



Virginia Department of Environmental Quality Environmental Justice Initiative

October 16, 2020

EXECUTIVE SUMMARY

The Virginia Department of Environmental Quality (DEQ) and its consultants have completed an 18-month process to create a comprehensive [Environmental Justice Study](#) to identify how to best integrate environmental justice into the work of the agency. One theme was communicated loud and clear: environmental justice is a *process*. This document outlines the agency's next steps in that open and transparent process. We invite everyone from across the Commonwealth to engage with us as we move forward.

We are grateful to our consultants from [Skeo Solutions and the Metropolitan Group](#) for their work on the study and to all the Virginians who participated in this undertaking. The final Study contains recommendations across a number of categories. Embedded within these recommendations is the recognition that success in advancing environmental justice through DEQ's work will depend less on checking off individual recommendations and more on the process we put in place to build trust, share understanding, and align values among staff, stakeholders and partners. Our work to incorporate environmental justice into the things we do will be an ongoing process, one that is inclusive, collaborative and transparent by design.

Responding to the consultant's recommendations will take time, and it should be noted that many of the recommendations will require increased resources, staffing or even new legislative authority for the agency. Still others will require community involvement and collaboration to be sure we get it right. The agency is committed to the process and will make every investment possible within our capacity to ensure success.

That is why the agency will move quickly to act on the recommendation to create an Office of Environmental Justice and hire an Environmental Justice Director. This process will start immediately. A key deliverable for DEQ's new Environmental Justice Director will be to develop, with community input, an Environmental Justice action plan that builds on this Environmental Justice Study by creating an implementation plan for the recommendations.

However, this important effort will not fall on a few individuals within DEQ. The Environmental Justice initiative will be a statewide effort, supported by all staff within DEQ's Central Office and six regional offices, with the full engagement of the agency's leadership team.

The actions outlined below include immediate steps the agency will take by the end of the year to address environmental justice and position the agency to deliver on the Study recommendations through next year's action plan, as well as focus areas for the year ahead.

For ongoing status updates on this important environmental justice work at DEQ, please visit our website: www.DEQ.Virginia.gov/ConnectWithDEQ/EnvironmentalJustice.aspx.

Categories of Actions:

- **Authority:** Strengthen and clarify legal and statutory authority to integrate environmental justice into DEQ programs.
- **Leadership:** Foster subject matter understanding and cohesive support for environmental justice among DEQ leadership.
- **Intergovernmental Coordination:** Coordinate with local and state government agencies to ensure alignment with environmental justice policies.
- **Staff Capacity, Guidance and Tools:** Increase staff clarity and capacity to effectively support environmental justice and apply environmental justice considerations throughout DEQ programs, build the capacity of communities to participate meaningfully in environmental decision-making, provide guidance and tools to ensure clear and consistent implementation of adopted policies and practices and develop tools to provide more transparent, accessible and real-time environmental information to the public.
- **Community Relationships, Engagement and Capacity:** Build productive relationships with environmental justice and other adversely impacted communities and proactively and authentically engage communities on issues and decision-making that could potentially affect their health and quality of life.

IMMEDIATE

Authority:

- New laws passed by the General Assembly and signed by the Governor established that it is the policy of the Commonwealth to advance environmental justice. Further, DEQ's statement of policy (§10.1-1183, Code of Virginia) was amended to make environmental justice an explicit part of DEQ's mission^{1, 2}
- DEQ will work with the Office of the Secretary of Natural Resources to evaluate the potential for future legislation.
- DEQ will meet with the environmental section of the Office of the Attorney General to discuss environmental justice and will meet with them regularly going forward as issues evolve and develop.

Leadership:

- Create and establish an Office of Environmental Justice led by an Environmental Justice Director who reports directly to the DEQ Director. The Environmental Justice Director will create and implement an Environmental Justice Action Plan for the Department that builds on these immediate actions and is responsive to the Environmental Justice Study.³

¹ DEQ's new statement of policy reads, in part: "to further environmental justice and enhance public participation in the regulatory and permitting processes."

² Pursuant Environmental Justice Study recommendations 1A and 2B.

³ Pursuant to Environmental Justice Study Recommendation 2A and 2B.

Intergovernmental Coordination:

- DEQ Director will remain committed and involved in the Interagency Environmental Justice Working Group and provide subject-matter expertise and best practices to other state agencies while leading by example.⁴
- The DEQ Director will contact local government to begin a regular dialogue about environmental justice – including discussions regarding local siting review and approvals and how intergovernmental roles and responsibilities in the permitting process may relate to environmental justice considerations and DEQ’s regulatory authority.⁵
- Coordinate with the Virginia Economic Development Partnership to identify a process for early identification of potential environmental justice issues and outreach to potentially affected communities.⁶

Staff Capacity, Guidance and Tools:

- Launch a new DEQ website in December which will facilitate greater usability among a variety of audiences. The redesigned website will reflect the combination of compelling theme and effective, straightforward navigation to create a user experience that is user-friendly, intuitive, helpful and smart. The website will be designed to showcase DEQ’s mission while offering easy access to projects, permits, policies, news, research and help navigating Virginia’s environmental network.⁷
- Through the Tidewater Air Monitoring and Evaluation (TAME) project, DEQ will deploy air quality monitors near the Lambert’s Point community in Norfolk and the Southeast community in Newport News to measure air toxics and particulate pollution from coal dust. The Virginia Department of Health will conduct a health risk assessment to help community members understand the risks and drive future plans to address the health consequences of air pollution.
- The TAME project was preceded by another air toxics study DEQ conducted from 2006-2010 in Hopewell. The study measured community exposure to air toxics, identified “hot spots,” conducted a health risk assessment, and provided information to evaluate future emission control programs.

Community Relationships, Engagement and Capacity:

- Continue regular meetings with DEQ senior leadership and members of the Virginia Environmental Justice Collaborative and other environmental advocates. DEQ will continue these ongoing meetings and seek input from the Collaborative for additional needed outreach.⁸
- The DEQ Director will contact leaders from Virginia’s Tribal communities and seek their input for additional outreach.⁹

⁴ Pursuant to Environmental Justice Study Recommendation 2G.

⁵ Pursuant to Environmental Justice Study Recommendation 9A.

⁶ Pursuant to Environmental Justice Study Recommendation 9A.

⁷ Pursuant to Environmental Justice Study Recommendation 4A.

⁸ Pursuant to Environmental Justice Study Recommendation 6C.

⁹ Pursuant to Environmental Justice Study Recommendation 6C.

INITIAL 2021 FOCUS AREAS

- Develop an Environmental Justice Action Plan and incorporate environmental justice into DEQ's strategic planning process. The next revision of the agency's strategic plan will begin in Spring of 2021 for the 2022-2024 Strategic Plan.
- Address increasing diversity and representation in agency management and staff in association with ongoing DHRM's guidance.
- Develop and execute internal environmental justice training program.
- Establish local government and other stakeholder workgroups to facilitate engagement in environmental justice issues.
- Continue senior leadership engagement with the Virginia Environmental Justice Collaborative and other community representatives.