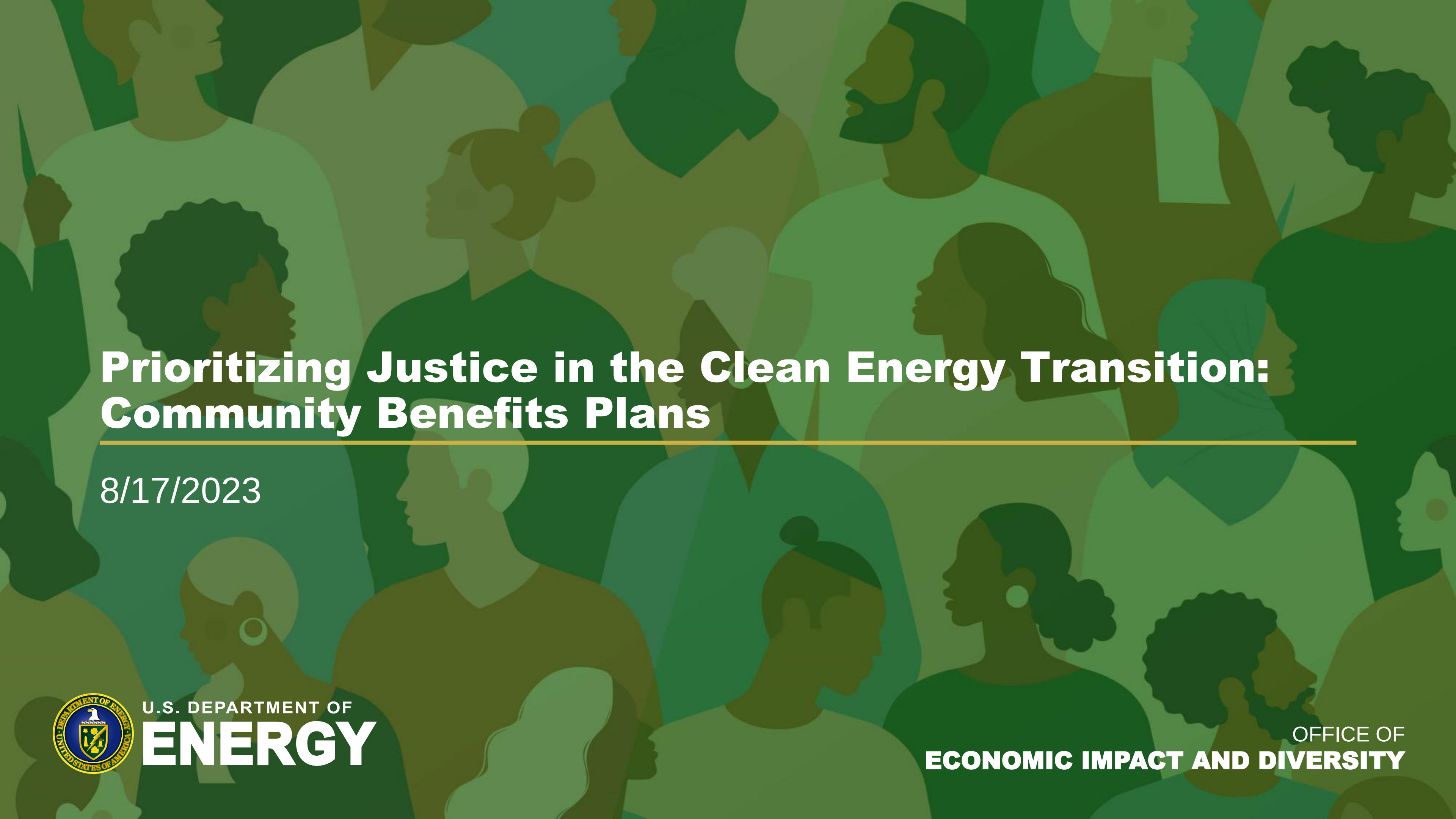


Prioritizing Justice in the Clean Energy Transition: Community Benefits Plans

8/17/2023

U.S. DEPARTMENT OF
ENERGY

OFFICE OF
ECONOMIC IMPACT AND DIVERSITY

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.

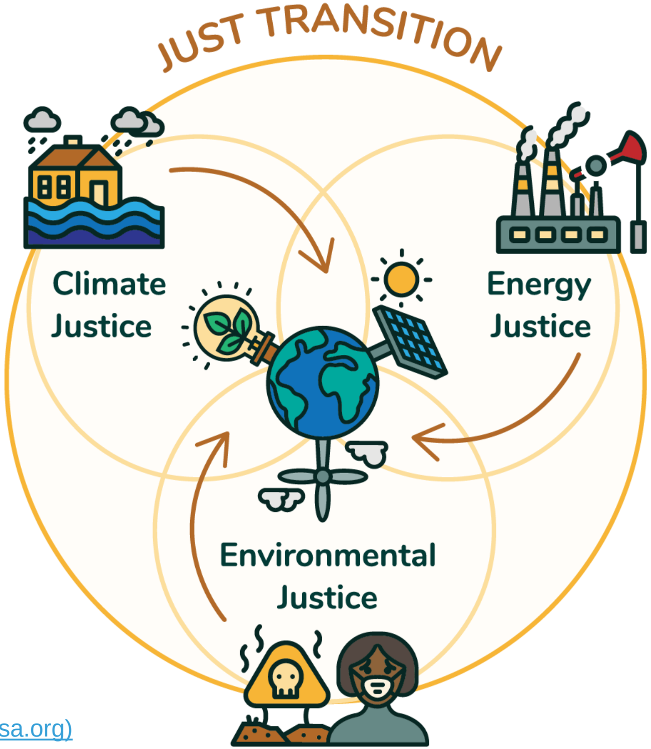

JUST TRANSITION
Climate Justice
Energy Justice
Environmental Justice

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)]

Why is the concept of Energy Justice so important?

The outputs of our energy system disproportionally impact certain communities….

How do we embark on the clean energy transition without exacerbating inequality?

Federal Approach: The Justice40 Initiative

E.O. 14008, Section 223, January 27, 2021

“…the Director of the Office of Management and Budget, and the National Climate Advisor, in consultation with the Advisory Council, shall jointly publish recommendations **on how certain Federal investments might be made toward a goal that 40 percent of the overall benefits flow to disadvantaged communities**.”

What are the Primary Elements of Justice40?

…of certain Federal investments…

… flow to disadvantaged communities

40% of the overall benefits…

How do we define J40 investments?

How do we define disadvantaged communities (DACs)?

How do we measure and track the benefits of J40 investments?

E.O. 14008, Sec. 223: https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/

Interim Implementation Guidance for the Justice40 Initiative: https://www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf

Federal Investments: Covered Programs Across Gov.

Agency	# of J40 Covered Programs
Department of Energy (DOE)	**144**
Department of Agriculture (USDA)	65
Health and Human Services (HHS)	13
Department of Transportation (DOT)	39
Department of Housing and Urban Development (HUD)	24
Department of Interior (DOI)	65
Department of Veteran’s Affairs (VA)	1
Environmental Protection Agency (EPA)	73

Justice40-Covered-Programs-List_v1.1_07-15-2022.pdf (whitehouse.gov)
expect this list to evolve over time as new Federal programs are created or existing programs sunset

DOE leading in J40 Programs with a commitment to delivering benefits in:

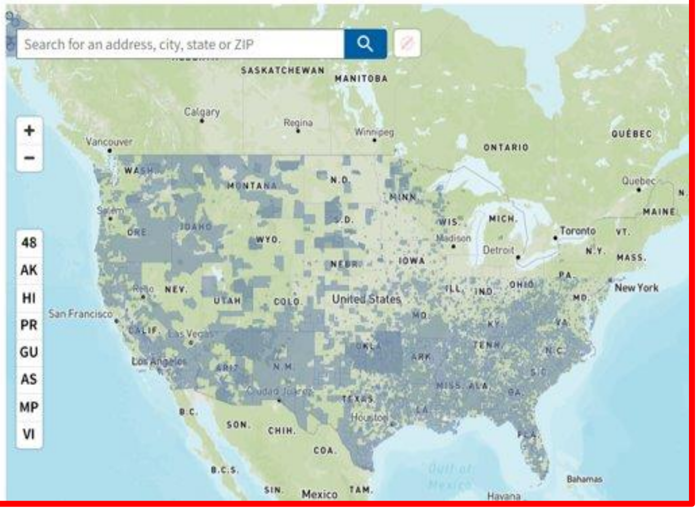
- ✓Climate change
- ✓Clean energy and energy efficiency
- ✓Clean transportation
- ✓Affordable and sustainable housing
- ✓Training and workforce development
- ✓Remediation and reduction of legacy pollution
- ✓Critical clean water and waste infrastructure

Policy Priorities and MAP

[DOE Justice40 General Guidance | Department of Energy]

[Explore the map - Climate & Economic Justice Screening Tool (geoplatform.gov)]

DOE Policy Priorities - Benefits
1. Decrease in energy burden
2. Decrease in environmental exposure and burdens
3. Increases in jobs/training
4. Increases in enterprise creation
5. Increases in energy democracy
6. Increases in low-cost capital
7. Increases in clean energy access and adoption
8. Increases in energy resilience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FLA.
B.C.
SON.
CHIH.
COA.
B.C.S.
SIN.
Mexico
TAM.
Gulf of Mexico
Bahamas
Havana

Federal Approach to Energy Justice

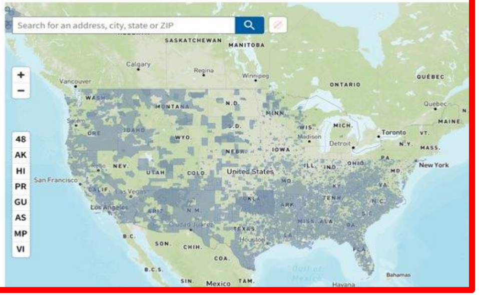
“Covered Programs”

DEPARTMENT OF TRANSPORTATION UNITED STATES OF AMERICA

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET

Executive Order 14008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“to disadvantaged communities.”

“Certain Federal Investments”

- Existing Funding
- BIL/IIJA
- IRA
- Future climate and energy funding

Important Federal Funding Available Now:

Formula Grant Programs
Non-competitive awards for state & local governments based on a congressionally directed formula

Competitive Grant Programs
Awarded to parties that apply to funding opportunities based on the merit of submitted proposals and other criteria

Lots of new investments that will revolutionize the energy sector:

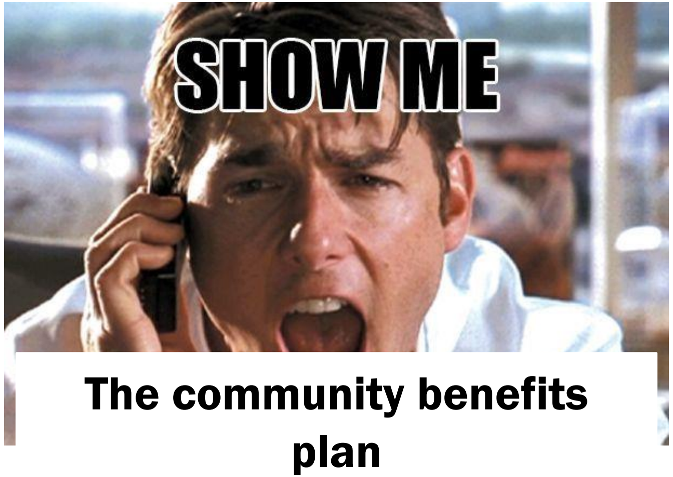
The Backbone: Bipartisan Infrastructure Law (Nov. 2021) - $1.2 trillion over 10 years ($62 billion to DOE); largest long-term investment in our nation's infrastructure

The Brain: CHIPS and Science Act (Jul. 2022) invests in cutting-edge science and innovation to boost American competitiveness, including for semiconductors, and to bring jobs and supply chains home.

The Lungs: Inflation Reduction Act or IRA (Aug. 2022) breathes life into our clean energy economy by incentivizing deployment of clean technologies and lowering energy costs for American families.

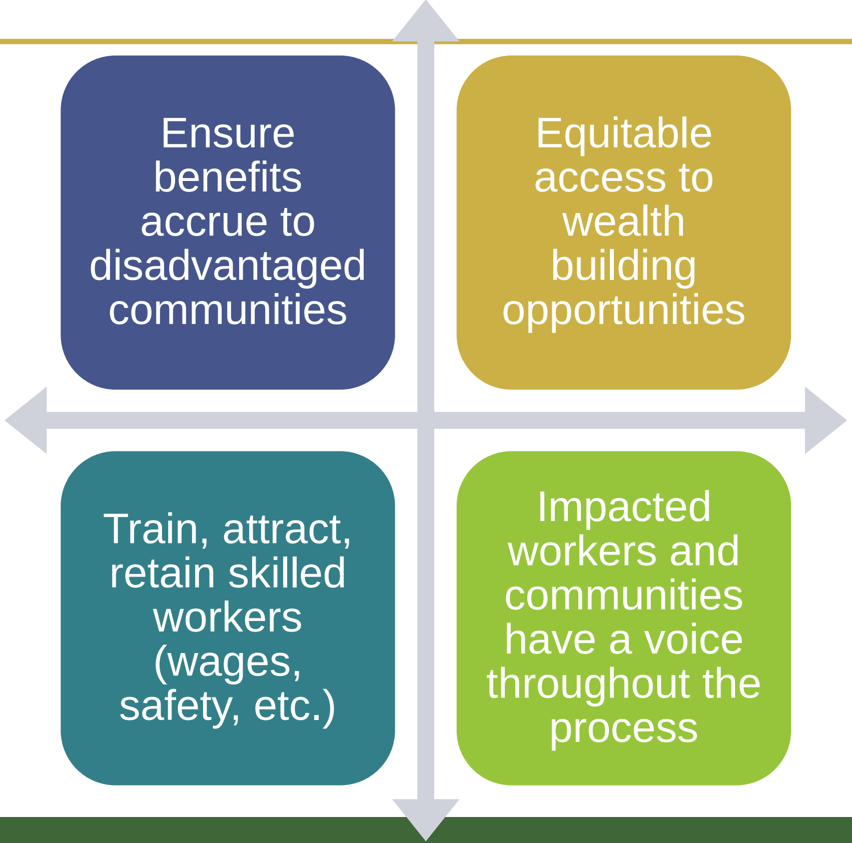
The federal government’s approach to Justice40

SHOW ME
THE MONEY!


SHOW ME
The community benefits plan

To try to ensure that the benefits of investments are reaching disadvantaged communities, many government funding opportunities will require a COMMUNITY BENEFITS PLAN

Community Benefit Plan: 4 Priorities



Justice40 Initiative

Ensure benefits accrue to disadvantaged communities

Equitable access to wealth building opportunities

Diversity Equity Inclusion and Accessibility

Investing in Job Quality and Skilled Workforce

Train, attract, retain skilled workers (wages, safety, etc.)

Impacted workers and communities have a voice throughout the process

Community and Labor Engagement

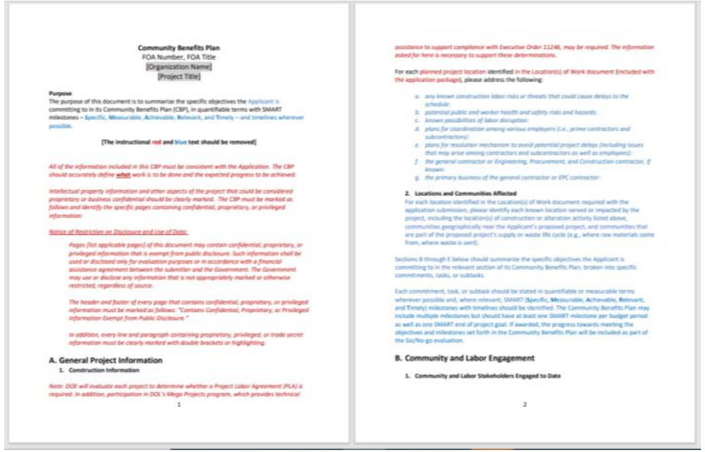
Community Benefits Plan Template

A Community Benefits Plan template is available at this link: CBP Template

Each Funding Opportunity Announcement applicant is encouraged to use the CBP template to aid in the submission of the CBP portion of the application.

The CBP Template provides instructions on the type of information that an applicant should include so that they can submit a Community Benefits Plan that addresses all four priorities identified in the Community Benefits Plan portion of the Funding Opportunity Announcement.

CBP Template



Community Benefits Plan
FOA Number, FOA Title
[Organization Name]
[Project Title]

Purpose
The purpose of this document is to summarize the specific objectives the Applicant is committing to in its Community Benefits Plan (CBP), in quantifiable terms with SMART milestones – Specific, Measurable, Achievable, Relevant, and Timely – and timelines wherever possible.

[The instructional red and blue text should be removed]

All of the information included in this CBP must be consistent with the Application. The CBP should accurately define what work is to be done and the expected progress to be achieved.

Intellectual property information and other aspects of the project that could be considered proprietary or business confidential should be clearly marked. The CBP must be marked as follows and identify the specific pages containing confidential, proprietary, or privileged information:

Notice of Restriction on Disclosure and Use of Data:

> *Pages [list applicable pages] of this document may contain confidential, proprietary, or privileged information that is exempt from public disclosure. Such information shall be used or disclosed only for evaluation purposes or in accordance with a financial assistance agreement between the submitter and the Government. The Government may use or disclose any information that is not appropriately marked or otherwise restricted, regardless of source.*
>
> *The header and footer of every page that contains confidential, proprietary, or privileged information must be marked as follows: "Contains Confidential, Proprietary, or Privileged Information Exempt from Public Disclosure."*
>
> *In addition, every line and paragraph containing proprietary, privileged, or trade secret information must be clearly marked with double brackets or highlighting.*

A. General Project Information

1. **Construction Information**

Note: DOE will evaluate each project to determine whether a Project Labor Agreement (PLA) is required. In addition, participation in DOL's Mega Projects program, which provides technical

1

assistance to support compliance with Executive Order 11246, may be required. The information asked for here is necessary to support these determinations.

For each planned project location identified in the Location(s) of Work document (included with the application package), please address the following:

a. *any known construction labor risks or threats that could cause delays to the schedule;*
b. *potential public and worker health and safety risks and hazards;*
c. *known possibilities of labor disruption;*
d. *plans for coordination among various employers (i.e., prime contractors and subcontractors);*
e. *plans for resolution mechanism to avoid potential project delays (including issues that may arise among contractors and subcontractors as well as employees);*
f. *the general contractor or Engineering, Procurement, and Construction contractor, if known;*
g. *the primary business of the general contractor or EPC contractor;*

2. **Locations and Communities Affected**

For each location identified in the Location(s) of Work document required with the application submission, please identify each known location served or impacted by the project, including the location(s) of construction or alteration activity listed above, communities geographically near the Applicant's proposed project, and communities that are part of the proposed project's supply or waste life cycle (e.g., where raw materials come from, where waste is sent).

Sections B through E below should summarize the specific objectives the Applicant is committing to in the relevant section of its Community Benefits Plan, broken into specific commitments, tasks, or subtasks.

Each commitment, task, or subtask should be stated in quantifiable or measurable terms whenever possible and, where relevant, SMART (**S**pecific, **M**easurable, **A**chievable, **R**elevant, and **T**imely) milestones with timelines should be identified. The Community Benefits Plan may include multiple milestones but should have at least one SMART milestone per budget period as well as one SMART end of project goal. If awarded, the progress towards meeting the objectives and milestones set forth in the Community Benefits Plan will be included as part of the Go/No-go evaluation.

B. Community and Labor Engagement

1. **Community and Labor Stakeholders Engaged to Date**

2

R&D Community Benefits Plan: Three Priorities

1. **Diversity, Equity, Inclusion, and Accessibility**
   - Equitable access to wealth building opportunities (teaming, access to good jobs, business and contracting opportunities, etc.)
2. **Energy Equity**
   - How research will drive benefits to frontline communities and historically underrepresented groups (Disadvantaged Communities", or "DACs")
3. **Workforce**
   - Consideration of long-term workforce impacts and opportunities of research.
     - Create/retain high-quality jobs
     - Attract, train, and retain skilled workers

As you consider your own grants or programs

- Leverage CEJST/Calenviroscreen to avoid reinventing the wheel

  Benefit: A standardized geographic definition across programs and agencies can help concentrate fund sin the most needed areas

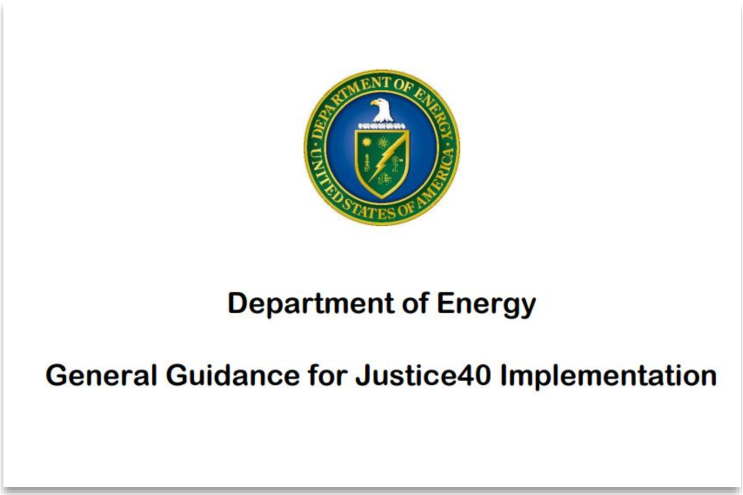
- Leverage the age of data

  Benefit: Identify things that are quantifiable, measurable and trackable and request your own awardees to provide this. Don’t focus merely on $/investments, but ***benefits***.

- Engage the community. Gain granularity in understanding the “where” and “who” benefits of your program, articulate this and evaluate impact for evidence-based decision making.

  Benefit: Strengthens the case for funds and enables telling a fuller story on your programs

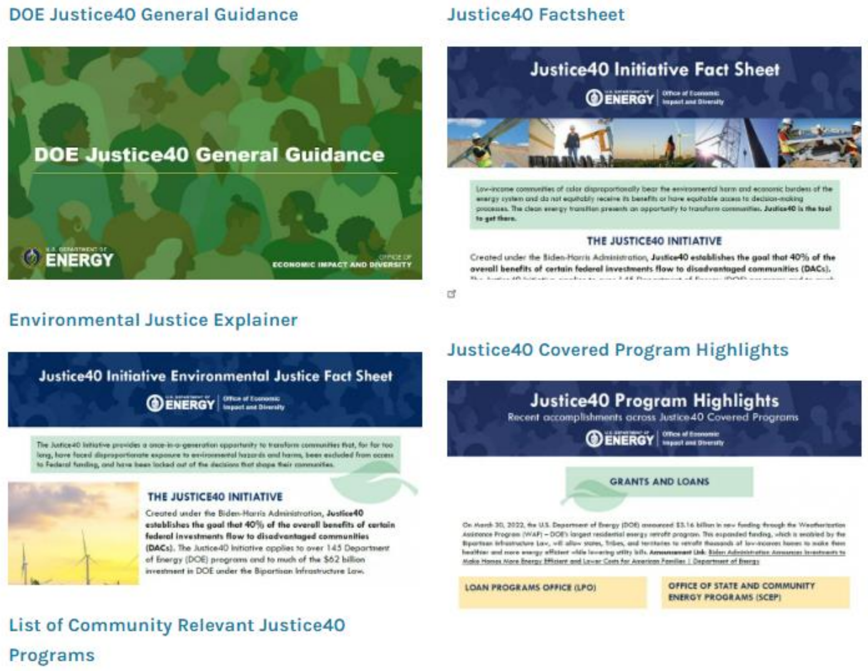
J40: DOE Resources



Department of Energy

General Guidance for Justice40 Implementation

[DOE Justice40 General Guidance | Department of Energy]()



DOE Justice40 General Guidance

DOE Justice40 General Guidance

Justice40 Factsheet

Justice40 Initiative Fact Sheet

Low-income communities of color disproportionally bear the environmental harm and economic burdens of the energy system and do not equitably receive its benefits or have equitable access to decision-making processes. The clean energy transition presents an opportunity to transform communities. **Justice40 is the tool to get there.**

THE JUSTICE40 INITIATIVE

Created under the Biden-Harris Administration, **Justice40 establishes the goal that 40% of the overall benefits of certain federal investments flow to disadvantaged communities (DACs).**

Environmental Justice Explainer

Justice40 Initiative Environmental Justice Fact Sheet

The Justice40 Initiative provides a once-in-a-generation opportunity to transform communities that, for far too long, have faced disproportionate exposure to environmental hazards and harms, been excluded from access to Federal funding, and have been locked out of the decisions that shape their communities.

THE JUSTICE40 INITIATIVE

Created under the Biden-Harris Administration, **Justice40 establishes the goal that 40% of the overall benefits of certain federal investments flow to disadvantaged communities (DACs).** The Justice40 Initiative applies to over 145 Department of Energy (DOE) programs and to much of the $62 billion investment in DOE under the Bipartisan Infrastructure Law.

Justice40 Covered Program Highlights

Justice40 Program Highlights

Recent accomplishments across Justice40 Covered Programs

GRANTS AND LOANS

LOAN PROGRAMS OFFICE (LPO)

OFFICE OF STATE AND COMMUNITY ENERGY PROGRAMS (SCEP)

List of Community Relevant Justice40 Programs

ENERGY
Office of Economic Impact and Diversity
ECONOMIC IMPACT AND DIVERSITY

[Justice40 Initiative | Department of Energy]()

Questions?