

Environmental Justice Framework 2015 – 2018



Authors

Ned Brooks
Karen Solas

Contributors

MPCA Environmental Justice Steering Team:

John Linc Stine, Commissioner
David Thornton, Assistant Commissioner
Dave Benke, Director, Resource Management
and Assistance Division
Shannon Lotthammer, Director,
Environmental Analysis and Outcomes
Division
Kathy Sather, Director, Remediation Division
Jeff Smith, Director, Industrial Division

Risikat Adesaogun
Taylor Holland
Katie Koelfgen
Catherine Neuschler
Kelsey Suddard

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development of strategies and approaches.

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520 Lafayette Road North | Saint Paul, MN 55155-4194 |

651-296-6300 | 800-657-3864 | Or use your preferred relay service. | Info.pca@state.mn.us

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Foreword

In Minnesota, we are fortunate to live in a state with a healthy natural environment that contributes to a high quality of life. This is in large part due to a long history of shared responsibility and action to build societal systems that support healthy ecosystems, healthy communities, and a strong economy. Not everyone has benefited equally, however, and disparities exist between middle and upper income people, and lower income residents and people of color. These also include gaps in educational and economic achievement and health outcomes that have been widely documented, and in some parts of the state, differences in exposure to environmental pollution.

As Commissioner of the Minnesota Pollution Control Agency, I am committed to renew and strengthen our agency's actions and to put the principles of environmental justice into practice. It is with those responsibilities in mind that I am pleased to share with you the Minnesota Pollution Control Agency's environmental justice framework document.

This framework represents our commitment to act using our expertise, relationships, and resources to focus our work where it will have the greatest effect in reducing the impact of environmental pollution. It provides direction and guidance to modify our practices and integrate environmental justice principles into our work over the next two-three years. In collaboration with others, we expect to build on this initial framework and continually look for ways to improve our implementation of its strategies.

Striving to address environmental inequities across Minnesota is an ambitious and long-term effort. We can only achieve this by working with people, governments, and organizations across the state. Please join us as we strive for a better Minnesota!

John Linc Stine
Commissioner

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Summary

All Minnesotans deserve a life with clean air, clean water, and unpolluted land. Working to achieve this is at the heart of the Minnesota Pollution Control Agency's (MPCA) mission to protect and improve our environment and enhance human health.

The MPCA defines environmental justice as 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. This will be achieved when everyone benefits from the same degree of environmental protection and has equal access to the decision-making processes that contribute to a healthy environment. The MPCA is committed to reaching this goal.

This document defines strategies and proposes initial implementation actions to integrate environmental justice principles into our daily work. Community and stakeholder feedback played a significant role in developing the elements of this framework. These approaches reflect lessons learned from past experiences as well as stakeholder feedback during 2014 and early 2015.

The MPCA fully expects that through experience with implementation, agency staff and stakeholders will identify areas for improvement. As we strive to achieve environmental justice, we look forward to collaborating with community members and other stakeholders to refine and improve implementation of this framework.

What is the issue?

Over the past 30 years, the MPCA, other units of government, community organizations, businesses, and individuals have come together to significantly reduce air and water pollution and clean up contaminated sites. Many of these improvements are the result of reducing emissions from large sources of pollution using traditional regulatory methods -- issuing permits that limit pollution and ensuring sources comply with environmental laws. Other improvements have been achieved by addressing pollution from smaller more widespread sources, which are often more difficult to control. Because of this work, most Minnesotans enjoy a natural environment that contributes to a high quality of life.

But not all Minnesotans have benefitted in the same way. The impacts of pollution vary across Minnesota because of past practices and decisions. Historical settlement patterns of low-income workers who lived near the factories where they worked; the routing of roadways and the siting of industry in low-income neighborhoods or within communities of color, created inequities in exposures and health conditions. For example:

- Low-income Minnesotans and people of color in some parts of the state are exposed to more pollution than middle and upper income white Minnesotans.
- Older residents, children, many lower income Minnesotans, and people of color are more vulnerable to health impacts from pollution and experience greater incidences of disease and death, often due to underlying health disparities.
- Climate change disproportionately threatens vulnerable groups and can amplify the economic and health challenges people already face.

The MPCA and other government agencies' decision making processes too often lack adequate opportunities and access for those facing environmental justice challenges. Traditional approaches can be inconvenient, hard to follow and understand, one-sided, and lack community and cultural sensitivity. This further inhibits participation and affects trust, making it less likely for people to feel their involvement in a government process will have an impact.

Minnesota's changing racial and ethnic demographics requires the MPCA to adapt. In 1980, people of color accounted for only 4% of Minnesota's population. Now, while still below the national average, that figure is about 18%. In the past decade, only six other states' populations of people of color grew faster. Migrants from other countries and new births to immigrants and native-born communities of color contributed significantly to Minnesota's population growth in recent years. Those new to Minnesota face a unique set of barriers to full participation, ranging from language and communication methods to different cultures and customs.

What can we do about it?

Fully addressing disparities in environmental exposures and effects requires the combined and concerted efforts of many partners: federal, state, and local governments; non-profit and community organizations; universities; businesses; and community members. While we don't have the ability to address all aspects of this issue on our own, we are committed to using our authority and influence to address past inequities and to prevent environmental policies and decisions from producing future disproportionate impacts. It is important we recognize and embrace our role and partner with, facilitate, and support others in doing their part.

This framework provides MPCA leadership and staff with the direction and guidance needed to modify our approaches and integrate environmental justice principles into the Agency's work. It includes strategies for MPCA's regulatory programs, monitoring and assessment work, technical assistance, educational efforts, and policy development. Where we lack authority, we will lead by example and work with local governments and others to influence changes.

To achieve environmental justice, we must actively engage people of all backgrounds from across the state. We must listen to and collaborate with others to create a shared set of values and outcomes for the work that affects communities. To foster that collaboration, the MPCA will actively engage a diverse range of residents in our work, including those from lower income communities, communities of color, and American Indians.

MPCA's environmental justice policy and plans

Following action on the national level, the MPCA began formally working on environmental justice in the mid-1990s. Presidential Executive Order 12898, issued in 1994, directed each federal agency to make "achieving environmental justice part of its mission by identifying and addressing disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority and low-income populations". The Presidential Executive Order built on Title VI of the Civil Rights Act of 1964. Title VI prohibits discrimination on the basis of race, color, or national origin. As a recipient of federal funding, the MPCA is required to comply with Title VI of the Civil Rights Act.

The MPCA developed a policy for environmental justice that closely mirrors the U.S. Environmental Protection Agency's (EPA) policy. The MPCA's policy, last revised in 2012, states:

The Minnesota Pollution Control Agency will, within its authority, strive for 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.

***Fair treatment** means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental, and commercial operations or policies.*

***Meaningful involvement** means that:*

- People have an opportunity to participate in decisions about activities that may affect their environment and/or health.*
- The public's contribution can influence the regulatory agency's decision.*
- Their concerns will be considered in the decision making process.*
- The decision-makers seek out and facilitate the involvement of those potentially affected.*

The above concept is embraced as the understanding of environmental justice by the MPCA.

In 2013 the MPCA renewed our commitment to environmental justice and added an environmental justice goal and objectives in our current strategic plan:

Pollution does not have a disproportionate negative impact on any group of people.

Objectives:

- Develop and implement program strategies to identify and address environmental justice concerns.*
- Identify and enhance opportunities for all Minnesotans to provide meaningful input into MPCA environmental decision-making.*

From policy to action – MPCA's environmental justice framework

This framework sets forth a range of strategies designed to integrate environmental justice principles into our work. It provides direction to MPCA leadership and staff on integrating environmental justice principles into every aspect of the MPCA's work over the course of the next two to three years. Implementing this framework involves a new emphasis on using our authority, influence, and resources to benefit the lives of those who are experiencing greater risk from environmental pollution and who are the most susceptible to this pollution.

Framework goals

Building on the foundation of the MPCA's policy and strategic plan goal, the framework seeks to ensure that:

- Pollution does not have disproportionate negative impacts on any group of people.
- The benefits, opportunities, and risks of agency policies, decisions, and activities are fairly and equitably distributed.
- All individuals and groups are given the opportunity for meaningful involvement in agency decisions that may impact them.
- Environmental justice concerns are given due consideration by agency decision-makers during the development, implementation, and enforcement of environmental laws, regulations, and policies.
- The MPCA and its stakeholders have mechanisms in place to regularly evaluate progress, success, and failure in meeting the agency's goals and the outcomes of those evaluations are used to inform future planning and decision-making by the agency.

Summary of framework approach

The framework consists of strategies that integrate environmental justice into the MPCA's regulatory, monitoring, and assistance programs. It outlines the procedures, resources, and tools needed to support integration. This includes:

1. **Identify areas where low-income Minnesotans, people of color, and others may be experiencing more harm or are more susceptible to environmental conditions as areas of focus for environmental justice action.**
 - Use demographic data, information about environmental conditions, and health data to identify areas of concern for environmental justice.
 - Use community knowledge to verify and supplement data sources.
2. **Modify our approach and increase our work in order to address environmental justice issues.**
 - Better understand sources of pollution and health risks through monitoring and assessment.
 - Thoroughly examine ways to reduce these sources using our regulatory authority and influence.
 - Target education, outreach, technical assistance, and grants.
 - Do a better job of facilitating public participation and engagement of people around the actions and decisions that affect them.

Implementation values and principles

Embracing key implementation principles will help us effectively and deeply integrate environmental justice into the MPCA's work. Our key principles are:

Build on best practices. The MPCA will benefit from the experience of others who have a longer history addressing environmental justice issues. The EPA and the U.S. Department of Transportation, other states' environmental agencies, local governments, and others have policies, training programs, guidance materials, screening tools, and other resources the MPCA can use, modify, and adopt as we build our own practice in Minnesota.

Collaboration and engagement. Equitable environmental protection requires collaboration with community members and other stakeholders to create shared values and outcomes. The MPCA recognizes the importance of dialogue and the partnerships needed to develop mutual understanding,

build trust, and foster the participation of people or groups affected by the decision-making process. This applies to individual regulatory decisions and actions as well as overall framework implementation and improvement.

Targeted and risk-based approach. The MPCA will target areas where our work can have the most benefit for people and areas that are already experiencing greater pollution and other burdens. The MPCA will direct activity toward the pollution sources that are contributing to risk and scale our efforts commensurate with the potential for risk reduction or elimination.

Proactive and reactive. Many MPCA programs, especially our regulatory programs, are “reactive”. The MPCA’s work on a facility permit, for example, is usually the result of a decision by a company or municipality to build a new facility or make changes to an existing one. We must also look for opportunities to make positive changes independent of a permit or enforcement action. We will proactively target our permitting, compliance, technical assistance, and grant resources to address environmental justice concerns.

Adaptive, phased approach. The MPCA will regularly modify its implementation of this framework to reflect new approaches and improvements identified by agency staff and stakeholders.

Strategies for implementing environmental justice into MPCA programs

Regulatory programs

As an agency with significant regulatory responsibilities, one of the MPCA's primary duties is to limit pollution from a wide variety of sources in order to protect human health and the environment. We develop permits to control specific kinds of activities that affect the environment, and take compliance and enforcement action to make sure regulations are followed. We also identify and clean up old contamination sites and polluted water bodies through our remediation and impaired waters programs.

There are many sources of pollution beyond those we regulate (such as vehicles, construction equipment, and runoff from lawns) that contribute to overall pollution levels. To address these sources we use other approaches, such as education, outreach, and partnerships. While the facilities we do regulate are only a portion of the burden, our authority to limit and control pollution from the sources is an important role for protecting human health and the environment. By integrating environmental justice principles into our regulatory activities and programs the MPCA strives to achieve a healthy environment for all Minnesotans.

Permitting, environmental review, and remediation

Permits are an important tool used to protect the environment and people in Minnesota. The MPCA manages more than 15,000 permits that regulate air emission sources, water discharges, landfills, chemical storage facilities, and other sources of pollution in the state. The permits outline the requirements in state and federal environmental laws, including limits on the amount of pollution that can be released to the air, water, and land.

The permitting process is a critical opportunity for community involvement, particularly in areas where environmental justice concerns are present. Many permits require a formal public notice period. We will expand the opportunities for public involvement beyond the formal notice. This will allow the MPCA and the facilities to understand and address community concerns and establish or enhance relationships with the surrounding community.

Before permitting new or expanding facilities, a process called environmental review may be required. The purpose of environmental review is to develop an information-gathering document (an Environmental Assessment Worksheet or an Environmental Impact Statement) that informs permit decision-makers, the public, and others about the human health and environmental impacts of the proposed project. There is a formal public notice and comment period required for an environmental review also. The MPCA also plans to use the environmental review process to review proposed changes to facilities located in environmental justice areas of concern. This will provide an opportunity to involve community members early and allow for robust public participation when identifying and addressing community concerns.

The MPCA's remediation programs investigate and determine appropriate clean-up and development plans for sites that pose risks to human health and the environment because of past contamination, including abandoned or uncontrolled hazardous waste sites, closed landfills, and leaking storage tank systems. These risks may also include surface and groundwater contamination, outdoor air pollution, and vapor intrusion into buildings. The MPCA works with owners or operators of these sites, past and present, community groups, and surrounding residents throughout this process.

Goals

Provide for meaningful involvement of community members in the environmental review, permitting, and remediation processes. Use MPCA authority and influence to address environmental justice issues to the extent we are able.

Strategies

- 1. Identify facility and permit types that warrant additional actions based on the potential for adverse effects.** Evaluate the types of activities and sources of pollutants that pose the greatest risk in areas of concern for environmental justice. Consider the context of existing burdens, including multiple facilities and dispersed sources such as vehicles and stormwater run-off.
- 2. During permitting, identify and evaluate additional measures, beyond meeting established permit limits, to avoid and diminish impacts.** This could include changing processes or procedures, installing additional pollution control equipment, or otherwise achieving a lower level of pollutant release than required by state or federal requirements. Work with the permittee to incorporate these measures into the permit or supplemental documents as possible.
- 3. Employ civic engagement, public participation, and outreach tools for community groups and residents.** Implement outreach and public participation tools identified in the MPCA's outreach and public participation plan (See pages 14-15) to ensure early and meaningful involvement, including:
 - Inform community members early and often using trusted, community-identified sources.
 - Explain the key decision points and how and when community members can have the most influence. Assist community members in understanding technical aspects of regulatory decisions.
 - Provide easily accessible and understandable information to community members.
 - Actively seek to understand and address community concerns and ways in which our regulatory processes present obstacles to their participation.
 - Report back to community members on how their involvement was considered.
- 4. Foster increased community involvement and actions on the part of the entities that we regulate.** Encourage facilities located in areas of concern for environmental justice to increase engagement with local government, community groups, and area residents, especially early on in the environmental review and permitting process, to understand and address concerns. Work with regulated parties to jointly explore ways to mitigate environmental and health-related impacts in the community and make other quality-of-life enhancements. Provide guidance to facilities on best practices for community engagement.
- 5. Consider ways to prioritize work in order to enhance benefits to areas of concern for environmental justice.** Outside of responding to proposals for new and expanding sources, prioritize review and evaluation of expired permits, permit reissuance, or the review of non-expired permits to identify possible ways to reduce risks. When investigating contaminated sites for vapor intrusion and other risks, consider environmental justice concerns when determining which sites to evaluate before others.

Compliance and enforcement

Through inspections, review of test results and required monitoring reports, and complaint investigations (collectively referred to as compliance determination activities), the MPCA monitors the environmental performance of facilities with permits and licenses or businesses that engage in activities that affect Minnesota's environment. These include large and small facilities that emit pollutants into the air, water dischargers,

hazardous waste generators, and solid waste landfills. The MPCA and local government partners conduct inspections and other compliance determination activities on a routine basis. When violations are noted, the MPCA uses its compliance tools and enforcement authority to address noncompliance.

Goal

Increase compliance and enforcement work to further ensure facilities operating in areas of concern for environmental justice are in full compliance. For facilities out of compliance, explore ways for them to provide benefits to the community in addition to addressing violations.

Strategies

1. **Conduct additional compliance determination and enforcement activities.** Conduct more frequent inspections or other compliance determination work at facilities in areas of concern to ensure they are meeting applicable regulations and permit conditions. Select facilities based on their potential to release pollutants of concern in a particular area.
2. **Resolve noncompliance with community benefit in mind.** Seek resolution of compliance issues at facilities located in areas of concern for environmental justice in ways that benefit the community. For example, the facility, with encouragement by the MPCA or community, could reduce releases beyond what is needed to be in compliance, or propose a community improvement project as part of their means to correct violations, or to reduce a penalty.
3. **Support MPCA permitting programs with additional compliance determination and assistance to facilities.** When an existing facility submits a permit application to modify or expand its operations, or when the MPCA is renewing a permit, MPCA staff will thoroughly research the facility's compliance history, determine current compliance status (either by inspection, site visit, or file review), inform the community, and, if needed, provide additional compliance assistance to the facility.
4. **Communicate with affected communities.** When compliance issues occur at facilities in potential environmental justice areas, and when there is potential for adverse effects, provide information about the violation in a timely manner to community contacts, except when prohibited by law such as during a formal investigation or ongoing enforcement action.

Monitoring, assessment, and consideration of cumulative impacts

A fundamental role of the MPCA is to evaluate and describe — both qualitatively and quantitatively — the condition of our environment, why it is in that condition, and what effectively could be done to make desired improvements. We do this by:

- **Monitoring the air and water.** A network of air monitors and systematic water monitoring approaches allow MPCA scientists to characterize the condition of our groundwater, lakes, wetlands, rivers and streams, and air.
- **Modeling and computational analysis.** While our work is extensive, environmental monitoring is limited by where monitoring and sampling occurs and by what is measured. To fill in gaps, the MPCA uses tools to predict or estimate pollutant levels and their impacts on human health. Modeling also allows us to evaluate what *might* happen if permits or other requirements change or a new project moves forward, which can help us decide if proposed changes are protective of the environment and human health before they occur.
- **Risk assessment and problem investigation.** The MPCA compares information to standards and benchmarks and investigates sources of environmental impacts. These levels are evaluated along with health information and expertise from the Minnesota Department of Health, such as disease rates

and emergency room visits, to identify threats and impacts, inform standards development, guide our regulatory and assistance programs, and measure progress in achieving environmental goals.

Part of our work includes evaluating potential impacts and preventing actual harmful impacts. As part of this process, the MPCA considers the cumulative impacts of pollutants as a way to provide additional context for decision-making. The effects of multiple pollutant sources, multiple exposure pathways (where the exposure occurs and how: through inhalation, ingestion, or skin contact), and multiple contaminants with similar effects are regular considerations in many of MPCA's environmental decision-making processes. These factors are taken into account when developing standards, in air and water permitting, risk assessment, environmental review, and remediation activities. While the quality of the data and tools available to consider these factors varies, it is important to note that consideration of cumulative impacts is an integral part of the decision-making framework of MPCA programs.

Less common in MPCA decision-making is the consideration of non-chemical stressors (such as loss of open space or road safety concerns), socioeconomic conditions, or differences in community vulnerability when evaluating the cumulative impacts of a project. While still limited, quantitative methods to incorporate non-chemical stressors and community vulnerability into typical regulatory evaluations are becoming more available. Some existing evaluations already incorporate these concepts, but evaluations incorporating non-chemical stressors and community vulnerability are largely qualitative due to the diverse nature of the data and the more recent emergence of this field of study.

Goal

Through the uses of tools and resources for monitoring, modeling, risk assessment and cumulative impacts analysis, strive to identify and understand environmental impacts, inform and target efforts to address past and present impacts, and avoid future disproportionate impacts.

Strategies

- 1. Consider known or potential areas of concern for environmental justice when planning for environmental monitoring.** When deciding where, when, and what to monitor, expressly consider contaminants of concern in areas of concern for environmental justice. Evaluate whether additional monitoring would help to understand risks. Seek and consider input from community members on monitoring plans, and involve community members in citizen monitoring and science activities as resources permit.
- 2. Consider more comprehensive risk assessment and cumulative impact analysis.** In areas of concern for environmental justice, determine if additional analysis of pollution from multiple sources and the evaluation of non-chemical stressors and community vulnerability will better inform decisions. When lacking the authority or ability to address these impacts, advocate for and work with other government entities to alleviate these stressors. MPCA programs (air permitting, remediation, wastewater permitting, etc.) will identify when and how they support more comprehensive cumulative impact analysis.
- 3. Communication and outreach.** Seek to better understand and respond to community concerns about cumulative impacts and risks. Clearly explain to community members when and how we conduct risk assessments, how we consider cumulative impacts in our existing standards, procedures and reviews, and when additional analysis is conducted. When concerns are expressed about non-chemical stressors (such as safety concerns) and community vulnerability, involve others who may be able to assist in addressing concerns that are not within the scope of MPCA authorities. Explain findings and proposed decisions to community members, including how community concerns were considered.

Prevention and assistance

In addition to our regulatory and pollution clean-up work, the MPCA also employs tools to prevent or minimize the negative impacts of pollution on public health and the environment. This work often targets smaller, diffuse sources such as cars and trucks and small businesses. These sources, while individually small, can be collectively significant contributors to disproportionate impacts in areas of concern for environmental justice.

Though MPCA lacks regulatory authority over many of these sources, technical assistance, grants, education, outreach, and collaborative work with partners can be used to foster and achieve environmental justice goals. Through providing resources that build knowledge and capacity, the MPCA strives to empower individuals, businesses, and communities and to foster attitudes and actions that strengthen the natural environment, economy, and social well-being.

Goal

MPCA prevention and assistance work improves environmental quality and livability in areas of concern for environmental justice, and businesses and residents in areas of concern for environmental justice experience the full benefits of MPCA's services and work.

Strategies

- 1. Identify programs and tools with the greatest potential to contribute to environmental and human health benefits.** Considering pollutants and sources of greatest concern in areas of concern for environmental justice, the MPCA, along with other partners, will identify program areas and strategies that are likely to lead to the greatest reductions in those pollutants, and have the largest positive effect on impacted communities and their quality of life.
- 2. Prioritize prevention and assistance work.** In collaboration with community members, identify and give priority to prevention and assistance work that has the potential to eliminate or reduce harmful pollution or bring other benefits to areas of concern for environmental justice. This could include modifying existing pollution prevention grants and technical assistance programs to prioritize work in areas of concern.
- 3. Increase outreach and engagement.** In collaboration with community members and partner organizations, increase awareness of and access to the MPCA's prevention and assistance programs and resources. Proactively promote the availability of grants, technical assistance, and services to community organizations, local units of government, and others serving in areas of concern for environmental justice. The MPCA will also broaden outreach and education efforts focused on reducing pollution in these areas.
- 4. Foster increased partner involvement and actions.** In areas of concern for environmental justice, the MPCA will look for opportunities to reduce risk and improve access to services through building and leveraging partnerships with other state agencies, local units of government, and community organizations serving low-income and communities of color. The MPCA will strive to increase the impact and effectiveness of our prevention and assistance work through the sharing of resources, knowledge, skills, and experience with others working toward common goals.

Rulemaking, policy development, and program implementation

One important way that the MPCA takes action to respond to environmental concerns is by adopting and implementing rules. The MPCA develops rules to implement federal regulations and state legislation and to address human health and environmental concerns. Rulemaking is a formal process that requires public notification, accepting and responding to comments, analysis of options, and justification of the need for the requirements. The MPCA also develops policies to provide additional clarification and direction to rules and other requirements as part of the implementation of MPCA's programs. During rulemaking, policy development, and other decisions around program implementation, the MPCA will consider the implications of those actions and decisions on lower-income Minnesotans, indigenous people, and communities of color. In addition, the MPCA will take extra steps to provide for meaningful involvement of all people.

When determining whether or not to undertake a certain action, the MPCA will consider the equity impacts of a proposed action – will an action achieve the overall goals and will it create any positive and negative impacts on various groups of people? For example, a rule or policy may result in positive impacts such as decreased pollution, decreased costs, and increased employment opportunities. Possible negative impacts include increased pollution, increased costs, or a decrease in opportunities and access to beneficial things or opportunities. In other words, it is important to ask: “Who benefits? Who bears an increased burden or cost? More particularly, does the proposed action change the distribution of the benefits and burdens among different groups within society? Is anyone made better off? Is anyone made worse off?”

The MPCA will evaluate these equity impacts whenever we consider possible actions to address environmental concerns. The analysis of these impacts provides information to any entity considering implementing a possible action.

Goals

MPCA rules and policies are fair and equitable, address disparities in exposures and impacts where possible, and are developed reflecting the input of all Minnesotans.

Strategies

- 1. Actively engage all Minnesotans in rule and policy development.** Employ outreach and civic engagement strategies and tools outlined on pages 13-14 to facilitate early and meaningful involvement in rulemaking and policy development processes.
- 2. Review and document the equity impacts of rules.** Prepare an analysis for each rule that shows the effects of the proposed rule and how the proposed rule changes the existing distribution of burdens and benefits between groups of concern. Conduct this analysis as an additional component of the “Statement of Need and Reasonableness” already prepared for each rule.
- 3. Identify and evaluate equity implications of policies and program implementation.** Seek to understand and evaluate equity impacts of policies developed as part of specific program implementation. When possible equity concerns are identified by the MPCA or stakeholders, the MPCA will conduct a qualitative analysis of possible equity impacts to inform policy development and program implementation decisions.

Resources to support environmental justice integration

Screening to identify areas of concern for environmental justice

Many factors can contribute to disproportionate adverse human health or environmental impacts in one area compared to another and on certain groups of people. These include not only differences in levels of pollution but also underlying health conditions, fears about safety, financial concerns and other stresses, access to healthy food, and lack of positive community attributes such as greenspace. In addition, some groups of people are more susceptible to these burdens than others.

The MPCA will evaluate demographic data, environmental stressors, and community knowledge to identify areas that may be experiencing disproportionate pollution impacts and with higher concentrations of people who may be the most vulnerable to that pollution. This initial screening will provide information to direct and influence actions under other parts of this framework, such as increased community outreach, enhanced regulatory or pollution prevention attention, as well as additional monitoring or risk analysis. This screening is only a first step. It does not provide a definitive designation that an area is subject to a disproportionate burden. It simply flags an area as one where additional consideration or effort is needed to identify and potentially mitigate disproportionate adverse impacts.

Goal

MPCA program staff, community members, and regulated parties are able to identify areas where additional review or action is needed or desired to address possible environmental justice concerns.

Strategies

- 1. Develop data-driven screening methodology.** Identify data sources and procedures to provide information about possible environmental justice concerns in a geographical area using demographic and environmental variables. Variables provide information on race and income levels, potential environmental exposures, number of facilities and contamination sites in the surrounding area, and other factors to characterize the potential burdens and vulnerabilities faced by residents. Data sources should include other state agency data, county and city data, and EPA-developed tools such as EJSCREEN.
- 2. Include community engagement in the screening process to gather community knowledge.** Seek out information from community members about conditions in their community, including non-chemical stressors. Use this information to verify and supplement data-driven sources. Discuss what additional sources of information could help to characterize the community.
- 3. Apply the screening methodology to identify areas for further review and action by MPCA programs and facilities located in these areas.** As described throughout this document, MPCA program areas act as appropriate to adapt program work to engage community members, further evaluate risks, mitigate disproportionate impacts, and take other actions.

Outreach, public participation, and engagement

As we strive to achieve environmental justice, all residents must have opportunities to participate in decisions about activities that affect them and have equal access to programs and services. The MPCA must engage people of all backgrounds, in all parts of the state — especially lower-income residents, communities of color, and American Indians — in collective action to create shared values and outcomes.

One goal of our environmental justice efforts is to engage previously underrepresented communities and identify and remove barriers limiting their ability to participate in the MPCA's work. The MPCA will address obstacles related to logistical considerations such as lack of community members' time to participate, convenience of meeting location, and higher priority conflicts. MPCA's traditional approaches have often lacked community and cultural sensitivity, further inhibiting participation and affecting trust. In areas of concern for environmental justice, the MPCA will take steps to provide more and better opportunities to be involved, seek out the participation of communities not previously involved and be more inclusive of different communities and cultures. The MPCA will also strive to provide accessible and understandable information to community members on activities that may affect their health and quality of life.

The MPCA also recognizes the need to develop and maintain meaningful relationships with a variety of community stakeholders, organizations, and individuals to reconcile historical distrust between government and communities of color. It is important we work to establish the foundations for long-term collaborative work. The MPCA will work with stakeholders to establish strategies for long-term and comprehensive community engagement, and continually revisit organizational policies and structures to respond to community needs and ideas.

Goal

The MPCA engages with community members to build authentic relationships and build trust, and involve all Minnesotans in a meaningful and accessible manner.

Strategies

- 1. Build upon previous efforts to deepen community connections and understanding.** Collaborate to foster supportive partnerships, authentic relationships, and culturally competent long-term engagement. Expand the network of community stakeholders that we interact with to ensure representation from affected communities, and inclusion of as many community members and organizations working on environmental justice as possible. Encourage community members to be involved.
- 2. Tailor outreach and public participation to specific community.** Seek to understand the community characteristics and specific barriers to meaningful involvement. Develop outreach and public participation to engage and inform the community. Use trusted and culturally relevant sources of information. Start communication with community members at the earliest possible opportunity.
- 3. Use understandable language.** Written materials, presentations, and informal communication should be easily understandable, free of jargon and undefined acronyms, and available in multiple languages when appropriate. Highlight the most relevant information and assist community members in understanding the technical aspects of our work.
- 4. Hold community meetings and events early and frequently.** In addition to and in advance of formal and required public meetings, employ a variety of formats early on and frequently to share information, listen to residents' concerns, and answer questions. Demonstrate how community input was considered.

5. **Expand public notification methods.** During certain actions, such as some permits and rulemaking, the MPCA is required to formally notify the public through specified traditional media. When environmental justice is of concern, the MPCA will employ additional methods specifically tailored to that community as early in the process as practical, and as often as appropriate.
6. **Encourage the facilities we regulate to plan for public participation.** In addition to employing the approaches above, the MPCA will suggest or request that the regulated party, such as a facility applying for a permit, prepare and implement a public participation plan that includes the same strategies as above.

Agency training and development

Integrating environmental justice principles into MPCA's work will require staff and MPCA leadership to implement new procedures and approaches. Successful adoption and practice will be aided by developing a workforce that reflects the diversity of Minnesota. It is essential that MPCA staff approach their work inclusively and respond appropriately to the needs and perspectives of people from diverse racial, economic, and cultural backgrounds. We must be diligent to ensure that cultural and racial bias does not contribute to different access, service, and outcomes.

Goal

Develop and maintain a workforce that is trained in environmental justice, values diversity, and delivers services in a multi-culturally competent, sensitive, and equitable manner.

Strategies

1. **Recruit, hire, and maintain a diverse work force.** Along with other state agencies, implement best practices identified by the Governor's Diversity and Inclusion Council to recruit, promote, and retain individuals from underrepresented communities in order to create a more vibrant, diverse work force. Additionally, increase awareness of the MPCA's mission and employment opportunities among diverse groups and communities. Build and strengthen partnerships and connections to aid in recruiting a diverse pool of candidates for MPCA and state of Minnesota positions. Encourage and facilitate applicants from diverse backgrounds to apply for student worker and permanent positions. Create a workplace culture that values diversity and is inclusive.
2. **Train and develop** all managers and staff in multicultural competency, institutional racism, the MPCA's environmental justice policy, Civil Rights Act Title VI requirements, and other areas identified that support MPCA's capacity to assure equal access and achieve equitable outcomes.
3. **Train relevant program staff** in procedures and policies to integrate environmental justice principles into their specific area of work. Incorporate these responsibilities into employee work plans. Collect employee feedback to monitor effectiveness of capacity-building and awareness-raising work.

Ongoing stakeholder and community involvement in framework implementation and improvement

This document is MPCA's initial attempt to define strategies and develop implementation approaches to integrate environmental justice principles into our daily work. While much work remains to be done, we are already implementing some of the strategies and will continue to expand implementation while we work to develop the remaining approaches described in this plan. The MPCA fully expects that through experience with implementation, agency staff and stakeholders will identify areas for improvement.

The MPCA will regularly improve and modify implementation of the strategies in this framework based on initial experience, learning, and feedback and communicate changes to all stakeholders. The MPCA

expects and invites regular feedback from all stakeholders to further develop and shape implementation.

Goal

Feedback from a variety of stakeholders informs improvements to MPCA's environmental justice work and all interested stakeholders have a satisfying level of access and opportunity to contribute.

Strategies

1. **Environmental justice advisory group.** Establish an advisory group that meets regularly to provide feedback to the MPCA on framework implementation and to collaborate on ways to improve MPCA's strategies and implementation. This group will be made up of a variety of stakeholders working on community engagement, environmental justice, health equity, and related work.
2. **Targeted engagement.** As needed or requested, provide opportunities for additional stakeholder input and feedback on MPCA's work with businesses, local and tribal governments, and others.
3. **Environmental justice events.** Convene and sponsor events that provide opportunities for all stakeholders to learn, share experiences, and provide feedback related to environmental justice work. The MPCA would present on implementation progress at these events.

Coordination with federal, state, local, and tribal governments

While the MPCA has significant authority and responsibility to protect the environment of Minnesota, others share in this role including the EPA, tribal governments, county, and municipal governments. Local governments in particular also play a key role in land use decisions that factor into many concerns about environmental justice. Similarly, decisions and actions by other state agencies also impact our work. We have overlapping responsibilities and missions with many of our sister state agencies, especially the Minnesota Department of Health. We aim to learn from and support each other's work.

Goal

The MPCA coordinates its work with all levels of government to improve joint effectiveness in reducing disparities in exposures, health effects, and other related public interests.

Strategies

1. **Coordinate work with state agencies and local government** in Minnesota to reduce disparities across multiple agencies/jurisdictions, enhance relationships, and together, implement Governor Mark Dayton's Executive Order 15-02 establishing the Diversity and Inclusion Council. Involve local government staff, elected officials, and others in actions and projects in areas of concern for environmental justice.
2. **Learn from the experiences of other states and the EPA.** Identify best practices, tools, and lessons learned from the EPA and other states that could inform integration in Minnesota. Participate in national information-sharing and working groups such as those convened by EPA or the Environmental Council of States.
3. **Tribal coordination.** Ensure environmental justice issues are considered in our government-to-government interactions with Minnesota tribes. (See Governor Mark Dayton Executive Order 13-10)
4. **Collaborate with EPA.** Identify ways the expertise and resources of the EPA can help advance our work in Minnesota and identify ways the MPCA can support EPA's work in the state.

Measuring and reporting on progress

The MPCA is committed to achieving results, measuring progress, and regularly communicating with stakeholders about our results. The MPCA will seek feedback on implementation of this framework during periodic meetings with the environmental justice advisory group, through electronic communication, personal contact, and other means.

During initial implementation, the MPCA will prepare a written report on our progress achieving the goals of this framework. This report will be produced every year on or before January 15, beginning in 2017. After 2018, the reporting frequency will be evaluated in consultation with stakeholders. This report will include:

- Progress developing analytical tools, guidance documents, and procedures
- Reports on measures identified to track progress
- Summary of advisory group meetings
- Planned activities, deliverables, and milestones for the coming year and beyond
- Case studies related to permitting, outreach, engagement, and other activities

To monitor our progress in meeting the goals of this framework, the MPCA has identified three types of measures related to pollution and health, meaningful involvement, and program integration. Specific measures are listed as initial examples; more work is needed, including collaboration with stakeholders to identify indicators that can be measured and tracked over time.

Pollution and health: The changes over time in environmental conditions, potential exposures, and effects. Possible measures:

- Air pollution measures, statewide and in areas of potential environmental justice concern
 - Monitored levels of key air pollutants of concern (PM_{2.5}, formaldehyde, ozone, nitrogen dioxide)
 - Predicted (modeled) health risks
 - Emissions of criteria pollutants
- Asthma healthcare use rates and other respiratory disease, statewide and in areas of potential environmental justice concern
- Other environmental and health-related measures, to be determined

Meaningful involvement: The activities and satisfaction of community members related to public participation and engagement with members of the environmental justice community. Possible measures:

- Development and successful implementation of an outreach and engagement plan
- Participation in community events and activities
 - Number of meetings or community events that the MPCA attended or participated in
 - Number of community members attending MPCA events or meetings
 - Number of people from environmental justice communities routinely engaging in MPCA work
- Community input is recorded and reflected in agency program implementation and decisions
- Satisfaction of community members related to meaningful involvement in MPCA public participation activities

Programmatic measures: The progress we make integrating environmental justice into the MPCA's work. Possible measures:

- Use of screening tools to determine if a project is in an area of concern for environmental justice
- Number/portion of MPCA programs that have developed and fully incorporated environmental justice strategies
- Creation and documentation of tools/guidance/procedures for addressing environmental justice in identified program areas to implement the strategies identified in this framework
- Number of staff trained in multicultural competency, employee survey of attitudes

Implementation details

Implementation plans, guidance documents, procedures, and other tools that will fully implement this framework are being developed separately. We expect to regularly modify these documents often based on experience and feedback from stakeholders, especially initially.

These include:

- Procedures for screening for possible environmental justice concerns
- Implementation plans for permitting, compliance, and enforcement
- Planned approaches for public participation and engagement in permitting and other actions when environmental justice is a concern
- Stakeholder outreach and engagement plan
- Risk assessment and cumulative impacts
- Guidance on civic engagement and equity considerations in policy development and rulemaking

We will report on the status of these plans, guidance documents, and other resources periodically through regular updates as described in the previous section. Completed versions will be posted on the MPCA website as they become available. Draft versions and a status summary are available upon request. Please check www.pca.state.mn.us/ej or contact ned.brooks@state.mn.us for more information.