

**Public Meeting of the Vermont Environmental Justice (EJ) Advisory Council (AC)**  
**Hybrid Meeting Minutes**  
**April 8, 2026**

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

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**Meeting Information:**

**Date:** April 8, 2026

**Meeting Time:** 10:00 AM – 12:00 PM EST

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**Attendees:**

**Advisory Council (AC):** Mariana Sears, Rich Holschuh, Victor Davila, Britaney Watson, Jennifer Byrne

**State of Vermont:** Juliet Birch, Kim Barrett, Karla Raimundi, Rachel Stevens, Simonne Valcour

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**10:00 AM**

**Welcome & Introductions**

- Consent to [Community Agreements](#)
  - Consent received, no comments.
- Approve September 26, 2025 [Meeting Minutes](#)
  - Quorum not achieved.
- Approve February 11, 2026 [Meeting Minutes](#)
  - Quorum not achieved.
- Approve April 8, 2026 [Agenda](#)
  - Agenda approved, no comments.

**10:15 AM**

**Environmental Justice Complaint Re-Orientation**

- Kim B.: ANR will present on the importance of having an EJ complaint definition, explain the difference between CR and EJ complaints, recap previous

discussions on this topic, and ways that the AC can advance this work. This conversation specifically pertains to the Civil Rights and Environmental Justice Complaint Reports due on March 15 and the AC responses to those reports due on May 15 each year.

- Kim B.: Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, and national origin. Covered agencies have to comply with Title VI because they receive federal financial assistance. CR complaints are structured by the federal government and the elements are clearly defined. Agencies do not have discretion on what constitutes as a CR complaint due to this structure. EJ complaints, however, do not have this structure or a clear definition. This allows agencies some discretion, although that discretion should be guided by AC consultation.
  - Rich H.: Since the federal law hierarchically is above state law, it makes sense that there isn't a lot of room to influence the CR complaint process. Makes sense to focus influence on EJ complaint process.
  - Karla R.: Agencies do have the ability to design systems and programs to advance compliance with CR requirement, but not the discretion to determine substantive or procedural requirements for compliance. Because the EJ complaint process has no defined content, we can develop that content ourselves.
  - Mariana S.: Can we see an example? What are the elements that are clearly defined in a civil rights complaint? Is there a complaint that an agency has received that you can use to walk us through the structure?
  - Juliet B.: For example, Title VI specifically calls out race, color, and national origin (including language) as three things that you cannot be discriminated against for. Discrimination could be intentional or by impact/effect. Those are the elements of a civil rights complaint – what are you alleging you were discriminated against for and how?
  - Victor D.: Is it our job as part of the AC to help develop elements that would help define an environmental justice complaint?
    - Juliet B.: Yes, it would be helpful
  - Victor D.: I'm envisioning it would be better for the elements to be broader as opposed to something hyper-specific
  - Karla R.: Provides examples of elements of civil rights compliance: covered agencies need Language Access Plans to safeguard national origin, need Notices of Nondiscrimination to communicate nondiscriminatory practices, need a Nondiscrimination Coordinator to manage nondiscrimination and complaints, need a Grievance Procedure to receive and respond to complaints. There could be similar elements for

EJ as well, or you could draw on civil rights compliance to bolster the elements of an EJ complaint

- Kim B.: Since the AC has already had extensive conversations on EJ complaints, here are resources that were created in 2024:
  - [240429 AC Meeting -- Minutes.pdf](#)
  - [AC CR and EJ Complaint Summaries Report Response 05.15.2024.pdf](#)
  - [IAC CR & EJ Complaint Summaries Report Response 08.15.2024.pdf](#)
- Kim B.: Having a clear EJ complaint definition will help build out the development of an EJ complaint intake system, allowing there to be content for the EJ portion of the CR and EJ Complaint Summary Reports each year. AC members can specifically explore components to include in an EJ complaint and components to exclude from an EJ complaint. Sometimes it is easier to define something based on what it is not.
- Rich H.: It is important to avoid having black and white definitions but rather to recognize that there is a learning journey involved here and flexibility is needed. Lacking time, funding, have competing priorities, etc.
  - Karla R.: This idea could offer an approach for coming up with content for an EJ complaint. This could be grounded in the statutory mandates. Working together to mitigate these concerns and secure resources. Important to come up with a basis for an EJ complaint – for example, aspects that disparately impact certain geographies.
- Victor D.: Important to have a wide net of potential connection points for community members
- Rich H.: Could possibly provide a framework that is flexible enough to grow over time to fill gaps that become evident by doing
- Mariana S.: The word “access” comes to mind as a potential element for EJ. Access to water, air, land, food, etc. Elements of a healthy ecosystem, all Vermonters should have access to healthy ecosystems. Revising the definition of environmental justice could be a worthy venture, speaking to past comments from Rich about the anthropocentric nature of the definition. Avoiding making more separation of communities just because they are not EJFPs. Wanting to be expansive of who is included
  - Juliet B.: Possible definition for an EJ complaint that allows for some flexibility: lack of access to environmental burdens, disproportionate exposure to environmental burdens. The definitions of a benefit and burden can change, allowing flexibility.
  - Karla R.: “Access” could elicit different contexts like decision-making – can I participate in and understand what is happening? – access to benefits, access to services and programs, access to communication.
  - Rich H.: Boxes or categories can sometimes be unhelpful
  - Victor D.: Sometimes labels are important. People will label you whether you like it or not, so sometimes it is important to label yourself so they don’t do it for you.
  - Juliet B.: Perhaps keeping the parameter of EJFPs out of the definition so that it focuses on the experience instead of who does the experiencing

- Mariana S.: Could be helpful to expand these discussions to other audiences – getting more people involved in these public meetings
  - Victor D.: If we can do a good job and made progress, then people will flock to this work.
  - Britaney W.: Would it be possible to hold a special meeting for the general public to come and share their concerns?
  - Rich H.: EJ Network Summit is coming up. Is anyone here going to present or attend?
    - Britaney W.: Will get Destinee Pierce connected with ANR staff
    - Mariana S.: Will be presenting on behalf of Hunger Free Vermont about Food Security Networks
    - Rich H.: Will also be there to participate on a panel on indigenous perspectives. Perhaps something to touch on in next month's agenda?
- Kim B.: Next steps? Perhaps connect about this again in an office hours session?
  - Juliet B.: Not a lot of time in May 13 meeting to continue this discussion. Office hours would be preferred.
  - Kim B.: We'll figure out next steps in the follow-up email

**11:35 AM**

#### **Public Comment**

- No comments.

**11:35 AM**

#### **Break**

**11:40 AM**

#### **Cumulative Environmental Burden Rulemaking Re-Orientation**

- Introducing Rachel Stevens, ANR Associate General Counsel, and Simonne Valcour, ANR attorney focused on Waste Management and Prevention
- Rachel S.: ANR is tasked with drafting and adopting a rule that requires covered agencies to consider cumulative environmental burdens. The rule must
  - Define cumulative environmental burdens – namely the “cumulative” element
  - Implement consideration of cumulative environmental burdens in ANR

- And inform the public and covered agencies on how to implement consideration of cumulative environmental burdens and how to use the mapping tool
- Rachel S.: The Rulemaking process will have three phases:
  - Research: Doing the “pre-work” to figure out what the rule could entail, namely looking at other state examples (comparative research)
  - Pre-rulemaking and drafting: Scoping, drafting, and voting
  - Rulemaking: ICAR meeting, public comment period, LCAR review, file adopted rule. Final rule adoption is due July 1, 2027. Covered agencies must amend their own work in accordance with the rule by July 1, 2028
- Rachel S.: Current status is that ANR is closing out the research phase and preparing for the scoping process. The purpose of scoping is to discuss and consider options for the scope and contents of the rule. There will be separate scoping meetings with the IAC and AC
- Simonne V.: Will cover how specifically the AC will be involved in the rulemaking process. AC will support with developing the scope and contents of the rule through a scoping meeting, AC will review and comment on draft rulemaking concepts, votes will be recorded and submitted to ICAR as part of the filing.
- Simonne V.: Scoping is the opportunity for the AC to provide meaningful input on the scope and contents of the draft rule. ANR will provide background information, technical assistance, and options for draft rule concepts to consider to support scoping
- Kim B.: If Advisory Council members have questions about rulemaking, please send them to us and we will get them answered for you!

**12:00 PM**

**Close Out**