

Meeting Notes
Environmental Justice Meeting
08-31-05, Sacramento
Cal/EPA, CEHTP, EHIB, OHB

- 1) DHS (CEHTP, EHIB, OHB) EJ-related activities**
- 2) Cal/EPA EJ-related activities**
- 3) Cal/EPA EJ pilot projects (ARB, DPR) and ARB research group activities**
- 4) Major themes/General issues**
- 5) Next steps**

DHS (CEHTP, EHIB, OHB) EJ-related activities

- **California Environmental Health Tracking Program (CEHTP)**
 - Senate Bill 702- unfunded mandate to plan for a statewide tracking system. SB 702 Expert Working Group Report serves as guidance.
 - DHS-Cal/EPA collaboration for CDC cooperative agreement to form the California Environmental Health Tracking Program.
 - Planning Consortium is the statewide advisory body.
 - EJ-related activities within CEHTP through Planning Consortium, Pilot Projects, workshops.
 - CEHTP has contributed funds to Cal/EPA – ARB, OEHHA, Traffic.
 - MOU signed between DHS, Cal/EPA, UC.
 - Office on Tracking legislation would mandate joint office between Cal/EPA and DHS.
 - Planning Consortium- has recommended CEHTP involvement with CEJAC, IWG.
 - US EPA has similar purpose and activities nationally (e.g. NEIEN), dual federal push, new RFP from US EPA has EJ piece, works with EPHT.
 - There is cooperation at the federal level that might serve as an example: EPA and DHHS have signed an MOU.

- **Environmental Health Investigations Branch (EHIB)**
 - Public health has a different approach/mission for engaging communities.
 - Environmental protection and public health clearly go together
 - EHIB is a branch of the Division of Environmental and Occupational Disease Control (DEODC) within DHS.
 - EHIB acts as a mediator of information for environmental protection and public health
 - Site assessment section- works with ATSDR, DTSC. The sites by their nature are EJ communities.
 - Exposure assessment section – for example, working on water body protection and public health, fish consumption.
 - California Breathing Program – looking at asthma hospitalization geography and spatial, temporal, ethnic disparities.
 - EHIB- working toward developing tools, responses, etc. that are most useful and appropriate to communities.

- **Occupational Health Branch (OHB)**
 - Also a branch within DEODC.
 - Does similar things as EHIB on an occupational health scale, including information systems, research, case management, etc.
 - Also working with low income, ethnic communities who are at risk (similarly marginalized communities).
 - Developing a position paper: how EJ and occupational health integrate with EJ and environmental health.
 - Branch will have a mission statement by next year on EJ.
 - Have registries (e.g. lead) but it is difficult to get data. Thinking about making changes to be able to see ethnic subgroups.

- **Division of Environmental and Occupational Disease Control (DEODC)**
 - There was interest in determining EJ principles for the division. This idea got expanded to become an ethical principles document.
 - Attempt to balance the rights of all to access DHS services with the obligation to address disparities.
 - Issue: What to do if EJ principles conflict with ethical framework?

Ca/EPA EJ-related activities

- **Formal EJ Process**
 - Statutory regulation to implement EJ action plan and strategy.
 - Coordinate 6 BDOs (Boards, Departments, Offices)
 - All BDOs are developing their own EJ plans.
 - Look at EJ website for more info.
 - 2006 recommendations complete.
 - Action plan is on the website
 - *(DHS) In the Action Plan, do you have specific goals, ways to measure? Yes, in pilot projects, developing a children risk reduction plan by Dec 2006.*
 - Still ongoing: interagency EJ strategy- long term approach.

- **6 pilot projects**
 - Cumulative impact and precautionary approach- methodological guidance developed through working on the pilot projects.
 - Public Participation guidelines- 6 criteria e.g. common guidelines, common terms (e.g how is EJ community defined), to be adopted or used by all 6 BDOs.
 - Pilot Projects do not have extra funding- all funding comes within the BDO's existing resources.

- **Community Environmental Justice Advisory Committee (CEJAC)**
 - External advisory committee by law (CEJAC) has 17 members including CUPAs, air districts, tribes, business, EJ orgs, CBOs, NGOs.
 - CEJAC meets quarterly, and has mentioned need to coordinate with DHS.

- *(DHS) What are the relationships between CEJAC and the pilot projects?* The BDOs update and get input from CEJAC at the quarterly meetings.
- **Interagency Working Group (IWG)**
 - Mandated by law, includes the heads of the BDOs, Cal/EPA secretary, Governor's Office of Planning and Research (OPR) is the coordinating agency -- the purpose is to decrease reinvention of the wheel regarding EJ.
- **EJ small grants**
 - NGO, Tribes, \$20,000 max, \$250,000 total- will fund 12-13 projects. The criteria are to partner with government or academic orgs.
 - Cal/EPA thinks it's possible for CEHTP to assist community groups with these grants-may be a way to leverage funds.

Cal/EPA EJ pilot projects (ARB, DPR) and ARB research group activities

- **Air Resources Board Pilot Project**
 - In Commerce, Mira Loma, Wilmington
 - Communities selected via workshops. Also, ARB has been working in Commerce since 2000, beginning with the Neighborhood Assessment Program.
 - Goal is to decrease air pollution risk to children by developing a community air pollution mitigation strategy that may be implemented statewide next year.
 - Community –driven process, local AG meetings, using them as advisors that are involved from the beginning.
 - AG wants health info and Cal/EPA welcomes DHS input on this.
 - Diesel, stationary sources are big community concerns.
 - *(DHS)Where does policy and regulation come into play?* The AG wants regulation/policy to come out of this that would make a difference statewide.
 - *(DHS) What do you do when regulations aren't met?* Not sure, they are still in the planning process.
 - *(DHS) Is there a conflict with asking communities to come up with regulatory strategies when you are the regulatory agency? How do you delineate roles and mediate expectations?* The AG has high expectations, often in issues that are not within mandate (such as land use) so we try to keep expectations realistic and explain that this process is not an end-all solution.
- **Department of Pesticide Regulation Pilot Project**
 - Selected a rural community in which to do air monitoring. Monitoring begins in January.
 - The goal of the PP is capacity building. This is different from DPR's regular framework because they don't do community-based work.
 - Looked at 83 communities and ranked them based on EJ factors, cumulative impact data, pesticide use, etc. #1 was Parlier in Fresno County. Then they looked at collaborative processes and sites available, and Parlier still came out first.
 - Challenges regarding ranking to select a community- using generally agreed upon criteria (as suggested by participants in the workshop), which is detailed on DPR's webpage. It is difficult to argue with numbers once they are laid out. Community leaders were interested and supportive, but will be interesting to see how perceptions change as the project evolves.

- Local AG includes businesses, growers, and residents.
- Technical AG provides scientific guidance.
- Draft plan developed: 3 monitoring sites, 3 days a week for 52 weeks.
- Funding issues- planned to devote a portion of the air monitoring budget, but now they've devoted all of the air monitoring budget for the next 2 years (in response to AG input).
- *(DHS) What will DPR do after collecting data?* This is similar to the Lompoc project- set up screening levels (aka "health protective"), individual and cumulative. Difference between Lompoc and Parlier- monitoring in Lompoc began due to resident complaints about health effects. Parlier residents had not complained, so this may be an outreach opportunity.
- Collaborations
 - ARB assistance will add more pesticide, VOC, and metals monitoring
 - UCSF has done asthma work in Parlier schools- will try to correlate with asthma.
 - UC Davis is also doing small animal studies with animals at monitoring sites.
- Outcome measure: # of times level is exceeded.
 - *(DHS) But the community often thinks that there are health effects still happening under this level. Are you encountering this?* Yes, a portion of the community this that there is no safe amount of pesticide, but generally this is not an issue.
- *(DHS) How to you involve non-English speakers?* Translator, bilingual facilitator, BDO also holds evening meetings so that residents can attend.

■ Air Resources Board Research Group

- Annual plan includes studies, EJ, health effects
- Yearly solicitation for projects
- Current research
 - Traffic (East Bay Children's study)
 - Traffic and Asthma: Beate Ritz, FAN (Family and Neighborhood Survey)
 - UC Santa Cruz: EJ Communities and Air Pollution- air quality, land use patterns, socioeconomic factors. Want to develop a screening tool.
 - Wilmington – 3 studies to determine exposure with high spatial and temporal resolution
 - 1) passive samplers
 - 2) mobile zero-emitting vehicle to get data
 - 3) ultrafine particles
 - Use these to come up with outdoor concentration and modeling.
 - History behind this effort: attempt to improve inventory, found disparities, SES/ethnic makeup, location and sources.
 - Would like to find funds to do community assessments.
- Concern: with improved resolution, they will find higher concentrations. What is environmental injustice and how do we define it?
 - What do we compare to? What do these higher #s mean?
 - With EJ, usually it's "we'll know it when we see it".

Major themes/General issues

■ Importance of having definitions of terms (e.g. EJ, cumulative impact)

- With all these issues, Cal/EPA wants to know how to turn this into a mathematical or scientific definition/process (a definition for things within their purview or something they can regulate). This is what they hope to get out of the pilot projects.

- Having a vision (about EJ) is first. Then define a limited role within the vision. This way, the vision or definition can be inclusive.

■ **Definition of Environmental Justice Communities**

- ARB research group- want a technical/political definition of EJ beyond what is defined by the community, because they need to know how to regulate it.
- It's possible that if you incorporate cumulative impacts, you can get to the "injustice" part easier (if you have a level barely above or below the regulatory level).
- How should we define the community if it is actually highly exposed but they do not think the level of exposure is unjust? This might be the case in a small community whose main income is through polluting industries such as farming.
- Note: there is often not consensus within a community about being labeled as EJ. Some think it will add burden others think it will get them more resources.

■ **Definition of Cumulative Impacts/ Cumulative Risk**

- Cumulate impacts: often will hear "show me the proof that there are increased emissions, exposures, AND risk", which is very difficult and challenging. Now trying to change definition so that it's "emissions, exposures, OR risk". That way, you don't have to prove risk.
- The CEHTP Planning Consortium is interpreting information in the context of/with the acceptance of (historical) knowledge about segregation, disempowerment, health disparities, etc. They interpret information in this framework (as opposed to in a mathematical formula)
- Cumulative impacts can include non-exposure issues such as food security, job security, access to care, SES, etc., in addition to multiple exposures. Spectrum of definitions exists.

■ **Precautionary Principle**

- It would be good to have a different chemical policy laid out so that we don't have to deal with the same issues time and again in the future.

■ **Environmental Justice versus Ethical Principles**

- There is more common ground when you use an ethics framework, as opposed to an injustice framework.
- What to do when the two conflict?

■ **How useful is data for EJ?**

- How do the numbers get played out in the community (especially when you have people who believe they were exposed and sick and say that they've had enough studies and want action)?

- Doing measurements is very expensive. Often the decision depends on who is politically active enough to be involved, who is being heard.
 - If Cal/EPA and DHS overlaps with the sites and if EHIB does have info on health and exposure metrics, that would be helpful.
- **Who has the power/mandate to make change?**
 - This regulatory structure allows exposures to happen.
 - How do we deal with the issue within our limited sphere of influence when the problem is multi-factorial?
 - There are other agencies that do have influence on these other issues- e.g. CalTrans, housing dept, etc.
 - In EJ action report, they are looking at shifting the burden of proof away from the community and building a definition of EJ that includes common sense, qualitative and quantitative aspects. Also looking at how cumulative impacts can work around existing regulations

Next steps

- Next IWG meeting- October 25th
- Share mini-grants information: Delta Fish Project, California Breathing, CEHTP
- EJ grant from Cal/EPA: There may be ways for EHIB to work with communities- possibly someone from EHIB can volunteer to be on grants review committee?
- CEHTP presentation at CEJAC, IWG?
- Is there another way to contribute to PC/CEHTP in addition to attending PC?
 - Coordinate meeting dates
 - Exchange materials
 - Pass info through list serve
- Next meeting we can hear about the other pilot projects and continue the discussion. 2-3 months from now would be a good time.