

Virginia Council on Environmental Justice Notes

Tuesday, May 14, 2024

9:00 AM – 3:30 PM

Location

Collinswood-Agape Baptist Church, 1030 City Park Ave., Portsmouth, VA 23701

Attendees

- **In-Person Councilmember Participants:**

- Eddie Ramirez, Bristol
- Harrison Wallace, Richmond
- Rev. Dr. Faith Harris, Richmond
- Aliya Farooq, Richmond
- Kendyl Crawford, Hampton/Richmond
- Karen Campblin, Fairfax
- Dr. Janet Phoenix, Herndon/Northern Neck
- Lydia Lawrence, Fairfax
- Morgan Whayland, Norfolk

Did not achieve quorum of 11

- **Staff In-Person:**

- Danielle Simms, DEQ EJ Program Manager
- May Fornari, DEQ Piedmont EJ Coordinator
- Grace Holmes, DEQ Tidewater EJ Coordinator
- Travis Voyles, Sec. of Natural and Historic Resources
- Melanie Davenport, DEQ Division Director of Cross-Media Programs
- Craig Nicol, DEQ Tidewater Regional Director
- Janet Weyland, DEQ Tidewater Deputy Director
- Jennifer Walle, Deputy Secretary of Natural and Historic Resources
- Katherine Kulbok, Assistant Attorney General

- **Remote/Virtual Councilmember Participants:**

- Dr. Theresa Burriss, Bristol (Excused absence due to work/personal matter – notified Phoenix)
- Tom Benevento, Harrisonburg (virtual participation, left early)
- Courtney Malveaux, Esq., Richmond (Excused absence due to work/personal matter - notified DEQ)
- Lisa Kardell, Alexandria (Excused absence due to work/personal matter - notified DEQ)
- Meryem Karad, Richmond (Excused absence due to work/personal matter – notified Campblin)

- **Staff Remote/Virtual:**

- Gwendolyn McCrea, DEQ Northern EJ Coordinator
- Kathryn Miller, DEQ Blue Ridge, Southwest, & Valley EJ Coordinator
- **Councilmember Absences:**
 - Lieutenant Colonel (Retired) Ronald Olswyn White, Spring Grove (Excused absence due to work travel/personal matter– notified Campblin)
 - John Wesley Boyd, Jr., Baskerville (Unexcused)
 - Fernando Mercado Violand, Charlottesville (Excused absence due to work/personal matter - notified DEQ)
 - Ronald Howell, Jr., Spring Grove (Unexcused)
 - Lillian “Ebonie” Alexander, Mecklenburg (Unexcused)
 - Elizabeth Cherokee Williamson, Richmond (Excused absence due to work/personal matter - notified DEQ)

Notes

9:16 Call to Order/Announcement of Training Session

- New Chair Karen Campblin opens the meeting, welcomes participants, and thanks the community members for their help pulling the meeting together

9:17 FOIA Training and Explanation of Remote and Virtual Participation Policies by Assistant Attorney General Katherine Kulbok

- Understanding FOIA – Code of Virginia 2.2-3700-2.2-3715
 - Each appointed council member should be familiar with and have a copy of FOIA
 - The public has a right to know what is going on with a public body
 - FOIA is generally “liberally construed” to be in favor of the public instead of the council/public bodies
 - VCEJ is a public body
 - Two sections of FOIA
 - Public records – should be open to inspection by citizens, all writings and recordings, public can submit FOIA requests,
 - public can request records (5 days)
 - if a councilmember receives a request for information, you must pass along to DEQ staff urgently
 - If FOIA is violated, lawsuits can be brought against the public body and also individuals (\$500-\$2,000 fine)
 - Be careful what you put in emails, multi-topic emails can be seen in a FOIA request
 - Recommendation is to create an email address specifically for VCEJ

- Don't put something in an email that you wouldn't want the public to see
- Meetings – all meetings of public bodies should be open to the public
 - A meeting can be virtual or in-person, triggered by the presence of three members
 - Does not matter if minutes or votes are or are not taken
 - As of July 1, 2024, language was added to the Virginia Code to be helpful to public bodies (if the purpose is to discuss public business, it doesn't matter if councilmembers took part)
 - Any discussion of an EJ issue among councilmembers can be considered public business for members of the VCEJ
 - Public bodies cannot hold virtual meetings except when following FOIA
 - Votes can only be taken at meetings and those meetings must be FOIA compliant
 - You can still communicate with other members, but don't trigger the "meeting" definition
 - Even emails can become meetings, lawsuits have been brought claiming emails were "meetings"
 - If you have a question, email DEQ staff instead of a councilmember
 - Subcommittees of two would require FOIA conditions to be met
 - Quorum would be met by having the two councilmembers attend/on a phone call, which would be the quorum for a subcommittee of two (minimum number of people at a meeting that can meet to do business)
 - Make sure subcommittees are four people or more
 - But normally two people can meet to work on full council business without FOIA conditions being met
 - But email or notes created from that meeting would be subject to FOIA
 - If you see fellow councilmembers when in public, you can talk to them if you are not discussing public business, but it depends it could still be a FOIA violation
 - If you are in your professional capacity at a conference with other councilmembers, be careful if three or more get together and talk
 - DEQ must do the public notice through Virginia Town Hall website

- Email exchanges, instant messages and shared google docs can be construed as “meetings” as the definition of “assemblage” is met
 - If enough people and back and forth is fast enough
 - Ex) Hill v Fairfax County School Board (2012)
 - If the council receives a “no” from DEQ, advice is to rework it so that two people at a time are going
- Recommendation is for councilmembers to contact DEQ or Kate when in doubt
- Electronic Meetings
 - A member may remotely participate if there is a quorum physically assembled
 - Quorum is now 11, number of members is now 20
 - Reasons for virtual participation
 - Personal medical condition, family member medical condition, principal residence is more than 60 miles from meeting location, personal matter and identifies nature of personal matter (limit of 2 per year)
 - Cannot hold back-to-back virtual meetings
- Vote by Email (not allowed)
 - Prohibition on public business other than by votes at meetings, if you are not in a meeting no voting and no decisions should be made
- Recap
 - Can’t transact public business without the council meeting
 - Can’t conduct electronic meetings discussing public business
 - Can separately contact individual members (no simultaneity among multiple members)
- Best Practices
 - What you put in writing is subject to FOIA.
 - Think first. If unsure, reach out and ask questions.
 - Use a separate email account for your public business.
 - Pick up the phone.
 - If in writing, send emails to staff for distribution.
 - Please contact VA Freedom of Information Advisory Council for additional information.
 - Phone: 1-866-448-4100
 - Email: foiacouncil@dls.virignia.gov

10:36 Break

10:49 Start of Formal Council Meeting

- Welcome by VCEJ Chair Karen Campblin
 - Thanked Collinswood-Agape Church for use of their Fellowship Hall

- Have five new councilmembers who are part of the council
- Roll Call & Introduction of Newly Appointed Councilmembers
- Overview of Meeting Agenda
 - Do not have quorum so unable to vote on minutes or on the report today

11:00 Summary and Status Update of 2023 VCEJ Annual Report (Karen Campblin)

- Hoping to get a vote at the next meeting if we have quorum
- The report was distributed electronically and we have one 80-page hard copy
 - Open to agencies and community members to review the hard copy
- All members should read the report before the next meeting
 - If members have questions, please reach out to Karen or Janet directly
- May will send out new report draft to new members
- If new members want to abstain from the vote that is fine as they did not participate in the drafting process
 - The report is not only open to those who wrote it to approve, it is open to the people who are on council presently to vote
- The council submits recommendations to the governor and the report includes public comment received throughout 2023
 - The 2023 draft has not been approved yet
 - Once approved it will be sent to the General Assembly and posted on the council website
 - If we do not have quorum, we can sign individual names (as was done for the 2022 report)
- Can hold a virtual meeting to approve the 2023 report and use polling to set a date
- May sending out a doodle poll to set the next virtual meeting in the next few weeks with an aim to meet ASAP
 - The virtual meeting would be short – thirty minutes to an hour with a purpose of voting on report and minutes

11:15 Summary of Past Minutes from October 2023 & January 2024

- January Minutes
 - Kendyl will edit date (2024, instead of 2023)
- October 17 Minutes Edits
 - Kendyl will edit the minutes to clarify who sent the goldmining letter
 - DEQ will not send goldmining letter (Janet already sent the letter)

11:50 Revote on past minutes from October 2023 & January 2024 (to include new Councilmembers)

- Unable to vote on past minutes as quorum was not achieved

12:00 Working Lunch

- Public Comment Period (30 mins)

- Remotely Participating Councilmembers
 - Courtney Malveaux – New Member (Richmond)
 - Introduced himself
 - Lisa Kardell, WM (Alexandria) – New Member
 - Introduced herself
 - Theresa Burriss – Member, Emory & Henry (Bristol)
 - Meryem Karad – Member (Springfield)
- Gary Harris, Managing Director, Center for Sustainable Communities
 - Also works with Eco-district Hampton Roads
 - Founder of National EJ Institute
 - Grew up in the Hampton Roads area and during his childhood experienced air pollution from a nearby plant
 - Attributed his asthma to the pollution
 - Environmental justice harms still exist in his community
 - Residents have not been empowered to address issues so that they linger
 - Raised air and water pollution issues as well as housing affordability (energy burden, flooding in Hampton Roads)
 - Stormwater management issues, lack of drainage, flooding prevention and preparedness
 - Communities need to be prepared but climate justice is not seen as a priority
 - Thanked council and mentioned that there is a lot of work to be done in Portsmouth
 - His organization focuses on science done in a just way and has helped to develop and distribute the Energy Equity Tool and the [Climate Vulnerability Index](#)
 - Lots of talks at regional level around opportunities from the federal Bipartisan Infrastructure Law (BIL) and Inflation Reduction Act (IRA), but more community conversations are needed to allow folks on the ground to shape and determine the flow of funds for investments
 - Concerned that money is flowing to areas outside of Portsmouth, he wants the community to be a part of different projects such as the Thriving Communities Technical Assistance Centers (TCTACs)
 - Communities are unaware of and don't have the capacity to engage, important that the communities that need it the most are part of those coalitions
 - The status quo is not working
 - Response to comments: Quan McLauren, [Hampton Roads Planning District Commission](#) (HRPDC)
 - Have a department devoted to water and flooding – the Water Resources Department, which handles coastal resilience, stormwater, env education, etc.

- Directors of Utilities subcommittee meets regularly
 - Also have a regional environment committee
 - Mentioned a great suggestion to create a list of federal opportunities for communities to engage in, where funding is flowing and project progress
 - Feel free to reach out to [Quan](#) with any questions about the region
- Council response to comments:
 - Just Norfolk's scale of need is in the billions of dollars, lots of work underway, some city specific, some regional
 - Lots of partnerships with the port and the military
- Markiella Moore (Chesapeake)
 - Concerned about flooding problem in Fernwood Farms and Mains Creek in Chesapeake
 - Moore will send attachments, written comments
 - Chesapeake has many flood-prone properties – more than other localities in the state
 - The city has acquired 43 homes (FEMA-awarded funds), bought and torn them down with the property being transferred to the city
 - 35 of the homes were located in the Fernwood Farms and Mains Creek areas
 - 30 repetitive flood loss areas in the city
 - In the attachments, there is an application to FEMA requesting the funds
 - The city answered “no” to the acquisitions impacting low-income residents in the area, but there are low-income people there affected
 - Moore has joined the city council and joined committees focused on flooding, still she has not been able to secure traction with the city council on equitable addressing flooding issues
 - FEMA has funding for programs other than acquisition, for drainage improvement as an example, but the city only does acquisitions
 - Reached out to the Army Corps of Engineers, but they are unable to work with residents until a letter from the city is sent to them
 - Representatives of the city have said that they don't “waste money” on studies, but a study is needed for the flooding program
 - Thanked HRPDC for their connections and help
 - Interested in any guidance for her community from the council
- Mary-Carson Stiff, Wetlands Watch Executive Director (Norfolk)
 - Stiff was born in Suffolk
 - The area has the highest relative rate of sea level rise on the East Coast, amount of rain and intensity have increased
 - More tidal and rainwater are impacting communities differently

- Suffolk sits a bit higher than other localities, was previously a coastline in geologic history
 - Land falling away into creeks, land loss continues, septic systems cannot survive higher water tables
 - How can average property owners afford \$40k replacement systems?
 - Even advanced systems have limited capacity to deal with a rising water table
- Hobson Village is a historically marginalized community
- Eclipse, Pughsville, Fernwood Farms are additional communities also impacted
- Spoke in support of the Nansemond Indian Nation seeking a return of their land from Suffolk
- It would be a nice role for the Hampton Roads planning commission to play to track the federal dollars coming down to communities
 - Capacity at local government to report and track is very limited, hard for cities to do this
 - Would be great to have the engagement of additional community members
- Some communities are adopting Community Resilience Action Plans – [VA Community Flood Preparedness Fund](#)
- Christopher Carvalho, NSBA (SBA), Virginia Beach
 - Should be a representative of the SBA working in everyone's congressional district
 - There is money available for communities from the federal government, there's not one conduit in charge though but money can be funneled through to communities
 - Willing to work with everyone
- Kelly Hengler, Suffolk Civic League Coalition
 - Thanked the council for coming to Tidewater
 - Community voices are coming forward because they have been trying to advocate for themselves
 - Received national disaster training from Desert Storm
 - Community is on James River and Chuckatuck Creek
 - Sister civic league – Oakland and Chuckatuck Civic League
 - Initial settlements in the area
 - In 1974 city of Suffolk was last of cities to annex the area (absorbed the community and then was not responsible for the absorbed area)
 - Rural areas outside of state's management
 - Didn't have the opportunity to have urban area water management
 - No access to Southeast Rural Community Assistance Program (SERCAP) because it was a previously rural area, now considered incorporated into cities

- Still addressing kepone issues in the James River
 - Shut down commerce for 13 years
 - Impacted Pughsville and then the highway went through
- The area should qualify for VA Env Endowment funds, but it does not currently
- Nansemond River Preservation Alliance is a partner and comes out with a report
- Invited council members to roundtable meetings coming up
- Nansemond River Watershed does not have a watershed improvement plan, Chuckatuck does have one
 - Applying for grant funding for \$300,000 to address community needs
- Amy Branson, Bristol
 - Part of an activist group that opposes a landfill in Cleveland, VA
 - An injustice for people of Appalachia
 - Carbo Landfill – currently also an active mine
 - Landowners have received millions of dollars
 - The plan for the landfill was kept from the community
 - Appalachia is remote and does not have resources, been hard to maintain public infrastructure and medical services
 - The area struggles with education, labor workforce participation, poverty is higher than the national average amongst every age group, high rates of death, mortality due to drug overdoses high, and lower rates of healthcare professionals
 - The coal industry has undergone significant downturn, COVID also decreased coal production, and the environmental hazards of coal remain
 - 1.8 million tons of gob coal (coal refuse)
 - Russell County and Cleveland, VA
 - Russel County – 26,000 population, median \$44k
 - Cleveland- median income \$26k
 - A power plant is also located within a 6-minute drive of the proposed landfill, another power plant is located within a 13-minute drive
 - Concerned that the landfill could pollute the Clinch River
 - The community has been reaching out to many partners asking to stall and stop the project
 - They want to know when they will be able to protect their citizens in the face of public and private greed and are worried about compounding EJ issues
 - A remediation of the nearby Bristol landfill is being funded, located less than an hour away from
 - More information is available on the We Say No to Moss 3 Landfill Facebook page

- Kelsey Brooks, Program Manager, Environmental Climate Center at UMD
 - Thanked the council
 - Brooks works in EPA Region 3 and wants to connect localities to federal funding
 - The UMD project lasts for five years and now is in year two of the project
 - Brought into contact with the Chuckatuck community through the Southern Environmental Law Center (SELC)
 - Did a site visit in December and answered questions from city residents
 - The community is dealing with ongoing ditch maintenance issues, ordinance issues among others and has been moving forward with SERCAP
 - Appreciated the conversation during the meeting about what is happening in the region
 - Would love to collaborate with other partners and want to ensure that efforts are not duplicated
 - The Environmental Climate Center offers work with jurisdictions (municipal applicants), they can support planning and community engagement efforts and other funding opportunities, and also can provide grant assistance through water management and TCTACs
 - Their goal is to get infrastructure improvement projects on the ground
 - Can reach her by email, DEQ staff can make the connection
- Will Glasco (COO of Preservation VA)
 - Submitted written request for the following to be shared
 - [Hobson and Oakland Village](#) are two out of the nine places nominated by Preservation VA as endangered historical places in VA for 2024
- Manor Chowse (VA Wesleyan University)
 - Identified areas of extreme heat in Portsmouth
 - Going to do heat mapping and community forums to figure out where they should plant additional trees
 - For the project they also have the funding to plant the trees
 - A Justice40 initiative
- Discussion of Public Comment
 - One of the big themes from the public was flooding
 - Councilmembers were curious about Chesapeake and the acquisition of the homes and land financed by FEMA – How much are people being offered for their property?
 - Could be part of the council recommendations
 - There are multiple adaptation options for flooding - houses up on stilts vs buying out owner
 - Curious as to how much money coming from the state

- FEMA programs don't come out of the Secretary of Historic and Natural Resources office, instead they go through VA Department of Emergency Management
 - Localities operate with FEMA in different ways
 - Conversations about strategic acquisition – state gives money to localities to pursue their own strategies
- The two neighborhoods mentioned were African American communities – Fernwood Farms and Mains Creek
 - Houses are about \$200-300k each
- Chesapeake did get some RGGI funds but instead of addressing flooding in these communities, went to nearby airfield base resilience
- City of Newport News has done the most with their own funds – acquisitions of about 90 properties
 - Buyout decisions are complex and controversial, local communities will have to start grappling with it
 - Severe repetitive loss threshold prioritized in Chesapeake
 - Another threshold around \$300k – don't have to go through arduous process, faster review process (Has a threshold amount of property worth where paperwork is easier)
 - Wetlands Watch has been engaged on the issue of flooding and acquisitions
- Southwest Virginia
 - Multiple issues impacting the SW communities
 - So many different funding mechanisms, a lot of the money flowing into DEQ has designated routes (clean water, drinking water, etc.) – a lot of them work with localities, many of the new federal funds go through familiar streams
 - State can provide layers of funding too (ex nutrient pollution, geography)
 - Other areas of funding – Community Flood Preparedness, VA revolving loan fund (needs-based approach) – getting away from strict statutory guidelines
 - Up to localities to do engagement and needs assessment and should result in a project to address needs as a whole (applying for funds from state)
 - Dependent on every funding mechanism – different parameters, needs based, annual funding
 - EPA just produced a new map that is tracking federal money going out to communities
 - VDH Drinking Water Revolving Fund
 - On the [DEQ Drinking Water State Revolving Fund \(DWSRF\)](#), you can see the list of projects and funding
 - Different pots of money with different stipulations

- Partnerships exist with the state
 - For example with HRPDC
 - Resiliency coordination convos are happening (federal, state, local money)- figuring out how to understand what cities need, what technical assistance looks like, trying to better coordinate within state government, how to better go after money that is out there, working with localities to figure out what works best
 - Transportation, emergency management, health, commerce, and housing, and etc. all need to be involved – different secretariats are working on coordination at state the level
- Would be nice to have ex-officio engagement from agencies, they are also council members
 - Get feedback on reports from agencies
 - Give them feedback on their ideas
 - Would be nice for the secretary to connect the council with ex-officio members (so that council hears from agencies)
 - Secretary said that agencies could work better with council
- TCTACs
 - Secretary wanted to make sure the TCTACs are getting used, figuring out the state's role
 - EJ funding has the least amount of restrictions of any federal funding flowing down
- Equal protection under the law raised as a concern
 - Chuckatuck, Hobson Village, and Pughsville for example don't seem to have geographic boundaries that would help them to receive protection (neighborhoods split by localities)
 - Different agencies would have to be involved to address issues
- Historic recognition also a concern
 - Over the years communities have been able to achieve that designation to help address issues
- How can the council help make sure that community members have a say in federal funding opportunities?
 - Hear from VA Energy on Solar for All
 - Rebates- how are we helping renters and multifamily complexes- how are they involved in the process?
 - We should request reports from different agencies and give them feedback

1:00 Community Issues Overview Panel/Roundtable

- Common Issue Summary by VCEJ Vice Chair Janet Phoenix & VCEJ Councilmember Aliya Farooq

- Janet shared a map of the region (Portsmouth, Hobson and Suffolk/Pughsville)
- The process of political boundaries/the annexation of the communities really impacted the functioning of the communities and neighborhoods, started to erase the communities in terms of recognition and made it more difficult to address issues (i.e. water infrastructure)
- It is very challenging to find data that reflects the communities well, even. looking at census data
- Many superfund sites in the area (Saunders Supply Co, Abex Corp, etc.)
- Some community issues
 - Paper streets
 - Hobson water/sewer infrastructure
 - Both erosion and sewage
 - Flood zones are expanding (a Portsmouth flood map was shared)
 - Flooding even with ordinary rain
 - Lead paint exposure in Suffolk
 - Traditional EJ issues such as asthma are compounded by those related to water
- Oakland Chuckatuck – Ms. Lorna Taylor
 - Resident of Oakland Village located in Suffolk, VA
 - Almost every member of her family has died from cancer
 - Many industries in her community - lumber-Serco, Saunders Supply Co, Kirk Lumber Co., Lawn Star Lakes Cement Company
 - She used to run outside meet her grandfather when he would return home from a day working at Lawn Star Community
 - He would come home covered in dust and cement, completely white, he would never let her touch him after work because he did not want her to be exposed to the chemicals
 - Oakland is a beautiful community, she can trace family roots back to the Civil War
 - Fighting daily to keep portion of land given to her grandmother in the family
 - Dealing with a lot of flooding in the area, the ditches are full and overgrown (the state would keep them clean and clear when they were responsible for maintaining)
 - She counted 130 trucks from 7AM to 2PM one day - going to and from the nearby sandpits
 - The community needs assistance for air quality - on windy days you can see the dust
 - Oakland Elementary school is close by, and the kids play on playground with dump trucks going by (not covered)
 - The trucks dump sand up and down the street - don't know what they are being affected by in the sand and dust, this does not include the fumes from the diesel trucks
 - No street lights in the community, only stop signs

- Community Water Infrastructure
 - Her grandfather and ten other men in the community installed running water and bathrooms in their homes in the early 20th century
 - They did it with shovels and their own resources
 - The community was still on that water until the 1990s
 - The city cut them off from the old well system and hooked them up to city water (concerned about fluoride)
 - The community has conserved the old pump building (water infrastructure) taxes being charged by city on the old building
- Community needs help in the wake of development
 - Newer homes being built up high, making older homes more vulnerable at lower elevations
 - Water is now running into her crawlspace from new houses, a form of gentrification
 - Water running into yards - unable to have a garden anymore
- The city put sidewalks in but sidewalks are higher than the grade of the land so the water runs into people's yards now
- They were a rural farming area and now the new development is changing the community culture
 - Longstanding members of the community were told they could not build on their land (low perc), but new developers can
- Additional issues
 - The community pays stormwater fees, yet and still their homes are being flooded, water cannot get out of the community
 - Superfund site exposure
- Doesn't know what is running into the Chuckatuck Creek (located nearby) from the sand pit
- Pughsville (Suffolk/Chesapeake) – Ms. Carolyn White
 - Community was established in 1894
 - Oldest person that lived there in Pughsville was 109
 - When White was growing up there were no indoor toilets
 - Attended a Rosenwald School from 1st to 3rd grade, it was torn down unfortunately
 - Nansemond County merged with Suffolk in the 1970s
 - In 2005 the federal government said they must charge for stormwater fees
 - Received a letter in 2001 from the city that said that the stormwater issues were not their concern because of jurisdiction
 - Been paying stormwater fees since 2006, but don't have flood protection or sidewalks
 - Interstate 664 was built in the 1990s
 - The water from the road is supposed to drain the water away to Drum Creek, but flooding is still a concern
 - Paper streets in Pughsville

- Paper streets are not maintained, not paved
 - Residents not allowed to build unless they pay for the whole street to be constructed
 - Even though a house was permitted to build – a large home –a newcomer to the neighborhood
 - Residents see disparities based on race
 - Long term residents not allowed to build two separate homes on one lot (even if they tear down an existing one)
- Flooding
 - Pipes are not cleaned out or maintained, no place for the water to drain out of the community
 - No sidewalks so when it rains, residents have to walk on the street
 - Pughsville Drainage Improvement Plan 2016 – have not seen progress
 - John Street Outfall and Culverts
 - Sludge in the water to the house
 - Belongs to VDOT
 - Flooding impacts nearby homes
 - On-site sewers
 - Community trying to get on-site sewer septic permits, but they are rejected
 - A nearby beach house was built and was able to install an on-site sewer
 - Community members trying to get answers, been sending FOIA requests
 - Suffolk has received funding to address flooding, but has not done anything yet
 - VDOT gave them \$7 million to build a retention pond
- Portsmouth – Ms. Sheila Joseph, Fairview Neighborhood Civic League
 - In 2016 wrote to Congressman Scott to start an investigation
 - In 1999-a hurricane occurred and created a disaster area
 - The storm cracked her concrete- have concrete and block wall
 - The 75 mph winds damaged street
 - She was supposed to get funds from being in the disaster
 - Wrote to Scott again and heard back in 2023 that there was \$738 million for VA infrastructure
 - She sent a letter to city managers as well- talked about flooding in the city and how it is being addressed differently in different neighborhoods (nothing being done in poor neighborhoods)
 - She has been working on issues for 34 years, she is in her 70s (up until 1999 didn't have the problems that she experiences now)
 - Joseph also has a website www.twcmadonline.com (has pictures and videos about the sewage problem and pump issues)
 - She is in a leadership role with the Fairfield Neighborhood civic league
 - There has been heavy rain on more than one occasion, water up to her knees

- Councilmembers visited in October and saw photos, on a trash day was flooded people were driving on sidewalks to try to get home
 - She has a small ditch in the front of her home, and when it fills with water, the back ditch floods
 - Her home was flooded -1400 sq ft downstairs and can no longer use her downstairs
 - Repeatedly flooded in 2012, 2017 and 2020
 - FEMA told Scott's office that Joseph didn't qualify, but Joseph believes that is a lie
 - EPA and CDC recently did a meeting with citizens, talked about what they were exposed to (lead, mold, asbestos)
 - Received a communication from EPA about the superfund sites nearby
 - A nearby community will receive millions of dollars, Joseph requested that their community receive the same treatment
 - As a result, the city is studying sewage and drainage program,
 - When it floods, water surrounds her home - like a pond (has to get a 2x4 or a raft to get relatives into her home)
 - Encouraged the council to stay involved in her case
 - The neighborhood has a lot of sewage, sometimes goes into homes, city finally took care of that issue
 - Workers were doing work nearby to address water infrastructure shortfalls but never came back- they were putting in linings
 - Believes that they never came back because Joseph requested that they needed to tear out the old and put in new infrastructure (not just repairs)
 - Don't see work being done to the streets
 - She wants them to address the streets and flooding (not just around the casino area)
 - Joseph has family members with cancer, and is a survivor herself
 - Cancer ran in the family but could've been because of contamination and pollution
 - America is old and needs to be rebuilt
 - Her organization is Together We Can Make a Difference Enterprise Inc.
 - She is interested in doing a documentary in her city and now is fundraising to fund it (community fundraising, fashion shows, etc.)
- Hobson Village – Ms. Mary Hill
 - She is the 7th generation in the village where she lives
 - Looked after her mother for 25 years after she came back home
 - She used to harvest oysters in the community, the community was completely self-sufficient
 - Unfortunately did not have a legacy to leave them new generation, lost it because of the pollutant Kepone
 - The next generation left the community after the spill to find new economic opportunities

- Had to find other work in the community after the Kepone disaster (military, shipyard, etc.)
- Environmental, social and economic justice issues were there when she returned
 - There was a concerted effort to eradicate her village, became an activist that expects action and results
 - The older generation hoped that the younger generation would return to fight for the community
- Hill has sacrificed to protect community land, and was arrested for protecting a building (a building was demolished that was built in 1912- a schoolhouse and mason building)
 - Had an engineer who said the building was structurally sound during the fight to preserve the building and the community's history and legacy
- Her mother was an activist who fought for her community as well who worked to get her GED in her senior years, marched and graduated in June 2014
- The community lost water access due to waterfront properties, included damming the creek (rocks and dirt)
 - She contacted the Arms Corps and they said they would have never issued a permit for a dam because it is a navigable waterway
- The community elders dug their own ditches and engineered their own water infrastructure, share same common environmental problems as the ones Lorna Taylor mentioned
 - Their outflow ditches are not working
 - Have more water in septic tanks than sewage (if they backup have sewage in bathtub and sink)
 - Always had running water, community had devised their own aqueduct system connected to wells
 - Hard for community members to hang on to properties especially if they have moved away and they are trying to maintain taxes and costs for two properties
- New developments are exacerbating flooding (higher graded land)
 - the city needs to regrade the ditches, instead the city is widening the ditches enabling them to hold more water
- Still multiple homes connected to well water
 - The city says that the standing water is caused by well, but it is not coming from their well (if it was would not be able to afford the bill to dominion from the pump)
 - water is affecting properties and crawlspace, issues with mold
- Dump Truck Issue
 - Residents feel their houses vibrate
 - The road was not built to handle fully loaded trucks
 - Truck noise is a nuisance as well

- Cannot enjoy sitting out on her porch because of the particulates from the dump trucks from the sandpits
 - Dust also finds its way into their homes
- Military families are targets for advertising homes for sale in their village
 - Military families being new to the area are unaware of the flooding
 - Newly built homes have sold two or three times, because of flooding issues
 - The land doesn't perc
- Some people in the village are descendants from the original community, want to protect their community history and legacy, but not just through a highway marker
 - Community history
 - George W Carter, a quaker was a founder of the community, on the deed with Hill's ancestors - Carters Cove Rd
 - She wants to hold on to what they have left, building solidarity to create strategies for resistance

2:30 Introduction of Public Officials

- Portsmouth Councilman Mark A. Hugel, USN (Ret.)
 - Water and flooding are challenges for Portsmouth
 - Sustainability, flooding, and sea level rise are affecting the whole eastern seaboard, acute issues
 - Portsmouth is landlocked with no place to expand to
 - Have downtown areas that flood in addition to where Ms. Joseph lives
 - With climate change, flooding is worsening
 - The city is clearing out blockages, Portsmouth now has a normal street sweeping schedule
 - In anticipation of any severe weather events, they go to places that flood and clear blockages before weather events
 - Have a good water system in Portsmouth
 - City founders recognized the importance (from lakes in Suffolk)
 - Portsmouth behind on maintenance and updates from pandemic, so now catching up on maintenance on the water infrastructure and sewer system
 - Some old piping exists for the water system
 - Tonight addressing FY25 budget at council meeting
 - Several of the projects are aimed at repairing aging infrastructure
 - Going to have to incrementally chip away at problems and that is what they are aiming to do
- Chesapeake Councilman Don Carey
 - A lot of what happens in Pughsville won't show up because of the geographical split, history of the boundary creation
 - Issues raised indicate an unsafe environment even though Chesapeake is one of the safest cities in US

- A lot of the work he does on council is around partnering with community organizations and executing righteous votes during city council meetings
- Virginia General Assembly Delegate Bonita Anthony
 - Represents northern Chesapeake and Norfolk (west)
 - Represents many people who suffer from environmental injustices such as coal dust, food insecurity, and fighting to mitigate flooding in the southside of Norfolk
 - Born and raised in Norfolk and now has noticed that her backyard is sinking
 - Putting forth legislation to address environmental issues in different areas
 - Wanted to create an EJ taskforce to activate the secretariats and agencies, and also be able to collect data about what's happening
 - Unfortunately did not make it to floor during the 2024 General Assembly session
 - Colleague put together bill to create a Chief Resiliency Officer, which passed, and was funded with a million dollars
 - Coordinated between state agencies, local governments and other interested parties in order to maximize federal funding
 - Hopefully will also include some accountability measures to make sure every community is taken care of
 - EJ is a top priority

3:05 Council Discussion/Recap

- The council has been planning to come to Hampton Roads for three years now, it was wonderful to hear from so many of the community members and to see them here and see their community
 - EJ issues put a strain on families, mental and physical health as well, easy to be very focused on science and statistics, but people and their experiences matter, glad to hear from folks directly
 - Council can tell your story, listen, carry the issue and make more opportunities and connections
- Regulations don't allow construction that uses other houses for drainage, seems like community is being failed by their leadership
 - Being treated differently, unfairly
- In the past the council, has written letters, asked agencies to come and report to figure out how to target different issue and failures
 - The council also uses the reports to highlight public comments from community
 - Important to get the localities response
- Accountability has always been a challenge for council recommendations and letters due to lack of power
- Another challenge for the council is to figure out who do we address a potential letter to
 - It would be easy to write a letter, but it would take some discussion to figure out the best pathway forward
 - Janet can research to figure out pathways for a future letter from the council addressing community issues to local/regional decisionmakers

- Council should reach out to the Chief Resiliency Officer about cumulative impacts, community engagement, accountability and best practices in addressing flooding issues
 - Important to review cumulative impacts on people before new development are allowed
 - Sec. Voyles is the Chief Resiliency Officer (CRO) (for now)
 - The resilience workgroup last year was under his direction
 - The position was established by an administration bill written in partnership by that workgroup
 - Funding in the budget for the CRO and support staff to work on coordination within the state and with localities so that there is that structure and funding to solve resilience-related problems
 - The previous work that has taken place has been unfunded and been done through the secretary's budget
- Issue raised on how to track the money from the federal government that should be going to communities, who should be at the table and how can we hold people accountable, the council is looking to Sec. Voyles and DEQ for their help with addressing this important issue
 - Sec. Voyles is interested in seeing what best applies, mentioned the possibility of the next VCEJ meeting in Richmond having a multi-agency panel
 - The timeline of later on in the year will allow agencies to catch their breath and to give them time to figure out updates on federally funded initiatives
- Council could include a chapter in the annual report on land use and flooding

3:20 Council Planning Future VCEJ 2024 Meeting Locations

- Fredericksburg on 8/5 (In-person)
- Richmond on 11/16 (In-person)

3:25 Closing Remarks by VCEJ Chair Karen Campblin

3:30 Adjourn Meeting

Next Steps

- Kate Kulbok looking into questions raised by council and will bring back answers to Dr. Phoenix
- All members should read the report before the next meeting
- May will send out new report draft to new members
- May sending out a doodle poll to set the next virtual meeting in the next few weeks with an aim to meet ASAP (doodle poll to be sent out 5/17 with a deadline of 5/22, aim to have virtual meeting in early June)
 - Include meeting dates of June 7 at 3PM, June 13 at 2PM and additional dates
- Kendyl ask for any written public comment materials from January and May

- Janet with Aliya will draft a letter raising flooding and land use issues in Portsmouth, Chesapeake and Suffolk from the council and research who to send it to (with an open call to councilmembers to assist)
- Karen and DEQ will invite agencies to attend the Richmond November meeting to give a report on federal funding pathways and Virginia's engagement, especially including communities
- Council could include a chapter in the 2024 annual report on availability of federal funds, land use, acquisitions and flooding