
**ENVIRONMENTAL JUSTICE AND
CLIMATE CHANGE & ADAPTATION
WEBINAR SERIES**

May 3, 5, 10, 17-19, 2022

**OVERVIEW & AGENDA
for State, Local, and Tribal Government Partners**

**All Virtual, Via Zoom or WebEx
All Times are Eastern**

This live webinar series is designed by the Department of Justice's Environment and Natural Resources Division (ENRD) for attorneys and other professional staff who currently handle or supervise matters (or want to learn more about matters) involving environmental and Tribal justice issues and climate change and adaptation challenges, in litigation and settlement contexts. This series includes three Overview Sessions in early May to introduce participants to environmental justice, the current science and legal authorities concerning climate change, and the unique interests and concerns of Tribal communities at the intersection of environmental justice and climate change. The series continues with more intensive training, on May 17-19. Advance registration is required. Please see below for course descriptions and how to register.

The Three Overview Sessions described below are open to all attorneys and other professional staff from federal, state, and local agencies, and Tribal partners. The May 3rd and May 10th sessions are hosted by ENRD and will be on the Zoom platform.

- *Advance registration is required. The registration links are in the agenda below; questions may be directed to DOJ-ENRD-Training@usdoj.gov.*

The session on May 5th is hosted by the Department's National Advocacy Center and will be on the WebEx platform.

- *Registration information and link are here: [May 5th Overview Session Registration](#).*

All sessions on May 17th are open for registration to Tribal, state, local, and federal practitioners and professional staff. After a brief welcome hosted by ENRD's Assistant Attorney General, the first two sessions invite participants to explore the intersection of environmental justice and climate change. The final session of the day will address the importance of community outreach, share best practices, and promote effective coordination in these efforts among federal, state, local, and Tribal governments. Participants will be required to register for the whole day, however, they are not required to attend all of the sessions.

The sessions on May 18th and 19th are open for registration only to attorneys and professional staff in the federal government. These sessions will give the federal family time to reflect on what they have learned from speakers and government partners, and space to explore their application in pending and future federal civil matters.

- *Registration for this webinar series is here: [May 17-19 ENRD Webinar Conference Registration Link](#). CLE is available as indicated on the agenda.*

TUESDAY, MAY 3, 2022

2:00 – 3:30 pm **ENVIRONMENTAL JUSTICE OVERVIEW: THE HISTORY OF THE EJ MOVEMENT AND THE CURRENT LEGAL LANDSCAPE**

Instructors: **Robin Morris Collin**, Senior Advisor to the Administrator for Environmental Justice, U.S. EPA

Gwendolyn Keyes Fleming, Strategic Partner on Environmental Enforcement, Compliance & Policy Matters, Van Ness, LLP

This session will include a high-level history of the grassroots environmental justice movement to build a common understanding of what it is, its importance, and its impact; federal efforts on the road to environmental justice; the intersection of environmental justice and DOJ's mission and authorities; and opportunities and challenges to advancing environmental justice.

Register in advance here:

<https://www.zoomgov.com/meeting/register/vJItdeuhqTwrGLiIxzidNeXvNUIhCw0yQk>

After registering, you will receive a confirmation email containing information about joining the meeting.

THURSDAY, MAY 5, 2022

2:00 – 4:30 pm **CLIMATE CHANGE OVERVIEW: THE SCIENCE ON CLIMATE CHANGE, THE LEGAL LANDSCAPE, AND THE FEDERAL GOVERNMENT'S ROLE IN ADDRESSING CLIMATE CHALLENGES**
(CLE, 2.25 hours of content plus a 15 minute break)

Instructors: **Jody Freeman**, Professor of Law, Harvard Law School, Harvard University

Richard Lazarus, Professor of Law, Harvard University, Harvard University

Jonathan Overpeck, Dean of the School for Environment and Sustainability, University of Michigan

Climate change is imposing stresses on communities and ecosystems, as well as on our federal legal authorities. Deploying traditional environmental statutes to achieve greenhouse reductions, and advising client agencies how to account for climate change in decision-making, will require creativity, sharp legal reasoning, and adaptive legal strategies. This training will summarize the current science on climate change, and the legal landscape for tackling this phenomenon. The speakers will draw on the Fourth National Climate Assessment and the Sixth Assessment Report of the Inter-governmental Panel on Climate Change – including projections on sea level rise; drought and water shortages; wildfires; and extreme weather events – to set the stage for environmental litigation and policymaking in the context of climate change. The

speakers will then describe the Supreme Court's environmental docket and discuss how decisions this term could shape future policy efforts to tackle climate change.

TUESDAY, MAY 10, 2022

2:00 – 3:30 pm **AN OVERVIEW OF THE UNIQUE CONCERNS AND INTERESTS OF TRIBAL COMMUNITIES FACING THE EFFECTS OF ENVIRONMENTAL INJUSTICE AND CLIMATE CHANGE**

Instructors: **Dylan Hedden-Nicely**, Associate Professor of Law and Director of the Native American Law Program, University of Idaho

Elizabeth Kronk-Warner, Dean and Professor of Law, S.J. Quinney College of Law, University of Utah

Many Tribal communities face environmental justice issues associated with ensuring their fair treatment and meaningful involvement in the development, implementation, and enforcement of environmental laws and policies that impact their homelands and natural resources. Tribal communities also face increasing risks from climate change: Rising sea levels, increased wildfires, water scarcity, degradation or loss of sacred sites or habitat for culturally important species may have profound impacts on indigenous communities throughout the United States, both in Indian country and in other areas where tribal resources are located. Understanding the unique relationship between the federal government and Tribal governments is critical to promoting the fair treatment and meaningful involvement necessary to protect Tribal lands, resources, and communities and to address effects of climate change. This session will provide background on some of the most relevant principles of federal Indian law, including the unique sovereign status of federally recognized Tribes, Tribal treaty rights, the federal trust relationship, consultation and coordination, and inherent tribal regulatory authority in the context of advancing environmental justice and addressing the effects of climate change.

Register in advance here:

<https://www.zoomgov.com/meeting/register/vJltd-CtrDosHf-ZqzAZW2i2nUNxfFIMHts>

After registering, you will receive a confirmation email containing information about joining the meeting.

TUESDAY, MAY 17, 2022

11:00 – 11:30 am **OPENING REMARKS AND WELCOME**

Bob Daley, Office of Legal Education, U.S. DOJ

Todd Kim, Assistant Attorney General, Environment & Natural Resources Division, U.S. DOJ

11:30 am – 12:30 pm **THE INTERSECTION OF ENVIRONMENTAL JUSTICE AND CLIMATE CHANGE: EMERGING ISSUES AS OUR**

**COMMUNITIES AND THE ENVIRONMENT EXPERIENCE
ACCELERATING IMPACTS
(CLE, 60 minutes)**

Moderator: **Marianne Engelman-Lado**, Deputy General Counsel of Environmental Initiatives, Office of General Counsel, U.S. EPA

Instructors: **Margot Brown, Ph.D.**, Vice President of Justice and Equity, Environmental Defense Fund

Veronica Eady, Senior Deputy Executive Officer of Policy & Equity, Bay Area Air Quality Management District

This panel will discuss how climate change impacts historically overburdened communities and the manner in which environmental justice and climate issues present themselves in environmental cases. The panel will discuss emerging climate issues that involve environmental justice communities and how these issues set precedent for environmental policy and inform case strategy.

12:30 – 1:30 pm **LUNCH**

1:30 – 2:45 pm **A COOPERATIVE ENDEAVOR: HOW TRIBES, STATES, AND THE FEDERAL GOVERNMENT CAN WORK TOGETHER TO BETTER ADDRESS ENVIRONMENTAL JUSTICE AND THE EFFECTS OF CLIMATE CHANGE
(CLE, 75 minutes)**

Instructors: **Allyson Bazan**, Assistant Attorney General, Ecology Division, Office of the Attorney General, Washington State

Ann Marie Chischilly, Vice President, Office of Native American Initiatives, Northern Arizona University; Director, Institute for Tribal Environmental Professionals

Sara K. Van Norman, Van Norman Law, PLLC, Minneapolis, MN

Tribes, states, and the federal government have separate, but sometimes complementary or overlapping, authorities and resources that can be brought to bear in addressing environmental justice issues and the effects of climate change. This panel will examine the work that Tribal and state governments do to advance environmental justice and address climate change and describe some of the authorities on which they rely in identifying options and in developing and presenting their legal positions, through litigation or otherwise. Participants will also learn about how Tribal, state, and federal government attorneys can use the latest scientific information and traditional ecological knowledge in cases involving both climate and environmental justice issues. Our panelists will share their experiences and perspectives on how participants can improve inter-governmental partnerships and develop additional opportunities to work together to advance shared interests in addressing these critically important matters.

2:45 – 3:00 pm **BREAK**

3:00 – 4:30 pm **EFFECTIVE COMMUNITY OUTREACH IN CIVIL
ENFORCEMENT CASES
(CLE, 90 minutes)**

Instructors: **Meg Gorecki**, Midwest Regional Director, Community Relations Service,
U.S. DOJ

Seema Kakade Assistant Professor and Director, Carey Law School
Environmental Law Clinic, University of Maryland

Joel Minor, Environmental Justice Program Manager, Colorado
Department of Public Health & Environment

Piyachat Terrell, Acting Deputy Director, Office of Environmental
Justice, U.S. EPA

This session addresses the importance of conducting community outreach for cases that affect communities facing environmental justice concerns and explains how attorneys can ensure that community feedback plays an appropriate role in enforcement cases, including the development of remedies. Panelists will draw on their federal, state, and academic perspectives to describe the components of effective community outreach. They will provide guidance on how to develop outreach goals and an outreach plan tailored to the community of concern. They will also share recommendations for ensuring effective coordination among federal agencies, state partners, and local stakeholders when conducting community outreach. Government attorneys may encounter environmental justice communities that include Limited English Proficient (LEP) individuals. Therefore, the panel will address language access obligations – for example, how to provide LEP communities with “reasonable access” in civil enforcement matters – and the need to consider cultural barriers to effective community outreach. The presentation will discuss the applicability of several foundational documents including Presidential Executive Order 13985 (2021) as well as Executive Order 13166 (2000) and its implementing guidance, DOJ’s Language Access Plan (2012) and ENRD’s Language Access Plan (2012). Attendees will gain the outreach skills necessary to improve relations, build credibility, and deliver results in the diverse communities we serve.