

National Environmental Justice Advisory Council
Public Teleconference Meeting
September 11, 2008
2:00 pm to 4:00 p.m. ET

Victoria Robinson: Hi everybody. This is Victoria and (Charles) and crew again. We apologize for that. There were some little hiccups we didn't understand about the technology. We were actually conducting the meeting and then found out we were kind of on hold. And so we're going to start again.

(Charles): So let's do a check-in. Did everyone on - catch the beginning part of the discussion about the agenda for the NEJAC meeting?

Man: Yes.

Woman: Yes.

(Charles): Great, okay. So we did talk about the Tuesday session in terms of the best - EJ best practices forum. And just as an additional (thought) about that is that is that the - you know, we're calling (unintelligible) for best practices. And we're really hopeful that because, you know, while we were really excited about the projects we found and the excellent work that's going out there that this could be a way to not only get people excited about it, but a - we want to capture this and eventually put all of this on the EPA web site.

So that's the first (day). At that time, too, that we're going to have a - the actual ceremony to present the EJ achievement awards to the organizations.

Of course, (Grant) is committed to do that and he'll be down there to make those presentations.

So that's the first day. The second day and the third day are days in which the business will be conducted. And we wanted - we reserved the morning of the 22nd for a dialogue with (Grant). And I'm sure it will be an opportunity. And for those of you who probably don't know this already, you know, this is probably (Grant)'s last NEJAC meeting. So I think it is a moment that has great meaning for all of you. And, you know, it is an opportunity for him to share his perspective on what we accomplished in the last several years and where he thinks we're going, where he thinks we should be going.

He has said often that, you know, in his mind that environmental justice is a program of the future and he is very pleased that - about the fact that we're beginning to move to look at results, have a look - have a program that's based on substantive factors and more than just, you know, a - an idea, but something that is becoming a lot more concrete.

And so it would be a - an important time to share these thoughts with him and for him to share his perspective with you.

The specific items, the major items that we wanted to cover are the final report of the (unintelligible) and to take action on that report.

I think - I don't want anybody to underestimate the impact that that report will probably make in the long run. It is in and of itself a extremely important, thoughtful set of recommendations. But also, you know, by the very nature of its issue or the issue and EPA's kind of focus on it, particularly in around sectors like the port sector, and there is the EPA's port sector strategy that's already linked into the NEJAC recommendations.

And so I think this is going to be - this is going to have incredible value. And we've been looking forward to a discussion and the transmission of those recommendations.

The - after that in the - that afternoon, we want to do a panel. And this is really for information purposes at this point, but it is an extremely important item, which to have a number of people come in and talk about this whole issue about climate change and its differential impacts, the fact that it affects different populations probably along a socioeconomic gradient differently. And not only does that happen in terms of the impacts of the phenomenon itself, but also strategies to address it. So certainly looking at this in the front in and in a way that allows these strategies to avoid unintended impacts would be really important. And so it's a great challenge, but it's a great opportunity.

And we thought that before we go further down the road on this, it's very important for all of us to really be solidly grounded in a understanding of the - of what these impacts are. And so that's just a open discussion based upon those presentations. And - but it is - and based upon that discussion, we want to step back and say okay, what is it that we want to ask you to do around that issue.

Currently, tentatively the presenters are going to be (Jim Sad), who those of you on the work group, the consistent approaches, EJ screening process work group, know is going to be one presenter. Another one is Rona Birnbaum, who is with EPA's Office of Atmospheric Programs.

And then probably three individuals, we want to make sure we share a tribal perspective and a community perspective and a perspective from a local government from an impacted area. So those three tentatively speaking are going to be (Peter Captans), who is an Alaska native, and then there's going to be Wynecta Fisher, you all know Wynecta. Wynecta is the environment - Director of Environmental Affairs for the City of New Orleans; and then thirdly, Bill Gallegos from Communities for a Better Environment out in California.

So that's the major substance that's going to take place on the second day. That evening, there's going to be a public comment period. And then Thursday, we want to report back from the EJ screening approaches work group. And there's a lot of work being done. We're not at the point actually of having the results of the EPA's test yet. So we - so they're going to present to you their report back and it will be after this meeting that we all take all - we take all of that in. And then as we said, we were going to fashion a set of questions going forward.

It is important to note that we feel that the work that the work group is doing in laying some thinking that you heard about about what should be a set of principles that guide our development of these types of analytical tools, particularly ones which are nationally consistent, are going to be invaluable going forward.

The next item on the agenda is going to be a presentation by a number of persons yet to be identified around the work that the various offices in working with OEJ have been around what you heard about our factors that we've identified that we've kind of articulated to identify and assess disproportionate impacts. And, of course, the background to that would be that this has been an ongoing challenge for the whole area, the - of environmental justice. You know, when people come to us heretofore in terms of rule-writing efforts, permit decisions, and many other types of situations that require an assessment of disproportionate impacts and they ask us, so what are we looking for, we did not have a very cogent, practicable, evidence-based approach towards answering that.

So I think we've come to a point where we have identified that. But putting that forward for discussion, I think (Sue) and others know that we had a panel about this at the State of EJ in America conference. And we have a whole set of plans to build out the science on this, which we want to share with you.

All of this is part of our efforts to - moving this in terms of looking at the vision and the future in this program is to lay a science foundation for environmental justice at EPA, to make the program an evidence-based program.

So that's the other major substantive item. Here, too, we want to make a presentation to you for discussion so there's a full understanding of, you know, this very important area that we're developing on and then, you know, step back and as a result of that figure out how to tee up a charge for the NEJAC so that you could be most effective in working with us on this.

We do want to make sure that you are given updates on what's happening at EPA in terms of certain of the work products and recommendations you've given us over the last couple of months, as well as a look at - that we want to make as part of - a regular part of the meeting a look at how NEJAC's recommendations, you know, many of which are given over the past (unintelligible) have impacted the way EPA does business.

Okay.

Victoria Robinson: Thank you, (Charles).

Anybody have any questions, comments?

((Crosstalk))

Omega Wilson: Just one clarification on - I know (Charles) briefly mentioned how the public comment session will go. I would assume you have, you know, people from the community or other areas who are listening in or going to be listening in and maybe a little bit more clarification about that's going to work and how people should plan to be involved or register to be involved if they want to make comments.

Victoria Robinson: Yeah, it's our normal standard practice, Omega, for registering for public comments is the same. It's going to be signing up for public comment is done as part of the registration process. So, you know, you can go online and there will be - tomorrow we'll put out an EJ listserv, an announcement about the October meeting. We did not want to get it confused with this meeting. So tomorrow an announcement will go out on the EJ listserv about what you need to do to sign - to register for public - register for the meeting and where it sends you to to get the registration form to send in. And then at the same time you sign up for public comment, once we get the public comment - or contract to get the public commenters, start consolidating in a database, then they will send us - prepare a list. And it's the same rules that always apply. One, in order to accommodate as many organizations as possible, it's first come, first serve. But the first person from an organization gets to speak first. Then anybody else - subsequent people from that organization get put to the back of the list till all other organizations have an opportunity to present.

It's the same rules that we always provide in our NEJAC meeting binders. I don't really want to go into too much detail on this, but people will need to sign up in that normal process of registering for the meeting.

Does that answer your question, Omega?

Omega Wilson: Okay, yeah, yeah, (unintelligible).

Victoria Robinson: All right, if you haven't had - if anybody has any questions, you could have them contact Lisa Hammond here at our office. And she can - more than happy to address their questions.

Okay?

I know that somebody else had a question.

Lang Marsh: (Charles), this is Lang.

I wanted to ask a little bit about the first day and whether any of the people there will be from EJ communities in Region 4. And I'm also hoping that the Region 4 folks will be well represented at the meeting so that we can - the purpose behind the question is just so that we can get acquainted with some of the leading EJ groups or others within the region.

Victoria Robinson: Right. Lang, yeah, that's a very good question.

One of the reasons why we have these meetings out in the field if you will is to make - to get acquainted with a lot of the local community-based organizations. And yes, Cynthia Peurifoy from Region 4, the EJ coordinator, is making a very concerted effort to make sure that people are aware of the meeting and that people are intending to come out.

I do know that there are people who are already chomping at the bit to register and sign up.

That first day, which is the best practices forum, there will be people from - it's open to the public, (as are all) parts of the NEJAC meeting. And that information will be - it's part of the agenda and that there are people from around the country, including Region 4, who will be participating in that discussion, that dialogue with the members.

Lang Marsh: (Great).

(Elizabeth): Is it possible to make it a priority for EJ organizations to testify first, so to have priority? Because it - the last time that I went to a hearing, it was basically open for everyone. And I just thought that we should be set up in a way that gives organizations that actually do environmental justice an opportunity to testify first.

Victoria Robinson: Is this Deidra?

(Elizabeth): It's (Elizabeth).

Man: This is (Elizabeth).

Victoria Robinson: Oh, hi, (Elizabeth). I'm sorry. I didn't recognize you. I'm sorry.

(Elizabeth), you'd be talking about the public comment period. The requirements for the public comment period is that they can't - the only people who can provide comment or testimony are individuals who are not members of the NEJAC, as well as not employees of EPA unless they, of course, come onboard as a private citizen.

We can not control that process. I mean, we - the NEJAC years ago adopted a policy that the - it would be first come, first serve if you signed up. And I will tell you that for a NEJAC meeting, we primarily have community-based organizations who are providing the testimony to the NEJAC.

Every now and then, we do get the rare business or industry, a rare state or government - state or local government person. But for the most part, it is community-based.

I think when you've been to the most recent NEJAC meetings at - which have been in DC, we've not had that many people to give public comment. But when we are definitely out there in the regions, you'll see that we have a significant number of public commenters. And they usually are the ones who are giving the comment.

(Elizabeth): Okay.

Victoria Robinson: But do I - I do understand your concern, but it's not quite like when there's hearings where, you know, the comments are - the public is left last. It's...

(Elizabeth): I appreciate the clarification.

Victoria Robinson: Mm-hm.

(Elizabeth): Thanks.

Victoria Robinson: Okay, great.

Any other questions? Okay, I guess we'll go to the next item on the agenda. (Charles)?

(Charles): Do you want to do the report backs?

Victoria Robinson: Yes, report backs.

Just real quickly for the Goods Movement Work Group, Shankar is not able to make the call today. The Goods Movement Work Group will be having a call next week to review the draft report that they will be finishing up in the next couple of weeks. So they're going to be reviewing the draft report next week and then the following weeks finalizing it, the goal to get it out to all of the members by the beginning of October so that you'll have several weeks to review the draft prior to the discussions and deliberations in Atlanta. And so that's our game plan to finish this up. And so we will definitely be keeping you posted as close as possible about the status of (things) as we go along, okay?

Any other - any questions about that for goods movement before we move on to a little update about the Screening Approaches Work Group?

Donele Wilkins: Victoria, no questions, but this is Donele. Just wanted to let you guys know I've been on the call for a minute, so.

Victoria Robinson: Wonderful. Welcome, Donele.

Donele Wilkins: Thanks. Glad to be here.

Woman: (Unintelligible).

Man: Why don't we check if Richard's on?

Victoria Robinson: Yes, okay.

Woman: (Unintelligible).

Victoria Robinson: Yes, uh-huh. I've got the (unintelligible).

I'll check again for roll call. Is Richard Moore on?

Woman: (Unintelligible).

Victoria Robinson: Okay, (Katie Brown)?

(Paul Mohi)?

(Gabby Sawkins)?

(Bill Harper)?

Is Deidra here (unintelligible)?

Okay. (Greg)'s not coming. I knew that. Donele's here. Shankar's not coming. Let's see.

(Joyce King)?

So we're up to 11 right now. Okay. That's good enough. Thank you.

Man: Okay, so any other report backs?

Victoria Robinson: Yes, the next report back will be (Sue), just (to giving) a little more detail about what the (unintelligible) of EJ Screening Approaches Work Group's doing and your game plan for your milestones and activities and also your face-to-face meeting that you're having in Atlanta.

(Sue): I should go ahead?

Victoria Robinson: Yes, go ahead.

(Sue): Oh, okay, hi. Thanks very much, Victoria.

We've been quite active. We've had a series of conference calls and we've been focusing largely on understanding the details of the protocol that EPA is working on. We've been very fortunate to have people like (Paul Mohi) and (Jim Saad) and others who really understand how these kinds of evaluative tools are designed. We also have a number of experts from EPA who have been helpful in having us understand the database.

So we are coming to a much fuller understanding of both what's included in this potential tool, as well as what may not be there. We've had good discussions about when it might be useful and when it might not. But we still need to have a better understanding of how it works in practice because it's in some ways kind of theoretical. We wanted to see some case examples. And our hope is that when we get together with our face-to-face in October that we'll have an opportunity to talk to some of the people in EPA in the field who are familiar with the tool as it's applied in particular cases. We're also hoping to have kind of a hands-on working through the tool using the computers at Region 4 in order to have a sense of how the links would work and a better appreciation for the methodology. So it should be a pretty full day. And we are not expecting to have a report until, of course, after we've had that meeting and are ready to establish kind of our central principles about what we think is helpful with regard to this kind of tool, where we see some concerns, how it might be used, and perhaps some supplemental procedures that might be useful in order to make sure that all of the communities that NEJAC has been talking over time as raising important environmental issues will, in fact, be appropriately given attention by agencies.

Victoria Robinson: Okay, well, any - is that - does anybody have any questions to add to that, questions of (Sue) or the work group?

Okay, hearing none, we'll go ahead. (Charles)?

(Charles): Okay. Yeah, at this point, I want to make sure that we're doing this properly because we're going into a discussion that may lead to an actions on the part of the NEJAC.

So being that Richard is not here, we're not sure why he wasn't able to make it, I'm going to ask if I may one of you to be - to chair the - these discussions. And I was wondering, Jody, are you available to do this?

Jody Henneke: I am. I've got to leave in about 15 minutes for a hurricane thing. I'm sorry.

(Charles): Right. So how about you, (Sue)?

(Sue): Oh. I'll pick up after she has to go.

(Charles): Okay, great.

And I think essentially, I mean, what we want to do is make sure this is done properly that, you know, at this point in the discussion that one of you is chairing this and moving this process. I think what we'll do is have the particular work group chair make a report and whatever motions that come after that, you know, can be - they're initiated by them. And then you can take it from there.

(Man): Okay.

Victoria Robinson: All right, great. I think we're going to go ahead and start off (unintelligible) on the state cooperative agreement initiative. I'm going to have - John Ridgway is the chair of this work group to (go out of) this discussion. I sent out an email earlier today the preliminary summary of proposed recommendations. And it sounds like a big mouthful, but this is a preliminary draft of what recommendations that this work group is proposing that the NEJAC council adopt in response to the council's charge related to the development of a state environmental justice cooperative agreement initiative.

These - this document, do most of you have that? Or do all of you have that document?

Man: Yes.

Victoria Robinson: Okay, great.

The document is divided into two main sections. There's a preliminary findings and proposed recommendations. I'll let John go through and explain the sense of where the work group came up with these items and then have him open up for discussion about is this the direction that the council feels that it should - wants to take in the response to the charge.

So let's go ahead and take it away, John.

John Ridgway: Thank you, Victoria.

Just for context to people here, we have as a work group met only a couple times, most recently was when we were in DC in terms of a face-to-face meeting. We then had a couple calls I believe after that.

And what you have to review that was sent out, oh, about 15 or 20 minutes before the call, not a long time, is the general outline for this letter. And in terms of who's on the work group and this call at the same time, Lang is here. Omega Wilson was also drawn in because he had some interesting comments at our DC meeting. So although he's not formally on the group, I've asked him to track and we've had some conversations as well, although that was a couple of months ago. So Lang, feel free to chime in if you have anything you want to add. Jody is also on the work group, but she's on two work groups and this is one that she's been in the background on. And so likewise, Jody, feel free to pitch in. Oh, and Donele is on the work group as well who's on our call today.

So the outline here is to give a general review of this proposed new project that Kent Benjamin has been leading for the EJ office there. And we think overall it's a good proposal. We have some concerns and that's what this letter addresses.

So we do think in general that a high priority is that these are leveraged as productive for the communities in the states that get the grants. We want these to generate results. And this is what EPA wants, too. So there's really alignment in that thinking.

I'll go through some of these key recommendations. And then I'll entertain any questions or advice and then we can talk a little bit about next steps to get this wrapped up so EPA can formally accept this from the NEJAC and go about their work.

In the preliminary findings, we just think this is a good thing to do and that the amount of money available is rather limited, but we do believe that it's better than nothing. And in that regard, we're glad to see something more forward here.

Specific recommendations, the first conversation we had in the work group -- and it was a good conversation -- was what advice should we ask EPA to - what advice should we give EPA as far as targeting new states that maybe not have a lot of EJ resources or leverage this money by it being kind of targeted for states that do have EJ resources already, both in the context of staff and/or formal resources in legislative mandates, executive orders from their governor, EJ coordinator positions that are at the state level, et cetera.

And the general guidance from us is to go for the latter. Go for those states that have more proactive environmental justice programs. That is the actual title here as we've been tweaking it a little bit. So target states with more proactive EJ programs. Most states have something, as has been referenced through research, 41 states in particular. And we don't think this money would be well used if it went to a state that didn't have much.

The second recommendation is to require states to demonstrate that they have the capacity to leverage resources. Again, this is in the general thinking that money coming from EPA alone isn't going to be able to leverage much, so we wanted to leverage money coming from the states. And we advise EPA to make that as one of the criteria as far as ranking the applications.

The third is to require very measurable and replicable results so that from this seed money (essence) good guidance and examples for measurable results could be easily transferred to other states and/or communities that see the product of these efforts in a collaborative way.

It needs to be easy to copy elsewhere with appropriate, you know, refinements at a localized level.

The fourth recommendation is to support on-the-ground, collaborative projects. This was also a very strong theme out of our work group in that it shouldn't be money that's just going to go to a state institution or office, but rather that it result in on-the-ground, collaborative projects. And by collaborative, we mean using as many different aligned resources as possible. And we'll get into that a little bit more here, but that can include nonprofits, universities, state and local government, and organizations, EJ groups, of course, but make it as strongly collaborative so that results will be more likely to be seen and measured and duplicated elsewhere when that example is demonstrated.

Jody Henneke: John?

John Ridgway: Yes?

Jody Henneke: Excuse me, this is Jody. Guys, I apologize. I've been fetched.

John Ridgway: Okay.

Jody Henneke: Wish us luck over the next couple days, and Chuck, keep the electricity going, okay?

Chuck Barlow: We'll do our best, Jody.

John Ridgway: Thanks Jody. Good luck.

Jody Henneke: Thanks.

((Crosstalk))

Woman: Good luck.

Jody Henneke: Okay, bye.

Man: Bye.

John Ridgway: So that was the first four. I'm moving on to the fifth recommendation. And, again, you're going to hear some themes in here. We may be able to consolidate these down a little bit, but the title of the fifth recommendation, support and leverage strong coordination with all EPA regional offices and across states.

A - or, excuse me, about \$800,000 is targeted for this project for five states. So obviously a number of regions are not going to get this first round of money. And yet we want to be sure that all of the regions are observing this project, are supporting it in what ways they can as far as lessons learned that they can duplicate later on elsewhere. And we're also assuming, though, we're not specifically requiring or anything of this nature, but saying that we would assume that these five grants would be in different regions and no more than one per region.

The sixth recommendation, support collaboration and/or training for local city/county planners and zoning boards. This is something that I appreciate can be seen as beyond the scope of what EPA can do. But in the context of money moving on to states, states certainly have the need to collaborate with their local counterparts, be it at a city level, a county level, zoning boards. It could be other kinds of organizations, port authorities, but the point being look for that coordination and collaboration from the get-go in the application so that, again, these monies can be leveraged as broadly as possible and to have more of a positive effect at that local level.

County planners and zoning boards are a very distinct entity in government in this country and we're not suggesting that EPA, again, has direct influence on them, but certainly looking for ways to work with planners, let them understand more about EJ issues as they involve - as they evolve, excuse me. And this may even get into some of the topics that we'll be seeing in Atlanta as far as how EJ communities are viewed through various tools. And zoning decisions are fundamental to how communities can address past zoning practices and/or opportunities for improvements down the road. So we want to see that considered in the applications.

Seventh is to involve state universities. There was a question, is a state university a state government? Would they or would they not be eligible for these monies? And there's technical issues there. A conversation in our work group centered around looking for ways to work with the universities and involve them, be them as applicants or certainly as one of those collaborative resources that can work within a community and can learn as well from these things and help propagate the values of EJ in interaction between universities and the communities that they are in.

And a sidebar comment to this was to be sure that that money, if a state university were to apply on behalf of a state that that money would directly go to the project. There wouldn't be overhead as often can be associated with grants or whatever that go to universities. We would not want to see that money lost to the bureaucracy in an overhead manner.

Number eight, consider ways to encourage activities with tribes. This project we understand is specifically for states and does not include tribes as has been the case in past years where states and tribes would compete for common monies.

Our reference or recommendation is to look for some parity down the road, if not in this specific project, that can bring similar resources to the tribes. We think that that's important.

Number nine, consider ways to work with the national nonprofit organizations. And we've listed some acronyms in here. We need to spell those out. But we have input, and I think it was Patty Salkin who came up with this point and she has a lot of experience working with nonprofits and she think it's a -- and we would agree -- have a potential to help these projects along again. And they haven't seen much direct support of coordination as far as I understand with EPA in the past, but -- I'm making a very broad general statement here -- but, again, and this theme of collaboration and working with resources to leverage as much as possible out this project, we wanted to make that recommendation.

So those are the nine right now. They've been modified just a little bit for wording. This is in a draft and we don't have a finalized letter going. I might at this point ask for Kent Benjamin to pitch in if you have any updates, Kent. Kent and I have been working on this, but we've had a - kind of a suspended animation for about a month due to vacations and schedule conflicts. Kent, is the anything you want to add?

Kent Benjamin: No, not necessarily anything specific. We are moving forward. We appreciate the effort, just to let you know that we are moving forward with the effort to craft the request for proposals. And much of the issues raised in the recommendations is addressed in a way in the current draft that I think would meet with a lot of the concerns raised in the recommendations.

John Ridgway: Kent, are - is there something in - for the work group and/or the whole NEJAC that they would expect to be looking at that would dovetail with this set of recommendations that's coming from our work group that they can look at to see what the current plan is?

Kent Benjamin: I don't know that that would be the case. We - right now the agency staff is working on developing a request for a proposal. The materials that you all had to see in the course of your efforts have not really changed. We're merely right now plugging the language and the draft language you saw into the application format.

So the - so at the - just kind of - I - we really hadn't planned on some other level of review of that document.

John Ridgway: That's fine.

I do want to point out, it's been clarified to me as well that this isn't a grant technically, but rather it's a cooperative agreement. Is that the right term, Kent?

Kent Benjamin: Yes.

John Ridgway: And so in this regard, EPA has a little more opportunity to set the parameters around this and it's a contract in essence to make sure that there are deliverables...

Kent Benjamin: Well...

John Ridgway: ...(with) the guidelines that EPA puts out there.

Kent Benjamin: The way it works, and I'm not going to use legally official language on this, but, the difference between a contract and a grant is that there is interaction between the agency and the recipient around what the recipient agrees to do and there are some stipulations that are typically added in a cooperative agreement that put that relationship in place. But also in this case, as we have with our collaborative problem-solving grants and with our community action program (unintelligible) environment grant -- or cooperative agreements is actually what they

all are -- we will partner with the recipient to provide technical assistance and other support from our regional and headquarters offices.

So it's not just giving money that they do whatever and we, you know, hope for the best as a result, but it's giving money and it's (then) establishing a closer relationship in the utilization and application of those funds so that we can support the effort to ensure its success.

Richard Moore: Well, I just wanted to say - this is Richard. How is everyone doing?

Kent Benjamin: Hi Richard.

((Crosstalk))

Woman: Hey Richard.

Richard Moore: Hey.

Look, I'm sorry I was late. I did hear all of those recommendations. I was on hold. I don't know if we had a technical difficulty or something.

Victoria Robinson: Well, Richard, we'll explore what happened and stuff like that, but we're glad you made it.

Richard Moore: Well, thank you.

Victoria Robinson: (Unintelligible).

Richard Moore: Look, I just wanted to comment that - on several things. One, I think what's in those recommendations, I would also agree with the working group that the discussion that the NEJAC council, several comments that the council members made seem to be all - seem to be reflected in these recommendations. I totally support all of these recommendations. I just wanted to comment very quickly on a couple of them.

One, I think it is extremely important that's been noted that we continue (through) the council on, I'm glad the recommendation was made to see how, in fact, we can deal with tribal government and also with grassroots tribal groups. I'll just say that I think that's a good recommendation. I hope that the OEJ through the EPA really takes serious to that recommendation and maybe as a council we can as that a report back be given at another council meeting.

The other one I think in terms of the collaborative part, I think that was one of the weaknesses from my own opinion some of the past state grants. And so I think that's very important.

You know, I expressed in the meeting that - and (unintelligible) repeating is that I just want to give an example that the piece between the collaborative between the regions, between the state, and then how, in fact, the other partners, whether it be industry and business or a city or county or whatever it may be, that there has to be some real equity in the curriculum - I mean, in the criteria for the full participation of grassroots groups. And sometimes that's talked about, but it has to happen in practice as far as I'm concerned. And so I think it may be covered in these recommendations.

But I have to take it a step further just to state that in that collaborative relationship, I think that we should be looking at without telling people what to do that there should be a little piece of money in there. I'm just going to be straight up that that somehow gives - allows for the participation of the grassroots groups because all of the other entities as we know in our discussions in the past, all of the other entities are either on salary, either from - (some are) county, city, or the state, or the region, or the industry and business. And the other ones,

everybody's on some kind of a salary with the exception of - and a lot of times the grassroots groups.

So I think that recommendation is good. I would hope that we'd watch that very closely because we can't just give lip service to the participation of grassroots groups. They need resources to be able to participate.

So I support the recommendations and I commend the work of the working group.

John Ridgway: Thanks Richard.

I'm going to have a couple of maybe follow-up comments, but I'm going to ask Lang first. Do you want to weigh in, Lang? You were pretty active in the generation of these recommendations and reviewing the edits. Anything you want to add?

Lang, are you on the line?

Okay...

Lang Marsh: Sorry, I had myself on mute.

John Ridgway: Oh, okay.

Lang Marsh: Can you hear me now?

John Ridgway: We hear you now.

Lang Marsh: Okay.

Yeah, I just wanted to build on Richard's comments. In my mind, the statements in here on collaboration are supposed to be consistent with the kinds of recommendations that we're including in the Goods Movement Work Group recommendation. And, you know, with - so it'd be consistent with Omega's recommendations for how the community could best participate.

The problem - or I don't know. We haven't - we didn't really discuss this, but the money part is flowing - it's intended to flow to the states. And so I guess a legitimate question for the council is whether we should include in the recommendation, you know, some additional way for whatever, for applications that do flow some money through to the community organizations consistent with Omega's strategy in the Goods Movement Work Group. So I think that's, you know, we didn't really talk about it, but I think it's open for the council to discuss whether that's a good idea or for EPA to react whether there's some issues with that.

John Ridgway: Okay, I'm going to suggest we hold off on that conversation for just a sec, but I'll be sure we don't forget it.

I'm going to just throw out here also in reference to what we heard from Richard and Lang that I'm in agreement with this, with whatever we can do help make that a strong recommendation to include the local grassroots in the form of reimbursement for the expertise and time and an acknowledgement of such. And I don't know how the mechanics work, but if that's possible, I sure support that.

The other comment I'm going to throw in here quickly is a logistical one. From experience past in applying for these kinds of grants, whatever EPA can do -- and we may want to write this up. It's not in here specifically at this point -- but whatever EPA can do to give very good, broad marketing to these community grassroots groups to be looking for this project when it goes out so that they can start knocking on the doors of their states to say they're interested, to say that they want to be part of an application and they - or they want to see their state

apply. But that kind of networking does take some time and I just hope that the logistics don't force EPA to say apply in 30 days or you're out of this round.

So I know there's a timeline, Kent, that you have to work with and other criteria that, boy, marketing of this thing is going to need to be important. And we do have some general comments we'd written up about it's important to use the media on this one. And that's not in this draft you're looking at, but we may want to strengthen that a little bit.

Kent Benjamin: This is Kent again.

I - without commenting on any of the recommendations, what I would like to take a second to share is that the feedback we've heard in various settings, including the NEJAC, has been taken into consideration as we've begun drafting these materials.

And some of the things that will - that are included in the draft at this point -- and nothing is final till it's final -- is that the recipients can subcontract out portions of their work to, you know, any appropriate enterprise.

They - additionally, the language we have, we've taken from CARE and from the collaborative problem-solving materials as well, which says that they have to - they will have to identify which community, the - which community organizations they are partnering with and that - the roles that those groups will play.

And, you know, so - and when it comes forward, that - you will see that the notions that you've raised have - and conversation and in writing have been taken into consideration.

Additionally, the CARE, the collaborative problem-solving activities, the EJ Small Grant, and this effort, are all being discussed with our regional staff as they evolve. And regional staff in the various cooperative agreement programs are planning on ways to promote all of these programs and explain them and educate folks on them simultaneously. And moreover, many of our regions are already meeting with their state counterparts with these sort of draft concepts to begin their effort to think about applying for these.

John Ridgway: That's great news. Thank you, Kent. I appreciate that.

Man: Thank you.

Kent Benjamin: Oh, and that's - and also that's - there's - and I should clarify that that's part of a training that will be out there to do this.

We actually developed a - and this is a little aside. We - there's some software being developed that will allow people to learn how to apply for grants and actually fill out a lot of the material that they can then plug into their applications later on. So they'll sit there, get training. They'll be able to think about their organizations and their approaches and plug that in. So that's part of a collection of outreach and training around these grants that's going on.

(Man): (Unintelligible).

John Ridgway: Great, great.

Kent Benjamin: And that will be - also be CARE National Training Workshop. That's going to be (fact) some of that thing - that training and education will be done there. And that meeting will include representatives from the collaborative problem-solving, both the CARE and the Center for Disease Control community-based programs.

John Ridgway: Great.

I guess...

Richard Moore: I'd just add to that, and that's very good, Kent. I'll just add to that that those - (we'll just say) overlaps for the meantime. I think in some of our learning experiences from the EJ awards, you know, show that we have consistency on the partnering. It seems like that's what you're saying and so that that languages and so on, that you I think also as I say, from our experience in terms of the EJ awards, our learning experience is that there's some solid experience there, too, in terms of partnerships.

(Charles): Hey Richard?

Richard Moore: Uh-huh?

(Charles): This is (Charles).

I wanted to just ask - do a process check because we do want to get to 3:30 when the public comment period starts.

And so at this point the - you know, the council needs to make a decision about whether or not it wants to move forward in terms of adopting this - these set of recommendations in principle or in a - obviously a motion and a vote needs to take place around that or it wants to hold it off for further discussion.

So that's a - that's one action decision point that you guys have to make.

Richard Moore: Okay.

If that's - if I'm understanding where you're coming from, (Chuck) (unintelligible) I would move that we adopt the recommendations of the committee.

(Chris): I - this is (Chris). I second.

John Ridgway: This is John here. Just a point of clarification, that's great. I - what we'll - next steps I'm assuming is that we will refine the language so that these recommendations will be drafted as a formal letter that would be sent from Richard to the EPA administrator and that we would work in the immediate future over the next couple weeks to get that finalized and maybe submitted to Richard for review.

And my question is procedurally can we approve this final letter? Do we need to by the NEJAC? Or by this vote, is that good enough to move it on forward and get it finalized?

Man: I think you can move it, adopt it in principle. And then, you know, what I would suggest is that we share - that this letter be shared with all of the members...

John Ridgway: (Yes).

Man: ...(unintelligible) there's no - that the language is - does reflect everyone's consensus.

John Ridgway: Great. Well, I'll be glad to work with Kent on...

Man: (Unintelligible).

John Ridgway: ...on that after - if we have a vote on this.

Man: Just a question for Kent I guess is when do you need the NEJAC recommendations to be formally in your hands?

Kent Benjamin: Well, Victoria will correct me when I start to stray, but the material that John sent in and which you all just voted on and that is sufficient to move forward to the refinement to the actual final version.

Victoria Robinson: Right.

But I think he's asking when do we want to get a letter to Richard so Richard - I mean, have the final letter in format with the, you know...

Man: Let me answer that.

I mean, I think the answer just in very simple terms would be as soon as possible. I mean, I think it is important to have on the record your thoughts about this so that they all - they can be shared with, you know, a lot of the various constituents, particularly states, so they have a better understanding of some of the things that they should be sensitive to. Also, you know, I think that given the fact that it's probably because Kent is working on it, you know, all of this is being taken in and being incorporated, but, you know, it's also important to get these messages shared with other groups.

John Ridgway: Okay, well, I'll take that as a...

Kent Benjamin: (Unintelligible).

John Ridgway: ...we'll just turn this around as quick as we can to get a final draft back to Richard and for your distribution to the NEJAC and then I'm assuming via emails maybe we can finalize it and get it on its way.

Kent Benjamin: Yeah, and (unintelligible) the draft of the request for proposals is there is an EPA work group that will be refining the drafts over - through the end of the October (we'll - should) have our first full, solid draft in place. So the closer to that time frame when any modifications or considerations can be factored in before we issue it in early December would be useful.

Victoria Robinson: So if we can get this thing - I think if we can get it to be made final so that we can get it to the administrator before the end of the month I think would be ideal. And then that would give us time to have a feedback discussion at the October meeting.

John Ridgway: So you're suggesting this would be an agenda item added to the October meeting?

Victoria Robinson: Well, it - that's one of the update on NEJAC actions that would be on that Thursday.

John Ridgway: That would be great.

Victoria Robinson: Yeah, so - but, you know, that way we can get a response, let you know what the response has been back from the administrator, so getting it up to them (unintelligible).

John Ridgway: Will the public at large have a chance to see this draft so that if they wanted to comment in Atlanta, they'd have the opportunity to do so?

Victoria Robinson: It will be in the binder...

John Ridgway: Great.

Victoria Robinson: ...so that when the register on-site, they will get that as part of the meeting materials.

John Ridgway: Okay. I think that's good.

I also want to thank Omega for spending a number of hours talking with me and reviewing (unintelligible) in follow-up to his comments in June, it was very helpful and I appreciate it personally.

Thank you, Omega.

Omega Wilson: Oh, you are very welcome, John. And I - of course, I appreciate the opportunity and the fact that not only did a lot of people hear me. They listened to me and I was very glad to see that a lot of the things that we were working so hard to include...

((Crosstalk))

(Charles): This is (Charles). I just wanted to - not to sound too pushy, but I think we need to be. We do want to be fair to the - to Chuck Barlow and the other work group and they do have a draft letter for your consideration.

So Richard, if it's okay that we - can we move on to that part of the agenda?

Richard Moore: I think the committee would agree that we...

((Crosstalk))

Man: ...question first?

John Ridgway: Yeah, we haven't taken the vote yet.

Woman: Yes.

Man: Okay.

((Crosstalk))

Victoria Robinson: Let's take the vote. I mean, I don't think we need to do a roll count, but I'd like to hear do we have a agreement to adopt the recommendations in principle?

Man: Yes.

Man: Yes.

Woman: Yes.

Woman: Yes.

Victoria Robinson: Okay.

Man: Yes.

Man: Yes.

Yes: Yes.

Victoria Robinson: Do we have anybody who agrees - does not agree that we should adopt these recommendations in principle?

Any abstentions?

Good. We have quorum, so we will note that the NEJAC has adopted these recommendations in principle and proceed as discussed earlier for next steps.

Okay, Richard?

Richard Moore: (Okay). All right, thank you, everyone, for that hard work and for those comments. If we could move on to the next agenda item.

Victoria Robinson: The next agenda item is the draft letter prepared by the EJ Green Business and Sustainability Work Group. And I will turn that over to (Chuck).

(Chuck), right now we have about ten minutes, but - to go over it and then open up any questions and then see where we can go from there. Okay?

Chuck Barlow: Okay, thank you.

I think we can do it in that time. I'll try to be concise. But as you'll remember, we had a pretty thorough discussion of these items in our last meeting in DC, so I think we can do it in ten minutes.

To give a little bit of context and background, the charge to this group was to come up with a set of recommendations, for whether EPA should try to engage business and industry in particular in a broad dialogue about environmental justice, green business, and sustainability, should EPA try to engage business in that dialogue, is there interest in both communities and in business in having that type of dialogue, and then some suggestions on how to go about that and how to really get and keep business and industry in the loop on dialoguing about green jobs, green business, sustainability, and environmental justice.

The charge was not to try to find answers, if I can say that. The charge was not to try to say, for instance, what green jobs are and are not, what sustainability is and is not. You know, those broader, much more difficult type of questions were just not really within the scope of what we were asked to do.

We have had a large number of conference calls about this. The group has worked very hard. We've had face-to-face meetings in Washington. And what we have found out as reflected in the draft letter is that there are already - and everybody on this phone call knows, there are already many, many discussions and dialogues going on around the country about green jobs and sustainability (unintelligible) to try to make sure that environmental justice becomes an integral part of those discussions.

People are interested. People in business are interested. People in communities are interested. It is worth talking about. It is worth EPA spending time and effort to try to create this dialogue. And it seems to be an area that what we have heard back from many, many people is that it's an area where possibly many more than other areas where EPA works, it's an area where business and industry sees this as something that can be a type of win/win situation.

You know, there's already a tremendous amount - it's almost - and this is not a good thing, but it's almost becoming a fad if you're in business and industry to talk about how green you are or how green you want to be.

But it is for the more serious members of business and industry about that. It is an area where people in the boardroom so to speak can look and see that not only is it necessary, not only is it moral - there's a moral imperative, but my goodness, you look at it and you say, you know, we can also save some of our own energy costs. We can also save some of our own incremental pollutions costs, that there are a lot of good things that actually can come to our

own bottom line by beginning to pay attention to green business, green jobs, sustainability, environmental justice issues.

So that's what (we'll try) to take advantage of here I think we would say in trying to start and frame this dialogue by emphasizing those benefits to all of the stakeholders and the co-benefits that can even go to the bottom line of a company's balance sheet.

So that's what we're talking about here. And as you look at the letter, there are a number of recommendations. This letter is a little different from the presentation, the PowerPoint presentation that we made in DC because we've had some additional conversations since then, not tremendously different, but it is some different.

One thing we did was we took the numbers off of the recommendations because - and as we also say in the narrative, we want to make sure that people understand that we haven't listed these recommendations in any particular order of importance. We've not tried to attach and order of importance to them.

But I'll just run through them very quickly -- and this begins on Page 2 of the letter -- that EPA should address differential impacts of climate change, that (is the) potential for disproportionate impacts of climate change to environmental justice communities. Obviously that's - it's a big topic, a broad topic, and a topic that needs to be dialogued in many areas other than just this green business dialogue, but it needs to be a part of this green business and sustainability dialogue.

The second, EPA should maximize benefits of its existing programs in this area. As we looked at this, we saw that there are many good things we think, good programs EPA already has, but they do seem a little disjointed. There's - there - to us, there seemed to be nobody who was really pulling the threads of these good EPA programs together to make sure that they complement each other as much as possible.

The third, EPA should maximize opportunities to achieve environment and - environmental justice co-benefits in green business, sustainability, and climate change-related efforts. In other words, you know, find ways that all of the stakeholders that need to be around this table benefit, such as by doing energy efficiency audits, (you know), you help the customer. Because they have a warmer house in the winter and they have lower electricity bills, you help the environment because you're bringing that less coal or natural gas to make the electricity to heat that house. And you actually help the company because there's less waste in their process.

The next one, EPA should increase and actively encourage policy-relevant research by its various offices that - who already have people on staff to look at these types of issues.

Next, EPA should strategically engage and educate other federal, state, and local agencies in this area. We know that there are - we talked a little bit about energy just a second ago. EPA can be a leader here and can - with some of its business partners can provide I think very important education and training for the other federal agencies that also need to dialogue with their users, their customers, and their communities on green jobs, green business, and sustainability.

EPA should continue to engage, facilitate a meaningful conversation in this area. That as previously stated has in many ways has in many ways already begun with business and communities and other interested parties through various forums to ensure a broad and inclusive scope for this dialogue.

We did not go to the extent of saying you should have one very large meeting or one meeting per year or you should do this regionally or you should - we felt like that was more well suited

to EPA's decision after further discussions. But there does need to be a dialogue and it needs to be a specific dialogue with the right people around the table.

EPA should consider forming a separate NEJAC work group to address the concerns of tribes, indigenous communities, and Alaskan native villages related to environmental justice, green business, sustainability, and climate change. And there's a fairly lengthy footnote in the letter that talks about some of the concerns that have been raised through the work group on that issue.

EPA should reach out to educate businesses and related organizations by creating a practical and persuasive toolbox to help people within that company go into their boardrooms and go into their communities and talk about these issues, talk about the environmental sustainability and green jobs, issues that face companies. And this is seen as, you know, you've got the person on the inside of this company, of this organization, who wants to push this issue, but maybe doesn't really know how to talk about it in the boardroom or maybe doesn't know how to go out and talk about it in the broader community.

We want to give those people some training and some tools to go in and sort of be our man on the inside in issues like this.

And then EPA should consider the potential for industrial pollution and other significant quality-of-life impacts surrounding communities by so-called green business industries.

We had a very important strong discussion, voices on our subgroup that came back to us and said that, you know, this is all fine and well, green business is great, green jobs are great, but there can also be a downside to some of the green business practices of businesses. We don't want to cause problems by, you know, developing whatever you're going to develop, solar panels or wind turbines or RCRA and CERCLA remediation outfits. You don't want to cause problems by doing that. You've got to realize that you've got to look at the potential problems that could be cause by communities. You don't want to exacerbate problems that are already there by saying well, you know, this is a green manufacturing development, so we're going to put it in an environmental justice community and it's okay since it's a green manufacturing development. There are still some of the same issues there that the communities have had to deal with, borne the burden of for along time.

I would like to mention that we - there is a sentence that is not part of this draft letter that (Bill Harper) and Deidra Sanders asked us to consider placing in the conclusion of the letter. And they are not on the line I don't believe. John Rosenthal is on the line and (John) was also a voice in suggesting that we add a sentence to the conclusion of this letter to make it clearer what we believe the outcome should be.

And Victoria, if it's all right, what I'd like to do is read this sentence. It would be included (sic) in the closing. It - we were trying to get this draft - this into the draft and - that was going to go out to everybody and Hurricane Gustav sort of messed us up on that. And that's my fault more than anybody, but I had to go on hurricane duty. So it didn't happen.

But it's a sentence that I believe that the subgroup, the work group, would agree with by consensus. So I'd like to just read that.

Victoria Robinson: Okay, go ahead.

Chuck Barlow: It - this would be the first sentence of the concluding paragraph. "We believe that the ultimate goal of the dialogue should be to establish protocols through which business, government, and community organizations can collaborate to ensure all benefit from the emergent green economy." Then you would go with the rest of that closing paragraph. So I'll read it one more time. "We believe that the ultimate goal of the dialogue should be to establish

protocols through which business, government, and community organizations can collaborate to ensure all benefit from the emergent green economy."

And I think an example of the protocols (we were) talk about would be, for instance, to make sure that just because something is called a green business or a green job that it does not - it is not allowed to present a burden to a community just because it's called green.

Man: (Unintelligible).

Richard Moore: Okay (unintelligible).

Chuck Barlow: Well, that's my quick run-through. And obviously, Victoria, we want to hear -- and Richard, comments. But we would present this for consideration to the NEJAC.

Richard Moore: I just wanted to just open it for just a minute or two. We're going to be getting very close here to 3:30 Eastern time fairly quickly. Can we open it up for a minute or so for comments or - for comments (unintelligible)?

Omega Wilson: Yeah, this is Omega. I have one quick one. This was relative to what (Chuck) was saying in the very beginning about defining, you know, it's not designed - it's not written to define what green is.

But I think somewhere along the way, you know, where it's here in this letter or someplace else, that there is a - something that defines what environmental green is versus environmental justice green because, you know, people are pretty serious about their understanding that environmentalism is not the same thing as environmental justice. And, of course, what we're working on is environmental justice issues. And, you know, I don't know how it's going to be done or when or where we're going to do that, but some definition about some level of distinction, not that one is against the other, but there is some relationship and they - there are some distinctive differences and how they should (unintelligible) together.

Richard Moore: I want to agree with that. Is there any other questions or comments?

Lang Marsh: This is Lang. I have a comment on the last bullet, at least in my version, about considering the potential for industrial pollution and other quality-of-life impacts (in the) surrounding community - communities.

I'm wondering if we should consider strengthening this or talking about it at a future NEJAC meeting, but actually degenerating a report kind of maybe a little bit modeled on (Charles)' report back in the 80s on the either actual or potential cases of those impacts from green business activities or potentially not-so-great business activities so that it would highlight more of what is actually happening or potentially could happen. And I would offer that as a - either as discussion for a future meeting or a possible amendment to this.

Victoria Robinson: Are you talking about like an expanded discussion of this?

Lang Marsh: Well, I'm talking about the - it just says you should consider the potential for industrial pollution and other impacts. And it seemed like it might give it a little more meat to actually figure out how to generate a - some kind of a report or document on what is happening and what might happen so that - sort of to support what Omega was saying, that there's a clear - some clear cases of and distinctions about what is good and what isn't.

John Ridgway: This is John Ridgway.

Maybe if we could just say they should rather than consider, should review and report on. Then you'd get something out of it at least. You'd get a report later on down the road if they take that advice.

(Sue): You know, this is (Sue).

This has an - as Lang has just suggested, this has a lot of very broad recommendations. It's considerably different than what we had talked about that in-face meeting. I'm a little worried here that this is asking for EPA to expend a lot of resources in a lot of areas and we haven't really had a chance to kind of define terms and talk about it much.

Are you thinking that we're going to approve this today? Or is this just an update and we'll talk about it in October?

Chuck Barlow: Well, actually it's pretty much taken directly from the PowerPoint that was presented at the face-to-face meeting. And I think that the intent was to offer it for approval today.

Richard Moore: Okay, so how does the council want to proceed with this agenda item?

Chuck Barlow: And let me just say that - remember, the context of it is that these are items to be part of the dialogue.

(Charles): Yes. Hey, this is (Charles).

Can I just speak to (Sue)'s point? I mean, I think the way that we would interpret these -- and these are all really good recommendations -- is that, you know, they have to be taken as a - as one part of a larger set of pieces that we've yet to evaluate. So these being on the record are going to be important. As to whether or not there's going to be a direct - or whether there's actually - whether or not it is advisable to respond to this, you know, one to one, that's probably something that's going to have to take a lot of really thoughtful kind of discussion and thinking and actually - and consideration of all of the resource consequences.

But be that as it may, that is always the case with all recommendations. And the fact that you have a good set of thought-out recommendations on the record that stimulates the discussion in different ways is a positive thing.

So I wouldn't be fearful about that. I mean, I do think that these are not (said) in such a way as to raise undue expectations. And so from - speaking from our perspective, you know, we think that these are very workable.

(Sue): And...

Richard Moore: (Unintelligible).

(Sue): ...that's really helpful. Thank you, (Charles).

Richard Moore: Yeah, thank you, (Charles).

And so guess (unintelligible) we kind of move on for, if we adopt these recommendations, what we're saying it's not in concrete. I mean, I think what we're hearing is that there is going to be more discussions about these recommendations, huh?

Victoria Robinson: That's not - I mean, I thought that this was...

(Charles): Well, there is, I mean, all recommendations, I mean, I think that, you know, you can look at (it in) several different ways.

Having very finite work products is a wise thing to do, both from the point of view of a particular organization or a group's effectiveness. You know, you need - when one needs to stop at a certain point and to the best that group's ability put forward something.

You know, that is always - the response to that is always going to be an ongoing discussion...

Woman: Mm-hm.

(Charles): ...as well as I think further amplification on your part of, you know, how to move forward from there.

I think - so I think the answer to it is if you decide to adopt these, our recommendations, at a time and place right now, the NEJAC, if you so wish, can continue to discuss these and fine-tune or focus on certain areas for further fine-tuning or development.

EPA will look at these and, you know, consider these very carefully. And there's a whole set of other activities going on at EPA that, you know, having to do with this set of issues that, you know, that are - that this will play one part of being one part of - in other considerations in moving those things forward.

And so this is always - and this is always a dynamic process. With this (set) of issues, it's a very dynamic process right now. So I think that it is important that you have something on the table, on the record, as evidencing some kind of interest and some kind of direction that you wish to go or evidencing some kind of concern that you think needs to be considered.

Richard Moore: Okay, there were several pieces. I want to move us along and then I want to get us into making sure that we also have respect for those that've been holding for public comments.

There was two pieces quickly that I'm understanding. One, I'm trying to get a sense with those explanations from the council if we're ready to proceed in voting on these recommendation.

And then secondly, I just wanted to add, there was a comment made for an additional - for an addition - additional sentence in the letter. I don't want us to forget about that.

And so those are the two pieces that we have in front of us and are we prepared, Council, to move forward on this item?

Lang Marsh: Hi. This is Lang. I think it's a very good report and I would move that we adopt it and add the sentence that (Chuck) proposed.

And - you know, I'll just make a comment that there are a few things in here that Omega pointed out and I pointed out that it would be good to have further discussion on in the future.

Richard Moore: And I agree with that, too.

So do we have a second on that motion?

John Rosenthal: I second. This is John Rosenthal. I second.

Richard Moore: All right, John. Thank you. Are we ready to vote, Council?

Man: Yes.

Richard Moore: Okay. All in favor?

All: Aye.

Man: Aye.

Richard Moore: Any nos? Any abstentions? Okay, thank you very much. That was a very good discussion.

Okay...

Woman: (One)...

Richard Moore: ...let's move us along now on the agenda. Victoria?

Victoria Robinson: (Unintelligible) yes, we're now to the public comment period. And to echo Richard, I do appreciate everybody waiting patiently for this. We are about ten minutes behind.

We had five people sign up for public comment. So, Operator, I'm going to ask if these individuals are online or have actually called in.

Ms. Sachau, S-A-C-H-A-U?

Operator?

Operator: No, ma'am, I'm not showing her online.

Victoria Robinson: Okay, thank you.

Then members of the council, I'll - at the end, I will read her comment that she submitted in writing that was sent to each of you, but I'll also read it into the record.

(Jimmy Torea), is he online?

Operator: No, ma'am, he's not online either.

Victoria Robinson: Okay.

Glenn Pratt from the Indianapolis NAACP.

Operator: Yes, ma'am, he is online.

Victoria Robinson: Okay, wonderful.

Mary Lamielle from the National Center for Environmental Health Strategies?

Operator: No, ma'am, she is not online.

Victoria Robinson: Okay.

And Yasmin Bowers from Consciously Rebuilding, Inc.

Operator: Yes, ma'am, she is online.

Victoria Robinson: (Okay, wonderful). All right.

Well, then, Operator, if you can queue up Mr. Pratt, Mr. Glenn Pratt, and he will have him go ahead and give his comment.

Operator: Okay, just one moment.

Victoria Robinson: Thank you.

Operator: Mr. Pratt, your line is open.

Glenn Pratt: Thank you very much.

Yes, I'm an ex-EPA person, spent most of my life in Region 5. And just to mention a start of a lot of the EPA's environmental work was back when we had the Far South Side of Chicago mothers who came in complaining about the air problems that was causing health with their children. And at that time, our regional administrator's response was - at the meeting, well, you know, it's those people and their lifestyle. And this place was surrounded by Sherwin Williams, steel mills, sludge drying beds, and what have you.

And that was back in the days when those things were totally ignored. And I think EPA has made a lot of progress in that area.

My concern is that the pressure on the states had gone away. Indiana's Environmental Justice Task Force has not even met in four years. The head of the state agency said we don't need a program because we treat everybody equally.

In the process, now they're going to be building a sludge - a garbage cooking facility in the inner city area up in Northwest Indiana. And the state says oh, this is green and it's good for us, so we're just going to go ahead and do it. And so I think we're really going back and treading back.

I'd like to say one positive thing is we've just received a CARE grant here with - working with community groups, working with the - actually EPA's Region 5 staff was excellent working with us. And this is looking at an old industrial area and doing an evaluation of what's accumulated there for 100 years.

And I think the CARE grant program is really great and appreciate EPA's assistance in this area.

Richard Moore: Well, I wanted to thank you for those comments, Mr. Pratt. This is Richard Moore.

Did you have a - before I open it up to the council for questions or comments, any specific recommendations that you'd like to make?

Glenn Pratt: I think that my recommendation is that the fact that EPA needs to get back pushing the states, such as Indiana, who are - totally have moved away from any consideration in this area.

Richard Moore: Okay, that's great. That's very helpful. Thank you. Thank you, again.

Council members, comments, questions to Mr. Pratt?

Omega Wilson: Yes, this is Omega.

We're very glad to have you comment, Mr. Pratt. My question is relative to your work with the NAACP. And, you know, of course, its history is there and does not need to be reviewed. You know, to help broaden the whole thing that we're talking about, pushing the states and local governments and the other entities and other collaborators, whether or not you feel at this point, you know, the integration of environmental justice formally and the formal platforms of the state NAACP and the national NAACP, along with the work you were doing with CARE, you know, is something that's progressing or something that NEJAC has helped with or, you know, how do you see all of that?

Glenn Pratt: Well, I think that the NAACP is in part being reborn. And it's just, in fact, the Environmental Justice Task Force was just created here a year and a half ago when our group

here in Indianapolis restated. We've been focusing on the fact that we have raw sewage from failing septic tanks. In many respects, parts of Indianapolis are like a Third World and we have had kids playing in raw sewage. And we have made major progress in addressing that.

But it's really not a high priority on the state basis and in Central Indiana it is. And it's something that I think NAACP needs to be more active in.

Richard Moore: (Okay).

Glenn Pratt: And certainly the people up in the Gary area are concerned about the problems up there.

But I think there needs to be more of a national focus.

((Crosstalk))

Richard Moore: Go ahead, please.

Lang Marsh: Mr. Pratt, this is Lang Marsh. Appreciate your comments and your work for the NAACP.

I'm wondering if you see whether there's some other states in Region 5 who have been more proactive and whether potentially EPA could play some role in using those - one or more of those other states to mentor the State of Indiana as you mentioned? Or are they all in about the same state of responsiveness to the EJ issue?

Glenn Pratt: Unfortunately I have lost contact with a lot of the states. We used to have a broad Great Lakes environmental justice coalition, which unfortunately doesn't exist. And so I'm not that familiar with what's happened.

But the main thing that's needed is for EPA to really work with the states and push the states. As I say, the administration we have here now where some of the staff has been very helpful, but as far as the situation with the state where they've blatantly just said there is no such thing as an environmental justice issue because we treat everybody equally. So we don't even consider it.

And the Region needs to say as part of the program planning process this is an EPA concern and you must push this area. Because I say we have the case up the Gary area where they're going to be bringing another major air pollution source and where working with the Sierra Club (have) appealed a couple of the permits up on that area.

But the state is just very negative as far as looking at these issues.

Richard Moore: Okay, thank you.

Council members...

Lang Marsh: Thank you.

Richard Moore: Thank you, Lang.

Any other comments or questions for Mr. Pratt?

John Ridgway: This is John Ridgway. And I represent state and local government on the NEJAC, Mr. Pratt. Thank you for your time.

And I don't know if you heard the conversation earlier about the EJ grant process to states. I would like to say to you and to the rest of the council that pushing states to do more I think is probably a mixed opportunity for not only applying for grants, and I want to be sure that you're

aware of tracking these grants and encouraging your state to look for this, but also I want to say to the council I think I would agree that EPA needs to provide supportive opportunities to apply for extra resources, but also have a plan strategically to help those states that aren't EJ proactive. And in that regard, I very much agree with what we've been hearing from Mr. Pratt.

Glenn Pratt: Well, again, let me say that the EJ staff, like on this CARE grant in Region 5, have been very helpful and...

((Crosstalk))

John Ridgway: ...exactly.

Glenn Pratt: But the thing is that the State of Indiana's not going to apply for a grant because there is no problem. That's what they've said.

And having spent most of my earlier life at EPA where Region 5 was accused of being the gorilla in the closet of pushing the states is that there needs to be direction from Washington that this is important and needs to be addressed and is part of the grant, the basic grant to the states. This needs to be a requirement. It's not giving them more money. It's saying if you want any money...

John Ridgway: Yeah.

Glenn Pratt: ...you will do this.

John Ridgway: Yeah, I agree with you.

Thank you.

Richard Moore: Thank you.

Any other comments or questions to Mr. Pratt?

Okay, well, then, I think - well, I just wanted to say, I wanted to compliment the NAACP. This is - we work - in my work in grassroots communities with a lot of the local chapters of the NAACP, not only in the Midwest, but in the Southwestern part of the United States, their work is to be commended.

We appreciate your comments today. And if you have any closing statements, Mr. Pratt?

Glenn Pratt: Would just that as I say, the CARE grant that we've worked the neighborhood people and with other environmental groups and with the state and federal people on this is - I think is really going to be good for the city. But - and the more of those type of things, the CARE grant type of programs, you can have, I think it - and the more that this helps local groups work together and help addressing the problems.

And we even have our conservative mayor from Indianapolis who is going to be at the dedication ceremony and they're joining in. So it's the type of thing we've been able to build bridges through this on stabilizing the neighborhoods, on making the neighborhoods so that it's not gentrified is once it's improved, the people that've put up with this are able to benefit from it.

So we really have found this as a godsend, but the main thing is EPA needs to really lay it down to the states. You want your basic grants, you will do it.

Richard Moore: Well, I want to agree with those comments. I think council members would also agree with you, Mr. Pratt. And we'd like to thank you for holding - hanging - holding on there with us and for making your comments.

Glenn Pratt: Thank you.

Richard Moore: Thank you.

Okay, Victoria?

Victoria Robinson: Yes, thank you. Operator, you can go ahead now and unmute Ms. Yasmin Bowers.

Operator: Okay, Ms. Bowers' line is open.

Yasmin Bowers: Thank you. Hello?

Richard Moore: Ms. Bowers?

Yasmin Bowers: Yes, can you hear me?

Richard Moore: Yes, we can. (Unintelligible) thank you very much for making public comments.

Yasmin Bowers: Oh, okay. Thank you.

Well, basically Consciously Rebuilding is an organization that I co-founded. And we're located in New Orleans, Louisiana, where I'm sure everyone will agree climate change and environmental justice coexist.

And I just wanted to commend NEJAC for all of its work, but also pose a question for the EPA and NEJAC for I guess including more community-based organizations in its plans. I do understand that NGOs are very important to this movement, but I think we all believe that starting from the ground up is very effective, especially when you're trying to define what environmental justice is, what green businesses are, and how the community can be affected by it, both financially and in terms of their health.

And so I just wanted to make that note and see what you guys's perspectives are on including more community-based organizations in your planning.

Richard Moore: Well, thank you for those comments and thank you for the work that you are already doing there in the Louisiana and beyond.

I think one of the ways, just to begin to respond to your comments as - in regards to the NEJAC council, in setting up the working groups -- and you may've heard some of the earlier discussion that we were having as a council -- that what we've been able to do throughout this period of time is put together a working group around specific areas and then add not only council members in many cases, but also non-council members onto the working group to help the group find and refine the recommendations that would come to the NEJAC council and then from there go on to the administrator of the US EPA.

The additional way that that's happened is that through many of the teleconferencing, the working group calls at times those calls are open for additional input from community and others in terms of making suggestions or recommendations around the topics that we're taking forward in that working group.

And then thirdly, I think an additional way is not just having just only conference calls, but the face-to-face meetings and having face-to-face meetings in various areas throughout the US

and to allow understanding the resource considerations and so on and many of the stresses and strains that many of our communities are under, allowing for participation of grassroots groups and community members (unintelligible) working groups.

But I wanted to also open up comments or questions from the panel.

Omega Wilson: My question is just a little bit more clarification about what your nonprofit is doing (unintelligible) relative to this environmental issues generally or environmental justice issues? Or is a lot of what you're doing now responsive to the damage and pain that was caused by Katrina?

Yasmin Bowers: (Unintelligible) hello?

Richard Moore: Yeah, the question was can you give us a little bit more information on the kind of work that you're presently doing?

Yasmin Bowers: Okay, thanks.

Yeah, well, we have two approaches or two main programs under Consciously Rebuilding. And one is really the education programs. And we host these health fairs where people can really see how their environment, both the outdoor and the indoor environment, impacts their health, especially in urban environments with asthma issues and lead poisoning and just any types of hazards in your home and how they can rebuild to address those issues if they, you know, were I guess going to know about them before.

We're also redoing to homes to kind of like demonstrate what you can do to be environmentally friendly, to address energy efficiency and water efficiency.

So we're just trying to use the home as a learning environment. And your target population is really where the environmental justice comes into the point because we're really targeting those people who are often left out, very low income, minority, African American, elderly people who are kind of like, you know, just on the fence of what environment, green, all of these terms mean.

And I think that's just what we're doing. And we're having another health fair this fall in a different area of town and we're really just trying to target people who are concerned about the environment because they see it as more of a health concern or more of a saving them money.

So that's our approach to bringing it to the community and those are our two main focuses, which is housing and health fairs and education.

Richard Moore: Okay, thank you, Ms. Bowers.

Omega, did you have any follow-up to that?

Omega Wilson: No, I just wanted to just clarify what, you know, as you had mentioned earlier, what kind of (unintelligible)...

Yasmin Bowers: Yes, you can definitely check out the web site, too, consciouslyrebuilding.org in case I'm not clear.

Omega Wilson: Oh, okay, what kind of recommendations you might have for NEJAC to not only address your concerns, but similar ones that may be in other, you know, environmental communities throughout the country?

Yasmin Bowers: I think just the first most immediate and possibly the easiest one is just getting your name out. You know, I think it was just a coincidence that someone forwarded me this information. And I've heard of you guys in the past. But just to let other community-based organizations know about it. You know, I'll definitely post this on our blog and maybe some of my colleagues that have their own organizations to be invited to some of the other teleconferences.

Richard Moore: And additionally, again, to - we'll have having a face-to-face NEJAC meeting in Atlanta, Georgia in October. Do we want to announce those dates and times again, please?

Victoria?

Victoria Robinson: Yes. I'm sorry, you - it was breaking up. What were you saying?

Richard Moore: If you could just, again, announce to - the dates and the times...

Victoria Robinson: (Right, right).

Richard Moore: ...that our next face-to-face NEJAC meeting will be in Atlanta.

Victoria Robinson: Yes, the next meeting will be October 21, October 22, and October 23 in Atlanta, Georgia. The information about the hotel and everything will be online. It will actually be in our announcement that's going to go out on our EJ listserv.

And Yasmin, if you haven't already done so, you should sign up for EPA's EJ listserv and in which you can then receive announcements. That's one of our primary venues that we send out notices for the NEJAC and (unintelligible) federal register. So that way you'd - you'll get the information ahead of time.

Okay?

Yasmin Bowers: Thank you.

Richard Moore: (Okay). Thank you, Victoria.

Council members, any other additional comments or questions?

Okay, we wanted to thank you very much for bearing with us. We hope some of the discussion that was held earlier if you were able to hear some of that gives you an additional idea of what the NEJAC council, some of the NEJAC council's priorities are at the present time.

We wanted to congratulate and compliment you for the work you're doing in that area. Please give the best of the best from us to the members of your organization and the others. And if we can be of any additional assistance, please hesitate to (unintelligible).

Yasmin Bowers: Thank you.

Richard Moore: Thank you, Ms. Bowers. (Okay), Victoria?

Victoria Robinson: Richard?

Richard Moore: (Unintelligible).

Victoria Robinson: Yes, I'm going to read in the written comments submitted by Ms. Sachau.

Richard Moore: Okay.

Victoria Robinson: I'm hoping I'm pronouncing her name correctly.

It's the first initial B. and then the last name is S-A-C-H-A-U. She's a private citizen. Her comment that she submitted in writing is, "I do think this committee seems particularly ineffective in accomplishing anything at all for America. What have they accomplished? The poor are still poisoned by the rich daily in America. The rich build big plants in poor areas and then live far away from the poisons. The poor have no money to ask for any judicial help since the courts penalize poor people tremendously with costs. The impact of big money, both corporate and private, has taken over our government for the worst administration in American History. And this agency serves at the pleasure of both environmental despots. Look at the assault on the Endangered Species Act. Have each of the members of this committee written in to put on the record how stupid and horrible that proposal is? Of course, anyone who follows the Endangered Species Act violations as is well aware, it is violated many times each day. But this administration wants to take away even that little bit of protection. Your agency is certainly accomplishing nothing." So that was the comment submitted by Ms. Sachau.

And anybody has any comments, responses to that? And I'll turn it back to you, Richard.

Richard Moore: Thank you.

We're going to open up for comments or responses. Just before we do that, was the individual that wrote that, was their organization identified? Or was she also...

Victoria Robinson: It was listed as a private citizen. She did not identify any organization.

Richard Moore: Okay, thank you, Victoria.

Are there comments or - comments from the council members?

Omega Wilson: I just - well, this is Omega. I just have a question about it. Does it tell where she's from or what part of the country or anything like that?

Victoria Robinson: No, she doesn't. But I think she's in the Midwest. I think she's in the Midwest. I've seen her name someplace before. So I think it might be like Indiana or Nebraska, but don't quote me on that.

Richard Moore: Okay (unintelligible).

Omega Wilson: My addition is - goes back to what Ms. Bowers said that clearly we know each other pretty well by now, but a lot of people don't know. Clearly we have a lot of work to do because a lot of people aren't aware of the good work that's already been done and the history of the organization is absolutely brand new to a whole lot of folks.

So the media and the marketing part of what's already been done with the help of community-based organizations is clearly - maybe that (unintelligible) wind up creating another work group, but it's something that has been on our agenda based on the comments we're hearing today.

Richard Moore: Mm-hm.

Part of what we have been discussing in several of the past NEJAC meetings was communication strategies.

And I just want to agree to that. We know not to pat ourselves on that back or anything else, that the work that the NEJAC council and the commitment individual council members have made to this process. But I do agree that we have many a times we're not doing such a good

job or the EPA is not doing such a good job in terms of really getting that message and that information out to others.

I would just propose that we continue to discuss the communication strategies to get - as Omega was saying, to get out there a little bit further, deeper into communities, both urban and rural communities, and tribes and pueblos and so on.

Council members, any additional questions or comments?

John Ridgway: Yeah, this is John Ridgway.

Could I ask that we might get a brief update in October on what the communication strategies are for the NEJAC that might take not more than ten or so minutes just to give us an update on what the EPA's plans are with that?

Richard Moore: Victoria?

Victoria Robinson: Yes, I think so.

John Ridgway: Okay.

Victoria Robinson: And we'll talk a little bit more about that.

John Ridgway: Thank you.

Richard Moore: Good, thank you.

Comments, questions, council members?

(Unintelligible).

Victoria Robinson: I'm sorry, Richard. What was that again, Richard?

Richard Moore: I'm just asking if there's any additional comments or questions on the council.

I think we've heard the recommendation to include sort of, you know, a few minutes in our Atlanta meeting to have a discussion around the communication strategies.

And Victoria's noted that and we will try to adjust the agenda to make sure that that discussion happens.

Victoria, where are we at right now, please?

Victoria Robinson: (Unintelligible) we are - have completed the public comment. And to address that, there is time on the agenda on Thursday when we do the NEJAC business an update on NEJAC actions. That's an appropriate place for this discussion.

Richard Moore: Good. If you could please add that in there, we would appreciate it.

Victoria Robinson: Okay, great.

Richard Moore: Okay. Where are we at right now?

Victoria Robinson: We are at the end of the agenda.

Richard Moore: Okay.

Victoria Robinson: Mm-hm.

Richard Moore: And so at this point we've completed the agenda. Is there any closing comments from the council members?

Okay, well, I just wanted to apologize, again, quickly for coming on late. I was - I think the music I was listening to was nice music, but I listened to it to it for about 12 or 13, 14 minutes, huh.

We know that teleconferencing in the past has worked for us. And it seems that also a supplement to try to get additional input and for people to be able to hear many of the agenda items through teleconferencing that the council has been having.

I wanted to compliment, again, everyone that reported back from the working groups. It was a terrific job under tough - hard times and tough conditions.

So if this - if we've completed this meeting, I'm calling to adjourn this teleconference call.

Victoria Robinson: Thank you, Richard.

Richard Moore: Great.

Man: Thank you.

Man: Thank you. Thank you, everybody.

Richard Moore: Okay, thanks.

Man: Great.

((Crosstalk))

Operator: This concludes today's conference call. You may now disconnect.

Woman: Thank you. Bye-bye.

END