

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Natural Resources, Fish, and Wildlife to which was
3 referred Senate Bill No. 148 entitled “An act relating to environmental justice
4 in Vermont” respectfully reports that it has considered the same and
5 recommends that the House propose to the Senate that the bill be amended by
6 striking out all after the enacting clause and inserting in lieu thereof the
7 following:

8 Sec. 1. FINDINGS

9 The General Assembly finds that:

10 (1) The purpose of this act is to identify, reduce and eliminate
11 environmental health disparities to improve the health and wellbeing of all
12 Vermont residents.

13 (2) According to American Journal of Public Health studies published in
14 2014 and 2018 and affirmed by decades of research, Black, Indigenous, and
15 Persons of Color (BIPOC) and individuals with low income are
16 disproportionately exposed to environmental hazards and unsafe housing,
17 facing higher levels of air and water pollution, mold, lead, and pests.

18 (3) The cumulative impacts of environmental harms disproportionately
19 and adversely impact the health of BIPOC and communities with low income,
20 with climate change functioning as a threat multiplier. These disproportionate

1 adverse impacts are exacerbated by lack of access to affordable energy, healthy
2 food, green spaces, and other environmental benefits.

3 (4) Since 1994, Executive Order 12898 has required federal agencies to
4 make achieving environmental justice part of their mission by identifying and
5 addressing disproportionately high and adverse human health or environmental
6 effects of its programs, policies, and activities on minority populations and
7 populations with low incomes in the United States.

8 (5) According to the Centers for Disease Control and Prevention,
9 30 percent of Vermont towns with high town household poverty have limited
10 access to grocery stores. In addition, a study conducted at the University of
11 Vermont showed that in Vermont, BIPOC individuals were twice as likely to
12 have trouble affording fresh food and to go hungry in a month than white
13 individuals.

14 (6) Inadequate transportation impedes job access, narrowing the scope
15 of jobs available to individuals with low income and potentially impacting job
16 performance.

17 (7) In 2020, the Center for American Progress found that 76 percent of
18 BIPOC individuals in Vermont live in “nature deprived” census tracts with a
19 higher proportion of natural areas lost to human activities than the Vermont
20 median. In contrast, 27 percent of white individuals live in these areas.

1 (8) The U.S. Centers for Disease Control and Prevention states that
2 systemic health and social inequities disproportionately increases the risk of
3 racial and ethnic minority groups becoming infected by and dying from
4 COVID-19.

5 (9) According to the Vermont Department of Health, inequities in access
6 to and quality of health care, employment, and housing have contributed to
7 disproportionately high rates of COVID-19 among BIPOC Vermonters.

8 (10) An analysis by University of Vermont researchers found that
9 mobile homes are more likely than permanent structures to be located in a
10 flood hazard area. During Tropical Storm Irene, mobile parks and over 561
11 mobile homes in Vermont were damaged or destroyed. Mobile homes make
12 up 7.2 percent of all housing units in Vermont and were approximately 40
13 percent of sites affected by Tropical Storm Irene.

14 (11) A University of Vermont study reports that BIPOC individuals
15 were seven times more likely to have gone without heat in the past year, over
16 two times more likely to have trouble affording electricity, and seven times
17 less likely to own a solar panel than white Vermonters.

18 (12) The U.S. Environmental Protection Agency recognized Vermont's
19 deficiencies in addressing environmental justice concerns related to legacy
20 mining and mobile home park habitability, providing grants for these projects
21 in 1998 and 2005.

1 (13) Vermont State agencies receiving federal funds are subject to the
2 antidiscrimination requirements of Title VI of the Civil Rights Act of 1964.

3 (14) In response to the documented inadequacy of state and federal
4 environmental and land use laws to protect vulnerable communities, increasing
5 numbers of states have adopted formal environmental justice laws and policies.

6 (15) At least 17 states have developed mapping tools to identify
7 environmentally overburdened communities and environmental health
8 disparities.

9 (16) The State of Vermont does not currently have a State-managed
10 mapping tool that clearly identifies environmentally overburdened
11 communities.

12 (17) The 1991 Principles of Environmental Justice adopted by The First
13 National People of Color Environmental Leadership Summit demand the right
14 of all individuals to participate as equal partners at every level of decision
15 making, including needs assessment, planning, implementation, enforcement,
16 and evaluation.

17 (18) Article VII of the Vermont Constitution establishes the government
18 as a vehicle for the common benefit, protection, and security of Vermonters
19 and not for the particular emolument or advantage of any single set of persons
20 who are only a part of that community. This, coupled with Article I's
21 guarantee of equal rights to enjoying life, liberty, and safety, and Article IV's

1 assurance of timely justice for all, encourages political officials to identify how
2 particular communities may be unequally burdened or receive unequal
3 protection under the law due to race, income, or geographic location.

4 (19) On January 27, 2021, President Biden signed Executive Order
5 14008, “Tackling the Climate Crisis at Home and Abroad,” that created a
6 government-wide “Justice40 Initiative” that aims to deliver 40 percent of the
7 overall benefits of federal investments related to climate, natural disasters,
8 environment, clean energy, clean transportation, housing, water and
9 wastewater infrastructure, and legacy pollution reduction to “disadvantaged
10 communities” that have been historically marginalized and overburdened by
11 pollution and underinvestment.

12 (20) According to American Community Survey data from 2016–2019,
13 at least 51 percent of census block groups in Vermont (or 52 percent of
14 Vermont’s population) meet the Justice40 Initiative federal guidelines of a
15 disadvantaged community.

16 (21) Lack of a clear environmental justice policy has resulted in a
17 piecemeal approach to understanding and addressing environmental justice in
18 Vermont and creates a barrier to establishing clear definitions, metrics, and
19 strategies to ensure meaningful engagement and more equitable distribution of
20 environmental benefits and burdens.

1 (22) It is the State of Vermont’s responsibility to pursue environmental
2 justice for its residents and to ensure that its agencies do not contribute to
3 unfair distribution of environmental benefits to or environmental burdens on
4 low-income, limited-English proficient, and BIPOC communities.

5 Sec. 2. 3 V.S.A. chapter 72 is added to read:

6 CHAPTER 72. ENVIRONMENTAL JUSTICE

7 § 6001. DEFINITIONS

8 As used in this chapter:

9 (1) “Environmental benefits” means the assets and services that enhance
10 the capability of communities and individuals to function and flourish in
11 society. **Examples of environmental benefits include** access to a healthy
12 environment and clean natural resources, including air, water, land, green
13 spaces, constructed playgrounds, and other outdoor recreational facilities and
14 venues; affordable clean renewable energy sources; public transportation;
15 fulfilling and dignified green jobs; healthy homes and buildings; health care;
16 nutritious food; Indigenous food and cultural resources; environmental
17 enforcement, and training and funding disbursed or administered by
18 governmental agencies.

19 (2) “Environmental burdens” means any significant impact to clean air,
20 water, and land, including any destruction, damage, or impairment of natural
21 resources resulting from intentional or reasonably foreseeable causes.

1 Examples of environmental burdens include climate change impacts; air and
2 water pollution; improper sewage disposal; improper handling of solid wastes
3 and other noxious substances; excessive noise; activities that limit access to
4 green spaces, nutritious food, Indigenous food or cultural resources, or
5 constructed outdoor playgrounds and other recreational facilities and venues;
6 inadequate remediation of pollution; reduction of groundwater levels;
7 increased flooding or stormwater flows; home and building health hazards,
8 including lead paint, lead plumbing, asbestos, and mold; and damage to inland
9 waterways and waterbodies, wetlands, forests, green spaces, or constructed
10 playgrounds or other outdoor recreational facilities and venues from private,
11 industrial, commercial, and government operations or other activity that
12 contaminates or alters the quality of the environment and poses a risk to public
13 health.

14 (3) “Environmental justice” means all individuals are afforded equitable
15 access to and distribution of environmental benefits; equitable distribution of
16 environmental burdens; and fair and equitable treatment and meaningful
17 participation in decision-making processes, including the development,
18 implementation, and enforcement of environmental laws, regulations, and
19 policies. Environmental justice recognizes the particular needs of individuals
20 of every race, color, income, class, ability status, gender identity, sexual
21 orientation, national origin, ethnicity or ancestry, religious belief, or English

1 language proficiency level. Environmental justice redresses structural and
2 institutional racism, colonialism, and other systems of oppression that result in
3 the marginalization, degradation, disinvestment, and neglect of Black,
4 Indigenous, and Persons of Color. Environmental justice requires prioritizing
5 resources for community revitalization, ecological restoration, resilience
6 planning, and a just recovery to communities most affected by environmental
7 burdens and natural disasters.

8 (4) “Environmental justice focus population” means any census block
9 group in which:

10 (A) the annual median household income is not more than 80 percent
11 of the State median household income;

12 (B) Persons of Color and Indigenous Peoples comprise at least six
13 percent or more of the population; or

14 (C) at least one percent or more of households have limited English
15 proficiency.

16 (5) “Limited English proficiency” means that a household does not have
17 a member 14 years or older who speaks English “very well” as defined by the
18 U.S. Census Bureau.

19 (6) “Meaningful participation” means that all individuals have the
20 opportunity to participate in energy, climate change, and environmental
21 decision making. Examples include needs assessments, planning,

1 implementation, permitting, compliance and enforcement, and evaluation.
2 Meaningful participation also integrates diverse knowledge systems, histories,
3 traditions, languages, and cultures of Indigenous communities in decision-
4 making processes. It requires that communities are enabled and
5 administratively assisted to participate fully through education and training.
6 Meaningful participation requires the State to operate in a transparent manner
7 with regard to opportunities for community input and also encourages the
8 development of environmental, energy, and climate change stewardship.

9 § 6002. ENVIRONMENTAL JUSTICE STATE POLICY

10 (a) It is the policy of the State of Vermont that no segment of the
11 population of the State should, because of its racial, cultural, or economic
12 makeup, bear a disproportionate share of environmental burdens or be denied
13 an equitable share of environmental benefits. It is further the policy of the
14 State of Vermont to provide the opportunity for the meaningful participation of
15 all individuals, with particular attention to environmental justice focus
16 populations, in the development, implementation, or enforcement of any law,
17 regulation, or policy.

18 (b) This policy builds on federal guidelines contained in the Executive
19 Order of 12898, “Federal Actions to Address Environmental Justice in
20 Minority Populations and Low-Income Populations” and three subsequent
21 executive orders by reflecting the needs specific to Vermont. The policy

1 integrates environmental justice considerations into State agency activities and
2 programs to reduce and eliminate environmental and health impact disparities
3 experienced by some of Vermont’s communities.

4 (c) The following State agencies, departments, and bodies shall consider
5 cumulative environmental burdens, as defined by rule pursuant to subsection
6 6003(a) of this title, and access to environmental benefits when making
7 decisions about the environment, energy, climate, and public health projects;
8 facilities and infrastructure; and associated funding: the Agencies of Natural
9 Resources, of Transportation, of Commerce and Community Development, of
10 Agriculture, Food and Markets, and of Education; the Public Utility
11 Commission; the Natural Resources Board; and the Departments of Health, of
12 Public Safety, and of Public Service.

13 (d) On or before July 1, 2025, every State agency identified in subsection
14 (c) of this section shall create and adopt a community engagement plan that
15 describes how the agency will engage with environmental justice focus
16 populations as it evaluates new and existing activities and programs.
17 Community engagement plans shall align with the core principles developed
18 by the Interagency Environmental Justice Committee pursuant to subdivision
19 6004(c)(3)(B) of this title and take into consideration the recommendations of
20 the Environmental Justice Advisory Council pursuant to subdivision
21 6004(c)(2)(B) of this title. Each plan shall describe how the agency plans to

1 facilitate equitable participation and support meaningful and direct
2 involvement of environmental justice focus populations in compliance with
3 Title VI of the Civil Rights Act of 1964.

4 (e) Every State agency identified in subsection (c) of this section shall
5 submit an annual summary by January 15 to the Environmental Justice
6 Advisory Council established pursuant to subdivision 6004(a)(1)(A) of this
7 title, detailing all complaints alleging environmental justice issues or Title VI
8 violations and any agency action taken to resolve such complaints. The
9 Advisory Council shall provide recommendations concerning those reports
10 within 60 days after receipt of the complaint summaries. Agencies shall
11 consider the recommendations of the Advisory Council pursuant to subdivision
12 6004(c)(2)(E) of this title and substantively respond in writing if an agency
13 chooses not to implement any of the recommendations, within 90 days after
14 receipt of the recommendations.

15 (f) The Agency of Natural Resources, in consultation with the
16 Environmental Justice Advisory Council and the Interagency Environmental
17 Justice Committee, shall review the definition of “environmental justice focus
18 population” at least every five years and recommend revisions to the General
19 Assembly to ensure the definition achieves the Environmental Justice State
20 Policy.

1 (g) On or before **July 1, 2023**, the Agency of Natural Resources, in
2 consultation with the Interagency Environmental Justice Committee and the
3 Environmental Justice Advisory Council, shall issue guidance on how the
4 agencies, departments, and bodies listed in subsection (c) of this section shall
5 determine which investments provide environmental benefits to environmental
6 justice **focus** populations. A draft version of the guidance shall be released for
7 a 60-day public comment period before being finalized.

8 (h)(1) On or before **January 15, 2024**, all agencies, departments, **and**
9 **bodies** listed in subsection (c) of this section shall, in accordance with the
10 guidance document developed by the Agency of Natural Resources pursuant to
11 subsection (g) of this section, review the past three years and generate baseline
12 spending reports that include:

13 (A) where investments were made, if any, and which geographic
14 areas, at the municipal level and census block group, where practicable,
15 received environmental benefits from those investments; and

16 **(B) the description and, if possible, quantification of the**
17 **environmental benefits as an outcome of the investment.**

18 (2) The agencies, departments, and bodies shall publicly post the
19 baseline spending reports on their respective websites.

20 (i) On or before **July 1, 2024**, the agencies, departments, and bodies listed
21 in subsection (c) of this section shall direct investments to environmental

1 justice focus populations with a goal that at least 55 percent of the overall
2 benefits from those investments go to environmental justice focus populations.

3 (j)(1) On or before **July 1, 2025**, and annually thereafter, all agencies,
4 departments, and bodies listed in subsection (c) of this section shall either
5 integrate the following information into existing annual spending reports or
6 issue annual spending reports that include:

7 (A) where investments were made and which geographic areas, at the
8 municipal level and census block group, where practicable, received
9 environmental benefits from those investments; and

10 (B) the percentage of overall environmental benefits from those
11 investments provided to environmental justice focus populations.

12 (2) The agencies, departments, and bodies shall publicly post the annual
13 spending reports on their respective websites.

14 (k) On or before December 15, 2025, the Agency of Natural Resources
15 shall submit a report to the General Assembly describing whether the baseline
16 spending reports completed pursuant to subsection (h) of this section indicate if
17 any municipalities or portions of municipalities are routinely underserved with
18 respect to environmental benefits, taking into consideration whether those
19 areas receive, averaged across three years, a significantly lower percentage of
20 environmental benefits from State investments as compared to other
21 municipalities or portions of municipalities in the State. This report shall

1 include a recommendation as to whether a statutory definition of “underserved
2 community” and any other revisions to this chapter are necessary to best carry
3 out the Environmental Justice State Policy.

4 § 6003. RULEMAKING

5 (a) On or before **July 1, 2024**, the Agency of Natural Resources, in
6 consultation with the Environmental Justice Advisory Council and the
7 Interagency Environmental Justice Committee, shall adopt rules to:

8 (1) define cumulative environmental burdens;

9 (2) implement consideration of cumulative environmental burdens
10 within the Agency of Natural Resources; and

11 (3) inform how the public and the State agencies, departments, and
12 bodies specified in subsection 6002(b) of this title implement the consideration
13 of cumulative environmental burdens and use the environmental justice
14 mapping tool.

15 (b) On or before **July 1, 2025** and as appropriate thereafter, the Agencies of
16 Natural Resources, of Transportation, of Commerce and Community
17 Development, of Agriculture, Food and Markets, and of Education; the Public
18 Utility Commission; the Natural Resources Board; and the Departments of
19 Health, of Public Safety, and of Public Service, in consultation with the
20 Environmental Justice Advisory Council, shall adopt or amend policies and

1 procedures, plans, guidance, and rules, where applicable, to implement this
2 chapter.

3 (c)(1) Prior to drafting new rules required by this chapter, agencies shall
4 consult with the Environmental Justice Advisory Council to discuss the scope
5 and proposed content of rules to be developed. Agencies shall also submit
6 draft rulemaking concepts to the Advisory Council for review and comment.
7 Any proposed rule and draft Administrative Procedure Act filing forms shall
8 be provided to the Advisory Council not less than 45 days prior to submitting
9 the proposed rule or rules to the Interagency Committee on Administrative
10 Rules (ICAR).

11 (2) The Advisory Council shall vote and record individual members’
12 support or objection to any proposed rule before it is submitted to ICAR. The
13 Advisory Council shall submit the results of their vote to both ICAR and the
14 Legislative Committee on Administrative Rules (LCAR).

15 § 6004. ENVIRONMENTAL JUSTICE ADVISORY COUNCIL AND

16 INTERAGENCY ENVIRONMENTAL JUSTICE COMMITTEE

17 (a) Advisory Council and Interagency Committee.

18 (1) There is created:

19 (A) the Environmental Justice Advisory Council (Advisory Council)
20 to provide independent advice and recommendations to State agencies and the
21 General Assembly on matters relating to environmental justice, including the

1 integration of environmental justice principles into State programs, policies,
2 regulations, legislation, and activities; and

3 (B) the Interagency Environmental Justice Committee (Interagency
4 Committee) to guide and coordinate State agency implementation of the
5 Environmental Justice State Policy and provide recommendations to the
6 General Assembly for amending the definitions and protections set forth in this
7 chapter.

8 (2) Appointments to the groups created in this subsection shall be made
9 on or before **December 15, 2022.**

10 (3) Both the Advisory Council and the Interagency Committee shall
11 consider and incorporate the Guiding Principles for a Just Transition developed
12 by the Just Transitions Subcommittee of the Vermont Climate Council in their
13 work.

14 (b) Meetings. The Advisory Council and Interagency Committee shall
15 hold public hearings and each meet at least nine times per year, with at least
16 four meetings occurring jointly. Meetings may be held in person, remotely, or
17 in a hybrid format to facilitate maximum participation and shall be recorded
18 and publicly posted on the Secretary's website

19 (c) Duties.

20 (1) The Advisory Council and the Interagency Committee shall jointly:

1 (A) consider and recommend to the General Assembly, on or before
2 **December 1, 2023**, amendments to the terminology, thresholds, and criteria of
3 the definition of environmental justice **focus** populations, including whether to
4 include populations more likely to be at higher risk for poor health outcomes in
5 response to environmental burdens; and

6 (B) examine existing data and studies on environmental justice and
7 consult with State, federal, and local agencies and affected communities
8 regarding the impact of current statutes, regulations, and policies on the
9 achievement of environmental justice.

10 (2) The Advisory Council shall:

11 (A) advise State agencies on environmental justice issues and on how
12 to incorporate environmental justice into agency procedures and decision
13 making as required under subsection 6002(b) of this title and evaluate the
14 potential for environmental burdens or disproportionate impacts on
15 environmental justice **focus** populations as a result of State actions and the
16 potential for environmental benefits to environmental justice **focus**
17 populations;

18 (B) advise State agencies in the development of community
19 engagement plans;

20 (C) advise State agencies on the use of the environmental justice
21 mapping tool established pursuant to section 6005 of this title and on the

1 enhancement of meaningful participation, reduction of environmental burdens,
2 and equitable distribution of environmental benefits;

3 (D) review and provide feedback to the relevant State agency,
4 pursuant to subsection 6003(c) of this title, on any proposed rules for
5 implementing this chapter; and

6 (E) receive and review annual State agency summaries of complaints
7 alleging environmental justice issues, including Title VI complaints, and
8 suggest options or alternatives to State agencies for the resolution of systemic
9 issues raised in or by the complaints.

10 (3) The Interagency Committee shall:

11 (A) consult with the Agency of Natural Resources in the
12 development of the guidance document required by in subsection 6002(f) of
13 this title on how to determine which investments provide environmental
14 benefits to environmental justice focus populations; and

15 (B) on or before July 1, 2023, develop, in consultation with the
16 Agency of Natural Resources and the Environmental Justice Advisory Council,
17 a set of core principles to guide and coordinate the development of the State
18 agency community engagement plans required under subsection 6002(c) of this
19 title.

20 (d) Membership.

1 (1) Advisory Council. Each member of the Advisory Council shall be
2 well informed regarding environmental justice principles and committed to
3 achieving environmental justice in Vermont and working collaboratively with
4 other members of the Council. To the greatest extent practicable, Advisory
5 Council members shall represent diversity in race, ethnicity, age, gender, urban
6 and rural areas, and different regions of the State. The Advisory Council shall
7 consist of the following 11 members, with a goal to have more than 50 percent
8 residing in environmental justice focus populations:

9 (A) the Director of Racial Equity or designee;

10 (B) one representative of municipal government, appointed by the
11 Committee on Committees;

12 (C) one representative who resides in a census block group that is
13 designated as an environmental justice focus population, one appointed by
14 **the Committee on Committees and one appointed by the Speaker of the**
15 **House;**

16 (D) one representatives of social justice organizations, one
17 **appointed by the Committee on Committees and one appointed by the**
18 **Speaker of the House;**

19 (E) one representative of an organization working on food security
20 **issues, one appointed by the Committee on Committees and one appointed**
21 **by the Speaker of the House;**

1 (F) **one** representative of mobile home park issues, **one appointed by**
2 **the Committee on Committees and one appointed by the Speaker of the**
3 **House;**

4 (G) **one** representative of a State-recognized Native American Indian
5 tribe, recommended and appointed by the Vermont Commission on Native
6 American Affairs;

7 (H) **one** representative of immigrant communities in Vermont, **one**
8 **appointed by the Committee on Committees and one appointed by the**
9 **Speaker of the House;**

10 (I) one representative of a statewide environmental organization,
11 appointed by the Speaker of the House;

12 (J) the Executive Director of the Vermont Housing and Conservation
13 Board or designee; and

14 (K) the Chair of the Natural Resources Conservation Council or
15 designee.

16 (2) Interagency Committee. The Interagency Committee shall consist of
17 the following **9** members:

18 (A) the Secretary of Administration or designee;

19 (B) the Secretary of Natural Resources or designee;

20 (C) the Secretary of Transportation or designee;

1 (D) the Commissioner of Housing and Community Development or
2 designee;

3 (E) the Secretary of Agriculture, Food and Markets or designee;

4 (F) the Commissioner of Health or designee;

5 (G) the Director of Emergency Management or designee;

6 (H) the Commissioner of Public Service or designee; and

7 (I) the Director of Racial Equity or designee.

8 (3) The Advisory Council and the Interagency Committee may each
9 elect two co-chairs.

10 (4) After initial appointments, all appointed members of the Advisory
11 Council shall serve six-year terms and serve until a successor is appointed.
12 The initial terms shall be staggered so that a third of the appointed members
13 shall serve a two-year term, another third of the appointed members shall serve
14 a four-year term, and the remaining members shall be appointed to a six-year
15 term.

16 (5) Vacancies of the Advisory Council shall be appointed in the same
17 manner as original appointments.

18 (6) The Advisory Council shall have the administrative, technical, and
19 legal assistance of the Agency of Natural Resources.

20 (7) Members of the Advisory Council who are neither State nor
21 municipal employees and whom are not otherwise compensated by their

1 employer shall be entitled to per diem compensation in the amount of \$200 and
2 reimbursement of expenses Members may accept funds from the federal
3 government, a political subdivision of the State, or a 501(c)(3) charitable
4 organization and may expend funds for purposes that are consistent with this
5 chapter. Any Council member who receives funds pursuant to this subdivision
6 shall report to the Secretary of Natural Resources and disclose the source of the
7 funds, the amount received, and the general purpose for which they were used.
8 The Secretary shall post this disclosure information on its website or on the
9 Advisory Council’s own website if such a website exists.

10 § 6005. ENVIRONMENTAL JUSTICE MAPPING TOOL

11 (a) In consultation with the Environmental Justice Advisory Council and
12 the Interagency Environmental Justice Committee, the Agency of Natural
13 Resources shall determine indices and criteria to be included in a State
14 mapping tool to depict environmental justice focus populations and measure
15 environmental burdens at the smallest geographic level practicable. The
16 Agency of Natural Resources shall maintain the mapping tool.

17 (b) The Agency of Natural Resources may cooperate and contract with
18 other states or private organizations when developing the mapping tool. The
19 mapping tool may incorporate federal environmental justice mapping tools,
20 such as EJSCREEN, as well as existing State mapping tools such as the
21 Vermont Social Vulnerability Index.

1 (c) On or before **January 1, 2024**, the mapping tool shall be available for
2 use by the public as well as by the State government.

3 Sec. 3. ANNUAL REPORT

4 Beginning on **January 15, 2024**, the agencies, departments, and bodies
5 listed in 3 V.S.A. § 6002(c) shall issue and publicly post an annual report
6 summarizing all actions taken to incorporate environmental justice into the
7 Agency’s or Department’s policies or determinations, rulemaking, permit
8 proceedings, or project review.

9 Sec. 4. APPROPRIATIONS

10 (a) There is appropriated the sum of \$500,000.00 in fiscal year 2023 from
11 the General Fund to the Agency of Natural Resources for the cost of
12 developing the mapping tool required in 3 V.S.A. § 6005 **including any**
13 **necessary community outreach associated with calibrating and improving the**
14 **mapping tool.**

15 (b) There is appropriated the sum of **\$275,000.00** in fiscal year 2023 from
16 the General Fund to the Agency of Natural Resources to:

17 (1) **convert 0.5 position to 1 full-time Civil Rights and**
18 **Nondiscrimination Compliance Officer; and**

19 (2) **fund two new positions to assist in the development of the**
20 **environmental justice policy and support the Environmental Justice Advisory**
21 **Council. This shall fund an existing position in the Agency and a second**

1 position which the Agency is authorized to repurpose from an existing vacant
2 position.

3 Sec. 5. EFFECTIVE DATE

4 This act shall take effect on passage.

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11 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE