



**MassDEP's Environmental Justice  
Initiatives to Improve Water Quality**

**Dr. Padmini Das**  
**Nonpoint Source Management Program**

**Soil and Water Conservation Society**  
**March 30, 2023**

**Bureau of Water Resources  
(BWR)**

**Division of Watershed Management  
(DWM)**

**Watershed Planning Program  
(WPP)**

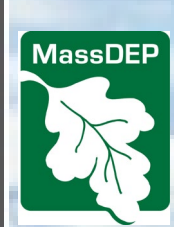
**Nonpoint Source (NPS) Management  
Section**



**Our Intern: James Rocha**

*University of Massachusetts Amherst  
Program: MS Geography (Geographic  
Information Sciences & Technologies)*

*Advisor: Forrest J. Bowlick,  
GIST Graduate Program Director  
Department: Department of Earth,  
Geographic, and Climate Sciences*



# **Our Discussion Today...**

**Environmental Justice: A Shared Goal**

**MassDEP's Environmental Justice (EJ) Program**

**2021 Executive Office of Energy & Environmental Affairs (EEA) EJ Policy**

**Clean Water Act and Water Quality Imperatives**

**MassDEP's Recent EJ Initiatives**

**EJ Initiatives of MassDEP's Grant Programs to Improve Water Quality**

**Example: EJ in Stormwater Management Grants**



# MassDEP's Mission Statement (Updated 2021)

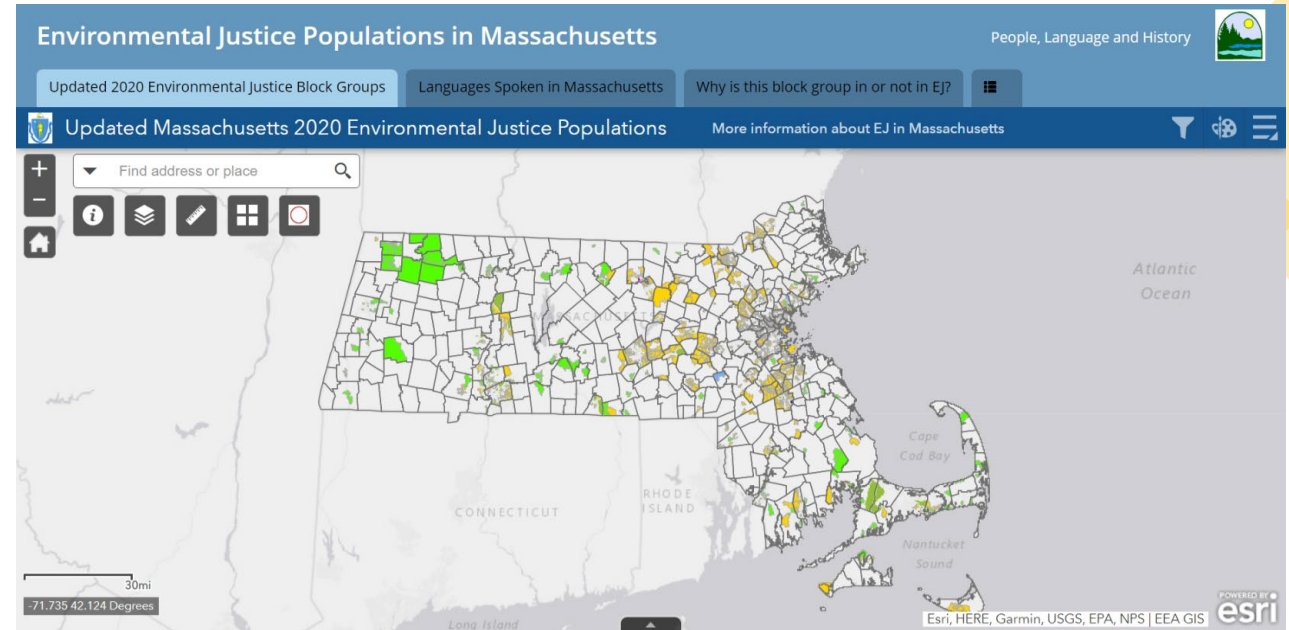
**MassDEP's mission is to protect and enhance the Commonwealth's natural resources - air, water, and land - to provide for the health, safety, and welfare of all people, and to ensure a clean and safe environment for future generations.**

**In carrying out this mission MassDEP commits to address and advance environmental justice and equity for all people of the Commonwealth, to provide meaningful, inclusive opportunities for people to participate in agency decisions that affect their lives; and to ensure a diverse workforce that reflects the communities we serve.**

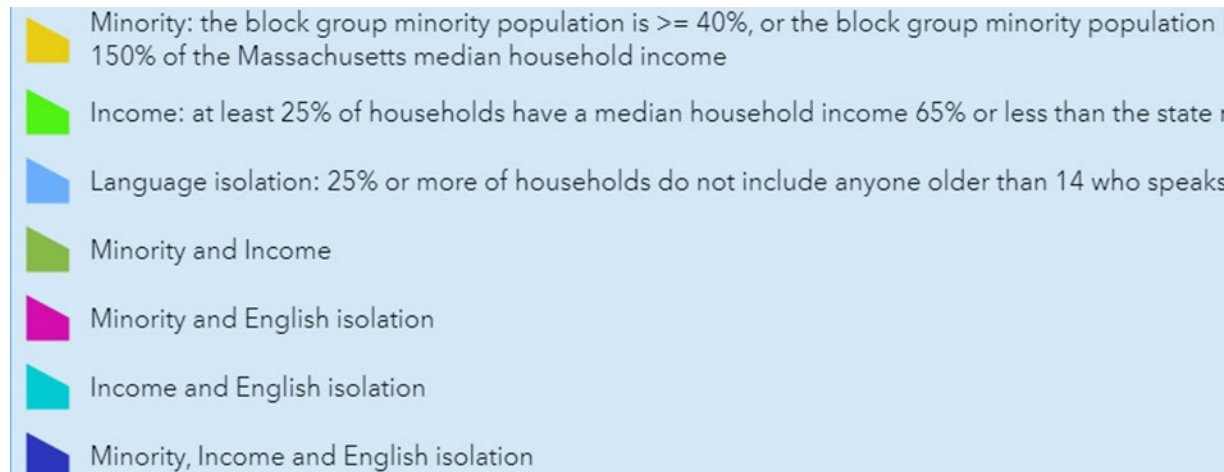
# EEA Environmental Justice Policy 2021



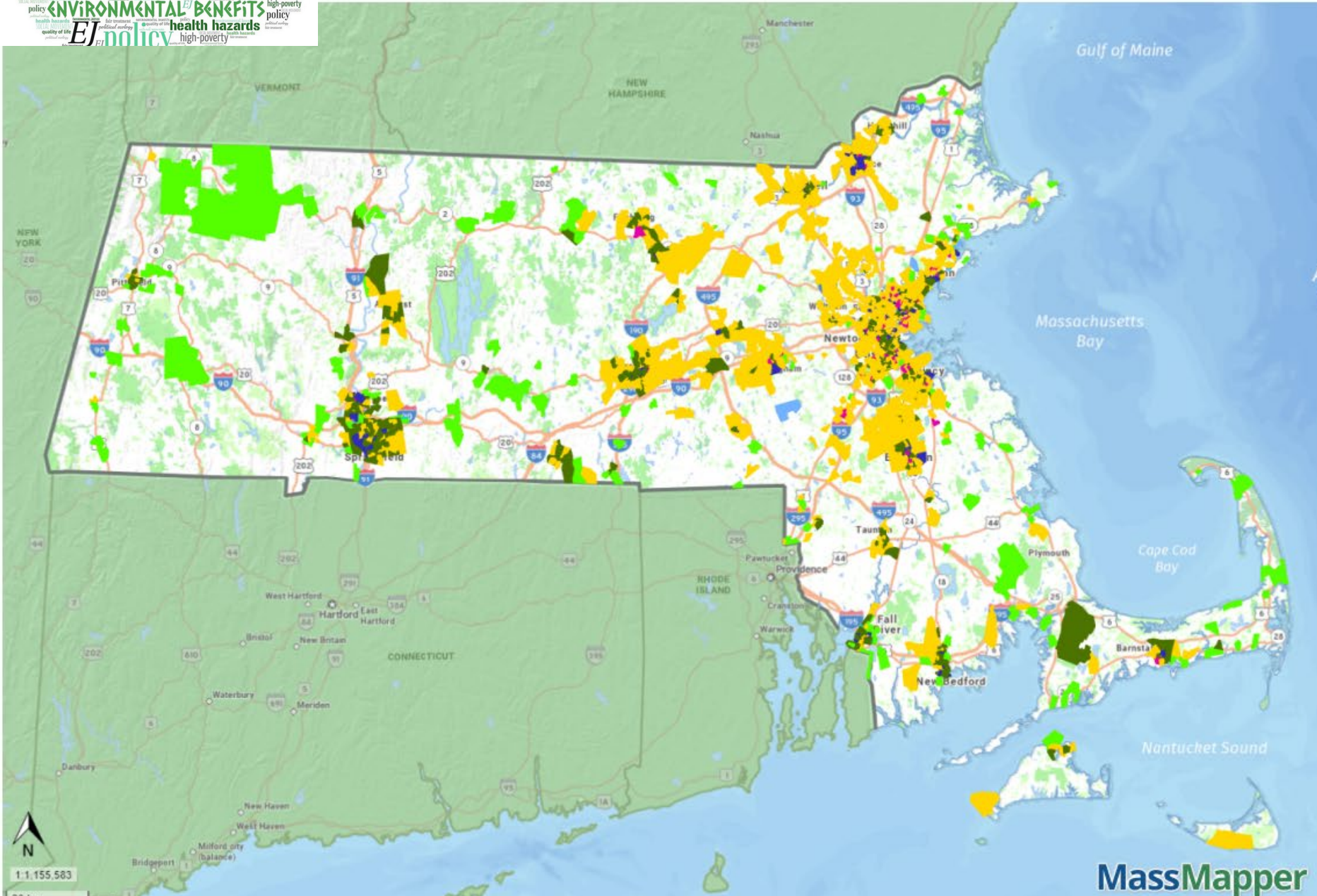
- EEA’s 2021 EJ Policy defines an EJ Population as a census block group that meets ONE or MORE of the following criteria:
  - The annual median household income is not more than **65%** of the statewide annual median household income;
  - Minorities comprise **40%** or more of the population;
  - **25%** or more of households lack English language proficiency;or
  - Minorities comprise **25%** or more of the population, and the annual median household income of the municipality in which the neighborhood is located does not exceed **150%** of the statewide annual median household income.



[Environmental Justice Populations in Massachusetts \(arcgis.com\)](https://arcgis.com)



# EEA Environmental Justice Policy 2021



## Census 2020 Environmental Justice Populations

- Minority
- Income
- English Isolation
- Minority and Income
- Minority and English Isolation
- Income and English Isolation
- Minority, Income and English Isolation

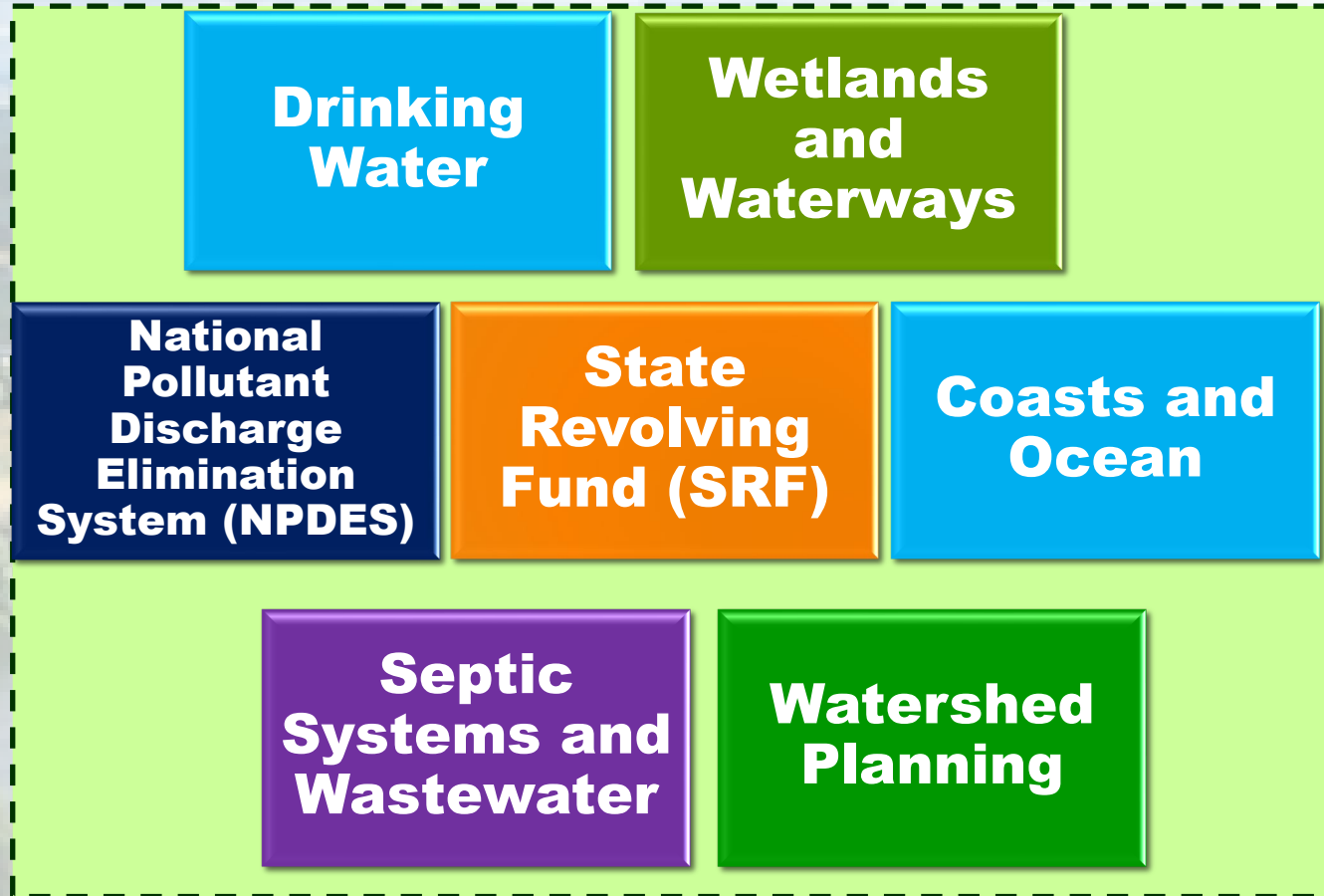
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# Clean Water Act and Water Quality Imperatives

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters.



## Compliance and Enforcement

Clean Water Act Compliance Monitoring:  
investigations and inspections  
Water Enforcement

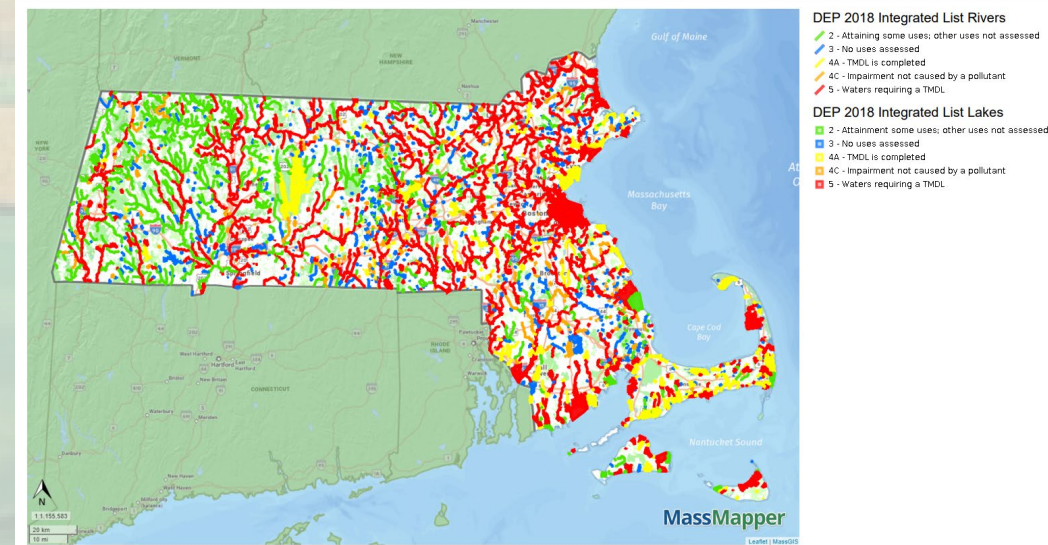
- USEPA
- States
- Tribal Nations
- Other Federal Agencies

## 305(b) List

Section 305 (b) reports provide information on the **water quality status of all waters** in the state.

### ➤ 303(d) List

Section 303 (d) lists are a subset of these waters – those that are **impaired by a pollutant and in need of a TMDL**.

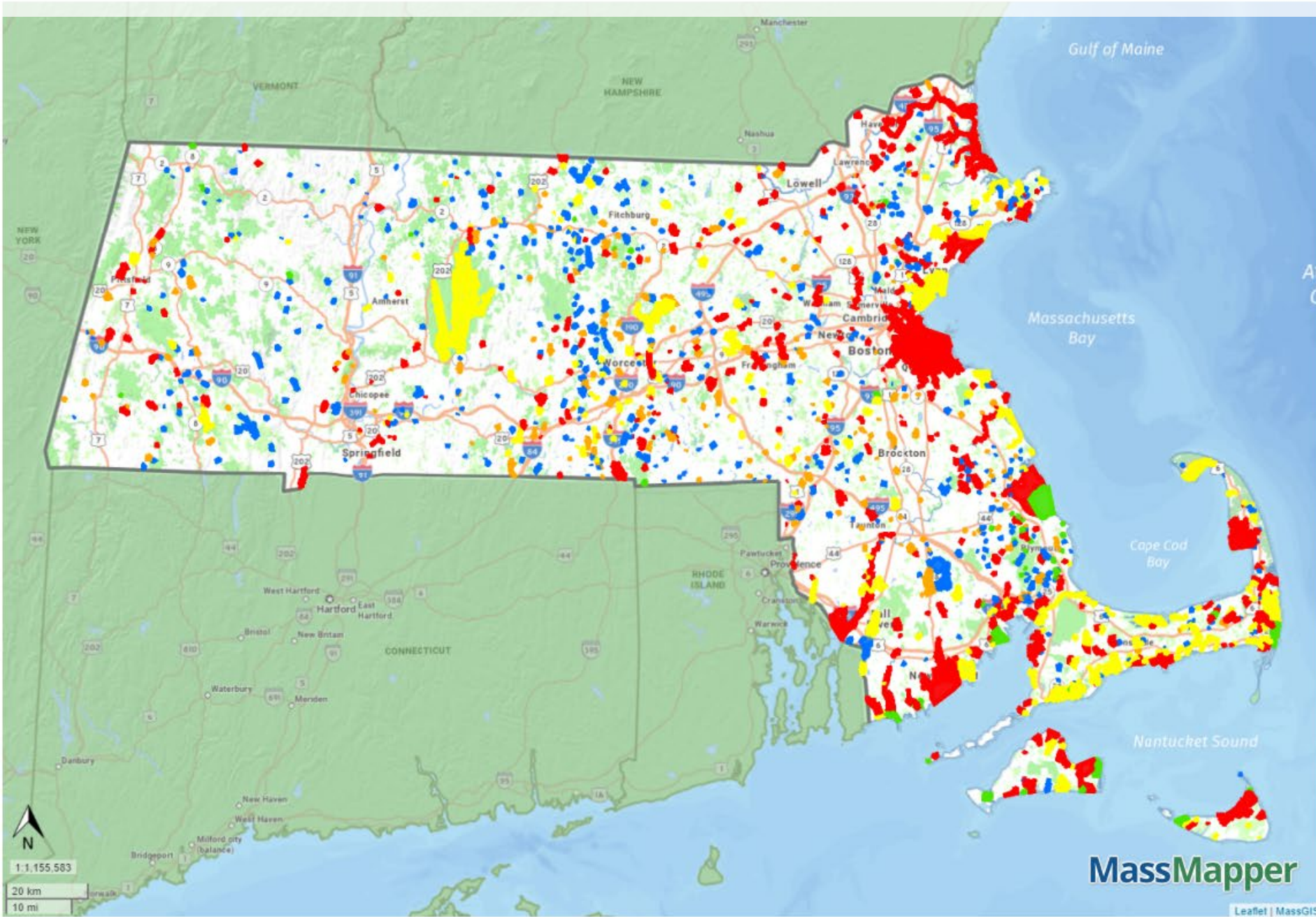


[Environmental Protection | Mass.gov](https://www.mass.gov/environmental-protection)

[Environmental Justice | Mass.gov](https://www.mass.gov/environmental-justice)



# MassDEP's 2018 Integrated List (Lakes)



- DEP 2018 Integrated List Lakes
- 2 - Attainment some uses; other uses not assessed
  - 3 - No uses assessed
  - 4A - TMDL is completed
  - 4C - Impairment not caused by a pollutant
  - 5 - Waters requiring a TMDL

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# MassDEP's 2018 Integrated List (Rivers)

## DEP 2018 Integrated List Rivers

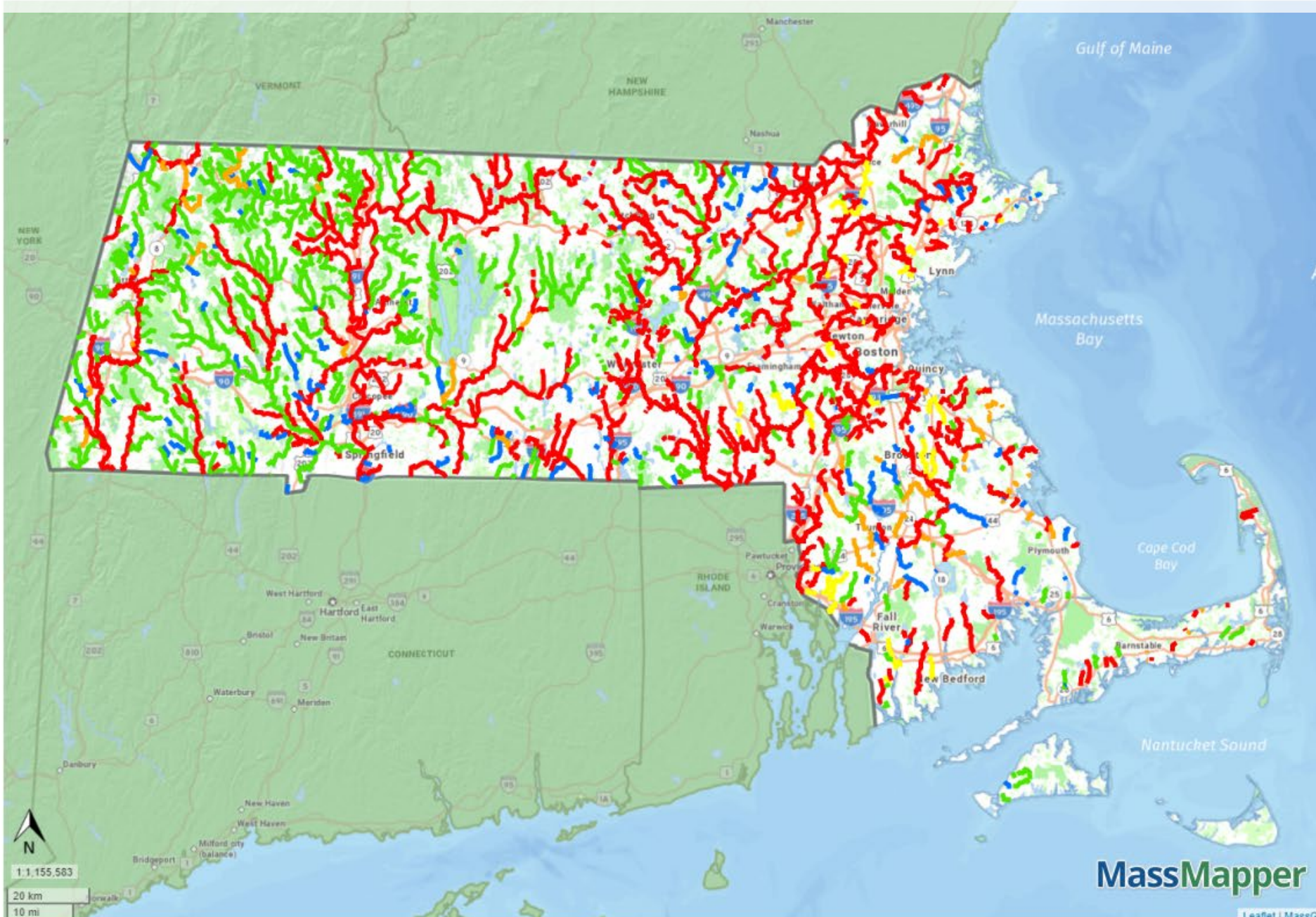
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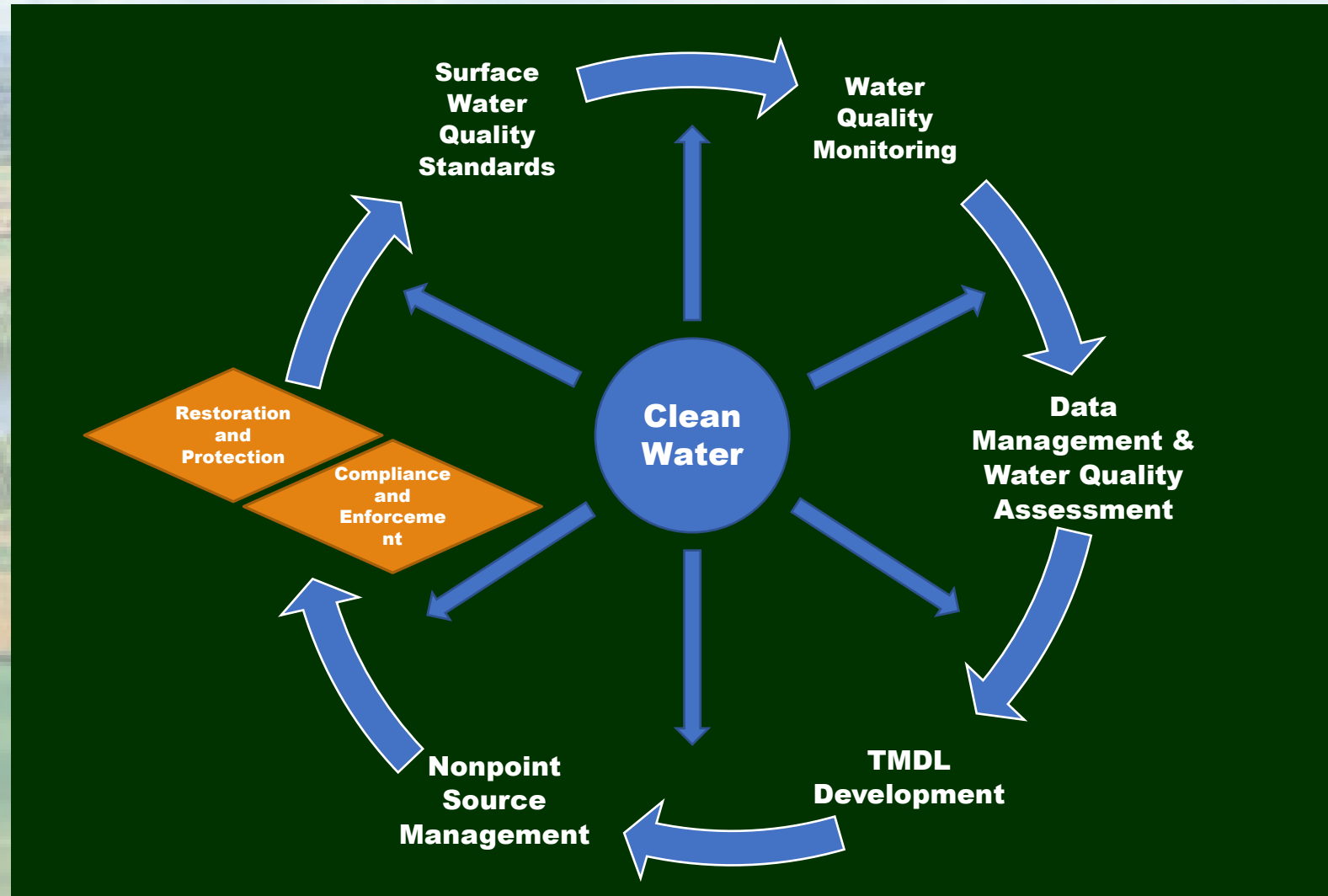
# MassDEP's Watershed Planning Program

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# JUSTICE 40

## U.S. ENVIRONMENTAL PROTECTION AGENCY (US EPA)

- Justice 40 is a White House Initiative and is being tracked at the National level (US EPA HQ in Washington, DC).
- Mandates at least 40% of the benefits of certain federal programs must flow to disadvantaged communities.
- A subset of US EPA programs are being tracked by HQ (US EPA):
  - **Drinking Water State Revolving Fund**
  - **Clean Water State Revolving Fund**
  - **Reducing Lead in Drinking Water**
  - **CWA Section 319 NPS Pollution Competitive Grant Program**
  - **Superfund**
  - **Brownfields**
  - **Diesel Emissions Reductions Act Program (DERA)**



**Justice 40**

**Justice40 at  
EPA | US EPA**

# MassDEP's Recent EJ Initiatives

## Expanded Assistance Program for Lead in Drinking Water in Schools and Childcare Facilities

Providing free technical assistance and water testing to public schools and public/private childcare facilities.

MassDEP DWP



### Introduction

Lead is a colorless and tasteless metal which can harm infants, children, and pregnant women. There is no known safe level of **lead in children's blood** and very low levels of lead have the potential to impact children's health. Children can ingest lead if it gets into their drinking water through **pipes, faucets, and other plumbing** that contain it. The only way to know if there is lead in your water is to test it.

The MassDEP Expanded Assistance Program offers FREE testing and technical assistance for public schools and public/private childcare facilities!



CW  
SRF

Clean Water  
State Revolving  
Fund

- EJ communities are provided principal forgiveness for a portion of the SRF loan to ensure that they can afford projects that are necessary to comply with Clean Water Act requirements.

DW

Drinking  
Water

- The MassDEP Expanded Assistance Program offers FREE testing and technical assistance for public schools and public/private childcare facilities.

[Expanded Assistance Program for Lead in Drinking Water in Schools and Childcare Facilities \(arcgis.com\)](https://arcgis.com)

# **Public Involvement Plan (PIP)**

- **A Public Involvement Plan (PIP) is a plan developed by MassDEP staff or Applicants to effectively engage with the public, specifically impacted EJ Populations.**
- **Staff should share the draft EJ PIP with the EJ stakeholders for input and feedback, questions, identification of additional stakeholders, etc. (The goal is to develop a collaborative document)**
- **Opportunity should be given to the impacted EJ population to provide input and identify community concerns about the specific key action/activity as part of the development of the PIP. (This should be done before public comment/public hearing).**
- **The PIP will guide MassDEP in receiving input from the public and will inform the agency's decisions and actions.**

# **How MassDEP is Incorporating EJ Components into Regulations**

## **REQUIREMENTS TO PROMOTE PUBLIC AWARENESS OF SEWAGE POLLUTION**

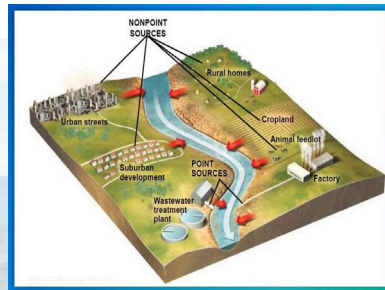
- **Permittee requirement for contacting news organizations that serve EJ populations for public advisory notifications.**
- **Language translation, as appropriate, for:**
  - **Public advisory notifications**
  - **Permanent warning signs at outfalls**
  - **Public notice of CSO Public Notification Plan**
  - **Public health warnings and temporary signage at access points**
- **Media outlet that serves EJ populations for public notice of CSO Public Notification Plan**



## **EJ Initiatives in Stormwater Management Grants**



# Stormwater Management Grants



## Point Source Management

## Nonpoint Source Management

**NPDES MS4 Permit**

**Grant – Water Quality Monitoring Grant**

**319 NPS Pollution Competitive Grant Program**

**Grant - Stormwater MS4 Municipal Assistance Grant Program**

**604(b) Water Quality Management and Planning Grant Program**

- Monitoring of rivers, streams, lakes, ponds, and estuaries
- Capacity-building actions

- Projects that meet MS4 permit requirements**
- planning
  - resource sharing
  - implementation

- Water Quality Assessment
- Design and Planning
- Watershed-Based Plan
- Equity
- Climate Resiliency

**Implementation Projects (319-I)**  
**Restoration of Impaired Waters**

**Capacity Building (319-NI-CB)**

**Healthy Watershed (319-NI-HW)**

**Protection of Healthy Waters**

**Outreach, Education, Active Community Engagement, Environmental Justice**





# NPS Roadmap

## Meeting Communities Where They Are



**Protection of Healthy Waters**



**Restoration of Impaired Waters**

**319 NI-HW**

**Healthy Watershed Protection Implementation**

**604(b)**

**Healthy Watershed Protection Planning**

**Non-Impaired**

**YOU ARE HERE**

**Water Quality Assessment**

**604(b)**

**YOU ARE HERE**

**Impaired**

**Watershed-Based Plan (Nine-Element)**

**Climate Resiliency Planning**

**Implementation (Construction) of Best Management Practices (BMP)**

**319 I**

**Technology Transfer**

**319 NI-CB**

**NPS Capacity Building**

- Regional
- Agricultural
- EJ

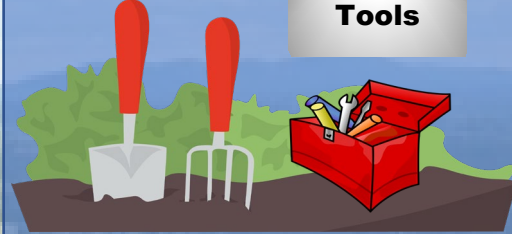
**319 NI-CB**

**319 NI-CB**

**604(b)**



**Tools**



**Integrated List of Waters (303(d) List)**

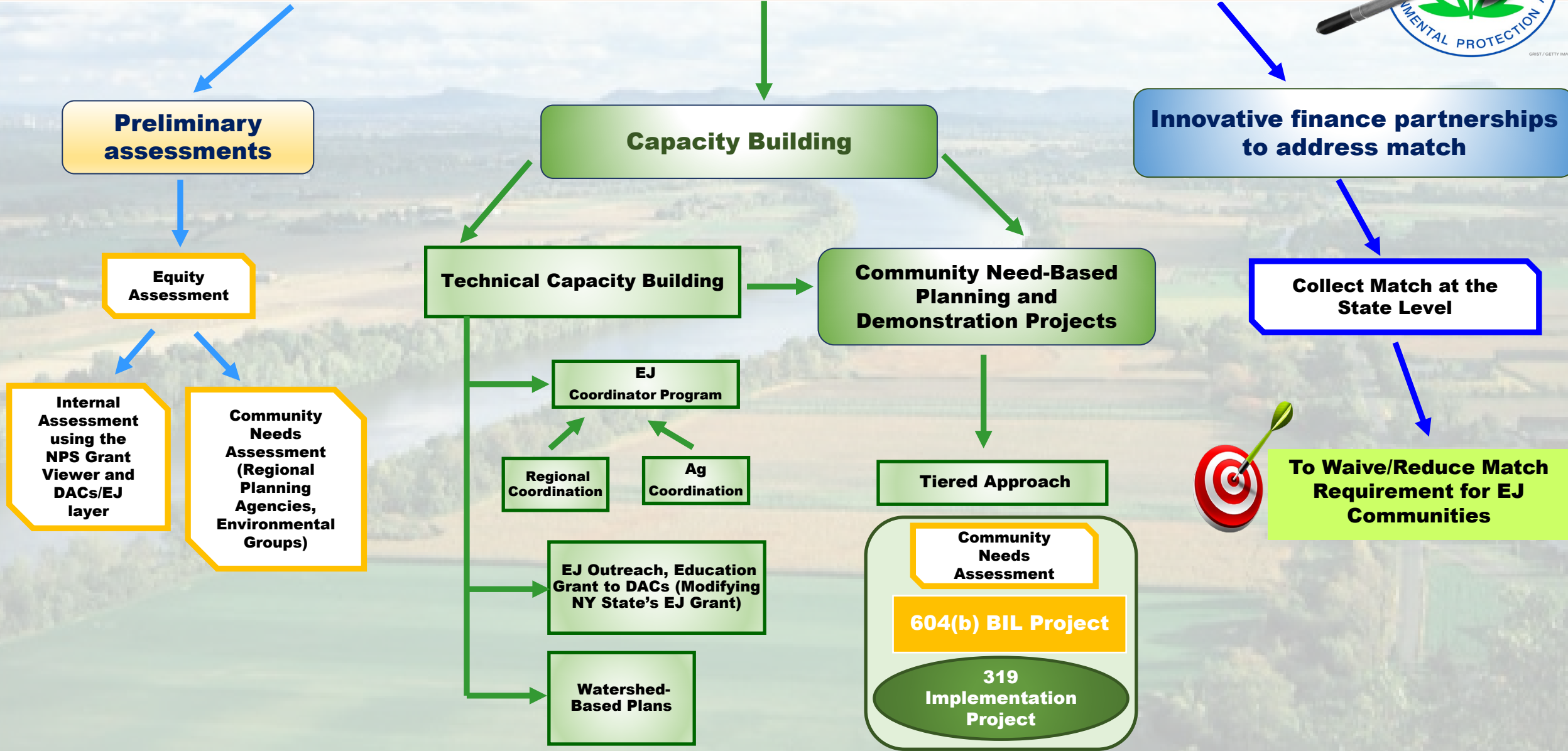
**Watershed-Based Plan Tool**

**RMAT Tool**

**Mass Stormwater Handbook**

**Mass Clean Water Toolkit**

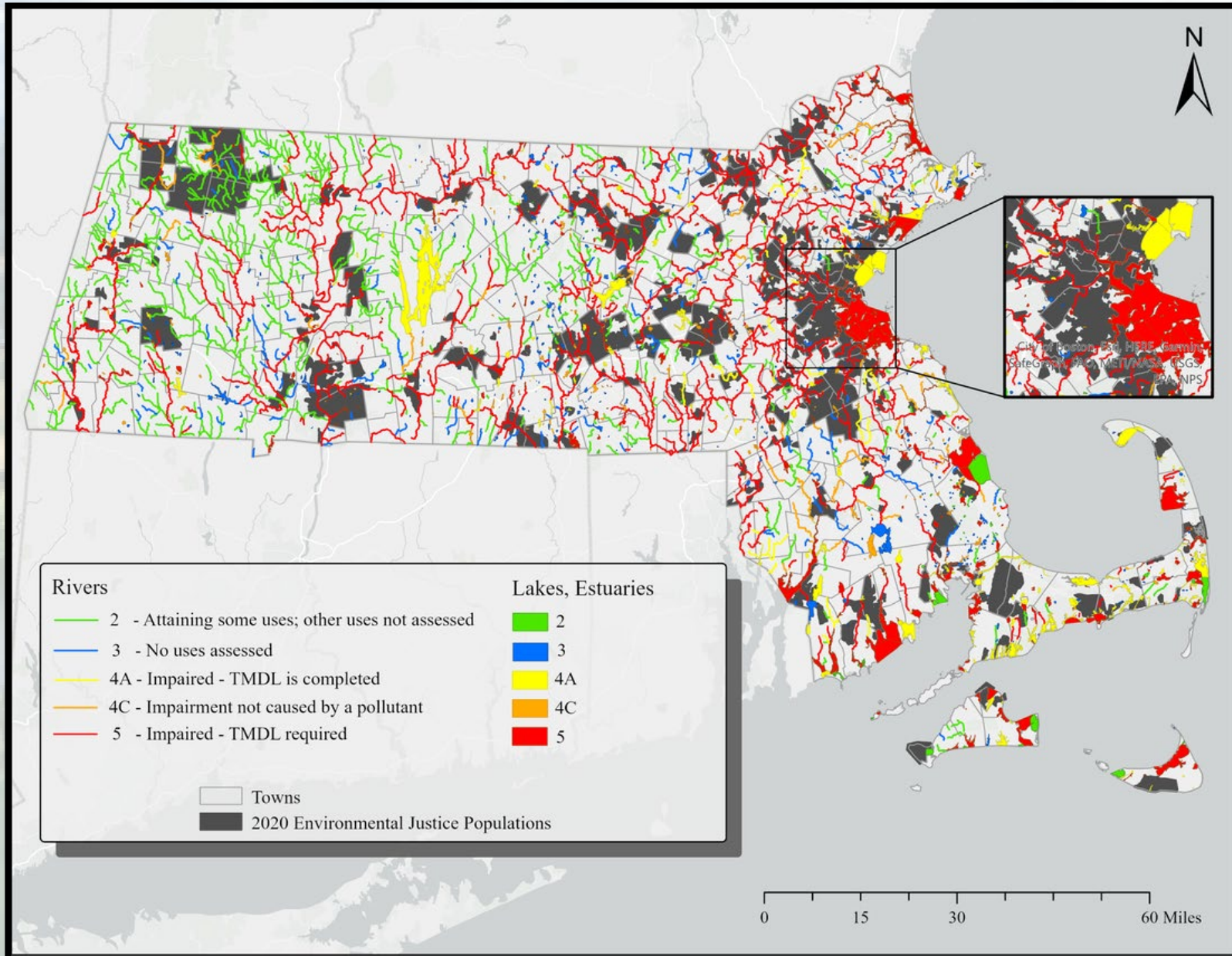
# Justice40 (40% Benefits going to EJ Communities)



# How MassDEP is Conducting Equity Assessments



To Enhance Grant Funding to EJ Communities



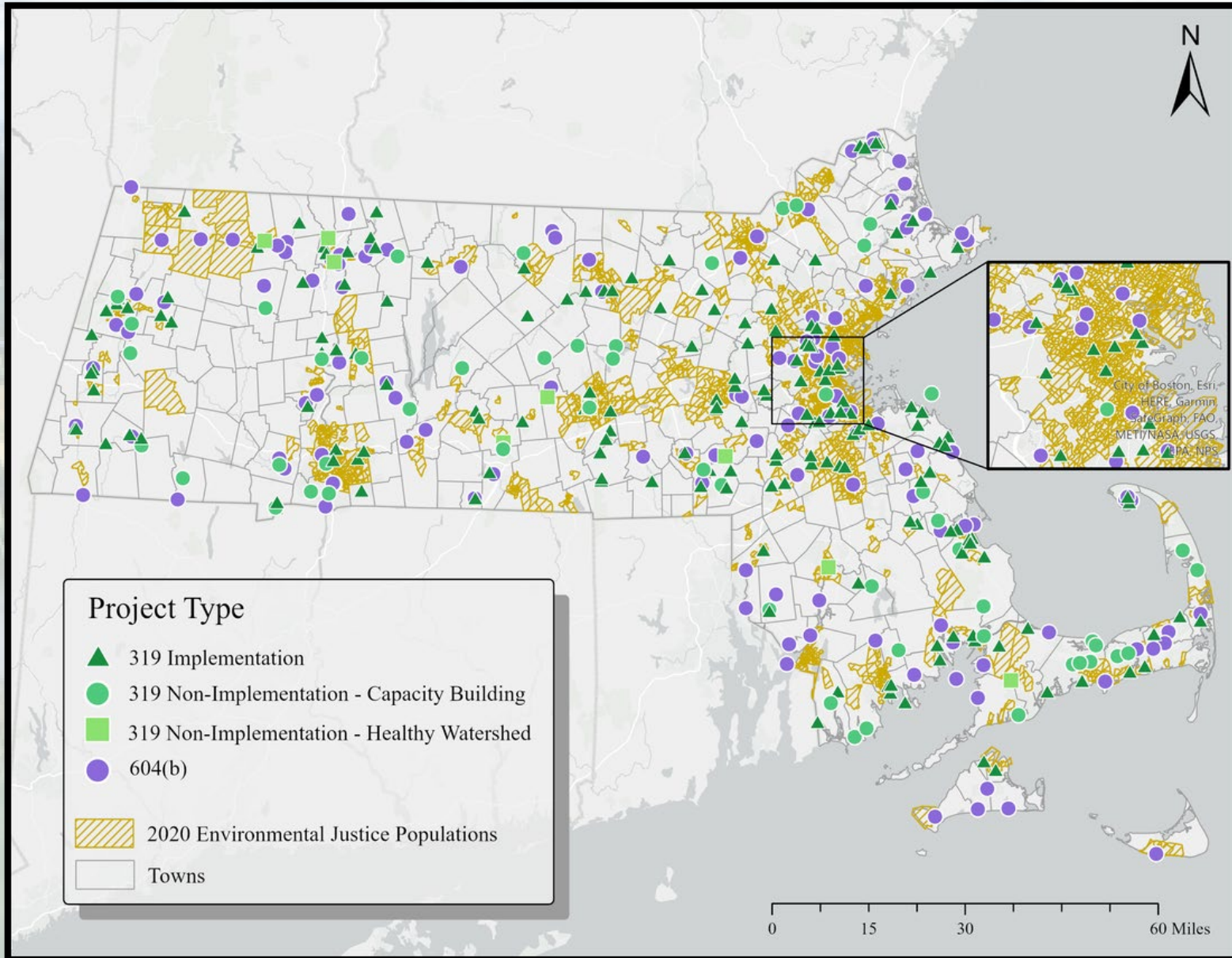
## Integrated List with EJ Layers

- **Assessment of Current Scenario**
- **Identifying the Gap**
  - **Unassessed Water in EJ Communities**
  - **Urban pollutants**
  - **Emerging Contaminants**

# How MassDEP is Conducting Equity Assessments



To Enhance Grant Funding to EJ Communities



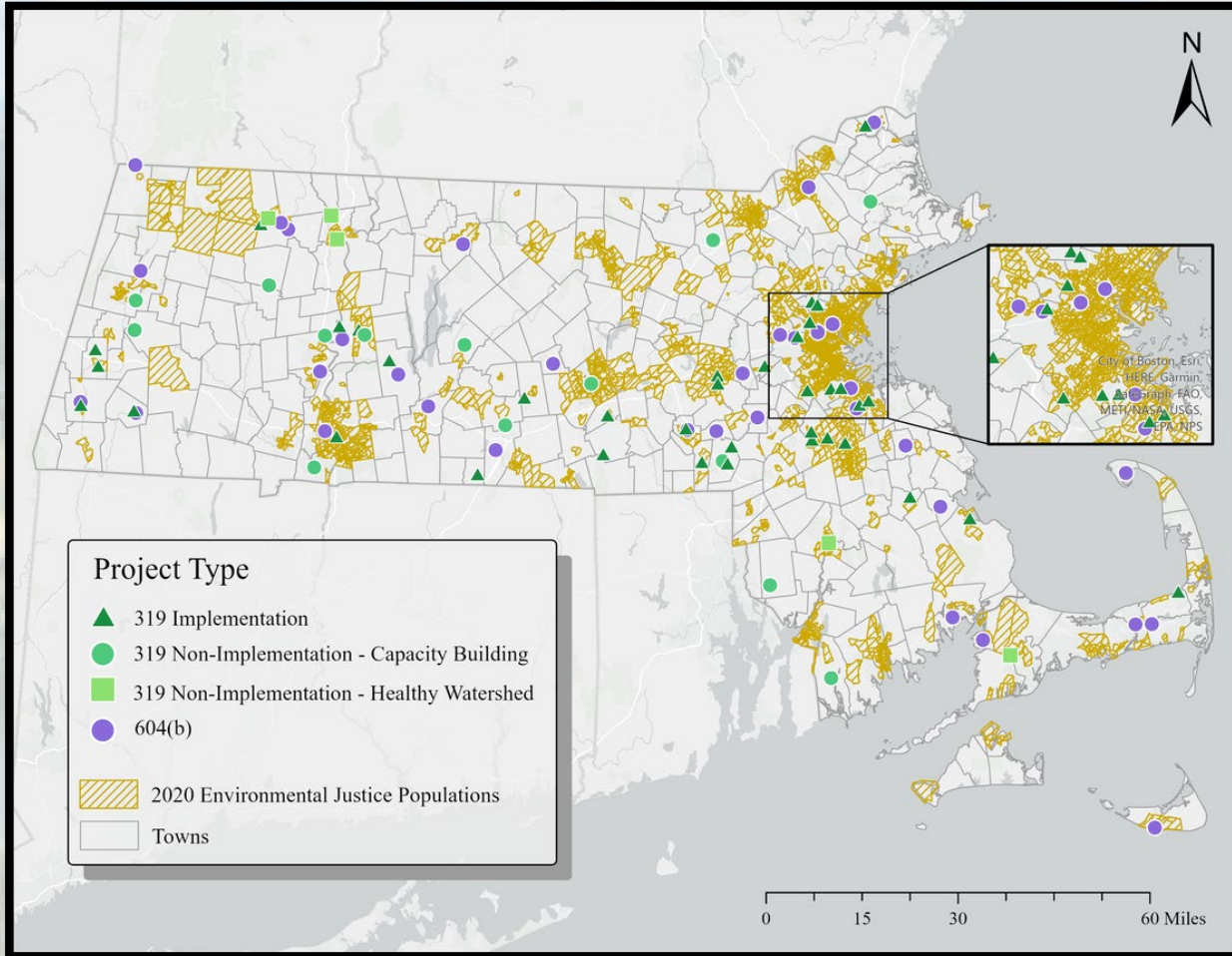
## NPS Grant Projects with EJ Layers

- Assessment of Current Scenario
- Identifying the Gap
  - Unassessed Water in EJ Communities
  - Urban pollutants
  - Emerging Contaminants
- Revisiting the Prioritization
- Scoping the Potential Projects
- Strategic Outreach
- Community Needs Assessment
- Design and Implementation

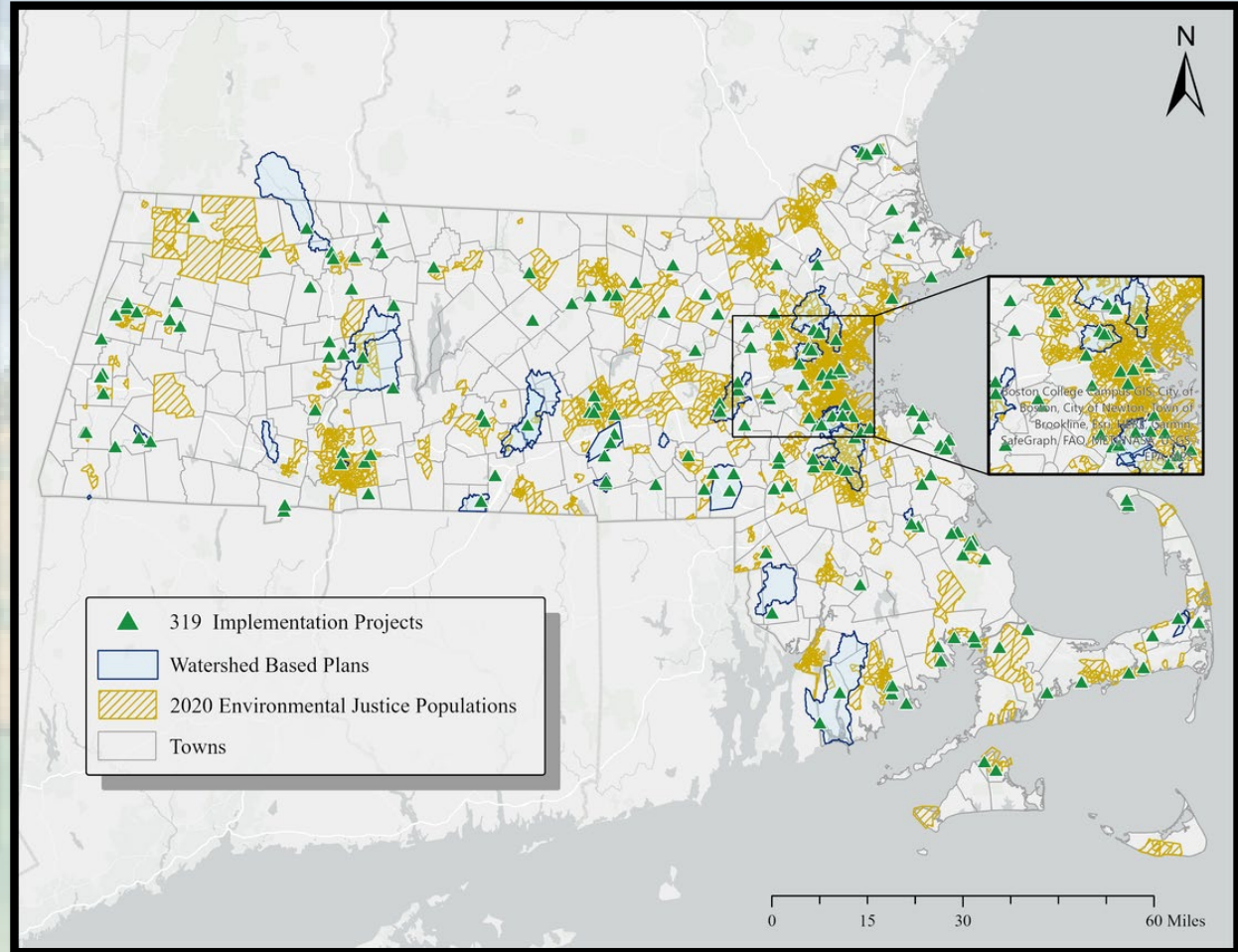
# How MassDEP is Conducting Equity Assessments



To Enhance Grant Funding to EJ Communities



**Recent (2015 to 2023) NPS Grant Projects with EJ Layers**



**Watershed-Based Plan, 319-I Projects with EJ Layers**

# Active and Inclusive Community Engagement

**Beyond Flyers**



**Equity Modifiers**

**Community Youth Engagement**



**Citizen Science**



**Facilitating Participation of All**

**Overcoming Linguistic Isolation**



**Universal Signage**



# **EJ Initiatives in Stormwater MS4 Municipal Assistance Grant Program**



- **How does the proposal describe direct benefits to environmental justice communities?**
- **How are environmental justice communities involved in the proposed project?**
- **Which environmental justice communities or organizations are included in the proposed project?**
- **Are new partnerships being formed to benefit environmental justice communities?**
- **Does the proposed project promote collaboration and inclusive information sharing among multiple communities, including maximizing compliance benefits in environmental justice communities?**



# CONTACTS

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- **Phone:** 781 719-3486

**Address**

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100 Cambridge Street, Suite 900,  
Boston, MA 02114**



EJ POLICY



CLIMATE  
LAW



EJ MAP  
VIEWER

**RESOURCES**



LANGUAGE  
MAP

**Web:** [Environmental Justice | Mass.gov](https://www.mass.gov/environmental-justice)

