

**EPN Comments on EPA's Request for Information (RFI) related  
to the Environmental and Climate Justice (ECJ) Grant Program**

Docket No.: EPA-HQ-OEJECR-2023-0023

April 5, 2023

Founded in 2017, the [Environmental Protection Network](#) (EPN) harnesses the expertise of more than 550 former Environmental Protection Agency (EPA) career staff and confirmation-level appointees from Democratic and Republican administrations to provide the unique perspective of former regulators and scientists with decades of historical knowledge and subject matter expertise.

Here are some general ideas for both EPA alumni in our network and EPN staff who have been managing our [pro bono technical assistance program](#). To date, we have provided pro bono assistance on over 280 requests, connected disadvantaged communities and entities representing them with over 120 unique volunteers, provided over 1,000 hours of expert advice, and helped communities access over \$3 million in funding. We believe as a program framed as both environmental justice and climate justice, it is essential that the program embody these principles in every aspect. It is in that spirit that the following comments are offered.

## **ECJ Program Design**

- 1. What should EPA consider in the design of the ECJ Program to ensure that the grants benefit disadvantaged communities?** We believe that the program should be designed to first and foremost benefit communities who have disproportionately and systematically been impacted by pollution and are the most vulnerable to the impacts of climate change.
- 2. Are there best practices in program design that EPA should consider in designing the ECJ Program to reduce burdens on applicants, grantees, and/or subrecipients?** We recommend that EPA attempts to minimize the administrative burden on disadvantaged communities interested in applying for these funds. We understand there may be legal restrictions on how best to do this, but we encourage the use of universal application forms with dropdown menus, multiple choice answers, and short essays (with limited characters) that can be saved (and edited) for future applications, with a small number of specific questions exclusively relevant to the opportunity. When that cannot be done, here are some additional ideas (examples in hyperlinks):
  - Provide [template applications](#) or [sample applications](#).
  - Provide an [easy-to-follow guide](#) that explains what is required in the application process and offers additional guidance.
  - Provide one-on-one support and/or regular office hours to potential applicants.
  - Provide updated FAQs regularly.

- If partnerships are required and/or encouraged, provide both [surveys for entities looking to partner](#) and [publicly available results](#) from those surveys.
  - Coordinate support with the EPA Thriving Communities Technical Assistance Centers (TCTACs), Technical Assistance to Brownfields (TABs), Environmental Finance Centers (EFCs), and other EPA programs and specify exactly what each of the entities can and cannot provide.
3. **EPA is considering a process where it issues a NOFO soliciting applications for projects under the five ECJ Program eligible activities described above (Section III) that allows applicants, on a rolling basis over an extended period such as 12 months, to apply for the funding activities they are interested in, when they are interested in applying, as opposed to applying under multiple separate NOFOs that have 45-day submission periods. What are your views on this approach?** We think that this is an innovative approach that would benefit organizations that don't currently have a lot of experience applying for federal funds. We would recommend that, if possible, funding is allocated quarterly or monthly such that all of the funding isn't fully allocated before the end of the 12 months, thus giving time for organizations with great ideas, but later submissions, to still compete for funding. We also recommend that EPA make a greater effort to facilitate CBOs connecting with potential partners and sources of pro bono technical assistance.
4. **EPA is aware that applying for competitive Federal grants can be burdensome and that placing too much importance on written applications for projects to benefit disadvantaged communities may not be the best way to help communities address environmental justice challenges. EPA is considering innovative techniques to replace portions of the written application process, such as an approach where EPA would invite applicants whose initial written application scored well to then provide a 30–60-minute oral presentation discussing predetermined questions or sets of issues. The purpose of the oral presentation would be to replace portions of the written application process to streamline the grant competition process and expedite the delivery of assistance for disadvantaged communities. What are your thoughts on this approach?** We think that this is another innovative approach worth exploring. Please note that some communities have limited access to high-speed internet and may not be able to join virtual meetings with video. We would also encourage these oral presentations to be structured as question-and-answer sessions (where questions are circulated ahead of time) and minimize the time the applicants need to spend using slide decks or other presentation technology. We would prefer an approach that minimizes lengthy and burdensome applications in general. We would encourage EPA to consider our answers on questions #2 above:

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## Eligible Projects

1. **What types of projects should EPA focus on and prioritize under the five eligible funding categories in CAA Section 138(b)(2) listed below? Please also describe how the projects you identify would benefit disadvantaged communities.**
  - a. **Community-led air and other pollution monitoring, prevention, and remediation, and investments in low-and zero-emission and resilient technologies and related infrastructure and workforce development that help reduce greenhouse gas emissions and other air pollutants (greenhouse gas is defined as “air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride”);**
  - b. **Mitigating climate and health risks from urban heat islands, extreme heat, wood heater emissions, and wildfire events;**
  - c. **Climate resiliency and adaptation;**
  - d. **Reducing indoor toxics and indoor air pollution; and**
  - e. **Facilitating engagement of disadvantaged communities in State and Federal advisory groups, workshops, rulemakings, and other public processes.**

We think all five categories are important, and pro bono technical support should be given to those communities who would like help to identify the greatest contributors of risk to their health.

2. **With respect to the workforce development activities under category 1(a) above:**
  - a. **Please describe what you perceive as the most significant challenges and barriers to connecting residents of disadvantaged, underserved, and under-represented**

**communities to workforce opportunities related to addressing environmental justice and climate change, and what programs, services, and partnerships are needed to address these challenges and barriers.**

**b. What types of jobs and career pathways should EPA prioritize to support environmental justice and climate priorities?**

This is not an area that we have significant expertise in, but we highly encourage federal investments in collaborations between organizations focused on environmental impacts and those focused on workforce development to see that this work is done effectively to help transform the economic future of local workers.

- 3. What other types of projects should EPA consider under the eligible funding categories identified above (under 1) including those that may relate to addressing environmental and climate change issues caused by extreme weather conditions (e.g., cold weather) and how nature-based solutions can be used to address climate resiliency and adaptation as well as the other areas covered by the eligible funding categories? Also please describe how the projects you identify benefit disadvantaged communities.** The following principle should be incorporated into the program: “...*policies to tackle climate change also must clean up the legacy pollution that low-income communities and communities of color have suffered with for far too long.*” ([Biden Administration FY 2022 US EPA Budget Justification](#), March, 2021, p1) The practical implication of this is that projects that reduce not only GHG but also health-impacting co-pollutants such as particulate matter, nitrogen oxides, hazardous air pollutants, etc. should be given priority.

### **Eligible Recipients**

- 1. Eligibility for the ECJ Program grants is limited to a partnership between a community-based nonprofit organization and an Indian tribe, local government, or institution of higher education; a community-based nonprofit organization; or a partnership of community-based nonprofit organizations.**
  - What is and how should EPA define a “community-based nonprofit organization” for purposes of implementing ECJ Program funding?** EPA recently defined CBOs (in their EJ Community Problem Solving, EJCPS, program) very broadly, “... 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, people with asthma, subsistence fishers, and other similar groups.”

We encourage EPA to refine this definition to prioritize CBO's most directly involved in, representing, and made up of community members and/or their advocates who can speak most directly to the disproportionate health and welfare impacts to which the community has been subjected.

- **What is and how should EPA define a “partnership” between a community-based nonprofit organization and an Indian tribe, local government, or institution of higher education for purposes of implementing ECJ Program funding?** The program should prioritize “partnerships” in which CBOs directly representing disadvantaged communities have a strong role in every aspect of the partnership. Examples from EPA's Collaborate Problem Solving program should be considered, with particular attention given to programs that have evolved under California's AB 617 program. Among the earliest examples from both the CPS and AB 617 programs has been the collaborative problem solving model as evolved in West Oakland over the past 18 years, in which community co-leadership is embedded at every level of the partnership.

**2. and 3. What characteristics and attributes do you think are important to the formation of a “partnership” for purposes of implementing ECJ Program funding? What criteria or requirements do you think are important to ensure that projects – particularly projects of partnerships between community-based nonprofit organizations and other eligible entities – are community-driven and result in benefits flowing to the community while avoiding consequences such as community displacement and/or gentrification?** CBOs and other organizations are often starting from very different places, skill sets, and experiences. EPA should encourage projects that are community-driven, result in benefits flowing to the community, and avoid consequences such as community displacement and/or gentrification. Projects could submit reports periodically, co-signed by all partners, describing the progress toward meeting those goals; and EPA could withhold continued funding to projects not living up to their agreements and/or offer CBOs the opportunity to select new partners in subsequent years if partners aren't living up to expectations.

**4. What are your thoughts on EPA sponsoring on-line forums or webinars to facilitate potential applicants' ability to develop partnerships with other organizations and communities to submit applications for ECJ Program grants? How else can EPA be helpful in facilitating these partnerships?** We think that any and every effort that EPA can make to facilitate potential partnerships is critical. For example, if partnerships are required and/or encouraged, EPA can provide both [surveys for entities looking to partner](#) and [publicly available results](#) from those surveys. In addition, webinars and on-line forums would be very helpful.

**Reporting and Oversight.** EPN highly encourages EPA to provide proactive training on these elements as well as a hotline for questions. In addition, it will be important for the agency to be very specific about the programmatic information organizations are asked to provide.

### Technical Assistance

- 1. What types of technical assistance would be most helpful to the ECJ Program’s eligible entities to help those entities successfully perform the ECJ Program grants?** The best type of assistance meets communities where they are and supports their agenda and goals. In addition, we have found that the following types of technical assistance are highly sought after and would be critical for grant recipients to not only apply for and manage their grants, but also to get the most benefits from their grants:
  - Assistance evaluating drivers of risk
  - Assistance evaluating the pros and cons of different abatement, remediation, or other pollution control strategies
  - Assistance identifying the target decision makers and target government agencies when searching for action on a complicated issue
  - Assistance devising potential strategies to work effectively with decision makers
  - Assistance finding funding for modeling, monitoring, or sampling
  - Assistance finding potential allies
  - Assistance understanding complicated regulatory actions or proposed regulatory actions
  - Assistance with creating public comments and/or more effectively influencing government
  - Assistance registering for SAM.gov and Grants.gov
  - Assistance applying for grants
  - Assistance managing and reporting on grants
- 2. Which types of organizations and institutions are best suited to provide technical assistance?** There are numerous types of organizations and institutions that are suited to provide technical assistance. We have found that having community liaisons or other facilitators that can help organizations access different types of technical assistance (legal advice from this law clinic, research support from this university, policy advice from this NGO, etc.), schedule meetings, and track progress adds a tremendous amount of value.

### General Comments

- 1. Besides the questions above, do you have any other comments on the design, structure, and/or implementation of the ECJ Program including your views on ways EPA can simplify the application process for applying for the ECJ Program grants?** We applaud the many innovative ideas already presented, and we highly encourage EPA to continue to be open to the many additional ideas that will inevitably come from this RFI. Finally, we support related comments made by the Anthropocene Alliance and Evergreen Action.