

EQUITY & ENVIRONMENTAL JUSTICE

Council Coordinating Committee

05/2022

Outline

- Background: Tasking & WG Composition
- Meeting Overview & Process
- Report Overview:
Key Terms, Federal Directives, MSA Review, Council Insights & Conclusions
- Potential Next Steps

Background: Tasking & WG Composition

- **CCC Motion:**

“advocated for a Council/NMFS workshop prior to the May 2022 CCC meeting to evaluate, respond to, and inform equity and environmental justice efforts”

- **ED Additional Guidance:**

The CCC requests that the working group develop a report for presentation at the May 2022 CCC meeting that includes the following:

Identification of the “environmental justice in fisheries management” problem from a national and regional perspective.

include the reasons for the problem and any related challenges to overcome

An initial discussion of what the Councils can do to address any problems from an MSA perspective

-identify where the MSA provides guidance/requirements/standards related to EJ

-identify existing efforts and specific actions the Councils can take

-include impediments (e.g., regulations, lack of data) to those actions

- **Participants from NOAA and Councils: Co Chairs: MAFMC + WPFMC**

Schedule

- 1) December 17
- 2) January 13
- 3) February 9
- 4) March 4
- 5) March 16
- 6) March 30
- 7) April 20
- 8) April 27

Meetings Overview

- **Meetings 1 & 2**
 - Workshop development/Discussion

- **Meetings 3 - 8**
 - Report development, review, finalization

Report Overview: Key Terms

- *“Environmental Justice is the fair treatment and meaningful involvement of all people, regardless of race color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.”* – Environmental Protection Agency, Office of Policy, 2016
- *“Equity means the consistent and systematic fair, just, and impartial treatment of all individuals including individuals who belong to underserved communities that have been denied such treatment such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.”* – Executive Order 13985, Sec. 2

Report Overview:

Federal Directives and Policies

- Executive Order (EO) 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (1994)
- EO 13175 - Consultation and Coordination with Indian Tribal Governments (2000)
- The Presidential Memorandum of January 26, 2021 - Tribal Consultation and Strengthening Nation-to-Nation Relationships
- CEQ along with the White House Office of Science and Technology issued a memorandum naming Indigenous Traditional Ecological Knowledge (2021)
- EO 13985 - Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (2021)
- EO 14008 - Tackling the Climate Crisis at Home and Abroad (2021)
- EO 14031 - Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders (2021)

Report Overview: MSA & EEJ

The Equity and Environmental Justice terms are not explicitly mentioned....

However, there are connected design features of MSA that relate to EEJ:

- Open public process it creates, transparent and collaborative
- National Standards (e.g., 1, 3, 4, 8)
- Council and Advisory Panel composition
- Tribal and Indigenous Peoples

Report Overview: Council Perspectives

- Highlights the regional diversity with EEJ related work and initiatives as well as the importance of the MSA's design which allows for each region to take steps and actions that are relevant to it while working in an open public process
- These conversations about EEJ are long-term and include trans-generational considerations
- In the summer of 2021, the Office of Sustainable Fisheries met with the staff leadership of each Council and the three fishery commissions to understand their current approaches to engaging underserved communities. A summary of those discussions was presented at the October 2021 CCC meeting with guiding questions:

What ideas do you have for opportunities to advance environmental justice initiatives together?

- Can you identify barriers standing in the way?
 - From the discussion today, are there opportunities to adapt similar efforts to your regions?
- In addition, one council responded via letter to the administration regarding EO 13985 and EO 14031. This council has been working with their advisory bodies on both an EEJ programmatic assessment and the development of a regional EEJ strategy.

6 Thematic Areas

The six thematic areas were developed by NOAA's EEJ working group:

1. Outreach and engagement
2. Best available information (research and monitoring)
3. Policy and planning
4. Benefits
5. Inclusive governance
6. Empowering environment

Used to Frame:

- *What are some things the Councils have done to promote Equity and Environmental Justice?*
- *What are challenges to Addressing Equity and Environmental Justice Issues?*

Conclusions

- **Advancing EEJ in the context of Federal fisheries management takes careful thought**
- **It requires nimble thinking from the workgroup:**
 - an understanding of the various Federal directives and policies related to EEJ, viewing fisheries management from new angles, and an understanding of the various paradigms and regional perspectives at play.
- **Collaborative approach used to write this report**
 - A useful start to sharing information and regionally-specific approaches to addressing EEJ across all Councils and NOAA.
 - Having both NOAA Fisheries and Councils contribute to this report and take part in the supporting dialogue is a step forward for EEJ in Federal fisheries management.
- **Though some challenges exist for meaningfully advancing EEJ, all Councils are beginning to capture EEJ issues and considerations in their work**

Conclusions

- **The Councils, through the CCC and NOAA, have an opportunity to set the collective tone on EEJ, particularly through the iterative, public process created by the MSA.**
- **The MSA allows for regional diversity.**
 - This feature of the MSA is important as it allows Councils to forge EEJ strategies that are meaningful and specific to their regions; while also allowing the Councils to learn from each other.
- **There are several opportunities for advancing EEJ across the regions.**
 - Some common themes include capacity building via Council and staff trainings, reimagining outreach strategies, increasing and simplifying communication materials, and more.
- **This report is a first step to better understanding the application of EEJ directives to U.S. fisheries management**

Potential CCC Next Steps

- ***CCC continued and sustained dialogue on EEJ***

Use the CCC as a mechanism for Regional Council cross pollination of ideas/issues/solutions related to EEJ. The CCC, like many multilateral bodies, is structured to serve as a Peer-to-Peer Learning Network

- ***Continued planning work with NOAA Fisheries***

More cohesively coordinate efforts and resources (CCC and NOAA Fisheries). Promoting Human Dimensions data collection and research in support of advancing EEJ. This may benefit from a workshop to initiate

Potential CCC Next Steps

- ***Continued synthesis of the information presented in this report***

For instance, sharing the information presented to communities for their suggested improvements and better connecting barriers with remedies (e.g., funding, rulemaking)

- ***Consider identifying a subset of potential EEJ related actions***

A subset of the ideas in the section “What could the Councils do?”, or perhaps other ideas, could be identified for collective action

- ***As appropriate to CCC’s desired next steps, the establishment of a CCC EEJ Working Group with the development of a terms of reference as their first task***