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National Environmental Justice Advisory Council

June 12, 2008

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John Ridgway

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EPA Members Present:

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Victoria Robinson, NEJAC National Program Manager

Laura Yoshii, Region 9

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Keynote: "---" indicates inaudible in the transcript.

Keynote: "(*)" indicates phonetic spelling in the transcript.

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M O R N I N G S E S S I O N

(9:10 a.m.)

*Review of Previous Day**by Richard Moore, Chairperson*

MR. MOORE: Good morning everyone. You can see from the this morning's agenda that we have got two areas that we are going to be covering. One, is the EPA State EJ Grant Program, and then the second one is the NEJAC's recommendation in action, EPA's CARE Initiative.

We wanted to see if we could do something that may be a little bit unusual, but let's see if we can pull it off. We are showing that the meeting is scheduled to adjourn at 2:00. I wanted to try to push us, if you all agree, push us through the agenda to be done by 12:00.

Now, that doesn't mean that we are going to slide on these two programs or anything, because these are two agenda items, but I am going to try to be a little bit more push this morning and move us along. It is 9:12 now, and it looks like we got a consensus to try to finish the meeting by 12:00. Good morning, Sue.

I just wanted to clarify something. There is not a lot of other people here, it must have been yesterday some confusion about a remark that I made, and some people were coming up to me last night and saying, well, we are sorry to hear that this is your last meeting. And I said, I am not

really too sure, did someone decide it was my last meeting and I don't know anything about it?

(Laughter)

MR. MOORE: And then I realized there was some confusion in the comment that I made yesterday. I know Omega understood me because he nodded his head and grinned, but he may have also thought I was resigning and that is what he was nodding his head about. I am just kidding, Omega, you know that.

The comment was that we were talking about advisory committees. And I think it was Omega -- yes -- that gave an example about the advisory committees and institutions. I won't say just academic institutions, but institutions. We'll broaden that a little bit. And I made a comment that in our organization, and for myself as director of the organization, that we had made a decision that we would no longer sit on advisory committees.

And I thought I said with the exception of my tenure with the NEJAC Council, that we would only sit on planning committees. Because planning committees, for us, was where the gut stuff that we are really talking about in that item.

That is where you decide, you review the budgets, you make decisions about staffing, strategies, goals, all of that kind of thing. So that is where for us we really want to be at. It has just been our experience that sometimes when we

agree to be on advisory committees that that is exactly what it is.

And, quite frankly, in all honesty to the Council members and others, that if I was to come to the opinion, I think yourselves too, that even on this Council that we were making recommendations -- that we make 10 recommendations and we look at the track record and we say, 10 recommendations and advice, and no movement forward.

I think even ourselves that we would start questioning, even on this committee. Well, is our advice really being listening to, and being taken seriously? Now, I would say -- and I don't want to prolong this discussion -- but that that is not what has been happening here. And I think we would all see throughout the years of working with Grant and so on, and others, that our recommendations are ones being taken seriously. And many of the recommendations we made and many forms have been implemented into the process.

And next year will be the 15th, I think, Victoria. I think be the 18th -- how many years of the NEJAC next year?

MS. ROBINSON:: Fifteen.

MR. MOORE: Fifteen years. Next year will be the 15 years of the NEJAC and, Victoria, or Charles, or someone is going to talk to us a little bit about that before we end the meeting today. But I don't want to leave it out there hanging, we are going to do a review, actually, and ask for

everybody's involvement in this, at taking a look at the 15 years of the NEJAC and what recommendations have we made, have they been implemented. If they have, where within the structure of the process have they been implemented.

But anyway, I just wanted to assure myself, I guess, since I am a Gemini, that this is not my last meeting of the NEJAC Council. And I just wanted to clarify any of that, if there was any confusion.

MR. WILSON: I just want to say, thank goodness.

MR. MOORE: I get all these congratulations for your tenure on the elevator. If there is going to be any surprises, don't let me know in the elevator.

Okay, are we ready? We agree to the 12:00, Charles. We are going to move to 12:00 and we are going to try to set this forward. So now, John and Kent -- John has been the Chair of the EJ state programs, and Kent has been the DFO. So we are ready for this report and discussion if you are ready.

EPA's State EJ Grant Program

by John Ridgway

MR. RIDGWAY: Thank you. This is going to be, hopefully, a kind of quick and rough review of what we have done, I think, relative to the other presentations that you have seen. This is a smaller charge, it is a smaller workgroup, and we have a relatively short turnaround, and we will go into the details of that.

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I want to first start by referencing a call I got from Charles back in the fall asking -- well, letting me know that he was very interested in seeing an opportunity for states to be involved in the grant program, and asking if I would be interested in helping. And I said, absolutely. I stated to the NEJAC in the past many times, I think there is a key role for states to support what EPA is doing regarding environmental justice. And I need to enhance the collaborative opportunities there.

There is also other entities beyond state government as well, but for the most part, the support has gone to local communities so we are looking to reinvigorate ways to draw more states in, and enhance what some states may have already been doing. And, again, we will go into details in a moment here. We will have time for questions, of course, and comments at the end.

The charge for this came out in the spring and members were identified. So they are Kathryn Brown, and Jode Henneke, Lang Marsh, myself, Patty Salkin, and Donele Wilkins. And, again, Kent here is our Designated Federal Officer, and I might add, a great one at that. I am really glad to be working with him.

We also want to make a point, and I am going to just kind of go through what is up on the screen there. It is not

a nice fancy PowerPoint presentation, but we don't have a handout for you so that will save you a little bit of paper. These will be made available through Victoria on the NEJAC website after this. So you will be able to get it at that point.

We also think that states have a way of supporting EPA, as well as the communities in the EJ issues that are going on within states. So we are hoping that both of those can be addressed.

Okay, Kent, I am going to pass it over to you.

Comments

by Kent Benjamin

MR. BENJAMIN: Okay. If Julie would be so kind as to switch over to my elaborately crafted PowerPoint. I sent this out to the top PowerPoint producers in America.

MR. RIDGWAY: You make me look bad, Kent.

MR. BENJAMIN: It's only five slides.

(Slide)

I did this because we are talking to a lot of folks to get -- and I want everybody to be on the same page, so I wanted to share the same information with you that I have shared in a couple of other settings.

(Slide)

People have been asking sort of why are we proposing to have a state EJ grant. And one of the reasons is we

recognize that states are sort of an under utilized EJ partner. It has been awhile since we gave resources to states in the EJ context, but we have given \$31 million in EJ grants to communities over the last 10 or so years, and only \$1 million to states.

The states are ready to support this EJ and using our grants to enhance their programs. One of the ways that is demonstrated is there is 42 states with some kind of statute, or EJ organization, or regs, or something that fits that suggest that they are ready to use some additional help and partnerships with EPA and even their community-based organizations.

Also, when we work with communities, we do get results in those local areas, and we do get some transferability, but we suspect that if we work with states we can get some wider transferability across statewide areas at a minimum. So, we can get more bang for the buck.

What we are doing nowadays, especially, is we have to really show results for our work. The Administrator talked about that. Everybody is sort of beating that horse, but our resources are limited, but we find with leveraging and partnerships, we are getting a lot more out of each dollar. And that helps us to attract other dollars.

(Slide)

So, the purpose of this grant is to do what we have

already been doing. Especially, emphasized in the last few years. We want to make sure that EJ continues to be promoted and integrated into the approaches and activities that states undertake. Over the years of coming to NEJAC, folks have said, you know, activities of states and EPA sometimes produce disparate impacts.

So, we want to encourage those things that don't produce disparate impacts. Or, sometimes, they might think of disparate benefits is what we are trying to get to. Focusing on those with the greatest need, and where the greatest results will come from investment.

We have to really be focused, as we heard yesterday, around environmental and public health oriented results and projects so that we are not just saying we are going to produce a pamphlet, we want to encourage real meaningful activities here. And these things cannot just be done in the state vacuum, they have to be done through partnerships. So, as we craft the requests for proposals, et cetera, we want to make sure we capture things that promote partnerships.

This is all being done in ways that learns from the past. Going as far back as the NEJAC Public Dialogue, Brownfields Public Dialogues, 13 years ago. You know, you bring folks in, you hear what they have to say. You bring them in partnership. All those recommendations from the NEJAC to the development of CARE, the things we have learned around

CARE, are all going in here. We are getting good results, good relationships. They are blossoming and organically growing, and we want to do that in this context as well.

The final key point -- these are not the only purposes that will emerge from this process, but these are some of the key ones we want to identify early, is to connect to regional action plans. Now, some part of that may be connect to action plan elements that will be out there as people develop their applications, but some part of this is as the states develop an application, they may partner with the regions and say, here is something we want to work on in the coming year, let's put this in your next action plan.

(Slide)

So there is a wide-range of things that we might fund. We have talked about potentially funding some internal staffing at the state level, but not to the exclusion of all other activities. We went very retro. See, that is what happens when you get the top PowerPoint producer.

We also want to say that we know states are saying, if only I had this data, or states have data that EPA doesn't have, so they could do research with the data, gather more data, look at the data they have and figure out where they want to focus their resources. Or, maybe they already have things in place, but if they had this additional money, they could do research to better target those applications.

Training. Sometimes they have their own training, sometimes they want to partner with us, sometimes they want to train some parts of their state that they haven't trained, or robust broad partnerships. We got enough of that one.

Integration. We are not talking about doing new things, per se, we are talking about make sure that the good practices that have been talked about in NEJAC for 15 years are being incorporated into state behaviors.

Outreach. Maybe they have got some good things in place that they just need to communicate. Maybe they have put together their state plan, maybe they put together their state law, but they haven't marketed and promoted that across the state.

We know in the EPA a lot of times you all -- senior managers, like Laura Yoshii here, and you see some of the staffers -- in most government organizations, it is the middle folks who you have to get to. That is the kind of outreach that you can do at the state level.

Our EJ coordinators, you have heard them over the years, they work with folks like Richard directly. But Richard doesn't always see that middle person. So, reaching that person to get them bought in is part of something they might do.

Measurement. Sometimes people are doing things that they just haven't documented. And then, they might get more

resources internally if they could say, here is what we have done here and could lead to something else.

An example that I will take from the CARE Program -- and you will hear a little more about this later -- but there is an anti-bus idling program in St. Louis. And the 600 drivers have signed up to not idle buses in front of schools in that area. And we know how much diesel emissions come off of a bus over a certain period of time. So that is something that if they did a project like that, they could measure those things.

And sharing these kind of measurements so that others can go through a check-list, perhaps, and use those to craft their work. Some of the things we are talking about. Perhaps, they have done some other things and they want to see, they want to evaluate their successes.

If they have just done it -- you know, a lot of times we have done things in the past, we produce a pamphlet, and then it is done. We assume everybody is going to read it, everybody is going to access it, everybody is going to go and change their behavior and we will all be healthier.

Well, maybe they can use some of these resources to go and evaluate what they said would be the results of their activities. And then, again, hone in on what best to do, or what to take away, or where to change policies or practices. Similar things that we are doing in the agency.

(Slide)

So here is kind of the rough-out idea of what it is going to look like. And we are refining that with the feedback from this workgroup, we are refining that with feedback from internal EPA folks, and from other outside folks.

We ant to give the money to State Government agencies and their various entities. So maybe that is the Department of Transportation, maybe that is the Department of the Environment. You know, that will be sort of up to the state to figure out which agency is best suited to put together an application. And we will work that out in the details of The Federal Register notice and the request for proposals, and with feedback from various folks.

Also, we only have a limited amount of money to do this. And this may only be a one-shot deal, it may not. But, we are going to fund five cooperative agreements. And the reason I want to emphasize cooperative agreements is because these will be done in a partnership. We won't just give the money and say, let us know how you did. We are going to work together with them, just as we do in the CARE Program.

We are going to be partners and we want them to have partnerships across their states with non-profit organizations, community-based groups, et cetera. Maybe a state EJ network. But, we don't want to end up with one

region, because some regions have very aggressive staff who will go out and have great relationships with their states. We are not going to say, okay, Region 17, you get all five. We want to say no more than one per state, and no more than one per region so we can try to have distribution and various approaches taken.

There a range of activities that I mentioned, it will also be things that will be fundable. And \$160,000.00 is what we are looking at per state. We have gotten some feedback already that that is enough to get their interest. It is not a million dollars, you can't do everything with it, but it may be enough to spark something else to leverage some other things that they have been trying to do.

We are going to do it for three years. One of the things we have learned in the CARE Program, with two years, it is not tending to be enough time. But the process of getting things up to speed, getting the grant funded, getting into their budget cycle, getting the staff lined up, it may take more time than a couple of years.

So, you could do two good strong years of activity. You can have set-up and evaluation time in the three-year cycle. And the support will come from our regional relationships, like we have in the Collaborative Problem-Solving Grant Program, like we have in the CARE Program, as well as headquarters. So they are not going to be left to

their devices, they are going to be supported with various information, staff knowledge, relationships, and other things that will help it to be strong.

(Slide)

So, people want to know, so, how is this going to all happen? Well, we are in the spring still, even though it is 9,000 degrees outside. And this is the period we are announcing it to different folks and refining the concept, and then, moving into the RFP process as the summer goes forward. And that is request for proposals.

And then in the fall, we will craft that and issue it, hopefully, by early December, so that will give folks about 90 days to really put together a good strong concept. Then in the spring, we will collect those, evaluate them by the winter, and then by the spring, we will award those. So it is a relatively fast-track that we are shooting for.

We are also looking to be sort of simultaneous with the CARE application process. So, there might be opportunities for state in the CARE application to sort of think about a continuum of activity that they could be supporting each other on.

(Slide)

This is just to let you know, some of the folks we have been talking to, there is a great group of outside advisors called, the NEJAC. We have drawn them into the

process, and we know that when we have worked with them before we have gotten great products.

The Environmental Council of the States, which is just around the corner, those are the state commissioners, and secretaries of environment, et cetera. We have already put the same kind of things we have shared with the workgroup. We sent that to ECOS, they put it in their newsletter, and they are going to give us some feedback by the end of June that will help us also refine the program.

We created a workgroup of the EJ coordinators in EPA and other folks, so they have direct experience in the field in working with their state partners. They will give us insight and, plus, we are working like dogs for the whole summer. And, other folks as well.

We are going to be talking to the Brownfields folks, the Smart Growth folks, the CARE Program, which you will see when I switch to my hat later, I am also the Co-Chair of the CARE Program.

We are taking all those lessons learned, all those resources, all those relationships, and trying to really craft this as well as we can with the resources that we have to do it.

So, that is sort of it in a nutshell and then we will go back to sort of how the workgroup is taking all this and moving forward.

MR. RIDGWAY: Wow, that is a lot. Thank you very much, Kent. I think one of the things to point out here in terms of this presentation and what I am going to try to do is keep this relevant to what our workgroup charge is, and where you as a NEJAC have a role in this effort so that we can keep the pace going fast.

So, to our fine technical expert over there, I am going to have you scroll down just a little bit right to where it says, the workgroup charge, if you can go back a little bit. Go back up just a hair. There is it. Those five items, that is the charge that we have been given. So we are going to look at how to communicate more effectively in fostering cooperative, robust, multi-stakeholder efforts. And, as Kent mentioned, performance measures and what activities should be funded.

Our workgroup is going to -- we already started this when we met on Monday is to look at these five questions and make recommendations via a letter, as referenced in the bullet at the bottom there, in a draft form to you, the NEJAC, and then for you to send it back, edit, approve, and send it on to EPA so that they can get this project up and going.

So, this is really about an eight week turnaround; which, for the NEJAC, is a challenge and it is a new strategy. And I am looking forward to proving that it is a viable one when need be.

So, go ahead and scroll on down a little bit more there. This is a little more of a detailed draft, and I do want to point that out, that this is stuff that I have taken from Kent's work. It flushes out a little bit more, so some of this stuff you have already heard about, you can take a look if you want to get into the detail.

But, what is in yellow are really the key issues of purposes and requirements to help the public health and environmental efforts, to emphasize appropriate broad partnerships, look at what has already been done and cash in on that. Again, the duration for this project is going to be three years, and I want to point out on that that one example we noted that some states have substantial bureaucracies.

Oregon, for example, they have to get their legislature's approval to just apply for a grant. And then if it is awarded, they have to get the legislature's okay to accept it. This does not happen quickly. Now, that may be a very unusual situation, but those are some of the dynamics that states have to work with. So, having it be a little longer is a good thing to do. As an example of what Kent got into.

Again, about \$800,000.00, or about \$160,000.00 for each. That is not going to buy a lot, but is certainly something that can help. I am on item number three up there. And it is also referenced that there will be matching funds

required, or at least in-kind support and that would not include paying for positions. But to the extent states already have EJ resources, they can be potentially applied to this.

To item four, there is going to be a selection process. It will be a competition. There will be mechanisms within EPA. We are not going to get into that in terms of our workgroup to find the best.

Performance measures are going to be a key. How many toxics have been reduced in the state relative to these efforts. And, I think, that we have to recognize that if we see reduces in pollution in a state, it is very hard to say exactly why that has happened. It is usually a variety of things.

I could be the state's initiatives that are already going on there, it could be in the hands of EJ efforts, it could be what the locals are driving, it could be what the businesses are already doing for economic reasons, as well as environmental justice motives.

But, nonetheless, to the extent that those can be shown as measurements, enhancements to the community, those need to be documented. So we are looking forward to helping states understand and be able to do that in a clear way.

We went through on item six up there, the general schedule, quick turnaround. The RFA out by this fall, 90 days

to put together an application, and then a 45-day review period so that they can get the grants awarded maybe by the spring of 2009.

Item seven, who can be the recipients of this? State Government, in general, we have had already a little discussion within our workgroup about, well, what about indirect State Government, as in universities. And we are sensitive to not seeing a lot of money go to a university's overhead. And we want to be sure that this is going to direct efforts on this effort, so we will be sensitive to that.

Item eight. Now, this is where Kent has provided some more detailed ideas about what kinds of things can be funded. And we, in the workgroup, were curious about this too. So, he mentioned helping the states cover internal staffing efforts will not be directly the part of it, but to the extent that they can support what their existing staff are doing might be good.

Research, assessment, data collection regarding these kinds of efforts are, certainly, going to be considered. What kind of tools can be developed, software, perhaps, maybe even databases that the EJ SEAT might consider in the future. Who knows. Methodologies and published materials could also possibly be there.

Training, implementation of activities that states will enhance what states already have. Our state in

Washington, for example, we have no Executive Order, we have no legislation, we have not formal EJ workgroup, but we do have policies in place. And they have been there for a long time, so we are going to look at what other states can show that could then be copied by those states that are looking for new tools.

Certainly, partnerships and integration has been a key theme. And outreach has been mentioned. Presentations, materials, conferences. And Patty brought up yesterday the element of where do local regional zoning types of entities, planners fall into this. Well, certainly, states should be talking to these entities and supporting them, and looking for input from them because in reference to states being the middleman, that is, perhaps, a simplification.

There is a number of entities in between EPA and the communities that each have that are clear roles. Ports are another example, they not local government, per se, they are not states, but they have a key role in some cases for states to consider how they can coordinate better. As in the movement of goods effort.

And then, finally, of course, project evaluations. And I am glad to know that EPA is going to be working with the regional EJ coordinators, because without that, there would be a huge link that would be missed.

Okay, now down to the final part of this

presentation, the sequence and what we are going to try to do. You are getting an update of where we -- we have had just one conference call, and although we have only five working group members, it has been hard to get them connected. So, to your other workgroups, congratulations. The number of calls and progress you have already made. We are going to do a little bit of catching up.

So, we plan to have just two conference calls and e-mail exchanges so that we can get this turned around to you, the NEJAC, full Council, by the end of July, basically, early August, so that it can then go out from you. We will probably be working with you, Richard, to make sure -- and Charles, that that coordination happens with appropriate time for you to have a look at this and give your input, recognizing that it is the summertime and we may not have everybody's full engagement, but we will certainly do what we can to enhance that.

Kent mentioned talking with these other organizations, including the presentation he gave at the State of EJ in America Conference on Memorial Day weekend. He had a robust crowd of 300 or 400 in your session? Something like that?

MR. BENJAMIN: At least.

MR. RIDGWAY: We need to do a lot to get the word out, and we will continue to do that.

I want to express a thank you to Granta, to Charles for bringing this back up as something for EPA to look at. I think it is overdue. I want to say thank you to the NEJAC in advance for listening to this presentation and being ready to have a quick turnaround review.

I can imagine it may be only a matter of a couple weeks where you will see a message come out, probably from Victoria or Richard, saying, okay, here is that grant thing you heard about, have a quick look, take a look at this letter. We think it is going to be short, somewhere between two and four pages, where we will try to keep our comments focused and clear so that you will understand what we are trying to convey and make it as productive and useful to EPA as possible.

I do want to also add a couple comments. The questions have already come up -- well, first, let me back up. A little perspective in the sense that in the late '90s, there were grants, a Competitive State/Tribal EJ Grant Program, that was terminated in 1999. And in that letter from Barry Hill saying that the funding was going to be stopped on this, it was kind of a short notice.

I was working with a community in Washington State, in particular, to put together the proposal, and the project got shut down by EPA mid-term, while we were developing these grant applications. And, I think, it was the second round,

maybe the third, but only 10 grants were awarded throughout the country.

We are going to take a look at the assessment that EPA did. It was stated in this letter that EPA would be assessing where it went, and we absolutely want to see what we can garner from that assessment. So I will look forward to your help in being able to do that and make sure we are not cuing up any mistakes that may have been recognized in the first effort. Or, ways to enhance what was done the first time around.

But, the reference to state/tribal versus this time you are seeing only state, what is the deal around that? And I know that there has been some conversation within EPA on that and, I think, it is important that we recognize that the tribes are not included in this. So, to the extent, we may want to think about, well, what are the tools for tribes? Should they ask? Should members of this NEJAC that are representing the indigenous peoples say, well, where is our chunk? That may be something that could be a little contentious, or a challenge, and I would recommend we think about that.

They are an entity that is a key element and I don't want to create a competitive situation here, or an unbalance. I think EPA could be considered, viewed as forgetting the tribes, and I just want to recommend that you think about

messaging around that.

And likewise, again, to Patty Salkin's comments about other entities that are key here, planners, zoning issues, Local Government, where it is very clear EPA understands that they do not have authority there. And likewise, states do not usually have authority; although, I was interested to hear that California may have some regulations that apply to local zoning or planning decisions.

But, for the most part, that is a fairly sensitive territory that locals don't want states or the feds to get into. And, yet, how can we help coordinate that, draw in those resources, cross-train, collaborate, et cetera, I think, is something that we want to continue to keep alive and well. Look for funding mechanisms, or support mechanisms, be it to tribes or these non-state local entities outside of the community groups that have already been involved.

That wraps it up. I would be glad to take any questions, advice, comments. And, again, thank you very much.

MR. LEE: Let me make a few comments, just to augment what has been said. And then, respond to at least one of the questions that was raised.

The first is that by way of some report-out on activities, this issue has been -- the idea of a state EJ grant program has been raised at the ECOS meetings, the Environmental Council of State meetings -- at the last one.

And there was some really positive feedback. I know Kent has talked extensively with ECOS, the deputy director.

Grant wants to do an extensive report-out on this at the next ECOS meeting, which is going to be in September. So, we see that as a really important milestone for us.

The second is that it is important that you understand that this is part of our efforts to send a message around what is the point of environmental justice, which is really results on the ground, environmental public health improvements in effected communities.

So, those activities that you see on the listing are not activities that should be looked at in and of themselves, but they all need to address the question, to what end. And the end is environmental public health improvement in effected communities. So, you know, that is our mantra and that is what we want to carry over. And that is what one of the things we want to use this program to do is to send that message. That is why there is that linkage between the grant program and the regional EJ action plan.

The third is there should be some emphasis -- I just want to make sure you recognize that when there is a talk about this being a robust partnership, well, there is a special emphasis in here about the partnership with community-based organizations in the effected communities.

So that, you know, I think as it plays out, one of

the criteria is going to be whether or not there is a genuine, authentic, robust partnership with the community-based organization in the effected community in a way that builds capacity in that organization, and leads to sustainability.

And then lastly, on this issue of eligibility of tribes -- and this is one we have thought about a lot -- and so one should not proceed from whatever decisions that are being made here as indicative of negligence of tribes. Because we consider those to be very important and that, in fact, in the present disposition of FY '08 budget, there is money that is allocated for using tribes in the enforcement context.

But, the question that we would like to get your thoughts about is, is it actually the best use of a small amount of money strategically to mix apples and oranges? Even though there is this issue of treatment of tribes as states, and that is an important issue, is that relevant here? Because if you actually try to do more than one thing that is very targeted, then you might be actually diluting the overall purpose of this, and the results we may be getting.

The fact of the matter is is that it is very important that this -- it is a very important goal to build a capacity within states. And that is a unique set of issues that is not the same as building capacity within tribes.

MR. RIDGWAY: That is right.

MR. LEE: And if we are going to really address the issues of the tribes, we shouldn't do it in a way that is mixed up comparing apples and oranges. Because, I think, that is going to dilute the purpose of this. It is hard enough trying to really make headway in terms of real progress in states in and of itself.

So, that is our thoughts on this. At this point, we are really open to talking about it, but I think you should have the benefit of thinking on this to this point.

MR. RIDGWAY: Yes. Also, in our conversation Monday within the workgroup, we said, well, what if Grant suggested that the state would work with one or more tribes within their state, would that be okay? And we didn't come up with any reason to say no, but I think to your point, Charles, there are distinctive roles and responsibilities that states need to address on their own. And that, certainly, should include coordination with tribes to the extent possible.

It is maybe worth reminding everybody that in most cases, states do not have the authority to carry out environment enforcement, permitting, et cetera, on tribal reservations. That is usually reserved for the federal government. And in that regard, there is a good example of a distinction there that needs to be recognized and not assumed that state government and tribes are the same thing. They are not.

And not that I am an expert on that, but this is a point that is worth reminding us all. But, to the extent states can be encouraged to coordinate with all those entities, including tribes, I think that would be something this grant program should be open to.

Other questions, thoughts, advice from you all?

MR. MOORE: I have got the list, so we are going to roll right through this. Just remake that announcement right quick that the agenda says the meeting will adjourn at 2:00. We made an agreement this morning we are working for 12:00, so for those of you that weren't present here, I just wanted to restate that.

There was just a couple of comments. I think one is that there are states -- and you see them here, you see them present, probably in the last several NEJAC meetings, and some of the other activities that we have been involved in in the State of Pennsylvania as EJ staff is here, and has been here consistently at different times, at different levels. The District, we made that announcement a couple days ago. Art now is the EJ Liaison to the District and he is here.

There has been other states that have sent their EJ staff and EJ coordinators to these meetings. I think that is very, very important. Now, to those states, when you are filling out these applications, or responding to these RFPs, if you don't use the word robust, you are not going to get any

money.

(Laughter)

MR. MOORE: I am just giving you a heads up, okay? Because I was telling someone last night, I said, I have never in my life heard the word robust mentioned so many times as I have had over the last three days. And those of us that happen to be on the fundraising side of our responsibilities, know that there is catch words and everything when you are reading the guidelines, and the criteria, and all of that. So, the catch word here is robust. So don't forget that when you are filling out your application.

You know, I have been very supportive of the state grants and continue to be supportive in that level because there needs to be some real interaction between the grassroots groups -- and the others -- but the grassroots groups.

We have an agreement in New Mexico, we have an agreement with the Secretary of the Environment that the state will submit no environmental justice grants without going through the organizations and letting them know what is in the grant, getting their input in the grant.

And that is, again, the example I was using about the advisory versus some of these other things. Now, I know that that has taken us many, many years of relationship building, and trust building, quite honestly, but we have also assured the Secretary that if we are knowledgeable -- there

were some earlier discussions that EJ grants are being submitted without the consultation of the grassroots groups that we will, to our capacity, go up against the grant.

Just being straight-up and I know there is great people here throughout the states that are interacting with some of those groups. The other real key, and I think it was listed here, was the question around capacity building.

It is very important, as far as I am concerned, in these state grants, or whatever. And sometimes capacity building is less -- what is the other word, robust and measurements, or something. Results oriented. Sometimes in the capacity building aspect of that, it is not so easy in the report systems, and so on, to find language, or whatever, around the capacity building side.

What I am saying is that it is very, very important that if we anticipate, talk about, expect, and all those kind of things, for grassroots groups to be at the table, and we talk about being at the table equally and all this kind of stuff, then capacity on the part of those organizations plays a major part of whether they can be at the table or not be at the table.

And there is a whole set of things that go along with that. So, capacity building is a major element of that. One of the other comments is around the -- I think it was the other state grants remembering just one thing -- remembering

back, and I think it is very important, and both of you said it -- that we review the evaluations, whatever the words were that you used, both of you.

Looking back that what was positive about the grants program when it was being implemented, and what was very challenging within the grants. Now, one thing -- and I think in the list of things that both of you ran down here -- one of the things from my opinion that was not at the level that this report is, is that some of the states were submitting grants under the state EJ program. And when the grants came in, they integrated the money straight-up into their own programs. There was no EJ element within that. And that was one of the things.

And then lastly, just two things. One, I think, that we need to continue to not only be discussing, but in practice and implementation, that tribes have access to grants. We very clearly do understand the question of sovereignty tribes as being treated as states, and so on, all that maybe sometimes sounds good, but in practice sometimes that doesn't get carried out that way.

So, it is very, very important as a NEJAC Council that we continue to support the efforts. And I am not saying I am disagreeing with anything that has been said, but that we continue to support the efforts for resources going into not only tribes, but resources going into grassroots organizations

that work within native nations. That are housed on reservations and pueblos, and so on, throughout this country.

So, I just wanted to get those out, if you think I am kidding and you don't have the word robust in there, you will not get a grant no matter how good your proposal is. So, let's open it up for questions. And if I am correct, I think it was Lang, Omega, and Kathryn. Lang.

MR. MARSH: Thank you. Well, I was a participant in the earlier grant program in Oregon, so I am a big fan of having a robust state grant program. I think it is a great initiative on EPA's part.

In the workgroup, I made the comment that, in my view, the best way to build partnerships at the local level with the community groups, and to build capacity, both at the community level and in the state itself, is to focus a significant part of the grant program on the ground projects. That the community capacity building and the demonstration of actual results in environmental and health outcomes is going to come about through activities on the ground.

And that the learning process, the training, how you do measurements, and so forth and so on, happens in the course of doing projects. And, that if you want to leave something in the states where the grant program operates, that probably the best way is to build the capacity to do projects so that they can be replicated over and over in many different

communities. And, to build a network among the community groups across the state which, I think, can be very powerful.

We had a pretty good governor appointed EJ group for -- under Governor Roberts, I think, established it back in the '90s. And the learning process and the mutual support, I think, of having a statewide group like that convened, hopefully, by the governor can be very powerful.

And I think the other piece that is extremely important to me to try to build into this is to encourage integration among state agencies. We didn't do a very good job of that I thought in the first round grants. But, I think, that is something we can learn from and try to see, use models from different states that might be encouraged in the grant application process. The workgroup, maybe, will give some more thought to how to do that.

So, anyway, I just wanted to lay my bias out that projects are the way to demonstrate the collaborations necessary to get this work done, and to get the results, and to build the capacity.

MR. MOORE: All right, thank you. Omega.

MR. WILSON: The first thing I want to say is my shoulders are heavy, and I am sure Richard's are too. We turn out, at this point, to be the only community representatives here, unless I am mistaken. And what I am hearing is not totally digestible. I have been chewing on it since Kent did

his presentation on the same workshop we participated in at the Environmental Justice in America conference at Howard University.

I had problems with it then, and I still have more problems with it the more I hear. Part of the building process that we did several years ago had to do with a community-based environmental protection project. And we learned a lot from it, and that was a toolkit that had to be pulled out of a dusty closet for us to use it. But it had a lot of very good things in it and there was no money available for it. And that came out of Office of Environmental Justice.

I don't know where a collaborative problem-solving process is going now, the grant is going, or whether there is going to be a future in it or not. And my concern is the community effort, and community capacity, and community funding, is being so ---, or just being dissolved, or faded away with the process we are talking about.

I don't see any way in the world that community groups can deal with the politics, and the bureaucracy, and the racism, and the hatred, and discrimination -- I am getting raw, I guess, I am tired -- of all the sometimes political BS that we go through around this table. I don't think the sincerity is there at this table. I am sorry. It is just not there, because it seems to be right now we are dancing around a pretty presentation, and some very glossy paperwork, and

beautiful brochures, and it is not touching the ground.

I have been participating in this process for 18 months now, and have been asked to continue to participate with EJ SEAT, and I am becoming more and more frustrated with the politics that just don't do anything. We do not have our participation from the Native American people who are on this committee today, we do not have our participation from other community groups, and I can't speak for them and why they are not here, but I do hear a lot of side-talk, or conversation talk, or e-mail talk that we are doing a whole lot of BS talking and no work.

And the process drives away people from the community. And this says the same thing, is reiterating an institutionalized approach because we already know, as Richard has stated, at the state level, the states aren't interested in EJ. And unless it is a part of the application process, in the scoring process, they are not going to integrate it unless they are drive to a wall, they are not going to make it EJ when it comes down. It is going to be something that doesn't even look like it is akin to what we are talking about.

And the structure that we are hearing, that I am hearing from the community perspective, is going to give license to states to milk down, dilute, disguise, and you will wind up with somebody running around with an EJ title at the state level that doesn't know a septic tank, a landfill, never

been in one, never lived in a community and don't care. And all they are doing is dressing the political satisfaction at the state level, and the federal level.

So, maybe I am walking away from this table at this point. And maybe that is a consideration. But at this level, I am very frustrated with the bureaucratic process we are going through that just never seems to touch the ground. And I am throwing my political hat away and just saying what I need to say at this point. Because I am tired of the process, I am tired of the process that for whatever reason drives the community groups away, this is designed -- EJ is designed to deal with environmental justice communities.

And if anything, you should be coming up with a way to get more environmental justice communities at this table and keep them here. If it is coming up with grants to get them here, if it is coming up with funding to get them here -- and not per diem, because I am working here at a deficit. The per diems don't come. I get stranded in airports and stay all night. The refunds are half what they should be. Right.

So, I know Richard has been stretching his neck out for years, and years, and years, and years, and years. And we have been too at the local level, and this is a friendly environment, but I don't think this environment kisses the situation like it should. It doesn't embrace it like it should because most of you do not live in the filth, in

smelling sewage everyday, and driving on dirt streets, and wastewater treatment plants that you live next to and the chemicals from the plants.

You don't live it. You don't smell it. You don't see it. You don't digest it. And you don't see your children staggering around for some reason you can't understand because you are not impacted by it.

There is a whitewashing in this process, the paper creates more paper, more paper, and more paper, that means absolutely nothing. And we need to change that focus, and doing what we are talking about doing at the state level doesn't change the focus. It just creates institutionalizing more bureaucratic BS.

We have to stop that and come up with some kind of way to get community people, tribal people to the table, and keep them at the table so if you don't like what they say, or like what I say, work through it so we can get solutions that are measurable at the ground level.

If you are doing funding for state levels, it should be required that they leverage more money. Kent and I talked about this. It should be required that they come up with community groups that they are working with. It should be a part of the process, and it should be measurable. And the outcomes should be measurable.

It shouldn't be \$160,000.00, it should be you

leverage this \$160,000.00 if you get this grant to \$2 million at the state level. These communities are paying taxes at the local level, the county level, and out of their income and their salaries, and the food they buy.

So, I think, this is a whitewash. This is patting yourself on the back for doing nothing. And we need to change it. Where are the grants that are going to come directly to the community? Is a collaborative problem-solving thing going to still be there? Is CARE going to be expanded? And I have a CARE application in, so what I am saying now may wind up jeopardizing that. Maybe I don't have a grant at all, maybe it is not going to be considered because of the kinds of things I am saying.

And I am not preaching to the choir, right. I am supposed to be preaching to the other preachers. And right now, nobody wants to preach, and nobody wants to sing but Richard and myself in this room. Amen.

(Applause)

MR. LEE: Richard, let me say a few words. No, I appreciate -- I think we all appreciate everything you are saying, Omega. And I think that everyone should just digest what you are saying, but I do want to make sure that in terms of just points of fact, that certain things are on the table.

In FY '08, we are continuing the Environmental Justice Small Grants. The RFP went out in April and there are

going to be 40 funded this year, or up to 40, and that is going to be four per region.

The Collaborative Problem-Solving Grants are going to be evaluated at the end of this year when we have the staff capacity to do that. There are things about that process that needs to be thought through and make sure that the proper -- that we are doing it in the best way possible.

I think that part of where this all goes in terms of a larger thinking about how to best provide resources to communities, effected communities, is a larger problem. We want to look at our larger than just those grants that OEJ administers, but look across the agency overall. And that conversation that we started to have a systematic discussion about connecting or strengthening the connections between environmental justice and CARE in order to service apply a catalyst for that larger discussion.

So, these are just things I just want everyone being mindful of. On the question of the participation of communities on the NEJAC, we are very mindful of that. We are not pleased with the fact that those persons who we have appointed on the advisory committee have not been able to come. And in terms of support for persons that serve our federal advisory committees, that is done according to the provisions of the Federal Advisory Committee Act, which is to provide travel and per diem. And that is that. I mean, we

have to abide by the provisions of the FACA regulations.

So, as a matter of points-of-fact, I just want to make sure that those things were on the table.

MR. MOORE: Okay, I wanted to thank you, brother, for those words. Well, I am going to leave it at that. Let's go through the list and I will comment again later on. Kathryn and Victoria. Okay, Kathryn, Patty, and then Victoria, sorry. And then John, we are going to come right around that corner. Kathryn.

MS. BROWN: This seems incredibly mundane, but my understanding of the charge, Charles, was different. And based on our conversation Monday, I am a little taken aback. But, one of the issues that we did discuss in the workgroup on Monday was how do we grow EJ programs in states where it isn't happening now.

And there are networks of EJ EPA folks who are meeting -- they are meeting on a regular basis and they are creating sort of a critical mass within the agency to work with community groups. So, one of the issues was how do we just not continue to put money into the same states, and the same programs -- because they will be the most competitive in the grant program like this -- and how do we start networking out to other states to start to build some kind of EJ capacity at the state level within this bureaucracy?

Now, whether or not that is where it should happen,

and it should happen from the ground up versus at the state level, but it was sort of given to us as a de facto, this is where the money is going and how the money is spent within that framework is a lot of what was discussed here. But there really was a fair amount of discussion on Monday about capacity building within state agencies to better be able positioned, but also with the skills necessary to work in EJ communities, and on EJ issues.

I hope this doesn't supplant other funding for communities, but I think it is also fair to say though, in a partnership, there needs to be capacity building amongst all partners. And if this is putting -- \$160,000.00 isn't much, but if it is putting some funds in to build the capacity of states that aren't there yet, and if we can support mentoring across states, and across groups that are active and have spent some time in the field and with communities, that seems like money well spent.

So the reason it came up is this issue of where are we building capacity. And, hopefully, it is not of one to the exclusion of the other, but I think it is fair to say that we do need better capacity within some state agencies. And, especially, I mean, we had folks from different regions in the meeting on Monday and they were speaking very positively about that networking process for them, and how they have brought others along. And rather than the rich getting richer, if you

will, within the EPA framework, is there a way to build capacity within EPA at the state level in states where it is not happening.

MR. LEE: Let me just respond to that in terms of clarification. And, again, I think that there are certain points that you made that I don't think -- that should stand for itself, and I don't want to respond to those, but I just want to clarify.

I think that it should not be assumed that the discussion of a state EJ grant program is something that is happening in isolation of a larger strategy that is evolving. That is around working between EPA and states, in general. So, part of that and some of the positive developments we have seen is the work between the EPA regions.

In fact, the majority of EPA regions with their various state EJ coordinators. We see that as something we want to promote, and that has been a very robust process in many cases. You know, that has been very mutually supportive.

I think we also have to recognize, and this is part of, I think, a larger charge we may want to put to the NEJAC around the more difficult issues around understanding how to integrate environmental justice in the states among states.

I would say that there are -- not to go into too much detail about that, but I think that that is a larger issue. And we see that this grant program as a first step --

it is not a lot of money, but it is a first step in terms of being a catalyst towards a better understanding of that larger process in the challenges and goals that are involved there.

The third is that, I think, that it would be a mistake to assume that us giving money, EPA giving money to states does not come with certain strings attached. And one string that is attached is building capacity in the communities. Who is to say that EPA should be the only agency building capacity in communities?

In fact, I think, Richard and others' point about that there has to be some money set-aside, some evidence of, demonstration of some relationship, a partnership, and support of efforts in communities to build capacity as part of a robust results-oriented, on the ground project is what we are looking for. So, I think to counterpose this in terms of one versus the other would be a mistake.

The third thing I just want to say in the larger scope of things, we realize that the ultimate goal -- I mean, what we are going to hold ourselves accountable to in terms of environmental justice at EPA is whether or not there are results on the ground. To achieve results on the ground requires a partnership, the alignment of a large number of groups. And, you know, we are trying to create a larger understanding, conversation about that coming into being.

And just by saying that, there is no -- there should

not be any kind of inference there that we do not believe then a core of what we do is to support empowerment of communities on the ground.

In fact, we think that if we do this right, if we do this with all the kind of taking into serious consideration, or that you are saying or other people are saying, it will improve empowerment on the ground. Because we will be bringing community groups into better alignment with organizations and institutions that they need to have to be working with.

MR. MOORE: Okay. Now we have got a long list, and we are not going to be able to respond to every -- in a long period -- to every comment that is being made. Now, I just want to say, and Patty, Victoria, John, Chuck, Laura, I just want us to understand something as we are going through this.

I don't want to speak for Omega, Omega does very well speaking for himself. All of you know that one of the concepts or themes of the environmental justice movement is that we speak for ourselves. So we don't take that just to mean in one particular area, we mean it in all areas. The movement is decentralized, it is not centralized.

There has been a lot of decisions made in the environmental justice movement that we know, quite frankly, was going to be very, very challenging. We made in this hotel a decision in 1991 that there would not be a national office.

What I mean by that is that there will not be one body, because you all know later we opened up the Washington Office on Environmental Justice.

But what I am saying is that when we decided to decentralize this movement, we knew the challenges that was going to go along with that decentralization. There is a whole series of principles on environmental justice, a whole series of things that got pounded out day and night, and all hours of the morning, and so on, in this room, in this hotel in 1991.

Now, I am saying because on one hand -- and I continue to be where I am at, and I understand Omega's comments, because one of those points being very clearly -- just one of them -- is that within the EJ Small Grants -- and now I am trying to keep us focused in and not completely focused out -- we saw a decrease on the EJ Small Grants in terms of the amount, and so on.

No one here needs to try to justify it, or whatever, because we understand the administrations, and from one administration to the other administration, we understand all of that stuff. But what I am saying is is that there was a decrease in the EJ Small Grants, as one example. And there is limited resources.

And then there was a decision made around the EJ Small Grants within the regions that for awhile that only one

group -- 1, I think, was the one priority region, or whatever -- or, it may have been two, but it wasn't many more than two -- could only do the EJ Small Grants.

I am not saying who, we are not talking about justifying the situation, or any of that kind of stuff. The regions know, and all I am saying in this process is if we are going to talk about community people, and grassroots people, and being at the table, then we have got to look at assisting in building the capacity of those organizations.

We are doing a lot of very good things that I am very proud to be a part of. But we have said over and over again, you can do those very good things, but they might not be able to be implemented because if the group don't have the capacity to continue the process, then they are not going to stay at the table.

So, did we e-mail them and they didn't respond? They didn't show up for the meeting. Did they -- whatever. I mean, all of those things, we don't want to continue to go through all those things over and over years. You want to talk to one of us, and you sent us an e-mail, then call us on the telephone.

I mean, it is all those kind of things that are very, very -- that seem to be just very, very simple. That somewhere in the madness it gets very complicated and complex. So, one of those points, one of just several points that I

support of Omega's comments, is and was around the capacity building. And will continue to be around the capacity building.

And so then with that said, then we see -- and I am going to go through this list, and I know what we did -- then we see all these so-called new and exciting things that are happening around us. And these discussions that we have been having. And then you see the organizations, what about the capacity? Part of it is the capacity. Capacity participation.

Some of the groups that existed two years ago don't exist today, and they didn't throw in the towel because they were tired or frustrated or whatever, they threw in the towel because they were run out of business. I mean, that is just the reality of the situation.

So there is a whole series of things when we say that. I mean, that is why we need this green job thing, and about this, and about whatever. You know, I mean, very important stuff, don't get me wrong. Don't get me wrong. But, from where I come from, it is very important from where I am at that the Office of Environmental Justice -- Charles and I have had this discussion, I had this same discussion with Grant, I have had it with Laura, and I have had it with Larry Starfield, and some of the others at the local level within the regions -- it is very important that we continue.

And we do have some leadership in some of those regions that are really attempting to help make these things possible. It is not just these grants that we should be looking at. There is other grants inside the structure of the EPA within the regions and within a broader structure of the EPA.

In the past in the NEJAC Council, one time we asked for a review of all grants. Of all grant giving programs within the structure of the EPA to look at and to see what will say was the EJ criteria, or whatever, whether it was there, or whether it wasn't there.

So, I don't want us to get hung up on one level of just these grants, because they are not the only grants. But, I do believe that, based on some of that stuff that was reported back, that there is a little bit more of a check system that was in the state program beforehand. And I was here when that program was being implemented.

I want to say that, I want to continue to say that, that we need to do this. We need to monitor the situation, we need to stay in those processes where we are monitoring, and so on. So let's go down the list. It was Patty, Victoria, and then John, and then Chuck, and then Laura. Patty, I am sorry for taking awhile to get to you.

MS. SALKIN: No problem. I just wanted to thank Omega and you for your comments. It is a lot to digest, and

while I not prepared to address it, nor is our agenda allowing us to address it now, I just think that it should be something for a future dialogue. I think it begs a lot of conversation and it shouldn't go unnoticed.

And part of my question is really to Kent. I wasn't able to participate in the meeting on Monday, and on John's slide it said that we were not going to address the reviewing part of the applications. And I just had a question, because this goes to organizational capacity in the community.

When EPA, the EJ Grants, are there community groups that are invited to review the applications with EPA staff?

MR. BENJAMIN: No, EPA grants are reviewed only by EPA people. And the decisions are ultimately made by the top management level.

MS. SALKIN: I guess I would like to just suggest an idea for the future as we go forward. Over the years, I had what I consider to be a good fortune, because it was capacity building for me to be an outside grant reviewer for HUD Grants and for Administration on Aging Grants.

And what that did was allow me to sit with the agency reviewers with a review sheet looking up how the RFP was written and how those applications are going to be reviewed, how they are written. And, I think, for the people that write the grants for a lot of the community groups to be able to, when they are not submitting a grant -- and a perfect

case is a state application, if that is how this program goes forward -- to be able to sit with EPA staff and see how they are reviewed, how they are scored helps later on when you are writing a grant.

I think you learn a lot of information from doing that, there is a little bit of training that goes along with that. And maybe that is something that we can incorporate going forward.

MR. BENJAMIN: Well, I won't really address the larger part of your question, but what I will share is that in the CARE Program, one of the things we do is we -- everyone who applies, if they want to hear sort of how they could improve their application, they get a telephone conversation on how they could have improved their application.

And also, we keep a running system of questions and answers so when somebody asks us a question, we don't give them an answer, we put it on the website so everybody can see that same answer.

Now, in the short-term, this is possibly a one-time thing, maybe it goes further, but we are going to learn from all those pieces and are going to use insight and input from all those experiences as we craft this. But that is why we are taking copious notes. There is no RFP written yet, so all the feedback that you are giving us, and all the comments, and all the concerns we are capturing that in the process.

MR. MOORE: Thank you. Victoria.

MS. ROBINSON:: I am going to digress and just go to a process point for all the members. In looking at the still to do, the timeline, just be cognizant of the fact that in July once this letter goes to the NEJAC, any deliberation we need to make sure we try to schedule a public teleconference call since we won't be having an opportunity to meet face-to-face to actually discuss the letter in a public venue.

So, that may mean then an additional public teleconference call, or trying to coordinate it, adjusting your schedule to reflect those kind of needs. I just want to make sure you keep that in mind.

MR. MOORE: John.

MR. ROSENTHALL: I have a question to Kent about the process, and then I want to respond briefly to some of the things that Omega said. When EPA puts a limit on the administrative costs that can be included in a project, do you have any data on what the responses to those RFPs are?

MR. BENJAMIN: I am not quite clear on what you are listing --

MR. ROSENTHALL: Some of the RFPs have limited administrative costs to 10 percent. Or, no administrative costs can be used on that particular project. And I am just wondering if that limits the number of applicants?

MR. BENJAMIN: I wouldn't be the right one to answer

that, I can ask in our Grants Administration Division.

MR. ROSENTHALL: Okay.

MR. BENJAMIN: They may have information on that.

MR. ROSENTHALL: Well, that may be something to consider in these grants when you want to make sure that some of the funds go down to the community level and it doesn't stay at the state level and used for administrative purposes.

And some of the comments that Omega made, I represent small towns. When I go to USDA a lot, they don't have a clue. You have people making decisions about small towns, don't have a clue about how small towns work. And I think that some of the things that Omega made, some of his comments, but the difference at EPA is that you do have people who are committed to environmental justice communities and try to work for them, and help them out.

Now, we have a tendency to beat up on EPA a lot about what they do in their grants. And one of the reasons that is done is because you are in the room. But EPA is one of the smaller agencies, and these communities are ruled and governed by -- and as I understand, there are 17 federal agencies subject to the Executive Order on Environmental Justice -- and EPA has one of the smallest budgets there is.

I would suggest that we concentrate on seeing how we can use the power of EPA as the lead agency to open up some of those funds from the other agencies to look at capacity

building in small communities and to make them work. And there are some difficulties and challenges involved in working with community groups. Community groups that don't have the administrative capacity to handle the grants.

And I would suggest that EPA has to hold those communities accountable to the same degree you hold other people accountable when you are dealing with everybody else's money. Because there is fiduciary relationships there.

I echo Patty's point about inviting the people in to help review the comments, because I have been through that process as well, and I tell you, you can ask the questions, but there is nothing like sitting in the room and seeing how people make those decisions. And seeing how that discussion goes to help you write your own proposal in the future.

I would also suggest that it may be worthwhile for us to do a conference call, or something, just to focus on how do we truly help the communities with their capacity building and help them to sustain themselves. I don't believe that it is EPA's responsibility to sustain any community group at all. I think it is the community groups' responsibility to help sustain itself.

And, I think, EPA and the total Federal Government has the responsibility of helping those community groups. And, Omega, when you were out of the room I was suggesting that the EPA has probably the smallest budget, if not the

smallest budget, in the Federal Government. And that emphasis should be placed on looking at all the other 16 agencies subject to the Executive Order and seeing how we can carve out a lot more of their funds for community groups, and for capacity building projects.

MR. MOORE: Okay, Chuck.

MR. BARLOW: I had one practical question, and then a comment. Is there anything that would in this envisioned grant program that would preclude the state from finding its matching funds from another partner? I mean, for instance, my corporation, or some other corporation, wanted to try to help develop a project with the state partner, or a local partner, or a community group partners, is there any reason that a private entity could not help fund the state's match if the state was having trouble getting authorization to find the matching money?

MR. BENJAMIN: No reason that I am aware of, or that we anticipate putting in our language.

MR. BARLOW: Yes. Okay.

MR. BENJAMIN: And I think that most states would probably be enthusiastic to have additional resources to do some of the work; especially, if an organization or corporation, or whatever, can reach out to like an EJ network, or EJ groups to begin a partnership well in advance of any effort, I think that would be well received.

MR. BARLOW: Yes, that is sort of what I -- thank you. That is what I was saying. The other, I just wanted to respond briefly to something that Omega said, not that I disagree, Omega, with anything you said. You are an honest and candid person, you know. Quite frankly, I find you very easy to talk to because you are honest and candid.

But I would like to say that, I think, there is benefit in creating some state institutional knowledge and ability to deal with EJ. And I sort of think maybe I am a poster child for that. Ten to twelve years ago I was General Counsel at Mississippi DEQ and started working on environmental justice projects about the same time through the American Bar Association, and through NEJAC. Because there was a member of NEJAC at that time who was also in the leadership of the American Bar Association, Ken Warren this was, who started getting me very involved in this.

And as a direct result of that, I was allowed to write an environmental justice policy for the State of Mississippi. It was a policy that was -- and it was issued by the Executive Director that requires environmental justice consideration of every permit that is issued by the Department of Environmental Quality, and that requires environmental justice considerations in the enforcement processes.

Now, I haven't been at that agency in several years, so I can't attest to what they are doing or not doing, but I

know that policy is there and I know it is on the books because I wrote it and had the Executive Director sign it.

So, I certainly don't think that it needs to take away from endeavors that are quite possibly more important, Omega, but I do think that there is some value, wherever it ranks in the priority scale, I do think there is some value.

You know, I realize that I am -- Omega, you may not call me brother, but I want you to call me friend. Even though I might not be a brother.

MR. MOORE: Okay, no response. Omega, no response. We will save that for a little bit. Laura.

MS. YOSHII: Internally within the agency, we kind of have concurrently have the opportunity to make some comments as the NEJAC Subcommittee is considering this. And I just want to share that, Omega, there is many people that have expressed the same concern that you did in terms of a fundamental concern that limited dollars that come into this agency that directly support communities, very little of it does, that it kind of kills many of us to see it redirected to the states.

I mean, that being said, I have had also some really good conversations with Pat and Charles about also the value of continuing to engage the states and getting them to invest. So, key to me, if we move forward with this, would be getting at -- and I want to underscore what Omega said -- and that is,

it has to leverage other funding. Because for us to make progress in environmental justice, it does mean more investment in the communities.

So, part of the incentive for them building their own capacity should be their commitment to find the wherewithal and the resources to commit to communities. And if we could get that through some of the grant proposals, and then also do something else for the other proposals that come in, presuming we won't be able to fund them all, is to then look at that and say, how are we truly integrating those ideas, and those proposals, into what we can do through out mainline grants? Through our other programmatic grants.

If the states and we are really committed to environmental justice and integrating it into all we do, including all of our grants, then we should be able to make great progress. I just urge us to consider that.

I also just echo the bias that, Lang, you were expressing that any of those awards the states, really, I feel should be recognizing those states that have built some capacity and can get the money down to the communities. And that could show the collaborations and model that.

Certainly, we could share it with the other states, but we want to reward the states that have made those investments, that have built some capacity, and can now get it down and deliver real results for the communities we serve.

MR. MOORE: Okay.

MR. RIDGWAY: Can I follow-up on that just quickly on Laura's point. The states received millions of dollars to carry out the federal law as delegated or authorized entities. Through the TOSCA Program, the RCRA Program, the Clean Water Act, the Clean Air Act. Millions of dollars.

And I think this is a point, personally, I would throw out there to Laura's point. Where does it say those grants have to address EJ? Where does it hold states accountable to make sure that there is recognition of that? There are measurements around that that support it. I hear that very well.

MR. MOORE: Jode.

MS. HENNEKE: It is already there, it is in the Performance Partnership Grants. It is embedded within those programs. I can only speak on behalf of the state that I am here representing. I can tell you, it is in our Performance Partnership Grants.

And my appreciation is it is in every state's Performance Partnership Grant. How those are interpreted, I can't speak to, but I can tell you it is in ours.

MR. MOORE: Okay. Charles, I am going to ask -- I know we are moving along consistently in terms of this discussion. I wanted to make a comment or two, and I wanted Omega, if he chooses, to make a comment or two now.

I don't want us to feel that we have to be so defensive about so many things that sometimes some of us weren't here that participated in making those decisions, or whatever. We are talking about moving from where we are right now forward.

And from my opinion in that, that there was some good intent in terms of developing the previous processing for the state grants, but that there wasn't the systems in place, and so on, to engage in some of the discussion that we are having now. Now, some of this discussion comes from experience. It comes from doing some things sometimes, or testing some things, learning from it, and then going back and redoing it. So I just want to identify a couple of points.

One is the Peer Review Committee. It has been very, very crucial that those that are making decisions about much of our lives, or whatever, whether it is the state grant process or other, are very knowledgeable and very equipped to be able to engage in making decisions. And not only going through what is on that paper -- because a lot of paper looks real good sometimes, and it looks excellent, but if the only thing that we have got to do is judge it based on the paper, that is one thing I would hate for us to come to find out later that the budget for a state EJ work was \$160,000.00. Because then that would say that the grant was for \$160,000.00 and the budget for the state -- I am just using an example for

that particular agency, or whatever, is \$160,000.00.

We have seen a lot of these things, I don't want to repeat a lot of this stuff. We have seen people replace language and call it EJ -- insert some EJ language in there in their strategic plans. We have seen a lot, we have all experienced a lot of things.

So, I believe, from at least where I am at, that it is very, very important. I think it has been said that we see some real grounded commitment on the part of the state agency that is beyond just doing a good paper. There needs to be some follow-up things.

And I know you have listed some of those in this in terms of really outreaching a little bit more, like we have done in some other areas over the last couple of years here just to see how this thing is really being carried out in practice.

It was mentioned yesterday, or the day before, this partnership thing. I saw the partnership piece up there. The advisory events is the planning process. Some of that is real crucial to all these grants. We just happened at the moment to be talking about the state grant.

So, there are several processes that need to be in place there, so I wanted to move us for some closure on this discussion. If there is any -- Omega, I would like to go back to you and see if there is any last comments that you would

like to make about this, and then go back to John and to Kent. And then if there is any closing pieces, or there is just a need for someone else to speak, then that is what we'll do.

So, Omega.

MR. WILSON: The first thing I will say is, Victoria, has cautioned me about preaching. Chuck, you are a friend, it is not a matter of being considerate. And the things I am saying have nothing to do with my personal relationship with any of you and the people at the regional level. In my region, Cynthia, and Marva King, and all the other people I have been working with, Charles, to come to see the issues we are dealing with. It has nothing to do with that.

It has to do with what we are doing with our time and energy, and making it work, and making it move to the other level. That is the point I am making. And, of course, you know I -- from this point-of-view, what I am cautioning against is EJ backsliding. We want some people to come to the alter, and fall on the alter of EJ and environmental justice community, and say you want to repent for all your backsliding and recommit. And not be so sinful. Sin of omission, and sin of commission is just as bad.

And that we don't forget the communities. And right now, it looks very much like the political layers that are being put on all of this White Paper is very much that. And

we have to address it, and if that requires putting some other paper to encourage other agencies that work with EPA, other areas in EPA, the integration of it at the state level, even if you don't know how it is going to come, the directive needs to be there.

And, of course, I know, I talked to Charles, I have talked to other people, and sometimes people fear their position for saying some of the things that I am saying. And I am not going to step too far, but I know there are some people who work for various EJ offices who are staff at regions who can't say some of the things that Richard and I can say.

And I am not speaking on their behalf, but a lot of people say things to me on the way to the restroom, and on the way back from the restroom, and while I am trying to eat, and while I am trying to get in my room, and in the hallway. You know, say this, say that, you know, things they can't say because of fear of jeopardy. And that is an uncomfortable situation to be in.

So I guess the bus is loaded now, it has turned from a stage coach, to a wagon, to a train, it is a whole lot of cargo coming through the community voice. And we just need to be more serious about making it functional and readable, John. The paperwork you put down can't on the community level. And that is what I am saying. I am not losing friends with any of

you.

Maybe I am not jeopardizing my relationship or any funding or any other kinds of things, but it is an investment. And in order to get something back, I am making an investment and being here hurts me financially. I have a little office with two people; one of them is very ill, and the other one is me.

And every time I travel, and every time I do what I am doing here, and all the trips I have made, it hurts me financially. And this goes back to what Richard said, a lot of those groups fade away because they just can't take this process that produces nothing and have no support.

So, is anyone ready to come to the alter and ask for forgiveness on the EJ Alter?

(Laughter)

MR. MOORE: All right, thank you, Omega. Okay, John, Kent, any comments? Then we are going to take one round at it. John.

MR. RIDGWAY: I have a follow-up question for you, and Victoria maybe in particular, and procedurally. In chairing this effort here, I have got a couple different hats I am wearing. One is to take the charge that came from Charles and try to get this to be reviewed in a robust way by this group in a very short time so they can get that money out there.

But, to the extent specifically, Omega, we can talk after this about how I can work with what you know, and take the advice you have, and dish that out for this group to incorporate into what we send EPA. That is one of the tasks, I think, is very specific and I would like to keep some focus on.

That applies to all of you. We don't have to worry about having too many people because it is such a small group. So if there is others that want to engage in this consideration over the next eight weeks, I think you are welcome. And I, personally, invite that; be it formally in the group, or in conversation.

But, my question to you, Victoria, is on the review, do you think that public conference call should be for our workgroup, or do you think that should be for the NEJAC as they consider what we deliver to you as a recommendation? Or both maybe.

MS. ROBINSON:: It could be both but, basically, historically and traditionally the public teleconference -- well, public venues for our federal advisory committees, such as the NEJAC, whether a face-to-face meeting, or a teleconference call, is for the deliberations of the council members on the charge, or advice that they are providing to the agency. So, the workgroup continues to do its work, you are empowered by the NEJAC, actually, to do the work and

prepare a proposed set of recommendations. Or a proposed response back to the agency.

What I see needs, according to your timeline, is that when you have as a workgroup done all your work and are ready to present to the Council your proposed recommendations, or proposed advice, that then needs to be -- the deliberation of that has to be done in the public venue.

Okay, now in terms of responding to your comment about engaging the other members of the Council, the only thing I have to caution -- and Kent is very aware of this, being a DFO of a subcommittee, and stuff like that, before -- is that we have to make sure that the workgroup does not convene that quorum. I think it is very important, as individual members, you, John, or other members of the workgroup, talk to other members of the Council to get specific advice.

If there is a viewpoint you don't think is quite representative, if you wanted to get some input from Omega who is on the workgroup, talking to him, or maybe bringing him, if you want to, to a conference call, but not bringing the whole Council to the conference call. That is how that works.

MR. BENJAMIN: First, I read the book, The Four Agreements a number of years ago, Omega, so one of the things I try not to do is take things personally. And the other one of those things is I try to do my best. And that is what we

are going to try and do with this effort.

My phone number is (202) 564-9095. Anybody on the Council is welcome to call me. My e-mail is benjamin.kent@epa.gov. It is even better if you have thoughts, bullet points, whatever you want to share, criteria that you think we should capture, send those to me. We will factor those into the process.

It is not a closed door, it is not a closed outcome. We are really trying to do the best we can to get the best product in a relatively -- it is a short time, but it is with the time we have because we want to get it out there and get things done. But I don't --- for anybody. We are going to try and make this a good product, we are going to try and take the lessons learned from all the things we have done to do the best we can.

And, again, all of your input is welcome and we are going to factor knowledge in. I don't know everything, I don't pretend to, and that is why I am talking to everybody I can, as much as I can, to get this the best product. But, we do need to do all the things that everybody has mentioned. And, I think, this is the universe. Put press in other ways, make sure that other people are aware that EJ should be part of their Performance Partnership Agreements, or Performance Partnership Grants. Those are places that we can leverage.

I just want to also state that another thing that --

I am Acting Associate Director in OEJ. And that means after all my years from OSWER complaining about what could be done and should be done, Charles brought me all this, okay, do it. So, one of the things that I am working on is the link between not just CARE and environmental justice, which we will talk about in a second, but the range of things.

I call it a continuum of things that support efforts and filling in the gaps. And this is one of the areas where there is a potential gap. So we are trying to figure in ways that we can cover that waterfront, and also engage other parts of the agency, engage other federal agencies, and engage a range of effective and stakeholders. So I just want to put that out there.

MR. MOORE: Brief comments, Charles. Brief comments.

MR. LEE: I want to just make sure that everyone knows that all the comments that are made here are being taken very, very seriously. They are being taken seriously, not only in terms of the specific effort underway around initiating a state EJ grant program, but the larger issue of working with states, ultimately, in terms of performance partnerships, how do you influence and impact Performance Partnership Agreements, and Performance Partnership Grants. And also, the larger issue of how to move resources from the agency as a whole to communities that need it the most.

So, I mean, that is the one thing that I really hope that you hear in terms of all of this. The other is that we have given a lot of thought to this, and we want to share, or at least convey the fact that we have given a lot of thought to this. But that does not mean that we think that this is the end of the conversation. It is just the beginning of a process. We are just actually just scratching the surface of a lot of these issues.

So, in that light, I want to thank all of you for being very candid and honest about -- you know, some of the issues here are not that simple to work through. And so I just wanted to make sure that that message was being sent.

MR. MOORE: Thank you, Charles. Okay, I also wanted to thank you both and the others that are a part of the working group for giving us an excellent report back, and so on. And continue to appreciate the work that you are doing.

We have got a choice, Council. We have got one more agenda item. We are moving along and every bit of time that we need to spend on the agenda items will be dedicated to that, as we did with this particular one. We can either take a 10 minute break, which I am hoping you will agree with, and then come back -- and be real disciplined about coming back and then we'll take the next agenda up. So, if we could take a 10 minute break and be back in 10 minutes. Thank you.

(Whereupon, a brief recess was taken)

MR. MOORE: Okay, I will begin this session. I was hoping before we introduce the panelist that Victoria could give us a little bit of an overview for a few minutes here as we lead into this discussion around the CARE Program. So, Victoria.

MS. ROBINSON: Yes, this presentation that we are going to be doing is, basically, have a NEJAC link to EJ and CARE Programs. But what I want to talk about is what lead us to us actually doing this kind of presentation.

Next year is the 15 year anniversary of the NEJAC and, in fact, May is the 15 year anniversary of the first meeting. As we have been going through trying to look at the NEJAC recommendations and its impact -- and we have been asked, well, what the NEJAC has done that is value?

And I thought it was very important to really start thinking about -- we can't show very often a one-for-one relationship between a specific recommendation and a specific EJ action, but we can, I think, show that the agency has considered and used NEJAC recommendations to influence how it has developed various policies, programs, and activities; one of them being the CARE Initiative.

So we are embarking on during the rest of this year and, hopefully, by May have prepared a retrospect of what has occurred in terms of NEJAC's recommendations in the first 14-15 years of its life. But, from the perspective of how those

recommendations and advice from the subcommittees and the council has influenced or informed the development of EPA policies, and programs, and activities.

I kind of bullied Charles -- not really. I asked Charles if we could start to consider having at every NEJAC public meeting, whether it teleconference call or face-to-face meeting, an opportunity to take a single EPA activity or initiative and really present it from a standpoint of how NEJAC's recommendations have informed that development.

So that is what the purpose of this thing is today, and we will continue having it, or at least try to, on every public teleconference call and every single public face-to-face meeting.

Okay, so I am going to turn it over to you, Richard.

MR. MOORE: Okay. Well, we would like to welcome you all. Some of you have been here for the same amount of days that we have been here, but to this afternoon's session. Specifically, on this agenda item, we are going to be discussing the CARE Initiative.

So, what I am going to do is turn it over to Marva and to Kent and let you all introduce the other panelists that have joined you. And then, any others that have been involved in this discussion. Welcome, Marva and Kent.

EPA's CARE Initiative

MR. BENJAMIN: Okay, those of you who don't know --

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and I didn't say it before -- I am Kent Benjamin, the Co-Chair of the CARE Program. I am with Marva King, who is the Program Manager for CARE. And Vernice Miller-Travis, who is our former NEJAC member, former many, many things. And I will let her tell you that.

We figured we would bring in the big guns for this retrospective piece. So, we are going to let Vernice sort of kick-off this segment and share sort of her perspective as a former NEJAC member on how the relationship between NEJAC and EJ and CARE has evolved. And then, we are going to do a lot of sort of tag-team between me and Marva.

Comments

by Vernice Miller-Travis

MS. MILLER-TRAVIS: Good morning. My name is Vernice Miller-Travis, as Kent said. I am currently the Executive Director the Environmental Support Center here in Washington, and also the Vice Chair of the Maryland State Commission on Environmental Justice and Sustainable Communities.

And, as Kent also said, a former member of the NEJAC, and Chair the Waste and Facility Siting Subcommittee for a number of years. Charles was the first chair of that subcommittee, I was the second chair of that subcommittee, Sue Briggum was an eternal member on the subcommittee. Poor thing, we would never let her resign. God forbid she should

have had some other life pursuits that she wanted to explore.

And Kent was the Designated Federal Official who supported the Waste and Facility Siting Subcommittee. And Marva was our close collaborator from the Office of Environmental Justice at the time. So, you are looking at three people who have spent at least the last 15 years working together to address environmental justice issues.

But mostly, we worked together through the National Environmental Justice Advisory Council, was what really brought us together and formed the relationships that we still have.

I have been tasked to just give some reflections about the interconnectedness between the Community Action for Renewed Environment, or CARE Initiative. And how I think what it represents in terms of the integration of environmental justice into EPA's programs and actions.

So, first, I want to thank Marva and Kent for inviting me to join them. They had asked me to be a part of this presentation and I was supposed to be in San Francisco today and tomorrow, and postponed that travel.

So, Marva called me yesterday to say, we need your comments, you said you were going to write something that we could include in the record. And I said, well, actually, I am going to be in town. Oh, well then you can just come and deliver them yourself. So, here I am.

I was thinking this morning that I have not been to a NEJAC meeting since 2001, when I resigned from the NEJAC because of time constraints posed by my work as a program officer at the Ford Foundation at the time.

After I left Ford, in 2005, Marva reached out to me and asked me to come to EPA to meet with she and Hank Topper, and Larry Weinstock, the co-chairs of the emerging CARE Initiative about the goals and objectives of CARE and to seek my input.

I remembered thinking when I left the meeting as I was walking to the Metro that I was pleasantly surprised at what they had shared with me. I remember distinctly that it sounded to me like the thorough integration of environmental justice concepts across the agency. And I was so stunned by the breadth of what they had put on the table that it really took me awhile to process exactly the breadth of what they were trying to do with this initiative.

I also remember thinking that Rob Brenner, who was the Deputy Assistant Administrator of the Office of Air and Radiation, at the time, had taken to heart every conversation he had been in over many years with the NEJAC. Conversations about the need to fully integrate environmental justice into the fabric of EPA's programs and its operations. Conversations that were frequently testy and down right hostile.

I might have done a few of those myself towards Rob over many issues. The National Ambient Air Quality Standards, the Executive Order, Title VI, oh my God, we fought about Title VI. Not really a fight, but Rob had to represent the agency and we were really beating up on the agency about the integration and advancement of Title VI.

Many public servants, because of the kind of ferocity of dialogue that we had with Rob would pull back and would not continue to come to the table and put themselves fully in the line of fire. But over many, many, many years, Rob Brenner has been that kind of public servant.

And I just want to lift Rob up, because it is part of Rob's thinking, and work from staff which he now directs in the Office of Policy in the Office of Air and Radiation, that really did some of the deep thinking and then worked across the agency to bring their other partners and colleagues into this conversation.

So I make this point to say that instead of retrenching and pulling back from the sometimes contentious environmental justice conversation, EPA and the Office of Air and Radiation stepped forward and began developing the Community Action for Renewed Environment Initiative.

Without doing an exhaustive review, the following efforts and reports are things that I think have been wholly absorbed into the CARE Initiative. The Commonsense

Initiative, the ICMA Collaborative Problem-Solving Model Report, the ASTM Sustainable Brownfields Redevelopment Guidance, and these NEJAC reports that I can just remember off the top of my head. The Public Participation Guidance, Authentic Signs of Hope, Accumulative Risk Report, and so many other reports and guidances that NEJAC has produced over its 14 years of existence.

I remember a meeting -- December 2000 NEJAC meeting, where it sort of was revealed to us -- us, the NEJAC members -- that all the reports that we were writing, and all the guidances that we were putting forward that we would send up to the Administrator, they sort of stopped at the Administrator. And nobody could tell us what happened to those reports.

And the Waste and Facility Siting Subcommittee alone, we must have developed up to 2001, we probably developed at least 40 documents ourselves. And so many other subcommittees of the NEJAC were constantly producing reports. And we got to this NEJAC meeting and we asked, well, what happens to the reports once we transmit them through the agency to the Administrator? And the response was, well, the Administrator takes them and looks at them. And that was it.

You know, we said, well, that is sort of futile. Because we were working really hard and doing some very heavy lifting, and trying to move some very contentious and

difficult programmatic conversations; but, in a way that they could be resolved in a policy-making process within EPA itself.

And we just could not see what then happened from all that work we did what the Administrator did with all that work and how it then filtered back into the agency. And so, again, my surprise in the conversation with Marva and Hank, and others in the Office of Air and Radiation, that not only had they taken all those reports to heart, but they had built across agency program that was meant to respond directly to so many of the challenges and requests that we had put on the table about responding to the foremost issues that environmental justice constituencies had been bringing to the agency.

So I just wanted to share and to say that to me, the CARE Initiative is the United States Environmental Protection Agency's formal response to the mandates of Executive Order 12898 on Environmental Justice, that charged every executive level agency to integrate environmental justice into and across the programmatic operations of the Environmental Protection Agency.

I think another thing that they have done, for a very long time -- and you all know this -- whether it was this Administration, or the end of the last Administration, anything associated with environmental justice was a

contentious political hot-potato.

Anything that said EJ outright would come with a super charged atmosphere. Even though some of them were really mundane things that we were looking at, like the operation of marine transfer, or waste transfer stations that Sue and I worked so hard to produce a report on.

Some of the things were not just that contentious, we thought. But, because it was done within an environmental justice context, it came with so much other angst, if you will, within the agency. And what I think the CARE Initiative has done is to listen, to hear, to respond, and then to step forward. It may not say across the top environmental justice, but believe me, when you look at this initiative you see everything we have ever put on the table is reflective in this.

The need for stakeholders to be around a table together, the need for communities to be resourced to drive a process at the local level. You know, for decades, we have been asking communities to do the heavy lifting and to get state agencies, and the private sector, and the regulated community, and the feds into a room with them and they drive the process. The one problem is that nobody ever funds these communities to do this work.

We say, we need you to do this heavy lifting, we need you to provide leadership, but no money comes associated

with that. So, the CARE Initiative has been one way to move substantial dollars into the control of local communities to move forward a process to redress the toxic burden that so many folks are living with.

Is it a perfect process? It is not a perfect process. But what it is is a fully responsive step forward in integrating environmental justice, I believe, across every level of program at EPA. Marva was just saying it is just an initiative, it is just a -- what did you say, Marva?

MS. KING: It is not a formal program.

MS. MILLER-TRAVIS: It is not a formal program, it is just an initiative at this moment. And to that I would say, the Brownfields Program started as a small initiative that was way down the list of priorities for the U.S. Environmental Protection Agency. And today, the Brownfields Program is, perhaps, one of the signature things that everyone across the country associates in a successful model with the Environmental Protection Agency.

It has full bi-partisan support. It now has its own independent, free-standing legislative authority. The small business liability in Brownfields Redevelopment Act that is now up for reauthorization. All of that came from a small dialogue that started principally around this table for the National Environmental Justice Advisory Council. So, I think I will leave my comments there and let Marva and Kent get into

the meet of the program.

Comments

by Kent Benjamin

MR. BENJAMIN: I would like to ask the NEJAC a question. Have any of you ever tried to follow Vernice?

(Laughter)

MS. MILLER-TRAVIS: She asked me to go first.

MR. BENJAMIN: Because there is not much to say, but we are going to go into some of the details of the program.

(Slide)

The CARE -- Community Act for a Renewed Environment Program is, as Vernice said, to me, a culmination of a feedback and listening to the NEJAC and community-based entities for a long time. EPA's goal for communities is that EJ will be achieved across this nation in every community.

When everyone enjoys the same degree of protection from environmental and health hazards, and equal access to the decision-making process to achieve a healthier environment. A challenging task.

(Slide)

CARE is one of the ways in which we tried to turn that into something tangible and doable. The theme of my last couple of years has been bite-sized chunks. You know, we have these grand themes to try and achieve, and CARE is what some of the folks have raised, is taking things in bite-size

chunks. Community-size chunks.

It is a community-based, community-driven program created to help build partnerships to help communities understand and reduce toxic risks from all sources using grant funding and technical assistance.

Now, what does that mean? That means that any not-for-profit organization -- it doesn't even have to be a 501(c)(3), can apply for the CARE funds. And they have to say here is the geographic space we are going to work in. Now, those range from a small neighborhood to an entire county.

But, they use this -- we don't just give them grant money and say, good luck, and talk to us when you are done. We give them money and partner with them. We create a true partnership. Our regional teams support the CARE effort and that is the technical assistance side.

It has grown beyond what we initially imagined it. Initially, some of the thought was you give them money, they would say, can you do a map? Can you help us do this and that? And it has grown to be much more of a symbiotic relationship.

We are going to go into some more of the details of the CARE Program, but Marva is going to talk to you about sort of how this is connected to the NEJAC over time.

Comments

by Marva King

MS. KING: What you see up there are two of your reports, your Executive Council Reports. It is the May 2001 and the May 2004. And they directly -- the CARE Program directly addresses those reports.

And what I did on the next couple of slides, I just took out snippets of your recommendations so it could refresh your memory for those of you who were with those reports, and the new people can see what some of your colleagues recommended.

(Slide)

The May 2000 Report was the Community-Based Health Model Report. And that one CARE addresses but, most importantly, an initiative that CARE is working on with other community-based programs at EPA, it is the CDC-EPA Collaboration and Community-Based Programs. That directly addresses that report to promote a better understanding in community-based participatory methods, and to promote effective inter-agency collaboration and cooperation.

(Slide)

Your December 2004 Report is your Cumulative Risk Report. And that is sited everywhere because that most directly is what CARE works from. We, actually, used some of your language and some of your recommendations. One of that

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is that you asked us to institute a bias for action through utilizing the EJ CPS model. We do that bias for action, but we don't use that model. But, you will see later on how we do that.

You asked us to promote a paradigm shift to community-based approaches. CARE does that. You asked us for efficient screening and targeting and prioritization methods. CARE Level I has to do all of that in that recommendation.

(Slide)

And the next slide, you asked us to address capacity and resource issues. We do that throughout both the CARE Level I and CARE Level II. You asked us for initiated community-based multimedia risk reduction pilot projects. That is what all of our projects in CARE is doing.

Evaluate the importance of the community-based approaches. That is part of our process to evaluate our CARE Projects. And we are integrating concepts from this report, and others, to strategic and budgeting planning process.

(Slide)

I wanted to let you know with this slide how CARE connects to EJ. Approximately 90 percent of our applicants are working in communities facing EJ concerns. That means that all of the applicants are not EJ organizations. Of course, some of them are, but they all are not. Some are tribal, some are local governments, but they are all

addressing issues in EJ neighborhoods because that is where the greatest environmental burden is.

We have a wide-range of CARE applicants from the EJ Grants and Partners. I am talking the EJ Small Grants, and EJ CPS Grants. Some of those grantees have graduated, moved around, or went sideways to a CARE project. And then we are seeing that some of the partners that were in those CPS grants are applying for CARE. And some of that is the local governments. So, we are connected with EJ in that way.

Our EPA regional EJ coordinators participate on CARE teams throughout the regions. The regions have teams for -- the Grants Team helps develop the RPF, they help evaluate the CARE proposals that come in. We have some of the regional EJ coordinators you know are on those teams. Some of our coordinators are on the Technical Teams. So we integrate throughout the agency in the regions for the teams.

EJ goals and principles are incorporated into our CARE goals. Kent will tell you about that in a minute. And we also look at ongoing agency community efforts, such as Brownfields, and children's health, and watershed. We try to make sure those are incorporated. Those people who work on those issues are also working with us on CARE.

MR. BENJAMIN: By the way, when I started working with NEJAC, I didn't need reading glasses. So, I am going to need this a little further away. I am talking about people

whose hair wasn't gray before.

(Slide)

This is our favorite sort of little graphic of the CARE Program. And it shows you sort of the life-cycle of CARE. And it is not necessarily just one CARE project, CARE has two levels of grant. And we have come up with the tricky names of Level I and Level II grants.

The Level I grant averages about \$90,000.00, and that is on those first two points on that circle. That is where we expect in the Level I, some organizations, some individuals will come together and either before or in the course of the grant will say, we want to do this activity.

They will identify the problems and issues in that community, they will assess what is there. We support them with our technical supports, such as with Brownfields.

Targeted Brownfields assessment money. We have gone in for all the Level Is and said, if you want to look at a paper search and see what has been there and potential issues, we will do that with you.

There is other levels of expertise we have brought to bear. Many of the regions, what they do is some of them have like a team of -- you know, a cross-section of different parts of the agency. Some of them say, okay, we are going to wait and see what they need and then we'll draw in people to support them as they go forward.

And then, as they figure out the issues, figure out the risk, the exposures they might have, then they start to craft solutions. And that is what happens in that first CARE Level I project.

As they move toward Level II, they start to implement those solutions. Now, you don't have to have been a Level I to be a Level II. There is a couple of ways you can do that. We would like you to use the CARE Roadmap. I believe it is in all of your packages. Or, the PACE EH model from the Agency for Toxic Substances and Disease Registry. Both of them sort of lay out ways that you go through coming together, assessing yourself, looking at the issues, and collaborating and moving forward to solutions.

Or, some approach like that. We don't want people to come in and say -- in the Level II, we don't want them to have come in and said, well, we decided we want to focus on air. We really want a community and some type of local gathering to say let's look broadly and then prioritize what are the issues that we really want to focus in on.

So that is a cornerstone of CARE, is that really they have done that background piece to really say are these the priorities for this organization. And it is not necessarily our definitions of toxics that they are looking at. Sometimes, they are issues that typically EPA has not addressed under our typical terminology and our organizational

structure. And that is okay.

And then, finally, where we are moving, we just finished the -- and those Level II, by the way, they average about \$270,000.00. Some go over \$300,000.00. But then where we are moving, because we just finished the first two-year cycle that started in 2005, and they got funded, they finished up and now we are trying to -- some of them have moved on from Level I to Level II. And others have gone from Level II to sustainability. We are working toward that. We haven't achieved perfection in that case, but part of sustainability is helping them understand and accessing other resources.

When I was talking earlier about sort of the continuum, some of the ones that are Level I and Level II have come out of the EJ Small Grants world. And then some of them have grown into the Collaborative Problem-Solving. Then, they have grown to be CARE Level I, and CARE Level II. We have seen that in some cases.

Some of them have applied and not gotten funded, and then come back again after getting the feedback I mentioned earlier and improving their applications. Improving their partnerships, improving their assessment plans. So, it is a constant growth and learning cycle that we are going toward.

A big part of CARE is network and shared learning. And how do we do that? I also want to mention voluntary programs are a big part. EPA has a number of voluntary

programs that are marketed in various ways. But, part of what the regional teams do is they help the community organizations figure out which voluntary programs would work to support their goals.

So they bring in the voluntary program information, as well as people. So that that enhances the network of relationships in the agency, but also, as Administrator Johnson mentioned, we also have a relationship with the Center for Disease Control and the Agency for Toxic Substance and Disease Registry, CDC, ATSDR.

The networking part of all of that happens on many levels. It happens between those recipients and the agency, it also happens between the various recipients. We have each year to kick off the process, we have our National Training Workshop. And what that is is it tells them everything they need to know to be effective in the context of the requirements of the proposal. But more than that, we annually modify that with input from past and current recipients.

So they will say to us, these are the things we would like to know about. These are the things we would like to learn. We would like to have time to partner, we would like to put these issues on the agenda, or we would like to hear more about this as we go through the year. And that is what we have done.

We have also sort of marketed one community to

another. We have helped them to move among themselves to share their knowledge on the ground in those different communities around the country.

(Slide)

So the CARE goals on the next slide go to what CARE is about. We want folks to understand and help them to figure out what are the potential sources of exposure to toxics. We want to work with them to give them tools. Some of it is training and leadership, some of it is facilitated training, some of it is ADR. A variety of ways of figuring out how to prioritize their risk. How to collaborate to get to that point.

And then, helping them to figure out what they can focus on to actually reduce exposure to toxic pollutants. And we will give you some examples later, but I had mentioned earlier the Anti-Idling Program in St. Louis.

And then the long-term, we want to get them to be self-sustaining. So, some of that has happened, some of our projects have already gone and gotten additional resources in the hundreds of thousands, and even over a million dollars, to help move them further along.

And how we get there is the tools we use to do that. I mentioned the Roadmap, which you all have. We have given them a guide to EPA's voluntary programs that might potentially relate to them. We have a resource guide also

that helps them understand the various resources that are available for communities.

And, again, we don't just drop this in their lap and say, good luck, come back in 24 months and let us know how it went. We work with them on a constant basis to make sure that they are getting the right understanding, that they are getting to the right people. That we are going to them, we are bringing them together, et cetera.

And it is a cooperative agreement -- oh, Marva is telling me that I am supposed to remind you that all of this is linked to documents that NEJAC developed.

MS. KING: Well, the Roadmap is really a direct result of this NEJAC. And you guys talked about the Roadmap in your Cumulative Risk Report, and after your report was sent in, you worked with a small group of people at the EPA and you redefined the Roadmap so the CARE Program could use it. One of the person's was Wilma Subra. I am not quite sure who else was on from the NEJAC on that workgroup.

So, on the second page of the Roadmap, we actually give credit to the NEJAC. And it talks about how we incorporated your Cumulative Risk Report for the development of this.

MR. BENJAMIN: Also, as a cooperative summation of the money, we have spent so far \$7.8 million, which has gone into 51 grants.

(Slide)

Now, that is not 51 communities because, as I said, some of the communities have evolved from a Level I to a Level II. This year, we have 18 what we are calling selectees. That means we are still in the process of officially notifying folks, we are still in the process of working out the details of what they are going to do and how we get the money to them.

(Slide)

But right now, you can look at this map and see that we are very widely distributed around the country. Over here, you can see the different years that funds went out. We are hoping to have more states covered in the selectees. I can't say who they are now, but we will be adding states to our mix that are not in the first 48.

(Slide)

Again, CARE is more than money, it is all these relationships, all these programs. But more importantly, it is balancing the notion -- as we go in our action plans and grow in the agency, we used to, as I mentioned earlier, we used to say, well, we get a pamphlet and then everybody is going to figure out how to use it and everybody will be healthier.

But we didn't capture, we really didn't make a good effort to say, okay, what do you really think happens with that plan? How do you market it? What do you do with it?

What health results, what behavioral changes do you expect? And that is all that heavy science sometimes that was left out. CARE is a big place where we are linking the sort of concepts that we are expecting and the results.

So, we are balancing the rigor of these science with the real community needs. We are getting them resources, we are getting them information, helping them understand things in a much quicker way, in a much more practical way. We are not throwing buckets of technical information on folks that they don't need and they don't benefit from. It is really the information that they need and that they want to be effective on what they prioritize as their issues.

So far, the leveraging side of that is, as I mentioned, already brought in more money to a lot of these projects, but this is a figure that is really exciting for all of us, is that there is more than 860 partners across the CARE universe. So some of them have 10 partners, some of them have 50 partners that they are reaching out to.

And partners is not just -- one of the things that when we review grants, people send in letters saying, we support them, and blah, blah, blah. These are real relationships, they have real responsibility, they have real roles in moving things forward. And that is an important tool to the CARE Program as well.

MS. KING: And the next slide is a slide I got from

Matt Lakin from Region 9. He is a Region 9 risk assessor and he works very well with the CARE Program, and he trains us a lot in risk assessment. So, Matt, actually, took your language, your bias for action language, out of your Cumulative Risk Report and he put it into this slide. Because he tells me it is a balancing act about how much risk assessment you are supposed to do.

You know, people don't have enough money to do a full cumulative risk assessment. So, according to the NEJAC, you guys said, well, just do enough analysis to achieve consensus among the partners, and then do some action. You know, so you don't have to waste a whole lot of money doing a full cumulative risk assessment, just do enough that you can get some consensus with and act.

And Matt preaches this to us, and trains us on this, and he wanted to make a point that I had this slide up here so you could see it. It is what he goes out and shows people.

(Slide)

We also build partnerships, as Kent was saying. And he talked about it already, so I won't spend any time on this. You know about the other federal agencies, you know our CARE projects are partnering with foundations. We are very happy that some of the biggest foundations work with our CARE projects. Kellogg and Ford.

What you may not know is that the American Bar

Association has been providing pro bono legal support for our CARE communities. One of our CARE communities, --- Beautiful in California was in the paper about a year or so ago about that relationship, and how much that legal service helped them.

(Slide)

The next slide is just an example. We go out to the different program offices who help lead CARE and we try to keep them engaged by showing them -- and this was done for the Water Office -- by showing them all the various communities that want to address water issues. We will make these slides up for children's health, we will make them up for pesticides. You know, just so people can know in the agency that our communities are interested in this type of media. And we need help, technical help, to address that.

(Slide)

The next slide is just an example of some of the voluntary programs. Kent told you about the guide we have that is on the web. And we have listed about 16 voluntary programs that work in community-based areas. We do, at our National Training Workshop, we have a lot of these programs in our resources and tools room. They are not just there for people to read, there are people there. And we have set aside time for our communities and our staff who are working with the communities, can talk to people who are working on these

programs and can understand these programs better and how they can use it in their community.

What Kent didn't mention, at the next National Training Workshop, we are going to be partnering with the Office of Environmental Justice. They will have their 10 CPS grantees there with us. We are also going to be partnering the CDC's community-based projects. They will have their 12 grantees with us. So it will be a little bit larger affair this year.

(Slide)

The next slide is one of our communities. I thought you might like to see some of our communities.

(Slide)

So the next slide is the community of Marquette. What is interesting about this community -- it is, actually, a Level II community -- but what is interesting about this one, it was our first faith-based organization that we had for CARE. We have about 9 faith communities are a part of this, and they have about 150 congregations.

This community started with a small grant that Region 5 gave out. I think it is important to note that a lot of times the success of our communities are not just based on the communities, but they are based on the connections to the region. The Region 5 person, Margaret Mallard, worked very closely with this community when they were a small grant. She

helped them get ready to apply for CARE.

And they are one of our best CARE Level IIs because they give us a lot of measurements, and the agency likes that.

(Slide)

The next slide is Boston Public Health Commission. This is a local governmental organization, but it works in the areas in Boston that are minority and low-income, such as Roxbury and Dorchester. And they specifically work with auto body shops. So they go in and they try to improve the work conditions in the shops, as well as the health of the workers.

They also work to create a Boston Auto Shop Business Association. They also helped work to get a city ordinance sign to enforce P2 standards. So it is one of our Level IIs that are very good in giving us measurements for the agency.

(Slide)

The next slide is the one Kent was telling you about. It is the Grace Hill Settlement Organization, which is an EJ organization. It does a lot of anti-idling of the buses. One of the things that they did besides -- well, they put no-idling zones in 88 district schools, and they also had a hot-line phone number for residents to call.

But one of the things that they did was pretty unique, I don't think it is on there. They created a green cleaner bi-product that they distributed for free in the communities so that people could use that for the lead to

clean up the lead stuff in their houses.

(Slide)

The next slide is one of our EJ groups in Holyoke, Massachusetts. I just learned from Vernice today that the Ford Foundation gave them a very small Ford grant years ago and --

MS. MILLER-TRAVIS: It wasn't so small.

MS. KING: It wasn't so small?

(Laughter)

MS. KING: Oh, I thought you gave out small grants back then. Okay, they gave them a Ford grant years ago and, since that time, they have grown into a CARE project. They have over 30 partners, they have a lot of youth working with them and mapping their health hazards. And this is their community garden they developed.

MR. BENJAMIN: And CARE is also changing how EPA functions. I will go, actually, to the bottom of the slide and work backwards a little bit.

CARE started out by recognizing that we need to work better across the agency. So it started out by saying, we are going to have two offices co-chair the program. So the first two offices were the Office of Air and Radiation, and the Office of Pesticide Prevention and Toxic Substances.

And the first couple of years, air was in the lead, and then transitioned to OPPTS with OSWER as their backup.

Solid Waste Emergency Response. Then, as of October, OSWER will be the lead, and then the Office of Water will be the backup office.

So, that sounds nice enough, but in the course of that, each of those offices keeps notching up their involvement, notching up the management and the programmatic involvement so that those offices say, okay, hey, wait a minute. We are in charge, we don't want it to go down, we want it to keep going up. So they keep adding elements and quality to the program.

So, OSWER is already in progress right now of planning how we are going to notch up our involvement in the coming two years. Office of Water is starting to also do the same thing, because they don't seem to want to wait until they are the lead, they want to start getting more aggressive now.

So it has been a good thing because now we are talking more across lines. We have been moving around the agency doing sort of the same kind of Hope and Crosby thing in the different offices to get them more engaged.

And what people keep realizing is, number one -- I say this wherever I go -- is that CARE is the thing that everybody that comes to the NEJAC from the agency perspective -- this is what we thought we were coming to EPA to do, which was help communities to improve their health, to really reduce their exposure -- so everybody wants to be involved.

There is more than 100 people involved in CARE across the agency. Some people full-time, some people part-time, some people just a snippet here and there, but more than 100 people. And all of them, pretty much, voluntarily.

We have really strong partnerships with the regions and headquarters. CARE, I jokingly call it kind of a socialist organization because we don't have this things where I say you do this and we do this. No, we actually practice what we are preaching in the CARE Program.

We have several layers of teams where everybody sort of is kind of equal. We all talk things through in how we can get the best product out. So that is regional folks, headquarters folks saying, here is how we can do this.

And one of the CARE hallmarks -- our consensus definition is, can you live with it? If someone really can't live with something, we will keep working until it works well. And we do that as we go through with every aspect of CARE.

And the final thing I want to mention is what I briefly touched on earlier, was the connection between CARE and environmental justice. We came up with that list of fundable activities for the state grant thing. That is something that has just evolved recently, just noticing the areas of effort that happen out there.

What I wanted to do is instead of having a bunch of different terminologies floating out there, I have started to

plug in feedback from folks across the agency on where we can work together, where are some additional Office of Environmental Justice resources can go.

So we are going to use these same categories to sort of plug in things that we can do. Like, Office of Environmental Justice is going to help to have collaborative problem-solving folks participate in the National Training Workshop for CARE. So they will get that direct perspective of folks from EJ communities who have been using EJ resources.

So that means we are going to be connecting other federal agencies, CARE, and EJ in that setting so that knowledge is going to keep percolating. Those relationships will keep percolating.

I know we are slower than we should be sometimes, but I am proud of several things that the agency does. And I always give credit to the NEJAC for those things. I am particularly proud from having been in OSWER for many years of the Brownfields Program.

Because I attribute much of Brownfields to the public dialogues that happened in 1995. In those dialogues, people said, you need to have feds come together and cut some of the red tape.

And we did that. You need to give work to the people who have been suffering and not have all these outside folks do that. We have the Minority Worker Training Program.

You need to let us come together and talk to folks, and we need to exchange information. You have the Brownfields conference. We did that.

And all these pieces that came out of NEJAC and EJ communities has made our program stronger. So CARE recognizes this and continues to take those lessons and to make the program stronger.

So I will just pause there and thank you for your time and your efforts, because they do matter, they do make things better.

MR. MOORE: Thank you. Excellent job. Okay, we are going to open it up for comments. Jode.

MS. HENNEKE: My comment is not on this particular program, although I have been involved with it from the very beginning. And CARE is a wonderful program.

I have to make an airport run. I wanted to tell you all that, yet again, I have had a good time, and sometimes a good time is in quotes, and sometimes I really mean it. But this time I really mean it.

(Laughter)

MS. HENNEKE: It was a good meeting, Richard, and I appreciate your guidance. I don't know that I will go to the wisdom part, but at least your guidance on keeping us kind of gathered together. This is hard work and sometimes when you think it ought to get easier, it just gets harder.

But I appreciate the work efforts that everyone has put in, and continues to put in. It is to get a little on the page with Omega, it is missionary work. What we do is truly missionary work.

I also wanted to acknowledge John Ridgway, who very kindly brought us as members of his subcommittee, his workgroup, salmon from the great northwest. I cannot take it on the plane with me. I think my fellow passengers would get a little fussy with me, so there is salmon that is on the table over here.

Many of you may not be able to catch lunch, but please help yourself. And thank you, I am off to Texas. I understand yet again there is weather in the mid-west, so plane connections may be every pun intended, a little rocky. Except, you know, robust is a good word, I was getting a little weary of sound science. So, I am kind of ready to move to robust.

(Laughter)

MS. HENNEKE: Thank you all very, very much.

MR. MOORE: All right, thank you. Sue.

MS. BRIGGUM: I have to admit, you know, I am like so profoundly moved by what you said, and it was so great that we started today with Omega trying to like bring us back and say, why are we here? What is the point? What should our projects be like? There has to be meaning, you have to have

some achievement, people have to see a change in their lives. And it was so important, I think, emotionally to be reminded of this.

And then, to have you three talk about what NEJAC has done to be of assistance for the kind of program that you are running. It just kind of overwhelms me. It has been remarkable having the privilege to work on the Council for all these many 15 years on and off, and to see the things that happen. And you don't have it in the top of your mind, and I hope that there are people in a lot of groups who might have the chance to hear this same presentation just to realize what can happen.

When you have these incredibly fine public servants like Kent and Marva, you know, who have been here. And Vernice, who was so influential with ASTM and the foundations, and who has taken it broader into other institutions, it is just really inspiring.

So, my mundane point was, I think it would be really great if you could have some kind of video of this presentation. Because I think it is the sort of thing that a lot people would really appreciate in having the chance to hear.

MR. MOORE: Thank you, Sue. Any other comments, questions, observations?

(No response)

MR. MOORE: All right. That says to me you all did an excellent job and we appreciate it. It is great to see you again Vernice. I will see you next week.

MS. MILLER-TRAVIS: Marva told me I had to wait to say this until the end, and I almost forgot. I was having an apoplectic fit back there earlier when John said that EPA has a small budget. EPA does not have a small budget. Let us dispense with that falsity.

And I don't think you meant it in any negative way. So, in relation to the Department of Defense and the Department of Energy, and the Department of Health and Human Services, they have a much smaller budget.

But, the Office of Solid Waste and Emergency Response itself has a budget that is equivalent to some state operating budgets. So I just want to say, EPA has a lot of money. And to Omega's point, how you get some of that enormous resource into the hands of communities where they can actually move some of this agenda forward, I think that is what the CARE Program represents.

I didn't want anybody to walk out of the room with the misunderstanding that EPA is -- you know, of course, they could use more money; particularly, the SuperFund Program could use a lot more money. That is Vernice's commercial. But, they have sufficient resources to do a lot of extraordinary work.

And one of the things that they have done is to corral some of that resource into the CARE Initiative and then put it back into the hands of communities. So I think that as the agency struggles to figure out how to be responsive to the things that the NEJAC puts on the table, this was an extraordinary step forward on behalf of the Environmental Protection Agency. My last commercial.

Closing Dialogue

MR. MOORE: Thank you, again. Okay, Charles and Victoria, I think we have completed the agenda. I just wanted for the last few minutes to see if there is any observations, comments that the Council would like to make. And then, see if there is any additional comments from either one of you in regards to where we are. John.

MR. RIDGWAY: Thank you. Logistically, I fully appreciate how much work it takes to bring this group together, and how much advance time you need. So, to the extent you could let us know if we need to schedule time in the fall, or whatever, I am hearing murmurs that that might be the case for this group, maybe you could let us know what is coming up over the next 6 to 12 months so that we can be sure that we are here to serve the NEJAC well.

MS. ROBINSON:: Right now, what we have, basically, planned on the agenda is most definitely a public teleconference call in late August. We pretty much

traditionally have done that. And then some time between the election and Thanksgiving, having a public meeting, face-to-face meeting, site to be selected. Hopefully, not D.C.

And then, probably, a public teleconference call some time maybe January or February. And then a public meeting, face-to-face, in May, which will be the 15th anniversary meeting. Those are the things that we right now have on the agenda for the Council-at-Large.

Workgroups will have their own time line of conference calls. Some of them may even have their own face-to-face meetings. But, basically, you are talking about August, public teleconference call; November, face-to-face meeting; January/February, public teleconference call; and May, face-to-face meeting.

Now, we might need to have a public teleconference call in July to address the state EJ grant letter -- I mean recommendations around the EJ grant program. We will have to see how that goes. The sooner we get that straightened out, the sooner I will let everybody know. Okay.

MR. MOORE: Thank you, John. I wanted to add Laura to that list, Council. Is there any additional observations or comments? I would like to get, if I can, some closing words from Laura. I think Russ is not with us right quick. And Charles and Veronica. Victoria. Veronica -- I am thinking of the members that have been somewhat -- we have

been reviewing the list.

There was a comment made earlier about some of the participation in regards to some of the Council members and particular problems that they have be having, or whatever. Because on the other side of that, if they are really unable to participate, then we need to go through some processing to make sure that we get the representation back at the table.

Any other comments, observations?

(No response)

MR. MOORE: Laura.

MS. YOSHII: I just wanted to thank all of you, again, for all of the input. I really find it valuable to her it firsthand, especially, as I mentioned earlier, as we step into the lead region role and making sure I can convey to my counterparts through the EJ Steering Committee, a lot of the insights and input you have to offer.

And then also, just to thank and acknowledge all of the years of work and input. I do understand the frustrations, because I too see how much more we can be doing. But, I also share the sentiment that if it wasn't for a lot of people here on the NEJAC Committee, then a lot of people in the audience are EJ --- and committed folks within our agency, we would not have made the progress we have made. And I think very committed to continue to make.

So, thank you for the opportunity to be here with

you.

MR. MOORE: Thank you, Laura. Charles.

MR. LEE: Yes, thanks, Richard. I want to start by thanking Laura and Russ for spending the time with the NEJAC, as well as, of course, all the other senior EPA officials for their interaction. And, particularly, with Laura, she made it a special point, if you remember, to spend a good part of the entire meeting in September to be with the NEJAC.

You know, it was her intent at that point to be there to show a presence from the Executive Steering Committee of the importance of the NEJAC. And I don't know if I shared that with you, but that was the case.

I think that it is really very important that she was here to hear a lot of the discussion, because I went out to California to Region 9 to meet with Laura and the Region 9 staff as part of the round of visits to the regions I am doing. And we are really excited about the fact that she is going to be the lead region DRA. She has a vision, she brings a sense of passion, and I think this is going to mean a great deal of good for the program.

And, I think, she brings a sensitivity to a lot of the issues. Recognizing them from both the inside the agency, within the top leadership levels, as well as all the things that you have brought together. So, I know we have talked a lot about how to work together to address them.

The second thing I wanted to do was go through a set of kind of observations I have made about big picture in terms of things that happened in the meeting in terms of scoping for the future. And this is by no means exhausted.

I think the first thing that I have heard talked about over and over again is the growing importance of the issue of climate change. And I think as some of the issues kind of move forward for the NEJAC, we want to think about and talk with you about how that gets teed up in a way that is meaningful, that is relevant, but also that is manageable.

The second is the two issues that came up this morning, which has to do with the larger question of how to move resources --- large from all the EPA programs, and the programs of EPA's partners, to address the issues of the areas that need it the most.

And, of course, related to that is the entire issue of integration of EJ among different sectors in particular states. Thirdly, the discussions around EJ SEAT, and screening methods, and national consistency, all go to -- and we would like to engage the NEJAC on the core questions of EJ integration at EPA. And that has to do with measurable results, EJ action plans, priority setting, allocation of resources.

And, of course, you know the article in the Inside EPA this morning kind of highlights the importance of that,

and what Grant said. You know, our greatest challenge is now how to sustain and build a program for the future. And you can't do that without being able to show measurable results.

The goods movement report is something we look to with great anticipation and, I think, it will have a real attraction in the agency. Not only in terms of some of the areas I mentioned yesterday but, in fact, that there is a --- sector strategy on the part of the agency that if the recommendations find a strong nexus with it, has a real possibility of kind of impacts you saw just recently with the CARE Program.

And then, I forgot to mention, the discussion around -- we had initiated a discussion beginning early this year around how to strengthen the connection between the Environmental Justice Program and CARE, or the CARE Initiatives. And all that is part of, and the beginning to, maximize greater efficiencies in terms of delivering resources to environmental justice communities.

But largely, it is also a part of what is intended to be a catalyst for addressing that larger question of how to do that for all the EPA's programs that have some kind of relevance for communities.

So, I want you to be aware of that. Your insights into how that can be moved forward better would be really important.

The next meeting, like Victoria said, we do want to have it outside of D.C. I am very concerned about the fact that when we have a meeting in D.C., which is important to do, and we need to do on a regular basis, that we do not get the kind of public participation in terms of input that region meetings out in the different locals do have. So, I think it is important to go out there to do so.

The idea of having a meeting in conjunction with the State of EJ in America Conference 2009 in the spring is something we really want to look into. I just want to mention that, I think, it is important to have in D.C. It is the meeting that the new administration will begin to want to hear about directions for the future. So, a lot of work has to go into then coming up with some things which are really cogent for, or at least to begin to communicate.

So, that is the short-list of the kind of things I heard from this meeting. And, obviously, that just speaks to the kind of robustness, the kind of substance in terms of the discussion.

There has been a change from the September meeting. In the September meeting, I wrote a report back to Grant where you heard from Laura and other DAAs and DRAs. And, I think, what you heard was an undeniable commitment, substance, and passion, a commitment on their part for issues on environmental justice. I think that is there and we wanted

this changed -- the way this meeting was done to one in which you did the work and we really sort of hear back from you.

I think the same thing can be said by you. And so for that, I really thank you. And I really thank Richard for all that he has done in terms of running this meeting. It wouldn't happen without you, Richard. And you don't have to worry about whether or not you are going anywhere. We are the ones that worry about that.

And, of course, it would be remiss of me to not recognize all the OEJ staff, Victoria, Lisa, and others. All the ICF staff, all the hotel staff, and everyone else that go into having this meeting be such a success.

(Applause)

MR. MOORE: Thank you, Charles. Victoria, do you have any comments?

(No response)

MR. MOORE: Okay, just a quick 15 second --

(Laughter)

MR. MOORE: No, this really is going to be that. Somebody was telling me last night that I had this thing about saying, it is only going to be three seconds, or whatever. And there has never really been any three seconds. I upped it for another 12 or something seconds.

Quick observations. In closing, one is that I heard also that the listening sessions on the part of the state

being brought back up, the importance of those listening sessions, and the engagement of all the stakeholders in that process.

The other thing, actually, was the EJ trainings. I know EJ trainings a couple of days ago. Those trainings have been very, very important to us. And those are the two and a half-day trainings on environmental justice that has been done for state agencies, for county government, and county agencies, and so on, and others.

One of the things at least in New Mexico that we are trying to get included, when an employee comes to work not just for the state environmental department, but when they go through required trainings -- exactly -- and we are trying to get environmental justice in the hopper of those required trainings that all state employees have to go through.

The other one was capacity building and just the need for us to continually keep in mind the sense of importance and urgency for making sure as we begin to equal out the table around capacity building that the community is continually able to stay at the table and be the kind of participant that all of us would want all the participants at the table to be.

And lastly was the tribes and the need to continue to engage with tribal leadership. Also, to get secured in our working groups, and whatever, tribal representation, and also

the representation of tribal organizations.

So, with that, I just wanted to thank the Council members for your tentativeness. It has been, I think, a very productive last several days.

And also, I wanted to thank those that have been here almost from the beginning with us, whether they are EPA employees, or whether the representatives of state agencies. I think Alabama was also here, I talked to my brother there that is the EJ coordinator for the state. So, I know when we did that, we didn't go all the way around.

But the importance, not only of your participation, and your all's participation here, but the engagement that we need to continue to have. Those that have been here from other agencies that also have been present over the last several days with us. Also, the staff that was introduced in the beginnings when we did the go arounds the first couple of days.

And just back-up Charles' comments in regards to the hotel staff, those that have taken care of our rooms, those that have provided our food, those that washed the dishes to make the plate clean that we were eating off of, and all the other staff within this hotel.

So, have a very good day, a very good evening, and we are looking forward to continuing to work together. And this meeting is now adjourned. Thank you.

(Applause)

(Whereupon, at 12:20 p.m. the meeting was concluded)