

# Vermont Environmental Justice Law Timelines & Scope of Work

Alex Lintner (she/her) & Phoebes Potter (he/they): Environmental Justice Coordinators  
Civil Rights & Environmental Justice Unit, Vermont Agency of Natural Resources

Presentation for the 2<sup>nd</sup> joint meeting of the Environmental Justice (EJ) Advisory Council & Interagency EJ Committee

July 18<sup>th</sup>, 2023

# Vermont State Environmental Justice Policy

“(N)o segment of the population of the State should, because of its **racial, cultural, or economic** makeup, bear a disproportionate share of **environmental burdens** or be denied an equitable share of **environmental benefits**.” (...)

“(T)o provide the opportunity for the **meaningful participation** of all individuals, with particular attention to **environmental justice focus populations**, in the development, implementation, or enforcement of any law, regulation, or policy.”

*Act 154 of 2022 (Vermont)*

# Key Stakeholders

## Environmental Justice Law

### Covered Agencies

1. Agency of Natural Resources
2. Agency of Transportation
3. Agency of Commerce & Community Development
4. Agency of Agriculture
5. Agency of Education
6. Public Utility Commission
7. Natural Resources Board
8. Department of Health
9. Department of Public Safety
10. Department of Public Service

### Advisory Council

10 representatives of Environmental Justice Focus Populations + 1 Office of Racial Equity Representative

### Interagency Committee

10 representatives from the Covered Agencies + 1 Office of Racial Equity Representative

### Vermont Public

#### EJ Focus Populations

1. Low-income Vermonters
2. BIPOC residents of Vermont
3. Vermonters who speak a language other than English

The definition of EJ Focus Populations as written in the EJ Law is subject to regular review.

# Key aspects of Vermont's Environmental Justice Law

**1. Meaningful Community Engagement**

**2. Equitable Distribution of Environmental Benefits**

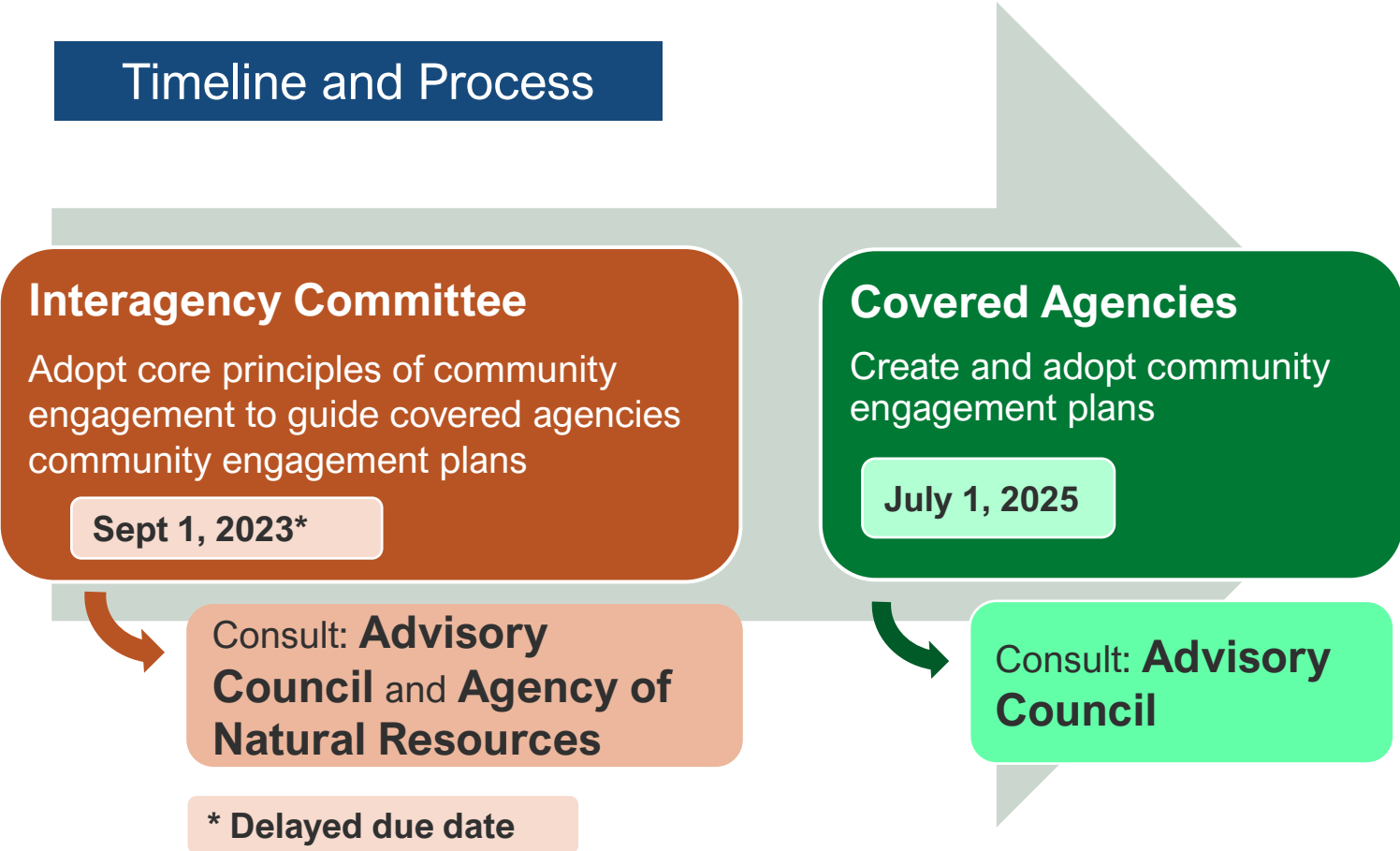
**3. Reduction of Environmental Burdens**

**4. EJ Reporting and Accountability**

# Meaningful Community Engagement

## Environmental Justice Law

### Timeline and Process



### Excerpts from the VT EJ Law: Sec. 1. FINDINGS

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

# Equitable Distribution of Environmental Benefits

## Environmental Justice Law

### Timeline and Process

#### Agency of Natural Resources

Guidance for benefit spending reports

Nov 15, 2023\*

Consult: **Advisory Council** and **Interagency Committee**

\* Delayed due date

#### Covered Agencies

3-year baseline spending report

April 15, 2024\*

Establish goal to direct investments proportionately to EJ focus populations

July 1, 2024

\* Delayed due date

#### Agency of Natural Resources

Summary report of covered agencies baseline spending reports

Dec 15, 2025

#### Covered Agencies

Submit annual benefit spending report

Due annually on Jan 15, starting 2026

# Reduction of Environmental Burdens

## Environmental Justice Law

### Timeline and Process

**Agency of Natural Resources**  
Create statewide EJ mapping tool  
Jan 1, 2025

**Agency of Natural Resources**  
Cumulative environmental burden rulemaking and agency guidance for EJ mapping tool  
July 1, 2025

**Covered Agencies**  
Adopt or amend policies, procedures, guidance, and/or rules to consider cumulative environmental burdens  
July 1, 2026

Consult: **Advisory Council** and **Interagency Committee**

Consult: **Advisory Council** and **Interagency Committee**

Consult: **Advisory Council**



# EJ Reporting and Accountability

## Environmental Justice Law

### Timeline and Process

#### Advisory Council and Interagency Committee

Recommend amended definitions, focusing on EJ focus population criteria

Dec 1, 2023

**Agency of Natural Resources**, in consultation with **Advisory Council** and **Interagency Committee**, will review definitions at least every five years and recommend revisions

#### Covered Agencies

Civil Rights and EJ Complaint Reports

Due annually on Jan 15, starting in 2024

**Advisory Council** reviews reports and provides recommendations within 60 days

#### Covered Agencies

EJ Summary Action Reports

Due annually on Jan 15, starting in 2025

#### Covered Agencies

Environmental Benefit Spending Reports

Due annually on Jan 15, starting in 2026



# Budget for the Environmental Justice Law

Sec. 4. APPROPRIATIONS: “There is appropriated the sum of **\$500,000.00** in fiscal year 2023 from the General Fund to the Agency of Natural Resources for the cost of **developing the mapping tool** ... and for **conducting community outreach** associated with the work of the Environmental Justice Advisory Council.”

## Proposed Allocations

### Developing the Mapping Tool

- Subject Matter Experts (up to \$50,000)
- Contract to Build EJ Mapping Tool (\$300,000)

**\$350,000.00**

### Community Engagement

- Accessible Public Meetings (\$40,000)
- Community engagement led by Advisory Council members (\$110,000)

**\$150,000.00**

**TBD: \$150,000  
carry-over**

# Questions?

Want to learn more? Reach out to  
Alex ([Alex.Lintner@vermont.gov](mailto:Alex.Lintner@vermont.gov); 802-261-5783) and  
Phoebes ([Phoebes.Potter@vermont.gov](mailto:Phoebes.Potter@vermont.gov); 802-261-5784)

Public Comment Form:  
Vermont Environmental Justice  
Law

