



August 21, 2019

Meeting Minutes

Called to order at 1:02 PM at the Cherokee Indian Hospital, Executive Conference Room, Cherokee, NC.
Full meeting recording can be found at: <https://www.youtube.com/watch?v=qfkcLxBmdZk&feature=youtu.be>

Board Members Present:

Veronica Carter (electronic participation)
Jamie Cole
Ranee Haven-O'Donnell
Dr. James Johnson, Chair
Jeff Anstead
Dr. Danelle Lobdell
Joey Owle
Carolina Fonseca Jimenez

Board Members Absent:

Marilynn Marsh-Robinson
Naeema Muhammad
William Barber, III
Yu Yang
Reverend Rodney Sadler Jr
Dr. Marian Johnson-Thompson
Dr. Susan Jakes

Old Business:

A motion to approve the last meetings' minutes was made; with the change that Ranee Haven-O'Donnell be added to the list of members present. Motion was made by Ranee Haven-O'Donnell, seconded by Jamie Cole. Approval of Agenda motion was made by Joey Owle, seconded by Jeff Anstead.

Status Updates:

Renee Kramer, DEQ Title VI and EJ Coordinator, announced to the Board that the Public Participation Plan and Limited English Proficiency Plan have been released and are out for public comment. Ms. Kramer encouraged the Board members to bring the Plans back to their communities/ organizations for them to provide comments, as well as for the Board to provide the Department with comments. Ms. Kramer also informed the Board that about 100 comments had been received on the Community Mapping System (CMS) and were currently under review by the Department for potential changes to the CMS version 1.0.

Sheila Holman, Assistant Secretary for the Environment, provided an update to the Board on Executive Order 80. She focused on extensive stakeholdering (involving workshops, regional listening sessions, online commenting, etc.) that produced the short-term, mid-term, and long-term goals included in the plan. She also touched on values that NC communities want to focus on: including carbon reduction, affordability, reliability, and environmental justice. The plan hopes to create standards for future energy that is clean, equitable, modern, efficient, affordable, and reliable. Goal setting includes accelerating green energy innovation, fostering long term energy affordability and fostering a just transition to renewable energy. The comment period is now open and Ms. Holman encouraged the Board to provide feedback. She also provided an update on current coal ash litigation.

Presentations:

Diversity and Procurement, Chairman Jim Johnson:

Chairman Jim Johnson gave a presentation on the potential benefits of insuring that the environmental justice “business” is inclusive and equitable. He presented data from the Hurricane Matthew recovery budget that showed contractors and businesses benefitting from disaster recovery funds are not home-grown NC businesses or historically under-represented people and businesses. Most of the disaster recovery funds were going to out of state contracts. Mr. Anstead mentioned that local businesses and companies were under the impression that they would be contenders to obtain contracts especially in the case of Hurricane Matthew, but that he didn’t feel this had become a reality. Mr. Johnson emphasized that DEQ is responsible for directing CDBG-DR towards economic development and infrastructure. Because of this, DEQ should be committed to dispersing these funds in an equitable manner. He suggests that the DEQ can leverage environmental justice issues to promote equitable and inclusive growth and development by creating an inclusive supply chain and elaborated on different factors that create an inclusive supply chain. Mr. Johnson suggested that the statewide purchasing pool has questions of diversity and equitability. In terms of value added from inclusive supply chains, Mr. Johnson emphasized that environmental injustice can be turned into an economic opportunity for shared prosperity, job creation, and business opportunities for people living in areas affected by environmental justice issues. Ms. Carter questioned whether Mr. Johnson would advocate for minority set-asides on a state level, since they currently aren’t mandated. Mr. Johnson believed this would be appropriate but also emphasized that set-asides wouldn’t be necessary if there was a portfolio of qualified minority businesses that would encourage corporations and governments to choose minority businesses not just for compliance reasons, but because it makes good business sense. Ms. Haven-O'Donnell mentioned that emphasizing the tie between the local economy and local contracts can make an impact.

Cherokee Division of Public Health and Human Services, Director Sheena Kanott:

Ms. Kanott presented on the most recent Cherokee Tribal Health Assessment. She began by explaining the resources for obtaining the data, which include heritage data, community listening sessions, and several surveys pursued in various environments which makes health assessments collaborative efforts. She then provided information on some of the greatest health concerns felt by the tribal community. Substance abuse is seen as a big health issue by 75% of community members, stimulant abuse has increased, and addiction is among the top impacts on quality of life. Violence and abuse (including elder abuse) has increased and 20% of CCS students have skipped school because of personal safety concerns. There has been a slight decline in incidence of diabetes, but death rate from diabetes is still six-times the

state average, and the rate of gestational diabetes is four-times higher. Hepatitis C rates doubled between 2011 and 2016, but are now on a slight decline. Heart disease is the leading cause of death, and there is a high incidence of death in people under 65. Tobacco use is still a big concern. Depression was number seven cause of death. American Indian/Alaska Natives are 25% more likely to be food insecure. There is still a high rate of STDS and unplanned pregnancies. 33% of the community said stress is one of their biggest concerns, chronic stress can contribute to health issues. Historical trauma and adverse childhood experiences can magnify the physical and emotional effects of stress. Ms. Kanott stressed the importance of sharing data with the community and creating priority areas (diabetes, depression) and action steps to address these areas.

Tribal Employment Rights Office, Director Terri Henry:

Ms. Henry talked about the current state of the Tribal Employment Rights Office (TERO), which she describes as being in the developmental stage after a lot of staff turnover in recent months and years. She first presented the history of the office following the passage of the Tribal Employment Rights laws in the late 1970's, which required all employers engaged in operating a business on reservation land to give preference to qualified Native Americans in all parts of business. These laws were passed to address inequality and resolve problems of poverty and underemployment on tribal lands. Since tribal land is sovereign, tribes have the right to regulate employment and require preferential employment. Tribal people are also protected by all U.S. anti-discrimination and affirmative action laws. TERO administers these laws through a systematically structured program including a legal, administrative, and synergistic partners side. TERO ensures compliance with the law and also certifies TERO vendors who get first priority in contracting. TERO has job training and placement services and a program for recovering addicts. Its goal is to build a vocational training school. Mr. Johnson inquired about contractor rules on reservation land and Ms. Henry responded that contractors must have 30% Tribal employment but that contractor suppliers don't have a requirement. Mr. Johnson also asked if TERO employees were required to "check the box" [that they are Native Indian/Alaska Native] to receive services and Ms. Henry responded that they are not, but that these individuals are most often known by employees at TERO.

Subcommittee Reports to the Board:

Cumulative Impacts:

The subcommittee focused on two questions posed by DEQ (What is the issue committee on cumulative impacts' working definition of cumulative impacts? And how can DEQ better engage the community on cumulative impact?) The subcommittee's current definition is "Cumulative impacts are effects of action that are added to or interact with other effects in a particular place or within a particular time. Cumulative impacts result in the compounding of the effects of all actions over time." The subcommittee stressed that it would like to further educate the Board on what that means. In regards to the second question, the subcommittee posits that directly communicating with and creating partnerships with communities affected by environmental justice is mutually beneficial and is the quickest way to find solutions that communities find useful. The mapping tool has been a good reason for DEQ employees to visit communities and this should continue. The subcommittee has also been working in Robeson County on cumulative impacts, working directly with community members to define what cumulative impact means to them. Mr. Owle asked about disseminating cumulative impact information and the subcommittee

responded it has done so primarily through one-on-one conversations. Ms. Carter added that she believed DEQ needs to have the ability to deny permits based on cumulative impact. She noted the success around recent permit applications for methyl bromide log fumigation and argued for across the board policies in permitting for clean air and water in EJ communities that would trigger additional EJ research.

Executive Order 80:

The subcommittee emphasized that in order to move forward they need feedback. They recommended sharing their materials with NC Office of Recovery and Resiliency and coordinating with that Office to identify resources that the resiliency office can offer to support plan goals. In addition, they want to coordinate with community planning.

Public Comment Period:

Reverend Mac Legerton:

Inviting everyone to attend a site visit when the cumulative impact subcommittee goes to Robeson County. Questioned whether a date was set, but one has not been set yet.

Steven Norris

Friends of the Earth NC Climate Solutions Petition focused on an analysis that the 401 Water Quality Permit offered for Atlantic Coast Pipeline can and should be revoked.

Donna Chavis; Friends of the Earth:

Thanked Cherokee Nation for their hospitality. Emphasized that she respects the commitment and effort of the Advisory Board. Argued that best practices are best observed by people of the ground, and that this should be combined with free prior and informed consent which is outlined in United Nations Rights of Indigenous People. She stressed that Friends of the Earth is on the same page as the advisory board and share similar values and also stated that there are opportunities for DEQ to enact formal guidelines that would allow them to be on the cutting edge of informed consent.

Nick Jimenez; SELC (Provided 2 handouts that he spoke about)

Board Vote (Internal Operating Procedures):

The proposed internal operating procedures were discussed. Ms. Randee Haven-O'Donnell brought up that she thought Religion should be added into the definition at the beginning of Environmental Justice. Mr. Owle pointed out that the first sections of the operating procedures appeared to reflect the language from the charter. Ms. Jamie Cole asked if the Charter could also be changed to include religion. Chairman Johnson agreed that at the time the charter was written, religion was not as big of an issue. Ms. Haven-O'Donnell made a motion to approve the internal operating procedures with the amendment of adding religion. Mr. Owle seconded the motion, which was voted on and approved by the board.

Meeting Adjourned at 4:53 PM.