

Virginia Council on Environmental Justice

Meeting Minutes

May 28, 2020 – 10:00am-1:30pm

Virtual Public Meeting

Executive Summary

Welcome – *Ms. Meryem Karad, Policy and Communications Advisor to the Secretary of Natural Resources*

Meeting began at 10:04 am. In attendance are Beth Roach, Dr. Janet Phoenix, Nathan Burrell, EJ Scott, Tom Benevento, Nat Marshall, Nikki Bass, Herbert Brown, Hope Cupit, Dr. Lisa Johnson, Jay Ford, Mr. Blount Blount, Meryem Karad, Katie Sallee, Trieste Lockwood, Secretary of Agriculture and Forestry Bettina Ring, and several members of the public.

Ms. Karad began meeting discussing Executive Order 29, housekeeping items, and instructions for the structure of meeting and chat features. Additionally, she explained FOIA, Chapter 1283, and the purpose of the meeting and why it has been moved to a virtual setting. Ms. Karad introduced the Chairwoman, Beth Roach, her role on the council and her impending departure from the Council, as she will be moving out of state.

Chair Welcome – *Beth Roach, Chair*

Ms. Roach began gave a thanksgiving address and commented on her plans following her last day of employment. Although she is moving to North Carolina, she will still work on various resiliency projects in Virginia as well as North Carolina and continuing her work with tribal communities. Dr. Phoenix and members of the Council thanked Ms. Roach for her leadership, her important work, and gave commendations and well wishes to Beth.

Dr. Phoenix directed the audience to the meeting agenda and opened up about her personal family experience with COVID-19. COVID-19 has put a halt to some of the work the council has tried to accomplish. Mr. Blount shared his screen with the draft report for the EJ meeting.

Dr. Phoenix noted that per the last meeting each subcommittee was supposed to take their section of the report to reorganize and edit. Stated that during this meeting, attending members will go through it page by page of the draft report provided to the Council prior to the meeting.

Working Draft Report

Mr. Blount presented each section of the draft report and took notes directly into the draft document. Dr. Phoenix asked to pause to review the Table of Contents.

Council members discussed logistics of drafting process and ways to submit contributions to the report. Dr. Phoenix recommends a preamble to explain the role of the tribal communities and

indigenous people to the public so we are creating a space of understanding their concerns and needs.

Ms. Karad shared that other advisory committees traditionally have a letter at the beginning of their reports, and offered that the report style and organizational structure is fully up to the Council.

Mr. Herbert commented that he appreciated the great strides that committees are making for farmers. Suggested targeted outreach and partnerships to implement some of the recommendations in the report.

Dr. Phoenix shared that some Council members, like Dr. Harris, were not available for this meeting but made great contributions to committees. Discussion around subcommittee work and outlier items continued including the adding COVID-19 language, emergency management portion as it pertains to climate change and natural disasters or epidemics and tribal community additions.

The Council agreed and decided among membership that a subsequent working subcommittee meeting was needed, and set for June 4, 2020, starting at 10am, to be noticed and announced following the meeting, within the FOIA requirements. The Council decided the Public Health, 4Ps and the Climate Change committees

Tribal Community Recommendations

Ms. Roach explains the tribal recommendations come from her 2-year observation to build better relationships with the tribal community. Ms. Bass added comments regarding missing information about tribal community locations and how the committee can do a better job to include this information and create GIS initiatives to do so. She also explained that it is more productive to have town hall meetings to hear all concerns of native tribes, since government typically only confers with tribal leadership. Ms. Bass noted that there are so many issues that require collaboration and need to have regular communication with the tribal communities and the General Assembly.

4 Ps (Policy, Permits, Programs, and Procedures) Committee

Mr. Ford provided a brief update of the committee's progress and Environmental Justice initiatives. For the Policy section, he advised uploading policy perspectives about legislation that passed and is currently pending. He also encouraged dividing the 4 Ps into individual sections to make the information easier to understand and navigate through. Mr. Ford expressed his desire to speak with committee members at a later time, and the need for a subcommittee meeting prior to the scheduled June 25, 2020 final meeting.

Dr. Phoenix suggested including gap analyses however, she states she is not on the committee, and Mr. Ford has the final word on what to include in his section of the draft.

Ms. Karad offered a suggestion to include only specific acts as it pertains to current legislation and provided some structural edits and emerging topics to include into the committee report to make it easier for members of the General Assembly to comprehend.

Ms. Scott and Ms. Cupit provided comments and discussed the budget language with Mr. Ford. Members discussed the Environmental Justice Inter-agency working group, effective July 1, 2020, and its functions relative to the Council. There was consensus among members that it was important to include some recommendations around this in the report. Several members noted that the timeline is uncertain due to the current COVID-19 conditions.

Dr. Phoenix discussed the importance of notifying the public about changes to their community, and the inclusion of public notice in this section. Mr. Ford provided information referencing 2020 General Assembly proposed legislation regarding public notice requirements and possible improvements regarding communications. He added that he would provide his committee and the Council with information, including proposed bills and legislative initiatives.

Outdoor Access Committee

Mr. Burrell discussed his committee group's work, the Department of Conservation and Recreation (DCR) work and mission, and mentioned the use of Governor Ralph S. Northam's *Conserve Virginia* as a tool to develop outdoor planning and recreation maps for localities and state agencies to use. He added that various agencies have access to these maps and gather data on population percentages within communities that can help with land acquisition for conservation and recreation purposes. He also discussed funding opportunities, access for all, and outdoor education. Mr. Burrell ended his presentation with the equity issues and models that demonstrated the need to have a sustainable funding model to promote access for all and not place a financial burden on citizens to enter public lands.

Dr. Phoenix praised the Access for All model Mr. Burrell recommended. She pointed out that Alabama and Missouri have programs where all state citizens have free access to outdoor lands. They have implemented a tax to provide funding and while tax is not fun word, perhaps encourage creative solutions to develop funding sources. Suggested different framing words such as assessment, or local citizens can access outdoor space for free and visitors pay.

Mr. Ford highlighted the Virginia Land and Conservation Fund (VLCF), as a board member, and asked members for ideas regarding grant funding and opportunities for EJ communities. Mr. Ford spoke to the use of *Conserve Virginia* as well as the inclusion of "environmental justice" into grant criteria for VLCF that has encouraged the consideration of projects affecting traditionally underserved communities. He explained the different angles they are trying to get funding, by showing scores for outdoor equity and census data such as race, education, health, etc. Mr. Ford also discussed the gap in tribal membership on the VLCF board and opportunities for funding to reclaim tribal lands. Mr. Burrell added the need to increase diversity on many of the boards to promote inclusion, and shared with the Council the importance DCR has placed on this.

Ms. Roach iterated that tribal communities are greatly affected, as many indigenous people do not own land or own only a small fraction of the land. She also noted that the interpretative language on information signs do not have equitable language as it represents the perspective of the colonists and how that can make visitors feel unwelcomed.

Mr. Burrell agreed with the lack of full information representing how these spaces were built and the history of the people who occupied and worked the lands. He also suggested having signs translated in Spanish to address some equity issues with Spanish-speaking visitors.

Ms. Karad addressed translation of documents and information coming from the Governor's office, stating that this is an ongoing initiative and priority for Governor Northam. For instance, the Health Equity Task Force, led by Dr. Janice Underwood, Chief Diversity, Equity and Inclusion for Governor Northam, is continually working on translating all press releases regarding COVID-19 and health equity for translation into Spanish, Korean, and various other languages identified as being spoken in communities throughout Virginia. The team is working with local and public partners on this. Ms. Karad noted the need for additional resources and funding to support these initiatives. Several Council members recommended the need to have some language about the impact of COVID-19 and why we need the dedicated resources.

Mr. Burrell followed up with the outdoor education and recreation opportunities in EJ communities, and noting that the underrepresentation of those communities and professions that needs to be addressed in this report.

Council took a break at 12:10pm, and returned at 12:25pm

Upon reconvening, Secretary Bettina Ring addressed the Council, providing brief comments that included commending Ms. Roach's service and years of work protecting and conserving natural resources in Virginia. Secretary Ring also discussed equity in farming and agriculture, inclusion, health equity taskforce and working together. Council members thanked for her continued support and engagement as an ex-officio member and partner.

The Council returned to the working Report Draft.

Clean Energy and Transportation

Attendees continued reviewed notes and comments from shared document. Mr. Blount continued his presentation of the draft report document. Dr. Phoenix pointed out that the Clean Energy and Transportation subcommittee is understaffed with only two people suggests everyone contribute to pull the document together, and encouraged members of the Council to contribute to this section.

Public Health and Climate Change

Mr. Blount and Dr. Phoenix corrected a few sections, including noting that the Public Health recommendations should be listed separately from Climate Change. In Ms. Harris' absence, Dr. Phoenix will coordinate a time to meet, as their section of the report is blank. Asking for input from other committee members. Attendees continued reviewed notes and comments from shared google document.

Ms. DeVaughan, Mr. Benevento, and Dr. Johnson join the meeting at the end of the meeting, citing the change in time and availability as a deterrent to making the morning meeting, and confirmed their attendance for the meeting on June 4.

Closing

At 12:50pm, Dr. Phoenix began to provide closing remarks and invited members to address any outstanding items.

Mr. Ford asked about COVID-19 specific data and the impacts on EJ communities. Dr. Phoenix offered that it would be helpful and asked Council to research existing data and provide a briefing at the next meeting.

Mr. Ford addressed COVID-19 data for his community, the Eastern Shore of Virginia region, and directly asked Secretary Ring about the lag time of data provide by the Virginia Department of Health as community members, notably the workforce at the poultry plants, the disproportionate impact on vulnerable communities as well as the community as whole. Dr. Johnson supported his strong concern on how this effects individual and local decision making. Due to connectivity issues, Mr. Ford was unable to fully relay his concerns to Secretary Ring. He provided the following in written form for the record:

Public health data is the most basic of metrics by which citizens and local governments can make sound decisions. Currently, the state's data does not fully reflect the scope of infection rates on Virginia's eastern shore. Understandably, there are legal limitations in forcing Perdue to release testing results. However, the Environmental Justice Council has a responsibility to identify those areas where state law falls short in protecting vulnerable communities. Cautious citizens have an inaccurate assessment of the risks in our community based on VDH figures. The council chairs are asked to directly address the topic of "Privacy Protection for a Corporate Entity during a Pandemic" in the public health section of Environmental Justice report. The agricultural industry is protected from reporting at many potential intersections with public health and if Virginia is serious about environmental justice and the well-being of our citizens, it cannot exempt our largest private industry. Covid-19 is the crisis that demands the most attention, but industrial poultry operations are vectors for other potential public health risks as well. Virginians should not have subpar public health protections because they reside in a community where CAFOs and processing facilities are located. The plant employees should not have company provided physicians trying to undermine CDC recommendations, a tactic Perdue is alleged to have engaged in.

"The response to outbreaks in the meat packing industry has been a heartbreaking disappointment. Imagine how differently we would have handled the outbreaks in this industry if the workers were not primarily immigrants and persons of color?"

There was a question about interpretive signs in different language to be welcoming of all visitors. Ms. Karad pointed to the various taskforces and advisory boards that are working to translate the signs and such but stated that we currently do not have the capacity to provide these meetings or flyers in different languages.

Dr. Phoenix asked about contact tracing and providing testing to vulnerable and underprivileged communities. Ms. Karad replied that there are targeted testing initiatives, and can be found on the Health Equity Workforce's website.

Public Comment

Public Comment began at approximately 1:05pm. Ms. Karad provided direction for members of the public who wish to speak or address the Council. Two members of the public signed up in advance. Only one of those was able to speak due to technical difficulties. The webinar chat function was also used to field questions and answer questions. Ms. Karad reminded the public that the Council continue to take public comments in written letters, emails, and calls to the Secretary and/or Governor's office.

Dr. Phoenix requested that comments and questions from the chat be included. Ms. Karad opened the floor to public comment.

Comments:

Heidi Berthoud – Charlottesville, Virginia, representing Friends of Buckingham

Ms. Berthoud is concerned that the language of a recent meeting is anything but inclusive. She also discussed the Union Hill Pipeline and how it impacts African American and Indigenous peoples, and pleaded that Dominion is removed from a few environmental committees.

Charlotte Scott - Chesapeake, VA

Ms. Scott complained about the contamination in Southside VA, specifically New Town, citing specifically the disproportionate health effects on the African American communities. She said that the contaminants are affecting the communities and giving them many health issues.

Closing

Ms. Roach provided final remarks, noting strong fellowship, years of work and direct connection to the land as a native and community member, while working on issues affecting our most vulnerable communities and fighting for environmental justice.

Ms. Karad briefly commented about the current state of the justice in America, noting the unrest and protests in response to the Minnesota police brutality case and countless others. Ms. Karad thanked members of their service and work on all justice initiative on behalf of Governor Northam and Secretary Stickler.

Meeting Adjourned

There being no other business, the meeting adjourned at 1:38pm.