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This response to **Docket ID No. EPA-HQ-OEJECR-2023-0023** is submitted on behalf of Appalachian Voices. Appalachian Voices is an economic development and environmental advocacy nonprofit organization headquartered in Boone, North Carolina and with offices in Norton and Charlottesville, Virginia, and Knoxville, Tennessee. Our economic transition and energy justice staff work directly in Appalachian communities to support a just transition in fossil-fuel impacted areas and to reduce energy burdens for low-income people.

Non-profit, community-based organizations in environmental justice communities are often small organizations with fewer resources. It is common for such organizations to only have a board of directors and only a few members of staff, or even no staff, relying solely on volunteers. Our comments throughout this document reflect our experience working on federal grant programs with such organizations, larger nonprofits, and local governments, as well as our more general experience working in environmental and climate justice communities.

We appreciate the opportunity to inform the design of the Environmental and Climate Justice Block Grant (ECJ) Program, and welcome the opportunity to work with the Environmental Protection Agency (EPA) on this program and other environmental and climate justice programs going forward.

ECJ Program Design

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

Pre-Application Phase

The first significant barrier to disadvantaged communities' ability to access federal grant funding is awareness of the funding opportunities. In order to ensure that disadvantaged communities are aware of the ECJ Program, the EPA should plan creative ways to provide notice via print media, websites, visual and audio mediums (e.g. radio, podcasts, TV), and social media, partnering with state and local governments, congressional offices, and nonprofits as soon as possible to get the word out about the forthcoming opportunity. Additionally, the EPA should utilize its field offices and state agency partners to distribute information and applications and to provide informational sessions about the grant opportunity.

Application materials and related informational materials should clearly indicate grant timelines, including and beyond application deadlines, including reporting requirements, deadlines for spending money, expected application process, and any other requirements for applicants that go on to win grant funds. This information should all be clear and as detailed as possible in order to help potential applicants decide whether or not to apply, how much funding to request, and how to design their project. Application materials should also include information regarding how applicants can design their projects to combine different sources of assistance and incentives, such as other grant programs and tax credits (e.g., indicating whether the ECJ Program can be used as match funding for other federal grants, directing applicants to information regarding clean energy tax credits). The EPA should also provide information to potential applicants about technical assistance or planning grants available to help assist organizations with preparing their applications.

Project/Applicant Eligibility

We encourage the EPA to establish a clear, simple definition of “disadvantaged communities.” Perhaps the clearest way to indicate geographic eligibility is to use the Climate and Economic Justice Screening Tool (CEJST). This tool has had extensive stakeholder input and was designed with this exact sort of program in mind. However, we also note that fully representing the experience of environmental and climate injustice in one map is difficult if not impossible, and the CEJST is not a perfect reflection of “disadvantaged communities.” Furthermore, the process



of demonstrating or proving that a disadvantaged community is in fact disadvantaged should not be so difficult that the process itself is a barrier to accessing funds.

Therefore, we propose that the EPA allow multiple options for applicants to demonstrate their eligibility as “disadvantaged” – (1) designation as a disadvantaged on the CEJST map; (2) designation as eligible under other federal programs targeted to “disadvantaged communities,” “energy communities” (under the Inflation Reduction Act), “low-income communities,” or other similar programs; (3) a description of why the community should otherwise be considered an environmental justice or climate justice communities, taking into account factors included in the CEJST tool and other additional criteria the applicant deems relevant.

Separate from but related to the ECJ Program, we encourage the EPA to adopt a definition of “climate justice” and include it on the agency’s website that defines “environmental justice.”¹ This term (climate justice) is used often by the agency, and it is unclear to many members of the public how this term differs from “environmental justice.”

Next, we recommend that community engagement of the identified disadvantaged community be a requirement in order to be eligible for the ECJ Program. This could include application requirements such as documentation that the applicant or its partner has conducted public community meetings about the proposed project; community stakeholder letters of support; documentation from public meetings; or documentation of public surveys. For applicants submitting under Category E: “Facilitating engagement of disadvantaged communities in State and Federal advisory groups, workshops, rulemakings, and other public processes,” the application should require clear goals or benchmarks to demonstrate that the grant awards will result in deeper, broader community engagement compared to what would occur without the grant award. For example, the EPA should discourage use of the grant dollars for activities such as social media advertisements that go to benefit large corporations, but instead encourage activities that are more certain to result in reaching and directly communicating with members of the impacted community such as phone banking, canvassing, and mailers. This could be accomplished through requiring estimated metrics such as number of direct communications with community members that would be supported by the grant.

We are encouraged by the EPA’s public presentations indicating that the ECJ Program is dedicated for implementation projects. Many other federal grant programs award funds for engineering, design, technical assistance, etc., but it can often be difficult for communities to access funding for actually fixing a problem. Often this can be because the problems facing the community are complicated, and multiple federal or state agencies *may* have some responsibility

¹ <https://www.epa.gov/environmentaljustice>



to address a problem. This can result in agencies declining to provide funding assuming another agency will or because they want to deny responsibility. Or, multiple agencies are responsible and will provide funding, but those agencies' timelines and resources don't align with each other, making the resources available to the community not quite enough to solve the problem, or making it impossible to align matching state/federal dollars. Furthermore, many "implementation" focused federal grant programs are very competitive, and disadvantaged communities simply never make the cut. We urge the EPA to allow projects to be eligible for this funding even if they might be eligible for other federal or state sources of funding, so that this funding can be used on those more complex, "hard-to-solve" problems, or for projects that are not otherwise competitive for popular federal grants.

Lastly, one of the most significant barriers to disadvantaged communities' access to federal grants is match requirements. We strongly recommend that the ECJ Program not require any match. The EPA can still request information regarding potential matching dollars, in-kind or otherwise, and use that information as one option to gauge community support for proposed projects, but applicants that cannot come up with matching funds are precisely the communities these funds should target.

Application Phase

We support the EPA's plans, as indicated in public presentations, to provide a simple, brief paper application. One of the most significant barriers to accessing federal funding is the application process itself – specifically, use of the SAM.gov and acquiring a DUNS can be very difficult for small organizations who have never navigated a federal grant process before (and even for organizations that have), and can be particularly difficult for applicants without access to high-speed internet and/or a personal computer. If use of SAM.gov cannot be avoided, we recommend that the EPA provide technical assistance to applicants to help them submit their applications through SAM.gov, and ensure that any missed deadlines due to technical challenges with SAM.gov does not disadvantage an applicant in the review process.

Typically, we recommend that agencies provide at least a 90-day notice before application deadlines; however, if the ECJ Program is open on a rolling basis as the EPA has indicated in public presentations, such advanced notice is not applicable. However, as noted above, outreach to disadvantaged communities will be extraordinarily important to the ECJ Program's success.

Lastly, the EPA has provided a wealth of resources that our staff has utilized in preparing for other EPA grant applications, including a grant template and timeline draft that have proven helpful for first-time grant writers. We encourage the EPA to continue and expand this effort.



We also understand that the EPA and other federal agencies including USDA have or are in the process of setting up technical assistance centers to support governments and organizations applying for federal grants. The EPA's application process for the ECJ Program must ensure that potential applicants have information about these technical assistance opportunities.

Implementation Phase

For some federal grant programs, the real barriers are experienced by applicants *after* they are awarded funding. For example, the Office of Surface Mining Reclamation and Enforcement (OSMRE) Abandoned Mine Land Economic Revitalization Program (AMLER) has a very simple application. However, one applicant we have supported through the AMLER program actually turned down the funding after being awarded this grant in part because the requirements for receiving the funds were so onerous. Another grant recipient we supported through the AMLER program has declined to pursue additional AMLER funding after an initial AMLER grant for the same reason. Outside of the AMLER program, many nonprofits opt to not seek federal funding at all because reporting and other post-award requirements are so burdensome.

In order to maximize success of the ECJ Program, the EPA should ensure that the initial RFP documents include information describing and clarifying all requirements and expectations of grant recipients. Recipients of federal grants we have worked with have had to go through an extensive, time-consuming process of changing organizational policies after receiving a federal brownfield grant – requirements that were not clear to them when applying for the grant initially.² The EPA could provide a clear list in one place of the policies that need to be in place for a nonprofit to receive funds after they are awarded. Alternatively, the EPA could require a list of policies that is more in line with what smaller nonprofits include in standard by-laws.

The EPA should provide webinars and workshops to help potential applicants understand what will be required of them if they receive grants so that they can plan for how they will comply, and can seek technical assistance if necessary.

We also urge the EPA to ensure that grant awardees will be able to receive funds/spend funds on a timeline that does not require the applicant to spend the funds out-of-pocket and request reimbursement from the EPA, because many disadvantaged communities will not have the necessary cash or credit available to front the costs of their project.

² Policies that the nonprofit in question must revise in order to receive the brownfield grant funds they were awarded include: accounting procedures, conflict of interest policies, personnel and timekeeping policies, procurement policies, property management policies, record retention policies, and travel policies, among other policies.



3. EPA is considering a process where it issues a NOFO soliciting applicants for projects under the five ECJ Program eligible activities 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 support the approach of a rolling application period. We understand from public presentations from the EPA that it has considered an approach that would not allocate or commit all of the available funding in the first 12 months, but rather release a certain amount for the first 12 months, then reevaluate the ECJ Program requirements and parameters before releasing additional funding. We support this approach because it would be difficult for some communities to be prepared to apply even within 12 months. We would be opposed to a structure that allows all of the money to be committed in those first 12 months. However, we also understand the need to quickly allocate the funds for the ECJ program to meet statutory deadlines, and the urgent needs in environmental and climate justice communities. We recommend planning for two rolling application periods: an initial approximately 9-12-month period; a brief re-evaluation period; then a second application period with adjustments based on feedback from applicants and stakeholders.

It is also crucial that the EPA not prohibit an applicant whose application has been rejected from reapplying; applicants should be given feedback on their application and be allowed to revise and resubmit during the same application period based on feedback from the EPA.

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 appreciate the EPA's interest in simplifying the application process in particular for under-resourced communities. The idea of a presentation option for the application is intriguing and could be a good option for some communities. However, we stress to the EPA that the burdens of a federal grant application are not in how the information must be presented, but the amount and type of information that is required, the advanced planning required to be able to apply (i.e.,



gaining and maintaining access to SAM), and the requirements on an applicant *after* they have won grant funding (e.g., excessive reporting requirements, audit requirements).

That being said, the option of an oral presentation will certainly be preferred for some applicants. If this approach is used, we urge the EPA to ensure that applicants without reliable internet are not disadvantaged by not making the oral presentation mandatory and by allowing for presentations by phone.

For applicants that choose an oral presentation option, applicants should be permitted to have any and all necessary team members present for the presentation to reduce pressure on a single person. Additionally, the EPA should allow a few business days after the presentation for applicants to answer questions that the EPA reviewers may ask during the presentation, in order to allow presenters time to research or gather information as necessary. Lastly, presentations should be scheduled with at least two weeks' notice unless the applicant waives that option and prefers an earlier presentation date.

Eligible Projects

- 1. What types of projects should EPA focus on and prioritize under the five eligible funding categories (listed below)? Please 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 broadly encourage the EPA to prioritize projects that prevent or reduce pollution and environmental hazards in environmental justice communities and alleviate harms from climate change experienced by environmental justice communities. We offer the following recommendations regarding each category of projects.



Category A

Although we support pollution monitoring, we are wary of projects that monitor pollution without a clear path forward to address or reduce the pollution. Applications for pollution monitoring should be required to identify how pollution monitoring will help the applicant or its partners then prevent or remediate the pollution.

Eligible projects under Category A should include (but not be limited to) energy efficiency and appliance upgrades, beneficial electrification, solar, wind, and other renewable energy projects, brownfield, orphan well, and abandoned mine land remediation, fugitive dust remediation, and reforestation projects.

Category B

We propose that the EPA clarify that efforts to protect environmental justice communities from losing access to air conditioning qualifies as an eligible activity under “mitigating climate and health risks from... extreme heat.” Efforts to keep the power on for environmental justice communities impacted by extreme heat such as bill affordability programs should be eligible for the block grant funds. Additionally, tree-planting and forestation projects should be eligible under this category.

Category C

We support clarifying that flood resilience and mitigation for non-coastal areas impacted by extreme rainfall events, including projects to maintain lines of communication and transportation during and after flooding events, be an eligible use of the grant funds. This should also include vegetation projects that help to reduce the negative impacts of heavy rainfall events.

Category D

Eligible projects should include (but not be limited to) beneficial electrification projects.

Category E

We encourage the EPA to allow applications for public plans such as extreme heat community action plans or extreme flooding community action plans.

We are concerned that projects proposed under the category of “Facilitating engagement” could be abused by industry groups to check a box of “stakeholder engagement” for harmful projects. For example, a company could set up a non-profit in an impacted community and apply for the ECJ Program to conduct disingenuous or unimpactful “workshops” in a community about a harmful project, then use those workshops as evidence of community engagement for a grant application to the Department of Energy. In order to protect against such abuse, the EPA must require that any applicants submitting proposals under Category E must demonstrate a record of



long-term work in the impacted communities and demonstrated partnerships within the community. Additionally, we reiterate our recommendation that projects funded in this category have extensive community involvement requirements. The application should require clear goals or benchmarks to demonstrate that the grant awards will result in deeper, broader community engagement compared to what would occur without the grant award. For example, the EPA should discourage use of the grant dollars for activities such as social media advertisements that go to benefit large corporations, but instead encourage activities that are more certain to result in reaching and directly communicating with members of the impacted community such as phone banking, canvassing, and mailers. This could be accomplished through requiring estimated metrics such as number of direct communications with community members that would be supported by the grant.

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?*

Barriers to connecting residents of environmental justice communities to workforce opportunities generally include:

- Lack of childcare
- Lack of transportation
- Lack of necessary training (baseline eligibility requirements for workforce opportunities are too high)
- Poor health or disability (many people living in disadvantaged communities are simply not able to work certain types of jobs)
- Lack of awareness of opportunities
- Lack of high-speed internet access (for work-from-home or remote training/workforce opportunities)
- No or inadequate pay during training (people currently working cannot leave their jobs to receive training if the training opportunity does not pay as well as the current job)
- Concern regarding long-term viability of the career (e.g., people are hesitant to be trained to be solar installers because they don't see it as a long-term, consistently-available job) or seasonality of the job (e.g., outreach recreation jobs)
- Distance to job and/or relocation requirements

- Lack of support systems and inclusion for community members traditionally excluded from the workforce (e.g., previously incarcerated individuals, people recovering from addiction).

Because the barriers to a successful workforce development project are so significant, we question whether the ECJ Program is an appropriate funding source for such projects, noting that other federal agencies have well-established workforce development programs. Similar to other federal grant programs, these programs are often difficult for disadvantaged communities to access, so with respect to workforce development programs, the ECJ Program could be designed to bridge the gap between disadvantaged communities and other well-established workforce development programs. To the extent that the EPA does fund workforce development projects, the EPA should prioritize projects that address the concerns identified above, and prioritize career pathways that address environmental injustices such as energy efficiency, brownfield remediation, and habitat conservation and remediation. The application for workforce development projects should require the applicant to clearly identify how each of these barriers, and additional barriers identified by other comments filed in this docket, will be addressed by the applicant.

- 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.*

See our response to Eligible Projects Question 1 above.

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?*
 - 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?*



The EPA should avoid putting strict requirements on defining a “community-based nonprofit organization” or a partnership, as overly-strict definitions will complicate application and implementation processes, and may be perceived as overly meddlesome by community groups (if the EPA is prescribing the parameters of partnerships).

Above all else, when defining a “community-based” organization, the EPA should be looking to see that an organization’s primary goal is improving the community’s health in multiple forms (e.g., social, human environmental, economic health).

The EPA should allow multiple options for demonstrating that a non-profit is “community-based.” Groups should be able to demonstrate this with a combination of a mission statement, evidence of past community projects, a description of its organizational structure and decision-making process, letters of support from community stakeholders, and/or a public website.

A partnership can be defined as a mutually beneficial relationship between organizations, with ongoing cooperation and communication between the partnership entities.

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

Ongoing communication, shared decision making, and shared goals are crucial characteristics of a partnership under the ECJ Program.

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?

Applicants should be required to submit letters of support from impacted community groups and partners. The EPA should also require or recommend that the partnership applicants utilize a memorandum of understanding, community benefits agreements, or other similar tools to demonstrate the commitments agreed to by the partners.

Additionally, the project budget should be required to go to project implementation or staffing at community-based nonprofits. To the extent that project partners include for-profit organizations, universities, or other non-community-based organizations, project funding for overhead / administration for those organizations should be limited to less than 10% of the project, unless



the applicant can show good reason for a waiver. Specifically, this requirement should be in place in order to avoid situations where a large university or non-community based organization is taking a significant portion of the ECJ Program funding for out-of-state staffing or other purposes that do not directly benefit the disadvantaged community.

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?

While we support the intent behind the idea of on-line forums or webinars, without intentional outreach and organizing with disadvantaged communities, it seems unlikely that these forums or webinars would result in new partnerships on such a short timeline. There is no shortage of community-based organizations that have projects suitable for the ECJ Program, and those organizations likely have existing partnerships or know where to find the partners they need. We recommend that the EPA focus on getting the word out about the ECJ Program as widely as possible, and focus its match-making efforts on helping community-based organizations tap into technical assistance opportunities.

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?

Governance structures and reporting and audit requirements associated with federal grants are often significantly burdensome for small, under-resourced communities. Appalachian Voices is aware of several community-based organizations that do not apply for or partner on government grants as a rule because the reporting requirements and other post-award requirements are so extensive. This is a significant barrier that the EPA and other federal agencies should continually work to address.

As noted above, community-based organizations we have worked with have had to make significant, time-consuming changes to their organizational governance structures in order to access federal grant funds they have been awarded (after having been accepted for the grant). Loosening restrictions on governance structures where possible, or allowing alternatives for smaller organizations, will be useful to helping small nonprofits apply for grant funds



communities. Alternatively, the EPA can provide more comprehensive information to potential applicants about what changes will be required of the organization if it wins funding.

While reporting requirements are extremely important in order to ensure responsible use of taxpayer funding and to measure the impact of federal grant programs, reporting requirements should be streamlined so as to not create undue capacity burdens on grantees. One way of reducing the burden of reporting requirements could be to reduce the frequency of formal reports (e.g., only require annual written reports), and require only informal reports or check-ins more frequently.

Audit requirements can often be too cumbersome for small nonprofits for a grant to be worth the effort. If the ECJ Program requires an audit process, the requirements of that audit should be made in clear language to potential applicants. Small nonprofits may only have a volunteer or part-time treasurer taking care of financial matters, and an audit is not feasible for such a limited role. A tiered auditing system based on award amount may be appropriate for addressing this issue, or EPA could offer technical assistance for audit requirements.

Please also see our response to ECJ Program Design Question 1, and Reporting and Oversight Questions 3 and 4 below, for more detailed recommendations related to this question.

2. 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?

The EPA should include assistance with reporting in its technical assistance. Additionally, the methodology for reporting should be standardized so that all project awardees are estimating project impacts on a level playing field. For example, the EPA should provide templates and tools for grant awardees to use for reporting on emissions reductions or job creation. Lastly, the EPA should make reporting requirements clear in the application materials so that applicants can anticipate what will be required of them if they receive funds. EPA could also reduce the frequency of formal reports (e.g., only require annual written reports), and require only informal reports or check-ins more frequently.

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

Environmental and climate justice projects can address a wide range of issues, making it difficult to identify metrics that will be broadly applicable but not overly burdensome and/or irrelevant for some projects. Calculating and tracking certain types of metrics is also difficult for organizations without technical expertise on staff, making metric-tracking a barrier to



disadvantaged communities accessing federal grant funds. However, tracking the impacts of grant funds is necessary to protect against fraud, waste, and mismanagement of funds. We recommend the EPA offer flexibility to awardees in the types of metrics they track, provide technical support to awardees for calculating their project impacts, and find ways to estimate/calculate benefits on behalf of grant awardees.

Possible metrics for awardees *may* include:

- Amount of greenhouse gas emissions and other pollutants reduced (including where the pollution reduction occurs)
- Percent of projects workers from the local community served by the project
- Number of acres vegetated and/or number of trees planted (and the location of the plantings)
- Electricity/energy usage saved or reduced
- Power bill impacts
- Amount of pollutants removed from water, and where the water is located
- Number of polluted water supplies addressed, and where the water supplies are located
- Volume of water treated, and where the water is treated
- Miles of waterways improved, and where the waterways are located
- Whether a community benefits agreement is utilized as part of the project
- Electric generating capacity of renewable energy facilities installed, and where the capacity is located
- Number of job-hours created, and the location of the jobs
- Number of people receiving potable water after completion of water supply restoration projects, and county/city residence of those people
- Number of residents positively impacted by the restoration of previously polluted waterways, and county/city residence of those people
- Acres of land remediated, and the location of the land
- Number of pieces of dangerous abandoned equipment or facilities demolished and removed, and the location of the equipment
- Wages and fringe benefits (based on underlying Davis-Bacon reporting)
- Occupations who worked on project (based on underlying Davis-Bacon reporting)
- Number of labor hours worked by apprentices, and county/city residence of those apprenticeships
- Number of former/current employees of the fossil fuel industry employed in the project, and county/city residence of those employees

In determining whether projects benefit disadvantaged communities, tracking the location related to any particular metric is crucial, as indicated throughout these possible metrics.

4. 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?

Many federal grant projects have failed or fallen behind because the applicants did not plan for or understand the impact of NEPA. Applicants need to be aware of and understand NEPA, Davis Bacon, and Build America requirements *prior* to submitting their applications. This will help them build a more realistic project proposal. The EPA and technical assistance providers should provide webinars, workshops and 1:1 assistance to applicants to help them understand the requirements and adapt their projects as needed. Additionally, if applicants have submitted proposals that do not adequately account for these laws and procedures, the EPA should provide technical assistance to help amend their proposal. Lastly, federal agencies should work to provide a public database of Build America Buy America eligible companies/products.

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?

Applicants may need assistance with:

- Grant applications, including budgeting and modeling/estimating impact metrics such as pollution reaction and job creation
- Grant reporting requirements, including modeling or estimating pollution reduction, jobs, and other metrics
- Managing grant funds, including budgeting, tracking expenses, timekeeping, inventorying purchases
- Pairing ECJ Program grant funds with other federal incentives, including tax credits, loans, rebates, and grants
- Conducting requests for proposals, including analyzing bids, conducting open and fair RFPs
- Analyzing lease vs. purchase options for equipment
- Developing resilience plans and emergency response plans
- Project planning
- Community outreach best practices (templates, examples)



We thank you for the opportunity to submit comments and look forward to future discussions regarding the ECJ Program design.

Sincerely,

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