# ENVIRONMENTAL JUSTICE WORK GROUP REPORT

MICHIGAN AS A GLOBAL LEADER IN ENVIRONMENTAL JUSTICE

PREPARED FOR GOVERNOR RICK SNYDER
MARCH 2018

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# Environmental Justice Work Group Members and Staff

**Environmental Justice Work Group Members**

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- Fadi Mourad (Co-Chair), Director of Environmental Strategy, DTE
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- Vicki Dobbins, River Rouge Community Activist
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- Theresa Landrum, Community Activist, Southwest Detroit 48217
  - Representing the Environmental Justice Community
- Lawrence Reynolds, Flint Resident
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- Charlotte Jameson, Government Affairs Director, Michigan League of Conservation Voters
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- Guy O. Williams, President & CEO, Detroiters Working for Environmental Justice
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- Andy Such, Director of Regulatory and Environmental Policy, Michigan Manufacturers Association
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**Environmental Justice Work Group Staff**

- Angela Ayers, Executive Office of the Governor
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# Executive Summary

In February of 2017, Governor Rick Snyder created the Environmental Justice Work Group (EJWG) following direct recommendations from the Flint Water Advisory Task Force (FWATF) and the Flint Water Interagency Coordinating Committee's (FWICC) Policy Subcommittee. The EJWG was charged "to develop and provide recommendations to the Governor that improve environmental justice awareness and engagement in state and local agencies. The EJWG will examine policy and recommend for implementation environmental justice guidance, training, curriculum, and policy that further increases quality of life for all Michiganders." The EJWG is composed of 23 members, representing environmental justice communities across the state, environmental organizations, businesses, state and local government bodies, academia, and federally recognized tribes.

The EJWG undertook a scope of work "to examine current environmental justice guidance, policies, and activities in Michigan, best practices from around the country that address Michigan's specific needs and engage with local communities to better understand environmental justice in the State of Michigan. Using knowledge gained during their review of current state guidance and national best practices, and through conversations with Michigan residents, the EJWG will recommend guidance, training, curriculum, and policy for state and local agencies that improve environmental justice awareness and engagement in Michigan. These recommendations will be submitted to the Governor for consideration, and will present an implementation roadmap of short, medium, and long term actionable tasks that meaningfully and effectively advance environmental justice across Michigan and its communities." To achieve these goals the EJWG organized its processes as follows:

I. Phase 1: Learning (May 2017-August 2017)
   The learning phase was focused on examining current activities and best practices in environmental justice in the State of Michigan, and around the country.
   - The EJWG heard directly from a variety of state departments regarding current environmental justice initiatives. Presentations were given from: Department of Environmental Quality, Department of Transportation, Department of Health and Human Services, Department of Natural Resources, Department of Talent and Economic Development.
   - The EJWG also contacted environmental justice experts from across the nation and heard directly from environmental justice leaders in California, Minnesota, and those at the United States Environmental Protection Agency.

II. Phase 2: Listening (August 2017-September 2017)
   The listening phase was focused on interactive public engagement sessions in communities across the state of Michigan and designed to receive input on issues and specific recommendations the EJWG should be considering.
   - The EJWG conducted listening sessions designed to engage residents in a specific community with EJWG members directly. These sessions were held in the following communities:
     - Detroit
     - Grand Rapids
     - Traverse City
     - St. Louis* (The EJWG was unable to hold a listening session in St. Louis; however, the EJWG did receive a presentation from members of the community regarding environmental justice issues in their area)
   - Each of the listening sessions included a guided tour of the community from residents.

III. Phase 3: Analyzing and Recommending (October 2017-January 2018)

The analyzing and recommending phase was focused on analyzing information gained during the prior phases of work, and identifying, drafting, and finalizing recommendations for the Governor.

It is the hope of the EJWG that the following recommendations will provide a framework for Michigan to become a national and global leader in advancing environmental justice.

# List of Recommendations

**Guidance, Training, and Curriculum Recommendations:**

*Vision for Environmental Justice in the State of Michigan*

1. Strive for Michigan to be a national and global leader in environmental justice (strong consensus)

*Essential Guidance*

2. Establish an environmental justice ombudsman in the Governor's office (strong consensus)
3. Establish an interagency working group (strong consensus)
4. Establish an environmental justice advisory council (consensus)
5. Host an annual environmental justice summit (strong consensus)

*Training and Curriculum*

6. Develop and implement environmental justice training (strong consensus)
7. Develop and implement environmental justice curriculum (strong consensus)
8. Develop a training and curriculum tool-kit for residents (strong consensus)
9. Increase environmental justice recruitment and retention (strong consensus)

**Policy Recommendations:**

*Integrate and Strengthen Environmental Justice and Public Health Considerations in Agency Decision Making*

1. Adopt public petition process (consensus)
2. Develop an environmental justice screening tool in Michigan and include cumulative impacts in decision making processes (consensus)
3. Require environmental justice analysis in permitting applications (consensus)
4. Include environmental justice analysis in the Michigan public service commission's certification of necessity application (consensus)
5. Implement health in all policies (consensus)
6. Conduct health impact assessments (consensus)
7. Develop health impact assessment criteria (consensus)
8. Reaffirm DEQ's authority over rules and permits (consensus)

*Enhance Tracking, Monitoring, and Metrics*

9. Require creation of annual environmental justice report (strong consensus)
10. Implement enhanced community environmental quality monitoring (strong consensus)
11. Establish measurable targets for eliminating childhood lead poisoning (strong consensus)
12. Implement lead poisoning and other chemical contaminants dashboards (strong consensus)
13. Implement environmental health dashboards (consensus)
14. Enhance water quality testing in schools and licensed child care facilities (strong consensus)

*Increase Funding and Align Tax Policy with Environmental Standards*

15. Increase funding for compliance assistance and enforcement of environmental laws (strong consensus)
16. Create an air, water, and soil quality mitigation fund (strong consensus)
17. Consider environmental compliance violations in Michigan Economic Development Corporation tax credit eligibility decision making (consensus)

*Improve Collaboration Across All Levels of Government and with Tribes*

18. Ensure governmental agencies have joint responsibility (strong consensus)
19. Support regional connections between local/state officials (strong consensus)

20. Reduce limitations placed on local governments (strong consensus)
21. Coordinate with tribal governments (strong consensus)

*Create Tools and Resources for Residents*

22. Develop a resource manual (strong consensus)
23. Create an emergency environmental alert, notification and evacuation plan (consensus)
24. Creation of an evacuation plan toolkit (strong consensus)

## Environmental Justice in Michigan

Today, Michigan is the home of many different communities, groups and cultures whose well-being depends on a clean, healthy and safe environment. The Native American peoples of the State of Michigan (State)—the Odawa, Ojibwe and Potawatomi—use a verb that expresses the active sense of what it means to be living in good and respectful ways within our human communities and within our shared ecosystem of plant and animal species. That verb is *bimaadizi*. In a broad sense, it describes a way of living that maintains a balance between mental, physical and spiritual health among all of life. It encompasses the concept of conservation, and a sense of justice that recognizes the reciprocal responsibilities to maintain the best quality of life for humans and the ecosystem they inhabit. In other words, our health depends on the health of the natural world, and we must sustain both.

Michigan has a legacy of leadership in conservation, environmental stewardship, civil rights, industrial innovation, and entrepreneurship. Yet actions across the state also have a legacy of polluting the environment in ways that affect negatively peoples' health and damage the terrestrial and aquatic ecosystems that people rely on for maintaining their economic vitality, recreational enjoyment, and cultural heritage. Sometimes, certain groups suffer more from environmental harms than others, raising the issue of environmental justice. Studies have shown that the distribution of environmental hazards have been visited more acutely on some populations due to factors such as race and income level.

Diverse Michigan residents have been recognized across the state and United States. for their dedication in bringing awareness to environmental injustices, including the advocacy people from African-American neighborhoods on air quality, rural low-income communities on brownfield cleanup, Native American tribes on water quality for treaty fishing rights, migrant agriculture workers on exposure to unsafe working conditions, among many others. The accepted history of the environmental justice movement in the U.S. often attributes a 1990 conference organized by academic and community leaders and hosted by the University of Michigan as the event that brought the issue of environmental justice to the attention of the U.S. Environmental Protection Agency, leading to the U.S. Executive Order 12898 on environmental justice.

Today, environmental justice in Michigan can be defined as "the fair, non-discriminatory treatment and meaningful involvement of Michigan residents regarding the development, implementation, and enforcement of environmental laws, regulations, and policies by the State of Michigan." Environmental justice can also be viewed as a constitutional obligation of the State. The Constitution of Michigan includes equal protection for all[1] and a focus on the public health and general welfare of the people of Michigan in general and particularly in relationship to the use of natural resources[2]. In doing so the constitution creates an obligation for the state's government to ensure that the state's water, land and air do not contribute to disparate impacts on any residents based upon race, religion or other protected classes. Despite this obligation current health data suggests that environmental factors are contributing to health disparities in the state. Public health data showing health disparities therefore compels the State to take bold and immediate actions to meet its constitutional obligations. This report is intended to provide some recommendations to move the State in that direction.

[1] Constitution of Michigan Of 1963, Article I, Section 2
[2] Constitution of Michigan Of 1963, Article IV, Sections 51 And 52

## Consensus Process

The EJWG elected to utilize a facilitated consensus process to discuss and finalize recommendations. That process is briefly outlined below:

- When forming a potential final consensus on a specific item there were several situations when the facilitator checked for consensus. These checking situations helped to define the agreements that were in the process of developing.
- This checking for consensus and final consensus process occurred through a technique of facilitated "Fist to Five":
    - Five fingers signify that "I totally support this. I see it to be a very good way of moving forward toward fulfilling the Charge of the EJWG. Count on me to be a strong, vocal and practical supporter of this direction - if it becomes the group's consensus."
    - Four fingers signify that "I support this. I see it to be an effective way of moving forward toward fulfilling the Charge of the EJWG. I am ready to clearly back this and actively demonstrate my support for this proposal - if it becomes the group's consensus."
    - Three fingers signify that "I am OK with this. When I weigh the advantages and disadvantages of this suggestion's appropriateness in moving forward toward fulfilling the Charge of the EJWG, I believe it matches OK."
    - Two fingers signify that "this is not my first or second choice and that I am not strongly against this. If this is the strong consensus of the EJWG I will quietly show my support through not talking for or against it."
    - One finger signifies that "I am opposed to this. If this is the strong consensus of the EJWG I will not talk against it."
    - Fist signifies that "if I could, I would veto this. I would move on to find a different direction, we can agree on."

As a part of this process the EJWG agreed that two separate levels of consensus could be reached:

- Strong Consensus - For a recommendation/decision to move forward or become final as a strong consensus of the EJWG, a minimum of 65% of the group members present, in-person or telephonically, will be Four's or Five's and no more than 10% will be Two's, One's or Fists.
- Consensus - For a recommendation/decision to move forward or become final as a consensus of the EJWG, a minimum of 55% of the group members present, in-person or telephonically, will be Four's or Five's and no more than 20% will be Two's, or One's, or Fists.

Voting on individual recommendations was conducted on a rolling basis, so at each meeting different recommendations were voted on and added to the list of recommendations if they achieved either strong consensus or consensus. Depending on the number of individuals voting, the number of votes required to reach strong consensus or consensus changed from meeting to meeting. At a minimum, twelve members of the EJWG needed to be present for a vote to occur.

A high bar was set for any recommendation to reach consensus, let alone strong consensus. Due to the number of actual EJWG members voting, no recommendation could reach strong consensus with more than two members voting "two fingers, one finger or fist." Likewise, due to the actual number of members voting, no recommendation could reach consensus with more than four members voting "two fingers, one finger or fist."

## Technical Definitions

*Environmental Justice*: the fair, non-discriminatory treatment and meaningful involvement of Michigan residents regarding the development, implementation, and enforcement of environmental laws, regulations, and policies by the State.

*Environmental Justice Area/Community*: Any census tract with a 30 percent or greater minority population, or 20 percent or greater at or below the federal poverty level.

- The State should use this definition, until the State develops its own screening tool and can help further define an Environmental Justice community with more robust data (e.g., using a similar methodology to the CalEnviroScreen tool)

*Area of Concern*: The area located within ½ mile, or 4 miles in rural areas, of any of the following:

- The boundary of a site where a regulated activity affecting human health and/or environment is/will occur
- Areas where the State, or local government body, is authorized to determine impacts to human health and the environment (e.g., traffic corridors, groundwater plumes, significant air impact, etc.)
- Areas impacted or reasonably expected to be impacted by drainage, watersheds, visual, noise, subsidence, vibration, or odor associated with the regulated activity affecting human health and/or environment

# Recommendations

To facilitate progress on achieving the goals of the workgroup, we support implementation of these recommendations by executive action, and where appropriate, legislative action.

## Guidance, Training, and Curriculum Recommendations

### Vision for Environmental Justice in the State of Michigan

**1.** Strive to be a national and global leader in environmental justice (strong consensus)

- Michigan should strive to be a national and global leader in advancing and achieving environmental justice

### Essential Guidance

**2.** Establish an environmental justice ombudsman in the Governor's office (strong consensus)

- The Governor should establish and hire an environmental justice ombudsman to serve as the statewide point of contact for accepting, investigating and resolving allegations of environmental injustice committed by the State. The ombudsman will also serve as a co-chair of the interagency working group (IWG) and serve as a non-voting ex-officio member of the environmental justice advisory council as detailed below. In their official capacity, the ombudsman will identify EJ related issues that transcend departmental jurisdictions and work with the interagency working group to seek solutions. It is envisioned that the ombudsman will be a highly regarded professional and be granted appropriate administrative power to facilitate the investigation of environmental injustices and the implementation of recommended solutions.

**3.** Establish an interagency working group (strong consensus)

- The Governor should establish an interagency working group (IWG) comprised of all principle State departments as well as the Michigan Economic Development Corporation. The intent of the working group's membership is to have all relevant State agencies represented and engaged with the group's work. As such, the departmental representatives on the IWG should be the director or their designee, and the co-chairs of the IWG should be the environmental justice ombudsman and the Governor's environmental policy advisor.
- The IWG should be responsible for the review and consideration of environmental justice issues that have been brought to the attention of IWG members, the environmental justice ombudsman, or the Governor's office.
    i. In considering issues to address, the IWG should place emphasis on those issues that transcend departmental jurisdictions.
- In addition, other duties of the IWG should include:
    i. Identifying State departments that could benefit from the development of environmental justice policies and procedures;
    ii. Assisting those departments in the development of such policies and procedures;
    iii. Recommending performance goals and measures for State departments to further environmental justice policies and procedures;
    iv. Reviewing the progress of State departments in complying with environmental justice policies and procedures and promoting environmental justice;

v. Interacting with tribal governments regarding environmental justice issues with tribal implications;
vi. Recommending measures to further promote environmental justice in the State;
vii. Ensuring meaningful involvement in State agencies' decision making from disproportionately-burdened communities;
viii. Promoting collaborative problem-solving for issues involving environmental justice; and,
ix. Coordinating between departments to identify resources or strategies (including MOUs) needed to increase coordination and cooperation between and among departments to accomplish the goals of the IWG.
x. Establish a systematic approach to receiving neighborhood level recommendations and other feedback as related to the State's goals of becoming a national leader in achieving environmental justice. This might take the form of enlisting regional advisory committees, investing in a regular series of listening sessions across the state, etc. To be clear, this mechanism is envisioned to expand the ease with which communities can proactively inform the State above and beyond typical "public comment" periods for specific regulatory activities.

**4.** Establish an environmental justice advisory council (consensus)

- The IWG will also establish an environmental justice advisory council (EJAC) to advise the IWG on the exercise and fulfillment of its responsibilities and duties described above.
- The EJAC will advise the IWG on development and implementation of environmental justice related matters. This includes but is not limited to:
  i. Evaluating the effectiveness of the State's implementation of environmental justice principles and determining metrics to measure success;
  ii. Holding a minimum of two business meetings and listening sessions per year to obtain information about environmental problems in the state from community residents and other stakeholders;
  iii. Providing recommendations to the IWG on improvements to policies and procedures to ensure integration of environmental justice principles into State agencies' work; and,
  iv. Collaborating with the State to improve civic engagement with environmental justice communities.
- The EJAC will be an advisory only body and not a decision-making body.
- We envision that any discussions about specific regulatory actions, such as facility permits, will be only as examples of what has worked well or poorly in EJ communities.
- The EJAC should be composed of members representing the following:
  1. 3 members from affected communities concerned with EJ
  2. 3 members from community-based organizations that work with EJ community members on environmental justice and/or environmental health issues
  3. 3 members from industry and business
  4. 3 members from nongovernmental environmental organizations:
  5. 3 members from local governments;

6. 3 members of academia with expertise in the areas of environmental justice, environmental health, or American Indian and indigenous affairs
7. 2 members from tribal/indigenous governments and organizations;
8. 2 members from labor organizations that live in or have experience working with impacted environmental justice communities and/or have experience working on bringing low-income people and people of color into union apprenticeship programs
9. 2 members at-large

i. There will be two co-chairs who are members of the EJAC; the co-chairs will be selected by the EJAC once it is seated
ii. The EJ ombudsman and the Governor's environmental policy advisor will serve as non-voting ex-officio members on the EJAC and coordinate between the EJAC and the IWG.
iii. The EJAC may also form subcommittees as it sees fit to address specific issues. These subcommittees may be composed of both members from the EJAC and those outside of the EJAC membership.

**5.** Host an annual environmental justice summit (strong consensus)

- The Governor should host an annual environmental justice summit bringing together National, State, native American/tribal, local and community experts, and interested parties to identify environmental justice challenges, and implement ideas, approaches and solutions to overcome these challenges and advance environmental justice in Michigan.

## Training and Curriculum

**6.** Develop and implement environmental justice training (strong consensus)

- The Governor shall work with the Civil Service Commission to develop comprehensive environmental justice/social equity training for State and local employees. This training shall include:
  i. Written guidance (detailed within the curriculum recommendation below)
  ii. Workshops and panel discussions on EJ issues
  iii. Presentations by members of EJ communities
  iv. Tours of EJ communities
- The Governor shall require new State employees to receive environmental justice/social equity training and encourage local employees and elected officials to do the same.
- The State shall incorporate environmental justice into its employee training for positions in all departments, especially, DEQ, MDNR, MDHHS, MDARD, and MDOT, as well as open these trainings to local employees and elected officials where appropriate.
- The Governor shall direct each department within State government to send at least one employee to the 2018 National Environmental Justice Conference and Training program.
  i. Funding should be made available to send a delegation of key State employees to this conference and training session on an annual basis.
  ii. The delegation will be responsible for disseminating what they have learned to others in State and local governments through presentations and publications.

- The Governor shall direct a working group to produce teaching materials (such as emails, brief webinars, and previously published materials), to inform leaders of agriculture, business, and industry, the medical profession and others about environmental justice concepts and principles, and to promote environmental justice decision-making within their sectors.
- The Governor shall direct a working group to establish a lecture and learning series to provided continuing education for the public that utilizes experts, knowledgeable individuals, and organizations to give presentations on environmental justice challenges, best practices, lessons learned from successes, and lessons learned from initiatives that have not been successful.

**7.** Develop and implement environmental justice curriculum (strong consensus)

- The Governor shall direct a working group to compile an environmental justice teaching curriculum appropriate for use in training for State and local employees.
- The curriculum shall include, but not be limited to, the following topics:
    i. Definitions of community, environmental justice, equity verses equality, area of concern, rural, urban, and other pertinent terms;
    ii. A history of the environmental justice movement and Michigan's place in that history;
    iii. Discussions of what makes a community healthy, including lessons in cultural differences;
    iv. Discussions of toxic waste management;
    v. Discussions of environmental mapping and environmental justice screening tools;
    vi. Discussions of cumulative impacts;
    vii. Discussions of permitting, licensing, regulating, and enforcement;
    viii. Discussion of the 17 principles of environmental justice, the Jemez principles of democratic organizing, and other published documents[3];
    ix. Communication and engagement skills training for working with individuals, community groups and the public; and,
    x. Participation in listening sessions and tours of environmental justice communities

**8.** Develop a training and curriculum tool-kit for residents (strong consensus)

- The State should develop a toolkit for residents, local governments, businesses and community organizations built around the material the State utilizes with its employee's environmental justice training and curriculum, including but not limited to:
    i. Environmental justice concepts and principles
    ii. Environmental justice challenges, successes, and lessons learned from unsuccessful initiatives
    iii. Definitions of community, environmental justice, equity vs. equality, area of concern, rural, urban, and other pertinent terms
    iv. A history of the environmental justice movement and Michigan's place in that history
    v. Discussions of what makes a community healthy, including lessons in cultural differences
    vi. Discussions of toxic waste management
    vii. Discussions of environmental mapping and environmental justice screening tools

[3] see appendix B for additional materials and information

viii. Discussions of cumulative impacts
ix. Discussions of permitting, licensing, regulating, and enforcement
x. Discussion of the 17 principles of environmental justice, the Jemez principles of democratic organizing, and other published documents
xi. Communication and engagement skills training for working with individuals, community groups and the public

- The toolkit should utilize information and efforts the State is conducting in implementing the recommendations of the EJWG that would be appropriate to share with local communities and individuals who might utilize this information in their own communities, businesses and organizations to address environmental justice issues in their locales, such as:
    i. Information on how communities can participate in enhanced monitoring of environmental pollution/contamination areas of concern within their locales as noted in the recommendation titled "implement enhanced community environmental quality monitoring," including the creation of a forum/process where local communities can apply to the State for an enhanced environmental quality monitoring network that: (a) measures pollutants or contaminants of concern; (b) identifies the monitoring period to accurately characterize potential exposures; (c) identifies the monitoring location(s); and (d) identifies potential community involvement in the expanded program and any required training.
    ii. Provide the information on the State's experience including the process, successes, and lessons learned from non-successful initiatives to installing "health in all policies" approach in state laws, regulations, policies and procedures, so local communities can adopt successful approaches and learn from the State's experiences.
    iii. Identify funding opportunities for local communities and organizations to help develop and implement local environmental justice programs, policies and procedures.
    iv. Provide information on how to access data collected by the state, when possible, to address environmental justice issues.

**9.** Increase environmental justice recruitment and retention (strong consensus)

- The State should increase its focus, including active outreach, on recruitment and retention for State employees, commissions, workgroups and stakeholder group participants from environmental justice communities to increase diversity of representation.

## Policy Recommendations

### Integrate and Strengthen Environmental Justice and Public Health Considerations in Agency Decision Making

**1.** Adopt a public petition process (consensus)

- The Governor should establish a petition process to allow citizens to draw attention to and seek mitigation from any environmental injustice as exhibited by disproportionate environmental risks, impacts and health disparities in their neighborhoods. The petition process is intended to help residents address existing conditions, and not to revisit appropriate agency decisions. It should provide action steps to help petitioners achieve resolution and be both transparent and public in its proceedings and records.
- To these ends, the petition process should consider the following general guidelines:
    i. No specific form should be required in order to file a petition; a letter stating the community's concerns is sufficient. Petitioners will be asked to state whether they have also issued or plan to issue a formal grievance to a State agency.
    ii. In urban areas and urban clusters, a submission should be accompanied by signatures of at least 50 Michigan residents, including at least 25 residents from the affected community.
    iii. In rural locations outside of census urban areas or urban clusters, signatures of at least 20 percent of the population living within four miles of a facility that is allegedly causing any disproportionate impacts, exposures or health disparities are required for the petition.
    iv. Petitions should be evaluated individually and an "action plan" should be developed featuring deliverables, timeframe and a description of relevant resources and in consultation with the affected neighborhood or community and local and federal governmental agencies as relevant community deliverables. Private actors may choose to participate in the development of an action plan, and the commitments are undertaken by State agencies. Commitments are based on the agencies' existing legal authority and legal duties. Agencies must also coordinate situations where a petitioner has also issued a formal grievance.
    v. The State should develop a website, open to the public, that documents and displays basic information about each petition issued and the status of the State's response.
    vi. Detailed guidance on environmental justice petition processes, including comparisons across state and federal governments, is in the 2009 Michigan draft Environmental Justice Plan that was released for public comment on December 11, 2009.

**2.** Develop an environmental justice screening tool in Michigan and include cumulative impacts in decision making processes (consensus)

- The IWG should develop a screening tool (e.g., U.S. EPA's EJSCREEN, Cal EPA's CalEnviroScreen, etc.) that can be adapted to Michigan to measure the cumulative impacts of environmental hazards, pollutants, and discharges. The tool should be used to prioritize environmental issues, to consider in making permitting decisions, allocate monetary resources, prioritize environmental hazards for remediation, recognize public health issues, and future planning toward an improved environment and quality of life for all residents and visitors to Michigan. In developing this tool, the IWG should:

i. Determine the scope of work through a participatory public process
ii. Utilize and adapt models and best practices from other states, e.g. California, Minnesota, Oregon, Illinois, U.S. EPA, etc.[4]
iii. Use publicly available data sources, such as the TRI, RSEI-GM, NATA, census data, and others. The State should create supplementary data sources (emissions data, health outcome data, demographic data, property values, public health trends e.g. Cancer, asthma, deaths, legionnaire's disease and other diseases, etc.) Supplementary data sources could include increased density of air quality monitors in impacted communities to develop air quality estimates between monitors and a program to routinely test the water quality of all schools in Michigan once every three years.
iv. Review, monitor and evaluate data sources annually.
v. The IWG would identify who would adapt the screening tool, identify where the resources for development would come from and what entity would ultimately "own" the tool.

- The tool is intended to be used by the IWG, State agencies, local governments, community organizations, and businesses.

**3.** Require environmental justice analysis in permitting applications (consensus)

- The State shall require all environmental permit applicants (and transportation projects) to provide an environmental justice analysis that evaluates the impact, and any disproportionate impact, of the permitted activity on environmental justice communities, and any steps that can be taken to reduce or eliminate such impacts.

**4.** Include environmental justice analysis in the Michigan public service commission's certification of necessity application (consensus)

- The State shall require an application seeking a certificate of necessity to construct a new electric generation facility or to make a significant investment in an existing facility or enter into a power purchase agreement to include an environmental justice analysis that evaluates the impact, including any disproportionate impact, of the proposed facility on environmental justice communities, and any steps that can be taken to reduce or eliminate such impacts.

**5.** Implement health in all policies (consensus)

- The Governor should establish appropriate policies and procedures to ensure that all departments and offices of State government with regulatory authority institute a health in all policies approach to implementing all current and future laws, regulations and policies and procedures.
- The Governor should prioritize the wide application of health impact assessments as a primary tool in accomplishing a health in all policies approach.
    i. The purpose of HIAP is to:
        1. Identify potential health impacts of a proposed project, policy, or plan;
        2. Identify recommendations or methods to mitigate the adverse health impacts and maximize benefits; and,
        3. Allow decision makers to better balance health impacts with other considerations by providing clear information and analysis.
- The Governor should establish training programs for key regulatory staff that educate them on the use of health impact assessments, and other current best practices that

[4] see appendix C for additional information regarding potential methodology

support successful implementation of health in all policies approaches (e.g. *Health in All Policies a Guide for State and Local Governments*, APHA, CDC, the California endowment, et. Al., 2013).

**6.** Conduct health impact assessments (consensus)

- The Governor should direct agencies to conduct health impact assessments (HIA) for any project that requires an environmental impact statement or air or water quality permit. Where applicable, all agencies involved in a joint decision should work toward creating a unified health impact assessment. The goal of the health impact assessment should be to determine the health effects on identified populations of any new or modified rule or permit regarding air or water pollution or of any major project or plan.
- The Governor should also work with the legislature to ensure agencies have appropriate resources to conduct the needed HIAs. The Governor and legislature should also examine ways to support non-governmental bodies, local governments, industry, tribes, and/or communities in conducting HIAs, including but not limited to providing funding, technical assistance, or guidelines, or access to data.

**7.** Develop health impact assessment criteria (consensus)

- The Governor should direct the Interagency Working Group to determine criteria for use in evaluation of health impacts within assessments and to create guidelines and worksheets for conducting effective HIAs for State agencies, local governments, tribes, industry, non-governmental organizations, and communities. Those guidelines should include direction on how to best determine negative health risks and how to evaluate cumulative impacts on human health and the environment and the potential high aggregation of risk from multiple sources.

**8.** Reaffirm DEQ's authority over rules and permits (consensus)

- The Governor should oppose attempts to give outside commissions or boards rule-making or permitting authority We support the establishment of environmental and public health advisory commissions to help inform the creation of sound public policy and to give stakeholders and communities more opportunity to meaningfully impact agency and administrative decisions. However, the Governor should maintain the ability of State agencies to promulgate rules that are stricter than federal standards.
- The Governor should also reaffirm and support the ability of agencies working to protect environmental justice and vulnerable communities to promulgate rules and oversee permitting.

## Enhance Tracking, Monitoring, and Metrics

**9.** Require creation of annual environmental justice report (strong consensus)

- The State shall publish an "annual environmental justice report." This report should develop and report metrics to evaluate the current state of environmental justice conditions and activities across the state, and monitor progress on environmental justice issues on a year-to-year basis.

**10.** Implement enhanced community environmental quality monitoring (strong consensus)

- The Governor should enhance the quantity and quality of environmental monitoring programs in Michigan. Environmental quality monitoring is essential to the development of sound policies and regulations, essential to measuring progress toward community-based targets, and to communicate conditions and address

concerns by Michigan residents. An effective environmental monitoring program should include the following:

i. Providing for a sufficient number of monitors in areas known to be a problem due to environmental pollution/contamination (air, water, soil, noise, etc.), so that environmental quality can be accurately measured, and potential sources identified;
ii. Creating a forum/process where local communities can apply to the State for an enhanced environmental quality monitoring network that: (a) measures pollutants or contaminants of concern; (b) identifies the monitoring period to accurately characterize potential exposures; (c) identifies the monitoring location(s); and (d) identifies potential community involvement in the expanded program and any required training; and,
iii. Making certain that a stable source of funding for enhanced community environmental quality monitoring is provided.
iv. Ensuring all data from environmental monitoring is accessible to the public.

**11.** Establish measurable targets for eliminating childhood lead poisoning (strong consensus)

- Annually, a panel of State officials (including representatives from DEQ, MDHHS, MDE), pediatricians, public health experts, community-based organizations, and residents of impacted communities should meet to discuss the environmental justice dimensions of childhood lead exposure. This would include setting stretch targets for testing, reduction of childhood lead poisoning, lead remediation and abatement, and clearances. At the end of the year, the panel would consider the results and make recommendations for statewide improvements to achieve progress toward the goal of eliminating childhood lead poisoning in Michigan. Dissemination of results should be reported to the Governor, appropriate State departments, posted on State websites, and include direct contact to such groups as:
    i. Local public health departments
    ii. Municipal, county planning, and community development officials
    iii. Local great start collaboratives
    iv. School superintendents and publicly-elected board of education officials
    v. Non-governmental organizations and community-based organizations identified as working on children's health and well-being, housing, or the environment
    vi. Affected communities
- Such information should be presented in a way that is easily understandable by populations most impacted, including appropriate translations.

**12.** Implement lead poisoning and other chemical contaminants dashboards (strong consensus)

- The Governor should create a dashboard that provides relevant information that assists in tracking progress toward addressing known problems.
- The information reflected on the dashboard should present publicly across time and geographies (i.e., state, counties, cities over 5,000, and census tracts or zip code areas) key indicators of the fight to eliminate lead poisoning in Michigan.
- The State should release an aggregated, anonymized version of its database at least quarterly to support these dashboards.
- The indicators should include, at a minimum:
    i. Number and percentage of children tested (by ages);
    ii. Number and percentage of children lead-poisoned (by lead concentration level);

iii. Number of housing units with hazards remediated or abated;
iv. Number of lead clearances;
v. Estimated number of remaining housing units with lead paint, leaded pipes, and lead in soil; and,
vi. Available funding for mitigation, remediation, and abatement.

- Where possible, the indicators should be tracked at the state level against national averages and against other states that are leaders in the reduction of childhood lead poisoning.
- Similar dashboards should also be created for mercury poisoning and the impacts of other chemical contaminants, such as arsenic, nickel, and others, and tailored to fit community challenges.

**13.** Implement environmental health dashboards (consensus)

- The IWG shall establish health-based metrics for materials of environmental concern, including but not limited to lead and mercury. These metrics will be tracked on a regular basis and published on the appropriate dashboards, available to the general public, local units of government, including affected communities, local health departments, and legislators. Where possible, the indicators would be tracked at the State level against national averages and against other states that are leaders in the reduction of materials of environmental concern.

**14.** Enhance water quality testing in schools and licensed child care facilities (strong consensus)

- The Governor should enhance water quality testing in schools and licensed child care facilities across the state so that water quality standards provide all of Michigan's children with the same level of protection. Ethically and administratively, school water standards should provide all of Michigan's children the same level of protection. As lead contamination to drinking water has been shown to be an issue in Michigan and children are often exposed in schools, the Governor should develop a plan to routinely test the water quality of all schools and licensed child care facilities in Michigan. This plan should:
    i. Make certain that in every school and licensed child care facility, the State works with water utilities and other relevant agencies to have safe tap water available, free of contaminants that threaten the health of our children and school and child care staff.
    ii. Make certain that in every school and licensed child care facility, the State works with water utilities and other relevant agencies to:
        1. Conduct an initial assessment to eliminate lead from plumbing or fixtures in all active buildings.
        2. Develop and pilot-test monitoring processes based on environmental health and engineering best practices and evidence to ensure school water safety (including taking into account school schedules and the impact of flushing on drinking and food preparation water fixtures).
        3. Communicate monitoring processes to the community to assure understanding of baseline conditions and trends.
        4. Publicly post and report data with a plan for remediation (such as elimination of fixtures and other sources of lead to drinking water) with community input.
    iii. Make certain that a stable source of funding for school water quality monitoring is provided. The costs for these school programs will require a stable source of funding, but initially a combination of federal, state, county,

and/or private funding will be required to avoid unnecessary delays. The state should ultimately provide for a stable source of funding so that poorer communities and school districts in Michigan are not overburdened.

iv. Make certain that reports of progress be reported to the child lead exposure elimination commission annually for input and further recommendations to assure water safety and healthy quality.

## Increase Funding and Align Tax Policy with Environmental Standards

**15.** Increase funding for compliance assistance and enforcement of environmental laws (strong consensus)

- To address existing and prevent future EJ issues it is important that existing environmental laws be enforced. Funding should be increased for compliance assistance and enforcement within State and Local regulatory agencies.

**16.** Create an air, water, and soil quality mitigation fund (strong consensus)

- The Governor should create an air, water, and soil quality mitigation fund (AWSQMF) within the State treasury and ensure that all civil and administrative fines and interest on those fines assessed by the State for violation of Michigan air, water, and soil quality regulations be deposited into the fund. The DEQ should oversee the disbursement of funds from the AWSQMF and a portion of the funding should go to support DEQ staffing and administrative needs for air or water pollution mitigation, soil remediation, air or water pollution monitoring, and improved compliance. The majority of the funds from the AWSQMF should be put towards grants to local community organizations, local nonprofits, local health departments, and local environmental departments where the violation occurred to support the development of health impact assessments, pollution mitigation and remediation programs, and education and training programs for community residents and local environmental regulators.

**17.** Consider environmental compliance violations in Michigan Economic Development Corporation tax credit eligibility decision making (consensus)

- The Governor should work with the Michigan Economic Development Corporation (MEDC) and the Strategic Fund Board (SFB) to ensure that corporations with unresolved violations that impact human health and the environment are not eligible for tax credits and other economic development programs offered by the State through the MEDC.
- The Michigan legislature should ensure that the requirement for compliance with Michigan's environmental standards that impact human health and the environment is factored into any enabling legislation for new tax credit programs or economic development programs offered through MEDC going forward.

## Improve Collaboration Across Levels of Government and with Tribes

**18.** Ensure governmental agencies have joint responsibility (strong consensus)

- The Governor shall ensure that all relevant government agencies are jointly responsible for water quality and environmental health and work collaboratively with open channels of communication and data sharing for that purpose.
- Agencies other than the DEQ have relevant public health expertise and vantage points for oversight of water systems across Michigan. We recommend that the Michigan department of environmental quality, Michigan department of health and

human services, county and city health departments, and other relevant state agencies assume joint responsibility for oversight and accountability.

**19.** Support regional connections between local/state officials (strong consensus)

- The Governor should:
  - Create a multi-jurisdictional public health emergency plan
  - Establish a position for a State health officer to coordinate with local health officers
  - Require the state health department to hire people with public health education and work experience
- Internal politics and legalistic approaches on the part of the state health department have slowed responses to public health crises recently and historically. These approaches have increased human exposures to contaminants and toxins.
- Michigan's public health code requires both State and local health departments to respond to public health emergencies, regardless of what the other does. This should create a fail-safe redundancy; however, response to threats is often piecemeal and incomplete, worsening an environmental crisis or disaster.

**20.** Reduce limitations placed on local governments (strong consensus)

- The Governor should:
  i. Instruct State agencies to seek ways to reduce and lift limitations on local government that interfere with the resolution of environmental justice issues; and,
  ii. Encourage local governing bodies to address environmental justice within their locales
- State agencies should support local governing bodies in protecting human health and the environment by reducing limitations placed on municipal, township and county government, specifically limitations that affect a local government's ability to identify or correct environmental justice problems within their locales.
  i. For example: at present, limitations placed on local governing bodies often undercut and eliminate meaningful public involvement in the decision-making process regarding environmental justice concerns.
  ii. Local governments are also well positioned to identify environmental justice areas within the community and issues and concerns associated with those areas.
  iii. A local governing body must exercise the legal authority to protect the public health and prevent the degradation of environmental resources held in the public trust taking place in its jurisdiction.
- The present statutes, regulations, policies, and procedures of the State deprive local governments of utilizing their authority to function for the common good. By substituting its authority for local authority, the State preempts the initiative and responsibilities of local government and curtails any meaningful public involvement in government decision making.

**21.** Coordinate with tribal governments (strong consensus)

- The Governor should initiate an official consultation pertaining to environmental justice issues with tribal leadership in the state per the provision of the 2002 Tribal-State compact.
- Additionally, all environmental justice actions taken by the State should include efforts to engage Native American individuals and communities.

i. Tribal governments are sovereigns and have a government-to-government relationship with the United States (U.S) of America. This relationship is stated in the U.S. constitution, commerce clause, where the U.S. Congress is delegated the power “to regulate commerce with foreign nations, and among the several states, and with the Indian tribes." the body of law emanating from treaties between tribes and the U.S., jurisprudence and federal statutes establishes tribes as exercising inherent sovereignty and the U.S. has a trust responsibility to support the best interests of tribes. Inherent sovereignty and the trust responsibility are cornerstones of the government-to-government relationship between tribes and the U.S.
ii. As sovereigns, tribes provide protections and services to tribal members and exercise jurisdiction over certain lands, airs, waters and subterranean resources. Intertribal organizations whose members are tribal governments, such as the Chippewa Ottawa Resource Authority (CORA), have co-management responsibilities over certain lands and waters along with the State and in coordination with the U.S. federal government. Some tribal organizations in urban areas, chartered as 501c3 organizations, provide services for native persons living in these areas.
iii. Many native people, due to racism, poverty and other forms of discrimination and inequality, are at greater risk for environmental risks relative to other populations in the state. Indigenous peoples across the state, especially tribes with long histories in Michigan and the great lakes region, practice cultures that pre-date the establishment of the U.S. The spiritual practices of these cultures are connected to issues of environmental quality and the integrity of lands and waters.
iv. In 2002, the State and the twelve federally recognized tribes in Michigan signed the government-to-government accord between the State and the federally-recognized tribes in the State. In the accord, the State affirms the sovereignty of the tribes. The accord outlines a process for government-to-government consultation regarding issues of mutual concern between the State and the tribes. In addition to the government-to-government consultation process, the State has responsibilities to individual native persons who are also citizens of and reside in the state. In 2004, the State and tribes entered the Intergovernmental Accord between the federally recognized Indian tribes in Michigan and the Governor of the state of Michigan concerning the protection of shared water resources. In 2009, the State and tribes entered the intergovernmental accord between the tribal leaders of the federally recognized tribes in Michigan and the Governor of the state of Michigan to address the crucial issue of climate change. The 2004 and 2009 accords affirm tribal sovereignty, the State’s responsibility for government-to-government consultation on environmental matters and a commitment between the State and tribes to work jointly to address environmental issues of mutual concern.
v. An environmental justice policy must meet the government-to-government protocols for the State to collaborate with tribal governments as well as fully address environmental justice issues relevant to tribal members and other individual native persons in the general population who are facing adverse impacts. An environmental justice policy should create opportunities for tribes, states, local government and relevant federal agencies to identify environmental justice issues and risks and to identify legal and other means to address them. It is important for tribes and the State to be clear on which

issues or which dimensions of issues are best addressed through tribal-U.S. federal relationships, tribal-state relationships, tribal-local government relationships or some combination of these different relationships across sovereigns (U.S., State and tribal) and local governments. Native persons, as people who reside in and/or are citizens of the state, also have the right to be at the table in decision-making on environmental justice issues relevant to their well-being. An environmental justice policy, whether concerning tribal governments or native persons more generally, should respect and honor the indigenous cultures of the Great Lakes Region and in Michigan and work to ensure that indigenous histories, traditions and contemporary cultures are not threatened or erased. When considering indigenous environmental justice issues, the State should consider principles contained within the United Nations Declaration on the Rights of Indigenous peoples, especially the principle of free, prior, and informed consent.

## Create Tools and Resources for Residents

**22.** Develop a resource manual (strong consensus)

- The Governor should develop a resource manual for use by community organizations, general public, homeowner, renters, commercial entities, developers, landlords etc.
- As an example, this resource manual should at a minimum include:
    i. Who do I call when lead is discovered in my home or on my property?
    ii. What number at the State should a landlord call to get a “Lead” certification?
    iii. How do I know what environmental issues to look for or what certifications are required before buying a home or sending my child to a new school?
    iv. Where/how do I report an oil leak in a river, lake, on land or in a stream?
    v. What do I do/who should I contact when my water tastes, smell or looks strange?
    vi. How do you find out whose jurisdiction (Hazmat, fire department, police, EPA, DEQ etc.) when an environmental incident occurs?
    vii. Best practices for businesses and developers; e.g. the use of a retaining pond to cool water temps before they are released into streams and waterways.

**23.** Create an emergency environmental alert, notification, and evacuation plan (consensus)

- The Governor should create a state-wide emergency environmental alert, notification, and evacuation plan to use in instances of environmental emergency where the public health is potentially at risk, [e.g., air, soil or water contamination, explosion or fire], requiring evacuation, shelter in place or other responsive action by residents, businesses and travelers. The emergency environmental alert, notification, and evacuation plan should:
    i. Identify a lead person/agency (i.e., coast guard, homeland security, local government, State government, Michigan State Police) who will have cross-jurisdictional authority and responsibility for coordinating and directing area specific emergency environmental activities, including but not limited to communications, evacuations, and/or relocation of individuals across/within and outside of county, city, state, municipal structure or geography;
    ii. The State shall coordinate first responders (e.g. Fire, police, civil defense, homeland security), community organizations and businesses, in consultation

with environmental experts to identify and define situations of environmental emergency necessitating an emergency response;

iii. Recommend designating a new siren sound to indicate an environmental emergency distinguishable from the current EAS for tornado and weather emergencies;
iv. Ensure evacuation routes are clearly marked using universal signage systems;
v. Provide transportation and accommodations for individuals without access to personal transportation when an evacuation is likely (e.g. School buses and other modes of public transportation);
vi. Establish a communications center to coordinate information from homeland security, businesses, State and local agencies and provide real time status reports and updates to individuals;
vii. Ensure that all communications are easily understood and presented in a variety of languages (e.g. Arabic, Spanish, ASL, English) and utilize a variety of methods and sources (e.g. TV, radio, texts, phones, sirens) and be ADA compliant for individuals with disabilities; and,
viii. Review current "emergency alert notification" systems for viability/feasibility in urban and rural areas and orchestrate changes such as instituting the "reverse 911" system in areas that do not have it.

- The State will also require local governments provide community awareness and evacuation training (every three years) for schools, residents and businesses within a three-mile radius of potentially dangerous industries.

**24.** Creation of an evacuation plan toolkit (strong consensus)

- The Governor should create a state-wide emergency response toolkit (ERTK) that could be used in instances where environmental air, soil and water contamination, explosions, fire requires evacuation of residents, businesses and travelers. This kit shall contain:
    - Simple language easily understood by all residents and community members;
    - Phone numbers, email addresses, and websites for people to get information about resources like environmental testing, compensation for expenses incurred, low-cost or pro bono legal aid, etc.;
    - Be easily printed and put into local organization's newsletters, passed out at school for kids to take home, distributed to local business and mailed to residents in certain zip codes; and,
    - Provide real, live human beings to take phone calls and/or respond to emails and/or texts in "real-time" and to provide real time updates of information to the people who find themselves facing emergency environmental conditions.

# Appendix A – Resources

Over the course of its work, the EJWG met with or received presentations from the following individuals or organizations:

- Department of Environmental Quality
- Department of Transportation
- Department of Health and Human Services
- Department of Natural Resources
- Department of Talent and Economic Development
- Shankar Prasad, Office of Environmental Health Hazard Assessment, State of California
- Ned Brooks, Environmental Justice Coordinator, Minnesota Pollution Control Agency
- Alan Walts, Environmental Justice Coordinator, US EPA, Region 5
- Stuart Batterman, Ph.D., Professor, Environmental Health Sciences, School of Public Health
- Steve Black, Transaction Manager, RACER Trust
- Grant Trigger, Cleanup Manager for former GM properties in Michigan, RACER Trust
- Marcus Cheatham, Mid-Michigan District Health Department
- Community Outreach and Education Core of the Michigan Environmental Exposure and Disease (MLEEAD)
- Sierra Club
- Seeds of Promise
- Healthy Homes Coalition
- Plaster Creek Stewards
- LINC Up
- Grand Traverse Band of Ottawa and Chippewa Indians

# Appendix B -Training and Curriculum Materials

Principles of Environmental Justice

Delegates to the First National People of Color Environmental Leadership Summit held on October 24-27, 1991, in Washington DC, drafted and adopted 17 principles of Environmental Justice. Since then, The Principles have served as a defining document for the growing grassroots movement for environmental justice.

PREAMBLE

WE, THE PEOPLE OF COLOR, gathered together at this multinational People of Color Environmental Leadership Summit, to begin to build a national and international movement of all peoples of color to fight the destruction and taking of our lands and communities, do hereby re-establish our spiritual interdependence to the sacredness of our Mother Earth; to respect and celebrate each of our cultures, languages and beliefs about the natural world and our roles in healing ourselves; to ensure environmental justice; to promote economic alternatives which would contribute to the development of environmentally safe livelihoods; and, to secure our political, economic and cultural liberation that has been denied for over 500 years of colonization and oppression, resulting in the poisoning of our communities and land and the genocide of our peoples, do affirm and adopt these Principles of Environmental Justice:

1) Environmental Justice affirms the sacredness of Mother Earth, ecological unity and the interdependence of all species, and the right to be free from ecological destruction.

2) Environmental Justice demands that public policy be based on mutual respect and justice for all peoples, free from any form of discrimination or bias.

3) Environmental Justice mandates the right to ethical, balanced and responsible uses of land and renewable resources in the interest of a sustainable planet for humans and other living things.

4) Environmental Justice calls for universal protection from nuclear testing, extraction, production and disposal of toxic/hazardous wastes and poisons and nuclear testing that threaten the fundamental right to clean air, land, water, and food.

5) Environmental Justice affirms the fundamental right to political, economic, cultural and environmental self-determination of all peoples.

6) Environmental Justice demands the cessation of the production of all toxins, hazardous wastes, and radioactive materials, and that all past and current producers be held strictly accountable to the people for detoxification and the containment at the point of production.

7) Environmental Justice demands the right to participate as equal partners at every level of decision-making, including needs assessment, planning, implementation, enforcement and evaluation.

8) Environmental Justice affirms the right of all workers to a safe and healthy work environment without being forced to choose between an unsafe livelihood and unemployment. It also affirms the right of those who work at home to be free from environmental hazards.

9) Environmental Justice protects the right of victims of environmental injustice to receive full compensation and reparations for damages as well as quality health care.

10) Environmental Justice considers governmental acts of environmental injustice a violation of international law, the Universal Declaration on Human Rights, and the United Nations Convention on Genocide.

11) Environmental Justice must recognize a special legal and natural relationship of Native Peoples to the U.S. government through treaties, agreements, compacts, and covenants affirming sovereignty and self-determination.

12) Environmental Justice affirms the need for urban and rural ecological policies to clean up and rebuild our cities and rural areas in balance with nature, honoring the cultural integrity of all our communities, and provided fair access for all to the full range of resources.

13) Environmental Justice calls for the strict enforcement of principles of informed consent, and a halt to the testing of experimental reproductive and medical procedures and vaccinations on people of color.

14) Environmental Justice opposes the destructive operations of multi-national corporations.

15) Environmental Justice opposes military occupation, repression and exploitation of lands, peoples and cultures, and other life forms.

16) Environmental Justice calls for the education of present and future generations which emphasizes social and environmental issues, based on our experience and an appreciation of our diverse cultural perspectives.

17) Environmental Justice requires that we, as individuals, make personal and consumer choices to consume as little of Mother Earth's resources and to produce as little waste as possible; and make the conscious decision to challenge and reprioritize our lifestyles to ensure the health of the natural world for present and future generations.

The Proceedings to the First National People of Color Environmental Leadership Summit are available from the United Church of Christ Commission for Racial Justice, 475 Riverside Dr. Suite 1950, New York, NY 10115.

# Jemez Principles for Democratic Organizing

Meeting hosted by Southwest Network for Environmental and Economic Justice (SNEEJ), Jemez, New Mexico, Dec. 1996

## Activists meet on Globalization

On December 6-8, 1996, forty people of color and European-American representatives met in Jemez, New Mexico, for the "Working Group Meeting on Globalization and Trade." The Jemez meeting was hosted by the Southwest Network for Environmental and Economic Justice with the intention of hammering out common understandings between participants from different cultures, politics and organizations. The following "Jemez Principles" for democratic organizing were adopted by the participants.

## #1 Be Inclusive

If we hope to achieve just societies that include all people in decision-making and assure that all people have an equitable share of the wealth and the work of this world, then we must work to build that kind of inclusiveness into our own movement in order to develop alternative policies and institutions to the treaties policies under neoliberalism.

This requires more than tokenism, it cannot be achieved without diversity at the planning table, in staffing, and in coordination. It may delay achievement of other important goals, it will require discussion, hard work, patience, and advance planning. It may involve conflict, but through this conflict, we can learn better ways of working together. It's about building alternative institutions, movement building, and not compromising out in order to be accepted into the anti-globalization club.

## #2 Emphasis on Bottom-Up Organizing

To succeed, it is important to reach out into new constituencies, and to reach within all levels of leadership and membership base of the organizations that are already involved in our networks. We must be continually building and strengthening a base which provides our credibility, our strategies, mobilizations, leadership development, and the energy for the work we must do daily.

## #3 Let People Speak for Themselves

We must be sure that relevant voices of people directly affected are heard. Ways must be provided for spokespersons to represent and be responsible to the affected constituencies. It is important for organizations to clarify their roles, and who they represent, and to assure accountability within our structures.

## #4 Work Together in Solidarity and Mutuality

Groups working on similar issues with compatible visions should consciously act in solidarity, mutuality and support each other's work. In the long run, a more significant step is to incorporate the goals and values of other groups with your own work, in order to build strong relationships. For instance, in the long run, it is more important that labor unions and community economic development projects include the issue of environmental sustainability in their own strategies, rather than just lending support to the environmental organizations. So, communications, strategies and resource sharing are critical, to help us see our connections and build on these.

## #5 Build Just Relationships Among Ourselves

We need to treat each other with justice and respect, both on an individual and an organizational level, in this country and across borders. Defining and developing "just relationships" will be a process that won't happen overnight. It must include clarity about decision-making, sharing strategies, and resource distribution. There

are clearly many skills necessary to succeed, and we need to determine the ways for those with different skills to coordinate and be accountable to one another.

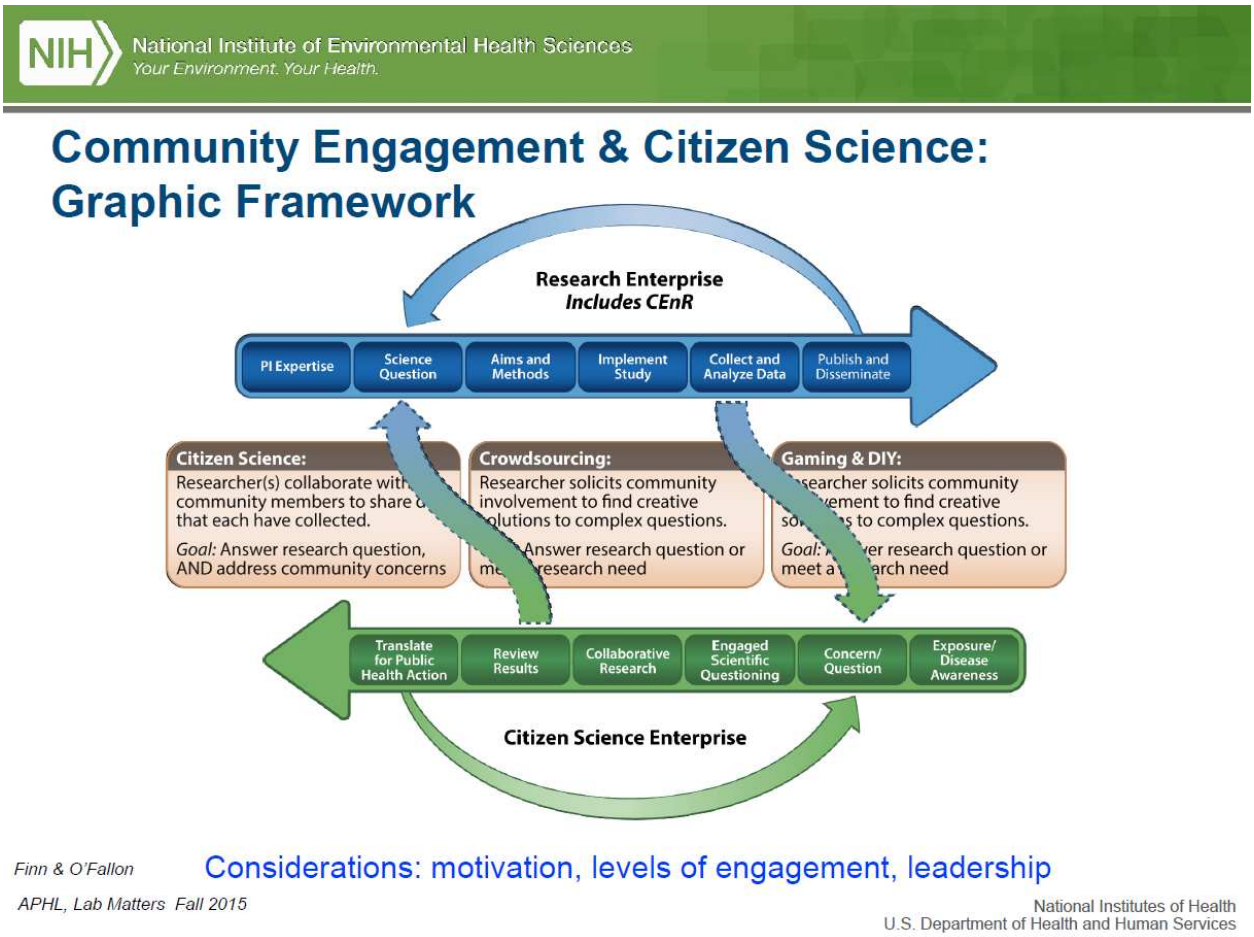
#6 Commitment to Self-Transformation As we change societies, we must change from operating on the mode of individualism to community-centeredness. We must “walk our talk.” We must be the values that we say we’re struggling for and we must be justice, be peace, be community.

National Environmental Justice Conference and Training Program




Leaders from various sectors will engage in 3 days of free exchange of ideas and approaches to achieving environmental justice. These interactive training sessions will feature voices of experience, research, discussions, and thought-provoking dialogue. The program format will feature the needs and challenges of communities, governments, municipalities, tribes, faith-based organizations, and others with an interest in environmental justice. It will highlight programs and collaborations that work, as well as initiatives that have not proven successful. Program speakers will feature representatives from Federal and state agencies, local governments, tribes, community groups, business and industry, public interest groups, academia, and other entities. This interactive forum will give conference participants the opportunity to network with a variety of interests from diverse quarters. All conference participants will realize informative and productive resources that can support their individual program goals and objectives. Conference participants will also see examples of approaches that produce positive results through innovation and collaboration. All in all, the conference will prove beneficial and informative to participants.

The 2018 National Environmental Justice Conference and Training Program will be held in Washington, D.C. April 25-27, 2018




Inclusion of Citizen Science in Support of Environmental Health Decision-Making, U.S. Department of Health and Human Services, National Institutes of Health, Joseph Hughes, 12/05/2016

***Additional Resources to Consider:***

Environmental Justice at the U.S. Environmental Protection Agency (USEPA)
https://www.epa.gov/environmentaljustice

EJ Screen User's Guide
https://ejscreen.epa.gov/mapper/help/ejscreen_help.pdf

Launching the EJ Screening Tool
https://www.epa.gov/ejscreen

CalEnviroScreen Version 3.0
https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30

Environmental Justice at Illinois Environmental Protection Agency (EPA)
http://www.epa.illinois.gov/topics/environmental-justice/index

Illinois EPA EJ Start Mapping Tool

http://illinois-epa.maps.arcgis.com/apps/webappviewer/index.html?id=f154845da68a4a3f837cd3b880b0233c

Illinois Commission on Environmental Justice
http://www.epa.illinois.gov/topics/environmental-justice/commission/index

Illinois EJ Definitions
http://www.epa.illinois.gov/Assets/iepa/environmental-justice/commission/resources/ejcommissionIPA2.pdf

Mohai, Paul, David Pellow, and J. Timmons Roberts. " Environmental Justice" *Annual Review of Environment and Resources* 34 (2009): 405-430.
http://www.annualreviews.org/doi/10.1146/annurev-environ-082508-094348

Toxic Wastes and Race in the United States
United Church of Christ. Commission for Racial Justice. *Toxic Wastes and Race in the United States: A National Report on the Racial and Socio-Economic Characteristics of Communities with Hazardous Waste Sites*. Public Data Access (1987)
http://uccfiles.com/pdf/ToxicWastes&Race.pdf

Toxic Wastes and Race at Twenty
Bullard, Robert D., Paul Mohai, Robin Saha, and Beverly Wright. "Toxic Wastes and Race at Twenty 1987–2007: Grassroots Struggles to Dismantle Environmental Racism in the United States." *United Church of Christ Justice and Witness Ministries* (2007).
http://www.ucc.org/environmental-ministries_toxic-waste-20

Racial and Socioeconomic Disparities in Residential Proximity to Polluting Industrial Facilities
Mohai, Paul, Paula M. Lantz, Jeffrey Morenoff, James S. House, and Richard P. Mero. "Racial and Socioeconomic Disparities in Residential Proximity to Polluting Industrial Facilities: Evidence from the Americans' Changing Lives Study." *American Journal of Public Health* 99, no. S3 (2009): S649-S656
http://ajph.aphapublications.org/doi/10.2105/AJPH.2007.131383

A Taxonomy of Environmental Justice
Kuehn, Robert R. "A Taxonomy of Environmental Justice, 30 Envtl. L. Rep." *Envtl. L. Inst* 10, no. 10,684 (2000).
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=628088

Universal Principles of Compensatory Mitigation, National Mitigation Banking Association
http://www.agorarsc.org/wp-content/uploads/2015/08/Universal-Principles-of-Compensatory-Mitigation-by-NMBA.pdf

The Flint Water Crisis: Systemic Racism through the Lens of Flint
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http://www.michigan.gov/documents/mdcr/VFlintCrisisRep-F-Edited3-13-17_554317_7.pdf

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# Appendix C – Cumulative Effect Analysis

The following information details methodology for adapting an environmental justice screening tool in the State.

- The U.S. EPA's EJ mapping tool, EJSCREEN, contains many data sources that mirror the indicators used by California. Combining state databases and federal databases provides the indicator set needed to implement the CalEnviroScreen standard.
- Potential Methodology
    i. The methodology that CalEnviroScreen uses to identify census tracts as disadvantaged communities combines pollution burden and population characteristics. The overall score is calculated by combining the individual indicator scores within each of the two groups, then multiplying the Pollution Burden and Population Characteristics scores to produce a final score. Based on these final scores the census tracts across the State are ranked relative to one another. The text and models below explain how this method is used:
        1. Each census tract receives scores for as many of the indicators as possible. Some census tracts will not have scores for every one of the indicators.
        2. For each indicator, the scores are put in order from highest to lowest. This allows us to calculate a percentile for all areas that have a score.
        3. The Population Characteristics score for a census tract is the average of the percentiles for all the Sensitive Populations indicators and Socioeconomic Factors indicators for that census tract.
        4. The Pollution Burden score is the average of the percentile scores from Environmental Effects and Exposures indicators.
        5. The Environmental Effects indicator percentiles are divided in half because we consider environmental effects to make a smaller contribution to pollution burden than exposures do.
        6. To get the final score, multiply the Pollution Burden score by the Population Characteristics score.
        7. Communities at the top 25% of final scores relative to the state's range of scores qualify as disadvantaged.
    ii. For all statewide Michigan programs, the top 25% of scores should be considered Disadvantaged Communities (DACs) and targeted for resources.
- Potential Approach for Defining Environmental Justice Communities
    i. The State should determine Environmental Justice Communities by analyzing data from Michigan Census tracts for the following environmental and demographic indicators, as described by the EJSCREEN and CalEnviroSreen Tools:
    Pollution Burden
        1. Exposures
            a. Ozone Concentrations
            b. PM2.5 Concentrations
            c. Diesel PM Emissions
            d. Drinking Water Contaminants
            e. Pesticide Use
            f. Toxic Releases from Facilities
            g. Traffic Density
        2. Environmental effects
            a. Cleanup Sites
            b. Groundwater Threats
            c. Hazardous Waste
            d. Impaired Water Bodies

e. Solid Waste Sites and Facilities

Population Characteristics

1. Sensitive populations
   a. Asthma Emergency Department Visits
   b. Low Birth Weight Infants
   c. Cardiovascular disease (emergency department visits for heart attacks)
2. Socio-economic indicators
   a. Educational Attainment
   b. Housing burdened low income households
   c. Linguistic Isolation
   d. Poverty
   e. Unemployment
   f. Minority Status

Pollution Burden Indicators Readily Available from EJSCREEN

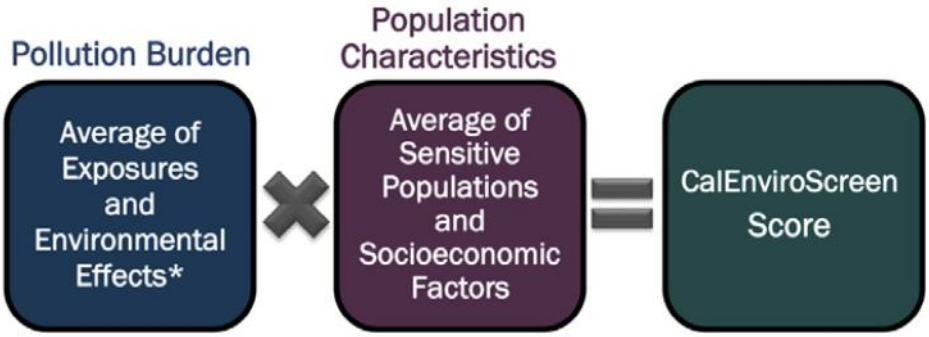
a. National-Scale Air Toxics Assessment (NATA) air toxics cancer risk
b. NATA respiratory hazard index
c. NATA diesel PM
d. Particulate matter
e. Ozone
f. Traffic proximity and volume
g. Lead paint indicator
h. Proximity to Risk Management Plan sites
i. Proximity to Hazardous Waste Treatment, Storage and Disposal Facilities
j. Proximity to National Priorities List sites
k. Wastewater Dischargers Indicator

Demographic indicators Readily Available from EJSCREEN:

l. Percent Low-Income
a. Percent Minority
b. Less than high school education
c. Linguistic isolation
d. Individuals under age 5
e. Individuals over age 64

ii. The Agency should weight each factor using an approach adapted from CalEnviroScreen: Census tracts would be ranked for each environmental and demographic indicator, a resulting percentile score would be found for each tract, and the percentile scores would be averaged, resulting in an environmental and demographic score for each tract. The two averages would by multiplied together to determine a score.

## CalEnviroScreen Formula




*The Environmental Effects component is weighted one-half when combined with the Exposures component.