



Support Amendments to the Virginia Environmental Justice Act

Senate Bill [\(SB\) 1318](#); Patron: Senator [Ghazala Hashmi](#)

In brief: This bill (“Bill”) amends the Virginia Environmental Justice Act of 2020 (“[VEJA](#)”) ([§§ 2.2-234, 2.2-235](#)), which declared environmental justice (EJ) as the policy of the Commonwealth. The Bill amends the VEJA by incorporating new definitions into VEJA and codifying the EJ Interagency Working Group created in last year’s [budget bill](#).

Background: The adoption of VEJA marked an important step towards protecting vulnerable populations, people of color, and low-income people from disproportionate risk and harms resulting from polluting facilities. VEJA defines key terms related to EJ largely based on definitions used by the U.S. EPA such as “*fenceline communities*,” “*environmental justice*,” “*fair treatment*” and “*meaningful involvement*” as the latter 2 terms are in the definition of “*environmental justice*.”

Although Virginia now has a basic EJ policy, the state still lacks the tools to ensure EJ is carried out. **The amendments to VEJA take steps to operationalize EJ at the state level by:**

Clarifying and expanding existing environmental justice policy.

- Make clear that Environmental Justice policy applies only to “*covered agency actions*” that relate to the environment;
- Include “*cumulative impacts*” among those matters which must be considered in administration of agency actions, bearing in mind these impacts may result from individually minor but collectively significant agency actions over time.

Further defining the structure of the Interagency Working Group.

- Authorize the Interagency Working Group to solicit public comment.
- Create seats on the Interagency Working Group for the state Director of Diversity, Equity, and Inclusion as well as two members of the Virginia Council on Environmental Justice to ensure coordination and collaboration between the Working Group and the Council.