

# Transcription: Delivering on Justice40 Q&A

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It's been more than two years since the creation of the [Justice40 Initiative](#), which established the goal that 40 percent of federal climate and clean energy investment benefits flow to marginalized communities long overburdened by pollution. During the spring and summer of 2023, [Climate XChange](#), [Environmental Policy Innovation Center](#) (EPIC), and Beech Hill Research spoke with 16 state agency staff working on Justice40 covered programs across the country, to shed light on how states are navigating federal guidelines and identify barriers to reaching the communities Justice40 was designed to serve. Our goal was to understand the experiences of state agency staff and distill a snapshot of their work in their own words.

To dive into findings and recommendations from [this report](#), we were joined by experts from the core research team, including **Kristen Soares**, State Climate Policy Network Manager at [Climate XChange](#), and **Amanda Dwelley**, Energy Research and Equity Advisor at Beech Hill Research, as well as [EPIC](#) collaborators **Denise Schmidt**, Funding Navigator Program Director, and **Jessie Mahr**, Director of Technology.

*This transcription only includes Q&A from the webinar. For an overview of methods, findings, recommendations, and more, read our summary article and full report [here](#).*

**Q:** You mentioned a hesitancy to use “interim guidance”. I think my workplace can relate. Did you have a response to that?

**AD:** That is a tricky one. In the report, we recommended that federal agencies try to communicate what guidance they can and cannot provide. What is really coming? Stakeholders need to know where there will be continued flexibility and what further guidance is forthcoming — that's the great, ideal scenario. But we also heard skepticism that the guidance will ever get detailed enough, and some suggested that advocates or policymakers could really step in and say, this might be as detailed as it gets, let's move forward with this and try to play a role in interpreting that guidance for people to move forward.

**Q:** Can you explain more about advance pay models? How do they work?

**KS:** Advanced pay is still being piloted across the country, which is why we recommend *exploring* advanced pay models. I'll give an example in California, because that's where I am. The Strategic Growth Council in California is working on [piloting advanced pay models](#) right now, so they're taking six state grant programs that prioritize disadvantaged, low income, and Tribal communities in California, and they're enabling grant applicants to receive payment for grant-related activities in advance rather than having to wait for reimbursement. See [AB 211](#), which is the one of the pieces of legislation that created that, because the state code prohibits public gifts, which includes advanced pay. I don't know of any one-size-fits-all advanced pay model, it's definitely a situation where states have to really try it out. In California, it's a program that, in legislation, was set to end June of 2025, and it passed last year, so it's just a pilot. I don't have a great full explanation of exactly how advanced pay models can work because it is very early in the game. Keep an eye on California, if your state's not doing it, and see what comes from that.

**Q:** In some cases, we have experienced communities feeling over-asked about feedback. They want to see how it will or has connected to project implementation. Have you heard of solutions, such as inventories of surveys of the community desires and values that can be reused as a starting point?

**AD:** I love this question. This has been top on my mind, seeing how a variety of state programs, climate action programs, county and regional programs, local programs are all thinking that they need to do direct community outreach and engagement, but wondering how that's going to play out and knowing that we can't take up everyone's time asking these questions. So, great setup for that tension where we want direct input, but do we really need it for every single program? Can we reuse it? It's a great idea to set up an inventory or survey of community desires. Sharing survey results is great, and collaborating on surveys up front — if you are trying to put a survey together, ask around if anyone else is gearing up to do a survey. For example, in my local community, we're doing a local community resilience plan, and we want input, but also know it's at the same time as a county hazard mitigation plan. So, how can we get together and figure out what questions we need to ask to do just one on a larger scale? We definitely heard this concern from state and metro administrators of EPA Climate Pollution Reduction Grants that have a big requirement for community outreach and planning. One person, who also

coordinates their state's Climate Action Council with its own outreach component, built in a way in the CPRG application to make use of the Climate Action planning, outreach, and input, and use that to meet the CPRG requirements. So I think this is a great question, and I think it will take making both in-state and state-to-regional connections, to ask around and see who's gearing up for community outreach, and also really questioning, what are the places that we really need direct input? Or where could we use input from other people, like service providers, who might be in a place to weigh in as well?

**Q:** Can you briefly paint a picture of this all coming together, so that the 40% is actually flowing the way it should?

**KS:** So, a lot of the staff that we interviewed felt that, quantitatively, they're on track for meeting Justice40, that they will get Disadvantaged Communities their funding — using “Disadvantaged Communities” as the federal term. I'll summarize in my own words, but across the board is the feeling that underserved communities will be getting funding, but there's going to be a gap, past a certain level of *how* low capacity a community is. If you're somewhat low capacity, and you have the ability to apply to these grants and to manage them, great. If you're lower capacity, which is really who is at the core of Justice40, there's a concern that people are still going to be missing out. It's the people who don't even have avenues of public input with their state agency or with their local government, or unincorporated communities as well.

**Q:** Findings 5 and 6 mentioned using community size for tracking benefits — how do you suggest that be considered?

**AD:** In this case, people meant municipal town size, referring to communities as municipalities. The logic behind this draws a correlation with the population size and how many specialized staff have time to plan projects, or apply or manage grants, so that could be one indicator. I would recommend exploring [Headwaters Economics' Rural Capacity Map](#), where they did try to find other indicators, like presence of planning staff, relating to the capacity needed to do planning. For applications where the applicant is another type of entity, like a utility, there might be other metrics like system size. Denise can talk more about this as it relates to SRFs.

**DS:** Yes, ‘Disadvantaged Communities’ is a [specific terminology](#) used in the State Revolving Fund (SRF) program. Every state has its own way of defining a Disadvantaged

Community, and some use different terminology altogether, including “overburdened” and “significantly overburdened”. What we're doing to try to connect places with funds is, we're really looking at which communities are overburdened and underserved. So we use data to identify those that have, perhaps Clean Water or Safe Drinking Water Act violations, or haven't connected with funds in the past. In terms of capacity, I think it depends on the community, right, so there are places and there are municipalities that serve typically overburdened and underserved communities, but they have a lot of capacity to apply in-house there, because they're just larger. So we do see a very distinct correlation between being higher capacity with the size of the population served, much more so than perhaps, you know, some of the demographic indicators would tell us so.

**Q:** What is your suggested alternative to the “waterfall” approach of feedback and communications?

**JM:** Typically, it's thought about in two different buckets. You have waterfall communications, in which feedback flows just one way down the stream, and the other way is agile communications. The main goal with agile communications is that, if something goes downstream to you, and it didn't work, you have the ability to give feedback back up, so that the style of processes and mechanisms that are being proposed can change to actually serve the communities and those responsible for implementing the program. What often happens is that guidance comes down from the federal level, goes to the states, and maybe it makes sense at the state level, but then when it goes down to the communities, they're like, this makes no sense. And the communities don't have the power, or the states don't have the power to say, hey, can we adjust it in this particular way? That's the main dynamic that we're looking to shift and that has been talked about extensively in different forums. I'm happy to share the most recent book that talked about that, which is *Recoding America* by Jen Pahlka.

**Q:** How did you think about making recommendations to the federal level based on state agency feedback, rather than the experience on the side of communities?

**KS:** We definitely want to stress that the state agency perspective is not the only perspective that needs to be spotlighted in this work. Of course, community perspectives are important, it just isn't the focus of this specific report. EPIC, Climate XChange, and Beech Hill Research all have experience working at the state level, so we have those connections and understand the state agency landscape. States are just one piece of the

entire network of the federal to community funding pipeline, so we wanted to talk to them, at the crossroads of communities and federal agencies. Of course, this is definitely just one of the many perspectives that needs to be highlighted.

**Q:** I'm hearing a lot of capacity constraints, which makes sense. If someone wanted to help out with, say, a short-term unpaid fellowship or something like that, what would be the best way to contact their state to help with EJ?

**KS:** States are, by and large, wary of contracting, so I would recommend volunteering with your local community-based organization (CBO) that's working on environmental issues, and spending your time there. Or, you can go to the list of [Justice40 covered programs](#), pick some programs that you like, and go to your state agencies to see which agency is managing that, and reach out to them. But as we said, their inboxes are flooded, so I would just say, work with your local CBO.