals are the best way to track our progress?
- Will reporting on these goals provide transparency and accountability to you?
- Do you see a connection between your concerns/priorities in our goals?
- What actions do you think EPA could take to address your concerns through these goals?
- Do you have examples or suggestions of clear commitments to measure changes on the ground (i.e., outcome goals)?

4

43

Goal 2: Take Decisive Action to Advance Environmental Justice and Civil Rights

Achieve tangible progress 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.

- Objective 2.1: Promote Environmental Justice And Civil Rights at the Federal, Tribal, State, and Local Levels
- Objective 2.2: Embed Environmental Justice and Civil Rights into EPA's Programs, Policies, and Activities
- Objective 2.3: Strengthen Civil Rights Enforcement in Communities with Environmental Justice Concerns

Objective 2.1: Promote Environmental Justice And Civil Rights at the Federal, Tribal, State, and Local Levels

Empower and build capacity of underserved and overburdened communities to protect human health and the environment.

- Building capacity and climate resilience and maximizing benefits to overburdened and underserved communities.
- Engaging and supporting federal, state, and local governments to achieve results in communities.
- Integrating environmental justice principles into the implementation of federal environmental programs in Indian country and in other areas of interest to Tribes, in partnership with federally recognized Tribes.

45

2.1 Long Term Performance Goals

- 1. By September 30, 2026, all EPA programs that seek feedback and comment from the public will provide capacity-building resources to communities with environmental justice concerns to support their ability to meaningfully engage and provide useful feedback to those programs.
- 2. By September 30, 2026, EPA will include commitments to address disproportionate impacts in all written agreements between EPA and states and Tribes (e.g., grant work plans) implementing delegated authorities.
- 3. By September 30, 2026, EPA programs with direct implementation authority will take at least X significant actions that will result in measurable improvements in Indian country.
- 4. By September 30, 2026, all state recipients of EPA financial assistance will have foundational civil rights programs in place.

Objective 2.2: Embed Environmental Justice and Civil Rights into EPA's Programs, Policies, and Activities

Integrate environmental justice and civil rights in all of the Agency's work to maximize benefits and minimize impacts to underserved and overburdened communities.

- Making commitments on measurable environmental and public health improvements in overburdened and underserved communities.
- Ensuring that EPA decision making incorporates meaningful community involvement and analyzes for disproportionate impacts.
- Building EPA capacity to support community-driven approaches to building healthy, sustainable, and climate-resilient communities.
- Ensuring consideration of civil rights by EPA programs.

47

2.2 Long Term Performance Goals

- 1. By September 30, 2026, publicly identify and begin to implement at least ten commitments towards improving environmental and public health conditions on the ground for communities with environmental justice concerns.
- By September 30, 2026, XX% of all significant EPA actions with environmental justice implications will
 clearly demonstrate how the action is responsive to environmental justice concerns and addresses
 disproportionate impacts.
- 3. By September 30, 2026, XX% of EPA programs that work in and with communities will do so in ways that are community-driven, coordinated, and collaborative and will support community revitalization, equitable resilience, and/or implementation of climate justice plans.
- 4. By September 30, 2026, all EPA programs and regions will identify and implement areas and opportunities to achieve civil rights compliance in their planning, guidance, policy directives, monitoring, and review activities.

Objective 2.3: Strengthen Civil Rights Enforcement in Communities with Environmental Justice Concerns

Strengthen enforcement of and compliance with civil rights laws to address the legacy of pollution in overburdened communities.

Robust enforcement of civil rights law coupled with EPA's environmental justice efforts provides EPA with the strongest ability to address disparities.

49

2.3 Long Term Performance Goals

- By September 30, 2026, initiate 15 proactive post-award civil rights compliance reviews annually in environmentally overburdened and underserved communities compared with the FY 2021 baseline of one.
- 2. By September 30, 2026, complete 100 audits annually to ensure EPA financial assistance recipients are complying with nondiscrimination program requirements compared with the FY 2021 baseline of none.
- 3. By September 30, 2026, complete 25 information sharing sessions, outreach, technical assistance events, and Alternative Dispute Resolution and informal resolution facilitation opportunities with overburdened and underserved communities and environmental justice advocacy groups on civil rights and environmental justice issues, annually, compared with the 2021 baseline of five.
- 4. LTPG under development on informal resolution agreements under Title VI.

Major Milestones

MILESTONES	DELIVERABLES
October 4 – November 12	Tribes can request consultations with EPA Public comment via Federal Register Notice (~6 weeks)
October 12 & 26	EJ National Community Engagement Calls
October 14 & 28	Tribal Meetings
November 10	National Environmental Justice Advisory Council (NEJAC) Meeting
November - December	Agency review of public comments to finalize draft EPA Strategic Plan
February 2022	FY 2022-2026 EPA Strategic Plan issued same time as EPA's FY 2023 President's Budget

51

Contacts for EJ and Civil Rights

For requests/questions for Office of Environmental Justice:

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For requests/questions for External Civil Rights Compliance Office:

Lilian Dorka, Director

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Kurt Temple, Senior Adviser

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Contacts for Tribal Consultation and Comment

For requests for Tribal Consultations:

Faisal Amin, CFO

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For other written comments:

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Judy Lieberman, Strategic Plan Project Lead

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5

53

To Participate in Public Review/Comment

The *Draft Plan* available at:

https://www.epa.gov/planandbudget/strategicplan and at http://www.regulations.gov

Submit comments at: http://www.regulations.gov using Docket # EPA-HQ-OA-2021-0403

Closing Remarks

- Next Steps
- Next National EJ Community Engagement call:
 - o October 26, 2021, at 2 p.m. Eastern
- ☐ Subscribe to EPA's Environmental Justice listserv for up-to-date information about EJ funding opportunities, events, and webinars:
 - Send a blank email to: join-epa-ej@lists.epa.gov
- o Follow us on Twitter:
 - o @EPAEnvJustice
- Send follow-up questions or comments to:
 - o <u>Environmental-Justice@epa.gov</u>

