

**Environmental Justice Advisory Council**  
**Meeting Minutes**  
**April 4, 2007**

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

Absent: Ana Baptista, Juanita Joyner, Zachary Lewis, Rafael Zabala

Guest: Jeanne Herb

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

Adoption of the Agenda (Valorie Caffee)

- Delete from Old Business: Update on the Diesel Legislation b the Anti-soot Coalition. We will try to get a presentation from this group in May.
- Add to Old Business: Update on Correspondence with the NJDHSS regarding reactivation of the EJTF.
- Add to New Business: Comments from the SJEJA on the Camden Action Plan.

Adoption of the March 14, 2007 Minutes

Several editorial corrections were made to the March 14 minutes by Valorie Caffee & Ted Carrington.

Ted moved that the minutes be adopted as corrected, and Stew Abrams seconded the motion. The motion was passed unanimously.

DEP Action Plan Discussion

Valerie: A strength of the Action Plan is that it is public & the DEP is acting in a transparent way. The emphasis on diesel reductions in the Air section is good. However, EJAC is missing from the list of DEP Partners.

Joann Held: Air toxics is mostly missing from the plan.

Stew: It is important that the Action Plan be rolled out to DEP staff through announcements, presentations, etc., so that it will become a part of the culture of the DEP.

Recommendation: Draft a resolution to send to the DEP Commissioner, chairs of the Legislative Budget Committee, & Governor Corzine requesting that funding be added to the DEP budget for the Environmental Justice program. Point out that the DEP has been under-funded for too many years. Add some specifics about activities that would be supported by additional funding.

The recommendation was moved by Kim Gaddy and seconded by Joann.

Discussion: We need strong advocacy for Environmental Justice within the DEP.

Decentralization (as represented by the Action Plan) can be good, but it is necessary to spell out a commitment to EJ; and it is essential to educate DEP staff on EJ issues and programs.

The Motion was adopted unanimously and a Resolution-writing team composed of Kevin Moore, Joann Held, Valorie Caffee & Kim Giddy was set up. Joann offered to write the first draft.

### Subcommittee Reports

#### **Cumulative Impact** (Joann & Kathy Abbott)

Research by individuals on our subcommittee is nearly complete. The next step will be a series of Conference Calls with experts identified during the research process. We have also started to accumulate our notes and ideas. There is no single existing program that encompasses the process that we are looking for, so we will have to cut and paste from many programs to prepare a recommendation.

#### **Site Remediation** (Kim)

The subcommittee would like to have a public hearing on Site Remediation this Spring. They have a draft position (which will require further work by the subcommittee) that they would like the public to comment on.

### Correspondence with DHSS (Valorie)

Valorie sent a letter to Commissioner Jackson and Dept. of Health and Senior Services (DHSS) Commissioner Jacobs asking when the EJ Task Force will be reactivated.

DHSS claims that they never received the letter, so she has resent it. She also sent an electronic version via e-mail. It has been over a month since the letter was resent, and there is still no reply. It was noted that Commissioner Jacobs is a co-chair of the EJTF.

Discussion of the role of the EJTF: The Reconstituted Task Force will meet on May 4 from 1:30 to 3:30pm. EJAC will likely send a couple of representatives to raise issues that we have been discussing at our meeting.

Don McCloskey: We need to prepare our speaking point regarding expectations in advance of the May 4 meeting.

Kim: Our Resolution should be done by then, including some identifying some specific tasks for the Task Force.

Maria Franco-Spera & Valorie: The issues related to the EJTF may be a separate resolution.

Don: We should outline EJAC expectations for the Task Force, including the need to provide support (both resources & policy). For example, each Cabinet member should assign one staff member to actively support the work of the Task Force.

### Environmental Constituency Meeting (Kevin & Joann)

Two items discussed at the Environmental Constituency Group Meeting on March 16 were reviewed with EJAC members.

#### **Site Remediation**

DEP staff discussed the Greenstein bill; case loads for DEP staff; cleanup funding; and licensed site professional programs. The next DEP Site Remediation workgroup meeting is being rescheduled due to a conflict with another meeting.

### **EJAC Staffing:**

We asked for greater commitment of state resources to EJ issues. Jeanne Herb replied that Urban Quality of Life issues overlap EJ issues and we should consider those resources to be devoted to a certain extent to EJ. She also recommended contacting the Public Advocate, DHSS and DOT about getting other agencies involved.

### Cumulative Impacts Research (Dev Ganguly)

The DEP is preparing a white paper on Cumulative Impact that has a chapter on what other states are doing. Dev did a web search to gather some of preliminary information.

- About 17 states have an EJ program in place
- About 7 states are looking at Cumulative Impacts
- 5 states just focus on Education and Outreach.

California is a leader in Environmental Justice and Cumulative Impact. Legislation establishing the EJ program was adopted in 2000 and the program was created in 2001. Cal EPA adopted an EJ Action Plan in 2004. The Action Plan has 4 objectives and 5 phases (and each phase has multiple tasks). They have finished Phase 1 Tasks and are starting on Phase 2. There is no funding for the program and they are behind schedule. They have 5 pilot projects from which they will extract lessons on how to assess Cumulative Impacts, and they will use these lessons to write Cumulative Impact Guidance.

### DEP Action Plan (Jeanne Herb)

Responding to comments from the EJAC, Jeanne noted that EJ was included more extensively in earlier (longer) versions of the Action Plan. She assured us that EJ is a high priority for Lisa Jackson, but the Commissioner wants to advance an agenda that provides for all of New Jersey, while acknowledging disproportionate burden in some neighborhoods. For example, how the DEP expends the Capital Funds for Parks should address EJ issues.

Jackson has asked Herb to take the Action Plan commitments and articulate them in terms of the EJ and Urban Air Quality agenda, so that there is a statement framing DEP commitment to urban areas and to communities that are disproportionately affected by pollution.

EJAC members commented that they would like to see EJ explicitly mentioned in the Action Plan, so that it is not just an afterthought. They believe the DEP has missed an opportunity to use the Action Plan as a vehicle for teaching about EJ,

Kim asked if there could be an EJ newsletter that reports out to the community on the things being done by EJAC, DEP and the EJTF. This would elevate EJ issues and let people see that things are being done. Kim also suggested that the EJAC Annual Report be placed on the EJAC Home Page.

## Announcements

### **Natural Capital Meeting on April 16** (Jeanne)

DEP has updated Land Use and Land Coverage Maps. They have also estimated the value of natural resources in the state. They have invited interested parties to attend a briefing on this new information on April 16.

### **EcoTheology Conference** (Kathy)

This conference will be held on April 23 at Drew University. Peggy Shepherd, Executive Director of WEACTION, will speak on EJ issues. There will also be an EJ workshop run by Valorie, Ted Carrington, and Nicky Sheats.

### **NJ Environmental Federation Annual Conference** (Kim)

This conference will be held on April 14 in Newark. The Urban Plenary session will feature Newark Mayor Cory Booker, DEP Commissioner Lisa Jackson, Assemblyman William Payne, and Irvington Mayor Wayne Smith.

### **EPA Individual Citizen Award** (Valorie)

Kim Gaddy has been awarded the EPA Individual Citizen Award. It will be presented on Earth Day in New York City. This award brings honor to the state, to the NJEF and to the EJAC.

### **Climate Change March and Rally** (Valorie)

This march will take place over several days in mid April and will end in Trenton on April 16. Valorie has forwarded an e-mail to EJAC members with details.

### **Inherent Safety Standards Rules** (Valorie)

On March 16, Governor Corzine announced the proposal of an inherent safety standards rule. It covers companies that are included under the Toxic Catastrophe Prevention Act and the Spill Fund Act and would require them to look for improvements that will decrease the potential for accidents at their facilities. It does not mandate that any specific changes be made by these facilities. There will be a public hearing on this proposed rule on May 14.

### **Linden Greenway** (Maria)

There will be an event marking the designation of the Linden City Greenway on April 25. An agreement on the final closure of the Linden Landfill will result in preservation of surrounding woods and wetlands along the heavily urbanized Rahway River. The Governor is expected to attend.

### **Affordable Housing Rally** (Kelly Francis)

There was an Affordable Housing Rally on March 15 in conjunction with a Senate hearing on Eminent Domain. One major concern is the Regional Contribution Agreements (RCA) which promote segregation in our urban areas.

Camden Action Plan (Valorie & Kelly)

The Waterfront South Redevelopment Plan, which has been prepared by the City of Camden, was challenged in court because it does not do enough to help residents. Valorie has invited the South Jersey EJ Alliance to come to a future EJAC meeting and share their concerns about this plan with us.

Ringwood (Maria)

- DEP would like to meet with the community to find out what they see as next steps.
- A seismic survey has been requested.
- Members of the community have asked the Governor's Office to launch a criminal investigation against Ford.
- DCA will pay for relocation of residents displaced as a result of an emergency. This affects about 10 families.

Kim moved that the meeting be adjourned and Kevin seconded the motion. The motion passed unanimously and the meeting was adjourned at approximately 12:35pm.

The next meeting is on May 2, 2007 in the 7<sup>th</sup> Floor Conference Room at DEP. We will gather at 9:30am and the meeting will begin at 10am.

Minutes respectfully submitted by Joann Held, Secretary.