VT EJ JOINT Public Meeting-20260513_101046-Meeting Recording

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1h 2m 55s

Barrett, Kim started transcription



Barrett, Kim 0:05

OK.
Great. Welcome to a meeting of Vermont's environmental Justice Advisory Council and Interagency committee.
Thank you for being here.
We're gonna just briefly look at our community relational community agreements. If everyone can just take a moment to look at them and give us a thumbs up to let us know that you agree.
Alright, sounds good.
Let's move on to our meeting minutes and agenda approval.
The addenda is in the chat.
It's the last bulleted item.
If anyone can't access the chat for any reason, just let us know.
But the plan is for us to give you an overarching.
EJ law update. And then if there's any members of the public, we'll move into public comment for a few minutes and then.
Someone Rachel Stevens.
From our legal team will jump in and just give a recap of executive sessions. And if we met Quorum then both the AC and the IC can deliberate and vote on entering into executive session. During this meeting to cover 3 BSA 6004 H and then depe.
On where we land, the executive session will continue or the public meeting will end.
So I can't see everyone at this point.
Yeah, go ahead, Juliet.

Juliet Birch 2:08

I just wanted to add 1 quick thing.
Which is that right now as of where we stand, we have three Advisory Council members. So we're not yet reaching quorum for the Advisory Council. But that said,

the interagency committee could enter into executive session as and as part of the motion to enter in they could include.
The three Advisory Council members who are present, so that is to say, just because the AC doesn't have quorum, doesn't mean that the folks who aren't present who are present can't be part.
That meeting.
So I just wanted to clarify that.

Mariana Sears
That's good.
I didn't know that.



Barrett, Kim 2:43
Yep.
Yeah, thanks for sharing that.



Barrett, Kim 2:49
Alright, so let's just continue with the EJ.
Well update and see where we land.
With attendance all right.
So now we're gonna go over some updates, and really it's just a meeting recap we've had.
Several public meetings in the last couple of months.
So on April 2nd we had an ISE meeting, we entered into executive session to focus on ejs, the environmental justice focus population.



Barrett, Kim 3:30
Definition and then also the same thing that we're covering today, 3 DSA, 6004, eight.



Barrett, Kim 3:38
And on April 8th, we had an Advisory Council meeting where the Advisory Council revisited.
Deliberated around the environmental justice complaint definition.
Kind of following up on the Interagency Committee's civil Rights and EJ Complaint

summary reports.
Also in that meeting, the Advisory Council had their second.
Kind of technical assistance meeting on the cumulative environmental burden rule making.

Barrett, Kim 4:12
So we went into detail around that and focused more on the advisory Council's role.
And explain more about what that process looks like.
On April 28th we had an IAC meeting where we focused on community engagement plans and that was a great meeting. We had some shared facilitation where Sarah Mcelveen from agency of AG was there and and supported in presenting.

Barrett, Kim 4:43
And then on May 7th, we had.
Office hours for the Advisory Council to move forward their kind of plan that they made at their.
Previous public meeting, so they discussed the civil rights and EJ complaint response and further deliberated around the environmental justice complaint definition.
One thing we wanted to just circle back around.
So, Mariana, I think you and Rich mentioned at the April 8 AC meeting that EJ networks.
Environmental Justice summit and so one of the things that you all had said is that maybe it would be a good idea in this meeting to just, you know, explain a little bit more on how folks are going to be involved in that summit.
So I don't know Marianna if you want to share if you're attending and if anyone else actually on the call plans to attend this could just be a good time to to connect around.
Ways to engage in environmental justice outside of these meetings.
So I'll just take a quick moment to give space for that.

Mariana Sears 6:02
I'm happy to share.
Is this a good time to share? All right, cool.
Hi everyone.
This is Mariana and vice for a Council member.

And yeah, there's going to be a environmental justice summit organized by the Vermont Environmental Justice Summit network.
I have not personally met with anybody from the network yet, but.
I submitted.
A form to to.
To present at the summit some of the work that we do with hunger free Vermont, that has to do with our food security networks and with the road map for food security that we work with.
And I think actually this the summit is in June.
It's an in person summit, I think here in Montpelier.
Those details please need to be confirmed. Don't trust my memory.
And yes, my supervisor.
And myself are going to be presenting and we're going to be meeting everyone at the network.
We haven't met before.
I do know that some of the folks at work, oh, there is somebody is putting.
Yeah, we're one Vermont.
Thank you, Amy and.
Yeah, I'm not sure what else you want. You guys would like me to reference, except that it's going to be a day to meet people and discovery.
I don't know anyone yet.
I've I've seen some names that.
Ring a bell? I think one of the previous Advisory Council members.
That was in the original.
Group is working or is being part of that network at this moment.
Kai Kai, K Kaiya Kaya.
I forgot her last name.
Yeah, I forget the last name, but so there's some overlap and I'm looking forward to learning more about what the work they're doing. And so I'm not presenting as an advice.
Yes, thank you.
Morris, I am not presenting as a as a member of the Advisory Council because I wasn't sure if that would be my role.
I'm presenting as part of my work with Hundredfigurmont, but I will certainly share

that I'm a Council member and I am hoping to connecting with folks and hopefully breach a little bit these spaces.

Juliet Birch
And Rich isn't able to come today, but I believe he is going to be on a panel on behalf of the Vermont Commission on native.
American affairs.
So there's a lot of overlap with our our group. That's cool.
Yeah. And I can bring and.

VD **Victor Davila** 8:37
Can you name that date again?

Juliet Birch 8:41
Could you repeat that?

VD **Victor Davila** 8:43
I was asking if the date of the event could be repeated again.

Barrett, Kim 8:44
OK.

Mariana Sears 8:48
Yeah, it's June.

Barrett, Kim 8:49
June 12 and June 13.

Mariana Sears 8:51
There you go.

HJ **Hurley, Janet** 8:54
June 12 and 13th.

Mariana Sears 9:01
I think Victor, you can see in the chat that they put the flyer.



Barrett, Kim 9:10
All right.
Thank you.
We just wanted to make some space for that.
Thanks for sharing.
We're gonna move on to the next part of our presentation.
OK.
So now we're going to discuss the proposed realignment of the Vermont EJ Law deliverable timeline. And before we start, we just want to make sure it's clear that you know that you know this work will not stop that we you know share this urgency and need to move.
Forward, but we do also want to move at the speed of trust, and so you'll see that the proposal includes only.
Changes for potential changes.
For four deliverables.
OK.
So why is the realignment needed?
It's needed for Advisory Council support and engagement.
For us, it's really important that you all have adequate time in the, you know, like structured Technical Support.
To move forward in implementation and make sure that you're feeling good, and then also that that you feel comfortable consulting as well.
The second reason is agency capacity and coordination.
So this means improving coordination across all of these.
You know, overlapping deliverables and that'll really allow for covered agencies, you know their existing administrative and operational responsibilities to move forward while also implementing this law and also navigating challenges that come up.
The third reason is legal and rulemaking requirements, so allowing adequate time for legal review. There's coordination with the attorney.
General's office.
There are also important rulemaking requirements and and more importantly like

inflexible deadlines that we don't have control over. We'll talk a little bit more about what that's referring to, but the point is that we need more time to move through those processes as well.
Then there's the federal policy environment. And so we also wanna create more space.
To align with evolving federal environmental justice considerations, one of the things that we'll talk about in the next slide is is also about how there are, you know, federal EJ recommendations and things like that around how to use mapping tools. And we also wanna make sure that we.
Have space to to come into alignment with that.
Next is meaningful public engagement, which you all have expressed is really important.
But just making sure that there's meaningful time and space and also iterative public engagement is important.
And then also just in general with well in general in general, but also particularly it's important for the EJ mapping tool in making sure that that tool can inform the rule making process.
So now we're gonna move on and focus specifically around the mapping tool and rule making.
So just to start, here's the current picture that we're working with here.
So under our current timeline, the cumulative environmental burdens rule would be developed by October or early November of this year, and that's prior to the completion and the validation and the release of this.
Of our environmental justice mapping tool and of course, the tool is going to be foundational.
To validate data analysis and again also our cumulative burden assessment.
So again, so under this timeline, it would kind of it.



Barrett, Kim 13:19
It's it's requiring that we would have to move through the commutative burden process before we have the mapping tool in place.
We mentioned earlier that there are some statutory requirements that includes AC review.
Something called ICAR and Icar processes that have very strict deadlines associated with them.

And of course, this creates the structural concern where policy development.
So that's relating to the rulemaking process.
Would essentially be moving forward without the actual data tools and the supporting evidence.
And so the federal environmental justice approach around and best practices around mapping tools and policy is that you create the tool first. So in our case.



Barrett, Kim 14:14
In our case.
That means identifying burdens and impacted communities, and then once you have that information and you have the data that you need and you validated it, you understand it. You've analyzed it, then you create the rules afterwards. So that means that our policy would respond and be informed by.
Our evidence in our data.
So that's the kind of explanation and rationale behind that.
So now we're gonna move into looking at what deadlines look like.
So this slide is focusing on the proposed realignment for deadlines for for deliverables.
So January 1st, 2028 would be when the environmental justice mapping tool is complete and released to the public. January 1st, 2029 is when the commutative environmental burden rule.
Would be adopted by the covered agencies, and so you can see that again mapping tool would be done 1st and then the rule would come second January 15 of 2029.
The environmental baseline spending reporting on environmental environmental justice investments and proportionality would be due and then annually after that.
And then January 1st, 2030.
The covered agencies would provide this policy and implementation update, so I know that's a lot, but the most important thing is that the the realignment proposes a different cadence in sequence of the deliverables.
And on the next slide, we're gonna talk about the current timeline as it relates to these deliverables that won't change.
So these are unchanged deliverables.
And the other important thing that we wanna name up front as well, 'cause, we recognize that community engagement is something that you know both the AC and the IAC have expressed is really important.

Those plans and the deadlines around the plans will remain the same.
So July 1st of 2026, this is part of what we're gonna talk about today. The proportionate investment goal is gonna be due.



Barrett, Kim 16:46
That's not changing January 15, 2027.
The agencies will release their environmental justice action reports in July 1st of 2027.
The agencies will release.
Their community engagement plans and then of course concurrent like while all these things are happening.
We're gonna be.
Consulting with the AC and then also the agencies will adopt the proportionality framework and then also the Interagency Committee advances the centralized environmental justice complaint intake system that.
The that the Advisory Council has supported with as well.
So we will just pause for questions. Thoughts, I know that was a lot.
Let me know if if we need to clarify anything else.

Karla Raimundi 17:59
Hi folks.
This is Carla.
I'm gonna put on the chat because there was reference to elkar and I car.
I'm gonna put on the chat really brief explanation. So what those?
Are so that there's clarity with regards to those processes that are required in the APA.
Administrative procedures app.

Juliet Birch
I was gonna say, can you also clarify what the APA is?



Barrett, Kim 18:36
Thanks Carla.
Any any other thoughts?
OK.

Juliet Birch 18:44
Nope, no reactions.

Mariana Sears
It all sounds good.

Karla Raimundi
Well, and perhaps just.


Barrett, Kim 18:50
That's true.

Karla Raimundi 18:53
To for transparency.
I've been communicating with both bodies with the members individually, so when this all came to a head I immediately sent messages to all IAC members and all AC members just to ensure.
That there was full awareness of how things evolved came to be, and with the process that we were expecting to be part of.


Barrett, Kim 19:30
Sounds good.
OK.
So we're gonna break for public comment.
It looks like there are a couple of folks on the call that are not on the AC and the IC.


Barrett, Kim 19:41
I don't know if you folks wanna unmute. If you're members of the public and just wanna share or say hi.

A
ANR - Catamount NL D215 19:53
Amy put a note. Yeah.


Barrett, Kim 20:01

Oh, OK. Amy, before we move on to public comment, Amy says in the chat that the the dates are clear, but the how to do them still feels hard and unclear.



Barrett, Kim 20:24
Thank you for sharing that, Amy.
Carla, is that something you want to speak to?

Karla Raimundi 20:33
Yes, that.
Yes.
The that still remains a question, right?
We are getting.
I think a much needed realignment if things go the way that they're expected to go, right?
This is still uncertain.
But what is? What remains to be?
Ascertained.
Is, you know, how do we get there and?
I think the great thing about the realignment, the proposed realignment is that it would allow us more time to organize and coordinate around those very complex deliverables.
So the goal is that in order for us to get there the way that it was intended in the law, it's intended in the law is.
It's going to be, you know, delivered with more time. And so we will have more time for conversations here in the public forum and office hours to ensure that, for example, when we are drafting the cumulative burden rule that the Advisory committee is really prepared to provide meaning.
Input on the scoping which is required in the law.
So the how specifically we're gonna move forward with those deliverables.
Well, likely change for the better in terms of the extent that we will be able to engage with the Advisory Council and members of the public so that.
Should you know alleviate some of the concerns that.
We've discussed in public meetings.
Things about engagement, consultation, seeking advice from the public and members of the Council.

Barrett, Kim 22:49
Thank you, Carla.
Anyone else have any thoughts?
OK, we can break for public comment.
I don't know if Adam Reynolds, if you or Joshua Allen wanna use this time to comment.

Adam Reynolds 23:11
Hi, I'm Adam Reynolds.
I'm with the Conservation Law foundation.
I don't know the public parts of these meetings to have a better understanding of what's going on. So I just wanted to say hi and not lurk in the background of the teams, but I don't have a public comment right now. Thank you.

Barrett, Kim 23:26
OK.
Great. Thank you.
Nice to meet you.

Juliet Birch 23:28
Yeah. Thank you for joining.

Mariana Sears
Yeah. Nice to meet you.
I don't.
I guess we missed the.
I missed the intro park. If there was one. I don't.

Juliet Birch
I don't think that we did one this time, so this is our.
This was our chance to meet Adam, all right.
Thanks for jumping on.

Mariana Sears
Yes. Nice to meet you, Adam.

AR **Adam Reynolds** 23:44
Absolutely. Thanks for having me.

 **Allen, Joshua** 23:51
And my name is Josh Allen.
Can you hear me?

A **ANR - Catamount NL D215** 23:55
Yes, yes.

 **Barrett, Kim** 23:55
Yep, we can hear you.

 **Allen, Joshua** 23:57
I'm I'm with the Agency of education, so I'm actually the the recent member to the to the Iaci attended last week in person with Juliet and and Karla. But I appreciate you all for for having me and I'm and I'm listening in. Thank you.

A **ANR - Catamount NL D215** 24:11
Yep.

 **Barrett, Kim** 24:17
Sounds great.
Thank you.

VD **Victor Davila** 24:19
To meet you.

A **ANR - Catamount NL D215** 24:20
Not to put you on the spot, Bob, but do you want to speak a little bit to that transition that's taking place between you and Josh?

So Josh is not a member of the public.
He is actually

Juliet Birch
he's going to be transitioning to be the Interagency Committee representative for the Agency of Education, yeah.
OK.
Maybe Bob doesn't wanna share.
That's fine.

Barrett, Kim 24:51
OK.
Alright, I think we can move on, Juliet, if you stop sharing, I can.
Take over here.

Juliet Birch 25:03
Thank you.

Karla Raimundi
There is a question.
On the child, Jennifer is asking.
I am unclear.
Are these new days proposed or in law already they are proposed?
And what does that?
What? What do we depend on for them to become in the law to get in the law?
Yes, they need to be.
They need to be approved by the two bodies and then signed. OK the by the two bodies. You mean the legislature? Yes, yes.
And right now they are drafted into S 325.
Janet, I see that you have your hand up and I know you've been.
You've been, you know, at the center of S 325.

Hurley, Janet 25:56
Yeah.

Karla Raimundi 25:57
So the floor is yours.

HJ **Hurley, Janet** 25:58
Yeah. So I was just gonna tell people that it's passed back out of the house.
It's now back in the Senate, the Senate Natural Resources Committee did a A side by side read today.
The their intention had been to just confer with the House and then send it off to or then have another floor vote and then send it to the governor.
I don't know if they'll be discussing it any further, but I haven't heard that.
Your proposed.
You know, deadline changes have have changed at all, so.
So it's probably.
A done deal.
But but it still does need another Senate vote.
And then it needs to go to the governor.

Karla Raimundi 26:52
Thank you, Janet.

Mariana Sears
And Janet is from what agency or Janet Land Use Review board?

HJ **Hurley, Janet** 26:57
Sorry from the land Use Review board, sorry.

Mariana Sears 27:01
OK.
No snow, no, no problem.

Juliet Birch
Jennifer put two things in the chat if you want to speak to them.
Carla.

Karla Raimundi
Jennifer, does the AC generally agree with these changes?
How we waiting officially?
Well, I'm gonna let AC members discuss that, but I'm just gonna say from my perspective.
When I had the conversation with the representative.
And this became an option.
I reached out to all Advisory Council members and.
What I received is consensus in terms of their support.
And the.
The the Council member who had concerns was Jennifer, and then, you know, we had a conversation by e-mail. But if you want to speak about that, Jennifer, but before I would like to, you know, open the floor for any Advisory Council members regarding how they feel about the.
Advisory Council.
You know your position as an Advisory Council member with regards to that.

Mariana Sears
Victor, I know you're there.
I don't know if you somewhere I think you're there, Victor.
I don't know if I can see you.
I don't know if you want to speak to this or.
I I can share that.
Yeah, I I like you, said Carla.
I was consulted by e-mail.
It seems that there is several reasons to support these changes.
And to slow down the process to make sure that there is enough time for things to fall into place.
The way they need to fall into the place, I don't think we have had an official meeting or time to consult with each other.
I don't know if that is required or needed.
And I think that, yeah, the proposals come from ANR and I. And I think for the most part, this is the dynamic of this Council.
We we kind of like don't know how to move the law forward.
So we trust you to move things forward.

And we are kind of consulted in this manner that it doesn't feel necessarily like we are moving things forward, but we are consulting and kind of like is that OK with you and and I guess this is the way that law has been done for the most part.
In Vermont or in the United States, I'm not familiar.
So yeah, if we think of a Council like the ideas come from us and the speed come from us.
And and and we are.
Council, like you know, like in imagination. The always that councils get together, consult trust, and then they spread the word and things happen.
No, that is not in that way.
That doesn't work that way. So I and I think that Jennifer has mentioned a few proposals, so that there is a shift toward that in some possible way that I don't even know how that could possibly happen.
But I am very open to to try to move the needle toward something that is different, but at the same time, we need to comply with the law and we have these structures that hold us and.
It's hard to break them all down at once.
So yes, we have been consulting individually.
No, we have not weighing officially like a Council.
And it's that's OK with me. I keep on trusting that everybody has the best intention and that the people who have the knowledge are moving things forward to the best of their ability.
So with that, I live in Pasadena for to see what they feel like.

VD **Victor Davila** 31:10
I I have had the opportunity to talk to folks.
About the desire for this.
I'm gonna speak like on on my perspective only.
Which is that I have just gotten in from a flight from DC this morning.
I took this call on the on a bus on my way back home.
'Cause I was in for a logging day.
I am personally disappointed with what I've contributed.
By this moment in time where we were supposed to be putting out this guideline.
Happened.

I do not want to put on the back burner that I personally have had to put on the back burner in order not to burn out. Am I breaking up?

Juliet Birch 31:54
Hey, victor.
Hey, victor.
I'm sorry to interrupt you.
You are breaking up just a little bit. It seemed to come back, but I don't know if you want to repeat what you just said, 'cause it it got lost in the in the electronic mush for a minute there.

VD **Victor Davila** 32:15
Am I audible now?

Juliet Birch 32:17
Yes.

VD **Victor Davila** 32:19
OK.
I have personally been disappointed by the amount that I have been able to contribute to what has been a very dense process for review and creation.
I have been able to review.
I have had not.
I haven't had time to put things down and I thought I would because my work surgery was different at some point and I think a lot of people who are in the ejc in general are in a boat where technically our schedule could change.
Depending on the news cycle.
And.

Juliet Birch 32:52
Mm-hmm.

VD **Victor Davila** 32:55
Having an extension would, I think, give me more time to contribute because this is this this upfront section the the where we are designing how.

The guidance interacts with agencies and potentially helping lay the groundwork for how community members then get to interact with a complaint system.
That is going to be the part that we need to contribute the most to, and there aren't that many ejc members contributing to the build out.
As directly for understandable reasons.
So an extension would help by that timeout, because the construction of that is probably the biggest point to Sprint off of, right? If that platform can be established and a lot of other things that we have to do afterwards in the long haul are a little easier because.

Juliet Birch 33:35
Yeah.

Victor Davila 33:43
It was clarity upfront.
So the better quality that we can provide here in this section, the better the quality that people will receive later down the road and extending the time for development.
Might help make that happen, and at least I know, but if I I say that generally I know that for me personally would definitely buy me more time to pick up back where I left off and actually feel like I have been contributing something substantial.

Barrett, Kim 34:11
Thank you, victor. We appreciate you.

Juliet Birch 34:16
Maybe we want to let. Let's see if Jennifer has any comments and then pass it to Carla.

Jennifer Byrne 34:25
Sure. Yeah.
Thank you for explaining.
I just wanted to understand where this was at.
I I did receive and read Carla's e-mail.
It didn't read to me like it was asking for, you know, agreement.
I.

I did ask for clarity.
Like what are are you asking for?
Something specifically and I guess you know I as long as it's not being presented as if this is some type of decision of the EJ Advisory Council since we have not had any ability to even talk to each other.
In recent memory.
You know, to the just among the Advisory Council members and certainly not about this.
I I do worry about like even the word consensus. You know, there's the word consent, you know that you might be getting individual consent, but that doesn't equate to consensus among the Advisory Council.
So I think it is important that discussions are had, you know, and if if you're looking for an agreement or or a decision from the Council that that we give, you know, time for the Council to actually meet with each other to to.

JB **Jennifer Byrne** 35:27
Discuss if that's desired, but if that, as long as this isn't being presented as something the EJ Council agreed on.
Then you know ANR is.

JB **Jennifer Byrne** 35:38
I just want to be clear, an Rs proposing these changes and they're in a bill and it is moving forward to change.
I do like you know, I don't.
I don't want to stand in the way of anything or, like, disrupt things for no reason.
I just.
I do find it.
It's it's a. It's a strange thing to balance because there are so many other laws that get thrust forward and you know, deadlines that are just held tight.

Juliet Birch 36:00
Thank you.

JB **Jennifer Byrne** 36:13
And you know, are seemingly immovable.

And, you know, held held up like, well, we can't miss this deadline.
So we have to just charge forward with this community engagement or this, you know, planning process and so for so many other laws especially.
The environmental laws.
Land use laws, you know, natural resource type laws that and climate type laws that are being, you know, have been implemented.
That is just my observation in this state.
There's like no there. There is a sense of urgency and we do rush ahead and then when it comes to the one law that maybe could grapple with those facts, we continue to sort like not, not the people here. But I I feel like this Council.
These two councils and the team at A&R, you know, if we had been fully resourced from the beginning, a lot of other things that we've seen in the last four years probably would have looked a lot different.

JB **Jennifer Byrne** 37:12
And so I'm yeah, it's just always these things.

JB **Jennifer Byrne** 37:15
Like, why is the most important thing?
Getting getting you know.
Delayed where?

JB **Jennifer Byrne** 37:23
A lot of other priorities just get pushed forward, so that's that's where.
Yeah, I just get worried.

Karla Raimundi 37:33
If I may say a few things, and then Abby, I see your hand up.
I appreciate Jennifer your input and marianna's and Victor's.
And what I would like to say is that perhaps because it is the most important thing is the thing that we should develop with the most care and ensuring that we're centering the voices that need to be centered.
And up to this point, what we've heard and is recorded in in many public meetings from both bodies and there's consensus about that.
Is that the timeline in the law does not allow for the development of the voices that

should be centered.
There is no time and this is what we've heard.
There's no time to consult.
Appropriately and meaningfully.
There is confusion around the complexity of the deliverables and what that they exactly mean and what the impacts are for the communities that we should be centering in this work and as a result of that resounding.
Voice and sentiment. When I had the conversation with.
The representative it became.
Obvious to the representative.
And these are their words, not mine.
That it looks like we need to ensure that those voices are brought meaningfully to the implementation of the EJ law.
So what?
I would like to get a sense for Jennifer is whether whether there is consideration in your position that the?
Timeline the structure.
Of the bill itself does not allow for engaging the voices.
And the knowledge and the experience that the law is intending to center.
The timeline is not adequate in terms of the lack of, you know.
Time for to provide technical assistance and have thorough conversations about, for example, the cumulative burden rule.
The law asks that the Advisory Council is consulted in scoping.
The Agency of Natural Resources has provided three touch points on the cumulative burden rule, and we're still receiving feedback that it is confusing.
I recognize Jennifer, that you are dissimilarly situated with regards to this areas of work.
Topics.
And it is also really important to consider that the Council has other Members that should be situated comfortably to be able to provide the engagement and the advice and the consultation that the law is seeking, putting together a rule.
That has to do with cumulative burden impacts on how those impacts burden or not.
Environmental justice focused populations in Vermont without us knowing and understanding.
The Vermont landscape does not seem like a reasonable nor effective way to move

forward with building that rule, and I think there's clear consensus around that, not only within the Advisory Council.
But also with the Interagency Committee and also with entities like CLF.
There is a recognition that this rule is going to impact and potentially change the way that important land use decisions are made in Vermont and to create that rule.
Within the timeline that the law considers, which would actually have us finalizing the rule before the mapping tool is ready.
Seems inadequate.
And so.
The proposal came from the Agency of Natural Resources, the entity in charge of providing technical assistance.
But the process that got us there was the communication, persistent communication.
And regular communication with legislators in the General Assembly, that this is what we're hearing from our Council.
This is.
Very important that there's awareness that the environmental justice law that was enacted in the state as currently structured does not allow for the Council.
To be properly consulted.
And their feedback incorporated.
And so the impetus, the impetus.
Is to get to a point where what Mariana mentioned is the reality of our Council right, that we have time to create the foundations and the knowledge necessary.
To move forward in an intentional, meaningful way and not leaving anyone behind.
So thank you for allowing me to share.
I see Abby and Jennifer.

WA **Willard, Abbey** 43:41
Yeah, I.
My thoughts are.
That I'm glad we're having a joint meeting. I think we've needed a joint meeting for a while.
And I.
Think there's some like fundamental questions that I still have around? Like what works best for?
How the AC can provide feedback in this structure and culture around how laws and

rules are made that we are, I think collectively agreeing is not ideal.
So, like how do we like knowing we can't?
Most likely have immediate change in kind of that process.
Like, how do we find a way for AC members to provide input?
I I I also felt for you, Victor. Like how?

Willard, Abbey 44:41
Do we?
Kind of.

Willard, Abbey 44:43
Best create a a relationship where limited capacity doesn't result in feeling guilty or feeling like the weight on your shoulders as like one member of an AC or an IC to IAC representative to show up.

Willard, Abbey 44:58
How do we like share information in a digestible manner like we we know like that this is dense and complex material that like I mean I get paid to do this every day.

Willard, Abbey 45:12
And I still like struggle through some of the information to like make sure that I am like really following along. And so I know we didn't necessarily build that into today's agenda, but I would really love to like find some space to, like, talk about some of those.

Willard, Abbey 45:33
Parts and pieces of like we're in a tough dynamic, and we're gonna keep struggling.
Unless we like really open ourselves up to the general conversation.
So that AC members feel supported and feel that your input is valued and there's clarity for all of us involved in like the decision side, either the agency level or the coordinating level of like how to engage one another.

Karla Raimundi
Here, now we have time.

Willard, Abbey 46:04
OK.

Juliet Birch 46:07
So we have Jennifer's hand and then I saw that Mariana also raised her hand in the meeting.



Barrett, Kim 46:07
Jennifer.

Juliet Birch 46:11
So I just want to make sure that that doesn't get lost. Go ahead, Jennifer. Sorry.

Jennifer Byrne 46:15
Yeah, just reflecting on some of the things that Karla shared.
But basically, you know to to me the the resourcing piece of the Council is one of the major restrictions.
You know, we have been meeting for four years.
I don't think it's a time thing 100%. I think that it is sort of a structure thing and also you know.

Jennifer Byrne 46:41
The we'd I guess my question is at any point.
After the law has passed, has there been advocacy to fund the Advisory Council?
I'm just gonna put in the chat. The budget request that went in with this was like a much reduced version of a budget request that went in with the law.
You know that folks were advocating for.
To give community engagement funds to the Council to compensate Council members at a higher rate.
To, you know, allow for it.
Just give people a little bit more like breathing room.
To be able to meaningfully contribute to this.
And yeah, I'd, I'd, I wonder about all the Council members that don't come. I think we had a few that only have attended one meeting.

And yeah, that put this budget request in.
I'm also gonna put in the Council process document into the chat if people want to see that again, but but yeah, that's that's my big question is like, have we been advocate?
Has anyone been advocating to fund?
The Council to be able to do community engagement work so that we can speak on behalf of the communities and have these conversations 'cause that you know, if we were resourced then I think we'd be a lot further along.

Mariana Sears 47:59
Yeah, and my comment was going to be the same thing.
Going back to those two, those two points that you made very clear, Jennifer.
Some of us that are more present, we are, we have the privilege of being paid for the work that we do.
This is my work time.
I'm at work and I talk to my work about this important work and somehow convince them that I have to devote all this time and for this process.
So I am not being paid for those, I mean I.
I I get the reimbursement, but someone who doesn't have the privilege that I have or that I don't know if Jennifer and Victor are using their work hours and this is their work. Besides the volunteering for the AC work.
But it's it's impossible to ask this. This level of commitment and this level of understanding this level of complexity to someone that that that gets paid $50, one meeting once a month and $6 for, you know, all the other work that we do that is there.
There's it's it's very difficult to ask anyone. So the few of us that are participating were lucky in that sense or privileged or. Yeah, we have that special protection from our jobs. I would say I don't even know if that's appropriate.
But and then again, how we work together and and to make folks?
That are far removed from this is governmental structure filled.
Welcome in this space, we need to change this structure and Jennifer have provided a template and I would love to see that taking little steps toward that structure or other structures that we can come up with altogether and it will only take time and I think having more.
Time is great because that's what we need.

So we need resources and time and it seems like we're on the right track for that.
No, I don't the resources, but the time at least seems to be coming and I feel for you, Victor, that you're on a bus doing this.
Thank you so much for your dedication.
Please don't feel disappointed. You've been amazing so far and you will continue to be.

Juliet Birch
I second that.
About towards you, Victor.
Like sending.
I hope you're not feeling feeling too much of that weight. I just wanted to say a couple of quick things. One.
The I I just want to say from like my personal perspective, this whole thing with the Advisory Council and the poor compensation rate and the poor, like we don't have capacity to do this work.
It's just it. It makes me genuinely.
Upset. It's something that I care very deeply about.
I complain about it audibly all the time at work to anyone who will listen to me, I've compute.
We have a internal community engagement community of practice that where we've talked extensively about compensation and I have done nothing but complain about poor compensation rates for Advisory Council members.
That said, I believe there is a bill that either has passed or is currently in the legislature.
To expand the per diem for advisory bodies from the current 625 an hour, which?
Is I don't agree with to say the least to what I the last time I read the bill, it read as like, quote UN quote, a livable wage, which it did not have a definition for how to calculate a livable wage.
I digress.
So that is an opportunity for us that we should look into and pursue.
Secondly.
I also just want to say that the appointing bodies, the the appoints the the people who appoint the Advisory Council do not communicate with our team and so when they when they appoint Advisory Council members, I don't know, Advisory Council

members, if you guys remember your appointment process.
But I really would firmly doubt that they provided you with. Here's how much time this is gonna require.
Here's some information about your roles and responsibilities.
Here's some information about the complexity of this law.
They don't.
We don't that we try to provide that orientation when we have new Advisory Council members, but by then it's too late.
You've already committed to being on the Advisory Council, and so I wish that there I want to us to, like, develop a system where there's more communication between US and the appointing bodies, because I think that people should be able to have informed consent before getting on this.
Council, which is not to say that I think that anyone who's on the Council doesn't belong.
I think you do belong, but you deserved to know what this would entail before coming on. You know, that's not. That's not fair.
It's not fair to anyone, especially when the compensation is so low.
There's I have a lot of other things that I want to say. I just want to be clear that our unit really cares about this and we're just we've there's. So there's very limited opportunities that we have to do any sort of quote UN quote advocacy around this, I. Also know that we do have as sorry as Kim said like 50.
Go in the chat.
We do have our associate general counsel on today's meeting to talk about something kind of unrelated.
And so I want to just acknowledge that I would, if there is an opportunity to transition the conversation towards that at some point that would be really welcome because it is an important topic. What we're going to be talking about.



Barrett, Kim 53:43
Thank you.



Barrett, Kim 53:49
Yeah. I'd like to just speak real quick.



Barrett, Kim 53:53

Yeah.
So I agree with everyone.
We're gonna move.
Into.
Rachel's presentation.
I've been listening very intently and I just wanna reflect one thing back, which is that I think it was you, Jennifer.
Said that.
Perhaps part of also what's needed is time outside of these meetings to do community engagement and get paid for it so that you're able to bring in those voices. And I also heard or read Amy, your question of how do you do relationship building. And one thing that.
Keeps getting brought up is that these meetings?
May not allow for that in the best way.
And so I'm pointing that out, because perhaps additionally we can take time to discuss how to advocate for.
Changes that would support those two objectives because it sounds like it's not just time and it's not just.
Compensation and both of those things definitely need to be addressed, but there are other aspects of this work that also need to be supported.
And it sounds like relationship building and community engagement are things that are necessary so that we don't lose those threads.
I'm gonna share my screen if that's OK and.
Help us transition here.
OK, I'm gonna pass it over to our associate general counsel, Rachel Stevens, to give us a recap of executive sessions.

Juliet Birch 56:00
I think that Rachel actually jumped off the call because she wanted to give us some privacy to have this conversation all the way out.
But she'll be back on momentarily.


Stevens, Rachel 56:10
I'm here.
I'm here.

Juliet Birch 56:12
Oh, OK.
Cool. Thanks Rachel.


Stevens, Rachel 56:17
So I'm assuming we're pivoting.
We're going to discuss a little bit of session, OK. So I think you all know this because both bodies have entered into executive session before, but this is an opportunity for the meeting to enter into a private session of the meeting without members of the public present.


Barrett, Kim 56:19
Yep.


Stevens, Rachel 56:34
And under the Vermont Open meeting law, the purpose of an executive session is only to discuss matters where quote premature public knowledge would clearly place the public body where the public and a substantial disadvantage. Some examples. That we've used for executive session in the past have been to discuss drafting contracts and to discuss confidential attorney-client communications.
So we're proposing an executive session to discuss one section of the Law, 3 VSA 6004 H, related to environmental benefits.
And the purpose would be to discuss this deliverable with an attorney. And so that I can provide confidential information and we can discuss freely without breaking confidentiality.
This is for the procedure to enter into executive session. A motion must be made in an open session that indicates the reason for doing so.
It requires A2 third affirmative vote from the bodies and no other topics may be discussed in the executive session and information shared in the executive session should not be shared publicly and should be kept confidential.
So this would be the opportunity for discussion and if someone wants to make a motion, they can do that. And then Julia, I don't know that we discussed whether both bodies need to make this motion or if we're. Yeah, I don't know if we discussed

that procedure going.
Into it.

Juliet Birch 58:17
Yeah, we shared before. And Jennifer, I I don't know if you were on the call or not, but so the Advisory Council does not currently have quorum to enter into an executive session.
There are three Advisory Council members on the call that said the Interagency committee can make a motion to enter into.
An executive session.
Oh my gosh, I'm really struggling to speak right now and this if I understand Rachel, this move could also include I move for an R staff.
Half present Advisory Council members attorneys to be you know, to be present at the executive session so.


Stevens, Rachel 58:51
Yeah.
Yeah, whenever that's true.
Whoever makes the motion, if we want to include any Advisory Council members that are currently in attendance, that would be fine. And then for the record, this would be reflected as a interagency committee.
Executive session, but any the whoever moves and if the if the body bodes, they can vote for certain people to be present, so that that's probably if there's not form for the AC probably the best way to proceed.

Juliet Birch 59:20
OK, perfect.


Barrett, Kim 59:25
Go ahead, Janet.

HJ **Hurley, Janet** 59:27
Are we ready for someone to make the motion?
Because I will do that if if we are.

Stevens, Rachel 59:40
I hope so for it.

Hurley, Janet 59:40
Shall I?

Karla Raimundi 59:42
Yes.

Hurley, Janet 59:42
OK.
Bye Janet Hurley.
Move to enter into executive session for the purpose of discussing confidential legal information with an attorney pursuant to one VSA section 313A1F. The executive session will be limited to three VSA, section 6004 H and associated legal issues with the with the ATTOR.
Sharing this information with the public prematurely will put the AC.
And IAC, at a substantial disadvantage because they need to understand confidential legal risks to implement the EJ law.
I move for an R staff. Any Advisory Council members, including attorneys, to be present and including attorneys to be present.

Stevens, Rachel 1:00:31
OK, great. I think we need a second.
I'm gonna vote and we're just gonna do a vote of the agency members present.

Hurley, Janet 1:00:37
The the interagency members, right, yeah.

Stevens, Rachel 1:00:40
Yeah, yeah.

Willard, Abbey 1:00:42
A second.



Stevens, Rachel 1:00:47
Juliet, do you want to do roll call or just do pans or heavy paper?

Juliet Birch 1:00:51
Yeah, let's do roll call because we have a couple of folks.
From there are a few agencies where there's more than one person present.
I would.
I'll speak out the agency name and then if the the main IAC member as of right now, could please vote. That would be appreciated. Does that make sense?



Stevens, Rachel 1:01:15
Excellent.

Juliet Birch 1:01:16
All right, cool.
Anr Agency of Natural Resources, OK.
Yeah, Agency of transportation.



Pelletier, Dave 1:01:26
Yeah.

Juliet Birch 1:01:28
Agency of education.

DB **Donohue, Bob** 1:01:30
Yeah.

Juliet Birch 1:01:33
Accd Agency of Commerce and community development.

VG **Vinson, Grace** 1:01:38
Yeah.

Juliet Birch 1:01:40
Agency of agriculture.

Willard, Abbey 1:01:42
Yeah.

Juliet Birch 1:01:44
Department of Health.



Redman, Amy (She/Her) 1:01:47
Yes.

Juliet Birch 1:01:50
Public utility Commission.

Schilling, Elizabeth 1:01:52
Yes.

Juliet Birch 1:01:56
Department of Public service.

McIlvennie, Claire 1:01:58
Yes.

Juliet Birch 1:02:00
Department of Public Safety

Stephanie Smith
yes,

Juliet Birch
land Use Review board.

Hurley, Janet 1:02:06
Yes.

Juliet Birch 1:02:08
Awesome. And I do not believe that a representative from the Office of Racial Equity is on the call today.
But we have over 2/3 majority, so we're set to go.

Barrett, Kim 1:02:24
All right.
Sounds good.
And I'll stop sharing and I'm going to make sure I stop recording.

Juliet Birch 1:02:35
And if there's anybody on the call who isn't from the interagency committee or the folks who are included in the motion now would be, I think the time to drop off the call if that is OK.

Barrett, Kim 1:02:49
Yes, thank you.

Juliet Birch 1:02:51
Thank you.

Barrett, Kim stopped transcription