



April 25, 2022

Honorable Brenda Mallory
Chair, Council on Environmental Quality
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Re: **Climate and Economic Justice Screening Tool Beta Version** (CEQ-2022-0002)

Dear Chair Mallory,

The Association of State Drinking Water Administrators (ASDWA) is the independent, nonpartisan, national organization representing the collective interests of the drinking water program administrators in the 50 states, five territories, the District of Columbia, and the Navajo Nation who implement the Safe Drinking Water Act (SDWA) every day to ensure the protection of public health and the economy. ASDWA supports and represents the collective interests of its members in their administration of national drinking water program requirements within their states or territories.

ASDWA appreciates the Council on Environmental Quality's (CEQ) work to develop the Climate and Economic Justice Screening Tool. Tackling the Biden administration's ambitious goals under the Justice40 initiative requires coordinated efforts from all federal agencies and the state primacy agencies that serve as co-regulators. Our comments are intended to broadly address the Climate and Economic Justice Screening Tool, but they do not necessarily reflect the concerns of individual states. ASDWA recommends that CEQ incorporate comments from individual states and territories into its process for finalizing this tool.

While CEQ has been transparent regarding the data sets used to inform the various categories the Council chose for the tool, it is less clear as to CEQ's reasoning for the data sets chosen and the parameters used to classify a census tract as disadvantaged. For example, the training workforce and development category uses multiple factors, such as the percentage of adults 15 or older who are not enrolled in higher education, with 80% or more being a qualifier for consideration. ASDWA recommends CEQ provide documentation explaining why this particular metric was used for this category and why 80% has been used as the qualifying threshold. CEQ should provide the logic and documentation for all the metrics in the final tool.

The current beta version of the tool does not utilize any drinking water data or factors and that exclusion is problematic from ASDWA's perspective. ASDWA recommends that CEQ work with the Environmental Protection Agency's (EPA) Office of Ground Water and Drinking Water to include drinking water considerations within the tool. [EPA's DWMAPS](#), an online mapping tool with information critical to protecting drinking water sources, is an excellent place to begin this conversation.

CEQ intends this tool to be used by Federal agencies, in line with the directive in Executive Order 14008. However, it is unclear how this tool is intended to be used by the different Federal agencies. The EPA already has a tool geared towards environmental justice: [EJSCREEN](#). The National Oceanic and Atmospheric Administration (NOAA) has [multiple tools](#) looking at climate change impacts and resiliency, focusing on environmental justice. Finally, the Centers for Disease Control and Prevention (CDC) has the [Social Vulnerability Index Map](#), which uses 15 U.S. census variables to help local officials identify communities that may need support before, during, or after disasters. While CEQ's tool utilizes data from EJSCREEN, it is unclear how it is meant to be used in concert with tools in other agencies. As outlined in Justice40, addressing environmental justice is a cross-agency effort, and CEQ, EPA, NOAA, CDC, and other Federal agencies should find ways to streamline efforts and avoid duplicative work.

Additionally, it is important to remember that "disadvantaged communities" are defined differently within various federal statutes. Under the Safe Drinking Water Act (SDWA), defining "disadvantaged communities" is left to the states and ASDWA supports retaining this flexibility for states. State definitions vary widely and may not completely align with CEQ's or other federal agencies' definitions.

Although the intended audience is currently Federal agencies, if CEQ intends to expand this audience in the future to state primacy agencies, ASDWA recommends that the Council reach out to engage in an informed discussion with our members. Thank you for your consideration of these comments. We look forward to engaging CEQ further as later iterations of the tool are released and the Council takes further actions to address environmental justice.

Sincerely Yours,



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ASDWA Executive Director

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