

The State of New Jersey  
Department of Environmental Protection

# **Environmental Justice Advisory Council**

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Organization and Meeting Structure  
By-Laws

Adopted by  
The Environmental Justice Advisory Council  
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# Environmental Justice Advisory Council

## Organization and Meeting Structure By-Laws

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# **Environmental Justice Advisory Council**

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### **I. Organization Name:**

The Environmental Justice Advisory Council (EJAC).

### **II. Mission and Purpose:**

The EJAC shall serve as an advisory body to the Commissioner of the New Jersey Department of Environmental Protection (DEP) on issues involving environmental justice and public health in New Jersey in accordance with Executive Order No. 23, (EO 23) issued by Governor Murphy on April 20, 2018, and Administrative Order No. 2020-02 (AO 2020-02) signed by Commissioner Catherine R. McCabe on February 3, 2020. The EJAC will make recommendations to the Commissioner of DEP to ensure that DEP develops effective communication programs, implements and enforces environmental laws and empowers communities, consistent with the guidance document developed under EO-23, so that such actions do not unfairly burden any population within New Jersey with a disproportionate impact on the health, well-being, and quality of life of those residents. EJAC will encourage and advise DEP on how to provide outreach, and direct community participation in environmental decision-making. Further, the EJAC will coordinate with DEP's Office of Environmental Justice in providing advice and guidance to Executive Branch departments and agencies and will collaborate with the Environmental Justice Interagency Council (EJIC) to identify environmental justice community concerns, develop priorities and action plans, and facilitate interagency collaboration with environmental justice communities.

In accordance with the aforementioned Administrative Order, the Council shall participate in working groups to establish comprehensive strategies and identify best practices that address issues facing vulnerable communities including health disparities, sustainability, equitable development, community and economic revitalization, pollution, climate change, and resiliency. The EJAC shall focus on a community-based approach with measurable goals and outcomes, similar to the Community Collaborative Initiative , which DEP has instituted in 12 municipalities.

In summary, the EJAC is committed to the basic tenet set forth by the Environmental Justice Movement that residents of all communities, regardless of race, ethnicity, color, national origin, or income, are entitled to fair treatment and meaningful involvement in environmental decision making, and equal protection from the consequences of environmental hazards.

### **III. Membership:**

Eighteen (18) members are appointed by the Commissioner of DEP from a diverse range of stakeholder sectors and viewpoints to serve on the EJAC for a term of three (3) years.

Membership shall consist of a composition to include representatives of local grassroots or community groups, Statewide social justice/civil rights or labor organizations, Statewide environmental justice or environmental advocacy organizations, faith-based organizations or State or Federally recognized tribal governments or indigenous groups, county or municipal government or planning professionals, academia, the public health sector, and business and industry. In an

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effort to achieve a diverse professional and organizational representation, no two members shall participate on behalf of the same group, organization, county or municipal government, business, or academic institution.

In structuring EJAC, the Commissioner of DEP shall strive to reflect the regional diversity of New Jersey as it relates to racial, gender, religious and ethnic representation.

#### IV. **Officers and Executive Committee:**

Elections and Appointments shall take place at the EJAC Annual Reorganization Meeting-

a. Chairperson - *Elected by Council Members*

Presides at meetings and is an ex-officio member of all working groups.

- Prepare draft agenda for Office of Environmental Justice (OEJ) approval and distribution of the agenda to members prior to meetings.

b. Vice-Chair - *Elected by Council Members*

The primary responsibility of the Vice Chair is to be prepared to assume the responsibilities of the Chairperson when called upon to do so - should the Chair not be present or wish to recuse him/herself. Other responsibilities may include supervision of working groups or heading up critical areas of work, such as chairing a special committee (as necessary).

c. Secretary - *Elected by Council Members*

The role of the Secretary will be to take true and accurate minutes of the meeting. Other duties include:

- Attend to all official correspondence
- Record time and place for each meeting in minutes
- Forward copies of the draft minutes to the Chairperson and OEJ for review
- Maintain an accurate roll call and attendance sheet
- Distribute and affirm minutes from previous meeting

d. Executive Steering Committee -

The role of the Executive Steering Committee will be to receive updates from the working groups, coordination with OEJ and the Deputy Commissioner's office, and to provide necessary updates to EJAC members. Additional responsibilities include the calling of a special meeting, when necessary. The representation of the Executive Steering Committee shall comprise:

- Chairperson of the EJAC
- Vice Chairperson of the EJAC
- Secretary of the EJAC
- Chairperson(s) of the EJAC Working Groups

#### V. **Role of the Office of Environmental Justice:**

a. Designated State Officer

DEP's Environmental Justice Coordinator or designee from DEP shall be the

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Designated State Officer (DSO). The DSO or a designee will be present at all of the meetings of the EJAC and should be notified with the option to attend any working group meetings. Each meeting will be conducted in accordance with an agenda approved in advance by the DSO. The DSO is authorized to adjourn any meeting when he or she determines it is in the best interest to do so, and will chair meetings when directed to do so by the Commissioner of DEP. It will also be the responsibility of the DSO (or designee) to perform the duties of parliamentarian to ensure that correct parliamentary procedures are followed at all meetings, and to act as timekeeper. The DSO should notify the group when the time for an agenda item has expired or is about to expire. The Office of Environmental Justice is responsible for working within the department to find the person if needed to help support the agenda from EJAC.

b. Membership solicitation and application processing

Pursuant to AO 2020-02, the Office of Environmental Justice conducts all public solicitation for applications for any membership vacancy on the EJAC. The Office of Environmental Justice announces all vacancies on DEP's website and processes all applications received.

## **VI. Meeting Guidelines**

The EJAC will meet at a minimum six (6) times in every calendar year including one joint public meeting with the Environmental Justice Interagency Council. The meeting schedule shall be set by the Council at its re-organization meeting. The EJAC meetings will be held at the DEP office in Trenton, New Jersey unless notified otherwise by OEJ.

a. Agenda

Each meeting must have an agenda, preferably one drafted at the previous meeting and developed in detail by the chairperson prior to the actual meeting. Any member of EJAC may submit an agenda item to the Chairperson seven calendar days before the next meeting. If the issue is of an emergent nature, the member would be responsible for getting the information to OEJ for distribution to EJAC at least three days in advance. The member can then petition EJAC at the beginning of the meeting to hear the topic under "New Business." The agenda will be sent to participants at least seven calendar days prior to the next meeting.

Agendas may include the following information:

- The agenda topics with a sentence or two, when necessary, that defines each item as well as the presenter of the discussion topic.
- The agenda should define the process to be used in coming to a decision (e.g., brainstorming, voting, update, etc.) and not simply "discuss..."
- The agenda should prioritize topics in a logical order.
- List presenters or guest speakers.
- A time guideline (the estimated time in minutes needed to discuss each item). Should an item require additional discussion time the group will decide whether to continue at the expense of other agenda items or table until another meeting.

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#### *A sample agenda*

Call to Order

Roll call

Adoption of the agenda

Minutes from previous meeting

Working Group Reports

Correspondence

Unfinished business

New Business

Announcements

Adjournment

#### b. Facilitator

The Chairperson serves as the meeting facilitator, responsible for keeping the meeting focused and moving. Should the need arise the EJAC will request that DEP provide a facilitator to oversee problem solving issues.

#### c. Minutes

The minutes must accurately reflect all discussions and actions taken by the EJAC and following the order of the agenda should include, but not necessarily be limited to, the following information:

- The name of the organization
- Date, time and place
- Roll call – noting presence of absence of member
- Disposition of the previous minutes – approved with or without corrections
- Exact wording of every motion, names of individuals that moved and seconded the motion(s), result(s) of the vote, and action(s) taken
- Plan/outline for next meeting - clearly referencing items to be carried over
- Time of adjournment
- Name and signature of submitter

Minutes of previous meeting should be sent with the upcoming agenda to OEJ at least 14 calendar days prior to the next scheduled meeting. Prior to adoption Meeting Minutes are considered confidential and not to be shared outside of EJAC membership.

## **VII. Code of Cooperation**

The code of ethics sets a norm for behavior at meetings and should be developed, adopted, improved and/or modified by all members of EJAC.

- Every member is responsible for EJAC's progress and success.
- Members are expected to attend and be on time to all meetings.
- Members must come prepared to discuss issues at hand.
- Members are expected to complete assignments on schedule.
- Members are expected to be active listeners.
- Members are expected to provide constructive criticism of topic(s) under discussion, not people in general or fellow members.

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- Members are expected to resolve conflicts constructively.
- Members are expected to avoid disruptive side conversations and behavior.
- Members are expected to understand that everyone participates, no one dominates.
- Members should be succinct and avoid long anecdotal comments and statements.
- Members are expected to respect ALL members of EJAC at all times.

#### **VIII. Removal from Council**

A recommendation for member removal from EJAC may be made to the Commissioner of DEP for one or any combination of the following:

- a. Transgression(s) of the code of Cooperation.
- b. Missing three (3) consecutive working group meetings of the same working group or two consecutive full council meetings without notification.
- c. Demonstration of unprofessional conduct unbecoming of an officer or member of EJAC.
- d. Members may also be removed by the Commissioner of DEP at his/her discretion or for behavior unbecoming.

#### **IX. Special Meetings**

- a. Any member may request an executive steering committee member to call for a special meeting of the full EJAC.
- b. The special meeting notice should state the purpose of the meeting, and only the business stated in the notice may be considered at the special meeting.
- c. Rules of procedure for an emergency meeting are the same as for a general meeting.
- d. All special meetings will likely be held via conference call unless otherwise noted.
- e. The details of the special meeting will be referenced in the meeting notice and distributed by DSO.

#### **X. Working Groups**

The EJAC shall have self-selecting, ad-hoc working groups that will be comprised of its membership. Each member may choose which working group(s) to join based on the member's expertise and interest, but shall actively participate in at least one working group. There will be no limitation placed on the number of EJAC members sitting on a working group. It is anticipated that each working group may solicit assistance or expertise from non-EJAC members.

Each working group appointed to study or report out on a particular question shall make recommendations based on its findings. Such findings or advice will be reviewed, discussed and approved by EJAC. Each working group shall be chaired by an EJAC member. Working groups of EJAC meet independently of the full EJAC and present their findings to the EJAC for review. Working groups cannot make recommendations independently to DEP.

It is anticipated that the lifespan of a working group can last anywhere between a few months and two years. Working groups shall continue until their goals are achieved.

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#### **XI. Quorum**

There are eighteen (18) EJAC members, therefore a quorum of ten (10) members in attendance is required to take/make official action/recommendations. If membership is less than eighteen (18), a majority of the active membership must be in attendance to constitute a quorum.