Public Meeting of the Vermont Environmental Justice (EJ) Advisory Council (AC)
Unfacilitated Session Questions
April 23, 2025

This document was developed by the Civil Rights and Environmental Justice Unit (CREJU) to respond to questions posed by the Environmental Justice Advisory Council (AC) pertaining to the draft Environmental Benefits Spending Guidance (EBSG) and their subsequent discussions. These questions were posed during the AC's public meeting on April 23, 2025.

This document was compiled by staff from the Agency of Natural Resources after a careful review of the public meeting recording and review of the transcript. If you have questions related to the content of this document, please reach out to anr.ejcoordinator@vermont.gov.

Questions from the Advisory Council:

Question 1: What is the AC's role in the EBSG process? How can AC participation make a tangible difference in this?

EBSG Process Overview:

- Under the VT EJ Law, the Agency of Natural Resources (ANR*)* is responsible for issuing guidance to help covered agencies determine how they will report on environmental benefits.
- This guidance—called the Environmental Benefits Spending Guidance—must be developed in consultation with both the Advisory Council and the Interagency Committee (IAC).
- A draft of the EBSG must be released for a 40-day public comment period before it is finalized, with a deadline for final release by September 15, 2025.

Examples of ways the AC can make a tangible difference:

- Inform the EBSG by providing feedback to ANR/CREJU.
- Recommend and provide plain language revisions to make the EBSG easier to read.
- Provide recommendations and reflections on the reporting process.
- Identify equity concerns or impacts that may not be addressed in the current draft
- Attend an EBSG Task Group meeting or send feedback directly to the Task Group
- Please also refer to the re-introduction to the EBSG during the April 18th AC meeting for more examples. (Meeting Materials)

Question 2: How can the AC improve the draft of the EBSG so it has some real impact? Can the AC change the content of the draft?

- The VT EJ Law describes the AC's role as providing consultation on the development of the EBSG.
- AC members can help shape the guidance and support covered agencies, even within the boundaries of the statutory requirements.
- AC members may recommend changes to the draft; however, there is no guarantee that all recommendations will be adopted.
- ANR is responsible for making final decisions on the content of the EBSG based on input from the AC, IAC, and covered agencies.
- Please refer to Question 1 of this document for examples of ways the AC can improve the draft and have impact.

Question 3: Can the AC improve the reporting process to have a positive impact on the communities receiving environmental benefits?

- The Advisory Council can provide recommendations/advice on how to improve the reporting process
- The AC can use their expertise from working with the communities they represent to develop their suggested improvements to the reporting process.
- One way AC members can support this work is by consulting with IAC members early and consistently to share how environmental benefits positively impact the communities they represent.

Question 4: How can the AC support the 40-day public comment period on the Environmental Benefits Spending Guidance?

- While ANR is responsible for launching the formal comment period, the AC can help extend the reach and improve the quality of engagement.

The following examples of ways AC members can support the 40-day public comment period were developed by AC members in the April 23rd public meeting:

- Provide direct community engagement and outreach to constituents in their communities early on to allow community members time to participate effectively.
- Create plain language summaries of relevant sections in the EBSG.
- Create plain language materials, like a flyer, to effectively advertise the public comment period.
- For more examples of ways AC members can support the public comment period, please review CREJU's re-introduction to the EBSG presentation and the unfacilitated AC discussions from the April 23rd, 2025 meeting. (Meeting Materials)

Question 5: Is the EBSG Task Group an opportunity to make changes to this draft?

- Yes. The EBSG Task Group is the main space where edits, revisions, and clarifications to the guidance are discussed and developed.
- AC members may recommend changes to the draft; however, there is no guarantee that all recommendations will be adopted.
- The Agency of Natural Resources—statutorily tasked with issuing these guidance—will make the final decisions on the EBSG after consulting with the Interagency Advisory Committee, the Advisory Council, the EBSG Task Group, and all covered agencies.
- The EBSG Task Group developed the current draft based on consultation—alongside other tools and resources— of the Advisory Council gathered at several public meetings in 2024. It will continue to refine the draft through further AC consultation.
- AC members can join an EBSG Task Group meeting. They are held weekly on Wednesdays from 11:00 AM-12:30 PM.
- AC members may join these meetings as their schedules allow and may also submit input or questions by email.

Question 6: Who from the AC participated on the EBSG Task Group?

- The EBSG Task Group was created in 2023
    - The goal of the EBSG Task Group in 2023 was to identify the questions that needed to be answered in the guidance.
    - This EBSG Task Group produced the "Guide to the Guide" to identify the questions that needed to be answered in the guidance.
    - AC Members - Zoraya Hightower and Jennifer Byrne - participated in 2023 and supported the creation of the "Guide to the Guide".

- The EBSG Task Group shifted focus in 2024
    - The goals of the EBSG Task Group in 2024 were to:
        - Answer the questions identified in the "Guide to the Guide".
        - Synthesize the answers to the questions identified in the "Guide to the Guide".
        - Develop the current draft EBSG based on the EBSG Task Group's answers to the Guide to the Guide questions and consultation from the AC, IAC and covered agencies.
    - Trey Martin attended the EBSG Task Group regularly in 2024 and was instrumental in developing the current draft EBSG.
    - Jennifer Byrne attended at least one EBSG Task Group meeting in 2024.
- Participation in the EBSG Task Group remains open to all AC members at any time.

Question 7: How can the reporting process be made more effective for the public?

- The AC can collaborate with the IAC to co-develop ways to make the reporting process more effective for the public.
- Some ideas for how to the reporting process can be more effective to the public from the April 23rd meeting were:
    - Plain language materials.
    - Translation into languages other than English.
    - For more examples of ways the reporting process can be more effective to the public, please review the unfacilitated AC discussions from the April 23rd, 2025 meeting. (Meeting Materials)

Question 8: Are there things the AC can do to consult with the covered agencies about their Baseline Spending Reports development? Do the covered agencies have questions for the AC on their Baseline Spending Reports?

- Yes. There are things the AC can do to consult with the covered agencies about their Baseline Spending Reports development.
- AC members can support the covered agencies by consulting IAC members.
- This consultation may help shape how the covered agencies develop their Baseline Spending Reports.
- Yes. Some covered agencies have questions related to their Baseline Spending Reports. An example of a question raised by IAC members during 2024 public meeting is:
    - What are some environmental benefits in relation to the communities you work with?

Question 9: Will the Interagency Committee members be involved in the development of the Baseline Spending Reports?

- IAC members may be involved in the development of the Baseline Spending Reports to varying degrees.
- Covered agencies may have to rely on staff from their business offices, grants management teams, budget leads and IAC members to do this work.

Question 10: How does the Environmental Justice Focus Population (EJFP) definition play a role in the EBSG?

- Agencies must evaluate the extent to which their past spending providing environmental benefits flowed to Environmental Justice Focus Populations.
- The definition of EJFP in the EJ law will be used in the spending reports.

- Should the AC propose—and the legislature enact—amendments to the EJFP definition, those revisions will affect the spending reports.

Question 11: How have covered agencies been supported in interpreting the definition of "environment" in the draft and applying it to what they do?

- The expansive definition of the “environment” used in the EBSG was developed in part through consultation with the AC and IAC during public meetings in 2024. This definition is not part of the statute and is not intended to be interpreted as such. This definition is intended only to be used to support the completion of the Baseline Spending Reports and subsequent annual Environmental Benefits Spending Reports.
- CREJU has provided technical assistance to program and business-office staff across all covered agencies, helping them frame the concept of “environment” in the context of their work.
    - CREJU facilitated EBSG Feedback Sessions for the covered agencies. Seven of the ten agencies attended, received an introduction to the draft guidance, and provided detailed feedback
    - Some of the feedback received during these sessions was incorporated into the current EBSG Draft.

Question 12: Why are the agenda topics different from meeting to meeting? Is the work in the Law happening out of order?

Agenda topics may shift from one meeting to the next, but that does not mean the work is happening “out of order.” Here’s why our pacing and sequencing are intentional and critical to successful implementation:

1. **Statutory Deadlines Drive Our Schedule.**
    - Every deliverable in the Vermont EJ Law carries its own deadline. We build agendas so that each topic lands on the calendar well ahead of its statutory due date—often several months in advance—so the AC has time to review, discuss, and advise.
    - By sketching out workplans and agendas months ahead, CREJU ensures no mandate is overlooked and that materials, data, or draft language are ready for the AC’s consideration when it matters most.
2. **Maximizing Limited Public Meeting Time.**
    - We are permitted only a handful of public AC meetings each year. To stay on track, we frequently pack more than one topic into a single session, even if those topics span different phases of the law’s rollout.

- This “multi-threaded” design means that rather than holding one topic until its precise moment—and then risking a gap in work on everything else—we keep every piece moving in parallel.

3. **Work Continues Between Meetings.**
    - Behind the scenes, CREJU staff and covered agency implementers are drafting text, gathering data, organizing public meetings, securing meeting spaces for in person meetings, and building out technical assistance tools. The AC’s guidance — collected during those carefully scheduled agenda slots—informs and accelerates that inter-meeting work.
    - By the time the next meeting rolls around, you’ll have access to polished materials ready to support you in fulfilling your roles and responsibilities. That’s months of groundwork at work.
4. **Anticipating Capacity and Engagement Constraints.**
    - We know Advisory Council members juggle jobs, families, and community commitments. That’s why agendas are crafted to surface the most time-sensitive or technically complex issues when members are prepared—giving ample advance notice and background materials.
    - This foresight balances the need for meaningful engagement (you have time to read, reflect, and respond) with the reality of limited bandwidth.
5. **Intentional, Not Haphazard.**
    - If it sometimes feels like “jumping” between topics, it’s because CREJU is intentionally weaving together overlapping workstreams: workplan development, technical assistance creation, guidance drafting, public feedback, agency training, covered agency work, mapping tool development, and more.
    - Each agenda is a snapshot of the moment in the overall timeline—designed to prime the next phase of work and keep every deliverable on track for its legal deadline.
    - By front-loading preparation, staggering topic discussions, and aligning with statutory milestones, CREJU looks to ensure that the AC’s advisory role is both impactful and realistic. What may look like an unconventional order is actually a carefully calibrated sequence to advance all elements of the law on time, with the quality and community engagement the Vermont EJ Law demands.