Commission on Environmental Justice & Sustainable Communities (CEJSC)

Montgomery Park, Baltimore, MD

Aeris Conference Room

June 28th, 2016 9:30 am- 11:30 am

MINUTES

**In Attendance**

Commissioners: Subha Chandar, Rebecca Rehr, Vernice Miller- Travis, Clarence Lam, Steve Levitsky, Janet Moye Cornick, Duane Johnson

Participants: Richard Allen, Chloe Ahmann, Stephanie Cobb Williams, Andrew Fellows, Les Knapp, Jeaneen Maxwell, Molla Sarros, Michael Braverman, Julie Day, Kevin Baynes, Kristen Mitchell, Kathryn Hendley, Brent Flickinger, Kamieta Gray, Gwen Dubois.

**Introduction**

Vernice Miller-Travis started the meeting by welcoming everyone and asking everyone to introduce themselves.

Vernice asked the commission members if it would be a problem to move the July meeting from Tuesday 26th to the Friday 29th. For those commission members not present, Duane will reach out to them concerning which dates will work for them.

Vernice asked Delegate Lam if he could write something about the legislative efforts that he has been leading to share with the commission in his absence from the July meeting.

Vernice gave an overview of land use and zoning and its impact on environmental justice.

Andy Fellows gave an overview of CEJSC and how CEJSC got started.

Vernice read the Local Outreach Vision Statement:

The Maryland Commission on Environmental Justice and Sustainable Communities emphasizes improvements in quality of life, economic development, and environmental protection for distressed areas through capacity building, civic engagement, offering a variety of housing choices, heritage preservation, stewardship, sustainable wealth creation and transportation choices. Given this emphasis, we seek collaborative opportunities with local governments, including with the following:

Host listening sessions/regional meetings;

Identify where potential EJ impacts exist on projects/plans and policies throughout the State;

Develop a pilot study.

Utilizing local government expertise and working with County partners is essential to transformative outcomes

**Local Government Discussion**

Vernice stated that this will be a discussion centered around local land use, zoning opportunities and environmental justice issues and to have dialogue so that we understand what the issues are. The voices of communities that are impacted by decisions centered around land use and zoning should be factored into the process beforehand and that the decisions get made either mitigate for adverse impact or try to avoid those impacts from the very beginning. These thoughts will guide the framework of this conversation today-to share what some government entities are doing and give the commission recommendations on how the commission can work with and be in more direct dialogue with one another.

Kevin Baynes gave an overview what the Department of Housing and Community Development does.

Mr. Baynes said DHCD is in the business of revitalizing neighborhoods in order to do that DHCD works with its partners. He said they are basically a funding source which has loans, tax credits and grants.

Mr. Baynes said Project CORE is really an acceleration of taking a hard look at the city and its neighborhood, trying to determine what funding is needed to revitalize some of those neighborhoods. It’s a new initiative for Baltimore, clearing the way for new green space, new affordable and mixed use housing and new greater opportunities for business owners to innovate and grow. The initiative will generate jobs; strengthen the partnership between the City of Baltimore, the State of Maryland and lead to safer, healthier and more attractive spaces for families to live.

Mr. Baynes said that Governor Hogan has shown great commitment to Project CORE by providing 75 million dollars for 4 years to a program called Strategic Demolition Fund.

Mr. Baynes said what Project Core is not…

One Specific Program

One Specific Community

One Specific Funding Source

One Specific Activity such as Demolition

Julie Day of Baltimore Housing gave an overview of what her departments does which is to take a comprehensive approach to mitigating blight throughout the communities of Baltimore City. She said her team does acquisitions, tax sell foreclosures, asset management, strategically support blight elimination and asset management relocation properties on behalf of the city. Ms. Day stated that demolition is the last resort over preservation of buildings.

Ms. Day said Mayor Blake gave them an infusion 10 million dollars for demolition over ten years which is limited to special income constituents and response demolition.

Vernice asked what is the role of the Stadium Authority? Ms. Day said the Stadium Authority is a third partner in CORE and serves as practitioner of demolition. When Baltimore identifies a demolition they will pass it on to the Stadium Authority and they procure contractors to do the demolition and deconstruction. She said the CORE funding provides for stabilization, especially properties with historical value or will have a market once they are stabilize to encourage investment which will function as a construction subsidy which in turn will make the dollars number a little better and promote a quicker rehab and hopefully promote new homeownership as well.

Michael Braverman Deputy Commissioner of DHCD in Baltimore City said there are about 17,000 boarded up houses in Baltimore. The challenge facing Baltimore in terms of demolition is that it’s rare to find a whole block that is vacant you usually see 1 or 2 people living in between vacant houses. So the cost of demolition would include relocation of the resident which could be a heavy price tag. For a city like Baltimore, that is a hefty price tag. Similar cities like Detroit and Cleveland, which the federal government has allowed them to re-program TARP money of 100 of million dollars, funds Baltimore just do not have access to.

Ms. Day said she noticed that the vision statement mentions wealth creation. When Baltimoreans get relocated into better homes costing hundreds of thousand dollars more than the $20,000 they were living in they now have an asset and some equity.

Vernice asked Mr. Braverman what he thought of the demolition protocol in Baltimore and how valuable he thinks it is because there is no state protocol in place.

Mr. Braverman said he thought it was important because notifications had to be sent out before any demolitions were done giving people the opportunity to protect themselves from dust etc by closing their windows. He said contractors can’t get their demolition permits without consultation first with the building inspector. He also said the city codified into city law that all demolitions must use wetting practices on any demolition. He also said that demolitions couldn’t start until everyone on that particular block was relocated.

Mr. Braverman stated that Baltimore wants to be the model city in terms of demolitions nationally so they working with Maryland Stadium Authority (MSA) who’s going to be procuring demolition service for the new state money. The city will still spend its own allocation and do its own demo but working with MSA. MSA is taking the lead in developing what we hope is going to be the best practices nationally.

Rebecca Rehr asked about elimination verses redevelopment and understanding the goals of the project, she asked what happens to the land after demolition? Ms. Day said it depends on where it is and how soon it might be re-used. If you see a row of 10 vacant buildings to be demolish the city will go thru the process of acquiring land post demolition or if they think it’s a near term redevelopment opportunity they will acquire the block ahead of demolition. Part of the funding will have to include an establish approach from the city, how manageable and the city directly working with the community to see what they want.

Rebecca asked what are the protocols to make sure community involvement and equitable development is involved in what happens to the land? Ms. Day said the Department of Planning has put out a Green Planning Book that has been very helpful. Storm water management is going to be a key piece in a number of the locations. Additionally, there will be a Green Network Plan basis with the potential green spaces and use that as part guide to where demolition goes. Rebecca said it seems like the sustainable community part of it is really well plan out. She said when it comes to Baltimore City, the sustainability piece seems to be in place, but is concerned that housing affordability and access might be at risk if there is no say in what happens to the land after demolition, citing DC as an example. Vernice said there is no more affordable housing left in DC that is not already occupied. She said if you don’t plan for the preservation of existing communities you won’t get preservation of existing communities and that’s a really big concern.

Brent Flickinger of Southern Planning for Baltimore City chimed in and said one thing that communities in Baltimore are doing is setting up land trusts and when that land is developed, some of the equity goes back to that community.

Steve Levisky asked besides money is there anything else Baltimore needs to make this project successful at the end of the day? And is it something CEJSC can do to help? Mr. Braverman said do an assessment of the protocol and how best to codify it as appropriate.

CEJSC Dissussion with MACo

Les Knapp of the Maryland Association of County Officials (MACo) said that MACo is a non-profit, non partisan organization that represents all 24 counties including Baltimore City. MACo is involved in policy issues from land use, public safety elections, the environment and budget tax etc. MACo also has conferences, disseminates information, conducts research, and maintains a blog which gets information out to community groups.

Les said they also have affiliate organizations they partner with such as; professional counties staff, formal groups for meetings and regularly meets with county planners, county health officers and county environmental officers. He said his organization can help CEJSC reach out to some of these organizations.

Les talked about the counties’ challenges and issues of today and how different they are from place to place. He said counties are less concerned with pie in the sky theories; they want practical and achievable outcomes. Les says the counties have to make a lot of challenging decisions. Finally, Les indicated that local governments take their land use authority very seriously and that it is the one of the core powers that has been divulged to local governments and one that they will protect the most. The easiest way not to get re-elected is to make a poor land use decision or tax decision.

What are MACo and counties’ views on environmental justice? Les says that MACo has had a basic engagement with environmental justice, basically looking at bills. MACo has worked on a number cumulative impact work groups and feels comfortable with the direction of those groups.

What are the challenges of doing local government outreach? One, understand and work with specific needs and concerns of the particular county or municipality just don’t come in and say I have all the solutions just do x, y and z because you’re not going to get far with that. Secondly, have some clear definitions for both environmental justice and sustainable communities, the clearer the definitions the better engagement with local governments. Have a clear definition of what you mean by sustainable communities.

What are positive steps looking forward? MACo would like to engage in ongoing discussion with CEJSC, maybe a presentation at MACo winter conference. Meeting with some of MACo affiliate groups would almost be more productive. Finally, if it is any resources that CEJSC would like to make known to the counties MACo would be more than glad to include that information through in their blog and other resources.

Vernice spoke about the implementation of bad land use decision and the impact on communities, such as; Brandywine. She asked how we can address these land use decisions before they get made. She asked Les for some guidance on how people could get in front of the conversation instead of having to react after the decision is made. Les said building relationships with the counties up front, the land use offices, as they are going through their comprehensive planning process and as they are going through their zoning process. Build personal relationships with each jurisdictions early.

Andy Fellows asked Les Knapp if he knows of certain counties and including Baltimore city that are developing best practices on the local level. Les says its variable; in terms of sustainability, Frederick County has a very good office. He said sustainability often gets thrown out more as a term, like an officer or a policy rather than environmental justice. He said he thinks Baltimore City is ahead on some of the issues because they have some of the most challenging and long standing issues. Montgomery County and Prince George’s county to some extent have raised some challenges. He said keep in mind for the fighting of energy generation facilities that is actually more of a Public Service Commission (PSC) issue and state purview everything else, air pollution certainly is under the county level.

Andy said he thinks it would be a good idea if CEJSC members would go out and talk to departmental groups of the counties. Andy asked Les who he thinks the members should speak to first. Les said planning, health officers and environmental health directors which meet at MACo. Les invited the commissioner to attend the October or November meeting at MACo.

Rebecca Rehr asked Les what he thinks about the value of statewide environmental justice legislation. He said MACo hasn’t been one of those proponents but he’s very familiar with what the opposition has been. He said it’s probably have many benefits statewide, the legislation and the cumulative work group are working on narrow issues. Vernice interjected and asked are they working or are they talking? Les said the chance of any legislation passing statewide is unlikely and it maybe it’s time to pivot and get a few local ideas in the mix. He said there’s been a lot of policy where this has been very effective. He said if you get a couple of municipalities who are willing to actually build relationships and undertake a pilot program with that success other counties will look at that and start to document it and show this makes sense from the resident’s well being and makes sense dollar and cents wise. It’s always good to have an economic benefit tied to the component, some aspect of sustainability and environment justice component certainly do.

There was some discussion about forming some conclusion to the MDE cumulative impact group since they haven’t met in awhile or to put some value back into the group again.

Brent Flickinger Southern Planner- Baltimore City Department of Planning said that CEJSC needs to talk to developers and not just local governments.

Brent talked a little bit about Port Covington and its transportation challenges for the city and was wondering if CEJSC could slow things down in a way for which the planners can’t do.

Brent asked what criteria they can use as planners to evaluate the projects they do. First thing they looked at was housing market type policy and criteria’s from a bunch of distress type neighborhoods up to regional choice and noticed that it was the same as the red lining map. He said planners want resources to go into the most distressed neighborhoods but the developers are going to go in areas where they don’t need it. So planners are trying to figure how to change or re-use the market type policy that they feel is a valuable tool so that can be used in red lining in distressed neighborhoods.

In terms of capital budget where the money being spent and what neighborhoods? Brent said this is the time to ask those questions and to address certain projects and issues before they take the plans to the planning commission. So planning is trying to figure how to get equity consideration into the capital budget and other issues including, the vacant to value. The beauty is that the equity committee is putting together a white paper for things they can do, looking at models around the country for criteria and indicated that CEJSC can be of help. Brent said that Baltimore City doesn’t have an environmental justice criteria and this could be something that CEJSC could help with. Just like they are looking at design, zoning and setbacks, critical flood plains they would welcome CEJSC help with indicators. Brent said planners can do a lot but they certainly could use partners in working with developers and other agencies.

Rebecca suggested looking at indicators at CEJSC retreat in July. If Brent could provide within 2 weeks a written description of what it is Baltimore City is looking for from CEJSC. It would be helpful if CEJSC could get some of the questionnaires Brent was talking about. If CEJSC had some material to hand out at the session doing the retreat it would be a good time to formalize CEJSC thoughts and to have a follow up meeting maybe with the equity committee. CEJSC can develop recommendations on indicators with a formal letter.

Rebecca said she heard a presentation from Sagamore and they talked about exactly what is being talked about in this meeting. Rebecca said she asked about access and health indicators? Rebecca said CEJSC can help recommend indicators not to propose new projects, but to highlight benefits the programs are already creating, but not yet counting. Brent said they are receptive to those kinds of ideas. Brent mentioned another way to help saying Sagamore is in negotiation with group called SP6 which is Cherry Hill, West Port and neighborhoods around Middle Branch if CEJSC could assist them with not only the environmental stuff but with the transportation access.

Venice said maybe CEJSC should pilot some ideas on how to bring these policy instruments, sustainable, equitable development and EJ conversations into one practice and pilot those constructs into some place, indicating that CEJSC is that place. Vernice said maybe everyone around the table should offer up their services. Vernice asked Brent if he could help CEJSC figure out how to be a part of this conversation with Baltimore City Department of Planning.

Vernice proposed that at CEJSC September meeting we try to get everybody together in one conversation so that they understand the nexus between environmental justice, equitable and sustainable development. Vernice said if you ask six people what EJ is, six people going to give you six different answers, its regulatory answer and then it’s the community perspective. Vernice said if CEJSC does nothing else but to help people understand what the conversation they are talking about she thinks it will be greatly appreciated by all the stake holders who are tired of chasing down the different definitions that we are operating under.

Kristen Mitchell from Maryland Department of Planning is working on setting up a working group meeting with MML and CEJSC commissioners.

Rebecca said that she’s taking lead on preparing comments for the EPA EJ 2020 Action Agenda.

Vernice asked Angelo to come to the July Retreat to talk about the status of the cumulative impact working group: where it stands and what support you think it needs from the commission to help it achieve its objectives.

Next Schelduled CEJSC meeting is July 29, 2016