

Notes on Response to Advisory Council Recommendations Portion of the EJ Interagency Committee Meeting

Date: July 8, 2024

Time: 10:30 am – 12:15 pm

Notes prepared by: Juliet Birch – Environmental Justice Coordinator, Vermont Agency of Natural Resources

Recommendation 1. Staff/personnel to Receive Complaints.

- Is this a good recommendation? Should we aspire to it? Yes, the overall perspective of Interagency Committee members was that this was a good recommendation to aspire to.
- Points of clarification/further inquiry:
 - Can we develop a “no wrong door” approach in which members of the public will be direct to the correct place to submit a complaint no matter where they start from? Xusana Davis expressed this as a necessary priority.
 - Can we create clear and consistent messaging around a complaint intake mechanism? Maryam Abbasi (Advisory Council) and Michele Boomhower emphasized this as an important part of ensuring accessibility.
- Concerns for implementation:
 - There are significant limitations in implementation of this recommendation due to lack of capacity and resources. Can we return to the idea of developing a coordinated legislative ask for expanded Environmental Justice staff capacity in the covered agencies? Abbey Willard and Jill BriggsCampbell expressed this concern.
 - Some covered agencies have specific requirements with regard to Civil Rights complaint intake and processing from the federal level. Some elements of the complaint intake process are bound by statute and cannot be significantly altered. This should be kept in mind as we move forward with amending these processes. Jill BriggsCampbell voiced this concern on behalf of the Agency of Education.

Recommendation 2. Intake Form – Elements of an EJ Complaint.

- Is this a good recommendation? Should we aspire to it? Generally, yes, the overall perspective of the Interagency Committee members was that this was a good recommendation to aspire to.
- Points of clarification/further inquiry:
 - Would the intake mechanism be in the form of a centralized repository, or would each agency have its own intake mechanism that is standardized across the covered agencies? Elizabeth Schilling posed this question.

- General consensus: There would be unified intake, unified process to submit a complaint, unified storage and recordkeeping of complaints, but individualized processing and response systems between covered agencies.
- How are proposed remedies implemented? Who is responsible? Who is accountable? Jill Briggs Campbell posed this question.
 - Walter Brownridge and Maryam Abbasi (Advisory Council) propose that the intake form should ask complainants to identify the pertinent agency for their complaint. Upon evaluation, if the complaint is out of the jurisdiction of the identified pertinent agency, the agency can either:
 1. Inform the complainant that the complaint is out of their jurisdiction and ask them to resubmit to the appropriate agency, or
 2. Determine the appropriate agency and refer the complaint to that agency directly.
- Concerns for implementation:
 - What do agencies do to respond to complaints if they have limited capacity/resources? Voiced by Jill BriggsCampbell.
 - How do we distinguish between a Civil Rights complaint and an Environmental Justice complaint? We require clear delineations. Voice by Dave Pelletier and Karla Raimundi

Recommendations 3 & 4. Investigation, Follow-up, and Resolution Mechanism & Central Database.

- Is this a good recommendation? Should we aspire to it? Yes, the overall perspective of the Interagency Committee members was that this was a good recommendation to aspire to.
- Points of clarification/further inquiry:
 - None noted
- Concerns for implementation:
 - How should agencies respond to complaints that are a result of systemic issues? How do agencies avoid having their responses be performative in nature considering lack of capacity? Jill BriggsCampbell.
 - How do agencies develop meaningful and satisfactory initial responses to complaints that may require long-term solutions and institutional changes?