

Strategic Planning to Advance Environmental Justice

Under Executive Order 14096, *Revitalizing Our Nation's Commitment to
Environmental Justice for All*



White House Council on Environmental Quality

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I. INTRODUCTION

Executive Order (EO) 14096 on *Revitalizing Our Nation’s Commitment to Environmental Justice for All* advances the Federal government’s efforts to deliver real, measurable progress on environmental justice.¹ EO 14096 charges Federal agencies to exercise leadership and immediately strengthen their efforts to address environmental injustice. The order makes clear that the pursuit of environmental justice is a duty of all executive branch agencies and that agencies should be taking actions now to incorporate this charge into their missions.²

Agency strategic planning under the order will play a key role in fulfilling EO 14096’s mandate of revitalizing the commitment of all Federal agencies to advance environmental justice. EO 14096 directs all Federal agencies in the executive branch to develop Environmental Justice Strategic Plans that are tied to specific performance and accountability measures outlined in Section 4 of EO 14096.³ As such, Environmental Justice Strategic Plans are vital to pursuing a whole-of-government approach to environmental justice. This *Strategic Planning to Advance Environmental Justice* template seeks to catalyze a new era of transparency, consistency, and accountability for environmental justice by providing Federal agencies with a template for the Environmental Justice Strategic Plans to be created under EO 14096, Section 4.

Environmental Justice Strategic Plans are due to be submitted to the Chair of the Council on Environmental Quality (CEQ) and made available to the public online no later than 18 months after the signing of EO 14096 and every 4 years thereafter.⁴ Two years after publishing an Environmental Justice Strategic Plan, each agency must also publish an Environmental Justice Assessment that evaluates the effectiveness of that strategic plan, including the agency’s progress in implementing the plan, barriers to implementation, and steps to address those barriers. In addition, EO 14096 directs that the Environmental Justice Scorecard “address agency progress toward achieving the goals outlined in this

¹ EO 14096, *Revitalizing Our Nation’s Commitment to Environmental Justice for All*, 88 Fed. Reg. 25251 (April 21, 2023), <https://www.federalregister.gov/documents/2023/04/26/2023-08955/revitalizing-our-nations-commitment-to-environmental-justice-for-all>. As defined in Section 2(b), “‘Environmental justice’ means the just treatment and meaningful involvement of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability, in agency decision-making and other Federal activities that affect human health and the environment so that people: (i) are fully protected from disproportionate and adverse human health and environmental effects (including risks) and hazards, including those related to climate change, the cumulative impacts of environmental and other burdens, and the legacy of racism or other structural or systemic barriers; and (ii) have equitable access to a healthy, sustainable, and resilient environment in which to live, play, work, learn, grow, worship, and engage in cultural and subsistence practices.”

² The White House, *Fact Sheet: President Biden Signs Executive Order to Revitalize Our Nation’s Commitment to Environmental Justice for All* (April 21, 2023), <https://www.whitehouse.gov/briefing-room/statements-releases/2023/04/21/fact-sheet-president-biden-signs-executive-order-to-revitalize-our-nations-commitment-to-environmental-justice-for-all/>.

³ As set forth in Section 2(a) of EO 14096, the order applies directly to all Federal executive branch agencies, including departments, “as defined by 5 U.S.C. 105, excluding the Government Accountability Office and independent regulatory agencies, as defined in 44 U.S.C. 3502(5).” Section 4(h) states that “[i]ndependent regulatory agencies are strongly encouraged to comply with the provisions of this order and to provide a notice to the Chair of CEQ of their intention to do so.”

⁴ EO 14096, Section 4(a).

order and shall include, among other items, a section on agencies' Environmental Justice Strategic Plans and Environmental Justice Assessments.”⁵

With the goal of following the recommendations of the U.S. Government Accountability Office, this *Strategic Planning to Advance Environmental Justice* template provides agencies with a concrete roadmap that includes specific performance measures for meeting the charges of EO 14096.⁶ This template was developed by CEQ, in consultation with the White House Environmental Justice Interagency Council (IAC), and serves as interim guidance pursuant to EO 14096, Section 9. This template builds on the recommendations of the White House Environmental Justice Advisory Council (WHEJAC), which recognized the importance of strategic planning.⁷

This *Strategic Planning to Advance Environmental Justice* template is organized as follows. Section II.A describes the sections of an Environmental Justice Strategic Plan, which are: introductory message by agency head; executive summary of the environmental justice strategic plan; agency environmental justice vision statement; overall approach to advancing agency environmental justice; approximately three to five chapters organized by goals, with nested objectives, priority actions, and metrics; and a description of steps taken to ensure opportunities for meaningful engagement, public participation, and Tribal consultation, as appropriate, in the development of the plan. Section II.B suggests other considerations that an agency can take in ensuring that its Environmental Justice Strategic Plan is successful and harmonized with other planning obligations. The template concludes with an appendix that contains recommended planning questions linked with the charges of EO 14096.⁸

II. TEMPLATE FOR ENVIRONMENTAL JUSTICE STRATEGIC PLAN

A. Sections of the Environmental Justice Strategic Plan

Section 4(b) of EO 14096 states in part that each Environmental Justice Strategic Plan shall “set forth the agency’s vision, goals, priority actions, and metrics to address and advance environmental justice and to fulfill the directives of this order.” This template uses the terms in EO 14096, Section 4 in a way that seeks to align the Environmental Justice Strategic Plans with other planning obligations that agencies

⁵ The Environmental Justice Scorecard, <https://ejscorecard.geoplatform.gov/scorecard/>.

⁶ Agencies are encouraged to consult valuable government planning resources from recent reports. See, e.g., U.S. Government Accountability Office, *Environmental Justice: Federal Efforts Need Better Planning, Coordination, and Methods to Assess Progress*, GAO-19-543 (Sept. 16, 2019), <https://www.gao.gov/products/gao-19-543>; see also U.S. Government Accountability Office, *Evidence-Based Policymaking: Practices to Help Manage and Assess the Results of Federal Efforts*, GAO-23-105460 (July 12, 2023), <https://www.gao.gov/products/gao-23-105460>.

⁷ The WHEJAC recommended that agencies publish detailed strategic plans on a regular, frequent basis, and also that they undertake regular assessments of those efforts. See White House Environmental Justice Advisory Council, *Final Recommendations: Justice40, Climate and Economic Justice Screening Tool & Executive Order 12898 Revisions*, at 84-87 (May 2021), <https://www.epa.gov/sites/default/files/2021-05/documents/whiteh2.pdf>.

⁸ Note: This template is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

have under certain statutes⁹ and executive orders.¹⁰ In developing its Environmental Justice Strategic Plan, an agency may incorporate pre-existing content from another strategic plan. This approach seeks to help an agency expand and update any existing environmental justice strategic planning efforts, while also reducing redundancy and streamlining reporting obligations, as directed by EO 14096, Section 9. By promoting harmonization, this template also seeks to encourage each agency to integrate core environmental justice goals into its other strategic planning processes, including its overall agency-wide strategic plan.¹¹

An agency's Environmental Justice Strategic Plan should be as concise as possible and in plain language to facilitate accessibility.¹² The suggested length for an Environmental Justice Strategic Plan is between 5 to 30 pages, depending on an agency's mission and scope of work. The agency is encouraged to include bullets, charts, graphics, and other visuals in its plan, if doing so will enhance understanding and steps are taken to ensure accessibility.¹³ It also may be useful for the agency to use a logic model, which is a conceptual tool for planning, monitoring, and evaluation.¹⁴ A logic model may also assist the agency in visually presenting explanations of its plan. For consistency across agencies, each plan should have a cover page or header that clearly states that it is the agency's Environmental Justice Strategic Plan pursuant to EO 14096; this need not be considered as part of the overall page length.

An agency should implement and interpret the instructions in this template in a manner that is appropriate to its mission and planning process. These guidelines are intended to be helpful in advancing the Federal government's goals of consistency, efficiency, and transparency. Agencies are encouraged to make adjustments in the presentation of their plans to advance the goals of alignment and efficiency within their own operations. CEQ will provide a suggested timeframe for submission of drafts for review. An agency may contact CEQ for feedback and advice during the development of its plan.

⁹ For example, under the performance framework created by the Government Performance and Results Act (GPRA), certain agencies publish regular strategic plans and annual updates, tied to budgeting and other planning processes. See U.S. General Services Administration, About Performance.gov, <https://www.performance.gov/about/what-is-performance/>; Pub. L. 103-62: Government Performance and Results Act of 1993, Pub. L. 111-352: GPRA Modernization Act of 2010; see also Office of Management and Budget (OMB), Circular No. A-11, Preparation, Submission, and Execution of the Budget (August 2023), <https://www.whitehouse.gov/wp-content/uploads/2018/06/a11.pdf> (hereinafter, "OMB, Circular A-11"). The terms goals, objectives, priority actions, and metrics used in this template are relatively analogous to the terms strategic goals, strategic objectives, performance goals/strategies, and indicators used in Circular A-11. See *id.* at Section 200.24, Section 210.19, Section 230.9, and Section 240.3.

¹⁰ See discussion of Climate Adaptation Plans, Strategic Sustainability Plans, and Equity Actions Plans in Section II.B below.

¹¹ See U.S. General Services Administration, *Performance Framework*, <https://www.performance.gov/about/performance-framework/>.

¹² See Plain Language Action and Information Network (with support from the U.S. General Services Administration), Plainlanguage.gov, <https://www.plainlanguage.gov/>.

¹³ See, e.g., Centers for Disease Control and Prevention, *Health Equity Considerations for Developing Public Health Communications*, https://www.cdc.gov/healthcommunication/Comm_Dev.html.

¹⁴ See OMB, Circular No. A-11 at Section 230.10 on "What is a logic model, and how can this framework tool help agencies coordinate strategic planning, strategies, and evidence?", <https://www.whitehouse.gov/wp-content/uploads/2018/06/a11.pdf>.

Each agency should also ensure that its publicly posted plan is Section 508 compliant.¹⁵ In addition, consistent with EO 14096, Section 3(a)(vii)(C)(i), each agency should ensure that its final Environmental Justice Strategic Plan “provide[s] information . . . in a manner that provides meaningful access to individuals with limited English proficiency and is accessible to individuals with disabilities.”¹⁶

1. Introductory Message by Agency Head

Suggested page length: One paragraph to 1 page

This section should underscore the continued importance of advancing and embedding environmental justice throughout the work of the agency. It should discuss at a high-level the agency’s significant, recent accomplishments and/or preview upcoming activities that advance environmental justice. It can also include any highlights of the agency’s Environmental Justice Strategic Plan.

2. Executive Summary of the Environmental Justice Strategic Plan

Suggested page length: One paragraph to 2 pages

This section should provide a high-level summary of the agency’s Environmental Justice Strategic Plan. In addition to a textual summary, the agency is also encouraged to include a summary table that has components drawn from the sub-sections of Section II.A.5 below: Environmental Justice Goals, Environmental Justice Objectives, Priority Actions, and Metrics (noting whether the metrics have a particular time-frame, or are short-term/mid-term/long-term).

3. Agency Environmental Justice Vision Statement

Suggested page length: One paragraph to 1 page

This section should explain the agency’s vision for advancing environmental justice: What will working toward and achieving environmental justice mean for the agency and for the public during the coming year, during the four-year timeframe of the Environmental Justice Strategic Plan, and for the long-term? How is the agency making, or how will the agency make, “achieving environmental justice part of its mission” as required by EO 14096, Section 3(a)? The agency is encouraged to consider how the agency’s mission under applicable governing statutes includes, connects with, and relates to the EO 14096 vision of environmental justice for all. The agency should consider articulating its vision in a way that cuts across or addresses some or all of the agency’s workstreams. If appropriate, the agency may want to break the vision down into more specific pieces tailored to the parts of the agency that are leading this work, to help the public understand how the agency will follow through on the plan in practice. For an agency that has a long history of doing environmental justice work, it may be valuable to show how the agency’s Environmental Justice Strategic Plan builds on the agency’s historic commitment to environmental justice.

¹⁵ See U.S. General Services Administration, *Section508.gov. Buy. Build. Be Accessible*, <https://www.section508.gov/>; U.S. Department of Justice, *Section 508 Home Page*, <https://www.justice.gov/crt/section-508-home-page-0>.

¹⁶ See also EO 13166, *Improving Access to Services for Persons with Limited English Proficiency*, 65 Fed. Reg. 50121 (Aug. 11, 2000), <https://www.federalregister.gov/documents/2000/08/16/00-20938/improving-access-to-services-for-persons-with-limited-english-proficiency>; Limited English Proficiency, LEP.gov, <https://www.lep.gov/>

4. Overall Approach to Advancing Environmental Justice

Suggested page length: One paragraph to 3 pages

This section should articulate the agency's overall approach to advancing the goal of environmental justice and explain how the agency is demonstrating appropriate leadership to address all applicable charges in EO 14096. It is an opportunity for the agency to briefly highlight activities or planned actions across multiple parts of the agency that may not be otherwise captured in the Environmental Justice Strategic Plan. For example, the agency can include other environmental justice goals, additional key activities, or the inputs, outputs and/or outcomes needed for successful implementation. The agency may also discuss implementation efforts that have already occurred to advance previously set goals. Doing so may help the agency situate its current goals in a larger, historical context. In developing this section, the agency is encouraged to consult the Planning Guide for Fulfilling EO 14096 Charges in the Appendix, which may help the agency understand how to operationalize the various charges applicable to its mission and legal authorities, within and across different agency programs or components.¹⁷

5. Advancing Environmental Justice Through Goal-Setting

Suggested page length: Each goal chapter should be between 1-4 pages. Depending on the number of goals in the plan, the total length of this section could range from 3 pages to 20 pages.

The Environmental Justice Strategic Plan should reflect particular agency highlights, priorities, and areas of focus for the planning period. With that in mind, the agency should identify approximately three to five goals, and include each as its own chapter within the overall Environmental Justice Strategic Plan. For each goal, the agency should identify approximately three to five objectives. For each objective, the agency should identify performance metrics, which, ideally, are quantifiable, and priority actions that can be tracked to help reach the objectives.¹⁸ Where appropriate, an agency may use bulleted lists. In addition, the agency should consider identifying the overall lead office and/or the relevant program responsible for each objective and/or priority action including any public contact, as appropriate. More information about goals, objectives, priority actions, and metrics is included on the following pages. In addition, Section II.B below discusses steps that the agency can take to ensure that the Environmental Justice Strategic Plan is aligned with other agency planning or reporting obligations.

a. Environmental Justice Goals

The agency should identify approximately three to five overall goals to advance environmental justice and implement core policy charges from EO 14096, including those related to EO 14096 Sections 3(a), 4(c), and 5(b). Environmental justice goals should reflect the broad, long-term outcomes the agency aspires to achieve as part of its mission. The agency should clearly describe how each of its goals supports the agency's environmental justice vision, and how each goal will help make that vision real, meaningful, and visible for communities.

The number of goals should depend on the agency's mission, size, and core programs/functions. If appropriate, the agency may break the goals down into more detailed goals for particular agency

¹⁷ See EO 14096, Section 3(a) (chapeau). Depending on the agency, some of the topics listed in the chart may not be applicable.

¹⁸ The agency is encouraged to identify outcome-oriented metrics. If a quantitative metric is not feasible or appropriate, then the agency may use a qualitative indicator.

components (*e.g.*, programs or offices) if doing so will facilitate planning.¹⁹ An agency may wish to offer goals in terms of immediate and long-term implementation (*i.e.*, the four year-period covered by the plan). To harmonize across various obligations, an agency may incorporate already established environmental justice strategic goals that the agency is working toward into its Environmental Justice Strategic Plan.

In reviewing EO 14096 and the planning guide in the Appendix, each agency should assess how each charge may be relevant to the agency's mission and should ensure that the charges inform the agency's planning process. As appropriate, the agency should consider goal-setting that relates to the charges in EO 14096 on meaningful involvement, engagement, and information;²⁰ just treatment, equitable access, and protection from environmental injustice;²¹ work and partnership with non-Federal entities;²² and institutionalizing environmental justice.²³ The goals listed in an agency Environmental Justice Strategic Plan do not need to follow these categories; rather, this categorization merely seeks to provide a logical way of grouping the charges in EO 14096.

b. Environmental Justice Objectives

For each environmental justice goal, the agency should identify approximately three to five objectives that reflect the outcome or impact the agency is trying to achieve. The outcome-oriented objectives should express more specifically the results or direction the agency seeks to achieve in order to make progress on its mission to advance environmental justice. It should be clear which environmental justice goal the agency intends to accomplish or advance as a result of the environmental justice objective. If appropriate, the agency may include more detailed objectives for particular agency components (*e.g.*, program areas or offices) if doing so will facilitate planning.²⁴

c. Priority Actions (or Strategies)

For each environmental justice objective, the agency should identify priority actions that the agency will take to achieve its goals and objectives. The term priority action used in EO 14096 is similar to what agencies have sometimes described in their agency-wide strategic plans as strategies, implementation strategies, performance goals, or other similar terms. Priority actions should align with the agency's overarching vision, goals, and objectives. They should address any identified barriers that might otherwise inhibit the advancement of the agency's environmental justice goals and objectives. Priority actions ideally should be specific, actionable, measurable, and where possible, tied to specific timelines. For example, an agency may wish to highlight priority actions for immediate implementation and long-term implementation, considering that the plan covers a four year-period.

¹⁹ If appropriate and helpful, an agency may identify one goal per key program/function, even if the approach yields more than the recommended three to five goals. As noted earlier, the page lengths and guidelines are recommended to promote consistency, and agencies should use their discretion and judgment in applying them.

²⁰ See, *e.g.*, EO 14096, Sections 2(b), 3(a)(vii), 3(a)(xi), 6(a)-(b).

²¹ See, *e.g.*, *id.* at Sections 2(b), 3(a), 3(a)(i)-(ii), 3(a)(vi), 3(a)(ix)-(x).

²² See, *e.g.*, *id.* at Sections 4(c), 3(a)(v), 3(a)(viii), 3(a)(xii)-(xiv).

²³ See, *e.g.*, *id.* at Sections 2(b), 3(a)(i)-(ii), 3(a)(iii)-(iv), 3(a)(xv)-(xvi), 4(b), 5(a)-(c), 7(a)-(e).

²⁴ If appropriate and helpful, an agency may list more than the suggested three to five objectives. As noted earlier, the page lengths and guidelines are recommended to promote consistency, and agencies should use their discretion and judgment in applying them.

If appropriate, please describe the kinds of Federal activities referenced in the Environmental Justice Strategic Plan, as set forth in EO 14096, Section 2(c):

“Federal activity” means any agency rulemaking, guidance, policy, program, practice, or action that affects or has the potential to affect human health and the environment, including an agency action related to climate change. Federal activities may include agency actions related to: assuring compliance with applicable laws; licensing, permitting, and the reissuance of licenses and permits; awarding, conditioning, or oversight of Federal funds; and managing Federal resources and facilities.

Section 4(c) of EO 14096 also provides examples of specific kinds of activities to consider addressing in Environmental Justice Strategic Plans, such as “regulations, policies, permits, or other means to improve accountability and compliance with any statute the agency administers that affects the health and environment of communities with environmental justice concerns.” Section 4(c) also offers more specific examples of concrete priority actions that are illustrative and should be included as relevant to the agency’s priority actions.

d. Metrics (or Indicators)

For each goal or objective, the agency should identify specific metrics that can be used to gauge progress and success. The term metric used in EO 14096 is similar to what agencies generally describe as performance indicators in their agency-wide strategic plans. Metrics should ideally include a measurable, quantitative component, which is then supplemented by qualitative information that provides context. Where possible, the agency should strive to develop metrics that are outcome-oriented and assess progress (*e.g.*, reduced pollution, increased environmental restoration, improved public health, etc.), rather than rely only on output measures (*e.g.*, number of staff, grants or services provided, etc.). The agency should identify the timeframe for capturing data for the metrics, which is similar to how some agencies identify indicators as part of their long-term performance goals. Metrics can also be classified as short-term, mid-term, or long-term, as appropriate and relevant.

The agency is encouraged to consider connecting various priority actions (discussed above) with particular metrics. However, if certain priority actions cannot be clearly linked to specific metrics, then the agency should explain how that priority action supports the environmental justice goals and objectives, and should put in place new data collection efforts when additional evidence is needed to measure progress towards the goals and objectives.

As an agency develops metrics to assess its own specific goals or objectives, it should bear in mind the cross-agency metrics used in the Environmental Justice Scorecard.²⁵ Phase One of the Environmental Justice Scorecard tracked the Federal government’s efforts to secure environmental justice, with metrics on the Justice40 Initiative, environmental and civil rights protection, centering environmental justice in decision-making, and institutionalizing environmental justice within the Federal government. The agency is encouraged to complement and supplement those metrics with appropriate agency-specific metrics, particularly those that help assess outcomes. An agency should also exchange ideas with other agencies about the process for identifying and developing metrics, including steps for collecting relevant data. Through these collaborative efforts, more agencies should be able to collect robust, outcome-

²⁵ Environmental Justice Scorecard, <https://ejscorecard.geoplatform.gov/scorecard/>.

oriented data that will improve transparency and accountability for environmental justice across the Federal government. Over time, the metrics that individual agencies identify in their Environmental Justice Strategic Plans will help inform the cross-agency metrics used in future versions of the Environmental Justice Scorecard.

6. *Meaningful Engagement and Consultation in the Development of the Environmental Justice Strategic Plan*

Suggested page length: One paragraph to 3 pages

The agency should describe the steps it took to provide opportunities for meaningful involvement in the agency's development of its Environmental Justice Strategic Plan by persons and communities with environmental justice concerns, as well as the public more generally, as outlined in EO 14096, Sections 3(a)(vii) and (xi). Where appropriate, an agency should engage in Tribal consultation as part of its development process as well, consistent with EO 14096, Section 3(a)(viii).²⁶ Agencies are encouraged to collaborate across agency components and with other agencies on engagement opportunities and Tribal consultations, as appropriate. Such collaborations can reduce barriers to engagement, especially when stakeholders or Tribes wish to offer input to several agencies working in the same region or on similar topics.

The agency should describe the number and type of formats it has used for receiving input on its Environmental Justice Strategic Plan. For example, an agency can consider issuing requests for information, holding public meetings, creating opportunities to provide feedback online, or other similar steps.²⁷ In conducting engagement activities, the agency should share information in a way that provides meaningful access to individuals with limited English proficiency, that is accessible to individuals with disabilities, and that considers the unique needs of the audience it intends to reach, including communities with environmental justice concerns. Finally, the agency should identify approaches for reducing barriers to participation by providing technical assistance, tools, and resources to engage with community members.

Meaningful engagement with the public, including communities with environmental justice concerns, and Tribal consultation are ongoing efforts that take time and careful planning. The agency should consider developing an engagement plan as early as possible and look for opportunities to tap into engagement activities that are already planned or underway across agency components. The agency should consider these efforts when developing timelines for completing its Environmental Justice Strategic Plan.²⁸

²⁶ Section 3(a)(viii) of EO 14096 also cites to relevant executive orders and presidential memoranda, including EO 13175, *Consultation and Coordination with Indian Tribal Governments*, 65 Fed. Reg. 67249 (Nov. 6, 2000).

²⁷ See, e.g., Office of Information and Regulatory Affairs, OMB, *Memorandum for the Heads of Executive Departments and Agencies: Broadening Public Participation and Community Engagement in the Regulatory Process* (July 19, 2023), <https://www.whitehouse.gov/wp-content/uploads/2023/07/Broadening-Public-Participation-and-Community-Engagement-in-the-Regulatory-Process.pdf>.

²⁸ Agency strategic plans can also be influenced by previously held community engagement and Tribal consultation sessions, out of respect for valuable time, effort, and input that may have been previously provided. The Environmental Justice Strategic Plan should note when the engagement opportunities occurred and how they influenced the plan.

An agency that has relevant Federal advisory committees is encouraged to seek input from such committees. Those that do not currently have such a committee may consider establishing one pursuant to the Federal Advisory Committee Act to inform the agency's environmental justice strategic planning and implementation process.²⁹ An agency may also find valuable advice and information on environmental justice strategic planning and implementation in the WHEJAC's formal recommendations.³⁰

In addition to taking all of these steps, the agency should describe in its Environmental Justice Strategic Plan the ways that input from communities with environmental justice concerns and the public, Tribal consultations, and recommendations from Federal advisory committees have shaped its final environmental justice goals, objectives, priority actions, and metrics in the plan.

B. Other Considerations in Developing the Environmental Justice Strategic Plan

1. Developing Tools to Address Barriers

In developing its Environmental Justice Strategic Plan, each agency should consider how to ensure that its plan helps the agency to achieve the core charges in EO 14096 "as appropriate and consistent with applicable law," as set forth in EO 14096, Section 3(a). As part of this process, it may be helpful to assess the agency's relevant statutory responsibilities and authorities, *e.g.*, legal tools, that link with the policy objectives of EO 14096. If appropriate, the agency can describe or reference its plans to consider or assess scientific, health, economic, or any other information that may be useful to inform the Environmental Justice Strategic Plan or its implementation. The agency may include any relevant information on historical inequities, systemic barriers, institutional biases, or actions related to Federal activities that impair communities' ability to enjoy a healthy environment or equitably access benefits.

2. Harmonized Planning

Each agency should consider what evidence, data, knowledge, and resources would assist the agency in developing or implementing its Environmental Justice Strategic Plan, as part of a culture of performance improvement and evaluation. To advance alignment across agency priorities, agency staff working on the Environmental Justice Strategic Plan should connect with the agency's Performance Improvement Officer, if relevant, and with staff responsible for developing the agency's budget, including the agency's Chief Financial Officer, as appropriate. To support planning for resources and staffing to achieve the agency's environmental justice priorities, the agency should also consider ways to incorporate relevant elements of its Environmental Justice Strategic Plan into agency budget processes coordinated by the Office of Management and Budget (OMB) and to follow all applicable OMB budget planning guidance. If

²⁹ For example, the WHEJAC advises CEQ and the IAC pursuant to Section 223 of EO 14008, *Tackling the Climate Crisis at Home and Abroad*, 86 Fed. Reg. 7619 (Jan. 27, 2021). See U.S. Environmental Protection Agency, *White House Environmental Justice Advisory Council*, <https://www.epa.gov/environmentaljustice/white-house-environmental-justice-advisory-council>. The National Environmental Justice Advisory Council advises the U.S. Environmental Protection Agency. See U.S. Environmental Protection Agency, *National Environmental Justice Advisory Council*, <https://www.epa.gov/environmentaljustice/national-environmental-justice-advisory-council>.

³⁰ White House Environmental Justice Advisory Council, *Final Recommendations: Justice40, Climate and Economic Justice Screening Tool & Executive Order 12898 Revisions*, at 84-87 (May 2021), <https://www.epa.gov/sites/default/files/2021-05/documents/whiteh2.pdf>; see also U.S. Environmental Protection Agency, *White House Environmental Justice Advisory Council: WHEJAC Recommendations*, <https://www.epa.gov/environmentaljustice/white-house-environmental-justice-advisory-council>.

relevant, staff working on the Environmental Justice Strategic Plan are encouraged to meet with the agency's Evaluation Officer to make connections with other forms of agency assessment, such as the Learning Agenda, Capacity Assessment, and Annual Evaluation Plan that some agencies create pursuant to the Federal government's evaluation framework.³¹ Each agency will also have an opportunity to assess its own progress as part of the Environmental Justice Assessment and, if relevant, through the Environmental Justice Scorecard.

Each agency should also consider its Environmental Justice Strategic Plan within the broader context of other similar obligations and ensure that relevant staff across the agency are coordinating, as appropriate. For example, an agency may report or plan activities linked with environmental justice as part of its Climate Adaptation Plan,³² Strategic Sustainability Plan,³³ or Equity Action Plan.³⁴ If appropriate, agency staff working on an Environmental Justice Strategic Plan should connect with relevant staff developing these other plans. Where appropriate, an agency may cross-reference other planning or reporting obligations to advance alignment across agency priorities. However, to fulfill Section 4 of EO 14096, each agency should ensure that its Environmental Justice Strategic Plan appropriately captures how the agency is prioritizing its work to advance environmental justice and to fulfill the directives of the executive order.

3. Interagency Coordination and Collaboration

Each agency is encouraged to engage in peer learning and support to develop interagency approaches to environmental justice.³⁵ Interagency collaboration is particularly recommended when there is an overlapping interest in a particular geographic area and/or when a partnership can advance key aspects of each agency's mission. Collaborating on environmental justice strategic planning efforts can also be effective when multiple agencies are working together on holistic, place-based, programmatic initiatives

³¹ See Office of Management and Budget, *Evaluation.gov*, <https://www.evaluation.gov/>; Pub. L. 115-435: Foundations for Evidence-Based Policymaking Act of 2018.

³² Certain agencies prepare four-year Climate Adaptation Plans pursuant to EO 14008 and pursuant to EO 14057, *Catalyzing Clean Energy Industries and Jobs through Federal Sustainability*, 86 Fed. Reg. 70935 (Dec. 8, 2022). These plans are now referred to collectively as "Climate Adaptation Plans." See Office of the Federal Chief Sustainability Officer, *Federal Progress, Plans, and Performance*, Council on Environmental Quality, <https://www.sustainability.gov/progress.html>.

³³ Certain agencies prepare annual Sustainability Plans pursuant to EO 14057, Section 503. These plans are now referred to as "Strategic Sustainability Plans." See Office of the Federal Chief Sustainability Officer, *Federal Progress, Plans, and Performance*, Council on Environmental Quality, <https://www.sustainability.gov/progress.html>.

³⁴ Agencies submit annual Equity Action Plans pursuant to EO 14091, *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, 88 Fed. Reg. 10825 (Feb. 16, 2023), which include an update on the agency's performance on the Environmental Justice Scorecard, if relevant. See U.S. General Services Administration, *Advancing an Equitable Government*, <https://www.performance.gov/equity/>. Agencies also report semi-annually pursuant to EO 14020, *Establishment of the White House Gender Policy Council*, 86 Fed. Reg. 13797 (March 8, 2021), on progress made in implementing the National Strategy on Gender Equity and Equality. See The White House, *National Strategy on Gender Equity and Equality* (Oct. 2021), <https://www.whitehouse.gov/wp-content/uploads/2021/10/National-Strategy-on-Gender-Equity-and-Equality.pdf>.

³⁵ See U.S. Government Accountability Office, *Government Performance Management: Leading Practices to Enhance Interagency Collaboration and Address Crosscutting Challenges*, GAO-23-105520 (May 24, 2023), <https://www.gao.gov/products/gao-23-105520>.

to improve outcomes for overburdened communities facing multiple kinds of environmental justice concerns.³⁶ To seek additional information or to exchange ideas on environmental justice strategic planning, an agency may reach out to CEQ and agencies involved with the IAC.³⁷

III. APPENDIX: PLANNING GUIDE FOR FULFILLING EO 14096 CHARGES

As each agency implements EO 14096 and prepares its Environmental Justice Strategic Plan, it should consider each charge in the EO applicable to its work and mission. Each agency can use the following charts as an internal checklist to further implement, plan, and assess the extent to which its Environmental Justice Strategic Plan will assist the agency in meeting the core charges of EO 14096. Each agency is encouraged to plan in order to fulfill each of the charges as “appropriate and consistent with applicable law,” as set forth in Section 3(a) of EO 14096. If an agency needs additional assistance or resources, it may contact CEQ.

A. Meaningful Involvement, Engagement, and Information

Environmental Justice Planning Topics	EO 14096 Sections	Notes
<p>1. What are potential steps that would improve access to information for the public, including communities with environmental justice concerns, about Federal activities? What types of information or format would advance access or understanding and support engagement with communities?</p>	<p>3(a)(xi)</p>	<p>It could be helpful to assess barriers to informational access in one or more relevant areas of the agency’s Federal activities, such as:</p> <ul style="list-style-type: none"> ○ Planning; ○ Regulatory or other policy actions; ○ Rule and guidance implementation; ○ Funding or grant opportunities; ○ Permitting and licensing; ○ Compliance; ○ Enforcement; or ○ Research, data collection, and science. <p>Public input, including meaningful involvement and engagement, could be particularly useful as agencies consider these charges in the planning process.</p>

³⁶ For additional information on this concept, see White House Environmental Justice Advisory Council, *Final Recommendations: Justice40, Climate and Economic Justice Screening Tool & Executive Order 12898 Revisions*, at 84 (May 2021), <https://www.epa.gov/sites/default/files/2021-05/documents/whiteh2.pdf>.

³⁷ See <https://www.whitehouse.gov/environmentaljustice/white-house-environmental-justice-interagency-council/>.

<p>2. What are potential steps to provide opportunities for meaningful involvement and engagement with communities with environmental justice concerns?</p>	<p>3(a)(vii) 2(b)</p>	<p>The agency should consider ways to advance and document as part of its decision-making the following components of meaningful involvement and engagement, such as:</p> <ul style="list-style-type: none"> ○ Timely notice that allows for early public input and agency consideration of that input; ○ Language access, such as translation and interpretation; ○ Accessibility for people with disabilities and other participation barriers; ○ Providing technical assistance and tools; and ○ Other ways to encourage involvement and engagement, especially with those who are not regular participants in Federal decision-making.
<p>3. What steps could the agency consider taking to ensure timely information for the public, including communities with environmental justice concerns, about toxic chemical releases?</p>	<p>6(a) 6(b)</p>	<p>In addition to consulting guidance from the U.S. Environmental Protection Agency that is relevant to Section 6(a),³⁸ the agency should consider what planning steps are needed to hold public meetings as discussed in Section 6(b). The meetings should include providing information on the nature of a release, known or anticipated health risks, and proper precautions to take.</p> <p>In developing the planning steps under Section 6, the agency should also consider the steps outlined in Section 3(a)(vii) with the goal of providing opportunities for meaningful engagement.</p>

³⁸ See, e.g., U.S. Environmental Protection Agency, Emergency Planning and Community Right-to-Know Act (EPCRA), <https://www.epa.gov/epcra>.

B. Just Treatment, Equitable Access, and Protection from Environmental Injustice

Environmental Justice Planning Topics	EO 14096 Sections	Notes
<p>4. What are potential steps, policies, or other activities that may help the agency to identify, analyze, and address effects and hazards of environmental injustice?³⁹</p>	<p>3(a)(i) 3(a)(ii)</p>	<p>The agency should consider planning potential steps to identify, analyze, and address:</p> <ul style="list-style-type: none"> ○ Disproportionate human health and environmental effects (including risks) on communities with environmental justice concerns, including those: <ul style="list-style-type: none"> ○ Related to climate change; ○ Related to cumulative impacts of environmental and other burdens; ○ Related to other relevant effects, risks or hazards. ○ Potential effects related to Federal activities and those related to non-Federal activities within the scope of the agency’s authority, as appropriate.
<p>5. What steps could the agency take to consider adopting or requiring available and appropriate measures to avoid, minimize or mitigate effects and hazards of environmental injustice related to Federal activities to the maximum extent practicable?</p>	<p>3(a)(vi)</p>	<p>Examples may include specific programs, methods, or actions to reduce burdens or harms that affect communities with environmental justice concerns, including the cumulative impacts of environmental and other burdens that such communities already experience, and any contribution of Federal activities to adverse effects.</p>

³⁹ The phrase “effects and hazards of environmental injustice” is shorthand for “disproportionate and adverse human health and environmental effects (including risks) and hazards . . . including those related to climate change and cumulative impacts of environmental and other burdens on communities with environmental justice concerns.” For additional information, see note 1, which sets forth the definition of “environmental justice” in Section 2(b) of EO 14096.

Environmental Justice Planning Topics	EO 14096 Sections	Notes
6. What are ways to advance environmental justice as part of the agency’s environmental reviews under the National Environmental Policy Act (NEPA)?	3(a)(ix)	<p>This could include steps the agency is taking to:</p> <ul style="list-style-type: none"> ○ Analyze direct, indirect, and cumulative effects; ○ Consider the best available science and information on any disparate health effects from exposure to pollution and other environmental hazards; ○ Provide early and meaningful involvement and engagement. <p>Relevant implementing regulations and guidance are available at NEPA.gov.⁴⁰</p>
7. How can the agency advance implementation of Title VI of the Civil Rights Act to ensure non-discrimination in programs or activities receiving Federal financial assistance that potentially affect human health or the environment?	3(a)(x)	Relevant guidance on Title VI is available from the U.S. Department of Justice. ⁴¹
8. What are other steps the agency can take to make achieving environmental justice for all part of the agency’s mission?	2(b) 3(a)	Public input, including meaningful engagement with communities with environmental justice concerns, and/or interagency coordination during the planning process may be particularly helpful to the agency in considering other potential steps relevant to its mission.

⁴⁰ See Council on Environmental Quality, National Environmental Policy Act, NEPA.gov, <https://ceq.doe.gov/>.

⁴¹ See U.S. Department of Justice, Civil Rights Division Title VI of the Civil Rights Act of 1964, <https://www.justice.gov/crt/fcs/TitleVI>; U.S. Department of Justice, Civil Rights Division, Title VI Legal Manual (Updated), <https://www.justice.gov/crt/fcs/T6manual>.

C. Work and Partnership with Non-Federal Entities

Environmental Justice Planning Topics	EO 14096 Sections	Notes
<p>9. What are opportunities to improve non-Federal entities' accountability and compliance with relevant statutes the agency administers (if any)?</p>	<p>4(c)</p>	<p>It may be especially helpful to consider seeking public input, including meaningful engagement with communities with environmental justice concerns, on potentially appropriate or relevant ways to improve accountability and compliance, such as by:</p> <ul style="list-style-type: none"> ○ Increasing public reporting by regulated entities; ○ Expanding use of pollution measurement and other environmental impact or compliance assessment tools such as fence-line monitoring; ○ Improving the effectiveness of remedies to provide relief to individuals and communities with environmental justice concerns; and/or ○ Considering whether to remove exemptions or waivers that may undermine the achievement of human health or environmental standards. <p>The agency should also consider any appropriate coordination or collaboration with other agencies, including by sharing example practices or exploring ways to advance mutual goals nationally, or in particular regions or communities.</p>
<p>10. What steps could the agency take to provide opportunities for workforce training and support high-quality, well-paying and union job creation for communities with environmental justice concerns?</p>	<p>3(a)(v)</p>	<p>Public input, including meaningful engagement with communities with environmental justice concerns, may be valuable to inform planning for workforce training and job creation. Interagency coordination, e.g., with agencies with particular expertise in this area may also help inform planning for this charge.</p>
<p>11. What steps could the agency take to improve collaboration and communication with State, Tribal, Territorial, and local governments on environmental justice?</p>	<p>3(a)(xii)</p>	<p>The agency could consider identifying ways to improve collaboration and partnership with State, Tribal, Territorial, and local governments with the goal of advancing environmental justice. Coordinating or collaborating with other agencies in these outreach efforts may enhance efficiency and reduce barriers in communications with non-Federal governmental actors.</p>

<p>12. What steps could the agency take to advance effective planning for Tribal consultation and to fulfill other treaty-related obligations?</p>	<p>3(a)(viii)</p>	<p>Interagency coordination and learning from agencies with particular expertise in Tribal consultation and treaty obligations may be particularly helpful to inform these steps.⁴²</p>
<p>13. How can the agency encourage and, to the extent permitted, ensure that the following entities advance environmental justice:</p> <ul style="list-style-type: none"> ○ Government-owned, contractor-operated facilities? ○ Recipients of Federal financial assistance (e.g. funding) and entities subject to contractual, licensing, or similar arrangements? 	<p>3(a)(xiii) 3(a)(xiv)</p>	<p>Public input, including meaningful engagement with communities with environmental justice concerns, coordination with State, Tribal, Territorial, and local governments, and/or interagency collaboration during the planning process may be particularly helpful when considering these charges.</p>

D. Institutionalizing Environmental Justice

<p>Environmental Justice Planning Topics</p>	<p>EO 14096 Sections</p>	<p>Notes</p>
<p>14. What legal authorities are available to address effects and hazards of environmental injustice that are:</p> <ul style="list-style-type: none"> ○ Related to Federal activities? ○ Unrelated to the agency’s direct activities, but within its scope of authority? 	<p>3(a)(i) 3(a)(ii)</p>	<p>Agencies may consider coordinating with other agencies on areas of related legal authority, or on key legal tools for advancing environmental justice. The agency may also find it helpful to seek public input, including from communities with environmental justice concerns, on these issues.</p>

⁴² See, e.g., Working Group of the Memorandum of Understanding Regarding Interagency Coordination and Collaboration for the Protection of Tribal Treaty and Reserved Rights, *Best Practices for Identifying and Protecting Tribal Treaty Rights, Reserved Rights, and Other Similar Rights in Federal Regulatory Actions and Federal Decision-Making* (November 2022), https://www.bia.gov/sites/default/files/dup/inline-files/best_practices_guide.pdf; U.S. Department of the Interior, Indian Affairs, Tribal Leaders Directory, <https://www.bia.gov/service/tribal-leaders-directory>; U.S. Department of Housing and Urban Development, Tribal Directory Assessment Tool, <https://egis.hud.gov/tdat/>.

<p>15. What are barriers and other obstacles related to regulations, policies, or practices, including historical inequities:</p> <ul style="list-style-type: none"> ○ That impair the ability to enjoy a healthy and sustainable environment? ○ That impair equitable access to benefits? ○ That vary based on income, race, color, national origin, Tribal affiliation, or disability? ○ And, what are potential steps to address these barriers and other obstacles? 	<p>3(a)(iii) 3(a)(iv) 2(b)</p>	<p>It could be helpful to assess barriers, inequities, or other obstacles in one or more relevant areas of the agency’s Federal activities, such as:</p> <ul style="list-style-type: none"> ○ Planning; ○ Regulatory or other policy actions; ○ Rule and guidance implementation; ○ Funding or grant opportunities; ○ Permitting and licensing; ○ Compliance; ○ Enforcement; and ○ Research, data collection, and science. <p>Seeking community input on and assessing how historical differences in resources, access, and other factors may have affected various communities’ involvement in or benefits from agency decision-making may be useful in this planning process.</p>
<p>16. What steps could the agency take to promote development of research and data related to environmental justice?</p>	<p>5(b) 5(c)</p>	<p>In planning for this charge, the agency should consider ways to:</p> <ul style="list-style-type: none"> ○ Enhance the collection of data related to environmental justice; ○ Support the creation of tools to improve the consideration of environmental justice in decision-making; ○ Provide analyses of cumulative impacts and risk; ○ Promote science needed to inform decisions that advance environmental justice; ○ Comply with standards of ethics for the protection of human subjects when conducting research and data collection; and ○ Advance the goals of access to information and meaningful engagement in connection with science, data, and research. <p>The agency should also consider any relevant recommendations of the Environmental Justice Subcommittee of the National Science and Technology Council.</p>

<p>17. What internal mechanisms could help the agency to advance and achieve the goals of the EO?</p>	<p>3(a)(xv) 3(a)(xvi) 4(b)</p>	<p>The agency should consider at least the following:</p> <ul style="list-style-type: none"> ○ Performance and accountability metrics; ○ Staff, funding, resources; ○ Professional development and staff training; ○ Internal policies or guidance documents; and ○ Implementation and compliance with non-discrimination policy. <p>In developing these mechanisms, it might be helpful to consider including all relevant staff and soliciting public input, including meaningful engagement with communities with environmental justice concerns.</p>
<p>18. What opportunities are there for interagency coordination and peer-to-peer engagement, including:</p> <ul style="list-style-type: none"> ○ Participation in relevant interagency council or working groups? ○ Collaboration with other agencies regarding mutual or interconnected legal authorities or areas of focus? 	<p>5(a) 7(a)-(e)</p>	<p>Agencies are encouraged to reach out to CEQ or any agency on the IAC for information on opportunities for interagency coordination.</p>