

Draft EJ 2020 Action Agenda Framework

U.S. Environmental Protection Agency

April 15, 2015

Introduction

EPA is seeking input on the draft framework for the EJ 2020 Action Agenda (EJ 2020). EJ 2020 will help EPA advance environmental justice through its programs, policies and activities, and will support our cross-agency strategy on making a visible difference in environmentally overburdened, underserved, and economically distressed communities. Strengthening our collaborations with the communities we serve, our governmental partners and all other interested stakeholders will be key to achieving meaningful outcomes in these communities.

EJ 2020 will build on the foundation established by EPA's Plan EJ 2014, as well as decades of robust environmental justice practice by the agency, communities and our partners, and expand that work through commitments that will continue over the next five years. As we work to get input and finalize EJ 2020, we will continue to implement environmental justice priorities across our programs. Our priorities for 2015 are also described in this document.

Under Plan EJ 2014, EPA laid a foundation for integrating environmental justice in all its programs, including rulewriting, permitting, enforcement, science and law. Over the last four years, we have passed many significant milestones of building environmental justice into the agency's regulatory practice, including guidance for rulewriters, enhanced public participation for EPA-issued permits, building environmental justice into our enforcement targeting and resolution of enforcement cases, EJSCREEN, *EJ Legal Tools*, and many others. We have also revitalized environmental justice across the federal family, assembled promising practices from our rich history of working with communities, and initiated the development of a cross-cutting Environmental Justice Research Roadmap. For more details, see: www.epa.gov/environmentaljustice/plan-ej/.

We have made progress on environmental justice, but there is much more to do. Having completed much of the foundational work that we committed to in Plan EJ 2014, we need to define a new set of ambitious goals for environmental justice for the coming years. This draft framework for EJ 2020 delineates our thinking about the current efforts that require continued and focused attention, and what additional challenges we should undertake. We hope to have a robust dialogue with the communities we serve, our governmental partners and all other interested stakeholders on whether this framework addresses the most important work. This is just a draft; all comments and suggestions to inform and shape EPA's environmental justice action agenda are invited and encouraged.

The EJ 2020 Open Public Comment Period will last from April 15, 2015 to June 15, 2015. We will be reaching out to many groups and communities for input during that time. If you wish more information about or desire to participate in information and dialogue sessions with EPA, please contact Charles Lee, Deputy Associate Assistant Administrator for Environmental Justice, lee.charles@epa.gov (202-564-2597), or your Regional or Program Point of Contact (see list on Page 5). For more information, please see: www.epa.gov/environmentaljustice/ej2020/. Written comments are welcome. Please submit them electronically to: ejstrategy@epa.gov, or hard copy to:

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Draft EJ 2020 Framework

EPA's environmental justice efforts seek to protect the health and environment of overburdened communities, support them to take action to improve their own health and environment, and build partnerships to achieve community health and sustainability.

Through EJ 2020, we will emphasize, over the next five years, making a visible difference in overburdened communities. Our goals are to:

- I. Deepen environmental justice practice within EPA programs to improve the health and environment of overburdened communities;
- II. Collaborate with partners to expand our impact within overburdened communities; and
- III. Demonstrate progress on outcomes that matter to overburdened communities.

I. Deepen environmental justice practice within EPA programs to improve the health and environment of overburdened communities

- A. Incorporate environmental justice in rulemaking
 - Finalize guidance on considering environmental justice in rulemaking
 - Promote EPA's effective use of guidance, through robust implementation, outreach and tracking
- B. Consider environmental justice in EPA permitting
 - Continue to implement regional plans for enhanced public participation
 - Test and evaluate framework and analytic tools for building environmental justice into EPA permitting, and make this part of our engagement with states and other co-regulators
- C. Advance environmental justice through compliance and enforcement
 - Continue to advance environmental justice goals comprehensively through targeting, case development, and resolution of compliance and enforcement actions in overburdened communities
 - Consider impacts on overburdened communities in developing injunctive relief, mitigation, and Supplemental Environmental Project options in enforcement settlements
 - Enhance communication and transparency with affected communities and the public regarding environmental justice concerns related to compliance and enforcement actions
- D. Enhance science tools for considering environmental justice in decision-making
 - Develop and implement cross-cutting Environmental Justice Research Roadmap, engaging communities, states and other stakeholders in the process
 - Advance research on cumulative risks and impacts
 - Foster Next Generation environmental monitoring, community-based participatory research and citizen science

EPA will incorporate *EJ Legal Tools*, EJSCREEN, promising community-based practices and other environmental justice tools as part of new and ongoing program work.

II. Collaborate with partners to expand our impact within overburdened communities

- A. Collaborate with states, tribes, local governments and other co-regulators to share and develop environmental justice tools and practices
 - Collaborate on tools and mechanisms, such as EJSCREEN and E-Enterprise, we can use together to advance environmental justice

- Mutually identify opportunities for public participation, training and collaborative problem-solving
 - Engage in joint learning and sharing with states, tribes and stakeholders on environmental justice and permitting tools and approaches, including work with permit applicants
 - Foster sharing of promising practices among states, tribes and local governments
 - Work with states, tribes, local governments and other co-regulators to promote consideration of environmental justice in our collective decision-making
- B. Work with other federal agencies to advance environmental justice through the Interagency Working Group on Environmental Justice
- Promote collaboration across federal agencies to support community-based efforts
 - Foster use of tools such as EJSCREEN and continued progress in areas such as the National Environmental Policy Act
 - Leverage federal resources to support community-based efforts, in collaboration with community organizations and other partners such as local business and industry
- C. Support transformative efforts in communities to advance environmental justice through EPA's Community Resources Network
- Support community-driven efforts to identify and address environmental challenges with comprehensive roadmap approaches for development and capacity-building
 - Promote holistic strategies that meet communities where they are and help them to achieve health, sustainability, economic opportunity, revitalization and resilience
 - Foster multi-stakeholder, community-based, public-private partnerships (including local government, business and industry, academia, faith groups, youth, and others) for general and location specific engagement
 - Utilize community-based efforts to engage business and industry to promote sustainable practices beneficial to both business and communities

III. Demonstrate progress on outcomes that matter to overburdened communities

- A. Continue to use measures that ensure EPA accountability and demonstrate outcomes in communities as a central part of EJ 2020, and incorporate such measures throughout the action plan
- B. Show positive impacts of our work through community-level results, such as revitalization and sustainability, partnerships and collaborative problem-solving, and grassroots capacity-building
- C. In addition to measuring outcomes in particular communities, invite comment on whether there are a few critical nationwide program areas that matter to overburdened communities on which we should focus national attention (e.g., drinking water, lead paint)
- D. Develop indicators of progress through collaborative processes with communities, states, tribes and other stakeholder partners

IV. Related efforts

- A. Promoting climate adaptation and resilience and greenhouse gas reduction co-benefits will be an important part of the EJ 2020 Action Agenda
- B. EPA will advance its program relative to the implementation of Title VI of the Civil Rights Act through a comprehensive, long-term Office of Civil Rights (OCR) Strategic Plan, which OCR is currently developing

Plan EJ 2014 Commitments/Accomplishments (April 2015)

<i>Element</i>	<i>Major Commitments/Accomplishments</i>	<i>Status</i>
<i>Incorporate EJ in Rulemaking</i>	<i>Finalize Guidance on Considering EJ During the Development of a Regulatory Action</i>	<i>Complete April 2015</i>
	<i>Issue Draft EJ Technical Guidance for Assessing EJ in Regulatory Analysis for Public Comment/Science Advisory Board Review</i>	<i>Complete</i>
	<i>Finalize Technical Guidance for Assessing EJ in Regulatory Analysis</i>	<i>2015</i>
	<i>Develop EJ and Rulemaking Cross-Agency Team work products</i>	<i>Complete</i>
<i>Consider EJ in Permitting</i>	<i>Institute Regional Implementation Plans for enhanced community engagement</i>	<i>Complete</i>
	<i>Implement Regional Implementation Plans</i>	<i>Ongoing</i>
	<i>Issue recommended practices on community engagement for EPA permit applicants</i>	<i>Complete</i>
	<i>Develop draft framework and tools for EJ analysis for EPA permits for internal review</i>	<i>Complete</i>
<i>Advance EJ through Compliance and Enforcement</i>	<i>Test, finalize and implement guidelines for EJ analysis for EPA permits</i>	<i>2015-17</i>
	<i>Issue multiple guidances and policies on considering EJ in enforcement life-cycle</i>	<i>Complete</i>
	<i>Issue guidance requiring EJ review for all initiated enforcement cases, tracking cases in ICIS database and transitioning to EJSCREEN</i>	<i>Complete</i>
	<i>Incorporate ACS measure for EJ in OECA FY 2014 NPM Guidance</i>	<i>Complete</i>
<i>Support Community-Based Programs</i>	<i>Achieve and communicate results benefiting overburdened communities</i>	<i>Ongoing</i>
	<i>Implement Community KPI; lessons inform current priority on communities</i>	<i>Complete</i>
	<i>Identify promising community-based practices</i>	<i>Complete</i>
	<i>Develop land use and equitable development resources</i>	<i>Complete</i>
<i>Foster Administration-Wide Action</i>	<i>Reconvene Interagency Working Group on EJ (IWG) at cabinet level</i>	<i>Complete</i>
	<i>Conduct White House Forum and community listening sessions</i>	<i>Complete</i>
	<i>Issue Memorandum of Understanding on EO 12898 and IWG codifying structured and focus areas, signed by IWG secretaries</i>	<i>Complete</i>
	<i>Develop draft NEPA analytic methodologies</i>	<i>Complete</i>
<i>Science Tools</i>	<i>Develop assessment and mapping tools, including C-FERST/T-FERST</i>	<i>2015</i>
	<i>Implement community cumulative assessment grants and Centers of Excellence in Health Disparities</i>	<i>Complete</i>
	<i>Convene NEJAC research workgroup; respond to recommendations by initiating development of cross-cutting EJ Research Roadmap</i>	<i>Complete/Ongoing</i>
<i>Legal Tools</i>	<i>Issue EJ Legal Tools document</i>	<i>Complete</i>
<i>Information Tools</i>	<i>Develop EJSCREEN V1.0 for internal use</i>	<i>Complete</i>
	<i>Issue public version of EJSCREEN</i>	<i>2015</i>
<i>Resources Tools</i>	<i>Establish one-stop "Resources for Communities" web portal</i>	<i>Complete</i>
	<i>Develop technical assistance contract (TASC) and training enhancements</i>	<i>Complete</i>
<i>Tribal Policy</i>	<i>Issue EPA Policy on EJ for Working with Federally Recognized Tribes and Indigenous Peoples</i>	<i>Complete</i>
<i>Training</i>	<i>Complete mandatory EJ training for all employees</i>	<i>Complete</i>

Priorities in 2015

- Continue to implement environmental justice in rulemaking – finalize guidance and continue to implement
- Continue to advance environmental justice in permitting
- Continue to implement environmental justice in enforcement – consider environmental justice in all our cases, including consideration of impacts on communities in developing injunctive relief, mitigation and Supplemental Environmental Project options in enforcement settlements
- Robustly advance environmental justice through the Agency’s priority on Making a Visible Difference in Communities
- Complete public release of EJSCREEN and begin stakeholder engagement around potential uses and future development
- Implement Environmental Justice Small Grants and Environmental Justice Collaborative Problem-Solving Cooperative Agreement programs
- Continue to lead the Interagency Working Group on Environmental Justice; hold cabinet-level meeting
- Implement Policy on Environmental Justice for Working with Federally Recognized Tribes and Indigenous Peoples
- Further efforts to make equitable development an integral part of EPA’s Smart Growth, Brownfields, and climate adaption and resilience efforts
- Conduct community resources and training workshop
- Include measurable activities to advance environmental justice in National Program Managers guidance being developed for the next two years

EPA Points of Contact for EJ 2020

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