

**ENVIRONMENTAL JUSTICE ADVISORY BOARD**  
RCSOB, 14<sup>TH</sup> FLOOR CONFERENCE ROOM  
HARRISBURG, PA  
February 13, 2018

**Voting Members Present:**

Adam Cutler  
Arthur Frank  
Carol Parenzan  
Jerome Shabazz  
Tom Torres

**Voting Members Present Via Phone:**

Eli Brill  
Hazem Hijazi  
Allison Robinson

**Non-Members Present:**

John Brakeall – DEP  
Jessica Shirley – DEP  
Abbey Cadden – DEP  
Glenda Davidson – DEP  
Lee Ann Murray – Citizens Advisory Council

**Non-Members Present Via Phone:**

Nora Alwine – DEP

**Call to Order**

Chairman Arthur Frank called the meeting to order at 8:30 A.M.

**Approval of Minutes**

Chairman Arthur Frank solicited additions or corrections to the November 14, 2017 Minutes. Hearing none, Chairman Frank requested a motion to approve the Minutes of November 14, 2017.

Adam Cutler moved to approve the November 14, 2017 Meeting Minutes. Carol Parenzan seconded the motion, which was unanimously approved.

**Election of Officers for Two-Year Terms**

Adam Cutler nominated himself for Chair, and Chairman Frank requested a motion to elect Adam Cutler as incoming Chair. Jerome Shabazz moved to approve Adam Cutler as Chair of the Environmental Justice Advisory Board for a two-year period. Tom Torres seconded the motion, which was unanimously approved.

Allison Robinson nominated herself for Vice-Chair, and Chairman Frank requested a motion to elect Allison Robinson as Vice-Chair. Adam Cutler moved to approve Allison Robinson as Vice-Chair of the Environmental Justice Advisory Board for a two-year period. Carol Parenzan seconded the motion, which was unanimously approved.

Eli Brill nominated himself for Parliamentarian, and Chairman Frank requested a motion to elect Eli Brill as Parliamentarian. Allison Robinson moved to approve Eli Brill as Parliamentarian of the Environmental Justice Advisory Board for a two-year period. Adam Cutler seconded the motion, which was unanimously approved.

### **Office of Environmental Justice Update**

John Brakeall provided an overview of the Office of Environmental Justice's (OEJ) ongoing initiatives. John continued to explain that while the Department seeks to fill the OEJ Director position, Secretary McDonnell, Policy Director Jessica Shirley, and Policy Specialist Abbey Cadden have been working with its OEJ staff to ensure EJ priorities maintain momentum. DEP's OEJ continues to work with its Environmental Justice Internal Work Group (IWG) to discuss potential revisions to the Environmental Justice Public Participation Policy. The IWG is comprised of 32 DEP staff members and allows for staff from all DEP programs to provide their perspectives and insight on EJ topics. Additionally, on December 12, 2017, DEP held an internal EJ Summit with 51 staff members in attendance, representing the perspectives from all programs and Regional Offices. This collaborative EJ Summit reinforced to staff Department-wide that EJ topics remain a high priority and it also provided an open platform for staff to discuss concepts for future OEJ programming.

### **Environmental Justice Public Participation Policy Revisions**

John Brakeall explained that DEP is updating antiquated information including the name of the office, DEP contacts, nomenclature of trigger permits, and other outdated content. To improve readability and organization of the Policy, OEJ will reformat the layout and flow of information. The working draft of the revised policy describes the participatory opportunities for communities, regulated entities, and DEP within the permitting process.

When identifying environmental justice communities, DEP is considering to continue using the 20/30 definition, but would rescale from census tracts to census block groups. John explained that this would result in a 12% increase in individuals living in EJ area which more accurately reflects the number of Pennsylvanian's living in EJ areas (approximately 32.5%).

Assistant Regional Directors are preparing a revised list of Trigger Permits based on surveys from their program staff. The feedback received from the regional staff included the addition of major sewage facilities and municipal waste composting facilities.

### **Internal Policies**

John explained to EJAB members that the Department is seeking to incorporate environmental justice into pre-application processes. The OEJ is working with the Office of Program Integration and Policy Office to incorporate an EJ question into the General Information Form (GIF) and Pre-Application Consultant Tool (PACT).

DEP's OEJ is also developing a Standard Operating Procedure (SOP) for the internal review process of trigger permits. The SOP is designed to streamline workflow processes and make ensure consistency within the permitting process across programs.

### **EJ Areas Viewer**

John continued with a summary of the EJ Areas Viewer - an interactive GIS mapping tool that incorporates EJ areas, permitted facilities, socioeconomic data and health data. One recommendation DEP received suggested that DEP create a GIS Story Map to supplement EJ

Areas Viewer. OEJ continues to develop a story map with a user-friendly interface that provides a narrative on environmental justice and incorporates videos and photos.

Jerome Shabazz, inquired if public participation will be solicited in the development of the story map and Adam Cutler inquired if there is there a way for communities to help with the narrative. DEP Policy Director Jessica Shirley explained that the purpose of the story map is for DEP to communicate to the public what it is doing for EJ communities and that it will exist as a piece of DEP's website. DEP has a public participation process with permits, guidance documents, and regulations, but the purpose of the story map is to explain to the public what environmental justice is and what role DEP has in addressing EJ concerns.

### **Next Steps**

John Brakeall explained that the DEP is working to develop a more precise timeline for the release of the Environmental Justice Public Participation policy. OEJ anticipates presenting it to the EJAB at our next meeting this spring ahead of releasing it to the public for public comment.

John Brakeall explained that the first recommendation provided in the 2001 EJ Workgroup Report intended to improve the conditions of overburdened communities in partnership with other agencies. DEP is currently involved in the Pennsylvania Interagency Health Equity Team (PIHET). In January, DEP hosted the last PIHET meeting and discussed the intersection of environmental justice and health equity. OEJ has had several meetings with TreeVitalize which is a partnership with the Department of Conservation and Natural Resources. TreeVitalize's work focuses on tree planting and increasing environmental education and DEP has had several conversations about partnering with them to focus on EJ areas.

DEP staff and EJAB members discussed the posting and process for filling the vacant OEJ director position. EJAB members expressed their desire to be involved in the hiring process. Jessica Shirley indicated that the Department would accept letters of recommendation and will speak to the Secretary regarding ways the EJAB could be more involved in the process. Tom Torres suggested that EJAB provide interview questions for the DEP to use during the interview process and Jessica Shirley acknowledged the idea and will recommend it to the Secretary.

Jessica Shirley stated that a toxicologist will be hired and shared between then Department of Health and the DEP. EJAB requested that the toxicologist attend EJAB meetings once hired.

### **Presentation**

#### **Article 1 Section 27 of the Pennsylvania Constitution**

Chief Counsel Alex Chiaruttini provided an update on Article 1, Section 27 of the State Constitution and the case brought by the Pennsylvania Environmental Defense Fund challenging the use of oil and gas lease proceeds for anything other than environmental preservation, cementing in place the Commonwealth's role as trustee for public natural resources.

### **Public Comment**

No individuals from the public provided public comment.

Dr. Frank welcomed and turned the meeting over to the newly appointed chairman of the Board, Adam Cutler.

Adam Cutler thanked the Chair and Vice-Chair, Dr. Frank and Rev. Strand for serving for many years and appreciates their continued service. Chairman Cutler stated that he looks forward to work with the Board.

**New/Unfinished Business**

The Board discussed the relevancy of the 2001 Environmental Justice Workgroup Report and strategic planning from the Delphi process.

**Adjournment**

Chairman Adam Cutler requested a motion to adjourn the meeting. Carol Parenzan made a motion that the meeting be adjourned, which was seconded by Jerome Shabazz. The meeting adjourned at 2:20 P.M.