

NATIONAL TRIBAL AIR ASSOCIATION FACT SHEET

What is a Supplemental Environmental Project (SEP)?

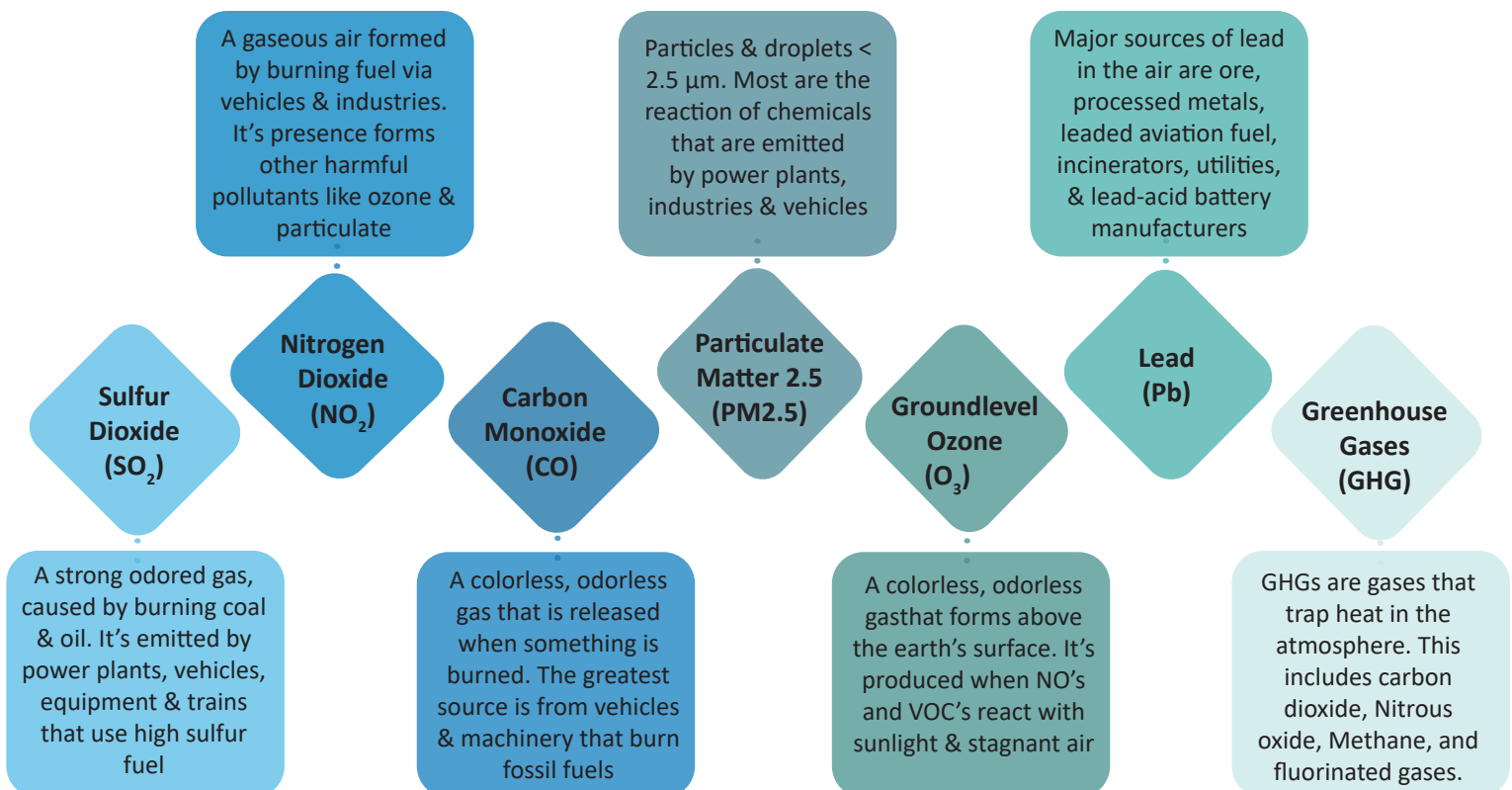
BACKGROUND

A Supplemental Environmental Project or SEP is a settlement against businesses or individuals for failure to comply with environmental laws (i.e. Clean Air Act criteria pollutants) and are resolved through settlement agreements. As part of a settlement, an alleged violator may propose to fund a project to provide a tangible environmental or public health benefit to the affected community or the environment. Violators also have the option to propose and implement their own projects, but it is, 1) not very common, and 2) the project cannot benefit the violator according to the SEP policy (i.e., use the project for PR purposes).

State agencies like the California Air and Resource Board (CARB) have their own [SEP Policy](#) that allows community-based projects to be funded from a portion of the penalties received during settlement of enforcement actions¹. In other words, SEPs can help improve public health, reduce pollution, increase environmental compliance, and bring public awareness to neighborhoods most burdened by environmental harm.

WHAT ARE THE CRITERIA POLLUTANTS FOR SEPs?

Determined by the CAA, there are 6 criteria air pollutants: sulfur dioxide, nitrogen dioxide, carbon monoxide, PM2.5, ground-level ozone, and lead. EPA must set standards to reduce criteria pollutants to a healthy level based on the best available science. While GHG's are not a criteria pollutant, scientific consensus confirms that GHG's are endangering public health, so addressing GHG's will help mitigate climate change and improve public health. This is in accordance with the CARB SEP Policy, which includes "Pollution Prevention or Reduction" as a project category, and describes it as "preventing or reducing air pollution or greenhouse gas emissions"².



1. <https://ww2.arb.ca.gov/our-work/programs/supplemental-environmental-projects-sep>
2. <https://ww2.arb.ca.gov/sites/default/files/2020-03/arbseppolicy2016.pdf>

CARBs SEP PROGRAM RESULTS:

Since 2017, the California Air Resource Board (CARB) SEP Program has provided funding for four SEPs focused on air pollution exposure, benefiting 21 schools, and approximately 10,000 students between ages of 3 and 18 years.

- Click to view: [Available SEPs 8.18.21](#)
- Click to view: [Funded 3.11.20](#)

CURRENT & PREVIOUS FUNDED SEP PROJECTS FROM CARB:

- **Breathmobile:** The Northern California Breathmobile allows asthma specialists to visit schools and thoroughly evaluate, treat, and educate children and parents about asthma.
- **Weather Station:** A community weather station was installed in Wilmington, CA by the Coalition for a Safe Environment to measure local weather patterns and use the data to study the effects weather patterns pose on local air quality.
- **Air Filters:** High performance air filtration systems are installed and maintained by IQAir in schools located in disadvantaged communities across the state.
- **Tehipiti Tree Planting:** The Fresno TREES SEP uses SEP funds to build and maintain vegetative barriers along major roads to help reduce air pollution exposure and reduce greenhouse gas impacts by sequestering CO₂.



WHAT'S NEXT & NTAA's POLICY RESOURCE KIT:

Eligible projects are placed on CARB's list of approved SEPs. Violators may select projects for funding to settle a portion of an enforcement action. Projects with a significant nexus to the enforcement action and in disadvantaged communities are given preference. Nexus is the relationship between the violation being enforced and the proposed project. An important note is that geography alone does not create nexus.

SEP recipients will be responsible for ensuring SEP completion including tracking spending and submitting quarterly and annual reports to CARB SEP Administrators.

For your convenience, the NTAA created a [Policy Resource Kit](#) for Tribes to use to learn more about SEPs. See below for SEP Project examples:

- [Minimizing Asthma Triggers in the Home and School \(MATHS\) Project](#)
- [Tribal Microgrid-EV Charging Station Pilot Project](#)
- [Tribal Green Roof Pilot Project](#)
- [La Jolla Band of Luiseno Indians SEP Application](#)
- [South Coast Air Quality Management District SEP Proposal](#)
- [SEP Budget Template](#)

For more information on CARB's SEP Program, visit <https://bit.ly/CARBSEPS> or contact CARB at SEP@arb.ca.gov.