I. Introductions
   • Teleconference
     • Commissioner Kim Wasserman, Chair
     • Commissioner Keith Harley
     • Commissioner Millard Driskell
     • Stephanie Bilenko – NEIS
     • Sharonda Williams - Sierra Club
     • Commissioner Veronica Halloway- IDPH
     • Julianna Pino – LVEJO
     • Anthony Tindall – Forest Preserves of Cook County
     • Commissioner Lore Baker – DHS – Housing
     • Commissioner Cheryl Johnson – People for Community Recovery
     • Springfield
       • Commissioner Chris Pressnall- IEPA Environmental Justice Officer
       • Alec Davis - IERG
       • Commissioner Jerry Peck – IMA
       • Crystal Myers-Wilkens – IEPA
     • Chicago
       • No one at the James R. Thompson Center

II. Agenda
   ➢ Discuss and revise draft letter to Illinois Power Agency (IPA) Director Anthony Star commenting on the draft Long-Term Renewable Resources Plan.

III. Discussion
   ➢ Chair Wasserman
     o purpose of the special meeting to discuss the draft letter to IPA, which was developed over the last few weeks by an internal working

   ➢ Commissioner Peck
     o Commission’s recommendations are leading to the setting of policy by IPA and believes the Commission is overreaching in the draft letter
     o Solar For All involves a lot of money to be distributed
     o Policies set now will impact programs going forward
     o Commission now suggesting use of CalEnviroScreen as recommended model when previously Commission simply suggested options
     o Commission was not going to choose the approach
➢ **Commissioner Pressnall**
  o Emphasized that the Commission is responding specifically to the draft IPA plan, which states the proposed approach to determining environmental justice communities

➢ **Commissioner Peck**
  o Need to bracket Commission recommendations as being for use in Illinois Solar For All program
  o Do not want it to become a precedent

➢ **Julianna Pino**
  o Emphasized that the draft already states that recommendations concerning definition of “environmental justice community” are for the purposes of the Illinois Solar For All program only
  o Not meant as a precedent

➢ **Alec Davis**
  o Questioned the compatibility with other state agency programs
  o Possibility of confusion with public and regulated facilities
  o Disclaimer needs added that for the purposes of the Solar For All program

➢ **Sharonda Williams-Tack**
  o The draft letter literally responds to the draft IPA plan, section by section

➢ **Commissioner Peck**
  o Setting a precedent
  o Will become the de facto EJ definition and have other implications
  o Need disclaimers

➢ **Commissioner Harley**
  o IPA is defining “environmental justice community” pursuant to a legislative mandate
  o IPA requested guidance on its proposal

➢ **Commissioner Peck**
  o Should be clear that Commission’s recommendations are not intended to be used in other programs at this point
  o May need to roadmap for a future discussion by the EJ Commission

➢ **Crystal Myers-Wilkens**
  o Asked if no recommendation by Commission does the IPA still have define “EJ Community”
  o Asked how the Commission affects or does not affect IPA’s process

➢ **Commissioner Peck**
  o Role is to advise, not pick policy
  o IPA’s EJ community definition should not become de facto definition of EJ Community

➢ **Julianna Pino**
Letter to IPA is in response to the draft Long-Term Renewable Resources Plan
- IPA wants specific feedback at this point, not a guide of options
- If cannot agree, the Commission can be silent

➢ Alec Davis
- IPA used the Commission’s recommendations as a basis
- IPA’s definition is different than IEPA’s definition
- Definition not being adopted state-wide for all agencies and programs

➢ Commissioner Harley
- The draft letter is not saying or implying that using as a policy state-wide

➢ Commissioner Peck
- The wording on Page 2 of the letter is too strong

➢ Keith Harley
- The EJ Commission has already voted on the recommendation concerning Cal Enviro Screen

➢ Commissioner Peck
- No, did not vote on a specific recommendation just gave options
- Should have standard definition and discussion

➢ Sharonda Williams-Tack
- Is taking out “strongly support language” enough to get agreement

➢ Commissioner Peck
- That is not the only disagreement

➢ Chair Wasserman
- Commission formed working group to gain consensus
- As to short timeframe, working group had four to five weeks, not just one week

➢ Commissioner Peck
- Objects to Chair Wasserman’s statements
- Meeting is to discuss the work product of the group
- Effectively saying “take it or leave it”
- Will affect programs for decades to come
- FEJA did environmental damage to communities, take money out of low-income communities
- Perhaps in the future the Commission should tackle the definition of “EJ Community”

➢ Commissioner Harley
- Working group spent 15 hours meeting
- Chair Wasserman’s point was not “take it or leave it”
- Meetings were open to all to participate
- This is a legislative mandate of FEJA
- Will be maps generated and nothing can stop that
➢ **Alec Davis**
   o Make explicit that recommendations are for the limited purpose of FEJA
   o Maps are for FEJA, not for statewide EJ implementation

➢ **Commissioner Harley**
   o First paragraph makes it explicit that for the purposes of FEJA only

➢ **Commissioner Peck**
   o May want to walk back your comments

➢ **Commissioner Harley**
   o What specific comments?

➢ **Commissioner Peck**
   o Now is the time to address concerns

➢ **Julianna Pino**
   o Chair Wasserman has been trying to go through the letter

➢ **Chair Wasserman**
   o The process has been open
   o Look at the working in the first paragraph

➢ **Commissioner Peck**
   o Look at the language on second page, concerning CalEnviroScreen and state that the recommendation is for the purpose of FEJA only

➢ **Alec Davis**
   o I agree

➢ **Sharonda Williams-Tack**
   o Delete “strongly support” and state that providing some indicators?

➢ **Julianna Pino**
   o Agrees with that approach
   o Agnostic as to method, provide indicators

➢ **Commissioner Peck**
   o Will offer additional suggestions

➢ **Alec Davis**
   o What process did the working go through?

➢ **Commissioner Pressnall**
   o Provided an overview of the working group process
   o Worked from May 2017 letter
   o Looked at environmental indicators
   o Looked at map generated by Troy Hernandez
   o Found, as an example, the southern Illinois did not have an EJ areas
➢ Alec Davis
  o That’s significant
  o Something to be looked at

➢ Crystal Myers-Wilkens
  o The IPA has an annual evaluation process
  o There is the ability to go back and add recommendations to the IPA

➢ Chair Wasserman
  o Supportive of the evaluation process

➢ Commissioner Pressnall
  o Concept of self-selection is important

➢ Julianna Pino
  o Support communities getting involved in the evaluation process
  o Important to note that 75% of Illinois Solar for All money is earmarked for low-income communities and 25% for environmental justice communities

➢ Sharonda Williams-Tack
  o There are additional data sources that should be include, need to develop indicators
  o IDPH provided some datasets

➢ Commissioner Pressnall
  o The impact of adding indicators is unknown and granularity of the data is a known issue

➢ Alec Davis
  o How does the data fit in?

➢ Commissioner Wasserman
  o Evaluation of data important because we are asking to add the indicators, not sure how it will play out

➢ Commissioner Harley
  o When the plan is approved by the ICC, IPA will work with the EJ Commission to designate areas

➢ Alec Davis
  o Need to make clear that only for the Illinois Solar For All program.

➢ Commissioner Peck
  o Concurred

➢ Commissioner Harley
  o Where should we add explicit language?

➢ Alec Davis
  o IPA should explicitly state for FEJA only
➢ **Commissioner Peck**
  - Wishes legislation hadn’t used the term “EJ”, leads to confusion
  - Self-selection is an issue in other contexts

➢ **Commissioner Pressnall**
  - Noted that self-selection is part of the public participation process

➢ **Julianna Pino**
  - IPA already signaled that going to be explicit as to the definition of “EJ”

➢ **Commissioner Pressnall**
  - New IPA draft separates demographics and environmental indicators

➢ **Chair Wasserman**
  - What else needs changed in the letter?

➢ **Alec Davis**
  - What is significance of block versus tract?

➢ **Commissioner Pressnall**
  - Provided an overview of census block versus tract

➢ **Julianna Pino**
  - Explained what other states use
  - Block is more specific and tract tends to dilute demographics
  - CalEnviroScreen utilizes tract in some situations and is an issue in rural areas

➢ **Alec Davis**
  - Why selecting block versus tract?

➢ **Julianna Pino**
  - Block is more accurate, what used by USEPA and IEPA

➢ **Alec Davis**
  - Commented that it is hard to visualize, would like to toggle between block and tract

➢ **Julianna Pino**
  - Tract dilutes, folks may drop out of analysis
  - Should provide guidance on track versus block

➢ **Crystal Myers-Wilkens**
  - We should proceed with specific comments to the letter

➢ **Commissioner Peck**
  - Page 6, add “may” collaborate with the Commission

➢ **Commissioner Harley**
  - Draft letter mirrored what the IPA already stated

➢ **Sharonda Williams-Tack**
- The EJ Commission has a statutory charge to speak on EJ issues.

  - **Commissioner Peck**
    - Overreaching by saying “will”

  - **Julianna Pino**
    - We have to be specific at this stage of the process

  - **Commissioner Peck**
    - Reads as though the Commission is forcing itself into the process

  - **Chair Wasserman**
    - Let’s change “will” to “may”

  - **Julianna Pino**
    - Agrees

  - **Alec Davis**
    - Asking IPA to commit, should just offer to assist
    - Recommending language that clear maps for EJ for Solar For All Program only
    - How would “sample community” work?
    - Want to work with IPA on the whole model

  - **Julianna Pino**
    - It’s a public process so will be draft maps released
    - Should we ask for maps before they are publicly released?

  - **Alec Davis**
    - Is there a self-designation process?

  - **Commissioner Pressnall**
    - IPA is attempting to determine the appropriate process

  - **Alec Davis**
    - Should suggest a fair process

  - **Julianna Pino**
    - IPA should establish the process

  - **Crystal Myers-Wilkens**
    - Probably will use the same data

  - **Commissioner Pressnall**
    - Explained the IEPA’s concept of self-selection in regards to the community outreach process

  - **Commissioner Peck**
    - Needs to make sure all comments framed as for purposed of FEJA

  - **Chair Wasserman**
25% is the goal for EJ communities, read it

➢ Julianna Pino
- Explained Illinois Solar For All Working Group rationale
- Shouldn’t re-release money, EJ communities need time to get programs together
- Agrees with priority of grassroots organizations
- Shouldn’t spend all money in year one

➢ Alec Davis
- May be issue with IPA rolling money over year to year

➢ Chair Wasserman
- Evaluation process is important
- Meaningful participation for EJ communities, using NEJAC model

➢ Sharonda Williams-Tack
- Independent evaluator will be meeting with the public

➢ Chair Wasserman
- Consumer protections are an important component
- Thanked Commissioner Harley for his work on this issue

➢ Commissioner Harley
- There will be new interactions, could be incomplete or misleading information
- Not mere speculation
- Illinois alternative retail electricity supplier program
- Endanger credibility of programs as whole
- IPA’s proposals are robust
- Four proposals
  - Approved vendors
  - Monitoring of consumer complaints
  - Federal and state statutes
  - Alternative retail electricity approach
    - ARES uses “reasonable person” standard
    - IPA
      - Language spoken by consumer not strong enough
      - Need language selected by consumer

➢ Commissioner Peck
- Generally concerned with the consumer protection section

➢ Commissioner Harley
- The IPA’s draft plan has a long consumer protection section in its draft plan

➢ Commissioner Peck
- We are presuming two things
  - Bad actors
  - Presuming that IPA cannot protect consumers

➢ Commissioner Harley
Draft plan says that protections are needed because of problems with the ARES program.

- **Commissioner Peck**
  - Does not like the way it is worded
  - Should be a better way to approach the issue

- **Commissioner Harley**
  - We recite what the IPA says

- **Alec Davis**
  - Questions whether it is the role of the EJ Commission to comment on consumer protections
  - Beyond scope and uncomfortable doing so

- **Commissioner Harley**
  - Legislation answers that question by directing money to EJ communities

- **Alec Davis**
  - Not inherently environmental issues
  - What about groups that specialize in consumer protections, have we reached out

- **Commissioner Harley**
  - Yes, he has reached out
  - IPA has invited comments on this issue

- **Alec Davis**
  - Need to look at the charge of the EJ Commission
  - Consumer protections impact communities

- **Commissioner Harley**
  - If we were discussing a weight loss product, telecommunications product, then no, EJ Commission should not weigh in
  - This is energy and should have environmental benefits

- **Commissioner Peck**
  - The Commission would be picking a fight

- **Commissioner Harley**
  - Who would we be picking a fight with?
  - Looking at charge in legislation, the EJ Commission is to review state law and policies related to EJ

- **Crystal Myers-Wilkens**
  - Consumer protections should be part of Commission because funding is backbone of the Illinois Solar For All program

- **Commissioner Peck**
  - Other groups are more properly suited to address this issue
➢ **Chair Wasserman**
   - Consumer protection is related to energy
   - Believes that it is within the purview of the Commission

➢ **Commissioner Peck**
   - Asks that the consumer protection language be removed

➢ **Alec Davis**
   - Concurs

➢ **Commissioner Peck**
   - Money set aside for remediation in 10-15 years?
   - Have toxic waste strapped to a building
   - Ready to move on with the discussion

➢ **Commissioner Pressnall**
   - Need to vote on language

➢ **Chair Wasserman**
   - Will a vote pass with changes

➢ **Commissioner Pressnall**
   - Need to vote on consumer protection language

➢ **Alec Davis**
   - Need to see letter with final language before a vote should be taken

➢ **Commissioner Driskell**
   - Vote pending consumer protection language?

➢ **Commissioner Peck**
   - Would prefer to miss the deadline for submittal of comments to IPA

➢ **Crystal Myers-Wilkins**
   - Should we vote on consumer protection language?

➢ **Chair Wasserman**
   - Can we vote on letter besides consumer protection?
   - Wants to submit something to the IPA

➢ **Commissioner Peck**
   - Not comfortable voting without reviewing the final language

➢ **Chair Wasserman**
   - Let’s call a special meeting November 9, 2017 in the afternoon

➢ **Commissioner Baker**
   - So 3:30 pm on November 9?

➢ **Commissioner Harley**
May not be a census vote and we need to know the implications for the Commission and the letter
May be those abstaining, dissenting
Majority of a quorum the standard? Should we ask the IAGO?

➢ Chair Wasserman
  o We need guidance

➢ Commissioner Peck
  o In my experience, there is no unanimous standard
  o Dissenters may want to submit separate comments

➢ Chair Wasserman
  o We need an explanation as to what a vote means

➢ Commissioner Baker
  o Next Commission meeting is at 3:30 pm, Thursday, November 9

IV. Next meeting date and location

November 9, 2017 – 3:30 pm until 5:00 pm

V. Adjournment
  • At 4:10 pm