



New Jersey Department of Environmental Protection

2016-2018
Environmental Justice Advisory Council
First-Year Report
November 20, 2017

Zachary Lewis, Chairman
Kim Gaddy, Vice-Chairman
Joann Held, Secretary

Acknowledgements

This report, submitted by the New Jersey Environmental Justice Advisory Council (EJAC), would not have been possible if it were not for the time, research and dedication of many supporters. Foremost, each member of EJAC would like to express our gratitude to Commissioner Bob Martin for his valuable and constructive suggestions at the onset of this appointment, and for his willingness and generosity to offer the resources of the New Jersey Department of Environmental Protection (DEP) to aid in our endeavor. Our appreciation extends to the DEP's Office of Environmental Justice (OEJ) and other staff for their logistical support and resource capacity in providing the necessary guidance, technical assistance, and the infrastructure concerning the projects identified herein. We would also like to recognize and thank the Department of Health and their staff, as well as other organizations and agencies for their expertise and technical support. Without their collective knowledge and experience, this report would lack in quality of its outcomes. Finally, EJAC would like to express our sincere thanks to everyone who contributed their time, knowledge and encouragement in the preparation and completion of this report.

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Executive Summary

Commissioner Bob Martin of the New Jersey Department of Environmental Protection (DEP) signed Administrative Order No. 2016-08 to re-establish the Environmental Justice Advisory Council (EJAC). Commissioner Martin subsequently charged EJAC with the mission of providing valued advice to DEP leadership on issues related to Environmental Justice and public health. In the first year, this eighteen-member advisory body established four working groups: Environmental Education and Communications, Land, Air, and Water. Each working group compiled a list of interest areas and the highest priority recommendations are listed below.

Environmental Education and Communication Working Group:

The Environmental Education and Communications Working Group has identified that one of the fundamental paths to Environmental Justice is the ongoing and long-term relationship building between the DEP and the communities it serves. Education and communication ensures that a trusting relationship is being cultivated between government and its citizens. The Environmental Education and Communications Working Group has also incorporated unique, strategic opportunities to educate and communicate with distressed communities within the other working groups: Air, Water, and Land. The Environmental Education and Communications Working Group recommends the following actions:

- Develop a collaboration with the Environmental Education and Communications Working Group, the Office of Environmental Justice (OEJ), and the Office of Local Government Assistance to address mutual short and long-term strategies to effectively address Environmental Justice issues.
- Work with the Office of Communications to identify a process for the implementation of the Environmental Education and Communications Working Group's proposed Environmental Justice Community Contacts Database.
- Advance Environmental Justice priorities through DEP's communication platforms, including but not limited to, web pages, podcasts, and other social media.
 - Ensure that the newly revamped DEP website has a prominent section dedicated to the engagement, empowerment, and education of citizens.
 - Share the completed "Top Things an Environmental Activist Should Do" on the DEP website and other communication platforms.

Air Working Group:

Minority and low-income communities face unhealthy, cumulative, and disproportionate air pollution exposures in New Jersey. Port pollution is an environmental and health injustice that affects asthma, heart disease, and cancer rates in port-adjacent communities. The Air Working Group has chosen to address the air pollution near port operations as an area in need of critical action. Port-adjacent communities are subject to unusually high levels of emissions from both truck traffic through residential areas and port operations. Therefore, the Air Working Group is recommending the following actions to address this issue:

- Leverage Volkswagen Mitigation Trust Fund for projects that recognize and address the disproportionate, adverse environmental impacts sustained by communities that are immediately adjacent to the operations of the ports of New Jersey. DEP should utilize the following guiding principles in identifying the projects for which funding is requested:
 - 1) Projects should be able to demonstrate a decrease in air quality impacts on Environmental Justice and port-adjacent communities.
 - 2) EJAC representatives should be active participants in the development of the criteria used to identify potential projects and the discussions ultimately leading to the selection of appropriate projects.
- Access Congestion Mitigation and Air Quality (CMAQ) funds and other resources to reduce diesel emissions at the ports of Elizabeth, Newark, Bayonne, and the ports in the South Jersey Port District by applying for grants, loans, or a combination thereof.
- Promote interagency collaboration to address port related traffic and emissions. Through open dialogue, DEP and other partners should take action to reduce traffic congestion and subsequent emissions from trucks, ships, and port operations.

Land Working Group:

Environmental Justice is not only about the mitigation of harmful and adverse environmental exposures, it is also about providing greater access to community benefits. Therefore, the Land Working Group decided to focus its initial priority on urban agriculture in New Jersey. The working group hosted an Urban Agriculture Symposium on October 13, 2017 to convene some of New Jersey's leading grassroots practitioners with local, state, and federal government, and academia to discuss resources, existing constraints, and strategies for improvements for urban agriculture. The symposium was well attended, and the attendees received a tremendous amount

of input and feedback. As a follow up to the Urban Agriculture Symposium, the Land Working Group will produce a white paper outlining the key suggestions and next steps proposed by this constituency. The Land Working Group's recommendations are as follows:

- Establish an urban agriculture collaborative initiative, similar to the Camden Collaborative Initiative, that will be co-managed by DEP and the New Jersey Department of Agriculture (DOA).
- Create a website with shared management between DEP and DOA (e.g., <http://www.njurbanagriculture.gov>) where resources can be shared for New Jersey's urban agriculture community.
- Develop an online interactive exchange where collaboration can occur between local practitioners and government agencies to offer support, share events, promote best practices, and foster communication.
- Follow up with the Land Working Group, the OEJ, and key representatives of DEP and DOA to discuss the proposals raised by attendees at the urban agriculture symposium to determine what next steps the two departments can advance to support urban agriculture.

Water Working Group:

Everyone should have access to basic public health services such as safe drinking water and waste water treatment. Environmental Justice communities have a disproportionate probability of being susceptible to unsafe drinking water and combined sewage flooding. The Water Working Group chose two focus areas for this report: (1) to reduce the risk of exposure to lead in drinking water through education; and (2) to reduce the potential for flooding in communities with Combined Sewer Overflow (CSO) systems. The recommendations are as follows:

- Continue the Lead in Drinking Water Educational Initiative. This project was piloted in Irvington Township to ensure that residents, especially children, are aware of the importance of flushing the tap water system out before using after long periods of idleness. Ultimately, EJAC wishes to replicate this pilot program in every Environmental Justice community in the State.
- Form a collaboration with state agencies, water utility companies, local governments, community leaders, school districts, grassroots organizations, to strategically develop and support a *9 Point Action Plan*. This plan will include precautionary measures to reduce exposure and eliminate risk from lead poisoning.

- Incorporate regular cleaning and maintenance into DEP's regulations and enforcement practices. For example, cleaning the entire system (including CSOs) should be done every three years with strict enforcement.
- DEP should encourage the improvement of maintenance and performance for sewer treatment systems through the exchange of information (e.g., best management practices) amongst facility operators.
- Continue to prioritize funding for green infrastructure projects in Environmental Justice and CSO communities.
- Ensure that Environmental Justice communities are aware of the financing available through the NJEIT, and have the necessary support to utilize the funding.
- Actively engage and utilize EJAC as a stakeholder body to vet and exchange ideas regarding storm water management permitting and enforcement.

The Environmental Justice Advisory Council 2016-2018

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Zachary Lewis <i>Chairman</i>	Lewis Consulting Group, LLC
Kim Thompson-Gaddy <i>Vice-Chairman</i>	Clean Water Action
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Introduction/Overview

On September 12, 2016, Commissioner Bob Martin, signed Administrative Order 2016-08 (Appendix A), which authorized the formation and work of EJAC through December 31, 2018. This administrative action was an outgrowth of the DEP's transformation goals and the tireless work performed of the OEJ. As members of the DEP's transformation efforts, the OEJ recognized the need to establish a comprehensive community environmental management approach to address complex multi-media issues. The OEJ collaborated with like-minded partners (i.e., municipal, county, state, utilities, MPOs, grass roots, etc.) showing that transformative change outcomes are possible when people work together in pursuit of a common goal. This ultimately led to the reorganization of EJAC.

Accordingly, during the subsequent reorganizational meeting of EJAC, on November 2, 2016, Commissioner Martin reiterated EJAC's structure, responsibilities and charge, which included a comprehensive community environmental management approach as a core element. The results from this initial meeting served to develop a framework of four working groups, formed to strategically undertake EJAC's responsibilities. EJAC used this framework to ground and facilitate discussions, and to provide a foundation for all activities and presentations. The main goals were to promote successful best management practices, target inefficiencies, mitigate health risks and exposures, and improve quality of life for persons living and working in communities overburdened by environmental stressors.

As members of EJAC, we present this report of recommendations to guide the DEP in addressing the environmental and health disparities in Environmental Justice communities. We are thankful that Environmental Justice voices were heard, input was valued and we had a seat at the table. Moreover, this report was written because of the environmental degradation that disproportionately impacts low-income and people of color who live in EJ communities. The goal is to improve their quality of life with clean air to breathe, safe water to drink and healthy land spaces to utilize.

Purpose

Commissioner Martin charged the newly established EJAC with developing a series of recommendations that the DEP would be able to integrate into various program areas, according to their needs. EJAC members represent broad-based constituents and geography. This statewide, diverse representation provides guidance, builds DEP's capacity and improves its support of the state's Environmental Justice constituents and stakeholders. Accordingly, EJAC can provide a valuable forum for discussions about integrating Environmental Justice into DEP's programs, policies, and activities. Through the established working groups (Environmental Education and Communications, Air, Land, and Water) each member of EJAC will focus directly and primarily on the issue(s) for which his/her working group was created (Appendix B), as opposed to tackling an array of unrelated issues. Additionally, EJAC working groups can discuss and "test-drive" DEP's policies or ideas before opening discussions to a wider public audience.

As EJAC continues to address the key problem areas of Environmental Justice in New Jersey, our work will continue to evolve. As a foundational document, this report encompasses the work of EJAC during our first year, and subsequent reports and implementation strategies will be forthcoming during the continuation of our term. Therefore, mid-range and long-range projects that may not have been scheduled or completed thus far will be bookmarked for a future date, as the resources permit.

As a result of the various meetings, discussions and research that ensued over the past year, EJAC created this Year 1 report which outlines pilot projects, lessons learned, and recommendations to advise Commissioner Martin on prospective actions moving forward.

EJAC Working Groups

One of the major organizational structures developed early in EJAC's meeting process was the establishment of four working groups designed to provide EJAC with the division of labor, guidance for focused analysis, resources, and the provision of a starting point for developing recommendations.

In advancing the responsibilities and work of EJAC, the members decided on the following four working groups: Environmental Education and Communications, Air, Land, and Water. The working group framework was utilized throughout a twelve-month process to ground and facilitate EJAC member discussions and provide a foundation for all EJAC activities and presentations.

These specific working groups were tasked to establish a list of criteria and initiatives that may help advance Environmental Justice goals in New Jersey communities that are overburdened by environmental stressors. Over the course of the year, topic areas were further developed through extensive research, vetting, and technical input from both state and local professionals. This immense undertaking was necessary to eventually formulate EJAC's suite of recommendations.

ENVIRONMENTAL EDUCATION AND COMMUNICATIONS WORKING GROUP

Chairman

Olivia Glenn

Members

Yvonne Blake
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Steve Chranowski
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Environmental Education and Communications Working Group

Overview

Environmental Justice is the *fair treatment and meaningful involvement of all people* regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

The United States Environmental Protection Agency (EPA) established this goal for all communities and persons across this nation. Environmental Justice will be achieved when everyone enjoys:

- the *same degree of protection* from environmental and health hazards, and
- *has equal access to the decision-making process* to have a healthy environment in which to live, learn, and work.

EJAC believes that an important step to reaching this goal is environmental education and communications strategies that are tailored to specifically engage with impacted communities. Environmental education and communications are fundamental to the ongoing success and long-term relationship building between the DEP and the communities it serves. Education and communication is essential in cultivating a trusting relationship between government and its citizens.

Environmental Justice communities, as early as the 1960s, began sounding the alarm about environmental and public health disparities in minority and low-income communities. For several decades, culminating with the First National People of Color Environmental Leadership Summit in 1991, adversely impacted communities from around the nation convened to define Environmental Justice on their terms. The federal government responded to these voices beginning in the 1990s. In 1993, the National Institute of Environmental Health Sciences (NIEHS), the Agency for Toxic Substances and Disease Registry (ATSDR) and the EPA held a 2-day workshop on research needs to address Environmental Justice and equity that generated recommendations including the need to engage community groups in the research discussion. Subsequently, in 1994, six government agencies with the support of community and academic leaders convened the first federal Environmental Justice symposium - Health Research and Needs to Ensure Environmental Justice – to seek recommendations by community leaders, workers, business and academic representatives, diverse government personnel, and the broader scientific community. Accordingly, one key recommendation was improving communication and trust among partners.¹

1. Sherry Barron, PhD, “Partnerships for Environmental and Occupational Justice: Contributions to Research, Capacity and Public Health,” *American Journal of Public Health* 99, no. S3 (2009). doi:10.2105/ajph.2009.174557.

In response, NIEHS, EPA, and NIOSH formed Environmental Justice: Partnerships for Communication: a 13-year interagency program funding 54 projects addressing a wide spectrum of environmental and occupational exposures across communities - both urban and rural. Communication and education were found to be key components of the most successful projects.

Accordingly, EJAC has advanced with a two-tiered environmental education and communications strategy. First, EJAC established an Environmental Education and Communications Working Group to look specifically at environmental education and communications infrastructure to improve opportunities within these specific genres. We looked at education and communications tools within the DEP for ways to enhance outreach in distressed communities. Several projects emerged as part of that effort. After identifying these projects, they were classified as short, mid, or long-term projects.

Secondly, EJAC set a priority that all of its working groups identify unique, strategic opportunities to educate and/or communicate with distressed communities that are the focus of their project areas within the working groups of Air, Water, and Land. For example, the Air Working Group met on the ground in the communities of the Port Authority of New York and New Jersey and the South Jersey Port Corporation; while in each location, they met with local residents and community organizations to gain first-hand knowledge of the impacts of air permitting decisions on air quality. The Water Working Group established a pilot initiative in the City of Irvington to conduct outreach with residents who potentially have lead exposure in their homes. The Land Working Group hosted an Urban Agriculture Symposium where they brought together a cadre of local practitioners to speak directly with EJAC members, DEP, State Agriculture Development Committee (SADC), and other local state, and federal government partners.

Project Summaries

A. Develop a Community Contacts Database (Short-term project): The Environmental Education and Communications Working Group established a priority process for the creation of a Community Contacts Database that can be used to reach out to additional groups in Environmental Justice communities to advise them of upcoming actions and activities in their neighborhoods. Since there is no DEP policy that identifies “Environmental Justice Communities,” priority municipalities with distressed communities had to be identified. The following criteria were used to identify a list of municipalities:

- New Jersey Redevelopment Agency Funding Eligible
- Urban Aid Municipality
- Municipality(s) of focus within Air Working Group
- Municipality(s) of focus within Water Working Group
- Municipality(s) of focus within one of the three Metropolitan Planning areas
- South Jersey Transportation Planning Agency- municipalities with census tracts with 6 or more criteria of distress
- Delaware Valley Regional Planning Commission- municipalities with census tracts with 6 or more indicators of potential disadvantage
- North Jersey Transportation Planning Agency- distressed municipalities

- Final curing based on empirical experience of EJAC members and the OEJ staff for statewide inclusivity of all twenty-one counties

These criteria produced a list of 137 municipalities. These municipalities were then sorted into three tiers (Figures 1, 2 and 3) by identifying which: (1) have met the greatest number of criteria; (2) are a focus of at least one EJAC working group; and (3) ensure representation of at least one municipality from every county. Tier 1 and 2 contact information will be populated first but engagement will happen in all three tiers.

With this agreed upon list of priority municipalities, EJAC members will populate a Points of Contact spreadsheet. The contacts will include non-traditional, grassroots individuals and organizations. The desired outcome of this relationship building is meaningful and inclusive public outreach and community engagement in/for environmental decision making. Substantive areas for application and use of this database include, but are not limited to the Commissioner's Office; the OEJ; the Office of Communications; and the Office of Local Government Assistance. These stakeholders and community residents will be the new points of contact with which DEP engages when hosting a program, planning a press event, or sharing information with these municipalities.

- B. Build Relationship between EJAC and Office of Local Government Assistance (Short to mid-term project): The DEP Office of Local Government Assistance serves as a conduit of communication between local and county elected and appointed officials and the DEP to share resources and improve the lines of communication. The Office of Local Government Assistance maintains a current list of points of contact for all of New Jersey's municipalities and counties. They also have long standing relationships with local leaders statewide. They are skilled at closing the divide that sometimes exists between DEP and local governing bodies. EJAC believes that building a strong working relationship with the Office of Local Government Assistance will be a critical building block between Environmental Justice communities and DEP. In the short to mid-term, we look forward to engaging in an active discussion with the Office of Local Government Assistance.

In the meantime, EJAC and the Office of Local Government Assistance have already begun working together. For example, when the Land Working Group held the Urban Agriculture Symposium, the Office of Local Government Assistance actively participated and served as a facilitator during one of the breakout sessions. We look forward to cultivating future synergies.

- C. Create a List of "Top Things an Environmental Activist Should Do" (Short to mid-term project): In an effort to cultivate environmental activists' competency with the resources, best practices, and procedures of multiple levels of government and its decision-making processes, EJAC sought to develop a list of the "Top Things" an environmental activist should do (Figure 4). To create this list, we utilized existing recommendations, such as those listed under "Citizens" tab on the DEP website. We also tapped into the shared experiences of working group members to identify those opportunities that can foster the best possible outcomes for communities. The list in Figure 4 provides an umbrella of categories for the top things an environmental activist should do. Under each of these umbrella categories, we will provide specific examples and resources where local individuals and organizations can

learn more. The final work product will be included on the newly revamped DEP website when it is completed. We anticipate it will be housed either under a “Citizens” section of the website and/or on the webpage of the OEJ.

- D. Provide Feedback During the DEP Website Upgrade (mid-term project): EJAC, the OEJ, and the Office of Communications have been collaborating on the development of a newly revamped DEP website. EJAC will be involved to help ensure that content pertinent to citizens is provided in a user-friendly format. In addition, EJAC has received requests for collaboration from several programs, including the Division of Air Quality’s which is seeking input on the proposed “*Community Corner*,” a portion of the DAQ web page reserved for community-based inquiries. Most DEP web pages are geared toward the industry or group that is being regulated. This portion of the web page would have less technical jargon and more plain English. This initiative could dovetail with the DEP’s goal to streamline all web pages. Input from EJAC could drive the web page content for any or all of the items that community advocates might be interested in. Examples include, but are not limited to:

- Current Air Quality
- Ozone Alerts
- Permitted Activities
- Pending Permits
- Transportation Related Inquiries (Anti – Idling Pledges, Status of Retrofits)
- “What can I do to help” questions and answers, and
- Links to other informational sites – Scorecard, EJ SCREEN, C-FERST, Enviroflash, etc.

We look forward to these ongoing conversations and outcomes with EJAC, the OEJ, the Office of Communications, and other programs throughout the DEP.

- E. Assess the Benefits of EJAC’s Presence on Social Media (long-term project): In a social media age, there is a great desire to tap into the benefits of social media for communicating with distressed municipalities across the state. EJAC has engaged in conversations with the OEJ and the Office of Communications regarding the prospect of EJAC presence on social media. After preliminary discussions, this will be set aside as a long-term goal so that EJAC ensures that there is a clear purpose for the media outlet; there is a steady stream of information; there is a process identified for addressing public inquiries; and there are identified long-term media administrators. From a long-term perspective, the use of the DEP website and social media platforms such as Facebook, Twitter, and texting of pertinent information will be the key to getting the information to local constituents so that we are able to work to improve collaboration in the delivery of services to support communities with Environmental Justice issues.
- F. Identify Environmental Justice Communities of Concern (long-term): EJAC is well aware that you can only address problems when you know that problems exist. A key aspect of addressing environmental injustices is knowing where they are and effectively engaging with impacted communities to remedy their concerns and improve their quality of life. As a long-

term communications goal, we look forward to DEP identifying Environmental Justice communities of concern so that appropriate staff and resources can be directed to help remedy more issues in a systematic way. It will help EJAC and DEP increase its ability to address local environmental challenges in more effective, efficient and sustainable ways. It is important to identify EJ Communities of Concern and ensure that we are identifying obstacles as well as sharing best management practices to drive improvements for these communities.

Recommendations

EJAC has identified strategies specific to the Environmental Education and Communications Working Group, as well as education and communications strategies within the Air, Land, and Water working groups. We request the following actions to advance the working group's goals:

1. Convene a meeting between members of the Environmental Education and Communications Working Group, the OEJ, and the Office of Local Government Assistance to discuss and plan short and long-term strategies for working collaboratively.
2. Convene a meeting between members of the Environmental Education and Communications Working Group, the OEJ, and the Office of Communications to:
 - a. Identify a process for how the Contacts Database will be utilized and what information would be most pertinent to collect.
 - b. Continue discussing prospective opportunities to advance Environmental Justice priorities through DEP's communications platforms—including but not limited to podcasts, website, and social media.
3. Ensure that the newly revamped DEP website has a prominent section dedicated to the engagement, empowerment, and education of citizens. Information here should be in a lay-person friendly format and should provide links to resources throughout the DEP that enable New Jerseyans to partner with the state in protecting New Jersey's precious natural resources.
4. Share the completed "Top Things an Environmental Activist Should Do" on the DEP website and other communications platforms.

Figure 1. EJAC Tier 1 Municipalities

Name of Municipality	Name of County
Pleasantville City	Atlantic
Garfield City	Bergen
Camden City, Lindenwold Borough	Camden
Bridgeton City, Millville City, Vineland City	Cumberland
Belleville Twp., East Orange City, Irvington Twp., Newark City	Essex
Bayonne City, Jersey City, North Bergen Twp., Union City	Hudson
Trenton City	Mercer
Carteret Borough, New Brunswick City, Perth Amboy City	Middlesex
Asbury Park City, Long Branch City, Neptune Twp.	Monmouth
Clifton, Passaic City, Paterson City	Passaic
Salem City	Salem
Elizabeth City, Hillside Twp., Plainfield City, Rahway City, Roselle Borough	Union

Figure 2. EJAC Tier 2 Municipalities

Name of Municipality	Name of County
Atlantic City	Atlantic
Hackensack City, Lodi Borough	Bergen
Mount Holly, Willingboro Twp.	Burlington
Gloucester City, Gloucester Twp., Pennsauken Twp.	Camden
Bloomfield Twp., Montclair Twp., Orange City	Essex
Woodbury City	Gloucester
Hoboken City, Kearny Town	Hudson
Flemington Borough	Hunterdon
Ewing Twp., Hamilton Twp.	Mercer
Woodbridge Twp.	Middlesex
Morristown Twp.	Morris
Lakewood Twp.	Ocean
Sussex Borough	Sussex
Phillipsburg Twp.	Warren

Figure 3. EJAC Tier 3 Municipalities

Name of Municipality	Name of County
Absecon City, Brigantine City, Egg Harbor Twp., Hammonton, Ventnor City	Atlantic
Bergenfield, Bogota Borough, Edgewater Borough, Fair Lawn, Palisades Park Borough, Ridgefield Borough, Teaneck, Wallington Borough	Bergen
Beverly City, Burlington City, Maple Shade Twp., Mount Laurel, New Hanover Twp., North Hanover, Palmyra Borough, Pemberton Twp., Riverside Twp.	Burlington
Barrington Borough, Bellmawr Borough, Cherry Hill Twp., Chesilhurst Borough, Clementon Borough, Collingswood Borough, Haddon Twp., Lawnside Borough, Magnolia Borough, Merchantville, Pine Hill Borough, Voorhees Twp., Winslow Twp., Woodlynne Borough	Camden
Woodbine	Cape May
Fairfield, Hopewell, Upper Deerfield Twp.	Cumberland
Maplewood, Nutley Township, South Orange Village Twp., West Orange	Essex
Deptford Twp., Glassboro Borough, Monroe Twp., Paulsboro Borough	Gloucester
Guttenberg Town, Harrison Town, Weehawken Twp., West New York Town	Hudson
Highland Park Borough, North Brunswick Twp., Old Bridge Twp., Sayreville Borough, South Amboy City, South River Borough	Middlesex
Bradley Beach, Freehold Borough, Freehold Twp., Highlands Borough, Keansburg Borough, Neptune City Borough, Ocean Twp.	Monmouth
Barneget Township, Berkeley Twp., Brick Twp., Lacey Twp., Little Egg Harbor Twp., Manchester Twp.	Ocean
Haledon Borough, Hawthorne Borough, Prospect Park Borough, Ringwood, Woodland Park Borough	Passaic
Carney's Point, Elsinboro, Lower Alloways Creek Twp., Penns Grove, Quinton Twp.	Salem
Franklin, North Plainfield Borough	Somerset
Cranford, Linden City, Roselle Park Borough, Union Township	Union

Figure 4. EJAC's Top Things An Environmental Activist Should Do

Category	Sample Actions
Contact Federal, State, & Local Government Officials	Download the DEP WarnNJDEP app!
	Save the DEP hotline phone number in all of your phones!
	Know how to contact DEP
	Know how to interact with local departments of health/health officers
	Know how and when to contact the USEPA
Educate Yourself and Others	Learn about the many types of data DEP collects
	Know Where Your Water and Energy Come From
	Learn more about NJ's environmental education resources all available for free!
	Learn about the main environmental conditions impacting NJ - air quality, water quality...
	Know the 17 Principles of Environmental Justice
	Collaborate with DEP's "Community Corner"/ "What's going on in my town"
Participate in Your Community	Get involved with your Urban Watershed Federation
	Participate in volunteer activities
	Join your local Environmental Commission, Shade Tree Commission, or Citizen's Advisory Committee of your Metropolitan Planning Organization
Stay Up-to-date	Join DEP's email list to learn about rules review and public comment opportunities
	Subscribe to DEP press releases
	Follow all of DEP's Facebook pages... and 1 Twitter account
	Know the meeting schedules for Environmental Commission, Shade Tree Commission, or Citizen's Advisory Committee of your Metropolitan Planning Organization and sign up for the emails
Take Responsibility as an Individual	Learn new ways to be a responsible homeowner
	Promote actions that reduce vehicle idling
Have Fun Exploring NJ's Natural Resources	Enjoy New Jersey's parks, forests, historic sites, and other special destinations!

AIR WORKING GROUP

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Air Working Group

Minority and low-income communities face unhealthy, cumulative, and disproportionate air pollution exposures, especially in New Jersey. The Air Working Group has chosen the problem of high-levels of air pollution near port operations as an area in need of critical action. Port-adjacent cities are subject to emissions from unusually high-levels of truck traffic through residential areas and emissions from dirty engines such as cranes and ships within the port property.

Port pollution is an environmental and health injustice – increasing asthma, heart disease, and cancer rates in port-adjacent communities where a majority of residents are low-income and people of color. A majority of the goods (85%) leaving the Port of Newark/Elizabeth are moved on average by 14,000 diesel drayage truck trips per day along major highways and local roads within the region to nearby warehouses, assembly facilities, and retailers. Unfortunately, port trucks are some of the oldest and dirtiest trucks on the road, spewing harmful diesel pollution and greenhouse gases.

What can be done?

First, focus is on traffic congestion around ports. This can be accomplished fairly quickly when municipal and county governments cooperate. The Freight and Environmental Justice in New Jersey Map (Figure 5) illustrates the juxtaposition of truck corridors, port facilities and Environmental Justice communities where corrective action is needed. Corrective actions include modified local circulation plans, specifically truck routes detoured away from distressed communities and overall traffic impact studies around intermodal facilities that identify roadways where trips and vehicle miles need to be reduced, subsequently reducing emissions. Some of the strategies to address congestion include establishing truck routes that are efficient while avoiding residential areas, and adding signage that is simple and easy to follow for trucks that are new to the port.

Second, replace and/or retrofit the older trucks traveling to and from the port facilities as well as support alternative fuel infrastructure to implement strategies for reductions in emissions, including electrification.

To bring real-life context of the severe conditions in priority locations, the Air Working Group conducted an Environmental Justice tour of Newark, Elizabeth, Bayonne, and Camden port areas. (Figures 6,7 ,8, 9 and 10)

Recommendations:

1. Leverage Volkswagen Mitigation Trust Fund: The Air Working Group, recommends that the mitigation trust established as a result of the recently concluded Volkswagen litigation, which stemmed from Volkswagen's cheating on emission tests and allowed increased oxides of nitrogen (NOX) air emissions in New Jersey, resulting in a settlement of approximately \$72.2 million dollars, to be tapped by the State of New Jersey to counter the air quality impacts associated with Volkswagen's improper conduct. These

funds should be spent on projects that recognize and address the disproportionate adverse environmental impacts sustained by the Environmental Justice communities immediately adjacent to the New Jersey ports through the operations of the ports. The Council recommends the following actions:

- a. Support projects addressing: truck replacement; capture & control of ship emissions; and alternative fuel vehicles. These guiding principles should be followed in identifying the projects for which funding is requested.
 - i. Projects should be able to demonstrate a decrease in air quality impacts on Environmental Justice and port-adjacent communities.
 - ii. EJAC representatives should be active participants in the development of the criteria used to identify potential projects and participate in the discussions ultimately leading to the selection of appropriate projects.
2. Access Congestion Mitigation and Air Quality (CMAQ) funds and other resources: Reduce diesel emissions at the ports of Elizabeth, Newark, Bayonne, and the ports in the South Jersey Port District by applying for grants, loans, or a combination thereof, for acquisition of Advanced Maritime Emissions Control systems (AMEC) for ships; upgrades, repowering, or replacement of cargo handling equipment, including but not limited to cranes, to zero emission vehicles and equipment; replacement of pre-2007 model year heavy duty diesel trucks delivering and picking up containers at the ports; promotion of the anti-idling law for diesel trucks. Potential sources of funding that can be tapped include Congestion Mitigation and Air Quality Improvement (CMAQ) Program grants, Diesel Emission Reduction Act (DERA) grants, US Department of Transportation grants, US Department of Energy grants, and Supplemental Environmental Projects. (Figure 11. Resource Matrix for CMAQ Funding)
3. Promote Interagency Collaboration to Address Port Related Traffic and Emissions: Open a dialogue with DEP and other partners about taking joint action to reduce traffic congestion and subsequent emissions from trucks, ships and port associated equipment. Partners should include the Port Authority, New Jersey Department of Transportation (NJDOT), Metropolitan Planning Organizations (MPOs), county, and local entities that may influence the mitigation of truck traffic and the reduction of emission in Environmental Justice communities.

Figure 5a. Freight & Environmental Justice in New Jersey

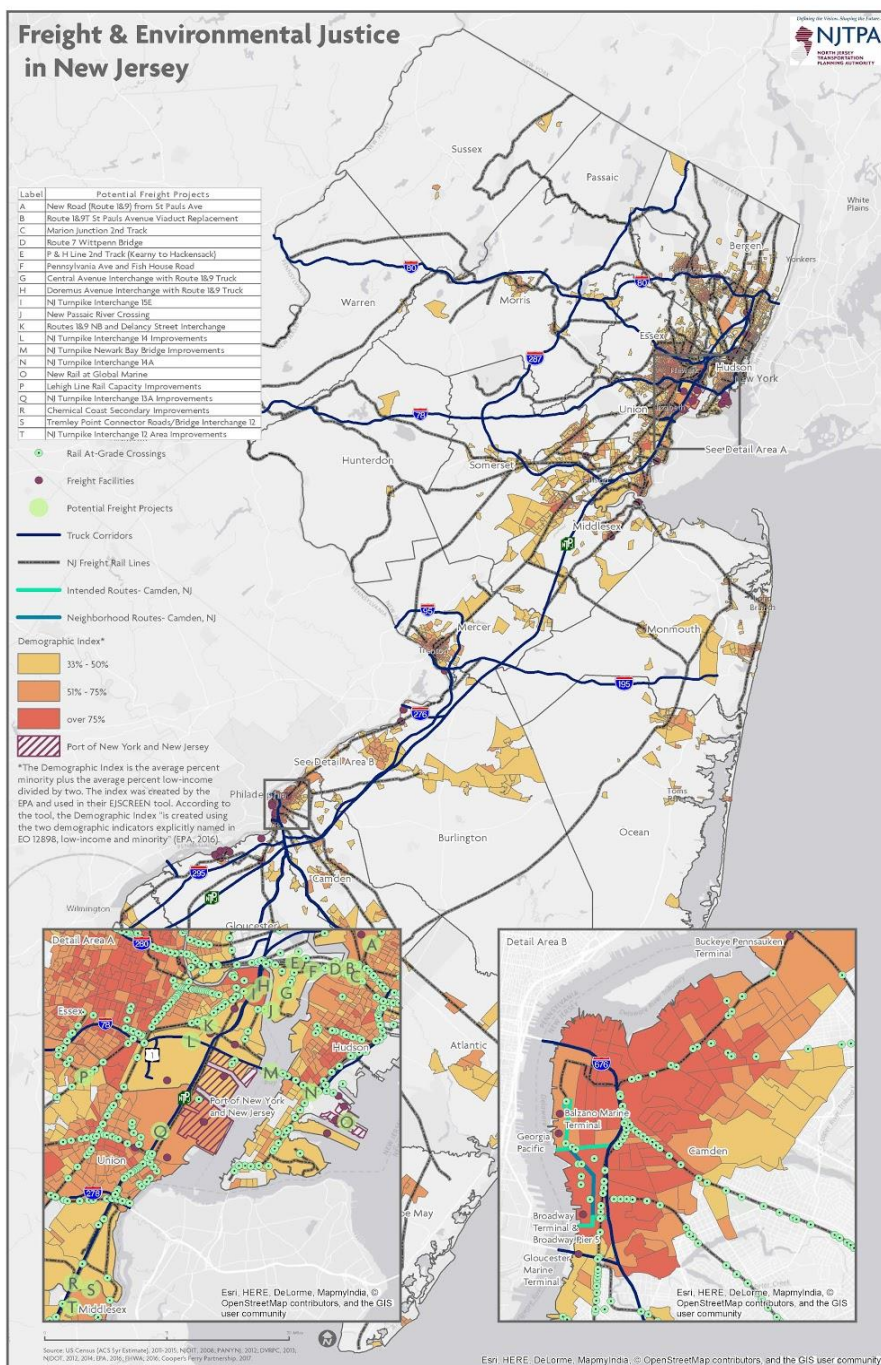
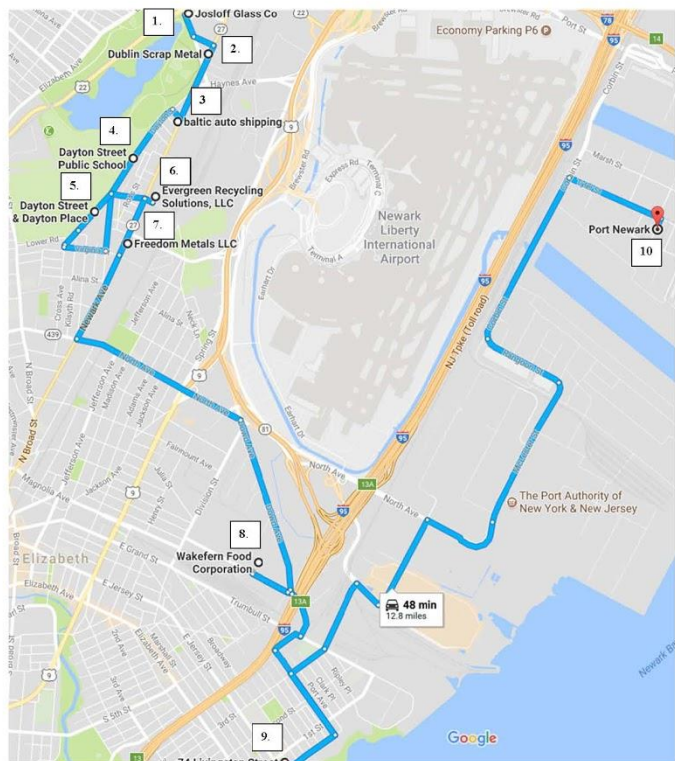


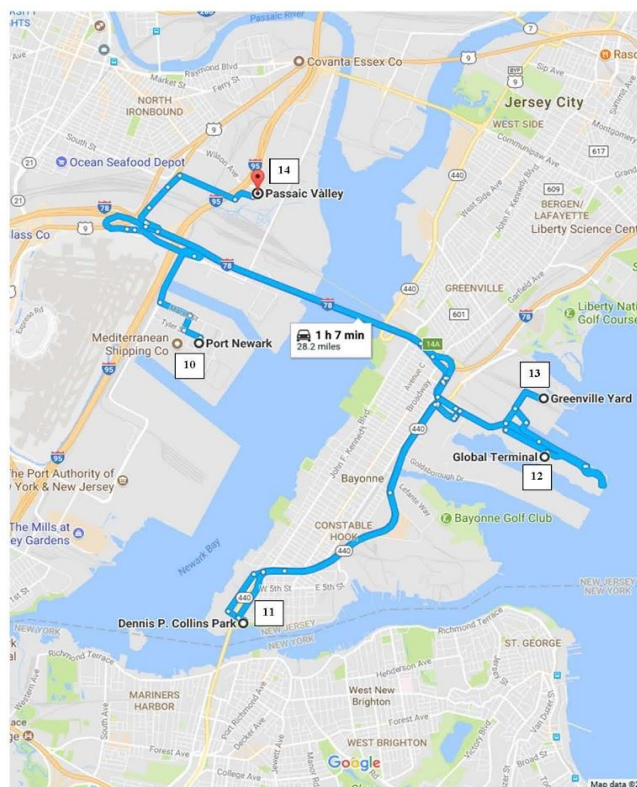
Figure 6. Driving Tour of Newark's South Ward, Elizabeth, & Port Newark Map



Weequahic Park to South Ward to Elizabeth to Port Newark (~1 hour)

1. Meet at Weequahic Park (10:00am)
 - a. Location: Josloff Glass Co. - 169 Meeker Ave, Newark, NJ 07114
2. Dublin Scrap Metal (~10:05am)
 - a. Location: 489 Frelinghuysen Ave, Newark, NJ 07114
3. Baltic Auto Shipping (~10:07am)
 - a. Location: 650 Frelinghuysen Ave, Newark, NJ 07114
4. Dayton Public School (~10:10am)
 - a. Location: 226 Dayton St, Newark, NJ 07114
5. Newark Housing Authority Developments (~10:15am)
 - a. Location: Dayton St and Dayton Pl, Newark, NJ 07114
6. Evergreen Recycling Solutions (~10:25am)
 - a. Location: 110 Evergreen Ave, Newark, NJ 07114
7. Freedom Metals LLC (~10:30am)
 - a. Location: 110 Evergreen Ave, Newark, NJ 07114
8. Shoprite (~10:40am)
 - a. Location: Wakefern Food Corporation - 600 York St, Elizabeth, NJ 0720
9. Livingston/Broadway Site (~10:45am)
 - a. Location: 74 Livingston St, Elizabeth, NJ 07206
10. Port Newark (~11:05am)
 - a. Location: E Bay Ave, Elizabeth, NJ 07201

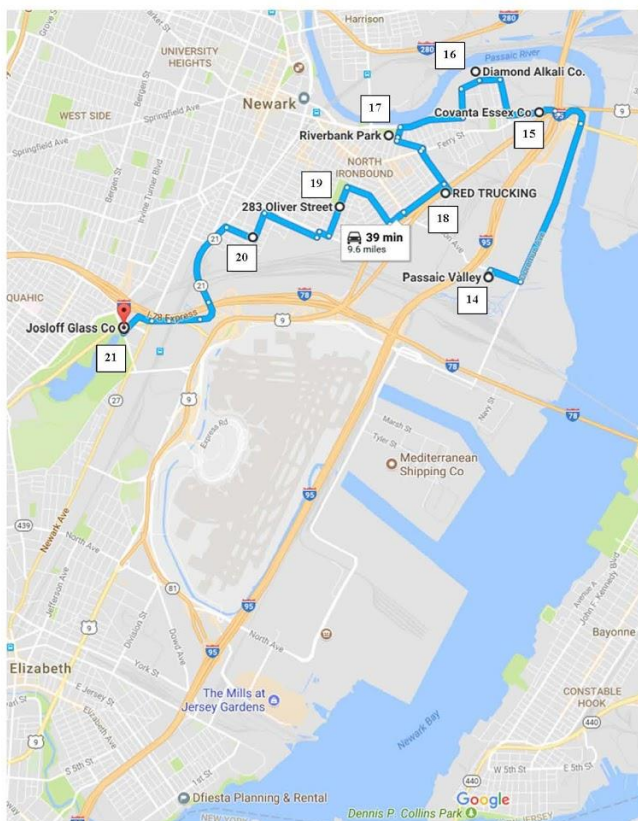
Figure 7. Driving Tour of Bayonne Map



Port Newark to Bayonne to East Ward (~1 hour 30 minutes)

10. Port Newark (~11:05am)
 - a. Location: E Bay Ave, Elizabeth, NJ 07201
11. Bayonne Bridge (~11:40am)
 - a. Location: Dennis P. Collins Park- Bayonne, NJ 07002
12. Global Terminal (~12:00pm)
 - a. Location: 302 Port Jersey Blvd, Jersey City, NJ 07305
13. Greenville Yard (~12:10pm)
 - a. Location: Colony Rd, Jersey City, NJ 07305
14. Sewage Treatment Plant (~12:30pm)
 - a. Location: Passaic Valley - 600 Wilson Ave, Newark, NJ 07105

Figure 8. Driving Tour of Newark's East Ward to South Ward Map



East Ward to Weequahic Park (~1 hour)

14. Sewage Treatment Plant (~12:30pm)
 - a. Location: Passaic Valley - 600 Wilson Ave, Newark, NJ 07105
15. Incinerator (~12:40pm)
 - a. Location: Covanta Essex Co. - 183 Raymond Blvd, Newark, NJ 07105
16. Diamond Alkali Co. (~12:45pm)
 - a. Location: 44 Lister Ave, Newark, NJ 07105
17. Riverbank Park (~12:50pm)
 - a. Location: 27 Somme St, Newark, NJ 07105
18. St. Charles Street Area (~1:00pm)
 - a. Location: Red Trucking - 158 Paris St, Newark, NJ 07105
19. Independence Park (~1:10pm)
 - a. Location: 283 Oliver St, Newark, NJ 07105
20. South Ironbound (~1:15pm)
 - a. Location: Ocean Seafood Depot - 196-208 Emmet St, Newark, NJ 07114
21. Meet at Weequahic Park for Debrief (1:30pm)
 - a. Location: Josloff Glass Co. - 169 Meeker Ave, Newark, NJ 07114

Adjourn by 1:45pm

Figure 9. Driving Tour of Camden Map

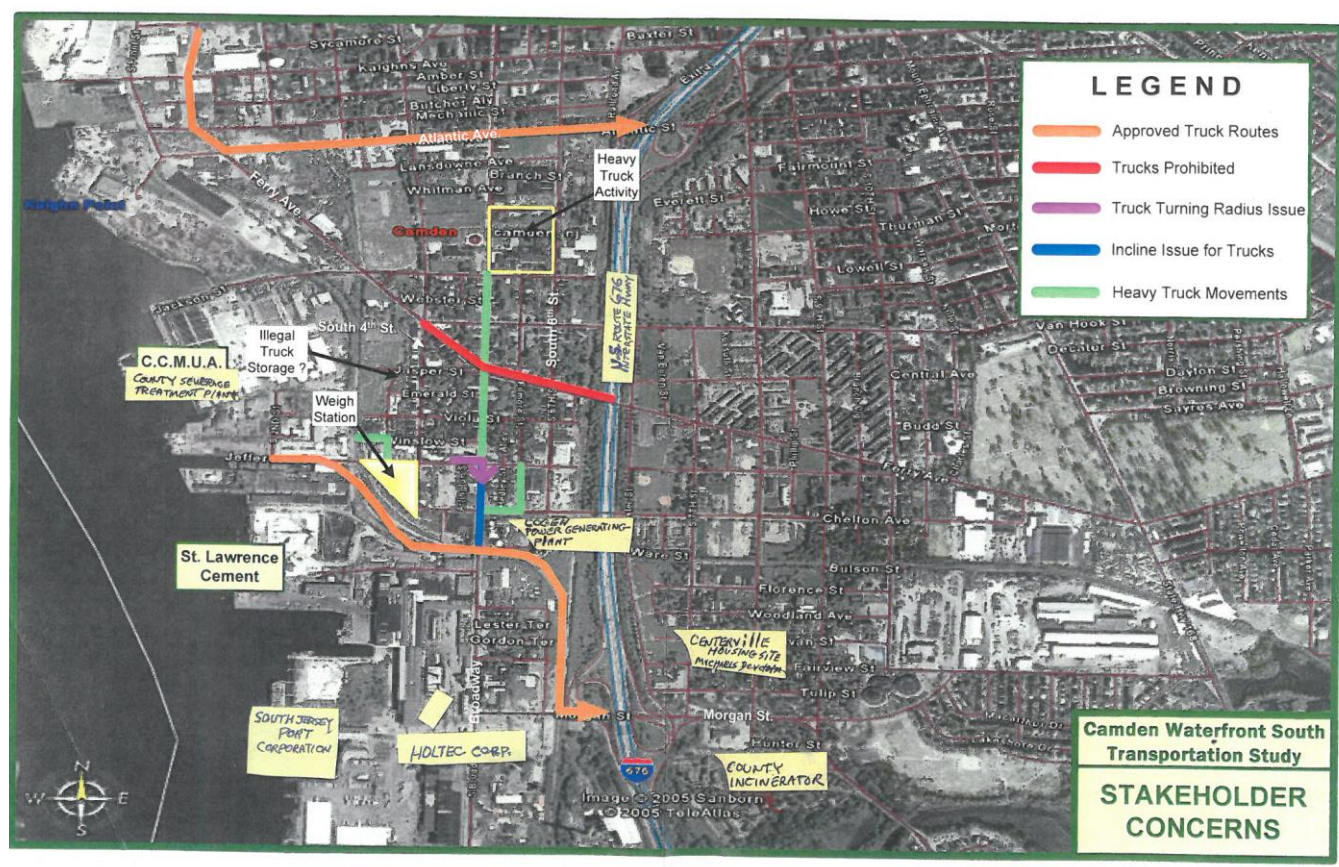


Figure 10. Camden Truck Route Map

Trucking Routes in Camden, New Jersey



Figure 11. Resource Matrix for CMAQ Funding

NAME:	North Jersey Transportation Planning Authority (NJTPA)	The North Jersey Transportation Planning Authority (NJTPA) solicits applications for its Regional/Local CMAQ Initiatives Program, to be supported by federal CMAQ funds allocated to northern New Jersey. The purpose of this competitive program is to advance readily implementable and innovative projects and services that improve air quality and reduce congestion in the NJTPA's air quality maintenance and non-attainment areas.
CONTACT:	Liz DeRuchie Liz@njtpa.org http://njtpa.org/project-programs/mobility-programs/cmaq-local-mobility	
TYPE:	MPO	
GOAL:	CMAQ Funding	
NAME:	Delaware Valley Regional Planning Commission (DVRPC)	DVRPC's Competitive Congestion Mitigation and Air Quality Improvement Program (CMAQ) seeks to fund transportation projects that will improve air quality and reduce traffic congestion in the DVRPC Region. CMAQ eligible projects will demonstrably reduce air pollution emissions and will help the DVRPC region meet the federal health based air quality standards.
CONTACT:	Sean Greene sgreene@dvrpc.org https://www.dvrpc.org/CMAQ/	
TYPE:	MPO	
GOAL:	CMAQ Funding	

LAND WORKING GROUP

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Land Working Group

The Land Working Group decided to focus its initial efforts on addressing urban agriculture in New Jersey. Environmental Justice is not only about the mitigation of harmful and adverse environmental exposures, it is also about providing greater access to community benefits.

Urban agriculture is an Environmental Justice issue due to compromised food access in underserved communities. The United States Department of Agriculture (USDA) has identified several clusters of census tracts in New Jersey as food deserts. According to the USDA, a “Food Desert” is “a low-income census tract where either a substantial number or share of residents has low access to a supermarket or large grocery store.”¹ “Low income tracts” are those where at least 20 percent of the population have income at or below the federal poverty levels for family size, or where median family income for the tract is at or below 80 percent of the surrounding area’s median family income. “Low access” tracts are those where at least 500 persons or 33% of their population live more than a mile from a supermarket or large grocery store. According to USDA, “Food deserts are identified ... to help policy makers, community planners, researchers, and other professionals identify communities where public-private intervention can help make fresh, healthy, and affordable food more readily available to residents.” Across the nation, under these criteria, about 10% of the nation’s 65,000 census tracts meet the definition of a food desert. In urban communities alone, 82% of residents across the nation live in food deserts. For example, Camden City is a food desert. According to the Delaware Valley Regional Planning Commission’s (DVRPC) study, *Cultivating Camden: The City’s Food Economy Strategy*, the city is home to only one full-service grocery store but has approximately 123 corner stores; few to no farmers’ markets operate in Camden during the summer growing season.² This issue is not unique to Camden as there are numerous areas in NJ classified as food deserts according to the USDA, Economic Research Service map (Figure 11. Location of Food Deserts In New Jersey).

The Land Working Group of EJAC hosted an Urban Agriculture Symposium on Friday, October 13th. The purpose of the symposium was to convene some of New Jersey’s leading grassroots practitioners with local, state, and federal government staff, and academia to discuss resources, existing constraints, and strategies for improvements for urban agriculture. EJAC strongly supports the growth and sustainability of urban agriculture and community gardens which have been key assets for re-engaging many urban dwellers with open space and providing locally sourced food.

There were 60 attendees ranging from local practitioners; local, state, and federal government; and the philanthropic community that participated in the symposium. The attendees represented diverse forms of agriculture from small community gardens to large aquaponic facilities.³ The symposium was attended by both the Commissioner of the DEP and the Secretary of Agriculture. Dr. Laura Lawson, Dean of Agriculture and Urban Programs at Rutgers University gave a

¹. “Food Desert Locator.” Food and Nutrition Service. June 2, 2017. Accessed October 26, 2017. <https://www.fns.usda.gov/tags/food-desert-locator>.

². *Cultivating Camden, The City’s Food Economy Strategy*. Publication no. 15058. The Delaware Valley Regional Planning Commission. December 2015. Accessed October 26, 2017. <https://www.dvrpc.org/Reports/15058.pdf>.

³ A full list of attendees is available in the Appendix.

presentation on An Assessment of Urban Agriculture in New Jersey. Subsequently, participants divided into two working groups where they answered a suite of questions. The symposium was well received with a tremendous amount of input and feedback.

As a follow up to the Urban Agriculture Symposium, the Land Working Group will produce a white paper outlining the key suggestions and next steps proposed by this constituency.

Recommendations:

The Land Working Group identifies the need for governmental agencies including DEP, DOA, and the New Jersey Department of Health (DOH) to work collaboratively with EJAC, statewide organizations, faith-based and community-based organizations, local educators and the community at large to undertake various projects that will result in better access to healthy foods, strategies to build sustainable agricultural systems, develop green career opportunities, and provide quality of life improvements in the Environmental Justice communities. The Land Working Group offers the following initial recommendations:

1. Modeled after the Camden Collaborative Initiative, set up an urban agriculture collaborative that can be co-managed by DEP and DOA. Statewide organizations, such as New Jersey Conservation Foundation, could serve as non-profit affiliates to support the initial launch and virtual platform.
2. Create a website with shared management between DEP and DOA (e.g., <http://www.njurbanagriculture.gov>) where resources can be shared for New Jersey's urban agriculture community.
3. Develop an online interactive exchange where collaboration can occur between local practitioners and government agencies to offer support, share events, promote best practices, and foster communication.
4. Follow up with EJAC Land Working Group, the OEJ, and key representatives of DEP and DOA to discuss the proposals raised by attendees at the urban agriculture symposium to determine what next steps the two departments can advance to support urban agriculture.

Figure 12. Location of Food Deserts In New Jersey

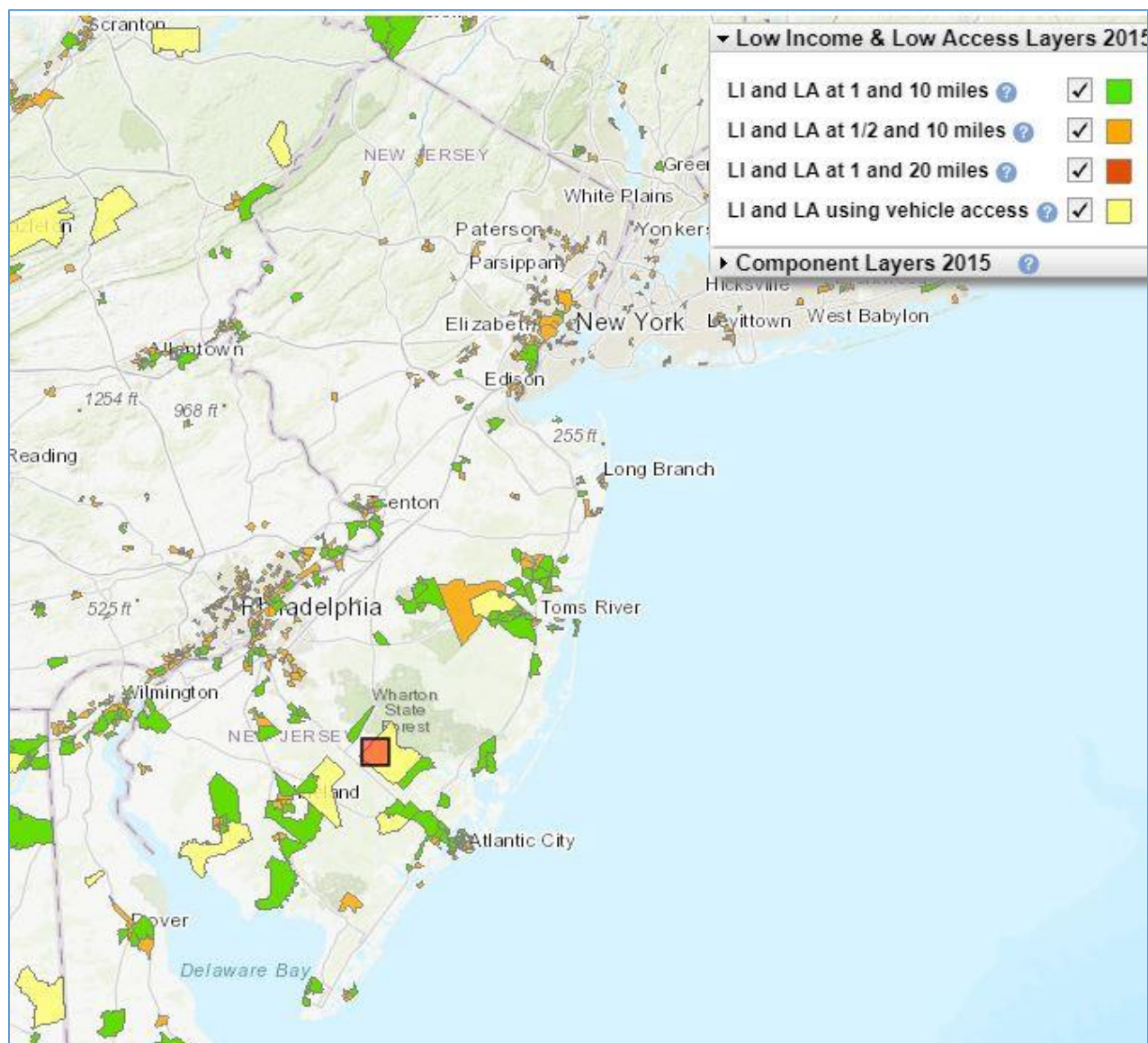


Figure 13. List of Urban Agriculture Symposium Attendees

Name	Affiliation
Commissioner Martin	Department of Environmental Protection
Deputy Commissioner David Glass	Department of Environmental Protection
Honorable Douglas Fisher	Department of Agriculture
Abby Gallo	Grow It Green Morristown
Andrew Schelsinger	Elijah's Promise
Carla Green	Rutgers Cooperative Extension
Emilio Panasci	Planting Seeds of Hope
Jackie Park Albaum	Groundwork Elizabeth
Jennifer Papa	City Green
Jennifer Shukaitis	Food Corps
Jim Simon	Isles, Inc.
John Evangelista	Happy Harvest Hydroponic Farms
John S. Watson Jr	D&R Greenway Land Trust
Justin Allen	Isles, Inc.
Kevin Moore	CityFood Resources
Margaret Waldock	Geraldine R Dodge Foundation
Jeff Wolfe	Department of Agriculture
Randall Solomon	Sustainable Jersey
Robin Dougherty	Greater Newark Conservancy
Robin Waddell	Rutgers Cooperative Extension of Camden County
Tobias A. Fox	Newark Science and Sustainability, Inc. (SAS)
Val Galarza	Cooper's Ferry Partnership
Michelle Bakacs	Rutgers Cooperative Extension of Middlesex County
Rev Eric Dobson	Planting Seeds of Hope
Laura Lawson, PhD	Rutgers University
James Horne	United Way of Union County
Stefan Oberman	AreoFarms, LLC
Valerie Frick	Camden Children's Garden/4-H
Laura Englemann	AtlantiCare Foundation
Christina Viguers	Lewis Consulting Group
Craig Livermore	Project U.S.E
Royston Allman	City of East Orange
Amy Rowe	Agriculture Experiment Station
Mark Cheatam	City of East Orange
Donald Harris	
Elena Vaouli	Centers for Disease Control and Prevention
David Specca	Rutgers EcoComplex - Clean Energy Innovation Center
Christa Fontecchio	NJ Department of Health
Meredith Taylor	Rutgers University
Patricia Sermon	

Nicole Singetary	
Jeff Wolfe	
Samuel De Jesus	
EJAC Members	
Lloyd Abdul-Raheem	
Yvonne Blake	
Steve Chranowski	
Colandus Kelly Francis	
Olivia Glenn	
Dr. Monique Griffith	
James Horne	
Zachary Lewis	
DEP Staff	Program Area
Jennifer Feltis	Water Resource Management
Michael Gordon	Commissioner's Office
Frank McLaughlin	Site Remediation Program
Ryan Wall	Office of Local Government Assistance
Tanya Oznovich	Office of Communications
Steven Anen	Water Resource Management
Brian McDonald	Natural and Historic Resource
Riché Outlaw	Office of Environmental Justice
Joe Donald	Office of Environmental Justice
Kristen Palma	Office of Environmental Justice

WATER WORKING GROUP

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Division of Water Quality - Jennifer Feltis

Division of Water Quality - Nancy Kempel

Division of Water Quality - Joe Mannick

Division of Water Quality - Laura Scatena

Water Working Group

A person's address or zip code should not determine whether their family has safe drinking water, or is free from combined sewage flooding in its basements, streets or parks. Everyone should have access to basic public health services such as safe drinking water and wastewater treatment. However, Environmental Justice communities, due to the age of infrastructure and housing, have a significantly disproportionate probability of being susceptible to unsafe drinking water and combined sewage flooding.

The Water Working Group chose the following issues to focus upon for this report:

- A. Reduce the risk of exposure to lead in drinking water through education of the public, especially to school children who are particularly vulnerable, and
- B. Reduce the potential for flooding in homes, streets and parks, through optimization of maintenance of sewer and storm water systems, particularly in communities with combined sewer systems where the public health is especially at risk from flooding.

A. Reduce Exposure to Lead in Drinking Water

Background Information and Problem Statement: Exposure to lead, an environmental contaminant of significant public health concern, warrants intervention due to its association with cognitive, neurological and behavioral deficits in children and adults. In addition to the impact that exposure to lead has on health and overall functioning, there are also economic and social implications. According to research, lead poisoning is associated with violence, academic failure, reduced income, criminal behavior, and poor health outcomes. Lead poisoning, however, is preventable. Childhood lead poisoning prevention programs have been initiated and are supported by governmental and nongovernmental agencies. Despite the progress that has made toward reducing the general population's exposure to lead, disparities continue to exist when considering those who are at risk for exposure. Recognizing this, the Centers for Disease Control and Prevention (CDC) and its Advisory Committee on Childhood Lead Poisoning Prevention have indicated that reducing lead levels in other sources, such as drinking water, is important when attempting to reduce overall blood lead levels in children because there is no known safe blood lead level.

Environmental Justice communities are at a higher risk due to the primarily the age of the housing and other buildings as they were built prior to copper and lead regulations of the 1970s. According to the 2015 Childhood Lead Exposure in New Jersey Annual Report, the majority of the municipalities identified as having the highest percentage of new elevated blood lead level cases were urban communities. These municipalities; including Newark, Jersey City, Paterson, Irvington, Trenton, Passaic City, Camden, Edison and East Orange, have functioning Childhood Lead Poisoning Prevention programs, however, they continue to contend with high rates of lead. Despite the overall compliance of our public water utility companies with the Safe Drinking Water Act Lead and Copper Rule of 1991, older pipes and lead solder remain in many homes, businesses and schools and play a large role in exposing individuals to lead in drinking water.

Every resident, despite where they reside deserves safe drinking water and more resources are needed to address this threat to public health within older urban minority communities in New Jersey. The DOH has established a goal and plan to eliminate lead poisoning in children, which is consistent with the CDC's mandate. To further complement the work of the DOH, the Water Working Group aims to focus on reducing residents' exposure to lead in drinking water by establishing a Lead in Drinking Water Awareness Initiative.

Findings: Lead poisoning can be prevented and education is considered a determinant of health, therefore, the Water Working Group advocates for educating residents on strategies they can employ to reduce exposure from lead in the drinking water within their homes. To accomplish this, as part of its Lead in Drinking Water Awareness Initiative, the Water Working Group developed a double-sided, full-color door tag (Figure 13. Irvington Township's Door Hanger). The door tag contains lead in drinking water facts and precautionary measures and strategies to reduce potential exposure. The group then identified a pilot community, one that the DOH considered at-risk due to its high concentration of elevated blood lead levels and limited resources. Once accomplished, the group worked with the local department of health to develop a strategy for disseminating the materials within the community.

The Township of Irvington, within Essex County, is home to approximately 60,000 individuals and is one of multiple urban communities within New Jersey that have significantly elevated levels of lead due to its aging infrastructure and age of its homes, businesses and schools. For these reasons, in addition to knowledge of its recent attempts to educate residents about lead in the environment, the Township of Irvington was selected as the community to pilot this initiative. Upon engaging the Irvington Department of Health, the Water Working Group worked with DEP to design the Door Tag for Irvington Department of Health's reproduction and dissemination. The dissemination strategy was influenced by the fact that the Township's housing inventory represents a combination of single and multi-family dwellings that are not solely owner occupied. The group believed that to maximize effectiveness, it was important for tenants and property owners to receive information.

The overall goal was to disseminate the information throughout the township, however this is beyond the scope of the initial phase of the pilot. Therefore, the Irvington Department of Health adopted a more targeted approach by utilizing data from its Childhood Lead Poisoning Prevention Program to identify one of the four wards that would initially receive the materials. The actual dissemination of the information was accomplished through the collaboration between multiple partners. Partners included EJAC and DEP staff, the Mayor of Irvington, the Municipal Council, the Irvington Department of Health, the Irvington Health Coalition, ward representatives, and district leaders.

Recommendations: The pilot was a successful initial step in reducing potential exposure to lead in drinking water within homes by empowering and educating residents of an Environmental Justice community:

1. Continue this Lead in Drinking Water Educational Initiative, through the OEJ, to ensure that residents, especially children, are aware of the importance of flushing the tap water

system out before using after long periods of idleness. Ultimately, EJAC wishes to replicate this pilot program in every Environmental Justice economically distressed community in the State.

2. Partnerships and collaborations are crucial to the success of eliminating lead poisoning in children. Therefore, state agencies, water utility companies, local governments, community leaders, school districts, grassroots organizations, and foundations will need to collaborate to support each Environmental Justice community. We are recommending the DEP to develop a *9 Point Action Plan*, in collaboration with EJAC, that will reduce exposure and increase support to eliminate this risk to public health as follows:

- Provide residents and property owners with information on resources for low-cost home water testing and lead service line replacement;
- Advocate for the use of approved water filtration systems within older housing structures such as apartment buildings;
- Advocate for the development and implementation of a capital plan to support upgrades to water-infrastructure within urban communities. This is a major undertaking that needs to begin now; without expediting the development of a capital plan, lead in drinking water will continue to threaten the health of residents;
- Implement the Lead in Water Awareness Initiative within other Tier 1 municipalities, as identified by EJAC Environmental Education and Communication Working Group;
- Conduct a needs assessment within underserved communities impacted by contaminated water;
- Assist Environmental Justice communities in accessing pertinent information from their water utility companies;
- Guide water utility companies that service Environmental Justice communities in updating the infrastructure by replacing lead lateral lines;
- Allocate resources to support residents of Environmental Justice communities in replacing the lead piping within their homes; and
- Extend the educational campaign to include unregulated contaminants within drinking water.

B. Reduce the Potential for Combined Sewage Flooding

Background Information and Problem Statement: The first, and therefore oldest, sewer systems were combined systems in which the sewage and storm water were combined into one conveyance. These systems were built before the advent of the automobile, before roads were paved, before parking lots and driveways. As a result, at that time, most of the storm water returned to the ground. But, with the advent of the automobile, and a significant increase in impervious surface, the contribution of storm water to the combined sewer system (CSS) increased drastically. The CSS, designed in the late 19th century, were never designed for such flows and, as a result, combined sewage often overflows into the nearby rivers and streams, or backs up into people's basements, streets and parks. This is more than just an inconvenience but

a real risk to the public health, through exposure to sewage/human waste and other garbage that is either flushed down the toilet or enters through the storm inlets.

Findings: Asset management and proper maintenance of our aging CSO systems can lead to a reduction in flooding caused by CSO systems. It is an important action because maintenance of the existing systems is needed to ensure that the piping and the outfalls flow as freely and full as possible to reduce combined sewage flooding. For example, Camden City's dry weather flow averages about 10 million gallons per day, but during a significant but unexceptional rain event, the total flow from Camden can increase to more than 150 million gallons per day. A modeling study was done in Camden City in 2017 which predicted 200 million gallons of combined sewage flooding per year in the homes, streets and parks of Camden if the pipes were 75% silted up. If that figure was reduced to 25% siltation, through normal regular cleaning which is the standard of the industry, the predicted volume of flooding dropped *by over 90%* to only 18 million gallons per year. This study shows that it is essential to ensure that optimal operations and maintenance is performed in CSS to significantly reduce the potential of combined sewage flooding impacting the public health and the environment. This issue is not just centralized to Camden but potentially in other CSO and Environmental Justice communities as well.

Another opportunity to reduce flooding and overflows is to facilitate construction and permitting green infrastructure that will capture storm water and thereby reduce the potential of flooding and overflows. Rain gardens, parks, rain barrels, stream daylighting can all be implemented to green the city and reduce storm water flooding. In addition to the practical benefit of storm water reduction, these green parks are an amenity to the community. For example, the DEP helped to fund the conversion of an abandoned gas station in Camden City into a rain garden park. The abandoned gas station was a source of crime, consisted of 1 acre of impervious surface and was also a brownfield because of leaking underground storage tanks that polluted the soil and the groundwater. With DEP funding, the contaminated soil was removed, the gas station demolished and a new rain garden park that captures 1 million gallons of storm water was installed. Thus, the community has a new park, and there is a storm water and groundwater benefit. Similarly, the DEP is funding a conversion of an abandoned factory, with 6 acres of impervious surface and contaminated soil, into a new riverfront park for the Environmental Justice community of Waterfront South in Camden City. The DEP and the New Jersey Environmental Infrastructure Trust (NJEIT) encourage the implementation of green infrastructure with generous low interest financing and partial principal forgiveness which is the equivalent of a partial grant. It is recommended that the DEP and NJEIT continue to do this and, if possible, seek to make even more funding available for such projects in Environmental Justice communities.

Recommendations: It is strongly encouraged the DEP consider the following to address flooding in our Environmental Justice communities:

1. Incorporate regular cleaning and maintenance into DEP's regulations and enforcement practices. For example, cleaning the entire system (including CSOs) should be done every three years with strict enforcement.

2. DEP should encourage the improvement of maintenance and performance for sewer treatment systems through the exchange of information (e.g., best management practices) amongst facility operators.
3. DEP should continue to prioritize funding for green infrastructure projects in Environmental Justice and CSO communities.
4. DEP and NJEIT should work with EJAC to ensure that EJ communities are (A) aware of the financing available through the NJEIT and (B) have any necessary support to utilize the program. Wastewater utilities currently using the program such as Camden County MUA could provide peer assistance.
5. Actively engage and utilize EJAC as a stakeholder body to vet and exchange ideas regarding storm water management permitting and enforcement.

Additional Resources

- National Association of Clean Water Agencies, *EJ Compendium - Opportunities for Municipal Clean Water Utilities to Advance Environmental Justice and Community Service, July 2017*
<http://www.nacwa.org/news-publications/news-detail/2017/07/18/nacwa-releases-environmental-justice-community-service-compendium>
- US Water Alliance, *An Equitable Water Future - A National Briefing Paper*
http://uswateralliance.org/sites/uswateralliance.org/files/publications/uswa_waterequity_FINAL.pdf
- *Water Equity Clearinghouse*
<http://uswateralliance.org/wec>

EJAC's Next Steps

EJAC looks forward to working with DEP to implement all the recommendations in this report. As next steps in 2018, we will formulate a framework that directs the implementation of our mid and long-term goals; identifies some new priorities; and proffers new recommendations for the next administration, in collaboration with the OEJ and other DEP staff. We thank Commissioner Martin for his foresight to re-establish EJAC with a term overlapping the completion of his administration, as well as an opportunity to prepare and work in collaboration with a new administration. As Environmental Justice includes fair treatment and meaningful involvement, especially early on in a process, it is invaluable to already be in place as a new term begins in 2018.

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Appendix A Administrative Order



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

P.O. BOX 402

MAIL CODE 401-07

Trenton, NJ 08625-0402

TEL: # (609) 292-2885

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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

ADMINISTRATIVE ORDER NO. 2016-08

WHEREAS, the New Jersey Department of Environmental Protection (DEP) is charged with formulating and implementing policies to protect public health, the environment and the State's natural resources; and

WHEREAS, all residents of the State of New Jersey, regardless of race, ethnicity, color, national origin, or income, deserve to live in communities free from the effects of pollution and are entitled to participate in decision-making that affects their environment, communities, homes, and health; and

WHEREAS, Environmental Justice means the fair and equitable treatment in environmental decision-making of residents of all communities, regardless of race, ethnicity, color, national origin, or income; and

WHEREAS, by Executive Order No. 131 (2009), the Environmental Justice Advisory Council was created in DEP after a finding that the cumulative exposure to pollution and other hazards from multiple sources in communities whose residents are predominantly low-income and persons of color creates a disproportionate impact on the health, well-being, and quality of life of those residents, and that addressing those impacts requires a coordinated response across multiple governmental agencies and a more inclusive process of decision-making; and

WHEREAS, pursuant to Executive Order 131, the Environmental Justice Advisory Council was charged with making recommendations to the Commissioner of DEP about issues involving environmental justice, including recommendations on developing effective communication programs and on policy and regulatory changes so that cumulative impacts that may unfairly burden any segment of the population with a disproportionate share of environmental pollution are considered in DEP decision-making; and

WHEREAS, Executive Order No. 131 expired on December 31, 2013; and

WHEREAS, Environmental Justice continues to be a priority for DEP, and DEP recognizes the importance of the continued role for the Environmental Justice Advisory Council;

NOW, THEREFORE, I, Bob Martin, Commissioner of the New Jersey Department of Environmental Protection, by virtue of the authority vested in me by N.J.S.A. 13:1B-3, do hereby

ORDER and DIRECT:

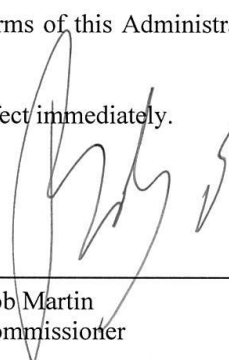
1. There is hereby created the Environmental Justice Advisory Council (Council) in DEP whose purpose is to advise me on issues involving environmental justice and public health in New Jersey.
2. The Council shall consist of 18 individuals appointed by the Commissioner for a term of two years. The Council shall meet at a minimum, once each quarter every calendar year. The exact meeting frequency shall be determined by the Council. The Council shall establish a two-year work-plan in coordination with the DEP's Office of Environmental Justice.
3. The Commissioner shall appoint 18 representative members on a regional basis to serve on the Council, with at least two members from each of the following regions: Northern New Jersey (Bergen, Essex, Hudson, Morris, Passaic and Sussex counties); Southern New Jersey (Atlantic, Camden, Cape May, Cumberland, Gloucester and Salem counties); Eastern New Jersey (Middlesex, Monmouth, Ocean and Union counties); and Western New Jersey (Burlington, Hunterdon, Mercer, Somerset and Warren counties). Additional members shall be appointed as "at-large" Statewide members.
4. The Council membership shall comprise representatives of county and municipal governments; community-based groups/organizations; public health, academic, and educational institutions; faith-based organizations; grassroots organizations; State and Federally recognized tribal governments or indigenous groups; non-governmental groups, environmental groups; and/or business and industry.
5. In appointing members, the Commissioner shall aim to ensure the composition of the Council reflects the regional, racial, gender, religious, and ethnic diversity of New Jersey.
6. The Council shall provide recommendations and report to the Commissioner through DEP's Office of Environmental Justice. Any future related actions based on such recommendations shall be at the discretion of the Commissioner.
7. The Council shall create work groups to establish comprehensive strategies and identify best practices that address health disparities, sustainability, equitable development, community and economic revitalization, and resilience in overburdened communities.
8. The Council shall make recommendations to encourage the utilization of community-based efforts to engage business and industry to promote sustainable practices beneficial to both businesses and communities.
9. The Council shall focus on a community-based approach with measureable goals and outcomes, similar to the Camden Collaborative Initiative (www.camdencollaborative.com), which approach DEP will be extending to other communities through its Community Collaborative Initiative .
10. The Council shall make recommendations for the Commissioner's consideration to incorporate environmental justice throughout the DEP's programs where appropriate and

to the extent permitted by law, including providing assistance in developing effective communication programs, outreach to encourage direct community participation in environmental decision-making, and implementing and enforcing environmental laws.

11. Nothing in this Administrative Order is intended to create a private right of action to enforce any provision of this Order; nor is this Order intended to diminish any existing legal rights or remedies.
12. The Council shall operate under the terms of this Administrative Order until December 31, 2018.
13. This Administrative Order shall take effect immediately.

Date:

9/12/2016



Bob Martin
Commissioner

Appendix B

Prospective Focus Areas for EJAC Working Groups				
LAND	WATER	AIR	ENVIRONMENTAL EDUCATION/ COMMUNICATIONS	KEY
Improve Recycling Rates in Urban Areas (1)	Combined Sewer Overflows (CSOs). Proposals: NJDEP CSO standards on public input and public participation; NJDEP requirements on green infrastructure and permits; NJDEP guidance to zoning and planning boards about how to include green infrastructure requirements; Implementation of a storm water fee in CSO communities to reduce burden on EJ rate payers. (2) (6) (8)	Odor control as part of air quality working group (6)	Develop a Community Contacts Database/Information & Referral Network (4) (10)	(1) Air Quality, Energy, & Sustainability (2) Water Quality (3) Compliance and Enforcement (4) Office of Environmental Justice (5) Kim Gaddy (6) Andy Kricun (7) Olivia Glenn (8) Molly Greenberg (9) David Glass (10) Ndidi Amutah (11) Carrie Sargeant (12) Brian Penn
Model Ordinance for Sustainability Planning and Resiliency Planning (4)	CCI and expanding opportunities for EIT loans to address flooding and assisting communities with using the NJEIT program (6)	Motor Vehicle Inspection and Maintenance (1)	EPA Screening and Mapping (EISCREEN), and Community Focused Exposure and Risk Screening (C-FERST) Tools (4)	
Expanding urban parks to include park trails, off road trails, funding source (possibly) CMAC (7)	Lead in Drinking Water	Port initiative (Nwk) getting to 0 emissions in the port (5)	Compliance and enforcement, odor hotline, odor response process and procedures (8)	
			Improve language accessibility to the public through establishing possible resources and procedures (8)	
Assist with the augmentation of a Permaculture Plan and Food System in partnership with Groundwork Elizabeth (4)		Develop and Improve Energy Master Plan, Clean Power Plan, Energy Generation plan for NJ (8)	Establish a working group for social media and how we can use it to benefit community engagement, projects, and improvements (9)	
Solid waste reform and zero waste policy practice and accessibility (8)			Community Corner is a portion of the Air Quality web page reserved for community based inquires. This portion of the web page would have less technical jargon and be more plain English based. This initiative could dovetail in with the DEP's goal to streamline all web pages. (1)	
Help municipalities obtain support through Brownfield revitalization by setting professional guidelines (especially for smaller communities) // Brownfields/contaminated sites working group. (6) (12)			The incorporation of environmental education and outreach should be one of the target focuses of the working groups; land, water, and air (6)	
Emerald Ash Borer Awareness and Ash Tree Solutions (11)			Facilitate the formation of community collaborative initiatives in as many EJ communities as possible (6)	
Deterrence of Illegal Dumping on Private and/or Public Lands (3)			Institute a procedure in which projects that have a real EJ benefit could be accelerated, fast tracked, expedited, and facilitated (list of EJ cities to focus on, list of issues facing EJ communities, identify potential partners that we could collaborate with in each EJ community, list of successful practices and projects to be used as a resource guide to possibly adapt) (6)	
Work with Natural Resource Society (7)			NJDEP Cumulative Impacts tool and permit notification system Cumulative Impacts, multimedia impacts and establish department policy on steering public policy in a collaborative manner (8)	