



Submitted via: www.regulations.gov
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Re: Docket ID No.: EPA-HQ-OEJECR-2023-0023, Request for Information on the Environmental and Climate Justice Block Grant Program.

Dear ECJ Staff:

The Alaska Native Tribal Health Consortium (ANTHC) is a statewide Tribal health organization serving 229 Tribes and all Alaska Native and American Indian (AN/AI) individuals in Alaska. ANTHC and Southcentral Foundation co-manage the Alaska Native Medical Center, the tertiary care hospital for all AN/AI people in Alaska. ANTHC also provides a wide range of statewide public health, community health, environmental health, climate adaptation, renewable energy, energy efficiency, and other programs and services for Alaska Native people and their communities. ANTHC has supported hundreds of environmental and climate justice projects in collaboration with the Alaska Tribal Health System (ATHS) and Tribes. ANTHC is engaging with the Environmental Protection Agency (EPA) *Request for Information on the Environmental and Climate Justice Block Grant Program (EPA-HQ-OEJECR-2023-0023)* with the intent of supporting EPA to design the program to be equitable and effective for Alaska communities and Alaska Native people.

Background: Equity and Support for Underserved Communities

The federal government has not taken a strategic approach to address climate and environmental justice because resources and services are not prioritized based on need—specifically, the level of risk to communities. Inequitable regulatory barriers and program design have disadvantaged Alaska Native villages from relevant federal programs. These barriers prevent those with the greatest need from accessing competitive grants while those with less need, high capacity, and grant writers routinely win access to resources and services. Federal agencies, particularly those with staff and leadership outside Alaska, regularly fail to design programs to be equitable, in part due to a lack of knowledge of rural Alaska. Supporting the most vulnerable communities who have been historically disadvantaged from

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access to resources and services should be the highest priority for the EPA Environmental and Climate Justice (ECJ) program.

Addressing equity must begin with a fundamental understanding that equity is not the same as equality. While an “equality approach” would dictate that every person or community should be given the same thing in the same way, an “equity approach” recognizes that different individuals and communities will need different things for everyone to achieve optimum outcomes. Equity can never be achieved through a “one size fits all” approach, since every community has different needs, strengths, assets, social and historical context, cultural values, and other unique elements.

AN/AI people were once one of the healthiest people on this continent, before the United States policies of termination, assimilation, and boarding schools caused an “intergenerational pattern of cultural and familial disruption.”¹ These drivers have manifested in some of the worst disparities for AN/AI people, including extraordinarily high and disproportionate rates of health disparities, high rates of poverty, low educational attainment, high unemployment, limited access to healthy foods, limited housing options, and extreme environmental conditions. The consequence of disparities has resulted in AN/AI people as being one of the most “unserved” and “underserved” populations in the United States.

In addition to the existing disparities, Alaska Native communities are hit first and worst by global climate change. Alaska Native economic, social, and cultural ways of being, which have served so well for millennia, are now under extreme threat due to accelerated environmental change. The magnitude and severity of this problem cannot be overstated and is often difficult to comprehend. In jeopardy are not just buildings, but the sustainability of entire communities and cultures.

Alaska Native communities and the Tribal governments that represent their needs have unique rights, political status, and history with the U.S. government. When federal agencies like EPA set out to work on equity issues for AN/AIs, the work must take a different path, process, and form than other equity work supporting other populations and communities. EPA must recognize the unique legal and political position of Tribes and how approaching equity issues is distinct from other work with other population groups. Our responses and recommendations to the RFI follow and are intended to help the EPA design a funding application program that takes into account the unique political status and needs of AN/AI communities who have been historically underserved and are now on the frontlines of climate change.

ECJ Program Design Questions

ANTHC supports streamlining the ECJ program design to meet certain program requirements to ensure program funds are expended as intended, while also making the application process simple and removing any barriers for Tribal participation. Simplifying the application process and related requirements is foundational for achieving successful outcomes in on an ECJ program.

1. *What should EPA consider in the design of the ECJ Program to ensure that the grants benefit disadvantaged communities?*

The Office of Management and Budget (OMB) guidance makes clear that communities—such as those in Alaska Native villages—with high poverty levels, high unemployment, high energy cost burdens and numerous other measures of under developed or even undeveloped infrastructure are considered disadvantaged communities under this initiative. EPA could consider addressing the

¹ [“Federal Indian Boarding School Initiative Investigative Report”](#), Department of Interior, Assistant Secretary Bryan Newland, May 2022.

historic failure to invest fairly in disadvantaged communities by limiting ECJ program eligibility exclusively to disadvantaged communities.

Navigating the requirements and limitation of myriad federal programs to address environmental justice and climate justice is a major barrier to accessing resources. By creating another grant program, with its unique requirements and limitations, EPA could further increase the complexity of piece-mealing coherent funding for solutions to environmental and climate justice. To the extent possible, we recommend that EPA partner with other agencies and organizations with an existing track record of success to implement funding and projects for environmental and climate justice. For example, for work with Tribal health system entities, we recommend that EPA develop Inter Agency Agreements with the Indian Health Service (IHS) to transfer ECJ funding to the IHS so that Tribes and Tribal health organizations can utilize their existing funding agreements under the Indian Self-Determination and Education Assistance Act (ISDEAA, P.L. 93-638) rather than requiring grant applications that are administratively burdensome.

We have observed that national funding programs to address climate and environmental justice, including EPA programs (e.g. EJ Small Grants, EJ Collaborative Problem Solving, and EJ Thriving Communities Technical Assistance Centers (EJ-TCTAC)) rarely address the unique needs in Alaska and can inadvertently disadvantage or exclude Alaska Tribes and Tribal organizations. For example, the EJ-TCTAC program will establish technical assistance centers across the nation to provide technical assistance, training, and related support to communities with environmental justice concerns. Two ANTHC programs considered applying, but did not due to the agency's requirement that the technical assistance center serves all four states in EPA Region 10. This is an example of an EPA requirement that disadvantages and excludes Alaska Tribes and Tribal organizations from accessing EPA resources and services. To ensure EPA meaningfully addresses the unique needs in Alaska, we request a meeting with EPA staff to review and provide feedback on the draft program EJCT design.

Most federal programs require that interested recipients submit competitive applications to access the programs resources or services. This is inequitable. The application itself disadvantages or excludes small communities with limited administrative capacity because communities often are not aware that programs exist and may not have the administrative or financial capacity to apply. We recommend that the EPA ECJ program either (1) does not require communities to submit applications or (2) provides technical assistance with project development and application development. Many small Tribal communities do not have developed fundable projects (e.g. a scope of work, schedule, and budget) to address environmental and climate justice. Similarly, many small Tribal communities do not have the administrative capacity to apply to grant programs. We recommend investing in technical assistance for planning and project development, grant writing, and project implementation support to increase access to EPA financial resources.

Federal grant programs typically make award decisions based on unique competitive criteria established for each grant opportunity. These criteria are often based on narrow program objectives and do not consider community need. Funding to address EJ and CJ should be awarded based on some consideration of community risk to ensure that limited available funding is directed toward the highest need. We recommend developing a risk-based prioritization methodology that incorporates the relative level of risk of individual communities. For climate adaptation and resilience investments, we recommend incorporating the Denali Commission Statewide Threat Assessment into the prioritization rank.

We recommend that the EPA ECJ minimize application requirements as much as possible and focus on evaluating if the projects address risk-based priorities, are feasible, cost effective, and will have the desired impact. Most Alaska communities do not collect taxes and, therefore, do not have the financial capacity to contribute toward a cost-share. EPA should provide 100% federal cost-share—or at least have a waiver system that allows communities to participate that do not have resources available to them. We further recommend that EPA use metrics to identify economically disadvantaged communities.

We recommend that the EPA ECJ enable communities to designate a partner, to receive and manage funding on their behalf. Communities should be able to designate a partner organization to apply for and manage funding on behalf of the community.

Tools that use national data sets often disadvantage Alaska communities due to the lack of available data in Alaska. Consequently, careful consideration should be made prior to using national dataset to inform investment methodology under the ECJ program.

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?*

See the response to item #1 above.

Some Alaska Tribes are very capable at pursuing grants, managing programs, and managing projects. Others are not or are in transition. We recommend investing in building the capacity of state and regional Tribal organizations to support rural communities with EJ and CJ projects, including applying for an managing projects on behalf of the community, when requested.

However, throughout Indian Country and in Alaska, community-based organizations are often the same as “Tribal organizations”² established by Tribal governments. EPA should give Tribes authority to decide who will receive and administer the funding in the ECJ partnership, as many small Tribal communities do not have administrative capacity for grants of this size. We further recommend EPA should expressly clarify that Tribal organizations and entities established by Tribal governments be classified as eligible community-based entities.

The ECJ program should provide robust post-award support with grant and financial management, including project kick-off meetings, direct technical assistance to award recipients, and meetings to review declined applications so that applicants understand how to increase the probability of receiving ECJ funding in the future.

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.*

² 25 U.S.C. § 5304(l). Tribal organization" or "Tribal organization" means the recognized governing body of any Indian Tribe; any legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body or which is democratically elected by the adult members of the Indian community to be served by such organization and which includes the maximum participation of Indians in all phases of its activities.

It is not entirely clear what the goal of the rolling application process is and EPA should clarify what its objective is here. The design of the program investment criteria are more important than the timing of the funding decisions. EPA's program design must prioritize investments in the communities with the greatest need. First-come-first-serve rolling funding opportunities often disadvantage small Tribal communities because they do not have the capacity to develop projects or applications. With rolling funding opportunities, funding may not be available for small Tribal communities after larger communities with more capacity submit applications.

If the goal here is to provide flexibility to applicants, investment criteria should be developed to ensure that funding is invested in frontline disadvantaged communities, and that communities have the capacity to develop and implement projects, in collaboration with partners when desired.

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?*

As described in other responses, we recommend minimizing the application requirements as much as possible and focus on evaluating if the projects address risk-based priorities, are feasible, cost effective, and will have the desired impact. Some entities may not prefer written applications, but some may, particularly if the alternative is an oral presentation (which can also be intimidating, particularly for ESL applicants). Instead of replacing written applications, EPA could offer alternatives that applicants could choose from based on their preferred communication format.

Some applicants might find the oral presentation intimidating and the technology, difficult or inaccessible (e.g. internet connectivity). EPA should provide some options to help reduce the risk of people being excluded due to communication or technology concerns. It might be described as an interview rather than a formal presentation. For example, these oral presentations could 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 recognize that a written application of some type (e.g. scope, schedule, budget) will likely be required for any investment to be evaluated.

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”);

Common air quality issues in rural Alaska include dust, smoke, pollen, ash, and in the indoor environment, all of the above plus mold and VOCs. Most communities in Alaska do not have any real time monitoring of air quality. We recommend investing in in-home and community-wide air quality monitoring.

We urge EPA to provide specific examples of “other pollution” in this ECJ program to help clarify for Tribes what are eligible activities. We note that in other funding opportunities, Tribes had to seek out an answers from EPA on whether contaminated lands/brownfields were eligible under other EPA NOFOs, which used the similar language described in this question. This is important since Alaska Tribes are not eligible for EPA’s other sources of brownfield funding, and knowing those sites are eligible under ECJ grants would help facilitate Alaska Tribes interests to apply.

In Alaska, cleaning up former bulk fuel storage sites is a widespread need; we recommend that EPA including and funding these types of activities as eligible projects.

In the course of identifying priority projects, we urge the EPA to keep in mind the different environments, workforce conditions, and capacity of Tribal communities to install and maintain new infrastructure. Low or zero-emission tech is great, but it is useless if a rural community cannot maintain it.

Diesel-powered electricity generation is a primary source of GHG emissions in many rural Alaska communities. We recommend investing in renewable energy and energy efficiency projects.

Poor indoor air quality is a major cause of air pollution in rural Alaska. We recommend investing in home energy efficiency retrofits and new home construction.

We recommend investing in technologies and equipment that can reduce GHG emissions.

b. Mitigating climate and health risks from urban heat islands, extreme heat, wood heater emissions, and wildfire events;

Please also see our responses to Question 1.a. ANTHC has identified the problems associated with extreme heat and wildfire events due to northern construction. That is, there is no air conditioning or cooling systems in most homes, let alone the offices of health clinics. The quality of the indoor air is the same as the outdoor air. When there are wildfires, windows are closed which can result in unhealthy indoor air conditions from both smoke and heat. Moving towards having air refuge areas in communities such as air conditioned clinics and community buildings is one important mitigation activity that EPA should consider funding.

c. Climate resiliency and adaptation;

One hundred and forty-four Alaska communities face infrastructure damage from erosion, flooding, and permafrost degradation alone. \$4.3 billion in 2020 dollars will be required to proactively mitigate damage to existing infrastructure over the next 50 years. Lack of

funding, technical assistance, local capacity, community-specific hazard data collection and risk assessments, ad-hoc agency coordination, and inefficiency in implementing projects with multiple funding sources are the primary barriers to mitigating climate and environmental threats. ANTHC recommends that EPA invest in all projects across all stages of the adaptation and resilience process. This includes risk assessments, planning, and construction. EPA should also invest in projects that address food security, including impacts to communities, families, and individuals as a result of ecosystem collapse due to climate change.

d. Reducing indoor toxics and indoor air pollution; and

Please see comments under Questions 1.a. and 1.b.

e. Facilitating engagement of disadvantaged communities in State and Federal advisory groups, workshops, rulemakings, and other public processes.

ANTHC is very engaged in this area, supporting advisory groups on air, contaminated sites, Tribal programs, emergency preparedness, and climate change. More support to local Tribal programs to participate and regional Tribal organizations to facilitate, strategize and prioritize would be beneficial in meeting both justice and health goals.

We note that facilitating engagement [Tribal consultation] of disadvantaged communities in State and Federal advisory groups and related activities is inherently a governmental function. The State and Federal governments should take the lead implementing practices that create space for these ECJ entities and communities to participate (e.g. set aside seats on the White House Environmental Justice Advisory Committee, the National Environmental Justice Advisory Committee, and others for AN/AI officials). It is also important to note that before any ECJ issues or action that has implications or will have a substantial direct effect or will affect the distribution of resources on Tribes that EPA, States and others consult with Tribes on these matters.

We recommend investing in staff positions at the local, regional (Alaska regions), and statewide level to assist in carrying out this engagement and consultation. The types of positions that could be funded include intergovernmental affairs, policy analysts, advocacy, etc.

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.

We would love to see more students from rural Alaska enter the Environmental Public Health program at Alaska Pacific University, the Environmental or Sustainability Studies in the University of Alaska system or the Emergency Management program at the University of Alaska Fairbanks. Helping youth to recognize the exciting jobs, locally, regionally in environmental health, and creating the pathways to help them pursue these opportunities should be a priority and will assist Alaska Native communities by growing our own workforce. ANTHC has developed an Environmental Health Explorer workbook and health jobs coloring book for outreach in communities. Developing and expanding this as a full on

program tied to internships with IGAP and Brownfields staff would be an excellent opportunity to recruit youth into the environmental sciences.

A number of significant challenges in Alaska are the very short work season for some pollution and infrastructure work (summer); the inability to meet State requirements to be a Qualified Environmental Sampler (in Alaska it is three months of supervised experience by a Qualified Environmental Professional – and is very difficult for rural folks to achieve); and the fact that a number of contractors performing work in Alaska Native communities do not always know about or seek out local labor. We recommend that EPA provide scholarships for free post-secondary education, internships, fellowships, etc. We also recommend investing in training for community staff and Tribal governance, preferably in the community.

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

EPA should consider youth programs to visualize potential futures and careers as Tribal environmental professionals, water plant operators, environmental health professionals etc. The jobs and career pathways EPA should prioritize include environmental science, natural science fields, epidemiology, public health, social work, engineering, project management, construction management, community planning, policy analysis, business administration, grant writing, grant management, accounting.

- 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.*

We do not recommend that EPA prioritize investments in a specific type of climate adaptation solutions, such as nature-based solutions. Nature-based solutions to climate adaptation and resilience have limited applicability in Alaska because sea ice, riverine ice, permafrost and other factors inhibit their efficacy. Furthermore, many other federal agencies, such as the FEMA BRIC and NOAA/NFWF National Coastal Resilience Fund have billions of dollars available and favor investments in nature-based solutions. We recommend that EPA prioritize ECJ investments based on need and leave the decision about the specific type of solution up to the community based on site-specific data and analysis.

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.*
- a. What is and how should EPA define a “community-based nonprofit organization” for purposes of implementing ECJ Program funding?*

Congress also expressly provided in the authorizing statute for the ECJ program that “eligible entities” are “community based non-profit organizations.”³ It is relevant and encouraging that the ECJ-RFI explains that “EPA is seeking new and innovative strategies and approaches for competition design, community engagement, equitable distribution of financial resources, **grantee eligibility for funding**, capacity-building and outreach, and technical assistance” [Emphasis added]. However, throughout Indian Country and in Alaska, community-based organizations are often the same as “Tribal organizations”⁴ established by Tribal governments. EPA should give Tribes authority to decide who will receive and administer the funding in the ECJ partnership, as many small Tribal communities do not have administrative capacity for grants of this size. We further recommend EPA should expressly clarify that Tribal organizations and entities established by Tribal governments be classified as eligible community-based entities.

- b. *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?*

EPA should allow for more flexibility in these partnerships for applicants to decide who will be the recipient/administrator of the award; this would provide more equitable access to this funding for entities with low capacity for the administrative burden of federal grants. EPA needs to clearly define the terms of required partnerships in the original NOFO; do not change them halfway through the application period (like the EJ Government-to-Government grant).

2. *What characteristics and attributes do you think are important to the formation of a “partnership” for purposes of implementing ECJ Program funding?*

Recognizing the challenges under the current economic climate in Alaska, provide more flexibility as far as timelines and deliverables and do not penalize if the organization cannot demonstrate partnerships. In many instances, Alaska Native communities are very limited in partnership options.

As stated above, giving flexibility and agency to applicants to define the terms of their own partnerships. Additionally, it would be very helpful to only require a formal Letter of Commitment between the two main partnering entities, and to accept more generic Letters of Support from other stakeholders; the EJ government to government grant requires three formal letters of commitment from stakeholders, including those outside the main partnership, which is particularly burdensome in rural areas that may not have a lot of local stakeholder groups to involve and partner.

3. *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?*

³ 42 U.S.C. § 7438 – Environmental and climate justice block grants.

⁴ 25 U.S.C. § 5304(l). Tribal organization" or "Tribal organization" means the recognized governing body of any Indian Tribe; any legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body or which is democratically elected by the adult members of the Indian community to be served by such organization and which includes the maximum participation of Indians in all phases of its activities.

No comment.

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?*

In Alaska's Tribal communities, we recommend working through the regional Tribal health organizations that already have experience and mission to provide educational outreach and support in the communities they serve.

This may work elsewhere, but online webinars are NOT the most effective way to develop partnerships in Alaska (internet issues, vast geographic distances between communities/entities, just to name a couple reasons). While Alaska is a large geographic state, its network of communities is very small and Tribes usually already know who they like working with; and what is most important is that they are given the authority to pursue and structure those partnerships in the way that works best for them.

Reporting and Oversight

1. *What types of governance structures, reporting requirements, and audit requirements (consistent with applicable Federal regulations) should EPA consider requiring of EPA grantees of the ECJ Program grants to ensure responsible and efficient implementation and oversight of grantee/sub-recipient operations and financial assistance activities?*

For work with Tribal health system entities, we recommend that EPA develop Inter Agency Agreements with the Indian Health Service (IHS) to transfer ECJ funding to the IHS so that Tribes and Tribal health organizations can utilize their existing funding agreements under the Indian Self-Determination and Education Assistance Act (ISDEAA, P.L. 93-638) rather than requiring grant applications that are administratively burdensome.

2. *Are there any compliance requirements in addition to those provided for in Federal statutes or regulations (e.g., requirements related to administering Federal grant funds) that EPA should consider when designing the ECJ Program?*

No comment.

3. *In what ways can EPA design the ECJ Program to reduce the reporting burdens on grantees and sub-awardees while also ensuring proper oversight of the grants?*

We recommend minimizing the reporting frequency and requirements. Focus on evaluating if the project was completed successfully. Consider adopting a semi-annual reporting requirement, rather than quarterly (or at least make reporting requirements brief). Other EPA grants (like the 128(a) grant) require extensive quarterly reports, and it is a common complaint from Tribes that these reports are administratively burdensome because they take a lot of time, money, and capacity to prepare these written reports. These resources should be redirected to doing the work they are supposed to be doing, instead of reporting on it. Again, flexibility to decide which partner will assume administrative burdens like reporting will go a long way.

4. *What metrics should EPA use to track relevant program progress and outcomes including, but not limited to, how the grants benefit disadvantaged communities?*

Funding organization metrics can increase application effort and burden communities and applicants with administrative tasks and activities that do not contribute to the project purpose. EPA can evaluate if its investments benefit disadvantages communities by, most importantly, prioritizing investments based on need and, secondly, evaluating if the project was completed successfully.

Finding metrics that will universally apply to billions of dollars' worth of projects seems challenging; EPA could allow applicants to define their own metrics as part of their applications. For example: with 128(a) Cooperative Agreements, we submit a draft work plan to EPA (including metrics we identify), they review it, and then we enter a short negotiation period to refine it with our Project Officer. This model allows EPA to have input without being overly prescriptive.

5. *How should EPA manage statutory requirements that apply to construction projects such as Davis Bacon prevailing wages, Build America Buy America domestic preferences, and the National Environmental Policy Act in a way that minimizes burdens on funding recipients?*

Environmental Justice and equitable solutions are unique in Alaska due to our vast environment, diverse cultures, logistical challenges and impacts from climate change. Alaska needs either a waiver or set-aside requirements that meet our unique approaches. We urge the EPA to consider challenges in supply chain and workforce issues and do not impose mandates that are too much of a challenge to overcome. Allow Alaska communities to carry out work under force account and local prevailing wages.

We also recommend that the EPA provide technical assistance on how to meet requirements, such as National Environmental Protection Act.

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 priorities and goals. ANTHC has found that the following types of technical assistance are highly sought after and would be critical for ECJ recipients to not only apply for and manage their grants, but also to get the most benefits from their grants:

- *Community planning*
- *Program management and strategic planning*
- *Project management for planning, design, and construction projects.*
- *Project development, including creating technical project descriptions, cost estimates, and schedules sufficient to meet the requirement of funding agencies.*
- *Collaboration with communities and science and engineering experts to develop community-specific data collection and risk assessment projects*
- *Contracting and procurement*
- *2 CFR 200 Training*

- *Environmental permitting*
- *Cultural resources*
- *Land management*
- *Legal support to address the legality of land*
- *transfers and other land management issues*
- *Navigate available federal and state assistance programs*
- *necessary to address environmental threats*
- *Grant writing*
- *Grant management*
- *Accounting*

2. *Which types of organizations and institutions are best suited to provide technical assistance?*

In Alaska, intertribal consortiums such as ANTHC and regional health organizations are very well suited to providing technical assistance for EJ and CJ programs and projects in rural Alaska. It is appropriate to have a lower 48 technical assistance initiatives in Alaska unless providers have significant direct experience in Alaska Native communities.

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?*

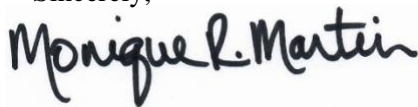
The qualification process for applying for funding has in some cases been limiting, created a lot of extra work and in some cases has disqualified organization that could make important contributions to addressing environmental issues at the regional level. Example, for the GAP program EPA requires consortia to have 100% of their Tribal members provide a resolution of support in order to apply. This has resulted in some consortia unable to qualify for GAP and losing their funding. This is a loss to the regional organization but also to the support system for Tribes at the local level. ANTHC's article of incorporation provide that our Board can provide the resolution, allowing ANTHC to retain this program where otherwise it would be impossible to receive resolutions from all Tribes.

The community-based nonprofit organization eligibility requirement might be a barrier for some Tribal communities to pursue the ECJ grant. We would hope that EPA's historical understanding of Tribes' special jurisdiction over their own communities should serve as a foundation for what a "community-based nonprofit organization" should be under the ECJ program, which should include nonprofit, tribally owned or established organizations, and Tribal organizations as defined under the ISDEAA. Such clarification would be consistent with Congress' intent that resources flow to "community led" activities by "community-based" entities. This would be appropriate since many Tribes often only have their own established entities or Tribal organizations.

ANTHC applauds the EPA for its questions on the design and structure to implement the ECJ program. We are encouraged by many of the ideas already presented in the RFI, and encourage the EPA to continue to be open and receptive to the ideas that we have raised in our letter. We also thank you for consideration of our comments and recommendations.

If you should have any questions regarding our comment or recommendations, please do hesitate to contact Jackie Schaeffer, Director of Climate Initiatives, at jdschaeffer@anthc.org.

Sincerely,

A handwritten signature in black ink that reads "Monique M. Martin". The signature is written in a cursive, flowing style.

Monique M. Martin, Vice-President
Intergovernmental Affairs