



# **Commonwealth of Massachusetts**




**Executive Office of Energy and Environmental Affairs**  
**Environmental Justice at EEA**

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**Presentation to DCR Stewardship Council**  
**Rishi Reddi, Director of Environmental Justice**  
**February 2020**



## What is Environmental Justice?

Equality	Equity	Justice
		
<p>The assumption is that everyone benefits from the same supports. This is equal treatment.</p>	<p>Everyone gets the supports they need (this is the concept of "affirmative action"), thus producing equity.</p>	<p>All 3 can see the game without supports or accommodations because <b>the cause(s) of the inequity was addressed.</b> The systemic barrier has been removed.</p>

## EEA's 2017 Environmental Justice Policy states:

*Environmental justice* is based on the principle that all people have a right to be protected from environmental hazards and to live in and enjoy a clean and healthful environment regardless of race, color, national origin, income, or English language proficiency. Environmental justice is the equal protection and meaningful involvement of all people and communities with respect to the development, implementation, and enforcement of energy, climate change, and environmental laws, regulations, and policies and the equitable distribution of energy and environmental benefits and burdens.

## EJ Policy & Massachusetts Parks

“Working with EJ populations, EEA will take direct action as part of the implementation of this policy to restore degraded natural resources, to increase access to open space and parks, to address environmental and health risks associated with existing and potential new sources of pollution, to appropriately address climate change, and to improve overall quality of life...”

- 2017 Environmental Justice Policy of the Massachusetts Executive Office of Energy and Environmental Affairs,

## 3 Crucial Aspects to Environmental Justice

- **Right to a Clean Air and Water**
  - › Provided in the Article 97 of Massachusetts Constitution
- **Disproportionality**
  - › Equitable distribution of benefits and burdens of environmental protection
- **Cumulative Impact**
  - › How to quantify and assess the entire public health impact of many environmental burdens in a particular geographic area, each of which many have been legally permitted.
  - › Includes assessment of the lack of environmental benefits in the area



## EEA Environmental Justice **TASK FORCE**: Agency Points of Contact

AGENCY	NAME	TITLE
EEA	Rishi Reddi	Director of Environmental Justice
EEA	Vallery Cardoso	Deputy Director of Environmental Justice
DAR	Rose Arruda	Coord'r Urban Agriculture, Mass Food Ventura, Food Trust Program
DCR	Jorge J. Ayub	Coastal Ecologist
DCR	Francisco Rodriguez	AMMP Program GIS Analyst
DEP	Deneen Simpson	Director of Environmental Justice
DFG	Mark Reil	Legislative Director
DFG	Jimmy Rossignol	Aquatic Biologist
DOER	Alexis Washburn	Climate and Buildings Program Analyst
DPU	Carline Lemoine	Language Access Coordinator
DPU	Wayne Wang	Energy Facilities Siting Analyst
EEA OFFICES	NAME	TITLE
CZM	Tyler Soleau	Assistant CZM Director
EPO	Capt. Kevin Clayton	Deputy Chief of Enforcement
GIS	Dominique Pahlavan	GIS Coordinator
HR	Cindy Montoya	Director of Outreach & Training
MEPA	Tori Kim	Assistant Secretary / MEPA Director
MEPA	Page Czepiga	Assistant MEPA Director
OTA	Tiffany Skogstrom	Acting OTA Director
EEA-AFFILIATED	NAME	TITLE
CEC	Tamika Jacques	Program Director, Workforce Development
CEC	Beverly Craig	Sr. Program Manager, Low-& Moderate-Income Programs
MWRA	Tomeka Cribb-Jones	Associate Special Assistant, Affirmative Action



## 2 Important Tools to promote EJ in Massachusetts

### [2017 Environmental Justice Policy](#)

Applies to all EEA Agencies and Offices

[https://www.mass.gov/files/documents/2017/11/29/2017-environmental-justice-policy\\_0.pdf](https://www.mass.gov/files/documents/2017/11/29/2017-environmental-justice-policy_0.pdf)

The first MA EJ Policy came out in 2002. The Commonwealth has long recognized the importance of equity in implementing its regulatory, enforcement, permitting, and grant disbursement programs.

### [Environmental Justice Viewer Map](#)

Depicts EJ Populations in Massachusetts.

[http://maps.massgis.state.ma.us/map\\_ol/ej.php](http://maps.massgis.state.ma.us/map_ol/ej.php)

EJ Viewer Map outlines each EJ population in the Commonwealth and specifies which demographic EJ criteria the population meets.



## “Environmental Justice Population” definition

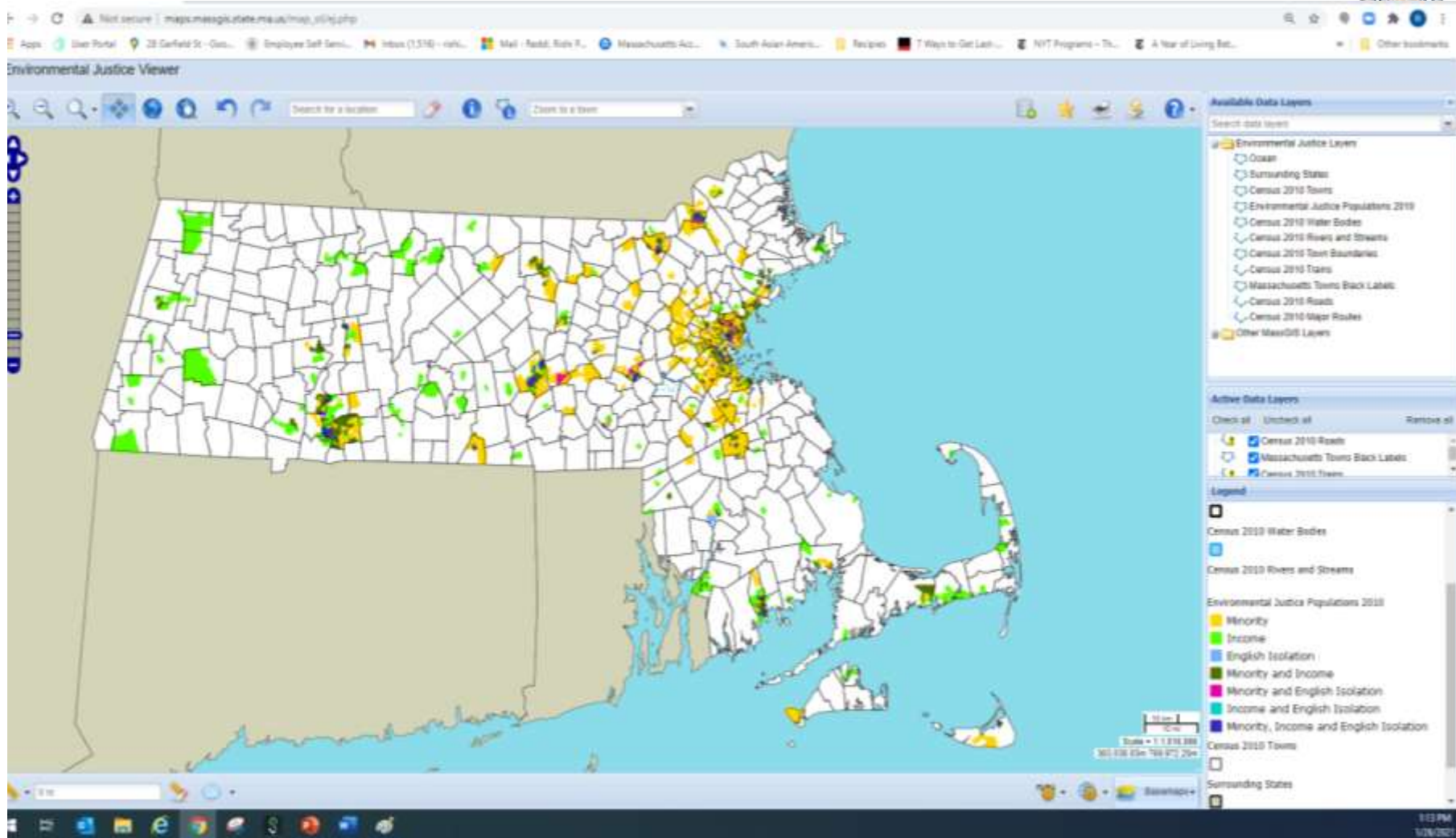
EEA’s EJ Policy defines an EJ Population as a census block group that fits **ONE OR MORE** of the following criteria.

**Substantial evidence shows a statewide coincidence of the following neighborhood demographic data, disproportionately high environmental burdens, and public health vulnerabilities.**

1. **Low Income**: annual median household income at /below 65% statewide median income
2. **People of Color (Minority)**: 25% or more of residents are People of Color
3. **Limited English Proficiency (English Isolation)**: 25% or more of residents speak English “less than very well”

**EJ Populations comprise 33% of MA residents on 7% of the land.**







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## Policy requires the EEA Agencies to advance Environmental Justice through:

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- **“Senior-Level Commitment”** from all EEA agency and offices
  - › EJ Points of Contact must be selected for each agency/office
  - › EJ Points of Contact names must be posted on
    - » EEA’s webpage
    - » newsletters,
    - » funding requests for proposals
    - » other appropriate places.
- **“ Secretariat EJ Strategy.** EEA agencies shall develop their own strategies to proactively promote environmental justice in all neighborhoods in ways that are *tailored to the agencies' mission.*”



## EJ STRATEGIES REQUIRED UNDER EJ POLICY [para.13]

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Secretariat EJ Strategy. EEA agencies shall develop their own strategies to proactively promote environmental justice in all neighborhoods in ways that are tailored to the agencies' mission.

In doing so, EEA agencies shall consider how to appropriately integrate environmental justice considerations into their departments through policies, programs, or other strategies. In addition to the particular services already specified below, EEA agencies shall identify and promote agency-sponsored projects, funding decisions, rulemakings or other actions intended to further environmental justice throughout the Commonwealth in order to show how the fair distribution of benefits has been measured.

These strategies will be consolidated into one Secretariat EJ Strategy and will be finalized by a date established by the Secretary. Furthermore, EEA shall guide all Secretariats in the development of their individual EJ Strategy.



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# What will we implement through an Environmental Justice

# Strategy?



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## Agency strategies will advance EJ through 3 main pathways

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### Improving Public Participation in Government Decision-Making

- Communicating information to communities by government
- Receiving input from the public to government
- Language access

### Policy Review and Revision

- How can we better address disproportionality and cumulative effects

### Metrics and Tracking

- How shall we measure our progress



## Challenges to Public Participation in EEA Programs

Top 5 primary languages for speakers who ALSO report knowing English “less than very well”:

Data from American Community Survey and 2010 U.S. Census

LANGUAGE	SPEAKERS
Spanish	231,000
Portuguese	80,000
Chinese (all forms)	65,000
Haitian Creole	35,000
Vietnamese	25,000
TOTAL	436,000 = 6.3% of MA population



## Long-term Environmental Effects of Historic “Redlining”

The formation of today’s EJ neighborhoods, and the reality of their existence, are founded in the [Home Owners' Loan Corporation maps](#) of the 1930s. These maps, which designated undesirable areas in “red,” deeply influenced where banks would financially support the formation of “good” residential neighborhoods. They explicitly used race as a factor in their assessments.

You can explore the website of these maps here:

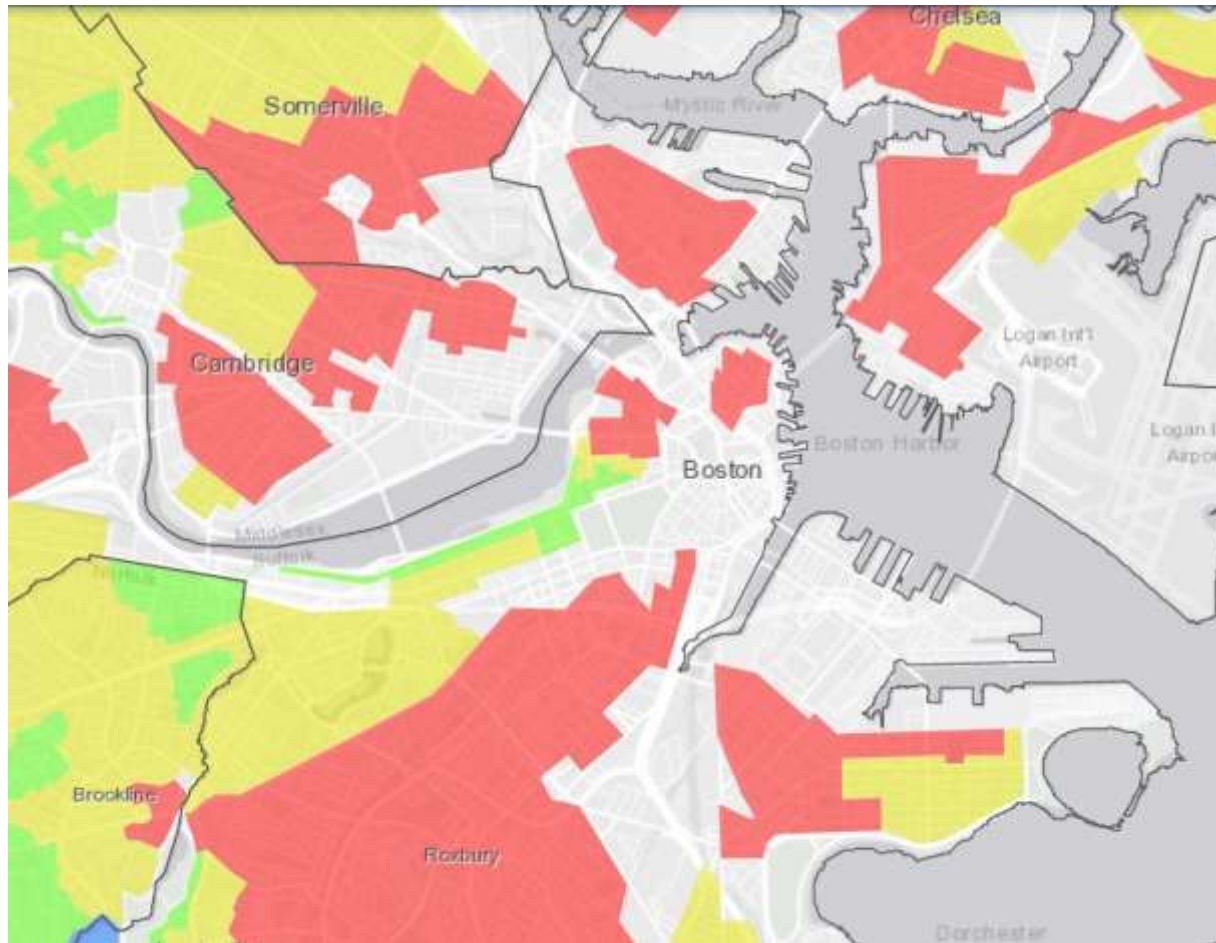
<https://dsl.richmond.edu/panorama/redlining/#loc=5/39.1/-94.58>

And Boston, in particular, here:

<https://dsl.richmond.edu/panorama/redlining/#loc=11/42.351/-71.305&city=boston-ma>



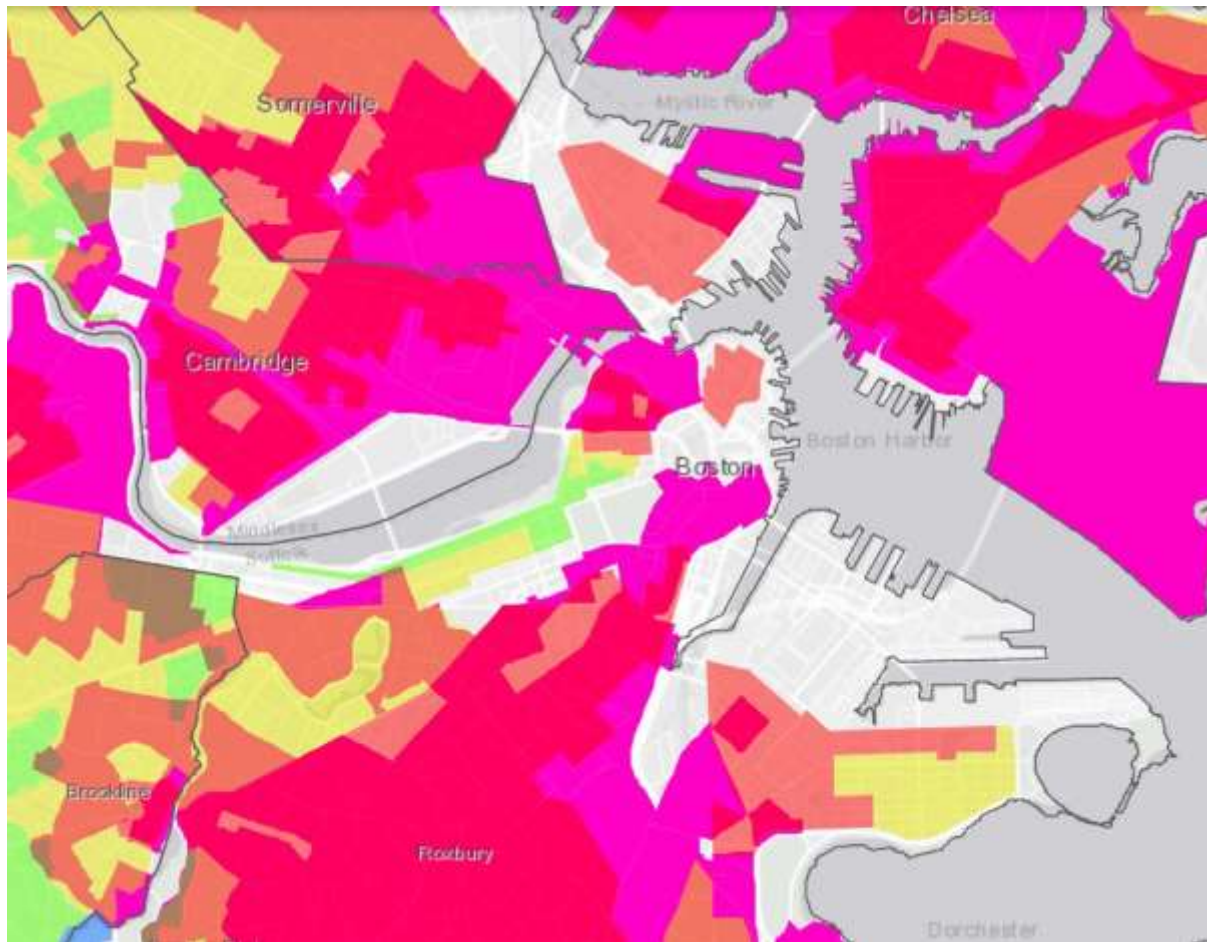
## Boston Historical Redlining Map – Home Owners' Loan Corporation







## Modern Environmental Justice Populations with Historic Redlining Overlay





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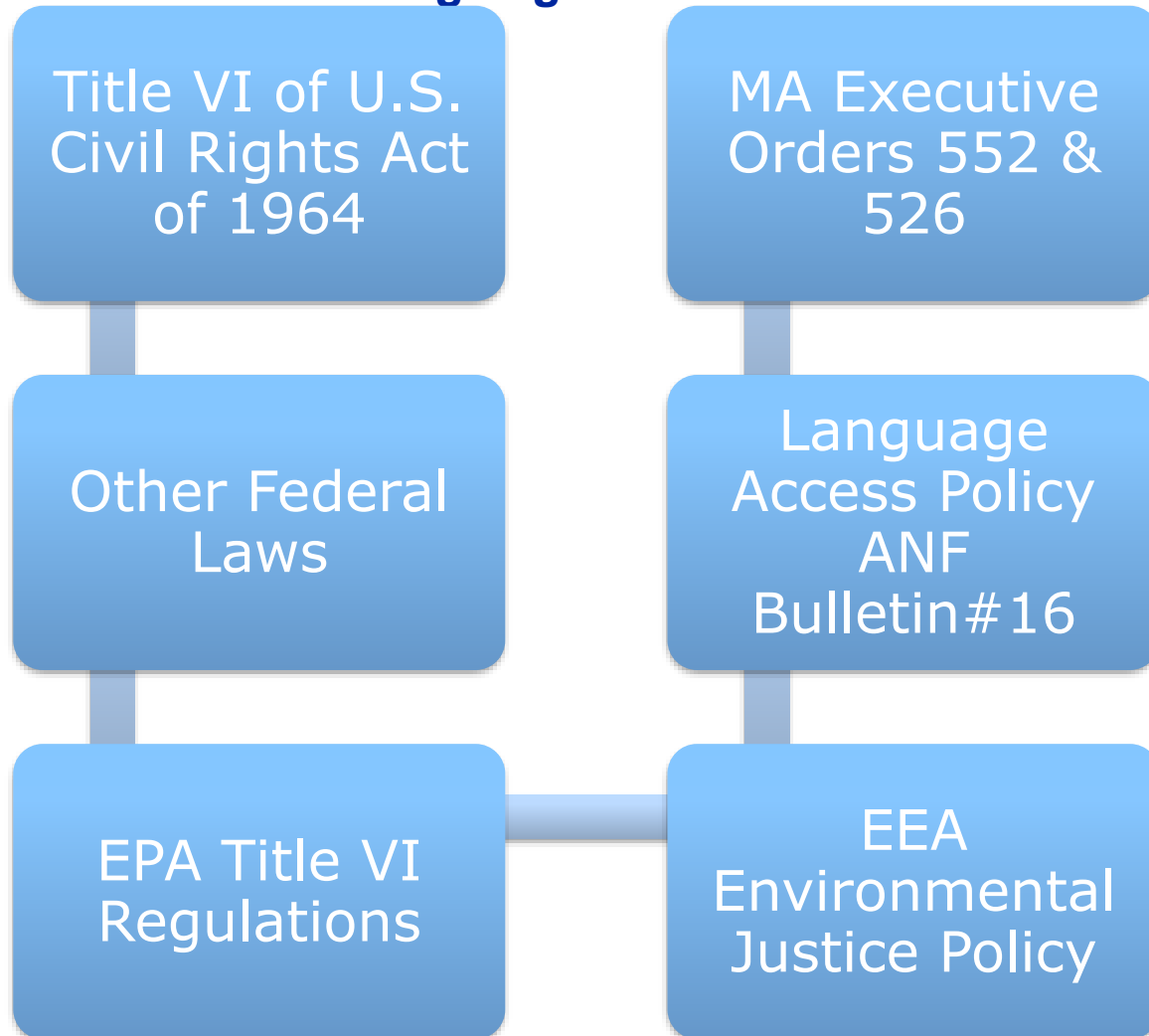
## Examples of Forward-looking, Inclusive EJ-Oriented Actions

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- **2050 Decarbonization Roadmap Public Meetings for Global Warming Solutions Act**
  - Translation of documents into major non-English languages spoken in MA
- **Municipal Vulnerability Preparedness Grants Climate Change Resilience Criteria**
  - Grant criteria incentivizes projects that assist the most vulnerable EJ neighborhoods, Encourages municipal leaders to engage proactively with EJ neighborhoods in town
  - Keep track by money and location of EJ population assisted
- **Transportation Climate Initiative (TCI) aka Transportation Emissions Reduction Initiative (TERI)**
  - 35% of the funds available through the program is set aside for equity populations that are underserved and over-burdened; .
- **Work Force Development**
  - Reaching out to EJ Populations to develop the workforce we will need to make the transition to green economy



## EEA's Programs Must Comply with the Equity Requirements of Following Legal Authorities :





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## Title VI of Civil Rights Act of 1964

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- **Applies to State programs and activities that receive federal funds**
- **Prohibits intentional discrimination, retaliation and intimidation, or disparate impact of neutral laws, on the following protected “classes” or groups:**
  - **Race**
  - **Color**
  - **National Origin**

### Other Federal Laws

**Prohibit discrimination based on sex, age or disability**

### EPA's Title VI Regulations

**Federal fund recipients to develop written Guidance & Grievance Procedure**



## Executive Order 552 on Environmental Justice (signed 2014)

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### ACCOMPLISHED REQUIREMENTS

- Appoint EEA Director of Environmental Justice (finished 2019)
- Update EEA EJ Policy (finished in 2017)
- Revise definition “EJ Population” & “Vulnerable Health Populations” (finished 2017)

### UNACCOMPLISHED REQUIREMENTS:

- Requires the Governor’s Office to appoint the **Governor’s Environmental Justice Advisory Council** made up of 9-15 persons, to advise the Governor and the Secretary of EEA.
- Requires each Secretariat to designate a **Secretariat EJ Coordinator**.
- Requires each Secretariat to develop and post on-line its own **Secretariat Strategy**
- Requires the Secretariats to convene the **Interagency Environmental Justice Working Group**, comprised of Secretary EJ Coordinators.



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## **Fully Implemented Executive Order 552 and EEA EJ Policy:**

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### **3 Groups Convened:**

#### Governor's Environmental Justice Advisory Council (under EO 552)

- meets biannually
- external

#### Interagency Environmental Justice Working Group (under EO 552)

- meets quarterly
- cross-cabinet

#### EEA Environmental Justice Task Force (under EEA EJ Policy & EO 552)

- meets every 2 months with "senior-level commitment"
- internal EEA and its agencies / offices EJ Points-of-Contact



## LANGUAGE ACCESS POLICY

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Applies to ALL Executive Branch agencies as  
[Administration & Finance Bulletin #16 \(2015\)](#)

<https://www.mass.gov/administrative-bulletin/language-access-policy-and-guidelines-af-16>

### Requirements

**In order to service Limited English Proficiency (LEP) Persons, Each Agency Must:**

- Develop a [Language Access Plan](#)
- Designate a Language Access Coordinator
- Conduct an Agency Needs assessment
- Provide [translation](#) of key documents and [interpretation](#) for meetings as needed



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## Task Force Goals by November 2021

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### Agency EJ Strategy's components:

- 1. Review of substance of the key agency actions and functions with an aim to enhance Environmental Justice**

Required by EEA EJ Strategy

- 2. Review of agency community engagement and public participation practices with the aim to encourage effective long-term interaction with the public that the agency serves.**

Required by U.S. Civil Rights Act of 1964, EEA EJ Policy

- 3. Language Access Plan**

Required by A&F Bulletin #16, EJ Policy, US Civil Rights Act of 1964





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## Schedule for Environmental Justice Strategy Development– Major Milestones

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ACTION	DATE DUE
Public Hearing & Comment Period Statewide	July – August 2021
Revised Strategy and Response to Comments to EEA & Agency Senior Staff Final Review	September – October 2021
Public Release of EEA EJ Strategy & Response to Comments	November 2021



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# Thank You

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