

EQUITY AND JUSTICE AT THE EPA TODAY

Matthew Tejada
Deputy AA for EJ

HISTORICAL LEGACY OF EJ: REDLINING AND SYSTEMIC RACISM

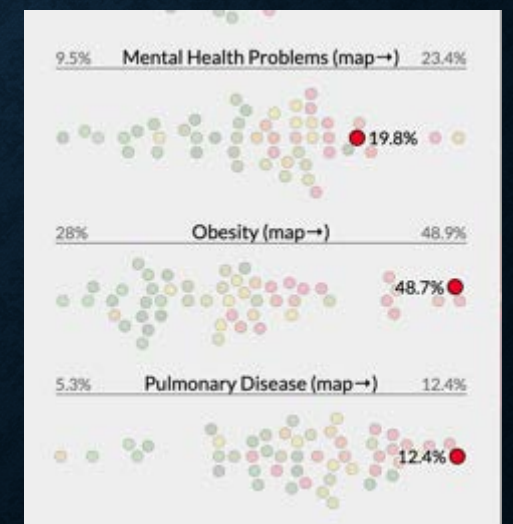
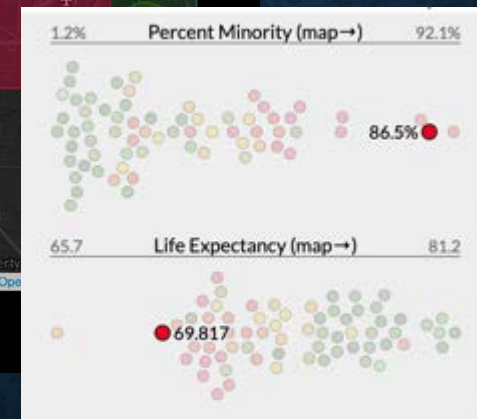
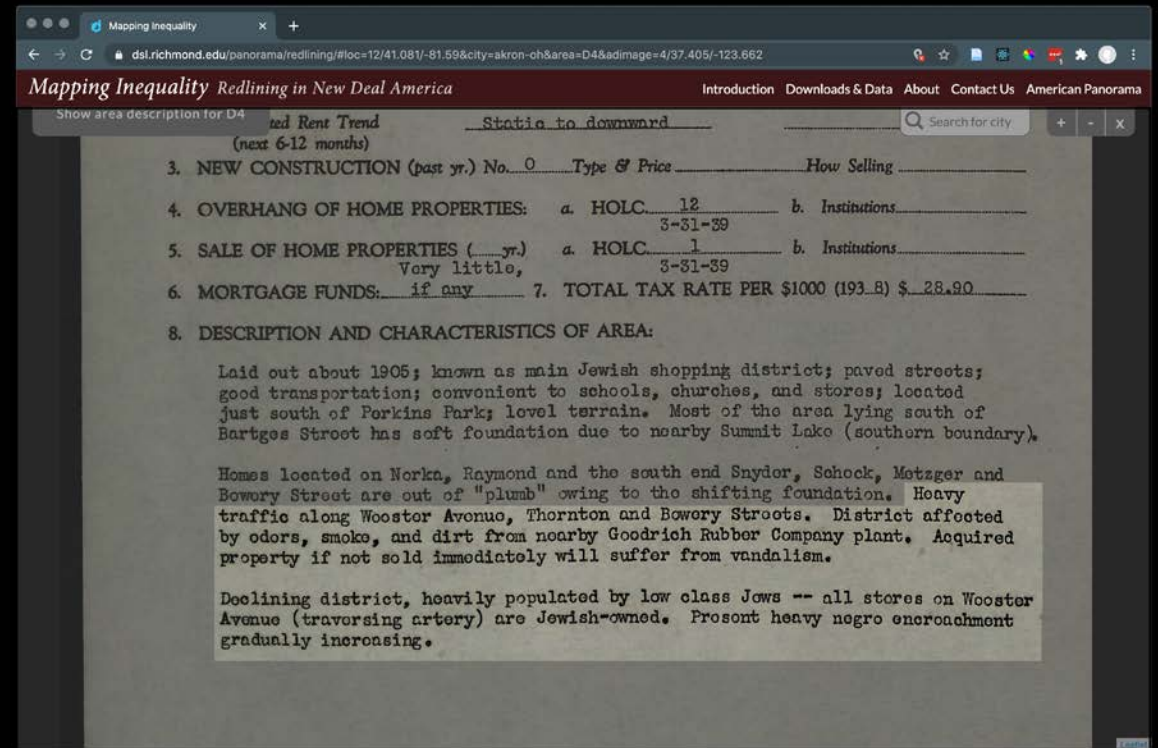
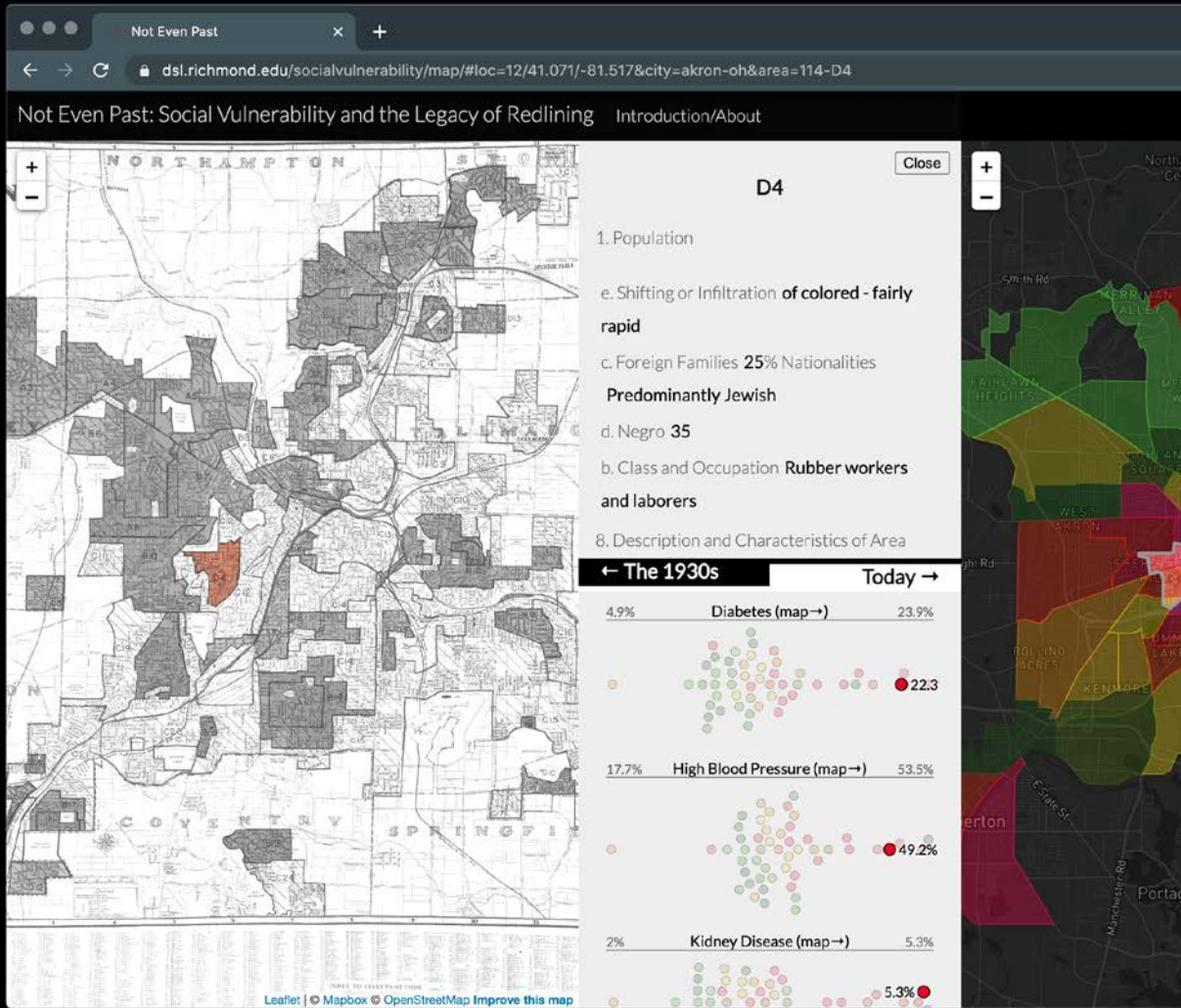
Verbatim Surveyor Descriptions of Redlined Areas during 1930s:

- “Odors and noises from local industries. Infiltration of colored and Orientals. Predominance of older, cheap cottages. Zoned for industry.”
- “Odors from factories; infiltration of Orientals and colored.”
- “Adjoining industrial area with attendant odors, smoke, etc.”
- “Nearest to the industries, thereby being mainly occupied by wage earning families”

Oakland, California

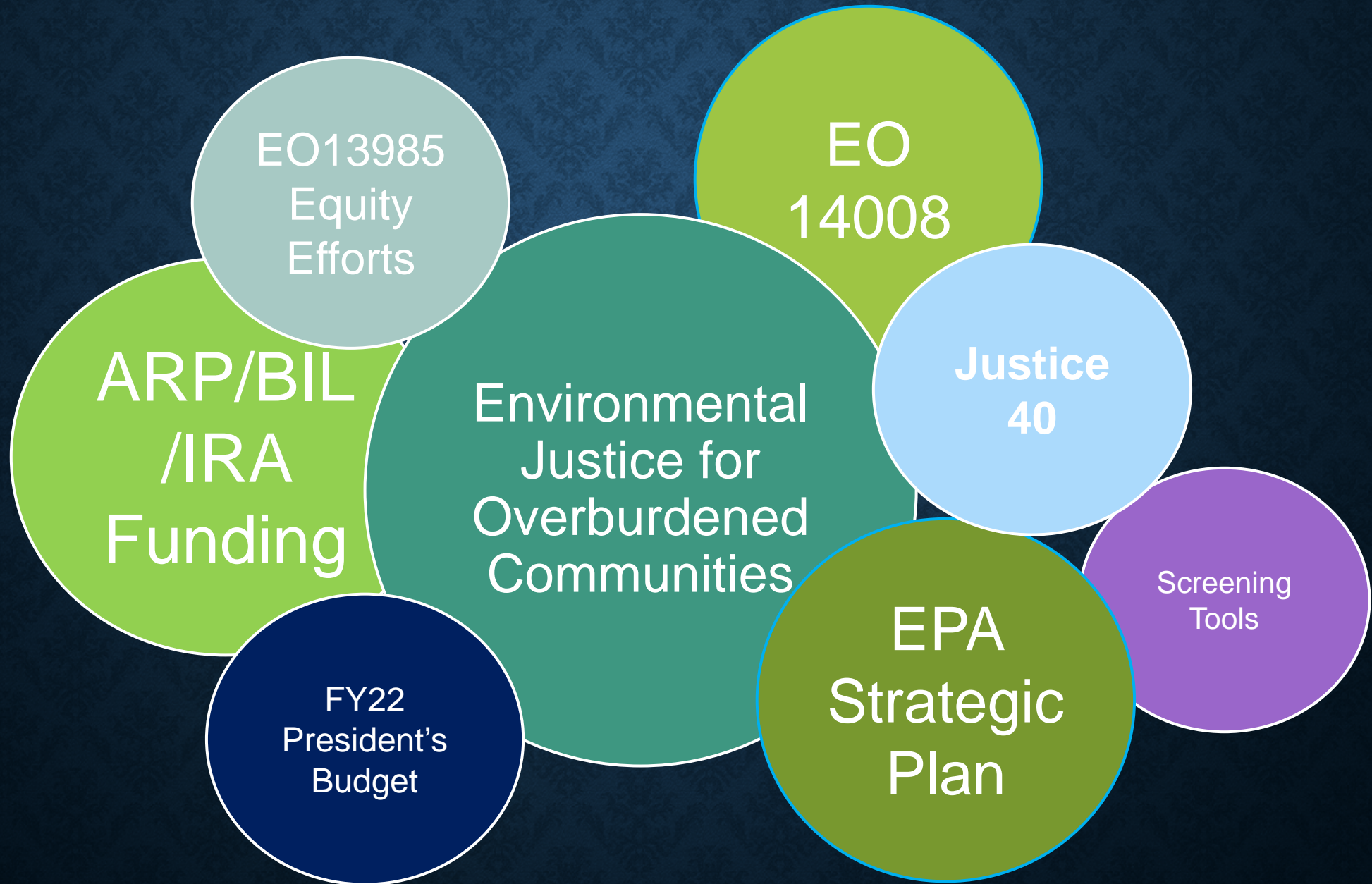
The Digital Scholarship Lab and the National Community Reinvestment Coalition, “Not Even Past: Social Vulnerability and the Legacy of Redlining,” *American Panorama*, ed. Robert K. Nelson and Edward L. Ayers, <https://dsl.richmond.edu/socialvulnerability>.

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THE EJ LANDSCAPE AT EPA



PRIORITIES FOR 2023

1. Standing up a new program
2. Fulfilling commitments on
 - cumulative impacts
 - outcome measures
 - civil rights compliance guidance
3. Spending \$3+ BILLION dollars

Promising Practices for EJ Methodologies in NEPA Reviews

Report of the Federal Interagency
Working Group on Environmental
Justice & NEPA Committee

MARCH 2016



Environmental Protection Agency

Interim Environmental Justice and Civil Rights in Permitting Frequently Asked Questions

August 2022

Office of General Counsel
Office of Policy

U.S. Environmental Protection Agency
Washington, D.C. 20460

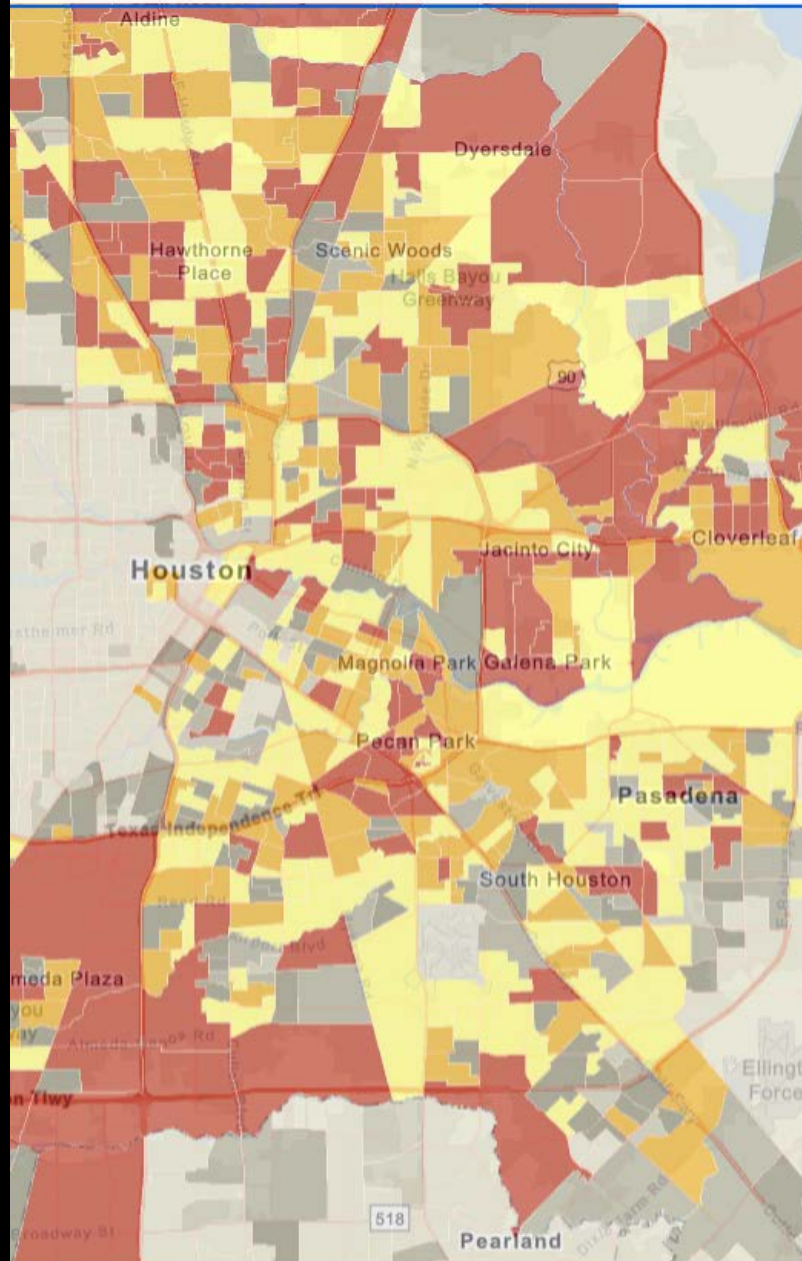
This document discusses a variety of federal statutory and regulatory provisions, but does not itself have legal effect, and is not a substitute for those provisions and any legally binding requirements that they impose. It does not expressly or implicitly create, expand, or limit any legal rights, obligations, responsibilities, expectations or benefits to any person. To the extent there is any inconsistency between this document and any statutes, regulations or guidance, the latter take precedence. EPA reserves its discretion to use or deviate from this document as appropriate.



EPA Legal Tools to Advance Environmental Justice



Environmental Justice Screening and Mapping Tool (Version 2.0)



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EPA Legal Tools to Advance Environmental Justice: Cumulative Impacts Addendum

January 2023

Office of General Counsel

U.S. Environmental Protection Agency

Washington, D.C. 20460

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ATTACHMENT

EJ in Air Permitting
Principles for Addressing Environmental Justice Concerns in Air Permitting
December 2022

Securing environmental justice and equity for all environmentally overburdened communities is a high priority for EPA. Executive Orders 14008, 12898, and 13985 direct agencies to make achieving environmental justice and equity a part of their mission. To advance environmental justice and equity through permitting actions under the Clean Air Act (CAA), the Office of Air and Radiation (OAR) is providing resources and recommendations to the EPA regions regarding approaches for addressing environmental justice and advancing environmental equity.

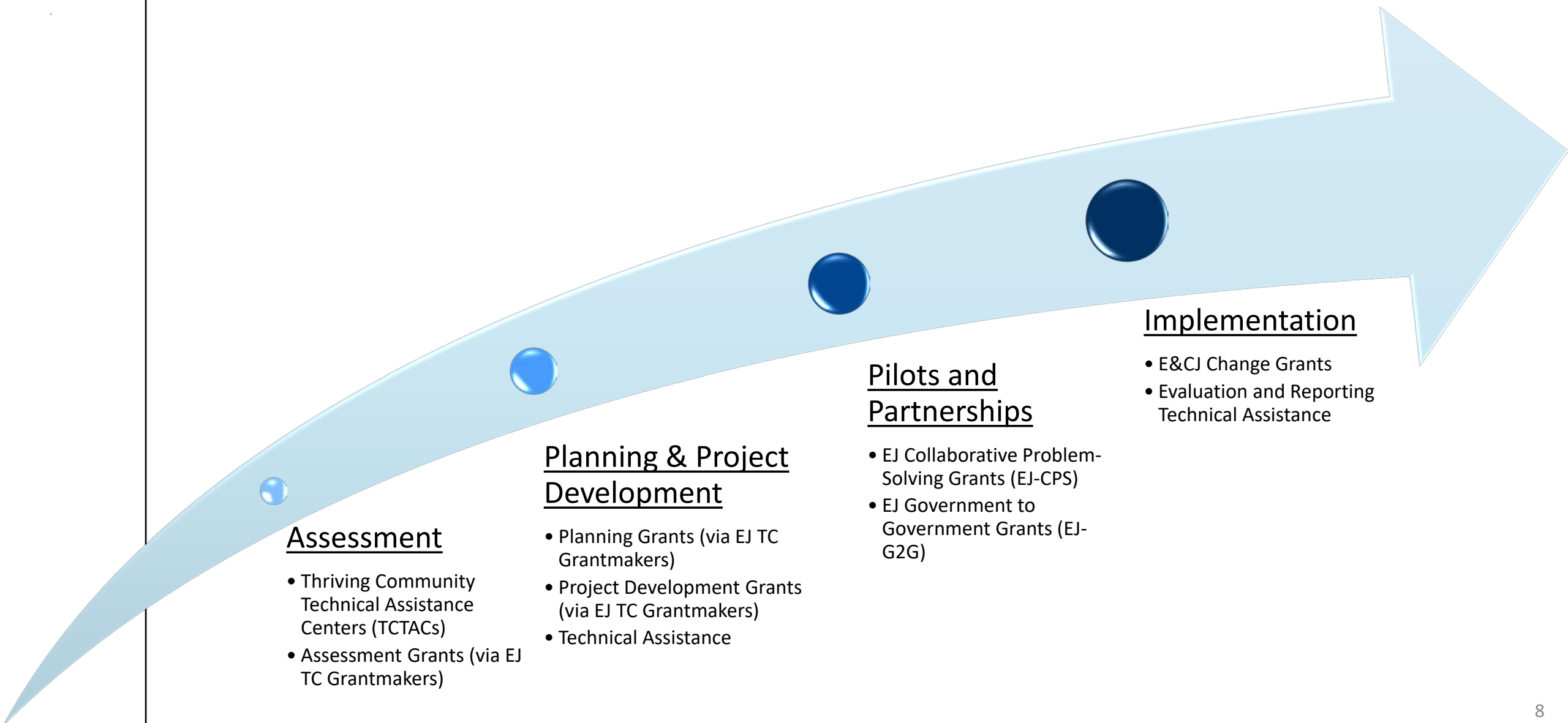
Additionally, Title VI of the Civil Rights Act of 1964 and other federal civil rights laws ensure that recipients of EPA financial assistance ("EPA recipients"), including state and local permitting programs, do not discriminate – either intentionally or in effect – against persons on the basis of race, color, national origin (including limited English proficiency or "LEP"), disability, sex, and age. Compliance with the federal civil rights laws by EPA recipients is mandatory and represents an important enforcement tool for achieving environmental justice. The [Interim Environmental Justice and Civil Rights in Permitting Frequently Asked Questions \("FAQ"\)](#) provide valuable information about how civil rights issues may arise in the context of permitting and suggested methods of analysis that may be appropriate in those situations. We are not reproducing the level of detail in the FAQs in this document, links to specific, relevant FAQs are integrated throughout where appropriate.

The goal of this document is to provide a framework of principles and practices to assist each EPA region to promote environmental justice and equity through air permitting programs using existing CAA authorities and discretion, federal civil rights laws, as well as other federal and state laws that may help to mitigate potential adverse and disproportionate effects of a permitting action. This document will be updated as needed to incorporate the experience and insight gained through the use of these principles and practices, the FAQs, and any future relevant EPA guidance. The document does not prescribe a single specific approach or methodology for addressing environmental justice and equity in air permitting. Rather, what is appropriate in a given situation should be considered on a case-by-case basis.

EPA regional air permitting staff are encouraged to immediately apply these eight principles and associated practices in issuing federal CAA permit decisions. Regions are equally encouraged to work collaboratively and proactively with state, tribal, and local partners to facilitate their consideration and application of these same principles in their air permitting actions where appropriate to protect human health and the environment for all affected individuals, including those who live in communities with environmental justice and equity concerns.

This document does not change or substitute for any requirement under the CAA or its implementing regulations, any EPA-approved CAA permitting program, or Title VI of the Civil Rights Act, nor are they a regulation themselves. Nothing in this document is intended to create or establish legally binding requirements and no part of this document has legally binding effect.

ENVIRONMENTAL & CLIMATE JUSTICE COMMUNITIES GRANT PROGRAM



Assessment

- Thriving Community Technical Assistance Centers (TCTACs)
- Assessment Grants (via EJ TC Grantmakers)

Planning & Project Development

- Planning Grants (via EJ TC Grantmakers)
- Project Development Grants (via EJ TC Grantmakers)
- Technical Assistance

Pilots and Partnerships

- EJ Collaborative Problem-Solving Grants (EJ-CPS)
- EJ Government to Government Grants (EJ-G2G)

Implementation

- E&CJ Change Grants
- Evaluation and Reporting Technical Assistance

Thanks!

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