
Environmental and Housing Justice Platform

Advancing a Vision for Healthy, Accessible, and Affordable Housing for All



CALIFORNIA
ENVIRONMENTAL
JUSTICE ALLIANCE

EXECUTIVE SUMMARY | OCTOBER 2021

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About Us

The California Environmental Justice Alliance is a statewide, community-led alliance that works to achieve environmental justice by advancing policy solutions. We unite the powerful local organizing of our members in the communities most impacted by environmental hazards—predominantly low-income communities and communities of color—to create comprehensive opportunities for change that alleviate poverty and pollution in California. Together, we are growing the statewide movement for environmental health and social justice.

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Executive Summary

Historic and present day discrimination in land use and housing policies have led to a statewide housing crisis that disproportionately impacts low-income communities that are predominantly Black, Indigenous, and people of color. The same forces that drive present day housing instability in these communities also expose them to higher concentrations of toxic and polluting land uses, which result in health impacts and perpetuate socioeconomic inequities.

These inequities are worsened by the misleading narrative that the California Environmental Quality Act (CEQA) is a major barrier to developing housing in California. This narrative, along with policies that weaken CEQA, present a false choice between having a home and being able to live in a healthy environment. In order to solve the housing crisis, the public and lawmakers must remove the real barriers to ensuring that all Californians have access to safe, stable, and affordable housing. Lawmakers must also prioritize policy solutions that directly address the needs of vulnerable frontline communities in order to create healthy and affordable housing while ensuring equitable access to a high quality of life for all Californians.

The following policy platform lays out a comprehensive vision of solutions to address the roots of the housing crisis that center environmental justice (EJ) and housing justice, which are two sides of the same coin.

Endorsements

Asian Pacific Environmental Network (APEN)	James Coleman, Councilmember, City of South San Francisco	Planning and Conservation League PODER
Beverly-Vermont Community Land Trust	Communities for a Better Environment	PolicyLink
California Coalition for Rural Housing	Disability Rights California	Public Interest Law Project
California Environmental Voters (Formerly CA League of Conservation Voters)	Environmental Center of San Diego	Public Advocates
Catholic Charities	Escondido Neighbors United / Escondido Indivisible	Residents for an Equitable San Pedro Community Today
Center for Biological Diversity	Esperanza Community Housing	San Diego Wildlife Habitat Conservation Coalition
Center for Community Action and Environmental Justice (CCA EJ)	Faith in the Valley	Strategic Concepts in Organizing and Policy Education (SCOPE)
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Central California Asthma Collaborative	Los Angeles Neighborhood Land Trust	Urban Habitat
Central Valley United for Power	Leadership Counsel for Justice and Accountability (LCJA)	Voices in Solidarity against Oil in Neighborhoods (VISIÓN)
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1 Ensure Safe and Healthy Housing

I.1. Require all housing to be affordable, safe, sanitary, and in good condition

Low-income communities and communities of color are more likely to live in substandard housing that may expose them to pests, mold, water leaks, toxic building materials, and inadequate heating, cooling, and ventilation systems.¹ These problems are further exacerbated by the fact that municipal codes, permit conditions, and other land use standards are not routinely or equitably enforced for these communities.



I.2. Promote healthy land use compatibility and ensure housing is not sited on or near toxic or polluted land

Housing must be developed on sites that are clean and suitable for housing development. Unfortunately, historic and present-day discrimination in planning decisions perpetuate inappropriate land use patterns that have led to higher concentrations of toxic and polluting land uses in and near low-income communities and communities of color.^{2,3} In addition, state agencies and local entities responsible for cleaning up and remediating toxic sites have a well-documented history of failing to fulfill their duty to protect communities from hazardous waste.⁴

The California Environmental Quality Act (CEQA) is one of the few tools that vulnerable communities can use to address housing that's being proposed on top of contaminated land or next to sources of pollution, such as light and heavy industrial facilities, oil and gas operations, high-traffic roads and freeways, recycling and manufacturing facilities, and warehouses with heavy truck traffic. Exempting projects from CEQA could therefore allow homes to be exposed to environmental harms without adequate public participation, impact analysis and disclosure, mitigation, and identification of alternative solutions.

- 1 Office of Disease Prevention and Health Promotion. [Housing Instability](#).
- 2 Sacoby Wilson, Malo Hutson, and Mahasin Mujahid. 2008. "[How Planning and Zoning Contribute to Inequitable Development, Neighborhood Health, and Environmental Injustice](#)." *Environmental Justice* 1(4): 211–216.
- 3 For example, the St. Louis zoning ordinance "designated land for future industrial development if it was in or adjacent to neighborhoods with substantial African American populations." (49). The City Council of Los Angeles engaged in "spot" rezoning to locate heavy industry in South Central beginning in the 1940s. (55–56). Richard Rothstein. 2017. *The Color of Law: A Forgotten History of How Our Government Segregated America*. Liveright Publishing Corporation.
- 4 Times Editorial Board. Oct. 21, 2020. "[Editorial: California Failed the Communities Around Exide. This Cannot Happen Again](#)." *Los Angeles Times* (visited June 21, 2021).

2

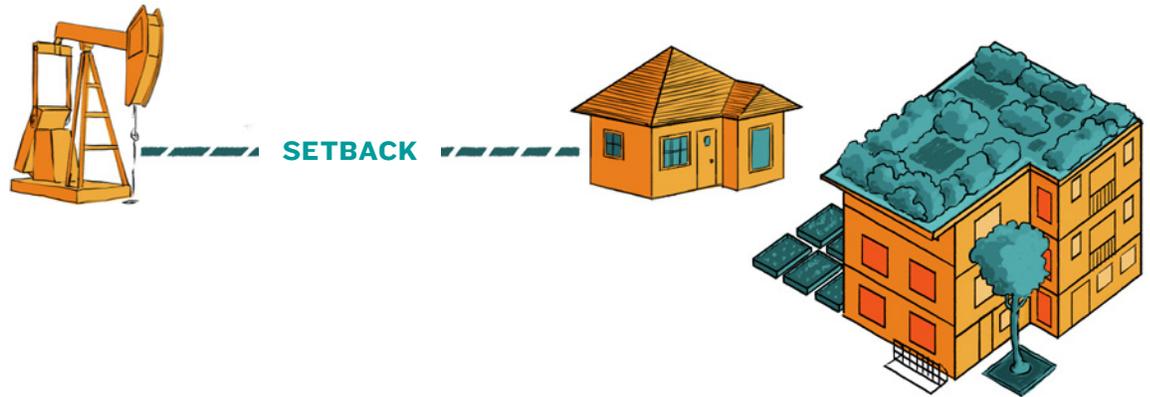
Promote a Comprehensive and Resilient Approach to Development

2.1. Protect the biological and cultural diversity of communities and prevent sprawl

California's affordable housing crisis continues to price many low-income households out of resource-rich urban job centers and into sprawling low-density suburbs, including entirely new greenfield communities. As people have been forced to move farther away from their jobs, families, and communities, longer commutes have led to higher transportation costs, degraded air quality, and increased greenhouse gas emissions. Sprawl makes comprehensive and efficient public transit systems difficult and is directly linked to income inequality and racial segregation.⁵ In addition, sprawl increases wildfire risk and exposure to other climate-related disasters when housing is developed in blaze-prone wildlands, and further degrades the state's already damaged natural ecosystems—all of which affect our access to safe and healthy housing and quality of life. Our country's history of planning regions for private vehicle use, increasing urban sprawl, and prioritizing greenfield development over infill development runs contrary to the direction needed to mitigate climate change and increase public health and wellness.⁶

To combat these threats, communities have been envisioning alternatives to the single-family home ideal of the American dream. Such models move our state toward a more collaborative and resilient vision for housing that promote a process of rematriation⁷ by centering our right relationship with the land, animals, watersheds, our neighbors, and the rest of our environment. By honoring the biological and cultural diversity of a place, we can counter the false narrative that people are separate from each other and nature by bringing ourselves into harmony with the places where we live. This vision requires us to reenvision how we collectively care for the land and govern in relation to our watershed and our foodshed, so that we can maintain a healthy and resilient natural environment that sustains all forms of life.

- 5 Cheng Guo, Carsten M. Buchmann, and Nina Schwarz. July 11, 2017. "[Linking Urban Sprawl and Income Segregation — Findings from a Stylized Agent-Based Model.](#)" *Environment and Planning B: Urban Analytics and City Science* 46(3): 469–89.
- 6 Stephanie Gidigbi. June 26, 2020. "[How Planes, Trains and Automobiles Worsened America's Racial Divide.](#)" *Politico* (visited June 21, 2021).
- 7 Rematriation can be defined as "to restore a living culture to its rightful place on Mother Earth," or "to restore a people to a spiritual way of life, in sacred relationship with their ancestral lands, without external interference." Steven Newcomb. *PERSPECTIVES: Healing, Restoration, and Rematriation*. Indigenous Law Institute: <http://ili.nativeweb.org/perspect.html> (visited June 21, 2021).



2.2. Create climate-resilient housing

Across the state, low-income communities and communities of color are already experiencing the immediate consequences of the climate crisis.⁸ As extreme temperatures and poor air quality events become more frequent, the associated health hazards are most acutely felt in households without suitable heating, cooling, ventilation, and energy systems.⁹ Climate-related health hazards can be especially life-threatening to people with medical conditions and disabilities that require control over environmental temperatures or a steady source of power to keep medical equipment and assistive devices operational.

2.3. Invest in resilient community infrastructure and services for under-resourced communities

Reliable infrastructure and services are necessary to create climate-resilient housing and livable communities in the face of heat waves, urban heat island effect, wildfires, drought, sea level rise, and extreme weather events. Unfortunately, a legacy of disinvestment and government neglect has left much of the state's infrastructure systems in dire need of maintenance and modernization, and the threat of our changing climate exacerbates existing pressure on these systems.¹⁰ In cities, communities of color are disproportionately impacted by inadequate infrastructure,^{11,12} while many households

8 California Natural Resources Agency. Jan. 16, 2019. [California's Fourth Climate Change Assessment: Statewide Summary Report](#).

9 Rachel Morello-Frosch, Manuel Pastor, James Sadd, and Seth B. Shonkoff. May 2009. [The Climate Gap: Inequalities in How Climate Change Hurts Americans & How to Close the Gap](#). University of Southern California Program for Environmental and Regional Equity.

10 ASCE. May 2019. [Report Card for California's Infrastructure](#).

11 Safe Water Alliance, Environmental Justice Coalition for Water, and the International Human Rights Law Clinic. August 2014. [Racial Discrimination and Access to Safe, Affordable Water for Communities of Color in California](#).

12 Samuel H. Jones and Daniel Erian Armanios. 2020. "Methodological Framework and Feasibility Study to Assess Social Equity Impacts of the Built Environment." *Journal of Construction Engineering and Management* 146(11).

in unincorporated communities lack even the most basic services, such as safe drinking water and wastewater treatment.¹³

2.4. Oppose partial “green” solutions and other false environmental solutions that do not benefit neighborhoods

Recent legislative efforts to allow housing and other projects to receive streamlined CEQA review or exemptions tend to require other so-called environmental benefits in exchange. However, such policies fail to mitigate significant environmental impacts that could be addressed through a robust CEQA process. For instance, allowing projects to forgo environmental review so long as they are LEED Gold certified or utilize carbon offsets to minimize emissions only amounts to false “greenwashing” solutions that do nothing more than profess environmental, climate, or community-serving benefits.¹⁴ Furthermore, these false “green” solutions do not reduce harm for those living in or near streamlined projects. As a result, disadvantaged communities are often saddled with increased air pollution and traffic from trucks, resident displacement, and impacts on groundwater quality, including obstructed access to safe drinking water for communities that are dependent on well water in exchange for superficial “green solutions.” We must reject these false choices that pit economic or housing arguments against environmental goals, since one-sided solutions are neither equitable nor sustainable.

3

Protect Vulnerable Tenants and Communities

3.1. Create robust anti-displacement requirements

California’s current crises of hyper-gentrification and displacement have occurred due to a number of factors, including our state’s growing income and wealth inequalities that have escalated with the rise of the new tech economy. However, protecting longtime residents against displacement and promoting deep affordability is not only a racial and economic justice issue, it is also an environmental and environmental justice (EJ) issue. Without strong anti-displacement safeguards in place, our efforts to lower greenhouse emissions will be further challenged as central cities become increasingly gentrified, pushing out working-class families who are increasingly forced to commute from farther distances to reach their jobs and communities. Furthermore, infrastructure and investments in low-income and BIPOC communities must be coupled with laws that can

13 Amee Chew with Chione Lucina Muñoz Flegal. 2020. [Facing History, Uprooting Inequality: A Path to Housing Justice in California](#). PolicyLink.

14 For instance, research shows that carbon offsets may not lead to actual reductions in GHG emissions and may even increase emissions due to flawed policy. James Temple. April 18, 2019. [Landowners Are Earning Millions for Carbon Cuts that May Not Occur](#). MIT Technology Review.

guard against displacing the people and communities that are intended to be served by those investments.¹⁵

3.2. Ensure strong tenant protections and services

As long as California's housing crisis continues, tenant communities will remain vulnerable to displacement without limiting a landlord's ability to apply rent increases and allowing for evictions without just cause reasons. In order to prevent the rise of homelessness, we must prevent people from becoming unhoused in the first place.



3.3. Mandate accountability and disclosure for predatory landlords

The corporate landlord ownership structure harms tenants and communities through increased eviction and displacement, rent gouging, housing destabilization, harassment, speculation, and by leaving properties vacant.¹⁶ Corporate landlords hide behind LLCs to evade accountability for poor living conditions and habitability concerns, leading to unsafe and unhealthy conditions for tenants with limited opportunities for recourse.¹⁷

3.4. Support lasting solutions to combat the impacts of COVID-19 pandemic

The COVID-19 pandemic has once again shown that not only is housing a human right, it is also critical for public health. Economic impacts of the COVID-19 health crisis, such as job losses and business closures, have also exacerbated the housing crisis, disproportionately impacting low-income communities and communities of color. More than a year into the pandemic, hundreds of thousands of California renters are behind

¹⁵ The Center for Popular Democracy and CPD Action. January 2021. [2021 Federal Housing Agenda](#).

¹⁶ Alexander Ferrer. 2021. [Beyond Wall Street Landlords: How Private Equity in the Rental Market Makes Housing Unaffordable, Unstable, and Unhealthy](#). SAJE.

¹⁷ Ibid.

on rent and utilities, and with back rent and utility debt estimates totaling in the billions of dollars.¹⁸ In particular, because of the racially disparate economic and health impacts of COVID-19, renters of color face a disproportionate risk of eviction,¹⁹ and tenants in corporate-owned rent-controlled buildings are particularly vulnerable if landlords take advantage of opportunities to evict long-term tenants and increase rents.

3.5. Decriminalize homelessness

People who are unhoused face exposure to a wide range of environmental and safety hazards. The criminalization of being unhoused exacerbates this exposure, as police sweeps in urban areas push people into toxic, polluted, and dangerous spaces. When concerns about environmental hazards are raised, government entities typically respond by removing people from these sites in the name of public health, creating an endless cycle of displacement and criminalization of the unhoused community.²⁰

4

Advance Just and Equitable Housing Development

4.1. Directly address legacies of segregation and discriminatory practices in communities throughout the state

California innovated the framework for housing segregation by enacting the first racial zoning laws in the nation. Redlined areas were frequently sited next to toxic and polluting industrial land uses, leading to predominantly negative health outcomes for communities of color.²¹ While explicitly discriminatory policies are now illegal, low-income communities and communities of color across the state continue to experience other forms of discrimination through systemic disinvestment and displacement through urban renewal and gentrification in both urban and rural settings.²²

Equitable housing solutions are necessary to combat the ongoing legacy of exclusion, discrimination, and displacement of low-income communities of color.

18 Hannah Wiley. May 10, 2021. "[California Would Pay 100% of Missing Rent for Low-Income Tenants Under Newsom's Budget Plan.](#)" *The Sacramento Bee*.

19 Ibid.

20 Erin Goodling. Dec. 18, 2019. "[Intersecting Hazards, Intersectional Identities: A Baseline Critical Environmental Justice Analysis of US Homelessness.](#)" *Environment and Planning E: Nature and Space* 3(3): 833–56.

21 CalEPA. Jan. 25, 2021. [Pollution and Prejudice.](#)

22 Ibid.



4.2. Prioritize housing that is affordable for low-, very low-, and extremely low-income households

California's housing shortage is most acutely felt by households at the lowest end of the income spectrum. Seventy-six percent of extremely low-income households and almost 50 percent of very low-income households spend more than half their income on rent.²³ These same households are more likely to forgo necessities such as healthy food and health care, and face increased risk of housing instability and eviction.²⁴ As a result of limited access to affordable and suitably sized housing, very low-income households are also three times more likely to live in overcrowded conditions,²⁵ which is tied to adverse health outcomes for the residents.²⁶

4.3. Preserve affordable and rent-stabilized housing

While new housing production should prioritize the creation of affordable units, preserving existing affordable housing is not only necessary to protect vulnerable tenants and ensure a net increase in overall housing supply, it also minimizes environmental impacts and allows longtime neighborhoods to remain intact. Unfortunately, current policies that place expiration dates on affordability restrictions exacerbate the shortage of affordable units.²⁷ In addition, naturally occurring affordable housing that lacks the protection of deed restrictions and government subsidies is vulnerable to real estate speculation.

23 National Low Income Housing Coalition. 2021. [Housing Needs by State / California](#).

24 Ibid.

25 California Department of Housing and Community Development. [Overpayment and Overcrowding](#).

26 James Krieger and Donna L. Higgins. May 2002. "[Housing and Health: Time Again for Public Health Action](#)." *American Journal of Public Health* 92(5): 758–68.

27 Jenna Chandler. March 3, 2020. "[The Big Problem with Affordable Housing](#)." *Curbed Los Angeles*.

4.4. Increase budgets and sources of funding for affordable housing

Affordable housing spending cuts at the federal, state, and local levels have contributed to the current housing crisis and have led to an overreliance on the private sector for housing production.²⁸ The state must prioritize investing in affordable housing development to meet this overwhelming need.

4.5. Harness public land for public good

Vacant and underutilized public land can serve as a social benefit by supporting solutions to the housing crisis. State, regional, and local agencies own thousands of parcels of land throughout California, much of which is located in or near urban areas where housing shortages are most severe.²⁹

4.6. Decommodify housing and cultivate alternative ownership models

The present system of private ownership is a vestige of settler colonialism that views housing as a commodity, rather than a human right. Housing should serve the needs of residents, not enrich Wall Street investors. Housing speculation and the expansion of corporate landlords have increased housing prices while preying on residents through rent gouging and predatory lending in the name of private profit.³⁰ Homeowners of color in particular face a higher risk of foreclosure,³¹ which can be economically devastating and can break connections to critical social safety nets. In order to meet the housing needs of all Californians, solutions should focus on creating transformative ownership models that allow for community control over housing.

28 Ameer Chew with Chione Lucina Muñoz Flegal. 2020. [Facing History, Uprooting Inequality: A Path to Housing Justice in California](#). PolicyLink.

29 Governor of California. Jan. 15, 2019. [Executive Order N-06-19](#).

30 The Center for Popular Democracy and CPD Action. January 2021. [2021 Federal Housing Agenda](#).

31 Ameer Chew with Chione Lucina Muñoz Flegal. 2020. [Facing History, Uprooting Inequality: A Path to Housing Justice in California](#). PolicyLink.

5

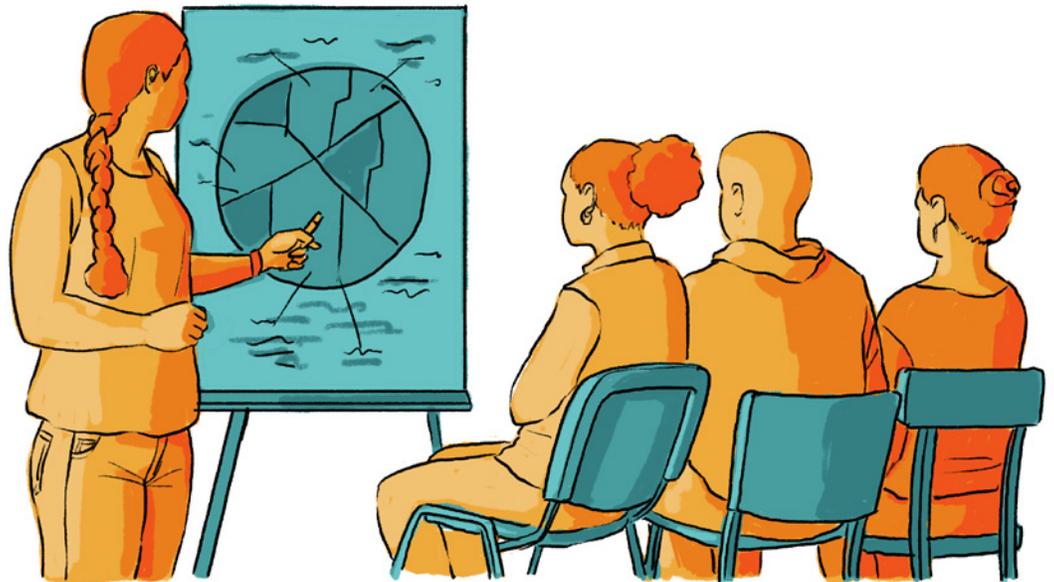
Increase Equity and Accountability in Land Use and Housing Decisions

5.1. Embed equity and center community voices in decision-making

Residents who have been historically disenfranchised and discriminated against deserve a seat at the table when decisions are being made regarding their neighborhoods. Frontline EJ and low-income community residents are best positioned to identify the types of housing and related policies that are important for their neighborhoods as people who are most impacted by the housing crisis, who maintain expertise on the conditions on the ground.

5.2. Guarantee equitable access to a fair judicial process

The California Environmental Quality Act (CEQA) is an important tool that allows environmental justice communities and the public to be part of land use decision-making at both the local and state levels. By participating in the environmental review process and bringing CEQA lawsuits, communities are able to ensure that these decisions advance instead of harming their environmental health.



Acknowledgement

This platform was created for the unceded territory of California, which is home to more than 100 federally recognized tribal nations and at least 55 tribes that lack federal recognition.³² We acknowledge and honor the original people of California who have lived on and have cultivated the land from time immemorial. In making this platform, we aim to also understand the long-standing history that has brought our respective communities to reside on this stolen land, and to seek to understand our place within that racist history.

Colonialism is a current, ongoing process that requires us to be mindful of our past and present participation. As a result, there is a need to continue to ask difficult questions, such as how can we create more principled and respectful partnerships with Indigenous communities and promote a more balanced relationship with the land? What policies and practices are required to repair our relationships with diverse ecosystems and the natural world? And how can we act to abolish oppressive power structures and promote true reparations and healing, including real land reform? We hope this platform can also inspire us to engage in a much-needed dialogue about how land is commodified and what can be done to begin to dismantle our society's colonial/settler mentality that exploits people and the places where we live.

32 Cynthia Gomez. Oct. 16, 2015. Native American Heritage Commission Report for July 1, 2015 through June 30, 2016. California Native American Heritage Commission (visited June 21, 2021).