



**CALIFORNIA  
ENERGY COMMISSION**



**CALIFORNIA  
NATURAL  
RESOURCES  
AGENCY**

# Justice Access Equity Diversity Inclusion (JAEDI) Framework

February 2023  
CEC-100-2022-001-CMF-APA



# Appendix A: Justice Access Equity Diversity Inclusion (JAEDI) Framework

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This framework outlines the California Energy Commission's (CEC's) commitment to embedding energy equity and environmental justice in *our* energy future. This framework is not a one-size-fits all approach, check list, or an endpoint. This is a mechanism to help establish a common understanding and approach for the CEC to its part to address climate change and ensure all Californians have dignity, health, and prosperity.

To embed equity and environmental justice, the CEC must focus both on external and internal efforts. The framework takes this approach into account and will be used during the CEC's existing Justice Access Equity Diversity Inclusion (JAEDI) Initiative which started in 2019. By applying a JAEDI-in and JAEDI-out approach, the CEC will continue its journey to diligently and intentionally improve its internal operations and workplace to ensure its workforce feels welcome and supported (JAEDI-in) and to improve what goes out of the CEC in the form of our programmatic and policy work (JAEDI-out). The CEC wants a workforce that reflects the diversity of California and a workplace that has a culture of belonging. When staff feel supported and can be themselves and work without barriers, they thrive. The CEC also believes that if its employees experience equity and justice first-hand and understand what it means, they will be inspired to create more opportunities and better outcomes for all Californians through the agency's policies, programs, projects, and operations.

The CEC is grateful to the participants of the *2022 IEPR Update* and other justice leaders who inspired and informed this framework with their comments, scholarship, and experience. The agency embedded as much of their original words directly into the framework to maintain the language and essence of their statements, while still making it its own and in compliance with state and federal laws. This framework was also inspired and informed by various sources including peer agency efforts, federal level efforts like the Justice40 Initiative, The Principles of Environmental Justice (EJ),<sup>211</sup> Jemez Principles for Democratic Organizing,<sup>212</sup> Disadvantaged

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211 [EJ Principles](http://www.columbia.edu/cu/EJ/Reports_Linked_Pages/EJ_principles.pdf). [http://www.columbia.edu/cu/EJ/Reports\\_Linked\\_Pages/EJ\\_principles.pdf](http://www.columbia.edu/cu/EJ/Reports_Linked_Pages/EJ_principles.pdf).

212 [Jemez Principles](http://www.ejnet.org/ej/jemez.pdf). <http://www.ejnet.org/ej/jemez.pdf>. The Jemez Principles for Democratic Organizing were adopted in a December 1996 meeting in Jemez, New Mexico hosted by the Southwest Network for Environmental and Economic Justice with the intention of hammering out common understandings between participants from different cultures, political affiliations, and organizations.

Communities Advisory Group (DACAG) Equity Framework,<sup>213</sup> California Environmental Justice Alliance (CEJA) Environmental Justice Principles,<sup>214</sup> The Greenlining Institute’s Make Equity Real,<sup>215</sup> the Building Energy, Equity and Power Coalition,<sup>216</sup> The Energy Justice Workbook,<sup>217</sup> and Energy Equity Project Report.<sup>218</sup>

## Vision

Achieving an energy system of the future — one that is clean, modern, reliable and ensures our economy continues to thrive while serving *a//* Californians regardless of their race, income, or location.

## Mission

Leading the state to a 100 percent clean energy future for all.

## Terms and Definitions

**Environmental Justice:** According to California statute GOV § 65040.12 (e):

“...Environmental justice means the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.”<sup>219</sup>

**Energy Justice:** The goal of achieving equity in both the social and economic participation in the energy system, while also remediating social, economic, and health burdens on marginalized communities. Energy justice explicitly centers the concerns of Tribes and Justice Communities and aims to make energy more accessible, affordable, and clean, and democratic for all communities.

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213 [Disadvantaged Communities Advisory Group](https://efiling.energy.ca.gov/GetDocument.aspx?tn=224742). <https://efiling.energy.ca.gov/GetDocument.aspx?tn=224742>.

214 CEJA. Environmental Justice Principles [webpage](https://ceja-action.org/ej-decision-maker/ej-principles/). <https://ceja-action.org/ej-decision-maker/ej-principles/>.

215 Greenlining. Make Equity Real [webpage](https://greenlining.org/make-equity-real/). <https://greenlining.org/make-equity-real/>.

216 Energy Justice Statement <https://docs.google.com/document/d/1iSN-TSSjKd9-9yXi7xNkvYgEC0-XDs4heDXTEmQs30/edit>; [https://ww2.arb.ca.gov/sites/default/files/2022-03/BEEP%20Letter%20and%20Report\\_Equitable%20Decarb%20March%202022.pdf](https://ww2.arb.ca.gov/sites/default/files/2022-03/BEEP%20Letter%20and%20Report_Equitable%20Decarb%20March%202022.pdf)

217 Initiative for Energy Justice. [The Energy Justice Workbook](https://iejusa.org/wp-content/uploads/2019/12/The-Energy-Justice-Workbook-2019-web.pdf). <https://iejusa.org/wp-content/uploads/2019/12/The-Energy-Justice-Workbook-2019-web.pdf>.

218 University of Michigan, School for Environment and Sustainability. 2022. “[Energy Equity Framework: Combining Data and Qualitative Approaches too Ensure Equity in the Energy Transition](https://seas.umich.edu/sites/all/files/2022_EEP_Report.pdf?utm_source=pr&utm_campaign=eep&utm_id=eep+framework).” Energy Equity Project. [https://seas.umich.edu/sites/all/files/2022\\_EEP\\_Report.pdf?utm\\_source=pr&utm\\_campaign=eep&utm\\_id=eep+framework](https://seas.umich.edu/sites/all/files/2022_EEP_Report.pdf?utm_source=pr&utm_campaign=eep&utm_id=eep+framework).

219 CalEPA. Environmental Justice Program [webpage](https://calepa.ca.gov/envjustice/), <https://calepa.ca.gov/envjustice/>.

**Just Transition:** The transition away from fossil fuels to renewable energy to achieve a low-carbon regenerative economy that will remedy the injustices of the fossil-fuel energy system and extractive economy across multiple sectors.

**Energy Equity:** Energy Equity recognizes the historical and cumulative burdens of the energy system borne by Tribes and Justice Communities and by Black, Brown, and Native people in particular. To eliminate these disparities, energy equity centers the voices of Tribes and Justice Communities in energy planning and decision-making and ensures the fair distribution of clean energy benefits and ownership. Energy Equity includes multiple dimensions; the four key dimensions to consider are:

- **Recognitional Equity:** Recognitional equity aims to identify the communities that have been harmed by the energy system and deserve a larger share of benefits and investments in the future.
- **Procedural Equity:** Procedural equity aims to implement inclusive, accessible, authentic engagement and representation in policies, programs, projects, and operations. Decisions should be informed by those who will be affected by the decisions while recognizing historical, cultural, and institutional dynamics.
- **Distributional Equity:** Tribes and Justice Communities have not received the complete suite of resources that ensure community success, especially those with the highest need. Resources for the energy system, including funding allocations, must be distributed strategically to those communities with the highest need first and at a level that will adequately address needs. Distributional equity creates opportunities for people and communities to participate in the energy system supply/value chain, operations, service, and ownership and minimizes potential harm.
- **Restorative Equity:** Restorative equity aims to remedy past harms from the energy system and prevent future harms from occurring.

**Racial Equity:** Racial equity is realized when race can no longer be used to predict life outcomes and outcomes for all groups are improved.<sup>220</sup>

*NOTE:* This framework enables the use of the terms “energy equity” and “energy justice” interchangeably, leaning towards a preference for “justice” because it synthesizes and commemorates the traditions of justice-based efforts, including social justice and civil rights, environmentalism and climate justice, just transition, energy equity, and energy democracy.

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220 Curren, Ryan, Julie Nelson, Dwayne S. Marsh, Simran Noor, and Nora Liu. 2016. “[Racial Equity Action Plans: A How-to Manual](https://www.racialequityalliance.org/wp-content/uploads/2016/11/GARE-Racial-Equity-Action-Plans.pdf).” Haas Institute for a Fair and Inclusive Society. University of California, Berkeley. <https://www.racialequityalliance.org/wp-content/uploads/2016/11/GARE-Racial-Equity-Action-Plans.pdf>.

The CEC recognizes that “equity” has been used more commonly at the CEC and other state agencies.

## **Priority Beneficiaries**

The CEC seeks to increase opportunities for and the participation of all Californians in CEC programs and proceedings. Aligning with Executive Order N-16-22, the CEC must take action to address existing disparities in opportunities and outcomes by designing and delivering services and programs consistent with federal and state constitutional requirements to address unequal starting points and drive equal outcomes so all Californians may reach their full potential and lead healthy and rewarding lives.

Accordingly, unless legislative mandates or other executive directives apply, the CEC will prioritize efforts to increase resources, benefits, and opportunities to, while measurably reversing existing disparities and inequities for California Native American Tribes (Tribes) and Justice Communities. The CEC intentionally differentiates “Tribes” to recognize their distinct status as sovereign nations instead of squeezing them into the “community” category.

There may be situations in which the focus may either be equity or environmental justice and thus prefer or need to use certain lexicon. For example, siting proceedings may address issues of Environmental Justice communities more directly while grants may address Equity or Equity Justice Communities more directly. Certain mandates may require focusing efforts on other or additional segments of the population or may apply a place-based approach with a certain geographic type (for example, urban versus rural). In these situations, the terms and definitions used in the mandate should be used. For example, common categories used in legislation are “disadvantaged communities” and “low-income communities.” Any term used should be defined to help ensure clarity as to who is being referenced and what the mandate requires.

**California Native American Tribes (Tribes):** Per Public Resources Code, § 21073: “California Native American Tribe means a Native American Tribe located in California that is on the contact list maintained by the Native American Heritage Commission.” The Native American Heritage Commission maintains a list of contacts among California Native American Tribes for the purposes of Chapter 905 of the Statutes of 2004 and the California Environmental Quality Act.<sup>221</sup>

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221 CEC. [Tribal Consultation Policy](https://www.energy.ca.gov/sites/default/files/2022-02/CEC-700-2022-001.pdf). November 2021. <https://www.energy.ca.gov/sites/default/files/2022-02/CEC-700-2022-001.pdf>.

**Justice Communities:** Justice Communities is a broad umbrella term that encompasses the following designations:

- Disadvantaged Communities, pursuant to Senate Bill 535 (De León, Chapter 830, Statutes of 2012) and based on the recently updated CalEnviroScreen version 4.0,<sup>222</sup> which are:
  - Census tracts receiving the highest 25 percent of overall scores in CalEnviroScreen 4.0
  - Census tracts lacking overall scores in CalEnviroScreen 4.0 due to data gaps, but receiving the highest 5 percent of CalEnviroScreen 4.0 cumulative pollution burden scores
  - Census tracts identified in the 2017 DAC designation, regardless of their scores in CalEnviroScreen 4.0
  - Lands under the control of federally recognized Tribes
- Low-income communities and households, pursuant to Assembly Bill 1550 (Gomez, Chapter 369, Statutes of 2016), respectively:
  - Census tracts with median household incomes at or below 80 percent of the statewide median income or at or below the Department of Housing and Community Development designation of low-income, and
  - Households with incomes at or below 80 percent of the statewide median income or at or below the Department of Housing and Community Development designation of low-income
- Underserved community, pursuant to Assembly Bill 841 (Ting, Chapter 372, 2020):
  - A community in which at least 75 percent of public-school students in the project area are eligible to receive free or reduced-price meals under the National School Lunch Program.
- People living with disabilities as defined by American Disabilities Act (ADA):
  - An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.

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222 CalEPA. May 2022. [Final Designation of Disadvantaged Communities Pursuant to Senate Bill 535](https://calepa.ca.gov/wp-content/uploads/sites/6/2022/05/Updated-Disadvantaged-Communities-Designation-DAC-May-2022-Eng.a.hp_-1.pdf).  
[https://calepa.ca.gov/wp-content/uploads/sites/6/2022/05/Updated-Disadvantaged-Communities-Designation-DAC-May-2022-Eng.a.hp\\_-1.pdf](https://calepa.ca.gov/wp-content/uploads/sites/6/2022/05/Updated-Disadvantaged-Communities-Designation-DAC-May-2022-Eng.a.hp_-1.pdf).

## Guiding Principles

These values represent guiding principles for CEC proceedings.

- 1) Lead with compassion.** The CEC acknowledges that Tribes and Justice Communities have experienced a tragic legacy of unfair treatment that includes displacement and genocide for Tribes and disinvestment and redlining practices for Justice Communities, along with ongoing disproportionate environmental burdens and economic disparities that lead to detrimental health impacts. As a state agency, the CEC wants to do its part to contribute to a dignified and prosperous future for Tribes and Justice Communities. The agency should view each project and policy as an opportunity to improve a person's life.
- 2) Be equal partners.** The CEC will treat all Tribes and Justice Communities with dignity and respect, being particularly deferential when it seeks their input. The agency must ensure that relevant voices of people directly affected by its programs and policies are included and heard. Let people speak for themselves and listen with intention at every level of decision-making, including needs assessment, planning, implementation, enforcement, and evaluation.
- 3) Aim to do no harm.** The CEC values human health and well-being and will scrutinize trade-offs to avoid and prevent harm to Tribes and Justice Communities. Tribes and Justice Communities should not be overlooked merely for business interests or cost-effectiveness.
- 4) Take action.** The CEC commits to proactively identifying and removing barriers to participation and will design policies and programs to maximize benefits, create targeted and accessible opportunities, and customize resources for Tribes and Justice Communities.
- 5) Value community expertise.** The CEC recognizes the depth and breadth of experience of Tribes and Justice Communities as experts in what is happening on their land, in their homes and neighborhoods, with their families, friends, and co-workers, and in knowing the solutions they want to see. The CEC will seek input to inform and improve decisions and programs.
- 6) Welcome participation.** The CEC seeks to inform and enable Tribes and Justice Communities to participate in all aspects of policy design, implementation, and evaluation. Due diligence is required to ensure that proceedings are applicable, and that the Tribes' and Justice Communities' interests and needs are represented. The CEC should ensure proceedings are accessible by offering language services, ADA accommodations, and culturally relevant material.
- 7) Be responsive.** The CEC will respond and be accountable to concerns shared by Tribes and Justice Communities. The CEC will be transparent about its capacity to act and its limitations.
- 8) Attempt interdisciplinary approach.** The CEC will aim to break down silos between divisions and peer agencies to find interdisciplinary approaches to advance more robust

and comprehensive energy solutions that creatively address the multiple crises Californians are facing.

## **Best Practices to Embed an Equity and Environmental Justice Lens**

These practices are intended to help staff implement the guiding principles.

- 1) Embed equity into all programs, policies, and projects.** As of September 13, 2022, state agencies must embed equity into all efforts. If a program, policy, or project does not embed equity, staff must provide a statement explaining why equity is not embedded. To assess a program, policy, or project through an equity lens, consider using the assessment tool at the end of the JAEDI Framework.
- 2) Engage with Tribes early, often, and meaningfully.** The CEC recognizes Tribes have sovereignty over their territories and members and acknowledge that Tribes and tribal communities possess distinct cultural, spiritual, environmental, economic and public health interests, and unique traditional cultural knowledge about California resources. The CEC defines effective consultation as open, inclusive, regular, collaborative, and implemented in a manner that is respectful, shares responsibility, and provides the free exchange of information concerning regulations, rules, policies, programs, projects, plans, property decisions, and activities. Additionally, the Legislature passed Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014), which amended portions of the Public Resources Code, in recognition of California Native American tribal sovereignty, Native Americans' knowledge of tribal cultural resources, and the unique relationship of California local governments and public agencies with California Native American tribal governments. Thus, engagement with Tribes should include seeking insight, guidance, direction, and feedback on policies, programs, operations, and projects before plans are moving forward. Meaningful engagement means ensuring decisions and actions are informed by, and when possible, led by Tribes. Consider asking for their priorities and what gaps have they identified along with opportunities. Whenever any feedback is sought from Tribes, staff should aim to report back how that feedback was considered and what impact it made.

Before engaging with tribes, reach out to the CEC's Tribal Liaison and review the CEC's tribal consultation policy for guidance. The Governor's Executive Order B-10-11 and the CNRA Tribal Consultation Policy require tribal consultation to be initiated when state agencies engage in legislation, regulation, rules, policy, programs, projects, plans, property decisions, and activities that may affect Tribes. In addition, CEQA requires tribal consultation for discretionary actions.<sup>223</sup> (For more information, review "Culture Card: A

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223 CEC. [Tribal Consultation Policy](https://www.energy.ca.gov/sites/default/files/2022-02/CEC-700-2022-001.pdf). November 2021. <https://www.energy.ca.gov/sites/default/files/2022-02/CEC-700-2022-001.pdf>.



Guide to Build Cultural Awareness”<sup>224</sup> and Technical Advisory AB 52 And Tribal Cultural Resources in CEQA.<sup>225</sup>) Talk with the CEC’s Tribal Liaison to help determine if peer agencies are working on similar topics and should be included in CEC-led engagement or consultation with tribes to avoid overwhelming, overburdening or confusing Justice Communities.

- 3) Engage with Justice Communities early, often, and meaningfully.** This engagement should include seeking insight, guidance, direction, and feedback on policies, programs, operations, and projects before plans are moving forward. Meaningful community engagement means ensuring decisions and actions are informed by, and when possible, led by Justice Communities. Consider asking for their priorities and what gaps have they identified along with opportunities. Whenever any feedback is sought from Justice Communities, staff should aim to report back how that feedback was considered and what impact it made. Before engaging with Justice Communities, reach out to the CEC’s Public Advisor. The Public Advisor can help tailor contact lists for extensive outreach using the CEC’s customer relationship management tool. Talk to the Public Advisor about options to engage with the Disadvantaged Communities Advisory Group (DACAG), the CEC’s key external advisory body on justice matters.<sup>226</sup> Consider talking with peer agencies who are working on similar topics to determine if engagement can be done together to avoid overwhelming, overburdening or confusing Justice Communities.
- 4) Set aside a percentage of program funds for grant investments for Tribes and Justice Community projects.** Many CEC grant programs already dedicate a significant portion of investments, with most spending at least 15 percent of their funding on projects located in and benefitting disadvantaged communities with some programs requiring at least 50 percent and others achieving over 70 percent spending of its fund on projects located in disadvantaged communities. Communicate investment and funding opportunities through extensive outreach, including through the Empower Innovation<sup>227</sup> platform.
- 5) Include technical assistance and customized resources.** An array of reasons exist that prevent many Tribes and Justice Communities from participating in programs and

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224 U.S, Department of Health & Human Services, Substance Abuse and Mental Health Services Administration. January 2009. “[Culture Card: A Guide to Build Cultural Awareness.](https://store.samhsa.gov/sites/default/files/d7/priv/sma08-4354.pdf)”  
<https://store.samhsa.gov/sites/default/files/d7/priv/sma08-4354.pdf>.

225 Governor’s Office of Planning and Research. June 2017. [Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA.](https://opr.ca.gov/ceqa/docs/20200224-AB_52_Technical_Advisory_Feb_2020.pdf) [https://opr.ca.gov/ceqa/docs/20200224-AB\\_52\\_Technical\\_Advisory\\_Feb\\_2020.pdf](https://opr.ca.gov/ceqa/docs/20200224-AB_52_Technical_Advisory_Feb_2020.pdf).

226 DACAG [webpage](https://www.energy.ca.gov/about/campaigns/equity-and-diversity/disadvantaged-communities-advisory-group), <https://www.energy.ca.gov/about/campaigns/equity-and-diversity/disadvantaged-communities-advisory-group>.

227 Empower Innovation [webpage](https://www.empowerinnovation.net/), <https://www.empowerinnovation.net/>.

projects, including limited capacity, inexperience in complex state proceedings, distance from state events, among others. Offering customized technical assistant and other resources, when feasible, can be the key to enabling meaningful participation., to ensure Tribes and Justice Communities can participate, engage, and implement grants, programs, and projects.

**6) Track qualitative and quantitative data that can help evaluate programs, policies, and projects with an equity lens.** Unless it is confidential, this data should be shared with Tribes and Justice Communities and the public, to enable them to assess our work and inform their efforts. Policies should direct more data to be collected and research to be conducted that can lead to increased understanding of the needs of communities and how to effectively deliver solutions. Nonenergy benefits and social costs should also be considered in analyses.

- **Nonenergy benefits** represent the array of diverse impacts of energy programs and projects beyond the generation, conservation, and transportation of energy. Nonenergy benefits exist in three overarching categories: participant nonenergy benefits, utility nonenergy benefits, and societal nonenergy benefits. Incorporating nonenergy benefits may produce greater benefits to all Californians by increasing the societal benefits produced by public funds. Incorporating and tracking these benefits supports investments essential to California’s transition to a clean energy economy. Specific categories of nonenergy benefits to consider:
  - **Participant nonenergy benefits** accrue to the program participants, including, but not limited to, reduced building or home operating costs, lower energy burden, increased property value, improved health, safety, and comfort, educational opportunities, increased energy reliability and household resilience, asset ownership, and beneficial fuel switching.
  - **Utility nonenergy benefits** accrue as indirect costs or savings to the utility, including, but not limited to, bill payment improvements and reduced arrearages, reduced bad debt, infrastructure savings, improved fire safety, system resilience, and increased reliability for customers.
  - **Societal nonenergy benefits** represent indirect program effects beyond those realized by ratepayers, the utility, or participants, and they accrue to society at large, including, but not limited to, quality local job creation, economic development, growth of tax receipts, increased community resilience, increased labor productivity, lower energy costs, increased property values, neighborhood stability, reduced emissions of greenhouse gases, improved air quality and other environmental benefits, avoided short- and long-term displacement, improved fire safety, development of and access to new technologies, improved public health and reduced health care costs, meaningful community engagement, community pride, ratepayer satisfaction through thoughtful equity and inclusion, reduced water use, and reduced reliance on fossil fuels.

**7) Include an educational component in all programs.** Have a mindset that the state wants everyone to be able to understand the impact and benefit of clean energy, including the technologies, job opportunities, and investments. This foundational education is vital to

help ensure communities can prepare for and protect against climate threats. Material shared with tribes and community should be culturally relevant and sensitive; include the experiences and appreciation of diverse cultural perspectives and be translated into other languages for participants who do not speak English or have limited English proficiency.

- 8) Shape programs to improve health and safety.** Policies and programs should prioritize human and public health and improved quality of life. Aim to identify impacts and utilize findings to optimize the health and well-being of California's tribes and most vulnerable communities, such as people living with disabilities. Programs should include considerations for health interventions, educational material explaining health impacts, housing needs for people living in non-single family homes (such as mobile homes, farmworker houses, or renters); and programs should aim to quantify health benefits and impacts, such as climate related illnesses, injuries, and deaths; and reduce related healthcare costs.
- 9) Consider how to create financial benefits or cost relief.** All investments in clean energy technologies, energy efficiency, and other environmental and energy investments, should consider benefitting tribes and communities directly through financial investment, incentives, rebates, and cost savings while also considering affordability and rate impacts. Consider the impact of policies on residents' energy, housing, and other costs, especially in the context that many low-income households are currently using less energy than needed to live safe and healthy lives.
- 10) Identify pathways to increase supplier diversity and economic development.** Some programs may have inherent procurement opportunities that can be promoted to owners of small businesses, tribal enterprises, and other diverse business enterprises and contractors. Consider involving the Public Advisor in your efforts to expand outreach about programs to supplier diversity groups, through the CEC's customer relationship management tool, and the EmpowerInnovation.net platform.
- 11) Create opportunities for workforce and career development.** A trained and ready workforce prepared to accelerate the implementation of clean energy infrastructure and bring technologies to market is vital to achieving a clean energy future. Consider the following in planning processes:
  - Promote and fund workforce development pathways to high-quality careers in clean energy industries, including pre-apprenticeship and other training programs
  - Set and track hiring targets for Tribes and Justice communities, including women, reentry populations, and people living with disabilities into clean energy industries
  - Ensure that energy-related careers are high-road, with mobility, family-sustaining wages, and benefits
  - Provide pay for training the next generation of climate leaders, entrepreneurs, and workers for the clean energy economy and include transferable skills to ensure versatility
  - Determine opportunities for union jobs and labor agreements.

- 12) Develop guardrails for consumer protection.** Bad actors may seek ways to exploit vulnerable populations for financial gain through scams, fraudulent marketing, and predatory practices. Staff should proactively consider potential issues customers or consumers may face and learn from the mistakes and solutions of other industries. Programs must have adequate consumer protection measures, disclosures, and accountability mechanisms to help ensure that Californians are not taken advantage of or otherwise compromised.
- 13) Implement metrics for program and policy evaluation to ensure accountability.** Programs should develop and track metrics that help determine the success of a program, gaps in access or delivery, or need for course correction. The CEC should be responsive and accountable to community concerns, following up to provide data, findings, and continuing discussions about issues. The CEC should be diligent about working on an issue and communicate progress to the community.
- 14) Consider ways to engage with and outreach to local government.** Local government may be a trusted source or partner of Tribes and Justice Communities to help expand outreach and will likely know which mediums to use, which languages are spoken by the residents, and which forums are best suited to promote.
- 15) Avoid using “stakeholder(s)” and aim to describe participants more accurately.** Stakeholder is the blanket term used to describe an individual, group, or organization that stands to be impacted by the outcome of a project. But, because it may be used indiscriminately, there is a potential to offend. Aim to use more specific descriptions. When there is a need to describe a wider segment of the public, instead of stakeholder, consider using “interested member of the public” or “active participant”. Do not describe tribes as stakeholders because they are sovereign entities who hold rights rather than solely stakes or interests.

## **Considerations for Embedding Equity and Environmental Justice**

This list of considerations may be used in the design phase of a program, policy, or project and can also be used at the end to evaluate success and determine ways to course correct.

**Participation:** Will Tribes and Justice Communities be able to participate meaningfully and with sufficient support? Considerations include, but are not limited to, the following:

- Determine options for venues that are convenient, accessible, and have appropriate amenities
  - Is anyone who lives in a remote area trying to attend (for example, rural, mountainous, unincorporated areas)?
  - What is the proximity to public transportation?
  - Can the event be scheduled outside of customary hours?
  - Can there be multiple sessions or opportunities to participate?
  - Provide a clear and transparent timeline of plans

- Determine feasibility and preferred formats (for example, in-person, virtual, or hybrid). Some Tribes and Justice Communities may not have adequate broadband to use virtual platforms.
- Use engaging and diverse modes of communication including visuals, sounds, and mechanisms to provide written comments (such as Zoom chat or virtual whiteboards).
- Provide advance notification (at least 10 days but preferably more) of meeting times and locations to Tribes and Justice Communities, local leaders and other groups.
- Provide relevant and clear information and materials to sufficiently evaluate the proposed initiative, program, or policy.
- Determine if financial support is allowed to Tribes and Justice Communities and other advocates to defray the cost of participation when invited by staff and leadership (such as a stipend or technical assistance).
- Check to see whether language services are needed, including interpretation and accurate translations in preferred language(s).
- Determine if Americans with Disabilities Act or other accommodations are needed.

**Remedies:** Does the initiative, policy, or project aim to remedy prior and present harms faced by Tribes and Justice Communities who have been negatively impacted by the energy system?

**Decision-making:** Does the initiative, policy or program consider the input of Tribes and Justice Communities during the decision-making process? Considerations include whether Tribes and Justice Communities can help codevelop the initiative, policy, or program or provide input in other ways.

**Benefits:** Does the initiative, policy, or program include economic, social, health or other benefits for Tribes and Justice Communities? Considerations include, but are not limited to, the following:

- Whether the policy considers benefits and harms in nonenergy areas (for example, gentrification and displacement), including for future generations.
- Whether the benefits are direct or indirect; assured or risky; meaningful or symbolic. Some examples of direct energy benefits relate to increased reliability and resiliency (such as the generation, conservation, transmission, and storage of energy). Examples of indirect or cobenefits include improved health (for example, reduction in asthma rates over time) and local job opportunities.

**Access:** Does the initiative, policy, or program in some way make clean energy or transportation more accessible or affordable to Tribes and Justice Communities?

## **Considerations for Embedding Equity into Investments**

This list provides some considerations for making investments with a justice lens:

- Reflect the priorities of Tribes and Justice Communities
- Aim to be community-driven
- Address directly the needs of Tribes and Justice Communities

- Deliver direct benefits to Tribes and Justice Communities
- Avoid creating or exacerbating burdens
- Create multisectoral programs to achieve transformation
- Support energy democracy through community-scale distributed energy resources
- Support community resilience to climate change
- Operationalize equity by:
  - If applicable, embedding equity in the mission, vision, and values of investment programs.
  - Ensuring equity into the program’s process.
  - Ensuring equity outcomes via implementation.
  - Measuring and analyzing for equity.

## Considerations for Benefits Metrics

In alignment with the Department of Energy General Guidance for Justice40 Implementation, Table A-1 provides examples of metrics CEC can use to measure and analyze equity benefits to justice communities for projects and programs and are not intended to be all inclusive.<sup>228</sup> Program level benefits should be identified through a public engagement process and use consistent analysis methods and tools to allow for aggregation of data. Any additional project level benefits should be developed by the recipient in conjunction with community input.

**Table A-1: Example Benefit Metrics**

<b>Policy Priorities</b>	<b>Benefit Metric and Units</b>
Invest in energy justice communities	Dollars spent [\$] by CEC programs
Decrease energy burden	Dollars saved [\$] in energy expenditures because of technology adoption
Decrease energy burden	Energy saved [MWh or MMBTU] or reduction in fuel [GGe]
Decrease environmental exposure and burdens	Avoided air pollutants

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228 [Final DOE Justice40 General Guidance](https://www.energy.gov/sites/default/files/2022-07/Final%20DOE%20Justice40%20General%20Guidance%20072522.pdf). <https://www.energy.gov/sites/default/files/2022-07/Final%20DOE%20Justice40%20General%20Guidance%20072522.pdf>.

<b>Policy Priorities</b>	<b>Benefit Metric and Units</b>
Decrease environmental exposure and burdens	Remediation impacts on surface water, groundwater, soil
Decrease environmental exposure and burdens	Reduction of legacy contaminated waste
Increase clean energy jobs, job pipeline, job training	Dollars spent [\$] and/or number of participants in job training programs, apprenticeship programs, STEM education, tuition, scholarships and recruitment
Increase clean energy jobs, job pipeline, job training	Number of hires resulting from CEC training
Increase clean energy jobs, job pipeline, job training	Number of jobs created
Increase clean energy jobs, job pipeline, job training	Number of and/or dollar value [\$] of partnerships, contracts, or training with minority serving institutions
Increase clean energy enterprise creation and contracting for minority or disadvantaged businesses in energy justice communities	Number of contracts and/or dollar value [\$] awarded to diverse businesses
Increase energy democracy	Number of stakeholder events, participants, and/or dollars spent to engage with organizations and residents, including participation and notification of how input was used
Increase energy democracy	Dollars spent [\$] or number of hours spent on technical assistance
Increase energy democracy	Dollar value [\$] and number of clean energy assets owned resulting from investments
Increase access to low-cost capital	Dollars spent [\$] by source and purpose and location
Increase access to low-cost capital	Leverage ratio of private to public dollars [%]
Increase access to low-cost capital	Loan performance impact through dollar value [\$] of current loans and of delinquent loans (30-day or 90-day) and/or number of loans (30-day delinquent or 90-day default)

<b>Policy Priorities</b>	<b>Benefit Metric and Units</b>
Increase parity in clean energy technology access and adoption	Clean energy resource [MWh] adopted
Increase reliability, resilience, and infrastructure to support reliability and resilience	Increase in community resilience hubs
Increase reliability, resilience, and infrastructure to support reliability and resilience	Number and size (MWh) of community resilience infrastructure deployed

Source: CEC