



# JUSTICE IN 100 SCORECARD

Evaluating equity in 100% renewable energy or 100% clean energy laws

By Cecelia Bolon, Subin DeVar, Talia Lanckton, and Marisa Sotolongo

[www.iejusa.org](http://www.iejusa.org)

January 2021

# Table of Contents

<b>01</b>	<b>Scorecard</b>	<b>03</b>
<b>02</b>	<b>Introduction</b>	<b>05</b>
<b>03</b>	<b>Worksheet</b>	<b>13</b>
	Part 1: Process	13
	Part 2: Restoration	14
	Part 3: Decision-making	15
	Part 4: Benefits	16
	Part 5: Access	17
<b>04</b>	<b>Guidance</b>	<b>18</b>
	Part 1: Process	18
	Part 2: Restoration	24
	Part 3: Decision-making	31
	Part 4: Benefits	34
	Part 5: Access	40



# Justice in 100 Scorecard



## Evaluating equity in 100% renewable energy or 100% clean energy laws

### Instructions:



- 1. Worksheet Points:** Enter the total points from each Part in the Worksheet below (p. 13-17)
- 2. Short Answer:** Considering the points as a guide, answer the five questions briefly.
- 3. Score (1–5):** Enter 1 (No), 2 (A little bit), 3 (Somewhat), 4 (Mostly), or 5 (Yes) for each question.

State/Territory/Federal District:

Bill/Code Section(s):

Question	Worksheet Points	Short Answer	Score (1–5)
<b>(1) Process:</b> Have marginalized communities participated meaningfully in the policymaking process with sufficient support?	Total Part 1, line 8: / 7		
<b>(2) Restoration:</b> Does the policy aim to remedy prior and present harms faced by communities negatively impacted by the energy system?	Total Part 2, line 14: / 13		
<b>(3) Decision-making:</b> Does the policy center the decision-making of marginalized communities in implementation?	Total Part 3, line 7: / 6		
<b>(4) Benefits:</b> Does the policy center economic, social, and health benefits for marginalized communities?	Total Part 4, line 14: / 13		
<b>(5) Access:</b> Does the policy make energy more accessible and affordable to marginalized communities?	Total Part 5, line 8: / 7		
<b>Total Score</b>			<b>/25</b>

# INSTRUCTIONS

## HOW TO SCORE A STATE/TERRITORY 100% LAW USING THIS SCORECARD

### OVERVIEW:

- The scorecard on page 3 summarizes the evaluation of a law out of a total score of 25.
- Five questions, worth five points each, address central categories of energy justice.
- The worksheet that follows below (p. 13-17) provides an aid to answering each of these five questions.
- Finally, there is further guidance after the worksheet with explanation and additional sources to assist in filling out the worksheet.

**Justice in 100 Scorecard**  
Evaluating equity in 100% renewable energy or 100% clean energy laws

**Instructions:**

1. **Worksheet Points:** Enter the total points from each Part in the Worksheet below (p. 13-17)
2. **Short Answer:** Considering the points as a guide, answer the five questions briefly.
3. **Score (1-5):** Enter 1 (No), 2 (A little bit), 3 (Somewhat), 4 (Mostly), or 5 (Yes) for each question.

State/Territory/Federal District: \_\_\_\_\_ Bill/Code Section(s): \_\_\_\_\_

Question	Worksheet Points	Short Answer	Score (1-5)
(1) <b>Process:</b> Have marginalized communities participated meaningfully in the policymaking process with sufficient support?	Total Part 1, line B: / 7		
(2) <b>Restoration:</b> Does the policy aim to remedy prior and present harms faced by communities disproportionately impacted by the energy system?	Total Part 2, line 14: / 3		
(3) <b>Decision-making:</b> Does the policy center the decision-making of marginalized communities in implementation?	Total Part 3, line 7: / 6		
(4) <b>Benefits:</b> Does the policy center economic, social, and health benefits for marginalized communities?	Total Part 4, line 14: / 3		
(5) <b>Access:</b> Does the policy make energy more accessible and affordable to marginalized communities?	Total Part 5, line B: / 7		
<b>Total Score</b>			/ 25

1 JUSTICE IN 100 SCORECARD [www.iejusa.org](http://www.iejusa.org)

### WORKSHEET POINTS:

Enter the total points from each Part in the Worksheet below (p. 13-17)

#### Worksheet:

- The worksheet is 5 pages long, one page for each Part (i.e., Process, Restoration, etc.)
- Use the Worksheet to give points for elements that exist in the law being scored. Each item has further explanation, sources, and notes in the Guidance section that follows.

- Indicate partial credit where the answer is not quite yes (1) or no (0).

- The **total points** from each Part in the Worksheet is a guide for answering the five scorecard questions on page 3.

#### Guidance:

- Use the Guidance section (p. 18-42) to assist in filling out the Worksheet. Each line provides more information on how to evaluate whether that specific element is met or not, as well as references and sources.

### SHORT ANSWER:

Considering the points as a guide, answer the five questions briefly.

#### Guidance:

- Use the Guidance section (p. 18-42) to assist in filling out the Worksheet.
- Use the **narrative answer** to determine an overall score for each Part. In addition to the Worksheet points, consider other factors not listed in this Worksheet and provide a narrative answer to the overall question.
- Summarize this narrative response as the “Short Answer” on page 3.

### SCORE (1-5):

For each of the 5 lines, Enter 1 (No), 2 (A little bit), 3 (Somewhat), 4 (Mostly), or 5 (Yes) for each question.

Total Score: total up the five lines for a total score out of 25.

# Introduction



## A compass for equity in energy policy

What can we each do to advance equity and justice in our field of work? This is becoming a common question in many professions across the United States, and the renewable energy sector is no different. Our nation's collective soul-searching and solution-searching has been accelerated by a global pandemic, economic crisis, and protests for racial justice—events that have shed light on historic and growing inequities for communities that have long been marginalized and excluded from power, rights, and prosperities enjoyed by others.

The **Justice in 100 Scorecard** answers this question specifically in the context of renewable energy standards, a policy framework now central to the transition to renewable energy.

This policy-specific scorecard builds on the very first resource we at [the Initiative for Energy Justice \(IEJ\)](#) developed to coincide with our organization's founding: [The Energy Justice Workbook](#). The Energy Justice Workbook presents a definition for energy justice based on a detailed analysis of practice and scholarship in the field and then proposes an [Energy Justice Scorecard](#) that provides guideposts to advance equity-centered energy policy. Now, we expand on the Energy Justice Scorecard and offer **the Justice in 100 Scorecard: an equity-centered scorecard for laws passed by states and territories committing to 100% renewable energy or 100% clean energy** (or what we'll call "100% laws").

## Justice in 100: The road to a Green New Deal

We offer this scorecard to evaluate equity in state and territory 100% laws for a few reasons:

- 1. 100% laws are necessary** (but not sufficient) for a just, transformative, and holistic transition to a regenerative economy;
- 2. These laws vary a lot**, particularly in terms of their successes and failures in advancing energy justice, and a tool for more consistent comparison and drawing lessons is valuable; and
- 3. Advocates and policymakers need tools** to design and implement 100% laws that truly foreground equity in the transition to renewables.

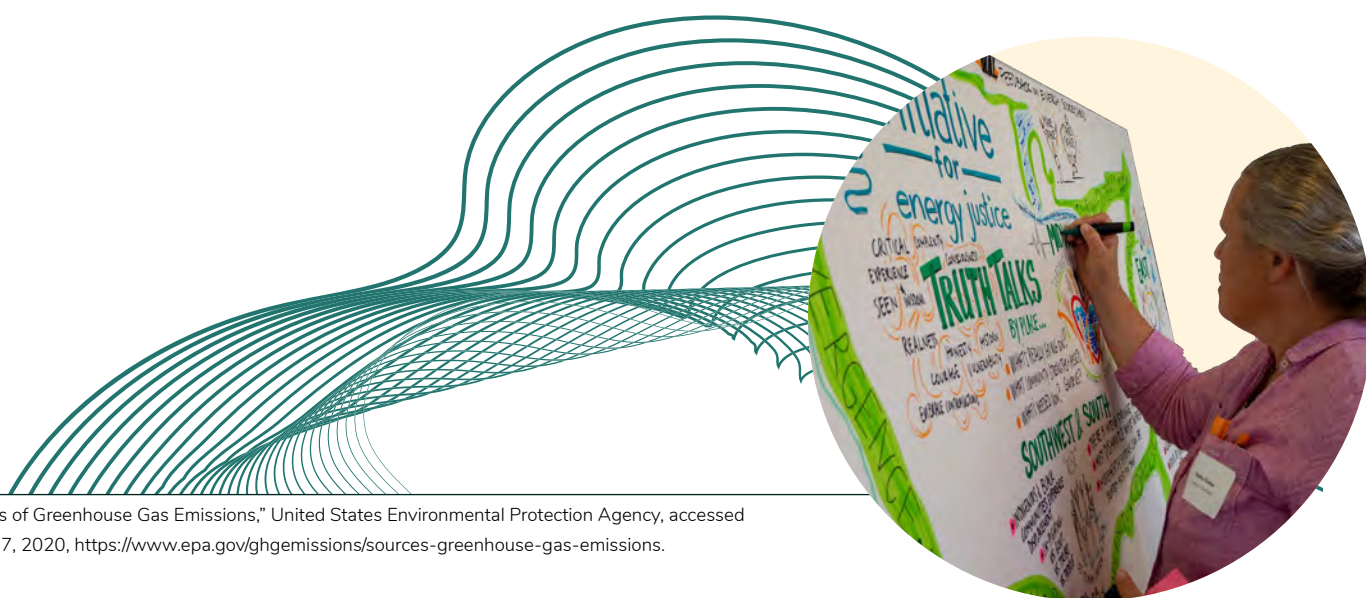
**First, 100% laws are an important part of a just transition.** By “100% laws” we mean renewable energy standards that commit a state to 100% renewable energy or 100% clean energy from the electricity sector. 100% laws are critical because the electricity sector accounts for about 27% of US greenhouse gas (GHG) emissions. Also, given that electric vehicles will only be as clean and GHG-free as the grids they are charged from, the electricity sector is closely tied to reducing the 28% of US GHG emissions from the transportation sector<sup>1</sup>. But transitioning the electric sector to renewables is even more crucial because many of the health benefits of the transition are associated with reducing air and water pollution from both electric generation and transportation emissions. With or without federal action on climate change, states, territories, and local jurisdictions will need to turn to 100% mandates in order to achieve climate goals.

At the same time, this scorecard recognizes that a just transition of the electrical sector is not sufficient for achieving climate justice, and of course all the sectors of the economy need to be considered, including housing, buildings, industry, agriculture, forestry, etc. Therefore, achieving justice in 100% laws should not be seen as the ultimate destination, but a stop along the road to a Green New Deal or other ambitious suite of laws and programs addressing a transition to a regenerative economy at every level of society.

**Second, the 100% clean or renewable energy laws passed so far are all different.** So, a simple tool for comparing 100% laws is extremely valuable in making sense of laws adopted, as well as distilling lessons for the future. The signifier “100%” can be a superficial sound bite or a powerful framework. There are significant differences in how much “100%” laws advance social, racial, and economic justice. For example, they may use suspect definitions under the cover of supposedly “clean” energy to allow false solutions—polluting energy sources that still harm communities—or they may be commitments to prioritize truly “renewable” energy like solar and wind. They may promote the corporate consolidation of wealth and power through centralized energy generation—or they may intentionally incentivize distributed energy and community benefits for those who need it the most.

**Third, advocates and policymakers need tools to succeed in designing just 100% laws.** Community advocates need resources for informed engagement and accountability in the creation or oversight of 100% laws. and policymakers considering passing or reforming such laws need guidance in centering equity, building on the examples of other jurisdictions.

On one end, the communities most impacted by pollution, environmental injustice, and climate change have been leading the development of solutions for a comprehensive and transformative transition to a regenerative, renewable energy economy. Yet these communities continue to be excluded or under-resourced when it comes to navigating the halls of legislative and regulatory power and translating their solutions into the technical language



<sup>1</sup> “Sources of Greenhouse Gas Emissions,” United States Environmental Protection Agency, accessed October 17, 2020, <https://www.epa.gov/ghgemissions/sources-greenhouse-gas-emissions>.

of laws and administrative agency rules. Communities must steer through arcane processes and language, often without the assistance of lawyers and other insiders, and overcome the unintentional bias of, or outright exclusion by, gatekeepers at all the various steps involved in energy policymaking.

On the other end, policymakers, from legislators and their aides, to energy regulators and their staff, need help understanding policy proposals and codifying principles they may agree with in theory. Policymakers navigating different interests and ideas are often uncertain how to operationalize the goals and objectives proposed to them by various stakeholders. Furthermore, detailed, comparative, and enumerated policy elements can help policymakers navigate decision points when posed with legal, political, or budgetary constraints, as are likely to come up with 100% laws. A scorecard for evaluating equity in 100% laws may also help individuals overcome confirmation bias or other biases, by ensuring a more methodical approach for reviewing evidence in support of potential policy elements, rather than potentially dismissing new ideas that are outside their existing beliefs, particularly when those ideas are proposed by individuals of a different racial, economic, gender, or social identity than the policymaker.

## How to use (and not use) this scorecard



### Intended for state laws not regulatory implementation

As noted earlier, this scorecard is for evaluating 100% laws passed by states and territories. To clarify even further, that means evaluating bills signed into law, or the relevant state or territory statutory code mandating the 100% commitment. In addition, that means that this scorecard was not designed to evaluate the further implementation and/or enforcement of the law by the associated regulatory body or bodies. However, as one will find, it would not require much alteration to adapt the scorecard and use it for evaluating a policy after the stage of rule-making.

This document focuses on policy as a starting place for one important conversation, but also recognizes that energy justice should be analyzed and advanced in energy projects as well. This is a ripe area for future discussion, research, and development. And while the scorecard focuses on laws passed by states, territories, and the federal district, we recognize that there are multiple levels of policies where renewable energy standards are relevant (e.g., federal, tribal, state, and local). How laws at these different levels intersect with state 100% laws may need to be considered.

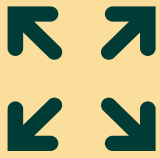


### Not a substitute for meaningful community participation

While the scorecard is meant to be used primarily for the evaluation of adopted laws, it could also be used to provide direction for future efforts, either based on the lessons of other jurisdictions, or by using the enumerated elements as a framework for drafting legislation or reviewing proposed bills. However, it is crucial that the guidance of the scorecard not be seen as a sufficient means on its own for policymakers to consider how to incorporate equity in a 100% law. It would be fundamentally counterintuitive to the scorecard itself and demonstrate a blatantly inequitable approach of policymaking to circumvent the meaningful participation of the public, and particularly of marginalized communities, in the policymaking process. Robust community engagement should drive and define a state or territory's own law, and this resource should only be seen as a tool of support alongside that process.







## Not one size fits all

Relatedly, different states and territories have countless differences in circumstances that of course require flexibility in evaluating and approaching policy in each. For that reason, the scorecard overall is organized by five indicators of energy justice that may be satisfied by different approaches, as discussed further below, rather than specific technical policy elements, which are instead included in the worksheet as guidance. The worksheet is not meant to be an exhaustive checklist, nor an endorsement that the simple quantity of different elements outweighs the quality of certain elements. Different jurisdictions and communities will assign higher value to some policy elements than others and that should be reflected in the narrative answer and score for each of the five overarching questions.



## Requirement of community involvement in scoring

One final important note on how to approach scoring. Part 1: Process requires evaluating what actually happened in the law-making process, not just reviewing the content of the adopted law, and therefore requires that grassroots communities in the relevant geographic area are involved in this evaluation.

# Methodology

## Overview



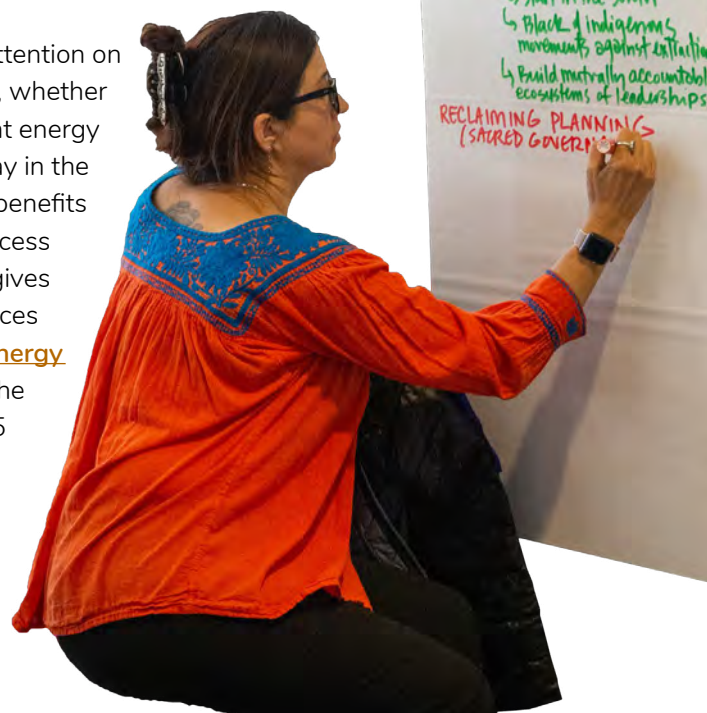
The scorecard on page 3 summarizes the evaluation of a law out of a total score of 25. Five questions, worth five points each, address central categories of energy justice. The worksheet that follows below provides an aid to answering each of these five questions. Finally, there is further guidance after the worksheet with explanation and additional sources to assist in filling out the worksheet.



## Scorecard framework

There is of course no perfect way to create a simple rubric for comparing such complex and varied legislation as 100% laws. Nevertheless, we hope this tool at least moves the needle: from these laws being almost entirely opaque to somewhat more transparent. We also hope that it demystifies the concept of equity in 100% laws.

The scorecard aims to evaluate equity in 100% laws by focusing attention on five key areas: the process for developing the law (Part 1: Process), whether the law addresses the harms communities have faced in the current energy system (Part 2: Restoration), the role marginalized communities play in the implementation of the law (Part 3: Decision-making), the range of benefits provided by the law (Part 4: Benefits), and the degree of energy access achieved by the law (Part 5: Access). Scoring each of these areas gives us a way of talking about the ways in which a particular law advances social, racial, and economic justice and the ways it does not. [The Energy Justice Workbook](#), released in December 2019, explains in detail the research, analysis, and synthesis that led to the selection of these 5 questions.



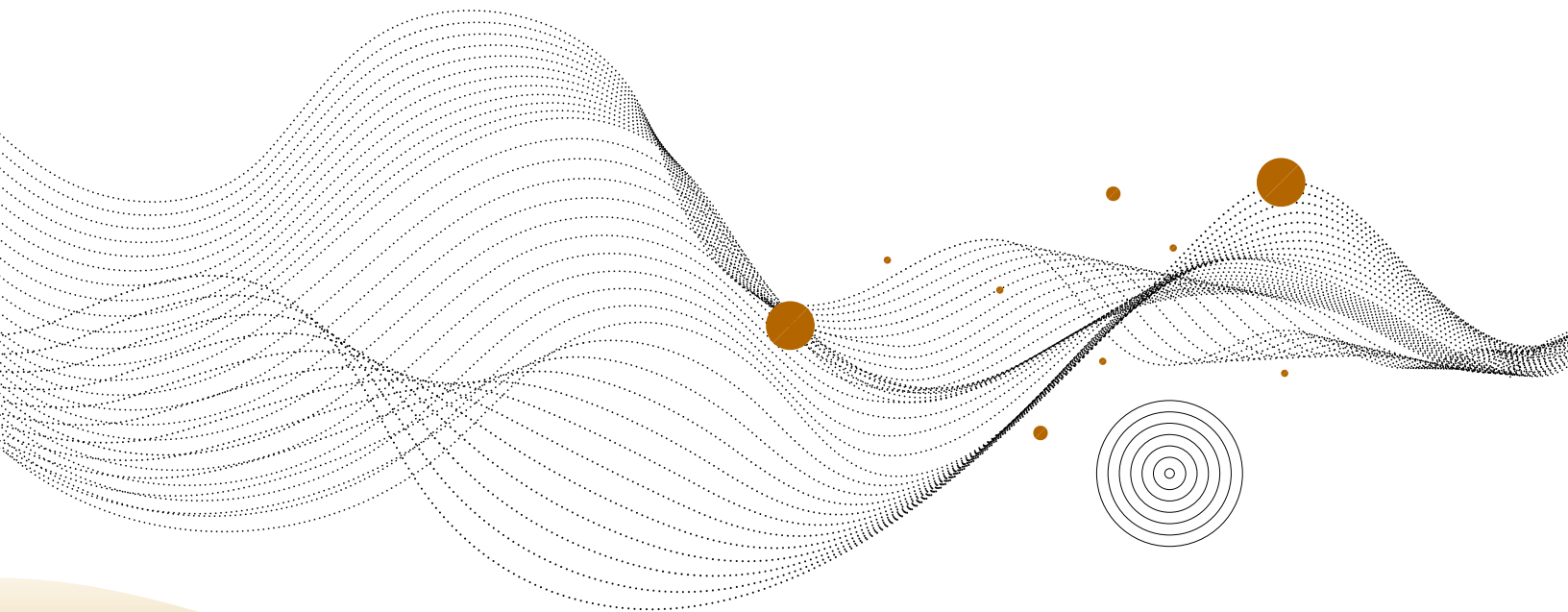
## Special note: Distinction between Part 1: Process and Part 3: Decision-making:

Both the Process and Decision-making Parts involve aspects of community participation and self-determination. The distinction between what policy elements are evaluated under one category versus the other is Process (Part 1) is focused on the policy-making (law-making and rule-making) stages and Decision-making (Part 3) is focused on implementation in programs and projects created or incentivized by the policy. While the Process Part covers participation that leads to the passage of a law, or in the adoption of rules and regulations by administrative bodies, the Decision-making Part relates to how the policy enables community governance, ownership, control, leadership, and agency in project development.

## Working definition of marginalized communities

A fundamental concept included in each of the scorecard's five questions is the focus on "marginalized communities." This scorecard defines marginalized communities as vulnerable populations and groups that have been excluded from the power, rights, and prosperities enjoyed by others in a society, including communities at the frontline of pollution and climate change ("frontline environmental justice communities") as well as those historically and presently disenfranchised on the basis of race (Black, Indigenous, and people of color), economic status (low-wealth and low-income households), or other social identity (e.g., sex, gender, sexual orientation, and ability status).

We do not aim to propose a definition of marginalized communities for all states and territories, or even that the term "marginalized communities" itself be used by various jurisdictions. As the worksheet and guidance expand on, each location should involve communities in selecting terms and crafting their definitions, based on the principle of prioritizing, restoring, and benefiting communities that have faced, and continue to face, injustice.



## Acknowledgements

This scorecard would not be possible without the groundbreaking work of frontline advocates in the [Comprehensive Building Blocks for a Regenerative and Just 100% Policy](#) (Strela Cervas et al., 100% Network), which provides the basis for the vast majority of substantive policy elements included in this scorecard, as well as other climate justice movement resources such as [A People's Orientation to a Regenerative Economy](#) (United Frontline Table) and the [Energy Democracy Scorecard](#) (Emerald Cities Collaborative et al.). We want to thank the USCAN 100% Action Team for engaging IEJ in cultivating the idea for this scorecard and advising development throughout the process.



We extend our deep appreciation for the Justice in 100 Scorecard Advisory Group, a team of sixteen community advocates, primarily from frontline environmental justice communities across the United States, for their collaboration in developing the scorecard. The group members were: Huda Alkaff, Lynn Benander, Karen T. Campblin, Artemisio Romero y Carver, Jacob Johns, Cheryl Johnson, Nicole Montclair-Donaghy, Shiva Patel, Yesenia Rivera, Stephan Roundtree, Summer Sandoval, Aiko Schaefer, Queen Zakia Shabazz, Kim Smith, Mariel Fernandez Thuraisingham, and Jessica Guadalupe Tovar. Gathering over the course of six weeks via a series of virtual workshops, the group provided feedback on the scorecard rubric and its application to specific jurisdictions.

Several other groups and organizations lent support in various ways, and while we are not able to list everyone, we want to express our gratitude for the feedback of Laura Haight, Caetano de Campos Lopes, and Akash Singh.

The Initiative for Energy Justice is sponsored by Northeastern University in conjunction with the Sustainable Economies Law Center. This material is based on work supported by the Kresge Foundation and Surdna Foundation. Any opinions, findings, and conclusions or recommendations expressed in this publication are those of the authors and do not necessarily reflect the views of sponsors or advisors.

# Scorecard Worksheet

## Instructions:



Use the Worksheet below to give points for elements that exist in the law being scored. Each item has further explanation, sources, and notes in the Guidance section that follows. Indicate partial credit where the answer is not quite yes (1) or no (0). For example, 0.25 or 0.5 indicates a quarter or half of the requirements are met, respectively. This is not an exhaustive list of important elements for 100% laws, nor a rigid point system. The total points from each Part in the Worksheet is a guide for answering the five scorecard questions on page 3.

Part 1	<b>Process:</b> Have marginalized communities participated meaningfully in the policymaking process with sufficient support?	
LINE	ELEMENT	POINTS (0 = No 1 = Yes)
<b>Drafting Legislation</b>		
1	Community leaders report that direct outreach and meaningful participation in law-making effort occurred for the public and marginalized communities, including accessible meetings	
2	Community leaders report that relevant information and other resources were provided to the public and marginalized communities to sufficiently evaluate the proposed legislation	
<b>Procedural Elements in Enacted Law and Rule-making</b>		
3	Commits to principle of free, prior, and informed consent; requires consultation with Indigenous communities	
4	Mandates significant outreach for public and marginalized community participation in rule-making efforts, including accessible meetings	
5	Provides relevant information, financial compensation, and other necessary support to participate in rule-making proceedings	
6	Incorporates a mandatory and funded structure of governance, oversight, evaluation, accountability, and follow-up in response to public engagement	
7	Creates dedicated program(s) for advancing diversity, equity, and inclusion in hiring and other operational practices within energy rule-making agencies	
8	<b>Part 1: Process - Total Points</b> (add lines 1-7 and enter total)	

Part 2	<b>Restoration:</b> Does the policy aim to remedy prior and present harms faced by communities negatively impacted by the energy system?	
LINE	ELEMENT	POINTS (0 = No 1 = Yes)
<b>Intent, Goals, and Funding</b>		
1	Explicitly names just transition as a goal	
2	Ensures 100% transition off of fossil fuels	
3	Sets aggressive targets and requires detailed implementation plans	
4	Promotes gender justice	
5	Creates a restorative funding structure through divestment and reinvestment	
<b>Definitions and Named Priority Communities</b>		
<i>Definition of renewable energy</i>		
6	Primary renewable energy sources are “regenerative” (e.g., solar and wind)	
7	Defines whether intermediate energy sources are considered renewable depending on how they are created	
8	Does not allow gas power plants, renewable natural gas, fracking, carbon capture and storage, biofuels, biomass, nuclear, waste to energy (e.g. incineration), or waste heat from fossil fuel facilities to count as renewable	
<i>Prioritization of marginalized communities</i>		
9	Explicitly names environmental justice (EJ) in the policy	
10	Creates a structure to develop the methodology for identifying marginalized communities, including studying cumulative pollution in frontline communities	
11	Clearly identifies the desired impacts or goals of Black, Indigenous, communities of color, and other marginalized communities to be achieved by the policy	
12	Includes acknowledgement of Indigenous land	
13	Remediates past and current energy system harms to Indigenous people and other marginalized communities	
14	<b>Part 2: Restoration - Total Points</b> (add lines 1-13 and enter total)	

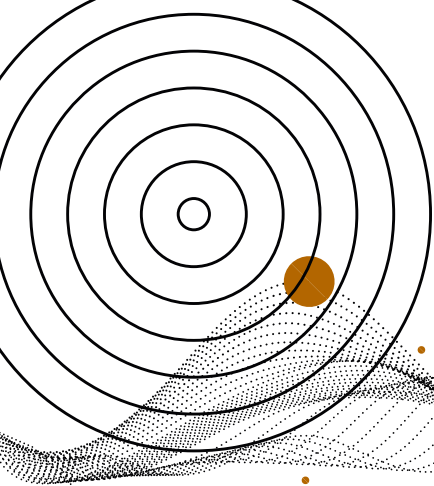


Part 3		<b>Decision-making:</b> Does the policy center the decision-making of marginalized communities in implementation?	
LINE	ELEMENT	POINTS (0 = No 1 = Yes)	
<b>Tribal Sovereignty and Community Governance</b>			
1	Recognizes Indigenous land rights, including land, water, and air rights		
2	Ensures governance for environmental justice communities over planning, funding, and implementation of restoring polluted sites		
3	Empowers local communities in energy siting decisions		
<b>Energy Ownership and Community Power</b>			
4	Enables and incentivizes community ownership and control by investing in solutions that are ecologically just and build community wealth		
5	Prioritizes local distributed/decentralized renewable generation and microgrids		
6	Initiates utility reform and transition from for-profit utility model to community power		
7	<b>Part 3: Decision-making - Total Points</b> (add lines 1-6 and enter total)		

<b>Part 4</b>		<b>Benefits:</b> Does the policy center economic, social, and health benefits for marginalized communities?
<b>LINE</b>	<b>ELEMENT</b>	<b>POINTS</b> (0 = No 1 = Yes)
<b>Economic</b>		
<b>1</b>	Mandates paid job training, apprenticeships, and other job accessibility programs, particularly for women and workers from other marginalized communities	
<b>2</b>	Prioritizes hiring women and workers from other marginalized communities, including instituting "fair chance" policies	
<b>3</b>	Requires strong workforce standards for energy sector jobs	
<b>4</b>	Prioritizes businesses owned by women and people from other marginalized communities	
<b>5</b>	Ensures strong protections for displaced workers	
<b>Social</b>		
<b>6</b>	Includes a "community benefits" framework for renewable energy development	
<b>7</b>	Prioritizes transportation justice	
<b>8</b>	Pushes for healthy buildings, safety, energy efficiency, and equitable electrification	
<b>9</b>	Advances anti-gentrification and anti-displacement	
<b>10</b>	Prioritizes local renewables for resilience and other benefits; equitable use of Renewable Energy Certificates (RECs)	
<b>Health</b>		
<b>11</b>	Sets concrete public health goals for marginalized communities	
<b>12</b>	Does not allow for polluting energy sources, e.g., incinerators	
<b>13</b>	Addresses leftover fossil fuel infrastructure and lifecycle of renewables	
<b>14</b>	<b>Part 4: Benefits - Total Points</b> (add lines 1-13 and enter total)	



<b>Part 5</b>		<b>Access:</b> Does the policy make energy more accessible and affordable to marginalized communities?
<b>LINE</b>	<b>ELEMENT</b>	<b>POINTS</b> (0 = No 1 = Yes)
<b>Access and Inclusion</b>		
<b>1</b>	Imposes a comprehensive scope of coverage for all utilities	
<b>2</b>	Includes renters and residents of mobile homes, single family homes, affordable housing, and all housing types	
<b>3</b>	Promotes energy access and affordability for all geographic areas, including grid-tied or off-grid distributed renewable energy	
<b>Affordability and Financing</b>		
<b>4</b>	Ensures that energy is free or affordable for marginalized communities	
<b>5</b>	Promotes comprehensive energy safety net elements	
<b>6</b>	Addresses energy efficiency, electrification, and fuel switching to reduce energy costs and fossil fuel use	
<b>7</b>	Creates inclusive financing models for households and communities	
<b>8</b>	<b>Part 5: Access - Total Points</b> (add lines 1-7 and enter total)	



# Scorecard Guidance



## Instructions:

Use the Guidance below to assist in filling out the Worksheet. Each line provides more information on how to evaluate whether that specific element is met or not, as well as references and sources. Use the narrative answer to determine an overall score for each Part.

Part 1	<b>Process:</b> : Have marginalized communities participated meaningfully in the policymaking process with sufficient support?	
LINE	ELEMENT	POINTS (0 = No 1 = Yes)
<b>Drafting Legislation</b>		
1	<p>Community leaders report that direct outreach and meaningful participation in law-making effort occurred for the public and marginalized communities, including accessible meetings<sup>2</sup></p> <ul style="list-style-type: none"> <li>● Was the leadership of marginalized communities centered in the law-making (legislative) process?               <ul style="list-style-type: none"> <li>⦿ This leadership must be actually accountable to marginalized communities and not leadership from people/orgs funded to do work led by communities. (See “Jemez Principles.”)</li> <li>⦿ This must include a recognition of Indigenous rights and consultation with Tribal Nations and Indigenous communities.</li> </ul> </li> </ul>	

<sup>2</sup> Strela Cervas et al., “Comprehensive Building Blocks for a Regenerative & Just 100% Policy,” (The 100 Percent Network, January 2020), [https://www.100percentnetwork.org/uploads/cms/documents/100-network\\_comprehensive-building-blocks-for-a-just-regenerative-100-policy-2020.pdf](https://www.100percentnetwork.org/uploads/cms/documents/100-network_comprehensive-building-blocks-for-a-just-regenerative-100-policy-2020.pdf), 68.

1

- Factors for consideration include, but are not limited to, the following:<sup>3</sup>
  - ⦿ Convenience and accessibility of public hearings and other meetings for frontline attendees, including location (e.g., proximity to public transportation), time (e.g., outside of customary work hours, with multiple opportunities to participate, option for remote access), and platform (e.g., for remote video/audio participation)
  - ⦿ Sufficient time for public speaking
  - ⦿ The absence of “backroom” dealing, or undisclosed communication with utilities or industry insiders
  - ⦿ Communication of meeting times and locations to frontline leaders and community groups with sufficient notice for community leaders to share with community members (e.g., through emails, paper mail, online notices, press announcements, etc.)
  - ⦿ Childcare support during meetings
  - ⦿ Real-time language translation at meetings
  - ⦿ Culturally- and dietarily-inclusive food at meetings occurring near meal times
- Meaningful participation includes a defined process and accountability for being responsive to feedback:
  - ⦿ Were community concerns, alternatives, and recommendations actually integrated?
  - ⦿ Were alternatives truly analyzed?
  - ⦿ Was there attribution to ideas and changes, including not just if they came from community engagement but in response to regulated utilities or industry insiders?

<sup>3</sup> Shalanda Baker, Subin DeVar, and Shiva Prakash, “The Energy Justice Workbook,” (Initiative for Energy Justice, December 2019), <https://iejusa.org/wp-content/uploads/2019/12/The-Energy-Justice-Workbook-2019-web.pdf>, 23.

2	<p><b>Community leaders report that relevant information and other resources were provided to the public and marginalized communities to sufficiently evaluate the proposed legislation</b></p> <ul style="list-style-type: none"> <li>● Were information and resources made available to all so that the law-making process could be inclusive and transparent?</li> <li>● This includes, but is not limited to: <ul style="list-style-type: none"> <li>⦿ Either making the legislative language more accessible (plain, simple, and concise language) or providing clear and accurate summaries and explanations of the draft language</li> <li>⦿ Including what the status quo is before the proposed policy, such as what energy use and generation looks like, what are existing energy sources, etc.</li> <li>⦿ Including how the policy may intersect with federal and tribal laws, as well as any relevant differences</li> <li>⦿ Clear outline that shows how the language of the law under consideration has been changed as feedback was received</li> <li>⦿ Translation of materials and financial support to frontline advocates to defray the cost of participation<sup>4</sup></li> <li>⦿ Supporting resources for people with different education backgrounds (i.e., not only sharing text/translation, but also audio, visuals, graphics, etc.)</li> </ul> </li> </ul>	
<b>Procedural Elements in Enacted Law and Rule-making</b>		
3	<p><b>Commits to principle of free, prior, and informed consent; requires consultation with Indigenous communities<sup>5</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law recognize the right of Tribal Nations to develop and implement their own laws?</li> <li>● For an example of tribal consultation language and free, prior, and informed consent language, see “Building Blocks” pages 33 - 34</li> </ul>	

<sup>4</sup> Ibid., 23.

<sup>5</sup> Emerald Cities Collaborative, Anthony Giancatarino, and Donna House, “Energy Democracy Scorecard,” (Emerald Cities Collective, January 2020), <https://emeraldcities.org/about/energy-democracy-scorecard>, 11.

4	<p><b>Mandates significant outreach for public and marginalized community participation in rule-making efforts, including accessible meetings</b></p> <ul style="list-style-type: none"> <li>● Does the law explicitly name the leadership of marginalized communities and mandate support for these communities to meaningfully participate in the implementation process?</li> <li>● This includes, but is not limited to, elements listed under Line 1 and: <ul style="list-style-type: none"> <li>⦿ Language naming community-based organizations and marginalized communities as “collaborators, leaders, partners, and co-sponsors”<sup>6</sup></li> <li>⦿ Full accessibility to public hearings, including translated materials and outreach to marginalized communities</li> <li>⦿ Childcare support during meetings</li> <li>⦿ Real-time language translation at meetings</li> <li>⦿ Culturally- and dietarily-inclusive food at meetings occurring near meal times</li> </ul> </li> </ul>	
5	<p><b>Provides relevant information, financial compensation, and other necessary support to participate in rule-making proceedings</b></p> <ul style="list-style-type: none"> <li>● Does the law provide comprehensive support that allows all community members to meaningfully participate in the rule-making process?</li> <li>● This includes, but is not limited to: <ul style="list-style-type: none"> <li>⦿ Data access, workshops, and educational efforts about the rule-making process, as well as financial support to defray the cost of participation<sup>7</sup></li> <li>⦿ Either making the rule-making language more accessible (plain, simple, and concise language) or providing clear and accurate summaries and explanations of the draft language</li> </ul> </li> </ul>	
6	<p><b>Incorporates a mandatory and funded structure of governance, oversight, evaluation, accountability, and follow-up in response to public engagement</b><sup>8</sup></p> <ul style="list-style-type: none"> <li>● Does the law mandate oversight boards and technical advisory groups formed with leaders from marginalized communities?</li> </ul>	

<sup>6</sup> Cervas et al., “Building Blocks,” 68.

<sup>7</sup> Ibid., 23

<sup>8</sup> Ibid., 69.

6	<ul style="list-style-type: none"> <li>● Notes:<sup>9</sup> <ul style="list-style-type: none"> <li>⦿ Oversight boards must have meaningful and enforceable responsibilities beyond simply giving advice, including collecting data</li> <li>⦿ Members of these boards should be compensated fairly to support their participation</li> <li>⦿ Policy should strengthen existing oversight boards and make them more inclusive</li> <li>⦿ Appointment process for advisory boards should foster authentic community representation from marginalized groups, enforceable conflict-of-interest clauses, and require reports and recommendations</li> </ul> </li> </ul>	
7	<p><b>Creates dedicated program(s) for advancing diversity, equity, and inclusion in hiring and other operational practices within energy rule-making agencies</b></p> <ul style="list-style-type: none"> <li>● Does the law require internal diversity, equity, and inclusion programs for public utilities commissions, or any other energy rule-making body with a role in developing policies to implement the law?</li> <li>● This should include, but not be limited to, programs for encouraging equal access to hiring and employment for members of marginalized communities (e.g., inclusive outreach for applicants, job description drafting, and interviewing/selection process)</li> </ul>	
8	<p><b>Part 1: Process - Total Points</b> (add lines 1-7 and enter total)</p>	

<sup>9</sup> Ibid., 70.

## Other Considerations & Narrative Answer

### Instructions:



In addition to the Worksheet points, consider other factors not listed in this Worksheet and provide a narrative answer to the overall question. (For example, you might consider other positive factors in the jurisdiction's 100% renewable energy law such as strong measures in other non-energy sectors such as housing, water, education, or healthcare; or negative factors such as any problematic aspects of the law. Summarize this response as the "Short Answer" on page 3.

### Process:

Have marginalized communities participated meaningfully in the policymaking process with sufficient support?

Process

Overall Score:

/ 5

Part 2	<b>Restoration:</b> Does the policy aim to remedy prior and present harms faced by communities negatively impacted by the energy system?	
LINE	ELEMENT	POINTS (0 = No 1 = Yes)
<b>Intent, Goals, and Funding</b>		
1	<p><b>Explicitly names just transition as a goals<sup>10</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law utilize the just transition framework to address systemic inequalities that have long-plagued energy policies, and to imagine a people-centered and just energy system?</li> <li>⦿ Systemic inequalities include, but are not limited to, lack of affordable housing, lack of health access, poor investments in education, and high rates of violence</li> <li>● See just transition framework here: <a href="https://climatejusticealliance.org/just-transition/">https://climatejusticealliance.org/just-transition/</a></li> </ul>	
2	<p><b>Ensures 100% transition off of fossil fuels<sup>11</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law make a clear statement of an ultimate goal to transition the entire state's economy completely off of fossil fuels, including an eventual ban on all extractive energy systems and combustible fossil fuels?<sup>12</sup></li> <li>● Notes: <ul style="list-style-type: none"> <li>⦿ This transition should include transportation, buildings, and homes<sup>13</sup></li> <li>⦿ Should prevent and address existing loopholes and exemptions that allow fossil fuel combustion, especially in marginalized communities</li> </ul> </li> <li>● Background/example: See "Building Blocks" pages 17-18 for more explanation</li> </ul>	
3	<p><b>Sets aggressive targets<sup>14</sup> and requires detailed implementation plans</b></p> <ul style="list-style-type: none"> <li>● Does the law put forth 100% targets should be aligned with the Intergovernmental Panel on Climate Change Report that indicates a 100% regenerative electricity target in the 2035 to 2045 period; and are there equity goals with specific milestones, targets, and metrics?</li> </ul>	

<sup>10</sup> Cervas et al., "Building Blocks," 28.

<sup>11</sup> Ibid., 17.

<sup>12</sup> Sierra Club, "Shared Accountability Framework For Community Implementation of 100% Clean Energy Goals," Forthcoming; draft reviewed September 2020.

<sup>13</sup> Cervas et al., "Building Blocks," 5.

<sup>14</sup> Ibid., 18.



	<ul style="list-style-type: none"> <li>● Notes: <ul style="list-style-type: none"> <li>⦿ Should include an implementation plan with milestones, targets, roles, timelines, policy commitments, budget and staff allocations</li> <li>⦿ Should focus on energy use, energy efficiency, and reducing use of fossil fuels and other non-regenerative sources of energy</li> <li>⦿ Should incentivize reduction of co-pollutants from fossil fuels as well as reduction in GHG emissions</li> </ul> </li> <li>● Example: California’s Senate Bill 100: “Goal is to achieve a 50% renewable resources target by December 31, 2026 and to achieve a 60% target by December 31, 2030. In addition, SB 100 sets a 100% clean, zero carbon, and renewable energy policy for California’s electricity system by 2045.”<sup>15</sup></li> </ul>	
4	<p><b>Promotes gender justice<sup>16</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law include specific policy mechanisms to address gender justice as part of a just transition?</li> <li>● Policy mechanisms include, but are not limited to: <ul style="list-style-type: none"> <li>⦿ “Increasing accessibility to training and apprenticeship programs for women, women of color, and LGBTQ communities; setting gender targets in recruitment, hiring, and retention; ensuring equitable wages and benefits across genders; and putting women, women of color, and LGBTQ individuals in positions of leadership”<sup>17</sup></li> <li>⦿ Acknowledging the existence of, and prioritizing solutions to, issues of energy justice that disproportionately affected women</li> </ul> </li> </ul>	
5	<p><b>Creates a restorative funding structure through divestment and reinvestment</b></p> <ul style="list-style-type: none"> <li>● Does the law allocate and name the funding source for implementing the transition, ensuring it comes from those with ability to pay and responsibility for pollution? <sup>18</sup></li> <li>⦿ This includes but is not limited to eliminating fossil fuel subsidies and identifying specific corporations responsible for pollution</li> </ul>	

<sup>15</sup> Ibid., 18.

<sup>16</sup> Ibid., 31.

<sup>17</sup> Ibid., 31.

<sup>18</sup> Sierra Club, “Accountability Framework”

	<ul style="list-style-type: none"> <li>⦿ Every part of the law must be adequately funded; this includes protecting funding for equity and community engagement provisions by not allowing it to be reallocated elsewhere</li> <li>● Notes: Law should target financial investments to “repair the harms that have been historically inflicted on environmental justice communities, with an added emphasis on ensuring that financial penalties levied on specific polluters and their corporate parents be reinvested in reparations in the specific impacted communities”<sup>19</sup></li> </ul>	
<b>Definitions and Named Priority Communities</b>		
<b>Definition of renewable energy</b>		
	<ul style="list-style-type: none"> <li>● Does the law include a clear, comprehensive definition of renewable energy?</li> <li>● Use the following framework to score this subsection: <ul style="list-style-type: none"> <li>⦿ 3 points = The law: <ul style="list-style-type: none"> <li>○ <b>1)</b> defines renewable energy as primarily solar and wind (line 6 = 1 point);</li> <li>○ <b>2)</b> only allows sources like storage, geothermal, and hydrogen if based on a full impacts analysis, and then only as secondary to solar and wind (line 7 = 1 point); and</li> <li>○ <b>3)</b> does not include any of the listed false solutions (line 8 = 1 point).</li> </ul> </li> <li>⦿ 2 points = The law: <ul style="list-style-type: none"> <li>○ <b>1)</b> does not distinguish solar and wind as prioritized renewables (line 6 = 0 points); but</li> <li>○ <b>2)</b> does only allow sources like storage, geothermal, and hydrogen if based on a full impacts analysis (line 7 = 1 point); and</li> <li>○ <b>3)</b> does not include any of the listed false solutions (line 8 = 1 point).</li> </ul> </li> <li>⦿ 1 point = The law: <ul style="list-style-type: none"> <li>○ <b>1)</b> does not distinguish solar and wind as prioritized renewables (line 6 = 0 points);</li> <li>○ <b>2)</b> allows sources like storage, geothermal, and hydrogen without a full impacts analysis (line 7 = 0 point); and</li> </ul> </li> </ul> </li> </ul>	

<sup>19</sup>United Frontline Table, “A People’s Orientation to a Regenerative Economy,” (Climate Justice Alliance, June 2020), <https://climatejusticealliance.org/wp-content/uploads/2020/06/ProtectRepairInvestTransformdoc22x.pdf>, 27.

	<ul style="list-style-type: none"> <li>○ <b>3)</b> does not include any of the listed false solutions (line 8 = 1 point).</li> <li>⊙ 0 points = The law: <ul style="list-style-type: none"> <li>○ <b>1)</b> does not distinguish solar and wind as prioritized renewables (line 6 = 0);</li> <li>○ <b>2)</b> allows sources like storage, geothermal, and hydrogen without a full impacts analysis (line 7 = 0 point); and</li> <li>○ <b>3)</b> does include any of the listed false solutions (line 8 = 0 point).</li> </ul> </li> </ul>	
6	<p><b>Primary renewable energy sources are “regenerative”</b> (e.g., solar and wind)<sup>20</sup></p> <ul style="list-style-type: none"> <li>● Does the law divide sources into “primary” and “intermediate” or some equivalent prioritization system?</li> <li>● “Regenerative” meaning they are endless, not extracted from the earth, including solar photovoltaics, solar thermal, and wind energy <sup>21</sup></li> </ul>	
7	<p><b>Defines whether intermediate energy sources are considered renewable depending on how they are created</b> <sup>22</sup></p> <ul style="list-style-type: none"> <li>● Does the law require a process of public engagement and an accountable, independent, and verifiable full-impact analysis to determine whether non-solar and wind energy sources are considered renewable?</li> <li>● Note: <ul style="list-style-type: none"> <li>⊙ Intermediate or questionable sources include: energy storage, hydrogen<sup>23</sup>, geothermal, and hydroelectric power <sup>24</sup></li> <li>⊙ The impacts analysis should cover all stages of impacts related to the energy sources, including those related to raw materials, transportation, deployment, and waste</li> </ul> </li> </ul>	
8	<p><b>Does not allow gas power plants, renewable natural gas, fracking, carbon capture and storage, biofuels, biomass, nuclear, waste to energy (e.g. incineration), or waste heat from fossil fuel facilities to count as renewable</b><sup>25</sup></p>	

<sup>20</sup> Cervas et al., “Building Blocks,” 20.

<sup>21</sup> Ibid., 20.

<sup>22</sup> Ibid., 20.

<sup>23</sup> Ibid., 20.

<sup>24</sup> Ibid., 22.

<sup>25</sup> Ibid., 21.

	<ul style="list-style-type: none"> <li>● Does the law explicitly exclude the sources listed from the definition or list of renewable energy sources?</li> <li>● Notes: <ul style="list-style-type: none"> <li>⦿ No carbon capture and storage (CCS) includes no so-called “clean coal”</li> <li>⦿ Renewable natural gas should not count as “renewable” but could potentially be allowed for minor areas where electrification is impossible</li> </ul> </li> </ul>	
<b>Prioritization of marginalized communities</b>		
<b>9</b>	<p><b>Explicitly names environmental justice (EJ) in the policy<sup>26</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law name and define environmental justice?</li> <li>● Environmental Justice can be defined as: “Recognition and remediation of the disproportionately high and adverse human health or environmental effects on communities of color and low-income communities”<sup>27</sup></li> </ul>	
<b>10</b>	<p><b>Creates a structure to develop the methodology for identifying marginalized communities,<sup>28</sup> including studying cumulative pollution in frontline communities<sup>29</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law create a process to define marginalized communities, or a similar term identifying prioritized communities?</li> <li>● Notes: <ul style="list-style-type: none"> <li>⦿ Public engagement should inform the term or terms to use in identifying priority communities, e.g., marginalized, environmental justice, frontline, highly impacted, vulnerable, disadvantaged, or disenfranchised</li> <li>⦿ At a minimum the definition should include the study and identification of pollution-burdened populations, low-income populations, and vulnerable populations (e.g., based on health conditions or medical needs)</li> <li>⦿ In addition to natural components of community, the cultural, social, economic, and political aspects of a community should be a part of that definition</li> </ul> </li> </ul>	

<sup>26</sup> Ibid., 29.

<sup>27</sup> Baker et al., “The Energy Justice Workbook,” 14.

<sup>28</sup> Cervas et al., “Building Blocks,” 29.

<sup>29</sup> “Equitable and Just National Climate Platform,” <https://ajustclimate.org/pdfs/ClimatePlatform.pdf>, 5.

11	<p><b>Clearly identifies the desired impacts or goals of Black, Indigenous, communities of color, and other marginalized communities to be achieved by the policy<sup>30</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law outline specific impacts and goals for marginalized communities?</li> <li>● This should be an outcome of following equitable public engagement as outlined in the Process section</li> </ul>	
12	<p><b>Includes acknowledgement of Indigenous land<sup>31</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law explicitly honor Indigenous lands and those whose lands we are on?</li> <li>● Notes: <ul style="list-style-type: none"> <li>⦿ Should include an acknowledgement that colonialism has resulted in these lands being taken away</li> <li>⦿ Indigenous communities continue to practice land stewardship and remediation, and should be consulted on how land remediation happens</li> </ul> </li> </ul>	
13	<p><b>Remediates past and current energy system harms to Indigenous people<sup>32</sup> and other marginalized communities</b></p> <ul style="list-style-type: none"> <li>● Does the law include a recognition of past and current harms to Indigenous people and other marginalized communities and equitable compensation for those harms?</li> <li>● Notes: <ul style="list-style-type: none"> <li>⦿ Specifically past and current harms related to the domination and control of energy (including from fossil fuel, uranium and other extractive industrial developments)</li> <li>⦿ Equitable compensation means “reparations and/or redress for lands, territories, and resources that have been taken, confiscated, or occupied<sup>33</sup></li> </ul> </li> </ul>	
14	<p><b>Part 2: Restoration - Total Points</b> (add lines 1-13 and enter total)</p>	

<sup>30</sup> Cervas et al., “Building Blocks,” 30.

<sup>31</sup> United Frontline Table, “A People’s Orientation to a Regenerative Economy,” 15.

<sup>32</sup> Indigenous Environmental Network “Indigenous Principles of a Just Transition,” <http://www.ienearth.org/wp-content/uploads/2017/10/IENJustTransitionPrinciples.pdf>, 3-4

<sup>33</sup> Cervas et al., “Building Blocks,” 33.



## Other Considerations & Narrative Answer

### Instructions:



In addition to the Worksheet points, consider other factors not listed in this Worksheet and provide a narrative answer to the overall question. (For example, you might consider other positive factors in the jurisdiction's 100% renewable energy law such as strong measures in other non-energy sectors such as housing, water, education, or healthcare; or negative factors such as any problematic aspects of the law.) Summarize this response as the "Short Answer" on page 3.

### Restoration:

Does the policy aim to remedy prior and present harms faced by communities negatively impacted by the energy system?

Restoration

Overall Score:

/ 5

Part 3	<b>Decision-making:</b> Does the policy center the decision-making of marginalized communities in implementation?	
LINE	ELEMENT	POINTS (0 = No 1 = Yes)
<b>Tribal Sovereignty and Community Governance</b>		
1	<p><b>Recognizes Indigenous land rights, including land, water, and air rights<sup>34</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law mandate an adherence to tribal sovereignty (not just optional)?</li> <li>● For an explanation of these rights language, see “Building Blocks” page 33 guidance from the Indigenous Environmental Network</li> </ul>	
2	<p><b>Ensures governance for environmental justice communities over planning, funding, and implementation of restoring polluted sites<sup>35</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law give environmental justice communities “governance over the planning, funding, and implementation of the remediation, reclamation, and restoration of toxic and polluting sites”?<sup>36</sup></li> <li>● This includes ensuring that environmental justice community leaders play a lead role in overseeing the restoration of polluted sites in their communities</li> <li>● Note: Polluted sites include mismanaged land (like development on tribal land)</li> </ul>	
3	<p><b>Empowers local communities in energy siting decisions<sup>37</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law delegate decision-making power to community-led panels, organizations, or elected officials instead of concentrating policy-making ability within siloed governmental offices?</li> <li>● Communities who are already impacted by the siting of power plants and other fossil fuel based infrastructure must have decision-making power in alternative, regenerative, solutions</li> <li>● Should include resources to facilitate community decision-making processes and support for community planning</li> </ul>	
<b>Energy Ownership and Community Power</b>		

<sup>34</sup> Ibid., 33.

<sup>35</sup> United Frontline Table, “A People’s Orientation to a Regenerative Economy,” 27.

<sup>36</sup> Ibid., 27.

<sup>37</sup> Ibid., 35.

4	<p><b>Enables and incentivizes community ownership and control by investing in solutions that are ecologically just and build community wealth<sup>38</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law advance development and incentivize procurement of energy from community-owned projects?</li> <li>● Policy mechanisms include, but are not limited to: <ul style="list-style-type: none"> <li>⦿ Technical and/or financial incentives to encourage community ownership structures</li> <li>⦿ Required procurement of community-owned projects<sup>39</sup></li> <li>⦿ Framework for Community Choice Aggregation (CCAs) and community shared renewables</li> </ul> </li> </ul>	
5	<p><b>Prioritizes local distributed/decentralized renewable generation and microgrids<sup>40</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law incentivize microgrids and other forms of renewable generation and ensure that utilities will not be able to monopolize ownership of these systems?</li> </ul>	
6	<p><b>Initiates utility reform and transition from for-profit utility model to community power<sup>41</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law push for utility reform through policy mechanisms that recognize energy production, generation, and electric utility as a commons-held right and not as a privately-owned commodity that is bought and sold for profit?</li> <li>● Policy mechanisms include, but are not limited to:<sup>42</sup> <ul style="list-style-type: none"> <li>⦿ Shifting away from for-profit investor owned utilities and promoting Publicly Owned Utilities, Community Choice Aggregation (CCAs), energy co-operatives, and shared/community solar<sup>43</sup></li> <li>⦿ Mandating performance-based utility regulation to align the utility's mission with environmental and social goals like resilience, expanded choice, environmental performance, and innovation, instead of capital investments <sup>44</sup></li> </ul> </li> </ul>	

<sup>38</sup> Cervas et al., "Building Blocks," 60; 55.

<sup>39</sup> Ibid., 60.

<sup>40</sup> Ibid., 58.

<sup>41</sup> Ibid., 23.

<sup>42</sup> Ibid., 23.

<sup>43</sup> Ibid., 24.

<sup>44</sup> Ibid., 25.



	<ul style="list-style-type: none"> <li>Reforming the current utility system with revenue decoupling so that utility profits are no longer tied to the quantity of energy sales. Instead, the following approaches could be used to charge customers demand charges, time-of-use rates, or minimum bills.<sup>45</sup> For a more detailed explanation, see “Building Blocks” page 25.</li> </ul>	
7	<b>Part 3: Decision-making - Total Points</b> (add lines 1-6 and enter total)	

## Other Considerations & Narrative Answer

### Instructions:



In addition to the Worksheet points, consider other factors not listed in this Worksheet and provide a narrative answer to the overall question. (For example, you might consider other positive factors in the jurisdiction’s 100% renewable energy law such as strong measures in other non-energy sectors such as housing, water, education, or healthcare; or negative factors such as any problematic aspects of the law.) Summarize this response as the “Short Answer” on page 3.

### Decision-making:

Does the policy center the decision-making of marginalized communities in implementation?

Decision-making

Overall Score:

/ 5

<sup>45</sup> Ibid., 25.

Part 4	<b>Benefits:</b> Does the policy center economic, social, and health benefits for marginalized communities?	
LINE	ELEMENT	POINTS (0 = No 1 = Yes)
<b>Economic</b>		
1	<p><b>Mandates paid job training, apprenticeships, and other job accessibility programs, particularly for women and other marginalized communities</b></p> <ul style="list-style-type: none"> <li>● Does the law set aside funding for clean energy job training that is tailored to marginalized communities?</li> <li>● Notes: <ul style="list-style-type: none"> <li>⦿ Include mechanisms for alerting communities about job training and accessibility programs, including public education/outreach efforts and accessible language</li> <li>⦿ Training should end in real placement, in real jobs; job training must be designed with this in mind</li> <li>⦿ Include free and low-cost options for obtaining certifications that workers may need</li> </ul> </li> </ul>	
2	<p><b>Prioritizes hiring women and workers from other marginalized communities, including instituting “fair chance” policies</b></p> <ul style="list-style-type: none"> <li>● Does the law include incentives and programs for hiring women and workers from marginalized communities?</li> <li>● Notes: <ul style="list-style-type: none"> <li>⦿ This includes prioritizing local hires and also hiring people who have been displaced from their communities</li> <li>⦿ “Fair chance” policies allow ex-offenders to apply for positions without disclosing their criminal history, which eliminates criminal history prejudice in the hiring process</li> </ul> </li> </ul>	
3	<p><b>Requires strong workforce standards for energy sector jobs<sup>46</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law mandate strong workforce standards for jobs in the energy sector?</li> </ul>	

<sup>46</sup> Ibid., 46.

	<ul style="list-style-type: none"> <li>● Examples of strong standards include, but are not limited to:<sup>47</sup> <ul style="list-style-type: none"> <li>⦿ Protections for unions and unionizing</li> <li>⦿ Living wage above the federal minimum wage</li> <li>⦿ Protections for contract workers</li> </ul> </li> </ul>	
4	<p><b>Prioritizes businesses owned by women and people from other marginalized communities<sup>48</sup></b></p> <ul style="list-style-type: none"> <li>● Does the legislation include mechanisms that prioritize contracting with local businesses owned by members of marginalized communities?</li> <li>● See “Building Blocks” page 48 for explanation of models that can be used to prioritize these businesses</li> </ul>	
5	<p><b>Ensures strong protections for displaced workers<sup>49</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law include pathways for former fossil fuel workers to transition to high road careers in the renewable energy economy?</li> <li>● Policy elements include, but are not limited to: <ul style="list-style-type: none"> <li>⦿ “High wage, sustainable careers for displaced workers, coverage of pensions, and healthcare... [and] deep investments and support—such as a Worker Transition Fund— for these workers and the surrounding communities that will be impacted by the transition away from fossil fuels. These investments and supports include comprehensive training in all aspects of clean energy careers and funds to transition workers at the end of their careers to retirement.”<sup>50</sup></li> <li>⦿ Addressing the needs of displaced workers unable to transition to renewable energy jobs with support for other employment or other assistance</li> </ul> </li> </ul>	
<b>Social</b>		
6	<p><b>Includes a “community benefits” framework for renewable energy development<sup>51</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law ensure that impacted communities have input in, benefit from, and are not negatively impacted by renewable energy development?</li> <li>● There should be an explicit consideration of the positive and negative impacts that renewable energy development can have for the local community</li> </ul>	

<sup>47</sup> Ibid., 46.

<sup>48</sup> Ibid., 48.

<sup>49</sup> Ibid., 52.

<sup>50</sup> Ibid., 8.

<sup>51</sup> Ibid., 35.

	<ul style="list-style-type: none"> <li>● Community benefits include, but are not limited to: <ul style="list-style-type: none"> <li>⦿ Bringing political and economic power to people in marginalized communities</li> <li>⦿ Preference for solutions that create a path to ownership of renewable energy</li> <li>⦿ Providing preference for solutions that create long-term jobs for workers in marginalized communities</li> <li>⦿ Providing a minimum of seven days of islanded energy to marginalized communities during a crisis when the grid goes down</li> <li>⦿ Reducing the energy burden for households and enterprises in marginalized communities</li> </ul> </li> </ul>	
7	<p><b>Prioritizes transportation justice<sup>52</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law mandate reductions in transportation sector emissions without further burdening those who rely on public transit?</li> <li>● Policy elements include, but are not limited to: <ul style="list-style-type: none"> <li>⦿ Electrification of mass transit and a variety of transportation choices, from electric vehicle programs to ride-sharing and vanpools</li> <li>⦿ Accessibility in public transportation, including at least equal frequency of public transit in frontline communities</li> <li>⦿ Paving and rebuilding of streets for pedestrians and bicyclists</li> <li>⦿ Public transit must maintain health and safety standards, while not leading to increased costs of transportation for marginalized communities or housing displacement in low-income communities</li> </ul> </li> <li>● For examples of transportation programs and policies, see “Building Blocks” page 38</li> </ul>	
8	<p><b>Pushes for healthy buildings, safety, energy efficiency, and equitable electrification<sup>53</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law prioritize building electrification, decarbonization, and energy efficiency in a way that does not put the burden to change on marginalized communities?<sup>54</sup></li> <li>● For example, funding for electrification and retrofitting of large buildings comes from taxing developers, not all residents of an area</li> </ul>	

<sup>52</sup> Ibid., 36.

<sup>53</sup> Cervas et al., “Building Blocks,” 39.

<sup>54</sup> Ibid., 7.

9	<p><b>Advances anti-gentrification and anti-displacement<sup>55</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law connect 100% policies to anti displacement policies and include anti-displacement provisions?</li> <li>● Anti-displacement provisions include, but are not limited to: <ul style="list-style-type: none"> <li>⦿ “Renter protections, a right to return if improvements are made, and a community preference prioritizing surrounding communities for affordable housing developments that may include renewable energy and energy efficiency”<sup>56</sup></li> <li>⦿ Protections for land- and home-owners who are being pressured by developers to sell their property</li> <li>⦿ Requiring “stipulations on any public funding for ‘green development’ or subject remediation of sacrifice zones [areas where health is sacrificed due to close proximity to polluting facilities] to local planning ordinances to ensure against gentrification or family displacement”<sup>57</sup></li> </ul> </li> </ul>	
10	<p><b>Prioritizes local renewables for resilience and other benefits; equitable use of Renewable Energy Certificates (RECs)</b></p> <ul style="list-style-type: none"> <li>● Does the law include mechanisms to prioritize local renewables, including minimal use of offsets and an equitable use of RECs?</li> <li>● Equitable use of RECs includes: <ul style="list-style-type: none"> <li>⦿ Clarity and transparency around who owns the RECs and how/if they actually represent a replacement of fossil fuel with renewable energy</li> <li>⦿ Ensuring that marginalized communities have access to and benefit directly from RECs</li> <li>⦿ If there is utility use of RECs, ensure those RECs go towards local renewable projects</li> </ul> </li> <li>● For additional information on RECs, see <a href="#">this resource from the Local Clean Energy Alliance</a> or <a href="#">this resource from the Center for Resource Solutions</a></li> </ul>	
<b>Health</b>		

<sup>55</sup> Ibid., 41.

<sup>56</sup> Ibid., 7.

<sup>57</sup> United Frontline Table, “A People’s Orientation to a Regenerative Economy,” 27.

11	<p><b>Sets concrete public health goals for marginalized communities<sup>58</sup></b></p> <ul style="list-style-type: none"> <li>● Does the policy define and set concrete public health goals for marginalized communities, including strong data collection and a reparations framework that helps fund healthcare in most impacted communities?</li> <li>● Note that these marginalized communities include children and women, who have unique health concerns (e.g., reproductive health)</li> <li>● Examples of health goals: <ul style="list-style-type: none"> <li>⦿ Reduction in asthma rates, cancer rates, and PM emissions<sup>59</sup></li> <li>⦿ Improved air quality through the elimination of GHGs and co-pollutants in marginalized communities; improved water quality related to the impacts of energy infrastructure; Elimination of legacy environmental hazards like lead, radon, mold, and asbestos” found in homes and buildings in the development of energy efficiency and renewable energy projects<sup>60</sup></li> </ul> </li> </ul>	
12	<p><b>Does not allow for polluting energy sources, e.g., incinerators</b></p> <ul style="list-style-type: none"> <li>● Does the law explicitly ban energy sources that increase emissions of particulate matter (PM), other harmful air pollutants, or pollute water, including garbage incineration, biomass combustion, fossil fuel combustion, and nuclear fuel?</li> <li>● Note: biomass fuel may also be called biofuel, agro-fuel, biogas, and other names to camouflage incineration</li> </ul>	
13	<p><b>Addresses leftover fossil fuel infrastructure and lifecycle of renewables<sup>61</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law ensure that marginalized communities do not bear the burden of dealing with new renewable waste and old fossil fuel infrastructure?</li> <li>● Policy should:<sup>62</sup> <ul style="list-style-type: none"> <li>⦿ Ensure that phasing out fossil fuel infrastructure does not result in a utility bail out</li> </ul> </li> </ul>	

<sup>58</sup> Cervas et al., “Building Blocks,” 44.

<sup>59</sup> Emerald Cities Collaborative et al., “Energy Democracy Scorecard,” 11.

<sup>60</sup> Cervas et al., “Building Blocks,” 7.

<sup>61</sup> Ibid., 73.

<sup>62</sup> Ibid., 73-74.

	<ul style="list-style-type: none"> <li>⦿ Mandate that funding for the clean-up comes from the principal owner of the facility, not from the state. If costs are shifted to the state, ratepayers will end up paying</li> <li>⦿ Support community recommendations for the disposal and/or recycling of fossil fuel infrastructure so that it is not dumped in marginalized communities</li> <li>⦿ Promote job opportunities that can be created in the retirement of old fossil fuel infrastructure</li> <li>⦿ Create a mechanism to start paying for decommissioning costs now, while most customers are still connected (to avoid leaving marginalized communities that cannot leave with the costs if others move away)</li> <li>⦿ Address the lifecycle of renewables, including considering the safety and quality of materials to be used in renewable energy installations, and creating disposal plans</li> </ul>	
<b>14</b>	<b>Part 4: Benefits - Total Points</b> (add lines 1-13 and enter total)	

## Other Considerations & Narrative Answer

### Instructions:



In addition to the Worksheet points, consider other factors not listed in this Worksheet and provide a narrative answer to the overall question. (For example, you might consider other positive factors in the jurisdiction’s 100% renewable energy law such as strong measures in other non-energy sectors such as housing, water, education, or healthcare; or negative factors such as any problematic aspects of the law.) Summarize this response as the “Short Answer” on page 3.

### Benefits:

Does the policy center economic, social, and health benefits for marginalized communities?

Benefits:

Overall Score:

/ 5

Part 5	<b>Access:</b> Does the policy make energy more accessible and affordable to marginalized communities?	
LINE	ELEMENT	POINTS (0 = No 1 = Yes)
<b>Access and Inclusion</b>		
1	<p><b>Imposes a comprehensive scope of coverage for all utilities<sup>63</sup></b></p> <ul style="list-style-type: none"> <li>● Do renewable energy goals and mandates apply to all Investor Owned Utilities (IOUs), Publicly Owned Utilities (POUs), Community Choice Aggregation (CCAs), Rural Electric Cooperatives, and Tribal Owned Utilities, as well as independent power producers?</li> </ul>	
2	<p><b>Includes renters and residents of mobile homes, single family homes, affordable housing, and all housing types<sup>64</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law determine types of renewable installations and energy efficient upgrades that are prioritized based on the housing demographics of individual communities?</li> <li>● Considerations include: <ul style="list-style-type: none"> <li>⦿ Community solar, energy efficiency, virtual net metering, or Community Choice Aggregation (CCA)</li> <li>⦿ Direct contact regarding programs for customers behind master meters (often renters and mobile home residents) to make them aware of special programs</li> </ul> </li> </ul>	
3	<p><b>Promotes energy access and affordability for all geographic areas, including grid-tied or off-grid distributed renewable energy<sup>65</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law ensure that renewable energy is prioritized in both urban and rural communities, including mechanisms to ensure access to distributed renewables and grid connectivity for all who want it?</li> <li>● Consider varying rural contexts, including lack of grid connectivity, Indigenous lands, and sensitive lands that could be damaged by large solar installations</li> <li>● This includes a recognition that some may want to remain disconnected from the electric grid</li> </ul>	

<sup>63</sup> Ibid., 55.

<sup>64</sup> Ibid., 41.

<sup>65</sup> Ibid., 55.



Affordability and Financing		
4	<p><b>Ensures that energy is free or affordable for marginalized communities</b></p> <ul style="list-style-type: none"> <li>● Does the law put in place policies and programs that ensure no ratepayer pays more than 6% of their income on energy?</li> </ul>	
5	<p><b>Promotes comprehensive energy safety net elements<sup>66</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law include specific policy mechanisms that create an energy safety net?</li> <li>● Policy mechanisms include, but are not limited to: <ul style="list-style-type: none"> <li>⊙ “Ensuring energy assistance does not impact other benefits, such as state grants, protections to prevent [increased property taxes when low-income homeowners get energy efficiency upgrades], and moratorium on shut off policies if residents are not able to pay their bills”<sup>67</sup></li> <li>⊙ Generous baseline electricity program with reduced rates</li> </ul> </li> <li>● For examples of energy safety net programs, see “Building Blocks” page 67</li> </ul>	
6	<p><b>Addresses energy efficiency, electrification, and fuel switching<sup>68</sup> to reduce energy costs and fossil fuel use<sup>69</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law provide financial access to such programs, as well as ensure that there will be no additional cost burdens for marginalized communities who are unable to switch off of gas and other fuels as quickly as other customers?</li> <li>● Policy mechanisms include, but are not limited to: <ul style="list-style-type: none"> <li>⊙ Incentive programs for implementing energy efficiency, electrification, or fuel switching</li> <li>⊙ Financial support especially for frontline households</li> <li>⊙ Incentives should provide up-front funding, not rebate</li> </ul> </li> </ul>	
7	<p><b>Creates inclusive financing models for households and communities<sup>70</sup></b></p> <ul style="list-style-type: none"> <li>● Does the law include specific policy mechanisms to promote non-extractive financing policies?</li> </ul>	

<sup>66</sup> Ibid., 65.

<sup>67</sup> Ibid., 67.

<sup>68</sup> Ibid., 72.

<sup>69</sup> Sierra Club, “Accountability Framework”

<sup>70</sup> Cervas et al., “Building Blocks,” 63.

7	<ul style="list-style-type: none"> <li>⦿ Note: these financing models must be culturally inclusive (e.g., the practice of many Muslims allows for paying fees but not interest)</li> <li>⦿ Policy mechanisms include, but are not limited to:</li> <li>⦿ “Ending state subsidies for fossil fuels, eliminating regressive financing so the burden is not on low-income people to finance the transition to 100% regenerative energy, financing reforms for large-scale utilities, encouraging public banks to finance renewable energy projects to benefit local communities, and promoting Green Banks to make low-cost financing available to frontline communities”<sup>71</sup></li> <li>● Adding on-bill financing and ownership of clean energy systems instead of relying on customers to be able to pay upfront for solar and storage</li> <li>● Example: See “Building Blocks” page 64</li> </ul>	
8	<b>Part 5: Access - Total Points (add lines 1-7 and enter total)</b>	

## Other Considerations & Narrative Answer

### Instructions:



In addition to the Worksheet points, consider other factors not listed in this Worksheet and provide a narrative answer to the overall question. (For example, you might consider other positive factors in the jurisdiction’s 100% renewable energy law such as strong measures in other non-energy sectors such as housing, water, education, or healthcare; or negative factors such as any problematic aspects of the law.) Summarize this response as the “Short Answer” on page 3.

### Access:

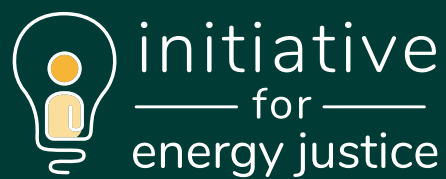
Does the policy make energy more accessible and affordable to marginalized communities?

Access:

Overall Score:

/ 5

<sup>71</sup> Ibid., 9.



The Initiative for Energy Justice provides law and policy resources to advocates and policymakers to advance local and state shifts to equitable clean energy.

[www.iejusa.org](http://www.iejusa.org)