

From: DEQ-EJplan
Sent: Monday, April 12, 2010 9:09 AM
To: Crawford, Linda (DNRE)
Subject: FW: Public Comment on the Draft Michigan Environmental Justice Plan

Attachments: MI-EJ-Plan_Analysis_MDNRE.docx

From: Mona Younis [mailto:mona.m.younis@gmail.com]
Sent: Fri 4/9/2010 11:58 PM
To: DEQ-EJplan
Subject: Public Comment on the Draft Michigan Environmental Justice Plan

To Whom It May Concern:

Below are my comments on the draft environmental justice plan. The same comments are also attached in Microsoft Word 2007 format for easier reading. If you have any questions about my comments, please do not hesitate to contact me.

Thank you,
Mona Younis

Draft Michigan Environmental Justice Plan Analysis
4/9/10

Strengths

The Draft Michigan Environmental Justice Plan appears to represent a sincere good faith effort to seriously address environmental justice issues in Michigan. Its multi-faceted approach addresses key issues that have challenged environmental justice communities for decades. These issues include lack of opportunities and avenues for meaningful public participation, governmental norms that discourage sincere attention to environmental injustices, fair methods for identifying disparate impacts within and between communities, and the need for cross-disciplinary efforts to address environmental challenges not bounded by the purview of a single agency. The broad representation and large cohort of Environmental Justice Working Group members and affiliations demonstrates the significant deliberation, consideration, and time invested in the plan's development, as well as the intent to develop a politically feasible plan.

Language within the plan is thoughtful, intentional, and generally straightforward. The plan readily acknowledges historical disappointments with regard to state agency environmental justice

performance, outcomes of legal and model precedents, the reality that injustices result from both intentional and unintentional discriminatory actions, limitations of current science and resources of vulnerable communities, as well as the critical and compounding nature of environmental justice issues. Such honesty can give the plan credibility and weight, both in the eyes of community members and state officials. Overall, the draft document is in commonly readable language and free from most jargon.

Provisions in the plan have the foresight to address many probable implementation challenges and offer a comprehensive approach to alleviate environmental injustice across the state. Repeated explanation that the plan is designed to be a model for all relevant agencies, first to be implemented by the MDNRE, enables environmental justice provisions and tools to be more easily adopted across the state while minimizing duplication of effort. The plan offers concrete recommendations while maintaining a measure of flexibility important for tailoring community outreach and other strategies to the needs of a given case. Incentives are recommended to encourage voluntary industry compliance with environmental justice principles, and to improve the plan's political feasibility. Furthermore, the plan explicitly makes the case for the "triple bottom line" of "sustainable economic, social, and environmental development" (p. 5), a reframing of community development goals and interests that otherwise dissect and isolate pro-development and environmental justice advocates into separate, opposing positions. This paradigm shift toward the triple bottom line is absolutely crucial for coordinating human, political, and economic capital to build the kind of livable communities envisioned by the Principles of Environmental Justice.

The draft plan is strengthened by an outlook for mitigating future environmental justice issues as well as specificity throughout the document. While limited attention is given to the immense task of remediating existing disparities, the plan does focus on policy and outreach procedures to prevent the development of new injustices or expansion of existing disparities, and calls for prioritization of remediation projects in heavily polluted, vulnerable communities. Specificity embedded within the plan's recommendations as well as outright calls for specificity in state agencies' activities — such as the requirement for the Interdepartmental Working Group to provide names and contact information for additional state contacts to filers of a declined petition (p. 28) — help communities know what to expect from agencies that adopt the plan, and hold those agencies to a higher level of conduct than would be

achieved without specificity.

Weaknesses

The environmental justice definition that is employed, based on language from Executive Directive 2007-23 that spurred the plan's development, better describes the somewhat outdated concept of *environmental equity*, which promotes fair distribution of environmental goods and ills across communities, as opposed to a more inclusive and current definition of *environmental justice*, which promotes pro-health actions such as prevention and reduction of environmental pollution per se. Fortunately, the plan seems to more strongly embrace the latter definition in spirit and in its recommendations. Still, arguments for the importance of integrating the plan into MDNRE activities emphasize legal mandates and operational advantages, and could go further to articulate an ethical mandate incumbent on government agencies to actively promote environmental justice in our post-industrial age and for future generations.

The draft plan contains three significant, debilitating loopholes that favor industry interests and convenient noncompliance by state agencies. First, stating that "departments should use their best efforts" to insure [sic] that department activities do not result in discriminatory or negative "effects" (p. 4) weakens the call for integration and implementation of the plan across state agencies. Second, relying on Title VI provisions for analyzing adverse and disparate impacts places the burden of proof squarely on vulnerable communities: under current laws, conclusive evidence of adverse impact from an additional toxic facility in a community with cumulative toxic exposure is nearly impossible to obtain and substantiate. Better articulation is needed regarding the distinction between host and affected areas, spatial dimensions related to disparate impacts. Furthermore, the Title VI provision that "an adverse disparate impact may be justified if the permit is reasonably necessary" undermines vulnerable communities' effectiveness to advocate for environmental justice under the current legal system. Third, the plan repeatedly mentions that economic constraints may curtail agencies from implementing or fully integrating environmental justice provisions into Standard Operating Procedures (SOPs). Rather than conceding to lack of resources to ensure environmental justice when it is needed most, the plan should offer creative solutions for expanding agency capacity. Lack of creativity is no excuse for perpetuating

racism and disparity, whether intentional or passive in nature. Using the complaint of limited resources as a crutch is an ethically compromising position and ignores the wealth of resources in Michigan that can be effectively employed to bring the plan to fruition. As discussed below, mobilizing these latent resources can help to alleviate some of the time and agency capacity constraints acknowledged in the draft plan.

Recommended Plan Enhancements & Revisions

A number of critical recommendations should be incorporated before the plan is finalized, to optimize its effectiveness. Taken to its broadest extent as in the plan, the definition of *public* (p. 7) can be used to superficially weight business/industry voices as equal to minority/low-income groups in environmental justice discourses, despite real power imbalances. The danger of this definition, for the sake of environmental justice, is that it ignores the ease with which resource-rich pro-business actors can access and navigate public input channels relative to resource-poor community groups. The plan would be improved by: 1) including an acknowledgement in the Chapter 2 introduction that power imbalances disarm vulnerable populations relative to business and industry actors, creating the underlying roots of environmental injustice; and 2) stipulating that public participation efforts should seek to equalize the playing field by removing community members' participation barriers.

Meaningful public participation and outreach efforts will value local expertise and enable productive relationships between state agencies and community members. In addition to allowing [the public] the opportunity to express their opinions and concerns (p. 8), the statement of purpose for public participation should affirm the importance of drawing out local expertise/knowledge, which may lead to relevant and otherwise unattainable insights. Rather than taking advantage of minority state employees by assigning them the task of being the face of community outreach campaigns (p. 8), which amounts to cultural taxation and outright disproportionate burden of duties, agencies need to develop internal expertise to further outreach efforts. To best develop cultural competency and community competency within agency staff (p. 9), it is recommended that local community advocates be contracted to co-facilitate trainings in conjunction with the U.S. EPA or other federal and state agencies. In so doing, 1) participants in the trainings will learn from experts having intimate knowledge of local

communities, 2) the process of co-facilitation will build trust and stronger networks between agencies and communities, and 3) the unintentional cycle of privileged, disconnected government employees training colleagues to be equally disconnected will be interrupted, preventing community-agency trust and the training's effectiveness from being undermined. As the plan states, discrimination can result from both intentional and unintentional discriminatory actions. A more intentional approach is needed to address unintentional discrimination. All agency staff, not just key personnel, should receive some level of environmental justice training.

Provisions for accessibility to public participation require expansion. Outreach options currently included in the Outreach Toolkit have a heavy online and written emphasis, completely ignoring and marginalizing an audience that is perhaps most subject to environmental injustices: the illiterate population. This oversight can easily be remedied by including options for Public Service Announcements (PSAs) via television, radio, and public cable channels. Similarly, "current enhanced public outreach" strategies (p. 14) should be revised such that, as a minimum, outreach procedures should employ a mix of online, print, and at least one collaborative public meeting format. Actions to enhance electronic access (p. 10) should additionally include the development of a train-the-trainer program to prepare community leaders and other change agents to utilize the proposed Michigan environmental justice website while minimizing agency costs. When a traditional public input session is to be held, with a formal presentation and one-way public comment period, a well publicized pre-meeting should also be required to provide ample opportunity for question-and-answer exchange. Community meetings hosted directly by a state agency or through local organizations must be held at an accessible location "close to the affected community and accessible to that community through multiple modes of transportation, including public transit. Also, state agencies should acknowledge receipt of public comments (such as for the draft plan discussed here), particularly for email submissions which could effortlessly be acknowledged by an automatic receipt message.

Proposed guidelines for exercising environmental justice principles in practice must be revised to include Environmental Justice Impact Statements, intradepartment incentive programs, and an evaluation component for all agencies that adopt an environmental justice plan. An Environmental Justice Impact Statement (EJIS) must be required as part of the permitting process for any project or

activity that requires an Environmental Impact Statement. The EJIS should consider the precautionary principle and other issues related to environmental injustices such as cumulative exposure and public health and psychological health risks. Internal, but highly publicized, awards should be established for state agencies adopting an environmental justice plan to reward employees make a substantial impact in addressing environmental injustices and/or helping to institutionalize the Environmental Justice Principles within the agency. MDNRE should participate in 5-year self-assessments of plan compliance and institutionalization, by an external body such as the Environmental Justice Working Group (not the Interdepartmental Working Group). Evaluation would require development of performance goals and measure, and ongoing documentation of compliance that is integrated into work processes to minimize agency burden.

State agencies should not let resource limitations unilaterally dictate the degree to which the plan is implemented. Loopholes regarding financial constraints must be removed from the revised plan, perhaps in exchange for statements acknowledging the need for creative solutions to cover or supplement monetary and personnel costs associated with implementation. Agencies should develop solid partnerships with universities and community organizations to achieve public outreach and environmental justice protections. Faculty scholarly work and community-based participatory research can help to address evaluation, data gathering, and data analysis needs (i.e. for EJSEAT). Until state funding is available to dedicate one or more staff positions to plan compliance, a team of highly-trained Environmental Justice Volunteer Corps (EJVC) graduate students should be established to assist with research and outreach efforts across the state, and support the State Environmental Justice Coordinator and the MDNRE Environmental Justice Advocate. Work of the EJVC can be incentivized through provision of graduate-level university credits and/or internship status.

To truly alleviate environmental justice issues in Michigan, the revised plan will need to address institutionalized discrimination, which continues to reproduce injustice and disparity to the detriment of already-impacted communities. The plan does little to articulate, identify, or address forms of institutional discrimination beyond a vague statement that environmental justice issues overlap agency boundaries and require a comprehensive response. Additional explanation of the character of institutionalized discrimination and how it manifests (i.e. zoning, legacies of red lining, etc.) would help

to demonstrate the imperative for state agencies to also take seriously environmental justice issues, their implications for agencies' receipt of federal funds, and the need for each department to adopt a similar environmental justice plan.

Obstacles to Implementation

Obstacles to implementation include EJ leadership, agencies' financial constraints and competing priorities, community capacity to provide expected support, and industry willingness to comply. Strong leadership from the governor and the governor's policy advisor were highly recommended, but cannot be guaranteed. Environmental justice principles must become part of agency organizational culture in order to guard against leadership changes that disrupt plan implementation and success. This requires nothing less than organizational "climate change" where environmental justice is regarded as a distraction or agency staff are reluctant to admit culpability in disparate impacts and injustices. As previously discussed, creative solutions for financial constraints are feasible and necessary. How the plan will filter to local level depends, in part, on the capacities and interests of Local Units of Government (LUG) and community organizations to organize the community around public input sessions. LUGs and community orgs may need to access volunteers and/or establish environmental justice networks. Also, LUG officials may not reside in affected areas and therefore support the development of toxic facilities in these parts of town.

Ironically, public outreach by the MDNRE regarding this draft plan leaves much to be desired. Town hall meetings to spread the word about the draft plan and garner community feedback have been organized largely by environmental justice advocates, and MDNRE staff appear to be conspicuously absent from the public participation process. This seems to indicate unwillingness within the agency to embrace the plan, lack of resources to promote the plan beyond online notice, an undue reliance on communities to self-advocate for environmental justice concerns, and/or lack of agency proficiency in organizing meaningful public participation campaigns. As stated on page 15 of the draft plan, the MDNRE must learn to "exercise environmental justice principles in practice" and "operationalize the exercise of environmental justice principles" to achieve the spirit of the plan. Hopefully, agency proficiency will grow with practice and the MDNRE will also include radio and TV/cable PSAs in

future outreach efforts for the final comment period on the Revised MI Environmental Justice Plan.

Draft Michigan Environmental Justice Plan Analysis
4/9/10

Strengths

The Draft Michigan Environmental Justice Plan appears to represent a sincere good faith effort to seriously address environmental justice issues in Michigan. Its multi-faceted approach addresses key issues that have challenged environmental justice communities for decades. These issues include lack of opportunities and avenues for meaningful public participation, governmental norms that discourage sincere attention to environmental injustices, fair methods for identifying disparate impacts within and between communities, and the need for cross-disciplinary efforts to address environmental challenges not bounded by the purview of a single agency. The broad representation and large cohort of Environmental Justice Working Group members and affiliations demonstrates the significant deliberation, consideration, and time invested in the plan's development, as well as the intent to develop a politically feasible plan.

Language within the plan is thoughtful, intentional, and generally straightforward. The plan readily acknowledges historical disappointments with regard to state agency environmental justice performance, outcomes of legal and model precedents, the reality that injustices result from both intentional and unintentional discriminatory actions, limitations of current science and resources of vulnerable communities, as well as the critical and compounding nature of environmental justice issues. Such honesty can give the plan credibility and weight, both in the eyes of community members and state officials. Overall, the draft document is in commonly readable language and free from most jargon.

Provisions in the plan have the foresight to address many probable implementation challenges and offer a comprehensive approach to alleviate environmental injustice across the state. Repeated explanation that the plan is designed to be a model for all relevant agencies, first

to be implemented by the MDNRE, enables environmental justice provisions and tools to be more easily adopted across the state while minimizing duplication of effort. The plan offers concrete recommendations while maintaining a measure of flexibility important for tailoring community outreach and other strategies to the needs of a given case. Incentives are recommended to encourage voluntary industry compliance with environmental justice principles, and to improve the plan's political feasibility. Furthermore, the plan explicitly makes the case for the "triple bottom line" of "sustainable economic, social, and environmental development" (p. 5), a reframing of community development goals and interests that otherwise dissect and isolate pro-development and environmental justice advocates into separate, opposing positions. This paradigm shift toward the triple bottom line is absolutely crucial for coordinating human, political, and economic capital to build the kind of livable communities envisioned by the Principles of Environmental Justice.

The draft plan is strengthened by an outlook for mitigating future environmental justice issues as well as specificity throughout the document. While limited attention is given to the immense task of remediating existing disparities, the plan does focus on policy and outreach procedures to prevent the development of new injustices or expansion of existing disparities, and calls for prioritization of remediation projects in heavily polluted, vulnerable communities. Specificity embedded within the plan's recommendations as well as outright calls for specificity in state agencies' activities – such as the requirement for the Interdepartmental Working Group to provide names and contact information for additional state contacts to filers of a declined petition (p. 28) – help communities know what to expect from agencies that adopt the plan, and hold those agencies to a higher level of conduct than would be achieved without specificity.

Weaknesses

The environmental justice definition that is employed, based on language from Executive Directive 2007-23 that spurred the plan's development, better describes the somewhat outdated concept of *environmental equity*, which promotes fair distribution of environmental goods and ills across communities, as opposed to a more inclusive and current definition of *environmental justice*, which promotes pro-health actions such as prevention and reduction of environmental pollution per se. Fortunately, the plan seems to more strongly embrace the latter definition in spirit and in its recommendations. Still, arguments for the importance of integrating the plan into MDNRE activities emphasize legal mandates and operational advantages, and could go further to articulate an ethical mandate incumbent on government agencies to actively promote environmental justice in our post-industrial age and for future generations.

The draft plan contains three significant, debilitating loopholes that favor industry interests and convenient noncompliance by state agencies. First, stating that “departments should use their best efforts...to insure [sic] that department activities do not result in discriminatory or negative...effects” (p. 4) weakens the call for integration and implementation of the plan across state agencies. Second, relying on Title VI provisions for analyzing adverse and disparate impacts places the burden of proof squarely on vulnerable communities: under current laws, conclusive evidence of adverse impact from an additional toxic facility in a community with cumulative toxic exposure is nearly impossible to obtain and substantiate. Better articulation is needed regarding the distinction between host and affected areas, spatial dimensions related to disparate impacts. Furthermore, the Title VI provision that “an adverse disparate impact may be justified if the permit is reasonably necessary...” undermines vulnerable communities’ effectiveness to advocate for environmental justice under the current legal system. Third, the

plan repeatedly mentions that economic constraints may curtail agencies from implementing or fully integrating environmental justice provisions into Standard Operating Procedures (SOPs). Rather than conceding to lack of resources to ensure environmental justice when it is needed most, the plan should offer creative solutions for expanding agency capacity. Lack of creativity is no excuse for perpetuating racism and disparity, whether intentional or passive in nature. Using the complaint of limited resources as a crutch is an ethically compromising position and ignores the wealth of resources in Michigan that can be effectively employed to bring the plan to fruition. As discussed below, mobilizing these latent resources can help to alleviate some of the time and agency capacity constraints acknowledged in the draft plan.

Recommended Plan Enhancements & Revisions

A number of critical recommendations should be incorporated before the plan is finalized, to optimize its effectiveness. Taken to its broadest extent as in the plan, the definition of *public* (p. 7) can be used to superficially weight business/industry voices as equal to minority/low-income groups in environmental justice discourses, despite real power imbalances. The danger of this definition, for the sake of environmental justice, is that it ignores the ease with which resource-rich pro-business actors can access and navigate public input channels relative to resource-poor community groups. The plan would be improved by: 1) including an acknowledgement in the Chapter 2 introduction that power imbalances disarm vulnerable populations relative to business and industry actors, creating the underlying roots of environmental injustice; and 2) stipulating that public participation efforts should seek to equalize the playing field by removing community members' participation barriers.

Meaningful public participation and outreach efforts will value local expertise and enable productive relationships between state agencies and community members. In addition to “allowing [the public] the opportunity to express their opinions and concerns” (p. 8), the statement of purpose for public participation should affirm the importance of drawing out local expertise/knowledge, which may lead to relevant and otherwise unattainable insights. Rather than “taking advantage” of minority state employees by assigning them the task of being the face of community outreach campaigns (p. 8), which amounts to cultural taxation and outright disproportionate burden of duties, agencies need to develop internal expertise to further outreach efforts. To best develop cultural competency and community competency within agency staff (p. 9), it is recommended that local community advocates be contracted to co-facilitate trainings in conjunction with the U.S. EPA or other federal and state agencies. In so doing, 1) participants in the trainings will learn from experts having intimate knowledge of local communities, 2) the process of co-facilitation will build trust and stronger networks between agencies and communities, and 3) the unintentional cycle of privileged, disconnected government employees training colleagues to be equally disconnected will be interrupted, preventing community-agency trust and the training’s effectiveness from being undermined. As the plan states, discrimination can result from both intentional and unintentional discriminatory actions. A more intentional approach is needed to address unintentional discrimination. All agency staff, not just key personnel, should receive some level of environmental justice training.

Provisions for accessibility to public participation require expansion. Outreach options currently included in the Outreach Toolkit have a heavy online and written emphasis, completely ignoring and marginalizing an audience that is perhaps most subject to environmental injustices: the illiterate population. This oversight can easily be remedied by including options for Public

Service Announcements (PSAs) via television, radio, and public cable channels. Similarly, “current enhanced public outreach” strategies (p. 14) should be revised such that, as a minimum, outreach procedures should employ a mix of online, print, and at least one collaborative public meeting format. Actions to enhance electronic access (p. 10) should additionally include the development of a train-the-trainer program to prepare community leaders and other change agents to utilize the proposed Michigan environmental justice website while minimizing agency costs. When a traditional public input session is to be held, with a formal presentation and one-way public comment period, a well publicized pre-meeting should also be required to provide ample opportunity for question-and-answer exchange. Community meetings hosted directly by a state agency or through local organizations must be held at an accessible location – close to the affected community and accessible to that community through multiple modes of transportation, including public transit. Also, state agencies should acknowledge receipt of public comments (such as for the draft plan discussed here), particularly for email submissions which could effortlessly be acknowledged by an automatic receipt message.

Proposed guidelines for exercising environmental justice principles in practice must be revised to include Environmental Justice Impact Statements, intradepartment incentive programs, and an evaluation component for all agencies that adopt an environmental justice plan. An Environmental Justice Impact Statement (EJIS) must be required as part of the permitting process for any project or activity that requires an Environmental Impact Statement. The EJIS should consider the precautionary principle and other issues related to environmental injustices such as cumulative exposure and public health and psychological health risks. Internal, but highly publicized, awards should be established for state agencies adopting an environmental justice plan to reward employees make a substantial impact in addressing environmental

injustices and/or helping to institutionalize the Environmental Justice Principles within the agency. MDNRE should participate in 5-year self-assessments of plan compliance and institutionalization, by an external body such as the Environmental Justice Working Group (not the Interdepartmental Working Group). Evaluation would require development of performance goals and measure, and ongoing documentation of compliance that is integrated into work processes to minimize agency burden.

State agencies should not let resource limitations unilaterally dictate the degree to which the plan is implemented. Loopholes regarding financial constraints must be removed from the revised plan, perhaps in exchange for statements acknowledging the need for creative solutions to cover or supplement monetary and personnel costs associated with implementation. Agencies should develop solid partnerships with universities and community organizations to achieve public outreach and environmental justice protections. Faculty scholarly work and community-based participatory research can help to address evaluation, data gathering, and data analysis needs (i.e. for EJSEAT). Until state funding is available to dedicate one or more staff positions to plan compliance, a team of highly-trained Environmental Justice Volunteer Corps (EJVC) graduate students should be established to assist with research and outreach efforts across the state, and support the State Environmental Justice Coordinator and the MDNRE Environmental Justice Advocate. Work of the EJVC can be incentivized through provision of graduate-level university credits and/or internship status.

To truly alleviate environmental justice issues in Michigan, the revised plan will need to address institutionalized discrimination, which continues to reproduce injustice and disparity to the detriment of already-impacted communities. The plan does little to articulate, identify, or address forms of institutional discrimination beyond a vague statement that environmental justice

issues overlap agency boundaries and require a comprehensive response. Additional explanation of the character of institutionalized discrimination and how it manifests (i.e. zoning, legacies of red lining, etc.) would help to demonstrate the imperative for state agencies to also take seriously environmental justice issues, their implications for agencies' receipt of federal funds, and the need for each department to adopt a similar environmental justice plan.

Obstacles to Implementation

Obstacles to implementation include EJ leadership, agencies' financial constraints and competing priorities, community capacity to provide expected support, and industry willingness to comply. Strong leadership from the governor and the governor's policy advisor were highly recommended, but cannot be guaranteed. Environmental justice principles must become part of agency organizational culture in order to guard against leadership changes that disrupt plan implementation and success. This requires nothing less than organizational "climate change" where environmental justice is regarded as a distraction or agency staff are reluctant to admit culpability in disparate impacts and injustices. As previously discussed, creative solutions for financial constraints are feasible and necessary. How the plan will filter to local level depends, in part, on the capacities and interests of Local Units of Government (LUG) and community organizations to organize the community around public input sessions. LUGs and community orgs may need to access volunteers and/or establish environmental justice networks. Also, LUG officials may not reside in affected areas and therefore support the development of toxic facilities in these parts of town.

Ironically, public outreach by the MDNRE regarding this draft plan leaves much to be desired. Town hall meetings to spread the word about the draft plan and garner community

feedback have been organized largely by environmental justice advocates, and MDNRE staff appear to be conspicuously absent from the public participation process. This seems to indicate unwillingness within the agency to embrace the plan, lack of resources to promote the plan beyond online notice, an undue reliance on communities to self-advocate for environmental justice concerns, and/or lack of agency proficiency in organizing meaningful public participation campaigns. As stated on page 15 of the draft plan, the MDNRE must learn to “exercise environmental justice principles in practice” and “operationalize the exercise of environmental justice principles” to achieve the spirit of the plan. Hopefully, agency proficiency will grow with practice and the MDNRE will also include radio and TV/cable PSAs in future outreach efforts for the final comment period on the Revised MI Environmental Justice Plan.

Comment 29

From: DEQ-EJplan
Sent: Friday, April 09, 2010 2:24 PM
To: Crawford, Linda (DNRE)
Subject: FW: Re: Your Input Needed - Friday, April 9th: Last Chance to Inform the Draft MI Environmental Justice Plan

From: beira@umich.edu [mailto:beira@umich.edu]
Sent: Fri 4/9/2010 1:51 PM
To: DEQ-EJplan
Subject: Fwd: Re: Your Input Needed - Friday, April 9th: Last Chance to Inform the Draft MI Environmental Justice Plan

----- Original Message -----

Subject: Re: Your Input Needed - Friday, April 9th: Last Chance to Inform the Draft MI Environmental Justice Plan
Date: Fri, 09 Apr 2010 13:49:47 -0400
From: <beira@umich.edu>
To: "Younis, Mona" <myounis@umflint.edu>

To Whom it May Concern:

I skimmed through the draft, and it looks pretty good so far... maybe a few suggestions to improve it would be to broaden the context of things to not discriminate against (i.e. religious/political denominations, sexual orientation, gender identification, etc.).

I had learned in my core class on assessments this year about the importance of involving the community--maybe people in charge can provide some basic framework, and let people set more specific details, goals, and terms themselves--that would be a major part of getting them involved in the framework--the local governments and the people in charge of the social justice movements would facilitate things like this.

Corporate responsibility may have to involve taking costs to health and the environment into account when counting the expenses for manufacturing costs--they haven't done that enough, just terming natural resources as something free.

When bringing about adverse effects, maybe they ought to conduct statistical analyses, either observing the population of a whole community, or a complete random sample, comparing different areas of the community. Maybe they could include anecdotes and specific examples of adverse effects occurring in communities.

I hope these will be helpful... I really appreciate you doing this--it's something that's really needed today... Thank you for your time.

Sincerely,
Emily Baker

On Tue, 6 Apr 2010 04:12:09 -0400, "Younis, Mona" <myounis@umflint.edu> wrote:

> Dear Fellow SNRE Graduate Students,

>

> This message is a call to action for SNRE students from all fields of
> study. As you may know, the public comment period for the Draft Michigan
> Environmental Justice Plan concludes this Friday, April 9th - and
creative

- > input from all of our fields is critical for strengthening both the plan
- > and its potential for implementation.
- >
- > At last week's SNRE Environmental Justice Symposium organized by Dr. Paul
- > Mohai, Donele Wilkins (Executive Director of Detroiters Working for
- > Environmental Justice) pointed out that lack of resources and creativity
- > are already being used as scapegoats for not implementing the spirit and
- > full extent of the plan, and that it is important to build capacity at
- the
- > state and community levels "because lack of knowledge can kill a person."
- > While the plan appears to be a thoughtful and good faith effort to
- address
- > environmental injustices in Michigan, its potential effectiveness has
- been
- > hampered by parties vested in the status quo (e.g. some industry and
- state
- > agency representatives, etc.) and limitations on the capacities of state
- > agencies due to the current economic downturn. Perhaps the most
- influential
- > challenge to the plan's effectiveness is the need for "out-of-the-box"
- > solutions to make the plan happen despite economic constraints and
- > competing interests.
- >
- > If you can, please spare one hour to peruse the plan at
- > http://www.michigan.gov/deq/0,1607,7-135-3306_51662-229545--,00.html
- > (substance is in approximately p. 7-31) and email your comments to
- > DEQ-EJplan@michigan.gov<<mailto:DEQ-EJplan@michigan.gov>> by Friday.
- > Specifically, consider the following questions:
- >
- > *
- > The draft plan places high level responsibility for implementation on a
- > team of two: a State Environmental Justice Coordinator (the governor's
- > environmental policy advisor) and a MDNRE Environmental Justice Advocate.
- > What resources/expertise might universities and graduate students provide
- > to help increase the State of Michigan's capacity to carry out the plan
- > (e.g. to identify and address environmental justice issues, review
- > environmental justice complaints in a coordinated manner, uphold
- meaningful
- > public input processes, etc.)? What can we do to increase the capacity of
- > local units of government and community members to respond to
- environmental
- > injustices?
- > *
- > What should corporate responsibility mean in the context of this plan?
- > *
- > What factors must be included in determining whether public projects have
- > disparate impacts (that is, disproportionately high and adverse health
- > effects on minority and low-income populations)?
- >
- > In case this helps, my take on the plan is attached for your review. If
- you
- > have any questions, please feel free to email or call me at (810)
- > 845-4633..
- >
- > Thank you!
- >
- > Mona Younis
- >
- > GO BLUE, LIVE GREEN & KEEP THIS E-MAIL ON THE SCREEN
- > Eco-Tip: Please consider the environment before printing this
- > email

From: DEQ-EJplan
Sent: Monday, April 12, 2010 9:09 AM
To: Crawford, Linda (DNRE)
Subject: FW: Submission: Public Comment on the Draft MI Environmental JusticePlan

From: Younis, Mona [mailto:myounis@umflint.edu]
Sent: Fri 4/9/2010 5:26 PM
To: DEQ-EJplan
Cc: sgosman@umich.edu; biera@umich.edu
Subject: Submission: Public Comment on the Draft MI Environmental JusticePlan

The following public comment regarding the *Draft Michigan Environmental Justice Action Plan* is submitted to the MDNRE on behalf of Emily Baker. For any questions related to this comment, please contact Emily at biera@umich.edu.

-----Original Message-----

From: beira@umich.edu [mailto:beira@umich.edu]
Sent: Friday, April 09, 2010 1:50 PM
To: Younis, Mona
Subject: Re: Your Input Needed - Friday, April 9th: Last Chance to Inform the Draft MI Environmental Justice Plan

Dear Ms. Younis:

I skimmed through the draft, and it looks pretty good so far... maybe a few suggestions to improve it would be to broaden the context of things to not discriminate against (i.e. religious/political denominations, sexual orientation, gender identification, etc.).

I had learned in my core class on assessments this year about the importance of involving the community--maybe people in charge can provide some basic framework, and let people set more specific details, goals, and terms themselves--that would be a major part of getting them involved in the framework--the local governments and the people in charge of the social justice movements would facilitate things like this.

Corporate responsibility may have to involve taking costs to health and the environment into account when counting the expenses for manufacturing costs--they haven't done that enough, just terming natural resources as something free.

When bringing about adverse effects, maybe they ought to conduct statistical analyses, either observing the population of a whole community, or a complete random sample, comparing different areas of the community. Maybe they could include anecdotes and specific examples of adverse effects occurring in communities.

I hope these will be helpful... I really appreciate you doing this--it's something that's really needed today... Thank you for your time.

Sincerely,
Emily Baker

From: DEQ-EJplan
Sent: Monday, April 12, 2010 9:09 AM
To: Crawford, Linda (DNRE)
Subject: FW: Submission: Public Comment on the Draft MI Environmental Justice Plan

From: Younis, Mona [mailto:myounis@umflint.edu]
Sent: Fri 4/9/2010 5:29 PM
To: DEQ-EJplan
Cc: sgosman@umich.edu; beira@umich.edu
Subject: RE: Submission: Public Comment on the Draft MI Environmental Justice Plan

My apologies for the incorrect spelling of Emily's email address below. For questions related to her comments, please contact Emily at beira@umich.edu. Thank you much.

From: Younis, Mona
Sent: Friday, April 09, 2010 5:26 PM
To: 'DEQ-EJplan@michigan.gov'
Cc: 'sgosman@umich.edu'; 'biera@umich.edu'
Subject: Submission: Public Comment on the Draft MI Environmental Justice Plan

The following public comment regarding the *Draft Michigan Environmental Justice Action Plan* is submitted to the MDNRE on behalf of Emily Baker. For any questions related to this comment, please contact Emily at biera@umich.edu.

-----Original Message-----

From: beira@umich.edu [mailto:beira@umich.edu]
Sent: Friday, April 09, 2010 1:50 PM
To: Younis, Mona
Subject: Re: Your Input Needed - Friday, April 9th: Last Chance to Inform the Draft MI Environmental Justice Plan

Dear Ms. Younis:

I skimmed through the draft, and it looks pretty good so far... maybe a few suggestions to improve it would be to broaden the context of things to not discriminate against (i.e. religious/political denominations, sexual orientation, gender identification, etc.).

I had learned in my core class on assessments this year about the importance of involving the community--maybe people in charge can provide some basic framework, and let people set more specific details, goals, and terms themselves--that would be a major part of getting them involved in the framework--the local governments and the people in charge of the social justice movements would facilitate things like this.

Corporate responsibility may have to involve taking costs to health and the environment into account when counting the expenses for manufacturing costs--they haven't done that enough, just terming natural resources as something free.

When bringing about adverse effects, maybe they ought to conduct statistical analyses, either observing the population of a whole community, or a complete random sample, comparing different areas of the community. Maybe they could include anecdotes and specific examples of adverse effects occurring in communities.

I hope these will be helpful... I really appreciate you doing this--it's something that's really needed today... Thank you for your time.

Sincerely,
Emily Baker

From: DEQ-EJplan
Sent: Monday, April 12, 2010 9:08 AM
To: Crawford, Linda (DNRE)
Subject: FW: Draft Environmental Justice Plan Comment

Attachments: EJ comment.pdf

From: Gina Verticchio [mailto:Gverticchio@house.mi.gov]
Sent: Fri 4/9/2010 5:40 PM
To: DEQ-EJplan
Cc: rashidatlaib@yahoo.com
Subject: Draft Environmental Justice Plan Comment

April 9, 2010

Michigan Department of Natural Resources and Environment
Constitution Hall
525 West Allegan Street
P.O. Box 30473
Lansing, MI 48909-7973

Re: Draft Environmental Justice Plan

Dear Sir or Madam:

First, I want to commend those individuals and organizations that were actively involved in developing the environmental justice plan for Michigan.

The proposed environmental justice plan needs to ensure transparency and accountability. The biggest challenge facing environmental justice in Michigan is the continuing decrease in funding to our State's agency, the Michigan Department of Natural Resources and Environment. There is a direct link between funding and the ability to hold polluting companies in Michigan accountable. The environmental justice plan should reinforce the importance of setting an EJ plan with funding as an integral part for its success. Again, this ensures accountability.

Transparency creates the foundation for a productive partnership between industry and residents that host them. This enables trust and promotes the importance of communication to the public, which creates another avenue to hold companies accountable.

I was pleased to see that a petition process for the issuance of air permits was extensively discussed in the plan. It is extremely important that as we create the petition process, it is accessible and clear to a lay person. Community input should be an integral part of the process from the beginning in a way that does not negatively hinder growth or create another layer of bureaucracy. Currently, when an air permit is issued for an activity that creates an environmental hazard or endangers citizens, the issuance system fails to give communities a course of action.

Implementation of a petition process is the only way to effectively give Michigan residents environmental justice by avoiding discriminatory treatment, especially those residing in minority and low-income communities. This process is the only course of action that will afford residents of minority and low-income communities a true opportunity to have a voice.

Furthermore, this process would allow for an open dialogue between high-level state officers, departments, any relevant federal agencies, and members of the affected community. Rules and expectations should be spelled out in the petition process through action plans, implementation timelines, and descriptions of resources available.

Both funding and increased public participation will lead to increased accountability and transparency, protecting the health of Michigan families. Again, thank you to those who worked so hard on this plan.

Sincerely,

Rashida Tlaib
State Representative
Detroit, District 12



12TH DISTRICT
STATE CAPITOL
P.O. BOX 30014
LANSING, MI 48909-7514
PHONE: (517) 373-0823
FAX: (517) 373-5993
E-MAIL: rashidatlaib@house.mi.gov

MICHIGAN HOUSE OF REPRESENTATIVES

RASHIDA H. TLAIB
STATE REPRESENTATIVE

APPROPRIATIONS COMMITTEE
JUDICIARY, CHAIR
HUMAN SERVICES, VICE CHAIR
HIGHER EDUCATION
SCHOOL AID AND EDUCATION

April 9, 2010

Michigan Department of Natural Resources and Environment
Constitution Hall
525 West Allegan Street
P.O. Box 30473
Lansing, MI 48909-7973

Re: Draft Environmental Justice Plan

Dear Sir or Madam:

First, I want to commend those individuals and organizations that were actively involved in developing the environmental justice plan for Michigan.

The proposed environmental justice plan needs to ensure transparency and accountability. The biggest challenge facing environmental justice in Michigan is the continuing decrease in funding to our State's agency, the Michigan Department of Natural Resources and Environment. There is a direct link between funding and the ability to hold polluting companies in Michigan accountable. The environmental justice plan should reinforce the importance of setting an EJ plan with funding as an integral part for its success. Again, this ensures accountability.

Transparency creates the foundation for a productive partnership between industry and residents that host them. This enables trust and promotes the importance of communication to the public, which creates another avenue to hold companies accountable.

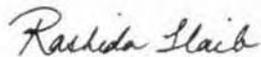
I was pleased to see that a petition process for the issuance of air permits was extensively discussed in the plan. It is extremely important that as we create the petition process, it is accessible and clear to a lay person. Community input should be an integral part of the process from the beginning in a way that does not negatively hinder growth or create another layer of bureaucracy. Currently, when an air permit is issued for an activity that creates an environmental hazard or endangers citizens, the issuance system fails to give communities a course of action.

Implementation of a petition process is the only way to effectively give Michigan residents environmental justice by avoiding discriminatory treatment, especially those residing in minority and low-income communities. This process is the only course of action that will afford residents of minority and low-income communities a true opportunity to have a voice.

Furthermore, this process would allow for an open dialogue between high-level state officers, departments, any relevant federal agencies, and members of the affected community. Rules and expectations should be spelled out in the petition process through action plans, implementation timelines, and descriptions of resources available.

Both funding and increased public participation will lead to increased accountability and transparency, protecting the health of Michigan families. Again, thank you to those who worked so hard on this plan.

Sincerely,

A handwritten signature in cursive script that reads "Rashida Tlaib".

Rashida Tlaib
State Representative
Detroit, District 12