

ALAMEDA COUNTY
LEAD POISONING PREVENTION PROGRAM
A Joint Powers Authority serving the Cities of Alameda, Berkeley, Emeryville, and Oakland
2000 Embarcadero, Suite 300, Oakland, CA (510) 567-8282
www.achhd.org

DATE: April 16, 2021

TO: Directors and Alternates
Alameda County Lead Poisoning Prevention Program

FROM: Larry Brooks, Secretary
Joint Powers Authority

SUBJECT: **Meeting of the Board of Directors**

The next regular meeting of the Alameda County Lead Poisoning Prevention Program Joint Powers Authority Board of Directors is scheduled for **Thursday, April 22, 2021. The meeting will begin at 9:15 a.m., or immediately following the Administration and Finance Committee Meeting.**

In response to the COVID-19 pandemic, and pursuant to California Governor Gavin Newsom's Executive Order N-29-20, the Alameda County Lead Poisoning Prevention Program Joint Powers Authority Meeting of the Board of Directors will be available via teleconference.

Members of the public can also attend in person at the Alameda County Healthy Homes Department, 2000 Embarcadero, Suite 300, Oakland, CA. Members are encouraged to watch the meeting of the Board of Directors online by clicking the following link

<https://global.gotomeeting.com/join/870799453>

or dial in by using your phone, 1 (872) 240-3212 using Access Code: 870-799-453

If viewing the meeting via teleconference, you may provide written comment on an agenda item or raise an issue during Open Forum by sending an email to Lidice De La Fuente at Lidice.DeLaFuente@acgov.org. Please include your name and identify the agenda item you are addressing or that your comment falls under Open Forum. It is encouraged to send any comments 24 hours prior to the meeting; however, members of the public will be able to send written comments via email during the meeting as well.

If you require a reasonable modification or accommodation for a disability, please contact Lidice De La Fuente at Lidice.DeLaFuente@acgov.org or (510) 567-8291 at least 48 hours before the meeting of the Board of Directors.

Attached is the agenda packet for the meeting.

Thank you.

ALAMEDA COUNTY LEAD POISONING PREVENTION PROGRAM
JOINT POWERS AUTHORITY

A G E N D A

General Board Meeting

April 22, 2021

9:15 A.M. or immediately following the Administration and Finance Committee Meeting

Please join the meeting from your computer, tablet or smartphone
<https://global.gotomeeting.com/join/870799453>

or dial in by using your phone, 1 (872) 240-3212 using Access Code: 870-799-453

or in person at

Alameda County Healthy Homes Department, 2000 Embarcadero, Suite 300, Oakland, CA

NOTICE: All meetings of the Alameda County Lead Poisoning Prevention Program Joint Powers Authority Board of Directors are open to the public. Those wishing to address the Board of Directors on items not on the agenda may do so during the open forum section of the meeting.

- 1) **Open Forum** (Discussion)
Directors, alternates, staff, or members of the public may address the Board of Directors regarding items not on the agenda. The Board will listen to matters presented but may not take action on these items.
- 2) **Director's Report** (Information)
- 3) **Environmental Defense Fund Request:
Demand the FDA Strengthen its Standards on Lead** (Action) Pg. 1
- 4) **Environmental Justice Legacy Pollution
Cleanup Act of 2021** (Discussion/Action) Pg. 2
- 5) **Meeting Minutes for March 25, 2021** (Action) Pg. 5
 - a) **Program Operations Committee**
 - b) **Administration and Finance Committee**
 - a) **General Board Meeting**
- 6) **Future Agenda Items** (Discussion)
- 7) **Announcements by Board Directors** (Information)

Material related to an item on this Agenda, including those submitted to the Board of Directors after distribution of the agenda packet, and are available for public inspection at the Alameda County Healthy Homes Department office during normal business hours.

Agendas are available on the Department's website at www.achhd.org

ALAMEDA COUNTY

LEAD POISONING PREVENTION PROGRAM

A Joint Powers Authority serving the cities of Alameda, Berkeley, Emeryville and Oakland

2000 Embarcadero, Suite #300 • Oakland, CA 94606-5300 • (510) 567-8282

WWW.ACHHD.ORG

April 16, 2021

Senator Tammy Duckworth
524 Hart Senate Office Building
Washington, DC 20510

Congressman Tony Cardenas
2438 Rayburn House Office Building, 4th Floor
Washington, DC 20515

Senator Amy Klobuchar
425 Dirksen Senate Building
Washington, DC 20510

Congressman Raja Krishnamoorthi
115 Cannon House Office Building
Washington, DC 20515

Dear Senators and Congressmen,

The Alameda County Child Lead Poisoning Prevention Board is writing you so as to ask that you direct the FDA to immediately take the actions outlined below in the Environmental Defense Fund (EDF) petition to better protect everyone, and especially children, from the harms caused by lead.

EDF Demands the FDA Strengthen its Standards for Lead:

We know that lead exposure harms children and adults. In children, lead impairs brain development, resulting in learning and behavioral problems. In adults, it causes heart disease.

Unfortunately, the Food and Drug Administration has not banned lead from being added to many materials that contact our food – from tea and coffee equipment to food cans.

And the lead doesn't stay in those materials – it can get into our food. EDF analyzed FDA data and found lead detected in 97% of certain canned fruit samples, compared to only 3% of fresh or frozen varieties. And there is ample evidence that the lead is added to brass or bronze in equipment to brew tea and coffee.

Will you join us in demanding that FDA strengthen its standards for lead to better protect our health?

The agency's regulations do not prohibit lead to be added to food contact materials and it is allowed in bottled water at levels 5 times higher than the American Academy of Pediatrics recommends.

This petition highlights three key opportunities for FDA to reduce exposure to lead:

1. Reduce the amount of lead allowed in bottled water from 5 to 1 parts per billion.
2. Ban lead in tin that coats metal food cans.
3. Stop adding lead to brass or bronze used in equipment to dispense water or brew tea and coffee.

The simple steps outlined in the petition to remove and reduce unnecessary sources of lead exposure would have meaningful impacts. I urge the agency to continue its important work protecting our food supply by taking these steps and strengthening its lead standards.

John J. Bauters, Chairperson
Joint Powers Authority
Child Lead Poisoning Prevention Board of Directors
Alameda County, California

Hon. Mary Hatsume Vella, City of Alameda • Hon. Susan Wengraf, City of Berkeley
Hon. John J. Bauters, City of Emeryville • Hon. Nikki Fortunado Bas, City of Oakland
Hon. Wilma Chan, Alameda County • Gwen Hardy, Community Representative

The Environmental Justice Legacy Pollution Cleanup Act of 2021

Lead Sponsors: Senator Cory Booker (D-NJ), Congressman A. Donald McEachin (VA-04)

Background

As a result of decades of discrimination, low-income communities, communities of color, and Indigenous communities are significantly more likely to suffer sickness and death from high levels of air pollution, contaminated drinking water, close proximity to toxic waste sites, and other legacy pollution. In order for these communities to fully share in the recovery from the COVID-19 pandemic, Congress must address this historic injustice. The Environmental Justice Legacy Pollution Cleanup Act (EJLPA) will immediately invest \$200 billion to clean up this legacy pollution. The bill will:

Cleanup Toxic and Hazardous Waste

- ❖ 24% of all households below the poverty level and 28% of all people of color live within three miles of the most dangerous Superfund sites. And despite making up only 39.6% of the general population, people of color represent nearly 50% of the population living within one mile of a Superfund site. This bill's provision of **\$10 billion** to the EPA Superfund National Priorities List will accelerate the cleanup of these toxic sites and help clear the largest backlog of unfunded sites since 2004.
- ❖ Abandoned coal mines pose a significant risk to public health. The EJLPA provides **\$10 billion** to the Abandoned Mine Reclamation Fund, an investment that would fund the reclamation of thousands of eligible abandoned mine lands sites.
- ❖ Abandoned hard rock mines, including uranium mines, also pose a significant risk to public health. Approximately 600,000 Native Americans live within six miles of an abandoned mine. With priority given to sites located on tribal land, this bill dedicates **\$10 billion** to the Environmental Protection Agency Superfund Program to remediate abandoned hard rock mines.
- ❖ Contaminated sites that are not safe for public or commercial use, known as 'brownfields,' are located disproportionately in communities of color. This bill would provide **\$3 billion** for grants to remediate brownfield sites. Such remediation efforts are a major boon to economically depressed communities, producing roughly \$20 in economic benefits for every \$1 spent.
- ❖ There are over 1,700 formerly used military sites that contain hazardous, toxic, and radioactive waste, which pose a threat to drinking water and public health. This bill, which provides **\$10 billion** to the Formerly Used Defense Sites Program will clean up 90% of these sites. The EJLPA also commits **\$3 billion** to the Formerly Utilized Sites Remedial Action Program, which will remediate tens of thousands of acres of formerly radioactive land and return hundreds of properties back to public use.

Improve Air Quality

- ❖ Diesel engine exhaust increases people's risk for cancer, respiratory illness, and heart disease, and even reduces cognitive performance in children. Studies show that the 25 million children who ride diesel school buses breathe air that can be several times more polluted than the outside air — something that disproportionately affects children in low-income and working class households, who are more likely to take the bus. The EJLPA includes **\$30 billion** to replace over 50% of diesel school buses with zero emission school buses in the most disadvantaged school districts.
- ❖ Decades of discriminatory practices in urban planning have left communities of color with deficiencies in green spaces and tree canopy cover — a crucial line of defense against heat waves, air pollution, and flooding. The EJLPA commits **\$25 billion** to urban tree planting initiatives, an investment that will plant an estimated 100 million trees in low-income communities.

Address Lead, Clean Water, and Sanitation Issues

- ❖ Childhood lead poisoning continues to cause irreversible brain damage and other life-threatening health conditions, particularly in low-income communities and communities of color. This bill will inject **\$45 billion** into a U.S. Department of Housing and Urban Development grant program to remediate lead-based paint hazards in housing, the leading cause of childhood lead poisoning in the United States. This funding would eliminate lead-based paint hazards in nearly 4 million low income households.

- ❖ 23% of Native American homes have at least one dangerous issue, such as lead paint, mold, or poor ventilation. This bill provides **\$1 billion** for grants to tribal governments to address housing-related safety hazards.

- ❖ Lead Service Lines (LSLs) supply water for 15-22 million Americans, a population that disproportionately contains low-income communities and communities of color. The EJLPA will provide **\$45 billion** in funding to replace every lead service line in the country.

- ❖ Nearly 2 million Americans lack access to adequate plumbing or sanitation, with African Americans and Latinos twice as likely to lack basic access. This bill commits **\$10 billion** in funding to the U.S. Department of Agriculture's Rural Decentralized Water Systems Program, which will give nonprofits capacity to provide grants to over 660,000 homes to construct or improve individual household water well and wastewater systems.

- ❖ Native Americans are 19 times more likely than whites to lack access to basic indoor plumbing (including running water and flushable toilets) — more than any other demographic group. By providing **\$3 billion** to the Indian Health Service (IHS) to build and renovate sanitation infrastructure, this bill will bring safe drinking water and adequate sewage systems to every American Indian and Alaskan Native household.

- ❖ 850+ cities across the United States collect rainwater, industrial waste, and domestic sewage in combined sewer systems, which overflow during heavy rainfall or snowmelt and discharge untreated sewage into people's basements, parks and waterways. These overflows expose people to dangerous diseases, make rivers/lakes unsafe to use, and impose burdensome cleanup costs on low income households and environmental justice communities. The EJPLA provides **\$25 billion** to the EPA to address combined sewer overflows, which will eliminate most overflow problems in economically distressed communities.



Senator Cory Booker
717 Hart Senate Office Building
Washington, DC 20510

Congressman A. Donald McEachin
314 Cannon House Office Building
Washington, DC 20515

Dear Senator Booker and Congressman McEachin,

The undersigned organizations, all of which are stakeholders in lead poisoning prevention, green and healthy housing, clean water, and environmental justice, strongly support the Environmental Justice Legacy Pollution Cleanup Act of 2021. We are grateful for your leadership, vision and commitment to address these issues that have undermined the health and opportunities of generations of Americans.

The toxic legacy of lead poisoning has devastated our older, lower income communities – especially Black and Brown communities – for far too long. More than half a million children in America are poisoned by lead and most of them are children of color living in under-resourced communities. Decades of disinvestment have left families trapped in unsafe and unhealthy homes that literally poison their children and rob them of their opportunities. Yet, with the adoption of the EJ Legacy Pollution Act, we will be able to make transformational and tangible investments in addressing the social determinants of health and racial equity.

This Act addresses the impact of lead exposure by investing \$45 billion to address lead paint hazards in 3,750,000 older, low-income homes of greatest need and will create approximately 46,000 community-driven jobs. Additionally, the Act will provide \$45 billion in critical capital for lead service line replacement to ensure that every American will have access to safe drinking water. Further there will be \$1 billion for to create healthy homes in Native American housing, addressing hazards such as carbon monoxide, mold, radon, and fall and injury hazards.

At this unprecedented time in America, the health of our housing stock could not have greater importance or provide a greater public policy opportunity. We have asked families to shelter in place, to use housing as a shield for health. The pandemic has laid bare the stark racial disparities that persist in our country. Our public policy has long disregarded the health of housing in Black and Brown and low-income communities, leaving families with little opportunity to build and sustain intergenerational wealth, and to protect children and seniors from wholly preventable illnesses and injuries. What has been heightened by COVID-19 is the risk of sheltering our youngest and oldest populations and exposing them to greater harm from unsafe conditions in their homes from poor indoor air quality, mold, mildew and moisture, structural defects and toxins such as lead.

We strongly believe that investments at scale to improve the quality of occupied housing and water systems in low-income communities across the nation has the potential to significantly improve racial and economic equity and health outcomes, while also providing workforce development opportunities for thousands of unemployed or under-employed workers whose jobs were eliminated by the pandemic.

Sincerely,

Green & Healthy Homes Initiative
Ruth Ann Norton, President and CEO, GHHI

**PROGRAM OPERATIONS COMMITTEE
MEETING MINUTES**

March 25, 2021

Attendance:

Voting Directors: Malia Vella, Alameda; Susan Wengraf, Berkeley; John J. Bauters, Emeryville

Non-Voting Directors: Gwen Hardy, Community Representative

Alternates: Bill Gilchrist, City of Oakland; Jared Savas, County of Alameda

Staff: Larry Brooks; Lidice De La Fuente

Others: none

Absent: none

Director John J. Bauters called into order the teleconference for the Program Operations Committee Meeting at 9:20 A.M.

1) **Open Forum**

2) **Director's Report**

Secretary to the Board, Larry Brooks informed Directors that the Department staff sent a letter on behalf of the JPA Board to various political figures supporting placing limits on the presence of toxic heavy metals in baby foods. Directors asked for a copy of the letter.

Mr. Brooks alerted Directors of the New York Times article, More Childhood Lead Poisoning Is a Side Effect of COVID Lockdowns indicating Lead screenings for children plummeted last spring, and stay-at-home orders may have increased household exposure to the toxic metal.

Mr. Brooks highlighted staff, Timothee Lavender, who received a thank you letter from minor home repair client; and, Ruben Briones and David Crosby who negotiated future funding for the Independent Living Homes Project.

3) **Outreach and Education Monthly Report**

Mr. Brooks shared examples of the Department's outreach efforts through Busy Seed who is handling social media posts. Mr. Brooks also shared the public service announcements with Sue Hall from Today's World and KBLX radio. Mr. Brooks indicated that he expects that the increase in social media efforts will address issues related to taking care of families of lead poisoned children.

4) **Announcements by Board Directors**

There were no announcements by Board Directors.

Meeting adjourned 9:40 A.M.

**ADMINISTRATION AND FINANCE COMMITTEE
MEETING MINUTES**

March 25, 2021

Attendance:

Voting Directors: Malia Vella, Alameda; Susan Wengraf, Berkeley; John J. Bauters, Emeryville

Non-Voting Directors: Gwen Hardy, Community Representative

Alternates: Bill Gilchrist, City of Oakland; Jared Savas, County of Alameda

Staff: Larry Brooks; Lidice De La Fuente

Others: none

Absent: none

Director John J. Bauters called into order the teleconference for the Administration and Finance Committee Meeting at 9:40 A.M.

1) **Open Forum**

2) **Director's Report**

Larry Brooks stated that Department staff is participating in the Alameda County Board of Supervisor Procurement Contracting Policy Committee. The goal of the committee is to make county contracting opportunities available to minority owned businesses. Mr. Brooks indicated that the Department will follow County procurement policies for the implementation of the lead settlement funds once contract negotiations with the City of Oakland area finalized. Mr. Brooks expects some funds will be appropriated for lead paint remediation, outreach and education, and training. Director John J. Bauters suggested allocating some funds such as small grants to cities to support existing lead programs and HEPA vacuum loan/rental program for DIY homeowners. Directors Malia Vella, Susan Wengraf and Alternate Bill Gilchrist also expressed interest in a HEPA vacuum loan/rental program and asked Director Bauters to meet with staff to discuss the possibility of implementing such program and taking into consideration contracting vendors to administer program; program accessibility to CSA homeowners; and, appropriate debris disposal.

Mr. Brooks informed Directors that the California Department of Public Health (CDPH) Childhood Lead Poisoning Prevention Branch is proposing and increase to the Childhood Lead Poisoning Prevention fee for Fiscal Year 2021/2022. Directors stated they support the increase and offered to sign a letter of support. Directors asked for a template letter for their jurisdictions to sign along with a quick information guide on what the fee currently funds and what should be funded.

Furthermore, the CDPH is submitting a grant application to the U.S. Centers for Disease Control and Prevention and has asked the Department's Childhood Lead Poisoning Prevention Program to serve as a subcontractor for Component B of the grant to develop targeted population-based interventions for local jurisdictions.

3) **Announcements by Board Directors**

There were no announcements by Board Directors.

Meeting adjourned at 10:23 AM

**GENERAL BOARD
MEETING MINUTES**

March 25, 2021

Attendance:

Voting Directors: Malia Vella, Alameda; Susan Wengraf, Berkeley; John J. Bauters, Emeryville

Non-Voting Directors: Gwen Hardy, Community Representative

Alternates: Bill Gilcrest, City of Oakland; Jared Savas, County of Alameda

Staff: Larry Brooks; Lidice De La Fuente

Others: none

Absent: none

Director John J. Bauters called into order the teleconference for the General Board Meeting at 10:23 A.M.

1) **Open Forum**

2) **Director's Report**

Larry Brooks indicated that the Department provided technical assistance at the March 22, 2021 meeting with Code Enforcement Officers in the U.S. Environmental Protection Agency's (EPA) Regions 5 and 9.

Mr. Brooks informed of two California Senate bills discussed at the California Law Enforcement Legislative Virtual Summit on March 3, 2021. California Senate bill 101 would close loophole in existing law to prohibit disclosure of home address of code enforcement officers. California Senate bill 296 would require cities and counties to establish safety protocols specific to code enforcement officers and specific to the risks posed in the particular jurisdiction.

3) **Environmental Defense Fund Request: Demand the FDA Strengthen its Standards on Lead**

Mr. Brooks informed Directors of the Environmental Defense Fund's request for the JPA Lead Board to sign a letter demanding the U.S. Food and Drug Administration strengthen its standards on Lead. Directors asked for an assessment on who else is supporting this request, ample time to review the letter and agendaize the item as an Action item for the April 22, 2021 JPA meeting.

4) **Meeting Minutes for February 25, 2021**

a) **Program Operations Committee**

b) **Administration and Finance Committee**

c) **General Board Meeting**

Action: The Board approved the meeting minutes for February 25, 2021.

Moved: Malia Vella **Seconded:** Susan Wengraf **Ayes:** 4- Vella; Wengraf; Bauters; Gilchrist

Absent: none

5) **Future Agenda Items**

There were no future agenda items discussed.

6) **Announcements by Board Directors**

Oakland representative, Bill Gilchrist, alerted Directors that the Oakland representative on the JPA Lead Board will be appointed in April 2021.

Meeting adjourned at 10:36 A.M.