

# Reference Document for Draft 3 of the Core Principles of Community Engagement

Date: September 18, 2023

## Note to the reader

- Draft 2 and Draft 3 of the of the Core Principles can be found in this [online folder](#).
- Comments from Environmental Justice Advisory Council members during the August 21, 2023 meeting are marked in red (meeting minutes from the August 21, 2023 meeting are posted online [here](#)).
- Comments from the public comment periods during the August 21, 2023 meeting are marked in blue.
- Comments from the Interagency Environmental Justice Committee are marked in purple.
- Editorial comments from the EJ Coordinators are marked in green.

## Changes made to Draft 3 - Section by Section

### Title Page

A title page was added and formatted to be consistent with the [Guide to the Core Principles of Community Engagement](#).

### At-A-Glance: The Core Principles of Community Engagement

In Draft 3, the Principles were consolidated; Draft 2 had 18 Principles whereas Draft 3 has 12 Principles. Principles were merged and reordered based on EJ Advisory Council and Interagency EJ Committee feedback. The principles as ordered and arranged in Draft 3 are reflected below.

#### Section 1: Laying the Groundwork

1. Utilize existing guidance for equitable community engagement. (This moved from Principle 2 to Principle 1)
2. Value and integrate community input at every stage of agency action. (This moved from Principle 1 to Principle 2)
3. Build your agency's internal capacity for meaningful engagement. (This Principle did not change)
4. Coordinate with other agencies to de-silo policy conversations and share resources. (This moved from Principle 8 to Principle 4)
5. Build resilience and trust by building ongoing, reciprocal relationships. (This merged Principle 4 and Principle 9 in Draft 2) (This moved from Principle 4/9 to Principle 5)

6. Prioritize voices most impacted by environmental injustices and address systemic barriers to participation. (This merged Principle 7 and Principle 5 in Draft 2) (This moved from Principle 5/7 to Principle 6)

## Section 2: Meaningfully Engaging Communities

7. Compensate community members for their expertise and efforts. (This moved from Principle 10 to Principle 7)
8. Do your homework and adapt engagement to communities' specific needs. (This moved from Principle 6 in Section 1 to Principle 8 in Section 2)
9. Conduct accessible and inclusive outreach and engagement. (This moved from Principle 11 to Principle 9)
10. Be transparent and accountable from start to finish. (This merged Principle 18 and Principle 14 in Draft 2) (This moved from Principle 14/18 to Principle 10)
11. Commit enough time to do engagement well. (This merged Principle 13 and Principle 17 in Draft 2) (This moved from Principle 13 to Principle 11)
12. Show up on the ground and work towards solutions alongside community members. (This merged Principle 12, Principle 15, and Principle 13 in Draft 2)

## Introduction

The introduction section was reformatted and condensed based on feedback from the EJ Advisory Council (see red text below).

## Opening Reflection

The introduction section was reformatted and condensed based on feedback from the EJ Advisory Council (see red text below). Rich Holschuh worked alongside the EJ Coordinators in drafting this language.

## The Core Principles of Community Engagement

Based on the advice of the EJ Advisory Council, Vermont public, and Interagency EJ Committee (see the sections below in red, blue, and purple) the detailed descriptions were restructured. Each principle now includes an overview of the principle, tips for putting the principle into action as state agencies draft community engagement plans, a section with resources and tools, and relevant quote(s).

### EJ Advisory Council feedback during the circle process at the August 21, 2023, meeting

**Zoraya Hightower:** High level concern. Agencies will be implementing. What does this look like on an organizational level? Who is accountable for implementing the principles? What is the accountability mechanism?

**Britaney Watson:** No additions or subtractions at this time.

**Gayle Pezzo:** No additions or subtractions at this time.

**Mariana Sears:** Combine principles to make it shorter. Section 1 combine 5 and 7. Section 2 only combine transparency principles 14 and 18.

**Kiah Morris:** Great guidance but agency will need hands held. Need direct / clear examples. Note this is not an exhaustive list. Nod to previous work appreciated. Appreciate citations back to law. Appreciated importance of compensation was highlighted.

**\*\*Rich Holschuh:** Feels pretty good with principles. Definitions important. Principles point back to glossary. EJ Focus population definition – keep this definition wide open since it is extremely limited in only focusing on humans (anthropocentric view). Issue with this perspective. Very capitalistic. Open it up! More of an economic focus not environmental with current definition.

**Trey Martin:** Appreciates background included (Just Transition Principles and resource library). How can we share resource library and past resources with communities? How to make this presentable and accessible? Such a rich / large library of materials. How to not gloss over content? Echo and appreciate Rich Holschuh comment about anthropocentric perspective.

**Jennifer Byrne:** Emphasize sections for how agencies can draft these plans. Existing guidance for developing plans (EPA title 6 compliance planning guidance – see [Connecting People to Power](#) report). Process needs to be built into how agency works. Guidance is not just for agencies but recipients of funds. There are smaller entities putting out contracts that are underfunded. Important to have guidance around funding – making sure projects are sufficiently resourced. Could add another level for guiding agency action.

**Xusana Davis:** Principle 6 now includes her feedback from the Interagency Committee meeting. Do not use historical character to partner match.

**Zoraya Hightower:** Weary of adding additional section of principles. Wants to see acknowledgement of these principles in agency plans.

**Mariana Sears:** Reinforce Rich Holschuh comment. How can definitions be expanded and revised? How to make sure glossary is up to date? How can this process be collaborative between agencies? How can we ensure this is made easier through collaboration? Can agencies work together to share plans?

**Kiah Morris:** Unclear what “Work toward a yes” (principle 15) means. Not sure what we want agencies to buy into. Zoraya Hightower: This came from listening session feedback. Liz Curry public comment. Easier to say no than try to find a way to incorporate feedback. Try to find a way to tell community yes. Kiah Morris: This will need to be clarified. Who is the audience. Who are we trying to get to yes. Agencies not community members. Add more words to clarify.

**Rich Holschuh:** Back up Mariana Sears. Concern about references / glossary in process documents. These definitions – especially EJFP – these will be adapted. Needs to be made clear these definitions will be adapted. Not sure where openings are located. Need clarity in documents going forward.

**Trey Martin:** Importance of educating agencies on principles. Education platform for agencies? Agency sign off that they are committed to meaningfully engaging with these principles. Don't

want this to be static document. Principles for action tested in real time. How to refine agency actions when hit barriers? Hard work gets harder, and people get weary and impatient. How to make these renewing and inspiring? It may serve the agencies well to incorporate a mechanism to allow for the revision of plans, accompanied by a corroboration of best practices for meaningful engagement.

**Jennifer Byrne:** Appreciates harkening back to work already done. DEC report ([Connecting People to Power](#)) – contains the how for state agencies. There are 10 state agencies developing community engagement plans – there are some core principles in all plans. Core part of all community engagement plans. Then unique approaches for agencies. Why/how/who. There will always be an agency specific section. How to not overburden community members? For example, 10 community engagement contracts go out at same time. Advisory Council needs a strategic plan to anticipate this. How can Advisory Council work together to set agencies up to implement core principles but not overburden community.

**Xusana Davis:** Common push back from agencies for why they do not do community engagement. 1) Timeline does not work. 2) No budget. 3) Unfamiliar with how to do this. 4) Legislation does not call for this / not legally required. 5) Interested but no capacity. These are the 5 pillars that need to be knocked down first! A lot of great guides on community engagement already exist. Resources and guidance out there and we can tailor to be Vermont specific. People don't want to do it and get it wrong or just want to do minimally what they are asked. A lot falls outside of these two buckets but these are common excuses. Guidance and encouragement on how – but how widely known and reasonably practiced. Not about how but committing to doing it. Office of Racial Equity's Impact Assessment (IA) tool – often only consulted in the final check. Don't use IA tool as final check but ask right equity questions on the front end! For community engagement, different to say let's engagement community early vs. doing it at the end.

**Jennifer Byrne:** Comment in meeting chat: “Adding principle: build community engagement into yearly timeline of activities & budget.”

**Zoraya Hightower:** Thinking about this community engagement process for a different panel – reviewing justice-based reports. A lot of reports expressed concerns Kiah Morris brought – central importance of compensation. People on the Advisory Council and Interagency Committee are worried about how this work will have without compensation. Need a culture shift – doing less and doing it better. How to implement these principles if there is not a broader cultural change in the agencies?

**Britaney Watson:** Agree with Zoraya Hightower when looking at process and looking ahead. Area that comes up is the time to implement the EJ law and how we are operating. Worried about how we will be engaging each other in this process. And how we are going to get this work done in the time we have to do this. Important folks are compensated. Recognition for this big lift. This needs to translate into how folks are compensated. Acknowledge and express support for Kiah Morris comments around central importance of compensation.

**Gayle Pezzo:** Two clarifying questions. Question 1. How will we be able to do this work in 8 meetings? Was this addressed in the last meeting? Question 2. Rich Holschuh mentioned this process is focused on humans. Clarify? Rich Holschuh: Intent is to speak to everyone and anyone other than human. Operative foundation is dependent on what is other than us. This is

not brought into the calculus or equation. If we only focus on human impacts then we will have nothing else to work with. Trying to leave the door open to a rights for the natural world amendment to legal system. It has been ignored. Down the road. This is a big lift but we can start somewhere. Phoebs Potter: Suggests creating a principle that can speak to this.

**Trey Martin:** Future must include multiple perspectives. Importance of process. Emphasize Zoraya Hightower comment and Jennifer Bryne comment. How to drive this into agency budgets? This process begins in early June until governor budget address in January. Reach out to Interagency EJ Committee now and ask how existing FTEs are including this (community engagement / EJ) in job description and work plans. This is not a new initiative. It is supported by administration. Need to ensure there is money where the mouth is! Wants to return to Rich Holschuh comment. Mention lawsuit in Montana.

**Jennifer Byrne:** Supports thinking about budget requests now.

**Kiah Morris:** Important to recognize agency buy in. Advocacy in January 2024 will support the future but that does not support us now. We need support now. There are conversations about the budget going on now. There are opportunities that were abandoned.

#### Public comment feedback from the August 21, 2023, meeting

**Hannah Gianotto:** Bennington County Conservation District. Curiosity about how and process. Principle 18 and accountability. Theme in principle 8 and 11 – agencies learning together. How is the Advisory Council providing standardization in how success is being measured and defined? How to ease process of learning and iterating? Curious about if this is being thought about moving forward. **Phoebs Potter:** not clearly defined in law what this will look like. Interagency Committee intends to use this as an opportunity to improve in this area. Next half of meeting getting into process.

**Mike Bald:** From Royalton. Agree with two prior comments. Kiah Morris in particular. Can we please deal with this / start advocating now instead of waiting until January? Wants more emphasis on pesticides and EJ. People who live on roads and railroad tracks in less resourced communities get less attention and notification about where things are sprayed and when. Zero interest in where pesticides are sprayed from agencies. Agency of Ag and Dept of Health have zero interest. They just stamp permit process. He is going to keep pushing. This process is hard to participate. He has to go to work. Process drags on for years and everyday people left behind. It is a question of socioeconomics. When you must work every day you cannot make a 1pm meeting. Might have 5 minutes at 9pm. Offers that we can keep his email and will participate as much as he can. Mike Bald also submitted a written comment over email: “My concern is that the subject of EJ may ignore impacts of pesticides on people least able to participate in any kind of regulatory or enforcement action. There is zero interest in Vermont on the topic of pesticide regulation, starting with the legislature and continuing through every state agency. The Agency of Health is probably the most negligent in this realm, which is truly disturbing.”

**Earl Hatley:** Thank you to Rich Holschuh. Raise this beyond humans to rights of nature. Montana case referenced. Involved in EJ movement since 1989. Human centric. Involved with indigenous environmental network. Always been an indigenous side to the EJ movement. Considering climate and rights of nature, we see necessity of incorporating rights of nature into the EJ definition. In EJ work, indigenous community central around country. Former home state

was Oklahoma – 49 federally recognized tribes. It was a Superfund site. Tribes cannot practice their culture because of contamination. Animals, plants, everything is contaminated and subsistence is impossible. All nature is a web. Need to look at things holistically. Great principles but without definition this reminds me of pre/prior and informed consent. How it is practiced in US and Canada has different meaning. Principles only as good as agencies define and practice them. Vague – heart burn from vagueness.

**Rachel Stevens:** Comments in the chat. Suggestion to add Jennifer Byrne’s comment about agencies working together / coordinating on community engagement planning but also recognizing their unique needs to principle 8.

### **Interagency EJ Committee feedback received via email between September 11<sup>th</sup> to the 18<sup>th</sup>**

The EJ Coordinators requested feedback on Draft 3 from the Interagency EJ Committee members via email. 7 of the 11 covered agencies gave feedback. None of the feedback resulted in the addition or removal of any of the Core Principles. Most feedback from Interagency EJ Committee members included suggestions for the “Recommendations for putting this principle into action as you draft your plan” section and the “Resources and tools” section.

5 of the 11 covered agencies gave feedback via track changes in a word document: Agency of Natural Resources (Karla Raimundi gave feedback), Agency of Commerce and Community Development (Grace Vinson and Gretel St. Lawrence gave feedback), Agency of Agriculture, Food and Markets (Abbey Willard gave feedback), Department of Public Service (Claire McIlvennie gave feedback), Public Utility Commission (Elizabeth Schilling gave feedback). Reach out to the EJ Coordinators to view the documents with the track changes suggested by agencies. EJ coordinators worked to meaningfully incorporate their feedback. 2 of the 11 covered agencies (Agency of Transportation, Office of Racial Equity) gave feedback over email that they support the principles as written and will come to the next joint meeting (September 25, 2023) with additional feedback should they have it. The EJ Coordinators did not receive feedback from the representative of four of the covered agencies (Agency of Education, Department of Health, Natural Resources Board, Department of Public Safety) during the window of time for feedback to be submitted. These four Interagency Committee members can bring feedback to the next joint meeting (September 25, 2023).

The EJ Coordinators did not have time to meaningfully incorporate all the feedback received from the Department of Public Service (Claire McIlvennie). Draft 4 will work to incorporate this feedback as deemed appropriate by the Interagency EJ Committee and EJ Advisory Council. EJ Coordinators bolded the sections of the feedback that could be acted upon when developing Draft 4.

*Feedback received from Claire McIlvennie (Department of Public Service) on September 18, 2023 via email:*

Additional improvements

- The document is very comprehensive and clearly much thought has gone into creation, but lengthy to get through with all the information it provides. A **companion summary**

**document** would be helpful to highlight the essence of the principles in a more accessible manner.

- It would be helpful to see examples of these principles in action – would it be possible to **highlight actual examples (case studies?) of engagement efforts in Vermont or other states to give folks concrete examples of how to implement?** Perhaps this just involves **making links to the examples in the document library you’ve been compiling**, or could be done through a supplemental process to **crowd source examples from IAC / EJAC members / the public?** I know under Principle 1 it currently highlights the *Connecting People to Power* report as having many practical examples but having one example under each principle (perhaps instead of the quotes?) feels like it would make the principles more accessible to implementers. If not in this document, maybe a **companion document** that could be revised over time as more examples are identified?
- Thinking about implementation, is there an ability to incorporate some guidance on how much to engage in what situation? I mentioned this at our last IAC meeting, but **guidance / best practices about the scale and depth of community engagement efforts that should be utilized in different scenarios based on the scope / scale of the policy or program under consideration or development would be extremely valuable, especially as we think about the resources (time, staff capacity, funding, etc) to do this work.** For example, are there best practices on what level of engagement should be done for a state plan that seeks to implement state policy (ex, the Comprehensive Energy Plan our Department does every 6 years) versus a \$1 million grant program? If not something for this document, perhaps this is an area for future exploration? For example, **there was some question of what it looks like in practice to “Value and integrate community input at every stage of agency action” given the resource and time constraints we often operate under.**
- It feels like this document needs some kind of **introduction**, stating what it is and how it should be used (is this is what the “Detailed Descriptions” section is intended to be?). I have been viewing this document as where we set our intentions for what we want community engagement to look like in order to live into the intent of “meaningful participation” outlined in Act 154 and then the agency engagement plans as where we outline how we plan to implement those principles over time. There are, of course, **limitations to fully realizing these intentions/principles given the way state government currently operates & the structures it operates in. Some of these issues may be in the control of state government and the agencies to address, and some might not be (either in part, or fully). An acknowledgement of that somewhere in this document (likely an introduction) seems prudent.** As a member of the public said when we met in July, we’re talking about **big systems change** in implementing this law, that will take time and resources. Also, is there a way we can be strategic about **identifying and documenting the limitations agencies face in implementing these principles** (the ones we know about now and the ones we will discover as we do the work) so we can be intentional about addressing them as warranted?

## **Closing Reflection**

A closing reflection section was drafted by the EJ Coordinators. This section needs additional input and consideration from the Interagency EJ Committee and EJ Advisory Council.

## **References**

The references section was expanded in Draft 3 as more resources from the online EJ Resource Library were incorporated into the new draft. Whereas Draft 2 included 4 total references, Draft 3 includes 21 total references.

## **Glossary**

The glossary was restructured based on feedback from the EJ Advisory Council (see above section in red). In Draft 3, Section 1 of the glossary includes terms defined by the Vermont Environmental Justice Law and notes these definitions are subject to regular review and changes. Section 2 includes additional terms that are not used in the Vermont Environmental Justice Law. All definitions include their source.