

KEYS TO AN EFFECTIVE ENVIRONMENTAL JUSTICE (EJ) EXECUTIVE ORDER (EO)¹

1. *State Clear Goals* - EO must state specific, measurable, attainable, relevant, time-bound goals related to environmental justice to ensure effective implementation and public accountability.
2. *Broaden the Administration's Efforts to Achieve Environmental Justice*- EJ directives should apply to all environmental policy decisions made by cabinet agencies, not just those related to climate change and transportation policy or mentioned in past EOs.
3. *Support Agency Personnel Tasked with Advancing Environmental Justice*- Agency staff assigned to work on environmental justice should have adequate authority, capacity, and resources to perform this work. And they should regularly, publicly report their progress.
4. *Define "Environmental Justice Community" to ensure administration-wide focus*- Definition should consider community composition and vulnerability and the disparate pollution burdens borne by local residents (e.g., "community with significant representation of communities of color, low-income communities, or Tribal and Indigenous communities, that experiences, or is at risk of experiencing higher or more adverse human health or environmental effects."²)
5. *Direct the Evaluation of Cumulative Impacts*- To understand the full environmental burden borne by EJ communities, and identify disparate impacts, agencies must consider the effects of multiple sources of pollution on environmental quality and health in a given community.
6. *Consider Impacts to Public Health*- When considering impacts, agencies must consider not only effects on environmental quality but also impacts to human health and related disparities.
7. *Direct the Collection and Analysis of Relevant Data*- Data must be collected, and mapping tools developed, to enable comparison of the demographic, health, and sensitive receptor data in EJ communities to accurately inform agency decisions and prevent compounding injustice.
8. *Emphasize Engagement of Impacted Communities in Decision Making*- Public participation plans should enhance engagement of historically marginalized community members in agency decision making, remove barriers to meaningful participation, and respond to public input.
9. *Direct Compliance with Federal Civil Rights Laws when Exercising Permitting Authority*- Governor Cooper should direct agencies to uphold their obligations under federal law to avoid permitting actions that will result in discriminatory impacts.
10. *Ensure Accountability Concerning Economic Development Incentives*- Taxpayer dollars must not support industry recruitment/expansion that threatens environmental quality or public health in EJ communities, and recipients of funding must report environmental impacts.
11. *Equitably Distribute Funds*- To ensure that public funds available under recent federal legislation reach EJ communities, state agencies must prioritize investment in EJ communities; develop and implement communications plans specifically designed to reach EJ communities; and offer technical support to applicants.

¹ This list is not written in order of priority or intended to recommend a sequence of action by Governor Cooper.

² Environmental Justice for All Act, S. 872, 117th Cong. § 3(8) (2021).