

US EPA ARCHIVE DOCUMENT

Scoping Meeting Questions and Answer Sessions

February 10, 2010

These notes should aid attendees in recalling comments and discussions from the meeting, but provide only a limited account of the wide-ranging discussions that occurred.

- 1. These are notes from discussions held following a presentation HIA from EPA's contractor, Human Impact Partners (HIP), prior to table exercises. Answers were generally provided by HIP or EPA.**

(C = Comment, Q = Question, A=Answer)

Q: Looking at characteristics in a holistic manner (infrastructure and living conditions), it is not clear to me, when there are multiple influences in place like the port that contribute to these problems, unless HIA is done in a more expansive way you won't be able to tease out all these problems. Need to take a regional or sub-regional approach.

A: I totally agree. A regional look at things would be helpful. But it is also still helpful to look at projects as they are proposed, because is good to look at...

Q: We already have a lot of laws that look at project specific impacts, so what is the study area for HIA?

Q: Adding to the question, how far out from the port should it go? Should major traffic corridors and rail corridors be considered?

A: Let me add – this is going on in many places – not just ports, 710 project committee, cap and trade. We think all these need to be analyzed for health comprehensively.

Q: To establish a baseline need to look at the larger region to get a baseline. Need to be very comprehensive.

A: Would want to understand health outcomes and determinants – this is what is meant by baseline

Q: Don't understand how you would look at baselines as comprehensively as would need to be?

A: Don't think it is as daunting as you're making it out to be.

Q: Using the rent example - Do you also do an analysis if a project doesn't go through (i.e. if rents don't increase – what would be the impact – mold, conditions decrease?)

Q: Are at an impediment now – there is not a grand vision for how – how do you know?

A: Several options for how we could move forward... if ports would go through a larger planning process – this could be included in the process. Don't try to make it too complicated.

Q: Air pollutant effects, is the idea that you could look at conditions near freeways?

Q: Who runs this?

A: Depends, if doing an EIS, it could be the same agency. Have also done HIAs with public health departments and community groups.

EPA comment: we see it [HIA] as an important tool we want to explore – we have to review EISs and we look at them through multiple lenses – we ask if the project would pose a problem for environmental law and also look at impacts to local communities. If the Army Corps of Engineers is running an EIS – this could be a major component of that analysis. They are looking at the potential for including this in the analysis agencies conduct for compliance with CEQA / NEPA.

A: Could use HIA to highlight the positive impacts of projects, for example, the greenway project – positive and negative.

Q: When we were talking about existing health problems – this goes beyond the port. Pathway 9 – Need to bring broader – not just the port – revenues that will help address issues is from one source – reality is that there are a variety of sources contributing to revenues and what is spent on community.

Q: I feel like there is a piece missing with the pathways – in EIS all projects have a purpose, what is the health impact of the purpose? Look at the health related purpose of the project – include this.

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C: more conversation about whether an HIA would even be necessary would have been helpful at the meeting.

Q: Question about process – will document be distributed to stakeholders? Is this a defined group or a group in evolution? Will we distribute the revised pathways?

A: One possibility – we will revise pathways and send out to whoever is interested. Anyone can provide and receive comments.

A: If there are others you think should be part of the group – tell us.

C: There was interest from press in this engagement.

C: If I am trying to come at things from a policy level – an HIA feels a little like only assessing the negative impacts. If want to address health at a high level – would take a proactive/positive approach. Wants to find solutions and doesn’t necessarily see this as doing this.

A: In order to understand how to develop creative recommendations you need to know what the policy or project is. Recommendations from HIAs could be elevated to a higher, policy level – maybe not all, but some could.

A: We create a report. EPA vets it with stakeholders. It is a public document. Stakeholders get chance to review the document.

Q: Would all stakeholders get to see all the comments – not just edited document. So when findings are out there – people can see where things came from?

Q: At the beginning of today – this was to discuss a tool. But has also been a contractual link between EPA and contractor. Still not clear what to expect. Not sure where this is going?

EPA comment: EPA’s environmental review office has encouraged the use of a process like HIA. We were trying to get support for exploring the concept in regard to ports and got \$15,000 from Office of Environmental Justice in EPA headquarters. Are we on the same page about going down this path? We wanted to pick everyone’s brains about the content of the report. We will have a report from the meeting and a scoping document.

If it moves forward, the EPA is committed to participating even though we can’t support a full effort financially. It is important to have a neutral party facilitating and both the ports and the community participating. From our organization’s perspective, at every public comment opportunity we have requested a HIA be done.

C: Coming from Army Corps, seems like a fundamental tool as part of an assessment is a basic understanding of the economics of the ports. If we are able to adequately lay out the socioeconomics, this basic info could be

fed into the HIA. Economics of the ports is a fundamental issue. It doesn't matter if it is money for water quality or employment, health benefits. This is the basis of trying to figure out what the HIA will tell you.

C: Thank you for bringing such a diverse group together. Through the comments – everything seems to be negative. What is missing are the positive impacts. No one makes note of the positive. So focused on the negative, have lost sight of the positive.

C: This is almost like trying to capture what has been missing—how to address the regulatory gaps. If you think there are no regulatory gaps then you have to think this is unnecessary. But there are many regulatory gaps. This is somewhat in the realm of high-level officials. At the community level there is an increasing understanding that there is something missing and there must be a way to capture these impacts. It might actually help if there was another day like this. To have examples how an HIA process would actually document analysis and gain consensus. Wants to see how HIA can help. Maybe this is a tool that actually works. There has been a lot of energy put into proving that this tool actually works.

A: This is the first time the EPA has done this. HIP has been helping them understand this. They haven't said this is actually what they are going to do. If the balance between positive and negative has not shown up here, that is good feedback.

Q: Not clear about whether this is appropriate to apply to a project scale. Where in the sequence of the environmental analysis would this be conducted? Got the sense from the materials it would be done on the front end as a sort of screening of the project, but now not sure.

A: Integrate it. Don't care if it is an HIA, just wants public health to be included comprehensively. Give public health a seat at the table.

C: Very different situation at San Pedro – other communities may not do as good a job. But should know more what is at the table before making that kind of comment. They are insulted by this insinuation.

Q: Would be helpful to understand if this is the appropriate tool – what are the needs that people feel should be analyzed? Not sure what are the things people feel should be answered that are not currently being answered?

C: There will be opportunities for funding these types of projects through grants for sustainable communities. Encourage people to go to web site for grants about sustainability.

Q: What is the process now in terms of taking input and turning it into a scope of an HIA? Feels like a warm and fuzzy and not the basis for determining a solid agreed upon scope. From someone who deals with CEQA – this was a nice brainstorming process...

A: Will not have a document like the one you're talking about (CEQA scope doc). Not the intention of the meeting – would be more that would have to be engaged before you could go out and complete the HIA. Methods, data, would not be included in this scope.

C: EPA over the years has made available resource documents and case studies.

C: Agree the ports do probably the most comprehensive analysis. Thank you EPA for starting this conversation. It is great that this conversation is happening - can get us to the next level. As a starting conversation this has been great.

Q: Question about Port of Oakland.

A: Class at UC Berkeley conducted. Professors who led the class will release.

Q: Is safe to say it is a case study, was Port of Oakland included in the assessment?

A: I don't know. It was port-wide and they are close to releasing it.

Q: Would people like to be involved with the EPA to have another conversation? [Many people said they would be interested in participating.]

C: Absolutely need to have an understanding of the economics of port operations informing this process. This info could feed into the HIA; absolutely fundamental.

C: If we go forward with this we need an independent facilitator.

C: What's written down is negative – what's missing are the positive benefits. Need a more balanced view.

C: HIA addresses regulatory gaps – regulatory regime is still new. If your assumption is that there are no regulatory gaps then an HIA will not be viewed positively. Do acknowledge that methodology is still evolving. Need another day-long training with project proponents and industry and community to hear positive examples where HIA practice has helped.

C: Is it appropriate to do this at a project-scale, i.e., marine terminal? What about doing this front end as part of screening?

A: It's supposed to be integrated. The vision is that thru HIA, public health has a seat at the table. But, HIA is just a tool.

Q: Would be helpful to know, is this the *appropriate* tool? What were the needs that weren't being addressed?

C: A pre-project HIA could deal with co-benefits.

C: This is a warm and fuzzy – how will this be turned into an “honest-to-God” scoping document. This was a nice brainstorming exercise but that's all.