



Environmental Advisory Board

Meeting Agenda

September 24, 2025 3:00 P.M.

Centennial II HR Conference Room B

805 Central Avenue, Cincinnati, Ohio 45202

Virtual Attendance through Microsoft Teams

Order of Business

- I. Public Comment**
- II. Call to Order**
- III. Administrative Action***
 - Approval of August 27, 2025 – Meeting minutes
- IV. Office of Environment and Sustainability Comments**
 - Sustainable Ohio Public Energy Council (SOPEC) Process Update
- V. Information/Updates**
 - Meeting with Council Member Owens Updates – Kylie Johnson
- VI. Items for Vote***
 - TBD
- VII. Presentations**
 - Community Engagement Overview – Eunice Avery, Dariah Williams and Stacey Hoffman, Department of City Planning and Engagement
 - Codifying Environmental Justice in Decision-Making; Examples to Spark Ideas – Meagan Niebler, Fair Shake
- VIII. Open Discussion**
 - TBD
- IX. Next Meeting**
 - October 22, 2025 at 3pm; **Location TBD**
- X. Adjournment**

**Board Action Requested*

Agenda Packet Materials:

- Draft meeting minutes from 8/27/2025
- Community Engagement Overview Presentation (pending)
- Codifying Environmental Justice in Decision-Making; Examples to Spark Ideas Presentation, V1

Environmental Advisory Board

Minutes of August 27, 2025

Members Present:

- **In person:** Dave Schmitt; Douglas Walton; Kylie Johnson, Nayana Shah, Van Sullivan
- **Virtual:** Andrew Musgrave; Emmy Schroder; Ericka Copeland; Julie Shifman; Monica Perdomo; Nathan Alley; Rico Blackman; Susan Sprigg

Members Absent: Ashlee Young

Staff Present: Amanda Testerman; Erin Kabel; Rob McCracken

Meeting: A meeting of the Environmental Advisory Board was held on May 25, 2025 at 3:00 PM at Centennial II HR Conference Room B, 805 Central Avenue, Cincinnati, Ohio 45202.

Meeting Agenda:

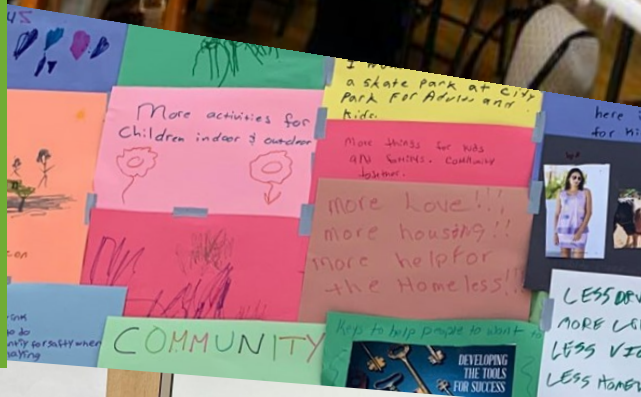
- I. **Public Comment**
- II. **Call to Order at 3:02 PM**
- III. **Administrative Action***
 - Approval of Jul 23, 2025 – Meeting minutes
- IV. **Office of Environment and Sustainability Comments**
 - Solar For All Grant Update – Rob McCracken
 - The City of Cincinnati was included in a sub-award of two Solar For All grants totaling \$9.1 million. These funds were slated to provide solar for project at the former Center Hill Landfill. EPA issued a letter on 8/7 with notice of the grant termination. At this time the path to contest this termination is unclear. The city is exploring alternatives to move forward with the solar project without this funding.
- V. **Information/Updates**
 - None
- VI. **Items for Vote***
 - None
- VII. **Presentations**
 - Stormwater Management Utility – Arun Hindupur
 - Impervious Surface Fee Update – Larry Falkin
 - Sustainable Ohio Public Energy Council (SOPEC) – Rob McCracken
- VIII. **Open Discussion**
 - None
- I. **Next Meeting**
 - Wednesday September 24, 2025 at 3:00 PM
- II. **Adjournment at 4:07 PM**



DISCLAIMER

This presentation is designed for **general informational** purposes only.

The information contained in this presentation should **not** be construed to be legal advice or to signify the formation of a lawyer-client relationship.



There are a range of ways other cities have worked to codify environmental justice.

Some of these – or pieces of these - may help Cincinnati.

- Language Access
- Strengthen Public Participation in Development Approval Processes
- Participatory Budgeting
- Create Equitable Benefits and Protections
- Assess and Mitigate Negative Impacts

GCP Equity Framework



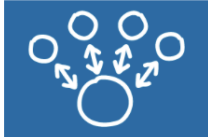
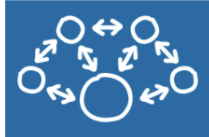

1. Recognitional equity—a commitment to identifying and acknowledging injustices affecting specific populations that institutions, including government, have created.

2. Procedural equity—a commitment to ensuring that priority community members have a voice in the process to develop and implement programs and policies in an effort to shift power, build trust, and drive accountability.

3. Distributional equity—a commitment to develop policies and programs that result in the distribution of benefits across all segments of a community, prioritizing those with the highest need.

4. Restorational equity—a commitment to correct past harms through repairing degraded relationships, communities, and other resources.

5. Transformational equity - a commitment to prioritize the needs and rights of priority communities by addressing the structural conditions that cause social and racial injustice

				
Inform	Consult	Involve	Collaborate	Own
Provide the community with balanced and objective information to assist them in understanding the problems, alternatives, opportunities, and/or solutions	Obtain community feedback on analysis, alternatives, and/or decisions	Work directly with the community throughout the process to ensure their concerns and aspirations are consistently understood and considered	Partner with the community in each aspect of the decision, including the development of alternatives and the identification of the preferred solution	Place the final decision making in the hands of the community



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Language Access

Citywide Language Access to Ensure Effective Delivery of City Services (Chicago)

What Is It?

- Requires “pertinent City departments” to create a language assistance plan, translate public documents, and give language access services.

How Does It Work?

- A language access coordinator makes a language access plan to assess and understand:
 - The number of limited-English proficiency (LEP) persons;
 - Number of LEP persons come use the department;
 - The importance of services to the LEP persons; and
 - Resources to provide language services.
- Departments must then have the following for LEP persons:
 - Translated essential public files;
 - Interpretation services;
 - Trained workers and managers on language access procedures;
 - Posted signage about free interpretation services;
 - A monitoring system for the language services; and
 - Public awareness strategies.
- The language access plans should address the needs of new populations of LEP persons.



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Strengthen Public Participation in Development Approval Processes

Community Development Forum Requirement

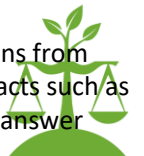
(Calabassas, CA)

What Is It?

This ordinance requires two community forums for new, large developments. The goal is to inform and engage the community before and during large developments are seeking local permits. The forum requires the developer to hear and consider the ideas and concerns of citizens during the initial design process and permit review process.

How Does It Work?

- The ordinance requires large developments to host two community development forums.
- Forum #1 is required before submitting a development application to the municipality. The forum must:
 - Be scheduled Monday through Thursday and starting at 6 or 7pm.
 - Be held close to the development project site, at one of two community centers.
 - Be widely publicized. The ordinance spells out the different way the developer needs to notify the public, including direct mailing to all residents who live in that city zone, and ways the municipality will help notify the public, including notifying homeowners' associations, the media, and to develop an email/mail list of people who request notice around this development.
 - Provide all pertinent information, including a detailed list of information that must be shared, such as preliminary plans, zoning and arial maps, contact information.
 - Provide an opportunity for the "public to engage with the project's design team and other subject matter experts. The proper may, at their option, use a "hands on" or interactive design process.
- Forum #2 is required after the review committee has met and is considering the project application. This forum is intended that the applicant tells the public about the project proposals and updates after the first forum and tell the public about the benefits that the project will contribute to the community.
 - Follow the same guidance as Forum #1.
 - Provide all pertinent information, including an updated project plan, renderings or models, a written narrative about issues like traffic, parking, potential environmental impacts and mitigations.
 - Include municipal planning staff to answer questions;
 - Host small-group discussions with members of the project's design and engineering teams and answer specific questions from members of the public. Additionally, "the city anticipates the public will have specific questions regarding project impacts such as traffic, noise, or grading of concern... thus the applicant is required to have...members of the project team qualified to answer questions regarding those..."
- The developer is required to submit a written summary after the first and second forum to the municipality which includes a summary of public comments, suggestions, and concerns, and how those comments, suggestions, and concerns will be addressed.



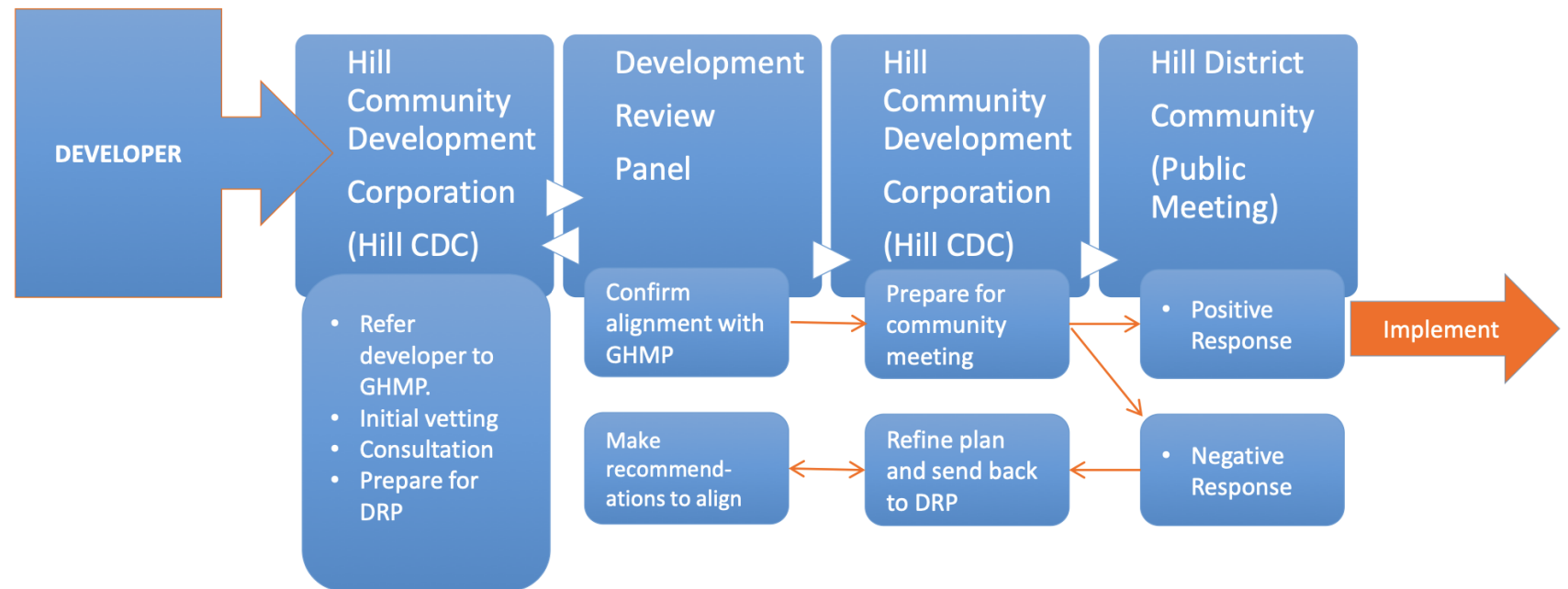
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Registered Community Organizations (Pittsburgh)

What Is It?

This ordinance tries to increase communication and public participation in city development decisions by ensuring 'recognized' neighborhood coalitions receive timely and accurate information.

How Does It Work?



- Develop Neighborhood Plans used by the Planning Commission.
- Featured on official maps, brochures, and directories.
- Council can still vote to approve developments even without the approval of the RCO.

Participatory Budgeting

Participatory Budgeting (Unincorporated King Co, WA)

What Is It?

This process allows community members to dictate how the County should spend approximately \$8,850,000 annually of dollars in their community on capital projects.

How Does It Work?

- Collaboration between County staff and residents in 5 EJ neighborhoods.
- Residents make up a steering committee that creates rules, has final decision-making power on funding decisions, and facilitates community engagement to gather additional resident feedback. County staff administer the process, provides logistical and facilitation support to Steering Committee.
- Steering committee membership is open to all members of the public who live, work, attend school, play, and/or worship in the communities they seek to represent, or who can demonstrate some other strong connection to that community, such as having been displaced from there due to gentrification, with priority to recruit “take steps to recruit people of color and those who are LGQBTIA, youths, seniors, immigrants, refugees, and/or who have low incomes or disabilities, as well as people from other underrepresented groups”, and includes youth, business and community-based organizations.”
- Process:
 - Design – steering committee creates the process and allocates funds to each community.
 - Idea Collection – community members submit project ideas.
 - Proposal Development – community members work with County staff to create project proposals.
 - Voting – community members (12 years and older) vote on proposals through ranked choice voting, with engagement by Steering Committee.
 - Funding – County provides funds.
- Funds can be spent on capital projects, which has included sidewalk and street improvements, park improvements, community gardens, and public art.



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Create Equitable Benefits and Protections

Community Benefits Ordinance (Detroit)

What Is It?

Requires that eligible projects must negotiate a Community Benefits Agreement (CBA) with the Neighborhood Advisory Council for eligible projects. A CBA is a legally binding agreement between a community coalition and developer which outlines specific, measurable benefits and protections the development agrees to in exchange for the coalition's support.

How Does It Work?

- This ordinance requires that developments that meet specific criteria must negotiate a Community Benefits Agreement (CBA) with a Neighborhood Advisory Council for eligible projects. A CBA is a legally binding agreement between a community coalition and developer which outlines specific, measurable benefits and protections the development agrees to in exchange for the City's support.
- Project eligibility is determined by the cost/value of the project:
 - Tier 1: The project costs: \$75+ million USD AND the project accepts tax breaks from the city (\$1 million USD or more) OR the project uses city-owned land that is valued at least \$1 million USD.
 - Tier 2: The project costs \$3+ million USD AND the project accepts tax breaks (\$300,000 or more) from the city OR uses city-owned land that is valued at \$300,000 or more.
- This ordinance sets requirements for a Neighborhood Advisory Council to negotiate on the CBA for projects that go through this process. Each Neighborhood Advisory Council includes 9 total members from the community:
 - 2 community members living around the project.
 - 4 other community members selected by the Detroit Development Department
 - 3 additional community members, 2 to be selected by council-at-large members, and 1 to be selected by the council member of the district that is most impacted by the project.
 - The ordinance also sets standards for enforcement of the CBA, including the establishment of an Enforcement Committee consisting of:
 - 1 member of the Legislative Policy Division
 - 1 member of the HR Department
 - 1 member from the Law Department
 - 1 member from the Planning & Development Department
 - 1 non-voting member of the Neighborhood Advisory Council
- Community benefits are not set by the ordinance but are determined and negotiated for each project by the Neighborhood Advisory Council, the Planning & Development Department, and the developer. Some benefits have included affordable housing, first-source hiring, and green space.



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Assess and Mitigate Negative Impacts

City Environmental Quality Review (NYC)

What Is It?

This process (mandated by a State law), adapts the federal NEPA policy and requires the City to think through environmental consequences – both good and bad – before making a decision about approvals, permits, city funding, or action being taken by a city agency.

How Does It Work?

- The CEQR is a disclosure process to help with decision-making, not an approval process.
- A CEQR view starts when a city agency has funding and undertaking to approve. If an answer to any of the following questions is "yes" then CEQR starts:
 - Does the project need approval or permits from any city agency?
 - Will city funding be requested in order to complete the project?
 - Is the project undertaken by a city agency?
- CEQR has different levels of review by asking the following questions.
 - Type II actions have 'no significant effect on the environment. Examples: repair of existing structures, minor construction, some small zoning changes or uses.
 - If YES, then no further review is needed.
 - Type I actions are anticipated to have "significant adverse environmental impacts." Examples: land use, zoning changes, land acquisitions, residential construction, water usage, parking
 - If YES, then a review is completed. Projects can require a full Environmental Impact Statement including required public participation if they are found to have potential significant effects.
 - The Environmental Impact Statement includes alternatives and ways the city could mitigate harm around these issue areas and more: land use, socioeconomic conditions, community facilities, open space, historic and cultural resources, urban design, natural resources, hazardous materials, infrastructure, waste, energy, transportation, air quality, noise, and public health.
 - Unlisted actions are those that don't fit into Type I or II and the impact is unknown. Examples: minor zoning variances, small construction activities, projects impacting historic or ecologically sensitive areas.
 - If YES, then a review is completed. Projects without impact require no further action. Projects with potential impact start moving through the Type I process.
- Ultimately, this is a process to help decision-making, but the City can still make a decision it wants even if the Review shows a major negative impact.



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Racial Equity Reports on Housing and Opportunity (NYC)

What Is It?

This ordinance requires a racial impact analysis in land-use applications that meet certain criteria, with the goal to assess how a land use decision may impact those living in and around the proposed development.

How Does It Work?

- Developers pick their application type from the following:
 - Text change to zoning that affects 5 or more districts;
 - Historic district designation that affects 4 or more city blocks;
 - Seeking to change the permitted floor area in a construction district, where a building has at least 100,000 square feet of floor area;
 - Acquisition of land to have a non-residential project containing at least 50,000 square feet of floor area;
 - Acquisition of land to have a residential project that has at least 50,000 square feet of floor area;
 - An increase in permitted residential floor area of at least 50,000 square feet;
 - An increase in permitted non-residential floor area of at least 200,000 square feet; or
 - A decrease in permitted floor area or number of housing units on at least four contiguous city blocks.
- The application must have the following guidelines:
- A summary of the Racial Equity Report, listing demographics of the area;
 - Description of residential cost after the proposed project;
 - Details of the non-residential uses of the development area;
 - Estimate the number of jobs created because of the development;
 - Use the Equitable Development Tool to create a community profile summary of the developed area;
 - Describe how the proposed project will further fair housing; and
 - Use the Equitable Development Tool to list how community development expands: demographic; household economic security; housing cost, quality, and security.
- The impacted community board and borough president are given copies of the Racial Equity Report. The impacted council member, the public advocate, and the council speaker post the report on its website. The application can still be approved even if the assessment shows high racial impacts or resident feedback.



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Environmental Justice Law (State of New Jersey)

What Is It?

This law requires the Department of Environmental Protection to evaluate environmental and public health impacts of certain facilities when reviewing applications, and requires the state to deny permits if the developer cannot prove they will not avoid disproportionate impacts.

How Does It Work?

- This law has a seven-step process:
 - Determination of Applicability – specific extra-polluting industries or facility in an ‘overburdened’ community.
 - Initial Screen – DEP gives the applicant information to guide their application, including environmental, cumulative, and public health stressors.
 - Determination of Application Requirements
 - Preparation and Review of an Environmental Justice Impact Statement – developer assesses and prepares a report detailing existing environmental and public health stressors; adverse environmental and public health stressors; presence of adverse cumulative stressors; potential environmental and public health stressors associated with facility; whether the facility can avoid causing a disproportionate impact; measure the facility will propose to implement to avoid a disproportionate impact; how the facility serves a compelling public interest to the overburdened community.
 - Public Participation – at least one in-person public hearing is held, along with a minimum 60-day public comment period.
 - Department Review
 - Department Decision –
 - If facility can avoid disproportionate impact: approves and imposes conditions to ensure disproportionate impact doesn’t happen.
 - If facility cannot avoid disproportionate impact: denies for new facilities (unless it demonstrates it serves “compelling public interest”), or requires conditions to address environmental and health stressors for permit renewals or expansions.



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So What?

	Recognitional Equity	Procedural Equity + Level of Engagement	Distributional Equity	Restorational Equity	Transformational Equity
Language Access Plan Ensures that all City documents and processes are translated.		Inform			
Development Forum Requires a participatory and transparent process for developers to hear and acknowledge resident concerns, questions, and feedback at least twice.		Consult			
Registered Community Organization Provides a forum for trusted community organizations to have an automatic ‘seat-at-the-table’ to learn about proposed developments.		Consult			
Participatory Budgeting Gives residents ownership of millions of dollars of county budget to make decisions about how to spend it on capital improvement projects in their neighborhoods.		Own			
Community Benefit Ordinance Requires a developer to negotiate and sign a Community Benefits Agreement with a neighborhood coalition for developments that meet certain criteria before the City will approve the project.		Collaborate			
City Environmental Quality Review Requires the City to understand + and - environmental impacts, and alternatives, before a development or project that meets certain criteria is approved or funded.		Inform			
City Racial Impact Assessment Requires a racial impact analysis in land-use applications that meet certain criteria to understand how the development will impact housing and wellbeing.		Inform			
Environmental Justice Law Requires a permitting department to deny a permit if the applicant cannot prove they will avoid disproportionate impacts.		Consult			

<https://www.menti.com/al3c49h7ushp>

or

