

04.22.2019

Response to Comments on Environmental Justice Self- Designation Process

The proposed approach to designating Environmental Justice (“EJ”) Communities was presented by the Illinois Power Agency (“Agency”) through its Program Administrator, Elevate Energy, on January 29, 2019 with a request for comments due on February 5, 2019. Comments have been received and posted to the Illinois Solar for All (“ILSFA”) Program website (www.illinoissfa.com). The following represents a summative response to comments and how those comments have been incorporated into the final Environmental Justice Communities designation process and associated documents.

The content summarized here represents comments captured during the live stakeholder feedback session facilitated on January 29, 2019 via webinar, as well as individual comments submitted to the Program Administrator during the commenting period. Comments have been summarized and categorized into the following topics:

- ▶ Methodology
- ▶ Self-Designation

Methodology

Comments from the Illinois Solar for All Working Group support the general methodology as outlined in the Long-Term Renewable Resources Procurement Plan (“Plan”), using an approach from CalEnviroScreen to combine multiple categories of data into a single score for each Census Block Group. The Working Group also supports the choice of the particular environmental and socio-demographic metrics (from US EPA’s EJSCREEN tool) used in the proposed methodology, although the Working Group also urges that additional data sources be used in future analyses, beyond those supplied by EJSCREEN.

Additionally, the Working Group recommends that an additional layer of analysis and mapping be conducted demonstrating relative EJ Scores by decile for Census Block Groups across the state (i.e., the top 10% of Census Block Groups by score, the 81st to 90th percentiles of Census Block Groups by score, et cetera). They further recommend that the Administrator incentivize distribution of projects across environmental justice communities utilizing the decile mapping results, and track program provision by decile. The Working Group asks that the administrator produce additional mapping tools and

maps displaying both the 25% analysis and a decile breakdown of scores, and the Working Group provided example visuals to support this.

The Working Group also points to the specific challenges and barriers to participation faced by communities in central Illinois, southern Illinois, and rural communities throughout the state. Comments note that the proposed scoring system has the effect of emphasizing urban areas and under-emphasizing rural areas. They recommend an additional layer of support for prioritization of these non-urban communities in the Grassroots Education funding opportunities where they pertain to the environmental justice components of the program, as well as specific, tailored technical assistance by the Program Administrator.

Lastly, the Working Group recommends that the Administrator clarify how frequently the mapping data, resulting scoring, and resulting maps and tools will be updated.

Response

The Program Administrator and the Illinois Power Agency recognize the importance of viewing communities at a more granular level than simply those that fall within the top 25% of environmental justice scores and those that do not. The Administrator and Agency also see the potential barriers faced by rural communities, and the value in incorporating more granular data sources beyond those provided by EJSCREEN in future analyses.

- ▶ The Administrator understands the 25% funding allocation to EJ communities as a binary distinction and does not recommend using a prioritization system for EJ communities that scored in higher deciles.
- ▶ However, this information will be added visually to the online map and the Administrator will measure and report project numbers in terms of deciles.
- ▶ The Administrator will update the mapping data, scoring, and resulting tools on an annual basis, as EJSCREEN, US Census, and other relevant data sources are updated.
- ▶ The Agency and Administrator will also continue seeking data sources outside of EJSCREEN that will add to the environmental justice score for each Census Block Group; this change would likely have to be implemented through the biennial Long-Term Renewable Resources Procurement Plan update process, which includes approval by the Illinois Commerce Commission. Additionally, the Agency and Administrator will carefully review all data sources that stakeholders suggest during the self-designation application process.

Self-Designation

Comments from the Working Group recommend complete removal of all quantitative minimums (the two- or four-factor requirement) and “worse than average” calculation requirements from the self-designation process, as they may be unfair to self-designators with fewer resources to conduct research and from areas with large data gaps. The Working Group points to a report on “ground truthing”¹ that illustrates the need to check information available in regulatory databases against the reality in burdened communities. They strongly recommend that this practice be implemented by the Administrator, to improve the data on which the quantitative scoring process is based. The Working Group then recommends that the Administrator consider including a method by which communities could request a site visit from the Administrator team and/or members of the Committee to add strength to self-designation proposals and carry out a “ground truthing” process.

The Working Group reiterates its recommendation that rural communities receive additional supports for the self-designation process. They also make several recommendations specific to the submission and review process. They suggest that the self-designation process should be deployed in a pilot phase for at least the first three months, and that the committee should include EJ experts representative of different geographic regions. They also recommend that the Administrator provide information on key program dates so designators can understand timing, allow multiple submissions from the same community, translate materials into multiple languages, establish a clear point of contact on the Program Administration team, and make explicit where Grassroots Education providers could focus campaigns on environmental justice. Lastly, the Working Group suggests that additional geographic boundaries like railways, highways, rivers, and other geographic, cultural, or historic landmarks be used for self-designation boundaries.

Response

The Program Administrator and the Illinois Power Agency recognize that the quantitative requirements in the proposed self-designation procedures may present a burden for self-designators with few resources.

¹ <https://www.libertyhill.org/news/reports/hidden-hazards-call-action-healthy-livable-communities>

The Administrator and Agency recommend eliminating the quantitative minimum requirements but recognize that quantitative data will strengthen an application. Self-designation applicants may submit whatever evidence they deem compelling, including evidence of citizen organizing, citizen science, expert testimony, or press coverage, in addition to more traditional scientific or quantitative data sets.

In lieu of the original self-designation process, the Administrator and Agency recommend that applications be scored holistically by the committee in four categories: Exposures, Environmental Effects, Sensitive Population, and Socioeconomic Factors. These are the four categories included in the CalEnviroScreen approach and will allow for greater flexibility for applicants. A full description of the scoring system, including a guide to how the four categories will be scored, can be found in the final EJ Self-Designation process [document](#).

The Program Administrator and the Illinois Power Agency recognize that data gaps in burdened communities are a significant and well-documented problem and appreciate the reference by the Working Group to the 2011 [Hidden Hazards](#) report. The Administrator will make efforts to ensure that burdened communities are visited in person, connected with Grassroots Education providers, and/or provided the opportunity to have phone calls with the Program Administrator to assist in the self-designation framing and narrative.

- ▶ However, the Administrator does not recommend using on-site visits as an opportunity for data collection, as it does not have the expertise or capabilities to do this in a verifiable way.
- ▶ The Administrator will, as mentioned earlier, continue to review newly identified data sources for inclusion in the self-designation process as they become available.

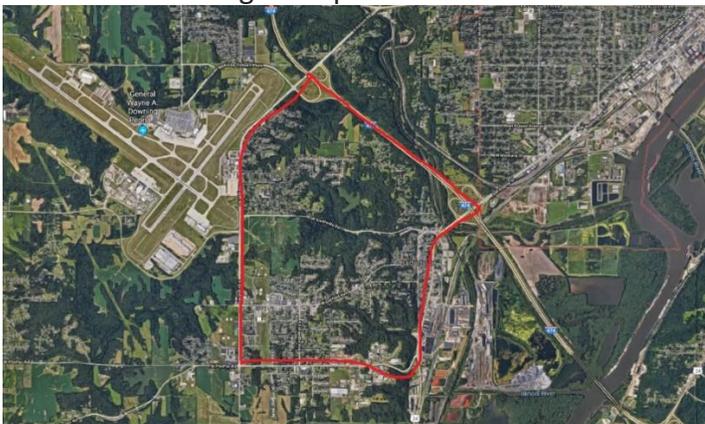
The Program Administrator and the Illinois Power Agency are not able to offer technical support to certain communities and not others.

- ▶ The Administrator can extend technical assistance in the self-designation process to all applicants.
- ▶ Additionally, the Administrator will work with Grassroots Education providers to make sure they are aware of the self-designation process and can provide guiding resources.

- ▶ The Administrator has made clear to organizations as a part of the Grassroots Education Request for Proposals that environmental justice education campaigns proposed as part of Grassroots Education can focus on self-designation.

The Program Administrator and the Illinois Power Agency agree that the self-designation process is continuously evolving and improving with stakeholder feedback.

- ▶ The Administrator sees the entirety of this process as a pilot in terms of routinely engaging stakeholders to evaluate functionality, incorporating best practices from others states, and revising the program for future implementation.
- ▶ The Administrator will examine the self-designation process's progress and incorporate changes on an annual basis, on the same schedule as data updates.
- ▶ The Administrator will make every effort to include experts representative of the whole state.
- ▶ The Administrator will also agree to provide key program dates as well as tentative application timelines on the program website.
- ▶ The Administrator commits to offering program materials, such as the designation application and marketing materials in Spanish and English.
- ▶ The Administrator will expand geographic boundaries for self-designation outside of Census Block Groups to include railways, highways, rivers, and other geographic, cultural, or historic landmarks, if they can be illustrated on a map. The boundaries in red below exemplify how a designator might delineate their community by roads and other boundaries that do not outline existing Census Block Groups. The example map is of an area in Peoria, and the boundaries were drawn with a Google Maps screenshot and Paint:



Finally, the Administrator agrees to making the following specific changes to the self-designation application process that the Working Group has pointed to.

- ▶ The Administrator will follow Part A (Basic Information) immediately with what was previously labeled as Part C (Qualitative Support).
- ▶ The Administrator will include additional data sources on the sample list of possible quantitative metrics in what was previously labeled as Part B, namely, HUD Rental and Housing Assistance Data, and CDC Environmental Health Susceptibility and Impacts.
- ▶ The Administrator will add additional qualitative factors to the sample list in what was previously labeled as Part C, namely, Educational Inequity, Incarceration and Criminal Justice, Housing Inequity and Public Housing, and Homelessness.
- ▶ Furthermore, the Administrator will add a variety of allowed formats for submitting evidence, including testimony/personal narrative, multi-media documentation, media coverage, and previous funding proposals.
- ▶ The Administrator encourages that current data sources be used when possible, but that older data with supporting narratives as its relevance will also be considered.
- ▶ The Administrator will make the following resources public on the program website:
 - Maps of Environmental Justice Communities within key municipalities, rural areas, and regions
 - Include deciles in interactive mapping tool
 - Shapefiles of the Environmental Justice Communities
 - Tracking data summary on progress toward goal of allocating 25% of project REC funding to Environmental Justice Communities within each sub-program in each program year