

## **Virginia Council on Environmental Justice Notes**

**Monday, January 8, 2024**

**10:00am – 1:05pm**

### **Location:**

Department of Environmental Quality (DEQ) Piedmont Regional Office, 4949-A Cox Rd, Glen Allen, VA 23060

### **Attendees**

- **Present In-Person Council Members:**

- Ronald Howell, Jr., Virginia State University USDA
- Aliya Farooq, VA Interfaith Power & Light
- Dr. Theresa L. Burriss, Emory and Henry, Assistant VP of Community Engagement
- Dr. Janet Phoenix, George Washington University
- Karen Campblin, ktc Plan
- Meryem Karad, Evergreen Action
- Rev. Dr. Faith Harris, VA Interfaith Power & Light
- Kendyl Crawford, Climate and Clean Energy Equity Fund

**\*Achieved quorum of 8\***

- **Staff In-Person:**

- Danielle Simms, DEQ
- May Fornari, DEQ

- **Staff Virtually:**

- Grace Holmes, DEQ

- **Excused Absences Council Members:**

- Harrison Wallace, Climate and Clean Energy Equity Fund (family obligations, point of contact Janet Phoenix)
- Lydia Lawrence, Conservation Director Nature Forward (transportation emergency, point of contact Karen Camplin)

- **Unexcused Absences Council Members:**

- Tom Benevento, New Community Project
- John Boyd, Jr., National Black Farmers Association
- Fernando Mercado Violand
- Lillian “Ebonie” Alexander, Black Family Land Trust

15 members, Quorum 9, then dropped to 14 members, Quorum 8 during the meeting

### **Notes**

10:35 am Call to Order / Role Call

- Meeting delayed due to technical issues with setting up virtual engagement
- Taysha DeVaughn resigned January 2 due to family commitments

10:40 am Governance

- Leadership team established at last meeting
  - Leadership team is now Karen, Janet and Kendyl
  - With rotating chair for each meeting, they request that all three receive all communications
- Legally required to elect a Chair and Vice Chair
- Once elections happen, may still keep the leadership team to help keep council moving forward

10:48 am Planning for a site visit in April and dates for the rest of the year

- Received an informational booklet from the community in Suffolk (Pughsville) and Portsmouth
- Top issues:
  - Paper streets, which are on a map but not paved, often flood, and the city is not responsible, city regulations differ with services for the paper streets
    - People walk around in knee-high water for normal rain events
  - Flood Risk
    - Extreme risk of flooding in Suffolk
    - Moderate risk in Portsmouth
- Dr. Phoenix has been in contact with residents to ensure Wi-Fi and virtual remote participation for the spring council meeting
  - Danielle raised the question if we can do a site visit in addition to the meeting (it is dependent on what the AG says)
  - Council leadership will schedule the April meeting in Hampton Roads (Grace Holmes will be the person of contact for DEQ)
- Janet will confirm the space for a meeting on April 29/30 (preference) or May 13/14
- Danielle is coordinating the AG meeting and needs to know who on the council will attend/who should be looped into the coordination
  - The earlier to have the conversation the better
- Janet will send an email to community members and will cc Grace
- Quan with Hampton Roads Planning District Commission offered a backup space for the meeting
  - Grace will email council leadership about the location in Chesapeake, very close to Suffolk and more centrally located to allow other folks to attend as well
- Can invite the health department to the next meeting, also potential members of local gov

11:13am Report

- The report needs a fair amount of additional work
  - Public comments need to be added
  - Define terms (they can be added from previous reports)
- Taysha heard that unless documents are approved by quorum, they are not able to be forwarded, which is not necessarily true
  - Council has the authority to send out our own communications and letters
- Danielle: last year the report was submitted with the individuals' names who improved it and we can do that again
- Volunteers: Meryem, Kendyl, Janet, Karen

- Kendyl send Meryem additional materials (letters from commenters, etc.) by end of this week for the 2023 report
- Meryem will have two weeks to add and edit (Janet and Karen can help if needed) for the 2023 report
- New draft will be sent around by January 30
- Janet creating current list of council members
- DEQ Minutes
  - In the past minutes had been taken by DEQ
  - Kendyl's notes were envisioned as a parallel process with notetakers from agency/secretary's office
  - Lag time was difficult when relying on staff
  - There are current issues with DEQ's capacity to take the notes
  - Janet and Kendyl will work on email to the secretary of natural resources to ask about additional capacity for taking notes and other council business
  - Janet and Kendyl will work on email to secretary of commonwealth to ask about meeting

#### 11:57 am Remote Participation Policy Vote

- Received one resignation, currently have 14 members, quorum achieved
- Janet calls voice vote
  - Motion: Approve and adopt the Remote Participation policy
  - Voice Vote
    - Janet: Aye
    - Ron: Aye
    - Theresa: Aye
    - Kendyl: Aye
    - Meryem: Aye
    - Karen: Aye
- Ayes have it, policy adoption passes

#### 12:00 pm All Virtual Policy Vote

- Janet calls voice vote
  - Motion: Approve the All Virtual Policy
  - Voice Vote
    - Janet: Aye
    - Ron: Aye
    - Theresa: Aye
    - Kendyl: Aye
    - Meryem: Aye
    - Karen: Aye
- Ayes have it, policy adoption passes

#### 12:01 pm Vote to Approve Minutes from May 2022 to October 2023

- Motion: Approve council minutes from May 2022 to October 2023
- Vote:
  - Ayes carried, Motion passes

- None opposed

#### 12:02 pm Elections of Officers

- Motion: To have the following slate of leaders:
  - Chair: Karen Campblin
  - Vice Chair: Janet Phoenix
  - Secretary: Kendyl Crawford
- Vote:
  - Ayes carried, Motion passes
  - None opposed

#### 12:05 pm Public Comment Period (60 mins.)

- Mary Hill, Hobson Village in Suffolk
  - Wanted to thank and is grateful to council members Janet Phoenix and Aliya Farooq as well as Danielle Simms (DEQ) and Grace Holmes (DEQ)
  - She is the 7<sup>th</sup> generation in Hobson Village
  - Her community is struggling with gentrification and the destruction of history associated with racial and economic injustice
  - Appreciates the council's dedication and is looking forward to the meeting in Hobson Village (hopes the meeting takes place in Hobson Village)
  - Been impacted by environmental justice issues for over 30 years
  - Continuing on the legacy of her mother who passed last year
  - Wants to make sure the community benefits from actions taken
  - Wants to invite Secretary of Natural and Historic Resources and Secretary of Agriculture and Forestry to the meeting
  - Hobson has been nominated as an endangered site by the state Department of Natural and Historic Resources
  - Looking forward to meeting with the full council
  - Flooding and erosion issues are being exacerbated due to construction
    - Not adhering to proper setbacks, regulation for the special district
    - Made FOIA requests about existing well and septic system, but did not see them in the records
- Sheila Joseph, Portsmouth
  - Thanked the council for its work
  - Requested a meeting with Janet Phoenix and Aliya Farooq to talk about community concerns about flooding
  - She has accomplished a lot since that meeting and surveying companies are collecting data
  - Sent notice to the council about an upcoming EPA meeting in Region 3, put a notice in the meeting chat, staff can send to council members
  - Council members if you email Ms. Joseph, please also send a photo
  - Many different areas of the city are being impacted
  - She has a website that has different information including her rules and guidelines, also includes her story of how she is being impacted
  - Has met with a number of people all over the world

- Is wary of people trying to push their own agenda that get in the way of addressing environmental issues
- Kelly Hengler, Suffolk
  - Is a chair on Suffolk Citizen Coalition (includes historical villages) and is president of the civic league
  - Thanked Quan with Hampton Planning District Commission (PDC) for being on the line
  - Looking at community action plans
  - Right now doing everything they can to extend messaging, to get in position for federal funding coming for Oakland and Chuckatuck
  - Still addressing transportation decisions that had a detrimental impact on waste water
  - Neighborhoods have superfund sites right in them
  - Suffolk is a unique area as a fishing freeman community
  - Facing a lot of flooding
    - Inundated with sand mining (need air quality equipment for the trucks transporting), being swamped out by land use decisions
  - The issue is that they don't have their allies from Chuckatuck to participate as they don't have connectivity access
    - Need to address for the homes
  - Homes sinking because of flooding and sinkage, overbuilding
    - A lot of the issue is sinkage on top of not dealing with stormwater
    - PDC Hampton Rds is at quarter staff capacity – how are they supposed to deal with rural critical issues?
  - Going to legislators with a proposal, coming with a community action plan
  - Groundwater is under purview of DEQ, need to see action from the
  - Environmental justice is not being incorporated for local planning
- Lorna Taylor, Oakland Village in Suffolk
  - Kelly has discussed most of the issues she is concerned with
  - Also concerned about sewage
    - City put in sewage system, but told the neighborhood that they would be unable to connect to it
    - In the 1930s, the neighborhood got together to install their own sewage system, community still uses the pipes from the 1930s
  - Flooding is really bad, community members have sold properties
    - Developers buying properties and causing damage
    - Church flooding
  - Her neighbor's yard is flooded to the point where he can put a boat in it
    - The city took over the maintenance of the roads but has not maintained them
  - If there's anything the council can do to help, she would appreciate it
  - So many sand mining trucks and dust,
    - Community can't open windows in spring or summer because homes would be filled with dust and the noise is really loud, cannot hold conversations
  - Oakland Village has also been determined as an endangered historical site

- Carolyn White
  - Sent initial information in October to the council and to council members who came
  - Has been taking minutes for a long time, encourages us to circulate the meeting minutes before the meeting
  - Wants the meeting to be easy to get to because of the traffic
  - Has questions for VA Department of Health about the septic system and the high-water table (had to buy two lots to build on one when developers do not have to abide by that regulation)
  - Going to keep on fighting and have been talking to agencies, has been to Suffolk, Chesapeake council meetings
    - Been very ineffective talking to councils, they do not know what is going on
  - Has been doing a lot of outreach – podcasts, etc.
  - Plenty of money available to fix the problem, just need to put it into action
  - Grace send to Meryem information from the last meeting from Carolyn White
- Council Discussion
  - Janet encourages everyone who gave comment to submit a written comment as well for the record
  - Hope Cupit (on virtual chat) encourages those facing rural flooding issues to contact SERCAP
  - Connectivity Issue
    - Have a major issue staying on calls or online major issue with FCC, some of the community members are no longer on call
  - Septic Tanks
    - HB558 passed in 2016 – went after small lot owners instead of fixing the problem
  - The council is diligently planning the next meeting at a location where it will be easier for members to attend and participate
    - Hoping that the council can gain a better understanding and see sites
    - Compiling a list of officials, would be great to have suggestions of additional folks to invite
  - Sand Mining
    - Has been in operation on the coastal plains for a long time
    - Parade of trucks that shake homes
    - Issue does not show up on EJ Profile for the Oakland and Chuckatuck areas
      - Impacts to groundwater as well
    - We should add Oakland and Chuckatuck sites to April meeting
    - Inhaling particulates is harmful to health
    - Once they hit water after mining, then it's no longer a sand pit, they name a water body and then developments of waterfront property pop up around it
      - Gentrification is also an issue
  - [HB333](#) – Introduced by Del. Michael Jones, requiring timely reappointment of members

1:05 pm Close/adjourn (5 mins.)

- Janet sending out the council contact list
- Setting Future Meeting Dates
  - Mondays or Fridays are better
    - Friday does not work for Aliya
    - Monday works for most people
  - August 5
  - November 18
- Adjourned at 1:13PM

#### Next Steps

- Janet will confirm the space for a meeting on April 29/30 (preference) or May 13/14
- Danielle is coordinating the AG meeting and needs to know who on the council will attend/who should be looped into the coordination
- Janet will send an email to community members and will cc Grace to make arrangements for the spring meeting
- Kendyl send Meryem additional materials (letters from commenters, etc) by end of this week for the 2023 report
- Meryem will have 2 weeks to add and edit (Janet and Karen can help if needed) for the 2023 report
- All review new 2023 report draft sent around by January 30
- Janet creating and sharing current contact list of council members
- Janet and Kendyl will work on email to the secretary of natural resources to ask about additional capacity for taking notes and other council business
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- Grace send to Meryem information from the last meeting from Carolyn White