

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Roundtable on Environmental Justice and Equity in Infrastructure Permitting Docket No. AD23-5-000

SECOND SUPPLEMENTAL NOTICE OF ROUNDTABLE

(March 14, 2023)

As announced in the Notice of Roundtable and Request for Panelists issued in this proceeding on January 27, 2023, the Federal Energy Regulatory Commission (Commission or FERC) will convene a Commissioner-led roundtable to discuss environmental justice and equity in its jurisdictional infrastructure permitting processes. The roundtable will be held on Wednesday, March 29, 2023, from 9:30 a.m. to 3:30 p.m. Eastern time, in the Commission Meeting Room at the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. The roundtable will be publicly webcasted.

The roundtable will be open for the public to attend both in-person and virtually. Registration is not required and there is no fee for attendance. In-person seating will be provided on a first-come, first-serve basis on the day of the event and overflow rooms will be available. A link to the public webcast will be available the day of the event on the Commission's website, www.ferc.gov. Written comments can be filed in Docket No. AD23-5-000 until May 15, 2023.

Attached to this Supplemental Notice is a revised agenda for this event with the confirmed panelists and potential discussion topics.

Simultaneous Spanish translation will be available for virtual attendees. The event will be recorded, and English and Spanish recordings will be posted within one day of the event. English and Spanish transcriptions will also be made available following the event at no charge.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. American Sign Language Interpretation will be provided for in-person attendees and the live stream will feature closed captioning. For additional accessibility accommodations, please send an e-mail to accessibility@ferc.gov, call toll-free (866) 208-3372 (voice) or (202) 208-8659 (TTY), or send a fax to (202) 208-2106 with the required accommodations.

For more information about this roundtable, please contact EnvironmentalJusticeRoundtable@ferc.gov. For information related to logistics, please contact Sarah McKinley at sarah.mckinley@ferc.gov or (202) 502-8368.

Debbie-Anne A. Reese,
Deputy Secretary.

Roundtable on Environmental Justice and Equity in Infrastructure Permitting

Docket No. AD23-5-000

March 29, 2023

Agenda

This Commissioner-led roundtable will provide an opportunity for the Commissioners and staff to engage with environmental justice community members, advocates, researchers, industry representatives, and government leaders on actions the Commission can take to better incorporate environmental justice and equity considerations into its decisions.

This discussion will strengthen the Commission's efforts to identify and address adverse impacts associated with permitting applications for hydroelectric, natural gas pipeline, liquified natural gas, and electric transmission infrastructure subject to FERC jurisdiction. This roundtable will help further the goals of the Commission's Equity Action Plan, which include reducing barriers to meaningful participation faced by underserved communities and ensuring that the Commission's natural gas and hydroelectric policies and processes are consistent with environmental justice principles.

9:30 a.m. – 9:45 a.m.: Welcome and Opening Remarks

9:45 a.m. – 11:15 a.m.: Panel 1: Priorities for Advancing Environmental Justice and Equity in Infrastructure Permitting

As the Commission continues to advance its consideration of environmental justice and equity concerns in its infrastructure permitting proceedings, this panel will discuss how the Commission can better integrate and advance environmental justice and equity principles in its decision-making. The panel may include a discussion of the following questions:

1. What should the Commission prioritize as it more fully integrates environmental justice and equity considerations into its infrastructure permitting proceedings?
2. What lessons can the Commission learn from other federal and state agencies and tribes to better avoid and minimize negative environmental, health, and socioeconomic impacts to historically overburdened communities?
3. How can the Commission better integrate environmental justice and equity considerations into its efforts to enhance the safety and reliability of the infrastructure it authorizes?

Panelists:

- **Shalanda Baker, U.S. Department of Energy**, Director of the Office of Economic Impact and Diversity
- **Darcie L. Houck, California Public Utilities Commission**, Commissioner
- **Ben Jealous, Sierra Club**, Executive Director
- **Dana Johnson, WE ACT**, Senior Director of Strategy and Federal Policy
- **Paul Lau, SMUD**, CEO and General Manager
- **Julie Nelson, Cheniere**, Senior Vice President, Policy, Government and Public Affairs
- **Matthew Tejada, U.S. Environmental Protection Agency**, Deputy Assistant Administrator for Environmental Justice, Office of Environmental Justice and External Civil Rights

11:15 a.m. – 11:30 am: *Break*

11:30 am – 1:00 pm: **Panel 2: From the Front-Line: Impacted Communities and their Challenges**

During this panel, Commissioners will engage with members and representatives of overburdened communities impacted by FERC-jurisdictional infrastructure about the environmental justice challenges they face. The panel may include a discussion of the following questions:

Location-Specific Impacts:

1. Please describe your community and any environmental injustices you may have experienced, either directly or indirectly.
2. When assessing the impacts of FERC-jurisdictional infrastructure projects, what topics or areas of concern should the Commission more fully address or emphasize during our infrastructure permitting proceedings?
3. How can the Commission best facilitate engagement between local communities and industry during the earliest stages of the project planning process to avoid or reduce negative impacts, develop local community benefits, and implement community input with respect to other areas of concern?
4. What are ways the Commission can strengthen its analysis of local impacts without placing an undue burden of producing additional information on environmental justice communities?

Meaningful Engagement:

1. How can the Commission and industry better assure that stakeholders' input in infrastructure application proceedings was received, reviewed, and addressed

- in environmental review documents and the Commission's decisions?
2. In many cases, the Commission requires infrastructure applicants, certificate holders, or licensees to develop plans to protect public safety (such as Emergency Response Plans for liquified natural gas facilities). What steps should the Commission and industry take to provide opportunities for public participation targeted at ensuring community needs are evaluated during the development, implementation, and modification of such plans?
 3. In addition to project-specific engagement, how else should the Commission work with local communities to improve the Commission's infrastructure permitting processes and help connect communities to resources that support community participation in our proceedings?

Panelists:

- **Russell Armstrong, Hip Hop Caucus**, Policy Director for Climate and Environment
- **John Beard, Port Arthur Community Action Network**, Founder, President, and Executive Director
- **Amy Cordalis, Ridges to Riffles Indigenous Conservation Group**, Co-Principal
- **Kari Fulton, Center for Oil and Gas Organizing**, Climate Justice Policy Advocate and Educator
- **Roishetta Ozane, The Vessel Project of Louisiana**, Founder, Director, CEO

1:00 p.m. – 2:00 p.m.: *Lunch*

Lunch will not be provided.

2:00 p.m. – 3:30 p.m.: **Panel 3: Identifying, Avoiding, and Addressing Environmental Justice Impacts**

This panel will discuss how infrastructure applicants, the Commission, and its staff can better identify, avoid, and minimize adverse impacts on environmental justice communities. The panel may include a discussion of the following questions:

Cumulative Impacts:

1. What lessons can the Commission learn from other federal and state agencies, environmental justice communities, industry, and subject matter experts on how to better identify, minimize, and avoid cumulative impacts in environmental justice communities particularly with respect to human health and climate change?
2. How can the Commission best consider factors that increase the intensity of cumulative impacts on environmental justice communities?

Identifying, Minimizing, and Avoiding Impacts:

1. How can the Commission better assess and characterize direct and indirect impacts as well as past, current, and future cumulative impacts and the vulnerability or resiliency of a community?
2. What guidance can the Commission provide to infrastructure project developers to help avoid or reduce negative impacts from new infrastructure development in environmental justice communities that are already overburdened? What indicators and thresholds should the Commission use to appropriately and accurately identify such communities early in the project development process?
3. How can Commission staff make better use of local, state, and region-specific impact information and community knowledge when conducting an impact assessment and developing methods to avoid and minimize potential impacts?

Panelists:

- **Aram Benyamin, Los Angeles Department of Water and Power, Chief Operating Officer**
- **Uni Blake, American Petroleum Institute, Senior Policy Advisor**
- **Gina Dorsey, Kinder Morgan, Director, EHS-Project Permitting, Operations Support Group**
- **Al Huang, Institute for Policy Integrity, NYU School of Law, Director of Environmental Justice & Senior Attorney**
- **Dr. Beth Rose Middleton Manning, UC Davis, Professor of Native American Studies**
- **Carolyn L. Nelson, P.E., U.S. Department of Transportation, Director of Environmental Policy & Justice Division**

Closing Remarks