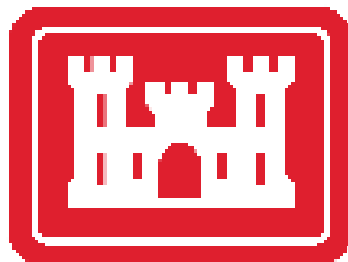


U.S. ARMY CORPS OF ENGINEERS STRATEGIC PLAN TO ADVANCE ENVIRONMENTAL JUSTICE

A CIVIL WORKS PROGRAM FOR ALL



U.S. ARMY

27 November 2024

Table of Contents

SECTION 1. INTRODUCTORY MESSAGE	3
SECTION 2. EXECUTIVE SUMMARY	5
SECTION 3. AGENCY ENVIRONMENTAL JUSTICE VISION STATEMENT.	6
SECTION 4. APPROACH TO ADVANCING ENVIRONMENTAL JUSTICE	7
SECTION 5. ADVANCING ENVIRONMENTAL JUSTICE THROUGH GOAL SETTING	12
GOAL 1: PEOPLE	12
OBJECTIVE 1.1.....	12
OBJECTIVE 1.2:.....	13
OBJECTIVE 1.3:.....	14
OBJECTIVE 1.4:.....	15
GOAL 2: PROJECTS, PERMITS, AND OTHER CORPS ACTIVITIES	17
OBJECTIVE 2.1.....	17
OBJECTIVE 2.2.....	18
OBJECTIVE 2.3:.....	19
OBJECTIVE 2.4:.....	20
GOAL 3: PARTNERSHIPS.....	21
OBJECTIVE 3.1.....	21
OBJECTIVE 3.2.....	21
OBJECTIVE 3.3.....	22
GOAL 4: POLICY AND PROCESS.....	24
OBJECTIVE 4.1.....	24
OBJECTIVE 4.2.....	25
GOAL 5: FURTHER INSTITUTIONALIZE ENVIRONMENTAL JUSTICE	26
OBJECTIVE 5.1.....	26
OBJECTIVE 5.2.....	26
OBJECTIVE 5.3.....	26
OBJECTIVE 5.4.....	27
OBJECTIVE 5.5.....	27
SECTION 6. MEANINGFUL ENGAGEMENT AND CONSULTATION IN THE DEVELOPMENT OF THE ENVIRONMENTAL JUSTICE STRATEGIC PLAN	28
APPENDIX A. GUIDANCE AND POLICY RELATED TO THIS PLAN	32

Section 1. Introductory Message



Acting Assistant Secretary of the Army for Civil Works, Mr. Jaime Pinkham

I have always believed that we do not empower communities facing difficult economic and social conditions. If we are a trusted partner, they empower us to achieve outcomes that matter to them in carrying out our mission to “deliver vital engineering solutions to secure our Nation, energize our economy, and reduce disaster risk.” As such, we are excited to share the U.S. Army Corps of Engineers’ (Corps) Environmental Justice Strategic Plan (Plan). We must remain a learning organization as we continue to transform the way we work with and for communities in our Civil Works mission. We believe this Plan sets out a bold vision to support the Administration in its goals to deliver environmental justice for all.

The Corps works alongside Tribal Nations and communities at the interface of infrastructure, land, and water. Because of this, issues of environmental justice touch everything we do in the Civil Works program from aquatic ecosystem restoration to flood risk management, navigation, and permitting under our regulatory duties including the Clean Water Act and the Rivers and Harbors Act of 1899. A key priority in the office of the Assistant Secretary of the Army for Civil Works is to modernize the Civil Works program, particularly to better serve the needs of Tribal Nations and communities with environmental justice concerns.

This strategic planning effort has been an opportunity for us to be intentional with how we do our work so that all communities can benefit, and no one carries a disproportionate burden of the impacts. We sought input from Tribal and community partners through listening sessions and consultation and applied relevant input from recent policy and rule-making activities. Our overall approach further applies lessons and feedback we’ve received through years conducting our mission activities. Implementing this Plan will enhance water resources projects that deliver human and cultural connections with land and water and build climate resilience across the Nation. It will enable the Corps to deliver its mission in ways that better serve the needs of *all* communities.

Achieving environmental justice alongside our partners requires building our knowledge and capacity as a workforce, enhancing relationships and the trust needed to sustain the work, and using all available tools for implementing the change we need. During the life of this Plan, I invite members of Tribal Nations, our partners, and the public to review the Environmental Justice Strategic Plan and provide input on the Corps’ progress towards achieving our environmental justice goals.

Building on the Corps’ recent initiatives and progress,¹ I believe this Plan identifies a clear pathway to environmental justice and sets achievable goals, objectives, and priority actions. Our efforts aim to close the historical gaps in these conditions across the Nation by being a capable partner to deliver outcomes that matter so all communities can access and attain a “healthy, sustainable, and resilient environment” and “are protected from disproportionate and adverse health and environmental effects.”

¹ The Water Resources Development Act (WRDA) of 2020 (PL 116-260) and WRDA 2022 (PL 117-263) contained new provisions and changes that address environmental justice in Civil Works missions.



Jaime A. Pinkham
Acting Assistant Secretary of the Army
(Civil Works)

Section 2. Executive Summary

This Strategic Plan sets a bold vision for the U.S. Army Corps of Engineers (Corps) and outlines strategic goals, objectives, and priority actions to further the principles outlined in Executive Order (EO) 14096, Revitalizing Our Nation’s Commitment to Environmental Justice for All. Working at the nexus of water resources, infrastructure, and people, the Corps is well-positioned to foster meaningful community engagement and significantly enhance environmental, social, and economic conditions nationwide.

To achieve this, the Corps seeks to:

- Cultivate a workforce with the knowledge, skills, and capacity to advance environmental justice and fulfill the trust responsibilities to Tribal Nations.
- Conduct Civil Works activities in ways that increase access to a “healthy, sustainable, and resilient environment” and ensures communities with environmental justice concerns “are protected from disproportionate and adverse health and environmental effects.”
- Strengthen relationships with Tribal Nations by continuing to coordinate and consult with them and build accountability.
- Build partnerships and trust with communities with environmental justice concerns by enhancing outreach and engagement, transparency, and accountability.
- Review and recommend improvements to Corps policy, guidance, work activities, and accountability that better align with the principles outlined in the executive order.

This Plan describes an achievable and holistic approach to the work. It is built around key elements that comprise the Corps’ Civil Works Program.² That is our people (workforce); our projects, permits, and other work activities; our essential partnerships; and the policy and process that guide, direct, or constrain the work we do, including the Tribal trust responsibility.

The Directorate of Civil Works will lead efforts to implement this Strategic Plan by building on prior policy and guidance to enhance environmental justice activities at the Corps,³ improving Tribal coordination and consultation,⁴ and delivering more benefits to the Nation through our Civil Works programs.

² This plan addresses the Corps’ Civil Works Mission. The Corps’ Military Construction activities fall under the Department of Defense Environmental Justice Strategic Plan.

³ Assistant Secretary of the Army for Civil Works. Memorandum for Commanding General, U.S. Army Corps of Engineers: Implementation of Environmental Justice and the Justice40 Initiative, 15 March 2022.

⁴ Civil Works Tribal Consultation Policy, December 6, 2023.

Section 3. Agency Environmental Justice Vision Statement.

The Corps aims to leverage its authorities, expertise, and partnerships to advance environmental justice principles and meet its Tribal trust responsibility.⁵ The Corps also seeks to build and sustain a world-class water resources workforce that will ensure that Tribal Nations,⁶ U.S. Territories, and communities with environmental justice concerns are well represented and engaged to restore and repair the Nation's water resources for public environmental, social, cultural, and economic benefits.

To achieve this vision, the Corps will remain prepared to support all interested communities to help them reduce the impacts from natural hazards and from climate risks, and enjoy greater environmental health and protection⁷. to provide them opportunities for meaningful input into the Corps decisions that may impact them. Together, this will result in a Civil Works program that supports all communities and enhances their access to a "healthy, sustainable, and resilient environment in which to live, play, work, learn, grow, worship, and engage in cultural and subsistence practices."⁸

⁵ The Corps works to meet its trust responsibilities, protect trust resources, and obtain Tribal views of trust and treaty responsibilities for actions related to the Corps, in accordance with provisions of treaties, laws and Executive Orders as well as principles lodged in the Constitution of the United States. (Civil Works Tribal Consultation Policy, 6 December 2023)

⁶ "Tribal Nation" means an American Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges as a federally recognized Tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, Title 25 of U.S. Code, Sections 5130, 5131.

⁷ This document includes reference to environmental health to support the principles and content of the EO 14096. In addition, environmental and public health could also be concerns in Corps projects, permitting (public interest review) and National Environmental Policy Act (NEPA) review. Flooding often carries contaminated water which has necessary impacts on public health and so we elect to use this language in our plan.

⁸ EO 14096 Section 2.

Section 4. Approach to Advancing Environmental Justice

As an organization that implements water resources development projects and issues permits under regulatory authorities including the Clean Water Act, the Corps is well-positioned to meaningfully enhance the environmental, social, and economic conditions for Tribal Nations, U.S. Territories, and communities with environmental justice concerns. Through trusted partnerships with these entities, many of whom are original stewards of lands across the United States and U.S. Territories, the Corps can also anticipate environmental justice concerns and improve the efficiency with which the Corps works to resolve them.

The Corps recognizes that environmental justice intersects with all our Civil Works mission areas, including regulatory actions, aquatic ecosystem restoration, flood and storm damage reduction, and commercial navigation. We also understand that many communities with environmental justice concerns face capacity constraints to navigate federal processes and programs, which may be a barrier to meeting their needs. Understanding these intersections and barriers to environmental justice is essential to our approach. The Corps will therefore “make achieving environmental justice part of its [Civil Works]-mission”⁹ by using a holistic approach that takes thoughtful authorized actions across all elements of the Civil Works Program to benefit all communities. The key elements that make up the Civil Works Program and frame our goal setting in Section 5 are shown in Figure 1 below and include:

- People – the Corps workforce and the skillsets they bring to work,
- Projects, permits, and other work activities – the work that the Corps does,
- Partnerships – the Tribal, State, Local, Territorial, and Federal governments, other organizations, and stakeholder groups with whom the Corps partners; and,
- Process and Policy – the laws and authorities that govern the Corps’ work.”

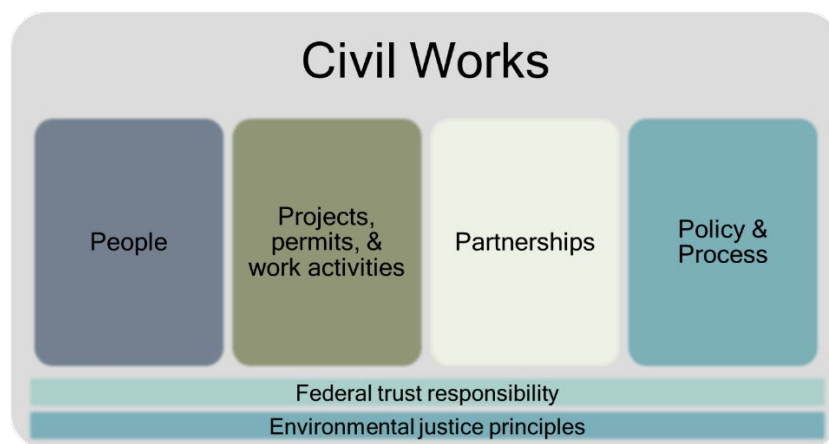


Figure 1. Elements of Civil Works’ approach to environmental justice.

An additional element that informs the Corps’ Civil Works approach to environmental justice is the trust responsibility to Tribal Nations.¹⁰ The Corps has a unique legal and political relationship

⁹ EO 14096 Section 3.

¹⁰The Corps’ trust responsibility is derived from treaties, statutes, regulations, executive orders, case law, and agreements between the United State Government and Tribal governments. More including the legal framework and key concepts is explained in in the Corps’ Civil Works Tribal Consultation Policy. Published 6 December 2023 page 3.

with Tribal governments that recognizes self-government and self-determination. Because Tribes are sovereign nations, this document often refers to Tribal Nations separately from “communities” and does not assume that Tribal Nations are included in the term “communities with environmental justice concerns.” However, many Tribal Nations experience environmental justice concerns; therefore, this plan is written to acknowledge and help address these concerns for Tribal Nations.

Each work activity is a new opportunity to deliver our work more equitably. However, the Corps recognizes the entrenched disparities¹¹ that impair the ability of Tribal Nations, U.S. Territories, and communities with environmental justice concerns to achieve a healthy, sustainable, and resilient environment.¹² We are therefore identifying and removing barriers to the benefits that Tribal Nations and communities can achieve through the Civil Works program. As one example, we recognize that project evaluation and planning processes may have limited past involvement opportunities, and we also understand that some communities may not have always trusted the Federal government. To begin to address this, we are meeting earlier with affected communities during planning, and we bring language interpreters to meetings when needed.

With that in mind, achieving environmental justice alongside our partners requires an approach that first builds the Corps’ knowledge and capacity as a workforce, enhances relationships and the trust needed to sustain the work, and uses all available tools for implementing changes big and small, both proactively and as opportunities arise (Figure 2).

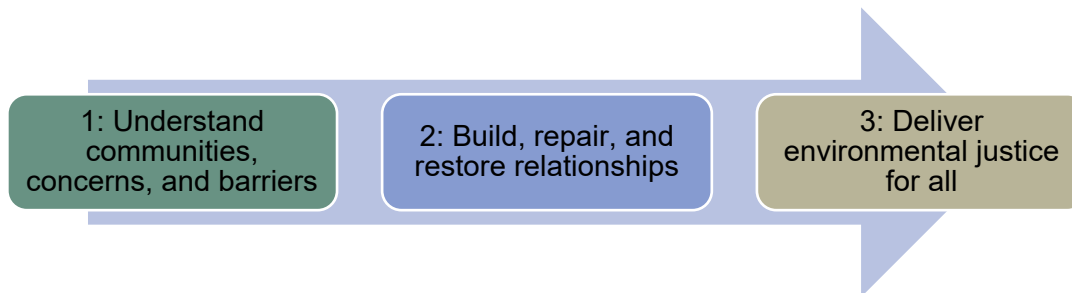


Figure 2. Approach to delivering environmental justice at the Corps.

Step 1. Understand Our Communities, Their Concerns, and Barriers.

The Corps will continue to build its understanding of how environmental justice concerns intersect with our work. In this step, we ask: Where are the communities with environmental justice concerns, and what happened there? What concerns have these communities experienced and identified? And what community assets, strengths, and connections to the land can help us work together to meet those needs?

Further, what are the key driving factors behind the burdens experienced by communities today, and what historical inequities, systemic barriers, or current Corps actions could impair equitable access¹³ to the benefits of Corps’ programs?

¹¹ EO 14096 Section 1.

¹² EO 14096 Section 2(b)(i)

¹³ EO 14096 Section 3 a (iii) and Section 3 a (iv).

Working with the Corps' Tribal Liaisons¹⁴ and environmental justice subject matter experts, the Corps has begun to build this knowledge base. First, we are learning how historical participation (or lack thereof) shaped the landscape today, including which areas are served by water resources development projects, which are not, and which may be adversely impacted by them. This history makes meaningful involvement today even more central to our work.

Today, we also more deeply understand how the impacts of historical land dispossession on Tribes and Indigenous communities¹⁵ have impaired their ability to benefit from some Civil Works programs. The loss of land base can inhibit a Tribal government's ability to implement a Civil Works project because the law requires that the "nonfederal partner" provide or acquire the land needed for construction.¹⁶ In some cases, the loss of land base was also associated with a loss of status as a federally recognized Tribe¹⁷ This loss of status could be a barrier to participating in the Tribal Partnership Program or benefitting from the cost-share waivers and ability-to-pay provisions that apply to federally recognized Tribes. Loss of status also removes the consultation typically required under the National Environmental Policy Act, the National Historic Preservation Act, and other laws that apply to federally recognized tribes.

Similarly, "redlining, exclusionary zoning, and other discriminatory land use decisions or patterns"¹⁸ may have impacted communities with environmental justice concerns and affected the Corps' ability to work with them. For example, these impacts include depressed property values and missed opportunities for property ownership and wealth building. Such outcomes create barriers for communities that may now be unable to meet cost-sharing requirements or lack the authority to acquire land or easements needed for projects. These factors have also limited communities' abilities to advance federal water resources projects due to investment decision-making criteria historically focused on economics and benefit-cost ratios.

Mutual understanding cannot be overlooked, so as we deepen our knowledge, we must remain open to a different perspective, interpretation, and narrative from our partners. We must stay aware that what we believe the data and history tells us upfront, may not be interpreted the same by our partners.

Step 2. Build, Restore, and Repair relationships.

The White House Environmental Justice Advisory Council (WHEJAC) Climate Group recommends that the Federal government coordinate significantly with and actively involve communities most directly impacted by these pressing issues, and recommends increasing access to "engagement, decision making, planning, research, technical assistance, funding, and

¹⁴ Tribal Liaisons are Corps staff designated at many Corps Districts, across regional jurisdictions, and Headquarters that support the Corps in interactions with federally recognized Tribes and Alaska Native Corporations, per the Civil Works Tribal Consultation Policy, 6 December 2023.

¹⁵ The "Guidance for Federal Departments and Agencies on Indigenous Knowledge" defines indigenous communities: "Indigenous people, including Native Americans, Alaska Natives, Native Hawaiians, and Indigenous peoples of the U.S. territories." 30 November 2022. Available at:

<https://www.whitehouse.gov/wp-content/uploads/2022/12/OSTP-CEQ-IK-Guidance.pdf>

¹⁶ WRDA 1986 established cost sharing and the requirement for a project nonfederal sponsor to provide all lands, easements, and rights of way necessary for project construction, operations, and maintenance.

¹⁷ Bureau of Indian Affairs Records: Termination, Historical Overview. Latest review: 9 September 2024.

Available at: <https://www.archives.gov/research/native-americans/bia/termination#:~:text=From%201953%20until%201970%2C%20Congress%20initiated%2060%20separate,of%20tribal%20lands%20were%20relinquished%20as%20a%20result.>

¹⁸ EO 14096 Section 1 Paragraph 3.

resources, including language access, financial access, cultural access, etc.”¹⁹ With the understanding from Step 1 above, the Corps will continue to explore its work activities to find opportunities that increase involvement and restore trust with affected communities, and to balance that engagement with community consultation fatigue.

Recruiting, training, and retaining our workforce will be an essential piece of this step. It can be burdensome for communities to start over with new relationships and bring new Corps’ staff up to speed on projects, culture, and working together. When staff turnover inevitably happens, maintaining trust with Tribal, U.S. Territorial, and community partners requires intentional knowledge and relationship transfer between transitioning Corps staff and Tribal or community partners.

With Tribal Nations, regular, meaningful, and robust communication processes between the Corps and Tribal officials must emphasize trust, respect, mutual understanding, and shared responsibility. Trust building will require additional engagements and accountability as also described in the Corps’ Tribal Consultation Policy²⁰—for example, Corps teams must regularly follow up with Tribal Nations or communities that provided input to demonstrate how their consultation and input is incorporated in an analysis or decision making. Restoration and repair of relationships are partially underway, supported by 2022 guidance that encouraged and directed Corps staff to prepare strategic outreach and communications plans.²¹ The Corps acknowledges that every Tribal Nation is unique and may have different or preferred engagement protocols, different areas of concern, different forms of government that affect decision making and timelines, and unique suggestions for addressing those concerns. We will continue to engage with Tribes on activities that have Tribal implications and have potential effects on human health or the environment.²²

Engagement and trust create opportunities for better outcomes and may help ensure that community-led solutions are well-integrated into projects. Meaningful involvement will look different across communities and U.S. Territories and is more effective when tailored to each community’s unique preferences and needs. To the extent feasible, this could mean we use different languages to ensure accessibility,²³ exchange information in various formats (written, oral, and virtual), or hold meetings within communities at their desired locations and times. It also means receiving and incorporating community-based knowledge. Building new partnerships with historically less-involved communities also allows the Corps to provide them with technical assistance, data, and planning support, which increases community capacity and can directly address water resources and resilience needs.

¹⁹ White House Environmental Justice Advisory Council (WHEJAC) Recommendations: Climate Planning, Preparedness, Response, Recovery and Impacts Workgroup. Page 4-5, recommendations 5 and 7. Available at: <https://www.epa.gov/system/files/documents/2023-09/WHEJAC%20Recommendations%20on%20Climate%20Planning%2C%20Preparedness%2C%20Response%2C%20Recovery%20and%20Impacts%20.pdf>

²⁰ Civil Works Tribal Consultation Policy, 6 December 2023, pages 8 and 10.

²¹ Assistant Secretary of the Army for Civil Works. Memorandum for Commanding General, U.S. Army Corps of Engineers: Implementation of Environmental Justice and the Justice40 Initiative, 15 March 2022.

²² EO 14096, Section 3, (vii) (D) (viii)

²³ EO 14096, Section 3, (vii) (C) (1)

Step 3. Deliver Environmental Justice for All.

By building trust and environmental justice literacy, the Corps is better able to understand the unique needs of each community and can begin to help address those needs more meaningfully and in ways that may have been previously thought impossible. This foundation will allow the Corps and its partners to enhance environmental justice at all phases of a potential project or permit action and across many Civil Works project types.

New opportunities to involve communities in ongoing work can be instrumental in implementing more comprehensive ideas, restoring decision-making power, and bringing economic opportunity to communities affected by Corps activities. For example, on projects that are underway, Corps teams could hold additional meetings in the most impacted communities to collect input into alternative selection, screening criteria, or mitigation. A project in the design phase could conduct additional outreach to collect local ideas that improve the timing and location of specific construction activities to reduce (previously unknown) impacts. During the construction phase, Corps Public Affairs staff could increase transparency and trust by notifying communities when they should expect to see construction equipment or surveyors on site. These notices could also alert the community of local workforce or educational opportunities in advance.

Projects that may have been authorized but have yet to begin are well positioned to use community-centered methods from the beginning, as appropriate, to provide overall more significant and better outcomes for Tribal Nations and communities with environmental justice concerns. For example, Corps staff could work with impacted communities in developing a public involvement plan early on that restores community decision-making power. Teams could also engage communities early to help define problems and solutions or to identify important screening criteria that shape what alternatives are considered and implemented.

Trust-based relationships with partners, together, with the skillset of the Corps workforce, and a holistic lens will allow the Civil Works program to address long-standing water resources concerns and deliver environmental justice for all. As just one example, Corps Technical Assistance programs²⁴ quickly address a community's specific water resources need (e.g., flood response planning or flood modeling) with minimal funding and time, and can help build trust and capacity for communities to work with federal agencies in the future.²⁵ When a Corps project is appropriate and authorized for construction, the Corps can initiate conversations with its construction partners and contractors, for example by hosting additional tailored "industry day" activities or other outreach, to promote local job opportunities and contracting during construction²⁶, ensuring broader community benefits.

²⁴ Corps Technical Assistance Programs Webpage and Fact Sheets. Available at: <https://www.usace.army.mil/Missions/Civil-Works/Technical-Assistance/>

²⁵ Recommended in EO 14096, Section 3, vii) D.

²⁶ Any outreach and contracting activities would be consistent with Federal procurement laws.

Section 5. Advancing Environmental Justice Through Goal Setting

To implement this vision for environmental justice, the Corps will rely upon an outstanding workforce (Goal 1) that lives in and comes from many of the communities we serve. Our teams will conduct their activities (Goal 2) in ways that meaningfully involve communities and deliver beneficial outcomes for more people.

We will regularly collaborate across the whole of government and sustain partnerships (Goal 3) that include Tribal Nations, communities, and other agencies or other organizational partners working to anticipate environmental justice concerns and achieve similar goals for a “healthy, sustainable, and resilient environment.”²⁷ Finally, the Corps can issue guidance (Goal 4) and take actions that further institutionalize environmental justice (Goal 5) for Tribal Nations and communities with environmental justice concerns. The following objectives, priority actions, and metrics will help the Corps achieve this vision.

Goal 1: PEOPLE

Aligned with charges in EO 14096²⁸, recruit, retain, and train a workforce with the lived experience, expertise, and capacity to deliver the Corps mission in ways that advance environmental justice for all communities and fulfill our Tribal trust responsibilities. Goal One will be accomplished through the following four objectives:

OBJECTIVE 1.1

Consistent with merit system principles, develop a Corps workforce across all levels, including junior staff and senior leaders, temporary and permanent staff, and technical and operational staff that reflects the diversity of the American people. This includes removing barriers that prevent effective recruitment, outreach, and equal opportunity for potential employees from Tribal Nations, U.S. Territories, and people with the lived experience of environmental injustice, including disadvantaged communities and regions disproportionately affected by climate change.²⁹

PRIORITY ACTION 1.1.1

Work with the Corps’ Offices of Equal Employment and Opportunity, District Corporate Boards, hiring managers, District and Division leadership, and Tribal and environmental justice subject matter experts to identify skills and experiences needed to advance environmental justice.

Metric 1.1.1.1

Identification and regular updating of a list of skills needed to advance environmental justice through this plan.

PRIORITY ACTION 1.1.2

Work with the Offices of Equal Employment and Opportunity, environmental justice subject matter experts, Tribal Liaisons, hiring managers, and District leadership to complete a

²⁷ EO 14096 Section 2(b)(ii)

²⁸ EO 14096 Section 3 (a)(xv) and Section 3(a)(v)

²⁹ Disadvantaged communities as referenced in EO 14008, Tackling the Climate Crisis at Home and Abroad, Section 219

meaningful annual District “Barrier Analysis”.³⁰ including questions tailored to advancing environmental justice. Share those results with District and Division leadership to problem solve together.

Metric 1.1.2.1

Preparation of and briefing to District leadership on draft questions and recommendations tailored to environmental justice that could be added to the standard District and Division Barrier Analysis.

PRIORITY ACTION 1.1.3

Increase recruitment outreach and engagement efforts, internship opportunities, and job advertising around and adjacent to Corps facilities; and connect with organizations more regularly that serve underrepresented groups in Tribal communities, in U.S. Territories, and in communities with environmental justice concerns whose work intersects with sciences, engineering, hazard mitigation, and similar disciplines or trades relevant to helping the Corps advance environmental justice; As one example, the Corps signed a Memorandum of Understanding³¹ with the American Indian Science and Engineering Society to provide Native American students with formal access to Army Science, Technology, Engineering, and Math job and educational opportunities.

Metric 1.1.3.1

Description of case studies that are updated on a regular basis that demonstrate outreach and recruitment events that serve underrepresented groups and occurred during the reporting period. Distribute these case studies and the associated outreach materials to District Outreach staff, Workforce Managers, Tribal Liaisons, and Environmental Justice Coordinators.

PRIORITY ACTION 1.1.4

Continue to partner with universities and organizations that serve Tribal communities and underrepresented students to mentor the next generation of the Corps workforce.

Metric 1.1.4.1:

The number of environmental justice-focused collaborations with universities and organizations serving Tribal communities and underrepresented students in which Corps staff are participating.

OBJECTIVE 1.2:

Provide workforce training³² and professional development for Corps staff to grow their environmental justice literacy and expertise, including how to incorporate environmental justice into the analysis of effects under the National Environmental Policy Act (NEPA), into the analysis

³⁰ The goal of barrier analysis under Equal Employment Opportunity Commission Management Directive 715 is to identify the root causes of disparities in equal employment opportunities so that federal agencies can take action to remedy the policies, procedures, and practices that lead to such disparities.

Management Directive 715 - Barrier Analysis: Questions to Guide the Process. Available at: <https://www.eeoc.gov/federal-sector/management-directive/barrier-analysis-questions-guide-process>

³¹ *U.S. Army Corps of Engineers Signs Partnership Agreement with the American Indian Science and Engineering Society.* November 17, 2022. Available at: <https://www.usace.army.mil/Media/News-Releases/News-Release-Article-View/Article/3220423/us-army-corps-of-engineers-signs-partnership-agreement-with-the-american-indian/>

³² EO 14096 Sections: 3(xv)(C)

of proposed Federal actions and the alternatives, and to increase their understanding of Tribal sovereignty, the Tribal trust responsibility, and treaty rights or other reserved rights. Leverage opportunities to partner with Tribal experts and communities with environmental justice concern to develop and deploy the training.

PRIORITY ACTION 1.2.1

Develop one to two training modules to educate Corps project and permitting workforce personnel on conducting environmental justice analyses related to water resources project planning and implementation, and in the permitting process.

Metric 1.2.1.1:

The number of agency trainings conducted during this reporting period on how to consider environmental justice during NEPA reviews, and during planning, and permitting.

Metric 1.2.1.2:

The number of meetings and held with Tribal partners or communities with environmental justice concerns focused on development of the training course. This metric should also include a summary of the recommendations provided by the partners and how they will be integrated into training.

PRIORITY ACTION 1.2.2

Deploy the trainings in ways that are easily accessible and cost-effective to enable as many project staff as appropriate to take them.

Metric 1.2.2.1:

Develop a plan to make trainings accessible and cost-effective so that as many staff as appropriate can take them (i.e., online options, short options, etc.). The plan should include identifying funding sources and constraints.

Metric 1.2.2.1:

Number of environmental justice-related trainings developed or deployed in partnership with Tribal Nations or with communities with environmental justice concerns.

Metric 1.2.2.3:

The number of employees the agency trained related to how to consider environmental justice during NEPA process, and during planning, and permitting.

OBJECTIVE 1.3

Develop trainings³³ and tools to assist staff with engaging and communicating with Tribal Nations, U.S. Territories, and communities with environmental justice concerns to foster mutual respect and trust. Resources will guide staff in better interpreting the information received during engagements in projects, decisions, and other Corps activities.

PRIORITY ACTION³⁴ 1.3.1

Develop training modules in partnership with Tribal Nations and communities with environmental justice concerns (and modify as feedback warrants) to educate project and permitting workforce

³³ EO 14096 Sections: 3(xv)(C)

³⁴ EO 14096 Sections: 3(a)(viii), 3(a)(xii), 3(a)(xiii), 3(a)(xiv)

personnel that may include but not be limited to the Corps Tribal Consultation Policy, Introduction to Environmental Justice, and inclusive public outreach and engagement.

Metric 1.3.1.1:

The number of agency trainings developed on the relevant topic.

PRIORITY ACTION³⁵ 1.3.2

Deploy and track the above trainings to show a continued increase in the percent of appropriate staff trained. Collect feedback from students on training content and delivery to better meet employee and mission needs.

Metric 1.3.2.1:

The number of agency trainings conducted related to integrating environmental justice during NEPA, planning, and permitting.

Metric 1.3.2.2:

Increase in the percent of appropriate staff trained.

Metric 1.3.2.3

Describe three examples of when environmental justice considerations were used during NEPA, water resources project planning, or permitting and how those considerations changed the outcome of a project.

OBJECTIVE 1.4

Enhance efforts to retain the representative workforce through mentorship and employee input and provide meaningful opportunities for professional development and advancement.

PRIORITY ACTION 1.4.1

Leadership could support District Mentorship Programs and ensure employees are reminded of the opportunity to participate at least every year after they are onboard.

Metric 1.4.1.1

Number of active mentorship programs across the Corps and number of mentor-mentee relationships in each District.

PRIORITY ACTION 1.4.2

Leadership could support District Mentorship Programs and ensure employees are reminded of the opportunity to participate at least every year after they are onboard.

Metric 1.4.2.1

Number of active mentorship programs across the Corps and number of mentor-mentee relationships in each District.

PRIORITY ACTION 1.4.3

District leadership could review results from the “Command Climate Survey” and “Federal Employee Viewpoint Survey” and host employee listening sessions with staff to collect feedback on how the District could improve staff retention, workplace morale, and job satisfaction (including belonging).

³⁵ EO 14096 Sections: 3(a)(viii), 3(a)(xii), 3(a)(xiii), 3(a)(xiv)

Metric 1.4.3.1

Number of facilitated listening sessions that District Commanders hold with staff to solicit feedback on improvements to staff retention, workplace morale, and job satisfaction (including belonging)

PRIORITY ACTION 1.4.4

District Leadership could assess the professional development opportunities available to District personnel, collect input from staff on whether they feel development opportunities are sufficiently available to them, and make enhancements based on feedback to increase the availability of professional development opportunities to district staff.

Metric 1.4.4.1

District Leadership could begin tracking the number of staff that have are on or have engaged in professional development opportunities during the reporting period.

Goal 2: PROJECTS, PERMITS, AND OTHER CORPS ACTIVITIES

Strive to conduct all Corps work within its authorities in ways that reduce disproportionate and adverse human health and environmental effects across the landscape and improve environmental, economic, and social conditions in places and with communities with environmental justice concerns. Goal Two will be accomplished through the following three objectives.

OBJECTIVE 2.1

Prioritize resources (e.g., staff, outreach) to efforts that seek to provide significant benefits for all and to efforts that reduce disproportionate environmental (harms and risks, including health) burdens to and in Tribal Nations, U.S. Territories, and communities with environmental justice concerns.

PRIORITY ACTION 2.1.1

Hire additional Tribally focused staff, where practical and appropriate, to conduct necessary and timely Tribal Consultations and coordination in each of the 39 Corps District offices and in Corps facilities in or adjacent to Indian Country.³⁶ Where hiring is not possible, Districts can leverage opportunities through the Tribal Nations Technical Center of Expertise and Tribal Community of Practice.

Metric 2.1.1.1

Number of full-time Tribal Liaison positions at the Corps.

PRIORITY ACTION 2.1.2

Hire one full-time staff member, where practical and appropriate, for each of the 39 Corps District offices, dedicated to working with communities with environmental justice concerns and supporting environmental justice literacy among staff. As feasible, consider adding additional staff with environmental justice expertise in U.S. Territories, and at Corps facilities located in or adjacent to communities with environmental justice concerns.

Metric 2.1.2.1

The number of full-time staff dedicated to working with communities with environmental justice concerns.

PRIORITY ACTION 2.1.3

Ensure that at least one employee on each project delivery or permit action team has knowledge and experience in environmental justice, as appropriate.

Metric 2.1.3.1

Develop a process to accurately measure and report environmental justice experience within a project delivery team or permit action team.

PRIORITY ACTION 2.1.4

As appropriations allow, increase the percentage of technical assistance projects initiated where Tribal governments are the primary nonfederal sponsor or beneficiary.

³⁶ Aligns with EO 14096 section 3, (xv)(B)

Metric 2.1.4.1

The percentage of technical assistance projects during the reporting period where a Tribal government was the primary nonfederal sponsor.

PRIORITY ACTION 2.1.5

As appropriations allow, increase the percentage of technical assistance projects initiated and completed for economically disadvantaged communities³⁷ as the primary nonfederal sponsor or primary intended beneficiary.

Metric 2.1.5.1

The number of technical assistance outreach events hosted or provided by the Corps during the reporting period to improve access to federal programs related to environmental justice.

Metric 2.1.5.2

The percentage of technical assistance projects initiated during the reported period where the Nonfederal sponsor is an economically disadvantaged community.³⁸

OBJECTIVE 2.2

Integrate best practices from equitable community engagement^{39,40} and the principles of climate resilience, Indigenous Knowledge, nature-based solutions, the Corps' Tribal Consultation Policy, and environmental justice into the Corps Civil Works planning and project delivery process and into current (where practicable) and new work activities and decisions that affect communities. Fully consider the Tribal and public input as part of all decision-making processes.⁴¹

PRIORITY ACTION 2.2.1

Prepare guidance documents or training for Corps staff on considering and incorporating Indigenous Knowledge in Corps activities.⁴²

Metric 2.2.1.1

The number of guidance documents or trainings developed to direct staff on how to consider and incorporate Indigenous Knowledge in Corps activities.

PRIORITY ACTION 2.2.2

Prepare guidance for Corps staff to conduct equitable community engagement in both project and permit activities to ensure that affected communities with environmental justice concerns have opportunities for meaningful engagement that influences the Corps' decision-making

³⁷ Assistant Secretary of the Army for Civil Works. Memorandum for Commanding General, U.S. Army Corps of Engineers: Implementation Guidance for Section 160 of the Water Resources Development Act of 2020, Definition of Economically Disadvantaged Community. Available at: <https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll5/id/36002>

³⁸ Stet.

³⁹ Exec. Order No. 14096 Section 3 (a) (vii)

⁴⁰ WHEJAC Recommendations: Climate Planning, Preparedness, Response, Recovery, and Impacts Workgroup. Page 4-5, recommendation # 5.

⁴¹ EO 14096: section 3 (a) (vii) b

⁴² Guidance for Federal Departments and Agencies on Indigenous Knowledge. (November 30, 2022)

processes.⁴³ Guidance should direct project and permit staff to follow Federal plain language guidelines,⁴⁴ to invite Tribal Consultation and conduct community outreach at the earliest possible time in a project or permit action– and direct staff to demonstrate how Tribal Consultation or other input was integrated into the decision. Guidance should also encourage providing sufficient time for Tribes and stakeholders to plan for participation, understand the topic of discussion, and provide thoughtful, informed comments.

Metric 2.2.2.1

Memorandum from Corps leadership to Division leadership for Corps staff on conducting equitable community engagement and follow-up.

Metric 2.2.2.2

Describe three significant actions each related to equitable community engagement that were taken during the reporting period that resulted in measurable improvements in Indian country, in U.S. Territories, and in economically disadvantaged communities.

PRIORITY ACTION 2.2.3

Streamline and fund language assistance services in Corps activities to ensure that staff provide meaningful opportunities for individuals with limited English proficiency and to individuals with disabilities to provide input into the decision-making process.⁴⁵

Metrics 2.2.3.1

The percentage of public meetings where translation or interpretation services were provided.

Metrics 2.2.3.2

The percentage of environmental review documents or executive summaries translated from English into another language. Report which language it was translated to.

OBJECTIVE 2.3

Under the relevant legal authorities, evaluate opportunities to enhance the Corps' ability to identify impacts and develop alternative solutions or specific mitigation actions that will reduce adverse impacts on communities with environmental justice concerns.

PRIORITY ACTION 2.3.1

Once analyzed, prepare guidance or standard operating procedure for the Corps on how to potentially modify an alternative or mitigation action to reduce adverse impacts on Tribal Nations or on communities with environmental justice concerns.

Metric 2.3.1.1:

The number of project modifications were made in response to environmental justice concerns raised during the NEPA process, Tribal coordination/consultation, public interest review, or other outreach process.

⁴³43 WHEJAC Recommendations: Climate Planning, Preparedness, Response, Recovery, and Impacts Workgroup. Page 4-5, recommendation # 5.

⁴⁴44 Public Law 111-274 – Plain Writing Act of 2010. Federal plain language guidelines can be found at: <https://www.plainlanguage.gov/guidelines/>

⁴⁵45 EO 14096, sec. 3(a)(vii)

OBJECTIVE 2.4

Under the relevant legal authorities, evaluate opportunities to enhance the Corps' ability to identify impacts and develop alternative solutions or specific mitigation actions that will increase benefits and reduce disproportionate adverse burdens to Tribal Nations or on projects in communities with environmental justice concerns.

PRIORITY ACTION 2.4.1

Subject matter experts, planners, and the Office of Counsel may draft a list of "best practices" to provide legally defensible examples of alternative solutions or specific mitigation actions that could be used to avoid impacts or reduce disproportionate adverse burdens caused by project or permitting activity.

Metric: 2.4.1.1

List of best practices available for staff working through project or permitting activities.

Goal 3: PARTNERSHIPS

As part of a whole-of-government approach, invest in building the trusted partnerships and collaboration needed to advance environmental justice and to fulfill the trust responsibilities for Tribal nations.⁴⁶

OBJECTIVE 3.1

Build, nurture, repair, and rebuild trusted relationships with Tribal Nations to remove barriers that impair their ability to receive benefits and to reduce burdens related to Corps activities. This may involve acknowledging ancestral and historical land stewardship, treaties, and actions by the Federal government that altered land ownership and stewardship practices and respecting the Indigenous Knowledge held by Tribal citizens related to proposed Federal actions. Leverage the Corps' Tribal Consultation Policy and best practices to seek out Tribal input, anticipate environmental justice issues, and strongly consider concerns in developing proposed solutions.

PRIORITY ACTION 3.1.1

Work with Tribal Liaisons, District environmental justice coordinators, cultural and natural resources staff, and the Tribal Nations Technical Center of Expertise to understand and document the regional histories of Tribal Nations and Indigenous peoples in each District's environmental justice strategic outreach plan. Communicate those findings to all District staff regularly.

Metric 3.1.1.1

The number of Corps staff trained on Tribal Nations and history broadly or within each District.

Metric 3.1.1.2

The number of District environmental justice strategic outreach plans that have sections on Tribal histories within the District boundary.

PRIORITY ACTION 3.1.2

Consistently provide coordination and consultation opportunities for Tribal Nations to engage with Corps staff and leadership to discuss concerns, ideas, and preferences related to Corps activities, including asking for recommendations for improvement.

Metric 3.1.2.1

The number of Tribal Consultations (in-person, virtual call, telephone call or letter between a Corps leader and a Tribal Leader), staff-level coordination (in-person, virtual call, telephone call or letter between a Corps staff person and Tribal staff or leadership), Tribal listening sessions, or other Tribal engagements.

OBJECTIVE 3.2

Build, nurture, repair, and rebuild trust and relationships with communities with environmental justice concerns and territorial governments to remove the barriers that impede their ability to receive benefits and to reduce burdens related to Corps activities. Work together with communities to anticipate environmental justice issues and incorporate their concerns in developing proposed solutions.

⁴⁶ Exec. Order No.14096 Sections: 1 and 3(xii)

PRIORITY ACTION 3.2.1

Use the Climate and Economic Justice Screening Tool (CEJST) and work with District subject matter experts to understand and document the regional histories of communities with environmental justice concerns in each District's environmental justice strategic outreach plan. Communicate those findings to District leadership and project teams regularly.

Metric 3.2.1.1

The number of District environmental justice strategic outreach plans that include sections on specific communities and their environmental justice concerns within District jurisdictions.

PRIORITY ACTION 3.2.2

Work with subject matter experts and District outreach coordinators to update and enhance District outreach strategies every two years, including priority activities to help staff build relationships.

METRIC 3.2.2.1

The number of District outreach strategies that have been updated within the last two years.

PRIORITY ACTION 3.2.3

Leverage opportunities at Corps Districts to invite communities with environmental justice concerns and territorial and local governments to listening sessions to voice their broad or specific concerns, recommendations, or preferences that could help the Corps address community concerns.

METRIC 3.2.3.1

The number of District environmental justice listening sessions during the reporting period.

OBJECTIVE 3.3

Build strategic partnerships and increase project-based collaboration with other agencies and organizations that can help advance environmental justice. These organizations may have specialized expertise and unique authorities complementing the Corps to create a more complete or equitable project. They may also have pre-existing relationships with Tribal Nations and local communities or insight into community preferences.

PRIORITY ACTION 3.3.1

Participate in local and regional working groups or project collaborations that address issues of environmental justice or are working to improve environmental conditions in Tribal Nations or communities with environmental justice concerns.

Metric 3.3.1.1

The number of local or regional interagency working groups or interagency projects in which Corps staff have participated since the last reporting period relevant to environmental justice issues.

PRIORITY ACTION 3.3.2

Continue to participate in and leverage opportunities through national interagency committees (like the Interagency Committee on Environmental Justice) and working groups on relevant topics to reduce barriers, share resources, and standardize engagement.

Metric 3.3.2.1

The number of interagency collaborations in which staff are participating relevant to issues of environmental justice at the time of this reporting.

PRIORITY ACTION 3.3.3

Update District Environmental Justice Strategic Outreach Plans to include a list of organizations operating with authorities, expertise, pre-existing relationships, or resources that can help Corps teams further advance environmental justice.

Metric 3.3.3.1

The number of District Environmental Justice Strategic Outreach Plans that include an updated list of organizations operating in the region that have authorities, expertise, pre-existing relationships, or resources that can help Corps teams to further advance environmental justice.

Goal 4: POLICY and PROCESS.

Refine Corps policy, processes, and decision-making to reduce disproportionate environmental burden, to increase access to Corps programs and the benefits of Corps activities, and, increase opportunities for meaningful involvement with Tribal Nations. Refine the same processes to increase opportunity for meaningful involvement with U.S. Territories and communities with environmental justice concerns. Goal Four will be accomplished in part through the following two objectives:

OBJECTIVE 4.1

As appropriate, staff will review, recommend, and implement improvements to policy and guidance that could reduce disproportionate environmental burdens, increase access to Corps Civil Works programs for communities, and make it easier for affected communities to participate in the Corps planning and decision-making processes.

PRIORITY ACTION 4.1.1

Make the agency's Civil Works Program information⁴⁷, policy, guidance, and memoranda more widely available and accessible to the workforce, other Federal agencies, our partner communities, and Tribal Nations so that they may participate in Corps programs or provide feedback on the Corps water-related activities.

Metric 4.1.1.1

The number of actions or descriptions of three case studies taken during this reporting period to improve access to, awareness of, and support for Corps programs for communities with environmental justice concerns.

Metric 4.1.1.2

The number of actions or describe three case studies of actions taken during this reporting period to improve access to, awareness of, and support for Corps programs for Tribal Nations.

PRIORITY ACTION 4.1.2

Ensure that guidance and rulemaking proposals consider environmental justice before being finalized and related engagements are planned with Tribal and communities with environmental justice concerns as appropriate.

Metric 4.1.2.1

The number or description of policies, rulemakings, and completed enforcement actions in the past fiscal year that provide environmental health protection or advance environmental justice.

⁴⁷ The Corps has several programs that could benefit Tribal Nations and economically disadvantaged communities, including Floodplain Management Services, Planning Assistances to States and Tribes, the Tribal Partnership Program, Continuing Authorities Program, Environmental Infrastructure, and, the Corps' Water infrastructure Financing Program.

PRIORITY ACTION 4.1.3

Integrate environmental justice considerations into the formal review process of Corps planning studies, permit actions and other activities.

Metric 4.1.3.1

Develop draft recommendations for modifying the current review process to explicitly integrate environmental justice expertise considerations.

OBJECTIVE 4.2

Before the next update of this Strategic Plan, appropriate staff should review and modify planning, budgeting, procurement, contracting, and other processes for opportunities to reduce disproportionate environmental burdens, increase access to the Corps Civil Works benefits and programs, and make it easier for affected communities to participate in the Corps processes.

PRIORITY ACTION 4.2.1

Prepare draft recommendations within planning, budget, procurement, contracting, and other agency decision-making processes to reduce disproportionate burdens in Corps programs and improve access to community participation. Consider incorporating these recommendations into the Environmental Justice Assessment prepared under Priority Action 5.2.1.

Metric 4.2.1.1

A draft plan to evaluate planning, budget, procurement, contracting, and agency decision-making to reduce disproportionate burdens in Corps programs and make community participation easier.

Goal 5: FURTHER INSTITUTIONALIZE ENVIRONMENTAL JUSTICE

Institutionalize environmental justice and Tribal trust principles across the Corps throughout all operations and establish accountability for decisionmakers and practitioners as they apply these principles across agency activities in the Army Civil Works program. Goal Five will be accomplished in part through the following four objectives:

OBJECTIVE 5.1

Prepare and update, as appropriate, the Corps' Headquarters Environmental Justice Program Management Plan to integrate and guide Corps environmental justice activities.

PRIORITY ACTION 5.1.1

Prepare the initial Environmental Justice Program Management Plan.

Metric 5.1.1.1

A completed Environmental Justice Program Management Plan.

OBJECTIVE 5.2

Improve understanding of how environmental justice and Tribal trust issues intersect with every functional or work area at the Corps and use findings to refine policy and processes referenced in Goal Four.

PRIORITY ACTION 5.2.1

Assess barriers and document intersections of environmental justice and Corps functional and work areas in an Environmental Justice Assessment no later than two years after submission of the Environmental Justice Strategic Plan, as directed in EO 14096, section 4 (d). Use findings to update Environmental Justice Program Management Plan as appropriate.

Metric 5.2.1.1

Completion of the Environmental Justice Assessment, including a summary of intersections and barriers to achieving environmental justice. Assessment should include unique sections related to Tribal Nations and U.S. territories.

OBJECTIVE 5.3

Develop a structure that ensures all employees can learn and advance environmental justice and uphold Tribal trust responsibilities.

PRIORITY ACTION 5.3.1.a

Consider adding language to annual employee performance plans that address building literacy in the content and requirements of the latest Tribal Consultation Policy (updated December 2023)⁴⁸.

PRIORITY ACTION 5.3.1.b

Consider adding language to annual employee performance plans⁴⁹ that address building literacy for and demonstrating environmental justice considerations in work activities as relevant to mission requirements.

Metric 5.3.1.1

Draft sample language for inclusion in employee performance plans that, if implemented, would address building literacy in the content and requirements of the latest Tribal Consultation Policy.

Metric 5.3.1.2

Draft sample language for inclusion in employee performance plans that, if implemented, would address building literacy for and demonstrating environmental justice considerations in work activities relevant to mission requirements.

OBJECTIVE 5.4

Create a mechanism to update Senior leaders on the progress and challenges of implementing environmental justice strategies.

PRIORITY ACTION 5.4.1

Recommend and implement actions such as, quarterly and annual briefings from relevant staff with Senior leaders that describe progress and barriers for implementing this Strategic Plan.

Metric 5.4.1.1

Meeting summaries following each briefing that include the key topics discussed and action plans for barriers in the coming year.

OBJECTIVE 5.5

Create a mechanism to invite agency partners and stakeholders, including Tribal nations, U.S. Territories, and communities with environmental justice concerns, to review the Corps' progress in implementing environmental justice activities (including this Plan) and to recommend improvements for how the Corps can advance environmental justice.

PRIORITY ACTION 5.5.1

Recommend and implement actions such as inviting email feedback or holding annual briefings with relevant regional and national staff with agency partners, Tribes, U.S. Territories, and communities with environmental justice concerns that describe progress and barriers to implementing this Strategic Plan and that seeks feedback and recommendations for improvement.

Metric 5.5.1.1

Meeting summaries following each briefing, including recommendations to the Corps and a list of priority actions the Corps can take to overcome barriers. Meeting summaries may be used to inform updates to the Environmental Justice Strategic Plan and other Corps activities, as appropriate.

⁴⁹ Aligned with EO 14096, Section 3 (xv) (A)

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

The Corps of Engineers is committed to improving *how* we work with Tribal Nations, U.S. Territories, and communities with environmental justice concerns. Essential to this commitment is willingness to *continue* to seek input, remain open to integrating that input *everywhere practicable*, and to *stay accountable* and transparent to the governments and communities most affected by our work. In that vein, the Corps prepared draft vision, goals, and objectives for this plan using input and consultation received from three primary sources (below):

- recent revisions to the Corps' Tribal Consultation Policy (published in December 2023),
- recent rulemaking regarding the Agency Specific Procedures for the U.S. Army Corps of Engineers' implementation of the Principles, Requirements, and Guidelines for water resources investments⁵⁰, and,
- overtime from Tribal nations, partners in U.S. Territories, and from communities with environmental justice concerns as they have engaged with the Corps in its standard work activities.

The Corps used additional input received during this outreach (described below) to prepare a complete Environmental Justice Strategic Plan that includes a revised vision, goals, and objectives. The plan also includes an overall approach to guide the Corps and a set of priority actions and metrics to help the Corps implement the plan. Some specific actions and metrics come directly from feedback received during this process and are described below, while many of the action and metric come from the Corps' interpretation on how best apply the input received.

Outreach especially for this Plan. The Corps prepared a notice for the Federal Register⁵¹ published on 12 September 2024 that included the draft vision, goals, and objectives of this Environmental Justice Strategic Plan. This notice invited Tribal Nations and the public to provide input into the Draft Environmental Justice Strategic Plan via listening sessions, email, or the docket by October 1 (for the public) and October 22 (for Tribal Nations). The Corps also sent a letter to Tribal leaders notifying them of the opportunity to comment on or request Government-to-Government consultation on this Environmental Justice Strategic Plan.

The Office of the Assistant Secretary of the Army for Civil Works and the Corps held two virtual meetings open to all stakeholders (17 and 19 September), which 85 members of the public attended. The Corps held an additional virtual meeting (18 September) for Tribal input, which 29 people attended. At the virtual meetings, a presentation was provided on the background of the Environmental Justice Strategic Plan development process. The presentation included a summary of the proposed vision, goals, and objectives. The presentation was recorded and posted on the Army Civil Works and Corps' Environmental Justice websites,⁵² but the input and questions sessions were not recorded for privacy reasons. Meeting participants' input received verbally or in the webinar chat was documented by Corps staff.

⁵⁰ Federal Register Docket number 2024-02448, published 25 February, 2024.

⁵¹ Federal Register Docket number 2024-20678, published 1 September, 2024.

⁵² Army Civil Works Website available at: <https://www.army.mil/asacw>
USACE Environmental Justice website available at: <https://www.usace.army.mil/Missions/Environmental-Justice/>

The Corps received 14 comment letters and 3 requests for Tribal Consultation. In many cases, the comments or recommendations were more specific than this Strategic Plan can accommodate, but the input may still be very useful in agency implementation guidance or in work activities. Therefore, the Corps will consolidate and share all feedback received through *this process* with relevant Corps staff, including national, regional, and District Corps Tribal Liaisons, and Corps environmental justice staff to consider as they update their annual plans and conduct other work activities.

A summary of frequent or significant comments is included below. A sentence (in *italics*) under each comment explains how this comment is addressed in this Plan (*italics*).

Several commenters:

- Offered to work with the Corps in implementing this Environmental Justice Strategic Plan
 - *Objective 5.5 on seeking input and feedback on Corps progress represents one such opportunity. The Corps appreciates this offer and will explore additional opportunities for working with others on updates to the plan.*
- Requested making public engagement and materials more understandable and accessible.
 - *Objective 2.2 and supporting Priority Actions 2.2.2 and 2.2.3 encourage the Corps to improve public engagement with best practices including emphasis on the use of plain language and translation of materials to multiple languages.*
- Supported the commitment to a “holistic” approach to environmental justice in the Plan.
 - *Each of sections 3 (Vision), 4 (Approach), and 5 (Goal setting) mention “holistic” and/or represent a holistic approach to advancing environmental justice.*
- Stressed the importance that Corps staff receive training on environmental justice and Tribal issues and engagement. Some commenters specifically recommended that the Corps partner with Tribal Nations and communities with environmental justice concerns as the Corps develops and deploys the trainings.
 - *Objectives 1.2 and 1.3 guide the Corps to enhance staff training on these issues. Priority Action 1.3.1 advises collaborating with Tribal Nations and communities with environmental justice concerns to develop and deploy staff training.*
- Requested that the Corps consult with Tribal Nations and engage with communities early and often for their input on a federal action or permit application. They requested initial engagement occur before alternatives are prepared (in the case of feasibility studies).
 - *Priority Actions 2.1.1 and 2.1.2 seek to increase Corps capacity to engage early and often by increasing the number of staff with this expertise to focus on addressing issues important to Tribal Nations and communities with environmental justice concerns. Priority Action 2.1.3 aims to ensure that staff with this expertise be engaged on project and permit teams where practicable. Priority Action 2.2.2 encourages the Corps prepare engagement guidance for staff that recommends inviting in Tribal Nations and communities with environmental justice concerns at the earliest possible time during a project or permit action.*
- Supported and reemphasized the need for trust and partnership between the Corps, Tribal Nations, and communities with environmental justice concerns.
 - *These values are expressly reflected in Section 4 (Approach). Implementation of this topic is the focus of Goal 3, including Objectives 3.1 and 3.2. The Plan also includes Priority Actions 3.1.2 and 3.2.3 which encourage providing consistent opportunity for coordination, consultation, and input. Objectives 1.2 and 1.3 focus on staff training*

for environmental justice literacy and meaningful involvement which would include the importance and demonstration of trust.

- Suggested that the Corps improve accountability with Tribal Nations, partner agencies, and communities and share how specific input received is considered and integrated into a Corps action or permit.
 - *Goal 5 addresses accountability broadly through institutionalizing environmental justice; meanwhile Objective 5.5 specifically seeks feedback from partners including Tribal Nations and communities. Priority actions 3.1.2 and 3.2.3 encourage listening sessions and more coordination. Finally, Priority Action 2.2.2 includes guidance to staff that explicitly encourages them to demonstrate how input received from Tribal Nations and communities with environmental justice concerns was integrated into a decision.*

Some commenters suggested that the Corps:

- Increase and enhance outreach activities to ensure that communities with environmental justice concerns understand how to access Corps' Technical Assistance programs.
 - *Priority Actions 2.1.4 and 2.1.5 including the associated metrics specifically aim to increase the reach of Technical Assistance Programs to better and more frequently serve Tribal Nations and economically disadvantaged communities. Priority Action 4.1.1 supports this by charging the Corps to improving access overall to Corps Civil Works programs, which include Technical Assistance. Increasing outreach and information on these programs is a key step.*
- Streamline and reduce regulatory burden on permit applicants.
 - *This comment has not been explicitly integrated into the plan, though the plan does not preclude this, and this objective could be achieved through Objective 2.1 which asks the Corps to prioritize resources to efforts that reduce disproportionate environmental burdens; environmental are linked to administrative and regulatory burdens.*
- Include access to water and sanitation in its approach to environmental justice.
 - *This comment is not explicitly addressed in this Plan, but its intent is not precluded. It could be achieved through listening sessions with Tribal Nations and communities with environmental justice concerns referenced in Objective 3, and through increasing access to Civil Works programs in Objective 4. Civil Works Programs including the Tribal Partnership Program and Planning Assistance to States and Tribes could potentially consider water and sanitation access. This would be achieved by working with District staff to submit a request.*
- Explicitly integrate U.S. Territories into the language of this Strategic Plan.
 - This has been integrated into numerous sections of this plan, including the Vision statement (Section 3).*
- Identify specific metrics to measure accountability in Corps projects and progress on implementing this Strategic Plan.
 - *This plan does not include the metrics to measure accountability in projects, but it does include Priority 2.2.2 and Metric 2.2.2.1 for Leadership to prepare staff guidance on equitable engagement, including on how to demonstrate how input received is integrated into decision making.*
 - *Goal 5 on institutionalizing environmental justice includes several activities and metrics that enable the Corps to demonstrate progress on implementing the strategic*

- plan. Objective 5.5 and its Priority Actions and Metrics commit the Corps to providing updates and inviting feedback from agency partners, stakeholders, including, including Tribal nations, U.S. Territories, and communities with environmental justice concerns, to review the Corps' progress on progress and challenges to in implementing environmental justice activities (including this Plan) and to recommend improvements for how the Corps can advance environmental justice.*
- Acknowledge indigenous communities as original stewards of the lands across the United States.
 - *This is expressed in the first paragraph of Section 4, the approach to environmental justice. In addition, Objective 3.1 indicates that trust building may involve acknowledging ancestral and historical land stewardship.*
 - Extend the comment period for this strategic plan; expressed that many leaders who would comment were likely unaware of the opportunity in this short time frame⁵³.
 - *The Corps was not able to extend the comment period for this Strategic Plan because of administrative deadlines, however this plan is a living document, and all comments will be considered in updates and shared with appropriate staff for consideration in Corps activities (including those unrelated to this strategic plan).*

⁵³ The Corps was not able to extend the comment period for this Strategic Plan because of administrative deadlines, however this plan is a living document and all comments will be considered in updates and shared with appropriate staff for consideration in Corps activities (including those unrelated to this strategic plan).

APPENDIX A. Guidance and Policy Related to this Plan

Executive Orders (EO):

1. Executive Order No. 12898, 3 C.F.R. 859 (1994). *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*. Available at <https://www.federalregister.gov/presidential-documents/executive-orders>"
2. Executive Order No. 14008, 3 C.F.R. 7629 (2021). *Tackling the Climate Crisis at Home and Abroad*. Available at <https://www.federalregister.gov/presidential-documents/executive-orders>.
3. Executive Order No. 14096, 3 C.F.R. 8206 (2023). *Revitalizing Our Nation's Commitment to Environmental Justice for All*. Available at <https://www.federalregister.gov/presidential-documents/executive-orders>.

Federal Policy, Guidance, or Memoranda:

4. *Justice40 Initiative Covered Programs List*, Version 1.3, 18 August 2022. Available at https://www.whitehouse.gov/wp-content/uploads/2022/07/Justice40-Covered-Programs-List_v1.2_07-25-2022.pdf.
5. *Indigenous Traditional Ecological Knowledge and Federal Decision Making*. 15 November 2021. Available at <https://www.whitehouse.gov/wp-content/uploads/2021/11/111521-OSTP-CEQ-ITEK-Memo.pdf>" \t " new
6. *Guidance for Federal Departments and Agencies on Indigenous Knowledge*. 30 November 2022. Available at <https://www.whitehouse.gov/wp-content/uploads/2022/12/OSTP-CEQ-IK-Guidance.pdf>.
7. *Management Directive 715 - Barrier Analysis and Questions to Guide the Process*. Available at <https://www.eeoc.gov/federal-sector/management-directive/barrier-analysis-questions-guide-process>.
8. *White House Environmental Justice Advisory Council (WHEJAC) Recommendations*. Available at <https://www.epa.gov/environmentaljustice/white-house-environmental-justice-advisory-council-recommendations>.
9. *Public Law 111-274 – Plain Writing Act of 2010*. Available at <https://www.plainlanguage.gov/guidelines/>.

Army Civil Works or Corps of Engineers Policy, Guidance, and Memoranda relevant to advancing environmental justice:

10. Assistant Secretary of the Army for Civil Works. Memorandum for Commanding General, U.S. Army Corps of Engineers (USACE): *Comprehensive Documentation of Benefits in Decision Document*. 5 January 2021. Available at https://planning.erdc.dren.mil/toolbox/library/MemosandLetters/ComprehensiveDocumentationofBenefitsonDecisionDocument_5January2021.pdf.
11. Assistant Secretary of the Army for Civil Works. Memorandum for Commanding General, U.S. Army Corps of Engineers (USACE): *Incorporation of Nature-Based Solutions in*

- Civil Works Projects*. 22 April 2024. Available at https://planning.erdc.dren.mil/toolbox/library/MemosandLetters/Memo_IncorporationNatu reBasedSolutions_22Apr2024.pdf.
12. Assistant Secretary of the Army for Civil Works. Memorandum for Commanding General, U.S. Army Corps of Engineers (USACE): *Updated U.S. Army Corps of Engineers Civil Works Tribal Consultation Policy*. 5 December 2023. Available at <https://api.army.mil/e2/c/downloads/2023/12/06/e3fbb34e/signed-cg-usace-updated-u-s-army-corps-of-engineers-civil-works-tribal-consultation-policy-002.pdf>.
 13. Assistant Secretary of the Army for Civil Works. Memorandum for Commanding General, U.S. Army Corps of Engineers (USACE): *Implementation of Environmental Justice and the Justice40 Initiative*. 15 March 2022. Available at https://planning.erdc.dren.mil/toolbox/library/MemosandLetters/ASACW_FinalInterimEJIG_15March2022.pdf.
 14. Assistant Secretary of the Army for Civil Works. Memorandum for Commanding General, U.S. Army Corps of Engineers (USACE): *Implementation Guidance for Section 160 of the Water Resources Development Act of 2020, Definition of Economically Disadvantaged Community*. 14 March 2023. Available at <https://usace.contentdm.oclc.org/utis/getfile/collection/p16021coll5/id/36002>.
 15. HQUSACE (CECW-P). Memorandum: *Update for Section 22 of the Water Resources Development Act (WRDA) of 1974, as amended (42 U.S.C. 1962d-16)*. Available at https://planning.erdc.dren.mil/toolbox/library/MemosandLetters/DCW_Memo_and_FAQ_WRDA2022_16Jan2024.pdf.
 16. HQUSACE (CECW-P). Memorandum: *Interim Environmental Justice Guidance for Civil Works Planning Studies*. 13 January 2023. Available at https://planning.erdc.dren.mil/toolbox/library/MemosandLetters/InterimEJGuidanceforPlanningStudies_13JAN2023.pdf.
 17. HQUSACE (CECW-P). Memorandum: *Implementation of the Interim Environmental Justice Strategic Plan: Memorandum and Strategic Plan*. 16 December 2022. Available at https://planning.erdc.dren.mil/toolbox/library/MemosandLetters/ImplementationInterimEnvironmentalJusticeStrategicPlan_16Dec2022.pdf.
 18. HQUSACE (CECG). Memorandum: *Environmental Justice – An Overview*. 31 August 2021. Available at <https://planning.erdc.dren.mil/toolbox/>.
 19. *Civil Works Tribal Consultation Policy*. 6 December 2023. Available at <https://api.army.mil/e2/c/downloads/2023/12/06/f10ab368/dec2023-usace-tribal-consultation-policy.pdf>.
 20. EP 1105-2-57: *Planning Stakeholder Engagement, Collaboration and Coordination*. Available at <https://www.publications.usace.army.mil/>.
 21. U.S. Army Corps of Engineers. *2024 – 2027 Climate Adaptation Plan*. Available at <https://www.sustainability.gov/pdfs/usace-2024-cap.pdf>