Environmental Justice Overview and Update

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October 5, 2022

Defining Environmental Justice

"Environmental justice is the **fair treatment** and **meaningful involvement of all people** regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

This goal will be achieved when everyone enjoys:

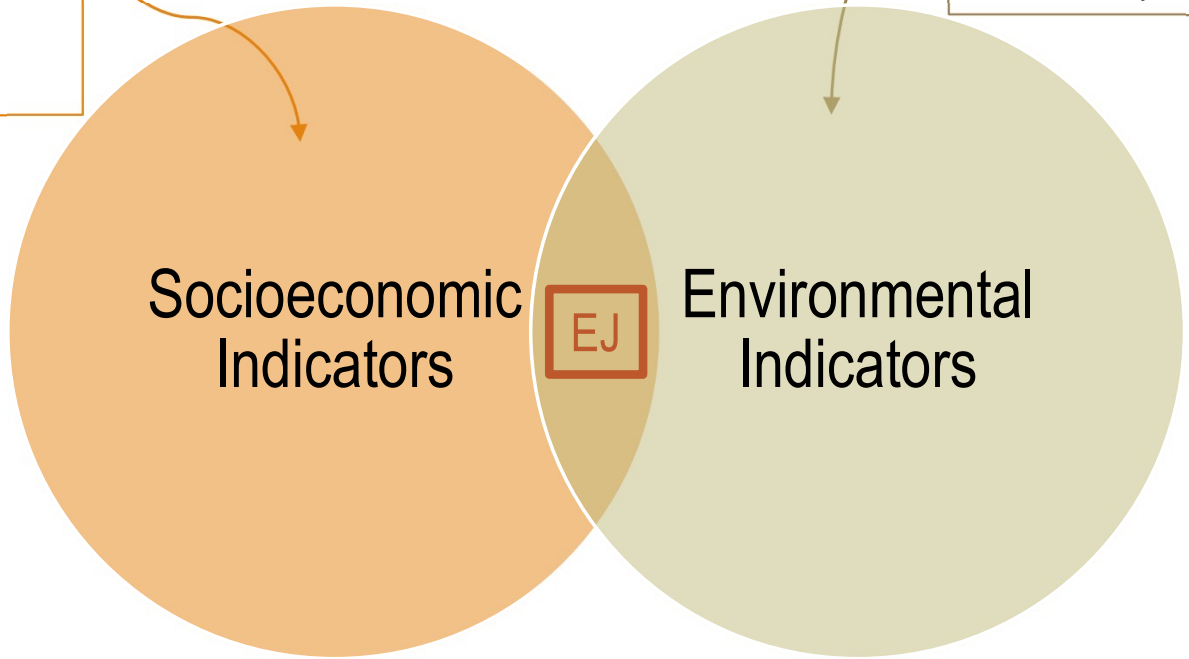
- The same degree of protection from environmental and health hazards, and
- Equal access to the decision-making process to have a healthy environment in which to live, learn, and work."

Source: US EPA

Environmental Justice

- Race or ethnicity
- Low educational attainment
- Housing burden
- Linguistic isolation
- Under age 5 or over age 64
- Poverty
- Transportation costs
- Unemployment

- Diesel emissions
- Ozone
- Particulate matter 2.5
- Toxic releases from facilities
- Traffic density
- Lead risk
- Proximity to brownfields and Superfund sites



EJ at the Federal Level

WH EJ Interagency Council

WH EJ Advisory Council

Grant funding

EO 13985

- 90+ federal agencies
- Good summary here

EO 14008

- Justice 40

EJ SCREEN 2.0

- Climate data
- New indicators

Climate/Economic Justice Screening Tool

EJ Score Cards

EPA launches new office to distribute $3 billion in environmental justice grants

Politics Sep 24, 2022 6:58 PM EDT

Source: PBS, US EPA [About the Office of Environmental Justice and External Civil Rights | US EPA]

Other agencies

DOJ, HHS establish Offices of EJ

EDA, DOT and modal agencies (FHWA) incorporate EJ into strategic plans and goals

DOJ: broad EJ strategy with multiple federal coordinating partners

- Ex: Depts of Energy, Agriculture, Defense, Interior, HUD, Federal Aviation Administration, Coast Guard
- EPA Legal Tools to Advance Environmental Justice

EJ at the State Level: Recent Developments

OREGON

State legislation

- EJ Task Force (est. 2007) → EJ Council, housed in Office of the Governor
- Directs state agencies to develop mapping tool
- Advisory committees must reflect impacted groups
- Authorizes compensation for participants on state boards and commissions

Racial Justice Council

- Established 2020

WASHINGTON

HEAL Act (State EJ legislation)

Permanent EJ Council established

HB 1220 amends Growth Management Act to account for racially disparate impacts

State mapping tool: Washington Tracking Network

EJ in Washington

- Definition differs at state, federal level
- Focus on inclusion, fair treatment
- Addressing disparities, closing gaps

US EPA	Washington State
Environmental justice (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies.	Environmental justice means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, rules, and policies. Environmental justice includes addressing disproportionate environmental health impacts in all laws, rules, and policies with environmental impacts by prioritizing vulnerable populations and overburdened communities, the equitable distribution of resources and benefits, and eliminating harm.

EJ in Washington: HEAL Act

COVERS 7 STATE AGENCIES

Puget Sound Partnership

Departments of:

- Health
- Agriculture
- Commerce
- Ecology
- Natural Resources
- Transportation

MANDATES EJ ASSESSMENTS

- Developing certain agency rules
- Adopting or developing new grant or loan programs
- Designing or awarding capital projects, grants, or loans of $12 million or more
- Designing or awarding transportation projects, grants, or loans of $15 million or more
- Developing agency request legislation

Key Trends and Questions

What's in an EJ Assessment?

- Particularly relevant to WA under HEAL Act
- Example: North Carolina
- Used to inform community outreach

Civil Rights Law and EJ Enforcement

- Emerging nexus

Future of Justice40 and impact on federal grants and funding

Resources

Subscribe to EPA's Environmental Justice listserv by sending a blank email to: join-epa-ej@lists.epa.gov

Mapping tools

- Indiana University report on EJ mapping tools
- EJSCREEN
- Washington Environmental Health Disparities Map
- Port of Seattle Equity Index
- CalEnviroScreen

Agencies and working groups

- EPA Environmental Justice
- USEPA National Environmental Justice Community Engagement Calls
- White House Environmental Justice Advisory Council (established 2021 by Executive Order)
- National Environmental Justice Advisory Council (established 1994 by Executive Order)
- Federal Interagency Working Group on EJ

Washington 2021 and 2022 Legislation

- WA SB5141: HEAL Act
- WA HB1220: emergency shelters, housing and local planning and dev't regulations

Oregon 2021 and 2022 Legislation

- OR HB2993: advisory committees
- OR HB2992: compensation
- OR HB4077: EJ Council, EJ mapping tool
- OR Racial Justice Council

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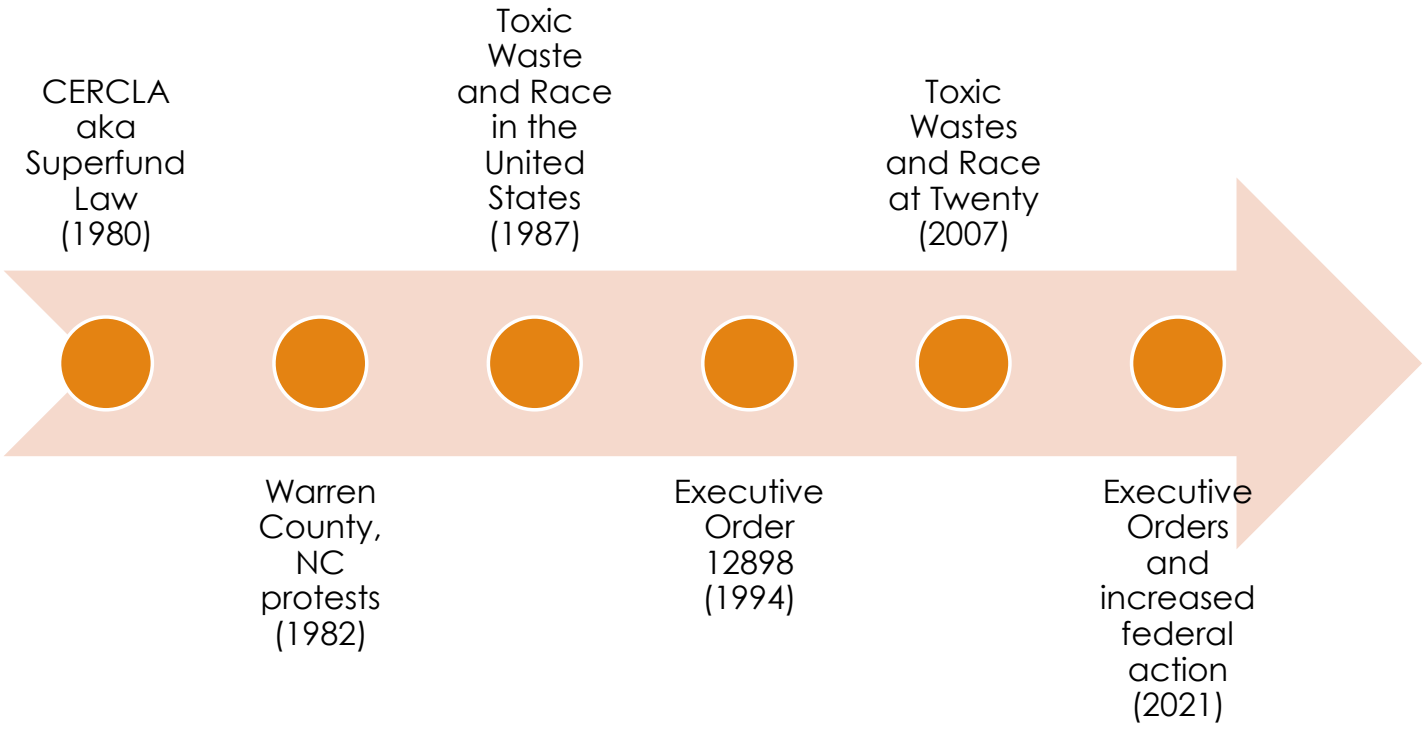
EJ Historical Milestones



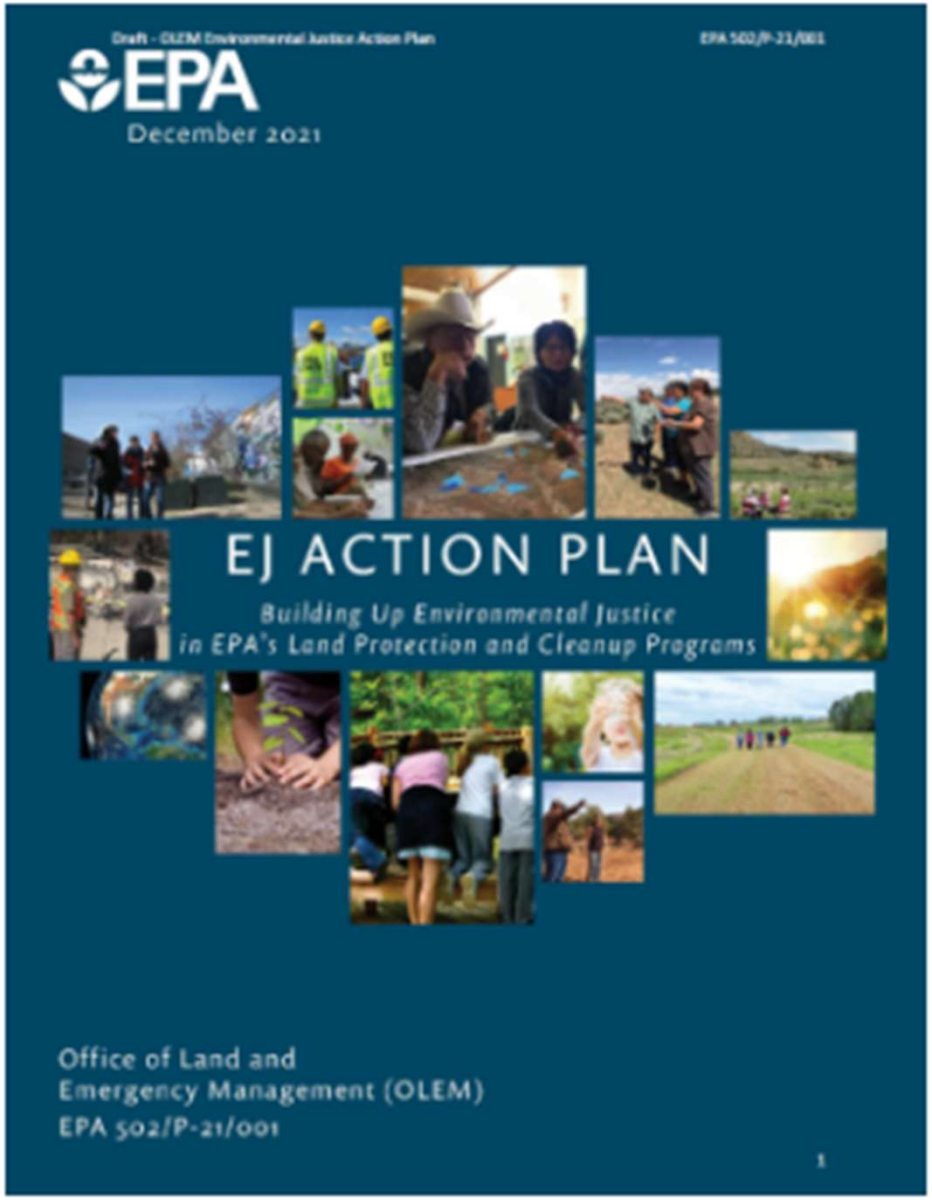
Equity in Agency Priorities

ECONOMIC DEVELOPMENT ADMINISTRATION

1. **Equity**
2. Recovery and Resilience
3. Workforce Development
4. Manufacturing
5. Technology-Based Economic Development
6. **Environmentally Sustainable Development**
7. Exports and foreign direct investment

DEPARTMENT OF TRANSPORTATION

1. Safety
2. Economic Strength & Global Competitiveness
3. **Equity**
4. **Climate & Sustainability**
5. Transformation
6. Organizational Excellence



EPA OLEM EJ Action Plan

[Office of Land and Emergency Management Environmental Justice Action Plan]

- Focuses on incorporating EJ considerations into all phases of Superfund cleanup and redevelopment
- Focus on community involvement
- Faster action, increased damages