**Commission on Environmental & Sustainable Communities (CEJSC)**

Montgomery Park, Baltimore, MD

Salisbury, MD

July 29, 2016 9:30 pm- 5:00 pm

**MINUTES**

**In Attendance**

* Commissioners: Subha Chandar, Larry Brown Jr., Steve Levitsky, Vernice Miller-Travis, Janet Moye Cornick, Rebecca Rehr, Michael Leslie, Dick Fairbanks, Duane Johnson
* Participants: Keith Lackie, Angelo Bianca, Don Tannenbaum, Kameta Gray, Lisa Inzerillo, Margaret Barnes, Kathy Phillips, Akosu Dosu, Dawn Hawkins, Andrew Fellows

**Introduction**

Vernice Miller-Travis started the meeting by welcoming everyone and asking everyone to introduce themselves.

Vernice read the open meeting law to the commission. Vernice indicated that there has been some tension between Perdue and the public; however, this meeting isn’t going to be the place to awn out those issues.

Rebecca Rehr gave an overview of how the CEJSC developed and created a meeting site in Salisbury, MD and why the location had to change from the Perdue facility to the Salisbury University.

**CEJSC Charge Discussion**

* Advise State agencies on EJ and Sustainable Communities issues,

Vernice asked state agencies around the table how CEJSC can be of better assistance in helping with this conversation within their agencies. Angelo Bianca of MDE said he would like to see CEJSC giving more guidance on community issues like the Sherriff Road project. Angelo would also like CEJSC to pick specific goals and focus on them throughout the year. Subha Chandar from DHMH said it would be great to see information exchange between agencies and CEJSC. Larry Brown Jr. from DHCD said he’s interested in learning more about the goals of CEJSC. Janet Moye Cornick said she would like to see CEJSC elaborate more on the Title IV issues within EJ.

There was some discussion about how to communicate with all 14 state agencies maybe by cc’ing state agencies in introduction letters and sharing any other letters that may-be of interest to the agencies. Venice said that federally, the conversation around EJ and sustainable communities is moving at a fast pace versus on the state level.

Rebecca Rehr suggested that the commission should pick 3 communities within Maryland to tell stories that represents the diversity of EJ issues. Some cities recommended are Brandywine, Eastern Shore and Baltimore City. Case studies should be presented to the commission.

Also, CEJSC been asked to provide input to the Climate Commission on where in the state the Climate Commission can put more resources into that are disproportionately affected by climate change.

Subha Chandar suggested adopting Federal policies for CEJSC.

* Review and analyze the impact of state policies, laws and regulations on EJ and sustainable communities issues in Maryland,

Vernice said that CEJSC isn’t doing this bullet point. As of matter of course, there are a lot of policies and state regulations that have come out and have environmental justice and sustainable communities implications, but the commission isn’t necessarily weighing in on the issue.

The inherent difficulty is the CEJSC commission is a voluntary commission which requires time and dedicated commitment and analysis. Vernice asked if there is something CEJSC can do more effectively based on the way the commission is structure since it’s a voluntary body.

Vernice said that CEJSC really could use some guidance from the state agencies about policy issues that are percolating in the agencies that could use some advice or counseling from CEJSC.

In terms of being out front on policy issues at the legislative level could CEJSC head that off at the path, could we talk about it in the development and evolution stage so that these considerations are incorporated before we get to the point of litigation? Could CEJSC integrate these considerations sooner? Can we talk about implementation of the policies on the constituents sooner, so that we really begin to factor those considerations into the development of policies or legislative action?

Steve Levitsky asked what could be done as it relates to report base. The report could be put together and then generate outreach to agencies with the same document to ask what policies or issues could be anticipated down the road or what EJ issues are in the community that the state agencies might know about or can educate CEJSC on. Angelo Bianca from MDE thought this was a good idea. Angelo said in terms of legislation it tends to get a little difficult because the Governor office looks at legislation that could potentially become a Bill but the MDE process doesn’t start until August and sometimes the agency doesn’t know whether something has received approved until December and it leaves you in somewhat of a gag status during that period, when the legislation session has already started not leaving enough time to get engaged.

Vernice said CEJSC tried to get the conversation started well in advance of the legislation session. She said CEJSC tried everything from being pro active in the evolution and development of legislation that CEJSC knew would have an impact on EJ constituencies and CEJSC sat at the table had conversation and dialogue but still when the legislation got to the floor it wasn’t support from critical state agencies in moving it forward. Vernice said CEJSC done the last minute thing, done door to year in half in advance, met with legislators and helped them develop it. Rebecca said working ahead of time does show progress.

* Coordinate with the CEHPAC on recommendations related to EJ and Sustainable Community concerns;

The commission agreed that CEJSC does coordinate with CEHPAC on sustainable communities although its once a year. Vernice asked is meeting with CEHPAC once a year is sufficient and are we following up on issues discussed in previous meetings?

There was some discussion about replacing the commissioner who represents CEJSC on the CEHPAC commission. CEJSC would like to have a conversation with this commissioner in the near future to address this issue.

* Develop criteria to assess whether communities within Maryland maybe experiencing environmental justice concerns;

This goes hand in hand with the suggestion of focusing on 3 communities for the year.

* Recommend options to the Governor to address EJ issues and concerns that we believe that will target areas of the state which should be prioritized for immediate and redress of problems;

Vernice asked if there actually is a communication network between what we recommend in the commission and the Governor’s office. Vernice says she’s not convinced that the Governor’s office knows anything about this commission except who gets appointed to the commission and that’s only because they do the appointments.

It was some discussion about reporting to the Governor’s office and who really gets to see the annual report that CEJSC puts together. It was suggested that a briefing of the Governor or the senior staff member who is involved in the area of environmental and sustainable communities be that contact person.

Vernice said in this coming year she would like to see the commission clarify this last bullet point.

CEJSC wants to know how the information received from the CEJSC meetings is flowing to MDE Secretary Grumbles and how is it flowing from MDE to the Governor’s office? It was mentioned having the Secretary come to a CEJSC meeting to discuss this issue.

Andy Fellows suggested that the commission try to figure out a vehicle for making sure that House and the Senate are informed about a issue that the commission is talking about which could be through a commissioner or through some other mechanism.

April meeting minutes were approved with May minutes being tabled until further edits.

**Public Comments**

Ms. Margaret Barnes founder of Moms Across America of Eastern Shore said the goals of the organization are to empower parents to protect their children from toxins in the air and food. She talked about the challenges of CAFO’s ‘concentrated animal feeding operation’/Chicken houses. Vernice asked Ms. Barnes how she sees the issues with CAFO’s issues intercepting with EJ charge. A vague answer was given. Vernice said maybe down the road a more comprehensive discussion around these challenges could be had but maybe in Baltimore. Vernice said the CAFO issue is a long standing environmental issue on a national and local level.

Kathy Phillips of Coast Keepers said when CEJSC develops their criteria to keep in mind that a lot of cumulative impacts are not addressed through zoning regulations or current permitting structure.

Vernice said that a lot of time is being spent battling each other over this CAFO issue. Instead we need to focus on a resolution. How can we reduce the impact on communities? How can you support a sustainable approach to energy production and agriculture? CEJSC thinks these are some of the things they could provide assistance with.

Vernice asked if people are good with coming together to resolve the CAFO issue? Rebecca said she think it could happen in the context of the Climate Commission because the Climate Commission needs to hear this conversation. Rebecca said CEJSC’s recommendation to the Climate Commission should be to have one of their meetings on the Eastern Shore because they are seeking CEJSC’s input on two stake holder meetings for their commission.

Kamita Gray from the BTB Coalition said she came to the meeting to determine the objectives of the commission for 2016. She talked about the challenges facing citizens in Brandywine, MD due to the industrial environmental impacts. Vernice said this is one of the reasons why CEJSC is going to recommend that one of the three meetings be held in Brandywine to address some of these challenges head on. EPA has accepted Brandywine Title IV complaint and will be looking into it. Kameta if anything, it needs to be a two way communication on how we fix this problem so that it never happens to another community.

Steve Levitsky said one of the reasons why he invited CEJSC to Salisbury is to show the magnitude and destruction you’ve been hearing about isn’t happening. Steve said the issue is that certain groups just don’t want poultry period.

Vernice suggested scheduling a tour of the Perdue processing plant.

Rebecca said the role of CEJSC is to tell a story, to ask why EJ isn’t here on the Eastern Shore, to ask for demographic data, to find out as a commission if the issues that are being brought up are disproportionately affecting low income folks of color and to answer the question, is this an EJ issue? Another perspective would be to hear from the folks that are working here in the plants.

**Local Government Outreach**

Rebecca shared some thoughts on the meeting she had with the Maryland Municipal League (MML). She said that MML did some research and realized that people are talking about EJ but they aren’t calling EJ. We did find out that Gaithersburg is the most diverse municipality in the country. Two concrete things were proposed at the meeting: 1 CEJSC could a write an article for MML magazine and 2 CEJSC could present at their conference. The first option has to go well for the second to happen.

Rebecca said MML’s representatives seem very interested in continuing this conversation. There was something to learn about what is considered municipality. There are approximately 157 municipalities. Over 100 exercise planning authorities and some 40 are under Maryland law and don’t have planning authority.

Vernice asked if the Public Service Commission (PSC) decides where the power plants go in Brandywine as opposed to PG county? Kameta said they collaborate with the Maryland National Park and Planning Commission. The Park and Planning Commission do mandatory referrals to engage the public into engaging the government agent, PSC has a direct link to National Park and Planning.

Andy, Vernice and Rebecca will work on the article for MML magazine. Rebecca also recommended that someone from MML sit on the CEJSC commission as a local government representative. MML has tons of things on sustainability.

It was suggested that the Maryland Department of Planning be brought into the conversation. The goal is to nurture that relationship to make sure there’s a free flow of information.

PG County gave an overview of projects they are currently working on. They are in the process of developing what a sustainability plan would look like in PG County and factoring the environmental piece into that plan, another project is to address one area of the county where the residents of the county have had a long standing issue with industrial operation like Sherriff Road which MDE is working closely with. The community has claimed for many years that the industrial operation is impacting their health due to the dust being generated by this operation along Sherriff Road.

Akosu Dosu of PG County is working on a Maryland Health Impact Analysis with Dr. Wilson. Dr. Wilson’s students were looking at the health impact of truck driving force or at least get some data on how many trucks are driving through Sherriff road. The students also did a sample air quality analysis.

Akosu said the main goal of this analysis is to present this as data only. The Sherriff Road community has taken this into litigation but it was shot down because Sherriff Road is still developing and the community doesn’t have the concrete data to say these problems in the community are related to industrial operation. Based on research, the students found that the county has some sort of Health Impact Assessment legislation but it can be strengthened and that the HIA is the most important data that can be collected to support any type of litigation or advocacy for the community.

Rebecca suggested that CEJSC obtain a formal report on Dr. Wilson’s project. CEJSC offered to provide letters of support for grants to the project and the possibilities of partnership grants between state agencies and counties to really look more deeply into this.

It was mentioned at the September meeting to have a discussion about creating a working group centered around the topics of the case studies, data sharing and collection. It was suggested by Rebecca to have a conference call maybe around the 4th Tuesday in August to hash out things before the September meeting.

There was some discussion around Environmental Benefit Districts (EBD), how did they come about and just what are the benefits of being classified as an EBD. Vernice asked if we are we going to use EBD and if are we going to give it some value?

**Maryland Commission on Climate Change Update**

Rebecca said the Climate Change Commission is seeking CEJSC advice on where to have two meetings to enhance outreach, to talk about climate change and implementation of the GGRA in vulnerable communities. The Climate Commission is also seeking CEJSC advice on how to do the outreach and where to hold the meetings. The question CEJSC needs to answer is whether they want to have the meeting in counties, big cities or small cities? It was suggested to have one of the meetings on the Eastern Shore.

Vernice shared some thoughts from Steward Clark’s thoughts. Clark is a member the Maryland Climate Change Commission. He made several recommendations that he would like to see CEJSC consider. CEJSC agreed to take him up on those recommendations.

CEJSC decided to recommend Baltimore County, Baltimore City and the Eastern Shore as meeting locations for the Maryland Climate Change Commission outreach efforts.

CEJSC has decided to focus engagement on three areas: 1) Brandywine community, 2) PG County and 3) Baltimore City in the next year.

CEJSC suggested compiling a list of definitions about EJ and will then share it with the state.

It was suggested that a facilitator be brought in to work with MDE’s cumulative impact working group by January 2017.

**Priorities for 2016-2017**

* Identified 3 Case Studies including Brandywine, Eastern Shore and Baltimore.
* On-going work with Maryland Climate Change.
* Continue engagement with Maryland Municipal League and MACO.
* Identified two communities for Climate Change Commission public meetings.
  + Continue to track Sherriff road activities.
  + Continue to engage with Baltimore City Department of Planning on Equity.

There was some discussion concerning CEJSC commission vacancies and what should be done to help fill those seats, such as; write a letter to the Governor Office of Appointments.

Next schedule meeting is on September 27th at Montgomery Park, 1800 Washington

Blvd, Baltimore, MD