

Minutes of the Thirty Ninth Meeting of the
ENVIRONMENTAL JUSTICE TASK FORCE

DATE: November 14, 2017
TIME: 4:30 p.m.
PLACE: Milwaukee Metropolitan Sewerage District (MMSD)
General Commission Room
260 W. Seeboth Street
Milwaukee, Wisconsin

Members Present

Yolanda Adams..... Wisconsin Deputy State Director for the Elderly,
League of United Latin American Citizens (LULAC)
Huda Alkaff Founder and Director, Wisconsin Green Muslims
Ella Dunbar Program Services Manager, Social Development Commission, Milwaukee
N. Lynnette McNeely..... Legal Redress Chair, Waukesha County NAACP
Rodney Prunty President, United Way of Racine
Jackie Schellinger Indian Community Representative, Retired Judge
Theresa Schuerman..... Walworth County Bilingual Migrant Worker Outreach
May yer Thao..... Director, Hmong Chamber of Commerce
Willie Wade Vice President, Employ Milwaukee

Guests and Staff Present

Stephen P. Adams Public Involvement and Outreach Manager, SEWRPC
Dennis Grzezinski..... Law Office of Dennis Grzezinski
Michael G. Hahn..... Executive Director, SEWRPC
Andrew Levy Urban and Regional Planning Supervisor,
Southeast Region, Wisconsin Department of Transportation
Gary K. Korb Public Involvement and Outreach Specialist, SEWRPC
Eric D. Lynde..... Chief Special Projects Planner, SEWRPC
Kate Madison..... Policy Analyst, UWM Center for Economic Development
Benjamin R. McKay Chief Community Assistance Planner, SEWRPC
Kevin J. Muhs Deputy Director, SEWRPC
Jennifer B. Sarnecki..... Principal Transportation Planner, SEWRPC

CALL TO ORDER

Mr. Hahn called the meeting of the Environmental Justice Task Force to order at 4:40 p.m., welcoming those in attendance. Mr. Hahn explained that both Chairperson Greene and Vice-Chairperson Dumas were unavailable for the meeting and that he would chair the meeting.

APPROVAL OF THE JUNE 6, 2017, MEETING MINUTES

Mr. Hahn noted that not enough Task Force members were present at the beginning of the meeting to constitute a quorum; however, additional members were expected to attend. He suggested moving approval of the meeting minutes to later in the meeting when a quorum of members may be present.

PUBLIC COMMENTS

Mr. Hahn asked if there were any public comments. There were none.

DISCUSSION OF ENVIRONMENTAL JUSTICE TASK FORCE PURPOSE AND FUNCTIONS

Mr. Hahn introduced the agenda item by explaining that Chairperson Greene requested a discussion of the purpose and functions of the Task Force based on comments that staff has received from Task Force members. Mr. Hahn stated that a Background Document (see Attachment 1) that describes the purpose and functions of the Task Force when it was originally formed had been distributed to Task Force members, and the document will be reviewed as a basis for the discussion. The following comments and discussion points were made during the review:

1. Mr. Korb noted that the Background Document was prepared jointly by SEWRPC staff and a number of other interested parties that are in regular attendance at Task Force meetings.
2. Ms. Adams asked if there is currently a mechanism to remove members who have had poor meeting attendance. Mr. McKay responded that members are asked to serve a two-year term and may evaluate their interest in continuing to serve at the end of their term; however, there is not a mechanism for removal currently in place. Ms. Adams suggested listing excused and unexcused absences in the meeting minutes. Ms. McNeely suggested evaluating the performance of the Task Force every two years. She also suggested that the Task Force develop deliverables that report on information and issues regarding environmental justice populations.
3. Mr. Wade asked if there are any laws that need to be considered regarding the functions of the Task Force. Mr. Hahn responded that the 1994 Executive Order requiring Federal agencies to make achieving environmental justice part of their mission provides latitude for achieving environmental justice objectives. Mr. Hahn noted that the U.S. Department of Transportation comments on the activities of the Task Force during the Federal Planning Certification Review of Regional Transportation Planning in Southeastern Wisconsin, which is conducted every four years. Mr. Hahn stated that past comments regarding Task Force activities have been positive; however, staff would welcome suggestions regarding the functions of the Task Force.
4. Ms. Thao suggested that expectations of Task Force members could be discussed at the proposed Task Force retreat. Mr. Korb noted that one of the Task Force functions is to provide feedback to Commission staff regarding issues impacting environmental justice populations. Ms. Adams suggested that Task Force members could hold community listening sessions for residents of the respective geographic areas they represent.
5. Mr. Wade suggested that staff develop a document that lists requests made by Task Force members, staff efforts to address the requests, and implementation status. Mr. Prunty suggested that such a document could be discussed at the proposed retreat. Mr. Korb noted that numerous

suggestions made by Task Force members in the past have been addressed by staff. He noted the development of brief, easy to understand public outreach materials as an example.

[Secretary's Note: The Commission staff intends to document requests from Task Force members during review of past Commission plans, to describe how those requests were addressed, and to provide available information on the implementation status of those requests that were incorporated in plan recommendations. The initial staff report will be reviewed with the Task Force and will be updated over time. Those updates will be provided to the Task Force for review and discussion. The format and approach for the document will be discussed at the retreat.]

6. Mr. Prunty asked for an explanation of the phrase "proportionate share of benefits" included under the third principle of environmental justice on the first page of the Background Document. Mr. McKay responded that this phrase relates to the benefits received from a planning effort by minority populations and low-income populations compared to the overall population of an area. Ms. Adams suggested adding this explanation to the Background Document. Mr. Hahn responded that comments and suggestions from the Task Force may lead to an update of the Background Document. He stated that Ms. Adam's suggestion could be included in the update.
7. Ms. McNeely asked how the Commission was formed. Mr. Hahn responded that the Commission was established in 1960 under Section 66.0309 of the *Wisconsin Statutes* as the official areawide planning agency for the seven-county Southeastern Wisconsin Region. Ms. McNeely noted that if the Commission receives Federal funds, it is obligated to comply with Federal civil rights requirements. Mr. Hahn noted that the Commission has a Title VI program. Ms. McNeely then suggested that the Task Force review the Commission's Title VI program when it is updated.
8. Ms. Dunbar asked how SEWRPC recommendations are integrated into current developments that impact minority populations and low-income populations. Mr. McKay responded that Commission staff met with each community in the Region that provides public sewer service while VISION 2050 was being developed. He said the purpose of the meetings was to gain insight regarding major residential and employment-supporting developments and community comprehensive plans. Mr. McKay then explained that this information was considered in developing the VISION 2050 land use development pattern. As a result, new development was anticipated to occur in the general locations identified in community comprehensive plans; however, in some cases higher densities and more compact development patterns were incorporated into the VISION 2050 land use development pattern to reflect VISION 2050 recommendations. Mr. Wade noted that current planning decisions are made at the local and county government levels.
9. Ms. Schellinger stated that the Task Force has not been asked to comment on the impact of catalytic development projects and suggested that this be considered as the Task Force discusses its functions. She also suggested reviewing innovative regional transportation planning programs from other states. Ms. Schellinger then stated that reviewing the Background Document has been helpful. She suggested modifying the document after a consensus has been reached regarding the future direction and functions of the Task Force. Mr. Hahn asked if this should be a focus of the proposed retreat. Ms. Schellinger responded that it should be a focus, and those who participated in drafting the original document should participate in the discussion.

10. Mr. Grzezinski requested the opportunity to provide public comment on Task Force meeting attendance and functions. He suggested meeting with current members who have had poor attendance to determine their level of interest in continuing to serve on the Task Force. He also suggested regular Task Force briefings on upcoming Commission projects. Ms. Thao commented that briefings on upcoming Commission projects would help Task Force members become familiar with the projects before they are asked to comment on the projects. Mr. Hahn responded that these types of briefings have been agenda items in the past and staff will continue this practice.
11. Ms. Schuerman referred to the Foxconn proposal in Racine County and asked if VISION 2050 would need to be amended to reflect the project. Mr. Muhs responded that a VISION 2050 amendment related to Foxconn would include a public participation component and the Task Force would have an opportunity to comment on the amendment. Mr. Hahn noted that the regional water quality management plan would need also to be amended; however, information regarding the proposal is still limited. Ms. Schellinger commented that communications from staff would be useful as information becomes available. She then commented that communications from staff regarding other catalytic projects in the Region would also be useful.
12. Ms. McNeely asked if Commission staff has been asked to analyze the Foxconn proposal. Mr. Hahn said that staff has been involved in discussions with State and local officials regarding the project, but a formal request to update the regional water quality management plan has not yet been received. Mr. Hahn also noted that, while State legislation regarding the Foxconn proposal has an impact on environmental review of the development project, the Commission approach to amending the regional water quality management plan to reflect an expanded sewer service area for the City of Racine and environs would not be changed.
13. Mr. Wade referred to Attachment 1 of the June 6, 2017, meeting minutes titled "Proposed Report: How Commission Plan Recommendations would Benefit Environmental Justice Populations." He stated that housing should be the first bullet under the Issues Addressed in the Commission's Planning Efforts section. He stated that transportation is an issue for environmental justice populations because there is not enough housing near employment opportunities. Mr. Wade stated that the Foxconn proposal may be an example of this issue because the proposed location does not appear to be in proximity to an adequate supply of housing, and he suggested that housing should be included as a component of the proposal. He also said that the Task Force should be provided the opportunity to comment on the project while it is in the planning stages.

[Secretary's Note: See the "Next Meeting Date and Determination of 2018 Meeting Frequency" section of these minutes below for further information related to Mr. Wade's comments. The Commission staff will provide email updates on the Foxconn project to the Task Force members. As noted above, the two primary areas of involvement in the Foxconn process over which the Commission has some control are an amendment to the sanitary sewer service area for the City of Racine and environs and an amendment to VISION 2050. Each of those has a public comment period of which the Task Force members will be notified.

Many of the decisions related to the Foxconn development have been, and will be, made at the local level. Individual Task Force members may

want to provide comments to the local governmental units as they see fit.]

Mr. Hahn asked if there were any further comments. There were none.

APPROVAL OF THE JUNE 6, 2017, MEETING MINUTES

Mr. Hahn noted that a quorum of Task Force members was now present and asked if there were any questions or comments on the June 6, 2017, meeting minutes. There were none. Mr. Hahn then asked for a motion to approve the meeting minutes. Ms. Adams moved, and Ms. Schellinger seconded, the approval of the June 6, 2017, meeting minutes. The motion was approved unanimously.

DISCUSSION OF POTENTIAL ENVIRONMENTAL JUSTICE TASK FORCE RETREAT

Mr. Hahn noted that discussion regarding the retreat occurred under the previous agenda item and asked if there were any further comments. Ms. Shellinger suggested scheduling the retreat for early May. Mr. Hahn stated that staff would prepare ideas for the retreat and share the ideas with Task Force members. Mr. Wade suggested that staff email ideas for the retreat to members. Ms. McNeely suggested starting with ideas for topic areas.

NEXT MEETING DATE AND DETERMINATION OF 2018 MEETING FREQUENCY

Mr. McKay noted that the Background Document states that the Task Force should meet as necessary, usually on a quarterly basis. He asked if the Task Force would like to meet on a quarterly basis in 2018. Ms. Schellinger suggested discussing meeting frequency at the retreat. Mr. Wade suggested meeting in early February to discuss the retreat. Mr. Wade also suggested scheduling another spring meeting to discuss the Foxconn proposal. Ms. McNeely suggested inviting a Foxconn representative to speak at the meeting. Ms. Schuerman requested that staff share information regarding Foxconn with Task Force members via email. Mr. Hahn responded that information regarding the proposal remains fluid; however, staff will attempt to provide information to Task Force members as it becomes available. Mr. Hahn then stated that Commission staff will email Task Force members with prospective February meeting dates.

FURTHER PUBLIC COMMENTS

Mr. Hahn asked if there were any public comments. There were none. Mr. Hahn then stated that Mr. Adams of the Commission staff will retire in December and acknowledged his service to the Task Force and significant contributions to the work of the Commission.

ADJOURNMENT

Mr. Hahn thanked those in attendance and attending by phone. He then declared the meeting adjourned at 6:15 p.m.

Respectfully submitted,

Benjamin R. McKay
Recording Secretary

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MGH/KJM/EDL/BRM
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