Planning for Healthy Communities: Environmental Justice in General Plans

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CEJA a statewide, community-led alliance that works to achieve environmental justice by advancing policy solutions.
Presentation Overview

1. Background on SB 1000 and Planning for EJ
2. Identifying "Disadvantaged Communities"
3. Meaningful Community Engagement
4. Developing General Plan Goals, Policies and Objectives with EJ and Equity in Mind
What is Environmental Justice?

**A people’s definition:**

“The basic right of people to live, work, go to school, play, and pray in a healthy and clean environment.”
Environmental Justice (EJ) Defined

“Environmental justice 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)
SB 1000’s Statute

Requires jurisdictions to include an EJ Element (or integrated EJ goals, policies and objectives) in their General Plans if they have “disadvantaged communities” -- upon the update of 2 or more elements after 1/1/2018.

● Reduce the unique and compounded health risks in DACs
  ○ Reduce pollution exposure and improve air quality
  ○ Promote public facilities
  ○ Promote food access
  ○ Promote safe and sanitary homes
  ○ Promote physical activity
● Promote community engagement in the public decision-making process
● Prioritize improvements and programs that address the needs of DACs
Climate-Related Disasters

Access to Services and Health Care

Extreme Weather and Heat

Gentrification & Displacement
Benefits of SB 1000

Intelligent planning creates healthy and vibrant communities while preventing outcomes that can be costly.

- EJ has been a part of planning
- Avoid lawsuits and conflicts
- Promote equity and civil rights
- Abide by Planner Code of Ethics
- Comply with state laws
- Leverage funding and resources
Legacy of Past Land Use Policies

Redlining map: City of Stockton

CalEnviroScreen 3.0 Map: Results
Identifying “Disadvantaged” or EJ Communities

**METHOD #1:**
Top 25% of CalEnviroScreen 3.0

**METHOD #2:**
*Income and Pollution Burden*

1. Use a low-income measurement
2. Use a tool to ID pollution burdens
Tips for Identifying Disadvantaged Communities

- **Gain a deep understanding** of different neighborhoods

- **Use CalEnviroScreen 3.0** to identify major concerns and screen for disadvantaged communities

- **Dive in** to understand specific issues of concern using other tools, indicators and outside data

- **Combine and overlay** maps to create one map (avoid trying to find the “perfect formula” to ID DACs)

- **Consult with the community** throughout this process for input and feedback
Applying CalEnviroScreen (CES)

Steps
1. Identify areas with CES composite score > 75th percentile (25th worst)
2. Screen out areas outside City’s or County’s land use control
3. Screen separately for pollution AND population characteristics
4. Make final determination

Note: In all steps, ground truthing and outreach is essential.
Resource: CEJA CalEnviroScreen Report

CalEnviroScreen Best Practices:

- "Off the shelf" use (SB 535 definition)
- Creating regional rankings of data (e.g., Alameda County, vs. statewide ranking)
- Using a different percentage threshold (e.g., top 35% communities instead of top 25%)
- Combining CES with other datasets and tools (HPI, Air district data)
- Ground-truthing with community members
HPI Tool: https://healthyplacesindex.org/
Key Lessons Learned

Community engagement: do from the very beginning; see as a long term process

Go to where the people are

Partner with community engagement experts (e.g. CBOs and residents)

Identify EJ communities upfront to identify problems and appropriate solutions
Building Trust and Relationships

• Face to face connections
• Deep listening
• Acknowledging history and problems
• Valuing and using local knowledge and data
• Ensure a transparent process
• Be accessible
Community Engagement: A Sample Process*

1. Develop preliminary assessment by jurisdiction:
   1. Identify DACs, residents and stakeholders such as CBOs who can support and lead efforts
   2. Design steps for community engagement plan
2. Engage community in SB 1000 & GP process
   1. Provide education and training to residents
   2. Identify disadvantaged communities
   3. Brainstorm problems and issues to address
   4. Identify desired solutions and goals
3. Conduct on-going evaluation and review of plan (iterative process)
4. Create advisory bodies to oversee plan development and implementation (include community and CBOs)
5. Document and share results of the plan

* It is important to work with the community from start to implementation during the General Plan development process
Integrating EJ and Equity into General Plans

- **Identify EJ communities:** Assess where, why, how certain communities have experienced higher burdens than others within a jurisdiction.

- **Identify specific burdens and issues that EJ communities are facing.** Use best and most appropriate data, tools and methodologies (and: resident feedback).

- **Ask residents** and other stakeholders to share expertise and knowledge. Honor community priorities, especially feedback from those in DACs or EJ communities.

- **Identify community assets:** What can be leveraged or lifted up / maximized?
Integrating EJ (part II)

- **Assess and identify current goals, policies, and programs**: What is working that can be expanded? What needs to be changed and improved?

- **Create new goals, policies and programs** that directly mention EJ communities (areas and/or demographics) that should be served. Modify old goals and policies, (etc.) based on data and research. *NOTE: Create clear action items and deadlines to ensure implementation.*

- **Create an implementation plan** that prioritizes solutions and benefits for EJ communities that have experienced neglect.
Sample Goals, Policies, Objectives, and Actions

**Goal: Environmental Justice.** Ensure that all persons in the county live in a safe and healthy environment.

**Policy EJ 1-3. Avoid new toxin sources.** Stringently evaluate the siting of facilities that might significantly increase pollution, especially near already disproportionately impacted communities.

**Action EJ-1a. Investigate a possible nexus.** Compare locations with high levels of toxins and sites of businesses with hazardous waste permits to census tract data on income and ethnicity to determine where any correlations may exist between toxins and disproportionately impacted communities.
GOAL A. Increase access to health and social services. Health and social services are located throughout the community and accessible to those who need them most to *improve health disparities caused by inequitable access.*

Policy A.6. Pursue the *equitable distribution* of health clinics, emergency services, dental care, and mental / behavioral health services across Ashland and Cherryland to ensure all residents have access to preventative care and medical and dental treatment.
Planning for Healthy Communities: Environmental Justice in General Plans

www.caleja.org/sb1000-toolkit  tiffany@caleja.org
Appendices
Why SB 1000?

Low-income residents, communities of color, indigenous communities and immigrant communities have disproportionately experienced some of the greatest environmental burdens and related health problems in this country.

- Inappropriate land use planning
- Discrimination (housing, lending)
- Low political power
- Business interests valued over health
Figure 2-1 / Environmental Justice Planning Process Diagram

1. RESEARCH
   - Identify Disadvantaged Communities (DACs)
   - Document Existing Conditions and known EJ Issues
   - Identify Community Members and Stakeholders for Community Engagement (Community Engagement Strategy Memo recommended)

2. ENGAGE
   - Who: Community Members & Stakeholders
   - How: Public Meetings, Tours, Workshops, Steering Committee, Technical Advisory Groups, etc.
   - What: Discussion topics would include reviewing existing General Plan, identifying EJ issues, and developing EJ policies. Community members can also help identify DACs.

3. DEVELOP
   - Environmental Justice Objectives & Policies
   - Reduce Pollution Exposure
   - Improve Air Quality
   - Promote Public Facilities
   - Promote Food Access
   - Promote Safe & Sanitary Homes
   - Promote Physical Activity
   - Promote Civil Engagement
   - Prioritize Investments

4. ADOPT
   - Environmental Justice Element or related Goals, Policies, & Objectives integrated throughout other Elements

Ongoing Community Engagement
Ways to Identify Disadvantaged Communities (DACs)

**CALENVIROSCREEN**
- Off-the-shelf Map
  - Census tracts in the top 25 percent of statewide CalEnviroScreen scores.

**CUSTOM CALENVIROSCREEN**
- Customized Use of CalEnviroScreen (Use one of the methods below)
  - Customizing Indicators
  - Regional Rankings
  - Custom Percentage Threshold to Identify DACs
  - Combining CalEnviroScreen with Other Tools and Indicators

**CUSTOM ANALYSIS** (Conduct both of the analyses below)
- 1. Identify Low-Income Areas
  - At or below 80% of Statewide Median Income
  - OR
  - At or below low income threshold set by Department of Housing and Community Development (HCD)
- 2. Determine Which Are Disproportionately Impacted Areas
  - Environmental Justice Screening Method (EJSM)
  - Regional assessment tools and methods, such as CEVA, BAAQMD Care Program, SCAQMD, etc.
  - Other topic-specific tools: California HDI, US EPA EnviroMapper, and EJSCREEN, etc.

**Identify Area as a DAC**
<table>
<thead>
<tr>
<th>Inform</th>
<th>Consult</th>
<th>Involve</th>
<th>Collaborate</th>
<th>Empower</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Public Participation Goal</strong></td>
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<td><strong>Public Participation Goal</strong></td>
<td><strong>Public Participation Goal</strong></td>
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<tr>
<td>To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, and/or solutions.</td>
<td>To obtain public feedback on analysis, alternatives, and/or decisions.</td>
<td>To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.</td>
<td>To partner with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.</td>
<td>To place final decision-making in the hands of the public.</td>
</tr>
<tr>
<td><strong>Promise to the Public</strong></td>
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<td><strong>Promise to the Public</strong></td>
<td><strong>Promise to the Public</strong></td>
</tr>
<tr>
<td>We will keep you informed.</td>
<td>We will keep you informed, listen to, and acknowledge concerns and provide feedback on how public input influenced the decision.</td>
<td>We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.</td>
<td>We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.</td>
<td>We will implement what you decide.</td>
</tr>
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<td><strong>Example Tools</strong></td>
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<td><strong>Example Tools</strong></td>
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<tr>
<td>Fact sheets</td>
<td>Public comment</td>
<td>Workshops</td>
<td>Citizen Advisory Committee</td>
<td>Citizen juries</td>
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<tr>
<td>Websites</td>
<td>Focus groups</td>
<td>Deliberate polling</td>
<td>Consensus-building</td>
<td>Ballots</td>
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<td>Open houses</td>
<td>Surveys</td>
<td>Participatory decision-making</td>
<td>Paricipatory decision-making</td>
<td>Delegated decisions</td>
</tr>
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</table>
Planning with Community Members: Inland Valley

Getting people to the meeting
- Making meetings accessible, both logistically and in format
- Door-to-door outreach
- Direct mailings
- Clear purpose of meetings and outcome of participation

Organizing meetings
- Make information digestible (multiple workshops)
- Use visuals and simulations
- Provide hands on activities
- Engage in trainings
Table 5-1  SB 1000 Goals, Objectives, and Policies

<table>
<thead>
<tr>
<th>Goals</th>
<th>Objectives and Policies</th>
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</thead>
</table>
| **5.1 / Reduce Pollution Exposure, including Air Quality Improvement** | - Ensure source reduction (measures to reduce pollution from the land use and circulation);  
- Ensure separation (separating the source of pollution from the sensitive land use or population);  
- Implement mitigation (reducing the impact of the pollution uses on sensitive land uses or populations).  
- Consider amortization ordinances  
- Reduce traffic congestion and vehicle trips  
- Create land use patterns that will encourage people to walk, bicycle, or use public transit  
- Encourage compact developments  
- Reduce emissions related to energy consumption and stationary sources  
- Reduce water contamination (drinking water, water bodies, stormwater, watersheds) |
| **5.2 / Promote Public Facilities** | - Provide equitable distribution to and access from underserved areas  
- Meet future demands of underserved communities  
- Ensure regulatory compliance  
- Utilize a multi-benefit implementation approach  
- Ensure interagency coordination  
- Sustainability - Maintenance and energy |
| **5.3 / Promote Food Access** | - Create opportunities to access affordable and nutritious foods  
- Prioritize the development of healthy food establishments in economic development efforts  
- Protect and expand urban agriculture  
- Scale up local purchasing  
- Set up school-based programs that integrate gardening and nutrition |
| **5.4 / Promote Safe and Sanitary Homes** | - Address unhealthy housing conditions (lead, asbestos, overcrowding, mold, pests)  
- Address housing affordability  
- Promote land use compatibility |
| **5.5 / Promote Physical Activity** | - Improve access and connectivity  
- Promote urban greening  
- Implement complete streets |
| **5.6 / Promote Civil, i.e. Civic or Community Engagement in the Public Decision-making Process** | - Promote capacity-building  
- Ensure cultural considerations  
- Ensure broad and balanced participation  
- Accommodate language access  
- Maximize use of technology |
| **5.7 / Prioritize Improvements and Programs that Address the Needs of DACs** | - Consider environmental justice issues in the equitable provision of public amenities that improve the quality of life  
- Support a strong, diverse local business community  
- Creation of priority zones, also known as Green Zones |
EJ Solutions: Best Practices

- Land use: amortization; setbacks and buffers
- **Participatory budgeting**
- Good neighbor agreements
- **Community data gathering and ground-truthing**
- Educating industries and small businesses
- **Community-owned / operated / serving resources**
- Community funds
- **Neighborhood stabilization policies to combat displacement**
Clean Up Green Up Campaign (Los Angeles)

1. Coordinated inspections
2. **More protective health standards** for new and expanded industrial operations
3. Stronger public participation from local residents.
4. **Restrictions on the expansion of oil refinery operations**: health impact assessment and a conditional use permit required
5. **Building codes**: mandatory air filters in all new units: 1,000 feet of a freeway
6. Proper building and mechanical enclosures to prevent fugitive emissions
7. **“No idling” signage** for diesel trucks at warehouses and other facilities
8. Creation of “buffer zones” of 500 feet between auto-related uses and homes
9. **Green business and energy efficiency** training for mom and pop businesses
Anti-Displacement Policies & Tools

- Inclusionary Zoning
- Density Bonuses
- Jobs-Housing Linkage Fee
- No-Net Loss of Affordable Housing Units
- Affordable Housing Trust Funds
- Pathways to ownership

- Just Cause Eviction
- Value capture
- Right-to-Return policies
- Rent Control
- Community Land Trusts
- Land Banking
- Small Sites Programs
- Accessory Dwelling Units
- Tenants rights education
Goal: Create Just Land Use Planning in CA

- **Community-led**: SB 1000 was inspired by community-led solutions to promote EJ in land use planning:
  - Jurupa Valley HEJ Element
  - National City EJ Element

- **Local to State**: CCAEJ’s “Toxic Tour” inspired Senator Leyva (Chino) to work on the bill.
  - CEJA and CCAEJ co-sponsored.

**EJ**: The basic right of people to live, work, go to school, play, and pray in a healthy and clean environment.
Jurupa Valley: EJ Element Accomplishments

- Identified areas that needed investments and the types of investments wanted, depending on the area
- City worked well with community groups
- Clear zoning and more protections for vulnerable communities
- Other outcomes: air filters for houses, restricted freight routes, increased law enforcement for idling freights, penalty enforcement, warehouse restrictions
- Turned local campaign into state policy for broader benefit
Case Study: Jurupa Valley’s EJ Element

2. Land Use and the Environment:
   ● EJ-2.3: Provide adequate buffers between schools and industrial facilities/transportation corridors.

3. Mobility and Active Living
   ● EJ-3.9: Support public and/or private shuttle systems to transport residents to grocery stores and other sources of healthy food.
   ● EJ-3.14: Increase access to urban parks, green space and natural environments for traditionally underserved communities

4. Healthy and Affordable Housing
   ● EJ-4.3: Promote efforts to repair, improve and rehabilitate substandard housing.
Policy HEJ-1.2: Encourage existing stationary sources of emissions to use feasible measures to minimize emissions that could have potential impacts on air quality.

Policy HEJ-1.7: Designate truck routes that avoid sensitive land uses, where feasible.

Policy HEJ-4.5: Encourage new development and redevelopment to include a healthy food supply or edible garden, or be located within a quarter to a half mile of a healthy food supply, where feasible and appropriate.

Policy HEJ-5.2: Encourage a range of health services in locations that are convenient and accessible (walkable) to the community.
City of Richmond | Community Health and Wellness Element -- Policy HL-17. Enhance public transit service in the city. Ensure that the current level of service is maintained and enhanced, and at least 95 percent of the housing units and employers in the city are served by public transit; they are within a quarter-mile of a local public transit stop or a half-mile of a regional public transit stop. Provide adequate service at night and on weekends, for people with disabilities and for low-income populations.

City of San Jose | Encourage the location of full service grocery stores within or adjacent to neighborhoods with limited access to healthful foods with the goal that all San José residents be able to live within a 1/2 mile walking distance of a full service grocery store.
Definitions of Equity (OPR)

- “Applying the principles of justice, fairness, and inclusion when developing and implementing a General Plan.” (SB 1000 Implementation Toolkit)

- “The expansion of opportunities for betterment that are available to those communities most in need, creating more choices for those who have few.” (American Planning Association)

- The California Planning Roundtable states that social equity “ensures that all groups enjoy the benefits of a healthy and prosperous community, with access to housing, transportation, jobs and commerce. It enables a variety of businesses to flourish.”