Environmental, Energy, and Climate Justice

Catherine Clark, AAAS Science & Technology Policy Fellow

April 13, 2022
Bipartisan Infrastructure Law (BIL)

• A once in a generation investment in our energy, climate, and transportation infrastructure

• BIL has 121 provisions for DOE

• Several provisions for FECM, representing over $6 billion in investments, and a chance to ensure greater energy, environmental, and climate justice moving forward
What is Energy Justice?

Seeks **equity** in the **social** and **economic** participation in the energy system.

While **remediating** social, economic, and health **burdens** on “frontline communities” explicitly centering their concerns.

Aims to make energy more **accessible**, **affordable**, **clean**, and **democratically** managed for all communities.

*Image Credit: Initiative for Energy Justice* [Section 1 - Defining Energy Justice: Connections to Environmental Justice, Climate Justice, and the Just Transition - Initiative for Energy Justice (iejusa.org)]
Pillars of Energy and Environmental Justice

**Procedural**
- Broad and meaningful participation in the decision-making

**Recognition**
- Respect and honor of divergent cultural and local knowledge

**Distributive**
- Equitable distribution of environmental benefits and burdens

**Restorative**
- Repair harms done to communities and the environment
A legacy of mining, energy drilling, and pollution

Communities near power plants and energy infrastructure are subjected to toxic pollutants that contribute to high rates of asthma, cancer, heart disease.
"Fine particulate matter (PM2.5) air pollution exposure is the largest environmental health risk factor in the United States... **PM2.5 exposure is disproportionately caused by consumption of goods and services mainly by the non-Hispanic white majority, but disproportionately inhaled by Black and Hispanic minorities.**"

Energy Injustice Today

“Low-income households spend three times more of their income on energy costs compared to the median spending of non-low-income households”

"The median energy burden for Black households is 43% higher than for non-Hispanic white households, and the median energy burden for Hispanic households is 20% higher than that for non-Hispanic white households"

"Of the four socially vulnerable groups examined, minorities are most likely to currently live in areas where the analyses project the highest levels of climate change impacts with 2°C of global warming or 50 cm of global sea level rise."

Climate Change and Social Vulnerability in the United States: A Focus on Six Impacts (epa.gov)
Justice40 Initiative

Executive Order 14008, *On Tackling the Climate Crisis at Home and Abroad*, establishes a goal that 40% of the overall benefits of certain federal investments flow to disadvantaged communities.

- 40% of overall benefits
- How do we measure and track the benefits of J40 investments?
- How do we define J40 investments?
- of certain Federal investments
- How do we define disadvantaged communities (DACs)?
- must flow to disadvantaged communities

9
## What is Covered in Justice40?

<table>
<thead>
<tr>
<th>Covered Program</th>
<th>Covered Investment</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓ Climate change</td>
<td>✓ Federal grants and procurement spending (including discretionary budget authority,</td>
</tr>
<tr>
<td>✓ Clean energy and energy efficiency</td>
<td>direct/mandatory spending, and formula funding)</td>
</tr>
<tr>
<td>✓ Clean transportation</td>
<td>✓ Financing (including credit, loans, and guarantees)</td>
</tr>
<tr>
<td>✓ Affordable and sustainable housing</td>
<td>✓ Programmatic Federal staffing costs (e.g. federal pay for staff that provide technical assistance)</td>
</tr>
<tr>
<td>✓ Training and workforce development (related to climate, natural disasters,</td>
<td>✓ Direct financial benefits (including provision of goods and services)</td>
</tr>
<tr>
<td>environment, clean energy, clean transportation, housing, water and</td>
<td>✓ Additional federal investments under covered programs as determined by OMB</td>
</tr>
<tr>
<td>wastewater infrastructure, and legacy pollution reduction, including in energy</td>
<td></td>
</tr>
<tr>
<td>communities)</td>
<td></td>
</tr>
<tr>
<td>✓ Remediation and reduction of legacy pollution</td>
<td></td>
</tr>
<tr>
<td>✓ Critical clean water and waste infrastructure</td>
<td></td>
</tr>
</tbody>
</table>
DOE Interim Disadvantaged Community Definition

Disadvantaged communities

Current Thoughts:
• Census Tract Level
• 36 Indicators

- VULNERABILITY
- FOSSIL DEPENDENCE
- ENERGY BURDEN
- ENVIRONMENTAL HAZARDS

Can also identify non-geographic DACs – groups that share a common characteristic

Distribution of census tracts identified as geographic DACs

\[\text{DAC}\]

U.S. Department of Energy
Fossil Energy and Carbon Management
DOE Justice40 Policy Priorities

1. Decrease energy burden in disadvantaged communities.
2. Decrease environmental exposure and burdens for disadvantaged communities.
3. Increase parity in clean energy technology access and adoption in disadvantaged communities.
4. Increase access to low-cost capital in disadvantaged communities.
5. Increase clean energy enterprise creation (MBE/DBE) in disadvantaged communities.
6. Increase the clean energy job pipeline and job training for individuals from disadvantaged communities.
7. Increase energy resiliency in disadvantaged communities.
8. Increase energy democracy in disadvantaged communities.
Justice and Engagement in FECD

- Advancing Justice, Labor, and Engagement is one of three priority directions in the new FECD Strategic Vision
- Justice, equity, and labor requirements will be included in funding opportunities
- Request for Information provided initial opportunity to gather input on these priorities
RFI Summary – EJ, Engagement, Workforce

• Request for Information (RFI): DE-FOA-0002660 Deployment and Demonstration Opportunities for Carbon Reduction and Removal Technologies

• ~50 responses to non-project specific EJ, engagement, and workforce questions

Limited # of responses from tribes & Alaska Native Corporations (ANCs), EJ organizations & frontline communities, and labor—additional engagement is needed to gather this expertise
RFI Summary – EJ, Engagement, Workforce

Project Impacts
• Impacts must be assessed for the entire lifecycle & specifically for disadvantaged communities
• Potential negative impacts noted: health and safety concerns; fossil fuel entrenchment; land, water, & energy impacts
• Potential benefits noted: job creation; economic benefits; reduction in air pollution
• Respondents suggested DOE:
  • Require detailed evaluation of cumulative impacts in funding applications
  • Prioritize projects with Community Benefits Agreements (CBAs)
  • Establish monitoring, permitting, and remediation requirements

Engagement
• Prioritize engagement with disadvantaged communities and labor throughout all stages of the project
• Engagement must be meaningful; early and frequent; transparent, inclusive, and accessible
• Respondents suggested DOE:
  • Require detailed engagement plans in funding applications
  • Allow engagement activities as an eligible use of funds
  • Create community project oversight boards
RFI Summary – EJ, Engagement, Workforce

Equitable Funding

• Cost share can present barriers for small businesses and disadvantaged and rural communities
• Prize funding is more accessible
• Funding application itself is a barrier for small or under-resourced entities regardless of type
• Respondents suggested DOE:
  • Provide more technical assistance
  • Foster collaboration between more- and less-resourced entities
  • Partner with organizations focused on reaching underrepresented innovators & entrepreneurs

Workforce Development

• Job creation, especially for fossil energy communities and workers, seen as major benefit
• Leverage existing programs & educational institutions
• Provide competitive pay, job retention, and robust labor standards
• Respondents suggested DOE:
  • Prioritize proposals with project labor agreements (PLAs), prevailing wages, “Made in America” standards, labor unions, community benefit agreements (CBAs)
  • Increase activities and partnerships with Minority-Serving Institutions (MSIs)
More Information


Contact:
Catherine Clark
catherine.clark@hq.doe.gov