

Structure of the Virginia Advisory Council on Environmental Justice

I. Purpose

Recognizing that the principles of environmental justice require that no segment of the population, especially individuals most impacted and vulnerable, should bear disproportionately high or adverse effects of environmental pollution; that there are communities in the Commonwealth which suffer disproportionately from permitted environmental hazards; and that these environmental hazards can cause long-term health effects, the Advisory Council on Environmental Justice (ACEJ) shall provide independent advice and recommendations to the Governor and his/her cabinet. In particular, the ACEJ should interact with the following Secretaries: Natural Resources, Health and Human Resources, Commerce and Trade, Public Safety and Homeland Security, Education, Agriculture and Forestry, and Transportation. The ACEJ will focus on strategic, scientific, technological, regulatory, community engagement, and economic issues related to environmental justice throughout the Commonwealth.

Through nondiscriminatory actions and meaningful involvement of all people, especially individuals and communities most impacted and vulnerable, environmental justice in the Commonwealth will be achieved by equitable development, implementation, evaluation, and enforcement of environmental laws, regulations, policies, and practices.

II. Definition of Environmental Justice

Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, faith, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

1. Fair treatment (nondiscriminatory actions) is the fair and equitable treatment of all whereby no group of people bear a disproportionate share of negative environmental consequences resulting from environmental decisions.
2. Meaningful involvement is the guarantee that:
 - a. Impacted and vulnerable community residents have a realistic opportunity to participate in the full cycle of the decision-making process about a proposed activity that will affect their environment and/or health; and
 - b. Decision-makers will seek out and consider participation, allowing it to shape and influence the decision.

III. Objectives

The ACEJ shall provide advice and recommendations to the Governor and his/her cabinet on:

1. Integrating environmental justice considerations throughout the State's programs, regulations, policies and procedures.
2. Improving the environment and public health in communities disproportionately burdened by environmental harms and risks.

3. Addressing environmental justice by ensuring transparent, authentic, and equitable engagement in decision-making, building capacity in disproportionately burdened communities, and promoting collaborative problem-solving for issues involving environmental justice.
4. Strengthening partnerships on environmental justice among governmental agencies, including Federal, Tribal and local governments.
5. Enhancing research and assessment approaches related to environmental justice.
6. Receiving comments, concerns, and recommendations from individuals throughout the Commonwealth.
7. Developing resources and strategies to get the information out to the public.

The ACEJ shall annually provide a report to the Governor containing specific recommendations on furthering environmental justice outcomes within the Commonwealth, including and not limited to recommendations on proposed legislation, regulations and policies; commencement of research initiatives; establishment of task forces, and commissions; etc.

IV. Membership

Membership of the ACEJ shall include:

1. Ex Officio members from the following Secretariats: Natural Resources, Commerce and Trade, Health and Human Resources, Public Safety and Homeland Security, Education, Agriculture and Forestry, and Transportation.
2. Voting members, selected by the Governor, will be representative of the six different geographic regions (two per region) defined by the regional offices of the Department of Environmental Quality and balanced among the following sectors: academia, public health, environmental nongovernmental organizations, civil rights, public health organizations, large and small business and industry, municipal and county officials, organized labor, and tribal governments/indigenous groups. The ACEJ shall have a minimum composition of 1/3 membership from grassroots or faith-based community organizations.
3. The members selected by the Governor shall serve 2-year terms. Vacancies shall be filled in the same manner as selections.
4. From among the voting members, the membership shall appoint a Chair and Vice Chair. It shall be the duty of the chairperson to preside at all meetings of the ACEJ, call special meetings, and perform such other duties as pertain to the office of chairperson. It shall be the duty of the vice-chairperson to perform the duties of the chairperson in his or her absence. He/She shall also assist the chairperson in the performance of such duties as may be assigned by the chairperson.
5. The Secretariat of Natural Resources shall provide administrative support to the ACEJ, providing notice of meetings, maintaining a permanent file of the business of ACEJ, managing correspondence, and performing such other administrative duties as may be required.
6. The voting members shall not receive compensation for their service and shall be entitled to reimbursement for travel expenses associated with attending meetings of the ACEJ.

V. Meetings

The ACEJ will meet at least quarterly and shall establish a meeting schedule on an annual basis. Any subcommittee meetings shall be established with notification to the full ACEJ. The location of the meetings will

rotate among the six different geographic regions defined by the regional offices of the Department of Environmental Quality. All meetings will abide by the Virginia Open Meetings Law and be open to the public; when possible, the meetings will be broadcast online or via teleconference. Each meeting shall include an in-person public comment component which shall occur in the evening so as to maximize public participation.

For its first priority topic, as it gets underway, the ACEJ is expected to identify information and outreach needs associated with Executive Directive 11 (Reducing Carbon Dioxide Emissions from Electric Power Facilities and Growing Virginia's Clean Energy Economy) to ensure that environmental justice concerns and issues are addressed.