



## State of New Jersey

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*Governor*

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*Lt. Governor*

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**SHAWN M. LATOURETTE**  
*Commissioner*

### **Environmental Justice Advisory Council Meeting Minutes**

June 12, 2024, 9:30 am – 12:00 pm

Department of Environmental Protection Main Office

#### **Council Members**

*Present:* Andy Kricun, Amy Tuininga, Chloe Desir, Dr. Galia Shokry, Jackie Park Albaum, Kim Gaddy, Krishna Garlic, Melissa Miles, Micheal Morgan, Nicole Brown, Dr. Robert Laumbach, Terrance Bankston, Timi Lindsay, Ty Gould Jacinto, X Braithwaite, William Casey

*Absent:* Dr. Denalerie Johnson-Faniel, Chief Vincent Mann, Jeffrey Perlman

**OEJ Staff:** Director Kandyce Perry, Myla Ramirez, Muskan Shrivastava, Anna Maria Penaherrea, Nadia Akbar, Christina Gonzalve, Chloe Landau, Samantha Niven, Valeria Angel, Orlando Rico

#### **New EJAC Member Orientation**

- Three new EJAC members were appointed: X Braithwaite representing statewide EJ/environmental organizations, Nicole Brown representing business and industry, and Timi Lindsay representing local grassroots.
- Director Perry welcomed the new members and the new members introduced themselves. New members were given an overview of the DEP and OEJ. Responsibilities and roles of EJAC members were reviewed.
- Existing EJAC members gave remarks and advice on navigating roles on the council.
- Commissioner Shawn LaTourette welcomed and greeted the council and answered questions about environmental justice.
- Commissioner LaTourette presented Kim Gaddy with a recognition award for her 20 years of service on EJAC.

#### **Approval of April 10, 2024 Meeting Minutes – Approved**

**Justice40 Presentation** – Presented by OEJ Coordinator Anna Maria Peñaherrera

- Question by Timi Lindsay: It seems that DACs are more restrictive than OBCs?

- Response by Anna Maria: NJ criteria for OBCs are more protective than federal DACs.
- Question by Chloe Desir: What are the tangible parts of this policy? What are the funds? Are they grants? Where are they going?
  - Response by Anna Maria: DEP policy meets the compliance requirements of Federal Justice 40 guidance but goes a step further and requires a cross-analysis of NJ's OBCs so they're continued to be prioritized. Therefore there's a required percentage of dollars sent to vulnerable communities. These funds are distributed through various federal funding channels through DEP, and DEP programs must continue this prioritization in their fund distribution.
- Question by Timi Lindsay: Who determines OBCs and DACs?
  - DACs are identified by the Climate and Economic Justice Screen Tool developed by the White House. OBCs are on the state level and use EJMAP tool that uses 26 stressors to evaluate if an OBC is adversely impacted by certain stressors. This policy is interesting because there is a policy that is being required federally, but at the state level there is already an EJ Law and mapping tool. The DEP prioritizes and continues to protect OBCs that fought so hard to be designated and protected.
- Question by Dr. Galia Shokry: It would seem that it would be better to focus on "benefits" rather than "funds" so that investments benefit communities?
  - Response by Anna Maria: It is easier to track funds rather than benefits. When OEJ administers this policy, the programs will be coordinating with OEJ and each other on best practices. For example, how to make grant applications more inclusive and target the right communities. It would be a collaborative process and then eventually become second nature. There is community engagement in the policy to understand the needs of the community.
  - Response by OEJ Manager Myla Ramirez: "Benefits" is a subjective term. Benefits can be longer term and there is not enough capacity to track and research that. Funds, however, can be tracked in six months.
  - Remarks by EJAC Chair Melissa Miles: Communities have fought for the "funds" language. "Benefits" is a term by the Biden administration. Many advocates find J40 problematic since they fought to include race, which is the biggest predictor. Communities received a very small piece of the pie between the Bipartisan Infrastructure Act and the Inflation Reduction Act. There is a lot of money not under Justice 40.
- Remarks by Kim Gaddy: EJAC has been trying to get something to share with local mayors, and this Justice 40 policy is something to share.
- Next Steps
  - Feedback is pending
  - Next is training DEP staff on this directive
  - Other states can see how the NJDEP is implementing Justice 40, they can reference the NJ policy while developing their own
- Remarks by Melissa Miles: Environmental Justice communities are fighting hydrogen and carbon capture for a number of reasons. This is relevant to Justice 40 because these are the benefits under the policy. There are conversations ongoing with the Department of Energy and the Environmental Protection Agency. There is lots of testing needing to be done. EJ communities do not want to be guinea pigs for these projects. These are upcoming issues. If the administration changes, this is the money that will be affected.

**Brownfields Document Approval** – Kim makes the motion, Ty motions to approve, Melissa seconds. Approved.

**Ethics Training Compliance**

- EJAC members are required to complete ethics training and complete a Outside Employment Questionnaire every three years.
- Members should look for a future email from OEJ about details for training and satisfaction of requirements.
- Those who completed training within the last three years can submit certificates and screenshots to certify their training.

**Motion to Transfer Power as Melissa as the new Chair of EJAC and Ty as Vice Chair** – Kim calls for a motion to recommend Melissa for Chair and Ty for Vice Chair. Jackie motions to approve, Chloe seconds. Approved.

**Adjourn**

12:00pm