

**MINUTES OF VIRTUAL MEETING OF THE
ENVIRONMENTAL JUSTICE ADVISORY BOARD
May 20, 2021**

Members Present Via Phone:

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

**Non-Members Present Via Phone
(Commonwealth Employees):**

Allison Acevedo, DEP
Hayley Book, DEP
John Brakeall, DEP
Abbey Cadden, DEP
Glenda Davidson, DEP
Jennie Demjanick, DEP
Justin Dula, DEP
Mark Hammond, DEP
Allen Landis, DEP
Krishnan Ramamurthy, DEP
Jessica Shirley, DEP
Emily Watts, PennDOT
Kim Yeakle, DEP

Non-Members Present Via Phone:

Bhagwan Aggarwal	Vanessa Lynch
Sasidevi Arunachalam	Julia Martinez
Cathy Cook	Nathan McCray
Jack Eskin	Rachel McDevitt
Mike Ewall	Matthew Mehalik
Emily Eyster	Veronica Rexford
Abby Foster	Robert Routh
Dave Hess	Colleen Shaffer
Nicholas Kowalski	Ethan Story
Art Leopold	Caroline Weiss
Michelle Leslie	

Call to Order:

Vice Chairman Robinson called the virtual meeting to order at 9:00 AM with a quorum.

Approval of Minutes:

Chairman Cutler solicited additions or corrections to the Minutes of the February 18, 2021 meeting. Hearing none,

**Hazem Hijazi moved to approve the Minutes of the February 18, 2021 meeting.
Arthur Frank seconded the motion, which was unanimously approved.**

OEJ Updates:

John Brakeall

EJ Policy

The EJ Policy revision remains in the drafting phase and public outreach is ongoing. The initial draft of the EJ Policy will be reviewed during the August EJAB meeting for purposes of gathering feedback and incorporating that feedback into the draft. The draft will be released for a 60-day public comment period in the October/November timeframe, with public hearings.

Feedback from the public comment period and the public hearing will be used to revise the EJ policy, and the EJAB will have a last look at the revisions during the spring 2022 meeting before being published as final.

2021 Climate Impact Assessment Report

The Report, released on May 5, evaluates the most heavily impacted areas of Pennsylvania, including EJ Areas, ecosystems, and agriculture. Pennsylvania's average temperature is expected to increase by almost six degrees by mid-century, and residents of EJ areas will be nearly twice as likely to experience more days hotter than 90 degrees. A press conference was held related to the release of the Report, and Allison Acevedo and Rafiyqa Muhammad were part of the press conference. A link to the press conference will be provided to the members.

Grants

An interagency grant equity workgroup which includes DEP and seven other agencies are seeking to integrate equity principles into granting making across all Commonwealth agencies. On Earth Day, the Environmental Education grant awardees were announced, with almost \$460,000 awarded to 51 projects, 88% of which were in DEP designated EJ areas. There are almost 40 grants within DEP, and the OEJ has been working with the different programs to integrate EJ and provide funding preference to EJ areas.

Justin Dula

EJ Policy

Initial outreach revealed the desire to look for a more robust definition of EJ areas. The OEJ is looking to partner with folks who have more data analysis and statistical expertise from outside the agency to create an updated system for EJ indicators.

Language Access Plan

Justin has been working with DEP staff to create a language access plan for the department. The complaint line operators now have standard operating procedures for accessing interpretation services in different languages and using those services to respond to complaints. DEP started this independently but is beginning to link with sister agencies to learn about language access plans being used in other Commonwealth agencies. The department is looking to create a more robust plan to translate high level document and identify a process for systematically translating documents as new documents are created.

Diversity and Inclusion

A Diversity and Inclusion Committee has been meeting regularly. Justin will contact the committee to discuss posting a statement publicly.

Regional Updates

Northeast/Southeast

Justin Dula

PennDOT is planning a virtual Town Hall on May 25 called *Alternative Funding: Planning and Environmental Linkages Study* that looks at alternative tax sources in lieu of decreasing gas tax revenues.

A permit renewal has been received from Covanta in the City of Chester. A public hearing and a public comment period will be held for the permit renewal. Justin will provide a timeline to the EJAB members as information becomes available.

Northcentral/Southcentral

John Brakeall

Nearly two years ago, Shamokin was awarded a Small Communities Technical Assistance Brownfields grant to serve as a catalyst for brownfields redevelopment in the area. SEDA-COG has since applied for and was awarded a \$300,000 community-wide planning grant through the EPA, so work around brownfields will continue within the City of Shamokin.

Northwest/Southwest

John Brakeall

Invenergy is proposing a combined-cycle power plant located along the Allegheny River in Allegheny County. West Newton in Westmoreland County is located on the opposite side of the river and downwind from the proposed facility. Invenergy is a major source Title V air permit being reviewed by the Allegheny County Health Department (ACHD) through direct delegation from EPA. DEP staff, including OEJ, have been working with ACHD to engage stakeholders in EJ Areas that are located outside Allegheny County. The Environmental Integrity Project, Mountain Water Association, and other nonprofit partners have been assisting with community engagement.

Subcommittee Updates:

Public Participation

Jerome Shabazz/Tom Torres

The subcommittee continues to review DEP historical information around public participation to see how that aligns with EJ standards and policy and has been working informally with Allison Acevedo to help provide guidance and shape partner engagement around RGGI and thoughts for broader engagement with communities. More information will be provided at the next EJAB meeting.

Jerome Shabazz had the privilege of sitting in on an active working group around equity and grant making looking at an interagency approach to communicate with EJ communities and make sure that greater resources are being made available. Each participating agency is reviewing its processes and standards for how to engage communities and how to measure whether communities are being impacted. There is a need to develop a strategy to make sure communities are not overburdened by multiple application processes when varying agencies have mutual interest in an application, have a single point of contact for the application process, and begin to align with structures that are being developed federally. Jerome will stay involved and report out to EJAB on the findings.

EJ in PA Symposium

Justin Dula

The April 6 event was very well attended. The committee is now wrapping up items from the event and bringing in some of the regional voices and hubs to help lead the path forward. Some regions had very active partners who were already working on EJ issues. In other parts of the Commonwealth, groups were just being formed. Part of the purpose for having the EJ in PA

breakout groups was to help those groups that were just forming learn from groups that are already well established.

Vice Chair Allison Robinson

There is an enduring website where resources continue to be posted. A half-day event is being planned to review what has been done since the EJ in PA event on April 6. The committee has met three times since the April 6 event to address action items.

Heather Bedi

Heather received a grant through Dickinson College to collate the learning from each of the hubs and from the overall event into a website, which should be in draft format by November. Any questions, concerns, or ideas should be directed to Heather. The draft will be shared with the EJAB members when it is available to seek feedback.

Chairman Adam Cutler

Spirited discussions took place both in advance of the event and on the day of the event with many different approaches being expressed. The Chairman took a moment to thank everyone for their efforts in organizing the event and bringing forth the various resources. A special thank you was expressed to the regional hub facilitators.

DEP Updates:

Secretary McDonnell provided an update on the following:

RGGI

The public comment period on RGGI opened in November 2020. Ten (10) public hearings were held with over 14,000 comments across a 60-day comment period which closed on January 14. The Department had direct engagements with EJ communities, several around equity principles that have been incorporated into the Preamble, and public outreach and engagement with the OEJ and Delta Institute around how to engage EJ communities more effectively. The EJ Stakeholders group has convened several times and is providing feedback to DEP and the Governor's Office on how RGGI investments should be allocated to EJ communities. DEP's internal Diversity Committee is working to cultivate a culture of equity and inclusion and establish a more diverse workforce that represents the populations it serves.

2021 Pennsylvania Climate Impacts Assessment Report

The 2021 Climate Impacts Assessment Report was released on May 5. The Report looked at the impacts on public health and impacts on EJ communities. Pennsylvanians who live in EJ areas are at greater risk from rising average temperatures, nearly twice as likely compared to the statewide average, and constitute over half of all Pennsylvanians exposed to high heat. From 1971-2000 the Commonwealth averaged five days per year over 90 degrees. By 2050, on average, there will be 37 days over 90 degrees. In some areas of the Commonwealth, particularly in EJ communities, that number will be 60 days.

Grants

On Earth Day, Governor Wolf announced almost \$460,000 in environmental education grants for 51 projects addressing environmental justice, climate change, and water quality. Of those funds, 88% are for projects supporting youth and adults living and working within EJ Areas.

A Q&A session with Secretary McDonnell included the following subjects: outreach to the General Assembly on RGGI; moving from fossil fuels to renewables; lessons learned by the Department related to COVID-19 teleworking; improving availability of online documents for EJ communities; engaging corporations and businesses in constructive ways; federal funding around EJ and delegation agreements; and questions regarding the new Northwest Regional Director Erin Wells.

Regional Greenhouse Gas Initiative (RGGI):

Allen Landis, joined by members of DEP’s RGGI project team including Hayley Book, Jessica Shirley, and Jennie Demjanick, provided details of the RGGI public participation process including the public comment period, engagement efforts being undertaken, and changes to the regulation. The Q&A session focused on the allocation of RGGI proceeds to EJ communities, the Governor’s proposed framework for an EJ Trust Fund board, recruitment and representation for the EJ Trust Fund board, disagreements between the Legislature and the Governor over RGGI, and whether there is a path forward in the Legislature to support the EJ Trust Fund board.

Public Comment:

Ethan Story – Community Advocate for the Center for Coalfield Justice, Washington, PA

Because of uncertainties with the proposed RGGI rulemaking, the Center for Coalfield Justice (CCJ) is requesting that the EJAB safeguard that EJ communities are protected under a cap-and-invest program such as RGGI, advocate for explicit language that would not allow permittees regulated by RGGI to increase pollution in current and future EJ communities, and that the EJAB consider the risk of gambling with RGGI funds in the current political climate. Instead, CCJ proposes that DEP use the authority that it already has through the Air Pollution Control Act to best serve and protect Pennsylvania’s frontline and EJ communities.

RGGI Public Engagement:

Jack Eskin, Senior Specialist of Programs, Delta Institute

Comprehensive details were provided about the assistance Delta Institute is providing to DEP around connecting with stakeholder groups throughout the Commonwealth to gather input and develop guiding principles and policy recommendations for continued engagement and programmatic investments around RGGI.

Keep PA Beautiful:

Shannon Reiter

Shannon Reiter provided an update on the following: KPB’s annual impact through nearly 7,000 community improvement events; information obtained from the Comprehensive Litter Study including public attitudes toward litter, the cost of illegal dumping, and a breakdown of the 500 million pieces of litter that can be found along Pennsylvania’s roadways; and next steps for the Pennsylvania Litter Action Plan through education, laws and enforcement, infrastructure, and partnerships.

Tammie Peffer, Department of Education

Tammie previously spoke to the EJAB about the proposed revisions of the science standards. The rulemaking is expected to be released for a 30-day public comment period on June 5, and Tammie encouraged that anyone interested in the proposed scientific standards to provide public

comment. It is not clear whether there will be a public hearing or stakeholder meeting in the format of broad questions and answers with the Board.

An EPA grant for collaboratively addressing EJ issues will be submitted by PDE and other partners. The grant would be used to improve the Green and Healthy Schools through the PA Pathways to Green Schools Program. The goal is to create a mentorship program to develop healthy schools and communities in EJ Areas involving an environmental literacy and sustainability plan at each school. Additional partners are needed in support of the grant.

Tammie is searching for individuals interested in sharing research or projects that might spark creativity within the Department of Education's PA Environmental Literacy Capacity Building Network, as well as the PA Advisory Council on Environmental Education to further promote the concepts of EJ, both awareness-building and problem-solving skills, within those groups.

Department of Health

In the absence of a DOH representative, Allison Acevedo announced that the DOH will be holding a virtual Health Equity Summit on October 28 focusing on Ted Talk-style presentations, possibly with an EJ track. Anyone interested in providing a presentation about the intersection of EJ and health issues should contact Allison Acevedo.

David Saunders had indicated that there is anti-racism work going on throughout Commonwealth government. DOH is working with individuals from different agencies around race issues.

Wrap Up and Next Steps:

After additional RGGI discussions:

Arthur Frank made a motion for the EJAB to inform the Secretary, and put into the Minutes, that the Board is in support of RGGI as currently constituted. All were in favor of the motion, which was unanimously approved.

Jerome Shabazz made a motion that the EJAB constitute a legislative subcommittee to develop language to raise the EJAB to the same statutory level of responsibility and rights as other departmental advisory boards. Arthur Frank seconded the motion, and the motion was unanimously approved.

Chairman Cutler will work to draft the letters to the Secretary. Those interested in volunteering for the legislative subcommittee should contact him.

The August 19 meeting will be a virtual meeting focusing on the southcentral region of the Commonwealth. Heather Bedi and Rafiyqa Muhammad will help to organize the meeting. The August agenda will include a formal discussion with the Secretary of raising the stature of the EJAB to the credibility of other statutorily mandated advisory boards.

Adjournment:

Chairman Cutler adjourned the meeting at 3:00 PM.