

**Virginia Council on Environmental Justice (VCEJ)
Policy, Permits, Programs, and Procedures Subcommittee Meeting
September 12, 2019 – 9:00am – 11:00am
Department of Environmental Quality, 3rd Floor
1111 East Main Street, Richmond, VA 23219**

Executive Summary

The inaugural meeting of Virginia Council on Environmental Justice (VCEJ) Subcommittee on Policy, Permits, Programs, and Procedures occurred on meeting on September 12, 2019 at the Department of Environmental Quality office in Richmond.

The meeting began with a welcome by Chair, Jay Ford. Subcommittee members reviewed the mission of the VCEJ under Executive Order 29, and discussed a draft work plan to guide the work of the Policy, Permits, Programs, and Procedures Subcommittee. The subcommittee agreed to focus on policy in the lead-up to the 2020 General Assembly session, while developing expertise on the environmental justice processes utilized by state agencies throughout the year, and agreed to invite representatives from relevant agencies. Members agreed to develop a charge to guide the specific work of the Policy, Permits, Programs, and Procedures Subcommittee. The language they developed to guide their mission is:

“Provide guidance for the development of environmental justice in state policies, permits, procedures, and programs in order to create a long-term framework that engages the community, state agencies, and other stakeholders in a fair and inclusive approach that reflects, protects, and ensures an equitable voice for all Virginians.”

The subcommittee closed the meeting by agreeing to reconvene in early October to begin hearing environmental justice presentations from state agencies.

Welcome & Introductions, *Subcommittee Chair Jay Ford*

The subcommittee meeting was called to order by Chairman Jay Ford. Chairman Ford noted his intent to identify appropriate considerations, sketch out a road map that fits within the constraints of the Executive Order, while also being cognizant of political realities within that timeline.

Council Member Introductions

Chairman Ford invited council members, agency staff, organization representatives, and members of the public to introduce themselves.

Subcommittee Members Present: Jay Ford, Jevonte Blount, Nathaniel Marshall, Janet Phoenix, and EJ Scott.

State and Agency Staff Present: Meryem Karad with the Office of the Secretary of Natural Resources; Trieste Lockwood with the Virginia Department of Environmental Quality; Isaac

Sarver with the Virginia Department of Conservation and Recreation. Mike Skiffington, Director of Policy for DMME.

Members of the Public: Peggy Sanner, Assistant Director at the Chesapeake Bay Foundation.

Jay Ford notes that he invited Ms. Sanner to attend, and expressed his desire that Ms. Sanner along with other representatives from grassroots environmental justice groups would be able to participate in an informal ex-officio capacity.

Executive Order Review, Mission, and Scope Discussion

Ms. Lockwood reviewed the language of Executive Order 29, which re-established the Virginia Council on Environmental Justice. Jay Ford inquired as to whether a general statement of state environmental justice would be helpful to guide state agencies in developing their own more narrowly tailored agency environmental justice policies. Ms. Karad added that it is within the scope of the subcommittee to utilize materials from the first iteration of the Virginia Council on Environmental Justice.

Draft Work Plan, *Subcommittee Chair Jay Ford*

Mr. Ford indicates a desire to front-load the policy aspects of the subcommittee's work, noting that the Governor would be introducing his budget in December and proximity to the upcoming General Assembly session. Mr. Ford expressed his desire for members to look at meetings before as the legislative session as opportunities to focus primarily on policy, as well as a chance for members to familiarize themselves with agency procedures. Mr. Ford noted his hope that having regulatory agencies present on their environmental justice process would provide an opportunity to grow committee expertise about agency operations. Mr. Ford asks for feedback on this general work plan and approach from subcommittee members and staff.

Ms. Karad noted the timeline, and that policy desires emerging from subcommittee discussions would need to be in shape to vote on ahead of session if that is the intent of the body.

Mr. Ford opened a discussion regarding the appropriate state agencies to invite as presenters before the subcommittee. Ms. Lockwood noted that DEQ is working with an environmental justice consultant to develop a comprehensive environmental justice plan, and that more information would be forthcoming. Dr. Phoenix suggested that it may be useful to combine presentations from the agency leadership on their environmental justice actions. Ms. Karad noted that it may be beneficial to have someone from grassroots groups present and showcase their issues. EJ Scott recommends inclusion of the State Corporation Commission and representatives of tribal communities on the list of agencies, and inquired about the possibility of other states with EJ policies presenting on their approach.

The following agencies were proposed by the subcommittee: Department of Transportation; Department of Health; Department of Mines, Minerals, and Energy; Department of Environmental Quality; State Corporation Commission; tribal leadership; and potentially a representative from another state with developed environmental justice policies.

Ms. Lockwood stated that it may be helpful to staff and the subcommittee to identify three or so guiding principles the group would like to see in state policy. Ms. Karad followed up on that and expressed that in some preliminary conversation with Dr. Phoenix and Ms. Roach on the full committee, that it could be helpful to have each subcommittee have a specific charge.

Dr. Phoenix noted that, as far as each committee having a charge, it might be helpful to have that in place to clearly define what the scope of each subcommittee is and to ensure that the work of the subcommittees complement each other.

Ms. Scott noted that the message that this council will be building on the work of the previous council may not have gotten out there most effectively, and the group agreed that that message should be better understood.

Ms. Karad indicates that the administration is asking for more input from the council, on a tailored basis which is why the new language in Governor Northam's EO has greater specificity than the EO which comprised the original ACEJ.

Chairman Ford noted that he would like the subcommittee to work collaboratively on drafting a work plan ahead of October and coming up with an order for the agencies to present.

Chairman Ford indicates a desire to move on and narrow down language for the subcommittee's charge and guiderails. After vigorous discussion between subcommittee members, the following language for a charge emerged:

“Provide Guidance for The Development of Environmental Justice in State Policies, Permits, Procedures, and Programs In Order to Create A Long-Term Framework That Engages the Community, State Agencies and Other Stakeholders In A Fair and Inclusive Approach That Reflects, Protects, and Ensures an Equitable Voice for All Virginians”

The subcommittee identified a range of questions that would be appropriate for most agency presenters to discuss:

- 1.) Does your agency have an environmental justice policy in place?
- 2.) How does your agency incorporate environmental justice policy into decision-making?
- 3.) How has your agency historically treated environmental justice concerns?
- 4.) Are there any problem areas?
- 5.) Within the context of the Executive Order, has your agency identified areas where your agency can incorporate environmental justice considerations?

Governor's Office and Administrative Updates, *Meryem Karad*

Ms. Karad shared that the full Virginia Council on Environmental Justice would meet next Wednesday, September 18th at the Patrick Henry Building, an agenda with call-in information is available on Commonwealth Calendar and the website of the Secretary of Natural Resources. The main topic of discussion for the full committee meeting will be public health.

Ms. Karad shared that the Secretary's office encourages members to continue to outreach to members of the community regarding subcommittee meetings, as they are open to the public, and

participation is welcome. Ms. Karad also shared that the Secretary of Natural Resources had identified some funding to help offset member travel expenses for two off-site meetings over the course of the coming year, as well as to reimburse members for their travel. In keeping with the wishes of the prior Advisory Council on Environmental Justice, the goal would be to hold the first off-site meeting in Hampton Roads in 2020.

Meeting Adjourned

Chairman Ford thanked subcommittee members for their attendance, shared potential dates for the next meeting of the sub-committee, and indicated he would send the documents discussed today to members of the subcommittee to review.

The VCEJ Subcommittee on Policy, Permits, Programs, and Procedures adjourned at 11:03am.