



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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CATHERINE McCABE
Commissioner

Environmental Justice Advisory Council Meeting Minutes

March 6, 2019

6th Floor Large Conference Room
401 East State Street, Trenton, NJ 08625

Council Members

Present: Zachary Lewis, Joann Held, Meredith Taylor, Amy Tuininga, Ted Carrington, Phyllis Reich

On The Phone: Colandus (Kelly) Francis, Melissa Miles, Yvonne Blake, Lloyd Abdul-Raheem, Gantry Fox, Demetrius Marlowe

Absent: Monique Griffith, Kim Gaddy, Leilani Holgado, Andy Kricun

OEJ Staff: Riché Outlaw, Nadia Akbar, Heather Knizhnik

DOH Representative: Barbara Goun

DEP Guests: Commissioner Catherine McCabe, Lloyd Naideck, Devon McCurry, Christine Schell, Peg Hanna, Kati Angarone, Shawn LaTourette, Carrie Sargeant (Phone), Frank Steitz, Frank McLaughlin, Paul Baldauf, Laura Scatena (Phone)

BPU Guest: Mike Winka

Call to Order

Chair, Zachary Lewis, opened the meeting at 11:10am.

Approval of Meeting Minutes

Amy Tuininga moved that the minutes from the December 4, 2018 meeting be approved. Demetrius Marlowe seconded the motion. All present voted yes.

Agency Updates

Interagency Lead Initiative (Kati Angarone)

Multiple agencies, including DEP, Health, Community Affairs, Education, and the Department of Children & Families are working together to address lead exposure issues. The first task is to identify opportunities for enhanced collaboration. DEP staff are also meeting with programs within the Department that have responsibilities related to lead, to review their practices and recommend improvements. In addition, DEP staff are meeting weekly with DOH to discuss

issues related to lead. Commissioner McCabe has requested a chart showing all the entities working on lead issues in New Jersey.

Legislative Update: S1700 (Lloyd Naideck/Devon McCurry)

S1700 concerns environmental permits in burdened communities. It would authorize DEP to designate an area within a municipality as a burdened community and require additional environmental evaluation of permit applications within burdened communities. The bill would also authorize DEP to deny a permit application upon a finding of cumulative adverse impacts. The Department continues to comment as the bill evolves. EJAC is also preparing comments.

Community Solar (Mike Winka)

Community Solar is a new program authorized by the Legislature that will allow customers of an electric public utility to participate in a solar project not actually located on their property. The BPU is developing the regulations to establish a pilot program, which is expected to launch in early 2019. Projects for the pilot will be selected via an application and competitive scoring process. At least 40% of the pilot program (which is limited to 75 MW in the first year) is reserved for Low and Moderate-Income projects.

RGGI (Christine Schell)

The two rules that will implement RGGI in New Jersey were proposed in 2018. Hearings were held in January 2019 and the public comment period closed on February 15. There were 40 commenters on the Mechanism Rule and 27 commenters for the Funding Rule. DEP is hoping to adopt both rules by the middle of this year which would allow NJ to enter the first RGGI auction in 2020.

Volkswagen Settlement (Peg Hanna)

New Jersey is requesting the first disbursement from the Volkswagen Settlement Trustee. These funds will be used for numerous charging station projects (\$3.2 million) and for NJ Transit to purchase electric buses in Camden (\$8 million). The next request to fund an additional \$18-20 million in projects may happen in the next few months.

Regional Low Carbon Transportation Policy (Peg Hanna)

In December 2018, New Jersey joined the Transportation and Climate Initiative (TCI) which is a consortium of 12 Northeast and mid-Atlantic States plus the District of Columbia. The TCI is developing regional policy for reduction in carbon emissions from transportation sources. Transportation sources are the biggest greenhouse gas (GHG) emission source category (42% in New Jersey). The policy that is being developed is similar to the RGGI process. It would cap and reduce carbon emissions from the combustion of transportation fuels and allow each TCI jurisdiction to invest proceeds from the GHG auction into low-carbon and more resilient transportation infrastructure.

Attorney General Enforcement Initiatives (Shawn LaTourette)

The Attorney General's office filed 8 new lawsuits in December against environmental polluters. They are looking for new sites for future lawsuits, especially facilities with egregious violations in EJ communities. EJAC members can forward suggested sites and companies to the AG's office through OEJ.

National Environmental Justice Conference (Frank McLoughlin)

Frank McLoughlin will be attending the National Environmental Justice Conference in Washington, DC next week. He will be speaking on Brownfields and sharing success stories from the Community Collaborative Initiatives in NJ.

S2505 (Carrie Sargeant)

S2505 is the Vegetation Management Response Act. It concerns vegetation management related to electric public utility infrastructure. An early version of the bill would have allowed all public utilities to take down any tree. DEP is working with the legislature on revisions to the proposed bill which would narrow the scope of tree removal.

EJAC Membership

Vacancies

There are currently 2 vacancies on the Council left by the departure of Zenobia Fields and James Horne. James Horne was filling a County/Regional position and Zenobia was a Metropolitan Planning Representative. Council members should be receiving resumes of possible new members before the next meeting.

Election of Officers

We will have election of Officers – Chair, Vice-Chair and Secretary – at the next Council meeting.

Executive Order 23

The comment period on the EO23 Guidance document will close on March 22. EJAC members may submit their individual comments up to that date. There will be a final listening session in Bridgeton on March 11 from 6 to 7:30pm. Final guidance will be posted in both English and Spanish.

Workgroup Updates – *postponed to next meeting*

Announcements

- The Air & Waste Management Association will be hosting a conference in Newark on October 23-24 on Freight & Environment: Ports of Entry. (Joann Held)
- There will be a Climate Change Solutions event in collaboration with PSE&G at Montclair State University on the morning of April 26. It is by invitation only so notify Amy if there is anyone that you think should be invited. (Amy Tuininga)
- The Office of Environmental Justice has a new member: Heather Knizhnik. She will become the primary point of contact for the Council. (Riche Outlaw)

Adjournment

The meeting was adjourned at 1pm.

Next Meeting

April 9, 2019 at 10am in the 7th Floor Conference Room.