

**MINUTES OF VIRTUAL MEETING OF THE
ENVIRONMENTAL JUSTICE ADVISORY BOARD
August 11, 2020**

Members Present Via Phone:

Jennifer Baka
Heather Bedi
Adam Cutler
Arthur Frank
Nebraska Hernandez
Hazem Hijazi
Gary Horton
Rafiyqa Muhammad
Allison Robinson
Jerome Shabazz

Non-Members Present Via Phone:

Allison Acevedo, DEP
John Brakeall, DEP
Abbey Cadden, DEP
Glenda Davidson, DEP
Jennie Demjanik, DEP
Justin Dula, DEP
Laura Edinger, PA Utility Law Project
Mark Szybist, National Resources Defense Council
Nick Troutman, Pennsylvania Senate
Basir Vincent

Call to Order:

Chairman Cutler called the virtual meeting to order at 1:00 PM with a quorum.

Approval of Minutes:

Chairman Cutler solicited additions or corrections to the Minutes of the July 16, 2020 meeting.

Arthur Frank moved to approve the Minutes of the July 16, 2020 meeting. Jerome Shabazz seconded the motion, which was unanimously approved.

EJAB Initiatives:

Update on Past Public Comment

Allison Acevedo noted that the OEJ has been working to finalize the letter for Edith Abeyta and should be issued next week.

The OEJ continued to engage with Freda Tepfer regarding the Erie Bayfront Parkway project. The OEJ reached out to the Federal Highway Administration and found that the project is moving forward and included some EJ analysis. Allison Acevedo provided Freda with PennDOT contact information and the PennDOT website.

EJAB Recommendations about RGGI

Heather Bedi opened the floor for further discussion of the EJAB proposed letter to the DEP Secretary and Governor's Office expressing support for RGGI and requesting a specific percentage of revenue for EJ communities. The chart in the letter will be made a separate appendix attached to the letter. An updated draft of the letter will be provided to the members, with anticipation of submitting the final letter at the end of the week.

DEP Updates:

Abbey Cadden - DEP Policy Office

DEP's former Regulatory Coordinator, Laura Edinger, has taken a new job at the PA Utility Law Project working on low income utility policy. The Department has hired Laura Griffin from the PUC as the new Regulatory Coordinator.

RGGI was sent to the EQB this week for consideration in September.

The manganese rule proposed regulation is open for public comment through September 25. Three virtual hearings will be held in early September.

Jennie Demjanik - DEP Regulatory Counsel

In response to a question about the potential creation of an Office of Compliance Assistance and Pollution Prevention at DEP, Jennie advised that she is familiar with the legislation, HB2742 introduced by Rep. Struzzi. The legislation would create an office that would assist small and medium-sized businesses with DEP's regulatory and permitting requirements, but there is currently no funding for it. The Department will follow the legislation, which was referred to the Committee on Environmental Resources and Energy on August 6. Allison Acevedo stated that the OEJ will track HB2742 and place it on the agenda for the October 15 call.

Allison Acevedo

The RGGI presentation given last week was the first public webinar providing broader education and information with several hundred participants. A comment was made that the webinar was inopportune because it ended abruptly and did not allow time for questions. Allison stated that she would check to see if questions could be posted on the website and would provide feedback to the EJAB members.

Interagency Updates:

Allison Acevedo

The OEJ has been involved in a subcommittee with PDE, DOH, and several school districts focused on returning students to school and working to develop health and environmental training and guidance for educators and administrators.

A question was posed about the handling of the large amount of PPE and extra waste created from COVID-19 sanitation practices. Allison Acevedo will inquire with DEP's Waste Management program and report back to the EJAB. Members suggested that DEP communications may be able to provide recommendations or guidance on proper disposal for PPE and single-use plastics. Allison Acevedo will communicate with DEP's Communications Office to determine if the Department has issued recommendations or guidance and if there are opportunities for public engagement the topic. Suggestions were offered that the DOH should be involved and possibly outreach to PA Beautiful and America Beautiful or other organizations that might have useful materials on proper disposal of PPE from COVID-19.

Allison Robinson

Allison noted that the Health Equity COVID-19 Task Force is moving into the implementation phase. Conversations are currently focused on whether DOH has a direct leadership role as subcommittees begin to advance the work. DOH will maintain an appropriate level of

leadership, but many efforts are being spearheaded by other partnering agencies and organizations.

OEJ Updates:

Allison Acevedo

Allison noted that OEJ has been receiving great support from Charles Lee and Reggie Harris from EPA headquarters and Region 3, respectively on development of an EJ training module for DEP. Training will begin with the executive team in the fall and will then be presented at the regional offices. The interagency group will take the lead to see how the training can be integrated within various programs of their respective agencies.

Outreach efforts have continued with EJ organizations around the Climate Action Plan to ensure that equity will be a clear part of the next CAP.

The OEJ continues to be involved in RGGI discussions and hopes to work with the EJAB and other stakeholders around development of equity principles.

No western regional coordinator has been hired.

The Diversity Committee, formed and led by Secretary McDonnell and senior leadership at DEP, are pushing to establish a culture of diversity, tolerance, and inclusion in the workplace.

The members were asked if there would be any will to support an internship program. Discussion included possible internships engaging college students interested in environmental studies who may need credits, law students who might want to do environmental law, and/or individuals interested in design and sustainability programs. Arthur Frank expressed interest in assisting the OEJ with the development of an internship program.

Allison Acevedo indicated that she is often asked to give presentations on EJ. She asked if there are any EJAB members who would be interested in presenting on EJ and being included in a public speaking pool. Volunteers included Allison Robinson, Rafiyqa Muhammad, Heather Bedi, and Adam Cutler.

Justin Dula

The OEJ worked with staff within multiple departments of DEP to see where translation services might be needed. The contracts are now in place for over-the-phone interpretation services. The OEJ will be looking to translate key public-facing documents into multiple languages, and a meeting is being planned to schedule a wider rollout.

The Lehigh Valley Roundtable was held on July 22. Key topics included concerns around the rapid development of warehouse distributions centers, air quality, landfills and the crash in the recycling market, lead in housing, climate justice, flooding, and increased heat effects in EJ communities. Another roundtable is planned for October in Scranton.

Darby Borough was selected for the next Small Community Technical Assistance Brownfields grant from the EPA.

John Brakeall

The OEJ worked with the Grants Office to implement EJ into the DEP-wide grants manual and language was developed to have EJ integrated into the grant guidance, grant applications, and scoring rubric for individual DEP grants. OEJ is now meeting with programs that administer grants to provide assistance on integrating EJ into their grant.

The 2020 Environmental Education Grants were announced on June 26. There were 55 projects, 33 of which were in EJ areas or will have an impact on EJ areas. Of the \$434,000 awarded, 77% of those funds were for projects that will be carried out in EJ areas. Projects were funded in all six DEP regions. Since 2017, EJ has been a priority topic.

Shamokin was the recipient of last year's Small Community Technical Assistant Brownfields grant. The final report for that grant cycle was just prepared and included a brownfields inventory and site prioritization for redevelopment. SEDACOG is looking to apply for the EPA Area-wide Planning grant, and Central Susquehanna Opportunities is looking to apply for one of the EPA's Environmental Workforce Development and Job Training grant. The OEJ delivered a presentation to 85 staff members at an EPA brown bag luncheon several weeks ago outlining the grant process and the benefit to rural communities in the coal regions. Another presentation will be given at the West Virginia Brownfields Conference in September.

EJ Symposium Discussion:

Clarke Forum for Contemporary Issues Discussion

The event will be held virtually on October 14 from 7:00-8:30 PM. The panel will include Adam Cutler, Dr. Horace Strand, Veronica Coptis, and Saleem Chapman. The panelists will be introduced by students, and each panelist will be given a chance to provide a five-minute opening statement. Suggested questions were discussed. Heather Bedi will distribute a list of tentative questions three weeks prior to the event.

Update on 2021 Environmental Justice Symposium

The PA Environmental Resource Consortium has been brought in as a partner to assist with planning of the event. The symposium will be an in-person event with webcast, with a tentative timeframe of April 2-April 9 in 2021. A follow-up survey will be conducted after the meeting to set goals and come back together in October of 2021. The next steps are to finalize a sponsorship list, finalize the date, and find speakers.

EJAB Committee Updates

DOH Subcommittee

Allison Robinson noted that the interagency committee has been considering the intersectionality of environmental health and environmental justice for several years. The committee has been looking at mapping, EJ populations within the state, possible health outcomes, and looking at what can be done with the mapping. The next meeting will discuss some of the administrative issues and decisions that need to occur before moving forward.

EJ/EH Mapping

Nebraska Hernandez has been reviewing indicators with EJ screen data to develop a baseline of indicators, then separating the data according to the method that Dr. Lee had suggested and was previously done in California and Washington. Nebraska stated that any resources to find health data would be appreciated.

Chairman Cutler suggested that the EJAB consider looking at the environmental justice bill recently proposed by the NJ state legislature, which defines overburdened communities as 35% low income, 40% or more minority or tribal communities, or 40% limited English proficiency. Since PA does not incorporate any kind of English proficiency threshold into the EJ description, Chairman Cutler suggested possibly incorporating English proficiency in the census blocks as well.

Public Participation and Outreach

Allison Acevedo participated in a webinar about ways to expand the concept of public participation which discussed multiple ways in which state governments might engage with communities including development of apps to provide information, citizen panels and crowdsourcing community responses.

Member Updates:

Rafiyqa Muhammad

A COVID-19 workforce development program for youth was put together in the City of Harrisburg focused on proper cleaning and sanitation around COVID-19. The program will focus on youth aged 18-24 and youth who were incarcerated and are coming back home seeking to establish a career or create a small business. A press conference will be coming soon.

Rafiyqa and Secretary Redding recently visited eight local urban gardens that included raised beds, permaculture designed beds, and some closed systems that do not require water.

Heather Bedi

Heather Bedi and Rafiyqa Muhammad were invited to speak on environmental justice at the Building Campus Inclusion event at Dickinson College. Events will take place all week on a range of different issues and all open to the public. Heather will share details on the event with the EJAB.

Dr. Ibram X. Kendi will be featured at Dickinson College's Clarke Forum event on Zoom, *How To Be An Anti-Racist*. The event is free and open to the public.

Heather recently submitted a grant to research COVID-19, environmental and health inequalities, food insecurity, and workforce development to ensure that the most vulnerable populations are not disproportionately affected by COVID-19.

Basir Vincent was invited to the meeting by Rafiyqa Muhammad. Basir's work involves leadership development, systems modeling, and value chain analysis. Basir is working to discover and implement tools to mobilize communities around different issues and engage professionals. Basir has expertise in gardening, bike repair, and finding ways to create hubs around the city where people may learn from continuous leadership modeling.

Legacy of Abandoned Mine Lands (AML)

Mike Bodnar is the Section Chief in DEP's California District Mining Office that administers the Mine Subsidence Insurance Program for the entire state. Mike discussed the history of coal mining in Pennsylvania's anthracite region and provided details about mine subsidence.

Approximately 1 million homes in the state sit above abandoned coal mines, and there are 33 designated EJ areas within the anthracite region that are undermined to some extent. DEP administers the mine subsidence insurance program which covers damages to buildings caused by mine subsidence or certain mine water breakouts. The fund is very well endowed and has never failed to pay out on a valid insurance claim.

Kim Snyder is the Environmental Program Manager in DEP's Bureau of Abandoned Mine Reclamation (BAMR) in the Wilkes-Barre District Office. Kim discussed in detail the primary mission of BAMR, which is the mitigation of hazards and environmental degradation associated with abandoned mines. He covered SMRCA, the federal Surface Mining Control and Reclamation Act of 1977, SMRCA's required development of an abandoned mine land inventory, and the authority granted thereunder for eligible states to manage a reclamation program. Kim discussed EJ areas and AML sites and provided details of the reclamation process.

Bobby Hughes, Eastern Pennsylvania Coalition for Abandoned Mine Reclamation (EPCAMR) discussed how the coalition has been working for about 25 years to address abandoned mine drainage and advocating for funding to be allocated back to not only Pennsylvania but northern and central Appalachian coal fields from fees that are collected per ton of coal. Work is being done with communities and 114 school districts around capacity building, including outdoor environmental education, grant writing, and meaningful watershed education experiences in the urban environments.

Elizabeth Hughes is with Earth Conservancy; a nonprofit organization dedicated to the reclamation and return of over 16,000 acres of former coal company owned land in the Wyoming Valley Region of Luzerne County. Elizabeth provided details of how Earth Conservancy pursues its mission through land use planning, mine land reclamation, watershed restoration, recreation and greenspace conservation, and community education and outreach.

Wrap Up and Next Steps:

October 15 at 1:00 PM is the next EJAB conference call. The November 17 EJAB meeting will be a combined meeting with the CAC. A call may be scheduled to discuss preparations for the joint meeting.

Adjournment:

Chairman Adam Cutler requested a motion to adjourn the conference call.

Arthur Frank made a motion that the meeting be adjourned, which was seconded by Allison Robinson. The meeting was adjourned at 6:15 PM.