

SB 1000: Environmental Justice and the General Plan

Erik de Kok, AICP
Ascent Environmental

2017 Speaker Series
June 23, 2017



Valenzuela Garcia Consulting



Session Panelists

- **Erik de Kok, AICP (Moderator)**
 - Senior Project Manager, Ascent Environmental
- **Sahar Shirazi**
 - General Plan Guidelines Manager, Governor's Office of Planning and Research (OPR)
- **Jackie Cole**
 - Principal/Project Manager, Valenzuela Garcia Consulting

Session Overview

- What is **environmental justice (EJ)**?
- What are the new requirements of **SB 1000** for general plans?
- What **guidance** is available from the State?
- What are some **best practices** for incorporating EJ considerations into the planning process?
 - General Plan Updates?
 - Implementation?

EJ Definitions

U.S. EPA:

“EJ is the **fair treatment and meaningful involvement** of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of **environmental laws, regulations, and policies**. EPA has this goal for all communities and persons across this nation. It will be achieved when everyone enjoys:

- **the same degree of protection** from environmental and health hazards, and
- **equal access to the decision-making process** to have a healthy environment in which to live, learn, and work.”

Source: <https://www.epa.gov/environmentaljustice>

EJ Definitions

Cal EPA:

*“The principles of EJ call for fairness, regardless of race, color, national origin or income, in the development of laws and regulations that **affect every community’s natural surroundings, and the places people live, work, play and learn.***

*Beyond the fair treatment called for in code, leaders in the EJ movement work to **include those individuals disproportionately impacted by pollution in decision making processes.***

*The aim is to **lift the unfair burden of pollution from those most vulnerable to its effects.**”*

Source: <http://www.calepa.ca.gov/EnvJustice/>

APA: EJ is a Planning Issue

- EJ issues are at the core of land use and investment decisions
- **Planners are in a unique position** to address EJ concerns and ensure that EJ principles are reflected in the local land use planning and decision-making process
- **Planners and local officials should provide traditionally underrepresented populations with an active and meaningful role** in the future development of their communities and neighborhoods through active participation in the development of comprehensive plans.

Source: Environmental Justice and Land Use Planning, APA PAS QuickNotes No. 26, 2010

SB 1000 (Leyva, 2016)

- **Amends CA Government Code, Section 65302**
 - Adds EJ as a new elements (topics) that must be included in a general plan
- Requires “**an environmental justice element or related goals, policies, and objectives integrated in other elements**”
- Applies to any city or city with areas defined as a “**disadvantaged community**”
- The EJ element or equivalent must “identify **disadvantaged communities** within the area covered by the general plan of the city, county, or city and county”

SB 1000 (Leyva, 2016)

- **“Disadvantaged Communities” are defined as:**
 - “an area identified by the California Environmental Protection Agency pursuant to Section 39711 of the Health and Safety Code”

[Any census tracts with CalEnviroScreen scores in 75th percentile or higher]
 - “or an area that is a low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.”

SB 1000 (Leyva, 2016)

- **Timing for SB 1000 compliance:**
 - “A city, county, or city and county subject to this subdivision shall adopt or review the environmental justice element, or the environmental justice goals, policies, and objectives in other elements, **upon the adoption or next revision of two or more elements concurrently on or after January 1, 2018.**”

SB 1000 (Leyva, 2016)

- **Substance of EJ Element or equivalent:**
 - A. “Identify objectives and policies to **reduce the unique or compounded health risks in disadvantaged communities** by means that include, but are not limited to
 - the reduction of pollution exposure, including the improvement of air quality
 - the promotion of public facilities
 - food access
 - safe and sanitary homes
 - physical activity.

SB 1000 (Leyva, 2016)

- **Substance of EJ Element or equivalent (continued):**
 - B. “Identify objectives and policies to **promote civil engagement in the public decision-making process.**”
 - C. Identify objectives and policies that **prioritize improvements and programs that address the needs of disadvantaged communities.**