



## State of New Jersey

Department of Environmental Protection

P.O. Box 402

Trenton, New Jersey 08625

PHILIP D. MURPHY  
*Governor*

CATHERINE R. McCABE  
*Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

### ADMINISTRATIVE ORDER NO. 2020-02

WHEREAS, the New Jersey Department of Environmental Protection (Department) 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 treatment and meaningful involvement in environmental decision making of residents of all communities, regardless of race, ethnicity, color, national origin, or income; and

WHEREAS, pursuant to Executive Order No. 23, issued by Governor Murphy on April 20, 2018 (EO 23), the Department's Environmental Justice Advisory Council (Council), whose purpose is to advise the Commissioner of the Department on issues involving environmental justice and public health in New Jersey, is directed to continue in its duties in support of the Commissioner, and is further directed to coordinate with the Department and the Department's Office of Environmental Justice in providing advice and guidance to Executive Branch departments and agencies; and

WHEREAS, As reflected by EO 23, environmental justice continues to be a priority for the State, and the Department recognizes the importance of the continued and expanded role of the Council, pursuant to EO 23;

NOW, THEREFORE, I, Catherine McCabe, 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. The Council shall consist of eighteen members who shall represent a diverse range of stakeholder sectors and viewpoints and shall include four representatives of local grassroots or community groups, two representatives of Statewide social justice/civil

rights or labor organizations, two representatives of Statewide environmental justice or environmental advocacy organizations, two representatives of faith-based organizations or State or Federally recognized tribal governments or indigenous groups, two county or municipal government or planning professionals, two representatives of academia, two representatives of the public health sector, and two representatives of the business or industry sectors.

2. In an effort to achieve a diverse professional and organizational representation, no two members shall participate on behalf of the same group, organization, county or municipal government, business, or academic institution.
3. All vacancies on the Council shall be filled in accordance with this Order. The Office of Environmental Justice shall conduct a public solicitation for applications, which shall entail, at a minimum, an announcement of the vacancies on the Department's website and social media. The announcement shall provide an internet link to the required membership application and any supporting documents. The application deadline will be at least thirty days after the initial announcement of the vacancies.
4. Individuals interested in being considered for membership must complete the membership application and submit it and a resume/curriculum vitae, outside employment questionnaire as required by the State Ethics Commission, and one letter of recommendation from a person or organization with knowledge of the applicant. The complete application package must be submitted to and received by the Office of Environmental Justice via the Department's website or by e-mail or postal mail by the application deadline. An application package received after the deadline shall not be considered.
5. The Commissioner shall appoint members to the Council. In the composition of the Council, the Commissioner shall strive to reflect the racial, religious, gender, ethnic, and regional diversity of New Jersey. Members shall serve a term of three years and shall serve at the pleasure of the Commissioner. Each member may serve for his or her term and until a successor has been appointed. A member who is appointed to fill an unexpired term shall serve for the remainder of the unexpired term only. An individual may serve more than one term.
6. The Council shall establish its bylaws, which shall include election of officers.
7. The Council shall establish, as needed, working groups to recommend comprehensive strategies and identify best practices that address public health disparities related to environmental factors, climate change, sustainability, equitable development, community and economic revitalization, and resilience in overburdened communities. These working groups may include, but need not be limited to, Air, Water, Land, and

Environmental Education and Communication. Each member may choose which working group(s) to join based on the member's expertise and interest, but shall actively participate in at least one working group.

8. The Council shall meet, at a minimum, six times every calendar year, including one joint public meeting with the Environmental Justice Interagency Council. The meeting frequency and schedule shall be determined by the Council. Working groups shall meet as appropriate. Members are expected to participate meetings of the Council and the working groups that they join.
9. The Council shall, through the Office of Environmental Justice, provide recommendations to the Commissioner to incorporate environmental justice throughout the Department's programs where appropriate. These recommendations may include, but need not be limited to, providing resources, assisting in developing effective communication programs, conducting outreach to encourage direct community participation in environmental decision making, and implementing and enforcing environmental laws. Any action based on such recommendations will be at the discretion of the Commissioner.
10. The Council shall, pursuant to EO 23, coordinate with the Department and the Office of Environmental Justice in providing advice and guidance to the Executive Branch departments and agencies.
11. Pursuant to EO 23 and the related guidance, the Council and Environmental Justice Interagency Council will collaborate to identify environmental justice community concerns, develop priorities and action plans, and facilitate interagency collaboration with environmental justice communities.
12. Pursuant to EO 23 and any related guidance, the Department will utilize the Council to gather environmental justice communities' input on the most significant compliance and enforcement issues potentially impacting the environment and public health in their communities.
13. State agency environmental justice liaisons are encouraged to attend the Council meetings regularly and to bring specific environmental justice challenges, concerns, or opportunities to the Council for consultation.
14. 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.
15. This Administrative Order shall take effect immediately.

16. Administrative Order 2016-08 signed on September 12, 2016, and all previous Administrative Orders or portions thereof that are inconsistent with this Order, are hereby superseded and repealed.

2/3/20  
Date:

Catherine R. McCabe  
Catherine McCabe  
Commissioner