

## MARYLAND

### **How Does Maryland Define Environmental Justice and Environmental Justice Communities?**

#### Environmental Justice Definitions:

The concept behind the term environmental justice is that all people— regardless of their race, color, national origin or income —are able to enjoy equally high levels of environmental protection.<sup>1</sup>

The Commission on Environmental Justice and Sustainable Communities (CEJSC)<sup>2</sup> defines environmental justice as follows: environmental justice seeks equal protection from environmental and public health hazards for all people regardless of race, income, culture and social class. Additionally, environmental justice means that no group of people including racial, ethnic or socioeconomic groups should bear a disproportionate share of the negative environmental consequences resulting from industrial, land-use planning and zoning, municipal and commercial operations or the execution of federal, state, local and municipal program and policies.

#### Environmental Justice Mapping Tools:

[Maryland Environmental Justice Screen Mapper](#), The Maryland Environmental Justice Screen Tool (MD EJSCREEN) was developed to allow users to explore layers of environmental justice concern, determine the overall ‘Environmental Justice Score’ for census tracts in the state, and view additional context layers relevant to their area of concern or story they would like to tell. The tool is now operational on the ArcGIS online platform, where anyone can access either the Prince George’s County or Baltimore City oriented editions of the tool.<sup>3</sup>

[Park Equity Mapper v2.0](#) The Maryland Department of Natural Resources (MD DNR) and [University of Maryland Center for Geospatial Information Science \(CGIS\)](#) partnered to investigate the cultural, socioeconomic, and health barriers to green space access for people of color and low-wealth community members throughout the state.<sup>4</sup> Updating the [DNR’s Park](#)

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<sup>1</sup> Md. Dept. of Env’t (MDE), *What is Environmental Justice*, <https://mde.maryland.gov/programs/crossmedia/environmentaljustice/pages/whatisej.aspx> (last visited June 29, 2022).

<sup>2</sup> Md. Dept. of Plan., *Infrastructure and Dev.: CEJSC*, <https://planning.maryland.gov/Pages/OurWork/CommissionEnvJustice.aspx#:~:text=Established%20in%20statute%2C%20the%20Commission.of%20EJ%20and%20sustainable%20communities> (last visited June 29, 2022).

<sup>3</sup> CEEJH, *Mapping Tools: MD EJSCREEN*, <https://www.ceejh.center/mapping-tools?rq=mapping> (last visited June 29, 2022).

<sup>4</sup> CEEJH, *Mapping Tools: Park Equity Mapper v2.0*, <https://www.ceejh.center/mapping-tools?rq=mapping> (last visited June 29, 2022).

[Equity Tool](#), expands the classic distance-focused model for measuring access to one that includes public transit and walkability.

## **How Does Maryland Consider Environmental Justice in its Substantive Actions<sup>5</sup>?**

### *Environmental Justice as a Policy of the Environmental Agency or Across All Agencies:*

The Commission on Environmental Justice and Sustainable Communities (Commission)<sup>6</sup> was previously established by Executive Order on January 1, 2001 and is now statutorily codified under § 1-701 of the Environment Article of the Md. Ann. Code. The Commission examines environmental justice and community sustainability issues that may be associated with creating healthy, safe, economically vibrant, environmentally sound communities for all Marylanders in a manner that allows for democratic processes and community involvement. Maryland's approach to environmental justice is consistent with the approach advocated by the United States Environmental Protection Agency (EPA).

### *Consideration of Environmental Justice in Permitting:*

N/A.

### *Consideration of Environmental Justice in Enforcement:*

N/A.

### *Consideration of Environmental Justice in Land Use:*

N/A.

### *State Environmental Policy Act "Mini-NEPA":*

Maryland has a Mini-NEPA, Maryland Environmental Policy Act<sup>7</sup> granting "fundamental and inalienable rights to a healthful environment" and requiring planning and reporting around environmental concerns. The Act also generally establishes review of environmental effects of proposed State action. A proposed state action is defined as "alter[ing] the quality of the air, land or water resources" of Maryland. Any environmental effects report must include a list of actions that would affect "the environment, natural as well as socioeconomic and historic."

### *Dedicated Funding to Environmental Justice Communities:*

N/A.

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<sup>5</sup> Substantive is defined as governing the original rights and obligations of individuals. Cornell L. Sch., LII, *Wex Legal Encyclopedia*, [https://www.law.cornell.edu/wex/substantive\\_law](https://www.law.cornell.edu/wex/substantive_law) (last visited June 29, 2022).

<sup>6</sup> MDE, *Environmental Justice in Maryland*, <https://mde.maryland.gov/programs/crossmedia/environmentaljustice/pages/details.aspx> (last visited June 29, 2022).

<sup>7</sup> Md. Code §§ 1-301 - 1-305.

Consideration of Cumulative Impacts:

Maryland has a Cumulative Impact Workgroup. The Cumulative Impacts Workgroup generally hosts workgroups to review how cumulative impact assessments and how they could be incorporated into the MDE permitting process in a way that is both legal and feasible, while addressing environmental justice.<sup>8</sup>

Prohibitions on Disparate Impact Discrimination:

N/A.

Established Environmental Rights:

As discussed in section “State Environmental Policy Act,” Maryland has established that “[e]ach person has a fundamental and inalienable right to a healthful environment, and each person has a responsibility to contribute to the protection, preservation, and enhancement of the environment.”<sup>9</sup>

**How Does Maryland Address Environmental Justice in its Procedures<sup>10</sup>?**

Environmental Justice as Part of Environmental Agency’s Mission:

N/A.

Environmental Justice as Part of Other Agency’s Mission:

The Maryland Department of Transportation (MDOT)<sup>11</sup> is a recipient of Federal Financial Assistance. As a recipient, all business units under MDOT are required to comply with Title VI of the Civil Rights Act of 1964 and other federal nondiscrimination laws and authorities. To that end, MDOT encourages, supports and will monitor its Transportation Business Units, sub-recipients, cities, counties, contractors, and planning agencies receiving federal aid funds. It is MDOT’s intent that the Title VI Program will be implemented in accordance with all federal regulations and supported by our customer driven mission.

Maryland has the Maryland Health Network<sup>12</sup> “We are a Network of experts, community leaders, policy-makers, scientists, and concerned citizens who engage our capacity for comprehensive health advocacy.” Maryland Environmental Health Network: translates science

<sup>8</sup> MDE, *Cumulative Impacts Workgroup*, [https://mde.maryland.gov/programs/Crossmedia/EnvironmentalJustice/Pages/Cumulative\\_Impacts\\_Workgroup.aspx](https://mde.maryland.gov/programs/Crossmedia/EnvironmentalJustice/Pages/Cumulative_Impacts_Workgroup.aspx) (last visited June 29, 2022).

<sup>9</sup> Md. Code § 1-302.

<sup>10</sup> Procedural is defined as rules and the methods used to ensure the rights of individuals. Cornell L. Sch., LII, *Wex Legal Encyclopedia*, [https://www.law.cornell.edu/wex/procedural\\_law](https://www.law.cornell.edu/wex/procedural_law) (last visited June 29, 2022).

<sup>11</sup> MDOT, *Title VI Compliance*, <https://www.mdot.maryland.gov/tso/pages/Index.aspx?PageId=21> (last visited June 29, 2022).

<sup>12</sup> MDEHN, *Impact Areas, Environmental Justice & Health Equity*, <https://mdehn.org/impact/environmental-justice-health-equity/> (last visited June 29, 2022).

for impacted communities and policy-makers, advocates with practitioners for health policy, and a watchdog for access and equity and transparency of online loans. The Network has two committees the environmental justice and health equity that provides environmental justice community health information and the environmental justice legislative team. The Maryland Environmental Justice Legislative Team works together to magnify community voices through the legislative process to address environmental inequities in Maryland.

Processes and Procedures (including Title VI):

- Non-Discrimination Policy:

The Maryland Department of Transportation civil rights program, and the procedures to file a complaint, contact Dr. Janet Moyer Cornick, Title VI Program Manager, 1-888-713-1414; Maryland Relay Customer Service 1-800-552-7724 or 410-767-6960 (Voice); email [jcornick@mdot.state.md.us](mailto:jcornick@mdot.state.md.us) or visit the Maryland Department of Transportation's Office of Diversity and Equity at 7201 Corporate Center Drive, Hanover, MD 21076. For more information, visit <http://www.mdot.maryland.gov/Diversity/TitleVI/Resources.html>. Submit reports to the Maryland Department of Transportation Title VI Complaint Form.<sup>13</sup>

- Grievance Procedures:

N/A.

- Enhanced Public Participation and Information Access:

N/A.

- Language Access:

If information is needed in another language, contact Schreiber Translations, Inc., 1-800-822-3213, or Ad-Astra, 301-408-4242 or 1-800-308-4807.<sup>14</sup>

- Consultation with Indigenous Communities and Tribal Nations:

N/A.

Governmental Environmental Justice Structures, Positions, and Funding Streams:

- Environmental Justice Coordinating Agency:

N/A.

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<sup>13</sup> MDOT, Title VI Complaint Form, <https://www.mdot.maryland.gov/ODE/TitleVIComplaintFormEnglish.pdf> (last visited June 29, 2022).

<sup>14</sup> MDOT, Notice to Public Under Title VI, <https://www.mdot.maryland.gov/ODE/TitleVINoticeToPublicEnglish.pdf> (last visited June 29, 2022).

- *Environmental Justice Coordinator:*

N/A.

- *Environmental Justice Advisory Board:*

The Environmental Justice Advisory Board in Maryland Commission on Environmental Justice and Sustainable Communities (CEJSC). Maryland Environment Section 1-701 identifies the membership requirements for the CEJSC. The CEJSC consists of 20 members and 12 members are appointed by the Governor and must represent a variety of stakeholder interests that includes: affected communities concerned with environmental justice, business organizations, environmental organizations, health experts on environmental justice, local government, and the general public with interest or expertise in environmental justice.<sup>15</sup>

For further information please contact Devon Dodson at (410) 537-4499 or [devon.dodson1@maryland.gov](mailto:devon.dodson1@maryland.gov).

- *Funding for Environmental Justice:*

The Maryland Department of Housing and Community Development (DHCD) provides financing from the EmPOWER Maryland Limited Income Energy Efficiency Program repairs and upgrades to a home can significantly reduce energy use throughout the year, which can give you a more comfortable home, lower monthly power bills and improve air quality and family health. Maryland's EmPOWER Program helps limited-income households with installation of materials and equipment at no charge.<sup>16</sup> For projects that reduce energy costs and address critical health and safety issues for residents and limited income families. Under RGGI, more than half of all funds collected by Maryland are invested in energy assistance for low income households, and energy efficiency in LMI homes and communities.

### **Additional Maryland Environmental Justice Provisions?**

The Maryland Department of Housing and Community Development (DHCD) provides financing from the EmPOWER Maryland Program for projects that reduce energy costs and address critical health and safety issues for residents and limited income families. Under RGGI, more than half of all funds collected by Maryland are invested in energy assistance for low income households, and energy efficiency in LMI homes and communities.

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<sup>15</sup> MDE, *Comm'n on Env't Justice and Sustainable Cmty.* <https://mde.maryland.gov/programs/crossmedia/environmentaljustice/pages/cejsc.aspx> (last visited June 29, 2022).

<sup>16</sup> Md. Dept. of Hous. and Cmty. Dev., *EmPOWER Md. Ltd. Income Energy Efficiency Program*, <https://dhcd.maryland.gov/Residents/Pages/lieep/default.aspx> (last visited June 29, 2022).

The Maryland Department of Planning (MDP) is taking measures to mitigate the impact of saltwater intrusion on agricultural communities on the Eastern Shore, and DNR's Park Equity Tool identifies underserved communities that may benefit from preservation of open space, shoreline enhancement, and other nature based approaches to risk reduction.

### **Maryland Environmental Justice Contacts?**

If you have any environmental justice concerns, questions or need to report an environmental justice issue, please contact MDE through any one of the following:

- Call (410) 537-4499
- Email [devon.dodson1@maryland.gov](mailto:devon.dodson1@maryland.gov)

The Maryland Department of Transportation civil rights program, and the procedures to file a complaint, contact Dr. Janet Moye Cornick, Title VI Program Manager, 1-888-713-1414; Maryland Relay Customer Service 1-800-552-7724 or 410-767-6960 (Voice); email [jcornick@mdot.state.md.us](mailto:jcornick@mdot.state.md.us) or visit the Maryland Department of Transportation's Office of Diversity and Equity at 7201 Corporate Center Drive, Hanover, MD 21076. For more information, visit <http://www.mdot.maryland.gov/Diversity/TitleVI/Resources.html>.

### **Where to Find Maryland Environmental Justice Laws, Policies, and Tools?**

#### Constitutional Provisions:

N/A.

#### Executive Orders:

N/A.

#### Legislation and Statutes:

- Md. Code § 1-302.
- § 1-701 of the Environment Article of the Md. Ann. Code.
- Md. Code, Health - General, § 13-1502.
- Md. Code, Public Utilities, § 7-714.

#### Regulations:

N/A.

#### Policies/Guidance:

N/A.

Mapping Tools:

- Environmental Justice Screen Mapper <https://p1.cgis.umd.edu/mdejscreen/>.
- Maryland Center for Geospatial Information Science (CGIS).

Other:

N/A.