

# Federal Update on the IJA and FY2022 Appropriations

NEAL MCMILLIN, GOCA DIRECTOR OF FEDERAL AFFAIRS



GOVERNOR'S  
OFFICE OF  
COASTAL  
ACTIVITIES

# Senate EPW Field Hearing in Bethany Beach

Titled “*Examining Shoreline and Riverbank Restoration in the Face of Climate Change.*”

## Federal Witnesses

- Major General William “Butch” Graham, Deputy Commanding General for Civil and Emergency Operations
- Brigadier General Jason E. Kelly, Commanding General for South Atlantic Division

## Non-Federal Witnesses

- Governor John Bel Edwards
- Governor John Carney, Delaware
- Mayor Kathleen Lock, Slaughter Beach, Delaware
- Derek Brockbank, Executive Director, Coastal States Organization



Governor Edwards’ testimony covered Louisiana’s land loss crisis, integration of protection and restoration, reconnecting the river, the Climate Action Plan, WRDA priorities, and the importance of coastal funding such as GOMESA.

*“Louisiana has developed a coastal restoration program that is as comprehensive and forward thinking as any other such program in the world.”* – testimony of Governor John Bel Edwards

# Omnibus Appropriations for FY2022

\$1.5 trillion omnibus spending package, H.R. 2741, the Consolidated Appropriations Act of 2022 passed House on March 9 and Senate on March 10<sup>th</sup>. President Biden signed it on March 15<sup>th</sup>.

Passage allows funding for unfunded FY22 authorizations in the IIJA, such as for new highway programs.

Earmarks, now known as Congressionally Directed Spending or Community Project Funding, returned for the first time since the earmark ban went into effect in 2011.

## Army Corps Funding in Energy & Water Subcommittee Bill

- \$143 million Investigations
- \$2.492 billion Construction
- \$370 million MR&T (*\$19.3M for Morganza to the Gulf; \$5M for Lower Mississippi River Study*)
- \$4.57 billion O&M

# Meeting for State Agencies to Align on IIJA

Governor Edwards convened 2-day meeting for state agencies on implementing the IIJA on March 7-8

## Biden Administration Speakers

Jennifer Granholm, Secretary of Energy

Mitch Landrieu, White House Senior Advisor & Infrastructure Coordinator

Shalanda Young, Acting Director of White House Office of Management & Budget

## Biden Administration's Implementation Themes for IIJA

Equity, Environmental Justice, Climate & Resilience

# Infrastructure Message in State of the Union

## Time Frame & State of Play

“We’re done talking about infrastructure weeks. We’re going to have an infrastructure decade.”

4,000 projects announced thus far.

## National Competitiveness

Infrastructure will allow the U.S. to “win the economic competition of the 21<sup>st</sup> century,” particularly with China.

## Social & Environmental Goals

“We’ll do it all to withstand the devastating effects of the climate crisis and promote environmental justice.”

## Focus on Domestic Sourcing

“When we use taxpayer dollars to rebuild America – we are going to Buy American.”



# Executive Order 14052 on Implementing IJA

## Notable Priorities:

- Increasing U.S. competitiveness through implementing Made-in-America requirements
- Improving jobs by focusing on high labor standards, including prevailing wages and union opportunities
- **Investing equitably, including through the Justice40 Initiative**
- Building resilient infrastructure that combats the climate crisis

# Justice 40 Initiative

Justice 40 is a Government-wide effort toward a goal that 40 percent of overall benefits from Federal investments in climate and clean energy flow to disadvantage communities.

- Disadvantaged communities are those that have been historically marginalized, underserved, and overburdened by pollution.
- Covered programs include federal programs that make investments in climate change, clean energy, affordable housing, pollution remediation, and clean water.
- Federal agencies will engage in consultation, deliver projects, track benefits, and keep a scorecard on federal actions for accountability.

## Covered Agencies & Programs

- Justice40 applies to potentially many agencies including the following relevant to coastal issues in Louisiana: Army Corps Civil Works, USDA, Dept. of Commerce, Dept. of Interior, FEMA, and EPA.
- Justice40 includes 21 programs covered under an initial pilot, including EPA's drinking and clean water revolving loan funds and FEMA's Flood Mitigation Assistance and BRIC.

# Climate and Economic Justice Screening Tool (CEJST)

White House Council on Environmental Quality (CEQ) published the beta version of **Climate and Economic Justice Screening Tool (CEJST)** on February 18, 2022.

- CEJST will define and map disadvantaged communities for informing how Federal agencies guide benefits of certain programs, including Justice40 Initiative.
- **CEJST maps disadvantaged census tracts** according to the following investment categories: climate change, clean energy, clean transportation, sustainable housing, legacy pollution, clean water and waste infrastructure, health burdens, and workforce development.
- CEJST is complementary, but different, to EPA's EJSCREEN tool that identifies areas for disproportionate environmental burdens



# Climate and Economic Justice Screening Tool (CEJST)

Current criteria define a census tract as disadvantaged if it meets one or more of the following categories of criteria:

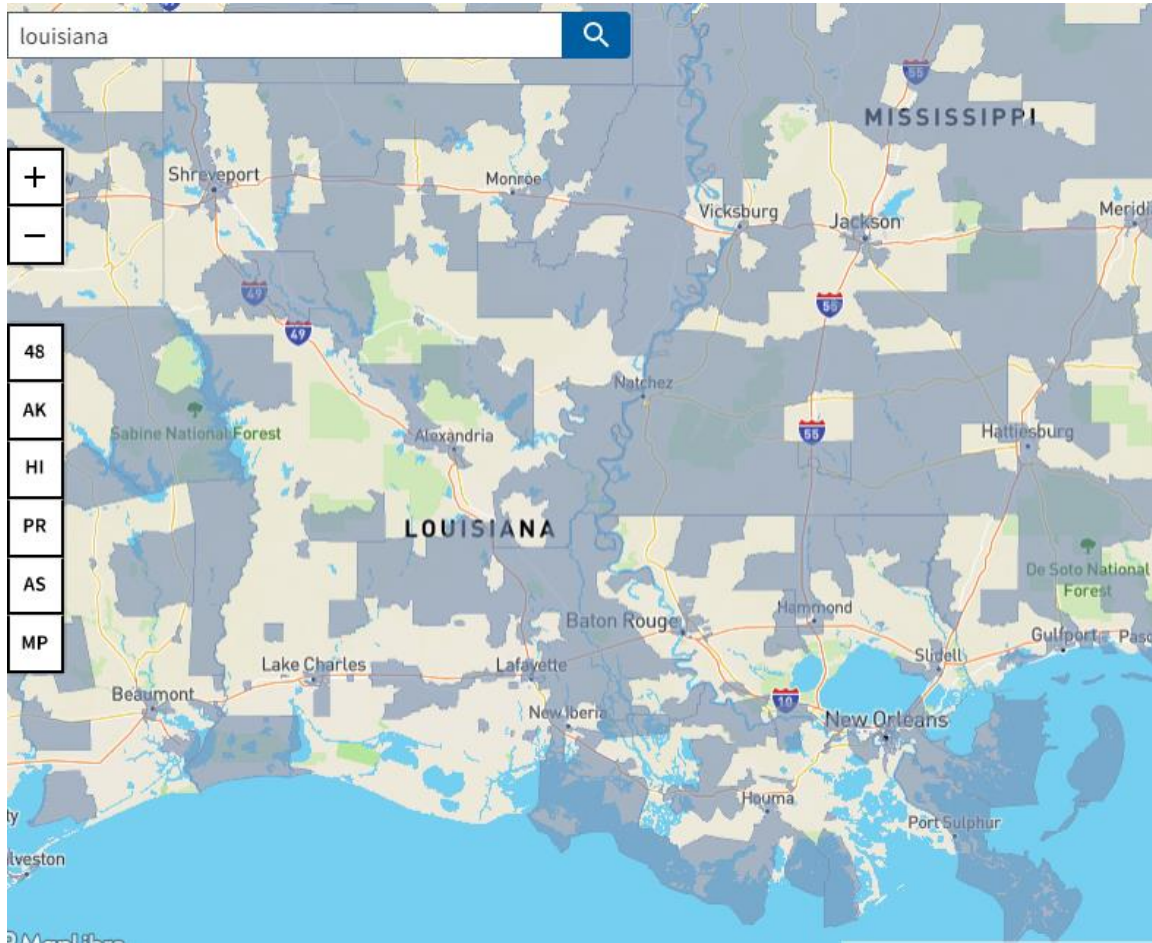
- If tract is above threshold for 1+ environmental or climate indicators
- AND tract is above threshold for socioeconomic indicators

For **Climate Change**, communities are identified disadvantaged

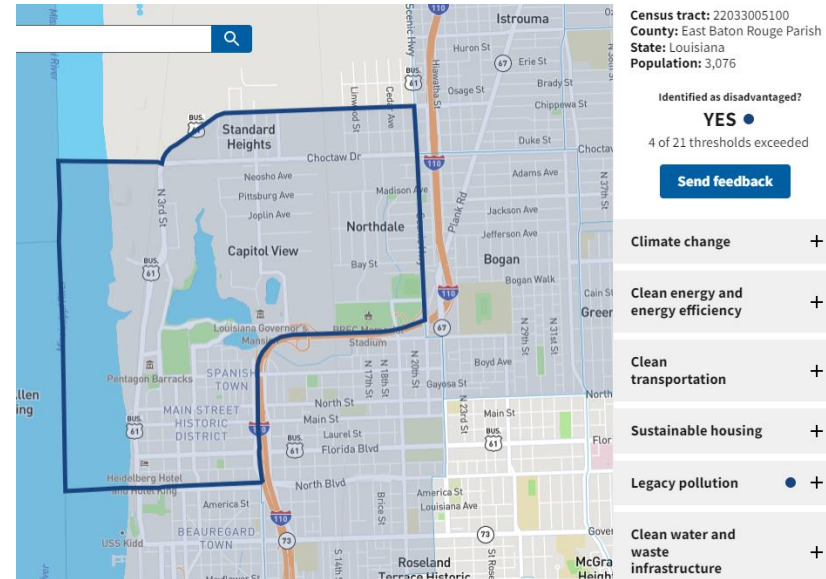
- IF at/above 90<sup>th</sup> percentile for expected agricultural loss OR expected building rate loss OR expected population loss rate
- AND is above the 65<sup>th</sup> percentile for low income AND below 20% for higher ed. enrollment rate.

**In this screener, many tracts in Louisiana's coastal area are considered disadvantaged for climate change issues as tracts have a high expected building loss rate and expected population loss rate.**

# Climate and Economic Justice Screening Tool (CEJST)



CEJST View of Louisiana



Example view of a census tract

Legacy pollution	
INDICATOR	PERCENTILE (0-100)
<b>Proximity to hazardous waste facilities</b> Count of hazardous waste facilities within 5 kilometers	83rd
<b>Proximity to NPL sites</b> Proposed or listed NPL (Superfund) sites within 5 kilometers	60th
<b>Proximity to RMP facilities</b> Risk Management Plan facilities within 5 kilometers	98th
<b>Low income</b> Household income is less than or equal to twice the federal poverty level	91st
<b>Higher ed enrollment rate</b> Percent of population enrolled in college, university, or graduate school	8%

Access CEJST at <https://screeningtool.geoplatform.gov/en/>  
Available for public comment through April 25<sup>th</sup>