

Environmental Justice Advisory Committee
Guiding Principles
Original Version Adopted June 18, 2013

Revised Proposal for September 22, 2021 EJAC Meeting

Overview

The Environmental Justice Advisory Committee (EJAC) was created through the California Global Warming Solutions Act of 2006, (AB 32; Stats. 2006, chapter 488). The legislation called for the California Air Resources Board to convene this Committee to advise the Board in developing the Scoping Plan, and any other pertinent matter in implementing AB 32. Three iterations of the Committee have been convened. The first EJAC was in 2007 to advise on the Initial Scoping Plan. The second EJAC was convened in March 2013 to advise the Board on the 2013 Scoping Plan Update. The EJAC convened in 2015-16 to advise on the 2030 Target Scoping Plan Update. The EJAC is meeting in 2021-2022 to advise on the 2022 Scoping Plan Update.

Mission

The mission of the Environmental Justice Advisory Committee (EJAC) is to provide guidance on environmental justice considerations, prioritizing racial equity, related to implementation of AB 32, via input to the ARB on the Scoping Plan Updates and all other pertinent matters related to the implementation of the Act. AB 32 requires ARB to convene an EJAC to prioritize environmental justice as the agency endeavors to meet its required greenhouse gas emission goals, and also to ensure that the environmental justice priorities identified by the EJAC are incorporated in the implementation phase of ARB's scoping plan.

Goals

- Ensure that environmental justice needs and concerns are integrated into the fabric of the State's climate programs through workable recommendations.
- To work cooperatively with all relevant bodies (State Agencies, Departments, Community Based Organizations, Residents) to provide the best possible advice to the California Air Resources Board on the development and implementation of the Scoping Plan and all other pertinent matters related to the implementation of the Act to ensure climate solutions include Environmental Justice communities.
- For the EJAC and ARB to ensure engagement of the broader environmental justice community in the implementation of the Act by providing additional time and space (including community driven workshops and webinars) to report and seek feedback on the Scoping Plan, especially issues most relevant to the experience of those communities.
- Provide recommendations on how best to reduce greenhouse gas emissions while maximizing co-benefits and the overall societal benefits, including reductions in other air pollutants, diversification of clean or renewable energy sources, community resilience, just transition and other benefits to the economy, environment, and public health.
- The EJAC may receive inquiries regarding specific policy issues from ARB or other State Agencies requesting the Committee to provide formal or informal comment, and/or relay to their constituents through various communication channels (in person, emails, social media, etc.); as possible EJAC members will respond to these inquiries.

Collaboration Agreements & Principles

Given the constraints of the COVID-19 pandemic, the EJAC will be partially convening remotely. Below are a few virtual meeting guidelines and agreements:

While it may not be possible to adhere to all of these guidelines 100% of the time, the EJAC shall strive to:

1. Always adhere to the EJAC Meeting Agreements and meeting protocols outlined in this document and the Principles of Collaborations outlined in *People of Color Environmental Justice “Principles of Working Together”*
2. As a committee we agree to promote trust and healthy interactions. This will mean we will pay attention to ensuring we are stepping up by making space for all EJAC members to participate.
3. EJAC members who cannot join an EJAC meeting should be given an **opportunity to weigh in on discussions and decisions** before the meeting and for at least three working days after the meeting. Unless urgently necessary, decisions should not be considered final until those unable to join the virtual meeting have been given this opportunity to weigh in.

Meeting Protocols

- **Attendance:** Regular attendance of Committee members is expected in order for the Committee to function effectively. EJAC members must give ARB staff and EJAC Leadership Team advanced notice if an EJAC member cannot attend a meeting. The EJAC seeks to practice compassion and understanding. However, if an EJAC member misses 3 consecutive EJAC meetings without an excused absence, the member will be removed. An excused absence includes events such as illness, family illness, emergency, and/or death of a loved one. An unexcused absence is poor planning and time management.
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- **Leadership Team:** A Leadership Team made of up to 3 members will work with the EJAC facilitator and ARB staff in preparing meeting agendas, strategizing on the general direction and work planning for the full group and any working groups. The Team will also work to ensure the EJAC Scoping Plan recommendations are shepherded to timely finalization.
 - The Leadership Team includes geographic representation from Southern, Central, and Northern California.
 - The Leadership Team will serve as primary liaisons to ARB Board Liaison.
 - The Leadership Team and any member thereof will only speak on behalf of the EJAC on substantive positions when those positions have been clearly established by the EJAC as a whole, generally by a supermajority vote of the EJAC at a publicly-noticed meeting. For all matters, substantive, procedural, and otherwise, the EJAC will make an effort to clarify the scope of the authority of the Leadership Team and any member thereof to speak on behalf of the EJAC at each publicly-noticed meeting. Notwithstanding these efforts, the Leadership Team and any member thereof will be afforded reasonable leeway in communicating on behalf of the EJAC and will be given the benefit of the doubt should there be any question regarding the propriety of communication(s) of one or more members of the Leadership Team to a third party, outside of a publicly-noticed meeting. Members of the EJAC who are not a member of the Leadership Team are generally discouraged from speaking on behalf of the EJAC, as a whole, unless specifically so authorized by a vote of

a supermajority of the EJAC in a publicly-noticed meeting. Any failure to abide by the above may result in censure by the EJAC, up to and including being demoted from a leadership position, whether as member of a working group, committee, or the Leadership team.

- The 2022 Leadership team members include:
 - Martha Dina Arguello, Sharifa Taylor, and Paulina Torres
- **Working Groups:** The EJAC may establish working groups, as needed.
 - Current working groups include:
 - TRANSPORTATION
 - FOSSIL FUEL PRODUCTION
 - INDUSTRIAL/MANUFACTURING
 - ENERGY GENERATION
 - NATURAL AND WORKING LANDS
 - PUBLIC HEALTH & SOCIAL COSTS

Each working group may include additional sectors or issues areas that it feels appropriate, recognizing that the above workgroups are based on ARB's Scoping Plan issue areas.

- **Facilitation:** An outside professional meeting facilitator will be used to assist the committee. The facilitator will work directly with the EJAC Leadership Team to plan meeting agendas and support next steps in consultation with ARB staff. The facilitator will facilitate meetings to keep the meetings on track and on time, and will enforce agreements from the Guiding Principles. The facilitator will ensure that EJAC members are abiding by the EJAC Meeting Agreements to ensure that no EJAC member is dominating the conversation.
- **Bagley-Keene Open Meeting Act:** All EJAC meetings, preparatory meetings and communication must comply with the Bagley-Keene Open Meeting Act.
- **Committee Materials:** All EJAC meeting materials will be posted on the EJAC website, <http://www.arb.ca.gov/cc/ejac/ejac.htm>. The Leadership Team and ARB staff will strive to provide meeting materials as early as possible in advance of meetings. ARB staff will send around historical EJAC documents to the current EJAC.
- **ARB Staff Support:** ARB will assign at least one full time equivalent staff person to support the EJAC. In addition, additional staff will be assigned as needed and appropriate to create materials that support the EJAC in carrying out their goals, planning for and attending meetings, presenting at meetings as appropriate, providing one-on-one support as requested and appropriate, and providing follow up to requests.
 - When requests are made for information from other State agencies, ARB staff will facilitate making the request and following up on timely response.
 - When EJAC provides formal recommendations on the Scoping Plan, ARB staff is committed to documenting how (or if) the recommendation was considered and what (if any) changes to the Scoping Plan were made as a result.
- **Meeting Summaries:** Items related to a given meeting will be distributed as soon as possible (within two weeks or earlier if necessary for deadlines).
- Zoom recordings of meetings should be made available by three days
- **Public Comment:** Members of the public will have an opportunity to provide public comment at each publicly noticed EJAC meeting or call. Members of the public will generally be limited to three minutes for their comments.

Decision-Making

The EJAC members will first strive to seek consensus on all key issues. The clearest and strongest power of the group exists when consensus can be reached. To seek consensus, when needed the group will use informal polling to quickly understand the range of support a given proposal or recommendation has.

The committee members will first strive for consensus (using modified consensus) and when appropriate, will use a supermajority vote of a quorum. A quorum is defined here as half plus one of the total members of EJAC. Minority opinions are also welcome and will be included in the public record.

Ground Rules

Language: Step up and make space. Be mindful of how much space you're taking and of those who haven't spoken. Speak one at a time using a speaking order (if you have already spoken, yield your turn to someone who has not had a chance to speak); no one or two people will dominate the discussion; stick to the topic under discussion; do not interrupt.

Expectations: Come prepared to meetings and ensure you have had a chance to review all documents that the EJAC will discuss. Be thoughtful about your comments and remember that virtual comments in the Zoom Chat are part of the public record. Be concise with your comments, and always practice active listening.

Communication: Strong emotions are okay and need to be responsibly communicated; personal attacks will not be tolerated. We encourage using non violent communications techniques and practice active listening.

Distractions: Avoid distractions, and agree to stay present. Active listening is imperative to ensure we understand other people's viewpoints. We also encourage the practicing of self care while maintaining engagement. There will be a 15 minute break every 2 hours. If, during the course of the EJAC meeting, you are unable to be present, please inform the group.

Timing: Respect time agreements; priority is given to EJAC member discussions; public members are invited to speak during the public comment period.

Facilitation: The facilitator will intervene to keep the conversation on track and on time, and will introduce and enforce the EJAC meeting agreements. Facilitation will do time checks to ensure the EJAC stays on track during the course of the meeting.

Addendum

EJAC Meeting Agreements

Group agreements

- Pay attention to equity of airtime
- Be present
- Openness to being flexible in our approaches
- Be realistic/monitor our ability to get through the full agenda (decide when we need to go deeper on a particular part of the agenda rather than moving on)
- Seek out synergies in our work
- Yes/and (building on each other)

- Listen and be compassionate and supportive
- Reach for/invite inspiration and intuition
- Look for ways to move toward action where possible
- Respect the agenda/trust the process
- Share responsibility for success

People of Color Environmental Justice “Principles of Working Together”

(<http://www.ejnet.org/ej/workingtogether.pdf>)

Principle One: PURPOSE

1. A The Principles of Working Together uphold the Principles of Environmental Justice and to eradicate environmental racism in our communities.
1. B The Principles of Working Together require local and regional empowered partnerships, inclusive of all.
1. C The Principles of Working Together call for continued influence on public policy to protect and sustain Mother Earth and our communities and also honor past promises and make amends for past injustices.

Principle Two: CORE VALUES

2. A The Principles of Working Together commit us to working from the ground up, beginning with all grassroots workers, organizers and activists. We do not want to forget the struggle of the grassroots workers. This begins with all grassroots workers, organizers and activists.
2. B The Principles of Working Together recognize traditional knowledge and uphold the intellectual property rights of all peoples of color and Indigenous peoples.
2. C The Principles of Working Together reaffirm that as people of color we speak for ourselves. We have not chosen our struggle, we work together to overcome our common barriers, and resist our common foes.
2. D The Principles of Working Together bridge the gap among various levels of the movement through effective communication and strategic networking.
2. E The Principles of Working Together affirm the youth as full members in the environmental justice movement. As such, we commit resources to train and educate young people to sustain the groups and the movement into the future.

Principle Three: BUILDING RELATIONSHIPS

3. A The Principles of Working Together recognize that we need each other and we are stronger with each other. This Principle requires participation at every level without barriers and that the power of the movement is shared at every level.
3. B The Principles of Working Together require members to cooperate with harmony, respect and trust—it must be genuine and sustained relationship-building. This demands cultural and language sensitivity.
3. C The Principles of Working Together demand grassroots workers, organizers and activists set their own priorities when working with other professionals and institutions.
3. D The Principles of Working Together recognize that community organizations have expertise and knowledge. Community organizations should seek out opportunities to work with each other and

develop partnerships with academic institutions, other grassroots organizations and environmental justice lawyers to build capacity through the resources of these entities.

Principle Four: ADDRESSING DIFFERENCES

- 4. A The Principles of Working Together require affirmation of the value in diversity and the rejection of any form of racism, discrimination and oppression. To support each other completely, we must learn about our different cultural and political histories so that we can completely support each other in our movement inclusive of ages, classes, immigrants, indigenous peoples, undocumented workers, farm workers, genders, sexual orientations and education differences.
- 4. C The Principles of Working Together require respect, cultural sensitivity, patience, time and a willingness to understand each other and a mutual sharing of knowledge.
- 4. B The Principles of Working Together affirm the value in our diversity. If English is not the primary language, there must be effective translation for all participants.

Principle Five: LEADERSHIP

- 5. A The Principles of Working Together demand shared power, community service, cooperation, and open and honest communication.
- 5. C The Principles of Working Together demand that people from the outside should not come in and think that there is no leadership in the grassroots community. The people in the community should lead their own community and create legacy by teaching young people to be leaders.
- 5. D The Principles of Working Together demand that people from grassroots organizations should lead the environmental justice movement.
- 5. B The Principles of Working Together demand accountability to the people, responsibility to complete required work, maintain healthy partnerships with all groups.

Principle Six: PARTICIPATION

- 6. A The Principles of Working Together demand cultural sensitivity. This requires patience and time for each group to express their concerns and their concerns should be heard.
- 6. B The Principles of Working Together require a culturally appropriate process.
- 6. C The Principles of Working Together have a commitment to changing the process when the process is not meeting the needs of the people. The changes should be informed by the people's timely feedback and evaluation.

Principle Seven: RESOLVING CONFLICTS

- 7.A The Principles of Working Together encourage respectful discussion of our differences, willingness to understand, and the exploration of best possible solutions.
- 7. B The Principles of Working Together require that we learn and strengthen our cross-cultural communication skills so that we can develop effective and creative problem-solving skills. This Principle promotes respectful listening and dialogue.
- 7.C The Principles of Working Together affirm the value in learning strengthening mediation skills in diverse socio-economic and multicultural settings.

Principle Eight: FUNDRAISING

- 8.A The Principles of Working Together recognize the need for expanding sustainable community based avenues for raising funds, such as building a donor base, membership dues, etc.
- 8.B The Principles of Working Together oppose funding from any organization impacting people of color and indigenous communities. In addition, the Principles oppose funding from any organization that is the current target of active boycotts, or other campaign activity generated by our allies.

- 8. C The Principles of Working Together encourage larger environmental justice organizations to help smaller, emerging environmental justice organizations gain access to funding resources. We encourage the sharing of funding resources and information with other organizations in need.

Principle Nine: ACCOUNTABILITY

- 9. A The Principles of Working Together encourage all partners to abide by the shared agreements, including, but not limited to, oral and written agreements. Any changes or developments to agreements/actions need to be communicated to all who are affected and agreed upon.
- 9. B The Principles of Working Together encourage periodic evaluation and review of process to ensure accountability among all partners. Any violation of these agreements or any unprincipled actions that violate the EJ principles, either:
 - 1. Must attempt to be resolved among the partners
 - 2. Will end the partnership if not resolved AND
 - 3. Will be raised to the larger EJ community

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