

**Vermont's Environmental Justice (EJ) Advisory Council
Draft Meeting Minutes
November 6, 2023**

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 phoebes.potter@vermont.gov

Meeting Information:

Date: November 6, 2023

Meeting Time: 1:00 PM to 3:00 PM

Location: Virtual via Microsoft Teams

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

Attendance:

- **EJ Advisory Council Members Present:** Gayle Pezzo, Trey Martin, Britaney Watson, Xusana Davis, Jennifer Byrne
 - **Vermont State Agency Staff Present:** Phoebes Potter, Karla Raimundi, Sophi Veltrop, Bridget Phillips
 - **Members of the Public Present:** Dale Azaria
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Agenda:

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| 1:00 PM | Welcome and introductions
Consenting to Community Agreements
Review and Approve November 6, 2023 Agenda (this document) |
| 1:10 PM | Community engagement / meaningful participation of directly impacted communities / people from EJFPs during implementation |
| 2:00 PM | Public comment |
| 2:10 PM | Break |
| 2:15 PM | Creating a sustainable and rewarding structure for Advisory Council members to be in relationship with the agencies, so that we can ensure ongoing dialogue, advising, communication and action. |
| 2:45 PM | Wrap-up / next steps |
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Meeting Recording: <https://www.youtube.com/watch?v=USloAZZeGfU>

Meeting Notes:

Share around the room to name pronouns, who we are in relationship to the Advisory Council, Support Staff, or Member of the public, and one thing that we are grateful for in the natural environment

Read aloud the five Community Agreements

Regroup and reshare what we are bringing as an Advisory Council member to the group in regards to the two agenda items: Community engagement/meaningful participation of directly impacted communities/people from EJFPs during implementation of Law and Creating a sustainable and rewarding structure for Advisory Council members to be in relationship with agencies so that we can ensure ongoing dialogue, advising, communication and action.

Goal: To create a cohesive vision in 2024 for what our priorities are in kicking off this work in a way that brings all communities to the table

Jennifer Byrne: would be curious to know people's thoughts about shifting the deadlines for the EJ work areas

Trey: Would also like to discuss the deadlines

Xusana: Wants to dig into second agenda item of council structure.

~ Agenda Item One: Community engagement

Phoebes wants to know how we can structure and schedule our public meeting time in the coming year to be a meaningful vehicle for relationship building with EJ communities

He spoke with the business office regarding allowable uses, we have one time funds available but there are restrictions on how we can use it.

As we think about how engagement could look like- it will take 3-6 months to get the funds deployed

Two year extension request to Legislature on Act 154 EJ Deliverables but with the ability to set interim goals

This extension request will account for the six month delay experienced due to the delays in EJ coordinator hiring, per diem payments and front end work still needed to accomplish to get operations up and running.

The Draft Core Principles of Community Engagement- we have pressing things to do here and public comment so even though we are asking for extensions, the work won't stop.

Around the room with council members regarding the two year across-the-board extension of due dates request:

Trey Martin – in favor of extending deadlines for thoughtful implementation

Xusana: Being mindful of complexity of our structure and how it may be difficult to understand to the public- councils, working groups, etc. It is important that we are careful and intentional in how we're communicating what we're doing to the public. On the other hand, communities perceive that we are kicking the can down the road. There isn't necessarily one right answer but it's important to think about both tension points.

Gayle: Agrees that the work should not be rushed.

Britaney: Agrees, when it comes to community engagement it's important that we considering all angles when we are doing this work

Jennifer: and not pushing out preliminary steps out, we could extend some of these for a year instead of two but for some it makes sense to ask for more time. The three year lookback piece is important- we should make sure we are looking to analyze the three years the law intends us to.

Phoeb's feels strongly that the covered agencies are operating from the cues of guidance that we release so it is important that we have the time we need to develop this with an interim due date setting process with ourselves. Phoeb's would put out guidance to covered agencies to notify them that this is how we would be proceeding.

Circle Process/Questions from Advisory Council

Gayle: Can you explain the fiscal piece, what is the concern with the spending analysis piece that we need to have this extension of time because you seem concerned about this piece?

Jennifer: One of the first tasks is to develop a guidance document that would go to covered agencies on how to develop a report for the past three years where they pull all the data they can – who received the benefits from their money. Get the data on how the state spends money on environmental benefits. We are supposed to put out this guidance and then annually covered agencies will do the initial three year lookback and then will be expected to do an annual review thereafter. It is important that we get the data from the pandemic years for our analysis.

Phoeb's: Even if this guidance doesn't get put out until 2024-2025 we may still be looking at the year 2020 because of delays in data collection and information.

Xusana: We were following this bill from an equity lens and she is curious about the fiscal lookback.

She is reading this as the three years prior to when the guidance is issued:

"On or before February 15, 2024, the covered agencies shall, in accordance with the guidance document developed by the Agency of Natural Resources pursuant to subsection (f) of this section, review the past three years and generate baseline spending reports that include:"

^ but also wants to take a look at the Covid years and how money was spent during this time. Feels a little unsettled about balancing everything.

Karla: Next steps for this item is following up with the other advisory council members on Wednesday, based on feedback gathered, we will present to Advisory Council as a whole a document that outlines the options before us. Through consensus we will determine what the approach will be to address this aspect of the work.

2pm Public Comment- no comments at this time

How do we create meaningful and empowered relationships with state agencies to advise them in these issues in a way that can increase implementation of environmental justice?

Next step for our process is to put it through a 45-day public comment period.

What needs clarification in your role as an advisor? Name your role on the council in more depth and in that context what is top of mind for you right now. What stakeholder group do you represent as an AC member? Describe the existing networks / groups you work with or know work with this stakeholder group. In addition to the group you represent, do you have other experiences or connections that may inform how we reach Vermonters specifically defined as the focus communities in Vermont's Environmental Justice Law: BIPOC, Speakers of languages other than English, and/or low income?

Circle Process – What communities do you feel empowered to engage and one or two things that feel top of mind for you that you want to see happening to see engagement move forward?

Xusana: Is a member of Advisory Council and a Working Group- named by statute. As a representative of the office of Racial Equity she is statutorily required to bring the racial equity lens. She is thinking about communities of colors disproportionately subjected to environmental injustice/neglect/harm and not in a position to improve these circumstances. If we are only focused on English speakers we will miss a large catchment of these areas of impacted people.

Britaney: Social Justice Representative, works with Environmental Justice Network, Rutland Area NAACP, Lets Grow Kids and represents those communities in Vermont

Gayle: Environmental Justice Committee and is a resident of a MHP. She represents MHPs and is reaching out to these communities to let them know they have a voice but it can be a struggle to get people to engage, distrust of government and skepticism

Trey: How do we engage with communities where a sense of urgency is felt? In an engagement process when we are hearing sense of urgency what can we bring what's immediately available, point people to immediate services and resources. Translation of "legalese" into plain language. He is connected to the population of folks that utilize shelters in Vermont and is involved in spending prioritization for biodiversity and conservation

Jennifer: Conservation Districts are local units of government. Technically municipalities, governed by an elect board of five supervisors. They are public entities who job it is to do public engagement around natural resource decision making, funding distribution, coordination of state and federal money. They are run as separate entities. There are a lot of things they do well and a lot they could do better. They are supposed to serve all occupiers of land in the district. Language around land owners might change as they are meant to serve all people, not just landowners. They are connected to towns and farmers. They have local funding pools that allow them to design how federal funds are spent. Shared guidance for Conservation District Community Engagement:

https://www.canva.com/design/DAFaMWqYGcs/FZ9UaBK_E7ZUThIRyMGNbA/view?utm_content=DAFaMWqYGcs&utm_campaign=designshare&utm_medium=link&utm_source=publishsharelink

They are doing a survey of all fifty states and territories

Xusana: are flora and fauna considered occupiers of the land?

Phoebes: Maybe there are ways that advisory council members can resource share- some have institutional knowledge and others are representing communities without institutional support

How do we want to have the community engagement plan process which is the next step after the principles are released- having agencies taking stock of what they are doing and what they're able to do and how they will address the barriers identified

Is there a resistance to spending the allocated \$150,000 (one time funding for Act 154 implementation) through an RFP? All of this is still there for spending

Of the \$500,000 there is an internal call to hold \$350,000 for contract and development of EJ mapping tool and \$150,000 of community engagement that will inform the mapping tool as well as other aspects of the work

We cannot pay stipends directly for an individual to be in a room consulting or advising unless we have built a contract for that to be happening through a community organization.

Phoebes can continue to investigate these challenges regarding spending. Stipend piece will require a slowdown. We are trying to set up community members advisors to do work for us so we will need to navigate the challenges here.

We need to clarify what we can do now.

Summary:

Consistent need for language access

Transparent plans and next steps for input we seek before we seek it- can we define this Council's relationship to the agencies via the Interagency Committee so we can identify how information is flowing. Checking back with the people we consult to show them where their feedback went.

Address the fact that there are trust issues and capacity issues

Identifying what we as a council can bring to the people we represent

Trey: We really need a list of resources, groups that will help us navigate within structures/places

Karla: We are trying to identify what will work within a particular community. How we can set that structure up ourselves so we can work with the representative to the Advisory Council, without asking too much of their time, at this moment.

Gayle: How can we learn about events?

Shared place for events for community engagement- agency staff are brainstorming for how we can get events and information to Advisory Council Members

Phoebes will make minutes and recordings available then follow up with key takeaways. Is wondering if we can create some sub groups to pick up some of these threads