Welcome

To

Cal/EPA's Fall 2004 Workshops on

The Environmental Justice Action Plan

You can provide us with your comments:

- By dropping your comment sheet into the box as you go today
- By sending us your comment sheet via US Mail: (Address is on comment form)
- By e-mail to **EnvJustice@calepa.ca.gov**
- Or, verbally this evening – please fill out a speaker card.

Cal/EPA Action Plan and Overview of Cal/EPA's Efforts

Tam Doduc

Assistant Secretary Cal/EPA

Overview of Cal/EPA's Efforts

Cal/EPA's EJ efforts to date

have involved many stakeholders of various regions, disciplines and perspectives

Advisory Committee

- Environmental Organizations (2)
- Community Organizations (2)
- Environmental Justice Organizations (2)
- Local/Regional Land Use Planning Agencies (2)
- Local Air Pollution Control Districts (2)
- Certified Unified Program Agencies (CUPAs) (2)
- Large & Small Businesses (2 each)
- Federally Recognized Tribe (1)

Interagency Working Group

- Air Resources Board
- Department of Pesticide Regulation
- Department of Toxic Substances Control
- Integrated Waste Management Board
- Office of Environmental Health Hazard Assessment
- State Water Resources Control Board
- Governor’s Office of Planning & Research

EJ Implementation

Integrated Two-Pathway Approach

1. EJ Strategy: long-term planning
2. EJ Action Plan: short-term activities
   - Explore complex issues and test approaches
   - Identify gaps
   - Develop guidance and tools

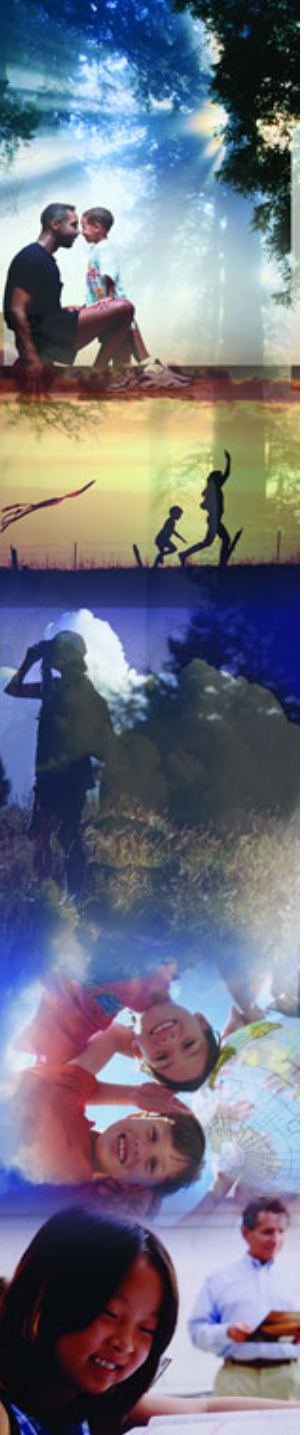
<u>Together they form an integrated approach to EJ implementation</u>

Action Plan Activities

Four Pilot Projects will be implemented in various regions of California by:

- Department of Pesticide Regulation
- Air Resources Board
- Department of Toxic Substances Control
- State Water Resources Control Board

Develop children's environmental risk reduction plans (ChERRPs)



Action Plan Activities

<u>Key Efforts on Cumulative Impacts & Precautionary Approaches</u>

- Develop working definitions
- Inventory methods & approaches
- Identify gaps/needs in methods & approaches to address EJ problems
- Develop guidance

<u>Ensure meaningful public participation</u>

Implementation of EJ Action Plan

Cal/EPA

plans to conduct activities

in the EJ Action Plan

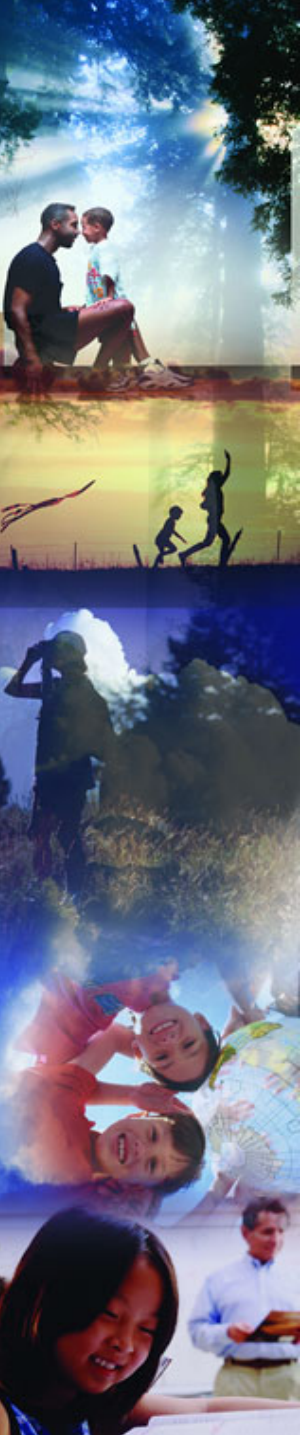
in **five phases**

during the time period from 2004 to 2006

Implementation of EJ Action Plan

Phase 1

- Develop
  - Pilot Project proposals
  - Working definitions
    - cumulative impacts
    - precautionary approaches
- Inventory Cal/EPA's current public participation efforts



Implementation of EJ Action Plan

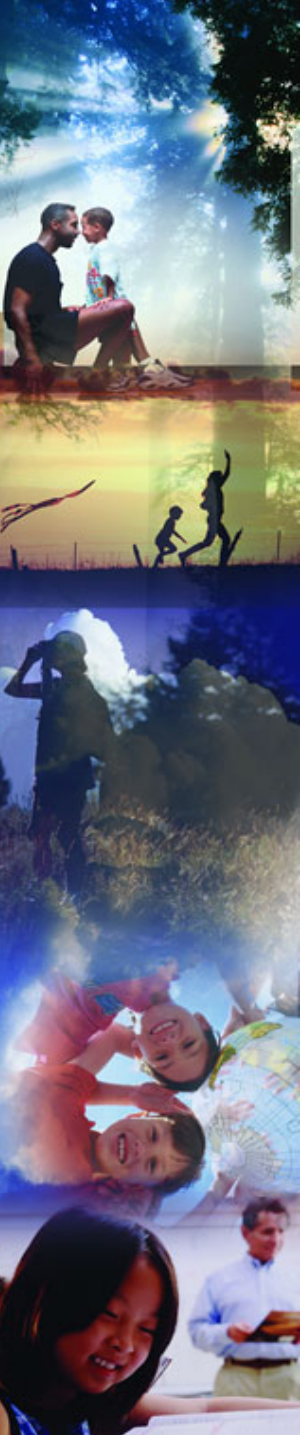
Phase 2

- Organize local advisory groups
- Collect environmental data and identify data gaps
- Inventory current precautionary approaches and identify obstacles
- Inventory current cumulative impact tools and identify gaps in current methods
- Develop common public participation guidelines

Implementation of EJ Action Plan

Phase 3

- Conduct preliminary cumulative impacts analyses
- Identify EJ gaps and determine if additional precaution may be warranted
- Identify reasonable, cost-effective approaches and mitigation strategies
- Develop children's environmental risk reduction plans for pilot projects
- Complete activities to improve public participation and community capacity-building



Implementation of EJ Action Plan

Phase 4

- Initiate children's risk reduction plans as appropriate and feasible

Phase 5

- Evaluate pilot projects
- Prepare guidance and recommendations
- Explore implementation options

State Water Resources Control Board

California Bay-Delta Authority

THE WATER PILOT PROJECT

- Celeste Cantú, Executive Director
  State Water Resources Control Board

- Patrick Wright, Director
  California Bay-Delta Authority

Regional Water Quality Control Boards

- Responsible for protecting California's water resources *(surface, ground and coastal waters)*

- Divided into nine regional areas representing watershed boundaries

- The Boards are responsible for:
  * *Setting water quality standards*
  * *Issuing waste discharge requirements*
  * *Determine compliance and take appropriate enforcement actions*

The State Water Resources Control Board

- Responsible for protecting California's water resources *(surface, ground and coastal waters)*

- Divided into four Divisions:
  * *Division of Water Quality*
  * *Division of Water Rights*
  * *Division of Financial Assistance*
  * *Division of Administrative Services*

- The Board is responsible for:
  * *Setting statewide policy*
  * *Reviewing petitions contesting Regional Board decisions*
  * *Allocating surface water rights*

SWRCB/RWQCB *ENVIRONMENTAL JUSTICE PROGRAM*

- **Established within the Executive Office**
- **Outreach and Education**
  - *Erase the Waste Campaign In Los Angeles*
  - *Public Participation Staff Training*
- **Integrated EJ Into the Boards' Enforcement Policy**
- **Now Circulating a Draft EJ Policy**

CALFED Program Area

CALIFORNIA BAY-DELTA AUTHORITY

Importance of the Bay-Delta System

- **Drinking Water for 22 Million Californians**
- **750 Plant & Animal Species**
- **80% of the State's Commercial Salmon Fisheries**
- **$27 Billion Agricultural Industry**
- **California's Trillion Dollar Economy**

CALFED Bay-Delta Program
Environmental Justice

CALFED Agencies are committed to addressing environmental justice challenges related to the management of water in the Bay-Delta watershed.

CALFED's EJ Subcommittee will help CALFED Program Managers address environmental justice and develop strategies for integration of environmental justice in the CALFED Program elements.

CALFED Bay-Delta Program
Environmental Justice

Environmental Justice Subcommittee

- Purpose: advice and guidance to BDPAC ensure fair treatment and meaningful involvement of EJ communities.

- Activities: integrate EJ into all CALFED Program Elements; encourage broad public participation; information exchange; issue analysis; fact-finding.

PILOT PROJECT GOALS

- Develop a model to work collaboratively with communities and Tribes *(Local/State/Federal governments; Health researchers; Local business; Multiple Tribes; The Residents)*
- Identify pollution levels and potential sources of contamination and share with the community
- Develop strategies together to promote children's health risk reductions
- Identify and seek appropriate resources to implement strategies (short-term/long-term)

PILOT PROJECT PARAMETERS

- SWRCB/CALFED Involvement
- Pollutants In Surface Water
- Active Community Involvement
- Adequate Data for pollutants and children's health impacts
- Opportunity to explore cumulative impacts and precautionary approaches

CHILDREN'S ENVIRONMENTAL HEALTH RISKS GOALS

- Model That Can Be Duplicated
- Collaborative Approaches For Health Risk Reductions
- Specific, Measurable, Attainable, Realistic and Timely (SMART)
- Incentive Programs

YOUR INPUT IS ESSENTIAL!

- Recommend to us communities impacted by pollutants in surface water
- Guide our efforts in ensuring public participation
- Provide us input in developing our cleanup and risk reduction strategies
- Stay in the loop and give us continuous feedback.

CONTACT INFORMATION

- **State Water Resources Control Board**

  Adrian Perez, EJ Coordinator
  1001 I Street
  Sacramento, CA 95814
  Phone: (916) 341-5881
  Email: aperez@swrcb.ca.gov

- **California Bay-Delta Authority**

  Ken McGhee, EJ Coordinator
  650 Capitol Mall, 5th Floor
  Sacramento, CA 95814
  Phone: (916) 341-5881
  Phone: (916) 445-0740
  Email: kmcghee@calwater.ca.gov

Questions and Answers on the Water Pilot Project

Department of Pesticide Regulation Pilot Project

Randy Segawa
Team Leader

Department of Pesticide Regulation (DPR)

will lead a project in central California that:

- Will include ambient air monitoring of multiple pesticides
- Will likely monitor schools, businesses and/or other public places

DPR Pilot Project

Objectives

- Simple
- Measurable
- Attainable
- Realistic
- Timely

DPR Pilot Project

Selection Issues

Community selection

- High pesticide use
- Demographics
- Weight of criteria

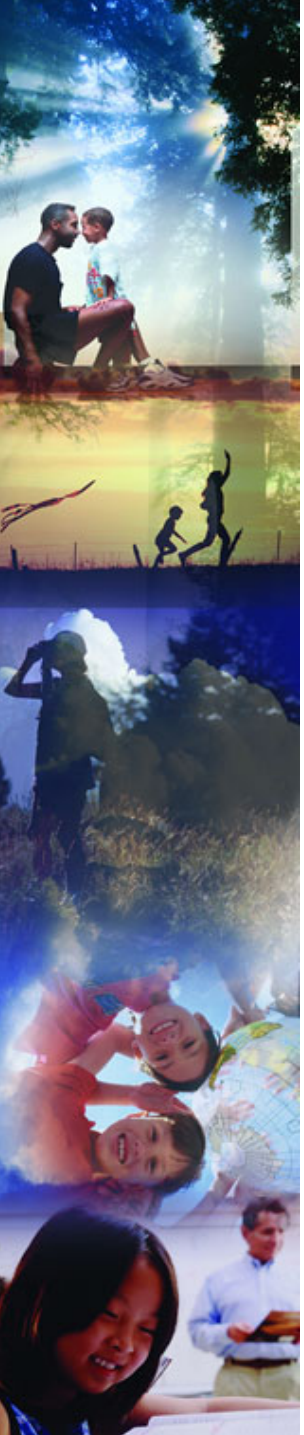
Pesticides selection

- Volatility
- Toxicity
- Relative use
- Can be analyzed in same sample

DPR Pilot Project

Project Constraints

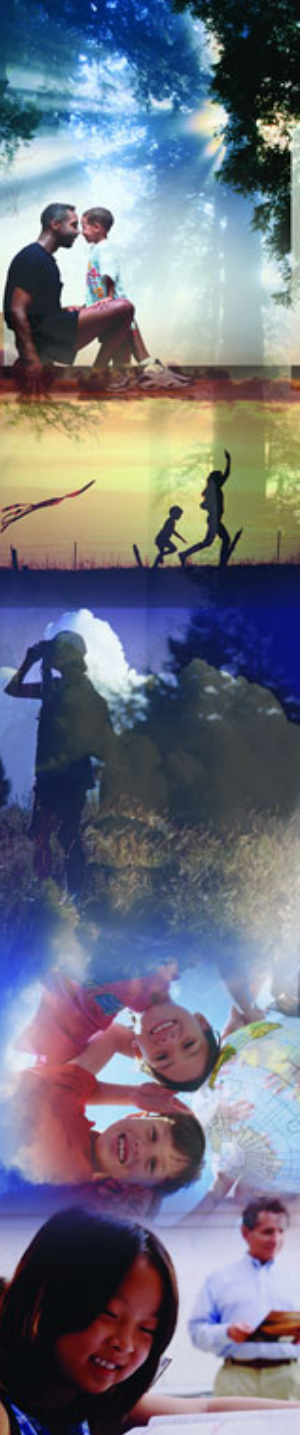
- Not all pesticides can be monitored
- Staffing
- Time
- Lab availability



DPR Pilot Project

Cal EPA
seeks *your* input on the following:

- What communities do you believe are the best sites to test our approaches?
- What additional or alternative parameters should we consider?



DPR Pilot Project

Contact Information

Randy Segawa, Team Leader
Department of Pesticide Regulation, Cal/EPA
1001 I Street
PO Box 4015
Sacramento, CA 95812-4015
Ph. 916/324-4137 FAX 916/324-4088
rsegawa@cdpr.ca.gov

Department of Pesticide Regulation Pilot Project

Opportunity for your Input

and

Questions and Answers

Department of Toxic Substances Control's Northern California Pilot Project

Caren Trgovcich
Division Chief
Statewide Cleanup Operations

Department of Toxic Substances Control

Primary Responsibilities

- Protect public health
- Regulate hazardous waste
- Clean up existing contamination
- Reduce the creation of hazardous waste

Department of Toxic Substances Control

Environmental Justice Approaches

- Increasing cleanups
- Strengthening enforcement
- Broadening community outreach
- Assessing exposure and health risk
- Evaluating impacts regionally

Department of Toxic Substances Control

Goals for Pilot Project

- Focus on Brownfields
- Evaluate environmental risks to children's health
- Develop practical strategies to reduce children's environmental risk

Department of Toxic Substances Control Pilot Project Parameters

- Community Involvement
- Responsible Party Support
- Local Involvement
- Adequate Site & Community information
- Authority to clean up site
- Ability to apply results elsewhere
- Time & Resources

Department of Toxic Substances Control Pilot Project

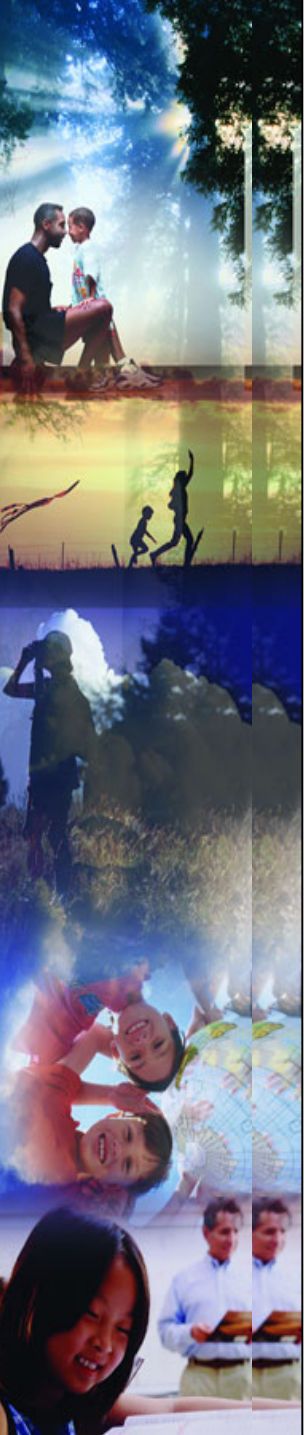
<u>What We Need From You</u>

- Which community best meets the criteria for this pilot, and why?
- What kind of site should we evaluate?
- Should any other criteria be considered?

Department of Toxic Substances Control Pilot Project

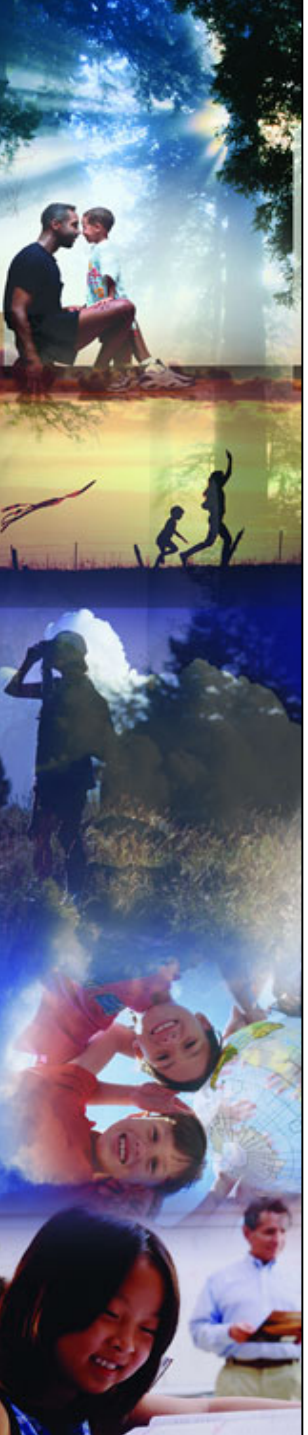
Contact Information

Barbara Cook, Team Leader
DTSC, Statewide Cleanup Operations
700 Heinz Avenue
Berkeley, CA 94710-2721
(510) 540-3843
bcook@dtsc.ca.gov



Department of Toxic Substances Control Pilot Project

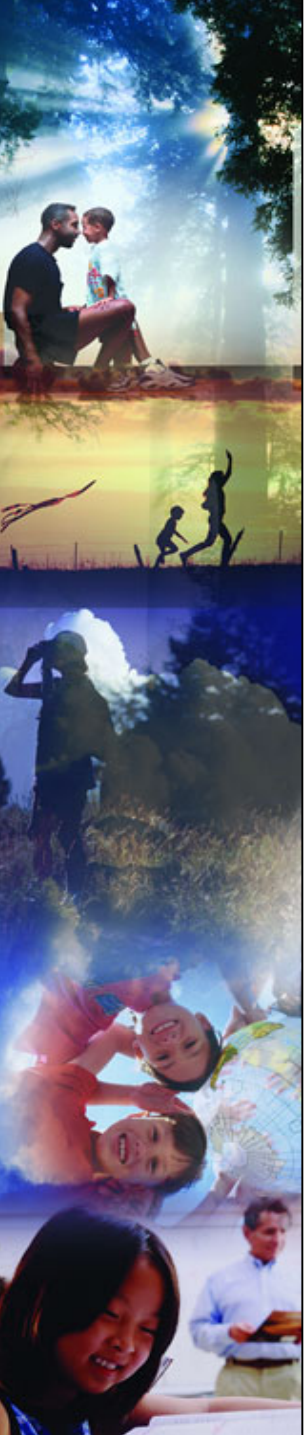
Opportunity for your input and questions and answers



Air Resources Board Southern California Pilot Project

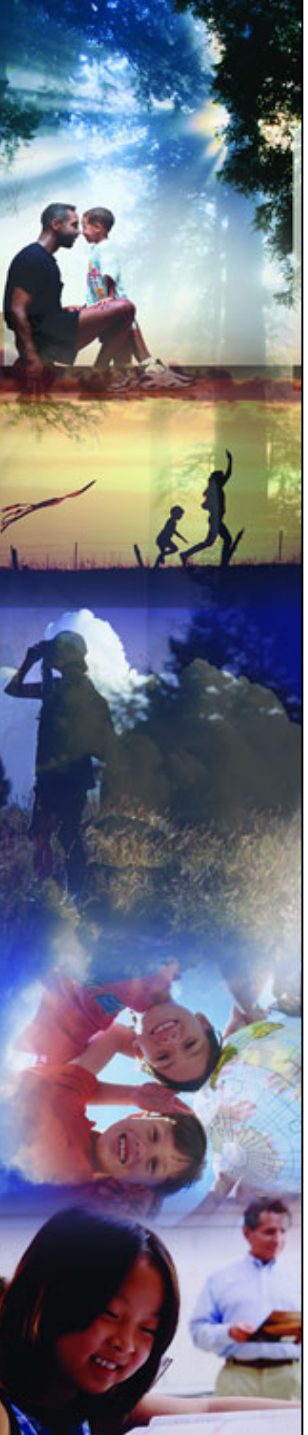
Catherine Witherspoon

Executive Officer



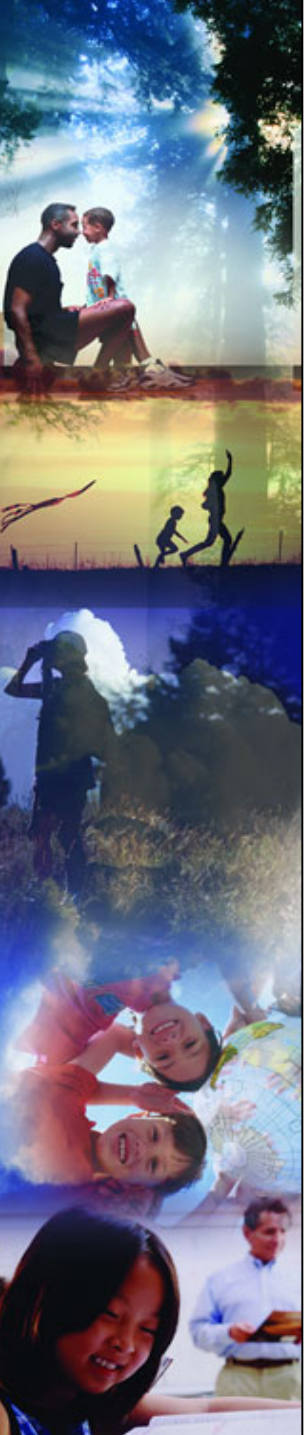
Air Resources Board's (ARB) Primary Responsibilities

- Protect public health
- Adopt State Air Quality Standards
- Regulate mobile sources, fuels, and consumer products
- Develop Air Toxic Control Measures
- Implement enforcement, research, and monitoring programs
- Oversee local Air District programs



ARB's Environmental Justice Policies

- Reduce Air Pollutant Emissions
- Strengthen Enforcement
- Enhance Community Outreach
- Assess Cumulative Emissions, Exposure, and Health Risk
- Promote Research and Data Collection

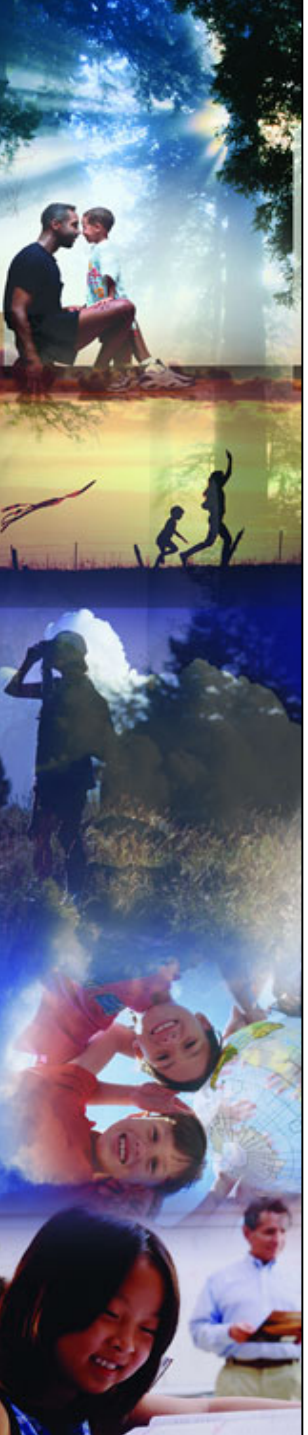


ARB's Prior Environmental Justice Work

Community air monitoring

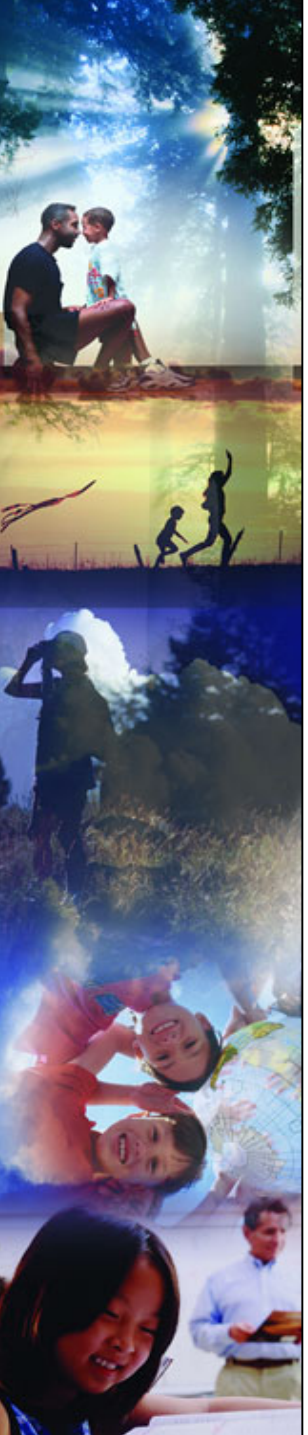
- Boyle Heights
- Wilmington
- Barrio Logan
- Fruitvale
- Crockett
- Fresno

- Neighborhood Assessment Studies
- Data collection
- Diesel particulate control



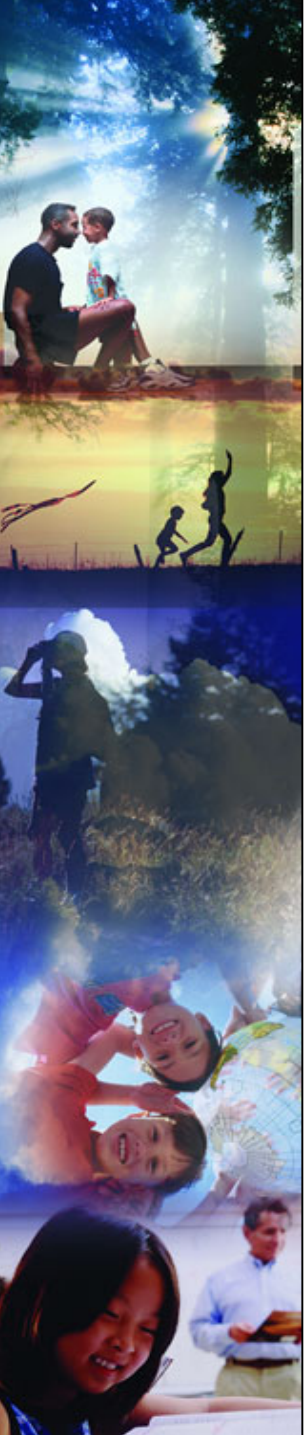
ARB's Goals for the Pilot Project

- Improve understanding
- Identify regulatory gaps
- Develop emission control strategies
- Involve community throughout the process



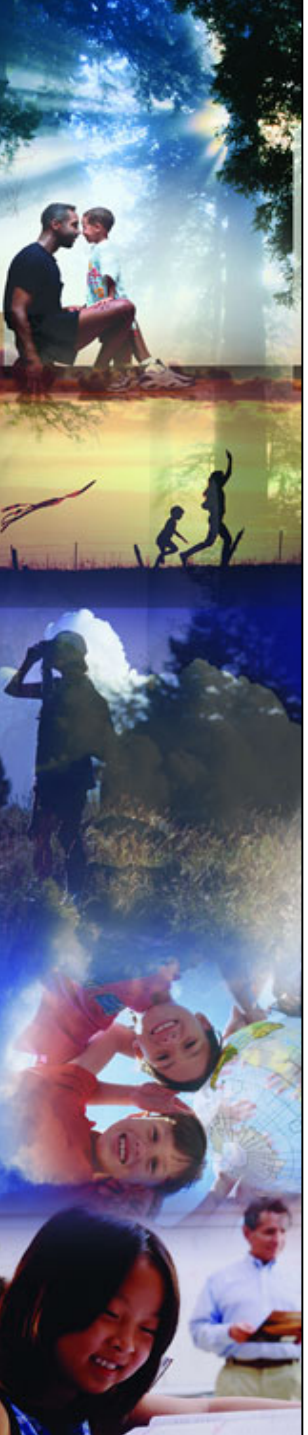
ARB's Criteria to select the location

- Community Support
- Concentrated Air Pollution Sources
- Major Diesel Contribution
- Adequate Baseline Data
- Opportunity to Learn More



Strategies To Be Explored

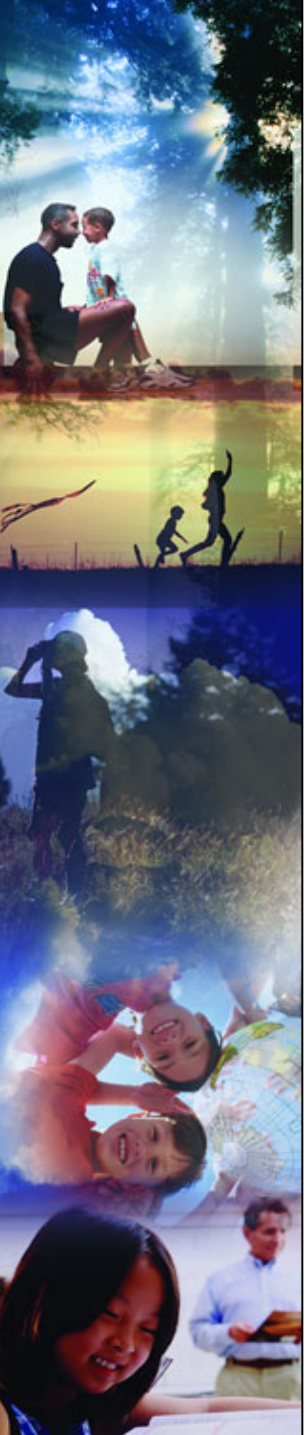
- Localized Controls
- Pollution Prevention Techniques
- Enhanced Enforcement
- Incentive Programs



ARB's Pilot Project

What We Need From You

- Which community would best satisfy our selection criteria?
- Should any other criteria be considered?
- What kind of clean up strategies should should we evaluate?



Air Resources Board Pilot Project

<u>Contact information:</u>

Dale Shimp – Team Leader

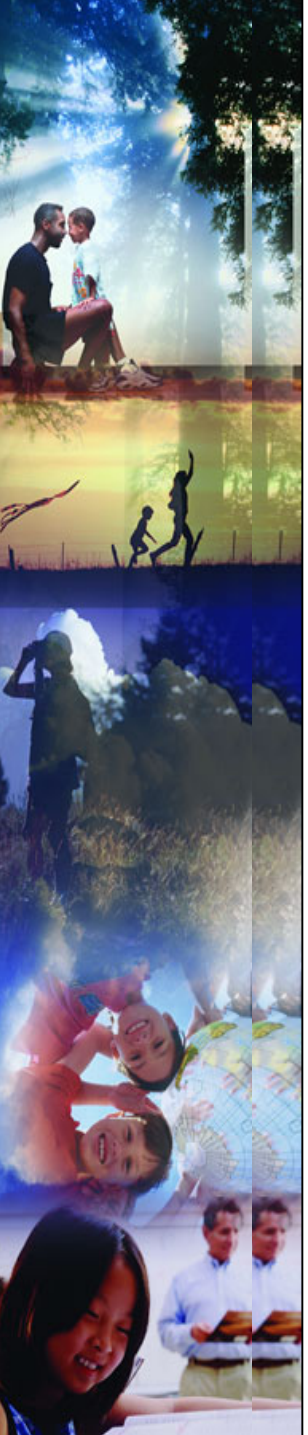
Environmental Justice Section

Air Resources Board

1101 I Street Sacramento, CA 95812

Ph: 916-324-7156 FAX: 916/327-8524

dshimp@arb.ca.gov



Air Resources Board Pilot Project

Opportunity for your input and questions and answers

Public Participation and Community Capacity Building

Jim Marxen

Branch Chief, Public Participation
Department of Toxic Substances Control

Public Participation and Community Capacity Building

Public Participation:

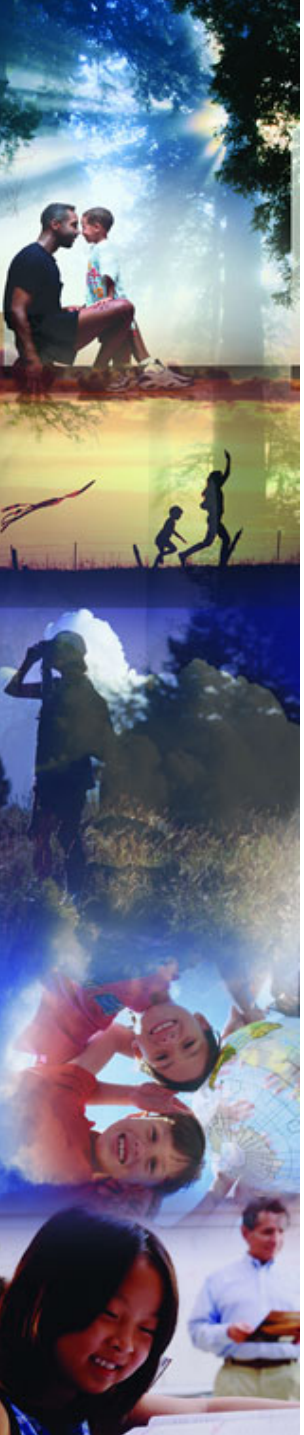
Ensure access to the decision-making process to allow full participation in developing solutions

Community Capacity-Building:

Improve a community's ability to define, assess, analyze and communicate its concerns

Public Participation and Community Capacity Building

- Inventory current public participation guidance and mandates
- Develop common public participation guidance



Public Participation and Community Capacity Building

- How do you define public participation?
- What specific things can we do to improve our approach?
- How can we communicate better?
- What are the best methods for communicating with you?

Public Participation and Community Capacity Building

Contact Information:

Jim Marxen, Team Leader
Department of Toxic Substances Control
1001 I Street, PO Box 806
Sacramento, CA 95812-0806
(916) 324-6544 FAX: (916) 327-0978
jmarxen@dtsc.ca.gov

See our Web site at:
www.calepa.ca.gov/EnvJustice/

Public Participation and Community Capacity Building

Opportunity for your Input

and

Questions and Answers

Multi-Media Cumulative Impacts

John Faust

Senior Toxicologist

Office of Environmental Health Hazard Assessment

Multi-media Cumulative Impacts

What does "multi-media cumulative impacts" mean?

Multi-media:

Paths of exposure - air, water, food, soil

Cumulative:

Increasing successively, such as from multiple sources and over time

Multi-media Cumulative Impacts

Existing definitions…

California Environmental Quality Act (CEQA)

"…two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts."

U.S. Environmental Protection Agency

"The combined risks from aggregate exposures to multiple agents or stressors."

Environmental Justice Advisory Committee

"The total burden of all emissions and discharges in a geographical area."

Multi-media Cumulative Impacts

Who/what is impacted?

- People? A community?
- Geographic area?
- The environment?

What is causing the impacts?

- Chemicals? Agents?
- Non-chemical stressors?
- Emissions? Discharges?
- Projects? Actions?
- “Individually minor but collectively significant”?

Multi-media Cumulative Impacts

What type of impacts?

- Only health risks?
- Direct *and* indirect effects?
- Burdens?
- Ecological effects?
- Negative *and* positive effects?

What is the time frame?

- Short-term *and* long-term?
- “Past, present, and reasonably foreseeable future”?

Multi-media Cumulative Impacts

Cal/EPA seeks your input on the following:

Definition

How should “multi-media cumulative impacts” be defined?

Multi-media Cumulative Impacts

Inventory of methods

What studies, protocols, or tools are …

- currently available
- needed, but not yet available or used

… to evaluate multi-media cumulative impacts on a community or area?

Multi-media Cumulative Impacts

Future activities:

Develop criteria and protocols…

…for identifying and addressing environmental justice gaps in standard risk assessment

Develop guidance…

…on multi-media cumulative impacts analysis, prevention and reduction

Recommend implementation options…

…including proposals for policy, regulatory, and statutory changes.

Multi-media Cumulative Impacts

Contact Information

John Faust, Team Leader

Office of Environmental Health Hazard Assessment, Cal/EPA

1515 Clay St., 16th Floor

Oakland, CA 94610

(510) 622-3185

(510) 622-3211 (fax)

Multi-media Cumulative Impacts

Opportunity for your input, Questions and Comments

Precautionary Approaches

Tim Hall
Team Leader
Integrated Waste Management Board

Dimitri Smith
Co-Team Leader
Integrated Waste Management Board

Precautionary Approaches

Cal/EPA *seeks your input* on the following:

Definition

How should “precautionary approaches” be defined?

Precautionary Approaches

Environmental Justice Advisory Committee

- Broad consensus on the importance of using precautionary approaches
- Many current environmental programs are precautionary in nature
- Additional precaution may be needed to prevent or address EJ problems
- Precaution does not mean a guarantee of zero risk, or a mandate to act without credible threat of harm

Precautionary Approaches

Existing definition of Precautionary Approach:

U.S. Commission on Ocean Policy

"…applying judicious and responsible management practices based on the best available science and on proactive, rather than reactive, policies. Where threats of serious or irreversible damage exist, lack of full scientific certainty shall not be used as a justification for postponing action to prevent environmental degradation."

Precautionary Approaches

Existing definition of Precautionary Approach:

<u>San Francisco Board of Supervisors</u>

"Where threats of serious or irreversible damage to people or nature exist, lack of full scientific certainty about cause and effect shall not be viewed as sufficient reason for the City to postpone measures to prevent the degradation of the environment or protect the health of its citizens.... Where there are reasonable grounds for concern, the precautionary approach to decision-making is meant to help reduce harm by triggering a process to select the least potential threat."

Precautionary Approaches

Existing definition of Precautionary Approach:

<u>Environment Canada</u>

"…a distinctive approach within science-based risk management. It recognizes that the absence of full scientific certainty shall not be used as a reason to postpone decisions where there is a threat of serious or irreversible harm."

Precautionary Approaches

Existing definition of Precautionary Approach:

<u>Rio Declaration, Principle 15</u>

“ Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.”

Precautionary Approaches

Future Activities

Inventory of approaches

where/how are precautionary approaches used and what obstacles would limit further precautionary action

Evaluate whether additional precaution may be warranted

to address or prevent environmental justice problems

Develop guidance

on use of precautionary approaches in Cal/EPA's programs

Recommend implementation options

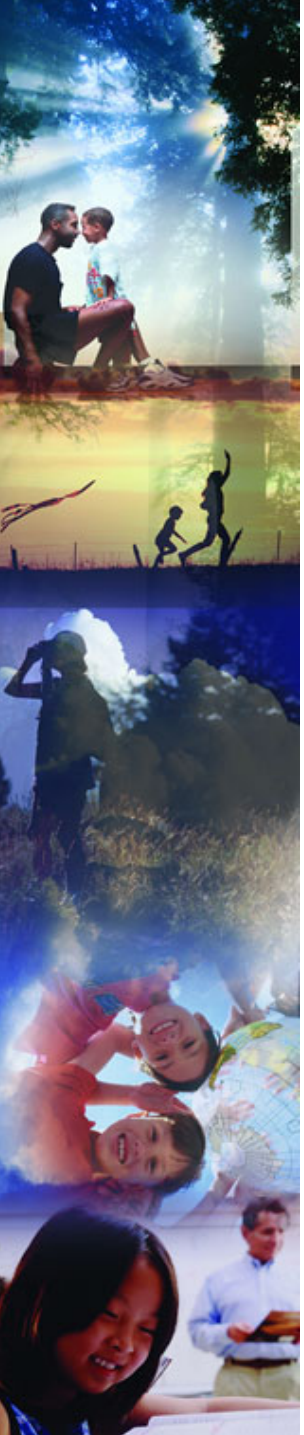
including proposals for policy, regulatory, and statutory changes

Precautionary Approaches

Contact Information

Tim Hall, Team Leader
California Integrated Waste Management Board
1001 I Street, Sacramento, CA 95814
Ph: (916) 341-6205 FAX: (916) 319-7486
timothyh@ciwmb.ca.gov

Dmitri Smith, co-Team Leader
California Integrated Waste Management Board
1001 I Street, Sacramento, CA 95814
Ph: (916) 341-6378 FAX: (916) 319-7486
dsmith@ciwmb.ca.gov



Precautionary Approaches

Opportunity for your Input
and
Questions and Answers

Next Steps

- Next Public Meetings
- Next Public Comment Period
- Next Public Workshops

We appreciate your time

Please **leave your comments** sheets in the box as you exit!

Contact Information

For more information, please contact Cal/EPA's EJ Program staff at

1001 I Street

Sacramento, CA 95128

EnvJustice@calepa.ca.gov

(916) 324-7582