

April 21, 2022

To members of the Vermont House:

First, thank you for your continued work on behalf of Vermonters as we near the end of the legislative session. We deeply appreciate your commitment to making our communities healthier and more prosperous.

The below 35 organizations write to urge your support for and passage of what would be Vermont's first environmental justice (EJ) law, S.148, which passed the Senate on an overwhelming, tri-partisan 28-1 vote.

We support S.148 because it establishes a strong framework for Vermont to work towards environmental justice. This framework contains the fundamental building blocks of EJ policies as seen in many other states across the country. As passed by the Senate, S.148 would:

- **Codify the definition and purpose of environmental justice** in Vermont, making it the State's policy that no segment of the population should, because of its racial, cultural, ability, or economic makeup, bear a disproportionate share of environmental benefits or burdens.
- **Establish an initial definition of "Environmental Justice Focus Population"** based on demographic criteria known to be predictive of environmental disparities in Vermont. The definition as written encompasses about 52% of Vermonters, and may be revised within the first year to incorporate the advice and expertise of the Advisory Council.
- **Create an Advisory Council on Environmental Justice**, made up of key community stakeholders, that would have the opportunity to influence how State decision-making best achieves environmental justice, in part through meaningful public engagement processes and analysis of cumulative environmental burdens. CA, CT, CO, FL, MD, MI, MN, NJ, NY, MA, OR, RI, SC, VA, and WA are examples of states that have established formal environmental justice advisory councils.
- **Create an Interagency Committee on Environmental Justice** to coordinate the efforts of key state agencies and departments towards achieving environmental justice and developing and implementing meaningful Community Engagement Plans
- **Establish a mapping tool** to depict environmental justice issues across the state.
- **Require all state agencies to adopt formal community engagement plans by 2024.** These engagement plans help ensure that every Vermonter has the opportunity to meaningfully participate in state decisions that impact their environmental health and wellbeing.
- **Set a target, similar to the percentage threshold in the Biden Administration's Justice40 Initiative, to invest equitably in environmental justice populations.** Such a target, or a proportionality requirement, would encourage the State to proactively deliver environmental benefits to environmental justice populations.

We know that low income individuals, Black, Indigenous, and Persons of Color (BIPOC), people with disabilities, and other disadvantaged groups suffer disproportionately from environmental disparities. And the cumulative impacts of environmental harms – air and water pollution, low-quality housing, and greater exposure to (increasingly frequent) extreme weather events – are exacerbated by lack of access to

environmental benefits, such as affordable energy, adequate transportation, healthy food, and green spaces.

Research, and the lived experience of many, shows that Vermont is not exempt from these challenges. The REJOICE Project has brought this reality to light since 2017, when the coalition began its work to inform the State on environmental justice issues through academic research, grassroots community conversations, and analysis that would lead to a future environmental justice policy.

An excerpt from the 2020 REJOICE Project Summary Reports (which you can read in full at <https://environmentaljusticevt.org/>) illustrates the cross-cutting environmental challenges facing Vermonters:

- “Spanish-speaking farmworkers and New Americans were concerned about kids losing access to outdoor recreation and parks, and about adequate sanitation and bathroom facilities in housing.
- Mobile home residents worried about standing water, failing park sewer systems, and drainage.
- Elders—both from the Rutland area and New Americans in Chittenden County, reported concerns about air quality, from neighbors’ smoking and woodstove use.
- Those with chronic illness and traumatic brain injuries shared elders’ concerns, and reported being additionally impacted by odors and dust from construction. Closing windows against those airborne contaminants worsened the impacts of heat, growing under climate change. Climate change, they noted, also increased vector-borne illnesses, like Lyme disease.
- Northeast Kingdom residents that REJOICE spoke with during the pandemic, and previously, in 2019, were concerned by the impacts of leachate from the state’s only landfill, in Coventry, on water quality, among other concerns.”

These are just some of the challenges communities face across the state. Beyond the important work done by REJOICE and many others to understand environmental justice in Vermont, the State itself is implicated in another fundamental environmental injustice: the violent theft of Abenaki land. Vermont must grapple with this and other legacies of injustice to do right by the communities that have been wronged by State action and inaction – intentionally or not.

So, we have work to do to address both present and historical injustices. Despite this fact, Vermont, unlike many states across the country and especially in the Northeast, has not yet codified an environmental justice policy in statute. This is an omission you have the opportunity to remedy this legislative session. Adopting an environmental justice law will allow Vermont to take a more comprehensive approach to alleviating environmental burdens and delivering environmental benefits in a just and transparent way.

It is one necessary step of many that we can take to pursue the goals of the environmental justice movement: the right of all people to participate as equal partners in decision-making and the enjoyment of a clean and healthy environment for all. It is now time to pass S.148 with appropriate funding to stand up the Advisory Council, respectfully compensate Council members, and staff the Agency of Natural Resources to carry out its environmental justice work.

We urge you to meet this moment of immense opportunity to pass Vermont’s first environmental justice law this legislative session. We are grateful for your consideration of this call to action.

Thank you again for all of your work.

Sincerely,

350 Vermont

Association of Africans Living in Vermont

Audubon Vermont

Capstone Community Action

Center for Whole Communities

Champlain Valley Office of Economic Opportunity

Climate Economy Action Center of Addison County

Community Action Works

Conservation Law Foundation

Disability Rights Vermont

Environmental Justice Clinic at the Vermont Law School

Lake Champlain Committee

Northeast Organic Farming Association of Vermont

Renewable Energy Vermont

Rights and Democracy Vermont

Rural Environmental Justice Opportunities Informed by Community Expertise

Rural Vermont

Rutland Area NAACP

Seventh Generation

Sierra Club Vermont Chapter

SunCommon

The Nature Conservancy

Vermont Affordable Housing Coalition

Vermont Association of Planning and Development Agencies

Vermont Businesses for Social Responsibility

Vermont Climate and Health Alliance

Vermont Conservation Voters

Vermont Energy Education Program

Vermont Healthy Soils Coalition

Vermont Interfaith Power and Light

Vermont Natural Resources Council

Vermont Public Interest Research Group

Vermont Racial Justice Alliance

Vermont Renews

Vermont Youth Lobby