

Environmental Justice Council (EJC)
Meeting #5
Wednesday, November 9, 2022
6:00 PM
Meeting Minutes

Meeting location: Zoom webinar

Meeting documents: [Agenda](#), [slides](#), [meeting minutes \(10/27/2022\)](#)

Council Members present:

- Kalila Barnett
- Madeline Fraser Cook
- Melissa Ferretti
- Cheryll Holley
- Caroline Hon
- Namrita Kapur
- Lydia Lowe
- Marcos Luna
- Patricia Spence
- Ari Zorn

EOEEA Staff present: Rishi Reddi, Vallery Cardoso, Carline Lemoine (EJ Office)

Began at 6:00pm.

Welcome and Overview of Meeting Logistics

Rishi Reddi, Chair of the EJC and EJ Director at EEA introduced herself and Deputy Directors Vallery Cardoso, and Carline Lemoine. Rishi noted the availability of interpreters. She ran through meeting logistics.

Roll call; Approval of prior meeting minutes

Rishi asked Council Members to put their names in the chat for the record. She presented the agenda and asked if Council Members had additional issues they wanted to add. No additions.

Rishi did a roll call to confirm quorum. The list of Council Members in attendance is listed above under “Council Members present”.

Rishi asked EJC if they had any additions to the meeting minutes. Marcos Luna commented that the comments and questions sent in the chat during the last EJC meeting were not included in the minutes. Vallery Cardoso, EOEEA staff, responded that once questions have been answered they will be posted to mass.gov. Rishi commented that moving forward we should include the questions and comments in the minutes, even without all answers. Marcos motioned that public comments and questions be included in minutes. Namrita seconded. Rishi called out Council Members for a roll call vote. All Council Members present voted yes to approve meeting minutes. Meeting minutes were approved.

Announcements

Rishi announced that EEA’s draft Climate Change Assessment is available for public comment. Comments will be accepted through this form (<https://www.mass.gov/info-details/ma-climate-change-assessment>.) until 11/16.

EJ Maps Update with most recent US Census Data

Rishi provided information on the EJ map update. She then asked for a motion to accept the map update. Namrita Kapur motioned, Ari Zorn seconded. Caroline Hon asked if the EJC can get more data on what the changes were. Lydia Lowe commented that she had questions about the data and the communities that are no longer designated as EJ. Rishi commented that we need to update the maps to make sure they stay current. She commented that the job of the EJC is to review the definition, so the EJC will go back over these maps as it looks at the definition. This vote to update the map is saying that the EJC are staying updated with federal government. We will come back for deep analysis. Rishi called for a roll call vote. All present Council Members voted yes to accept the map update.

EEA EJ Strategy: Overview, Roll-Out, Public Comment

Rishi provided overview of development of the EJ Strategy and the timeline for roll out and public comments. EJC members commented the following:

- **Kalila:** Clarification on how the discussion on the strategy fits into the work the EJC is doing. Rishi responded that it is a directive document for EEA agencies.
- **Namrita:** Would like to look at the definition section of the document.
- **Rishi:** Hoping that future agendas can set aside time to talk through the document and the EJC can be prepared to discuss it.
- **Caroline:** Would it be possible to have a summary presentation of document? This could also be useful for listening sessions. Great to have a highlight of subject matters. Maybe send questions ahead of time.
- **Rishi:** Strategy is a draft document and is open to EJC input for at least a few months. Any additional ideas can be submitted to Vallery.

Discussion: Who/What is missing from current EJ Population definition? (Continued from Meeting #4 on October 27, 2022)

Rishi outlined that the EJ Office will be putting together a document of comments to help think through the topics that need further discussion. She also stated she would like to discuss the process by which the EJC will deal with topics. She asked how we implement the EJ definition when a population or block group is diluted. Rishi read a list of issues identified by the EJC from the October 27, 2022 meeting.

The following are summarized comments from the EJC.

- **Ari:** A poverty scale could be more inclusive to low-income white people.
- **Melissa:** The word minority is difficult for indigenous people. We are a political entity with rights.
- **Lydia:** Concern is that if percentages will capture small EJ communities. Including those experiencing displacement and gentrification. This could mean that these communities are not receiving better conditions but are being pushed out.
- **Rishi:** There is a component of the definition to allow the EEA Secretary to assign EJ status or for it to be removed. We don't have implementation of those regulations yet.
- **Madeline:** Seems like the provision begins to address more rural communities and poverty rates. Can't say if it will address these smaller subgroups, but maybe it could?
- **Rishi:** Is poverty percentages capturing what is happening out west?
- **Cheryll:** Why does EJ definition have to be an area or a place? Why can't it be a population and
- **Kalila:** Is there an example of what Cheryll is thinking about? Maybe some public health criteria such as race and income.
- **Rishi:** Can we talk more about the way we have defined an EJ burden and its relationship to place? How are Indigenous communities suffering from Environmental injustice that could be captured in a definition through environmental burdens?
- **Melissa:** Solar farms are taking away pristine land that Tribes can't access anymore. Access to the water ways. We suffer because we can't live off the land.

- **Rishi:** From a policy place, the Indigenous population may be living in a certain location but the land that is necessary for life ways is being lost.
- **Melissa:** The land has already been taken. Technically we don't need permission to go on property. How the habitat is being affected impacts indigenous populations
- **Melissa:** It is really about resources.
- **Rishi:** First step for folks in this group is that we need to be made more familiar with the outline of geographic areas. Which could ground this discussion. How would we obtain this?
- **Cheryll:** MA has an obligation to those they have treaties to, Tribes should be added to EJ definition. Treaties are still intact.
- **Rishi:** Indigenous is included within the minority definition. But given Melissa's comment about Tribes as political entities we need to make an adjustment based on her comment.
- **Cheryll:** Some Tribes have a unique and sovereign relationship with the State. Then there are Tribal members that may fit in minority definition. For outlining areas there are lots of maps to help with that.
- Rishi asked for volunteers to create a list to encapsulate these issues. Melissa and Cheryll volunteered.
- Rishi spoke on her desire to discuss the Issues out west. Ari commented that low income people in small clusters of all colors not included. Rishi talked about the capacity of the Secretary to include sub block group populations. Ari stated that certain communities are very rural with a deep mix of rich and poor. Gentrification is also a big problem.
- **Melissa:** Gentrification is an issue on the Cape. Plymouth is even considered an EJ community.
- **Cheryll:** EJ definition has a relationship to environmental danger. Rich people can respond faster to dangers, poorer folks also need the protections regardless of the quantity of them.
- **Rishi:** Seeing many issues around income, particularly in rural areas. Is there something about income criteria that warrants a deeper analysis?
- **Lydia:** In Chinatown there are rich houses and low-income ones and that messes with demographics. Cumulative impacts are important.
- **Rishi:** This is raising an issue around what are we looking at with these low income areas.
- **Marcos:** Definition is not designed to think about populations, but about where people live. EEA strategy needs to think through what the Strategy is proposing to do. Thinking about this implementation could be helpful.
- **Rishi:** Looking at minority and income criteria, both of which have many nuances.
- **Lydia:** Confused how the definition talks about burdens and benefits. The intersection of these two is very important to this discussion.
- **Rishi:** Two large issues, Indigenous and income in rural and urban. Should we create a list of pressing issues? Should we have a more focused conversation on specific issues?
- **Marcos:** Have a running list of topics that have come up. A subcommittee approach could be a good way forward.
- **Rishi:** We will work on list and create subcommittees. In working groups, EJC would need to come back with concrete proposals.

Questions / comments from the public

Rishi opened the floor for questions from the public.

Vallery Cardoso read questions from the Q&A box. These are included below.

#	Question	Asker Name	Answer
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1	Will you please repeat the increase in the EJ population in these new maps? Both the percentage increase and the population numbers?	Anonymous Attendee	<p>Count of EJ block groups is increasing from 2,316 (46%) to 2,604 (51%), out of 4985 statewide</p> <p>Number of people living in EJ block groups is increasing from 3,100,468 to 3,487,681 (+12.5%)</p> <p>Number of municipalities with EJ block groups is decreasing from 188 to 187</p> <p>19 municipalities no longer have any block groups with EJ criteria</p> <p>18 municipalities that now have at least one block group meeting EJ criteria</p>
2	Hello! I missed the last meeting, so I could use some clarification on the ongoing discussion about the definition of EJ. My understanding is that it is already defined in law, both federally and in Mass. Is this group considering proposing changes in the law, or is there another purpose for the conversation about the meaning of EJ that I missed? Thanks!	Betsy Sowers	The EJ definition is defined in law, but the law also has a provision that "The environmental justice council shall conduct a comprehensive analysis ... and every fifth year thereafter, to ensure the definition of environmental justice population achieves the objectives of the environmental justice principles, pursuant to the definitions of environmental justice population and environmental justice principles contained in section 62"
3	Thank you!!	Anonymous Attendee	You're welcome!
4	Thanks, Vallery!	Betsy Sowers	You're welcome!
5	Is it possible to find out how many non-Board members are attending this call?	Laura Spark	Yes, there are currently 37 members of the public in attendance
6	thank you!	Laura Spark	You're welcome!
7	Can you please share the dates for the upcoming meetings and listening sessions?	Danielle Dolan	<p>Information on the listening sessions will be posted at the following link: https://www.mass.gov/info-details/eeas-draft-environmental-justice-ej-strategy. Dates can be found on slide 17. Slides are linked here: https://www.mass.gov/event/november-9-2022-meeting-of-the-environmental-justice-council-ejc-2022-11-09t180000-0500-2022-11-09t200000-0500</p>

8	As an 80 year old living on Cape Cod, it is hard to participate in an in person meeting in Boston or submit written comments by January 13 after virtual meetings a couple of days before the deadline. Many oldsters have technical challenges in participating in ZOOM public hearings. I experienced this at an EPA EJ Council meeting where I had to phone in my 3 minutes of public comment, since the unmute option didn't work.	David Dow	Thank you for your comment. I understand your concerns and the need for a variety of meeting options and locations. We want to make sure our meetings are as accessible as possible. I will bring this back to my team for discussion.
9	thank you	Danielle Dolan	
10	I have interacted with oldsters living in Senior Housing Apartments in Falmouth who pay 30% of their income in rent. Many of these residents are whites or Latinos whose income depends on Social Security which can be less than \$1500 per month which implies a rent of \$450 per month. In Hyannis an affordable apartment runs \$1500-2000 per month which the working poor in service industries can't afford. Thus the EJ definition should include the cost of living in relationship to the income the person receives. I am sure that this problem is worse in Boston where more minorities live.	David Dow	
11	I think it also has to do with pollution not just to the air, water or land but the food that's being grown and consumed	Anonymous Attendee	
12	The Mashpee Wampanoag tribe hunts and fishes on traditional lands contaminated by toxic chemicals (PFAS; methyl mercury; cyanobacterial toxins; etc.). The Silent Spring Institute has developed an EJ project with the tribe to monitor PFAS levels in the food they obtain by hunting and fishing. Joint Base Cape Cod is a local Superfund site which has contaminated drinking and surface water; fish and shellfish; etc. in local freshwater ponds (based upon a Ma. Dept. Public Health Survey of the ponds).	David Dow	Thank you for sharing this information.
13	Contact Dr. Laurel Schaidler at SSI for more details.	David Dow	

1 4	How will you make sure that residents are aware of the possibility to be included as an EJ community?	Lila Greiner	We need to do more outreach about this possibility.
1 5	Also, the definition and maps don't take into consideration the past. Areas that in the past had more communities of color or low income folks or Indigenous communities but are now more white and or rich. It doesn't show past gentrification and those who have been forced out. Which in the west also includes the Stockbridge Munsee Tribe of the Mohican Nation.	Carrieanne Petrik	Thank you for your comment
1 6	Going back to the updated maps, when will those be published?	Anonymous Attendee	Material on the maps update is available on the EJ website. There is a tab for the update and a tab for the previous draft of the maps. Each of the EEA agencies is going to be implementing that in their own manner along a timeline that makes sense for their own specific program. We ask that they do so by early 2023.
1 7	Can you please clarify if all or most residents within an EJC are low income?	Anonymous Attendee	Low income is one of the three criteria for designation as an EJ block group (neighborhood)
1 8	the block group	Anonymous Attendee	
1 9	can we submit comments, or only questions at this point?	Danielle Dolan	
2 0	Thank you: Communities should be defined more broadly than just a geographic designation; the definition should include distributed population categories (such as indigenous people living across many areas, not concentrated within a census block; same for poverty, POCs dispersed in non-EJ triggering blocks, etc.)	Danielle Dolan	
2 1	Consider expanding beyond the existing criteria to include other factors (eg public health, pollution burden, etc.) Look to CalEnviroScreen for example.	Danielle Dolan	

2 2	<p>Bear in mind the purpose of this definition - to ensure state and federal investments are directed toward serving and benefiting these historically overburdened populations - want to make it as inclusive as possible to achieve that goal. The projects and investments could be addressing any number of conditions, not necessarily tied to geographic location, and could be targeting a geographically dispersed population group. Indigenous peoples and tribal representatives should be considered an EJ population or community, regardless and independent of geographic location.</p> <p>Last one; thank you!</p>	Danielle Dolan	Thank you for your comments!
2 3	<p>https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40</p>	Danielle Dolan	

Next Steps and Adjourn

Rishi asked for motion to adjourn. Melissa motioned; Madeline seconded. All members vote yes. Adjourned at 8pm.