

# Annual Report 2021

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





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

**Chair**

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Camille Burke

**Members**

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The Honorable Obie Patterson, Senate of Maryland

The Honorable Regina Boyce, House of Delegates of Maryland

Secretary of the Maryland Department of the Environment, Ben Grumbles

Secretary of the Maryland Department of Health, Dennis Schrader

Secretary of the Maryland Department of Planning, Robert S. McCord

Secretary of the Maryland Department of Commerce, Kelly M. Schutz

Secretary of the Maryland Department of Housing and Community Development, Kenneth C. Holt

Secretary of the Maryland Department of Transportation, Gregory I. Slater

Lesliam Quiros-Alcala

Camille Burke

Crystal Faison

Paula Dannenfeldt

Paulette Hammond

Voncia Molock

Monica Brooks

Robert Hackman

Barbara Paca



## Message from the Chair, Camille Burke

As the Chair of the Commission on Environmental Justice and Sustainable Communities (CEJSC or Commission), and in my role as the Director of the Childhood Lead Poisoning Prevention Program for the Baltimore City Health Department, I am no stranger to the difficult public health and environmental challenges that families and children can face. As we recover from a year like no other we in Maryland have led the call on diversity, equity, inclusion, and justice. Our Maryland CEJSC spent the year 2021 refocusing on equity actions internally in State government and externally with the very communities experiencing environmental justice (EJ) challenges daily. Moving forward, the Commission will continue to push elected officials and state actors to embrace diversity and fight for those frontline and fence line communities most in need.

## Message from the Secretary of the Maryland Department of the Environment, Ben Grumbles

The mission of the Maryland Department of the Environment (MDE) is to protect and restore the environment for the health and well-being of all Marylanders, and the vision of the agency is to create healthy, vibrant, and sustainable communities and ecosystems in Maryland. While the agency has made great progress in the protection of water, land, and air resources over the years through environmental laws, regulations, and policies, there is still much more work to do. MDE is committed to ensuring that every community is protected, including the most vulnerable.

MDE is proud to support and staff the CEJSC and embraces diversity, equity, inclusion and justice in every aspect of agency operations. MDE's internal EJ policy is a blueprint for how the agency addresses EJ in its operations. We look forward to continuing to work with our citizens, partners, and diverse stakeholders to address EJ, and will support common-sense solutions to ensure equal protection from environmental and public health hazards for all people regardless of race, income, culture, and social status. Thank you for joining us in building a more prosperous and sustainable future for all Marylanders.

## Background

### **Introduction of the CEJSC in Maryland**

In 1997, Maryland established a temporary advisory body called the Maryland Advisory Council on Environmental Justice for the purpose of providing policy recommendations to the General Assembly. The body recommended the creation of the Maryland CEJSC . In 2001, CEJSC was formalized under statute, and as a part of the charge of the Commission, CEJSC is required to submit this annual report pertaining to EJ issues in Maryland.

EJ is defined by the U.S. Environmental Protection Agency (EPA) 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”<sup>1</sup>. Fair treatment means that no group of people 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. In Maryland law, EJ is defined as “equal protection from environmental and public health hazards for all people regardless of race, income, culture, and social status.”

CEJSC is charged with examining EJ issues and sustainable community opportunities that may be associated with public health, safety, economy, government, or any other manner associated with EJ and sustainable communities. CEJSC is broadly tasked with reviewing and analyzing Maryland laws and policies pertaining to EJ issues, including state agency programs and permits. CEJSC is also tasked with developing criteria to identify vulnerable communities and prioritizing action strategies toward the identified areas of the state that need immediate attention. Risk conditions are affected by a wide range of entities and social, historical, environmental, and economic factors, and similarly EJ requires an interdisciplinary approach in order to identify problems and solutions. The CEJSC advises state government agencies, the Governor, and the General Assembly by reviewing and analyzing the impact of state law and policies to address issues on EJ, sustainable communities, and compliance with Title VI of the Civil Rights Act. The Commission uses data sets and mapping tools to address these issues, including permitting actions and cumulative impacts. The CEJSC also coordinates with the Maryland Commission on Climate Change, the Maryland Department of Health Office of Minority Health and Health Disparities, and the Children’s Environmental Health Protection Advisory Council (CEHPAC).

The authorizing statute identifies the membership requirements for CEJSC, which consists of at least 23 members, including representatives from government agencies, local governments, and the AFL-CIO. The Governor, the Senate President, and the Speaker of the House appoint a variety of members representing communities impacted by EJ issues, business organizations, environmental organizations, and health experts. The Governor also appoints a member from an academic institution with an EJ institute.

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<sup>1</sup> U.S. EPA, [epa.gov/environmentaljustice/learn-about-environmental-justice](https://www.epa.gov/environmentaljustice/learn-about-environmental-justice)

## Environmental Justice Defined

The EPA defines EJ as follows: **The fair treatment and meaningful involvement of all people regardless of race, color, culture, national origin, income, and educational levels with respect to the development, implementation, and enforcement of protective environmental laws, regulations, and policies.**

To be sure, definitions matter. However, many of the terms associated with the definition of EJ are defined in federal law as well. These include:

**Disproportionate Effects** - Term used in Executive Order 12898 to describe situations of concern where there exists significantly higher and more adverse health and environmental effects on minority populations, low-income populations or indigenous peoples.

**Fair Treatment** - The principle that no group of people, including a racial, ethnic or a socioeconomic group, should bear a disproportionate share of the negative environmental consequences from industrial, municipal and commercial operations or the execution of federal, state, local and tribal programs and policies. In implementing its programs, EPA has expanded the concept of fair treatment to include not only consideration of how burdens are distributed across all populations, but the distribution of benefits as well.

**Low-Income** - A reference to populations characterized by limited economic resources. The U.S. Office of Management and Budget has designated the Census Bureau's annual poverty measure as the official metric for program planning and analysis, although other definitions exist.

**Meaningful Involvement** - Potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health; the public's contribution can influence the regulatory agency's decision; the concerns of all participants involved will be considered in the decision-making process; the decision makers seek out and facilitate the involvement of those potentially affected.

**Minority Populations** - According to the U.S. Census Bureau, population of people who are not single-race white and not Hispanic. Populations of individuals who are members of the following population groups: American Indian or Alaskan Native; Asian or Pacific Islander; Black, not of Hispanic origin; or Hispanic.

**Overburdened Community** - Minority, low-income, tribal, or indigenous populations or geographic locations in the United States that potentially experience disproportionate environmental harms and risks. This disproportionality can be as a result of greater vulnerability to environmental hazards, lack of opportunity for public participation, or other factors. Increased

vulnerability may be attributable to an accumulation of negative or lack of positive environmental, health, economic, or social conditions within these populations or places. The term describes situations where multiple factors, including both environmental and socio-economic stressors, may act cumulatively to affect health and the environment and contribute to persistent environmental health disparities. *Please note: there is no specific definition of an EJ community in federal or state law.*

Source: [epa.gov/environmentaljustice/ej-2020-glossary](https://www.epa.gov/environmentaljustice/ej-2020-glossary)

## Maryland Definitions

In this section, "environmental justice" means equal protection from environmental and public health hazards for all people regardless of race, income, culture, and social status.

Source: Md. ENVIRONMENT Code Ann. § [1-701](#)

\*\*This definition is derived from the EPA definition of EJ.

**Cumulative Impacts** are considered in the Maryland Department of Transportation's (MDOT's) process to comply with NEPA. This information is linked here: [roads.maryland.gov/mdotsha/pages/index.aspx?PageId=312](https://roads.maryland.gov/mdotsha/pages/index.aspx?PageId=312). The website states: Cumulative impacts are indirect effects that are caused by an action and occur later in time or farther removed in distance, but are still reasonably foreseeable.

**Cumulative Effects** are the impact on the environment that results from the action when added to other past, present and reasonably foreseeable future actions, regardless of what agency (federal or nonfederal) or person undertakes such actions.

## Cumulative Impacts Analysis Challenges

EPA Grapples With Scientific Hurdles Of Cumulative Risk Amid Policy Push

New York Times, September 7, 2021

Top EPA scientists say they are struggling to advance the use of cumulative risk or impact analyses to better account for the risks faced by poor and minority communities even as Administrator Michael Regan seeks to advance the use of such approaches and has requested an agency review of legal authority to do so.

“The problem remains of how to bring to bear the complex interactions with the built social and chemical environment into our regulatory paradigm,” Andrew Geller, the acting National Program Director of the Sustainable and Healthy Communities Research Program in EPA’s

research office (ORD) told members of an NAS committee tasked with advising ORD on emerging scientific and technological advances during a Sept. 1 meeting.

Geller reminded the committee that EPA and its research office has long experience with the traditional “source to outcome chemical risk assessment” approaches that have long undergirded EPA’s regulatory and other decisions and acknowledged the scientific and technical challenges to implementing more holistic analyses of risk.

“The question is, how do we go from this traditional chemical risk assessment paradigm to this broader paradigm that incorporates non-chemical factors that play a role in disparate exposures and health outcomes?”

Geller’s comments underscore the hurdles the Biden administration has as it seeks to bolster its assessment of risks faced by environmental justice communities that face a disproportionate burden from exposures to climate change, as well as a host of chemicals and pollutants in multiple environmental media and from a range of different sources, such as commercial, industrial or agricultural facilities, road traffic and transportation hubs.

Those factors often overlap with the adverse effects of poverty, racism and other social and economic factors, such as limited health care access, poor quality schools, violence and substandard housing, leading to a complex challenge for regulators tasked with protecting residents of those communities from environmental and other harms.

In particular, efforts to evaluate and regulate complex environmental hazards have been stymied by the “stovepiping” of environmental statutes and the EPA programs they authorize into media-specific silos -- in addition to the isolation of federal statutes and agencies’ inability to address broader enforcement and permitting issues.

ORD’s work on cumulative assessment dovetails with legal efforts Regan has been making to bolster EPA’s authority to address cumulative impacts, including by asking agency lawyers to determine whether the agency can interpret regulations “in a different way” in order to do so.

Regan told state officials in July that in addition to discussing the issue with the Office of General Counsel, he is having “conversations with the House and Senate about potential legislative changes we need to see to give us clear authority to evaluate cumulative impacts” in the way communities are asking the agency to do.

Regan reiterated his push in a recent tour of environmental justice communities in New Jersey and New York with Democratic Sen. Cory Booker (NJ) and Rep. Paul Tonko (NY), a trip he wrote about in a Sept. 1 tweet. “The pollution adds up. This has been ongoing in too many communities across the country. This is what we mean by cumulative impacts.” Regan tweeted.

The agency is distributing \$50 million in grants from Congress’ COVID relief legislation “towards EJ projects for communities like these,” Regan added.

## Technical Challenges

Geller's remarks, however, underline how technically challenging it may be to use cumulative impact analysis in regulatory decision making, even as he outlined ways in which ORD, in partnership with some EPA program offices, is advancing some aspects.

"To move forward we need to consider the environment more broadly," Geller said, adding that during the past five years, EPA has been working on research to advance understanding of the total environment including the concept of the exposome, "the cumulative measure of environmental influences and associated biological responses throughout the lifespan including exposures from the environment, diet, behavior as well as the endogenous processes resulting from these exposures."

Geller said ORD has been "engaged in outcome-based research on the total environment, especially through children's research" including projects involving "systematic reviews and meta-analyses of obesity, general cognitive ability, ADHD, social determinants of health and socio-demographic factors and particular pollutants."

Geller also focused on work EPA is doing to identify biomarkers that can be used in an allostatic load to measure overall physiological health, which he said "are really important because they are needed to get past the challenges of needing to measure everything or how we reconstruct a lifespan."

But while ORD has conducted some research in this area, Geller said that "a broader question remains, can biomarkers serve to operationalize the exposome? Will those be able to be fitted to that aggregate exposure pathway, adverse outcome pathway paradigm." Another needed challenge, he said, is understanding "how to quantify social stress to use together with these biomarkers."





## 2021 Action Plan Status and 2022 Recommendations

### Prioritize identification of communities with EJ issues

- Continue to conduct case studies on EJ Issues in Maryland communities
  - Status: Ongoing. CEJSC will request a briefing from MDE on their enhanced compliance and monitoring in the Cheverly community.
- Provide guidance to agencies on permitting and identification of facilities in EJ communities
  - Status: Ongoing. MDE has begun a comprehensive EJ Implementation Plan that has this effort as one of its key outcomes.
- Review and choose a mapping tool
  - Status: Complete. CEJSC reviewed several screening/mapping tools and recommended to MDE that it (1) use a combination of EPA EJ Screen and the UMD Screening tool; or (2) create its own. MDE is creating its own screening tool that may be accessed by the public.
- Identify and/or accept community identification of EJ issues
  - Status: Ongoing. CEJSC has received requests from several communities that have self-identified as an EJ community and received presentations from those communities.

### Support enhanced engagement and public participation strategies

- Conduct virtual listening sessions in EJ communities across Maryland
  - Status: Ongoing. CEJSC has had two virtual outreach meetings with communities and conducted an informal in-person visit to the Eastern Shore to tour poultry facilities and the communities adjacent to the facilities. CEJSC recommends expanding the in-person visits, depending on the COVID pandemic.
- Recommend EJ training of state employees
  - Status: Ongoing. MDE employees have begun training on diversity and equity. MDOT and Maryland Department of Natural Resources (DNR) are beginning their EJ implementation plans. CEJSC recommends that each state agency conduct an internal EJ review similar to the review conducted by MDE.
- Conduct partnerships with counties and local governments
  - Status: CEJSC will focus efforts in 2022 on connecting and communicating with local governments. In addition, CEJSC recommends that each local government undertake a review of its zoning and planning authority and determine whether

there should be changes in order to promote diversity, equity and justice in those zoning decisions.

- Create a public input portal for community identification of EJ issues directly to CEJSC
  - Status: Nearing Completion. MDE is revamping the CEJSC website to include an input portal for public comments and questions.

### **Empower state agencies to lead by example and invest in long-term EJ strategies**

- Invite state agencies to submit their own long-term EJ strategies.
  - Status: Ongoing. State agencies are beginning to compile data and have discussions regarding their EJ efforts. As stated above, CEJSC recommends that each state agency conduct an internal EJ review similar to the review conducted by MDE and make that plan or action document available to the public.
- Collaborate with state and local agencies to gather best practice management strategies.
  - Status: Ongoing. CEJSC is prioritizing communications with local governments in 2022 in order to address equity and justice issues on the local level.

### **Enhance the authority and membership of the Commission**

- Add representatives from county and municipal governments (appointed by the Maryland Association of Counties and the Maryland Municipal League).
  - Status: Complete.
- Specify location of affected community members (i.e., one representative from Baltimore City, Prince George's County and the Eastern Shore) and add two additional affected community members representing western and southern Maryland.
  - Status: Complete.
- Review CEJSC authority to review and respond to EJ issues across government agencies.
  - Status: Complete. These efforts were informed by CEJSC work with and communications to the General Assembly, which led to the passage of SB 674/ HB 1207 of 2021.

### **Additional Recommendation for 2022:**

CEJSC recommends that MDE prioritize enhanced air monitoring and conduct outreach in EJ communities, including Concentrated Animal Feeding Operations (CAFOs) and report back to the CEJSC on their efforts.

## Appendices

### Appendix A: Agendas and Meeting Minutes of the Maryland CEJSC

CEJSCS meeting materials including agendas, minutes, and presentations can be found at: [mde.maryland.gov/programs/Crossmedia/EnvironmentalJustice/Pages/cejsc\\_pastmeetings.aspx](http://mde.maryland.gov/programs/Crossmedia/EnvironmentalJustice/Pages/cejsc_pastmeetings.aspx)

**November 24, 2020**

#### Agenda Items

- Introduction by Camille Burke, Chair
- Remarks by Secretary Ben Grumbles
- Staff Reports:
  - o Update on Commissioner vacancies
  - o Ongoing Partnerships with the Maryland Commission on Climate Change
  - o Upcoming Joint Meeting with CEHPAC
- CEJSC Annual Report – Review of Potential Report Recommendations
- Public Comment

### Maryland Commission on Environmental Justice and Sustainable Communities

#### Meeting Minutes

November 24, 2020, Virtual Meeting

Members Present: Obie Patterson, Senator for Prince George's County, District 8; Joseph Griffiths; John Papagni; Camille Burke; Paula Dannenfeldt; Paulette Hammond; Stephan Levitsky; Janet Cornick; Lesliam Quiros; Subha Chander

MDE Staff Present: Ben Grumbles, Secretary; Horacio Tabalada, Deputy Secretary; Suzanne Dorsey, Assistant Secretary; Devon Dodson; Cindy Osorto; Mark Shaffer; Susan Casey; Kimberlee Drake

Guests: Elizabeth Price, Hannah Brubach, John Kumm, Kamita Gray, Brianne Martin, Patrick DeArmey, Vontasha Simms, Dorothy Morrison, Diana Conway, Emily Harris, Emily Soontornsaratool, Richard Tabuteau, Sherman Hardy, Elizabeth Shwe, Al Weaver

Next meeting: December 3, 2020, 12:30 – 2:00pm, Virtual and will be hosted by the Children's Environmental Health and Protection Advisory Council (CEHPAC)

Meeting minutes and agenda will be available online:

[mde.maryland.gov/programs/CrossMedia/EnvironmentalJustice/Pages/cejsc.aspx](https://mde.maryland.gov/programs/CrossMedia/EnvironmentalJustice/Pages/cejsc.aspx)

Please note that the recording was not able to be provided as stated in the previous meeting minutes for September.

## 1. Introduction and Remarks

- **Camille Burke**, Chair, Director Childhood Lead Poisoning Prevention Program for the Baltimore City Health Department
  - o Thank you for joining us. Note that there will be a joint CEHPAC meeting on December 3, 2020.
  - o Today we will be having MDE staff report on recent updates and recommendations. This will be an interactive meeting. We want feedback and welcome you to jump in the discussion.
- **Ben Grumbles**, MDE Secretary
  - o I'm excited about the reenergized Commission. Thanks to everyone for your devotion to this Commission. Addressing environmental justice is a top priority for the Department. MDE spoke to Speaker Jones last week regarding the empty House Delegate representative vacancy.

## 2. Staff Reports

- **Devon Dodson**, MDE Designee and Senior Policy Advisor
    - o We will be sending draft meeting minutes around for approval
- Maryland Commission on Environmental Justice and Sustainable Communities Meeting Minutes, November 24, 2020, Virtual Meeting

Page 2

- o Updates pertaining to vacancies include term extensions for members whose terms had expired as well as sending a request to Speaker Jones for the Delegate position
- o There have not been any applications for the environmental organization vacancy so if you know of anyone you can apply. Applications can be accepted year-round.
- **Cindy Osorto**, MDE Staff to the Commission, Policy Analyst
  - o Meeting minutes available in the CEJSC website
  - o Most of the vacancies in the Commission are appointed by the Governor so you would have to apply online with the Governor's Appointments Office.

- o The Commission will continue building off previous work, including the cumulative impact analysis temporary workgroup. Thanks to Steve and Subha for their work evaluating eastern shore communities.
- **Ben Grumbles**, MDE Secretary
  - o The Maryland Climate Change Commission (MCCC) is committed to addressing climate justice. On November 15, 2020, the MCCC released its annual report with several commitments pertaining to environmental justice, including increasing the diversity within the MCCC: [mde.maryland.gov/programs/Air/ClimateChange/MCCC/Documents/MCCCAnnualReport2020.pdf](https://mde.maryland.gov/programs/Air/ClimateChange/MCCC/Documents/MCCCAnnualReport2020.pdf)
  - o The Commission appointed a third Co-Chair: Ms. Charmaine Brown, Equity Officer for Charles County. The Commission is looking for interconnectedness of equity considerations in its work and is committed to real progress. It will consider long-term effects, such as flooding issues and moving away from fossil fuels.

### 3. Draft Recommendations Discussion

- **Camille Burke** – These recommendations are open for feedback and discussion.
- **Devon Dodson and Cindy Osorto** – Overview of Recommendations
  - o Prioritize Identification of Communities with EJ Issues
    - Could be done through a workgroup within the Commission
  - o Future work can evaluate other state approaches to long-term EJ strategies and policy approaches, including Connecticut
  - o Review EJ mapping tools, including:
    - EPA EJ Screen’s environmental and demographic indicators
    - University of Maryland also has an EJ mapping tool with Maryland specific information, including a Park Equity layer
  - o Support Enhanced Engagement and Public Participation Strategies
    - Pilot Virtual Listening Sessions
    - Support partnerships with Counties
    - Create Public Input Portal
  - o Evaluate diverse geographic representation in Commission
- **The Honorable Obie Patterson** – There can be complexities to building local partnerships.
- **Subha Chander**: a good idea to have a workgroup. There are EJ Screening tools that can be evaluated further. The University of Maryland version has been updated recently.

Maryland Commission on Environmental Justice and Sustainable Communities Meeting Minutes, November 24, 2020, Virtual Meeting

Page 3

- o Community engagement is a key component – could hold learning sessions
- o Commission in the past has struggled with the development of EJ criteria
- **Steve Levitsky** – The Commission will need further guidance for EJ

- criteria • **Devon Dodson** – I can't stress enough just how committed to revitalization the Commission will be moving forward
- **Dorothy Morrison**: Important to figure out local concerns. What are the issues?  
Tools are important but real presence is important
  - **Devon Dodson** – it is our recommendation to go out into communities to hear their local concerns, including Prince George's and Eastern Shore
  - **Joe Griffiths** – Agree that engagement can be strengthened but there should be goals set for the outreach. Can't go out to go out. In past years, the Commission discussed the creation of an outreach plan.
  - **Steve Levitsky** – Some recommendations may require review by counsel to clarify authorities.
  - **The Honorable Obie Patterson** – People should know who to contact for their concerns. Talking with communities to learn their specific issues is important. Regulation changes may be necessary. Members could be designated specific roles.
  - **Cindy Osorto** – More introductory background information on EJ can be found under the Resources page:  
[mde.maryland.gov/programs/Crossmedia/EnvironmentalJustice/Pages/resources.aspx](https://mde.maryland.gov/programs/Crossmedia/EnvironmentalJustice/Pages/resources.aspx)
  - **Camille Burke** – We are hearing that there is interest in more local representation. Everyone is welcome to attend our public meetings. We also don't have to reinvent the wheel and may consider known strategies, such as creating Community Advisory Groups.
  - **Devon Dodson** – We look forward to public comments and will adjust our approach as we go based on feedback received. We are available to answer any questions you have. Legislative report has been delayed due to the pandemic but will be available prior to the legislative session.

#### 4. Public Comment

- Vontosha Simms – I am interested in applying for the Commission on behalf of the Charles County Ji'Aire's Workgroup Black By Nature Environmentalist Activist Campaign. • **Camille Burke and Devon Dodson** - Anyone is welcome to apply to the Commission with the Governor's Appointments Office.
- Kamita Gray – There are studies available that show the correlations between pollution and adverse health effects in overburdened and underserved communities. This can be an issue of civil rights and equity. It is shameful to have so much air pollution in Brandywine.
  - Brianne Martin – I am a student with Johns Hopkins working on an environmental health project that evaluates EJ community criteria and am interested in supporting this effort.
  - Diana Conway – EJ is beginning to look at the big picture and bills will have nuances.

Maryland Commission on Environmental Justice and Sustainable  
Communities Meeting Minutes, November 24, 2020, Virtual Meeting

• **Devon Dodson** – The Commission continues committed to providing independent comment during the 2021 legislative session, which will be held virtually.

- Al Weaver: EJ efforts have no teeth unless there's a law that's established. More public engagement and tools need to be given. Negotiations in Brandywine was out of tune. Permitting questions are underway.
- Veronika Carella – I am also interested in applying for a position in the Commission. I would be interested in looking at the low hanging fruit and evaluating any data gaps.

## 5. Concluding Remarks

- **Camille Burke:** Thank you everyone. Please continue to provide feedback along our processes. Happy Thanksgiving.
- **Ben Grumbles:** Great discussion and Happy Thanksgiving.
- **Devon Dodson and Cindy Osorto:** Please continue to attend meetings and provide feedback along the way. Let us know if you have any questions.

**December 3, 2020**

### 2020 Joint Meeting of the

### Children's Environmental Health & Protection Advisory Council and the Commission on Environmental Justice and Sustainable Communities

**Thursday, December 3rd, 2020**

12:30pm - 2:00pm

Join by Google Meet: [meet.google.com/vso-heic-nro](https://meet.google.com/vso-heic-nro)

Join by phone: 302-314-6303 PIN: 875 203 609#

**Purpose:** Discuss the intersection of children's environmental health and environmental justice, and identify opportunities for collaboration and coordination to advance common goals.

#### IN ATTENDANCE

##### CEHPAC:

Cliff Mitchell

Eamon Flynn (Staff) Kelly Love

Ruth Vriend

Megan Latshaw

Dianna Abney

Kristen Rawlett

Christina Drushel-Williams Laura Allen

Ben Gitterman

##### Public/Other:

Veronika Carella

Kirsten Jackson

Cassie Shirk

Genny Nesslage  
Kimberlee Drake  
Michael Sanderson  
Susan Casey  
Alex Butler  
Nina Cardin  
CEJSC:  
Camille Burke (also CEHPAC member)  
Devon Dodson (also CEHPAC member)  
Cindy Osorto (Staff)

Subha Chandar  
Stephan Levitsky  
Paula Dannenfeldt  
Malachy Rice  
Joseph Griffiths  
Senator Obie Peterson's Office (Chief of Staff)  
Paulette Hammond  
John Papagni

## **MEETING MINUTES**

### **December 3, 2020**

#### **● Introductions**

- CEJSC - Camille Burke - Introductions by members.
- CEHPAC - Cliff Mitchell - Introductions by members.

#### **● Administration**

- CEJSC and CEHPAC are required by statute to meet annually
- Today's meeting will discuss the mission and direction of CEJSC and CEHPAC, including how children's environmental health and environmental justice related, and what future priorities may look like

#### **● Devon Dodson provided an introduction of the CEJSC's role**

- CEJSC is beginning to look at new issues
  - First prong: reinvigoration of the commission
    - Second prong: learn more about community issues across broad geographic scope, including Eastern Shore
- Annual report is required and will include recommendations that are designed for the new efforts that the Commission wants to work on
  - The Commission wants to consider looking into cumulative impacts
  - The Commission wants to look at community-based issues
- It will be a lot of work but MDE staff are dedicated to this effort and MDE will provide other resources as necessary

#### **● Cliff Mitchell provided an overview of CEHPAC and children's environmental health in general**

- Legislatively-mandated council (Health-General 13-1506)
- Create and promote educational resources pertaining to environmental health exposure in children
- CEHPAC serves as an advisory council on legislation and regulations on matters related to children's environmental health
- Children can be more vulnerable to negative health impacts and environmental hazards



- Wide array of factors and topics can impact children’s health - outdoor air pollution, drinking water contaminants, indoor air pollution, pesticide related exposure, exposure in contaminants in food (including PCBs in fish), asthma, cancer, neuro-developmental disorders, mercury, bio-monitoring, WiFi radiation
- Where does children’s health and EJ intersect? Factors influencing the discussion may include equity considerations and science-based best practices • **Camille Burke provided an overview of CEJSC’s priorities**
  - Children’s health is a subset of EJ and we look forward to hearing input and health expertise
  - Bottom-up approach moving forward
  - Please be aware that we are listening to your input
  - Invite everyone to send legislative proposals to the CEJSC and we are looking forward to working with everyone. Session will be virtual.
  - We are embarking on an exciting new path that will consider supporting more community engagement
- **Subha Chandar - Facilitator of Jamboard Session**
  - Everyone was invited to participate in the Jamboard session, including members of both advisory groups as well as members of the public.
- **Public Comment**
  - Veronika Carella - stated there were six items identified in an email sent by her to CEHPAC members and requested they be included in meeting minutes and in future agendas. Veronika discussed the “Environmental Human Rights Amendment” bill which will be proposed in the upcoming legislative session and asked the groups to consider this legislation.
- **Administration**
  - A quorum was not present to take action on CEHPAC items at the time they were considered.
- **Camille - Thank you all and please stay safe!**
  - Ben Gitterman - motioned to adjourn the meeting
  - Kristen Rawlett - seconded the motion
  - No discussion
  - Voted against/abstained: None
  - Motion passed and the meeting was adjourned at 1:55pm

**January 28, 2021**

#### Agenda Items

- Introduction by Camille Burke, Chair
- Welcome New Members: Delegate Regina Boyce and Barbara Paca • CEJSC Annual Report: Approval
- EJ Related Legislation before the General Assembly

**Maryland Commission on Environmental Justice and Sustainable Communities**  
**Meeting Minutes**

January 28, 2021, Virtual Meeting

Members Present: The Honorable Regina Boyce, Delegate for Baltimore City, District 43; Joseph Griffiths; John Papagni; Camille Burke; Paula Dannenfeldt; Paulette Hammond; Stephan Levitsky; Janet Cornick; Lesliam Quiros-Alcala; Subha Chandar; Barbara Paca; Robert Hackman; Janet Moye Cornick

MDE Staff Present: Ben Grumbles, Secretary; Horacio Tabalada, Deputy Secretary; Suzanne Dorsey, Assistant Secretary; Devon Dodson; Cindy Osorto; Anand Parikh; Mark Shaffer; Christopher Beck; Susan Casey; Kimberlee Drake

Guests: Veronika Carella, Elizabeth Schwe, Philip Wilson, Zach Friedman, Richard Allen, Megan Latshaw, Al Weaver, Dorothy Morrison, Ana Rule, Kamita Gray

Next meeting: February 18, 2021 at 10am-12pm

Meeting minutes, agenda, presentation on mapping tools, and the 2020 Annual Report by the Commission will be available online:

[mde.maryland.gov/programs/CrossMedia/EnvironmentalJustice/Pages/cejsc.aspx](https://mde.maryland.gov/programs/CrossMedia/EnvironmentalJustice/Pages/cejsc.aspx)

## 1. Introduction and Remarks

- **Camille Burke**, Chair, Director Childhood Lead Poisoning Prevention Program for the Baltimore City Health Department
  - o Remember to wear your masks so that we can slow the spread of COVID-19.
  - o Financial disclosures are due every year by April 30<sup>th</sup> to the [Maryland State Ethics Commission](#). You should have received an email from the State Ethics Commission and please be sure to submit your disclosures.
  - o The Maryland legislative session is underway, and we have a full agenda today, including a discussion on the annual report and welcoming new members.
- **Ben Grumbles**, Maryland Department of the Environment (MDE) Secretary
  - o Environmental justice and climate justice are both a priority for the Department. This is a great time to make real progress. MDE is in coordination with other agencies that are committed to addressing diversity, equity, inclusion, and justice (DEIJ). Many organizations, including the Maryland League of Conservation Voters have recognized the need to prioritize equity this session.
  - o We are focused on filling vacancies on the CEJSC. We welcome two new CEJSC members that have a strong record of advancing environmental justice: Delegate Boyce and Barbara Paca.
  - o Commission still needs to understand each other better. Website will identify members – picture would be great, as well as a biography. Will increase collaboration between the Commission and will let the public understand

- o MDE has released an EJ Policy and Implementation Plan, which is a living document that shows the Department's commitment to advancing environmental justice priorities within the agency.
- o MDE has discussed EJ priorities with other state agencies and the EPA, including enforcement tools to help prioritize inspections and enforcement actions.
- o Delegate Boyce has also brought to the attention of MDE an EJ concern involving a Crematorium in Baltimore. Our Air Division has been reviewing the application and has held virtual meeting sessions with the community. More than technical review is necessary as outlined by the law. Additional engagement is needed to better inform the public.

## **2. Welcome New Members**

### **• The Honorable Regina Boyce, Delegate**

- o I represent northeastern Baltimore. I was honored to be nominated by Speaker Jones. Work in the Environment and Transportation Committee.
- o We all have different ideas for addressing environmental justice issues and these may include undoing injustices and ensuring that future injustices are not done. We should all have a right to have a seat at the table and learn about the issues. At heart I am a teacher and I know that we all have different learning styles, and education is needed as well, we need to teach the language to increase participation – tools are needed to improve coming together.

### **• Dr. Barbara Paca**

- o It is an honor to be a part of this Commission. I represent the Eastern Shore, which is a fragile and beautiful area that had not been previously represented on the Commission. I also serve on the Maryland Commission on African American History and Culture. Next newsletter will be featuring EJ topics. I am interested in helping building bridges with other Commissions.

### **• Camille Burke**

- o Please remember that we continue to have vacancies. Currently have four vacancies available for consideration of the public, including slots for a health expert and environmental nonprofit organization.

## **3. CEJSC Annual Report**

### **• Camille Burke**

- o Our Senate President is making environmental justice a big part of Maryland's agenda. There have been bills this session pertaining to the Commission.

However, our discussions need to be informed and framed within the authority of the Commission, which currently does seem broad.

- o The Commission is made up of volunteers and unpaid members and we do not want to over-promise.
- o Thank you to Devon and Cindy for your work on the report this year. This year's report includes a roadmap for future priorities.
- o Splitting myself between testing and vaccinations in Baltimore City. May need to miss future meetings.

• **Ben Grumbles**

Maryland Commission on Environmental Justice and Sustainable Communities Meeting Minutes, January 28, 2021, Virtual Meeting

Page 3

- o I want to underscore the great work that has been ongoing by the Baltimore Health Department. Thank you.
- o Our Assistant Secretary, Suzanne Dorsey, has also been leading agency [efforts](#) to identify whether the virus can be detected in wastewater.

• **Devon Dodson**, MDE Designee

- o Draft report was made available to Commissioners and is open to edits and comments. This year's report includes an appendix of the statutory authority that is an important piece to understand given that there are bills currently being considered by the General Assembly pertaining to the Commission.

- o Bills this session dealing with the Commission expands authority and/or changes authority, such as Senator Patterson's Senate Bill 121 and Senator Pinsky's

- Senate Bill 414. Commissioners need to think about what role they want to play.
- o Report covers calendar year 2020. We have begun reaching out to communities and we want to hear from environmental justice advocates. Oftentimes, environmental justice issues have not gone through local governments first, who may have legal authority over the subject matter. Important to have a partnership with local governments. We can also increase website presence. o Report will be posted on the website once approved by the Commission, as well as submitted to the Governor and General Assembly. This report was late and is supposed to be due annually in October.

• **Paula Dannenfeldt**

- o Thanks for clarification on what timeframe the report covers. If the Commission takes a position on bills, any letters could also be posted on the website.

• **Camille Burke**

- o Is there a motion to approve the report?

• **Stephan Levitsky**

- o Motions to approve the report.

• **Paula Dannenfeldt:**

- o Seconded.

#### 4. Legislation before the General Assembly

- **Devon Dodson**
  - o Reviews Appendix A in report which lists the statutory requirements for the Commission.
- **The Honorable Delegate Boyce**
  - o Bills have asked for deep dives for the Commission that would normally require a contractor. Legal question: if legislation passes and asks the Commission to do work beyond the current scope of work, would it be constitutional?
- **Devon Dodson**
  - o Bills are proposing to amend the applicable sections of statute to add duties to the Commission in a legally defensible way, such as Senate Bill 414
  - o Historically, the Commission has been able to provide letters of support, opposition, or information to the General Assembly regarding a bill. I am not able to create an opinion on the Climate Solutions Now Act or any other bill in place of the Commission.

Maryland Commission on Environmental Justice and Sustainable Communities Meeting Minutes, January 28, 2021, Virtual Meeting

Page 4

o The question is for the Commission: where do you want to draw the line in terms of additional responsibilities? What would you like to do for CEJSC bills? •

#### **Camille Burke**

- o One important component will be getting timely feedback on any future emails. o Our authority under statute is currently broad.

#### • **Devon Dodson**

- o Summarized the recommendations from the [Senate President Workgroup on Equity and Inclusion](#).

#### • **Paula Dannenfeldt**

- o What happens with the Senate report?

#### • **Devon Dodson**

- o Senate recommendations are being captured in current bills. President Ferguson has indicated that environmental justice is a priority.

#### • **Delegate Boyce**

- o It sounds like without additional resources or staffing, this Commission will be not be able to achieve all the new responsibilities under some current bills.

#### • **Stephan Levitsky**

- o I am glad we got what we wished for in terms of more traction, but it looks like we may have gotten too much traction – should the Commission testify before the House or the Senate for a better format? What would this look like? Less voluntary people? More full-time staff for the Commission?
- o Sounds like most Commissioners agree that we currently do not have the tools to succeed in all the asks within bills.

#### • **Camille Burke**

o I support continuing to have a hybrid of membership including from the Governor's Office, MDE, and general assembly members.

• **Joseph Griffiths**

o I am also excited that the Commission wants to take a more engaged role but if everything is a priority, nothing is.

o How do we seep through priorities and competing needs? May involve long-term considerations.

• **Al Weaver**

o We may want to go deeper and broader in the Commission's role. The Maryland Department of Transportation needs to be at the table. So does the Public

Service Commission. There should be broader and more participation from all the state agencies. Should an Office be set up for environmental justice?

o Title 6 is only one piece. Need to take this seriously. There are climate change mitigation challenges that need to be addressed as soon as possible.

• **Richard Allen**

o I work with the Maryland Department of Natural Resources (DNR) Office of Fair Practices as the Equal Opportunity Administrator. DNR could also be represented in this Commission.

• **Veronika Carella**

o I am the Legislative Director of the Maryland Children's Health Coalition.

Maryland Commission on Environmental Justice and Sustainable  
Communities Meeting Minutes, January 28, 2021, Virtual Meeting

Page 5

o Our government has three executive branches. Commissions are the only way to look over state agencies. This Commission has long-term and short-term process questions. This Commission's voice is important.

• **Kamita Gray**

o President of B2B. There was not enough engagement in the creation of the MDE Environmental Justice and Implementation Plan. There is a record of a lack of engagement by the agency in general.

• **Devon Dodson**

o I was named the new EJ Officer and can meet with you to address your questions and comments.

o Due to a shortage of time, we will not review the screening tools presentation but it will be available on our website.

o Pertaining to legislation, I can create a draft letter that addresses the Senate recommendations and have this template inform our positions on other bills. The draft letter can be reviewed by the Commissioners.

• **Subha Chandar**

o The Commission can provide more information on bills as needed, especially pertaining to the need for resources if authority or expectations are too large. May need consultant, academic institution participation, contract, or funding

to meet the requirements under some of the proposed bills.

## 5. MDE Environmental Justice Policy and Implementation Plan

- **Ben Grumbles**

- o MDE is committed to using regulatory tools, technical assistance, enforcement, evaluating funding decisions, and public participation options to enhance our environmental justice priorities.

- **Devon Dodson**

- o Reviews main concepts of the [MDE EJ Policy and Implementation Plan](#)

- **Paulette Hammond**

- o How is the EJ Workgroup different from the Commission? What happens when there is a new administration and Secretary?

- **Ben Grumbles**

- o The EJ Policy mentions a workgroup that will have representation from our different internal Administrations.

- o This is not a regulation. It is a roadmap and is not binding for future administrations but the decisions that we make today set the tone for future work. The adaptive management approach is a positive step forward that shows commitment from the agency.

- o We still need the Commission for broader recommendations and vision.

- **Paulette Hammond**

- o Should other departments have a similar policy? All agencies have environmental justice concerns.

- **Ben Grumbles**

- o One size does not fit all but I know other agencies are currently having meaningful discussions on how to incorporate environmental justice priorities.

Maryland Commission on Environmental Justice and Sustainable Communities Meeting Minutes, January 28, 2021, Virtual Meeting

Page 6

- **Camille Burke**

- o What are next steps in connection with the Commission?

- **Ben Grumbles**

- o MDE Administrations must meet regularly to continue discussions on more permitting reviews, collaboration between Administrations, and more dialogue with the community.

- o As an example, there are currently people who cannot afford their water and sewer bills. We are looking at ways to help, which may need new solutions like extended payback periods or technical assistance.

- **Paula Dannenfeldt**

- o It would be helpful to get reports to the Commission on the work of MDE's internal workgroup. The EJ Policy Officer, Devon, could report these updates and the updates could also be shared in a newsletter.

## 6. Public Comment

- **Dr. Lesliam Quiros-Alcala**

- o I am an Assistant Professor at Johns Hopkins University's Department of Environmental Health and Engineering. I study exposures on vulnerable populations. Earlier this month I shared a research proposal for the consideration of the group's support. It involved increasing engagement with the Baltimore community. Today I am joined by my colleague, Ana Maria Mule, a fellow Assistant Professor at Johns Hopkins University

- **Dr. Ana Maria Rule**

- o We are interested in supporting the Commission's research efforts.

- **Camille Burke**

- o Thank you. The Commission welcomes your expertise, but we would like to get more time to review any proposals, as well as more background information prior to being able to decide on proposals as a Commission.

- **Kamita Gray**

- o Thank you for posting the MDE Environmental Justice Policy and Implementation Plan.

- **Veronika Carella**

- o There is low-hanging fruit that the Commission can work on to protect children and drinking water. I have participated in meetings by the Children's Environmental Health and Protection Advisory Council (CEHPAC). The Maryland Health in All Policies Final Report (2019) raised some concerns pertaining to the Maryland Department of Agriculture and the Maryland Department of Health, including pertaining to pesticides.

## **7. Concluding Remarks**

- **Camille Burke**

- o Thank you everyone. Please remember to provide timely feedback on any bill related emails. We will meet on the third Thursday of the month and virtually for the foreseeable future. The next meeting will be on February 18, 2021 from 10am-12pm. Please remember to send a picture and biography to post on the Commission's website.

## **February 25, 2021**

### Agenda Items

- Introduction by Camille Burke, Chair
- Remarks by Secretary Grumbles
- Screening Tools Presentations – EPA EJSCREEN and UMD EJSCREEN
- Status of EJ Related Legislation before the General Assembly
- Public Comment



## Minutes

In Attendance - Commission Members: Camille Burke, Chair, Secretary Grumbles, MDE, Crystal Faison, Paulette Hammond, Paula Dannenfeldt, Bob Hackman, CJ for Senator Patterson, Barbara Paca, Subha Chandar, MDH, Malachy Rice, Commerce, John Papagini, DHCD

Members of the Public & State Agency Staff: Matthew Lee, EPA, Jan Michael Archer, Dr. Sacoby Wilson, Phillip Wilson, Abdularahman Monamme, Veronika Carella, Pam Kasemeyer, Theodore Mills, Janet Carnick, Arielle King, Kamita Grey, Ramon Palencia-Calvo, Suzanne Dorsey, Horacio Tablada, Denise Keehner, Devon Dodson, Lisa Nissley, Kimberlee Drake, Erick Thunell, Cindy Osorto, Stephanie Cobb Williams, Lisa Jones

### • Introduction by Camille Burke, Chair

The Chair began the meeting with a recap of the bill hearing for SB 674: CEJSC Reform, which reorganizes the Commission and its duties. She mentioned that while there are complaints about the work of the Commission, she believes these are opportunities. She noted the Commission is all working hard and as we increase our membership, we will have the capacity to get more and more done. There are several vacancies on the Commission. Please share any ideas for membership with Devon Dodson or encourage people to apply for membership. She asked members to share a bio and picture with staff for future use and reminded them that financial disclosures are due to the Ethics Commission by April 30, 2020.

### • Remarks by Secretary Grumbles

Secretary Grumbles welcomed the Commission and thanked the Chair for her comments. The Secretary commented on the good news that the US is rejoining the Paris Climate Agreement. He shared that the Governor released the Greenhouse Gas Reduction Act Plan ([GGRA](#))

### • Screening Tools Presentations – EPA EJSCREEN and UMD EJSCREEN

Matthew Lee presented on EPA EJScreen. Mr. Lee is an Environmental Protection Specialist at the Office of Communities, Tribes and Environmental Assessment for U.S. EPA Region III, He works on EJScreen, an environmental justice mapping and screening tool that provides EPA with a nationally consistent dataset and approach for combining environmental and demographic indicators. Often, he is asked to run reports for colleagues looking for data on projects they are working on. The presentation can be found at: [here](#). Questions can be directed to Mr. Lee at [lee.matthew@epa.gov](mailto:lee.matthew@epa.gov).

It is notable that there is no definition of an EJ community for the purpose of EJScreen. The data in EJ Screen is updated annually and uses 11 environmental

indicators, 6 demographic indicators, and 11 EJ indexes. Data reflects census blocks and the maps can be downloaded.

Subha Chandar asked what happens when the minority population is the majority of the population in a particular area. Matthew Lee explained that is accounted for and those areas would have a higher score as they have a higher minority population.

Kamita Gray of the BTB Coalition asked if he could compare the three major mapping tools, CAL Screen, Atlas, and this. CAL Screen is most similar, but has more cumulative impact. She also asked if there are pre-recorded instructions. There are many on the homepage (accessed by a Google search). Look for the Learn to Use EJ Screen a link and you will find instructions about understanding results, technical resources, and additional resources which are 8-10 videos itself.

Erica Hart asked if you can overlap data, for example lead and superfund areas. Yes, you can. When was EJ Screen launched? 2013. How do you collect data on the users and their experience? User data is collected via a survey maintained by headquarters. EJ Screen can be found here: [epa.gov/ejscreen](http://epa.gov/ejscreen).

Dr. Sacoby Wilson and Jan-Michael Archer presented on MD EJScreen, a GIS program that allows users to explore layers of environmental justice concern, determine the overall 'EJ Score' for census tracts in the state, and view additional context layers relevant to their area of concern. This program, found at [ceejhlab.org/](http://ceejhlab.org/), is designed by the University of Maryland and CEEJH (Community Engagement, Environmental Justice, and Health) Laboratory. The presentation can be found at: [here](#). MD EJScreen can be found at [p1.cgis.umd.edu/mdejscreen/](http://p1.cgis.umd.edu/mdejscreen/).

Dr. Wilson discussed the state level need. This allows very state specific data to be included. For example, Maryland would be concerned about CAFOs while California would have more concerns about pesticides. Maryland and California both have these tools. North Carolina, New Jersey, and Minnesota also have state versions of EJScreen. The scoring tool is borrowed from Cal Enviro. Someone asked if this tool agrees with EJ Screen and if you can compare.

Only in that you can design two maps and look at them side by side. It was suggested that the Commission will ultimately need to pick one of the tools to use. Secretary Grumbles complimented the tool and said we need to use data to get us where we want to go with EJ and Climate.

Questions can be directed to Dr. Wilson at [swilson2@umd.edu](mailto:swilson2@umd.edu) and Jan-Michel Archer at [jarcher3@terpmail.umd.edu](mailto:jarcher3@terpmail.umd.edu).

## • Status of EJ Related Legislation before the General Assembly

Climate Solutions Now Act – Includes new duties for the CEJSC. The bill is moving through the Senate. MDE would need more staff to help implement.

SB 647/HB 1207 CEJSC Reform Bill – this came out of the summer workgroup Report of the Senate President’s Advisory Workgroup on Equity and Inclusion Public Comment. The Commission drafted a letter sharing information about what we currently do. The sponsor was a little harsh toward the Commission. Dr. Wilson and Monica Brooks testified in support.

HB 1310 – this is a reintroduction (not exact, but same topic) of the bill Commission members met with Delegate Rosenberg on last year. Largely asks the Commission to prioritize Federal funds to EJ areas. No hearing yet.

## • Public Comment

Kamita Gray, BTB – I am impressed with the tools. It is important to have local data to address on the ground community issues. There is often a divide between communities and academics. We need more communities at the table and we really need to figure out how to do that before decisions are made. Devon Dodson shared that is exactly what MDE wants to do and MDE wants to hear directly from the community. Camille Burke added that we will be reaching out because we need help to figure out what works best and how to be most respectful of communities.

Veronika Carella – Thanked the presenters and said we should get state databases included for consistency. She also mentioned we need to purposely include “sustainable communities” in this discussion (per the Commission’s name). Groundwater data should be included as well.

She spoke on Senator Patterson’s bill on a constitutional amendment to declare every person has an inalienable right to a healthful environment (SB151).

## Other notes of interest (from chat box):

NWF is hosting two webinars on March 15th and March 22nd on geospatial tools; 1st session on state tools (California, Michigan, Maryland, and Washington) and 2nd session on County and City tools (Houston, Twin Cities, Cuyahoga tentative)

NAS is hosting a workshop on geospatial and remote sensing technologies with a focus on environmental justice and disasters on April 14th and 15th

NIEHS is hosting a webinar on geospatial tools for environmental justice in May 2021, contact Liam O’Fallon

[p1.cgis.umd.edu/mdejscreen/](https://p1.cgis.umd.edu/mdejscreen/) Re: Dr. Wilson's earlier post regarding National Wildlife

Federation (NWF)'s involvement in mapping tools --

[nwf.org/-/media/Documents/PDFs/Environmental Threats/Environmental-Justice-Mapping Tools.ashx?la=en&hash=347578719433ACCF5C50F1FE56C98AFFD17981](http://nwf.org/-/media/Documents/PDFs/Environmental%20Threats/Environmental-Justice-Mapping%20Tools.ashx?la=en&hash=347578719433ACCF5C50F1FE56C98AFFD17981)

The Environmental Law Institute will be having a webinar on environmental justice on accountability methods -

[eli.org/events/keeping-our-word-accountability-racial-justice-environmental-sector](http://eli.org/events/keeping-our-word-accountability-racial-justice-environmental-sector). The EPA Office of EJ also has some upcoming webinars:  
[eventbrite.com/o/epa-office-of-environmental-justice 20197837045](http://eventbrite.com/o/epa-office-of-environmental-justice-20197837045)

MDE staff will share a Doodle Poll to choose a regular standing meeting time for the CEJSC. Please note, ultimately the fourth Tuesday of the month from 10-12p. The next meeting of the CEJSC will be on Tuesday, March 23, 2021, 10:00am to 12:00pm.

### **March 23, 2021**

#### Agenda Items

- Introduction by Camille Burke, Chair
- Remarks by Secretary Grumbles
- Follow up Discussion – Screening Tools
- Status of EJ Related Legislation before the General Assembly
- Discussion with Brandywine Community on Outreach
- Public Comment

#### Minutes

Commissioners in attendance: Secretary Ben Grumbles, Camille Burke, Senator Patterson, Delegate Boyce, Barbara Paca, John Papangi, Paula Dannenfelt, Paulette Hammond, Janet Cornick, Lesliam Quiros, Bob Hackman, John Griffith, Subha Chandar, Crystal Faison

Staff & members of the public in attendance: Sussex Health, Nina Cardin, Theo Miller, Fred Tutman, Monica Brooks, Morgan Johnson, Veronika Carella, Megan Latshaw, Dr. Sacoby Wilson, Patrick DeArmey, Pam Kasemeyer, Hannah Brubach, Richard Allen, Horacio Tablada, Suzanne Dorsey, Devon Dodson, Lisa Nissley, Lisa Jones, Kimberlee Drake, Chris Hoagland,

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- Introduction by Camille Burke, Chair

The Chair welcomed everyone to the meeting. She shared that many bills are going through the legislature that relate to EJ. We will review some of those bills, but she encouraged people to look at HB 204, HB 523, and HB 183. She mentioned there are many bills on housing as well and she thanked Delegate Boyce for her work and advocacy on many of these bills. Devon Dodson mentioned that MDE can provide a list of these bills for Commissioners to review. When reviewing the minutes from the February meeting, it was noted that the Ethics Financial Filings are due on April 30<sup>th</sup>. The minutes were approved with that correction.

- Remarks by Secretary Grumbles

Secretary Grumbles thanked everyone for attending and said he appreciates all the work the Chair and the agencies are doing on session and EJ issues. He wants to give the Commission more and more resources.

- Follow up Discussion – Screening Tools

Last month the Commission had presentations on EJ Screen and MDE EJScreen. Devon Dodson discussed this and the idea that the Commission will ultimately need to recommend which screening tool is best for Maryland to use. Both provide important information. It is easy to use the EJ Census Block data. Nice to have such a small section of the community isolated for data. On the other hand, it is good to have very specific Maryland data on the MD EJScreen. It may be important to embrace both tools. Hackman agreed there are pluses and minuses for each tool. He would like to see a letter of support for the Maryland based tool from the Commission, asking for the funding needed to get this tool up to the level that is needed for full use.

The Chair expressed concern that this means we are supporting those who made the tool, and she is cautious about supporting one organization over another. Ultimately, there is a goal to hand off the MD EJ Tool to an organization that can support it. Someone asked if there are EPA grants that may support the tool. Devon Dodson said, yes, that may be a possibility. Mr. Hackman responded that grants may be helpful, but he is concerned about the temporary nature of grants. The screening tools need a funding source that will allow it to continue. The Commissioners agreed it needs a dedicated funding source.

Devon Dodson spoke to the nature of the budget process. It is currently moving in the legislature and being decided for FY 2022. There are other processes outside of the budget, but state spending may or may not be feasible in the near future.

Dr. Wilson mentioned that Census Block Group can be added to the MD tool, but it takes money. He is in the process of meeting with several state agencies to explain the tool and talk about how they can collaborate. DNR has provided some funding as a result.

There was a discussion about why EPA does not define “EJ Community.” Maryland and the Federal government have not defined for a myriad of reasons, least of all some communities

do not want that label assigned to their community. Dr. Wilson pointed out that communities that are poor or minority are not automatically dealing with EJ issues (a better way to discuss these communities). Many of the issues are external. Devon Dodson added that it is important to invest in these areas. Delegate Boyce thanked Dr. Wilson for mentioning this.

- Status of EJ Related Legislation before the General Assembly Lisa gave an update on EJ related legislation. Crossover was yesterday. That means the Senate and House voted on the bills they intend to send to the opposite chamber. Any bills passed by the chamber of origin after this date go through the Rules committee, adding a step before they can be considered by committee. Also, both chambers announced bills with crossfiles will not be heard unless they have significant policy changes and for many bills it will be sponsor-only testimony. On the Senate side, this varies a bit by committee. Written testimony is always welcome.

SB 121: Zoning - Environmental Justice Considerations requires an EJ analysis for certain applications to construct/operate a landfill in an area zoned for residential use and an EJ analysis is to be prepared at expense of the property owner. The bill would have the CEJSC make recommendations on EJ & local zoning by 6/1/22. This bill passed the House. The sponsor is our Senate member, Senator Patterson.

HB 1310: Clean Energy and Energy Efficiency - Investment in Low-Income Communities - Delegate Rosenberg: This bill was heard in Appropriations on 3/12, no vote yet. The sponsor offered amendments that removed the CEJSC from the bill. With amendments, the bill would require agencies to develop policies and recs to place the highest priority on overall spending on clean energy and energy efficiency programs, projects, and investments in the State to benefit “low-income communities,” Federal funding appropriated for certain programs related to energy and energy efficiency must also be prioritized.

SB 674/HB 1207 Environment - CEJSC – Reform This bill passed 3<sup>rd</sup> reader in the Senate on Monday. The Senate amendments did not change the duties of the Commission, but there are changes to the membership. The Governor would make appointments and it would say no fewer than 4 community members. The House version was heard and then discussed in the subcommittee, but there has not been a House vote. The House hearing was more friendly toward the Commission.

SB 414/HB 583 - Climate Solutions Now Act: This bill makes broad changes to policy on reducing statewide GHG emissions and addressing climate change including increases the GHG reduction requirement from 40% from 2006 levels by 2030 to 60% from 2006 levels by 2030 and requires the State to achieve net-zero statewide GHG emissions by 2045. The CEJSC makes recommendations on 1. methodology for identifying communities disproportionately affected by climate changes, 2. addressing EJ concerns, and 3. set goals for reduction measures that should be used for the benefit of disproportionately affected communities by 12/31/22.

Delegate Boyce has advocated on behalf of the Commission in the subcommittee meetings

MDE has watched online for both the Commission bill and the CEJSC. She has stressed that the commission is a volunteer body, not a regulatory body, and asked for thoughtfulness as we add duties and responsibilities. Delegate Boyce shared that she does not want the Commission to be the only body addressing EJ issues. Devon Dodson agreed. Dr. Wilson added that he worked on the amendments and another question is how are other agencies implementing? Everyone should have an EJ Plan in addition to MDE. Devon Dodson reiterated that this is a priority now and the state is moving forward to use this opportunity. He noted that the bill calls for six meetings a year and this is our sixth meeting in eight months.

Reminder you can watch all the proceedings online this year from floor sessions to voting sessions. In that respect, the legislature is much more accessible for everyone.

- Discussion with Brandywine Community on Outreach

This was postponed due to a family emergency.

- Public Comment

Megan Latshaw mentioned two bills of interest – HB 1204 and the Environmental Human Rights Act. She also discussed Lead in Drinking Water and concern at the number of schools testing above the recommended level, and she hopes there is a plan to address that (one was not apparent in the report). She has found the data hard to track down. Devon Dodson offered to help with that. Camille Burke mentioned the work being done by the lead commission.

Richard Allen shared that as an Equal Opportunity professional he sees a need for resources to go along with this reenergized effort. Secretary Grumbles underscored the need for interagency commitment.

Dr. Wilson shared insight on the issues around ammonia and chicken farmers and the impact on local health. We need site specific air quality monitoring data to understand factory farming.

Veronika Carella shared comments and shared them via chat: SUSTAINABLE COMMUNITIES: Issues related to protecting groundwater, the source of Maryland drinking wells is not being addressed. Devon Dodson and Camille were copied on emails to the Maryland Department of Agriculture (MDA) highlighting the issue with standing. Protecting water and human health is critical ensuring Maryland has sustainable communities. Requesting CEJSC address per CEJSC statute: Section 1- 701(h) Duties (2) "Review and analyze the impact of current State Laws and policies on the issue of environmental justice and sustainable communities." HiAP DATA SHARING: Data Sharing, such as the tools discussed, are necessary to protect public health and the environment. Currently, as Devon Dodson and Camille saw in the MDA example that they were copied on last week, Marylanders currently do NOT have access to data that drifts onto their property, knowingly contaminates their groundwater. Whenever hazardous chemicals are applied in outdoor spaces, the public has the right to know what they are inhaling or absorbing through their



skin. Please address HiAP Data Sharing of pesticide application records only accessible by MDA. The decisions of what hazardous discretionary pesticides are approved for use by MDA by contractors for residential, community or right-of-way maintenance DO NOT include a review of the impacts to health or the environment, they only address efficacy. This is a CEJSC issue related to sustainable communities as well as an EJ specific issue.

Theodore Miller, a law clerk for Chesapeake Legal Alliance has been encouraged by the revitalization of the Commission in the past few months. He hopes public engagement will drive the effort moving forward including listening sessions and perhaps an online portal. He would like to see a direct role in advising agencies.

Monica Brooks spoke, but the internet connection was weak and it was hard to capture her comments. Generally, she spoke about the AFO decision and the opportunity to make strides on EJ and equity related to nitrogen from those operations.

Kathy Phillips, the Assateague Coastkeeper is excited that there will be more representation serving on the Commission from around the state. Her organization is excited to help.

April 27, 2021

#### Agenda Items

- Introduction by Camille Burke, Chair
- Remarks by Secretary Grumbles
- Update: MDE Internal EJ Work Group & MCCC Climate Justice Work Group
- Legislative Wrap Up: Status of bills considered by the Maryland General Assembly
- Discussion with Brandywine Community on Outreach • Public Comment

#### Minutes

Members in Attendance: Secretary Ben Grumbles, Camille Burke, Subha Chandar, Joseph Griffiths, Joe Papagni, Malachy Rice, Janet Cornick, Robert Hackman, Lesliam Quiros-Alcala, Paula Dannenfeldt, Paulette Hammond, and Barbara Paca

Members of the Public & Staff: Assateague Coastkeepers, Charmaine Brown, Hannah Schaffer, Dorothy Morrison, Elizabeth Shwe, Theo Miller, Monica Brooks, Morgan Johnson, Veronika Carella, Megan Latshaw, Patrick DeArmey, Pam Kasemeyer, Hannah Brubach, Horacio Tablada, Suzanne Dorsey, Devon Dodson, Lisa Nissley, Lisa Jones, Kimberlee Drake

#### • Introduction by Camille Burke, Chair

Camille Burke thanked the legislators for all the work they did during the session.



She commented on the legislature's work process to create and pass legislation. She knows there is more work to do, but she is grateful for what was done this session and happy to be included in the process. She mentioned if you need help finding a vaccine, let her know. The minutes were approved.

- **Remarks by Secretary Grumbles**

Secretary Grumbles welcomed the Commission and guests. He is pleased with the interest people have in the Commission. MDE is committed to working on these issues with communities. He is looking forward to a time when we can visit communities.

- **Update: MDE Internal EJ Work Group & MCCC Climate Justice Work Group**

The Maryland Commission on Climate Change is working to incorporate EJ in every piece of their work and has named Charmaine Brown MCCC Climate Justice co-chair of the MCCC Climate Justice Team.

Charmaine Brown introduced herself and shared that her work has been focused on issues of diversity, equity, and inclusion. She would like to bring that lens to the work on the Maryland Commission on Climate Change and she sees ways for the two commissions to collaborate. She added that people in communities are close to these problems and bring an important perspective. She would like to make sure their voice is being included in discussions on climate change policy in Maryland.

The MCCC has a focus on recruitment, and she has been working with Devon Dodson on that. They have also worked on a mission/vision statement, so everyone is very clear on what they are working toward. The workgroup will be presenting training opportunities on cultural competence so members can better interpret behavior and make this work sustainable over time.

Devon Dodson shared that part of the MDE EJ Implementation Policy includes forming an Internal workgroup and under the policy he is the EJ Officer. The workgroup has met twice in recent weeks and will receive the same EJ Screen presentation the Commission received a couple months ago. They are also forming subgroups on issues such as permitting, enforcement, and internal education.

- **Legislative Wrap Up: Status of bills considered by the Maryland General Assembly**

On the tracker we used this session, there were 8 bills (13 when you counted cross files). That was shared with Commissioners when the week's session ended. Of those, 3 (6 w/crossfiles) Passed, 5 Failed. Two of the failed bills had CEJSC requirements. Highlights include:

HB 51/SB121 Zoning – EJ - Failed

Requires an EJ analysis for certain applications to construct/operate a landfill in an area

zoned for residential use; EJ analysis is to be prepared at expense of property owner. CEJSC to make recs on EJ & local zoning by 6/1/22.

HB 183/SB449 PIA Provisions – Passed:

Provides for enhanced public disclosure via agency websites, makes changes to the PIA Compliance Board, and increases staffing to the Ombudsman by OAG. It is enacted 7/1/2022.

HB 583/SB414 CSNA Failed

This bill would have included new work for the Commission. It said:

Adds to the charge of the CEJSC to make recommendations to the MCCC on:

- A methodology for identifying communities disproportionately affected by climate change.
- Addressing EJ concerns, reducing emissions of GHG & co-pollutants, and building climate equity in those communities.
- Goals for the percentage of state funding for GHG emission reduction measures to benefit those communities.

Specific instructions:

- Consult with the Departments of Health, Labor, and Planning
- The method should consider geographic, public health, and socioeconomic criteria including:
  - o Areas burdened by cumulative impacts.
  - o People experiencing poverty, high unemployment, high rent burdens, low levels of home ownership, or low levels of education attainment.
  - o Populations that have historically experienced discrimination
  - o Areas vulnerable to the impacts of climate change
- Six public hearings (3 in urban area, 3 in rural area) for input on the development of the recommendations
- Receive input from all segments of affected population mentioned above.
- The public hearings can be virtual if needed for public health reasons.

Delegate Boyce shared that the House worked on changing this from being the responsibility of the Commission to the responsibility of the Department with consultation from the Commission. They tried to be conscious of the workload of the Commission.

Devon Dodson and Camille Burke thanked the Delegate for making this point on the Commission's behalf.

HB 1207/SB 674 CEJSC Reform

Lisa Nissley reviewed a chart of the changes to the Commission (attached). The bill adds definitions, grows the membership, adds to the charge of the commission, and requires community meetings. Some of the new members will be named by the Speaker and the President. There will be a representative from MACo, MML, and two from AFL CIO.

Meetings will need to be held in diverse areas of the state, four times/year. The new charges require the Commission to collaborate with the Office of Minority Health and Health Disparities and the MCCC. It also adds requirements to use data sets and mapping tools as we analyze policy for EJ impacts. The bill goes into effect on October 1, 2021.

Devon Dodson pointed out that the bill does not change much about how we are currently operating, but ensures we continue to move forward in this way. We are looking forward to getting out into the community. Delegate Boyce pointed out that the bill acknowledges that there were decisions made years ago that have an effect now and we should be addressing those effects. It is a result of knowing and understanding more now.

On community meetings, we will do everything according to COVID safety precautions and hope to get out into the communities as soon as it is safe. Senator Patterson shared he sees the bill as a way to have checks and balances to be sure work is getting done. He is really looking forward to seeing the Commission out in the communities.

Bob Hackman asked about funding. There is no explicit funding, but Devon Dodson explained that MDE would be responsible for location and mileage. Those costs should be minimal. Secretary Grumbles shared his support and said the Department will support the meetings and appreciates how everyone worked hard on the legislation. The ability to get out there and listen to the communities will be a key part of the effort to move forward.

Devon Dodson will look into options for us moving forward with this effort and what makes sense in terms of visiting communities with regard to COVID. We would like to visit the Eastern Shore and he will come back to the Commission with some ideas of how logistics could work, as well as a proposed schedule. Camille Burke shared she likes that idea and virtual could work some, though she is concerned about access to wi-fi. Delegate Boyce suggested we consider some sort of hybrid situation where we have virtual access, but also some outside/distanced option.

Joe Griffiths of Planning said beyond logistics, we want to define why we are there and what we can offer so we can build trust with communities. Devon Dodson agreed, we want to learn about problems and get the communities connected to the correct agencies that can help address the issue. Senator Patterson suggested once we have a schedule, reaching out to local officials to notify, sharing questions with the community in advance so we can be better prepared to answer their concerns.

On membership, Paula Dannenfeldt asked about how new members will be appointed. Devon Dodson answered that some expire in October already and he will coordinate with the Senate President and Speaker to involve new members as early as possible.

- Discussion on Community Outreach

Monica Brooks shared her experience as an Eastern Shore resident advocating for the safe regulation of CAFOs. She grew up in LA, but has been in MD for 26 years. She was a city

kid who loved trees and spent a lot of time outside. She came to the Eastern Shore for fresh air, farmers markets, quiet, and elbow room.

As the community learned more about CAFOs, they were very concerned about the effects on health and water wells, etc. They started petitions asking for better review of health considerations, but they felt dismissed. They started learning more about the operations. They are not anti-poultry or agriculture. However, there is a concentration of these facilities on the Eastern Shore and we need to consider if there is a health impact. The response was often this industry brings a lot of money to the Eastern Shore and we do not want to mess with that.

This community needs support. There are many skin issues and so many flies. There is a high minority population and these permits are being processed rapidly.

Someone asked what is a megahouse? Monica explained it is a 400 foot by 50-foot facility for chickens (about the size of a football field).

Monica talked about hitting walls when asking questions about impacts. Devon Dodson offered to be helpful with any MDE issues. Monica asked him what his experience has been reaching out to other agencies with problems. Devon said that he does not have any trouble with sister agencies.

He has various levels of response from legislators and local governments. Often when he hears about these problems, we are past the point of the decisions being made.

Barbara Paca pointed out we have experienced the wi-fi issues people have when joining us in meetings, but there are also lots of issues with noise from farm machines and even being behind them on the road. It can feel like a different world and she just wants to support Monica's comments.

Bob Hackman asked if as the EJ officer, does Devon have the first pass at these issues. Yes. If a water issue comes up, for example, he will go to them. He finds that many times it is a matter of communication. These issues have often been touched by staff already.

Monica Brooks shared that she often did not get a good response, but they kept trying. They don't really care where the help comes from, but they do really need help. She is a small business owner, not relying on others for her employment so she is willing to put herself out there. Not everyone feels that way. She is just working to make the industry better. Senator Patterson asked Secretary Grumbles how we confront local laws that impact what we might want to do at the state. Secretary Grumbles responded that this has been a long-standing challenge for both climate and EJ. He is trying to use all the state's tools and financial assistance. In some cases where a local issue rises to a level the state can step in and they do. We try to work with local authorities.

Camille Burke thanked Monica. This is the beginning of the conversation, and she looks forward to visiting the community as soon as we are able.

- Public Comment

Veronika Carella - MD CEHC Legislative Director.

“The commission is tasked with addressing both EJ as well as Sustainable Communities issues. Requesting CEJSC address this issue per CEJSC statute: Section 1-701(h) Duties (2) "Review and analyze the impact of current State Laws and policies on the issue of environmental justice and sustainable communities the issue of what pesticides are allowed for use in the State of Maryland.”

Please investigate why there are currently no regulations in Maryland to guide the Registration & Labeling of Pesticides approved for use in Maryland by the MDA or any other Agency. The regulations (MDA Reg - State Chemist 15.18.02) enacted in 1988 were repealed in 2004. Decisions on what pesticides are allowed do NOT conform with the “Health in All Policies” initiatives – as impact to public health and to groundwater are currently not considered.

As a result, the issues related to protecting groundwater from pesticides documented to contaminate wells (the source of Maryland drinking wells) are not being addressed. Again, Devon, Camille and some CEJSC members were copied on recent emails to MDA highlighting from a person with standing. Protecting water and human health is critical ensuring Maryland has sustainable communities.”

By chat, Megan Latshaw shared: speaking of national policy, there is White House meeting on EJ tomorrow: [federalregister.gov/documents/2021/04/20/2021-08107/white-house-environmental-justice-advisory-council-notification-of-virtual-public-meeting-series](https://www.federalregister.gov/documents/2021/04/20/2021-08107/white-house-environmental-justice-advisory-council-notification-of-virtual-public-meeting-series)

By chat, it was shared that WEACTION has Spring & Summer 2021 EHJLT Program [weaction.org/home-3-2/getinvolved/education/ehjlt/ehjlt2021/](https://weaction.org/home-3-2/getinvolved/education/ehjlt/ehjlt2021/) Virtual Trainings on various EJ related issues.

Megan Latshaw offered public comment. She would like to see if there are ombudsmen to help with these concerns or any sort of 311 type system. After a concern is shared is there a way to make sure the issue is closed out and note of the person is satisfied or not?

Suzanne Dorsey shared that MDE provides 24-hour customer service and it is a MDE core value. She is working on our public records and would like them to be more searchable. We work toward being as responsive as possible and aim to provide more and more information on the website, so you do not have to be in touch with a person first. That said, data is great, but we want to give context to help people understand what it means. This is important work that all agencies are working through.

Elizabeth Shwe asked if there is a community outreach plan in place. Devon Dodson responded that we are working through developing that plan now. She asked why the CEJSC bill was passed if it is not that different from what is happening now. Secretary Grumbles answered that it reinforces the importance of the work being done and takes down some of the barriers to implementation. Also, the provisions

ensure we will be doing the work of listening to the community.

Delegate Boyce added that we are learning and growing and there is a lot to respond to. We must ask ourselves what has gone wrong and what can we learn from that. She has found there is a misunderstanding about what the Commission does, and she thinks this bill answers that questions.

Senator Patterson added a thank you to Monica for sharing her story and said that the bill reflects the importance of getting more community stories.

Camille Burke said thank you for all that the Commission does, and the meeting was adjourned.

## **June 22, 2021**

### **Agenda**

- Introduction by Camille Burke, Chair
- Remarks by Secretary Grumbles
- Introduction of New Commissioners
- Review of Membership Under New Law (SB 674/HB 1204)
- Discussion on Visiting Communities on the Eastern Shore in July
- Discussion with Brandywine Community on Outreach
- Public Comment

#### Minutes

Members in Attendance: Secretary Ben Grumbles, Camille Burke, Delegate Regina T. Boyce, Subha Chandar, Joseph Griffiths, Joe Papagni, Phillip Wilson, Robert Hackman, Lesliam Quiros-Alcala, Paulette Hammond, Voncia Molock, Monica Brooks, and Barbara Paca

Members of the Public & Staff: Hannah Schaffer, Dorothy Morrison, Richard Allen, Brandon Wright, Kamita Gray, Ginny Nesslage, Christine Krone, Sherman Hardy, Emily Werik, Morgan Johnson, Veronika Carella, Patrick DeArmey, Hannah Brubach, Horacio Tablada, Devon Dodson, Lisa Nissley, Lisa Jones

- Introduction by Camille Burke, Chair

Camille Burke welcomed everyone and shared she will be participating in the MDOT EJ Coordinated Kick Off coming up soon. She will share what the

Commission has been working on. The Commission approved the April meeting minutes.

Camille Burke shared that she participated in the recent CEHPAC meeting. She also attended a public meeting about the expansion to include a crematorium at Vaughn Greene Funeral Services in Govans. She was there to learn more about community concerns. Delegate Boyce was also in attendance.

- Remarks by Secretary Grumbles

Secretary Grumbles thanked Camille Burke for participating and said MDE is spending extra time with Govans community representatives to really understand their concerns. MDE will officially comment as part of the proposed process.

He went on to welcome everyone to the meeting and said he is proud of the robust membership and participation. He has been sharing this process with EPA and mentioned the work of the EPA EJAC and the White House EJ Advisory Council. The Administration recently announced a commitment to direct 40 percent of his administration's climate and clean energy investments to disadvantaged communities. Other states are also working on how to dig into how to properly define "underserved" and how to measure and track increased investments. He believes we are having good conversations with the Maryland Commission on Climate Change to have a coordinated approach.

Chairman Camille Burke thanked Secretary Grumbles for mentioning this. Defining is hard and as she and Delegate Boyce mentioned at the Govans meeting, we need to consider cumulative effect as well.

- Introduction of New Commissioners

The Governor has made two new appointments to the Commission. Voncia Molock will serve as a business representative and Monica Brooks will serve as a member of an affected community.

Monica Brooks introduced herself as a resident of the Eastern Shore in Wicomico County. She is a parent and a business owner. She began her work as a concerned citizen against CAFO to combat large feeding operations. The ultimate goal is to have clean air and water. She is here to lend a voice as a member of an area that is affected. Also, she grew up in Los Angeles dealing with smog. She is interested in sharing her experience and helping to bring change.

Voncia Molock introduced herself from Dorchester County on the Eastern Shore. She traveled with AT&T for 18 years and has worked at Purdue for 16 years. Recently she took over for Steve Levitsky when he moved on. She has four kids; three of them have



graduated from Morgan University. She is married to a seventh-generation farmer, so she really cares about the environment and farming opportunities on the Shore. She is happy to join the Commission and learn how Purdue can help support EJ.

- Review of Membership Under New Law (SB 674/HB 1204)

Devon discussed SB 674/HB 1204 which became law without signature due to COVID and goes into effect on October 1, 2021. The bill brings changes to the membership with some additional members and some appointments now being made by the Senate President and Speaker of the House of Delegates. This means the Commission as it exists will be gone and everyone will be newly appointed. Not everyone fits into the Governor’s appointments but if interested, they could speak to the President and the Speaker’s Offices. This chart compares current and future membership.

<b>SB 674/HB1207</b>	
<b>Standing Member (8)</b>	<b>Current Membership Standing Member (8)</b>
Senate, Delegate, Environment, Health, Planning, Commerce, Housing, Transportation	No change to standing members
<b>Appointed by Governor (5)</b>	<b>Appointed by Governor (12)</b>
1 Representative from: Community impacted by EJ issues	At least 2 members of an affected community and at least 1 representative from:
A business organization	A business organization
An environmental organization	An environmental organization
A health expert	A health expert
An academic institution with an EJ institute	The general public with interest or expertise
<b>Appointed Jointly by Speaker &amp; President (6+)</b>	<b>Appointed Jointly by Speaker &amp; President (0)</b>
At least 3 community representatives	n/a
1 representative from: business organization	
An environmental organization	
A health expert	
<b>Appointed by entity (4)</b>	<b>Appointed by entity (0)</b>
MACO representative	n/a



MML representative	n/a
2 AFL-CIO representatives	n/a
<b>Total Members: 23+</b>	<b>Total Members: 20</b>

All members will need to reapply and reappoint. Please share your intentions or interest with Devon Dodson. He will be touching base with the presiding officers to help with coordination.

Camille Burke asked if the academic representative needs to be from Hopkins or UMD? She would like to check if there are other universities that might be doing work that qualifies under the bill. Other members were very interested in this point and suggested work being done at Morgan qualifies.

Monica Brooks is concerned that communities without a listening ear will remain unrepresented. She would like to see people appointed that truly represent the community. Devon Dodson said MDE is committed to helping this process to that end. Delegate Boyce agrees and believes the legislature will do this. Also, she would like to see this group stay intact as much as possible.

Phillip Wilson asked if there are changes to the responsibilities of the Commission. Devon Dodson explained there are some, but many are things we are working toward already. Most have to do with the Commission meeting six times each year and having four community listening sessions. These meetings should be in revolving locations. We are to use data sets to support our work and consider Title VI of the Civil Rights Act of 1964. The CEJSC is to work with the MCCC and the Office of Minority Health and Health Disparities. New members will now receive an orientation.

Richard Allen asked if Morgan University is represented? The answer is no, not specifically. He suggested we investigate if their Institute for Urban Research qualifies under the law. Barbara Paca suggested we do the same for UMES.

Camille Burke asked that staff create a to-do list with timing for these tasks. Please share any research you do and your intention for serving on the Commission before our next meeting.

- Discussion on Visiting Communities on the Eastern Shore in July  
We are looking at our next meeting date for a tour of the Eastern Shore. A tour is more realistic than a big public meeting due to COVID as are outside meetings. Monica Brooks will look into setting up some stops and we could ultimately meet Barbara Paca at the Water’s Edge Museum for lunch and discussion. Monica thinks it will be a great

way to gain real understanding from going and seeing the actual community.

Staff will look into options of sharing this online and will conduct a Doodle Poll about dates if not the 27<sup>th</sup>.

- Discussion with Brandywine Community on Outreach

Kamita Gray shared a [presentation](#) on the work of the BTB Coalition.

Questions and Comments: Devon Dodson thanked Kamita for sharing this point of view and said he has learned a lot from their discussions. He agrees that the Commission and the state agencies will need to do their homework and be prepared to give answers, not just listen.

Monica Brooks thanked Kamita and said the presentation is encouraging. She believes we need all the parties at the table for a discussion or it is hard to have resolution. There are more actions if we work as a team. Devon Dodson reiterated he can be helpful as the EJ officer and if a community has problems they can be in touch with him.


- Public Comment

Comment from Veronika Carella - MD CEHC Legislative Director; Requesting CEJSC agenda item for August meeting; "Review and analyze the impact of current State Laws and policies on the issue of environmental justice and sustainable communities specifically the issue of what pesticides are allowed for use in the State of Maryland and whether the laws and regulations are sufficient to protect public health and the environment – particularly in areas serviced by groundwater wells.

Please include this outstanding issue of protecting public health, air, soil and groundwater (i.e. wells) as a sustainable communities issue per CEJSC statute: Section 1-701(h) Duties (2).

CEJSC's review will allow for identifying and correcting the current weaknesses in Maryland Law and regulations consistent with Maryland's Health in All Policies (HiAP) initiatives which helped to identify that discretionary pesticide applications that are detrimental to public health and documented to contaminate wells are currently allow for use on residential property under existing Maryland Department of Agriculture Laws, Policies and Regulations.

Repeating last meeting's comment, please investigate why there are currently no regulations in Maryland to guide the Registration & Labeling of Pesticides approved for use in Maryland by the MDA or any other Agency. The regulations (MDA Reg - State Chemist 15.18.02) enacted in 1988 were repealed in 2004. Decisions on what pesticides are allowed do NOT conform with the "HiAP"



initiatives – as impact to public health and to groundwater are currently not considered. As a result, the issues related to protecting public health and groundwater from pesticides (documented to contaminate wells - the source of Maryland drinking wells) are not being addressed anywhere in Maryland.

**October 5, 2021**

- Welcome & Remarks
  
- Staff Reports:
  - Implementation of SB 674/HB 1204 - Commission on Environmental Justice and Sustainable Communities – Reform
  - August Eastern Shore Visit
  - MDE Internal EJ Workgroup
  
- Discussion of Action Items and Recommendations for 2021 CEJSC Annual Report