

**Commission on Environmental Justice & Sustainable Communities (CEJSC)**  
**Children's Environmental Health Protection Advisory Council (CEHPAC)**  
**Annual Joint Meeting**

Meeting Minutes

*May 27, 2014*

*Present:* Commissioners: Dick Fairbanks, Benoy Thomas, Arabia Davis, Cliff Mitchell, John Quinn, Calvin Ball, Lisa Nissley, Vernice Miller-Travis (by phone), Steve Levitsky (by phone), Larry Polsky (by phone), Molly McKee (for Senator Ferguson, by phone).

Participants: Veronika Corella, Megan Latshaw, Wes Queen, Tommy Landers, Chris Clark, Robbyn Lewis, Elizabeth Young, Ed Crow, Crystal Heide, Megan Ulrich, Darlene Mitchell, Julian Levy, Stephanie Cobb-Williams (by phone)

*Next meeting:* June 24<sup>th</sup> at Montgomery Park

**I. Introductions**

All Commissioners and Participants present introduced themselves.

**II. Discussion**

Cliff stated that coordination between the CEJSC/CEHPAC is really important.

Calvin agreed that EJ is important and is a children's health issue.

Megan Latshaw inquired about an update on what CEJSC does.

Lisa announced that there are 20 members on CEJSC and named the different types of members:

MD Senator	The Honorable Bill Ferguson
MD Delegate	The Honorable Elizabeth Bobo
MDE	Robert M. Summers (Lisa Nissley, Designee)
DHMH	Joshua Sharfstein (Cliff Mitchell, Designee)
MDP	Richard E. Hall (Arabia Davis, Designee)
DHCD	Raymond Skinner (Caroline Varney-Alvarado, Designee, Karen Forbes, Designee)
DBED	Dominick Murray (Elaine McCubbin, Designee)
MDOT	James Smith (Robin Underwood, Designee)
Business Organizations	John Quinn

Business Organizations	John Kotoski
Environmental Organizations	Vacancy
Environmental Organizations	The Honorable Andy Fellows, CEJSC Vice-Chair
Health Experts	Dr. Andrea Kidd-Taylor, Morgan State University
Local Government	The Honorable Calvin Ball, Howard County Council, CEJSC Chair
Local Government	Dr. Laurance Polsky, Calvert County Health Officer
General Public with Interest/Experience	Scot Spencer
General Public with Interest/Experience	Benoy Thomas
General Public with Interest/Experience	Vernice Miller-Travis, CEJSC Vice-Chair
Affected Communities with EJ Concern	Richard Fairbanks
Affected Communities with EJ Concern	Steve Levitsky

Lisa also went over the CEJSC charge.

Calvin stated that the CEJSC has taken an informational approach to providing testimony to the General Assembly.

Lisa recapped what the CEJSC has been doing recently. Discussion included the EJ MDE permitting documents, county outreach, academic outreach, and the EJ-101 documents.

Julian Levy inquired about whether or not there was a budget for CEJSC.

Calvin responded that there is not, therefore the CEJSC tries to focus on things directly related to the charge.

Veronica asked if the EJ-101 documents could be shared. Calvin responded that they could be.

In relation to HB 1430, Cliff said that CEHPAC needs to have more contact with people and with EJ communities. He wanted to connect more with CEJSC on the issue to get help and to get more information on EJ. He wanted to acknowledge that CEJSC has the expertise in EJ.

Cliff announced that he wished to talk about climate change. The effects of climate change will be felt most acutely in vulnerable communities and this could incorporate issues related to sea level rise.

Calvin said that he works on the Smart Growth Commission and they go to colleges, etc. and do a sustainable growth challenge for the students. One of the top winners this year dealt

with this exact issue: They worked with a community on the Eastern Shore and modeled that it will be gone in 50 years. The student studied and modeled how to remediate the problem, move the community, etc.

On the topic of relocation, Cliff asked what it means in terms of EJ. Cliff wants to discuss facility siting and EJ issues. He also wants to discuss school, in terms of children's environmental health, permitting for facilities, etc. and how to incorporate that.

Veronica discussed the legislative process. She does not believe that interjecting during the 90 day legislative process works. She discussed CEHPAC's charge (policy shaping, identifying and supporting new proposed legislation). She broke this down by a timeline of how to address CEHPAC issues and how to be more effective. She also discussed the fact that CEHPAC needs to monitor the bills that come up during the legislature.

Cliff said he asked Veronica to do this because the CEJSC has done some legislative briefings in the past. Cliff said that he would like to think about doing a legislative briefing on certain EJ/joint bills.

Calvin asked if the CEJSC has legislators that serve on their Council. Cliff responded that they do: Delegate Hubbard and Senator Jacobs.

Calvin asked how the CEJSC can better engage the members that are legislators. He said that having things come from members is more effective than when they come from other legislators. They can promote EJ-101, which is one of the top priorities this year. He believes the Commission should explore which of our shared issues we should share with the legislators.

In terms of briefing, Lisa said that they usually put CEJSC off until the second year for a briefing because they may be covering things like the difference between MDE vs. DNR. She proposed that CEJSC could testify during the second term, and could also identify legislators to build a relationship with.

Calvin agreed and pointed out that they are more apt to sponsor bills if they have a connection to the CEJSC.

Julian Levy asked if CEJSC could lobby for certain legislators to be appointed to our commissions, to which Calvin answered yes, we can lobby the legislature.

Lisa said that sometimes they are receptive to suggestions, but sometimes not.

Cliff said that given the new legislators in January, it is necessary to identify legislators and opportunities for outreach.

Tommy Landers noted that new legislators sometimes go on tours to see different parts of the state. Therefore, another possible approach is to do an EJ tour or an EJ stop on the tour that they are already doing.

Lisa said that DLS typically coordinates that through the committees. Lisa said that the CEJSC has already briefed caucuses.

Calvin asked if the green caucus is still active.

Tommy responded maybe, but not at this time.

Calvin suggested a holding pattern for now, at least until after the June 24<sup>th</sup> primary.

Cliff said that the CEJSC has been trying to wrap its head around permitting and siting facilities for a long time. Baltimore City is going to have a lot of new school construction.

Cliff asked if we can do a flowchart or a diagram on how permitting actually works and include text on 101/EJ-101 for the permitting process on siting for permits. Cliff talked about siting of a source of pollution as well as environmental permitting for local zoning and the state aspect of it. All of those have EJ/children's environmental issues associated with them. He believes having a handout would be beneficial and that it would be a project for the group, as a one pager.

Lisa said that MDE is currently developing a WG related to environmental permitting. Details are still being worked out and more specifics will be shared next month.

John Quinn noted that environmental permitting is separate from zoning.

Cliff acknowledged that they are separate, but that he would like to try and incorporate them together on a one pager to show the difference and to show the ultimate outcome.

Megan Latshaw inquired about how often health impact assessments are used in Maryland.

Cliff responded that the HIA is used to develop a baseline quantitative/qualitative impact and then to look at if there is an impact and how those impacts can be mitigated or offset. He said that Montgomery County is starting to do it and the CSX terminal went through one.

Calvin said that the impacted public does not know who is in charge of what impact. He also noted that there is a lot of energy wasted on advocating to the wrong individuals at the wrong time. It is necessary to educate the general public about impacts, as well as on whom to advocate to and when.

Cliff said that he has a grant that is up for renewal for the environmental public health tracking and that he can give some money in order to get those materials distributed to the general public.

Calvin suggested that the goals for the year be set up at the July retreat, where they can be built and worked upon collaboratively by the group.

Stephanie Cobb-Williams pointed out that the state cannot encroach on the county's ability to zone. She wants to make sure that the expectations of the public are not raised.

Cliff noted that the 101 says it must be made clear what part of it is zoning and what part is permitting.

Stephanie Cobb-Williams noted that it is important to be cautious. Things must be worded carefully because anytime there is a perspective polluter; there is a potential EJ issue.

Vernice said that EJ communities understand pretty clearly that we are unable to help them at the local level.

Calvin noted that the CEJSC will continue discussing the issue.

Cliff said that the one-pager could also lead to a briefing in the future. Currently, CEHPAC is working on indoor environments this year.

Calvin asked for more information on construction projects in Baltimore City.

Cliff listed and discussed several construction projects:

- A one billion dollar bond approved by the General Assembly to do renovation on Baltimore city schools and to construct 14 new schools.
- CEHPAC met with the public school construction program on how they are trying to assure that children are protected during and after construction.
- CEHPAC will end up being a resource for the program.

Calvin asked that Cliff keep us informed.

Cliff said that CEHPAC will be focused on the indoor environment. Currently, MDE is in the process of implementing the RRP rule for lead. DHMH is going to be issuing new guidelines for clinical testing of children with lead exposures. He also noted that the most pressing environmental health issues for kids today are lead and asthma. These are two issues that implicate where people live. In discussing the Affordable Care Act, he asked if there were ways of integrating environment assessments into how people are affected. Cliff also asked what the ACA means in terms of EJ.

Greg noted that one of the big issues is asthma, which is perpetuated by many factors in the environment. However, there is very little built into the medical care system for environmental control. From a clinician's standpoint, it is hard to integrate environmental control into the treatment process.

Cliff has grants in for asthma on how to try and align reimbursement for environmental control precautions/treatment.

Diana mentioned that asthma is a difficult topic to address for the local health department. However, now that they are aware of the issue, they can better plan on how to address it and how to acquire funds to remedy it.

Larry Polsky noted that one possibility going forward is to do community outreach efforts to the communities with one hospital as there may be enough concentrated need for the efforts. This may reduce ER admissions and length of hospital stays.

Cliff said that the community benefits agreements are supposed to look at the health needs of the community in the community benefits assessment.

Greg brought up the project with Baltimore City Health Department, a government affairs group at Hopkins, and B'more for Healthy Babies. Air cleaners may be a partial solution. These groups did a pilot for air cleaners with homes with pregnant moms and newborns. It is a current ongoing program.

Calvin asked to follow up on the hospital issues that Cliff, Wes Queen, and Greg discussed.

Wes suggested looking at the MIHC website to see the requirements of the CBA and to see what they have to do.

Larry Polsky noted that Calvert County is doing the community health needs assessment, but each County is going to decide how to set things up. There will be standardized questions from jurisdiction to jurisdiction. Three standardized questions should be generated that get the most information in a relatively standardized way.

Cliff agreed that this was a great idea.

Larry Polsky said the hospitals have to do the agreements with the hospitals and the local health department, but the hospitals have to fund them.

Calvin said it is necessary to figure out where the opportunity is and then decide on the next steps on how to address it. He asked if it is possible to figure out if there is an EJ issue in communities in three questions.

Larry Polsky asked if there are questions that can be asked to members of the community.

Calvin noted that they are not mutually exclusive due to the hospital/county issue.

Cliff discussed the one pager on zoning/permitting, the joint CEHPAC/CEJSC members. CEHPAC will report back on the health impact/CBA/ACA/update.

Veronica inquired about having another joint meeting in the fall. Calvin said that is an option that could be explored.

Dick said that we can take the long view and reach out to the legislators, and work with the minority party in the legislature. He would be happy to take a lead role on reaching out to legislators. Dick said that there is a good man running for Sheriff in the Baltimore City and he has handout materials for his campaign. He also had handouts for Leakin Park about the second Sundays for April through November.

Dick moved to approve the April minutes.

Cliff Seconded.

Adjourn

**The next CEJSC meeting is scheduled for June 24<sup>th</sup> at Montgomery Park.**