

**Environmental Justice Advisory Council**  
**Meeting Minutes**  
**February 7, 2007**

In attendance: Kathy Abbott, Stewart Abrams, Ana Baptista, Colandus (Kelly) Francis, Kim Gaddy, Joann Held, Zachary Lewis, Don McCloskey, Kevin Moore, Valorie Caffee, Chair; and Maria Franco-Spera & Dev Ganguly, DEP EJ Office

Absent: Theodore (Ted) Carrington, Juanita Joyner, Mujahid Majeed, Rafael Zabala

Guests: Guy McCombs, Rohini Gandhi

The meeting was called to order by Chairwoman Caffee at 10:15 AM.

Introductions

Rohini Gandhi is a law student and an intern in the Environmental Justice program. She will be researching the legal aspects of Cumulative Impact issues.

Adoption of the Agenda

Valerie Caffee asked that we add, under New Business, a discussion of inviting members of the Anti-Soot Coalition to give a presentation at a future EJAC meeting.

Adoption of the January 3, 2007 Minutes

It was noted that Judy Shaw's phone number was incorrect in the January minutes. The correct phone number is 609-984-3081.

Kim Gaddy moved that the minutes be adopted as amended, and Don McCloskey seconded the motion. The motion was passed unanimously.

National Diesel Partnership Coalition (Kim Gaddy)

- The Coalition has been invited to make a presentation to DEP about what is happening in other states, for example the timing of reimbursements for retrofits.
- The Coalition has developed a "Gold Standard" which is a list of initiatives that every state has been encouraged to adopt. The idea for the Gold Standard came out of the EJ National Bus Tour last fall. Kim will e-mail a copy to Maria.
  - NJ is ahead of the Gold Standard on many of the initiatives.
  - The Gold Standard can be used by grass roots organizations to push their elected representatives to take action.
- Kim is also drafting comments for the Coalition on the proposed DEP Diesel regulations.

DEP Action Plan (Valorie Caffee)

Commissioner Jackson sent a copy of the DEP Action Plan to EJAC members via e-mail. Our group will discuss it in more detail at a future meeting.

- Valorie suggested that we focus on the sections that address Air Pollution, Clean & Plentiful Water, Sustainable Growth, and Public Health.

- Kevin Moore noted that Environmental Stewardship is also important as a mechanism for giving people context for actions and decisions.
- Kim suggested that we schedule a conference call to discuss the Action Plan more thoroughly.
- Maria Franco-Spera pointed out that we have all been invited to the Environmental Constituency Group meeting with the Commissioner on March 16 and that the Action Plan will be on the agenda for that meeting.

Maria also reminded us that the Commissioner is looking for additional agenda items for the March 16 meeting. EJAC Members suggested the following issues for that meeting. This list should be circulated to our members for additional suggestions and then forwarded to the Commissioner's office.

- Cumulative Impacts in EJ Communities
- EJ Issues surrounding Site Remediation
- DEP Commitment to EJ; the activity and commitment of the EJ Task Force; progress on reconstitution of the EJ Task Force.

#### Cumulative Impact (CI) Committee Report (Ana Baptista)

The Committee met via conference call on February 1. They discussed goals and outcomes, key activities, and next steps (see excerpt from their minutes pasted below).

1. Goals and desired Outcomes
  - a. Explore public policy and regulatory responses to cumulative impacts in EJ communities
  - b. Adopt a working definition of Cumulative Impacts
  - c. Issue report with key recommendations for NJDEP and EJ Task Force to consider by January 2008
2. Key activities to carry out the goals
  - a. Gather information from variety of experts and communities working on Cumulative Impacts issues
  - b. Hold a EJAC session to discuss ways to incorporate cumulative impact analysis into government processes
  - c. Hold a public session to get input and feedback on a variety of Cumulative Impact alternatives
3. Develop workplan with timeline to carry out activities

Ana has circulated to the committee a list of weblinks describing a variety of approaches to cumulative impact and has also circulated an article on the definition of Cumulative Impact.

Maria reported that DEP is working on a parallel path and developing a white paper. They may bring an outline of the white paper to the next meeting. The DSRT white paper, which Alan Stern described to the CI Committee, is focused on the science and will become a chapter of the white paper. Rohini Gandhi is working on this white paper. Although she is working for the DEP, and not EJAC, they will be sharing her findings with us.

Don: It is critical that the Committee continue to educate themselves on this issue so that we will be able to comment knowledgeably on the DEP White paper.

Stewart Abrams: A possible product of the Committee's work might be recommended legislation. Can Rohini do some of the legal research that would be necessary to support legislation?

Ana: The committee recommendations will focus on gaps, legislation, funding, etc. It will not be focused on the technical details of CI assessment.

Kim: Understanding and defining this issue is critical. Therefore, the working definitions and proposed information-gathering meetings are essential. Perhaps EJAC should get our own intern to assist with this work.

Kathy Abbott: We should think about publishing material for communities in order to brief them and prepare them to come to the public meeting.

Valorie: The education component is essential. We need to educate ourselves and others before we can make recommendations for change. She also reminded members that our role is to be an Advisory Body to DEP and to the EJTF.

#### Site Remediation Committee Report (Kim Gaddy)

The Committee met via conference call on January 31. They developed a mission statement and identified 6 areas of interest to focus on.

Mission Statement: The Site Remediation Committee (SRC) was established to identify recommendations regarding the reforming of the site remediation program for the New Jersey Department of Environmental Protection.

##### Areas of Interest

- Municipal Responsibility –this would require local governmental zoning laws, building permits and site plans to require interface with the state.
- Site Remediation strategy should be consistent with the state growth plan (Economic Growth Plan)
- Prioritization of Known Cleanup sites within the Urban Core
- Restoration of NJDEP authority in the selection of permanent remedy.
- Legislative changes to ISRA laws
- Health/Cumulative Impacts

The SRC is preparing a press release, and might be ready to report out by the Environmental Constituency Group meeting on March 16.

The Kiddy Kollege bill was just a start on addressing the Site Remediation issues of concern to the EJAC. State Legislators seem open to suggestions for next steps. The Committee still has a bit of work to do on the Economic Growth plan issue.

Valerie: The SRC is off to a good start. They expect to make recommendations for legislation, including restoration of past authority to DEP and provisions that would facilitate public input.

SIDE DISCUSSION: There was then a discussion of how to identify an EJ Community. This will be an ongoing issue for both committees.

Third Power-Market Development, Inc. (Guy McCombs)

Third Power is a minority firm that does research on policy issues. It also works to start conversations between community members and interested entities such as the Port Authority, or Weed & Seed. Dr. McCombs provided a handout which provides information about the company's Market Research and Communication Services.

EJ Coordinator's Report (Maria Franco-Spera)

- Newark Petition: Because of the absence of a community contact, this petition will be withdrawn for now.
- Ringwood Update: There is a new Chief representing the local clans.
- Linden Petition: The Greenway is on its way to becoming a reality. NJ Audubon will be steward of the land that has been designated for the Greenway.
- Newark Petition: There was Enforcement Action at the Berkowitz Meat Rendering Plant to address the burning of fat for fuel. Also, the air pollution control equipment was not operating at this facility.
- Dev Ganguly is updating the EJAC Website. This should help with communications. Dev asked if EJAC would like to include bios and pictures on the website. Kim suggested that there be a link to the website on the DEP Home Page.
- Program Coordination: Maria would like to have EJ issues brought to DEP through her office. Committee members agreed that contacts with the DEP on EJ matters should include the EJ Office.
  - Ana noted that if Jeanne Herb and Lisa Jackson are sincerely interested in EJ issues, they need to provide the necessary resources to run the EJ Office. They also need to get the message out more widely (e.g. to municipalities) that the office exists and that it is the appropriate place to initiate contact with the DEP on EJ issues.

The meeting adjourned at approximately 11:40 AM and members then broke up for meetings of the Cumulative Impact and Site Remediation Committees.

The next meeting will be on March 7, 2007 at 9:30am in the 7<sup>th</sup> Floor Conference Room at DEP.

NOTE: The date for the next meeting has since been changed to March 14.

Minutes respectfully submitted by Joann Held, Secretary.