

Meeting of Vermont's Interagency EJ Committee
Draft Meeting Minutes
July 8, 2024

Note to reader: These draft minutes were compiled by staff from the Agency of Natural Resources. If you would like to see any changes to these draft minutes, please reach out to anr.ejcoordinator@vermont.gov

Meeting Information:

Date: July 8, 2024

Meeting Time: 10 AM to 1 PM

Location: Hybrid (National Life Building, Montpelier, VT, and Virtual via Microsoft Teams)

Meeting Details and Materials: <https://anr.vermont.gov/about-us/civil-rights-and-environmental-justice/vermont-ej-law/calendar>

Attendees:

Interagency Committee: Stephanie Smith, Elizabeth Schilling, Karla Raimundi, Michele Boomhower, Bob Donohue, Xusana Davis, Amy Redman, Jenny Ronis, Abbey Willard,

Advisory Council: Trey Martin, Maryam Abbasi, Walter Brownridge

SOV: Juliet Birch, Dave Pelletier, Carol Flint, Bridget Phillips, Rachel Stevens, Ed McNamara, Elise Schadler, Jill BriggsCampbell, Sophi Veltrop, Emma Ramirez-Richer

Public:

Notes:

Group reading of Community Agreements

Consenting to prior [Meeting Minutes](#)

Ice Breaker

Vermont Environmental Justice Law Updates

Juliet B.

- The 2-year extended deadlines that were written into Act 181 were passed in the legislature giving us a new timeline for implementation of the Vermont Environmental Justice Law

Abbey W.

- Wasn't made aware of these proposed revisions. Would like better communications in the future.

Karla R.

- Clarified the path that was taken to propose these revisions to the dates: Proposed and consented to by AC and IAC in December of 2023. Jennifer Byrne testified on behalf of these revisions and provided an update to the bodies on this.

Juliet B.

- The Civil Rights and Environmental Justice Unit will prioritize better communication on items like this in the future.

Juliet B.

- Next update: The Core Principles of Community Engagement have undergone a public comment period which closed on June 14, 2024. The Civil Rights and Environmental Justice Unit hosted two optional office hours for AC and IAC members to review public comments and propose edits to the document. A responsive summary to the public is pending, and an updated version of the Core Principles of Community Engagement will be available for review and approval in the next joint meeting

Juliet B.

- Last update: The RFP for the Environmental Justice Tool will be ready for release by the end of July, 2024 should all things go to plan. Concerns and questions can be directed to Kim Barrett and Juliet B.

Topic: Civil Rights (CR) and Environmental Justice (EJ) Complaint Summaries Reports

Juliet B.

- Review timeline:
 - o March 15, 2024: Covered agencies submit CR and EJ Complaint Summaries Reports to AC
 - o May 15, 2024: AC submit response to covered agencies
 - o August 15, 2024: IAC/covered agencies response due to AC (if recommendations are not taken)

Abbey W.

- Will the response be joint or individual to each covered agency

Juliet B.

- This is a decision that will be made today

Juliet B.

- Led the group through a review of the four recommendations from the AC

Subtopic: Recommendation 1 on Staff/personnel to Receive Complaints.

Juliet B.

- Guiding questions: Are these recommendations feasible? What does your agency currently have to support this kind of recommendation? What are your needs?
- Please fill out Microsoft Form with notes throughout discussion

Stephanie

- Does this mean that the process would require the complaint to go through one trained individual or a couple of individuals?

Elizabeth

- Clarification: Unified interagency system or does each agency have separate systems that are similar/uniform

Stephanie

- Notes that different agencies have different requirements related to complaint intake and processing

Elizabeth

- Was hoping to receive more specific responses to each agency approach

Xusana

- Better flow of communication between Advisory Council and IAC. Work needs to be community driven, and we need to adapt to ensure that community recommendations are prioritized and are thoughtfully considered. "No wrong door" approach – a complainant will get directed to the right place no matter what their entry point is when it comes to filing a complaint. Update on language access at ORE: funds are available for vital document translation and maintenance of vital documents.

Maryam

- Marketing of complaint mechanisms?

Karla

- Phased approach to get a comprehensive, public-facing across-agency complaint intake mechanism

Abbey

- Feels reasonable to have a standardized system for complaint intake. Coordinated communication from agencies to the public about the standardization. Emphasizes that agencies require additional staff to do this task. Revisiting the idea of a niuy. Autonomy needed at the agency and department level for processing and responding to complaints.

Michele

- Consistent messaging surrounding complaint mechanisms/standardization

Karla

- Introduces the idea of needing more of a distinction between CR and EJ complaints

Elizabeth

- Point of clarification: unified intake, unified process, unified storage, but acknowledgement of individualized processing for agencies

Karla

- Emphasizing transparency, accessibility, providing support to the public

Jill B.

- Different agencies have different requirements on the federal-, state-, and – in some cases – the municipal-level (like for school districts in AOE). Emphasizes that we need clear definitions of terms moving forward

Dave

- How to distinguish EJ complaints from title complaints?

Karla

- We need to develop a clear definition of an EJ complaint that is distinct from a title complaint/CR complaint

Subtopic: Recommendation 2 on Intake Form -- Elements of an EJ Complaint.

Jill B.

- Concerns regarding “proposed remedies by the complainant.” Don’t want responses to complaints to be performative. What is the proposed remedy? How are proposed remedies implemented? Who is responsible? Who is accountable? What do agencies do to respond to complaints if they have limited capacity/resources?

Walter

- AC presumptions in the drafting of the recommendations: when someone makes a complaint, the intake form is a dialogue between the complainant and the recipient. Identifying the pertinent agency is the key, but in some cases this is harder than others. Government agencies need to be held accountable, which was an intention in this recommendation.

Maryam

- 2 solutions to the question of accountability and jurisdiction: 1. ask the complainant to identify the relevant government department and, if not in the appropriate jurisdiction, ask the complainant to resubmit to the appropriate department. 2. Government departments can inform each other if a complaint has been received within their jurisdiction, to pass the complaint to the correct recipient without burdening the complainant

Public Comment: No comments

Break

Topic: Civil Rights (CR) and Environmental Justice (EJ) Complaint Summaries Reports (cont.)

Subtopic: Recommendation 2 on Intake Form -- Elements of an EJ Complaint. (cont.)

Elizabeth

- Notes that sometimes we cannot come to a satisfactory resolution of all complaints. We need to do our due diligence, but they may not always result in satisfaction. Reiterating that it may be important to advocate for more resources from the legislature

Karla

- Emphasizing Maryam's point about a referral process. Central repository/location for complaints helps in a referral process. These processes might take time to put in place

Maryam

- People who are vulnerable to environmental injustice are the ones who are best equipped to inform us of the solution. People are the experts in their own experience. We should give complainants the chance to recommend their own solutions

Subtopic: Recommendation 3/4 on Investigation, Follow-up, and Resolution Mechanism & Central Database

Jill B.

- Concerns regarding capacity, scope of staffing. Recommendation feels difficult considering limitations. Remediation and response is very important, and we don't want it to be performative. But many of these complaints may stem from a systemic problem. How do we respond to complaints pertaining to larger, systemic issues?

Stephanie

- In terms of a response: recommendations are great on a conceptual level and we should aspire to them. On a practical level, we need more funding, perhaps a consultant, to build the system to meet these recommendations. Recommendation: one letter that says the IAC agrees to these recommendations but here are our concerns in implementation

Juliet

- Another option for response: One joint response could be drafted and certain agencies can decide if they want to provide individual responses in addition

Karla

- Community member involvement in decision-making and solution development is also relevant for community engagement plans

Juliet

- There will not be a one-size-fits-all answer to the response to implementation of these recommendations considering differences in each agency. But we are all grounded in the same goals and values. Summary: There are concerns regarding timeline, resources, and capacity; there are concerns regarding the different complaint response requirements that different agencies face (federal level) -- concern for standardization; people are the experts in their own experience; clear definitions are needed specifically for what an EJ complaint entails in comparison to a CR complaint

Subtopic: Response drafting and submission process

Juliet

- What approach resonates with everyone?

Jenny

- Will the individual agencies be getting feedback from the AC after their response?

Juliet

- Clarifies what is written into the law and that the AC is not required to provide feedback after this response could potentially choose to

Juliet

- Would agencies like to have a joint response (with the option of some agencies drafting individual responses in addition)? Result: people are happy with a joint response. PUC, AOE, ANR may want to do individual responses in addition

Juliet

- Internal timeline:
 - o August 7/8: IAC submits initial joint response draft to Kim and Juliet
 - o August 12: Kim and Juliet review initial joint response draft for accessibility and formatting, send back to IAC for review
 - o August 14: Deadline for IAC's final approval of joint response draft. Deadline for individual agency responses (as needed)
 - o August 15: Kim and Juliet submit final responses to the AC

Abbey

- Who will do the final submission to the AC

Juliet

- EJ Coordinators will do final submission to the AC. Who wants to be involved in the drafting process?

Juliet

- Civil Rights and Environmental Justice Unit can host a working meeting to help support in the drafting of a response
- Tentative volunteers: Bob Donohue
 - o Elizabeth Schilling will work to get an individualized PUC response together

Public Comment: No comments

Break

Topic: Environmental Benefits Spending Guidance (EBSG) Deliverable

Juliet

- Update: Meetings with the task group have taken place to make key decisions. Ask task group members to share out

Elizabeth

- Task group has met weekly or biweekly to talk through the “Key Decisions” in the “Guide to the Guide” document. Decisions 1-3 have been covered. These decisions will help in drafting the final guidance. Revised timelines are a consideration, but we still want to work at the same pace considering how large of a task the guidance is

Bob

- Concerns about what approaches will be used in order to eventually report on environmental benefits. Guidance will be more general

Juliet

- Clarifies that the timeline revision means that the guidance will be finalized by September, 2025 and the 3-year lookback report will be finalized by February, 2026. Guidance will likely be finalized well in advance of September, 2025 but more info about the new timeline will be forthcoming.

Juliet

- What are anticipated agency needs, obstacles in executing this deliverable? What are some solutions to these problems?

Bob

- Identify spending related to environmental benefits identified in the guidance document, categorizing that spending based on what benefit it touches and what EJFP communities benefit.

Juliet

- Solidifying a revised definition of environmental justice focus population is a priority right now and needs to be done by the AC.

Abbey

- Representation from the business offices in EBSG task group?

Bob

- Financial perspective would be helpful. Capacity concerns in terms of having the time to execute the 3-year lookback. We need more resources to do it right.

Karla

- Agrees that business office involvement would be important and helpful, but perhaps more down the line once the task group has finished answering some overarching questions. IAC members should start having conversations with their business offices regarding this deliverable.

Abbey

- Suggested open office hours for the business office representatives in relation to this deliverable.

Elizabeth

- Just because we have a new timeline does not mean that we have that much extra time to complete these deliverables

Juliet

- New timeline allows for more intention and care in the development of deliverables

Karla

- Many deliverables have non-statutory interim steps that needs to happen at each agency to achieve the deliverable. For example, community engagement plans inherently require each agency to have a robust language access plan in order to meaningfully engage with members of the public who speak languages other than English

Next Steps

Juliet

- Civil Rights and Environmental Justice Unit will send out follow-up email with notes and clear asks from IAC members