VT EJ Law Joint Public Meeting-20251117_120835-Meeting Recording

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Barrett, Kim 0:04

All right.

Welcome to a meeting of Vermont's environmental Justice Advisory Council and Interagency committee.

All right, we have our Community agreements that will just take a couple of minutes to read on our own and then just give us a thumbs up. When you've done that.

Juliet did we get thumbs up?



Stevens, Rachel 1:21

Thank you.

Yeah, it looks like we got thumbs up from everybody.

I'm sorry I'm in the same room as Rachel right now, so she's kind of letting me speak for her or speak for myself.



Barrett, Kim 1:25

OK. Yeah.

Oh, OK.

OK, OK.

Sounds good.

Yeah, I can't see anything at all. And I also can't track who's in the call as well, so.



Stevens, Rachel 1:39

Yeah.



Barrett, Kim 1:40

Just keep me updated with that. All right, so here's our agenda.

We're gonna move in a minute or so into Rachel, our associate general counsel.

She's amazing.

She's here to share about cumulative environmental burden rule making.
And then also if you all want to move into executive session later, she'll also be supporting us in that discussion, so.
Will take about 20 minutes to do the presentation.
And then we'll take some time. About 30 minutes just for Q&A. If there's members of the public on the call, we'll do. We'll break for that.
We can take a 5 minute break just in case. You know, we do go into executive session.
You'll probably want to break before doing that, and then we will.
Rachel will do another short executive session recap.
Because the Advisory Council did go into executive session.
To look at the community engagement mapping tool RFP and then you all will have a moment to deliberate and then vote and then we'll move into executive session, so.
Those check in do we have quorum if we do?



Stevens, Rachel 3:06
You're needed.
We have quorum for the Interagency Committee, but we currently have four Advisory Council members on the call, so we still need to to achieve quorum.
So I think we can return to the meeting minutes.
When we have quorum.



Barrett, Kim 3:22
OK, sounds good.
Alright, I'm gonna pass it over to Rachel.



Stevens, Rachel 3:33
Thank you, Kim.
Just wanna kinda reintroduce myself to the group.
I know several of you, but may not know everybody. My name's Rachel Stevens.
I'm an attorney that works at Agency of Natural Resources.
I support the civil rights and environmental justice unit at ANR.
I also have extensive experience working on environmental justice and civil rights issues.
I worked at the.

Environmental Justice Law Clinic at the Law School for about eight years.
Doing pro bono representation for communities through that experience, I worked a lot on looking at state EJ laws and specifically on what we're going to talk about today, which are cumulative impacts or cumulative environmental burden rules. So hence my giving you kind of this introduction to this deliver.
My goal is to just describe what the environmental justice law says about this deliverable.
Try to break it down for you.
You and then again, this is just an introduction conversation.
No need for decisions today.
This is just to start to familiarize yourself with a new deliverable that you'll be discussing.
You know, over the coming months and years.
Next slide, Kim. Perfect.
So the first question I wanted to answer is what is a rule?
A rule, also known as a regulation.
You can use the terms interchangeably. They have the force of law and are created by administrative agencies to implement and enforce a law.
You might hear us use the term rulemaking.
Rulemaking refers to the process of adopting or amending a rule.
And the purpose of a rule is usually to provide interpretation or more specific detail or technical information.
About how a law should be implemented or applied in a specific set of situations.
There's rules on all types of topics.
Clean Water Act regulations.
You know where to build infrastructure and so a rule it has to force the block can be enforced and it's created by a state agency.
Next slide.
So what is the process for adapting a rule?
The there's a very lengthy description of the process described in what's called the Vermont Administrative Procedure Act, or the APA.
I put the citation here that has a detailed description of every step that an agency needs to take in order to adopt A rule. If you are interested in this process, I highly recommend that you take a look.
The Vermont EJ Law also has some specific procedural requirements for adopting

this rule.
Rule that are described in the EJ Law section 6005 and we'll talk a little bit about those details.
So who are the key players during rulemaking process?
Obviously, the state agency that adopts a rule because only agencies can adopt rules.
Draft rules must receive public comment so the public plays a key role in providing input and other, you know, interested organizations or members of the public.
And then there's two official bodies that are formed that also have an official.
Role in adapting a rule.
The first is called the Interagency Committee on Administrative Rules, known as ICAR, and the 2nd is a legislative committee on administrative rules known as ELCAR.
Icar is made-up of members of other state agencies that review a rule to determine if it has sufficient, you know, public participation planned and is consistent with the law, the Elkhart.
Is a body.
It's a legislative committee made-up of senators and representatives.
In the General Assembly and they review a draft rule to determine if it's consistent with legislative authority.
Next slide.
So what is the role of the Advisory Council? As I mentioned, the EJ law has a really specific description of the official role of the Advisory Council for this particular rule that we're going to talk about today. It's set out in Section 3, VSA 6005 C.
IV. Put the most pertinent sections here on the slide.
The first is that prior to drafting any new rules, the covered agencies must consult with the Advisory Council to discuss the scope and proposed.
Content of rules to be developed. So scoping is kind of a term used usually to refer to kind of early in the process identifying issues that should be included in a rule.
So the scope of the rule, how broad is it?
What kind of issues will it apply to?
So at some point we'll have an official kind of scoping meeting with the Advisory Council to discuss the rule.
Agencies must submit draft rulemaking concepts to the Advisory Council for review and comment.
So this will happen before the official scoping meeting.
ANR and other agencies can submit.

Kind of some ideas or concepts to consider for the scoping.
Once a proposed rule is is ready to be filed, the agency has to fill out what are called APA filing forms.
APA remembers the Administrative Procedure Act filing forms, and we must provide those forms to the Advisory Council 45 days prior.
To filing the proposed rule and initiating the process with ICAR, so there will be formal notice to the Advisory Council before any proposed rule is filed.
Once that the Advisory Council receives the proposed package, they can review it. They have 45 days and then the the law says that each Advisory Council member must vote and record individual members, support or objection to the rule. That objection or vote of support will be filed.
With the rule as part of the rulemaking record, so once the Advisory Council votes in favor or against the rule, that will be recorded and be submitted and follow the rule through the process.
Next slide.
So what is the role of the Interagency Advisory Committee? The Interagency Committee should consult with the agency in the development of the cumulative environmental burdens rule.
The reason this is so important.
To get input early is because once an R adopts this rule, all covered agencies have one year to adopt or amend policies, procedures, plans, guidance and other rules to implement this chapter.
So there's kind of a a trigger effect that once the agency once our agency adopts this cumulative environmental burden rule, which we're going to talk about, other agencies have one year to adopt that rule. And I think that the the deadlines, the deadline for an Rs rule is.
July 1st, 2027, which would mean covered agencies have until July 1st, 2028 to ensure that their rules and procedures conform to the agencies, to the ANR rule.
Next slide.
One more thing I'll say is that this is the one and only rule contemplated in the EJ law. So it's really important that we talk and make sure that we're on the same page as we progress through this process.
So if you have questions, feel free to put them in the chat so we can we can make sure that we address them.
So I wanted to call your attention to the Vermont EJ policy that's outlined in the law

because it provides a really good.
Foundational explanation of why this rule is necessary.
The rule is intended to implement the bold section of the policy that I have here, so it is the policy of the state of Vermont that no segment of the population of the state should, because of its racial, cultural, or economic makeup, bear a disproportionate share of environ.
Burdens.
Or be denied an equitable share of environmental benefits.
But the bold section here of disproportionate environmental burdens is what we're trying to avoid.
By implementing this rule.
Next slide.
Hope I see a comment in the chat. Each agency probably has their own policy process for updating documents, policies, procedures.
How is that being accounted for in the one year deadline?
It is not actually accounted for in the one year deadline, so this is something that actually this is a really good question grace and we can talk about this.
In a future IAC meeting about how how that trigger should should happen, like how can covered agencies adopt the rule if, for example, it's off cycle for when you anticipate?
Adapting a rule.
But there is some precedent for a rule like this.
One example is in the Department of Environmental Conservation. We have the groundwater protection and prevention rule which required other divisions to amend their rules in order to conform to that rule.
So I think this is that's a really important.

VG **Vinson, Grace** 12:50
OK.
Thank you.



Stevens, Rachel 12:52
Yeah, that's a really important point though.
So let's let's make sure to revisit this.
Maybe if we do a deeper dive in an IAC meeting, we could.

We could dig into that.
Like how that might work.

Vinson, Grace 13:02
Awesome. Thank you.



Stevens, Rachel 13:04
So what is this required consideration that's mentioned?
So I want you to just take a look.
Here's the citation to the EJ law.
It's in three VSA 6004 B and it says that the covered agencies shall consider cumulative environmental burdens as defined by rule and access to environmental benefits when making decisions about the environment.
Energy, climate and public health projects.
Facilities and infrastructure and associated funding.
Obviously this is drafted very broadly and it's intended to apply to any decisions related to the environment, energy, climate, public health, et cetera.
OK.
Next slide.
So this is the explicit rule making section of the EJ law that describes in detail the deadline and what the rule must accomplish.
It says that the rule is due on or before July 1st, 2027.
The Agency of Natural Resources, in consultation with the Advisory Council and the IAC, shall adopt rules to do three things.
Number one.
Define cumulative environmental burden.
#2 implement the consideration of environmental burdens within the Agency of Natural Resources.
So this rule will not direct.
How other agencies are required to consider it will define cumulative environmental burdens, and it will outline how.
The Agency of Natural Resources will will implement cumulative environmental burdens, and then it will inform how the public and other covered agencies implement.
So it's we're gonna our rule will be binding on our agency, but it also has an

important effect on other agencies because it will inform how the other covered agencies should implement a consideration. It also will include.
Information about how the public or covered agencies should use the environmental justice mapping tool or or how it's intended to be used, really.
Yet you just really quick provide like a one or two plain language explanation of what consideration of cumulative environmental burdens means in the context of this.
Yeah. So the keyword there is consideration and consideration has a kind of a common meaning meaning.
Like an evaluation or incorporating.
This as a factor in decision making. There's no other guidance about what the consideration actually should be.
There's examples.
Of like assessments or.
Other tools that we could look to from other states in terms of how do other states consider this?
But there's I think this will be a big topic of discussion in the scoping meeting.
Is what do we mean by consideration?
So I don't wanna. There's not a clear.
Definition of what it means in this context, but we have some examples that we can look to to provide some options for what it might might be able to mean in Vermont.
I don't know if that answers your question exactly, but OK all of this is kind of.
TBD in terms of, you know, to be determined discussions that we can have about what, what the rules should do. And then as I mentioned Grace to your.
Point the the law has a one year.
Requirement it does say you know July 1st, 2028 and as appropriate thereafter covered agency should amend and update policies to be consistent with this consideration.
So we can.
We can dive in deeper a little bit more about what what this means.
How would you know?
How would you make that determination in terms of what needs to be updated or not?

VG **Vinson, Grace** 17:07
Yeah, sorry.

One more thing.
Is there anything in the law about similar to the ebsg like rationale?
For what programs need to be updated and what programs don't need to be updated?
Or is that something that will probably flush out as like?



Stevens, Rachel 17:22
I think that's what one thing will flesh out.
And maybe Kim, could you back up one slide? You know the only thing that we have in terms of guidance about what, where this consideration is applicable is this section of the law 6004, which talks about, you know, these types of decisions. So it's obviously broad.

VG

Vinson, Grace 17:36
OK.



Stevens, Rachel 17:40
Applicable.
But this is this is all the guidance that we have.
So I do think you know within each agency and and I'm sure this rule will provide some guidance about how this how this.
Applies, but we'll have. You'll have to think about. How do you think this fits into your agencies and the types of decisions that you make? So there could be questions of, you know, what types of decisions does this apply to?
And you know how it affects different types of decision making in your agencies might differ.
So for example, agency of natural resources issues a lot of permits related to environmental pollution.

VG

Vinson, Grace 18:10
Mm.



Stevens, Rachel 18:15
So that's like an obvious decision that would apply, but it might not be as apparent in a different agency.

Your different context, so applicability in the scope of decisions that this applies to will be a big topic of discussion in thinking about the scope of the role.

Vinson, Grace 18:30
Thank you.



Stevens, Rachel 18:32
Carla.

Raimundi, Karla 18:34
Yes, Grace, I appreciate all of your questions. And I also want to share that as we did with the the baseline report guidance, we will have many conversations around this one deliverable.
It is very unique in nature and so it'll be treated as so.
So yeah, all of those questions, grace, we will seek to answer as a collective.
And provide guidance on.
Before we continue moving forward to later steps in the process, but thank you so much for yes, I just wanted to share that 'cause, I know it seems overwhelming because.

Vinson, Grace 19:10
Awesome. Thank you.
Yeah it does.

Raimundi, Karla 19:16
It is, but yes, please rest assured that we will have many conversations about this one deliverable.
This is an introduction, just so we're all on the same page and talking about the same things.

Vinson, Grace 19:31
Thank you.



Stevens, Rachel 19:33
OK. Kim, I think we can advance two slides.

Barrett, Kim 19:38
To pause for a second because I know that probably Advisory Council members probably have some questions, not that we need to stop for questions.
But I'm wondering if you'd be willing to go back to that earlier slide that explains.
How the AC would be involved?
Because I think that might help folks follow along a little bit at this point.

Stevens, Rachel 20:06
OK.
Sure. Yeah, we can look at that one more time.

Barrett, Kim 20:07
OK.
OK. Just 'cause we just went through.

Stevens, Rachel 20:10
So yeah, so a lot of these.
Discussions like what we're talking about, like which decisions will this apply to?
What does consideration mean?
What does cumulative mean? All of this will be discussed as you can see here, in a scoping meeting which is not today's meeting.
Today is just an introduction to the law, but I think what we anticipate is that we may have in the future a more substantive meeting where in advance of that meeting there's some draft.
Concepts that the AC can consider and think about.
You know, these are the options.
These are the different ways that this could be interpreted.
These are the different types of decisions this could apply to and to consider that.
So all of this on the screen is the formal process for AC engagement and and there's a lot of opportunities for input in terms of each of these, the kind of micro decisions.
Embedded in the rule. So obviously we'll have a consultation. We'll talk about the proposed.
Scope any any feedback about content of the rules the agency has to provide the Advisory Council with draft rulemaking concepts for review and comment and

consideration so we can get formal feedback.
That's kind of in writing, and then the formal proposal will be submitted to the AC before anything is filed.
So definitely a lot of opportunity for input and engagement and obviously this is specific to the Advisory Council, but because.
The rule has such a significant.
Effect on the covered agencies.
The covered agencies will obviously need to be heavily involved in consulting on the rule as well.



Barrett, Kim 21:50
Cool. Thank you.



Stevens, Rachel 21:55
OK.
So the first bullet that we just saw for the first goal of the of the rule is to define cumulative environmental burdens.
Now, fortunately, environmental burdens is already defined in the law, so that will not be changing the environmental burdens definition is in three VSA, section 6002 and it's listed here on the screen. I won't read it.
But it's a pretty broad definition of burden.
There's several examples listed in the law itself, so we already know what an environmental burden is and the objective of the rule is to really define what cumulative environmental burdens means.
Keep moving.
Oh, go ahead, Juliet.
Sorry, just really quick. Could you maybe share like one or two synonyms to the word cumulative just to help if folks don't already know what the word cumulative?
Yeah, well, let's hold that for the next slide, 'cause. I think we have a couple examples of cumulative, but I guess another way to say burdens just for this slide might be the term like impact.
So you might hear a cumulative impact is another shorthand for burdens.
OK.
There's a lot on this slide, but this is where I want to provide some examples.
I wanna just mention there are many, many potential definitions of cumulative to

your point, Juliet.
Thank you. In all many different contexts.
So one thing that we have and actually when when we're on our break, I'm gonna put a resource in the chat. So you can see every single state's cumulative environmental burden rule.
There's a great database that's actually maintained by.
New York or the new school in New York, and they have.
Each definition from every other state, and it's a publicly available resource, so we can link that table in the chat.
So you can see some different examples, but what I've put here on the screen is a potential example of a definition pulled from actually the Environmental Protection Agency under the Biden administration had kind of a working definition of cumulative what they called cumulative impacts, and it essentially ref.
To the total burden of exposure to a combination of multiple stressors and their effects on on health well-being and quality of life.
So cumulative implies looking at.
Sources of pollution.
Potentially multiple sources of pollution and as opposed to looking at each individual source.
So here if you look on the right side, we have kind of three different ways that you could interpret cumulative and maybe cumulative is all of these things. But one example is cumulative might be exposure.
To multiple environmental burdens or sources of pollution.
So for example, think about an individual person that lives in a community, and that community is affected by diesel emissions from traffic plus.
An industrial facility that has a heir permit and air pollution plus a landfill plus potential contaminated drinking water.
This is kind of orienting the review around an individual human and the level of exposure that they may be experiencing in their daily life.
So we're looking at multiple potential sources.
Another example of cumulative could be exposure to multiple different types of pollution.
So here we're just looking at kind of the chemical pollution constituents that that somebody.
Might be exposed to.

So for example, somebody might be exposed to PFAS and particulate matter and benzene and lead from maybe multiple sources. But considering what is the cumulative effect of exposure to multiple pollutants?
Could be one version of cumulative.
Another version of cumulative and again this is just looking at examples across the other States and how this has been applied in those states is pollution burdens.
Plus social vulnerability.
So looking at the pollution exposure we just talked about, but also looking at indicators of social vulnerability such as poverty, lack of access to transportation or housing or healthcare, because we know that all of these social vulnerabilities, these indicators make an individual person more susceptible to adverse health.
Impacts from pollution.
So this could be.
Relevant to for example using. If we think about like the mapping tool for example, that's being developed, the mapping tool may show environmental burdens on a map image you know in a geographic way, and could also show demographic information to help us understand, you know, is a source.
Of pollution being concentrated in an area where there are sources of other sources of pollution.
Or is it being concentrated in a community that has a higher?
Level of poverty such that that community might be more vulnerable to the pollution being introduced in that community.
This is again gonna be a big topic of discussion among the Advisory Council and the Interagency Committee.
So what I'm offering here is just an example to show you what could be the potential scope.
This is not a recommendation.
This is all up for discussion.
I'm just trying to provide you some.
You know, get your wheels turning about what this might mean, what this could look like.
So why don't I pause here? I feel like this is kind of a meaty slide.
Just wanna make sure maybe get some reactions.
Like, maybe just shocked everyone.

Raimundi, Karla 27:55

Yeah, we invite questions.
We have Rachel.
She's an incredible resource.
She has experience in this area of work.
Any questions? This really goes to the core.
Of what?
Environmental justice is as a movement and as an area of work, Brittany.

Watson, Britaney 28:17

I'm curious if there's a way to like if, if these burdens can be like weighted in a sense, so then when you're going to review these burdens and trying to prioritize communities, is is that in the works or is that to come or am I?



Stevens, Rachel 28:36

That's definitely something yet to put on the table I think.
I do think there is some. If you go back to the other slide, Kim.
So I think Britney, that's a great point and all of this is up for discussion. If you see this definition of environmental burdens, it kind of implies some prioritization because it mentions not just any impact to a natural resource, it mentions significant impacts. So there's kind of already.
Buried in these definitions some.
Indication that some there something might.
Might be a burden, but that some burdens might be more burdensome than others, and so how do we account for that and factor that in? I think will be a big topic of discussion and will be relevant to kind of the mapping tool as well, and what the.
You know the capabilities that we can get from a tool like that will be really helpful.
So really good point.
I don't.
You know, as I said, no decisions have been made, but this is all kind of.
Helpful to hear your questions too 'cause that will help us think through what what decisions do we actually need to make?
And thinking about.
About, you know, not all burdens are created equal.

It's gonna be an important point when we think about how to do an assessment like this.
I don't know if that answers your question, but I think just to highlight, that's a that's a good point.

Barrett, Kim 30:00
Grace.

Vinson, Grace 30:04
Yes, thank you.
This might be too in the weeds, but I just wanted to point out or I guess, ask a question about the social vulnerabilities because I know and Amy is here.
So she might be able to jump in the Department of Health has a whole social vulnerability framework that they were analyzing.
I know there were, like county by county, demographics done. I don't know how drilled down it is, but I think using something like that.
Could be helpful, but I guess my question is.
Has there been any thought about like what information to use to determine the burdens?
Like are we using like a state framework like the Department of Health or and again this is probably too in the weeds, but just wanted to put it out there.

Stevens, Rachel 30:48
No, I think this is a good point. And I guess this is a really good maybe.
Can you go to the next slide just so she can, we can see the cumulative side. This is definitely and I I guess I defer to Kim in terms of process, but what you're flagging about social vulnerability index is a really important discussion for development of the MA.
Tool which is underway.
The agency has retained a contractor to do that work, and so some of the discussion about.
The criteria or the indices or how burdens are gonna be represented in the map.
And then what other like social vulnerabilities might be able to appear in the map?
Like there's some potential for integrating or aggregating existing tools into a universal mapping tool?

So maybe I would defer to Kim on how you want input on the mapping tool development, but I know that is that's definitely part of that conversation.

Barrett, Kim 31:44
Yeah, conversations to come.

Stevens, Rachel 31:47
OK, great.

Vinson, Grace 31:49
Thank you.

Stevens, Rachel 31:49
So yeah, so these the mapping tool is obviously A is a more of a technical tool, but it's really it's relevant to the rule because the, you know our assessment is only as good as the tools we have to do an assessment. And so I think there's kind.

Raimundi, Karla 31:54
Mm-hmm.
Mm-hmm.

Stevens, Rachel 32:04
Of some parallel conversations that are going to be happening, which is another reason why I think it was a good time to go ahead and introduce this rule to the group.
So that you could be having this in mind as the mapping tool is is being.
Developed Carla before you jump in.

Barrett, Kim 32:19
1st.

Stevens, Rachel 32:20
Oh, sorry, go ahead, Kim.

Barrett, Kim 32:23
Rachel, how many more slides do you have?

Stevens, Rachel 32:26
I think just 02.

Barrett, Kim 32:29
Two. OK, cool.

Stevens, Rachel 32:30
Should just hit those really quick and maybe we take our break.

Barrett, Kim 32:33
Oh no, I was just.
I just really want to be attentive to the fact that the AC is on the call as well.
And so I just want to make sure that our questions don't get too in the weeds because I think that could potentially make it more difficult to have more of the overarching kind of conversation that we need so that the Advisory Council, you know at a later date.
Like when they're meeting.
To support the scoping process as all the other questions answered.
So I just wanted to throw that out there.
For consideration.

Raimundi, Karla 33:12
Yes. Thank you, Kim, for that.
Very important, but I want to answer the question about the social vulnerability index, because this is something that we actually discussed with the Advisory Council when the Council had the opportunity to look at.
The request for proposals there is a section in which we ask proponents to do an assessment of existing tools and how they could inform or be incorporated.
Created into the mapping tool, so as Rachel indicated, the question about other existing tools and data that are available in Vermont will be taken into consideration, not only to inform this rule.

The cumulative environmental burden rule, but also the development of the mapping tool and those conversations will be had as well, with the Advisory Council when the two contractors start meeting with you all.



Stevens, Rachel 34:06

You're missing the channel.

Thank you.

That's OK.

RK

Raimundi, Karla 34:10

So thank you. And I would like to invite questions from the Advisory Council members who are in the call.

There are two more slides to go, but if you have any questions please this is this is a good opportunity to ask foundational questions that you may have regarding the the deliverable.



Stevens, Rachel 34:39

OK.

Yeah, feel free to ask questions.

I'm putting the database of all the other state policies that relate to this topic in the chat.

I just want to point out that each state has a very different environmental justice law that they're implementing.

So just because something exists in another state doesn't mean that it's gonna be.

The same as what happens in Vermont.

Mariana, I see your question in the chat.

Who is gonna be writing and developing the rule?

So the agency of Natural Resources is responsible for adapting the rule, but there's extensive consultation and input anticipated from both the Advisory Council and the Interagency Committee.

But the agency, natural resources would be the entity that adopts the rule.

OK.

So how will the cumulative environmental burden rule impact state agencies?

As I mentioned, there's kind of two aspects.

The first is the law requires covered agencies to consider a cumulative environmental

burdens as defined by rule, and then it also requires covered agencies to adopt and amend their policies, procedures, guidance and rules where applicable, to implement the chapter.
So if it's if a rule change or a procedure.
Change is necessary to allow for this consideration.
Then the law contemplates that that change should happen.
So I would say there's a pretty direct.
Significant impact on covered agencies in terms of process, the timing is as it says here July 1st, 2028 to adopt or amend.
So we have some time and and obviously we're introducing the rule now and it will be adopted by July 1st, 27, but just flagging that it will have a a immediate, not immediate but an impact on covered agencies in the future.
So how will this rule impact the public?
So in a few ways, the rule will inform how the public and covered agencies implement the consideration of cumulative environmental burdens and use the mapping tool, because that's one of the objectives of, and purposes of the rule is to, you know, provide guidance about the mapping tool and.
The consideration, but the rule will also ensure that covered agencies consider a cumulative environmental burdens that may impact the public.
So there is a an impact that will be felt by the public in that there's a kind of a new consideration that agencies will be making when they're making decisions. And obviously the purpose of that is to implement the EJ policy to ensure that burdens are not being.
Felt disproportionately across the state, so it is intended to have a positive impact on the public in that it's avoiding or.
Helping to consider the burdens that may be distributed across the state.
I think is that my last slide, Kim.
Put you on mute, Kim.



Barrett, Kim 37:52
Thank you.
Yep, that was your last line.
So it I think, I think it makes sense to.
Take a break.
Thank you so much, Rachel.

And then start with Advisory Council questions.
To give everyone a minute to.



Stevens, Rachel 38:17
We take a break, but Mariana put a great question in the chat so.
Whenever we're ready, Kim, I'll. I'll take her question.



Barrett, Kim 38:26
OK.
Go ahead.



Stevens, Rachel 38:30
So Mariana, you asked.
Kumulina burdens are currently not considered already in any way or law.
That's actually not true.
So one thing that's really interesting is that there are many places in existing law where accumulative environmental impact is already considered. And so one of the things that we've been thinking about in the agency is kind of inventorying.
Kind of existing decisions that Agency of Natural resources to try to understand where.
Cumulative impacts are relevant.
This might be a really interesting discussion too. For example with with Department of Public Health, because a lot of our like environmental standards or health based standards already consider cumulative environmental impacts.
So I definitely don't want to suggest that this is not already happening and that that is going to be an important thing to figure out.
How does this relate to some existing decisions?
But there are certain decisions that don't consider them.
And so this rule would kind of.
Broaden the applicability, but certainly.
In the environmental agencies, there's already consideration in in several contexts.
Does that answer your question? OK.
So I'm seeing.
Yep, Carla made a comment in the chat.
Yep, we're seeking input on the rule, OK?

Other ACE Advisory Council member questions.
Britney.

Watson, Britaney 40:02
This is Brent. Yeah. Thanks.
I have. I'm just.
I'm curious how these cumulative burdens are going to be tracked and stored, and then if there's going to be a public facing site that is going to be maintained for Vermonters to be able to see.



Stevens, Rachel 40:21
I think that's a great. That's a great point and a great comment.
The environmental burdens will be mapped in the mapping tool, but right now we have not.
I mean, we're at the very beginning stages, so we haven't really figured out how or whether cumulative environmental burdens could be reflected in the mapping tool.
I think that's still a topic for discussion, and certainly that's a good comment if if the outcome of an assessment.
Will be made public or should be made public during the process, so that's definitely.
That's a great piece of feedback and something that we should definitely consider.
I'll just give an example of in the state of California, they have a mapping tool called the Cal Enviro screen, and actually anybody can generate and view cumulative environmental impacts in Cal and Viro screen because the tool itself actually creates a score of cumulative environmental effects kind of.
If if folks are are folks familiar with the EPAEJ screen?
That it's been taken down, but it's a federal mapping tool.
It's similar to kind of the EJ score that the mapping tool could generate.
Kind of a a score.
So I think Britney, there's a lot to think about in terms of how to document and make available to the public cumulative environmental burden.
So just opening that up, that that's a great comment and something to consider.
Carla.

Raimundi, Karla 41:57
Thank you, Rachel, and thank you, Brittany.

It's it's this conversation has been really informative because the questions that you're asking.
Allow us to have a sense, an idea of what concerns you all have with regards to this rule.
And other and other.
Other areas that may inform this rule, so thank you so much. And Brittany, what I was gonna mention.
One is that that is a great question.
We especially indicated we don't have.
We don't know whether that's actually gonna be one of the things that we're able to do with our tool.
This is gonna be the first iteration of that tool, but at a minimum the burdens will will the burdens that make it to the tool after a process of engagement and consultation with the Advisory Council and other agencies and other stakeholders around the the state.
Will have burdens and you will be able to identify burdens and overlay them. So if, even if even if we don't get like a cumulative burden assessment report, we will be able to identify per burden and geography where those burdens are accumulated.
At a minimum, that's the the most basic iteration of a potential.
Tool.



Stevens, Rachel 43:28
Yeah, and some, some, some tools use just another example. Some tools have like kind of hot spots where like as you add layers it, it changes the color grade gradiation on the map.
So you can actually see, oh, you're having a higher concentrate, you know, so the map, you know, that's just another example of a A functionality that could, you know, where depending on how you want to maybe prioritize burdens or evaluate them that as as you use different lay.
Oh, you have a a zone of high concentration or high density, or you have high.
There's a really great example mapping tool in New Jersey.
The what's in my community tool that kinda has some of that functionality.
So these are all like potential options and things to think about for Vermont's tool.
And as Carla mentioned, you know, there'll be a first iteration, but then there's potential to to improve or adjust the tool, you know, over time, based on what

needs.
The state has.
For something like that.
Kim.

+18*****80** 44:31
Hi, I'm sorry I'm joining from my phone.


Stevens, Rachel 44:31
Yes.


Barrett, Kim 44:32
OK.

+18*****80** 44:33
Sorry to jump in.
Could I ask a question?
This is Jennifer Byrne.


Stevens, Rachel 44:39
Sure, go ahead.

+18*****80** 44:41
OK, great.
So more just a comment I guess, but thinking about like permits and you know considering them within this data collection of burdens and my hope would be that the even the first iteration of the mapping tool would involve include like a A community component community facing component where.
They would able be able to see something like all the permits that exist in their community.
I feel like that would be a really useful tool.
Even just starting with that.
Because every permit is some type of basically license to pollute and and is some type of burden to the community and and could kind of blend the, you know, community engagement component with the environmental burden.

Stevens, Rachel 45:24

Yeah, that's a great comment and definitely the permits.

Yeah, the permits are a great, a great point. And actually the New Jersey tool as I as I was mentioning is very useful for permits.

It's primarily identifying the pollution permits in the state, so that could be a good if you're looking for an example of a functionality that you might like.

But yeah, I think all of this is in consideration.

For Vermont, so great comment.

Thank you, Jennifer.

Kim, did you have anything else?

Take more, take more questions.

Barrett, Kim 46:06

No, we we have 5 more minutes for this Q&A.

So I just want to leave it open.

In the meantime, I'm gonna reach out to Walter. It seems like he had some issues popping on the call, so I'm just gonna support him, and then we can transition.

Into the executive session.

Discussion.

Stevens, Rachel 46:30

Can we do? Iac questions. Kim, I'm seeing some.

Barrett, Kim 46:33

Sure. Yeah, sure. We can do that.

Stevens, Rachel 46:36

Claire.

McIlvennie, Claire 46:39

Thanks. I'm just curious. It didn't seem like there was any language about this in statute, but.

If there's examples around like the time scale over which burden is experienced, I get

it seems like a lot of the examples we're talking about are like current, but curious if there's been thought about historical or yeah, how that might factor in.



Stevens, Rachel 46:59

Yes, actually, I'm glad you mentioned that. That question has come up in almost every meeting that I have been in about this topic is what is the time scale.
So how far back do we look?
So for example, you might have a facility that's no longer operating, but that did operate in the past. And so that is something that we've been thinking about.
How do we account for that?
And there is not guidance in the.
In the.
Law, but certainly we'd have to think about that when we discuss what is cumulative.
So there's yeah, there's cumulative in terms of the current condition, but then considering the the historical impact of an area, yeah, brownfield sites, for example.
Yeah, in terms of time scale.
So time scale is a very relevant topic to what is cumulative, so that will be.
That's something for us to think through.
For sure.
Other questions or comments?
I hope I have it overwhelmed everyone into silence.

Willard, Abbey 48:20

Yeah. Thanks.
My question, and maybe there's two parts to my question.
The first is kind of thinking.
Curious about whether there has been an effort.
Discussed around capturing cumulative burden or impact across state agency efforts.
So like one agency could be doing a project on a parcel and then another agency could be doing something similar that they haven't communicated.
About and then I was wondering about them, if that's what the mapping tool is intended to kind of address. And then that led to my second question around the mapping tool of really feeling like I may have some kind of just like general questions around population of the.

Mapping tool that I had been thinking about. I knew that it was being developed.
I hadn't necessarily thought about like data input across covered agencies.



Stevens, Rachel 49:14
All really good feedback.
I've definitely been in a meeting where we flagged kind of the cross agency, some of that like just I guess for the group. You know there are many different divisions within even just within our agency of natural resources that may may affect a certain community and don't always.
Necessarily, like speak to one another.
So, for example, a wastewater treatment facility in a town.
You know, but also at the same time.
Time is getting a permit and then separately a facility is like amending or modifying a permit for like an air pollution source.
And then sometimes you have a source that needs multiple, you know, permits from many different divisions, or maybe many different agencies.
And so that's definitely an interesting concept.
It might be interesting.
Not necessarily putting you on the spot, Jenny, but we if we have representation from the LERB, the land Use Review Board to think about obviously some of that cross agency.
Kinda impact.
So definitely an important point.
And then I guess, Carla or Kim, how should folks on this call give input on the mapping tool 'cause?
I think that is emerging as a hot topic too, from this discussion.

RK

Raimundi, Karla 50:33
Yes, thank you.
Abby and Jennifer, I loved your comments and what I have to say about Jennifer's comment.
The permits.
That's definitely a topic of conversation that will be had.
And Abby, I love the opportunity that the mapping tool exercise.
May bring us in terms of creating efficiencies across agencies.

And.
Thinking perhaps.
How we can do that will may be of importance, but then again we have not started having these conversations.
So, you know, let's just keep track.
We were gonna have the minutes, so let's just keep track of all of the questions that have been.
Shared today so that we are able to have them with the contractors to determine, you know, what what's within the realm of possibilities. Because another thing that we should be mindful of is our budget, right?
And our budget is kind of limited.
So we will need to have conversations about what things we are going to prioritize.
In this first iteration of the mapping tool.
And in terms of providing feedback, you know we've mentioned this in the past.
Our e-mail is, you know, I'm gonna. I was gonna say like a revolving door, but always open to receiving feedback or questions across the board with regards to the EJ law or specifically for any of the deliverables.
So ask questions or ideas arise.
Please let us know.
Send us an e-mail.
E-mail and we will get back to you and make sure that we discuss these questions with the contractors. Thank you.



Stevens, Rachel 52:42
OK.
I think I think we're maybe close to break time, but just wanna recap a couple things.
Welcome input on all of this. There will be a formal scoping meeting, a formal based on the law with the Advisory Council to scope.
So this is just your introduction conversation.
This is not the the formal scoping meeting, so you'll have a lot of time to think about this and then in advance of a scoping meeting, you know, we'll circulate some materials. So you can kind of have a little more.
Kind of.
Media or substantive level of engagement on some options and things to consider.
Just wanna. I know folks are really busy, but there's this great online database of all

the other cumulative impact policies in other states that's developed by the Tishman Center at the new school.
Highly recommend you poke around and for the covered agencies. If you have a counterpart you know in those States and you're interested in in talking to them or you know, engaging definitely.
Just recommend you take a look at what's kind of other states are doing.
And then, Carla, what?
What kind of expectation do you want to set for next steps?
Or maybe Kim, do you have any other expectations you want to set for next steps for this conversation on cumulative environmental burden rule?

Raimundi, Karla 53:57
Thank you. I think the next steps are, which are also the prior steps to this conversation, is to familiarize yourself with the deliverable.
You know, go over the statute and let us know if any questions arise.
Now be on the lookout for interagency committees.
We will hold.
Technical assistance sessions to have conversations.
With you all with regards to.
Scope and other considerations like operationalizing what may become part of the rule.
So that's something of importance to start having conversations internally with relevant staff and leadership within your agency so that you can come and inform our conversations regarding scoping when we have them and and similarly with the Advisory Council, it would be great.
If you could share with us some of the important values and items that you would like to see folded into a rule of this nature.



Stevens, Rachel 55:17
Yeah, Abby, actually, this is a topic that has come up a lot about getting the general counsels in A room.
And so I've actually met with the AGS office to think about how we could have a a bigger, like legal conversation.
So either having them join the program staff or having a dedicated legal meeting. So that's a great idea.

We've been thinking about that.
So happy to offer that and maybe we could think about how to facilitate that.
But welcome.
Welcome that opportunity.

Raimundi, Karla 55:50
Also Advisory Council members there will be a scoping.
Formal scoping meeting. That's gonna be public. And I would also like to offer the Advisory Council that if you would benefit from another conversation prior to that formal scoping meeting to go over the deliverable again and any other questions that you may have, please let us know we.
More than happy to provide that.



Stevens, Rachel 56:22
Could do in a follow up conversation or maybe some office hours is like we could pull out some of these other state examples and do like a deeper dive in some of those other states. If you want just to take a look at like what other states might.
Be doing. I've have found that to be really informative.
So if that, you know, just think about what kind of as Karla mentioned, if there's additional information that you would appreciate having presented to you, definitely let Carla know and we can.

Raimundi, Karla 56:40
Mm-hmm.



Stevens, Rachel 56:49
Make sure that that we have that information prepared.

Raimundi, Karla 56:52
Please and this is particularly important important, because we're gonna consult the Advisory Council and you will provide.
Your feedback and we will take your feedback into consideration.
To inform the rule. So the more you know about the subject matter, the better the consultation process will be for us.
So yes, if you have any questions, let us know please.

Barrett, Kim 57:23
OK.
Let's take a 5 minute break.
I have Trey on standby.
So after Rachel, you come back and we do your slide.
Excuse me around executive session and I can call him and then we'll review the AC will be at Quorum.

Stevens, Rachel 57:45
Just wanna acknowledge for the record that I don't think we have any members of the public on this is probably when we would have done public comment, but I don't think we have any members of the public at the time at this time.

Barrett, Kim 57:57
No, we don't.
OK, let's come back at 1:11.

Stevens, Rachel 58:09
I think we're intending for the executive session to include the Interagency committee, and I think this would be a very important conversation for the covered agencies to hear.

Raimundi, Karla 58:16
For the correct correct, this is a joint executive session, and it's particularly important for all of us to be there.

Vinson, Grace 58:19
OK.
Thank you.

Stevens, Rachel 58:19
Yep.

Barrett, Kim 58:21
Yes, yes.

Vinson, Grace 58:26
OK. Thanks.

Raimundi, Karla 58:27
OK.
Thank you.

Stevens, Rachel 1:02:48
2.

Barrett, Kim 1:02:48
All right, everyone, it's 111.

Stevens, Rachel 1:03:00
I like your sweater.

McIlvennie, Claire 1:03:04
Thank you.
That's a great compliment from someone who often has excellent sweaters.

Stevens, Rachel 1:03:10
Oh, thank you.
Oh my gosh, I'm blushing.
Wow, I was not expecting that.

Barrett, Kim 1:03:19
Thanks Rachel.

Stevens, Rachel 1:03:20
Sorry, I'm struggling a little bit.

Barrett, Kim 1:03:25
Whereas I think everyone's back.
So let's get started.

Stevens, Rachel 1:03:32
OK.
So give me one second.
I'm gonna share my screen.
I don't know how to just ignore my tabs.
OK.
So we're gonna talk about an option for executive session for this group.
Just wanted to point to Vermont's open meeting law.
An executive session allows the body to meet.
Privately, without the public, the purpose of an executive session is to discuss matters where quote premature public knowledge would clearly place the public body.
At a.
At a substantial disadvantage.
And then two examples that are relevant.
One these are all listed in the open meeting law.
One is contracts, one is confidential attorney-client communications.
The team.
The Kim Julia and Karla flagged that this could be a useful discussion based on some conversations that have been happening recently.
To have an executive session to discuss some of the legal issues related to the environmental justice focused population definition and to allow the Advisory Council and the Interagency Committee to discuss information confidentially with an attorney.
So this is the proposal for the executive session. If the group wants to proceed, that we would enter into an executive session and I can share some confidential legal information with the group.
Well, I guess let me pause here.
I think this is a Yep. Wanted to open this up. Go ahead, Kim.

Barrett, Kim 1:05:12

There's actually.
Yeah, real quick.
So if you advance a slide after.
AC deliberation just so if you wanna share a little bit about the procedure real quick and then and then folks I think can do a great.



Stevens, Rachel 1:05:30
Yeah. OK. So to in terms of procedure, if the if the bodies decide to enter into executive session, someone must make a motion in the open session that indicates the reason for doing so and name the legal authority. And I've put the legal authority here for a state.
A 2/3 affirmative vote is required.
No other topics may be discussed in executive session and information shared and executive sessions should not be shared publicly.
This is very important to understand, so we will have a discussion or we can have a discussion in executive session, but then it cannot be discussed separately or for example put in an e-mail that then would be made public.
If the group is interested in this, I've drafted a sample motion for someone to.
To enter into the record but want to make sure that there's time for discussion and deliberation about whether executive session.
Is warranted.

+18*****80** 1:06:36
Being proposed as warranted.



Stevens, Rachel 1:06:39
So the to further discuss legal issues related to the environmental justice focused population definition in a confidential setting, this would be an opportunity for the agency to share some information about legal interpretation and discussions that we're having.
About the definition that otherwise can't be shared publicly.

+18*****80** 1:07:04
Yeah, I guess I just don't really understand like the why it can't like why is any of this not able to be talked about?

What? What is the like?
Unfair disadvantage or advantage that may be presented.



Stevens, Rachel 1:07:17
I think that discussing the information publicly could make the law potentially vulnerable to legal challenge.
And there's, I think the purpose would be to discuss information with the group. That's important for your decision making. Without exposing the state to potential legal risk from someone wanting to challenge the law.

+18*****80** 1:07:47
OK.



Stevens, Rachel 1:07:50
It's essentially an opportunity to discuss legal risks that the agency has identified.

+18*****80** 1:07:59
And so you don't want to warn people about the risks you see.
Is that it?



Stevens, Rachel 1:08:03
I think there's.
I think we want to warn the Advisory Council and the Interagency Committee, and we could discuss whether, after we share the information that you think it's important for us to discuss it publicly. But I think at this time.
We least the lawyers involved have identified it as confidential and would not want to be shared in a public forum.

Raimundi, Karla 1:08:26
Matter of process. Rachel. Does the motion need to be supported unanimously? Because Jennifer, I think you reserve your right to not want to enter into executive session, but I would like the advice of Rachel.



Stevens, Rachel 1:08:41
I think it's two 2/3 vote of the bodies.

Raimundi, Karla 1:08:45
OK, so I think we can move forward.
Rachel.


Stevens, Rachel 1:08:50
But I think I I guess if there are other questions though, I mean it's important for the group to understand the purpose and whether.

Raimundi, Karla 1:08:53
Sure.


Stevens, Rachel 1:08:58
You know, Jennifer, you did raise a good point about what is the substantial disadvantage.
I mean that finding does need to be made and it it's a little hard for me to say.

Raimundi, Karla 1:09:07
Yes.


Stevens, Rachel 1:09:08
I mean, I I feel confident that sharing this information prematurely would put the Advisory Council and the Interagency committee at a substantial disadvantage.
But if after we have the executive session.
You disagree and you think that we should have a follow up conversation in a public forum?
We could definitely talk about that and I could get legal advice from the Attorney General's Office on that point. If if you find after we discuss it that it that you think it's important to discuss publicly.

Raimundi, Karla 1:09:38
My concern, Jennifer, is that unfortunately, we cannot answer your question to your satisfaction because it would actually go into the matters that we've been advised by legal counsel to be extremely sensitive.
So it does require at this point.

A little bit of trust.
In you know the advice of Kim, Juliet and I.
And also the legal opinion of Rachel, our General Counsel and other general counsels from the interagency.
But if you have more questions, please share them.
I just don't know whether the answers will be satisfactory because I believe it may jeopardize the information that we don't want to share publicly.

+18*****80** 1:10:26
At.
Yeah.
I can only asking these questions. I I have no opinion on it 'cause I don't know what it's about, but I I I'm asking the question because I know it's part of the process that an Advisory Council member has to pose right the the process and the quest.
Is that true?

Stevens, Rachel 1:10:50
I think there.
Yeah, I guess I'm wondering, we might need a motion from someone from both bodies because we're kind of entering both bodies into session.
So I would.
I guess I'd argue we would need.
Emotion from an IAC member and a 2/3 vote from the committee and then a separate motion from an Advisory Council member and a 2/3 vote from that body.
So if the for example, the interagency committee voted to enter executive session and the Advisory Council did not, then then we could proceed as the IAC because.
This is a joint meeting, so I do think we would need a vote from both.

Raimundi, Karla 1:11:28
I tend to agree with that.

Mariana / Hunger Free Vermont 1:11:28
So.

Stevens, Rachel 1:11:28

Ariana.
Sorry, go ahead.

Mariana / Hunger Free Vermont 1:11:30
Yeah, I have AI.
Is that OK if I ask a question now?


Stevens, Rachel 1:11:35
Oh yes, yeah.

Mariana / Hunger Free Vermont 1:11:36
Yeah, just so, so basically we we are one of us should move to.
To verbalize the motion so that we can talk about this and.
What is there any?
Anything else that we need to know before making that motion?
James just said.
I feel like I'm not sure if if I should be doing the motion because I am.


Stevens, Rachel 1:12:03
I think the most.

Mariana / Hunger Free Vermont 1:12:04
I'm not sure.
What is it that I would like to discuss?


Stevens, Rachel 1:12:06
Yeah, I think the, I think I think the I think, yeah, I think that I what I would like to do is to share and provide basically bring both bodies in to in-depth legal discussions that are happening behind the scenes.

Mariana / Hunger Free Vermont 1:12:08
But I understand that there's some sensitive information that you want us to know, right?


Stevens, Rachel 1:12:23

And this information has not been shared previously because it's considered confidential attorney-client communications and the reason why it's sensitive is because it relates to the legality.

Mariana / Hunger Free Vermont 1:12:29
OK.



Stevens, Rachel 1:12:36
Of certain aspects of the law and some legal threats that have arisen and wanting to, I think that because of recent conversations that I understand have happened at. Public meetings, it seems.
It seems like there was an appetite to discuss this topic and so that's what we're trying to offer is an opportunity to provide a legal position and legal information about this topic.
But if once we're in the session.
There's information that you feel like you want to discuss publicly. We could certainly discuss.
That and how to protect that?
So yeah, that's again.
I'm not trying to be vague, but I don't want to provide more information publicly because the would be the purpose of executive session.

Mariana / Hunger Free Vermont 1:13:25
So it's so I I moved to enter it into the executive session.
Is is that what we need to do? Like one of us should say this, OK.



Stevens, Rachel 1:13:31
Yeah, it's. Yeah, yeah. If you're comfortable with that.

Mariana / Hunger Free Vermont 1:13:34
All right.
Yeah, sure.



Stevens, Rachel 1:13:39
Would Mariano or someone else else from the Advisory Council need to read this?

Yeah, I think the motion or well, we would, you could say that you you support this to be this would be reflected in the meeting minutes.

Mariana / Hunger Free Vermont 1:13:45
Oh.


Stevens, Rachel 1:13:49
So you don't have to say it aloud, but if you want to read the motion, take a moment to read it and and say that this reflects your.

+18*****80** 1:13:55
Could you please say it aloud?
I'm sorry I can't see the screen.
Please say it aloud.


Stevens, Rachel 1:13:58
Yeah, go ahead, Mariana.

Mariana / Hunger Free Vermont 1:13:59
Yes, I moved to enter into executive session for the purpose of discussing confidential legal information with an attorney.
Pursuant to one VSA section, 313A1F do you want me to read the whole thing or just that?


Stevens, Rachel 1:14:18
I I would just for Jennifer's benefit too in the in the Minutes.

Mariana / Hunger Free Vermont 1:14:20
OK.
And Jennifer, can you hear me OK?

+18*****80** 1:14:25
Yes.

Mariana / Hunger Free Vermont 1:14:26

OK, the executive session will be limited to discussing the definition of environmental justice.
Focus population and associated legal issues with an attorney sharing this information with the public prematurely will put the AC and the IAC at a substantial disadvantage.
Because they need to understand confidential legal risks to implement the EJ law, I move for a an R staff, including attorneys to be present.
Sorry, I feel like a rub out.



Stevens, Rachel 1:15:08
No, that's it. Thank you.
Yep. Thank you.



Barrett, Kim 1:15:10
That was great. Thank you.



Stevens, Rachel 1:15:12
So then we would need a second from a member of the Advisory Council and then to take a vote of just the Advisory Council members present.
I want to acknowledge that we do now have forum of the Advisory Council as of when Trey joined the meeting.

Trey Martin 1:15:22
Martin.



Stevens, Rachel 1:15:28
So we're we're set in that way.

Trey Martin 1:15:31
And I'll be happy to 2nd that motion that Mariana provided. Thank you, Mariana.



Stevens, Rachel 1:15:39
So should we?
You want to do a roll call or how do you want to do it, Juliet?
Yeah, let's do. Is everyone comfortable with doing a roll call? And folks just say yes or

no. If they're from the Advisory Council, if you're comfortable with moving into an executive session.
All right, Mariana.
Great.
Tre.

Trey Martin 1:15:57
Yes.



Stevens, Rachel 1:15:58
Awesome, Jennifer.

+18*****80** 1:16:02
Yes.



Stevens, Rachel 1:16:03
OK, Brittany.

Watson, Britaney 1:16:06
Yes.



Stevens, Rachel 1:16:08
Victor.

Victor Davila 1:16:12
Yes.



Stevens, Rachel 1:16:13
Thank you.
And susana?
Susanna, I know you said earlier that you may be only able to communicate over chat today.
It you can also write yes or no in the chat if that's helpful.
Do you have 2/3 with that are about yes.
OK, you could put no vote because I think you've carried the motion.

OK, Rachel.
Just advised me that since Susana may not be available at the moment, we can just put no vote.
But this did carry the motion.
We got over 2/3 vote of the current the currently present Advisory Council members.
And then so for the Interagency committee, does someone want to make a motion for the IAC?
And I think 'cause it's already been read into the record, you could probably just identify whether this motion reflects your position.



Pelletier, Dave 1:17:24
I'll make that motion. Dave Pelletier, EOT.
Is that sufficient?

Willard, Abbey 1:17:30
I'll second that.



Stevens, Rachel 1:17:30
Any work? Yep. OK.
And you got a second who was the 2nd?



Pelletier, Dave 1:17:33
Thanks.

Willard, Abbey 1:17:34
Abby Agency of Agriculture.



Stevens, Rachel 1:17:36
OK.
Just one second.
I need to write this down before I forget.
All right, let's do a roll call once again, this time with only IAC members.
Carla.

Raimundi, Karla 1:17:55
Yes.


Stevens, Rachel 1:17:57
Thank you, Dave.


Pelletier, Dave 1:18:00
Yes.


Stevens, Rachel 1:18:01
Thank you, Abby.

Willard, Abbey 1:18:04
Yes.


Stevens, Rachel 1:18:06
Thank you, grace.

Vinson, Grace 1:18:11
Sorry, yes.


Stevens, Rachel 1:18:13
Thank you, Stephanie.


Smith, Stephanie A 1:18:16
Yes.


Stevens, Rachel 1:18:17
Thank you, Claire.

McIlvennie, Claire 1:18:20
Yes.

Stevens, Rachel 1:18:22
Elizabeth.

SE **Schilling, Elizabeth** 1:18:24
Yes.

Stevens, Rachel 1:18:25
Awesome.
Jenny.

RJ **Ronis, Jenny** 1:18:30
Yes.

Stevens, Rachel 1:18:31
Jenny, just to clarify, are you able to vote or is Janet technically your seat?

RJ **Ronis, Jenny** 1:18:39
I think we kind of share it.
Before Janet, the previous chair delegated to me.
And then I continued to attend and I think we vote as one like whenever we've been in a voting situation, only one of us has voted.

Stevens, Rachel 1:18:55
OK.
Carla, did you want to weigh in on that?
Sorry to hold everybody up.
I mean, if Jenny is delegated then that should be appropriate. OK.

RK **Raimundi, Karla** 1:19:02
I was.
I was going to say that, yeah.

Stevens, Rachel 1:19:05
OK. Jenny, could you repeat what your vote was? Sorry.

Ronis, Jenny 1:19:08
My vote is yes.



Stevens, Rachel 1:19:09
OK, great.
And Susanna?



Davis, Xusana 1:19:16
Yes, I'm sorry I had to take a call.
That was unexpected, so I missed it before, but yeah.



Stevens, Rachel 1:19:20
No worries.
And no pressure.
Thank you so much.
Alright, we're good to go.
OK, great.
And then just a minute, I'm gonna stop recording.
Is that is that the appropriate time? OK.
Alright, we're entering. Yeah. Entering into executive session.

Birch, Juliet stopped transcription