

Chesapeake Bay Environmental Justice Focus Groups:

A Summary of Findings and Recommendations for the
Chesapeake Bay Environmental Justice Task Force

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The Alliance for the Chesapeake Bay thanks the following partners who helped with this project:

Blacks of the Chesapeake Foundation

Chesapeake Bay Program

Citizen participants at the focus groups

Maryland's Commission on Environmental Justice and Sustainable Communities

Maryland Department of Environment

Pennsylvania Department of Environmental Protection, Office of Environmental Advocate

Public Works- Environmental, LLC

Talbot County Community Center

Virginia Department of Environment

Wildwood Lake Sanctuary

Executive Summary

The Alliance for the Chesapeake Bay hosted three environmental justice focus groups in Easton, Maryland; Harrisburg Pennsylvania, and Richmond, Virginia in partnership with nonprofits and various state agencies during the period of Fall of 2003 to Spring of 2004. The focus group participants provided issue identification and recommendations to address environmental justice in the Chesapeake Bay watershed.

The Alliance recommends that the Chesapeake Bay Environmental Justice Task Force convene to discuss and take action on the following recommendations:

Fish Advisories

- Fish advisories need to be better publicized and easier to understand by urban anglers.
- Outreach on the health implications of fish consumption by urban communities need to be made to the health care professionals through regional and state medical conferences.
- Food banks and soup kitchens should be engaged to provide alternative sources of food to those who depend on urban fishing for subsistence.

Quality of Life / Abandoned Lots

- There needs to be more incentives, like community block grants and Brownfields programs, to encourage more urban revitalization projects.
- Urban recreational areas and public water access points need to receive higher levels of public investment to become bridges - not barriers – to social interactions.

Landfills

- Landfill permitting and hearing processes need to allow for meaningful public participation so that poor and minority communities do not house more than their fair share of public waste facilities.
- Landfills need better monitoring systems.

Public Notification

- There needs to be better public education and more public advocates to assist citizens in getting technical expertise in the hearing processes that will protect citizens interests.
- Public notification need to be in local publications and languages that citizens read, as well as, having the agencies outline the potential impacts of decisions more clearly.

Agricultural Programs

- State and local governments need to find ways to encourage innovation in agricultural practices and enforce critical area laws.

Septic and Sewer Systems

- There needs to be substantial incentives for sewer and septic system upgrades, more research on de-nitrification septic technology, and a reasonable balance between new development and sewage system capacity.

Development

- Local governments need better agency coordination, more consideration of environmental impacts of development, and the adoption of Low Impact Development (LID) practices.

Air Quality

- More urban children need health screening to assess and prevent the effects of poor air quality in urban areas.

Chesapeake Bay Environmental Justice Focus Groups

Overview

Introduction

In 2003 and 2004 the Alliance for the Chesapeake Bay and the Blacks of the Chesapeake Foundation held three focus groups in the Chesapeake Bay watershed to ascertain local environmental justice concerns and gather recommendations to address degraded water quality conditions in environmental justice communities.

Contents

This report contains the following topics.

Topic	See Page
Easton, Maryland	
Background	6
Findings	8
Harrisburg, Pennsylvania	
Background	13
Findings	15
Richmond, Virginia	
Background	21
Findings	22
Common Themes	27
Partner Recommendations	28
Lessons Learned	33
Next Steps	34

Easton, Maryland

Background

Acronyms **ACB-** Alliance for the Chesapeake Bay
BOCF- Blacks of the Chesapeake Foundation
EJ Commission- Maryland’s Commission on Environmental Justice and Sustainable Communities
MDE- Maryland Department of Environment
EPA- U.S. Environmental Protection Agency
EJ- Environmental Justice

Partners The Alliance for the Chesapeake Bay and the Blacks of the Chesapeake Foundation partnered with the Maryland’s Commission on Environmental Justice and Sustainable Communities. The EJ Commission was conducting a series of Environmental Justice Public Dialogues with assistance from MDE and a private contractor, Public Works.

Partner Description Maryland Executive Order formed the Commission in 2001 by based on recommendation from the 1999 Report in Environmental Justice in the State of Maryland by the Maryland Advisory Council on Environmental Justice.

Date The Easton, Maryland Public Dialogue Session was held on November 12, 2003 at the Talbot Community Center from 6:00 – 8:00pm.

Location ACB and BOCF assisted the EJ Commission, in particular, with outreach in Easton, Maryland. This Public Forum intended to engage the citizens in the Eastern Shore of Maryland and served as a compliment to the other localities where the Commission conducted Public Dialogues.

Advertisement In addition to the EJ Commission’s advertisement, BOCF focused its outreach strategy around several key individuals like, African American elected officials, churches, and selected organizations on the Eastern Shore. ACB posted flyers for the event, including Spanish translated flyers, in public locations like the local College, commuter bus stops, a fishing pier, and grocery stores.

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Easton, Maryland, Continued

Background, continued

- Participants** Many of the participants were affiliated with local environmental groups, including:
- Millington Length and Quality of Life Preservation Assn
 - Sierra Club
 - Coastal Bays Program
 - Talbot Preservation Alliance
 - Talbot River Protection Assn.
 - Chesapeake Ecology Center
 - Isaac Walton League
 - Pickering Creek Audubon Center; and the
 - Miles River Assn.
-

- Meeting Structure** The Public Dialogue Session was informal, held in the evening and open to the public. After introductions, the EJ Commission gave a brief description of their mission and intention of the Public Dialogue. The EJ Commission guided the participant's discussion using a handout describing potential environmental justice issues in the area. Topics included:
- Brownfields and Economic Development
 - Environmental Justice Indicators
 - Maryland Dept of Environment's Priorities for 2003/2004
 - Combined Sewer Overflows
 - Lead Paint
-

Easton, Maryland, Continued

Findings

Participant Responses

The following were the key issues raised by the participants at the Easton Public Dialogue:

- Landfills
 - Public Notification and Participation
 - Agricultural Programs
 - Sewer and Septic Systems
 - Development vs. Sewage Systems
 - New Development
 - Agency Coordination
 - Air Quality Monitoring
-

Landfills Comments

The majority of the Landfill comments centered on the proposed Millington Landfill.

- Inadequate public notice for this permit
 - Only one hearing held on this permit since 1995
 - The permit application started out as a rubble fill, now they want to convert it into an interstate waste facility. That is sneaky and not fair to citizens.
 - Site for the landfill is “crazy”
 - It sits on top of a valuable aquifer
 - It sits right next to an older landfill that is already failing
 - The stream that runs over Unicorn Lake is not monitored for water quality.
 - There is no system to monitor when there are leaks or cracks in the landfill liners.
 - Every time it rains the existing landfill overflows.
 - Citizens will not know if the landfill liner is failing until it leaks into the aquifer.
 - Participants wanted to know the status of the Wilson Town and Chesapeake Terrace Landfill Proposals. MDE provided updates on these applications.
 - Participants wanted to know how state government could consider this permit?
 - Didn't Harford County lose a case in court on the same issue?
 - Why has Maryland become a target for proposed landfills and interstate waste stations? The citizens didn't vote for a fee with tonnage.
 - Participants felt that state government and the “Western Shore” should not control local zoning decisions, that should be a local right, but still asked why this facility here has to be put here?
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Easton, Maryland, Continued

Findings, continued

Landfills

Recommendation

- There should be better monitoring systems in places at the landfills.
-

Public Notification and Participation

Comments

- Local citizens feel the public hearing process for permitting is ineffective because:
 1. The applicants can afford technical experts and legal counsel, but the local citizens cannot.
 2. Applicants get 45 minutes to present, public only gets 3 minutes to comment. What can you possibly say in 3 minutes that is meaningful?
 3. By the time the citizens hear about the public comment period, they feel it is already a “done deal”.
 - They are concerned that the political establishment is quietly supporting this permit application (Millington landfill); and don’t trust the local zoning officials.
 - Participants felt that if they do not find a way to stop the landfill process, then a local judge will decide the issue, and they don’t trust them either.
 - The citizens wanted to know how people learn the “color of the law”? They are trying to be proactive and put it to the community, but feel as though they need leaders to help.
 - Participants wanted to know why counties and municipalities don’t send out notices to people in an area where people are affected?
 - Participants wanted to know if the EJ Commission had its own website.
 - Participants were confused whether the EJ Commission was a part of MDE or whether it is separate.
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Public Notification and Participation

Recommendations

- It would be beneficial for local newspapers to run an ad for prominent issues and projects.
 - There should be full disclosure and better transparency in the permitting process.
 - The public hearing process for permitting should be more meaningful and informative.
 - There should be more public education done both on notices of the public hearings and in how the process works.
 - There should be a public advocate or ombudsman office.
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Easton, Maryland, Continued

Findings, continued

Agricultural Programs Comments

The majority of the agricultural comments came from a representative of the Talbot River Protection Association. In a passionate statement he expressed his frustration with:

- The lack of improvements on the Chesapeake Bay clean-up efforts. He stated that he fears anyone under 35 years old will not know how bad the Bay is because they never got the chance to see it when it was clean.
- The fact that they have been trying to clean the Bay, and it is getting worse, but we are having a workshop.
- Talbot County was promised TMDLs three years ago, but they probably won't see them for another five or six years.
- The Chesapeake Bay clean up effort needs to be looked at with a cumulative impact / risk approach, not an historical approach.

Agricultural Programs Recommendations

- The state needs to find a way to fund the winter cover crop program, at least for the critical areas. The farm community likes this program and scientists believe it will work to significantly reduce nutrient pollution.
- Perhaps in exchange for harvesting these winter crops, farmers should no longer be able to till within 25 feet of tidal waters. There should be a 50 *minimum* agricultural setback, with more on slopes.
- The Critical Area law must be supported and *enforced*. The citizen felt that all too often the letter and intent of the law is circumvented.
- The CRP and CREP programs should be supported. He said it is inexcusable that the farm lobby has apparently been able to cut back this program.

Sewer and Septic Systems Comments

- Why can't State government do more about the failing St. Michael's sewage treatment system?
 1. There are serious losses from the collection system (raw sewage flowing out of broken pipes) and
 2. Serious failures of the treatment system, especially when it rains.
- The Miles River is seriously degraded with sewage when St. Michaels is filled to capacity during the summer season.
- Numerous examples of local systems failures were given.

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Easton, Maryland, Continued

Findings, continued

Sewer and Septic Systems Recommendations

- There must be incentives / penalties for local jurisdictions to fix their porous sewer systems. Per the Clean Water Act any public grants pertaining to wastewater systems should be withheld if the system has “excessive filtration”.
 - Participants felt that the emphasis, particularly in the tidewater areas like Talbot, should be to *fix* the sewage problems (both septic and public) that exist before systems are expanded with public funds to cater to developers.
 - Citizens said that MDE and EPA should research, and recommend new de-nitrification septic technology that is both *effective* and *reliable*. Local governments need guidance in this area.
 - There needs to be surface water quality monitoring were sewage is dumped into tidal areas, like the Miles River.
-

Development vs. Sewage Comments

Participants expressed concerns about new developments and sewage treatment capacity on the Eastern Shore.

- “Smart Growth did not work too well” down here- even the environmental groups did not like having solutions imposed from the Western Shore.
 - Participants said that one cannot expect local zoning agencies to enforce against themselves, they want developers to build, and so they are not likely to stop development until the sewage problems are fixed.
 - What types of financing solutions are there for smaller systems?
 - The County continues to entertain new development in the St. Michael’s area, but without upgrading the already inadequate sewage system.
 - A few participants said that the solution this is the local democratic process. There was disagreement on whether this approach would suffice.
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Development vs. Sewage Recommendations

- Citizens said that all new development permits should be denied until the sewage system is upgraded to meet full capacity of sewage required during busy summer / tourist months.
 - Set a standard for compliance and give the local townships time to comply; these are expensive upgrades and have to be realistic.
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Easton, Maryland, Continued

Findings, continued

Development Comments

- “Developers will always have the upper hand.” Participants said that developers have more information, more experts, more resources, and the promise of jobs related to construction.
 - Development is out of proportion with the infrastructure.
 - Developers are not using the best available stormwater management techniques per the new Maryland regulations. Too often they are allowed to use ponds rather than bioretention, as required.
 - Developers are allowed to clear cut vast areas, resulting in oceans of mud running off their sites during construction. Clearing should only be allowed on the portion that will immediately be built on.
 - The silt fences are ineffective, “only good for catching small dogs and kids”.
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Agency Coordination Comments

- There was general agreement that there should be better coordination between local zoning, local planning, local sewage authorities, and State government on all development issues.
 - There seems to be a lack of integration of laws.
 - Some participants were skeptical of State government or any other agencies making zoning decisions for Talbot County, while others believed it was appropriate for the State to set regulations on local governments.
 - Participants wanted to know whether local delegates would see the EJ Commission’s report.
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Air Quality Monitoring Comments

- Talbot could use an air quality monitoring station. A lung specialist from Johns Hopkins contacted a participant because he was appalled that Easton had located a ball field next to Route 50. The participant said that there is considerable scientific evidence that high ozone levels are associated with the increase in childhood asthma.
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Harrisburg, Pennsylvania

Background

Acronyms **DEP-** Pennsylvania Department of Environmental Protection
OEA- PA Office of Environmental Advocate
EJ Work Group- Environmental Justice Work Group

Partners ACB and BOCF worked with the DEP's Office of Environmental Advocate to determine local environmental justice issues, gather a list of stakeholders, and select an appropriate meeting time and location, and develop appropriate focus group questions.

Partner Description In 1999 Pennsylvania formed the Environmental Justice Work Group. This work group generated a report recommending the formation of the Office of Environmental Advocate. Additionally, PA has created the Environmental Justice Advisory Board which advising OEA on implementing other EJ Work Group recommendations.

Location The focus group was held on April 22, 2004 from 6:00 pm – 8:30 pm at the Wildwood Lake Sanctuary Nature Center in Harrisburg, PA.

Advertisement The project partners agreed to use a list of contacts that the OEA already had as the core of individuals and organizations to invite to the focus group. Project partners sent out a letter of invitation to these and other key organizations in the Harrisburg area approximately one month in advance of the meeting. Included with the invitation letter was a self addressed stamped postcard that the invitees could use to RSVP for the meeting. Additionally, project partners called the invitees.

Participants Participants were representatives of environmental groups in the Harrisburg area including: Harrisburg Environmental Advisory Council; Wildwood Lake Sanctuary, and Ten Thousand Friends of PA.

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Harrisburg, Pennsylvania, Continued

Background, continue

Meeting Structure

ACB, with the role of focus group facilitator, sent a list of seven focus group questions prior to the meeting, as well as a draft agenda. ACB introduced the project partners, BOCF gave a talk on Environmental Justice issues, focusing on social and economic implications, and OEA gave a brief talk on Environmental Justice in Pennsylvania. Participants introduced themselves and told the group what affiliation they may have been representing. Using the focus questions as a guide the participants discussed the questions and related issues.

Harrisburg, Pennsylvania, Continued

Findings

Responses The following responses are organized based on the focus questions sent prior to the meeting and the corresponding participant's comments and recommendations.

Fish Advisories Question **Are the fish advisories effective? Are there specific cultural variances that fish advisories should consider? How common is subsistence fishing (fishing for meals) and how does it impact your daily life and you community?**

- Fish Advisories Comments**
- Do the agencies responsible for the fish advisories do it in a timely manner? Do they do it at all?
 - Primarily African Americans fish for consumption on Wildwood Lake. There are some Hispanic or Latino anglers, but very few Asian Americans. As a landowner, what is her responsibility?
 - Access to waterways are becoming more restrictive so it is important to be conscious of how notices / advisories are worded. They should not give the impression that "you are not wanted here."
 - The Wildwood Lake Sanctuary has not been contacted by any agencies regarding fish consumption (even though it is a well known public fishing site.)
 - Participant mentioned that when she lived in California, the State made a real effort to get a hold of landowners about this issue.
 - Supermarket fish are as dangerous as fish in the lake.
 - When to post and when not to post fish advisories is an issue- the Chamber of Commerce fears that you're "scaring the tourists".
 - Sometimes fishermen take them down (implying that the fishermen do not intend to stop fishing).
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- Fish Advisories Recommendations**
- There needs to be information brochures in supermarkets, health clinics, and schools located in minority and low income communities.
 - Maybe there should be a communication study to better communicate consumption advisories. Ask people how they are affected.
 - There needs to be environmental justice health indicators. People will become aware when it is linked to health impacts.
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Harrisburg, Pennsylvania, Continued

Findings, continued

Fish Advisories Recommendations (continued)

- Pilot a local community college research project that compares mercury levels in fish bought in affluent supermarkets and lower income urban supermarkets.
- There needs to be an environmental writer in the Harrisburg area newspaper writing about these issues.
- There should be a writer from an alternative language publication present at this focus group. (The invitee from the local Hispanic community paper did not attend the meeting.)

Public Notification Question

Is the public notification process effective in getting participation of environmentally impacted communities? Are there ways to improve community outreach? If so, how?

Public Notification Comments

- There is no effective and reliable medium for public notification and outreach. There is a lack of leadership, organization, message, purpose and structure.
- Central Pennsylvania is small town oriented; it is very different from Philadelphia or Pittsburgh. A participant said that here people are told what to do and there is a small group of leaders to represent them.
- There are over 1500 townships in PA. There are pockets of people working on issues that are important to them. What they all have in common is that they are neighbors talking to neighbors- they trust each other. People become better citizens in pockets. People who trust each other get things done. It can't be mandated; it's a synchronicity.
- What's the role of the Environmental Advocate? They have no agenda; they will help you with what you need help with. Environmental Justice needs to be *pro-active*.
- There needs to be a leader at the legislative level.

Public Notification Recommendations

- There should be an Internet site discussing EJ issues. (There is currently a discussion board on the DEP OEA's website.) There has to be a way to let people know it is there for them as a resource. There needs to be a message for the kid who needs something to do. It should give people concrete actions they can perform.
- The message needs to be personalized. The citizen felt that if the message doesn't anger a person, then it's not a strong enough message.

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Harrisburg, Pennsylvania, Continued

Findings, continued

Public Notification Recommendations
(continued)

- Citizens should go to the agencies and the industries first, not wait for them to come to the citizens.
- Need to advertise in church bulletins and powerful women's groups.
- Need to organize, educate, and raise awareness.
- The Harrisburg Environmental Advisory Council would be a good vehicle. The monthly meetings could be televised (on a local public access channel). There could be a 10-15 minute presentation about a local environmental group and what they do.
- A participant suggested taking a camera into the school in EJ communities. Show people what environmental justice looks like.

Quality of Life Question

Are the following a problem in your community?

- **Litter in the streets**
- **Abandoned lots**
- **Lack of green areas/ green space**

Quality of Life Comments

- In uptown Harrisburg, the streets are never swept in the traditionally poorer and/or minority community. In the downtown district (where there are more affluent homeowners and businesses) they higher street sweepers with private money.
- There are a lot of parks and green space in Harrisburg. The parks are the jewels of the city.
- There is a 21 mile greenbelt located around the city- it is 5 miles from the river. This is a wonderful resource.
- Brownfield sites are not really a problem in Harrisburg.

Quality of Life Recommendations

- There needs to be more public recycling centers downtown.
 - The identified crack houses need to be sealed and torn down.
 - There is a slow revitalization effort in the city, but there needs to be more partnerships with the organizations that encourage it. (The Housing Alliance of PA is moving to Harrisburg.)
 - Community Development Blocks grants should steer money towards these types of projects.
 - Brownfields should be identified because there are some sites that are underutilized.
 - There is a Government Economic Development Program; EJ should be integrated into the Brownfield redevelopment efforts (Brownfield Action Team.)
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Harrisburg, Pennsylvania, Continued

Findings, continued

**Quality of Life:
Air Quality
Comments**

- The Harrisburg Incinerator was built in 1970, but they didn't test for toxic metals (dioxins, mercury, etc...) until 2001.
- In Lockhaven, PA there have been high incidents of bladder cancer.
- There will be a new incinerator in 2006 with an 800-ton a day capacity, but there has been no baseline scientific research that supports the claim that it will address the toxic metal issues.
- There is a *big issue* with asthma with school children.
- Harrisburg has one of the highest concentrations of asthma.
- The Harrisburg Incinerator had violations; the city hired someone to screen 30 children, but the results were not made public.
- The Health Department cannot or will not find links between death certificates and the incinerator.
- A participant felt that the PA Health Department is "totally ineffective" and "*not getting it*".

**Quality of Life:
Air Quality
Recommendations**

- There is a great need for a health-screening program.
- The local health centers are the way to get the word out (ex: Hamilton Health Center). They are trusted and accessible, but these centers need funding.

**Land
Development
Question**

Are the local land development plans and policies adversely impacting the health of the environment in your community?

**Land
Development
Comments**

- The Dauphin Meadows landfill used to be located near an affluent community, but they got shut down and moved to a poorer African American community.
- There are many landfills on the outskirts of the State.
- There are quite a few trash incinerators. Much of it is out of state waste.

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Harrisburg, Pennsylvania, Continued

Findings, continued

Water Recreation Question

Do you or other members of your community use the local waterways for recreation? Why (and what kinds of recreation) or why not?

Water Recreation Comments

- The local community is facing the potential of an inflatable dam on the Susquehanna River near downtown Harrisburg. The dam would be funded by bond money. If the water levels are raised:
 1. There would be more pontoon boats and other motor craft operated by those who have access to these boats, the “economic development voice”
 2. Many islands in the river would be submerged or damaged, which would destroy the roosting grounds for the Great Egret.
 - The Susquehanna River divides, racially, socially and financially; the eastern shore residents are mostly minority populations and poor, and the western shore residents are more affluent.
 - Historically the River has been a barrier, but it needs to become a bridge. There needs to be more community involvement and education of these environmental issues. A citizen suggested that maybe there could be an arts festival with environmental education.
 - All participants agree that there needs to be a Susquehanna River Museum to serve as a community educational resource. It could show kids and adults the importance of what is essentially in their backyards.
-

General Comment

Harrisburg, being the state capital, is mostly focused on state issues not local issues. How is the State capital communicating with the local folks? It needs to improve.

Stormwater Question

What kinds of changes to the water and land in or near your community do you generally notice after heavy rains or snowmelts?

Stormwater Comments

- Increased trash
 - There is a great PA clean-up link sponsored by Penn DOT, “Keep PA Beautiful”
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Harrisburg, Pennsylvania, Continued

Findings, continue

**Environmental
Justice
Concept
Question**

Participants were given the option of submitting a written response to the following question:

What do you think environmental justice or environmental equity means? Would you characterize your community or others as one that has an unfair amount of water pollution or pollution-related impacts? If so, why?

No participants submitted written responses.

Richmond, Virginia

Background

Acronyms DEQ- Virginia Department of Environmental Quality

Partners ACB and BOCF worked with the DEQ to gather a list of stakeholders, and select an appropriate meeting time and location, and develop appropriate focus group questions.

Partner Descriptions The Virginia Department of Environmental Quality is the state agency designated to regulate environmental pollution and has a history in the leadership of environmental justice. However, DEQ currently does not have an office solely devoted to environmental justice issues.

Location The focus group meeting was held on May 27, 2004 from 3:30 pm – 6:00 pm at the DEQ's Conference Room.

Advertisement The project partners agreed to use a list of contacts that the DEQ already had as the core of individuals and organizations to invite to the focus group. Project partners sent out a letter of invitation to these and other key organizations in the Richmond area approximately one month in advance of the meeting. Included with the invitation letter was a self addressed stamped postcard that the invitees could use to RSVP for the meeting. Additionally, project partners called the invitees.

Participants Participants included representatives from the Virginia Conservation Network, the Southern Environmental Law Center, an environmental lawyer, VA Dominion Power, VA Dept of Health, and Tidewater Resource Conservation and Development Council.

Meeting Structure ACB, as the role of focus group facilitator, sent a list of nine focus group questions prior to the meeting, as well as a draft agenda. See Attachment F for copies of materials sent to invitees and participants. ACB introduced the project partners and BOCF gave a talk on Environmental Justice issues, focusing on social and economic implications. Participants introduced themselves and told the group what affiliation they may have been representing. Using the focus questions as a guide the participants discussed the questions and related issues.

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Richmond, Virginia, Continued

Findings

Responses The following responses are organized based on the focus questions and the corresponding participant's comments and recommendations.

Fish Advisories Question **Are the fish advisories effective? Are there specific cultural variances that fish advisories should consider? How common is subsistence fishing (fishing for meals) and how does it impact your daily life and you community?**

Fish Advisories Comments

- There is a lack of publicity with fish advisories.
- Also lack of publicity of impaired sections of streams.
- Signage, if present, is cryptic with complicated computations. That is part of the problem- lack of clarity.
- Dangers for pregnant women not clear enough.
- Risk assessments seem unclear and inadequate.
- With shellfish advisories, even if people do abide, there is a lack of understanding.
- Need to consider the chance of a greater portion of illiteracy and different languages.
- Have citizens been surveyed on this issue?
- Maybe there is lack of strong enough evidence of the health impacts. The message is not developed in the media or it doesn't get out to the right person.
- There *is* the science and evidence; maybe it just needs to be communicated in simpler terms.
- If the issues is subsistence fishing, then there must be an alternative, like "Here's what you can do instead..."
- There is a credibility problem also. In a southwest portion of Virginia the attorney general's office shut down the supply of drinking water. This was the free source of drinking water for the poorer communities. Many did not believe that the water was really contaminated.
- The issue with privatizing clean water is that the more affluent can purchase drinking water at stores, whereas the poor have to drink the polluted water.
- Fish advisories are in contested space. The Chamber of Commerce doesn't want the notices.

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Richmond, Virginia, Continued

Findings, continue

Fish Advisories
Comments
(continued)

- Access to fishable waters is also an issue.
- This issue may not be a big a problem as we perceive. EJ communities may be more concerned with lead paint and urban plight.

Fish Advisories
Recommendations

- Need to improve the signs and simplify the message.
- Use drawings and different languages.
- Post advisories in Health Departments, health clinics, churches and schools, and country stores.
- Provide food as an alternative. Will draw in people for the outreach program. (Church soup kitchens?)
- Find a way to engage the Chamber of Commerce.
- Conduct a survey of affected citizens.
- It is critical to establish contact with someone in the community who understands the problem and thinks the problem is real.

Recycled Tire
Weights
Question

Do you or anyone you know melt down recycled tire weights to reform them as fishing weights or lures?

Recycled Tire
Weights
Comments

- A participant said he could see why someone would do it, but didn't know of anyone who does.

Public
Notification
Question

Is the public notification process effective in getting participation of environmentally impacted communities? Are there ways to improve community outreach? If so, how?

Public
Notification
Comments

The majority of the public notification comments were centered on landfills.

- Several of the seven mega-landfills in VA are in minority areas.
- With the stricter regulations, changes in landfill technologies, and the development of regional authorities, the large professional landfills become revenue resources for communities, especially for out of state trash. Examples of this in Brunswick and Charles City Counties.

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Richmond, Virginia, Continued

Findings, continued

**Public
Notification
Comments**
(continued)

- In the case of the Defense General Supply Site, there is uncertainty on how to respond when a complaint is made. There is a lack of response mechanism.
- Need to strike a balance between community felt needs (“What I am feeling in my community”) and scientific / professional identified needs.
- The scientific community has a difficult time communicating to the public.
- For public outreach to be effective, it is not just where the message is delivered, but also the need for an effective marketing of the message.

**Quality of Life
Question**

Are the following a problem in your community?

- **Litter in the streets**
- **Abandoned lots**
- **Lack of green areas/ green space**

**Quality of Life
Comments**

- In Charlottesville and Richmond there are good amounts of green spaces, even in the poorer neighborhoods.
- Sometimes there is not enough signs or messages where there are public accesses to green space.
- There is a lack of public boat access.
- Some inner-city neighborhoods lack basketball courts and recreation areas. EJ researchers should go to the neighborhood association meetings to find out what the specific concerns are, for example Carver and New Town Civic Associations.
- A participant felt that one interpretation of that question is the issue of high crime. He said that some communities across the country have decided to try and come together over issues of stream clean-ups and re-beautification through community gardens, rather than hiring more police.
- There are also water supply planning issues, for example on the Mattaponi and Pamunkey Rivers. A participant posed the question: Will the taking of water for Hampton Roads drinking water supply impact the livelihood of fishermen?
- Safe Wells in southwest Virginia were an outgrowth of antipoverty community organizations.

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Richmond, Virginia, Continued

Findings, continue

**Land
Development
Question**

Are the local land development plans and policies adversely impacting the health of the environment in your community?

**Land
Development
Comments**

- There is a lack of environmental impact considerations with local comprehensive plans.
-

**Water
Recreation
Question**

Do you or other members of your community use the local waterways for recreation? Why (and what kinds of recreation) or why not?

**Water
Recreation
Comments**

- The City of Richmond is just starting to realize its recreational capabilities.
 - There are many historical lessons in Richmond, for example the interpretative Slave Trail walk on the James River. Richmond was the second largest slave producer and exporter.
 - There are more green belts being built around rivers.
-

**Water
Recreation
Recommendations**

- It would be a good idea to take advantage of the recreational resources to help spread the message.
 - Take advantage of the historical lessons and programs to increase EJ awareness.
-

**Stormwater
Question**

What kinds of changes to the water and land in or near your community do you generally notice after heavy rains or snowmelts?

**Stormwater
Comments**

- Increased water turbidity.
 - Increase of trash in the water, especially on urban areas.
-

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Richmond, Virginia, Continued

Findings, continued

Facility Sitting Question Are there facilities in your or other communities that you think are impairing the air quality? If so, which ones?

Facility Sitting Comments

- Citizens have to ask the Air Board to review permits.
- Citizens get less time to speak at public hearings than developers.
- Developers have been working with local governments.
- Highway placement minority and /or poorer communities used to be a problem, but it isn't anymore. The highways are already in place within the EJ communities.
- Inter-modal transportation may be the new frontier of EJ.

Environmental Justice Concept Question Participants were given the option of submitting a written response to the following question:

What do you think environmental justice or environmental equity means? Would you characterize your community or others as one that has an unfair amount of water pollution or pollution-related impacts? If so, why?

No participants submitted written responses.

Common Themes

Description

The following themes are recommendations found in common in at least two of the focus groups.

Local Government

- Better education of local government on EJ issues including landfill permitting.
 - Need better monitoring of surface water quality in pour sewage treatment areas and landfills.
 - Need a local liaison for EJ communities
-

Public Awareness

- Need better message development.
 - Need issue specific surveys of EJ communities.
 - More media coverage of the issues.
 - Need easy to understand fish advisories, possible with pictures, and in other languages.
 - Use health clinics, schools, and churches as a message medium.
-

Health Departments

- Increased involvement and interaction with EJ and Health agencies.
 - Development of EJ health indicators.
-

Chamber of Commerce

- Need dialogues with Chambers of Commerce about environmental justice issues, i.e.: fish advisories, landfills permits, and other facilities.
-

Local Advocate

- Need to have a non-governmental local champion of EJ who understands the issues, and can relay it to the community.
-

Partner Recommendations

Fish Advisories

Across the watershed, the focus groups saw the issue of fish consumption as an important factor in environmental justice. However, its implications are not widely known by professionals in the health care field, by the citizens consuming the fish or by the general public. There were several recommendations made about how to increase this knowledge base including:

- Information brochures in supermarkets, health clinics, and schools located in minority and low income communities.
- Post advisories in Health Departments, health clinics, churches and schools, and country stores.
- Encourage environmental writers in local papers and alternative language publications to publish stories on the topic.

There is also the recommendation that not enough is known about how to communicate messages to affected populations. A study should be conducted on how to better communicate consumption advisories.

The health care community should be better informed about the implications of fish consumption on the health of their patients. It is recommended that sessions on fish consumption be offered to national, regional, and state conferences where doctors and nurses gather to learn the latest in healthcare trends.

In addition environmental justice health indicators need to be created. Everyone will become more aware of the issue when it is linked to health impacts.

Signages at the waterfronts need to be improved and the message simplified by using simple verbiage, drawings and different languages. In addition, outreach work needs to be conducted to local government leaders and to business groups such as chambers of commerce to reduce their resistance to the signage. Government official and business leaders need to understand that this is a public health issue.

Lastly, alternative food sources need to be provided to those who are currently subsisting on fish, but this needs to be done in a way that is respectful. Many of those who fish are proud of their self-reliance and do not want a handout of food. Possibly, local food banks could exchange the fish catch for other food in a barter type system. Those groups running soup kitchens, food bank programs and others need to be convened to discuss alternatives that work within their institutions.

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Partner Recommendations, Continued

Quality of Life/Litter/Abandoned Lots/Green Space

The urban centers of our communities are not receiving the attention that they deserve in both public and private investment for revitalization. In order to improve the quality of life in our cities the crack houses need to be sealed and torn down and inner city residents need be provided the opportunity to recycle by establishing more recycling centers downtown.

Community Development Blocks grants need to be steered towards more urban revitalization projects. Brownfields should be the priority area for government and private investments in order to clean up the environmental contaminants that are disproportionately affecting urban populations and to spur economic development in the cities. It is recommended that environmental justice be integrated into the state government economic development programs.

Public Access/Water Recreation

Throughout the watershed, rivers, streams and tributaries tend to be the boundaries that divide our communities -- racially, socially and financially. Historically, these water bodies have been barriers, but they need to become a bridge.

It is recommended that environmental justice issues can be communicated through:

- Arts festivals with environmental, historical and education messages;
- River museum exhibits;
- Recreational resources may have information available to spread the message; and
- Historical society programs and lessons

For those living in urban areas, the recreational resources are often hidden or non-existent. In some communities, there are not enough signs or messages indicating where there are public access points to the water or to green space; while in other areas there is a lack of public boat access. Urban recreational areas and public access points to the water need to receive higher levels of public investment.

Landfills

The focus group participants feel that the Chesapeake Bay watershed is accepting more than its share of landfills and interstate waste stations. Most of these have been located in poorer or in minority communities. In some cases, there have been inadequate public notices for landfill permits and in one instance there was only one public hearing held prior to the permit being approved.

Local and state governments need to review and possibly reform their public hearing and permit processes so that landfill locations affect all populations equally.

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Partner Recommendations, Continued

Landfills, continued

On the technical side there was some concern regarding the environmental impacts of landfills. State and local governments, as well as landfill operators should ensure that adequate monitoring systems are in place at the landfills.

Public Notification

The issue that raised the most concerns among all the focus groups was the public hearing process. Many felt that the public hearing process was ineffective because: (1) the applicants can afford technical experts and legal counsel, but the local citizens cannot (2) applicants get 45 minutes to present, public only gets 3 minutes to comment; and (3) by the time the citizens hear about the public comment period, they feel it is already a “done deal”.

Recommendations for improving the public hearing process to reduce environmental justice concerns are

- There should be a public advocate or ombudsman office
- There should be full disclosure and better transparency in the permitting process.
- The public hearing process for permitting should be more meaningful and informative.
- There should be more public education done both on notices of the public hearings and how the process works.

There also seemed to be consensus that there is no effective and reliable medium for public notification and outreach. Some suggested that it would be beneficial for local newspapers to run an ad for prominent issues and projects while other added that hearings should be advertised in church bulletins and in powerful women’s groups.

However, a major point was made that for public outreach to be effective, it is not just where the message is delivered, but also the need for an effective marketing of the message. State and local governments need to be more creative in how they announce public hearings and make citizens aware of the issues involved. In some case the messages have to be more like advertisements and have a personal message on how the decision at this hearing may affect the public.

One innovate idea was to televise local environmental advisory councils or environmental group meetings. The monthly meetings could be televised on a local public access channel. There could be a 10-15 minute presentation about an upcoming public hearing and what the implications of the decision to the public might be.

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Partner Recommendations, Continued

Agricultural Programs

Minority farmers and urban communities are both adversely affected by the lack of a comprehensive agricultural policy to reduce nutrient runoff into rivers and streams. Recommendations include:

- The federal and state governments need to find a way to fund the winter cover crop program, at least for the critical areas.
- Perhaps in exchange for harvesting these winter crops, farmers should no longer be able to till within 25 feet of tidal waters. There should be a 50-foot *minimum* agricultural setback, with more on slopes.
- The critical area laws must be supported and *enforced*.
- The CRP and CREP programs should be supported.

Septic and Sewer Systems

Focus group respondents felt that government should do more about the failing sewage treatment systems because there are (1) serious losses from the collection system (raw sewage flowing out of broken pipes) and (2) serious failures of the treatment system, especially when it rains.

Recommendations to address these needs are:

- There must be substantial federal and state monetary incentives/ penalties for local jurisdictions to fix their porous sewer systems.
- Research on new de-nitrification septic technology that is both *effective* and *reliable* must be encouraged.

There is also tension between fixing current sewage and septic systems and approving new construction for new developments. Many of the focus group participants felt that all new development permits should be denied until the sewage system is upgraded to meet full capacity of sewage required during busy summer / tourist months. It was felt that state government should set a standard for compliance and give the local townships time to comply. Because these are expensive upgrades they will take time, but the state needs to ensure that it will occur.

The members of the focus group all said that increased trash is found along the waterways in their communities after a rainfall, there was increased turbidity from silt and sewage. It is recommended that increased state and federal dollars be dedicated to solving the stormwater and combined sewer overflow problem of the Chesapeake Bay watershed. Without these investments, the Chesapeake Bay cleanup goals will never be met and those living close to the water or depend on it as a food supply will suffer disproportionately.

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Partner Recommendations, Continued

Development

There was general agreement among the focus groups that there should be better coordination between local zoning, local planning, local sewage authorities, and state government on all development issues. The issue of effectiveness of public hearings at the local level was raised again during the discussion on development.

Local comprehensive plans should more closely consider environmental impacts and environmental justice concerns.

Other concerns included developers not using the best available stormwater management techniques, clear-cut vast areas of forest, and ineffective use of silt fences.

Local government and builders should adopt more Low Impact Development (LID) practices and participate in Builders for the Bay roundtables to change their codes and ordinances that may hinder the use of LID techniques.

Air Quality

The focus group attendees agreed that asthma among inner city, low-income and minority youth was on the increase. Participants thought this is due to the reduced air quality resulting from proximity of affected populations' schools, neighborhoods and recreational facilities to major traffic corridors.

It is recommended that more health screening of urban children need to be done and better access to these health centers needs to be provided.

State specific concerns included the number and impact of trash incinerators in Pennsylvania. The focus group participants felt that the current incinerator in Harrisburg had not been adequately tested for toxics until thirty years after it began operation. They also indicated that a significant quantity of out-of-state trash is slated for incineration in proposed new facilities that may be located near low-income populations. The state and local governments need to be sure of air quality health impacts of these facilities before providing permits.

In Virginia, it is the understanding of the focus group participants that citizens have to ask to review to specific permits. It is recommended that the Air Quality Control Board engage the public more routinely by better advertising permits and allowing for enhanced citizen accessibility to the public review process.

Lessons Learned

**Stakeholder
Participation**

Project Partners suggest the following recommendations for future efforts involving environmental justice stakeholder participation.

Advertisement

Focus on advertising to increase participation. Allow amply time and money to place ads in local papers, alternative language papers, radio public service announcements, posters in health clinics, and church bulletins. This is particularly helpful in contacting stakeholders whom the state may be unaware.

Terminology

The terms “environmental justice” and “environmental equity” are likely to be misunderstood or unfamiliar to local governments and citizens. Future communication and outreach efforts may wish to consider using terms that may seem less intimidating, like neighborhood pollution and toxic fish. This may help to increase public involvement while still allowing for the context of environmental justice discussion and awareness raising.

**Meeting
Locations**

Non-governmental meeting locations like community centers, churches and schools will probably serve as good locations for future public meetings. Future organizers may want to consider getting volunteers to provide childcare during meetings to allow for adults with children to attend.

Next Steps

Overall

Project Partners recommend that all Chesapeake Bay watershed states bolster their efforts in environmental justice education and policies. Virginia may want to consider creating an office devoted to environmental justice issues. Environmental Justice efforts in the states would benefit from information sharing and coordination with local governments.

Additionally, each region could enhance this effort by creating a comprehensive list of EJ interest groups consisting of ethnic and minority businesses, churches, cultural organizations, NAACP chapters, citizens involved in EJ related court cases, district council representatives and alternative language publications. Together these stakeholders could refine the environmental justice messages and delivery mechanisms.

Dialogue initiation or continued partnering with appropriate state agencies like the departments of health is recommended to further environmental justice as a public health concern, and develop EJ health indicators. Future efforts should continue to use private nonprofit organizations to help develop and strengthen relationships between community members and government agencies.

Chesapeake Bay Environmental Justice Task Force

Chesapeake Bay Program Environmental Justice Task Force members may want to convene to discuss the findings and recommendations. Members could share their experiences with the efforts and accomplishments in their state.

Members may wish to contact appropriate local government agencies, environmental organizations, known community leaders, and other key stakeholders to:

1. Refine the list of local community contacts with interests in environmental justice issues
 2. Share information with local stakeholders
 3. Gather more information from local citizens on specific neighborhood concerns
 4. Set local priorities and goals or target specific neighborhoods to increase environmental justice awareness, resource availability and problem solving.
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