

Meeting Minutes
 March 10, 2023

Act 154 Environmental Justice Interagency and Advisory Council Joint Meeting

Interagency Committee Attendance:

| State of Vermont Agency | 3.10.23 Attendance |
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| Natural Resources | Karla Raimundi |
| Education | Neuvic Malembanie |
| Transportation | Dave Pelletier |
| Housing and Community Development | Grace Vinson |
| Agriculture | Abbey Willard |
| Health | Amy Redman |
| Emergency Management | Stephanie A. Smith |
| Public Service | Commissioner Tierney, Claire McIlvennie |
| Office of Racial Equity | Xusana Davis |
| Natural Resources Board | Chair Sabina Haskell, Peter Gill |
| Public Utility Commission | Kyle Landis-Marinello |

Advisory Council Attendance:

| Represented Vermont Organization | 3.10.23 Attendance |
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| One municipal government rep | Zoraya Hightower |
| Social Justice rep | Britaney Watson |
| Mobile Home Park resident | Gayle Pezzo |
| One resident of EJ population | Reverend Brownridge |
| Food security resident rep | Mariana Sears |
| Immigrant community rep | Maryam Abassi |
| Statewide EJ rep | Not yet named by Speaker of House |
| Native American Tribe | Rich Holschuh |
| Vermont Housing & Conservation Board | Polly Major |
| Vermont Natural Resources Conservation Council | Jennifer Byrne |

The meeting was facilitated by the Vermont Council on Rural Development by Jessica Savage and Laura Cavin Bailey.

Jessica Savage, VCRD: Welcome and Agenda edits. Opening by reading a poem together. Joy Harjo. The following volunteers each read a section of the poem.

1. Dave Pelletier w/AOT.
2. Rich Holschuh, VNAA
3. Karla Raimundi, ANR
4. Xusana Davis, ORE

- Land acknowledgement was read by Jessica Savage.
- Senator Ram-Hinsdale provided remarks on history of Act 154 legislation. Her work with constituents around the State, and purpose of the work. She talked to her experience with working with the Vermont BIPOC and low-income communities and that some communities are isolated, by design, from the rest of Vermont.
- Introductions of Interagency Committee and Advisory Council, facilitated through an exercise of choosing an image that represents oneself. The Advisory Council and Interagency Committee members shared an image and story that represents themselves.
- Jessica Savage then provided an overview of the and recommended a draft group agreement for consideration: 1) Be present 2) Calling in/Calling out and assume best intent but attend to impact 3) Expect and accept non-closure.
- The group read the Act 154 findings out loud.

A question was posed by Maryam Ambassi – Findings says 17 states have mapping tools, who are they? ANR will get back to her.

Jessica Savage directed the group to stand next to findings that make one feel something. The group discussed reflections of the findings.

The room was then divided into 5 working groups, and each group created their own plain language of the definitions in the bill.

Definitions. What do they mean and a common language way of talking about them.

- Definition 1: environmental benefits
- Definition 2: environmental burdens
- Definition 3: Environmental benefits, environmental burden, decision making, environmental justice needs and resource management.
- Definition 4: Census block group
- Definition 5: Limited English Proficiency
- Definition 6: Meaningful participation

Jessica Savage transitioned the group to review the onboarding document. Katelyn Ellerman, ANR, provided an overview of responsibilities: Partner email, open meeting law, public records retainment, and ethics code. The meeting onboarding attachments have videos and content explaining this.

Break until 2:30 PM.

After break, Jessica Savage separated the meeting to two working groups: Advisory council work group and Interagency Committee work group. Maggie Gendron (ANR) to take minutes for Interagency Committee.

Minutes for Interagency conversation: Breaking out into three groups

Context, history, lessons learned.

Setting the tone that we are all in very different spaces or maturity when it comes to Agency work around equity and EJ.

Sabina Haskell, NRB, talked to how this impacts jurisdictional decisions, and language access/accessibility, and outreach. Thinking about permitting and how EJ law will impact those decisions.

Grace Vinson, ACCD, talked about her experience as an environmental officer and the distribution funding to low income and vulnerable populations. Programs in recovery, homelessness, and substance abuse. A focus on where is funding focused, and how do you think about how the funding applies, and thinking about how to get word out to communities within the language challenges.

Karla Raimundi, ANR, spoke about definitions.

Stephanie Smith, VEM, talked to managing funding within flood zones. Struggling with how to figure out a process to prioritize how we work with individuals to get the funding to the most vulnerable populations.

Karla Raimundi, ANR, suggested we share success as we move through this process.

A question was asked why the Department of Corrections nor Vermont State Police represented on EJ Interagency?

Neuvic Malembanie, AOE, expanded on the conversation around language access and data. He talked about his role at NAEP and when the National group asked how to get funding to schools, they looked to two specific categories (income and language) and the difference between state

and federal – It is difficult to report VTs data because of our limited number of English as a Second Language. What do we need to do to make sure our kids succeed.

Xusana Davis, ORE, highlighted two points: 1. Layering of inequity, and don't write off bigger regions like Chittenden, because there are concentrations of EJ populations in our largest cities 2. We are members of the community we are talking about, and don't pit State Government against the community, or they/them, we are the community. We bring ourselves to the table as community members.

Abbey Willard, AAFM, talked about her Agency in the beginning of engaging in EJ, and still being driven with a return on investment mentality, like sales of Agricultural product or jobs created. Talk ed about functioning with urgency, but the timeline do penalize you if you are trying to function at the speed of trust, and talked about that urgency and timelines create work in silos and we need to break down those silos. We all need more support in resources ot do the work (Funding and staff capacity).

Maggie Gendron, ANR, spoke to having a consistent voice in legislature advocating for time and resources.

Claire McIlvennie, DPS, looks at equity through affordability lens. Working in Just transitions helped to learn some places to pivot. DPS also struggles with capacity. She talked to her experience on having a difficult time with a marketing campaign on renewable energy, and that is revealing of capacity issues. Hope to work on a community engagement plan.

A public Service announcement was made touting ORE and their recently published language access plan and resources.

David Pelletier, AOT, talked to their recent work on a transportation equity framework (it took more than a year). It serves as arms into communities, as they were tasked with a comprehensive project conception; planning, development, implementation, and monitoring through equity lens. They have completed 4 of 6 workgroups, utilized the social vulnerability index, and work was around public engagement and stakeholder involvement and how to do better. Despite all the work, there will be no easy solution, and hearing the actual needs and serving communities well will be hard work that needs to pivot as we learn.

Neuvic Malembanie, AOE, asked a question about incorporating school transportation. This is going in the bike rack.

Kyle Landis-Marinello, PUC, noted he may have to recuse himself if specific projects come up in front of the PUC (quasi-judicial body).

Brainstorm session.

The first deliverable is July 1, 2023 to develop a set of core principles to guide development of community engagement plans –

1. Engage community so we can develop core principles so we can come up with a plan to support community. We should take what we have already gathered and learned previously (through other Agency work and Just Transitions) and apply principles.
2. Start by identifying pathways to respectful engagement.
3. Use templates already developed by others. Like the Just Transitions document.
4. Group trying to understand how to engage communities and take down the silos – If we have overlapping conversations with community members it gets confusing for people.
5. Talked about how and when we meet, up to 8 times per year with 4 overlap.
6. Spoke to creating a structure in how we meet, how we get work done, and how we get things done. Create task forces on specific issues.
7. Spoke about how timelines are important, and we need legislative approval before missing deadline.
8. Spoke about rulemaking.
9. Operations, what is the method by which do we communicate all this and so how are we going to communicate to one another. Xusana asking how we keep track of deadlines, and how we support one another.
10. We need more time. We feel stressed by the timelines with no additional resources for the Interagency and Advisory work.
11. We discussed how we get to principles, and let the principles guide the development of the plan, with consultation from advisory council.
12. Principles are July 1, 2023 – then community engagement plans due July 1, 2025.

Prioritization of action steps.

1. Action steps to get to July 1 – reviewing, identifying, drafting the principles. Reviewing Just Transitions. Contribution of data already gathered. VDH has a health community engagement team as another resource for feedback.
2. Structural and operations need to develop a plan for both the Interagency and Advisory bodies. How can MS forms be a tool for us? Are there creative ways to solicit feedback and responses from the Interagency and Advisory?
3. This meeting was relationship building, and April meeting needs to be a work meeting. Should it be another joint meeting to talk through structure and agendas?
4. Draft structural plan and communication timeline, with agreement by Interagency and Advisory, and then develop some core principals.
5. Part of structural is how do we have regular and inclusive consultation from Advisory Council so we are not drafting information silo' d from the advisory council?

Minutes for Advisory Council Breakout:

Jessica Savage asked the group: what context is important for us to know? What do you want your fellow AC colleagues to know?

Rich Holschuh spoke to typical state data and jargon is flawed (ie. Census data). Jennifer Byrne noted that there are legal reasons to use census block data so as not to personally identify anyone in a town/area, but also recognized that it is imperfect.

Group discussed the tension of working within the system to change the system.

Group talked about understanding the starting point or DRAFT concept underlying the work in Act 154.

Maryam Abbassi spoke to the types of Environmental Justice burdens and the need to expand it. Climate justice is contained within Environmental Justice, including people migrating here to escape impacts of climate change.

Group decided that their first order of business was to discuss group decision making and operating agreements/principles:

Zoraya Hightower noted that in other groups in this work, the concept of consensus-based decision making is important. Mariana Sears offered a tool called Five to Fist where people can show their hands with up to 5 fingers raised (fully agree) down to fist (zero, completely disagree).

Group determined that they commit to consensus decision making, with the ability to note consent (will let the action/motion pass but not fully in support). “Go all together or not at all.” The group will refine the Five to Fist system to clarify what each number of fingers raised means.

The group discussed other efforts around the state that they want to connect with meaningfully: REAP, EJ Network, Land Access and Opportunity Board. They wish to set up relationships with other groups as well as bring in others’ voices.

The group discussed commitments to getting input from the groups they represent:

- Going to people in ways that work for them (perhaps the Council would travel to meet with people)
- Creating meaningful participation including showing up and showing value/responsiveness

Actions/Questions:

- Co-chairs: could they rotate?
- Moving at the speed of trust might require more meetings (8 per year is not enough)
- Who convenes these meetings? ANR?
- Who facilitates?
- What is the structure?
- Work/meeting outside of the 8 joint meetings?

Next Step:

Set up meeting soon dedicated to creating group agreements, group structure and operating/meeting agreements

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After the two groups separated, both the EJ Interagency and Council came back to full group to share with each other what they spoke about, which was summarized as:

Advisory Council:

- A lot of questions, some doubt of what comes in the future, and started noting processes and mechanisms and how and when.
- There is tension working within the system to change the system, consensus to work together or not at all, and meaningful participation and going to where people are, being an accessible body, not extraction but sharing, accountability cycle.
- Big action is to set up a meeting soon, finalize group agreements and proposal for frequency of meetings and how they happen and how they structure themselves.

Interagency:

- We are stressed by timelines, and we are stressed that we want to communicate openly and often. Caps on meetings, format of number of meetings, and communication.
- A lot of expertise and we may need to recuse ourselves from conversations.
- We want to set up mechanisms to hear from community.
- Wanting to work with legislators on flexibility to meet deliverables.

There was time for public comment. Public comment included:

- Rights for Democracy public comment talked to letter sent to legislature on treatment of BIPOC community members. Provide copies of two letters.
- Rights for Democracy has been partnering with DEC and AOT on community engagement contracts and here as a support.
- Maggie Gendron to follow-up to EJ Committee and Council with the letters.
- Suggestion by a member of the public to better publicize meetings in the future so more Vermonters can participate.

END MEETING 4:05 PM.