

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

**October 27th, 2011, 9:30 a.m. - 11:30 a.m.
Baltimore, MDE**

In Attendance

- Commissioners: Lisa Nissley, Scot Spencer, Rebecca Rehr, Delora Sanchez, Nancy Servatius (for Cliff Mitchell), Caroline Varney-Alvarado, Leah Kelly (for Jennifer Peterson), Dick Fairbanks, Andrew Fellows, John Quinn, Robert Sklar, John Kotoski
- Participants: Angelo Bianca, Megan Ulrich

Introductions: Everyone introduced themselves. Lisa Nissley reviewed the charge of the CEJSC and rules of engagement.

Scot Spencer discussed HUD sustainable planning grants. The CEJSC would be seen as a go to resource for that. The proposals are due the 28th and they are awarded in three categories: large metro areas, small metro areas, and rural areas.

Agenda Items:

Scot said he is meeting with Secretary Hall and Matt Powers of MDP on November 15th, to have an open table discussion on PlanMaryland.

Lisa said that the meeting with the PlanMaryland workgroup and MDP is scheduled for tomorrow at 10:00 a.m. Scot said they will be reviewing the 1st and 2nd drafts of PlanMaryland and backing up the CEJSC comments with data.

Lisa commented on the MDE initiatives. The internal workgroup has narrowed the list of permits to apply EJ to and has also given suggestions for training MDE employees on public speaking. Senator Harrington and Vernice Miller-Travis are scheduled to do a brown bag to present other perspectives on EJ to MDE employees. The Internal Workgroup has also created an internal tiered list of initiatives. We will share this with the CEJSC by email. We are also working on creating guidance documents to share with businesses and local governments. Additionally, we are working on creating institutional knowledge, possibly having one person to coordinate permits at MDE, and looking at how to work with businesses to encourage pre-application meetings with the community.

Bob Sklar said DBED would want to see some of the items that were discussed in relation to businesses. We are a part of “Maryland Made Easy” and we are looking at the feasibility of streamlining the process.

Scot said are there gaps in the process that can be streamlined? John Kotoski said working in development and golf course management he has have seen a lot of forms to fill out. Regulations can be very cumbersome and it can be a lot of effort to provide information. Some things make you wonder why you are giving information on them.

Scot asked if everyone had seen the Montgomery County community benefits bill (CBA). Where does that fall in the stream of things? Something like that bill has also been discussed in Baltimore County. Dick Fairbanks said he thought the bill micromanaged business too much and was heavy handed. Andy Fellows said that he thinks the bill realistically puts forward the cost of doing business in the county. It is like a code used so people will know what to expect.

Scot said CBA’s have been shown to reduce negative press for businesses, reduce litigation and has allowed citizens and businesses to be informed during initial planning phases. The red line project in Baltimore developed a compact with the community for jobs and environmental protection. Dick said that the language in the Montgomery County bill would be enforceable in statute and it does not list benefits to businesses. John Kotoski said he does not like the Montgomery County CBA bill.

Lisa said assuming it passes, it could be used as a starting point for other counties. Angelo said that examples of permit processes that went very smoothly by incorporating community agreements are the Energy Answers (EA) Curtis Bay incinerator, an asphalt plant on the Eastern Shore, and the Constellation Energy Brandon Shores projects. Lisa said that the Commission could always draft a CBA bill that could serve as a model for counties.

Lisa said in reference to narrowing permits, we looked at how many permits are affected, now we are focusing on those permits and looking to move forward with them.

John Quinn reported on the business outreach initiative. They have been working on an event. The theme is an ongoing discussion on EJ with the business community. They are looking at having the event from December 6th from 10:00 a.m.- 12:00 p.m. Lisa and I are working on booking a headlining speaker. I envision Secretary Summers giving main introductions and a political figure introducing our main speaker, who is potentially Sue Briggum of WM Waste Management. We also would like to give the participants a business best practices two pager at the event. I think we also need to show that we are working with businesses not against them. We need to move EJ to the front of the process to reach common agreement and create an ongoing dialogue.

Dick asked if the CEJSC could be a co-sponsor for the event. John Quinn said yes. Angelo asked if county planners can be included in the event too. John Quinn said yes, he

would like to keep it broad. Lisa asked what the ideal number of people would be. John Quinn said 50-70 people would be ideal, he would like to focus on quality, not quantity.

Scot suggested that we flush out the details since December 6th is not far away. Andy said if this is targeting the business community is there going to be a distinction between EJ and sustainable communities? John Quinn said I was thinking of having the main speaker just discuss EJ, but what do you think? Scot said in terms of framing EJ and sustainable communities go together, so addressing both is not counterintuitive. John Quinn said it is a good suggestion, we will do both.

Caroline Varney-Alvarado asked if we are going to include small businesses as well. John Quinn said yes. Scot asked if it is worth inviting the economic development directors from around the state. Bob Sklar said we should not overwhelm the target audience. John Quinn said that is possibly a group we could invite if we have a second meeting. Scot asked John Quinn to define the business community. John said it would be members of the chamber of commerce. Bob Sklar said that the economic development directors meet 4 times a year. Can we get involved in those meetings? Scot said that there is the Greater Baltimore Chamber and the Baltimore County Chamber, so those are two chambers.

Caroline Varney-Alvarado said that there is a main street program/lending program. John Quinn said yes, he would love to have them. Bob Sklar said reaching the small plumbing supply store is important too. We are trying to reach smaller businesses.

John Quinn said in terms of the two-pager he is thinking definitions of EJ, a paragraph on the CEJSC, and bullet points.

Lisa asked if there were any specific legislators to target. John Quinn said no, not necessarily, just personal friends of the CEJSC. We have to be careful who we pick. Bob Sklar said I think we want to target those outside the system. He also said that the CEJSC should think about next steps. What does the continuing conversation look like? Should this be a one shot deal or an ongoing process? John Quinn said we should think about the future, but wait and see how the first meeting goes before we plan more.

Andy Fellows proposed have meetings on a different day or at a different time in 2012 because he had another standing meeting that conflicts with the CEJSC meetings. Lisa said she would send around a survey with different options.

Rebecca Rehr said that she got enthusiastic responses from the Academic Community and that she will be sending out a follow up email to them. She will also send them our minutes so they can stay informed and make comments. She is going to look into whether making pdfs available on a public website is copyright infringement. Scot said as Rebecca develops the list she should note what department the person represents.

Lisa said that Robin has reached out to a speaker for the December meeting on Title VI.

Leah Kelly discussed the conference call on the EIP WTE report. Dick asked what the focus of the report was. Leah Kelly said it focuses on the fact that WTE now has the same place in the tier system as solar and wind. Lisa said that she will circulate possible dates for the conference call.

Other Business:

The July minutes were approved.

Lisa said that a big case was recently handed down that severed the landlord liability protection for properties that were not in compliance. All the MDE regulations stay in place, but the landlords are now open to lawsuits. We expect there to be bills in session on a whole range of issues related to this case.

Adjourn

The next CEJSC meeting is scheduled for December 15, 2011 at the Annie E Casey Foundation.