

MARYLAND COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES

Date: 02/28/23

Time: 10am to 12pm

Commissioners: Camille Burke, Subha Chandar, Voncia Molock, Melissa Brown, Monica Brooks, Lesliam Quiros, Lori Cunningham, Paulette Hammond, Pete Hill, Gerald Jackson, Donna Edwards, Barbara Paca, John Papagni, Crystal Faison, Joe Griffiths, and Lisa Nissley

Interested Guests: Devon Dodson, Aviva Klugh, Kamita Gray, Charles Glass, Dorothy Morrison, Noble Smith, Patrick DeArme, Rebecca Rehr, Sarah Peters, Shawn Dolan, Veronika Carella, Matthew Standeven, Kim Pezza, Caitlin Eversmier, Devon Dodson, and Holly Mays

Agenda Items

1. Introductions

Camille Burke welcomed the Commission and thanked everyone for their hard work on the legislative session.

2. Vote: Chairman Election (per the statute)

Devon Dodson shared that per the update to the law passed in 2021, the Commission elects its own Chair. There has been a nomination for Camille Burke to be reelected as Chair and he opened the floor for additional nominations. After several minutes, there were no additional nominations. An affirmative vote was taken.

The following voted in favor of Camille Burke for Chair of the CEJSC: Lori Cunningham, Paulette Hammond, Barbara Paca, Subha Chandar, John Papagni, Voncia Molock, Melissa Brown, Monica Brooks, Lesliam Quiros, Pete Hill, Gerald Jackson, Donna Edwards, and Joseph Griffiths

3. Discussion: 2023 Community Outreach/Building a Plan

A call for recommended outreach areas was made.

Camille Burke said that the Manager of Eagle Harbor invited MDE back and forth between Curtis Bay and Sparrow’s Point, and Turner Station in Essex could possibly be used as a starting point.

Barbara Paca offered the suggestion to host the Commission in Bellevue. She is also interested in following developments in Turner Station and possibly a second field school.

4. Legislative Review

Lisa Nissley reviewed the following tracker. The CEJSC bill tracker includes bills that directly impact the CEJSC or the EJ statute, bills very directly tied with EJ, and bills that Commissioners ask be added to the tracker. There are many other bills that may impact communities that have EJ concerns. She also shared that not many bills have moved just yet. This is a big transition year for the legislature.

Bill Number	XFile Bill Number	Sponsor	Synopsis	Title	Current Status	Committee Primary - House of Origin
HB0009	SB0019	Delegate Ruth	Requiring that equity be considered when State transportation plans, reports, and goals are developed; altering the membership of the advisory committee on State transportation goals; requiring the Maryland Department of Transportation to conduct transit equity analyses, cost-benefit analyses, and consult with certain communities before announcing or proposing any major service change or any reduction or cancellation of a certain capital expansion project in the construction program; etc.	Equity in Transportation Sector - Guidelines and Analyses	Hearing 2/02 at 1:00 p.m.	Environment and Transportation
HB0169	SB0144	Delegate Charkoudian	Requiring the Department of Housing and Community Development to procure or provide for electricity customers energy efficiency and conservation programs and services designed to achieve certain target annual incremental gross energy savings for the 2024-2026 program cycle; requiring the Department to update the weather-normalized gross retail sales against which savings are measured for certain plans; requiring the target annual incremental gross energy savings to be achieved based on an average of certain Department plans; etc.	Public Utilities - Energy Efficiency and Conservation Programs - Energy Performance Targets and Low-Income Housing	Hearing 3/02 at 1:00 p.m.	Economic Matters
HB0310		Delegate Rosenberg	Requiring the Department of the Environment, on or before December 1, 2023, to develop certain policies and recommendations to require at least 40% of overall spending on certain programs, projects, or investments to benefit communities with low- to moderate-income households, starting with fiscal year 2025; requiring the Department to conduct public information-gathering sessions in different areas of the State to solicit input; etc.	Environment and Energy - Investment in Communities With Low- to Moderate-Income Households	Hearing 2/15 at 1:00 p.m. (Environment and Transportation)	Environment and Transportation

Bill Number	XFile Bill Number	Sponsor	Synopsis	Title	Current Status	Committee Primary - House of Origin
HB0319	SB0158	Delegate Stein	Prohibiting, beginning January 1, 2024, the Secretary of Agriculture from registering a pesticide for use against mosquitoes in the State unless the distributor of the pesticide submits to the Department test results indicating the pesticide has passed the PFAS test and an affidavit attesting to the legitimacy of the PFAS test results; and prohibiting, beginning January 1, 2026, the Secretary from registering a pesticide for use in the State unless PFAS test results and a certain affidavit are submitted by the distributor.	Pesticide Registration - PFAS Testing - Requirements	Hearing 2/21 at 1:00 p.m.	Health and Government Operations
HB0473		Delegate Fraser-Hidalgo	Requiring the Department of the Environment to deploy ambient air monitors sufficient to monitor levels of particulate matter and fine particulate matter in certain census tracts on or before January 1, 2026; requiring the Department to provide public access to certain current ambient air monitoring data and related information through the Internet; requiring the Department to take into consideration certain ambient air monitoring data before approving certain air emissions permits; etc.	Environment - Ambient Air Monitoring - Particulate and Fine Particulate Matter	Hearing 2/15 at 1:00 p.m. (Economic Matters)	Economic Matters
HB0503	SB0923	Delegate Stein	Establishing the Greenspace Equity Program in the Department of Natural Resources to provide grants to eligible applicants for enhancing the public health and livability of overburdened communities and underserved communities; requiring the Department to submit each grant award to the Board of Public Works for approval; requiring the Board of Public Works to approve or deny a proposed grant award submitted by the Department; and establishing the Greenspace Equity Advisory Board in the Department.	Natural Resources - Greenspace Equity Program - Establishment	Hearing 2/17 at 1:00 p.m.	Environment and Transportation

Members brought up questions and concerns after Lisa Nissley walked through the bills. Paulette offered support for HB 319/SB 158 Pesticide Registration PFAS Testing - Requirements. She shared that PFAS have toxic effects which include cancer and impacts on pregnant women. Veronika Carella suggested the commission could support the bill. It is not a pesticide restriction, it is to monitor if the substance has PFAS.

On HB 473: Environment - Ambient Air Monitoring - Particulate and Fine Particulate Matter, Camille Burke would like a list of communities MDE is working with.

Paulette Hammond spoke on HJ 1/SJ 4: Environmental Human Rights which would reaffirm the Maryland Environmental Policy Act of 1973. Veronika Carella asked the Commission to support the resolution because she believes the act is not being utilized because the state agencies never wrote the regulations. She also suggested that the Commission could assist the state agencies writing the regulations.

Peter Hill asked if HB 9/SB 19: Equity in Transportation Sector - Guidelines and Analyses would put a burden on the counties. Lisa Nissley answered that there would be no real burden on the local level.

Subha Chandar asked which bills have identified responsibilities for the commission. Lisa Nissley answered that no bills are proposing new responsibilities for the Commission.

Donna Edwards mentioned that MD needs good jobs for citizens to help low and moderate income communities. She wants that to be considered in more Environmental Justice bills.

Paulette Hammond made a motion to suggest the commission writes letters in favor of HJ 1/SJ 4 and HB 319/SB 518.

- Lori Seconds Motion
- Vote yes in support (Barbra P, Paulette H, Lesliam Q, Voncia M)
- Vote abstain (Joseph G, Camille B, Lesliam Q)

It was decided to hold off on a decision to see how things proceed in the legislature. Lisa Nissley will check in on this bill and the discussion around it.

5. Public Comment

PUBLIC INPUT 1 of 2:

Please support with a letter to the Maryland General Assembly HB 319/SB 158 Pesticide Registration – PFAS Testing – Requirements which prohibits pesticide registration unless the distributor of the pesticide submits to the Maryland Department of Agriculture (MDA) test results showing that the product is PFAS free. This is consistent with CEJSC duties per ENVIRONMENTAL ARTICLE §1–701.(h) The Commission shall:

(7) Recommend options to the Secretary for ensuring that the Department is making progress in advancing the human right to safe, clean, affordable, and accessible water for consumption, cooking, sanitation, health, and recreation purposes.

As of 2004 when the MDA regulations were repealed, there are no longer regulatory parameters or guidance for choosing which pesticides are allowed to be registered for use in Maryland. The June 27, 1988 (15:13 Md. R. 1558) MDA regulations were quietly repealed effective August 2, 2004 (31:15 Md. R. 1186), so currently there are no regulations in Maryland to guide the Registration & Labeling of the 14,000 Pesticides approved annually for use in Maryland by the MDA or any other Agency. The MDA State Chemist approves pesticides for use in Maryland at his own will and discretion without any oversight, guidance or consideration of public health and the impact to ground water (or the environment).

SB 158 would introduce some guidance on which pesticides should not be allowed for use in Maryland because they contain PFAS - a chemical which has been documented to compromise public health, our environment and our water - including groundwater used for drinking wells.

PUBLIC INPUT 2 of 2:

Please support with a letter to the Maryland General Assembly the Maryland Environmental Policy Act MEPA@50 Resolution. Del Boyce is the House sponsor of HJ0001. The Senate version is SJ0004.

Specifically, CEJSC can share in writing its expertise on the definitions of EJ communities, cumulative impacts, as well as providing assistance in defining ways to assess current actions' impacts on future generations (there are models that can help do that) and creating methods and protocols for assessing environmental and health impact.

In 1973, the Maryland legislature passed the Maryland Environmental Policy Act (MEPA) which unequivocally recognizes "each person's fundamental and inalienable right to a healthful environment." This policy has been part of Maryland's codes for 50 years, yet it has been largely ignored because no regulations were ever written by the respective state agencies - a necessary step to implementing this ACT.

2023 is the 50th anniversary of the passing of this foundational environmental legislation. It is time to recommit to its principles. We know there is a pivotal connection between the health of our natural resources, including our air, water, and land, and the health of the people and the economy of Maryland. The Maryland Environmental Policy Act - MEPA@50 Resolution encourages the community of state leaders, state agencies, businesses, non-profits, and individuals to recommit to the principles outlined in this policy.

CEJSC is tasked with ensuring that communities remain sustainable throughout the state – even if they are not yet identified as an EJ community. CEJSC has an opportunity to act proactively to prevent harm from to public health and the environment. The goal is to prevent them from becoming an EJ community by protecting the air, water and soil – our natural resources - from known hazards. Ensuring that state agencies adopt the necessary regulations to ensure that MEPA is enacted as written – will provide Maryland another tool to ensure that all communities remain sustainable and that EJ communities can be fully protected under this 1973 Act.

From the chat:

Congratulations!

Barbara Paca 10:08 AM

camille has my vote!

Lesliam Quiros 10:09 AM

I vote yes!

Barbara Paca 10:10 AM

Congratulations Camille! Well done you!

Lori Cunningham10:10 AM

Congratulations Camille!

Voncia Molock10:10 AM

Thank YOU Camille!!

Subha Chandar -MDH-10:10 AM

congrats Camille!

Rebecca Rehr10:11 AM

For the CEJSC notes, here is the link to the recording of Camille's AWESOME conversation last Friday: <https://www.youtube.com/watch?v=NGOrebhQNfk>

Barbara Paca10:13 AM

25 July Meeting: would be ideal for members of our Commission to be aware of the challenges facing historic waterfront communities owned by people of African descent.

is kindly offering to host everyone in Bellevue for our 25 July meeting. The Bellevue Field School will be in session which is significant as the first program with 100% of the students of African descent

Lesliam Quiros10:16 AM

yes

sorry my mic is not working

Dorothy Morrison10:19 AM

Congratulations Camile on your re-election!

Veronika Carella10:35 AM

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Patrick DeArmey10:40 AM

seconded the request for the tracker documents please

You10:40 AM

yes, I will share the tracker

B. Thomas Burton (BTB Coalition)10:46 AM

Thank you Lisa.

Thomas Burton (BTB Coalition)10:46 AM

Thank you Lisa.

Joseph Griffiths -MDP-10:51 AM

Can you please repeat the motion?

Which bills again please?

You10:53 AM

HB 319/SB 158 PFA Testing Registration Requirements

Lesliam Quiros10:53 AM

I second

You10:53 AM

HJ1/SJ4 Environmental Human Rights (MEPA Implementation)

Paulette Hammond10:53 AM

SJ0001, HB0004

Joseph Griffiths -MDP-10:53 AM

As a state agency staff member I need to abstain from this vote

Lesliam Quiros10:54 AM

Sorry, I need to abstain for the same reasons as Camille.

Paulette Hammond10:55 AM

I'm trying to raise my hand

Paulette Hammond10:58 AM

I'll send the fact sheet

Veronika Carella10:59 AM

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The meeting adjourned at 11:05 a.m.