



**Maryland State  
Commission on Environmental Justice  
and Sustainable Communities**

**Annual Report**  
2012-2013

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# **1 Background**

## **CEJSC Background**

The Commission on Environmental Justice and Sustainable Communities (CEJSC) was first established by Executive Order on January 1, 2001 and signed into law on May 22, 2003. The Commission is a twenty-member body that includes the following representatives: two State legislators, six cabinet secretaries, and twelve Governor appointees representing six interests groups— environmental advocacy, public health, local government, regulated business, impacted community, and the general public with expertise and/or interest in environmental Justice.

The CEJSC is tasked with examining environmental justice and sustainable communities issues that may be associated with creating healthy, safe, economically vibrant, environmentally sound communities for all Marylanders in a manner that allows for democratic processes and community involvement. Maryland’s approach to Environmental Justice (EJ) is consistent with the approach advocated by the United States Environmental Protection Agency (EPA). EPA calls for States to address Environmental Justice issues as appropriate and for improvements in efficiency and sustainability in the use of resources and production processes. EPA defines EJ as,

*“The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” Fair treatment means that no group of people including a racial, ethnic, or socio-economic group should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.*

Additionally, Maryland’s definition, which builds on EPA’s definition, specifically notes that all citizens of the State should expect (1) to be protected from public health hazards and (2) to have access to the socio-economic resources necessary to address concerns about their livelihood and health.

## **2. Commissioners Serving 2012 to 2013**

Dr. Calvin Ball, Commission Chair, Howard County Council (\*Local Government)

Senator Bill Ferguson, State Senate (\*State Legislature)

Delegate Elizabeth Bobo, House of Delegates (\*State Legislature)

Secretary Dr. Robert Summers, Maryland Department of the Environment (\*State Agency)

Secretary Joshua Sharfstein, Department of Health and Mental Hygiene (\*State Agency)

Secretary Raymond Skinner, Department of Housing and Community Development (\*State Agency)

Secretary Richard Hall, Maryland Department of Planning (\*State Agency)

Secretary Dominick Murray, Department of Business and Economic Development (\*State Agency)

Secretary James Smith, Maryland Department of Transportation (\*State Agency)

Ms. Jennifer Bevan-Dangel, Attorney, 1000 Friends of Maryland (\*Environmental Advocacy) – *resigned December, 2012*

Mr. Richard Fairbanks (\*Impacted Community)

Mr. Andrew Fellows, Commission Vice Chair, Mayor of College Park (\*Environmental Advocacy)

Ms. Christine Hill, Sierra Club (\*Environmental Advocate)

Dr. Andrea Kidd Taylor, Morgan State University (\*Health Advocate)

Mr. John Kotoski, River Run Development Association (\*Regulated Business)

Ms. Jennifer Peterson, Attorney Environmental Integrity Project (\*Environmental Advocacy) – *resigned December, 2012*

Dr. Laurance Polsky, Calvert County Health Officer (\*Local Government)

Mr. Scot Spencer, Annie E. Casey Foundation (\*Public Interest)

Mr. Benoy Thomas, Licensed Social Worker (\*Public Interest)

Ms. Vernice Miller-Travis, Commission Vice Chair, Miller-Travis & Associates, environmental (\*Public Interest)

Mr. John Quinn, Constellation Energy (\*Regulated Business)

*Vacancy* (\*Impacted Community)

### **3 Commission Activities October 1, 2012- September 30, 2013**

#### **Membership Turnover**

The year saw many changes in membership for the CEJSC. Four members were unable to continue for reasons related to work and moves that took them out of state. As a result, there was a transition period as new members were recruited. The Commission has two remaining vacancies. Staff has struggled for some time to find an affected community member, even after reaching out to many legislators and other interested parties.

Otherwise, the transition has gone relatively well and by the summer retreat, members were able to acclimate and learn the history of the Commission. New members have been fully engaged in the work of the Commission.

### **Development of EJ 101 collaboration with MDE**

At the suggestion of the Commission, the Maryland Department of the Environment began drafting outreach documents for various EJ stakeholders. These “EJ 101” documents define EJ, describe the history of EJ, and explain how the stakeholder can be involved in issues surrounding EJ. A general EJ-101 was developed, as well as documents for the regulated business community and local governments. The Commission reviewed and commented on these documents as well. *See Appendix C.*

### **Academic Effort**

In 2011, Commissioner Rebecca Rehr led efforts to start an Academic Subcommittee as part of the CEJSC in order to build relationships with academics around the state and more fully engage with diverse issues facing Marylanders. The University of Maryland School of Public Health stood out as an interested party. Dr. Sacoby Wilson at the Maryland Institute for Applied Environmental Health at the University of Maryland School of Public Health, had been working to start a new program on Community Engagement, Environmental Justice, and Health (CEEJH) and showed interest in establishing a relationship with the CEJSC. Therefore, we decided to focus efforts on building this relationship and made reaching out to other universities a long-term goal. Dr. Wilson was starting projects in Baltimore City, the Anacostia watershed in Prince George’s County, and had plans for some research on the Eastern Shore.

The Commission has focused on developing research projects and internships that may be appropriate for public health students at University of Maryland, as well as Morgan State University which is currently represented on the Commission. The Commission is developing ideas for research projects that would mutually benefit students interested in EJ and fill gaps in data that the state may not have the resources to explore. These ideas include communication tools for engaging communities, exploring pesticide use in the state, and the effects of smoking on families in multifamily housing units.

### **Business Outreach**

After a successful outreach event to the business community in 2012, the Commission decided to continue outreach to the regulated community, but with a slightly different approach.

Acknowledging that businesses have a great deal of challenges in the current economy, the Commissioners decided to look for opportunities to raise the issue of EJ when businesses are already involved, rather than attempting to create standalone events for this very purpose. The Commission would like to communicate that considering EJ and community concerns during the early planning phase of a project can save a business a substantial amount of time and money. Addressing issues early can help the permit not get bogged down in the permitting process.

Commissioner Quinn had previously recommended that MDE include language regarding EJ in permitting applications and information sheets already shared with the regulated community.

The Department agreed and is working with the Commission to update appropriate documents with EJ information.

The Commission is also working on an effort to use existing blogs and websites to communicate the same message to already existing business audiences. The Commission is identifying blogs and organizations to share articles with quarterly. This includes a number of outreach vehicles the state agencies have already developed.

## **Legislation**

In December, some of the Commissioners met with members of the Citizens Campaign for the Environment (CCE), an umbrella group for the environmental advocates who are represented in Annapolis. CCE explained its priorities for the year and took feedback from the Commission. Members of the CCE attended some of the Commission meetings during the legislative meeting to build on this conversation.

This year the Commission grappled with how to best meet its goal of raising the profile of EJ for legislators who consider countless EJ related issues. By design, the Commission has varying opinions on legislation and does not usually come to a consensus on supporting or opposing legislation, however, they are often in agreement about what EJ issues need to be addressed and would like to be able to share that with legislators and encourage thoughtfulness about the issue. To that end, the Commission is developing a plan to reach out to two legislative caucuses that may have an interest in the issues the Commission cares about, namely, the Legislative Black Caucus and the Green Caucus.

## **County Outreach**

It is a longtime belief of the Commission that EJ needs to be addressed by local planning processes in order to improve outcomes for residents living in Maryland. To reach out to local government, the Commission decided to share the EJ 101 document with local planning and zoning directors in the hopes of opening a dialogue about EJ with local policy makers (see Appendix X for sample letter). The Commission also committed to a round table with representatives from the Prince George's County Department of the Environment to discuss ways the Department plans to work on EJ related issues. It is the hope that ideas that can be shared with other local governments will be discussed. This meeting is scheduled to take place in December.

Finally, the Commission has sought to develop blog posts on EJ that can be shared with existing local planning related blogs to get the message out to a wider audience. For example, MACo has a blog and has expressed a willingness to share information on EJ. This outreach plan is being developed.

## **CEHPAC Meeting**

The Commission held a joint meeting with the Children's Environmental Health Protection Advisory Council on May 28, 2013 per its statutory charge. The organizations shared information on recent progress and issues of mutual interest. Full details are outlined meeting minutes in Appendix B. Nancy Servatius of DHMH continues to serve as a liaison between the

two groups. She attends both organizations meetings and will look for opportunities for collaboration to share with both groups. This has been an affective way for the Commission to both keep informed and communicate with the Advisory Council.

#### **4 Planned Commission Objectives for 2013-2014**

Title VI: It has been suggested that the Commission host a roundtable with relevant agencies to discuss Title VI implementation and determine how the state might want to address Title VI issues, if there are existing gaps. Vernice Miller Travis has asked to be the lead on this issue and has been offered a meeting to discuss the same with MDE Executive Staff.

County Outreach: The Commission will continue to create opportunities for outreach and discussion with local government officials and decision makers, including sharing the EJ-101 with local planning and zoning directors, using existing blogs for outreach, and having a special meeting with Prince George's County Officials to discuss options for addressing EJ locally.

Business Outreach: The Commission will collaborate with MDE to incorporate EJ language into existing permitting documents (for example: instructions & applications) to elevate the discussion of EJ in the process. Likewise, the Commission will use existing blogs to reach the regulated community.

Legislative Outreach: The Commission has reached out to the Green Caucus and the Legislative Black Caucus regarding opportunities for discussing EJ with Caucus members. A long term goal would be to brief relevant legislative committees and identify individual legislators for additional outreach after the 2014 election.

Community Outreach: The Commission will continue to seek a member to fill the existing affected community vacancy on the Commission. The Commission also plans to continue to work with the University of Maryland and other schools to leverage existing efforts to reach out to communities and fill research gaps that would help assist communities.

Succession Planning: The Commission would like to develop a plan to address turnover in membership and leadership within the Commission.

#### **5 Appendix A- July 2013 Retreat Summary**

##### **July 2013 Annual Retreat Summary**

**Retreat Goal:** To update and prioritize the Commission's action oriented goals and objectives to conform to the CEJSC charge of advising the Governor and the Administration in a manner that is achievable.

**Introductions-** Each member and guest introduced themselves and their relationship to the Commission. Morgan State University Staff, Dr. Mary Anne Akers, Dean and Professor and Dr. Willie Larkin, Chief of Staff to the President, welcomed the group to campus.

**Greetings from Heather Barthel, Director of Policy and Intergovernmental Affairs at MDE**  
Heather Barthel said that there are 18 months left under Governor O'Malley's administration and it is an administration that is very supportive of the efforts of the Commission. She encourages the Commission to think about achievable goals for the next 18 months.

**Lisa Nissley went over the outline of the day for the Commissioners.**

This included review of the CEJSC Rules of Engagement & Review of the Commission's Statutory Charge.

**Guest Speaker-Beth Strommen, Director of the Baltimore City Office of Sustainability**

Beth Strommen spoke to the Commissioners about the work her office is doing. The Baltimore City Office of Sustainability did a broad sustainability plan that outlined a plan for success. That plan was adopted in 2009 and they now have 80% of strategies underway and 30% are completed. Beth then opened it up for discussion and questions. The Commissioners and Beth exchanged ideas on addressing EJ in her office and on the Baltimore Commission on Sustainability and on the CEJSC.

**President Wilson of Morgan State University Remarks**

President Wilson expressed his appreciation for selecting Morgan State to have the retreat. President Wilson then gave an update on what's happening on campus

**Brainstorming Sessions:**

**Session I: Use of State Representatives, Working with CEHPAC, and Business Outreach**

The Commission analyzed ways it could be more effective and improve outreach to various stakeholders. Some ideas were: more communication with the Administration and Governor, identifying a legislative champion for EJ. The CEJSC also discussed ways to partner with colleges and universities around the state and create EJ related projects for students. The Commission also discussed ways to reach out to the business community by inserting EJ language into permits and encouraging companies to discuss activities with the community. Ideas for blog outreach were mentioned.

**Next steps:**

- **Business Outreach:** John Quinn to meet before September meeting with MDE about permitting material; ideas to incorporate EJ into the forms.
- Elaine to map out a plan for quarterly blog posts; have something to share at September meeting

**Session II: County Outreach, Legislative Outreach, and Title VI**

Vernice suggested the idea of having a roundtable with State agencies to address their Title VI obligations. Robin offered to work on a memo with environmental justice concerns related to Title VI. In regard to county outreach, the Commission agreed to send the EJ-101 one pager to county officials. Calvin volunteered to be in charge of this. The second idea to follow up with Adam Ortiz on Prince George's County's efforts. Lisa said that the December meeting is usually more in-depth, and this might be a good time to invite Adam to speak. The next idea was creating a quarterly message for the MACO blog. Another suggestion included holding meeting



with Legislative Black Caucus and the Green Caucus. Chris volunteered to take the lead on reaching out to the Legislative Black Caucus

### **Next Steps:**

- **Title VI:**
- Vernice to share NEJAC's comments on the Title VI Federal guidance to distribute to the group and appropriate people at MDE
- Vernice to send dates she is available to meet with Deputy Secretary Kathy Kinsey regarding Title VI concerns she has about MDE
- Project - Organize a roundtable with agency representatives from DNR, MDE, MDOT, and Housing to discuss Title VI. Vernice to talk to Robin and Chris to begin planning. Before the September meeting they will organize a date, time, and location and begin to formulate the agenda/ideas for the meeting.
  
- **County Outreach:**
- Calvin to create a cover letter for the County 101 to share with local planning directors
- Chris to map out four blog posts to submit to MACo
- Meeting w/Adam Ortiz to advise and discuss efforts to address EJ in PG - use for our December "special topic" meeting; Lisa to help set up, Vernice & Andy are the lead on the "policy" side of the project
  
- **Legislative Outreach:**
- Chris Hill to lead outreach to LBC and Green Caucus; before September meeting need a conference call to make a plan and begin to implement
- Lisa prepare a quick presentation to explain the agency process for developing legislative positions

## **6 Appendix B- 2012-2013 Meeting Agendas & Minutes**

### **Commission on Environmental Justice & Sustainable Communities (CEJSC) October 23, 2012**

**Stat Conference Room, Montgomery Park  
Baltimore, MD**

#### **AGENDA**

9:30 am Introductions

9:45 am Progress Reports

Business Outreach - Elaine, John K, John Q, and Dick

- Next Steps: Discuss opportunities for CEJSC to do an outreach event at a regular MD Chamber event; Develop a SMART form on business outreach

Planning and Counties Outreach - **Arabia**, Calvin, & Lisa

- Next Steps: Arabia, please share the SMART form you wrote; discussion on incorporating County outreach into those ideas (perhaps over a conference call)

Legislative Outreach - Jennifer P. **Jennifer B-D**, Delora, & Lisa

- Next Steps: Update SMART form based on discussion at meeting, Lisa check on ethics issues, outreach to GLO, and other agencies; JBD - Outreach to Delegate Carr, set meeting with advocates to discuss session issues, Call to identify other legislators

Academic Community – **Karen**, Caroline, & Scot; Rebecca & Dr. Wilson

- Next Steps: Karen to develop SMART form and set a call for anyone interested to have a conversation with Dr. Wilson about next steps.

Title VI – **Robin** & Vernice

- Next Steps: Develop SMART form, set call with other agency reps

CEHPAC - **Nancy** & Cliff

- Next Steps: Nancy - continue to attend CEHPAC & report back; upcoming issue pesticides

Other Action Items:

- Vernice - share NEJAC document regarding permitting
- Nancy & Lisa - work on potential discussion with Ruth Lindberg on Health Impact Assessments regarding the Intermodal rail project

11:15 am      Other Business  
                   Annual Report  
                   Approval of June, July, & September minutes, if quorum

11:30 am      Adjourn

**Maryland Commission on Environmental Justice & Sustainable Communities (CEJSC)  
 Meeting**

**October 23, 2012, 9:30a, Baltimore, MD**

**In Attendance:**

- Commissioners: Scot Spencer, Andy Fellows, John Quinn, Dick Fairbanks, Delora Sanchez, Senator Ferguson, Kim Pruim (for Calvin Ball), and Jeff Fretwell
- Participants: Stephanie Cobb Williams, Crystal Heide

**Introductions** The meeting began with introductions from all participants.

**Progress Reports**

**I. Business Outreach**

The group discussed opportunities for CEJSC to do an outreach event at a regular Maryland Chamber event. John Quinn updated the CEJSC about changes at the Chamber – the Chair resigned, Allyson Black resigned, and a new chief legislative staffer is coming on in the near future. It probably makes sense to delay the event for

now until the Chamber is back to fully staffed. Also, John mentioned that the CEJSC needs to make a value proposition to the Chamber.

Andy Fellows asked what kind of feedback John had gotten regarding the Environmental Justice event at DBED. John said feedback was positive and the group liked the Waste Management speaker. There is no clamoring for another event.

John said that Chamber events can be sparsely attended, so you need a hook to get people to attend. People only really attend the hot topic meetings.

Dick Fairbanks said the Commission could offer the Chamber a chance to dialogue with the Commission, but we need a hook because their plates are full.

Andy asked what their hot topics are? John said the Chamber Environment Committee is interested in fees, the Bay Restoration Fund, Stormwater, and air issues (although this is really an out-of-state/upwind issue since our air is clean), among others.

## **Other Business**

- I. **Intermodal Rail Project** – Baltimore will be the site for the project. The other locations were not interested in housing the project. Dick Fairbanks was surprised to hear this. Kim Pruim said there was a great deal of opposition in Howard County to the proposed Howard County site, particularly from the Elkridge Community.

Dick asked Senator Ferguson what he thought about the decision? Senator Ferguson said he is generally supportive. The location is already a rail yard. Senator Ferguson said the facility did not end up in Locust Point and is 5 to 6 blocks from the nearest neighborhood. Kim clarified that the site is the Mont Clare Rail Yard Site, South of 95, near Washington Blvd. Andy said this is good news for College Park and the Commission should look into mitigating the impacts.

- II. Scot Spencer asked Senator Ferguson if there is anything the Commission should be paying attention to?

Senator Ferguson said the **Energy Answers Plant** – there are varying levels of concern. The Baltimore City side is supportive, there are mitigating grants, etc. Brooklyn Park residents in Anne Arundel County are less than excited. Energy Answers has asked for an extension of its permit. The Community Association around the Plant is still supportive. A lot of environmental groups are opposed. An Administrative Law Judge is deciding on the extension of the permit.

Andy said Clean Water Action and Environmental Integrity Project worked to strengthen the original permit. His group has a history of opposing incinerators. This is a Public Service Commission decision. Curtis Bay and Brooklyn Park are the epicenter of many of these environmental justice issues. Senator Ferguson added Fairfield is also.

**III. Ethics** - Stephanie Cobb Williams reminded the members of the Commission that they need to check with their employers regarding weighing in on legislative matters.

**IV.** Dick brought up the issue of **environmental education**. He forwarded something to Tim Wheeler in mid-august in follow-up to a story Tim did on environmental education. Fifty teachers are being given extra training on environmental issues. We need to be aware of where this is going and make sure the training has rigor to it. This is long overdue, especially in urban areas where the environmental IQ is lower. It is important to get younger folks to have respect for the environment. Dick clarified that the original article was from August 15, 2013 and he sent his reply in September.

Andy asked where the 50 teachers will come from – statewide? He thought it might make sense to teach differently in different areas – tailor the teaching.

**V.** Senator Ferguson brought up several future items. Baltimore City Office of Sustainability is releasing its **Climate Action Plan**. Scot said the Baltimore City Sustainability Commission is actually voting on it today. There will be 60 days for feedback to the City.

**Bottle Deposit** – Senator Ferguson introduced legislation in 2012 to study whether/how Maryland should pursue a bottle deposit. The bill had no traction last year. He is deciding whether he is going to introduce it again. He sees it as an EJ issue and an economic opportunity.

Dick Fairbanks said single stream has made a difference in Baltimore City, but bottles are still an issue, there are still many being picked up at Leakin Park clean-ups.

Andy Fellows said the environmental community has looked at bottle bills for a long period of time. They are similar to bag bills. He was shocked that the legislation introduced in 2012 to grant Prince George’s County the authority to adopt take-out bag fees did not pass the General Assembly.

Scot said the Baltimore City Commission on Sustainability looked at the issue last year.

**VI.** Scot Spencer brought up the **Baltimore Metropolitan Council’s Planning Grant** of \$3.5 million. There is a 25 member consortium (local jurisdictions, non-profits, Greater Baltimore Committee, advocates, etc.), and a 14 member steering committee responsible for the grant. Scot is a co-chair of the steering committee. The group has a workplan approved by HUD. Demonstration grants are about to be awarded. They are looking at disparities in housing, employment, and transportation. October 29 from 3-7 pm is the official kick-off at the University of Baltimore Law School. Scot encourages everyone to attend, especially young people. This is the beginning of a 20 year effort.

**VII. Approval of June, July, & September Minutes**

No quorum, not approved.

**Adjourn**

**Commission on Environmental Justice & Sustainable Communities (CEJSC)  
November 27, 2012  
Stat Conference Room, Montgomery Park  
Baltimore, MD**

**AGENDA**

9:30 am Introductions

9:45 am Progress Reports

Business Outreach - Elaine, John K, John Q, and Dick

- Next Steps: Discuss opportunities for CEJSC to do an outreach event at a regular MD Chamber event; Develop a SMART form on business outreach

Planning and Counties Outreach - **Arabia**, Calvin, & Lisa

- Next Steps: Discussion on incorporating County outreach into those ideas (perhaps over a conference call)

Legislative Outreach - Jennifer P. **Jennifer B-D**, Delora, & Lisa

- Next Steps: Discuss goals for December meeting; meeting with advocates

Academic Community – **Karen**, Caroline, & Scot; Rebecca & Dr. Wilson

- Next Steps: Karen to develop SMART form and set a call for anyone interested to have a conversation with Dr. Wilson about next steps.

Title VI – **Robin** & Vernice

- Next Steps: Develop SMART form, set call with other agency reps

CEHPAC - **Nancy** & Cliff

- Next Steps: Nancy - continue to attend CEHPAC & report back; upcoming issue pesticides

Other Action Items:

- Nancy & Lisa - work on potential discussion with Ruth Lindberg on Health Impact Assessments regarding the Intermodal rail project

11:15 am Other Business  
Annual Report  
Approval of June, July, & September minutes, if quorum

11:30 am Adjourn

Minutes- There are no minutes available for this meeting.

**Commission on Environmental Justice & Sustainable Communities (CEJSC)  
December 18, 2012**

**Aeris Conference Room, Montgomery Park  
Baltimore, MD**

**AGENDA**

- 9:30 am      Introductions
- 9:45 am      Review of Membership
- 10:00 am     Review of Outcomes from Retreat
- 10:30 am     Legislative Session 2013/Review of SMART Document
- 11:00 am     Planning for conversation with advocates
- 11:45 am     Break
- 12:00 pm     Lunch with the advocates

**Reminder: Recent Business**

Business Outreach - Elaine, John K, John Q, and Dick

- Next Steps: Discuss opportunities for CEJSC to do an outreach event at a regular MD Chamber event; Develop a SMART form on business outreach

Planning and Counties Outreach - **Arabia**, Calvin, & Lisa

- Next Steps: Discussion on incorporating County outreach into those ideas (perhaps over a conference call)

Legislative Outreach - Jennifer P. **Jennifer B-D**, Delora, & Lisa

- Next Steps: Discuss goals for December meeting; meeting with advocates

Academic Community – **Karen**, Caroline, & Scot; Rebecca & Dr. Wilson

- Next Steps: Karen to develop SMART form and set a call for anyone interested to have a conversation with Dr. Wilson about next steps.

Title VI – **Robin** & Vernice

- Next Steps: Develop SMART form, set call with other agency reps

CEHPAC - **Nancy** & Cliff

- Next Steps: Nancy - continue to attend CEHPAC & report back; upcoming issue pesticides

Other Action Items:

- Nancy & Lisa - work on potential discussion with Ruth Lindberg on Health Impact Assessments regarding the Intermodal rail project

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**Reminder: Meetings during the legislative session will take place at 8:30am in Annapolis**

Minutes- This was a special topic meeting. There are no minutes available.

**Commission on Environmental Justice & Sustainable Communities (CEJSC)  
January 22, 2013**

**Room 218 of the House Office Building,  
Annapolis, MD**

**AGENDA**

8:30 am        Introductions

8:45 am        Progress Reports & Development of Next Steps

Business Outreach - Elaine, John K, John Q, and Dick

- Next Steps:

Planning and Counties Outreach - **Arabia**, Calvin, & Lisa

- Next Steps:

Academic Community – **Karen**, Caroline, & Scot; Rebecca & Dr. Wilson

- Next Steps:

Title VI – **Robin** & Vernice

- Next Steps:

CEHPAC - **Nancy** & Cliff

- Next Steps:

Legislative Outreach - Jennifer P. **Jennifer B-D**, Delora, & Lisa

- Next Steps:

Other Action Items:

- Nancy & Lisa - work on potential discussion with Ruth Lindberg on Health Impact Assessments regarding the Intermodal rail project

10:15 am        Other Business

10:30 am        Adjourn

**Maryland Commission on Environmental Justice & Sustainable Communities (CEJSC)  
Meeting**

**January 22, 2013, 8:30am, Annapolis, MD**

**In Attendance:**

- Commissioners: Calvin Ball, Nancy Servatius for Cliff Mitchell, Lisa Nissley, Vernice Miller-Travis, Andy Fellows, Christine Hill
- Participants: Jen Brock, John Sheff

### **Introductions, Attendance & New Members:**

Lisa mentions that the Commission is trying to fill the affected community spot on commission. Lisa has reached out to various offices because four commissioners are no longer available to serve. Chris Hill (MD Sierra Club) has been invited to become a commissioner and is participating in her first meeting as such.

Calvin is frustrated with the lack of attendance and is interested in encouraging better participation from all Commission members.

Lisa asks Andy if he would switch his position to that of an advocate. Now, however, the commission needs another community representative, another local person and two health people. Some of these duties, however, could overlap.

Jen recommends that the Commission reach out to Rebecca Ruggles of the Maryland Environmental Health Network to find potential committee members. Calvin suggests that the Commission look at the University of Maryland conference attendees – there are about 450 – to find potential new Commissioners. Jen mentions that the offshore wind organizers could be a possibility in addition to the EJ specialists at the local health departments. Calvin recommends that for February’s meeting the Commission should have a solid list of candidates and that the Commission will also remind current members of the need to attend regularly.

### **Title VI:**

Lisa suggests that, since Robin has not been available due to health issues, the Commission shelve Title Six activities until she is ready to take it on again. Vernice asks if the Commission can focus on MDE’s responsibility regarding Title 6, to which Lisa replies that MDE is currently in the process of hiring a manager of its Fair Practices Office. Vernice wants Fair Practice Office needs to be addressed at a higher level within MDE before any hire is made. Lisa recommends that the Commission engage MDE Deputy Secretary Kathy Kinsey on this issue. Vernice volunteers to draft a letter to MDE’s Executive Staff explaining the Commission’s position on this issue.

### **Business Community:**

The regulated business community is not regularly represented in this group. Calvin believes that this needs to be priority for the group because without the business community, the Commission is just preaching to the choir. Lisa recommends having an offline call between meetings to get things rolling on this issue. Last summer CEJSC had an outreach meeting with business that was very successful but because of the economic climate the commission has pulled back on this initiative.



Andy points out that the business community is not really engaged on these issues. Its feeling is that this commission is only good when something bad is about to happen. Calvin recommends organizing a roundtable with some economic development leaders and DBED to explain what EJ is and how it affects them. John mentions that this effort could be tied to Governor's Office's Fast Track program in terms of permitting.

Calvin thinks that there needs to be an educational effort made regarding the distinctions between local, state, and federal authority on land use issues and zoning. There is always conflict between state and local officials on land use. For example, last year's septic bill was passed by the state but rejected by most local representatives. Getting a few people at MACO to vote yes does not mean that the issue is universally accepted. Vernice explains the need to bring people together early in the process. The Commission needs to engage people before issues become problems and everything become contentious.

Jen suggests that since offshore wind is probably going to pass and there is a lot of effort to bring minority businesses to the table that might be a good place to start looking for engaged business leaders.

Calvin commits to looking into having Morgan State host one of the Commission's Retreat meetings in order to engage the academic community.

### **Legislation & Legislator Engagement:**

The Commission needs to identify a number of legislators to whom it wants to make itself available as a resource. Calvin volunteers to make some of these contacts. Andy recommends reaching out to Delegate Bobo and Senator Ferguson.

The big issues in this year's session are Marcellus Shale, which the Governor has put money in the budget to study, and other smaller bills associated with fracking. MDE is in no hurry to start drilling because this issue needs to be studied carefully.

Del. Macintosh has a bottle bill, which is unlikely to pass the Senate. Del. Washington has a bag bill, which could pass in the House. Environmental Matters did a lot last year and wants to stay relatively quiet this year.

Jen mentions that the Bag bill is designed to change people's lifestyles in terms of funding reusable bags for people who cannot afford them. The septic bill is getting some repeal action so the Commission needs to be aware of that. The storm water management bill is being looked at in terms of exemptions for state owned properties.

The fracking moratorium bill is dropping this week – Zirkin and Raskin in the Senate and Mazuer and Holmes in the House – and it rates the risk of fracking on a scale of low, medium, or high.

Offshore wind is going to pass but the fight will be the strength of the bill.

Calvin suggests that offshore wind (OSW) is a real opportunity to get the business community on our side. Jen knows that support for OSW is high, particularly among the African-American community because of air quality issues relating to asthma.

The pesticides bill is in the initial stages. Lafferty is the sponsor in the House. Senate sponsor is in development. The bill seeks to identify the users of pesticides in the community and then identifying the known effects. This bill has a good chance of passing.

Calvin thinks that Mary Washington is a strong candidate to become involved in Commission. Jimmy Malone is a good resource as well. Andy mentions Joanne Benson from the 24<sup>th</sup> district as well as Lisa Gladden as good legislators to engage on EJ. Chris mentions Delegate from Vaughn as a good candidate for engagement. Lisa believes Senator Ramirez is a good option, too. Lisa asks if Kiefer Mitchell could be receptive in addition to Luke Clippinger from Baltimore City, who is very connected to his community. Finally, Chris asks if Senator Muse might be a good candidate for engagement.

### **Adjourn**

**The next CEJSC meeting is scheduled for February 26, 2013 in room 218 of the House Office Building, Annapolis, MD.**

## **Commission on Environmental Justice & Sustainable Communities (CEJSC) February 26, 2013**

### **Room 218 of the House Office Building, Annapolis, MD**

#### **AGENDA**

8:30 am      Introductions

8:40 am      Membership Update – Lisa to continue outreach and reach out to Dr. Wilson; All consider potential appointees for affected community position

8:45 am      Progress Reports & Development of Next Steps

Business Outreach – John Q, John K, Dick, and Elaine

- Next Steps: Offline conference call to set goals/action items

Academic Community – Carolyn, Karen, and Scot (with Rebecca Rehr & Dr. Wilson)

- Next Steps: Call to set goals/action items

Legislative Outreach – Chris Hill, Calvin, & Lisa

- Next Steps: Organize one pager, begin outreach to legislators listed at January meeting

County Outreach- Arabia, Calvin, & Lisa

- Next Steps: Work on two pager for outreach; MACo outreach post session

#### Title VI – Vernice and Robin

- Next Steps: Call with Kathy Kinney. Vernice will draft a letter to leadership at MDE and other agencies on importance of Title VI.

#### CEHPAC Report- Nancy/Cliff

- Next Steps: Nancy continues updates to each group

10:15 am Other Business

10:30 am Adjourn

### **Maryland Commission on Environmental Justice & Sustainable Communities (CEJSC) Meeting**

**February 26, 2013, 8:30am, Annapolis, MD**

#### **In Attendance:**

- Commissioners: Calvin Ball, Dick Fairbanks, Nancy Servatius for Cliff Mitchell, Lisa Nissley, Vernice Miller-Travis, Andy Fellows, Christine Hill, Scot Spencer, John Kotowski, John Quinn and Caroline Varney-Alvarado
- Participants: John Sheff, Ann Goldscher for Liz Bobo and Adrienne Diaczok

#### **Introductions, Attendance & New Members:**

Lisa announces that Dr. Taylor is joining the commission and mentioned that the Affected Communities position is still vacant. Dick has four recommendations:

- Linda Towe might be a possibility; the Commission should invite her to a meeting in April in Baltimore.
- Chris Delaport is a former Parks and Rec. director from Baltimore City.
- Abby Cook works in the Baltimore City Office of Sustainability.
- Candace Thompson is former environmental/outdoors editor at the Baltimore Sun. Supported limited fish catch in the Bay.

Lisa reached out to Del. Olszewski for recommendations on Affected Communities commission members.

#### **Business Outreach**

Lisa describes the conference call on business outreach that occurred between this meeting and January's. The main points are outlined below:

- The Commission must reach out to business community where they exist rather than attempt to draw them to the commission.

- MDE can insert language into existing paper work relating to permits on how business community can affect EJ and how it can affect the business.
- MDE's Green Registry is a potential resource to find business open to discussing EJ issues. The Commission could suggest Sue Brigham speak at the annual Green Registry Banquet.
- Utilize DBED listservs to reach businesses.
- John Quinn notes that this as a gradual educational process with the business community.

#### Next Steps:

- Lisa is to pull together existing materials, e.g. permit applications where EJ language might be added. This is mostly likely to happen in May when session is finished.
- Lisa to follow up with the Green Registry.
- All commission members to forward potential EJ website content to Lisa.
- Lisa to work with MDE IT regarding email outreach and MDE Facebook page.
  - Work to broaden scope of weekly email to appeal to broader audience.
- Elaine took on ideas for using DBED lists.

#### **Academic Outreach**

There was a conference call regarding reaching out to Dr. Wilson at the CEEJH at the University of MD. The details of that call are outlined below:

- The question of whether Dr. Wilson can take on an intern to help communications between his office and the EJ commission was raised.
- There are a lot of EJ studies going on in Dr. Wilson's program and elsewhere (Univ. of Baltimore – Jacob Franze Institute) that could be useful for the commission. The Commission must broaden the scope of its academic search beyond Dr. Wilson.

#### Next Steps:

- Lisa to set up academic roundtable for April meeting.

#### **Legislative Outreach**

The question of how can we get legislators more engaged in the EJ Commission was raised. The Green Caucus is possibility although this group is reorganizing at the moment. The Citizens Campaign for the Environment is trying to get the Green Caucus back together and so an outreach effort should be made to them.

The issue is that most legislators don't necessarily know about the Commission and there needs to be an educational focus before real recruitment can begin. Because legislators are very busy during session it might be a good idea to try to engage them during the rest of the year.

#### Next Steps:

- MDE is working on a one-pager to distribute to legislators and this should be wrapped up during the next week if possible. Nicholas will forward Commission members for comments.
  - The email and one-pager could come from a legislator's office for greatest impact.

- Calvin and Lisa are to draft an email to every legislator announcing the Commissions' message and charge.

### **County Outreach**

Once the legislative one-pager is complete, it will be used as the basis for a memo for the counties. Calvin suggested it should try to answer the question, "Why would county planning officials want to look at this issue?" Commission members should think about 1-2 county officials who might be willing to look at the one-pager before it's sent out to the larger group. This would be before it is sent out to MACO's summer conference. The memo should include an example of an EJ issue. Can the memo seek to link EJ with the larger "sustainability" issue? The memo should also incorporate jobs/economic development in some way.

### **Title VI**

Lisa has offered to arrange a call between Vernice and MDE leadership on this issue. Vernice should get back to Lisa with a date that works for her. Vernice is going to follow up with Robin directly before March meeting as well.

Vernice shared that EPA is working to better establish Title VI enforcement – Bob Perciasepe is leading this effort. Bob has said he is willing to come to MDE to discuss Title VI.

There is a Title VI conference at the Baltimore Metropolitan Council (BMC) this spring. This info should go on the website and email. The Commission should seek to co-sponsor this conference. There is a federal conference on EJ in DC this summer at which Vernice is speaking on Title VI. Vernice will get info to Lisa to share with the group.

Next Steps:

- Vernice is to draft letter with Chris to agencies about Title VI
- Vernice to get dates to Lisa for meeting with Kathy.

### **CEHPAC**

- Nancy reported that CEHPAC main issues are now related to the following:
  - Consent form for tanning beds for kids under 18.
  - The pesticides bill.

### **Ethics Forms**

- Reminder: forms due April 30<sup>th</sup>

### **Baltimore Sustainable Communities Initiatives**

- Re-launching at University of Baltimore March 25 at 3pm
- Scot to send info to Lisa to share with group

**Commission on Environmental Justice & Sustainable Communities (CEJSC)  
March 26, 2013**

**Room 218, House Office Building  
Annapolis, MD**

## AGENDA

8:30 am Introductions

8:40 am Membership Update

8:45 am Progress Reports & Development of Next Steps

Business Outreach – John Q, John K, Dick, and Elaine

- Next Steps: Elaine to identify DBED lists we might utilize for outreach, Lisa to speak to Green Registry contact and gather permit materials that might include EJ language (May)

Academic Community – Caroline, Karen, and Scot (with Rebecca Rehr & Dr. Wilson)

- Next Steps: Lisa to organize academic roundtable for April with Dr. Wilson

Legislative Outreach – Chris, Calvin, & Lisa

- Next Steps: Circulate one pager, begin outreach to legislators listed at January/February meetings once complete

County Outreach- Arabia, Calvin, & Lisa

- Next Steps: Work on one pager for outreach; MACo outreach post session

Title VI – Vernice and Robin:

- Next Steps: Vernice to get back to Lisa with dates for call with Kathy Kinsey. Vernice to draft a letter to leadership at MDE and other agencies on importance of Title VI with Chris Hill.

CEHPAC Report- Nancy/Cliff

- Next Steps: Nancy continues updates to each group

10:15 am Other Business

10:30 am Adjourn

No Minutes for the month of March – No Attendance at meeting

### **Commission on Environmental Justice & Sustainable Communities (CEJSC) April 23, 2013**

**Room 218, House Office Building  
Annapolis, MD**

## AGENDA

8:30 am Introductions

8:40 am Membership Update

8:45 am Progress Reports & Development of Next Steps

Business Outreach – John Q, John K, Dick, and Elaine

- Next Steps: Elaine to identify DBED lists we might utilize for outreach, Lisa to speak to Green Registry contact and gather permit materials that might include EJ language (May)

Academic Community – Caroline, Karen, and Scot (with Rebecca Rehr & Dr. Wilson)

- Next Steps: Lisa to organize academic roundtable for April with Dr. Wilson

Legislative Outreach – Chris, Calvin, & Lisa

- Next Steps: Circulate one pager, begin outreach to legislators listed at January/February meetings once complete

County Outreach- Arabia, Calvin, & Lisa

- Next Steps: Work on one pager for outreach; MACo outreach post session

Title VI – Vernice and Robin:

- Next Steps: Vernice to get back to Lisa with dates for call with Kathy Kinsey. Vernice to draft a letter to leadership at MDE and other agencies on importance of Title VI with Chris Hill.

CEHPAC Report- Nancy/Cliff

- Next Steps: Nancy continues updates to each group

10:15 am Other Business

10:30 am Adjourn

**Maryland Commission on Environmental Justice & Sustainable Communities (CEJSC)  
Meeting**

**April 23, 2013, Baltimore, MD**

In Attendance

- Commissioners: Calvin Ball, Dick Fairbanks, Andrew Fellows, John Kotoski (by phone), Andrea Kidd Taylor, Elaine McCubbin, Lisa Nissley, Larry Polsky, Nancy Servatius for Cliff Mitchell, John Quinn, Caroline Varney-Alvarado
- Participants: Rebecca Rehr (by phone), Rebecca Ruggles, Crystal Heide, Sacoby Wilson

The meeting began with introductions from all present and participating by phone. Lisa updated everyone on efforts to fill the vacancies on the Commission. Dr. Andrea Kidd Taylor of Morgan State University is joining the Commission as a representative of the health field. Dr. Larry Polsky, Health Officer for Calvert County, will serve as a local government representative.

Finally, we have invited Dr. Alexis Aguilar of Salisbury University to serve as a member with an interest in EJ. He will begin to attend next month. That leaves just one vacancy for another affected community member and we do have some leads in that area.

### Business Outreach

Lisa spoke to the person who manages the Green Registry at MDE, but there does not seem to be many opportunities to collaborate. The person did agree to share information we suggest as it is appropriate. Lisa is going to mention it to the person who supervises both of them in case she becomes aware of opportunities. Lisa will begin to work on the project of finding permitting materials that MDE might be able to add information about EJ, such as instructions or information letters. John Quinn spoke about framing this conversation. The thought is to present the benefits of addressing EJ issues up front before they become a larger issue for a project which can save costs and time for the businesses. He suggested we start with the larger permits.

Elaine updated on research she has done at DBED for better communicating about EJ. There is a new webmaster who she will be speaking to about placing articles in e-business publications, specifically one named Pulse. She had several ideas for articles which other Commissioners added to:

- a write up on the Sustainable Communities program out of UMD
- Highlight BCorporations
- Highlight Green Registry Program and consider doing some sort of award for EJ via the Green Registry; that led to an idea about the Sustainable Growth Commission awards and perhaps incorporating EJ there
- Highlight Green Travel Partners, including the National Aquarium
- There is an EPA document on creating sustainable communities that might be relevant to businesses. Rebecca will share that with Elaine
- Hospitals are greening, highlighting that may be an option
- Small businesses in Baltimore have their own currency now - BNotes - might be of interest
- Article about the Institute of Policy Studies which uses a genuine progress measurement for the economy

Caroline mentioned doing the same on the Smart Green and Growing website. Dick noted we should always point out the benefit to business of supporting EJ up front.

### County Outreach

Lisa circulated the EJ 101 for County Outreach that MDE has developed with the input of the Commission. She has asked for any other thoughts or comments to be emailed to her.



Calvin discussed options for working with MACo, perhaps by targeting the planners. Someone additional suggested reaching out to the health officers. Calvin will try to find out when the upcoming planners meetings are scheduled. There was a thought that we do target outreach similar to what we have discussed for business outreach. Lisa mentioned the MACo Blog and said Les Knapp had previously said they were open to that. We could consider a quarterly post, but we would need to develop a list of ideas for the posts so that we aren't struggling to come up with something each time.

We would also like to be considered for a EJ related session at MACo.

Calvin shared information about the Diversity Caucus he is working with. The group is designed to look like the Women of MACo group to provide mentoring and networking opportunities for minorities serving in local government. This year they will be having a luncheon at the summer conference. It may be an opportunity to bring up EJ.

#### Legislative Outreach

Calvin explained that we are looking for opportunities to introduce ourselves as a resource for legislators, but are working on finding the correct way and time to do that. He has reached out to our legislative members, but like most legislators, they have taken a post session break and have been out of town. He will continue to work on that.

Lisa has circulated the EJ 101 paper that was completed by MDE interns with assistance from the Commission and MDE's Office of Communications. The Commission has suggested this be shared with legislators. Calvin will be discussing this with our legislative members when the connect.

We will review EJ related bills at the May meeting with CEHPAC.

Rebecca Ruggles suggested when we connect with Senator Ferguson, we might also want to have a conversation about EJ and his own community specific to his thoughts on addressing public health concerns.

Title VI was held since Vernice and Robin were not able to attend. At last discussion, Vernice was to draft a letter to leadership at MDE and other agencies on importance of Title VI with Chris Hill.

Nancy reported on recent CEHPAC meetings. The Council recently finished reviewing recommendations on tanning bed use by teens and they will be going to the Secretary of DHMH. Next, they will be looking at recommendations on BPA. They are also interested in work that will be done as a result of HB 303: Task Force to Study Point-of-Care Testing for Lead Poisoning. Next month's CEJSC meeting is a joint meeting with CEHPAC.

## Academic Community

Dr. Wilson joined the meeting to discuss how we can partner with UMD to place interns and share ideas for student projects that would further the EJ conversation in Maryland. He filled the Commission in on recent work of CEEJH and relevant events he has participated in. He also reviewed what classes will be offered over the summer and fall related to EJ. For capstone projects, the Commission would be the “customer” and could be used to inform legislators, other policy makers. Calvin pointed out we should consider the charges of the Commission as we develop these ideas.

Ideas for collaboration were brainstormed:

- Information related to lead/upcoming lead legislation
- Pesticides task force - is certain data needed...what is the data needed for; also connecting what is currently tracked, what would be tracked, and the migrant worker population
- Look at health enterprise zones

Next steps would need to be to develop a formal plan of what the interns would be doing, and generate ideas for projects. Rebecca Rehr will share her concept papers from her own capstone so the Commission has a clearer idea of what is needed. Andrea may have some useful supporting materials too. We hope to have the examples by the end of next week (May 3rd) and would plan a call for the week of the 13th.

We would need something developed for the summer interns by the end of May; something for fall projects by the end of July.

### Other Business:

The minutes from February were moved and accepted. One name correction will be made.

Lisa reminded members that some still need to share their paperwork for reappointments. Also, Ethics Forms are due by 2012 members by April 30th. They should submit these directly to the Ethics Commission. It can be done online.

### Adjourn

**The next CEJSC meeting is scheduled for May 28, 2013 at 9:30am at Montgomery Park.**

**Commission on Environmental Justice & Sustainable Communities (CEJSC)  
Children’s Environmental Health Protection Advisory Council (CEHPAC)**

**Annual Joint Meeting  
May 28, 2013**

**Aeris Conference Room, Montgomery Park  
Baltimore, MD**

**AGENDA**

- 9:30 am      Introductions
- 9:45 am      CEJSC Update from Chairman Calvin Ball
- New members
  - Focus on building a network
  - Outreach to 4 sectors - Community & Academic, Local Governments, Business, and Legislation
  - Appointed a representative to report back on CEHPAC meetings
- 10:00 am      CEHPAC Update from Chairman Clifford Mitchell
- Tanning in minors - evaluation of current regulations
  - Marcellus shale activities and children's health
- 10:15 am      Issues of Interest & Legislation
- Lead Reduction
  - Climate Change
  - Pesticides
  - Biomonitoring
  - Marcellus Shale Drilling
  - Environmental Contributions to Cancer
  - MD CEH Progress – challenges, opportunities, overlapping issues
  - MD Green Building Council - IgCC review and overlapping issues
- 11:15 am      Other Business & Announcements
- 11:30 am      Adjourn

**Commission on Environmental Justice & Sustainable Communities (CEJSC)  
Annual Joint Meeting with  
Children's Environmental Health and Protection Advisory Council (CEHPAC)  
May 28, 2013  
Aeris Conference Room 1800 Washington Blvd.  
Baltimore, MD**

**In Attendance:**

CEJSC Commissioners: Calvin Ball, Lisa Nissley, Caroline Varney-Alvarado, Larry Polsky, Nancy Servatius, John Quinn

Participants: Veronika Carella, Jed Miller, Crystal Heidi, Michelle , Ed Crow, Brigid Kenny, Rachel Hess-Mutinda, Julian Friedman, Rebecca Ruggles, Andrea Kidd-Taylor, Rebecca Rehr, Nancy Jacobs

Introductions were made by all present.

### **CEJSC Update**

Lisa explained that this year the Commission has concentrated on building a network of people aware of EJ. The thought being, these people are out in the communities, businesses, government, etc, doing work that affects EJ, let's raise the issue so they are aware as they do their work. Our areas of concentration are Communities via Academic Outreach based on a UMD effort, County Outreach, Business Outreach, and Legislative Outreach.

Veronika commented on the importance of local development and zoning regulations. Veronika noted how in Howard County there is a car painting facility near a K-12 school. On the other side there is a funeral home.

### **Updates**

Brigid Kenney updated the group on Marcellus Shale work at MDE. She told the group that all applications have been withdrawn to this point and that the commission is going to meet to discuss best practices, whether and how to allow, and other potential impacts. A draft of part II of the report will be released soon. Their next meeting is on June 10<sup>th</sup>. MDE is using 1 MM for additional baseline monitoring. In addition to an economic study of positive and negative economic impacts, there will be a public health study. The appropriation is a FY 13 appropriation and the group is working on an MOU on a work plan on the public health study. Brigid said that the plan will allow for public input and studies must be completed by August 2014, although data monitoring will be continuing after that. Rebecca Ruggles wanted to know whether the MOU would be sufficient to encumber the funds. Brigid also discussed information on the MDE website.

Bruce Bereano, who was there for American Suntanning Association, addressed comments to CEHPAC regarding the regulation of the use of tanning beds by underage children. A form was recently developed by DHMH and it is currently open for public comment before it will be finalized. His understanding was that there would be a further meeting of the Council. He felt that the form was dramatically changed since earlier discussion and that the process was not fair. Mr. Bereano noted that a press conference was already held by and reported on. He noted that an additional meeting was held by Secretary Sharfstein with members of the medical community. He went on to say that the General Assembly has not killed tanning and that the statute has nothing about a six month limit. Mr. Bereano said that regulations have to be in the scope of the law and feels the Council should come back to the Department and oppose the form; the

regulations changed from may to shall. He feels the background department is also misleading. Overall, Mr. Bereano don't think the process has been fair.

Robin Eason , the President of MITA said that tanning beds have been singled out as cause of skin cancer. She said the text on the form has been dumbed down to scare parents. Vitamin D3 is necessary for optimal health because it prevents rickets and rickets has been making a comeback in Britain and Wales. She added that there is no conclusive evidence that tanning causes cancer and the worst case would be that the risk has increased.

Senator Jacobs mentioned that the worst culprits are nail salons, other similar industries and noted that she has been prescribed Vitamin D2 to heal her stress fracture. Senator Jacobs said that she wants to meet with Secretary Sharfstein about this issue and that parental consent forms have not been shortened, like Robin mentioned.

### **Pesticides**

There is legislation this year on pesticides which was amended to create a workgroup to look at the issue. Cliff will describe the workgroup in July once it is named. Veronika noted a request to the Council on how to better protect children with existing legislation. There was a question from a Commission member about green cleaning products and Veronika and Ed responded.

Biomonitoring

Cliff reported there is no new state activity on this topic.

### **Marcellus Shale**

Cliff mentioned he is happy to collect comments if the two commissions would like to submit something. There is value in having CEJSC consider the impacts of development from an EJ and sustainability perspective. Julian noted that you need to look at the science carefully and asked if it is incumbent on CEJSC to be involved in the process? Veronika notes the potential impact of drilling activities on children.

### **Workgroup on Cancer**

Calvin Ball told the group that the American Cancer Society CPS III is enrolling people now to look at people 30 to 65; Calvin noted importance of enrolling people of color, women enrolled in the project.

Veronika of the MD Environmental Health Network , Children's Environmental Health, said that there was a 25% increase in incidence of diseases. Now have an environmental health network. Rebecca Ruggles noted activity of the MD Environmental Health Network. Veronika stressed the value of sharing information.

Anya Caldwell, Maryland Green Building Council, told the group that the Council is reviewing the International Green Construction Code and it would mandate an IEQ plan during construction. They are looking at toxins and contaminants and dealing with State construction.

Caroline Varney said that codes renew every 3 years and currently we are thinking about adoption for state buildings. This will affect LEED certification.

Andrea said that the issue of lead still a very big issue, along with pesticides and schools. Zoning and new building construction may be a specific issue.

### Adjourn

**The next CEJSC meeting is scheduled for June 27, 2013 at Montgomery Park.**

**Commission on Environmental Justice & Sustainable Communities (CEJSC)  
June 27, 2013**

**Montgomery Park  
Baltimore, MD 21230**

### **AGENDA**

9:30 am Introductions

9:45 am Progress Reports & Development of Next Steps

Business Outreach – John Q, John K, Dick, and Elaine

- Next Steps: Lisa to share progress on MDE/permit materials update; At meeting, set next steps for outreach through DBED

Academic Community – Caroline, Karen, and Scot (with Rebecca Rehr & Dr. Wilson)

- Next Steps: Have a call w/Dr. Wilson on next steps

Legislative Outreach – Chris, Calvin, & Lisa

- Next Steps: Continue outreach efforts; discuss next steps, targeting

County Outreach- Arabia, Calvin, & Lisa

- Next Steps: MACo outreach post session

Title VI – Vernice and Robin:

- Next Steps: Vernice to get back to Lisa with dates for call with Kathy Kinsey re: Fair Practice (no longer necessary). Vernice to draft a letter to leadership at MDE and other agencies on importance of Title VI with Chris Hill.

CEHPAC Report- Nancy/Cliff

- Next Steps: Nancy continues updates to each group

11:00 am Other Business  
Retreat  
Minutes

11:30 am Adjourn

**Maryland Commission on Environmental Justice & Sustainable Communities (CEJSC)  
Meeting**

**June 27, 2013, 9:30am Baltimore, Maryland**

In Attendance

- Commissioners: Lisa Nissley, Chris Hill, Bill Ferguson, Calvin Ball, Vernice Miller Travis, John Quinn, Dick Fairbanks, Arabia Davis, Linda Janey, Paul Wiedefeld (for DBED), Robin Underwood
- Participants: Destiny Watford, Greg Sawtell, , Rebecca Ruggles, Diane Brown, Crystal Heide, Michelle Romney, Samantha Zwerling, Stephanie Cobb Williams

Introductions were made by each attendee.

Progress Reports

Academic Outreach

Those interested in academic outreach had a call with Dr. Wilson to discuss the ongoing project. Our next call is scheduled for July 9<sup>th</sup> at 3:00pm. Dr. Wilson is working on an Environmental Justice Center that will work with communities to promote justice. The Commission is working to collaborate on this project with him. Lisa mentioned the fact that many times the Commission realizes that the state is in need some sort of data, but does not have the resources to do the research. Students are required to do certain types of projects for their degree in public health and may be able to work on these issues as projects. This would help fill the information gap. For example, one idea floated was having students could potentially create a survey tool for communities that could help us find out what each community needs to work on EJ issues. Pesticides could be another topic that these students work on. Lisa suggested taking some time at the retreat to really iron this out. Vernice mentioned that there is a whole arena of community/university partnerships in relation to EJ all around that country that we could model this after.

Legislative Outreach

Calvin mentioned they are eager to make connections with members of the Maryland General Assembly. They questioned reaching out by interest in the environment, geography, diversity, etc. Sometimes it is also hard to know when the best time to reach out is. The Commission doesn't necessarily want to work on individual pieces of legislation, but rather raise the profile of EJ so it is being considered when policy is moving forward.

Senator Ferguson mentioned that there is always an underlying question of power. If the commission is empowered, the legislature will listen. There are also some other models of commissions such as the Chesapeake Bay Commission. Some people suggested that the Chesapeake Bay Commission is listened to because they have a budget and dedicated staff. Senator Ferguson suggested that if CEJSC wanted to have power, it needs to pick a fight. That fight might be to get funding. Lisa pointed out that the Bay Commission has a different charge, so it's hard to compare the two. The Bay Commission was given specific charges, while CEJSC is meant to advise the Governor. Senator Ferguson offered to take something to the legislature when the time comes.

Dick reminded everyone of the importance of reaching out to the minority party as well. Others suggested we get non-profit organizations involved as well. Linda mentioned we could speak to all of the cabinet secretaries and make sure there is an EJ component being considered in every policy. Calvin reiterated that we want to make sure that we're strategic and not just looking to get 5 minutes. Need to make sure that we have a plan of action. This may be another topic for the retreat.

#### County Outreach

Lisa told the group that there is a two-pager already made up that can be used for county outreach. Last time the group talked about more outreach to MACO. Lisa mentioned that MACO's summer conference is coming up, but the group agreed that they are not ready to present at the conference. During the retreat, the group needs to prioritize some outreach strategies rather than trying to pursue everything. There have been some successes with Plan Maryland, so we can use that model.

Vernice mentioned she is interested in the work Adam Ortiz is doing in Prince George's County's Sustainability Office. The group could look at ways that his office could be aligned with us and that we could help with. The group suggested bringing him back as a speaker at the retreat

#### Title IV

Robin told the group that last year, they had planned to meet with all of the state agencies to make sure they have a Title IV program. Unfortunately, this didn't happen due to complications. Robin suggested starting outreach again with a letter to all fair practices offices in the agencies. Vernice clarified that every single agency that receives federal dollars must be compliant with Title IV. Currently, there are violations all the time because people don't understand what Title IV means, or don't realize that they must be compliant. Vernice explained that the EPA is currently drafting new guidelines to make it clearer for people. They are taking public comment right now. It's going to impact MDE and there needs to be some preparation so MDE is not caught off guard. Lisa told the group that MDE has been pretty active in the discussion about these guidelines with EPA so it should not be an issue. Robin will have a draft of the letter by the retreat

#### CEHPAC

Our last meeting was joint with CEHPAC and there has not been another CEHPAC meeting since, so nothing to report. Lisa mentioned that Cliff had been in touch regarding HB 1433



which develops a workgroup to look at cancer clusters. DHMH is looking for suggestions of members who have an EJ background. Please forward any thoughts to Lisa so she can share with Cliff. It may be a commissioner or someone else.

#### Retreat

The retreat is scheduled for July 23 and typically runs from 10am-4pm. Lisa told the group that we are still looking for a location. Some options are Morgan State, Annapolis, West Baltimore. Since CEJSC does not have funds, it's imperative that the location is free. There are usually a couple of speakers at the beginning of the retreat. Adam is a possibility for this. Also, we could have Dr. Wilson for a discussion on the academic project. In the afternoon we could do some small group brainstorming with an emphasis on coming up with action items. It seems like we need the most time for discussion of Title VI, county, and legislative outreach; perhaps less time for state representatives, business, and CEHPAC.

Lisa emphasized the need to lock down a location by next week.

#### Other Business:

The minutes from the April meeting were accepted unanimously.

Destiny made an announcement about work she is doing to stop an incinerator from being built in her neighborhood. Vernice suggested that MDE could look into the permitting of the facility.

Paul told the group that DBED is looking to write an article for their website about green businesses.

#### Adjourn

**The annual Commissioner's retreat is scheduled for July 23<sup>rd</sup>. Time & location TBD.**

**Commission on Environmental Justice & Sustainable Communities (CEJSC)  
The Commissioner's Retreat, Tuesday, July 23, 2013  
Morgan State University  
Earl Richardson Library**

**Retreat Goal:** To update and prioritize the Commission's action oriented goals and objectives to conform to the CEJSC charge of advising the Governor and the Administration in a manner that is achievable.

#### AGENDA

- |         |  |
|---------|--|
| 9:30am  | Comments from the Chair & Introductions  |
| 9:45 am | Greetings from the Administration: Heather Barthel, Director of Policy and Intergovernmental Affairs |

- 10:00am Roundtable Discussion with Local Sustainability Officers
- 10:30am Work Session: Academic Outreach Efforts with Dr. Sacoby Wilson, UMD
- 11:30 am Review: CEJSC Rules of Engagement & Review of the Commission's Charge
- 12:15 pm Lunch with greetings from Dr. David Wilson, President, Morgan State University
- 1:00 pm Brainstorming Session I: Use of State Representatives, Working with CEHPAC, and Business Outreach Next Steps
- 1:30pm Brainstorming Session II: County Outreach, Legislative Outreach, and Title VI
- 2:30 pm Break for Tour of Morgan's Green Efforts
- 3:00 pm Priority Setting
- 3:30 pm Other news, closing thoughts & comments
- 3:45 pm Adjourn

**Maryland Commission on Environmental Justice & Sustainable Communities (CEJSC)  
The Commissioner's Retreat, Tuesday, July 23, 2013  
Morgan State University, Baltimore, MD  
Earl Richardson Library**

**Retreat Goal:** To update and prioritize the Commission's action oriented goals and objectives to conform to the CEJSC charge of advising the Governor and the Administration in a manner that is achievable.

In Attendance

- Commissioners: Calvin Ball, Dick Fairbanks, Andrew Fellows, Andrea Kidd Taylor, Elaine McCubbin, Lisa Nissley, John Quinn, Caroline Varney-Alvarado, Arabia Davis, John Quinn, Scot Spencer, Chris Hill, Vernice Miller Travis, Karen Forbes
- Participants: Heather Barthel, Angelo Bianca, Samantha Zwerling, Michelle Romney, Dr. David Wilson, Dr. Mary Anne Akers, Dr. Willie Larkin, Dr. Sacoby Wilson, Beth Strommen

**Introductions**

Each member and guest introduced themselves and their relationship to the Commission. Morgan State University Staff, Dr. Mary Anne Akers, Dean and Professor and Dr. Willie Larkin, Chief of Staff to the President, welcomed the group to campus.

**Greetings from Heather Barthel on behalf of the Governor**

“We’re six and a half years into the current administration. I have worked under a couple of Governors, and this administration has set aside politics and looked at what is best for Marylanders and the environment. The Governor’s office came to MDE and wanted to know what we could do in the next 18 months. We have 18 months with an administration that’s very supportive of your efforts. Think about what can be accomplished in the next 18 months. Don’t focus on things that are grandiose, think about how achievable it is.

### **Updates from Lisa and Outline of the Day**

Lisa told the group that there will be two brainstorming sessions throughout the day and that the second one is about broader issues. She told the group that post-its will be passed out and asked Commissioners to jot down ideas throughout the day and put them next to the right header. Lisa told the group that ideas have to fit within the following parameters: the idea should relate back to the Commission’s charge; be feasible; and have an action item.

Lisa told the group that she had a conversation with Adam Ortiz of Prince George’s County and that he is working towards an EJ effort in the county. Adam wants to talk to the Commission, but was unavailable for the retreat.

Lisa explained that Michelle will be covering the Commission while she is on maternity leave.

Lisa then went over the rules of engagement for the day, and reminded everyone to follow these rules since discussions can get heated.

Lisa then reminded the Commission that it has a statutory charge that is very broad. The first Executive Order establishing the Commission was in 1999. Vernice pointed out that the one thing missing from the charge is how to help communities that are having problems with environmental justice, and that’s why she’s been frustrated. Lisa reminded the group that Governor’s Commissions are meant to guide the Governor. Lisa went on to explain that the charge is to be reactive, to a certain extent. The times the Commission has had the most success is when it has done things that are part of its charge; the Commission is limited and everyone needs to acknowledge that.

Calvin reiterated that this conversation is about the charge and that the charge will help the group develop action items. He reminded the group that it has 18 months left in the current administration and the group needs to figure out what they want to accomplish. As Chair, he is going to make sure to keep everyone accountable.

### **Baltimore City Guest**

Lisa introduced Beth Strommen, Director of the Baltimore City Office of Sustainability. Calvin welcomed her and thanked her from coming.

Beth Strommen explained how her group approached the issue. Her commission first did a broad sustainability plan that outlined a plan for success. That plan was adopted in 2009 and they now have 80% of strategies underway and 30% are completed. Next year her commission is going to re-evaluate. Most of ones that they haven’t started are transportation related. Beth

Strommen is very proud of the progress they have made. They framed the document by going out to the community and asking people what sustainability means to them. The Commission decided not to address environmental justice in a single chapter. They thought that was a way to isolate it rather than have it in every aspect. They call it “social equity”. The guiding principles are: translation- speak in the language they understand and inclusivity- whatever the people of Baltimore define as their issue is important to the Commission. The most important thing to people is to reduce energy bills. The other thing in terms of social equality, is framing things in terms of sustainability. To make things good for everyone, these things always need to be balanced: people, planet, and prosperity.

When they did the Baltimore Energy Challenge, Park Heights won. They reduced energy use by 12.3%. They really felt this was important in terms of saving money. They are a member of International Urban Sustainability Director’s Network which allows them to share information, and they are the founding member of a working group on social equity. They have hired a consultant to look at communities across North America.

Calvin explained that one thing that makes the CEJSC unique is that they try to shed light on those communities that are disproportionately impacted by poor environmental practices. He asked Beth Strommen to list some best practices that she uses in communities where businesses are skirting regulations. Beth Strommen explained that they would approach it by not being adversarial, but educational. They would ask questions like: What are you doing? How are you doing that? How does it impact the community? She acknowledged that the CEJSC has previously commented on demolition protocols to tear down buildings while reducing exposure to lead. She said that she wants people to also talk about how to deconstruct buildings rather than smashing them, so materials don’t get in water and air. Baltimore has a huge number of warehouses that sit unused. There may be a better way to approach it than waiting for the market to take it up. She said that she is going to find out where these buildings are.

Andrea asked how they prioritize which issues are more important. Beth Strommen said that the Commission decides. This year, because of the storm water fee, water quality has been a big one. They just did a climate action plan and they’re looking at public health. They have formed a committee on it. Schools are also another big thing they’re looking at. They have a grant program from Constellation Energy which gives schools \$1,000 to do a project. They have found that they outperform non-“green schools.” Some of the things that have been funded are recycling, garden, rain barrels, etc. Since it’s through Constellation, everyone gets trained in energy reduction.

Vernice said that right now there’s a negative connotation when you say environmental justice. She said that she wants as many people working on this as possible, but she doesn’t want to sublimate a thing that is hurting people. She asked how to create a conversation about sustainability that can work across middle class folks and low-income people of color.

Beth Strommen said that with social equity in general, Vernice is right, people run. People think they’re going to get sued. That’s a reason why the Baltimore Commission picked this frame; it allows people to see what they’re doing when it’s safe. They don’t need to feel guilty. This is a large conversation. Baltimore is not afraid to call out things when they’re wrong. The first thing is that there has to be a way of looking through a lens that’s not confrontational. The other is not

shying away from the truth. The Commission put the data out there, and by putting that data out there, Baltimore got money to fix it.

Vernice then asked how diverse is the Baltimore Commission is and the diversity of the conversation?

Beth Strommen explained that their Commission is very diverse. One has to apply to be on the Commission, so it's not political. And, they let people who are not from Baltimore to be on it. It's the only Commission like that. The Commission wanted experts, and it's diverse racially and in terms of skill sets.

Vernice mentioned that there are 2 states (VT and MD) in the country that use the Genuine Progress Indicator (GPI) to measure the wellbeing of the citizens of the state. She asked Beth Strommen how she really sees the state doing. Vernice explained that one looks at not only how much income vs. debt, but to look at other variables. The growing inequality and gives a better look at how people are doing. It can be used to look at progress at equality enhancing policies. We had the least amount of inequity in 1968.

Caroline said that she worked with the beginnings of GPI. It's interesting because it's an alternative to Gross Domestic Product (GDP). It tries to look at how well a state is doing. When she was invited to work with them to develop that, the methodology was from the 1970s. They used an existing framework. When one looks at the issues, some aged well, and some didn't. It worked well because it was up and running very quickly. Race is not one of the factors.

Elaine brought up the fact that Beth Strommen said that priorities come from the Commission. And that the Commission framed efforts in terms of translation, inclusivity, etc. Does the Commission do outreach to the community?

Beth Strommen said that it's a little bit of everything. They are unique in that it's more of an active Commission that does things. Commissioners roll up their sleeves and do things.

Andy brought up the topic of zoning. He asked if the Commission has been able to look at this.

Beth Strommen said that they did, and in fact they just redid their entire zoning code.

Calvin thanked Beth Strommen for a great discussion, and Beth Strommen reminded everyone that they are able to come to any of the Baltimore Commission's meetings. One can find that at [Baltimoresustainability.org](http://Baltimoresustainability.org).

### **A Look at the Effectiveness of the Commission**

Lisa explained that a former Commissioner, Rebecca Rehr, did a paper that was published last year and presented her findings at last year's retreat. Her goal was to analyze the effectiveness of having a state Environmental Justice Commission. Since there are many new members, it seemed to be a good idea to revisit what Rebecca learned. She interviewed everyone and tailored questions to the people. She looked at the annual reports, which are due every October. She thought that the Commission has developed a new lens through which to analyze issues. She thought the Commission was moderately effective, but no one she interviewed thought it

was as successful as it could be. The interviewees highlighted reaching out to business and higher education communication as goals. Many want a better website and want to craft concrete goals. Rebecca then looked at the annual reports. The reports can be grouped into 3 phases:

- 2001-2004- When the Commission started and looked at community engagement
- 2004-2010- The Commission switched to a legislative focus, but did not take a stance on bills
- 2010-Present- The Commission is looking at feasible goals.

Lisa explained that according to Rebecca's research, no one was completely satisfied with CEJSC's business but everyone saw potential. She explained that there needs to be more follow-up between meetings. The Commission used to just inform itself, but now it does more. The group agreed that it needs to identify an environmental justice legislative champion and be more proactive in general. Further, the group talked about developing a majority vote system for deciding on things.

Calvin reminded the group that part of the charge is to advise the Governor. The group asked how they could better be advised of the Governor's position on bills/issues. Lisa pointed out the Governor's position is the Department's position as the Department works for the Governor.

Vernice brought up a concern that the Commission does not have enough interaction with the Governor himself. Lisa explained that the Commission is supposed to use the annual report and the state employees to communicate with him. Calvin said that he would look into having the chair meet with the Governor's staff every so often.

### **Other Commissions**

Lisa asked her colleagues at MDE if they knew of similar commissions they found to be successful. They came up with the River Basin Commission. That commission has set very specific goals and worked to achieve them. They are very focused and that has allowed them to be more influential. Lisa pointed out that the Environmental Justice Commission often keeps moving to different topics.

Lisa's co-workers also mentioned the Lead Commission. They have strong leadership and they are successful when they are focused on a project. Andy said that he thinks Environmental Justice is a politically challenging issue. Environmental Justice is a loaded thing for different people. He said that the suggestion for having a legislative champion becomes more controversial. Speaking for Clean Water Action, Andy said that they will not wait for this Commission to go do stuff. He said that MDE took a more neutral position on pesticides and the Department of Agriculture took a more negative stance. Lisa pointed out that was because lead agencies are based on which article the bill is drafted in and other agencies must defer to the lead agency. Andy went on to say that the Commission should have a more direct voice to the Governor and that individual members are not always going to agree within the Commission. The advocacy community should take the lead and speak for communities. It will be hard for Commission to speak for communities. Andrea then asked if a one-pager could be developed for communities groups, so they know that the Environmental Justice commission exists. Lisa said that was on the to-do list, but they had started with documents for other stakeholder groups.

Lisa then said that she thinks there might be a need for more education on how the Governor and MDE come to decisions. The Commissioners agreed and asked for a brief presentation at the next meeting.

### **Academic Outreach**

Calvin then introduced Dr. Sacoby Wilson of University of Maryland. He said that recently the Commission has talked about academic outreach. The group has been thinking about big class projects, a big major project, or maybe even some thesis type work.

Dr. Wilson has been to some meetings before, and knows that the Commission has talked about having more connectivity to the universities. From a resource perspective, Dr. Wilson said that he teaches 3 classes. He said that he would like to have the Commission provide projects to these students. They can do them individually or as a group projects and as undergraduates and graduate students. He went on to say that this could possibly be integrated into the sustainability minor, or the capstone with the School of Public Health. Dr. Wilson's program is very small and that's why it's important to bridge gaps to the other schools. The biggest problem is that they have a limited amount of students, but the chair of Dr. Wilson's department is very supportive of this initiative.

Calvin went on to say that his passion is higher education and that he would like to look at the relationship between higher education success and environmental justice. Calvin questioned whether in neighborhoods where there are environmental justice concerns, is there a relationship between that and how successful students are in higher education. Researchers can just look at GPA or graduation rate. If the Commission connects with University of Maryland, College Park or Morgan State University, the Commission can look at zip codes, etc. Calvin said that he thinks higher education is a gateway to excellence, and that's what he's interested in.

Dr. Wilson agreed and said that there are some similar things to that already going on such as looking at lead exposure and school success, etc. Zip codes not the best indicators, but that's an instant project. On the other hand, Dr. Wilson said, using some type of STEM frame would be good. He suggested potentially looking at Morgan State University, Bowie State University, or other historically black colleges and universities. That way, those colleges can look at something and then do something about it.

Calvin said that the Commission needs to look at Plan MD through a critical eye and figure out where it is now, and pick a vision that really should be the environmental justice vision. In this vision, how can the Commission do a better job? Maybe the Commission should draft a letter to the Governor. Dr. Wilson said that he has his students doing op-eds and blogs, and that students could write to the Governor as an assignment. Andrea pointed out that she and Dr. Wilson have met with the chairs in their departments to see if the Commission and the school can collaborate. She suggested seeing if the Commission can connect with the environmental science department at Morgan State University because there might be more students there. Dr. Wilson said that he thinks undergraduates need to be the target of this program. Further, Andrea said that the Commission needs to see how we can use these programs more to pipeline. Calvin pointed out that if there are sister institutions, students can continue the research after they move to different institutions. Dr. Wilson suggested it could be a 2 week assignment or a semester long project, depending on what the Commission is doing.

Lisa reminded the group that MDE did some mapping with Dr. Eskin. In 2009 the Department tried to look at every indicator it could think of. They found that one area didn't consistently pop out except East Baltimore, and other states do identification. Vernice pointed out that when you have a national conversation about where environmental justice issues are located; they are saying that environmental justice isn't a huge issue in Maryland, because Maryland exports its hazardous waste to other places. She went on to say that as a population of people, we're doing a good job, but there are still issues.

Dr Wilson said that they have been doing these burden maps. They have been trying to use some other approaches, like capture approaches. They are also doing some weights, looking at hazard mapping. There was nothing about equitable development in Plan Maryland. That could solve a lot of problems and Dr. Wilson was surprised that it was so basic. Calvin pointed out that the challenge is the tension between state and local zoning issues; localities do not want state getting too involved.

Dr. Wilson brought the conversation back to the topic of academic outreach. He said that he wants to have projects that move from class to class. Students could carry something forward for three semesters. Andrea said that the students would have to be in the program, looking for a project of interest. She then asked Dr. Wilson if he is looking for something for several students. Dr. Wilson said that they are going to do a class project on fracking issues. Andy said that with all the data that Dr. Wilson is gathering, and the MDE research, it seems like there's an opportunity to drill down on some areas. He said it seems like this will make a lot of projects. Andy also said that he likes the long term idea of the Anacostia. He gave the idea of an "Adopt the River" project where each school looks at a river that is close to the institution.

Dr. Wilson said that there is going to be Center RFP on river health disparities. He has talked to Fred and they talked about adding the Patuxent River. Dr. Wilson said that he already has connections with people from Bowie and Howard, but not Coppin. They are looking at the Anacostia, Patuxent, and the Inner Harbor. They are called Project Cesar and Rec Anacostia. The projects are looking at photos and the quality of the river so they can improve health. They also have a bio markets aspect, which looks at PCBs in blood and urine. Those are going to become the cores of the project. Andy followed up with saying that one of the strengths of the environmental justice commission is the different agencies that are involved. He thinks getting planning and landscape management students would be a good idea.

Vernice believes that the Commission is the most affect is when it has a particular interest. She suggested that the commission thinks about where each commissioner lives or works, and maybe Commissioners could do a drill down and be the conduit back to the Commission.

Andrea suggested that for her meeting on Friday, they can figure out the Commission's needs. She said that the commission needs to bring in Dean Akers, and that they need a water quality project. Vernice then suggested a project about walkable watersheds. Caroline then suggested projects about indoor air quality and smoking policies. She said that it could be across academic careers.



Vernice then asked if these issues were related back to the Commission's charge. Calvin told the Commission that all of the issues suggested are related to environmental justice, and the Commission is gathering more data to better advise the Governor.

Dr. Wilson then asked if there is a way for to engage on issues like the Chesapeake Bay. He said that he thinks that there's a lot of infrastructure in place, but it's not focused on health. He has a project about 319 funds and the disparities for how they're distributed.

### **President Wilson of Morgan State University**

Calvin introduced President Wilson to address the group.

President Wilson expressed his appreciation for selecting Morgan State to have the retreat. President Wilson then gave an update on what's happening on campus.

Morgan's history is very impressive. The University will be celebrating 150 years in 2017. He said that he knows that they cannot rest on their laurels, but they need to move forward. Morgan State took a year and thought about strategic planning, which resulted in a blue print that is based in growth. He would like to grow the size of the institution; Morgan currently has 8,100 students and they want 12,000 by the year 2021. They specifically want to grow the white, Latino, international, and online populations. Although they want to grow, they do not see themselves as a 20,000 student institution.

Dr. Wilson went on to say that he sees the institution growing as the premier urban research institution of this nation. Morgan State is located in a place where there are many opportunities, but they are not running away from the opportunities and problems of Baltimore; Morgan knows how to be transformative. As the university grows, they need to figure out how to not just be a stepping-stone for the faculty's resume, but instead apply research.

Morgan State wants to go from \$27 million to \$60 million in research grants. Dr. Wilson said that Morgan State has a bunch of pent up capital needs. There is about \$230 million going into capital refurbishments of the campus, including a \$72 million new business school. The school is going to be green and they want to bring it on-line in summer of 2015. They are also building a new behavioral and social sciences building, which should start in fall of 2014. And a year and half later, they are planning to build a health and human services building.

Morgan has students from all around the world. Dr. Wilson stressed that domestic students are competing with global students, and domestic students need to understand other cultures. They are developing relationships with schools all around the world. Dr. Wilson just went to Australia to make connections.

Dr. Wilson continued and explained that Morgan State works a lot with the community. They wanted to make sure that they were in rhythm with the community. That resulted in the Morgan Community Model which is an effort is to ensure Morgan State knows what is going on in terms of environmental issues, public health issues, housing issues, small businesses, etc. They're bringing that back to the faculty. So Morgan State wants to do research that helps the community.

They have formed a partnership with the Baltimore City police, and they take public safety very seriously. Dr. Wilson said that he wants places that people can sit on their porches feel great about their neighborhood. He went on to say that Morgan State has met with the Heron Run Association so they can incorporate that resource. They want to take more advantage of that academically, but they cannot do anything if the community feels like the University is progressing at the community's expense.

Calvin then opened it up for questions.

Vernice asked President Wilson when he thinks about the growth of the campus, is he thinking about the ecological infrastructure. She continued to ask if President Wilson is thinking about increasing the environmental conditions of the city. President Wilson said that they're talking to neighbors about urban farms, etc. They're thinking about this too. They were disappointed in a biking program. The university installed bike racks, but the city isn't working with the university to build bike lanes. President Wilson said it would be really helpful if they could get those things on the periphery of the campus.

Andy, who also serves as the Mayor of College Park, pointed out that College Park is working to get faculty and staff from UMD to live in the community. Andy asked President Wilson if Morgan State is also working on that. President Wilson answered that they're working on the "Live Where You Work" initiative. They've set aside a small amount of money, to give to the faculty and staff to live close to campus. There are certain areas where you get \$5,000, \$3,000, etc. Caroline then asked if President Wilson is working with the match program for the Housing Department. President Wilson said that he will take that idea back to his team. Dr. Wilson then asked if President Wilson was trying to expand that model to the rest of Baltimore. President Wilson said that he wants to be for the city and for the nation. His background is outreach and engagement and when he was at Rutgers, he dealt with how Rutgers Camden could help a very bad community. President Wilson lead an effort to get the waterfront to be designated an Empowerment Zone and the university played a major role in that. He did the same thing in Auburn. At Morgan, they can look at those models. If other institutions want to look to Morgan State, that would be great. They want to focus their attention on the neighbors that are in Morgan State's backyard. President Wilson wants parents to feel good about dropping their kids off.

### **The Commission then took a break for lunch**

### **Follow-Up from Other Meetings Related to Business & State Agency Representatives**

Lisa explained that she represents the Secretary of the Environment at these meetings, so she needs concrete things to bring back to him. Other designees need the same.

On business, John expressed a need for more broad communication. He wants to insert environmental justice frequently rather than compressively. And, he also wants to think about how to inject community participation in the permitting process. Sometimes at Constellation and Exelon there is a check box. It doesn't make people do it, but it makes people think about it. Angelo said that the better you communicate, the better it is on both ends. The company gains some long-term benefits in terms of PR.

Elaine said that she has tried to do articles on businesses that are doing things for the environment. They have a business blog. There are businesses that have a social conscious; they have a triple bottom line. In 2010 the legislature made a new type of corporation, the “Benefit Corporations”. She said that she’s going to work with Amy Kincaid with a company called “Change Matters,” and that they’re trying to prop up benefit corporations.

Lisa reminded the group that a couple of meetings ago the Commission said it would give materials for blogs that are already created. Vernice said that there is a website to consider called [triplependant.org](http://triplependant.org)

### **Brainstorming on Title VI**

Vernice had the first idea, which was a roundtable on MDOT. She explained that the audience would be the state agencies. The federal DOT is so aggressive on Title VI compliance, but MDE gets no guidance from EPA. That needs to happen from the parent agencies. Vernice volunteered to take charge of this. She mentioned that Robin might be able to help her.

It was also mentioned that if members think MDE is out of compliance with Title VI, there needs to be specific examples that Lisa can take to senior staff. Robin is working on a memo with environmental justice concerns related to Title VI. Vernice said that EPA put out in May a document on how to be compliant with Title VI. Lisa pointed out that MDE has been very proactive on that.

### **Brainstorming on County Outreach**

Andrea brought up the idea of how to disseminate the environmental justice one-pager to community groups and associations. Calvin said that he thought the Commission should send things to county officials, but now he’s seeing they should be sent to the planning directors. They might understand what can happen, and then the commission can move to the elected officials. Lisa asked if this would happen through MACo, but Calvin thought the one-pager would go directly to them. Lisa explained that there’s already a one pager developed. Andrea suggested a cover letter from the Chair of the Commission about some feedback mechanism to come back to the Commission. Andy mentioned the idea of inclusion, so they can give information about their county. Calvin said that the one-pager should really be the start of a conversation. Then the Commission will call the counties and ask them how things are going. Calvin volunteered to be in charge of this.

The second idea was a conversation with Adam Ortiz on Prince George’s County’s efforts. Lisa will reach out to Adam to confirm the meeting and set details. Vernice and Andy will otherwise take the lead. Calvin then suggested having a meeting in Prince George’s at some point. Lisa said that the December meeting is usually more in-depth, and this might be a good time to invite Adam.

Andy gave the idea of implementing inclusionary zoning. He doesn’t know how many communities are doing it, but there’s a lot of displacement. Andy said that there needs to be a way to make sure low income areas are being maintained. Inclusionary zoning is a good tool to do this, but it’s very difficult and developers don’t like it. Calvin said that Howard County has had inclusionary zoning plans for years and last month it was ramped up to a new scale. It got a

lot of push back. Andy then suggested maybe doing best practices instead because gentrification is an issue. The group will reach out to the counties and ask for best practices. Then there will be a presentation to the Commission. Caroline then said that inclusionary zoning is a local government issue. The place where these kinds of issues, like fair housing, should be discussed is through the QAP. It's the Qualified Allocation Plan that the treasury department requires for the low-income house credit. The QAP gets updates every few years. It has to be subject to public hearings, etc. The resources are allocated based on what's in the QAP. That's going to be concluding in the next few months. There have been issues related to fair housing and zoning. Vernice asked Caroline if she has seen things that local jurisdictions are doing that others should look at. Caroline said that there are, and that when she first started working here, she sat in on a roundtable with different states. They were talking about how to make affordable housing in communities. Each state had a different approach for how to get the affordable housing fairly placed. Maryland's approach was that local governments need to agree. It's a voluntary thing and Maryland was more successful than other places. Caroline volunteered to look at a list of websites that people can go on. A local government presentation would probably be the best. Calvin suggested that maybe this was a research project for a student, and the group agreed. Vernice suggested an exploration of local government of where housing goes and the environmental conditions and to look at putting housing where it's zoned for a heavy industry.

The next idea was creating a quarterly message for the MACO blog. Everyone liked that idea. Lisa said that MACO has a blog, but the commission can't just give materials once; it needs to be consistent. Chris volunteered to take preliminary ownership and develop a plan for outreach.

Andy suggested an equitable waste management policy. Every county has to figure out what to do with its waste. Andy wondered how those places are cited, especially in an equitable way. The commission could potentially talk to the counties. Calvin and Andy volunteered to put together a one pager for DPW to send out.

### **Legislative Outreach**

There was a suggestion to look at legislation that's going to Environmental Matters and things related to environmental justice. The Commission has highlighted environmental justice issues without taking a stance on them. Other commissions have commented to the CEJSC that they like this tactic. On other legislation, the Commission has written letters saying there's an environmental justice issue. Perhaps the group needs a presentation about how MDE is making decisions. Lisa volunteered to be in charge of that and invite counterparts.

Another suggestion included holding meeting with Legislative Black Caucus and the Green Caucus. This would be before session. Another idea was to find a champion for environmental justice issues. The group also wants to address pesticides, transportation, and planning in the legislature.

Calvin said that the group should start off with these panels, and then get champions from there. And then during session the commission hits everyone. Chris volunteered to take the lead on reaching out to the Legislative Black Caucus. Lisa mentioned that there are a lot of elected officials who don't understand how environmental justice issues affect their constituents.

Lisa said that the next step will probably be a phone call before the next meeting for the legislative stuff.

Andy asked if the Commission can find someone in MACo or a state person who works with county outreach. Calvin said that if people don't work in the county, then they are kind of seen as a usurper. Lisa volunteered to do the outreach to Adam. Calvin will do the letter to the planning directors. And Chris will do the MACo blog. Rebecca might have some good stuff for blog postings.

Andy mentioned that the Commission doesn't have someone from Agriculture. He suggested finding a person from MDA to discuss the effects of pesticides on farm workers. He volunteered to take that on with Andrea.

The group left to take a tour of Morgan's green initiatives.

## **Wrap Up**

The group prioritized the ideas from earlier and agreed upon the following action items:

### **Title VI:**

- Vernice to share NEJAC's comments on the Title VI Federal guidance to distribute to the group and appropriate people at MDE
- Vernice to send dates she is available to meet with Deputy Secretary Kathy Kinsey regarding Title VI concerns she has about MDE
- Project - Organize a roundtable with agency representatives from DNR, MDE, MDOT, and Housing to discuss Title VI. Vernice to talk to Robin and Chris to begin planning. Before the September meeting they will organize a date, time, and location and begin to formulate the agenda/ideas for the meeting

### **County Outreach:**

- Create a cover letter for the County 101 to share with local planning and zoning directors – Calvin
- Map out four blog posts (not necessarily original material) to submit to MACo – Chris
- Meeting w/Adam Ortiz to advise and discuss efforts to address EJ in Prince George's County - use for our December "special topic" meeting; Lisa to help set up, Vernice & Andy are the lead on the "policy" side of the project

### **Business Outreach:**

- John Quinn to meet before the September meeting with MDE about permitting material; ideas to incorporate EJ into the forms. Send dates to Lisa so she can set up.
- Elaine to map out a plan for quarterly blog posts; have something to share at September meeting

### **Legislative Outreach:**

- Chris Hill to lead outreach to LBC and Green Caucus; before September meeting need a conference call to make a plan and begin to implement

- Lisa prepare a quick presentation to explain the agency process for developing legislative positions

**The meeting adjourned at 3:38pm.**

**Commission on Environmental Justice & Sustainable Communities (CEJSC)  
September 24, 2013  
Montgomery Park  
Baltimore, MD 21230**

**AGENDA**

9:30 am        Introductions

9:45 am        Progress Reports & Development of Next Steps

Business Outreach – John Q, John K, Dick, and Elaine

- Next Steps: John Quinn will meet with MDE to discuss adding EJ to permitting documents; Elaine develop a workplan for blog outreach.

Academic Community – Caroline, Karen, and Scot (with Rebecca Rehr & Dr. Wilson)

Next Steps: Provide a summary of our retreat discussion to Dr. Wilson.

Legislative Outreach – Chris, Calvin, & Lisa

- Next Steps: Chris will lead a call to develop a workplan for outreach to LBC and Green Caucus; Lisa to prepare presentation on the legislative process, how agencies relate to Governor's office and one another

County Outreach- Arabia, Calvin, & Lisa

- Next Steps: Calvin will share the EJ 101 with Planning Directors in a letter; do follow up; Chris will develop a workplan for blog outreach; December to be devoted to Prince George's County- Lisa to call Adam Ortiz, Vernice & Andy will take over after that.

Title VI – Vernice and Robin:

- Next Steps: Vernice to share NEJAC's comments on the Title VI Federal guidance to distribute to the group and appropriate people at MDE; Vernice to send dates she is available to meet with Deputy Secretary Kathy Kinsey regarding Title VI concerns she has about MDE; Project - Organize a roundtable with agency representatives from DNR, MDE, MDOT, and Housing to discuss Title VI. Vernice to talk to Robin and Chris to begin planning. Before the September meeting they will organize a date, time, and location and begin to formulate the agenda/ideas for the meeting.

CEHPAC Report- Nancy/Cliff

- Next Steps: Nancy continues updates to each group

11:00 am        Other Business  
Retreat

Minutes

11:30 am Adjourn

**Maryland Commission on Environmental Justice & Sustainable Communities (CEJSC)  
Tuesday, September 24, 2013  
Montgomery Park, Baltimore, MD**

In Attendance

- Commissioners: Calvin Ball, Dick Fairbanks, Andrew Fellows, Andrea Kidd Taylor, Elaine McCubbin, Lisa Nissley, John Quinn, Caroline Varney-Alvarado, Arabia Davis, Chris Hill, Vernice Miller Travis, Nancy Servatius
- Participants: Michelle Romney, Megan Ulrich, Allyson Black, Yvette Williams, Andy Galli, Whilliam Fadely, Stephanie Cobb Williams, Jamie Bridges, Destiny Watford, Greg Sawtell, Crystal Heide, Angelo Bianca, Richard Allen, Victor Ukpolo

**Introductions**

Each member and guest introduced themselves and their relationship to the Commission.

Lisa introduced Megan Ulrich who will be working with the Department while Lisa is on maternity leave. She will be assisting with the Commission since she has previously worked with Lisa on these issues.

**Legislative Outreach**

Chris Hill reported ideas she has had about outreach to the Legislative Black Caucus. She thought some sort of reception at the upcoming annual conference would be a good idea and reached out to staff. There is a very good opportunity to host an event from 5-6 on November 1<sup>st</sup>. It is between two other popular events so it is likely to be well attended. The only concern is how we would pay for food. The state agencies don't have a budget that allows them to help with that. Vernice asked if Scot may have some access to funds, but Lisa had already checked in with him and the funds are more for policy events than social events. Everyone agreed this was a great idea, but we needed a few days to work on funding issues. It was mentioned we should invite the secretaries and also needed Commissioners to attend.

At July retreat it was suggested that Lisa do a presentation on the state agencies' legislative process so the group understands how Administration positions are developed. Lisa invited Allyson Black, her counterpart from the Department of Human Resources to join her in the presentation so they could hear from two agencies. Lisa presented a power point (attached) describing the interactions between agencies and the Governor's Legislative Office. The following questions were asked:

- Andy asked what we meant by "strategize" being a role of the legislative office. Lisa answered that basically this meant prioritize and decide how to act on a bill.

- It was asked how long it takes to develop Administration bills. Lisa answered this can vary. It can be a long time in the making, or response to a recent occurrence.
- Vernice asked how this is related to the advocate's agenda and how we break into that. Lisa answered that it may or may not be related depending on the issue. There are a lot of moving parts. Sometimes the advocates pick something related to the Governor's agenda, but surely at times they are reaching out to the Governor and encouraging him to choose a certain issue as his own priority. She asked why lead is not a bigger priority. Lisa pointed out that this was the first year in 15 sessions that a lead related bill did not pass. These bills have had the support of the Governor.

Calvin shared that in light of our discussion at the retreat that we'd like to be in better communication with the Governor's office, he had reached out to the Deputy Chief of Staff, Ashley Valis. Lisa and he have both spoken to her about the Commissions work and agreed Lisa would brief Ashley and MDE's legislative officer after each meeting so they are up to speed with the issues they discuss. We have already seen pay off from this effort as Lisa was asked to add EJ information to a briefing memo being prepared for the Governor for a meeting.

### **Business Outreach**

Elaine reported she has not been able to get the blog project moving because of changes in DBED's IT Department, however as that settles down she hopes to move things forward.

John Quinn described a meeting he had with MDE personnel in order to move forward the idea of incorporating EJ language into existing permitting documents. He met with Deputy Secretary Kathy Kinsey, ARMA Deputy Director Angelo Bianca, Fair Practices Officer Michelle Romney, and Lisa and made suggestions for documents related to Air Quality Permits. The staff is drafting language for both and the Commission will get to review as well. Everyone hopes to wrap this up pretty quickly. Elaine mentioned that info like this might be a good blog entry. Vernice asked if EPA guidance will be included. John explained this is a very simple effort and brief. Lisa added that to the extent the 101 was influenced by the EPA guidance and is being used, yes, some of the themes will be included. Angelo added that the hope is to move the discussion toward EJ and participation and by including some simple questions we can do that. Elaine said that sometimes you need to answer the question how "does this help me?"

Dick raised concerns about some projects in Baltimore City, where he thinks perhaps the local government is the larger issue than the business. He referred mainly to how the Horseshoe Casino is being developed at a former industrial site in the Westport area. He said that the city did not address community concerns as it moved ahead to get the casino built. Additionally, he expressed concerns that the same attitude seems to have happened before regarding Harbor Point and the large CSX Intermodal facility. He said the city could have gained community support, if they had approached the affected community and listened to community concerns up front.

### **Academic Outreach**

This conversation has been delayed because Dr. Wilson was not able to participate today. Lisa also further explained that due to scheduling/workload issues, the Retreat minutes are not complete and we could not circle back on some items related to the academic outreach effort. An effort to reach out to Dr. Wilson before the next meeting will occur.



Dr. Taylor mentioned she would like to help get the internship idea off the ground. Lisa needs more ideas of what is needed to do that. They will talk offline.

## **County Outreach**

Calvin shared the Local Government 101 via a letter to each of the County Planning Directors. He has not received feedback from anyone so it is thought we should target certain counties to reach out to next. This can happen between meetings. Arabia mentioned that the Planning Directors meeting out of MDP might be a good place to discuss it. Lisa and she will work to set something up for their next meeting.

Lisa reached out to Adam and he is able and willing to meet with the group in December to discuss his ideas for addressing EJ in Prince George's County. Megan will take over setting this up when she starts with the Department.

Richard Allen asked if a permit has ever been denied because of EJ. Vernice said not here, but in other areas, such as California. Calvin said it may have been, but perhaps not called that. John Quinn pointed out that there is often not authority to deny a permit based on EJ alone.

## **Title VI**

Vernice said that she has not been able to meet with Robin since the July retreat, but they have spoke and plan to in the next couple weeks. They will bring something to the next meeting.

## **CEHPAC**

Nancy shared the items CEHPAC has been working on:

- TRIS Regulations
- Updating the form for underage tanning
- Adjusting the acceptable lead level for children
- Looking at what chemicals are replacing BPA in children's products
- Children's exposure to fracking chemicals
- Asthma control plan

## **Other News:**

A representative from the Baltimore Metro Council said that the organization is working on a regional network that is data driven to identify EJ and Title VI communities to make sure that new transportation projects are not disproportionately affecting these areas in a negative way.

Greg Satwell of United Workers is interested in the incinerator project in Curtis Bay. They recently wrote a letter to MDE asking for information. It was sent to Karen Irons. Lisa will check on the status of the response.

## 7 Appendix C – EJ 101 Documents

### Environmental Justice 101

**What is Environmental Justice?** The concept behind the term "environmental justice" is that all people – regardless of their race, color, national origin or income – are able to enjoy equally high levels of environmental protection.

**What is the history of EJ?** Environmental Justice (EJ), as a social movement has grown rapidly since the Warren County PCB Landfill Protest movement in the early 1980s. The EJ movement began in order to address concerns about disproportionate environmental burdens in poor, minority communities. In the case of the Warren County protests, controversy arose in 1982 when a landfill was sited in Warren County, a community that was black, poor, rural and politically powerless. This landfill was designated as a place to dump toxic, contaminated soil.

**What is an example of EJ?** According to the EPA, “one of the most appalling environmental tragedies in American history” was the Love Canal disaster in Niagara Falls, New York. Hazardous materials, waste, and land mismanagement in the area impacted the health of more than 6,000 residents. For over 30 years, the canal was a dump site for a chemical company. Not long after the company was sold to the city, officials began to build schools, homes and low-income housing on the former landfill. In the following years, wet winters and springs caused the water table to rise and toxins to seep in residents' backyards. As a result of the groundwater contamination, early surveys conducted by residents illustrated that 56 percent of the children born in the neighborhood had birth defects such as deformed teeth, anemia, ADHD and auto immune diseases, while mothers had a 300 percent jump in miscarriages.

**Which communities are most vulnerable to EJ issues?** Low-income and minority communities are most vulnerable to EJ issues. Often these communities do not have an organized community group that can serve as a point of contact. Additionally, these communities may house a disproportionate amount of polluting facilities putting residents at a much higher risk for health problems from environmental exposures.

**How can communities affected by EJ issues deal with environmental issues?** It is important that communities affected by EJ become aware of the environmental issues in their area, participate in the policy-making process and utilize resources available from government and private entities in order to ensure safe, healthy and sustainable communities for all.

### Implementation of Environmental Justice in Maryland

The Maryland Department of Environment’s mission in regards to Environmental Justice is to emphasize improvements in quality of life, economic development, and environmental protection for all communities. Implementation efforts of Environmental Justice at the Maryland Department of Environment include:

- **Identify agency responsibilities.**
  - Integrate and incorporate EJ activities into state operations
- **Proactive Engagement.**

- Continue education of state regulators on environmental justice and sustainable communities, with specialized focus given to marginalized and disenfranchised communities
- Strengthen government infrastructure at local levels to support marginalized communities
- Promote and implement MDE’s Environmental Benefit Districts program
- **Recognize Environmental Justice concerns with collaborative approaches.**
  - Undertake state-wide EJ forums to discuss concerns and solutions
  - Efficiently build a network of people who are knowledgeable about the issues of concern to share expertise and advance the EJ agenda in Maryland. This includes reaching out to local businesses, legislators, planning and community organizations, and the academic community
  - Collaboration with the Commission on Environmental Justice and Sustainable Communities (CEJSC), whom are responsible for advising state agencies on the adequacy of current laws, regulations, and statutes to achieve environmental justice, while ensuring all Maryland communities are healthy, safe, economically vibrant, and environmentally sound
- **Offer solutions.**
  - Optimize limited state resources. Solutions could appear in the form of increased public participation and education, public-private partnerships, innovative outreach advertising (social media, newspapers, press releases, outdoor signs), and strategic enforcement

## **Maryland Environmental Justice Resources**

**CEJSC:** The Commission of Environmental Justice and Sustainable Communities is tasked with advising State government agencies on environmental justice and analyzing the effectiveness of State and local government laws and policies to address issues of environmental justice and sustainable communities.

**MDE:** The Maryland Department of Environment focuses on encouraging environmental protection and economic development in Maryland that takes into account public and ecological health, sustainability issues, and community participation.

**EPA/Plan EJ 2014:** The Environmental Protection Agency has launched an initiative called “Plan EJ 2014.” This new initiative plans to integrate environmental justice into the Agency’s programs, policies, and activities. More information on this initiative can be found here:

<http://www.epa.gov/environmentaljustice/plan-ej/> .

For more information contact Lisa Nissley, Environmental Justice Coordinator at  
lnissley@mde.state.md.us

# Environmental Justice 101 for Local Governments

**What is Environmental Justice?** The concept behind the term "environmental justice" is that all people – regardless of their race, color, national origin or income – are able to enjoy equally high levels of environmental protection and quality of life.

**What is the history of EJ?** The Environmental Justice (EJ) movement began as a way to address concerns about disproportionate environmental burdens in poor, minority communities. EJ as a social movement has grown rapidly since the Warren County Landfill protests of the early 1980's. In the case of the Warren County controversy arose in 1982 when the State of North Carolina designated space for a landfill in Warren County, a community that was black, poor, rural and politically powerless. The landfill was designated as a place to dump PCB's -a toxic chemical.

**What is an example of EJ?** The EPA cites the Love Canal disaster in Niagara Falls, New York, as "one of the most appalling environmental tragedies in American history." The canal, a former dumping site for municipal and industrial chemical waste, was transformed into a neighborhood with schools and low-income housing by the city. In the following years, groundwater contamination from the former landfill impacted the health of more than 6,000 residents. Early surveys conducted by residents illustrated that 56 percent of the children born in the neighborhood had birth defects such as deformed teeth, anemia, ADHD and auto immune diseases, while mothers had a 300 percent jump in miscarriages.

**Why is EJ important to County Governments?** All 23 counties and Baltimore City, have the responsibility of offering environmental protection and economic development to their citizens and constituents. This takes into account public health, ecological health, and community sustainability, development and participation. Many local jurisdictions in Maryland have the authority to plan and zone land for specific uses, making these governments responsible for the resulting land use patterns.

**Which communities are most vulnerable to EJ issues?** Low-income and minority communities are most vulnerable to EJ issues. Often these communities do not have an organized community group that can serve as a point of contact. As a result, these communities may house a disproportionate amount of polluting facilities putting residents at a much higher risk for health problems from environmental exposures. Any community can be subject to the effects of EJ issues if their citizens are not informed and able to be involved in the local land use decision-making process.

## **County Government involvement in implementing EJ in Maryland**

Environmental Justice (EJ) at MDE parallels the agency's mission and emphasizes quality of life, economic development, and environmental protection improvements in all communities, particularly those far removed in decision-making. The EJ policies at MDE are working to improve the quality of life in communities through a vision of partnerships and collaborations. In order to fulfill this goal, county governments must be committed to:

- **Identifying community goals and fostering internal coordination.**

- Integrate and incorporate EJ activities into county operations and land use decision-making.
- Ensure participation in policy formulation by all sectors of the community by providing opportunities for input that match each sector’s ability to participate.
- **Fostering intergovernmental coordination.**
  - Establish cooperative relationships on joint projects with federal and state governments by streamlining objectives, goals and implementation plans.
  - Improve communication between federal and state governments, as well as the private sector, local neighborhoods and other stakeholders.
  - Undertake jurisdiction-wide EJ forums to discuss concerns and solutions.
  - Efficiently build a network of people who are knowledgeable about the issues of concern to share expertise and advance the EJ agenda in Maryland. This includes reaching out to local businesses, legislators, planning and community organizations and the academic community.
  - Strengthen government infrastructure at local levels to support marginalized communities.
  - Promote and implement MDE’s Environmental Benefit Districts program, which was designed as a means to concentrate state resources to enhance the quality of life in communities through environmental protection and business development.
- **Offering solutions.**
  - Optimize resources. Solutions could appear in the form of increased public participation and education, public-private partnerships, innovative outreach advertising (social media, newspapers, press releases, outdoor signs) and strategic enforcement.

## **Maryland Environmental Justice Resources**

**CEJSC:** The Commission of Environmental Justice and Sustainable Communities is tasked with advising State government agencies on environmental justice and analyzing the effectiveness of State and local government laws and policies to address issues of environmental justice and sustainable communities.

**MDE:** The Maryland Department of Environment focuses on encouraging environmental protection and economic development in Maryland that takes into account public and ecological health, sustainability issues, and community participation.

For more information contact Lisa Nissley, Environmental Justice Coordinator at  
[lnissley@mde.state.md.us](mailto:lnissley@mde.state.md.us)

## **Environmental Justice (EJ) Information Sheet for Businesses**

The term “environmental justice” means that no group of people including a racial, ethnic, or socioeconomic group should bear a disproportionate share of the negative environmental consequences resulting from the establishment or expansion of a facility. EJ is defined in detail and it is imbedded into numerous federal and State laws. Regulatory agencies such as the Maryland Department of the Environment (MDE) are legally obligated to enforce these requirements.

New and expanding businesses can save a considerable amount of time and money by factoring environmental justice into their plans, and by applying the kinds of practices described below.

**Maryland is committed to EJ.** Across the United States, Maryland is known as a champion for causes related to environmental equity and revitalization of communities.

### **Guide of Business Best Practices for EJ**

- **Identify stakeholders and friends.** Create a list of community organizations, local and State legislators, etc.
- **Offer Solutions.** As part of the design process, identify potential environmental risks of the proposed project and offer possible solutions:
  - Air emissions
  - Water quality
  - Visual appearance
  - Car and truck traffic
  - Noise
- **Identify potential benefits.** The proposed project may have benefits to the community such as:
  - Jobs for the community
  - Road improvements
  - Improved landscaping
  - Cleaning up legacy environmental problems
- **Create an action plan.** Figure out how to best reach your stakeholders.
  - Direct the outreach to specific community organizations and institutions that will be affected by the project.
  - Consider the most effective way to reach your audience: outdoor signs, newspapers, press releases, advertisements, social media, and/or SMS.

- Give notice to residents in plain language, not legalese, and translate documents into appropriate languages relative to the community.
- **Take action.**
  - Hold pre-application meetings with community members and community organizations that will be affected by the proposed facility. Consider scheduling a meeting at a time that is convenient for community members.
  - Explain to the community why your business chose the particular location.
  - Participate in a pre-application meeting with MDE.
  - Write a memorandum of understanding/agreement involving your company, the local community, and possibly MDE. This can be either a memorialized community benefits agreement or a rules of engagement agreement.
- **Keep in touch.** Continue to engage and notify the community throughout the permitting process and after permit approval. This includes notifying the community when the permit scope changes or environmental studies occur.

## **Other Resources**

**CEJSC:** The Commission on Environmental Justice and Sustainable Communities (CEJSC) is tasked with examining issues related to environmental justice and sustainable communities associated with creating healthy, safe, economically vibrant, and environmentally sound communities for all Marylanders through a democratic process and community involvement.

**Case Studies:** MDE can provide case studies of local Maryland businesses implementing some EJ best practices.

**Have suggestions or comments?** Please contact Lisa Nissley, MDE EJ Coordinator and Legislative Liaison at [lnissley@mde.state.md.us](mailto:lnissley@mde.state.md.us)

## **Environmental Justice in My Community**

**What is Environmental Justice?** Environmental Justice (EJ) is based on the principle that all people have a right to be protected from environmental pollution and to live in and enjoy a clean and healthful environment.

**What is an example of EJ?** According to the EPA, “one of the most appalling environmental tragedies in American history” was the Love Canal disaster in Niagara Falls, New York. Hazardous materials, waste, and land mismanagement in the area impacted the health of more than 6,000 residents. For over 30 years, the canal was a dump site for a chemical company. Not long after the company was sold to the city, officials began to build schools, homes and low-income housing on the former landfill. In the years following, wet winters and springs caused the water table to rise and toxins to seep in residents' backyards. As a result of the groundwater contamination, early surveys conducted by residents illustrated that 56 percent of the children born in the neighborhood had birth defects such as deformed teeth, anemia, ADHD and auto immune diseases, while mothers had a 300 percent jump in miscarriages.

**How can communities affected by EJ issues deal with environmental issues?** It is important that the community stays informed about the environmental issues, participates in the policy-making process and utilizes resources available from government and private entities in order to ensure a safe, healthy and sustainable community for all.

- **Local government land use decisions:** In Maryland, counties have authority over local zoning of most projects that affect the environmental health of your community. For example, county zoning laws define land for residential, commercial, or industrial uses. These zoning laws can lead to many “dirty” industries being congregated together in one area. This can lead to increased pollution for your community.
- **What actions can I take?**
  - You can stay informed by monitoring your local government’s planning and zoning website for projects that affect you and your community.
  - Newspapers and social media can also be an effective tool for keeping up-to-date on what’s happening in your community.
  - Check if your county has an email service to send you updates on projects in your area.
  - Your county posts a schedule of public meetings on its website, attend the public meetings for projects in your area and provide comments.
- **State permitting decisions:** Industries that operate in Maryland have to follow state environmental laws and regulations. These industries require a permit from the Maryland Department of the Environment (MDE). For example, MDE issues an air quality permit for construction of certain projects.
- **What actions can I take?**
  - You can stay informed by visiting MDE’s website.
  - For general information visit:
  - <http://www.mde.state.md.us/programs/marylander/Pages/MarylanderHome.aspx>
  - To track proposed projects that are coming to your neighborhood visit: <http://www.mde.state.md.us/programs/Permits/sb47/Pages/SB47.aspx>
  - Certain air quality control permits to construct are subject to public review. Community associations, elected officials, and interested persons can request an



informational meeting or public hearing. MDE requires the industry applicant to publish a notice regarding the application. The public can request an informational meeting within 10 days of the notice.

- o For more information visit:
- o [http://www.mde.state.md.us/programs/Marylander/CitizenParticipation/Pages/CitizensInfoCenter/citizen\\_participation/publicmeetingguide.aspx](http://www.mde.state.md.us/programs/Marylander/CitizenParticipation/Pages/CitizensInfoCenter/citizen_participation/publicmeetingguide.aspx)

### **Implementation of Environmental Justice in Maryland**

MDE's mission in regard to Environmental Justice is to emphasize improvements in quality of life, economic development, and environmental protection for all communities. Implementation efforts of Environmental Justice at the Maryland Department of Environment include:

- **Proactive Engagement**
  - o Integrate and incorporate EJ ideals into state environmental policy in order to protect all communities.
  - o Continue education of state regulators on environmental justice and sustainable communities, with specialized focus given to disenfranchised communities.
  - o Strengthen government infrastructure at local levels to support marginalized communities.
- **Recognize Environmental Justice concerns with collaborative approaches**
  - o Build a network of people who are knowledgeable about EJ that can share expertise and advance the EJ agenda in Maryland. This includes reaching out to local businesses, legislators, planning and community organizations, and the academic community.
  - o Use this network when working to find mutually beneficial solutions for communities and regulated facilities.
  - o Work with the Commission on Environmental Justice and Sustainable Communities (CEJSC).
- **Offer solutions**
  - o Optimize state resources. Solutions could appear in the form of increased public participation and education, public-private partnerships, innovative outreach advertising (social media, newspapers, press releases, outdoor signs), and strategic enforcement.

### **Maryland Environmental Justice Resources**

The Commission of Environmental Justice and Sustainable Communities:

[http://www.mde.state.md.us/programs/CrossMedia/EnvironmentalJustice/EJImplementationinMaryland/Pages/programs/multimediamediaprograms/environmental\\_justice/implementation/details.aspx](http://www.mde.state.md.us/programs/CrossMedia/EnvironmentalJustice/EJImplementationinMaryland/Pages/programs/multimediamediaprograms/environmental_justice/implementation/details.aspx)

The Maryland Department of the Environment:

<http://www.mde.state.md.us/programs/CrossMedia/EnvironmentalJustice>

For more information contact Lisa Nissley, Environmental Justice Coordinator  
[lnissley@maryland.gov](mailto:lnissley@maryland.gov)