

Maryland Commission on Environmental Justice and Sustainable Communities

Meeting Minutes

January 28, 2021, Virtual Meeting

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

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

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

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

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

<https://mde.maryland.gov/programs/CrossMedia/EnvironmentalJustice/Pages/cejsc.aspx>

1. Introduction and Remarks

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

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

2. Welcome New Members

- **The Honorable Regina Boyce, Delegate**
 - I represent northeastern Baltimore. I was honored to be nominated by Speaker Jones. Work in the Environment and Transportation Committee.
 - We all have different ideas for addressing environmental justice issues and these may include undoing injustices and ensuring that future injustices are not done. We should all have a right to have a seat at the table and learn about the issues. At heart I am a teacher and I know that we all have different learning styles, and education is needed as well, we need to teach the language to increase participation – tools are needed to improve coming together.
- **Dr. Barbara Paca**
 - It is an honor to be a part of this Commission. I represent the Eastern Shore, which is a fragile and beautiful area that had not been previously represented on the Commission. I also serve on the Maryland Commission on African American History and Culture. Next newsletter will be featuring EJ topics. I am interested in helping building bridges with other Commissions.
- **Camille Burke**
 - Please remember that we continue to have vacancies. Currently have four vacancies available for consideration of the public, including slots for a health expert and environmental nonprofit organization.

3. CEJSC Annual Report

- **Camille Burke**
 - Our Senate President is making environmental justice a big part of Maryland's agenda. There have been bills this session pertaining to the Commission. However, our discussions need to be informed and framed within the authority of the Commission, which currently does seem broad.
 - The Commission is made up of volunteers and unpaid members and we do not want to over-promise.
 - Thank you to Devon and Cindy for your work on the report this year. This year's report includes a roadmap for future priorities.
 - Splitting myself between testing and vaccinations in Baltimore City. May need to miss future meetings.
- **Ben Grumbles**

- I want to underscore the great work that has been ongoing by the Baltimore Health Department. Thank you.
- Our Assistant Secretary, Suzanne Dorsey, has also been leading agency efforts to identify whether the virus can be detected in wastewater.
- **Devon Dodson**, MDE Designee
 - Draft report was made available to Commissioners and is open to edits and comments. This year's report includes an appendix of the statutory authority that is an important piece to understand given that there are bills currently being considered by the General Assembly pertaining to the Commission.
 - Bills this session dealing with the Commission expands authority and/or changes authority, such as Senator Patterson's Senate Bill 121 and Senator Pinsky's Senate Bill 414. Commissioners need to think about what role they want to play.
 - Report covers calendar year 2020. We have begun reaching out to communities and we want to hear from environmental justice advocates. Oftentimes, environmental justice issues have not gone through local governments first, who may have legal authority over the subject matter. Important to have a partnership with local governments. We can also increase website presence.
 - Report will be posted on the website once approved by the Commission, as well as submitted to the Governor and General Assembly. This report was late and is supposed to be due annually in October.
- **Paula Dannenfeldt**
 - Thanks for clarification on what timeframe the report covers. If the Commission takes a position on bills, any letters could also be posted on the website.
- **Camille Burke**
 - Is there a motion to approve the report?
- **Stephan Levitsky**
 - Motions to approve the report.
- **Paula Dannenfeldt:**
 - Seconded.

4. Legislation before the General Assembly

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

- The question is for the Commission: where do you want to draw the line in terms of additional responsibilities? What would you like to do for CEJSC bills?
- **Camille Burke**
 - One important component will be getting timely feedback on any future emails.
 - Our authority under statute is currently broad.
- **Devon Dodson**
 - Summarized the recommendations from the [Senate President Workgroup on Equity and Inclusion](#).
- **Paula Dannenfeldt**
 - What happens with the Senate report?
- **Devon Dodson**
 - Senate recommendations are being captured in current bills. President Ferguson has indicated that environmental justice is a priority.
- **Delegate Boyce**
 - It sounds like without additional resources or staffing, this Commission will be not be able to achieve all the new responsibilities under some current bills.
- **Stephan Levitsky**
 - I am glad we got what we wished for in terms of more traction, but it looks like we may have gotten too much traction – should the Commission testify before the House or the Senate for a better format? What would this look like? Less voluntary people? More full-time staff for the Commission?
 - Sounds like most Commissioners agree that we currently do not have the tools to succeed in all the asks within bills.
- **Camille Burke**
 - I support continuing to have a hybrid of membership including from the Governor’s Office, MDE, and general assembly members.
- **Joseph Griffiths**
 - I am also excited that the Commission wants to take a more engaged role but if everything is a priority, nothing is.
 - How do we seep through priorities and competing needs? May involve long-term considerations.
- **Al Weaver**
 - We may want to go deeper and broader in the Commission’s role. Maryland Department of Transportation needs to be at the table. So does the Public Service Commission. There should be broader and more participation from all the state agencies. Should an Office be setup for environmental justice?
 - Title 6 is only one piece. Need to take this seriously. There are climate change mitigation challenges that need to be addressed as soon as possible.
- **Richard Allen**
 - I work with the Maryland Department of Natural Resources (DNR) Office of Fair Practices as the Equal Opportunity Administrator. DNR could also be represented in this Commission.
- **Veronika Carella**
 - I am the Legislative Director of the Maryland Children’s Health Coalition.

- Our government has three executive branches. Commissions are the only way to look over state agencies. This Commission has long-term and short-term process questions. This Commission's voice is important.
- **Kamita Gray**
 - President of B2B. There was not enough engagement in the creation of the MDE Environmental Justice and Implementation Plan. There is a record of a lack of engagement by the agency in general.
- **Devon Dodson**
 - I was named the new EJ Officer and can meet with you to address your questions and comments.
 - Due to a shortage of time, we will not review the screening tools presentation but it will be available on our website.
 - Pertaining to legislation, I can create a draft letter that addresses the Senate recommendations and have this template inform our positions on other bills. The draft letter can be reviewed by the Commissioners.
- **Subha Chandar**
 - The Commission can provide more information on bills as needed, especially pertaining to the need for resources if authority or expectations are too large. May need consultant, academic institution participation, contract, or funding to meet the requirements under some of the proposed bills.

5. MDE Environmental Justice Policy and Implementation Plan

- **Ben Grumbles**
 - MDE is committed to using regulatory tools, technical assistance, enforcement, evaluating funding decisions, and public participation options to enhance our environmental justice priorities.
- **Devon Dodson**
 - Reviews main concepts of the [MDE EJ Policy and Implementation Plan](#)
- **Paulette Hammond**
 - How is the EJ Workgroup different from the Commission? What happens when there is a new administration and Secretary?
- **Ben Grumbles**
 - The EJ Policy mentions a workgroup that will have representation from our different internal Administrations.
 - This is not a regulation. It is a roadmap and is not binding for future administrations but the decisions that we make today set the tone for future work. The adaptive management approach is a positive step forward that shows commitment from the agency.
 - We still need the Commission for broader recommendations and vision.
- **Paulette Hammond**
 - Should other departments have a similar policy? All agencies have environmental justice concerns.
- **Ben Grumbles**
 - One size does not fit all but I know other agencies are currently having meaningful discussions on how to incorporate environmental justice priorities.

- **Camille Burke**
 - What are next steps in connection with the Commission?
- **Ben Grumbles**
 - MDE Administrations must meet regularly to continue discussions on more permitting reviews, collaboration between Administrations, and more dialogue with the community.
 - As an example, there are currently people who cannot afford their water and sewer bills. We are looking at ways to help, which may need new solutions like extended payback periods or technical assistance.
- **Paula Dannenfeldt**
 - It would be helpful to get reports to the Commission on the work of MDE's internal workgroup. The EJ Policy Officer, Devon, could report these updates and the updates could also be shared in a newsletter.

6. Public Comment

- **Dr. Lesliam Quiros-Alcala**
 - I am an Assistant Professor at Johns Hopkins University's Department of Environmental Health and Engineering. I study exposures on vulnerable populations. Earlier this month I shared a research proposal for the consideration of the group's support. It involved increasing engagement with the Baltimore community. Today I am joined by my colleague, Ana Maria Mule, a fellow Assistant Professor at Johns Hopkins University
- **Dr. Ana Maria Rule**
 - We are interested in supporting the Commission's research efforts.
- **Camille Burke**
 - Thank you. The Commission welcomes your expertise, but we would like to get more time to review any proposals, as well as more background information prior to being able to decide on proposals as a Commission.
- **Kamita Gray**
 - Thank you for posting the MDE Environmental Justice Policy and Implementation Plan.
- **Veronika Carella**
 - There is low-hanging fruit that the Commission can work on to protect children and drinking water. I have participated in meetings by the Children's Environmental Health and Protection Advisory Council (CEHPAC). The Maryland Health in All Policies Final Report (2019) raised some concerns pertaining to the Maryland Department of Agriculture and the Maryland Department of Health, including pertaining to pesticides.

7. Concluding Remarks

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