

NATIONAL ENVIRONMENTAL JUSTICE ADVISORY COUNCIL (NEJAC)
Public Teleconference Call

March 31, 2011
1:00 p.m. ET

MEETING TRANSCRIPT

Victoria Robinson: Good afternoon everybody. Welcome to the 38th Public Meeting of the National Environmental Justice Advisory Council known as the NEJAC.

I'm Victoria Robinson, the DFO, the (Designated) Federal Officer for NEJAC.

As most of you know, the NEJAC is a federal advisory committee of the U.S. Environmental Protection Agency and it has been providing advices to EPA for more than 17 years. This is the first public meeting for the NEJAC that they will conducting in 2011.

First of all, I'd like to welcome and thank all the members of the council who have been able to participate in today's call. We know that that three hours is a significant investment of time and we're grateful that you're able to pull away and participate.

And there are also about a hundred people who have pre-registered to listen into today's call. We want to thank you for taking time out of our busy schedules as well. And we also want to thank those of you who submitted written comments or will be providing a statement during the public comment portion of this meeting.

The purpose of today's call is to discuss EPA's recent charge on how best to ensure long-term community engagement and decision around Gulf ecosystem restoration.

Now, before I turn this meeting over to the chair, Elizabeth Yeampierre, I'm going to do a bit of housekeeping. I always start these calls off knowing that (inaudible) EPA's effort for transparency and accuracy of information is always ongoing. And to that end, once again, this teleconference meeting is being audio recorded and a verbatim transcript is being prepared. We're also preparing a written meeting summary and posting an MP3 file along with individual podcast segments which will be posted on the web.

Until the audio files and transcripts can be posted, an encore audio recording will be available early next week in which you can play back the proceedings. And since we are doing an audio recording, I'm reminding all NEJAC members and any presenters and speakers when providing public comment that when it's your turn to speak, please state your name and affiliation clearly for the record when you begin.

Also, I've been reminded to ask, to spell out any and all acronyms so that the contractor can properly capture them. Please recognize that we have approximately 20 members of the council as well as a variety of public (commenters) so that it's important that the meeting flow through the chair. So if you're going to have – if you're going to need to get the chair's attention so she can recognize you to go

ahead and give comments, to help make the process flow smoother and enable the note takers and the transcriber to accurately reflect who's actually speaking.

And members, you don't have to give your full name and affiliation each time. Just the first time you do so and then after that you can just say your first name. So please also talk directly in your handset so that everyone can hear you. If you're on a cell phone please put that on mute when you're not speaking so that (it reduces) a feedback. And if you're in a car or using a speakerphone, please make sure you (put on mute) to cut back on any ambient noise.

So I'm going to turn the call over to Elizabeth Yeampierre, the chair of the NEJAC. Go ahead, Elizabeth.

Elizabeth Yeampierre: Good morning, actually, good afternoon. Peace and blessings, everyone and welcome to this very important NEJAC teleconference meeting.

I'd like to echo Victoria's comments about how important it is that you're all participating and that you've taken time from your busy schedules to engage in this dialog. We know that everyone's extremely busy. We're also really happy that people can participate in these calls because the calls make it possible for us to reach as many people as possible. It's not always possible for people to travel when we have NEJAC face-to-face meetings. So these calls actually make it possible for us to address more issues and meet with more people.

So we're going to get started and I don't know if Mr. Hankinson is here. Has he joined us?

(Aaron): Elizabeth, excuse me. Before we get started...

Elizabeth Yeampierre: Yes.

(Aaron): We want to conduct an official roll call for (inaudible).

Elizabeth Yeampierre: Oh, sure. Absolutely. Go ahead.

(Aaron): OK. So please acknowledge your presence when you hear your name. Elizabeth Yeampierre...

Elizabeth Yeampierre: Present.

(Aaron): John Ridgway.

John Ridgway: Present.

(Aaron): Paul Mohai. Teri Blanton. Patricia Salkin.

Patricia Salkin: Here.

(Aaron): Margaret May. Fr. Vien Nguyen.

Vien Nguyen: Here.

(Aaron): Kimberly Wasserman. Sue Briggum.

Sue Briggum: Here.

(Aaron): Savonala Horne. Wynecta Fisher. Langdon Marsh.

Langdon Marsh: Here.

(Aaron): Stephanie Hall.

Stephanie Hall: Here.

(Aaron): Vernice Miller-Travis. Jodena Henneke. Nia Robinson. Nicholas Targ. Edith Pestana. Peter Captain, Sr. Jolene Catron.

Jolene Catron: Here.

(Aaron): Thank you.

Elizabeth Yeampierre: Thank you, (Aaron). So we're going to get started with a presentation from Mr. John Hankinson, who is the Executive Director of Gulf Coast Ecosystem Restoration Task Force. Is he with us?

John Hankinson: Yes, I'm here.

Elizabeth Yeampierre: OK. So let me just – let me just share with the members, Mr. Hankinson, a little bit about your background. As Executive Director of the Gulf Coast Ecosystem Restoration Task Force, Mr. Hankinson reports directly to Administrator Jackson. He will be coordinating inter-agency experts, oversee staff in outreach efforts, develop a regional ecosystem restoration strategy and ensure that science underpins the task force efforts.

Texas, Louisiana, Mississippi, Alabama and Florida will each have a state representative on the Task Force. The representatives will be selected by the governors of each Gulf State and then appointed by President Obama along with one senior official from each of several agencies including the Department of Defense, Justice, Interior, Agriculture, Commerce and Transportation. The Task Force will also integrate local stakeholders, representatives from affected tribes and the scientific and academic communities. The Task Force will have a presence at each of the Gulf States in addition to Washington, D.C.

Mr. Hankinson has spent 30 years working on environmental issues in private, public and non-profit sectors. The Florida native has brought together industry, government and stakeholder groups to form partnerships to restore ecosystems across the Southeast. He has worked on the National Estuary Program in the Gulf of

Mexico and directed the development and implementation of the water quality protection plan for the Florida Keys National Marine Sanctuary.

He has over 10 years experience overseeing the restoration and protection of the St. Johns – of the St. Johns River system in Florida. Mr. Hankinson currently serves as an environment and conservation lands consultant, advising on lands conservation, strategic land use decision making and constructive environmental management and policy projects across the Southeastern United States. He serves as regional administrator EPA Region IV from 1994 to 2001. We're very happy to have you join us, Mr. Hankinson.

John Hankinson: Well, thank you. Obviously, I've been around too long (with that) long – a long bio. But I really appreciate that I have a chance to talk to the – to the advisory council and we've got quite a challenge in front of us in the Gulf and I'm very pleased that at least a portion of your membership and some additional folks have agreed to help us get environmental justice input into the deliberations of the Gulf Coast Ecosystem Restoration Task Force.

I was told to spell out the acronym every time, but that's a long one so I may resort to just calling it the Task Force as it gets – get (too long). But just briefly, President Obama, as part of his commitment to the Gulf and from not just the spillover from the hurricane and all the other prior challenges the Gulf has had, issued an Executive Order in October of 2010 establishing the Gulf Coast Ecosystem Restoration Task Force and named Lisa Jackson as the chair of that Task Force to come up with a long term strategy for restoring the Gulf.

You know, there's still the issues of the spill is still with us. It's more than the spill. It's a, you know, a devastating event in the Gulf and those issues will continue to be worked on. But we also wanted to bring in other issues in terms of environmental issues on the Gulf with the impacts of loss of wetlands, the nutrient impacts like hypoxia, loss of fisheries and impacts of the communities along the Coast. Many were trying to rebuild from the impacts of the significant hurricanes along the Coast and now we're trying to also deal with the impacts of the spill.

And, of course, the Gulf is important not just to the members of the Gulf community, but it's important to the entire nation. And it's 600,000 square miles so it's a large ecosystem they're working with, but it provides a significant resources, oil and gas resources for the rest of the nation, fisheries. There's a lot of tourism, a lot of folks make their living just directly from the Gulf. And there's a number of issues that have been (preying) all along the Gulf in terms of – that affected our communities.

So we are charged to try to develop with our Task Force, which is 11 federal agencies and five state representatives a strategy to present to the president a long term restoration of the Gulf by October of 2011. The president was very emphatic that this plan comes from the people of the Gulf Coast and not just from the experts. And so we're conducting a lot of listening sessions and developing a number of ways to try and get input from the communities as to their priorities.

We establish a group similar to the one that you've established under the NEJAC here with the local government advisory committee so that we can use that vehicle to provide input directly to the administrator on Gulf restoration and community issues and we're looking forward to working with the subcommittee, the Gulf Restoration Working Group under NEJAC.

In the same way, Bryon Griffith has been very involved with this. Bryon is actually down in Mobile now preparing for our listening session in Mobile. I wish he could be on this call as well, but we're not a – we should say we're not a widely staffed organization. We're kind of leaning – we're not (inaudible) but we're lean, at least. And, well, people see me and no, I'm not lean either. So, anyway, we don't have a whole of folks, just leave it there.

But we're very much looking forward to getting input from the communities. We've also – we've already made some good, good contacts and been down in the Gulf several times. And, you know, I have a background on working on environmental justice issues in Region IV and I'm very comfortable (inaudible) and working in those communities.

So thank you for your support and I'd be happy to answer any questions explaining any more specific areas that will be of use to your group.

Elizabeth Yeampierre: Thank you, Mr. Hankinson. You know, sustaining a meaningful community engagement in our communities is always a priority. So we really look forward in working with you.

Do any of the members of the council have any comments or questions for Mr. Hankinson?

Margaret May: Hello. It's Margaret May and I just got on.

Elizabeth Yeampierre: Welcome, Margaret.

Margaret May: Sorry to be late.

Elizabeth Yeampierre: Margaret, we just had Mr. John Hankinson give a presentation. And at this time, we are taking questions and comments from the members.

Margaret May: Thank you.

John Hankinson: I'm sure your – the staff has provided you a list of the folks that are just staying on the Gulf Restoration Work Group and the leadership of that group. But if you need that list, let us know and we are using that as a vehicle to try to get the best communication we can into the work we're doing on behalf of the Gulf.

Elizabeth Yeampierre: Thank you. Does anyone have any comments or questions?

If no one has any comments or questions, Mr. Hankinson, let me ask this. One of the things that we, those of us who come from more different communities that are

not located in the Gulf would like to see that this Task Force can come up with a template that will address issues that have to do with climate adaptation and resilience and other weather related impacts that are going to be taking place in communities all over the country.

Can you share with us how this Task Force can address some of those concerns so that the work that's coming out of the Task Force can be used by many of our communities?

John Hankinson: Yes. That's a real good point. The Mabus Report was the sort of the background report done by Navy Secretary Mabus, who have been the former governor of Mississippi. He came down to the region, the Gulf region, and looked at what needed to be done to try to speed recovery and restoration of the Gulf.

One of the specific areas he mentioned is what just you described. How can we make our water for our communities more resilient in the face of the – it's not just the impact of storms, but we also have the impact of sea level rise and in some areas – excuse me – some areas of the Gulf and I imagine in other areas there's an issue of subsidence of lands along the edge of the Coast that just further worsen situation.

So we are working – we have a particular group of folks that are going to look at, you know, the resilience issue in terms of how can communities, you know, you're not – we're going to continue to have storms and we just need to figure out better ways, first of all, to reduce the impact of storms. And second of all, they anticipate when we do have impact how responses can occur, you know, more effectively to the community and we're engaging help from other federal agencies and state agencies with jurisdiction on community development issues.

You know, the State of Mississippi went through an extensive planning process and they came up with a Mississippi Coastal Improvement Plan that did a lot of the things you just mentioned. They have rebuilt some of their (Bear Islands) which is sort of first level of defense for the communities. The wetland areas also provide wave attenuation in terms of those impacts. They've created a program that allow people to move back from hazard areas in terms of making funds available to buy out the areas they're in and have these areas and they've kind of storm proof their infrastructure and rebuilt large (dense) systems that are on the water, and kind of just create a little bit more of a buffer from the waterfront.

So we're going to be carrying that forward in our work. Alabama is very interested in some of that work as well, so expect to see a good sweep of options coming out of our work.

Elizabeth Yeampierre: Thank you. That sounds really helpful. Any comments or questions from the members of the council?

Langdon Marsh: This is Langdon Marsh. John, I'm delighted to see that you're back in the saddle here, working in behalf of the people for Environmental Protection, so...

John Hankinson: Well, thank you. People say I'm crazy but I'm back. I may be crazy, but I'm back.

Langdon Marsh: I don't want to jump ahead to what Jody and (cast) – our internal advisory group may be reporting a few minutes. I wanted to ask if you will be staying around for this full duration of this call or at least for the portion where leading up to the public comment?

John Hankinson: My schedule it to be on the call till 2:30. I don't know how that can fully...

Langdon Marsh: That – that's exactly the time. So I may have a question after we hear from Jody about the extent of which your recommendations may go to actually involving communities and community members in collaborative decision making about actions that are needed in order to restore the Coast and provide for resilience.

John Hankinson: I'll be – I'll be available.

Elizabeth Yeampierre: Thank you. Any other members of the council have any questions or comments for John?

Victoria Robinson: This is Victoria. I'm going to ask a question. John, can you talk a little bit about any – you've been at this for a while about any challenges and hurdles that could serve as barriers to long-term community engagement, things that you've run across that might be unique down in the Gulf area or maybe not so unique that actually serves as barriers to any long-term sustaining community engagement?

John Hankinson: Well, you know, I think one of the – this is just sort of a working observation, but, you know, we try to address this in how we're setting up our – on how we structure.

Yes, you have to – you have to – if you want to get folks ideas, you also – you need to be available when they're available. So, you know, a lot of times, community folks who are working aren't available to have a meeting during business hours so we try to have a lot of availability in the evenings.

I've also made myself available to come to meetings, you know, of groups. I was recently down at the Fairhope, Alabama at a meeting. I know (Natasha) was down there and others that – of groups. It was more than just Environmental Justice Groups as there was pretty broad representation there.

You know, I think a lot of it is getting the basic information about what the opportunities are in order to get the input. One thing that I would urge is that I think you've got a very group also in the local government advisory committee and there's some folks there who really are I think outstanding community leaders. So we kind of (augment) to your ability to have a strong voice from the communities from the Gulf, you know? If you don't have that, we'll be happy to, you know, get those folks out to you and kind of – I think an interaction there would be very useful.

Elizabeth Yeampierre: John, I think it's excellent that that you're working. This is Elizabeth. That you're working with so many different agencies because these problems are complex and it really required that all these agencies be onboard.

What is being done to assist these agencies and understanding how to engage Environmental Justice communities and are there resources available for community groups to access so that they can sustain engagement over a period of time?

Because I know that what we're talking about is long term engagement and that right now a lot of groups are suffering because foundations are pulling back and they have fewer resources available and it's happening at the same time as these environmental conditions are becoming more challenging and the health impacts are more challenging.

So what kinds of resources or supports are available to assist them so that they can be involved in a way that is meaningful and of those resources available from a variety of agencies or is it one agency? I don't know if you can speak to that.

John Hankinson: Well, a couple of observations on it. First of all, I think, you know, I don't want to (inaudible) too much from the EPA, but EPA I think has probably have more depth in the environmental justice area. And I think that's one of the advantages of having this kind of interagency task force is that there is some (transfer) in terms of experiences. Some of the other agencies have done some good work as well and but that also, you know, hopefully bring – bring more resources to bear.

The Task Force itself has no budget. We're basically borrowing resources ourselves from the agencies. And Lisa Jackson has really, as you can say, given us the office, in fact, given us our offices and she was charged by the president, you know, to provide basic infrastructure.

I think what we're working on right now is providing the strategy for the president and we're not really available all across the Gulf in listening sessions on what are the (goal) in that strategy, but I think this would be the kind of thing that I would hope that we would get recommendations from...

Female: (Inaudible).

Elizabeth Yeampierre: Sorry. Hello?

John Hankinson: I thought somebody had a question. (If we get)...

Elizabeth Yeampierre: No, no. Go on – go on, John. I think it was just some background noise.

John Hankinson: OK. That, you know, we can give some input to our Task Force deliberation in terms of what we include in the actual strategy as a way to think through how to provide access for the communities in the long term working on this Gulf issues that I think it's important goal.

And we're at the beginning point and we're trying to develop a strategy for how things will work going forward. We've heard, you know, recommendations of more robust citizen involvement and we're working on some of those ideas as well. But

just make sure that we – those ideas are articulated for our process here putting the strategy together.

Elizabeth Yeampierre: Thank you. Thank you very much for that. Are there any other members of the council who may have some comments or questions for John? We have a little bit of time.

John Ridgway: This is John Ridgway. I've got a question.

Elizabeth Yeampierre: Sure. Go ahead.

John Ridgway: Hello, John. I'm one of the state representatives here from Washington State. And you mentioned in your introduction that there are 11 federal agencies involved with this Task Force, if I heard you right.

My question is around a common issue that we hear on the council and from concerned folks and that's around the ability or inability for these many federal agencies to collaborate, work together to help what you're talking about, community involvement, sustained engagement, understanding the bureaucracies and struggle in doing that. And in particular, there is that interagency working group to address environmental justice.

Has that what group that engaged in this process and/or if you can understanding their sensitivity to my question, let us know where you're seeing some challenges as far as federal agency coordination on this Task Force and/or the issue is addressing?

John Hankinson: (Inaudible) I'm not aware that we've had interaction with the working group and the Task Force. Bryon may well have and Bryon (inaudible). Bryon Griffith is my deputy who is the head of the Gulf of Mexico program but has come onboard to try to help us get this strategy worked out.

I think following – sort of following the direction of your question, one of the challenges that we have is that this – if you look at the Mabus Report with sort of the underlying text, I guess, for this effort that called for the establishment of Ecosystem Restoration Task Force.

I also went into a number of other areas that are important to communities in terms of health, economic development, redevelopment and that sort of thing. Those charges weren't – they were some ideas – actually establishing task forces on some of the other – some of the other areas and that was not – it was not done although there were working groups here in the Gulf that were working on economic development and health related issues.

But I – I haven't – I've talked to the administrator and I see that sort of – it's not useful (what we've got there). One idea (inaudible) how far we're dealing with this part. I'm trying to bring in the other agencies that have – that have some jurisdiction and (the various) – that that community is more broadly than just the Ecosystem Restoration. Although I – the way I look at Ecosystem Restoration as defined by the president is a broad definition. It's not just fixing the environment. It's fixing the

environment in a way that supports the health and viability and resiliency of the community.

But I've been meeting with the Commerce Department, economic folks working with (HHS) folks on health related issues in the Gulf and try to, you know, bring on at least the tool box into what we're doing on those issues that I understand that it's very difficult for communities to understand what resources might be available, you know, and the number of programs that exist at the federal level.

We don't – you know, our primary agencies are more natural source oriented. We essentially have five agencies and six White House offices, I think is the way it breaks down. But as I say, I'm trying to work with the other agencies that deal with health and economic development and economic, you know, sustainable communities in some of those areas to bring that part in, because I don't think we can really fulfill the mission without a really broader look at what we're trying to do here.

John Ridgway: Thank you. Let me try to rephrase this in a more simple context. Are they – are they working together? Are you getting the kind of support from the other federal agencies that you think is needed to address the issues of the Task Force that you're trying to address?

John Hankinson: Yes. I think – I think they are. I think the agencies that actually are on the Task Force, which will be NOAA, National Oceanic and Atmospheric Administration, the Agriculture, Department of Defense, EPA, and Department of Anterior, those are the names of agencies and they are working together well. I have staff in DOT. I have staff at six agencies and five White House offices.

I have staff from all of these – folks on my staff where the area that I've had – I'm in the process of cultivating with some of these agencies who are not – who are not named Task Force members who – but I think have – as I mention, in the health and economic development around things offered to sort of broaden the strategy a little bit.

And, you know, those – at the more recent development, they seem very interested and working with – quite frankly have invited us to a number of meetings. We're working on a point of contact basis at this point to see how we can best get that – their employed hand to our process. They're not members of the Task Force, but they are providing support.

John Ridgway: Thank you. I appreciate that very much.

John Hankinson: Thank you.

Jodena Henneke: John, this Jody Henneke.

John Hankinson: Hi, Jody.

Jodena Henneke: How are you doing?

John Hankinson: I'm all right.

Jodena Henneke: Good. If you would speak to just a moment and, you know, just kind of like asking you to read the unabridged dictionary and I appreciate that. In advance, I apologize.

But could you speak to the differences, if you will, between the work, the charge, the efforts that through the Executive Order the Task Force has been asked to do versus compare to the efforts that's going on through NOAA and NRDA?

John Hankinson: Oh, thank you so much, Jody.

Jodena Henneke: I'm sorry. I apologize in advance. (Inaudible) listening session I've heard it. So I get my (jobs) prepared.

John Hankinson: OK. Well, if anybody doesn't want to be confused just cover your ears and I'll – I'll do my best.

You know, there are several levels I'm trying to deal with these catastrophic events in the Gulf for this – what they call the spill. I have a hard time calling it a spill, you know? It's like, you know, I spilled my coffee. To me, you know, it's much more catastrophic.

But, anyway, they call it the spill, and (being one) of the responses, the first level clean-up, you know, folks are out trying to get the oil out of the wetlands and off the sand. And there's the economic recovery that's coming for its share of criticism in terms of getting check out to folks who (have) losses – economic losses and loss of business, and that's being run by BP and Mr. Feinberg. So that's the direct part.

Now, there's a part under Federal Law under the Oil Pollution Act, Natural Resources Damages Assessment, which essentially the way I – the way I explain to myself is that, you know, these resources – if the ocean and the bottoms and these wetlands, they belong to all of us. But the government agencies, both the state agencies and the Department of Interior and the NOAA folks are like trustees for all of these resources in our behalf.

And we have a legal claim against those that would damage those resources that belong to the people and they are in the process of determining the extent of that damage and the goal is that the parties who caused the damage should be required to return the damaged areas to the condition they were on the day before the damage occurred or compensate in such a way that we help compensate for the types of damage that occurred.

It's a fairly simple concept but it's a very complex undertaking as you can imagine. And if you put much oil in the ocean, you know, there's long term and short-term impacts and so it's a challenge. But that effort is underway and they recently had listening sessions down the Coast as well, Jody, as you know. But they are dealing specifically in the context of BP and the other parties being required to fix what they broke essentially, you know, from the oil spill as of the date that before the spill actually occurred.

Our effort is broader than that. Our effort – there will be another layer of responsibility that BP and its partners will be held accountable for and it's the violation of the Clean Water Act. And there have been filed litigations by the U.S. government and it's been – other partners are joining in to basically pay fines. You know, they broke the law and they're going to have to pay significant damages for the violation of the Clean Water Act.

The result of that, the fines could be, you know, in the realm of, you know, \$1 billion to \$20 billion is the range I've heard assuming that the judges go along, you know, what happens with that kind of (inaudible) that people get pushed back on their claims. But assuming we get – we get a judgment or BP decides to settle, these fines will be created. And currently, they would go into what's called the Oil Spill Liability Trust Fund that would be used for the next – to remedy the next oil spill, not this one.

The problem with that is that the magnitude of the damage here in the Gulf and the possible magnitude of these fines, it basically was overwhelmed – I mean, some of (inaudible) will get this trust fund, but then whatever is left over just goes into the General Treasury and it's not used to clean up the Gulf. Well, that's not fair, you know, in my judgment of this. You know, that's a legal term of (inaudible), by the way, it's not fair. It ought to come back to the Gulf to help address the impacts to the environments, to the communities there.

So we need Congress to amend the law. Well, I mean, for that to happen, the Congress will have to amend the law to allow those dollars to come back in.

Now, the connection to our Task Force is that, although it's not written anywhere, the fact that it's sort of linked in the Mabus Report to this Task Force, the recommendations of this Task Force we've come up with would guide the investment funds that will come from those Clean Water Act fines if Congress authorizes it to come back to the Gulf and the use of that purpose.

Is that confusing? Yes.

Jodena Henneke: I've actually followed you a bit and I appreciate that. But it is, as you well know, it is – (I knew it's hard)...

John Hankinson: Right.

Jodena Henneke: ... to explain that and all of the meetings that I've attended thus far it is somewhat problematic.

John Hankinson: Yes. I understand that. And one of the things to remember is that they are dealing strictly with the impact of the oil spill. Our Task Force is charged to look at all the long term issues in the Gulf and as many of you know from the Gulf there have been issues there for a long time. I mean, the wetlands, they're basically breaking apart in Southern Louisiana and that whole area is disintegrating.

We have a lot of nutrient pollution. We have toxic issues there. We have issues with – issues with loss of habitat and fisheries and we've obviously had communities that have been damaged in storms that need attention. So all of those things are available to be looked at in our – in our work and we're not – our Task Force is not a new agency in the sense that we have any new authority. We are an advisory body that tries to work with the existing agencies and programs to get things done.

Elizabeth Yeampierre: Thank you, John. Any other questions and comments? We've got about 12 minutes left, so we've got some time.

Stephanie Hall: Hi. This is Stephanie Hall. Just a quick comment. Thank you very much for bringing that issue up, Jody, and thank you very much, John, for the response.

It is an important distinction to be noted. I actually was able to attend one of the scoping sessions last evening in Port Arthur, and it is a different dynamic. And so, I think it's important for the council to understand the different venues and what is taking place in each. So I appreciate that additional insight.

John Hankinson: Sure. And I think folks should stay involved (in both) if you can. Again, if I get – if I get a comment that sounds like it relates back to NRDA or it relates back to (HHS) on what I am hearing, I will take it over to them. So I think they're both source of important resources and decisions that can affect the Gulf community.

Elizabeth Yeampierre: Thank you, John. Does any – do any of the council members want to make any comments?

John Ridgway: I don't want to monopolize – John Ridgway here with a second question.

Elizabeth Yeampierre: No. You're always welcome, John.

John Ridgway: Thank you. John, last year when things were unraveling and we were hearing in the council of attempts to build dunes and/or kind of a barrier with sand out in the Gulf, are you going to be looking at that and the Task Force in terms of long term regeneration or strategies or is that outside of the scope of your work?

And if you're going to look at it, could you maybe just kind of give us an update?

John Hankinson: Sure. That's precisely the kind of thing that we are looking at. Unfortunately, some of Louisiana's fervor about building a sand barrier to the oil, you know, they didn't take an account all of these environmental factors with that.

And I think when people hear about building sand – sand barriers there, you may understand that there's really a very – if it's done right, they're very critical piece of the ecological infrastructure down there and we need those, the sand islands, they reduced the amount of storm surge that comes in (inaudible), and they have to reduce that storm surge so that the wetlands could be reestablished behind the sand barriers, which again reduces the storm surge on the – on the coastal communities.

And so it has an environmental and a human – human benefit, too. We are looking at the big issue in the Gulf and it may be up in your neck of the woods as well, John, is the beneficial use of sediment for creating not only sand barriers but also providing some structure for rebuilding wetlands in Louisiana, Texas and other parts of the Gulf. So it has a big – a big part of what we're looking at.

You know, historically, the sediments used to come down the Mississippi River and from this – form the Delta essentially, and that's why it may be the most productive marine ecosystem in the world. But, of course, we say that all the time. We think that's true. I can't – I'm not a scientific expert. But, anyway, it produced just one darn important area for environmental production of fisheries, shrimp, et cetera.

And now the river has been (levied) off. It's not getting that sediment into the wetlands. And so, using that sands – and that's actually the sand to recreate sand islands I think is a big area that we're looking at.

John Ridgway: Thank you very much. I appreciate that.

Elizabeth Yeampierre: Thank you, John. Any other comments or recommendations or questions for John?

Vien Nguyen: Hello. This is Vien Nguyen from New Orleans. John...

John Hankinson: Yes.

Vien Nguyen: ... if I could ask you to continue on the question of the barrier. Have you – are you going to – is the Task Force going to consider barriers being built around the (wall) as well? The reason I asked that was I – I visited (inaudible) Bay a few times after the earthquake in 1995 and they've created a very interesting structure – barrier structure that reduced the surge. At the same time, if the (power) is enough, that the – that the – it serves also as a barrier reef type of – kind of thing that where people now go out with their fishing.

John Hankinson: Yes. That's a great idea. I wasn't aware of that one, but that is precisely kind of project that we're trying to focus on. In fact, in their – Mobile, the citizens there started a project to develop oyster reefs that can provide that same – I think that would be sort of the same concept you're talking about that provides – you know, oyster reefs provide so many benefits in terms of storm surge and protection, but also filtering the water and providing an economic resource.

You know, oysters are important even if you don't eat them. I like to eat them, but other folks don't. But that oyster reefs have been one of the vehicles for creating that sand islands. But then another which does provide – bird habitat that's important as well. But I want to look at this one in (inaudible) because we're looking for all the good models (inaudible).

Vien Nguyen: Good. Good. Thank you.

Elizabeth Yeampierre: I think we have time for one or two more comments.

(Don): Hey, Elizabeth. This is (Don).

Elizabeth Yeampierre: Yes.

(Don): I just want to quickly check to see if any new members have joined us.

Elizabeth Yeampierre: Sure.

Margaret May: (Erin), I'm here. Margaret May.

Edith Pestana: Hi. This is Edith Pestana.

(Don): Hi.

Edith Pestana: Hi.

(Don): Anyone else? Peter Captain, Sr. Nicholas Targ. Wynecta Fisher. Savi Horne. Kimberly Wasserman. Paul Mohai. OK. Thanks, Elizabeth.

Elizabeth Yeampierre: OK. Thank you.

And, thank you, John. I think this has been really enlightening and really makes us hopeful. From my perspective as someone who works at an EJ community, my big hope and I hope I can keep it is the idea of an interagency approach to community engagement. You know, we know that EPA has a lot of history and experience working with EJ communities, but a lot of agencies don't. And unfortunately, these kinds of issues required that all of the agencies work together in a way that makes sense and engage communities in a way that's meaningful.

So I'm hopeful that this Task Force will create that kind of model that can be replicated and that will be able to dig deep in issues in our communities and engage communities in the way it's meaningful over long periods of time. So, I'm going to – I'm going to keep my hope up about that.

Do you want to say...?

John Hankinson: Well, I just want to say that I appreciate NEJAC making the investment effort to set up a Gulf group. I think it's critically important that the (Gulf) voices be heard from that perspective of the community. And you have a sort of a unique opportunity because, you know, your input goes directly to the administrator who's the chair of the Task Force.

So I think he have – if you need any help from me or any of our folks in terms of, you know, how to frame issues coming from your communities, (inaudible) stay and close touch on that because I really want to see that promise fulfilled as well.

Elizabeth Yeampierre: Well, thank you so much and I hope you stay with us at least for the next half hour.

The next we have Jody Henneke and (LaTasha Brown). Is (LaTasha Brown) with us?

Victoria Robinson: (LaTasha) is not going to be on the call...

Elizabeth Yeampierre: OK.

Victoria Robinson: ... because she is also sick. And I believe she's lost her voice completely and she may be just listening in.

Elizabeth Yeampierre: OK.

Victoria Robinson: I'm not sure. But it's likely that she's not.

Elizabeth Yeampierre: OK.

John Hankinson: This is John Hankinson. It's hard to imagine (LaTasha) without a voice now.

Elizabeth Yeampierre: Well, if she's on the call, on behalf of the NEJAC, welcome. We're very excited to have her and Jody co-chairing this important work group.

So Jody, if you could give the members of the council an update on the work group?

Jodene Henneke: Sure.

And like I said, I am in a safe place but I am alongside the freeway. So if for whatever reason – no, really, I'm in a convenient store parking lot, so I'm fine. But I'm trying to make sure the background noise doesn't become problematic.

And along the lines of timing is everything, it did not – I swear, it did not occur to me and I'm a huge fan. And so I flew in to the Houston Airport a couple of hours ago. This is Final Four Weekend for anybody who's a College Basketball crazy fan and for all in the middle of Houston right now, so it's been interesting here.

But on our work group, we have – let's see. There's me and (LaTasha), we are our co-chairs; (Brenda Roberts Shaw) with the (United Home and Nation); Derrick Evans with the Turkey Creek Community (Initiative); Wynecta Fisher out of – and I'm just going to say the New Orleans area; Stephanie Hall, who is on the call, NEJAC with (Valero); Dr. Cynthia Harris with Florida A&M University, and Father Vien Nguyen, also the council from New Orleans.

Our work has been done by conference calls and as everybody that's on this conference call notes that there are challenges associated with that. But it does allow you to meet more frequently and hopefully get some things done in a fairly rapid fashion.

We have – and, you know, I apologize. I don't have the numbers in front of me. But I think we've had upwards of seven conference calls, something like that. At our most recent call last week and I'm trying to thank you for this, Bryon Griffith spent a

little over an hour with us on the conference call and that was quite helpful. We talked through the charge that has been given to us.

And do all the NEJAC members have copies of that in front of them? Or do I need to go through it?

Elizabeth Yeampierre: I think that Victoria may have sent us that information.

Victoria Robinson: Can you repeat that again, Jody? I'm sorry. I missed that. What was your question?

Jodene Henneke: The copy of the charge that has been given to us been disseminated to the NEJAC?

Victoria Robinson: Yes, it does. And before you go on, I wanted to also – and you might have said this and I'm – as I said I'm deaf right now. But I want to also acknowledge that Region IV is providing the – Ms. (Kadesch Altador), who served as a DFO for this work group, and she's been coordinating and working very closely with Jody and (LaTasha) to ensure that their meetings and the work group meetings go on as scheduled and that we make the very tight deadline.

So I did want to acknowledge that before you went on. So...

Elizabeth Yeampierre: Victoria, can you repeat her name again?

Victoria Robinson: (Kadesch Altador).

Elizabeth Yeampierre: OK.

Victoria Robinson: It's K-A-D-E-S-C-H. She's used to be O.J. but she's now in Region IV Office of Environmental Justice and working with closely and has been working closely with (Cynthia) (inaudible) and some of the Gulf matters.

Jodene Henneke: And certainly, from my perspective, all of the thanks that we can give for the folks that function as DFOs because keeping us organized around the edges, you know, we can be – and I am speaking personally. We can be a bit of a baby chicken-ish when it comes to having to organize us, and doing that by conference call is even more of a challenge. So I thank you, thanks. And this is actually to throw thanks to you all.

One of the things that has been a bit of a focus that we've been speaking of keeping edges close together and Stephanie and Father Vien, please (comment) here as well, is keeping us focused on that our task is to give advice as to how to do this. And our advice – our recommendation gets handled back through NEJAC as a whole. And then what we agree with out of NEJAC then gets forwarded to the administrator.

And, you know, for a lot of folks that can sound a little bureaucratic, but it is how a federal advisory committee works. And that takes a bit of discipline because most of us have done throughout our careers, we are worker bees and want to get right down in the (weeds) and that discipline that's required to give advice is challenging. I think I would say it that way.

I do want to focus on a bit and speaking of Victoria or (inaudible), please keep me on track here. One of the things that we talked – have talked a good bit about is because of the complexities of the Gulf Coast and those who live along the waterfront make their living off the waterfront should feed their families off the waterfront. One of the things that we have talked a good bit about that will likely make its way through findings. I'll just put it under the heading of potentials at this point is language issues.

John Hankinson was talking about, you know, getting into communities and being – having greater access to them realizing that the timeframes that many of us work the traditional 8:00 to 5:00 are not available. Well, if you can't get into – into the language that is spoken by those communities, that in and of itself is frequently a deal breaker before you can even get to anything else.

Father Vien, do you want to talk about that a bit?

Vien Nguyen: Oh, yes. Thank you. That's precisely the issue. And not only if you want something like long term engagement and that's what we're looking for, and then the communities' interest must be (perked). And if they cannot – if the interest cannot be (perked) and they do not understand, both – I'm concerned about both the language and the concept, because for our communities, for the (Asian) community, ecology is something very, very new.

So direct inflation is one thing, but really to explain the impact that it would have on the people, both positive and negative, I think that would – that would help keep them engaged for the long term.

Jodene Henneke: Elizabeth, do you want to – do you want us to pause in between this or how do you want us to do our report? Do you want us just to keep going?

Elizabeth Yeampierre: Yes, Jody. Keep going. And if you want to call on members of the work group that are serving – that serve on the council, please feel free to – this is – this is yours. You've got this.

Jodene Henneke: OK. Is there anybody else on the work group that wants to add something to (inaudible) what Father Vien just said on the language issue?

So then if not and we certainly can come back to this, you know, with the group as a whole, but...

Derrick Evans: Derrick Evans. This is Derrick Evans. I'm also on the call.

Jodene Henneke: OK. I didn't realize you were on. The other thing that we have talked a bit – I talked about more than a bit. We talked about it a lot and will continue to discuss this.

And this is one of the difficulties associated with both wording in the Executive Order and how the federal government respected agencies within the federal

government go about their business, and that is the difficulty associated with the pure language of federally recognized tribe and that is more than in terms of art. It is a matter of sovereignty and law. And as John Hankinson said a while ago, I can be very big on very specific legal words as for non-lawyer like that is not fair.

And we have been I think pretty articulate in the discussions amongst ourselves as a work group about how we will put forth a recommendation that there are many tribes along the Gulf Coast that are not federally recognized.

Is Brenda on the call?

Victoria Robinson: I don't think so.

Jodene Henneke: OK. Is there any other member of the work group that wants to talk about this one?

Derrick Evans: Yes. This is Derrick Evans. I would be glad to.

Jodene Henneke: Please.

Derrick Evans: Sure. In fact, the fact of the matter is that a majority – the overwhelming majority of indigenous people who live along the Gulf Coast are members of tribes that are not federally recognized, but that are soon to be recognized by the state in which they're located. And for some reason, I guess probably just building off of the interpretation of OPA '90 or in this instance the emphasis on federally recognized tribe made its way into the post BP sort of discussion and sort of policy formation even though OPA '90 did not specify or require, because in Alaska, so many indigenous people are not federally recognized.

And, anyway...

Elizabeth Yeampierre: I'm sorry to interrupt. This is Elizabeth. Can you, for the purpose of the public that's listening in tell us what OPA '90 is?

Derrick Evans: Yes. The Oil Pollution Act of 1990 which was drafted, passed and it was (just stood) since the Exxon-Valdez oil spill really folded in around the issues that Mr. Hankinson discussed earlier as far as NRDA issues, you know, Clean Water Act funds, even the compensation for economic and other losses among trustees near the state or tribal entities or even individuals.

And so, since 1990, OPA '90 serve the governing overarching policy that in my opinion and the opinion of many of the people in the Gulf Coast in particular is kind of responsible for some of the ways in which initial response went well or not so well, because it was operating under the – what? Thirty-year-old or 20-year-old law.

Anyway, so that was OPA '90 is.

Elizabeth Yeampierre: Thank you.

Derrick Evans: Oil Pollution Act of 1990. I should say also that that law was very careful to create a high level of citizen engagement and participation and deliberations and policy development and governance and so forth going forward, which candidly-speaking has been, you know, less easy to achieve in the Gulf Coast for a variety of reasons going forward.

But in our case, this working group, one of the things that jump right to the (cup) was how the Executive Order is explicit in that suddenly recognized tribes would be stakeholders, you know, in this (on par), you know, with the state as they are under OPA '90 and under NRDA, the National Resource Damage Assessment provision.

And so, as I understand it correctly, there currently 11 or 13 federally recognized tribes that happened to be in state that touched the Gulf Coast but they're not necessarily Gulf Coastal tribes that are on the list of those groups. But the majority of the folks that we're talking about who (have bore) the direct impact of not only the BP disaster but the legacy issues of land loss, of horrible toxic conditions of soil, ground water, water, air, you know, along the lower Mississippi River and the Gulf of Mexico are not explicitly empowered by the Executive Order.

So we're sort of – our working group has to deal with that.

Jodene Henneke: It's Jody. Let me say this. In a federally recognized tribe in a sovereign nation brings with it a government to government consultative relationship. If a tribe is not federally recognized, they do not have that availability.

So likely one of the recommendations that we will be pushing forward from the work group to the NEJAC as whole is the recognition – and that's a bad choice of word. What I was going to say is we are going to be making note that the non-recognized tribes need to be reached out to and included in the decision making process as are federally recognized tribes.

Elizabeth Yeampierre: Excellent.

Jodene Henneke: Did I say that right...

Elizabeth Yeampierre: I think so.

Jodene Henneke: ... (inaudible) work group?

Male: Yes. You did.

Male: Sure.

Derrick Evans: If I may – and this Derrick Evans again. I would like to say something that I think about to – what was discussed earlier. There was a question about interagency collaboration, how well that both for maximizing meaningful community input engagement and input.

And I should say to both the members of this working group, but actually, you know, perhaps more importantly members of one of these environmental justice communities on the Gulf Coast that were collectively concerned with on this call. That there is a slice of members of the community along the Gulf Coast from EJ community like Father Vien and myself, who like many others actually, quite a few others, spend a lot of time attending and paying attention to and often even advising the multiple and sometimes separate discourses, right, hat the various agencies and working groups are undertaking.

Whether it's the White House working group, one of environmental justice, that the (kind of level) working group, the many other form of (DC 4) in December; whether it's the partnership for sustainable communities involving DoT, (HAD), EPA; whether it's this Task Force, whether it's NRDA, whether it's even departmental listening session and (inaudible) NOAA or (inaudible), of course, the state agencies. And quite frankly, those of us who are engaged in all of this at that level, I believe first and foremost community members whose engagement is sought, but also our individuals who frequently have the best of perspective or integrated overlay of what all of these agencies that are working together for the first time sometime are (inaudible).

Because out of necessity, we actually participate and engage in all of those different issues that impact our community, whether it's the clean up, whether it's compensation, whether it's this Task Force, and whether it's NRDA or the Clean Water Act Fund.

So I say all that to say that I hope one of our recommendations coming out of this working group to the NEJAC and then from the NEJAC to the EPA and the task force would be that there'd be something more of an advisory – to an advisory – an advisory group to an advisory group to an advisory group to ensure or maximize meaningful community participation or input going forward. In fact, I think there ought to be a (fun level), some kind of citizen – a (parent), you know, some of the other members of these groups going forward.

Victoria Robinson: Jody?

Jodena Henneke: (Inaudible), one of the – and that somewhat ties in, I think, (inaudible). First of all, we did a good bit of discussion last week as well about the necessity to be able to sustain the kind of effort, the kind of engagement that's going to be necessary for ecosystem restoration, and I think one of the topics for our continued discussion over the next couple of conference calls with the workgroup is how to find that into a recommendation, because that is – at least what I took away from what Derrick was talking about is there – we do seem to do a lot of fits and starts effort because of the crisis of (development) whether it's in reacting to an individual hurricane, followed by two or three more right behind it, and that gives a significant momentum with a national spotlight, if you will. And then we haven't even come close to getting on our feet from that.

And John Hankinson said that he doesn't like the term "spill" as it relates to the Deepwater – the (inaudible) Deepwater explosion and catastrophe. You know, this is kind of one of those – I don't like the term just ecosystem response because that is

– it's – this thing is so broad that we have to be able to put some kind of definition around how to – and by definition I mean put our arms around being able to make a recommendation to keep the community engaged in a long term effort, be that recommendations for funding – and everybody knows how difficult that is. But I think one of our focus recommendations has going to have to get that, how do you put together something that you can fund so that you can sustain it.

Elizabeth Yeampierre: Jody, let me – let me ask – it's Elizabeth. In your update, can you address what the status and the – of the outreach to Latino communities within the Gulf is and how are they engaged and involved in this process? And, also, the issue of our documented workers, how their concerns being addressed through this as this rolls out?

Jodena Henneke: Let me – let me take a shot at this, Elizabeth, and see if this gets to (inaudible) your question. First of all, the workers has been asked to give advice about how to (get a look out) engaging the community. The taskforce itself is the one that is doing listening sessions and reaching out through (inaudible) and they – I know that they are having public meetings. I think they're having two in each dates, and they have asked – and I don't want to speak for Mr. Hankinson here. I just – there's some of the things that (inaudible) (reported) to as last week, that they are working with everybody that they can figure out how to get to as far as having individual groups like NEJAC publicize – and by publicize, sending out copies of notices of meetings and that sort of thing.

That's what I know. Any of the other workgroup members, feel free to chime in on what I've left out.

John Hankinson: This is John Hankinson. I – before I leave, I'd like to add what Derrick had said and so if we go back to that one, when it's appropriate.

Female: Yes. This would be a fine time.

John Hankinson: OK. Derrick how are you doing? Good to – good to hear your voice.

Derrick Evans: Good to hear you too.

John Hankinson: Yes. There's a very articulate statement about the need for, you know, a more focused and effective role for citizens in the process, and one of the – one of the things I left out to mentioning, and I want to make sure that this group have this in their – in their focus, is another recommendation that came out of the Mabus Report was the establishment of a more permanent, multi-jurisdictional council, they call it, in the Gulf of Mexico.

The taskforce that I'm staffing is considered transitional to a more permanent council. And part of what the taskforce would be recommending would be what sort of permanent vehicle should be place, which would be the place, I think, to be sure we incorporate the concerns that Derrick articulated, and I would just say there are models in terms of – and one that's been frequently presented and folks who just (went by here) from Alaska yesterday with Exxon Valdez and the way they

structured their group, they had a robust citizen's advisory council directly to their trustees' process up there. Now, that was – as Derrick pointed out, that was not under the OPA process or the Oil Pollution Act process, so it's a little different.

But, you know, I think – I think that that ought to be something considered by this group in terms of, you know, of creating something along those lines and whatever the future multi-jurisdictional council. Now, you know, the Congress is over there, considering bills right now that have some formulations for these (capsules) in them, so may want to make the staff aware of what's already over there because they could go ahead and create the council prior to the report coming from this (tap source) if they so choose. So – but I think it – I think it's a good – a good focus and a comment that needs to be included in the (fisher) – so the permanent structure, there'd be a more robust role and vision there for citizen input.

Jodena Henneke: This is Jody. And along those lines, we also have been reminded that while this – the Gulf Coast was the impetus for the charge that was given to us, but that we need to think about making sure – are being mindful that our recommendations hopefully will be applicable and a model for communities working on regional issues anywhere, not just the Gulf Coast.

John Hankinson: Yes, and I – but I would add one of the – I know it's as Jody outlined, it feels a little clumsy to be, you know, having your subcommittee give you advice to the large NEJAC board up to the administrator, but it's actually because of the limits on being able to give consensus input to a federal official that actually gives you a fairly powerful vehicle for being able to provide an input, and the way that you can develop a consensus position and present it to the administrator.

So everyone is still invited to be – participate in the – in the broader stakeholder process, but I think this – the thought was here, this really provides a much more focused way for the idea that you're coming up with to get a direct presentation.

Jodena Henneke: Right.

Derrick Evans: This is Derrick. I'd have to agree with that wholeheartedly. But this is – this is the best way to, you know, to midwife, hopefully, what I think we all want to see in the end, which is (inaudible).

Stephanie Hall: This is – this is Stephanie Hall with Valero. Just a quick question, (Jodie). I don't know if this is appropriate. I'll completely defer to you on it, but whether this call is a good one to solicit any suggestions that the rest of the council may have in terms of long term engagement of the community for the workgroup itself, but trying to pull together a recommendation.

Jodena Henneke: Sure.

Elizabeth Yeampierre: I think there's going to be, Stephanie, in response to your question – it's Elizabeth. I think there's going to be an opportunity for us to make a recommendation.

Stephanie Hall: OK.

Elizabeth Yeampierre: We've got public comment that begins at 2:30, in a few minutes. So I don't know that we'll be able to do that here, but we certainly are looking forward to working with you, and we're very excited about the work that you're doing. And we're really also very happy about the people who've been selected to lead this charge because it's – you know, it's definitely in good hands.

So I – you know, I would say that, because I just don't know that we can do that in this call.

Stephanie Hall: And I appreciate that, Elizabeth, and I apologize. I should have addressed...

Elizabeth Yeampierre: No, no. That's fine.

Stephanie Hall: (I actually should have) addressed the question to you. I apologize for that.

Jodena Henneke: Elizabeth, this is Jody. I think unless someone else – the workers has other things to throw in other than the timeframe that, you know, that we've been given, I think that, at least on a high level summarizes where we are. We know that we have a couple more calls in front of us, and then the main meeting, and then the timeframe that we've been given is that that NEJAC report needs to be to the administrator in July so that the taskforce can use it as the roll up their report that's due in October.

Elizabeth Yeampierre: Let me – let me just ask Victoria, and (I have to) try not so because she's kind of having a difficult time speaking. Victoria, in response to Stephanie's question, we are going to have an opportunity to have some input?

Victoria Robinson: Most definitely. Thank you.

Elizabeth Yeampierre: OK.

Victoria Robinson: At the main meeting in New York this will be – the (draft) that the worker will prepare, will be reviewed and deliberated by the council members. And so the game plan is to have a draft hopefully no later than a week before the NEJAC meeting so that the members will have an opportunity to review it, and (actually is when) the game plans for the report to be about eight to 10 pages long, maximum, and so the members can review it and then deliberate and we'd make any changes and we can get it out and finalize it during the remainder of May and beginning of June so that we can, you know, get it out as quick as we can.

Also what's going on in this process is that there are several individuals who support the taskforce from John Hankinson's team who's sometimes sitting on the call. But part of that consultative process with the workgroup, that they're hearing what's going on, and they are actually getting copies of the draft as we go along. Just like we've done with other reports that the NEJAC's have – the NEJAC workgroups have prepared, so that they are in the loop as to the direction of recommendation so that it helps to shorten up that little gap of time between when the NEJAC gets this stuff done and when it's finally passed up to the administrator and beyond.

Elizabeth Yeampierre: Thank you. And Jody, I'd like to thank you and the member of the workgroup for providing us with that comprehensive update. John, I – Hankinson, I don't know if you're going to be stepping out, but we'd like to thank you for staying on and for giving your input as well.

John Hankinson: Well, I appreciate it. I do need to have – to step out. And there's some issue and discussions about shutting government down here that I need to go and help – participate and try to keep from happening.

Elizabeth Yeampierre: And we – and we need you there.

John Hankinson: All right. Thank you very much, everyone.

Female: (Thanks), John.

Elizabeth Yeampierre: Thank you.

So, at this time, we are going to transition to the public comment period. Victoria, is there anything you want to add at this moment or can we just move on to that period?

Victoria Robinson: We can go and move on.

Elizabeth Yeampierre: OK. So...

Jodena Henneke: Yes. This is Jody.

Elizabeth Yeampierre: Yes?

Jodena Henneke: Elizabeth, can I ask one question before we move in (inaudible)?

Elizabeth Yeampierre: Sure.

Jodena Henneke: As – we will be listening to the comment period and then the meeting will conclude, is that correct?

Elizabeth Yeampierre: No. Well, yes, but before then, if we have some time – if we have some time left over, I will probably ask about Plan EJ and the permitting work. Just a little reminder for the NEJAC members, if we have that time. If not, we will just adjourn.

Jodena Henneke: OK. Thank you very much.

Elizabeth Yeampierre: OK.

OK, so let's begin. I'd like to welcome members of the public who have – who have sat through this call and have, you know, given up their personal time to come and to this important teleconference. The first person who we have registered is Jeannie

Economos from the Farmworkers Association of Florida. Ms. Economos, are you with us?

Male: Elizabeth, she may not be on the line.

Elizabeth Yeampierre: OK. All right. So I'm going to move on to the next, and will keep doing that until someone comes on.

The next is written testimony of – from Marc Brenman from the City Project of Los Angeles, California. We should – do we have a copy of that?

Victoria Robinson: Yes. Everybody was sent a copy of that statement, and his – those – his written comment as well as the comment from Ms. Economos will also be incorporated into the transcript.

Elizabeth Yeampierre: OK. Thank you.

Victoria Robinson: So everybody received a copy, we're not going to waste – not waste – we're not going to read them verbatim.

Elizabeth Yeampierre: All right. Thank you.

So the next – the next commenter is Jeffrey Buchanan from Oxfam America in Washington, D.C.

(Jewel Oso): Hi. My name is (Jewel Oso) and I'm here on behalf of Jeffrey.

Elizabeth Yeampierre: Thank you. Welcome.

(Jewel Oso): Well – thank you. Also with Oxfam America. And thanks so much to Director Hankinson, Administrator Jackson and to the NEJAC members for forming this subcommittee on Gulf restoration.

We would hope that similarly after the completion of this subcommittee and after the worker of the Gulf Coast Ecosystem Restoration Taskforce mandate that the final strategy that NEJAC urges Congress and the administration to take will create and fully integrate and similar sort of public participation in the form of a Gulf Coast ecosystem restoration citizen's advisory committee, which includes representatives from across the five gulf states representing both vulnerable communities and indigenous communities, commercial fishers and conservationists and folks who are recommended by their peers and representative of impacted communities to advise the governance of any clean water act (signs) sent to the region by Congress and the implementation of this restoration plan, as was recommended by the president's Oil Spill Commission.

We would also hope that NEJAC will support the request to the taskforce and its member agencies to integrate social vulnerability and to its decision making tools of restoration project planning so that the benefits or challenges placed upon socially vulnerable communities of any given project are taken into proper consideration.

We would like to see their funding for restoration also include money for worker training and economic development, that that be a recommendation from the taskforce and included in any legislation. We would like to see preferences in coastal restoration procurement for local workers and businesses and both the hiring and contracting provisions, particularly for dislocated and disadvantaged workers (and firms).

We – a recent report that was put out by Oxfam America and the Center for American Progress estimates that the Gulf Coast Restoration legislation could mean as many as 470,000 new jobs and a tremendous opportunity for Gulf Coast workers and businesses. We also are encouraged by the report from Secretary – from Secretary of the Navy Ray Mabus, which urges Congress to include provisions and restoration legislation to optimize the economic impact of ecosystems recovery, including maximizing participation of the local labor force and contracting and job skills training and providing opportunities for disadvantaged and underemployed members of the population.

We know that local firms and workers in the fisheries, oil and gas and maritime industries already has many of the applicable skills and with proper assistance are well positioned to take part in the supply chain of coastal restoration projects. By including workforce development programs as a part of the ecosystem restoration legislation, supported by a small portion of these (fines), we can position the Gulf Coast as a hub of opportunity and innovation in coastal restoration and protection. With the legislation preparing to launch, we believe the largest ecosystem restoration investment in our nation's history, we need an adequate supply of skilled workers to keep projects on budget and on time, and we need funding for workforce development.

A recent report by the Great New Orleans Inc. has detailed that fishermen across South Louisiana, after the oil spill, have relevant skills and equipment for restoration jobs. And by including and creating programs to help these fishers gain skills to become contractors that would be certified in welding, for instance, we can help families in South Louisiana to continue to earn decent wages despite the troubles in various industries, oil and gas as well as commercial fishing.

We can increase the impacts of these projects to funding workforce intermediary partnerships, working with community-based organizations and there are training programs to service course and through community college programs to coastal community workers. And we have seen that models after Hurricane Katrina of public-private partnerships for training and placing local workers have been successful and we should look to build off of these successes.

Finally, we can leverage new investments and science across the Gulf by creating centers of excellence to turn today's new research discoveries into tomorrow's new products and services and, most importantly, into jobs. Through incubators, technology transfer programs, seed funds and entrepreneurial training, we can help grow and launch innovative small businesses in the Gulf Coast.

Thank you.

Elizabeth Yeampierre: Yes. Any comments or questions for our presenter?

Langdon Marsh: This is Langdon Marsh. Thank you for your testimony, and I think it was very broad-based and comprehensive in terms of a number of different things that you all are recommending.

I'd like to focus on the part of your testimony toward the beginning that relates to the discussion we were having among the council members and with Mr. Hankinson about the kind of stakeholder community based engagement that would be appropriate for decision making and policy and funding and so forth. And it sounded like you were recommending something similar to the advisory council that was established in Alaska after the Exxon Valdez spill or something of that nature.

I wanted to explore that a little bit with you in terms of two levels of citizen engagement that seemed to me to be necessary. One is the kind that does deal with the distribution of funds, changes in policy, perhaps even permitting decisions, citing decisions and so on of a broad nature, and then those that – those decisions that come very close to the ground where investments in specific ecosystem restoration projects or which could include the permitting aspects of those, or the changes in local policies that might be necessary in order to accommodate proper ecosystem restoration efforts which might include local land use decisions and whether you think that there is also a need for governance – structural governance changes or formal mechanisms to assure the participation – not just the participation of community members but also their engagement in consensus-based decision making about those very local issues that would be required in order to have the ecosystem restoration succeed not only for the natural systems but also for the people involved in those communities.

So I wondered if your group is thinking of making suggestions at that more grassroots level as well as at the higher level of stakeholder involvement.

(Jewel Oso): Yes on both. I think what we are working with and what we're proposing to this committee is really at the higher level for, just as you said, something similar to what was created at the Valdez spill in Alaska.

At the local level, we are working with community based organizations and people in local communities to connect them with their local leadership with the same sorts of requests, desires around economic development opportunities and protection opportunities as a result of restoration projects.

We're also, as I said in the testimony, interested in inclusion of social and economic variables as a part of the decision model, which we hope would go and apply the – at that very local level of where you decide on which project should go forward and what techniques are used, what restoration techniques are used for those projects so that there actually is a mechanism built into the design model, the decision making model, which includes variables related to social and economic issues.

Elizabeth Yeampierre: Could you share with us what some of those – some of those community based organizations are and what that collaboration looks like? I'm just curious because you're based in D.C. and I just would like to get a sense of what the collaboration looks like.

(Jewel Oso): Yes. Our policy office is out of D.C. and we, though, work closely with groups on the ground and we're also working in partnership with groups that have a – have a broad reach like the Gulf Coast Fund and the Gulf Restoration Network.

Oxfam specifically is working in four parishes in Louisiana and two in the lower counties with Mississippi. So we're working with groups like BISCO and Bayou Grace and TRAC in Terrebonne Parish, and (La Fuch), and working with Zion Travelers Cooperative Center in Plaquemines Parish. We're working with the Steps Coalition and Coastal Women for Change in Mississippi.

Elizabeth Yeampierre: Does anyone have any more questions for our presenter, or comments? And that – OK. Thank you very much and we're now going to move on to Khalil Shahyd from the Center for Social Inclusion. Is Khalil on the line? Khalil Shahyd from the Center for Social Inclusion?

Male: Elizabeth, I don't think – I don't think they're on the line.

Elizabeth Yeampierre: Oh, OK. All right.

All right, Darryl Malek-Wiley from Sierra Club New Orleans?

Darryl Malek-Wiley: Yes. Hello.

Elizabeth Yeampierre: Hi. Welcome.

Darryl Malek-Wiley: Welcome. Thank you for the opportunity to comment today.

A number of things that, you know, come to mind with these type of things, some of the policy shifts that I think we need to have are not just, you know – we want – everybody wants to include everybody but, you know, that's what we say we want to do, but then when it comes down to the brass tacks, you're asking for staff type, volunteer time from a small amount of profits along the Gulf Coast that don't have large budgets. And that's problematic because to spend 3 ½ hours on the call today means that we don't do – you know, there's this, you know, whole series of other work that needs to be done.

And, currently, one example, I'm working with VAYLA, which is a Vietnamese youth leadership organization in New Orleans. They've succeeded in getting an EPA grant to do education of youth leaders on the BP oil spill, but it's all reimbursement. So they don't have to money. They're trying to figure out how to get the money upfront to pay for things, and then wait for six to eight to nine months to get reimbursed.

So, you know, that's a policy issue that somehow needs to be shifted, and I know it goes beyond the EPA. It's the whole federal government way of granting money. But that's a policy issue of if we want real involvement from communities, grassroots communities, we need to be able to help fund these organizations in a meaningful way that doesn't take a PhD and documentation of grants to get the money. So that's one policy issue that we've looked at and it's – so that –

And, you know, the other is how to really bring what we want, the communities that we work with, into the policy discussions when – I know some of the proposals that have been out there say that, well, the governor of each of the states, Mississippi, Louisiana, Florida, you know, will appoint people. Well, these in our – in a lot of grassroots community's views, are the people that cause the problem to begin with.

And I'll speak to Louisiana. I trust Bobby Jindal as far as I can (throw a sucker), and it isn't far, you know? And we're going to put him in charge if multi-million dollar coastal restoration without any checks and balances when he flew in the face of both science, with these, you know, sand berms that he dreamed up. So, you know, there's got to be some way for real serious community involvement without jumping through hoops where a governor or a (inaudible) elective official or somebody else is the one deciding who's going to be on the panel. So that's the policy issue that we want to, you know, deal with.

And another frustration from Katrina to BP to, you know – yesterday – I got an e-mail yesterday morning saying, well, there's going to be a conference call that night on the president's, you know, Energy (Administration's) document. Somebody in Washington knew before yesterday morning that that conference was going to go on, and, you know, that happens a lot.

You know, we'll get something on a Monday and say we want you all to drop everything and put together stuff and be ready for a meaningful discussion on Wednesday. And that's very disrespectful to the local communities that have their own issues working and going on. So there's got to be some way of, you know, meaningful discussions ongoing before we even get to the meeting, and that goes back to the financial and funding resource of additional staff in non-profits along the Gulf Coast to make sure that communities can be involved.

And I think I'll stop right there. But that's, you know, sort of the funding of – the respectfulness to the communities just needs to be really addressed in any – whatever we come up with and not having the politicians that caused the problem to begin with in charge of the money. We can go to Mississippi, where they've taken money that was supposed to build low income housing and they're going to build a (damned) port, you know? That's just irresponsible policy coming from some place to put those types of people in charge. And I'll stop there or I'll get in trouble.

Elizabeth Yeampierre: So, Mr. Malek-Wiley, are you suggesting an independent process that would – that would address some of your concerns?

Darryl Malek-Wiley: Well, you know, the Citizens' Advisory Council, I've heard of, you know, from – that it was set up in Alaska, I think we need to have something set up like that. But we

need to really think about how we're going to people that commission. And, in some cases, they talk about, you know, (federal tribe) only, you know, so that's one issue that's out there. I know we need to have involvement from a –

And the problem is policy-wise, how big is the commission going to be? Is it going to be 10 folks or is it going to be 110 folks? And, you know, that's something that needs to be discussed, because there are problems on both ends of that scale as far as meaningful discussion and – among the groups and along the coast.

Elizabeth Yeampierre: Thank you. Any both comments or questions for Mr. Malek-Wiley from the council?

Derrick Evans: This is Derrick Evans. I'm sorry. I'm not a council – I'm not on the council, but I would like to, if it's OK, say a point that something that's very, very important that runs through...

Elizabeth Yeampierre: So, Mr. Evans, I'm just going to ask if you could just keep it brief because this really is the (time) for the council. But go ahead.

Derrick Evans: OK. Sure. Something that runs through all of the comments that have been made during this portion of the meeting as well as the earlier discussion is I think that when we're talking about communities and community engagement, it's not only a matter of prioritizing non-exclusion through (inaudible) about prioritizing communities and community members as the assets that they are for this series, of this battery of discussions and decisions.

Well, you know, the community is not just someone (to make sure) you don't exclude through language barriers, et cetera, but also recognize that these community members are also a tremendous asset who proactively have to be respected and treated as such, (I think), for the benefit of all.

Elizabeth Yeampierre: Thank you. Do any of the members of the council have any comments or questions or anything that you'd like to add?

Langdon Marsh: Yes, Elizabeth. This is Lang again, if I may.

Elizabeth Yeampierre: Sure.

Langdon Marsh: I wanted to support that last comment, and I've been trying to think through how to address this problem we've been wrestling with now for several decades about how to build capacity and provide resources to community-based organizations.

And so I just wanted to ask of perhaps Mr. Wiley, since he's the – he's got the podium here, whether he thinks that there are ways in which it would be possible to pay for what those in the, you know, problem solving mediation community engagement world call knowledge from here as opposed to knowledge from (away), by which is meant the knowledge from here is what's in the experience and specific knowledge and culture of the local community that may bear equally or at least importantly on the decision making as much as technical and scientific knowledge do

and whether we shouldn't be looking at ways to pay for that knowledge perhaps through community-based organizations in our decision. And particularly the local decision making processes so that it's given equal weight with the scientific knowledge, which is considered the knowledge from (away).

Darryl Malek-Wiley: Yes. I definitely agree that we need to find the mechanism that helps support the community organizations with real money and that's not added burden onto the community by reporting requirements.

One example that happened after Katrina, Mercy Corps is an international agency – relief agency. I know that they came into New Orleans and to five different neighborhoods gave those very local neighborhood-level organizations \$100,000 to help recover, with almost no strings. But, you know, to get that kind of money out of the federal government, it's, you know, it's a year process. But it helped – you know, that specific money helped those five neighborhoods move forward with recovery significantly because they had the finances to pay some people to do the work.

Elizabeth Yeampierre: Any other comments or suggestions for Mr. Wiley?

Vien Nguyen: This is Vien Nguyen. I just want to echo what the – one issue that Mr. Wiley have brought up, and that's the – really, if we want true engagement, somehow we must be able to assist the local communities, maybe the organizations. Otherwise, they're just being stretched to the limit. And even if they do respond to our call to be engaged, it would be very limited and not really effective at all.

Elizabeth Yeampierre: This is an issue that – Mr. Wiley, that come up often, because so much time and resource is going to managing the grant that it's very difficult to actually provide the service required from the grant and that many organizations don't have the capacity, and so it really disempowers local groups that are the most relevant addressing these issues. And I'm hoping that we would be able to come up with some recommendations or that you could make some and that we could get some from the publics, from the council on how these processes can be streamlined in a way that makes sense so that people can really be involved in a way that's meaningful and they're provided with the resources to do so.

Are there any other comments from the council? Because I know that this is an issue that many of you feel passionately about. Lang?

Langdon Marsh: Yes?

Elizabeth Yeampierre: If you have anything more you want to add?

Langdon Marsh: Well, I'm just...

Elizabeth Yeampierre: I know you...

Elizabeth Yeampierre: I'm just formulating some ideas in my mind that I'd like to write down and pass on to Jody and her group and to the council.

But it seems to me – I mean, one model that I was thinking about is that, you know, most federal agencies have lists of approved contractors for a variety of different things. You know, we have one for our NEJAC meetings, so somebody provides services to us in terms of writing minutes and so on. It seems to me that – and there are consultants who do – who are available for legal and scientific and technical issues as well.

It seems to me we ought to be able to develop – or the federal government ought to be able to develop a model – and state governments too – where there are lists of people with what I was calling local knowledge who can be on call, and they would often be members of community groups or have strong ties to them. And, you know, develop some criteria so that they can be hired to assist in decision-making processes, just as these, you know, more traditional consultants, engineers, lawyers and so forth, are.

So that was one idea I was thinking about, and I'm not sure how practical it is, but I think it might be worth considering.

Elizabeth Yeampierre: Now, I just want to add and remind folks that – of the amount of time and attention that is required in managing these grants is also replicated by whether or not it's city, state or federal, and that sometimes with the smaller grants the city and state grants the same amount of time that you put into a \$5,000 grant is the same amount of time that you put into a \$25,000 grant. So it almost makes it not worthwhile for small community groups that are doing impactful work and can do a lot with \$5,000 but will be spending \$5,000 just trying to get access to the fund.

So just some things for folks to think about.

So I'll take one more comment and then we'll move on to our next presenter. OK. All right.

Well, thank you, Mr. Wiley.

Darryl Malek-Wiley: (Thank you).

Elizabeth Yeampierre: OK, thank you.

So our next presenter is Guy Williams from Detroit Workers for Environmental Justice.

Operator: And Guy Williams is not on the line.

Elizabeth Yeampierre: It's – I'm sorry? Hello?

Victoria Robinson: Guy Williams is not on. That was the operator speaking.

Elizabeth Yeampierre: Oh, he's not. Should I call some of the others that were signed up and didn't...

Victoria Robinson: I don't think any of the other ones are on.

Elizabeth Yeampierre: Oh, OK. Great.

Victoria Robinson: Yes. So I think – right. So I think that concludes the public comments.

Operator, were there any of the other folks on the lines, such as Jeannie Economos? Did she ever come back on? Or Khalil Shahyd, did he come on? Or Guy Williams, at all?

Operator: No, Ma'am.

Victoria Robinson: All right. Thank you very much.

Elizabeth Yeampierre: Well, I guess we should talk about – for a second, before we adjourn, Plan EJ.

Victoria Robinson: But before we – before we (inaudible) this, one thing I want to – I wanted to add to Jody's and (LaTasha's) presentation. (I'd just mention) a unique aspect about this particular charge. As we all know, the NEJAC's primary responsibility is to provide adviser recommendations to the EPA about EPA's role, whether it's direct or influential, role and how it operates and stuff like that.

This particular task deals with long term community engagement in Gulf Coast ecosystem restoration, and because of the nature of the work that EPA has the lead for the taskforce, the impact of the recommendations are not limited to what EPA is doing for ecosystem restoration. This is the one time that the NEJAC can actually look at making recommendations that have an impact on whether – you know, whether it's state or local or other federal agencies actually being the actors.

So we're not limited to EPA being the actor here. So I wanted to make sure that people understand that, and that's something a little different from all the other charges that we've had to deal with in the past, that we do have this opportunity to examine other federal agency and other – and state and local level, the implementation of this issue at those various levels. OK?

Elizabeth Yeampierre: I think that Jody and John Hankinson made that really clear that there are all of these agencies involved. And it's really very exciting. I think that the council agree that this inter-agency approach is something that we have been pushing for years.

Any thoughts? Any comments that the members want to make about this?

Wynecta Fisher: Hi, Elizabeth. This is Wynecta.

Elizabeth Yeampierre: Hi.

Wynecta Fisher: Can you hear me?

Elizabeth Yeampierre: Yes.

Wynecta Fisher: OK. And for everyone on the call, I want to apologize, because I'm inside of a business center, and so if I cut off it's because people are (inaudible) in here and I just didn't want you to hear the craziness.

But yesterday I attended the NOAA meeting, and I also went to the one in Houma. And one thing that I'm noticing is that there weren't a lot of people there from (inaudible) communities. And the material that they're giving out, it's good material but it's very overwhelming. They actually – the material itself is good, so for a layperson it's way – it's way too much to digest and to try to figure out exactly where you fit in, especially as they were telling us that it's important to get your suggestions in now, and the suggestions that they get now will be part of the documents they will present at the end of the year, which will then be used to try and determine how they're going to go about restoring the ecosystem.

But (I dialed in) to say that yesterday, what was pointed out to me was that the meeting took place in a civic center, just like the one in Houma took place in a hotel, and we weren't actually going to where the people are. We need to start having these meetings where the people are instead of expecting the people to come to us if we really want to engage them in a meaningful way.

Elizabeth Yeampierre: That's a – that's a really important point because it's one of the concerns that has been raised by the NEJAC members over time, that a lot of these agencies don't have a history of reaching out to environmental justice communities, don't know how to do outreach, may not even know what environmental justice is, and now are being asked to be part of an inter-agency effort to address environmental justice concerns. And so even the materials may not resonate, and the outreach efforts may not resonate with our communities, and I don't know how that's being addressed by a larger effort, how they're being trained and how they're being brought along. And maybe that's something that someone on the call can address.

Very quiet.

Wynecta Fisher: Yes. Has anyone else on the call attended any of those meetings?

Derrick Evans: This is Derrick Evans. I often go to them.

Jodena Henneke: This is Jody. I think Stephanie went to one in Port Arthur last night, and I'm going to one in Galveston this evening.

Female: Yes. OK. (Inaudible).

Female: That's correct.

Elizabeth Yeampierre: Victoria?

Victoria Robinson: Yes, Ma'am?

Elizabeth Yeampierre: I don't know if that's – if that's a question that the members of the council want to address, the inter-agency approach and how that is going to work in EJ

communities and the concern that the lack of history of addressing EJ communities for (be it the) Department of Interior, you know, Department of Transportation, DOT, (inaudible) that training or that is there any training going on to bring them along so they can be part of these inter-agency efforts.

Victoria Robinson: One, I don't know. However, that is definitely a good conversation that the workgroup can pursue and see how it would meld or mold that up into its broad recommendations in terms of – in order to – you know, the question is how to assure long term, sustainable community engagement? And if the council and the workers feel that that kind of institutional knowledge is needed to ensure that, that, you know, built up to the recommendations.

So definitely the workgroup can add that to its conversation. But I'll see – I'm not sure what the other agencies are doing and I can certainly put it on our list to check into.

Elizabeth Yeampierre: Do the members of the workgroup want to add anything before we move on? Because we've got some time.

Derrick Evans: Elizabeth, it's Derrick Evans, and I...

Elizabeth Yeampierre: Sure.

Derrick Evans: That's a very, very good and important idea. My personal (inaudible) is that no – that outside of EPA there's not that institutional knowledge of EJ or community outreach. And, as I said earlier, people have to understand where – every time one of these disasters hits and initiates this level of, quote/unquote, "community engagement" with government agencies and officials at the state, local and federal level, every (inaudible) of every meeting or series of meetings tends to think that they're a one-ring circus. If – because jurisdictionally I guess it's all that they're concerned with.

It's a bigger star or – than it actually is in the constellation of stars that are overwhelming these communities, where all of them seek public participation and input but don't (inaudible) meeting by meeting or holistically and comprehensively (inaudible). And I think that's the charge that we have before us is to – and it's a great opportunity in ways that have been said to inform and engage not only the EPA but a broad swath of agencies and states to sort of get this right for the sake of "future", quote/unquote, regional recoveries, not only of the EJ communities but the general public.

But it's a very, very high and unprecedented challenge, because...

Elizabeth Yeampierre: Yes.

Derrick Evans: ... that's the nature of it. This is – the people are overwhelmed with government response to something the government doesn't grasp.

Elizabeth Yeampierre: (Inaudible). So I completely agree, and it is a – it is an exciting opportunity, and it's also – it can be not only transformational for our communities but also for how

government operates and works and delivers assistance to our communities. So you guys have your work cut out for you.

Any other comments or questions?

Wynecta Fisher: Elizabeth, this is Wynecta.

Elizabeth Yeampierre: Yes.

Wynecta Fisher: I want to add one other thing. What was interesting last night too at the meeting, the NOAA meeting, is that – (so just made it) very clear, this was separate from the ecosystem taskforce. And if you are a citizen trying to get answers or if, you know, you're someone like Darryl, who's representing a large group of people and he's trying to get the word out, I mean, how does – how would one make a decision as to what meeting is (that's) most important to attend so that you can get – you know, maximize your time? Because, as he said earlier, when you've got to spend three hours on a call, you're not being compensated for it, that takes you away from something that you have to do, or something that you could have been doing.

So I don't know if it's – and maybe this is something that the taskforce would do, because the NOAA – the goal of the NOAA document is totally different from that – from the ecosystem taskforce goal which we're working on. And they're two separate goals. But how many people actually know that they're two separate goals? That they are two separate goals, I should say.

Stephanie Hall: Yes. And this is Stephanie with Valero. There was some explanation earlier from Jody and the gentleman who was on the call to talk about this, the distinction between the two groups, which I'm not sure that a lot of people are well aware of. It was certainly enlightening for me, having found that out...

Elizabeth Yeampierre: Yes.

Stephanie Hall: ... a little sooner.

Derrick Evans: And can I just add...

Female: And for me as well.

Derrick Evans: Those aren't the only two. I mean, even at the state level there are additional, you know, restoration discussions and so forth, and citizens are inundated. And the fact is – maybe (inaudible) nobody has drafted or created or publicized a matrix of what government at various levels of multiple agencies are attending to that these citizens need to be, you know, aware of, plugged into and dealing with. That has just simply not happened. And it's (inaudible).

(John): (Inaudible) speaking, please?

Elizabeth Yeampierre: Sorry?

(John): Who's speaking, please?

Derrick Evans: Oh, I'm sorry. This is Derrick Evans.

Elizabeth Yeampierre: (John), did you want to add something?

(John): No. I just wasn't sure who we were hearing from. Thank you.

Elizabeth Yeampierre: OK. All right.

Jodena Henneke: This is Jody.

Elizabeth Yeampierre: Yes, Jody?

Jodena Henneke: I can – when I – when I (teed up) the subject earlier with John Hankinson, it is one of the things that had – it is (nuanced). It is – it is incredibly frustrating. But it is – it is something that EPA has tried to define at every one of the taskforce meetings that I've attended thus far, because the NRDA process is separate and unique with its own funding that comes as a result of the eventually determined or agreed-upon amount of oil that was spilled at that particular event. And none of this meant – and Derrick and I have talked about it at length – none of that makes sense to the average person who is impacted at all.

So I don't know how to move (beyond) that other than to acknowledge that it is very different and (inaudible).

Elizabeth Yeampierre: I would imagine – this is Elizabeth – that this is a tremendously heavy (lift), Jody, because as Derrick is talking about this matrix, and that was exactly what I was thinking about, some sort of template, something that really identifies what a community looks like and how you reach out to them, what resources exists – something that useable, a useable tool, because the assumption is always that communities can't – don't know how to access these resources and don't have – but there's another assumption, and that assumption is one that I talked about earlier, that a lot of these agencies have very little history or very little training, or very few cultural competencies and don't know how to engage with communities in meaningful ways.

And I know that it's not the place of EPA to tell these agencies how they should be doing it, but it is an opportunity for this workgroup to make recommendations that are cross cutting across agencies so that they can use their resources in a way that are meaningful and strategic to address these issues. And that can be a matrix – it can be anything, but just something for you to think about, which I'm sure you're already – you know, you're already thinking about.

Female: Elizabeth, I – my suggestion or response to that, I think – and I apologize for being in a different setting. I mean, I'm not sitting there with a landline – on a landline. But I can tell you that from my perspective what perhaps we should – we could consider doing is suggesting to the administrator that such a matrix be created. I don't know, off the top of my head, that an agency could do it on behalf of other agencies.

Elizabeth Yeampierre: Right.

Female: That would be one of those difficult things. And, again, I'm talking as I'm thinking, which could be dangerous for me.

But I do know – I have seen things laid out. In fact, (Bryan Griffiths) presented one of them at the taskforce meeting in New Orleans about (explaining the differences) between the NRDA response and the taskforce, because as of right now the taskforce has no money associated with it at all. As John Hankinson described earlier, for there to be any money, there's going to have to be Congressional action for any of those Clean Water Act (inaudible). But, as of right now, that hasn't happened either.

So I don't know if I'm responding to you very well, but that's kind of as I'm thinking out loud.

Elizabeth Yeampierre: No, that's fine.

So any other comments? I just need to know if we can move on to the Plan EJ document and the permitting document that you've received and adjourn. I don't – I don't want to end the discussion if others have comments or recommendations or ideas that you want to share with Jody and the workgroup.

(John): This is (John), and I just want to support what Jody was saying, though it was a while back, on a different topic, but that is to support the comment that anything we can do to help the bureaucracy is here, the EPA, the workgroup, the taskforces, et cetera, work with and recognize and tribes that are not federally recognized, although they may or may not be recognized by the states. And, in some cases, as we've heard, there are some tribes recognized by the federal agency that are not recognized by the states.

But, in either case, anything we can do to be sure all indigenous peoples, regardless of other governmental recognition of them, have a chance to be recognized in these issues for the taskforce and, more broadly, maybe we can consider this for the other recommendations that this council thinks about.

Thank you.

Elizabeth Yeampierre: Thank you, (John). Thank you, (John).

So can...

Langdon Marsh: (Inaudible) I...

Elizabeth Yeampierre: Yes?

Langdon Marsh: I'm sorry to do this, but I have a very brief recommendation for Jody and her taskforce. In addition to...

Elizabeth Yeampierre: Who is this?

Langdon Marsh: Oh, this is Lang.

Elizabeth Yeampierre: Oh, Lang. I'm sorry. I didn't recognize you.

Langdon Marsh: Sorry. Sometimes I don't recognize myself.

The – just I share the frustration of trying to deal with NRDA and other – and cleanup responsibilities and other things. And I think the problem is much bigger than can be dealt with by the – this particular workgroup. But I think it is something that we need to bring to the administrators' attention as a possible subject for work by the inter-agency workgroup because the working relationships within EPA, NOAA and some of the other agencies on this issue kind of are problematical, and I think it's something that should be dealt with at a very high level, involving the work – the inter-governmental workgroup and CEQ.

Elizabeth Yeampierre: (Inaudible). OK.

Derrick Evans: I'm sorry. This is Derrick Evans.

Quickly, I just want to say – and I'm sorry because this almost doesn't (inaudible) into it, but it has been discussed within the working group. Not only are the agencies in their meetings and directives and so forth not been (matricized) or made sort of navigable for people, but likewise where we're talking regional restoration, and part of the (inaudible) early on about the scope, which is not necessarily our charge to define the scope, but it does have (everything) to do with community engagement because in the Gulf Coast region, just like any other that may in the future have to undergo regional restoration recovery, it'd be good to know which communities and ecosystems are geographically you're actually talking about.

For instance, in this case, are you talking about interior wetlands, inland refineries along the Mississippi River and other places and (inaudible) or are we just talking about along the coast? That – so communities in the ecosystems also need to be clarified so people in places inland, so whether or not they ought to participate in (inaudible).

Elizabeth Yeampierre: Right. I – what is – there's some noise in the background.

OK. So could – do you guys want to move on so we could adjourn or are we – are we pretty much good here? OK.

So you have – the council has a reached agreement in the revisions to Plan EJ and – EJ and permitting, and a document was sent to you recently for a ballot to get your comments on Plan EJ. Basically what's happened is that it's been reformatted for consistency, and the document – your responses are due by April 6.

So all I'm doing right now is refreshing your mind – your memory so that you look at the document and get the documents back to Victoria and (Aaron) by April 6. I don't know if Victoria wants to add anything to this, but it's just a reminder before the call is adjourned – before the meeting is adjourned.

(John): This is (John). I'd like to add something while Victoria have some thoughts.

Elizabeth Yeampierre: Oh, absolutely.

(John): Just in – to the council, in terms of the permitting report, I just want to reiterate that it was sent out this morning to you all and it reflects probably 95 percent of what you saw in November. And in that e-mail that went out to you this morning there is a summary of the changes, and you should – when you take a look at that, realize this is just in the body of the e-mail itself where those changes are, so if you want to look in the document to affirm that they meet your satisfaction or answer your questions, it's intended to do that, such that you don't have to spend too much time reading the whole thing.

There's probably only about two pages total of new text, and the message to you this morning explains where those changes are, and the reason they're there is because you brought them up collectively from our November meeting and in the – in the few exchanges after that.

So if you do have any questions in terms of how you want to consider your support for this, by all means feel free to call me directly. And I would entertain any right now, understanding that folks (might) haven't had the chance to take a look at it since the message went out. (My point)...

Elizabeth Yeampierre: Yes. I think, (John), we should give them an opportunity to review it, and...

(John): You bet.

Elizabeth Yeampierre: ... they should probably just give you call or send you a little e-mail.

(John): That's great.

Elizabeth Yeampierre: Because, you know, it's – if they haven't had an opportunity to review it. But thank you – so thank you for that, and thank you for your hard work on this committee and everyone who has served on it and on Plan EJ 2014.

I also really want to thank the steering committee that meets between meetings for all the time that you spent putting together these agendas and working to make sure that these meetings are successful. And I want to thank (Kent and Aaron) and especially Victoria. I want to give – extend a heartfelt thank you to Victoria who has not been feeling well, has had a very difficult time just breathing, and has been, you know, completely on point, sending e-mails, setting up meetings, making sure that we can come together in a way that addresses issues that are so important to the most vulnerable people in our communities.

I also want to thank the Gulf Coast Ecosystem Restoration Workgroup, and Jody for your leadership. I think that the comments today were extremely helpful and really added a lot of light to the work that we have ahead of us. And everyone who participated on this call.

So I think at this time I will adjourn the meeting, and I wish you all peace and blessings and see you all in May in Brooklyn.

Victoria Robinson: Thank you all very much.

Elizabeth Yeampierre: Thank you.

Victoria Robinson: Bye.

Male: Thank you.

Female: Bye-bye.

Female: Thank you.

Male: Bye-bye.

Female: Bye-bye, everybody.

Female: Bye.

END