

**Vermont Environmental Justice Advisory Council Members Rich Holschuh,
Mariana Sears, and Matt Lawless Response**

**Re: 2026 Covered Agency Civil Rights and Environmental Justice Complaint
Summary Reports**

Submitted to the Vermont Environmental Justice Interagency Committee on May 15, 2026.

Background

Under the Vermont Environmental Justice Law (Act 154 of 2022 or VT EJ Law), covered agencies must submit an annual summary of all complaints alleging environmental justice issues or Title VI violations, along with any agency actions taken to resolve those complaints (3 V.S.A. § 6004). The Advisory Council then has 60 days to review and provide recommendations concerning the reports (3 V.S.A. § 6004 (d)).

In compliance with the VT EJ Law the covered agencies submitted their annual Civil Rights (CR) and Environmental Justice (EJ) Complaint Summary Reports to the Vermont Environmental Justice Advisory Council (AC) on March 13, 2026 (3 V.S.A. § 6004 (d)).

The following document includes a joint response from 3 members of the VT EJ Advisory Council:

- **Rich Holschuh**, appointed representative on behalf of the **Vermont Commission on Native American Affairs (VCNAA)**.
- **Mariana Sears**, appointed representative for **Food Security** with Hunger Free Vermont.
- **Matt Lawless**, appointed representative for **Municipal Government**, Town of Shelburne.

These reflections provide comments and recommendations informed by the 2026 covered agency Civil Rights and Environmental Justice Complaint Summary Reports. While these recommendations were not developed through a full Advisory Council consensus process, they reflect thoughtful input from three distinct community representatives and consideration of issue areas currently under discussion by the AC.

Response

Comments on the 2026 Covered Agency CR and EJ Complaint Summary Reports:

- A recurring and fundamental issue necessary to the full implementation and due process of the Environmental Justice Law, and one that is currently under active discussion, is the question: “What constitutes an Environmental Justice complaint? The expectations for compliance with Vermonter’s Civil Rights as embodied in law is already well-defined, so the grounds for a complaint process flows therewith. The VT EJ law is still in a formative stage, so the definition of a complaint or complainant needs to be made clearer. The EJAC is currently working on drafting a definition, which is at the bottom of this report. Completing a definition and defining an intake process will be prioritized in the coming year. While the process for Environmental Justice complaints is being developed, consideration should be given to existing federal Civil Rights complaint frameworks and procedures. Environmental Justice complaints should be able to be filed either through those established mechanisms or through any other accessible process that ensures Vermonters can meaningfully raise concerns. It should not fall on the shoulders of Vermonters to have to sort out what type of complaint they are filing. We should listen to, and take in, and respond to all complaints. We feel that this conversation is moving in a thoughtful and dynamic direction.
- There are still open questions about how Environmental Justice itself should be viewed, with existing working definitions not always seen as equitable or accommodating of different cultural perspectives. Speaking as representative of the VCNAA, we have concerns about the high degree of anthropocentricity, with little to no consideration given to other-than-humans; about the framing in terms of Western legal concepts of justice centered on the human individual and associated property rights; and the focus on urban settlement and development patterns and their effects. These concerns continue to be under discussion: we are kept in mind of the EJ Principles outlined in the work of the First National People of Color Environmental Leadership Summit in 1981.
- In a repeat to the 2025 EJ Complaint Report, and due in part to the shortfalls remarked upon above and the early implementation stage of the EJ law (Act 154 of 2022), there continues to be a lack of substantive environmental justice complaints received from the covered agencies for the current reporting period (2026). Much of the text for the 2025 Report response from the Advisory Council is thus reiterated as applicable for this year. We recognize that this gap is being addressed in an ongoing manner as systems and definitions are developed,

refined, and implemented.

Draft Definition of Environmental Justice Complaint

An environmental justice complaint is a recognition of actions, conditions, or decisions involving a disregard or neglect to any of the principles of environmental justice, including any lack of care against the sacredness of Mother Earth, the interdependence of all species, and the right to be free from ecological destruction.

Any person or community that has experienced obstruction to fair access to environmental benefits and/or disproportionate exposure to environmental burdens, as well as lack of meaningful participation, information, services, or protection as it relates to environmental justice law and / or as a result of agency action, inaction, practice, or decision-making can present a complaint.

This draft definition should remain flexible and continue to respond to EJ Law implementation needs and community input.