

# TEAM PENNSYLVANIA

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## **PA Energy Horizons Cross-Sector Collaborative** *Fact Sheet: Environmental Justice & Community Engagement*

### **Background & Definitions**

#### *Environmental Justice*

The U.S. Environmental Protection Agency (EPA) defines [environmental justice](#) as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” The aim of environmental justice is to distribute environmental benefits and risks equitably among populations and communities. In the United States, groups most vulnerable to the climate crisis include low-income individuals, communities of color, women and girls, and older/elderly populations; these populations are more likely to live near facilities with negative environmental impacts or in communities that will bear a disproportionate burden of climate change in the future. The EPA states that the goal of environmental justice will be achieved when everyone enjoys the same degree of protection from environmental and health hazards and has equal access to the decision-making process to have a healthy environment in which to live, learn, and work.

One example of environmental justice policy is the Biden-Harris Administration’s [Justice40 Initiative](#). The goal of this initiative is for 40 percent of the overall benefits of federal climate and energy investments to flow to disadvantaged communities that are marginalized, underserved, and overburdened by pollution. An increasing number of projects now require completion of environmental justice and community benefit plans or reports to ensure that disadvantaged communities receive the benefits of new and existing federal investments.

#### *Community Engagement & Community Benefits*

Community engagement is a critical component of achieving environmental justice goals. Communities that will be impacted by an energy- or climate-related project must be actively engaged in project development to ensure they have meaningful involvement in determining how their community can and will benefit from the project. While community engagement takes time and can lengthen the project planning process, projects that proceed without addressing community needs can experience significant cost overruns and even project cancellation. Ideally, a community should be engaged from the beginning and consistently throughout the design and planning process, rather than simply consulted once near the end of the process.

Developers can demonstrate their commitment to and specific plans for engaging an impacted community by drafting a community benefit plan. In addition, some projects include a [Community Benefit Agreement](#) (CBA), which is a legally binding agreement between a project developer and a community where a project will be built; the CBA describes the benefits the developer promises to give the community in exchange for the community’s support for the project. Development projects that included CBAs have resulted in a variety of benefits to communities, including: new local jobs at family-sustaining

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wages; nearby affordable housing; funding for green spaces, health services, youth programs, and childcare; new community facilities; and more. Some CBAs include a right to refuse, which gives community groups the final say and power to veto a project proposed by a developer.

## Environmental Justice in Pennsylvania

At the community level, Pennsylvania is home to many of the communities the federal government had in mind when it implemented the Justice40 Initiative. Fifty-two of Pennsylvania's 67 counties are in Appalachia; some of these counties are the least wealthy and most disadvantaged in the country and have experienced significant environmental burdens as compared to the rest of the nation. These are also counties that have driven major energy growth for the commonwealth and the region and are therefore ripe for investment in new projects that accelerate energy transition while reversing past economic and environmental damage.

From a governance standpoint, the Pennsylvania Department of Environmental Protection (DEP) has an Office of Environmental Justice (OEJ); its purpose is to ensure that Pennsylvanians most at risk from pollution and other environmental impacts have a voice in the decision-making process. DEP also has an Environmental Justice Advisory Board, which reviews and makes recommendations to DEP leaders on existing and proposed regulations and policies that impact the environmental health of communities. DEP is finalizing revisions to its Environmental Justice Policy, which has been in effect since 2004.

## Policy Considerations

While environmental justice principles and community engagement are increasingly becoming a focus in climate and energy projects, many of these priorities have not been enshrined in law at the state or federal level. Whether law or common practice, there are several key issues Pennsylvania needs to contend with at the state level:

1. Agency & Regulatory Alignment: Ensure that regulations, policies, and practices are aligned across state agencies.
2. Third-Party Data & Analysis: Ensure that information is available to stakeholders at many levels.
3. Local Capacity: Ensure that communities have the resources and expertise necessary to help inform and incorporate citizen input.

These practices will create state-level conditions for energy projects to be built in partnership with communities so they can reap the maximum economic and environmental benefits and be true partners in project development.

## Resources

- [Principles of Environmental Justice](#), created in 1991 at the First National People of Color Environmental Leadership Summit
- Biden-Harris Administration's [Justice40 Initiative](#)
- Pennsylvania Department of Environmental Protection (DEP)'s [Office of Environmental Justice](#) (OEJ) and information on [revisions to the Environmental Justice Policy](#)
- [EJScreen](#) is the EPA's environmental justice mapping and screening tool that combines environmental and demographic indicators in maps and reports

*The work products and areas of focus are the result of collaboration, and while they reflect the broadest possible set of views they do not imply a full endorsement by every participant of the Pennsylvania Energy Horizons Cross-Sector Collaborative.*