

BAY-DELTA PUBLIC ADVISORY COMMITTEE ENVIRONMENTAL JUSTICE SUBCOMMITTEE

Meeting Summary

Meeting Date/Location: February 22, 2002
California Energy Commission
Hearing Room A
1516 Ninth Street
Sacramento, CA 95814

Meeting Attendees: Attachment A

Meeting Handouts: Attachment B

Welcome and Introductions

Lelie Lohse, Environmental Justice Subcommittee co-chair, began the meeting with a welcome and introductions of all in attendance at the meeting (attachment A).

Introductory Comments

Wendy Halverson-Martin, Deputy Director CALFED Bay-Delta Program, presented an overview regarding the roles and responsibilities of the Bay-Delta Public Advisory Committee (BDPAC) appointed Environmental Justice Subcommittee. She indicated that this Subcommittee is new and thus is less visible at this time, and stressed its importance in advancing the commitment to advance environmental justice in the CALFED Program. The Subcommittee will be counted on to have direct contacts with Program Managers, and use political and other means to influence programs and CALFED agencies and departments to meet the commitment to identify and address environmental justice issues in CALFED Program activities.

Status of the Bay-Delta Advisory Committee (BDPAC) and Subcommittees

Eugenia Laychak, CALFED/BDPAC, provided a status report on BDPAC and its Subcommittees. She stated that Secretary of the Interior Gail Norton signed BDPAC's charter during June 2001. Members were approved in October 2001, and the first official meeting was held December 5, 2001. It was at this meeting that BDPAC appointed the Environmental Justice Subcommittee. The purpose of BDPAC is to advise and assist implementation of the CALFED Bay-Delta Program. Ms. Laychak presented a diagram illustrating the organizational structure of BDPAC and its Subcommittees. The diagram

depicted BDPAC as reporting to the CALFED Policy Group, which is overseen by the Secretary of the Interior and Secretary of Resources. Ms. Laychak stated that in addition to BDPAC Subcommittees, public work groups had been convened and will report to BDPAC,. Examples of some public work groups include the Delta Protection Commission, North Delta Improvements Group, Association of Bay Area Governments (ABAG/CALFED Task Force), and the Battle Creek Conservancy.

Ms. Laychak then provided a discussion on the need to develop a strong connection between BDPAC and the Subcommittee. She concluded by informing the meeting participants that BDPAC will be looking for help from the Environmental Justice Subcommittee to set priorities and assist with Program balance and integration.

Discussion

Ms. Laychak was asked about integration of environmental justice in the CALFED Program, and she indicated that one possible way this could be done is through participation in other BDPAC appointed Subcommittees that have approved which are:

- ◆ Watershed
- ◆ Ecosystem
- ◆ Water Use Efficiency
- ◆ Drinking Water Quality
- ◆ Water Management
- ◆ Levees and Habitat
- ◆ Environmental Justice

A question was asked regarding Subcommittee membership. Most Subcommittees have formal membership while the Watershed Subcommittee has open membership. The membership can be either way, with the key is to be inclusive as possible to be effective. She was asked how to have people with an interest and knowledge of environmental justice to become members on Subcommittees. She responded that a number of Subcommittees already have members with an environmental justice interest and that all Subcommittee meetings are open to the public for anyone interested to attend. The Water Use Efficiency Subcommittee has a vacant environmental justice membership position and solicits a recommendation(s) for consideration.

A discussion was held regarding the possibility of participation in Environmental Justice Subcommittee meetings by teleconference for those who cannot attend in person. Virginia Cahill, CALFED Legal Counsel, indicated this must not violate the Bagley-Keene Open Meeting Act of 2002 that governs notice and open meeting requirements. To have teleconference participation, the call-in locations must be at pre-determined satellite sites that are indicated in meeting announcements. Wendy Halverson-Martin indicated this was a possibility to pursue should this be the desire of the Subcommittee.

The final discussion related to the need for a summary report for each Subcommittee meeting for use by BDPAC and others interested in the activities of the Environmental Justice Subcommittee.

Environmental Justice Subcommittee Description

The next meeting discussion was in regards to formation and function of the Subcommittee. This discussion began with the resources identified to support environmental justice activities in the CALFED Program. Currently, the one-half time position of Interim Environmental Justice Coordinator is staffed by Dan Wermiel including some staff support. There is a desire expressed by the Subcommittee to identify and dedicate resources for an Environmental Justice Coordinator including resources to support the Subcommittee and advance environmental justice in the CALFED Program. Wendy Halverson-Martin discussed the attempt to hire Torri Estrada, Latino Issue Forum, to fill this position through a federal IPA. This did not succeed because the Bureau of Reclamation expressed that because federal authorization of CALFED has expired and environmental justice is not a specific program under which BOR can spend funds, they lack authority for funding to support this position and were unwilling to execute the IPA.

There is currently activity to attempt to solve the resource situation at the federal or State level, such as seeking a hiring exemption through the CA Dept. of Finance. A number of participants expressed the immediate need to resolve these problems and get the resources for an Environmental Justice Coordinator and other needs. Subcommittee participants can assist in this by determining options and developing a course of action. It was decided by the Subcommittee to elevate the need for resources to support environmental justice to BDPAC.

Mission

The mission of the Environmental Justice Subcommittee is contained in the draft description in which the key is to ensure that implementation of the CALFED Program benefits minority, Tribal, low income and other potentially impacted communities and populations. The goal of the Subcommittee includes integration of environmental justice in all CALFED Program elements.

Roles and Responsibilities

The draft description includes the main roles and responsibilities of the Subcommittee. In addition, there was discussion of the need for education as a tool to successfully advance environmental justice. The Environmental Justice Subcommittee can provide education to agencies and departments that will more effectively help CALFED meet its goal and objectives.

Another tool discussed was to utilize public affairs to include environmental justice in CALFED publications for outreach and education purposes. CALFED newsletters, annual reports and public forums should contain discussions of environmental justice activities.

Outcomes

There was discussion of the outcomes in the Subcommittee description, and of the goal to have environmental justice to be included as a component within Program elements and not a topic to be considered separately. This could include environmental justice as a component of criteria for PSP's and RFP's, and for individuals with interest and knowledge of environmental justice to be included on selection panels for project funding decisions. There is a desire characterize that an desirable outcome of environmental justice is avoiding an adverse impact.

The Environmental Justice Subcommittee noted that it would be of interest to determine what environmental justice impacts there have been from the current or past activities of the CALFED Program.

Membership

The discussion regarding membership in the Subcommittee focused on the desire to be as inclusive as possible to advance environmental justice in the CALFED Program. Therefore, the model of the Watershed Workgroup will be used, in that all participants who attend a Subcommittee meeting will a member. This approach will be monitored to ensure that there is participation by individuals from each of the CALFED regions and to solicit as many participants representing diverse interests as possible.

Frequency and Location of Meetings

The Environmental Justice Subcommittee decided it would be best to hold meetings on a regular monthly schedule of the second Friday of each month. The co-chairs would decide as a regular agenda item at each meeting whether or not to hold a meeting in the subsequent month or not. The meetings would generally be planned from 10:00 am until 3:00 pm. The co-chairs would develop the agenda for each Subcommittee meeting.

To make the Subcommittee as inclusive as possible, the meetings will be moved to locations in each of the five CALFED regions, as resources provide. The Sacramento meetings would generally focus on policy and Program issues, while the regional meetings would generally include issues of outreach and education.

It was decided to explore the possibility of participation in Environmental Justice Subcommittee meetings by teleconference for those who cannot attend in person that would be consistent with the Bagley-Keene Open Meeting Act of 2002 that governs notice and open

meeting requirements. Call-in locations options will be considered for participation by teleconference at pre-determined satellite sites that must be indicated in meeting announcements.

Subgroups

The co-chairs of the Subcommittee may convene subgroups of the Environmental Justice Subcommittee on an as needed basis to accomplish specific tasks. The subgroups meetings will be open to the public and may be held between formal meetings of the Subcommittee and will report back progress and recommendations to the Subcommittee at regularly scheduled meetings.

Resources

A high priority identified at the meeting is a need for resources to support the Subcommittee and advancement of environmental justice in the CALFED Program. This includes hiring an Environmental Justice Coordinator and dedicated staff and resources for additional needs such as outreach in the CALFED regions. There is currently a lack of adequate identified resources to meet the commitment to environmental justice. The Subcommittee will elevate this issue to BDPAC.

Communications/Outreach

The Subcommittee discussed the need for enhanced outreach and communication regarding environmental justice in the CALFED Program. Public documents and public presentations should include discussion of environmental justice to legitimize and advance this commitment. Resources are needed to support greater outreach in the CALFED regions.

There was discussion of the need to include environmental justice in a more visible format on the CALFED webpage, and to link to other websites including that of the Environmental Justice Coalition for Water at www.ejwatercoalition.org.

Annual Priorities for the Subcommittee

The discussion of annual priorities was intended to make initial recommendations to BDPAC. The draft recommended priorities (2002) for the Environmental Justice Subcommittee were captured on a flipchart, and included:

- Expanding core participants to include all CALFED regions
- Hire dedicated staff, including an Environmental Justice Coordinator, and resources to support the Subcommittee and advancement of environmental justice in the CALFED Program

- Environmental justice representative at all BDPAC Subcommittees
- Implement Tier 1 of the Environmental Justice Workplan
- Include environmental justice activities and updates of the Subcommittee in CALFED publications and on the CALFED webpage
- CALFED public presentations should include environmental justice
- Incorporate environmental justice in psp's, funded projects and project outreach efforts.

Annual Outcomes and Success Measurement for 2002

There was discussion that the BDPAC had requested each Subcommittee present initial success measures so that at the end of the year the Subcommittee could determine it's level of effectiveness. The Subcommittee developed initial draft success measures on a flipchart which include:

Identification of resources for dedicated staff and other needs to meet the commitment to environmental justice

Integration of the Environmental Justice subcommittee with other CALFED Subcommittees and Programs

Revise the Environmental Justice Workplan and Preliminary 2001 Environmental Justice Annual Plan

The Subcommittee wanted a status report developed by the interim Coordinator and support from Subcommittee members regarding past accomplishments to date identified in the Workplan.

Final discussions included a possible strategy of selecting one important priority environmental justice issue on which there could be tangible results. One suggestion is to transfer the Water Use Efficiency Model from the Southern CA region to the Bay area.

The co-chair selected April 12, 2002, for the next Environmental Justice Subcommittee meeting to be held in Sacramento.