

Guide for Preparing District Environmental Justice Strategic Plan

Version 1, January 2023

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1 Purpose

This guide is designed to help districts develop an *environmental justice strategic plan* as required by the 16 December 2022 USACE HQ memo *Implementation of the Interim Environmental Justice Strategic Plan*.¹ These district plans are intended to synchronize activities across the district and describe long-term strategies that will help institutionalize environmental justice policy and practices. Environmental justice is built on the diversity and competency of our staff, driven by our commitment to inclusion, and implemented in the real world by stepping outside the castle and engaging the fullest spectrum of our nation’s people. This guide supports districts in the preparation of strategies that enhance and expand environmental justice initiatives already underway. While the 16 December 2022 memo specifically applies to Civil Works programs, the suggestions in this guide can be applied to all USACE programs, both within and outside of Civil Works. This guide should be considered a living document and will be updated as lessons are learned from continued engagements and relationships.

1.1 Objectives of the Guide

1.1.1 Synchronize USACE EJ Activities

A district environmental justice strategic plan will help synchronize environmental justice (EJ) activities underway by different USACE programs and present a coordinated, overarching approach. The following USACE programs are developing guidance and resources to support the implementation of the Administration’s and Assistant Secretary of the Army for Civil Work’s (ASA(CW)) EJ policies:

In establishing the environmental justice policy for USACE, the ASA(CW) memorandum defines environmental justice as the “fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income regarding the development, implementation and enforcement of environmental laws, regulations, and policies, with no group bearing a disproportionate burden of environmental harms and risks.”

USACE Interim Environmental Justice Strategic Plan:
Community Outreach and Engagement

Planning & Policy

HQ Planning & Policy Division is lead for implementing the ASA(CW) Memo: *Implementation of Environmental Justice and the Justice40 Initiative* (15 March 2022) and the 16 December 2022 USACE HQ memo and has prepared the USACE Interim Environmental Justice Strategic Plan as required by the March memo. Environmental justice is a broad, long-term goal, while the Justice40 Initiative is one specific initiative aimed at achieving significant investments in underserved communities. HQ Planning is preparing EJ FAQs and a Planning Milestone EJ Checklist to assist with this effort. Planning has also released *Interim Environmental Justice Guidance for Planning Studies* (13 January 2023) to help meet HQ and Administration priorities. While Division Planning Chiefs are responsible for tracking the implementation of this initiative, there is no requirement for district EJ strategic plans to be produced by Planning. The plans should be applicable to all Civil Works programs at the district and should include input from all organizations within the district. Diverse disciplines should be involved to ensure that EJ is addressed and incorporated in all the district’s missions and activities.

¹ All guidance documents referenced in this guide are provided in section 4.1, References.

Technical Assistance Programs

The Planning Assistance to States (PAS) and Floodplain Management Services (FPMS) programs were identified as priority action areas for environmental justice and the Justice40 initiative in USACE Civil Works in the ASA(CW) 15 March 2022 memo. There is an opportunity within both programs to conduct outreach, build relationships and provide technical assistance to underserved communities. District EJ strategic plans should include PAS and FPMS as mechanisms for maximizing technical assistance that benefits communities who have been historically underserved through improving awareness, access, and partnership under these programs. Funding is provided through PAS and FPMS for outreach and coordination to work with key external partners to identify communities, build new relationships, and identify assistance that can be provided. This financial investment also supports the implementation of the Justice40 initiative: the goal is to invest 40% of PAS and FPMS funding to benefit underserved communities with assistance related to climate, critical clean water, and wastewater infrastructure.

With the objective to increase awareness and accessibility of these Technical Assistance Programs, district EJ strategic plans should focus efforts on building relationships and understanding the needs of the communities. While each outreach effort may not result in a new PAS or FPMS project, communities will understand the assistance these USACE programs can provide if needed in the future. Strategies to leverage Silver Jackets teams and existing relationships with partner agencies are encouraged. Providing

A whole of government approach involves collaboration and coordination across horizontal (USACE/Federal Emergency Management Agency (FEMA)/Environmental Protection Agency (EPA), etc.) and vertical (federal/state/local) agency boundaries.

USACE Interim Environmental Justice Strategic Plan:
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such assistance may go beyond what the Technical Assistance programs can provide, but together with a whole-of-government approach (see side box), effective solutions may be delivered to underserved and disadvantaged communities. Further guidance regarding outreach objectives and metrics for PAS and FPMS will be provided in second quarter of fiscal year 2023.

Planning Assistance to States

PAS Negotiations funding is available for districts to use to develop PAS components of the district EJ strategic plan as well as for related outreach materials, such as websites and fact sheets. As the PAS program is a cost-shared program, districts are encouraged to work with state and county agencies and other entities to identify partnerships to assist communities that have been historically underserved. Section 1156 of the Water Resources Development Act (WRDA) of 1986 provides a cost-share waiver for Tribes and Territories where the first \$655,000 (adjusted annually) is at full federal expense and costs above this amount are cost-shared. Further guidance will be provided on Section 8119 of WRDA 2022. Section 8119 amends section 22 of WRDA 1974 to increase the funding authorization for technical assistance to address inland and coastal life safety risks and waives the cost of such assistance to economically disadvantaged communities located in urban and rural areas.

Floodplain Management Services

FPMS Unit funding is available and has been increased to support outreach, with the expectation that increased outreach will build new relationships and lead to additional technical assistance requests in

the future, along with connections to other USACE or non-USACE programs to support identified needs. FPMS projects that assist disadvantaged and underserved communities will be prioritized for funding.

Tribal Partnership Program

The Tribal Partnership Program (TPP) is also identified as a priority action area for environmental justice and the Justice40 initiative in USACE Civil Works in the ASA(CW) 15 March 2022 memo. TPP is limited to Indian Country (as defined in section 1151 of U.S. Code Title 18), the jurisdictional areas of Oklahoma tribes, as determined by the Secretary of the Interior, and within proximity to Alaska Native Villages. TPP does not apply to USACE districts where there are no resident tribes. The current efforts underway to develop comprehensive program guidance will ensure TPP reaches its maximum potential. For TPP, 100% of the investment benefits goes toward Tribal Nations. TPP is a cost shared program and is a broad authority benefiting Tribal Nations. WRDA 2022 amended TPP to fully fund the first \$200,000 of a feasibility study. Section 1156 of WRDA 1986, as amended, provides a cost share waiver for Tribes and Territories which is applied to the remainder of the total cost of a study (see Economic Guidance Memorandum 23-02: Cost Sharing for Territories and Tribal Nations). The Tribal cost share is further reduced by the Ability to Pay fact, if applicable (see Economic Guidance Memorandum 23-04: Tribal Ability to Pay.)

Non-traditional Water Resources Development Projects are authorized by the ASA(CW) in a Memorandum for the Commanding General dated 30 November 2022. This memo authorizes TPP to be implemented more broadly to provide flexibility to include projects that are not considered a traditional USACE water resources development project. This memor will be incorporated into the forthcoming TPP comprehensive guidance.

Regulatory

The March and December memos discussed above refer to “Civil Works” and specifically state that they are not applicable to the Regulatory Program. ASA(CW) has indicated that further EJ guidance specific to the Regulatory Program will be provided at a later date. In the meantime, the Regulatory Program is taking steps to fully comply with the requirements of EOs 12898 and 14008 regarding engagement of communities who have been historically underserved. The Regulatory Program is following General Spellmon’s August 2021 Memorandum for Division, District, and Center Commanders on Environmental Justice, which directs that for every permit action, USACE must identify minority and low-income (and other historically marginalized and overburdened) populations, ensure fair treatment, and provide opportunities for meaningful involvement in activities that would affect them. The Regulatory CoP is also preparing to implement the Administration’s [Permitting Action Plan](#), which requires the Regulatory program to “engage in early and meaningful outreach and communication with States, Tribal Nations, Territories, and Local Communities” and “ensure that the public has a meaningful opportunity to participate in decision-making.” The Permitting Action Plan also requires agencies to “conduct proactive outreach to diverse community members.” Thus, districts should include Regulatory in EJ working groups or other initiatives to ensure coordinated outreach to communities and to facilitate sharing of public engagement best practices and resources.

Collaboration and Public Participation Center of Expertise

The HQ *Interim Environmental Justice Strategic Plan* tasks CPCX to support the districts in the development of the district EJ Strategic Plan, especially the outreach strategy. This guide and associated EJ annotated USACE Communication Plan Workbook (described further in Section 2) will assist with this

effort. CPCX is also hosting an associated webinar training series and oversees the Collaboration and Public Participation CoP EJ Workgroup. CPCX EJ outreach materials may be found in the Collaboration and Public Participation CoP EJ Outreach [folder](#).

1.1.2 Achieve Objectives of the HQ EJ Strategic Plan

The USACE Interim Environmental Justice Strategic Plan outlines seven key objectives shown below. These objectives support the March 2022 ASA(CW) Memo that directs USACE to focus EJ activities in three broad areas: 1) Proactively ensure that all communities are aware of and can access USACE programs so that disproportionately affected communities are able and invited to request USACE services; 2) Ensure that underserved communities are proactively engaged in specific projects and can participate in project planning and design; and 3) Ensure that underserved communities are not disproportionately affected by USACE projects and operations. This guide helps districts build a foundation that will enable them to achieve these seven objectives:

USACE Interim Environmental Justice Strategic Plan Objectives

- ❑ *Improving the timing and quality of outreach* to local communities and access to USACE Civil Works information and resources;
- ❑ *Forming strong partnerships* within and outside of the government to strengthen underserved and disadvantaged community participation in USACE programs and activities;
- ❑ *Developing and optimizing USACE resources* to broaden internal expertise through the continual refinement and application of tools, training, and products centered on environmental justice;
- ❑ *Strengthening Tribal relationships* by taking advantage of opportunities to listen and increase effective communication while enhancing USACE’s ability to understand and respond to Tribal water resources needs;
- ❑ *Improving awareness, access, and participation for USACE Civil Works technical assistance programs* while maximizing assistance that benefits underserved and disadvantaged communities;
- ❑ *Forming effective partnerships, early engagement, and ensuring comprehensive analysis* of a full range of benefits for USACE studies and programs; and,
- ❑ *Developing whole of government solutions*, where possible, for all aspects and phases of USACE Civil Works programs, from study development to construction and operation of projects.

1.1.3 Achieve EJ Scorecard Metrics

In EO 14008, the Biden-Harris Administration prioritized and advanced environmental justice in historic ways, including by embracing a definition of environmental justice that directs agencies to (1) address the disproportionately high and adverse health, environmental, climate-related, and cumulative burdens on disadvantaged communities, as well as the accompanying economic challenges of such impacts, and (2) deliver the benefits of their investments to disadvantaged communities, such as through the

Justice40 Initiative. The Environmental Justice Scorecard² provides a baseline assessment of the Federal government’s progress and accomplishments on environmental justice in response to Executive Order 14008. At present, metrics include the number of employees working on EJ, internal staff trainings on EJ, project modifications to account for EJ, and number of public processes and partnerships to advance EJ. Actions implemented as a part of the district EJ strategic plan can be reported in this scorecard through the annual USACE HQ data call.

2 District Environmental Justice Strategic Plan Components

The 16 December 2022 memo on the *Implementation of the Interim Environmental Justice Strategic Plan* requires districts to write or update environmental justice strategic plans. The memo states that these plans should focus on 1) building internal and external capacity; 2) structuring the office for success; 3) assessing current relationships and capabilities; and 4) preparing for, and conducting, inclusive outreach and engagement approaches. This guide provides *recommended* content for each of these areas for districts to consider as they develop their plan, as outlined in figure 2.1. Part 5 of this guide contains a template that districts can use to start building their plans.



Figure 2-1: Recommended outline for district environmental justice strategic plan.

² This and other materials are available in the Collaboration and Public Participation CoP EJ Outreach [folder](#).

2.1 Building Internal and External Capacity

To achieve the seven objectives of the USACE Interim Environmental Justice Strategic Plan, districts will need to involve all levels of the organization, build internal capacity to engage with communities, and build capacity of communities to engage with USACE.

2.1.1 Leadership Support and Reporting

A successful environmental justice strategic plan must receive strong support from the district commander and leadership team through investments of staff time, resources, and leadership attention. A district environmental justice strategic plan with associated milestones provides an opportunity for district leaders to make EJ a high-profile initiative. Consider making EJ strategy briefings part of Corporate Board and/or Project Review Board meetings, and include updates at senior staff meetings, regional staff meetings, and/or regional governance meetings. The district EJ Coordinator should be involved in Project Review Board and similar meetings to brief progress and receive advance notice of upcoming projects and opportunities. The district's EJ strategic plan should include milestones for tracking success and mechanisms for reporting EJ activities to leadership.

2.1.2 Districtwide Capacity

A district EJ strategic plan should include opportunities to increase the awareness, skills, and abilities of district employees regarding environmental justice. Some ways to do this include the following:

- Assess the existing knowledge, skills, and abilities of staff within the district. This can be used for capacity-building, but it can also be used to assist in developing effective outreach strategies and activities.
 - Who in the district has education and/or experience with environmental justice, even if they haven't worked in this field recently?
 - Are there people in the district with education and/or experience in increasing accessibility to previously excluded persons?
 - Who has experience or training in diversity, equity, inclusion, and accessibility (DEIA)?
 - What are the languages fluently spoken by district staff, and are multi-lingual staff willing/able to provide translation services?
 - Is district staff cross trained on USACE authorities and programs to be able to describe the range of potential assistance that can be offered?
- Determine what knowledge, skills and abilities related to environmental justice are needed for staff in different departments/functions of the district.
- Identify staff resources within the MSC to help augment capacity.
- Recruit and retain staff of diverse backgrounds.
 - Reach out to schools in communities who have been historically underrepresented in federal offices; review the Memorandum of Understanding with the American Indian Science and Engineering Society that provides Native American students with formal access to Army science, technology, engineering, and math job and educational opportunities.
- Consider including EJ criteria in employee performance plans. For example, for positions with public involvement responsibility, include criteria that measure the involvement of diverse communities. For positions with project management responsibility, include criteria

that evaluate the implementation of EJ in project planning through tools such as EJ-informed communication plans and public outreach efforts.

As district staff are tapped to work on EJ initiatives, ensure that workload is properly balanced. Employees of color and employees from diverse cultural backgrounds are often asked to take on additional duties to support diversity and equity initiatives. Ensure that workload is distributed so that staff working on EJ efforts are not overburdened.

2.1.3 Training

There are a wide variety of training opportunities that would enhance staff capacity to engage with communities who have been historically underserved or underrepresented. These include trainings on multicultural competency; communication with specific populations; social justice and equity; DEIA; and tools related to these topics. District leadership should assess which types of trainings are most beneficial for the district. A list of potential trainings is included in the resources list at the end of this guide. The district EJ strategic plan should include a training plan with desired courses, number of staff, and approximate cost.

2.1.4 Building External Capacity

Environmental justice communities may have limited capacity to engage with USACE. While districts have limited ways to build this capacity, the [Council on Environmental Quality's EJ program](#) is helping local organizations build capacity of communities to access federal programs. Establish relationships and coordinate with institutions that serve communities that have historically been underserved or underrepresented, particularly at the regional and state levels. Partner agencies and organizations can provide communities with information about USACE programs. It may be appropriate to provide these organizations with basic training about USACE (and potentially other federal) resources and programs. Partner organizations can then facilitate communities' engagement with, or access to, these programs. Silver Jackets teams are a good forum in which to connect with such organizations and coordinate capacity building efforts. These relationships will also assist the district in developing and implementing the EJ outreach strategy (see section 2.3). Existing relationships with other federal and state agency partners, among others, including through Silver Jackets teams, should be leveraged to align and coordinate to avoid overburdening these communities. Coordinating capacity building efforts also facilitates whole-of-government solutions; where USACE assistance might end, another agency might provide additional parts of the solution. Guides to help communities access USACE programs are listed in section 4.3. The district EJ strategic plan should identify whether priority communities (see Section 2.3.2) have capacity limitations and what might be done to build capacity and partner with other agencies to meet their needs.

2.2 Structure the Office for Success

2.2.1 Environmental Justice Coordinator

The 16 December 2022 memo calls for each district to designate and maintain a single point of contact that will be responsible for managing the district environmental justice strategic plan and vertical coordination with the division and USACE Headquarters. The district EJ strategic plan should name the EJ Coordinator, list key duties, and the approximate FTE workload of the position. The EJ Coordinator could have roles and responsibilities that may include:

- Oversee the development, maintenance, and implementation of the environmental justice strategic plan.
- Ensure that the requirements of environmental justice policy, guidance, or standard operating procedures are communicated at all necessary management levels and that the requirements are reflected in relevant programs.
- Ensure that personnel involved in the decision-making processes and/or the implementation of initiatives, programs, and activities are aware of environmental justice responsibilities and receive appropriate environmental justice training.
- Establish and manage a district EJ working group where key points of contacts from different programs coordinate the implementation of environmental justice policy.
- Report on practices and accomplishments in ensuring compliance with relevant environmental justice guidance and policies. This includes reporting for the EJ Scorecard, providing information describing how the seven objectives of the USACE Environmental Justice Strategic Plan are being met; identification of new and innovative approaches, methods, or examples of successful environmental justice; and providing input to HQ on additional guidance or resources needed.
- Work with Division and HQ EJ Program Managers and EJ Coordinators in other districts to provide input on trainings, resources needed, best practices, and other efforts to build the agency EJ program. Share strategies and lessons learned with other EJ Coordinators.

2.2.2 District Environmental Justice Working Group

A district EJ working group provides a forum for coordinating the development and implementation of the district EJ strategic plan. All divisions and branches are responsible for implementing environmental justice policy, but Project Management and Planning divisions will play key roles in this effort. The Planning Division is responsible for evaluating environmental justice effects as part of the NEPA process, ensuring that comprehensive benefits are considered in planning studies, and planning staff often lead public involvement in the planning process. Managers of programs such as Flood Plain Management Services, Silver Jackets, Planning Assistance to States, Tribal Partnership Program, and Continuing Authorities Program have key roles in implementing EJ outreach. The EJ working group will likely include the following members:

- Planners, archaeologists, sociologists, social scientists, and economists;
- District PAS, FPMS, and Silver Jackets program managers and coordinators;
- Public Involvement Specialists and/or outreach coordinators;
- Tribal liaisons;
- Emergency managers and Emergency Management local government liaisons;
- Public Affairs officers;
- Regulatory points of contact.
- DEIA specialists.

The district EJ strategic plan should include a list of EJ working group members and a list of responsibilities.

2.3 Outreach Strategy: Prepare and Conduct Inclusive Outreach and Engagement

The district's EJ strategic plan shall include an outreach strategy that describes how the district will improve its outreach to communities who have been historically underrepresented or underserved. Communication plans will be updated or developed to provide details on how this outreach will be conducted. The EJ strategic plan, outreach strategy, and communication plans are nested products as shown in Figure 2.2. The outreach strategy should start with an evaluation of the district's current relationships and outreach efforts and then proceed to identify additional communities in which relationships should be established, along with a relationship management process. The outreach strategy should describe the outreach focus, whether by community, program and/or project, and identify which communication plans (oriented to the outreach focus) will be updated or created based on the needs and capabilities of the district. Because PAS, FPMS, and TPP are identified as priority action areas for environmental justice in the March 2022 ASA(CW) Memo, they should be included in the outreach focus areas as mechanisms for maximizing technical assistance that benefits underserved communities. CPCX has created an EJ annotated workbook version of the USACE Communication Planning Template to assist districts in developing communication plans. These communication plans can be referenced and hyperlinked to the outreach strategy as they are updated and completed. As the communication plans are implemented, the outreach strategy will be updated to reflect this progress.

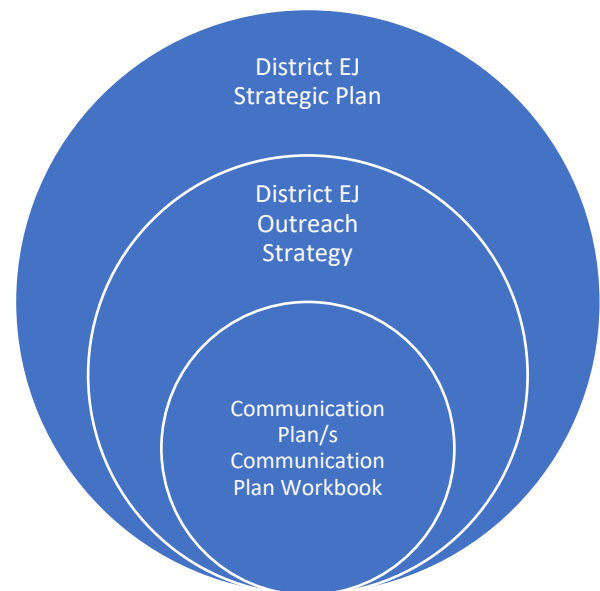


Figure 2-2: The environmental justice strategic plan, outreach strategy, and communication plan/s are nested products.

The outreach strategy should be coordinated with agency and local partners; it can even be developed jointly, especially with other federal partners. Coordination should also occur periodically, especially if the strategic plan is undergoing revision. Some partners may have existing relationships, projects, or activities that the district can participate in or leverage. Another advantage of partnering with other federal agencies is to coordinate and streamline community engagements. Local partners should also be consulted during plan development, as they have knowledge that can inform the district's outreach approaches and may be able to facilitate engagements with communities hesitant to meet with the federal government. The district should coordinate its outreach internally across programs, and externally by agency mission, striving to achieve a whole-of government approach that does not overwhelm specific communities.

Coordination should also occur periodically, especially if the strategic plan is undergoing revision. Some partners may have existing relationships, projects, or activities that the district can participate in or leverage. Another advantage of partnering with other federal agencies is to coordinate and streamline community engagements. Local partners should also be consulted during plan development, as they have knowledge that can inform the district's outreach approaches and may be able to facilitate engagements with communities hesitant to meet with the federal government. The district should coordinate its outreach internally across programs, and externally by agency mission, striving to achieve a whole-of government approach that does not overwhelm specific communities.

2.3.1 Assess Current Relationships and Capabilities

As the district prepares its outreach strategy, a first step is to evaluate current relationships across the district. Who in the district is talking to whom outside the district? A spreadsheet can be used to identify present engagements with communities who have been historically underrepresented or underserved. Prior relationships should also be included. Next, assess the status of relationships. Are they strained,

strong, neutral? Where are opportunities to mend past rifts? A district may already have a relationship management tracking system that can be revisited and updated for these discussions.

Districts also likely have a variety of existing communication plans, such as dam or levee safety communication plans, tribal engagement plans, project/study-specific communication plans, etc. These plans should be reviewed and considered for possible updates and inclusion in the outreach strategy. The district EJ strategic plan should include a list of current relationships and communication plans that are pertinent to environmental justice.

2.3.2 Identify New & Priority Relationships

After identifying current relationships, the district can assess which communities need additional outreach efforts. Communities with environmental justice concerns can be tentatively identified using GIS-based screening tools such as the following:

- [EJScreen \(epa.gov\)](https://www.epa.gov/ej/ejscreen)
- [The Social Vulnerability Index \(SVI\): Interactive Map | CDC](https://www.cdc.gov/socialandenvironmental/populationsandcommunities/assessingvulnerability/index.html)
- [Climate and Economic Justice Screening Tool v.1.0](https://www.epa.gov/ej/climate-economic-justice-screening-tool)
- [Environmental Justice Index](https://www.epa.gov/ej/environmental-justice-index)

However, it is not sufficient to rely solely on such tools to identify disadvantaged communities. Additional ways to identify communities include school data on languages spoken by students, state, and county demographic data, and US Census data. It is important to ground truth this information with local knowledge. Other agencies, local governments, and community partners often have valuable insight into which communities have not been adequately engaged and have critical environmental justice concerns. Check with state and local government agencies to see what regional and local assessments may have identified communities with EJ needs. Qualitative documentation such as accounts in project reports, records of public meetings, as well as journalistic reports and academic studies (e.g., sociological or anthropological research) may also be used. Likewise, site visits can be extremely useful for assessing “the lay of the land.” Once disadvantaged communities are identified within the district area of responsibility, create a manageable communication plan (see Section 2.3.4) for the priority communities that will be engaged.

Some states have developed their own diversity, vulnerability, and/or environmental justice analyses and tools. Some examples include: the Oregon Department of Land and Conservation and Development Climate Change Vulnerability Assessment, California’s CalEnviroScreen Tool, New Jersey’s Environmental Justice Mapping Tool, Maryland’s Environmental Justice Screen Tool, and North Carolina’s Community Mapping System.

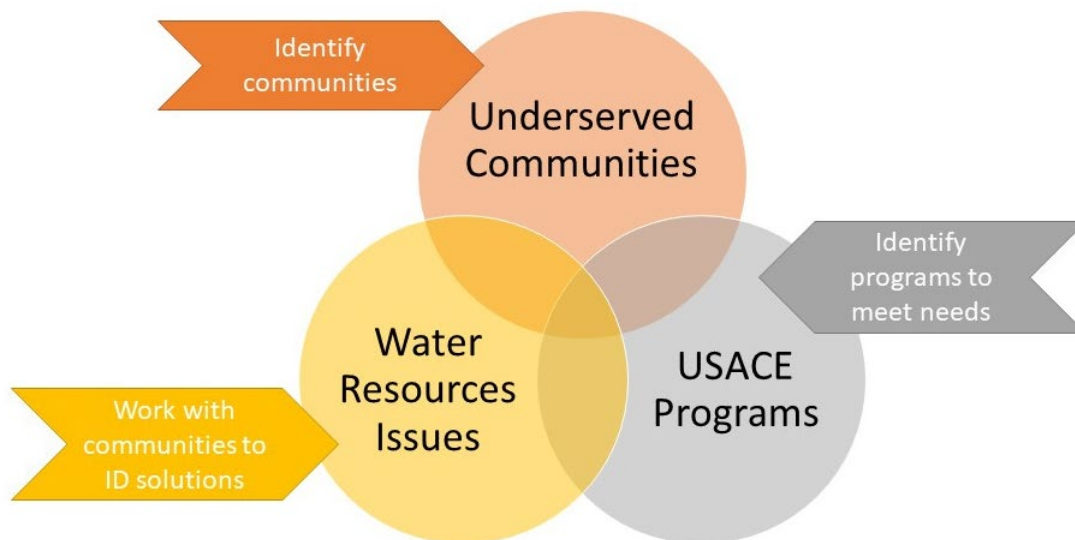


Figure 2-3: USACE EJ opportunities lie where community needs intersect with USACE programs.

USACE opportunities to address environmental justice lie at the intersection of communities that have been historically underserved, their water resources needs, and USACE program capabilities. As districts evaluate communities to engage, they should *prioritize engagements with communities that are most burdened by environmental impacts and may have issues that can be addressed by USACE programs*. A district will not be able to engage every disadvantaged community in the first year. Meaningful, in-depth engagements will be more effective in the long term than brief contacts with dozens of communities. Successful engagements and projects will be the best way to find and interest additional communities in future years. These are intended to be long term strategies, so it is useful to maintain a list of underserved communities while focusing on a realistic subset for near-term outreach. The district EJ strategic plan should include a full list of communities that were identified using the tools and processes described above as well as a shorter list of communities that the district intends to focus on in the near-term.

2.3.3 Establish a Process for Managing Relationships

Community relationship management can borrow several best practices and tools from customer relationship management. Districts often have strong customer relationship management plans and systems that can be used for this purpose. Consider the following:

- Consistency in relationships is key. It is challenging to build relationships when the face and name change frequently. Assign relationship points of contact/managers for key communities and commit to maintaining those connections. A relationship point of contact has regular contact with a given entity regarding the range of activities across which a district is engaging them and acts as “one door to the Corps.” Districts will need to determine which Division, Branch, or program is best suited to establishing or maintaining a relationship, such as whether

it occurs via existing Silver Jacket teams or through Operations where we may need to coordinate water resource management with a tribe or rural locality.

- Deliberately decide on the frequency of contact. Frequent contact can be appropriate to maintain relationships and keep up to date on issues, but it may also overwhelm small communities with limited staff.
- Use a tracking tool to record engagement activities. Establish a shared repository for engagement activities, summaries, and points of contact. Permissions can be established to maintain privacy of information. This information should inform and drive the reporting/information shared with leadership. Some systems that districts currently use for relationship management or outreach tracking include:
 - SharePoint
 - REDi Engagement Portal
 - Fiscal Note
 - Quorum
 - Salesforce
 - Excel Spreadsheet
 - ORM (Regulatory Database)
- The EJ Coordinator and the EJ working group should be heavily involved in the relationship management process to ensure actions are consistent, coordinated, and intentional. The EJ working group may have monthly meetings to discuss ongoing engagements and relationship management.

The district EJ strategic plan should identify points of contact for prioritized communities or relationships and describe what method/s will be used to track and manage outreach efforts.

2.3.4 Develop & Implement Communication Plans to Engage Communities

Once relationships have been prioritized, districts can follow the USACE Communication Plan steps to develop a plan for engaging these communities. CPCX created an EJ-Annotated USACE Communication Plan [workbook](#) to assist with this effort. The workbook can be used to create new communication plans or update existing plans. This section of the outreach strategy should begin with a list of communication plans that will be updated or developed. The district can then proceed to build these plans that will, over time, be linked to from the outreach strategy. The 16 December 2022 USACE memo requires the district EJ strategic plan to be updated every three years. Communication plans will be updated as a part of this process unless updated earlier due to project timelines.

The EJ-Annotated USACE Communication Plan workbook integrates the USACE communication planning steps with best practices on engaging communities who have been historically underserved. Through completing exercises and answering prompts, districts can create a detailed plan for when, how, and by whom, these communities will be engaged. Districts may have different goals and strategies for engaging different communities, as their history with USACE, their needs, and district capacity to support them will vary by community. Districts might decide to build separate communication plans for unique communities or one communication plan for multiple communities. Districts might also, or instead, use the workbook to update existing program and project communication plans (especially PAS, FPMS, or TPP) when the community falls within the scope of that plan. For example, Jacksonville District might have a communication plan for a specific tribe while Huntington District might have one

communication plan for the rural communities of Appalachia. Alternatively, either district might update a project (dam), or program (FPMS), communication plan to include outreach to additional communities. The EJ-Annotated Communication Plan workbook is designed to be scalable for a range of contexts and available resources. A small project may briefly touch on each step, while a complex megastudy or tribal relationship may require the full workbook to be completed. The EJ-related content is highlighted with color and symbols so that these considerations can more easily be added to existing plans.

2.4 Effective and Meaningful Engagement

To be truly effective, community engagement must make a meaningful difference in USACE projects and programs. As the district conducts outreach, document community suggestions and concerns and record how these influence the project plan and design. Work with the community to collaboratively develop a path towards addressing their needs. This may involve identifying programs in USACE or other organizations that move the community toward their goals. USACE is committed to a “whole of government approach” where we seek to connect communities with agencies and programs that meet their needs if USACE programs are not the right fit. As mentioned in Section 2.1.4, communities may have limited capacity to engage with USACE programs. Identify opportunities and partnerships to build external capacity and help communities succeed in accessing government programs. The EJ-Annotated USACE Communication Plan workbook includes tips and best practices for engaging communities who have been historically underserved.

Some communities may be skeptical about their ability to work with USACE given past obstacles such as low benefit to cost ratio, lack of cost-share funds, lack of sponsor ability to sign a Federal Cost Share Agreement, or other policy barriers. Currently, USACE is implementing the 05 January 2021 ASA(CW) Comprehensive Documentation of Benefits in Decision Document memorandum, which emphasizes a wholistic approach to project evaluation. On specific projects, community concerns can sometimes be addressed by crafting an agreement regarding community needs (e.g., education for resilience) and/or protections for the community (e.g., no displacement). It is crucial to be honest about current requirements while exploring emerging flexibilities.

Finally, be mindful that terms used in federal guidance and policy may be unwelcome, especially deficit-based terms such as “disadvantaged” or “underserved.” Even terms like “diversity” can be perceived differently. This can create a barrier to engagement depending on people’s perceptions and past experiences with “diversity” programs. Instead, focus on the environments where people are, what they have experienced, and what they need. Consider these definitions from EO13985:

“(a) The term “equity” means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.

(b) The term “underserved communities” refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full

opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the preceding definition of “equity.”

Become familiar with language preferences of the communities the district works with (by asking them!) and use their preferred terminology when possible. For a starting point, consider using the phrase “communities that have historically been underserved or underrepresented.”

3 Path Forward

The implementation of environmental justice policy will require ongoing attention, feedback, and adjustments. As our agency deepens its focus on environmental justice, we will enhance our knowledge, skills, and processes. District environmental justice strategic plans, as well as this guide, are living documents to be updated and improved as we learn from our ongoing efforts. At a minimum, the 16 December 2022 USACE memo requires the district EJ strategic plans be updated and approved every three years, but we expect the development of these plans to be iterative, especially in the first few years as the process is better developed and defined. As you write and implement your EJ strategic plans, please note what areas need further detail, what approaches work well in your district, and where we need to develop better guidance and tools. Additionally, reach out to other districts to share approaches, ideas, and lessons learned. As a collaborative learning organization, USACE is committed to receiving and incorporating feedback from communities, stakeholders, and field staff so that we can develop better systems and processes and deliver water resources solutions to all citizens of the nation.

4 References and Resources

4.1 References

- a. [HQ Planning and Policy Division Memo, Interim Environmental Justice Guidance for Civil Works Planning Studies, 13 January 2023](#)
The purpose of this memorandum is to provide guidance for incorporating environmental justice into Civil Works planning studies. It includes a requirement for communication plans to be in PMPs and include a stakeholder engagement strategy that explains how USACE “will provide stakeholders, including underserved and disadvantaged communities,” with information and integrate their input into the planning process.
- a. [Major General William H. Graham Memo, Implementation of the Interim Environmental Justice Strategic Plan, 16 December, 2022](#)
This memorandum transmits the USACE Interim Environmental Justice Strategic Plan for immediate implementation across the Civil Works enterprise, as called for in the 15 March 2022 ASA(CW) memo. Additionally, this memo requires the designation of district and MSC environmental justice coordinators and the development of district environmental justice strategic plans.
- b. [Assistant Secretary of the Army \(Civil Works\) \(ASA\(CW\)\) Memo, Implementation of Environmental Justice and the Justice40 Initiative, 15 March, 2022](#)
This memorandum provides interim guidance and direction to the U.S. Army Corps of Engineers (USACE) Civil Works programs related to the implementation of environmental justice and the

Justice40 Initiative. This memorandum applies to all Civil Works programs and missions, other than the Regulatory Program.

- c. [Interim USACE Environmental Justice Strategic Plan, 19 December 2022.](#)

The USACE vision to meet the charge of the ACA(CW)'s March 15 Memo.

- d. [Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 11 February 1994](#)

This EO directs federal agencies to:

- identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations, to the greatest extent practicable and permitted by law.
- develop a strategy for implementing environmental justice.
- promote nondiscrimination in federal programs that affect human health and the environment, as well as provide minority and low-income communities access to public information and public participation.

- e. [Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, 20 January 2021](#)

This EO mandates all federal agencies ensure their missions advance racial equity and support for underserved communities.

- f. [Executive Order 13990, Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, 20 January 2021](#)

This EO directs Federal agencies to immediately review and take action to address the promulgation of Federal regulations and other actions during the last four years that conflict with these important national objectives and to immediately commence work to confront the climate crisis.

- g. [Executive Order 14008, Tackling the Climate Crisis at Home and Abroad, 27 January 2021](#)

This EO places the climate crisis at the forefront of foreign policy and national security planning. It directs agencies to address the disproportionately adverse health, environmental, climate-related, and cumulative burdens on disadvantaged communities, as well as the accompanying economic challenges of such impacts, and deliver the benefits of their investments to disadvantaged communities such as through the Justice40 Initiative.

- h. [Office of Management and Budget Memorandum M-21-28, Interim Implementation Guidance for the Justice40 Initiative, 20 July 2021](#)

The Interim Implementation Guidance for the Justice40 provides the initial recommendations pursuant to section 223 of EO 14008 and supports the Administration's comprehensive approach to advancing equity for all in line with Executive Order 13985

- i. [Comprehensive Documentation of Benefits in Decision Document, 5 January 2021, issued by the Assistant Secretary of the Army \(Civil Works\).](#)

The ASA(CW) 5 January 2021 "Comprehensive Documentation of Benefits in Decision Document" policy directive seeks to ensure that USACE has carefully evaluated, calculated, and documented the totality of a proposed project's benefits and impacts to support USACE recommendations for potential future investments in water resources projects. The policy directive requires evaluation and consideration of a proposed project's benefits across social, environmental, and economic categories.

- j. [Federal Agencies Guidance on recognizing and including Indigenous Knowledge in Federal research, policy, and decision making.](#)

The Biden-Harris Administration has formally recognized Indigenous Knowledge as one of the many important bodies of knowledge that contributes to the scientific, technical, social, and economic advancements of the United States and our collective understanding of the natural world.

- k. [Indian Self-Determination and Education Assistance Act, as amended \(25 U.S. Code Chapter 46\)](#)
This act declares that Congress recognizes a Federal obligation to be responsive to the principle of self-determination through Indian involvement, participation, and direction of educational and service programs.

- l. [Water Resources Development Act \(WRDA\) of 2020, 27 December 2020 \(Section 160\)](#)
Section 160 WRDA2020 requires a definition for the term “economically disadvantaged community.”

- m. [Administration’s Permitting Action Plan](#)

The Biden-Harris Permitting Action Plan To Rebuild America’s Infrastructure, Accelerate The Clean Energy Transition, Revitalize Communities, And Create Jobs requires an Action Plan to strengthen and accelerate Federal permitting and environmental reviews. It states that Federal environmental review and permitting processes will be shaped by early and meaningful public input – particularly from disadvantaged communities – and through partnership with State, territorial, and local governments and in consultation with Tribal Nations to deliver results for all Americans.

- n. [Memorandum of Understanding](#) with the American Indian Science and Engineering Society (AISES). The U.S. Army Corps of Engineers and the American Indian Science and Engineering Society signed a partnership agreement that provides Native American students with formal access to Army Science, Technology, Engineering and Math job and educational opportunities.

- o. [EPA Resources for Created Healthy, Sustainable, and Equitable Communities](#)

- p. CPCX white paper: [When a Webinar isn’t Sufficient: How to Minimize the Digital Divide in Stakeholder Engagements](#) (February 2022); and corresponding [Best Practices for Virtual Engagement Report](#).

- q. [Economic Guidance Memorandum 23-02: Cost Sharing for Territories and Tribal Nations](#)

Updates the cost sharing waiver specified in Section 1156 of WRDA 1986

- r. [Economic Guidance Memorandum 23-04: Tribal Ability to Pay](#)

Provides the general guideline for determining Tribal partners’ ability to pay, a walkthrough of finding the data for and determining a Tribal partner’s ability to pay, and the procedure for figuring the reduced cost share amount.

- s. ASA(CW) Memorandum for the Commanding General dated November 30, 2022
Authorizes Non-traditional Water Resources Development Projects

4.2 Trainings

- a. Trainings provided or arranged by the EJ Coordinator
- b. Some graduate programs that offer certificates in environmental justice:
 - a. [University of Colorado--Boulder](#)
 - b. [University of Michigan School for Environment and Sustainability](#)
 - c. [University of Wisconsin—Platteville](#)
 - d. [University of Montana](#)

- c. Engaging Immigrants and Under-Served Communities in Public Engagement <https://iap2usa.org/event-4913427>
- d. Designing for Diversity: Engaging Underrepresented Stakeholders <http://carrollfranck.com/teaching-training/course-designing-for-diversity>
- e. Natural Hazards Center, University of Colorado Boulder: Risk Communication for Socially Vulnerable Communities <https://hazards.colorado.edu/research/risk-communication-and-social-vulnerability-course>
- f. Transforming Community Spaces Through Equitable Collaboration https://emu.edu/spi/docs/PAX691_TransformingCommunitySpaces_Dukes_Nurse.pdf
- g. Equity in Water <https://reciprocityconsulting.com/services/>
- h. Stakeholder Mapping: Identifying and Analyzing Underrepresented Stakeholders - <https://iap2usa.org/event-4718189>
- i. Participation Across Differences <https://www.iap2usa.org/event-4902854>

4.3 Community Guides

USACE leadership recognizes that there are barriers and challenges for communities to access USACE programs. A variety of materials have been developed or are being developed to help districts build awareness of USACE programs, explain how communities can access these programs, and support communities in navigating programs.

[Tribal Partnership Program](#) guidance: This new guidance directs that the TPP shall be implemented more broadly to include projects that are not typically considered water resources development projects. It also directs that consideration of the breadth of environmental, social, and economic benefits provided will be considered in project development, including those identified by Tribal Nations to deliver projects that substantially benefit Tribal Nations. The guidance also provides that the USACE will use Tribal expertise and Indigenous Knowledge to the maximum extent.

[Partnering with the U.S. Army Corps of Engineers: A Guide for Communities, Local Governments, States, Tribes, and Non-Governmental Organizations](#): This guide provides a general introduction to the programs and processes available for non-Federal partners and U.S. Army Corps of Engineers (USACE) representatives to work together to address the Nation's water resources problems. The Guide includes an overview of the USACE Civil Works Program and describes how USACE can work with local, State, Tribal, and Federal agencies and other non-Federal partners on activities ranging from technical services and advice to planning and constructing water resources projects. The goal of this document is to outline the key processes and paths to engagement with USACE.

5 District Environmental Justice Strategic Plan Template

This template is optional and scalable. Section titles and content should be modified to fit the district's needs.

District Environmental Justice Objectives

Develop specific and measurable district EJ objectives for the next year (or three years) related to the seven USACE EJ Strategic Plan objectives and/or the metrics of the EJ Scorecard.

District Organization Contributions to Environmental Justice

Each organization (not limited to the following) should add a paragraph on how they can contribute to the district's EJ efforts.

Public Affairs

Planning

Planning Assistance to States

Floodplain Management Services

Continuing Authorities Program (CAP)

Regulatory

Tribal Partnership

Engineering and Construction

Building Internal and External Capacity

EJ Reporting

Include a process for reporting EJ activities to district leadership; EJ milestones; mechanisms to track EJ strategic plan efforts and achievement of objectives.

Districtwide Capacity

Include activities to increase the awareness, skills, and abilities of district employees regarding environmental justice.

Training

Prepare an EJ training plan that includes desired courses, number of staff that will attend, and approximate cost.

Building External Capacity

Identify whether prioritized communities have capacity limitations and what might be done to build capacity and partner with other agencies to meet their needs.

Structure the Office for Success

Environmental Justice Coordinator

List name, organization, key duties, and the approximate FTE workload of the position.

District Environmental Justice Working Group

List members, responsibilities; link to group charter.

Outreach Strategy: Prepare and Conduct Inclusive Outreach and Engagement

Start with an evaluation of the district's current relationships and outreach efforts and then proceed to identify additional communities in which relationships should be established, along with a relationship management process.

Assess Current Relationships

List current relationships and communication plans that are pertinent to environmental justice.

Identify New & Priority Relationships

Include a full list of disadvantaged communities as well as a shorter list of communities with whom the district will prioritize engagement in the near-term (one-three years).

Establish a Process for Managing Relationships

List points of contact for each community or relationship and describe what method/s will be used to track and manage outreach efforts.

Develop & Implement Communication Plans

Describe the outreach focus, whether by community, program and/or project, and identify which communication plans (oriented to the outreach focus) will be updated or created based. Link to these plans as they are completed using the EJ Annotated USACE Communication Plan Workbook. Update the outreach strategy as communication plans are implemented. Include PAS, FPMS, and TPP in the outreach focus areas as mechanisms for maximizing technical assistance that benefits underserved communities.