



ENVIRONMENTAL JUSTICE WORKING GROUP

November 19, 2020
10:00 a.m. – 12:00 p.m.

MEETING SUMMARY

1. WELCOME, SELF INTRODUCTIONS, AND CONTEXT SETTING

Ping Chang, Manager of Compliance and Performance Monitoring Department at SCAG, welcomed all participants.

SCAG Staff:

Anita Au
Tom Bellino
India Brookover
Ping Chang
Deedhiti Dola
Steve Fox
Jane Lam
Tom Vo
Peter Waggonner
Rachel Wagner
Linda Wheaton

Presenters:

Brian Cohen, TNC
Erik de Kok, OPR
Shona Ganguly, TNC
Dr. Jo Kay Ghosh, South Coast AQMD
Joseph Lambert, City of Placentia

Webinar:

Paul Black, Breathe SoCal
Cesar Covarrubias, The Kennedy Commission
Susan A de Santis, Arellano Associates
Julie Diaz, Arellano Associates
Tuere Faaola, SANDAG
Jessica Flores, Impact Sciences
Kristopher Fortin, Santa Ana Active Streets
Jennifer Ganata, CBE
Charles Guiam, City of Anaheim
Luis Gutierrez, SoCal Edison
John Harris, Patch Media
Yesenia Hernandez, Community Action Partnership of OC
Melissa Holguin, Arellano Associates
Lori Huddleston, LA Metro
Jazmine Johnson, Physicians for Social Responsibility-LA
Rosie Kang, Willdan
Haig Kartounian, SoCal Edison
Patricia Leal-Gutierrez, Alianza Coachella Valley
Claudia Manrique, City of Moreno Valley
Chris Moore, CPUC
Michelle Nuttall, SoCal Edison
Deana Olivares-Lambert, The 20/20 Network
Alex Rocha, City of Moreno Valley Planning
Patty Senecal, Western States Petroleum Association
James Shankel, CA Department of Transportation
Jeanette Short, South Coast AQMD
Warren Whiteaker, OCTA
Jennifer Williams, Port of Long Beach
Jack Wong, JWA Urban Consultants, Inc.

2. AB 617 UPDATE – YEAR 3 COMMUNITIES

Dr. Jo Kay Ghosh, South Coast AQMD

Presentation Summary:

- Southcoast AQMD is currently in the third year of their AB 617 Community Programs implementation, which is an annual public process that includes community engagement to plan and execute CERP actions to improve air quality for communities recommended for this program.
- Community outreach and technical assessment of data have helped inform Southcoast AQMD for their recommendations of communities in this program. In the past few years, several communities have been designated:
 - Year 1 (2018): Wilmington, Carson, West Long Beach; San Bernardino, Muscoy; East Los Angeles, Boyle Heights, West Commerce
 - Year 2 (2019): Southeast Los Angeles; Eastern Coachella Valley
 - Recommended community for Year 3 (2020): South Los Angeles (approved by South Coast AQMD Board October 2020)
- Information sources used to help identify and recommend communities for this program include air pollution data, environmental justice (EJ) screening tools including CalEnviroScreen 3.0, South Coast AQMD air toxics exposure study, and land use data.
- Their next steps include continuing Community Steering Committee (CSC) engagement for Year 2 communities and beginning community engagement work to establish CSC when the Year 3 community is designated in the December 2020 board hearing.
- For more information, Dr. Ghosh can be contacted at jghosh@aqmd.gov.

Comments and Questions:

- Question: With COVID-19, will you find it difficult to get engagement from the CSC's because you just launched the 2020, Year 3, community? Do you see any issues getting engagement from communities?
Answer: This is always a concern, and it was a concern this past year as well. For Southeast LA and Eastern Coachella Valley communities, we held one CSC meeting before the governor's orders came in and then we had to transition to virtual. We were only just getting started in that process when we had to move to virtual format. Certainly, access to technology was a big concern, particularly in Eastern Coachella Valley where we heard many concerns specifically about access to technology, but it seems like, through a variety of means, we've been able to make these accommodations. We have heard some feedback that, in some ways, it's easier for many to participate in a virtual format than to travel to an in-person meeting. One of the nice things about Zoom is for those CSC members who do not have a computer or internet, they can use a phone line to dial in. Zoom also has the capability of having interpretation services, so we have had Spanish interpretations through Zoom. Having said that, it's imperfect. There is really no substitution for meeting people in person whether you're talking about a committee meeting or for your 1-on-1 interactions. From that standpoint, it has been challenging for relationship development. I wished we could have done better, but under the circumstances, we were still able to meet with our committees, go through this plan development process, and at the end of the day, we have substantial plans that we will be taking to our board next month.
- Question: I saw Santa Ana was nominated, but they are not being included as a community. What determines admission to the program and are they going to be considered for future program years?
Answer: Absolutely. We are considering Santa Ana, as well as other environmental justice communities in future years of this program. One of the real challenges has been getting sustained funding for this program, and our funding to support this program has been on a year-to-year basis. Even for communities that have already been designated, it's hard for us to foresee what kind of resources we

may have in upcoming years to support this work. We have made those commitments and our board has made those commitments, so we are committed to seeing it through, but resources are absolutely a key issue here. When we do our technical assessment and when we put forward our recommendation packages to CARB, one of the things we were asked to do was to use a sort of prioritization to say “Here are the ones we’re putting forward, but here is a top group of communities that may be considered”. I’d have to check where Santa Ana is, but among more than 50 communities that we identified, Santa Ana is certainly one of them. Recently, I spoke to someone in the city who was also concerned with the very same question: “Why wasn’t Santa Ana selected?”. I explained that there were other opportunities that may be available to support Santa Ana as an environmental justice community, particularly, the various programs that we continue to offer at Southcoast that are accessible to all of our communities or all of our environmental justice communities that don’t require a designation through AB 617.

- **Question:** Are there any other steps that communities that want to be considered could be examining to improve their chances to be selected?

Answer: One of the things that the AB 617 statute provides are these grants that are open to community organizations to apply for. They’re administered through CARB and they’re called Community Air Grants. They include grants for a variety of activities. It could be outreach and education, and they also have some more technical grants, particularly for those who want to do air pollution sensor deployments. That is an excellent opportunity and is certainly one of the things that we look for in terms of community readiness, because the idea behind those grants is that they help build that capacity to prepare communities for future years and designations.

- **Question:** Which communities are looking at truck routes and truck parking issues?

Answer: Trucks and truck emissions have come up as a priority in all five of our designated communities so far. As far as the truck routes and truck parking issues, I’d have to go back and check which plans specifically have elements that work on this. The one that comes to mind immediately is the San Bernardino, Muscoy community because this was the number one issue in that community. One of the frustrations in that area is that trucks are parking in residential areas because there aren’t designated zones necessarily for that parking. In some cases, we have also heard about truck idling issues in residential neighborhoods. We did find some violations when we did our idling truck sweeps in that area. We did hear that sometimes truck drivers will take their rest breaks and idle in the community areas. This is definitely an issue that we are working to address and working closely with the city and county, which have land use authority in that area, to try and address these issues.

3. ENVIRONMENTAL JUSTICE ELEMENT GUIDANCE UPDATE

Erik de Kok, Governor’s Office of Planning and Research, State of California

Presentation Summary:

- The State of California Governor’s Office of Planning and Research released an update to SB 1000 earlier this year, which incorporates the topic of EJ into city and county general plans in the state of California.
- SB 1000 is a legislation that made EJ a new mandatory topic in the General Plan and applies to all cities and counties in California with disadvantaged communities, effective January 1, 2018.
- Each city or county is required to adopt a general plan which outlines a vision for how a community will grow and change and reflects community priorities and values in its goals, objectives, and implementation measures through the General Plan Requirements. EJ is required for those specific communities that have disadvantaged communities within their jurisdictions.

- The state definition of EJ in CA is: “The fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies”.
- CalEnviroScreen 3.0 is used to identify disadvantaged communities. Low-income areas that fall below state-wide income limits combined with local data on health and pollution risks should be included in the screening process for the purpose of SB 1000.
- The EJ element should have heavy community engagement, and local governments should be examining historical context and encouraging their disadvantaged communities to be involved as these general plans are being implemented.
- Topics that the general plans should address include:
 - reducing pollution exposure,
 - expand or improve public facilities,
 - availability, access to, and utilization of healthy food options,
 - location, quality, safety, and affordability of housing,
 - access to recreation and open space for play and exercise and active transportation investments, and
 - any unique or compounded risks specific to their area, including climate change exposure or COVID-19.
- View the New EJ Guidance and Additional Resources at <https://opr.ca.gov/planning/general-plan/guidelines.html>. For any questions or concerns, send an email to SB1000@opr.ca.gov.

Comments and Questions:

- Question: Can we use CalEnviroScreen 3.0 disadvantaged community tracts, or are we required to use other criteria? Does EJ have to be a full element?
Answer: We recommend our screening process because of the way the definition of disadvantaged communities is stated in the law, which doesn’t stop at CalEnviroScreen 3.0. It is up to each jurisdiction to decide what process you want to go through in defining who is disadvantaged. We know by the way the law is written that you must at least look at CalEnviroScreen 3.0, but there are other possible definitions. OPR can’t prescribe exactly what mapping process that supplements CalEnviroScreen 3.0 should be used, but we have provided a screening process that we think can help. We have a diagram and some written description of what that could look like and we encourage you to read the guidance in its entirety and think through looking at the issue of EJ in your community and the legacy of unjust decisions have been made where you see health risks and disparities, talking to your communities to decide what would be the best approach and question who you are really planning for. For the second part of the question, you are correct. SB 1000 says that you must include either an EJ element, so a formal section of your general plan, or it can be addressed throughout your general plan with other topics or elements as well. We’ve seen communities take both approaches already. EJ touches a lot of different issues, so it may be appropriate to thread EJ policy and actionable programs throughout the implementing topics in the general plan like land use, circulation, conservation, open space, noise, safety, etc. Either approach is acceptable, and OPR does not promote any one approach over the other.
- Question: You talked about some of the suggestions or recommendations when looking at the areas that are impacted. I’m thinking of situations where there are future planning areas that potentially can be contaminated because of the prior uses. Is there any guidance in terms of how you should be addressing that?
- Answer: I don’t know that we got into a lot of detail about looking at existing ground fields. Know that there is already a lot of existing law and tools in place to address that. We did briefly mention the need to incorporate looking at contaminated sites and how to deal with that. There could be EJ concerns like

placing low-income housing in areas that are unsafe. As we start to see more communities looking at EJ and adding those elements into their general plan, maybe we will start seeing some best practices emerge on how local governments and agencies have addressed that issue in their EJ work.

- Question: Given COVID and other different things happening in the next year and a half, do you have any thoughts on amending the community engagement strategies or adding guidance to address best practices?

Answer: We developed this guidance and were wrapping it up through technical edits as the pandemic was unfolding at the beginning of the year. At the time, we didn't consider that as to be an issue, and now we know that this pandemic has been going on for months. It's probably not going to be over for a while because of the time it will take to deploy a vaccine and make that widely distributed. It is a temporary situation. The challenge is trying to understand what's needed now and what the best practices of how to engage remotely with populations where there may be barriers to participation because of lack of access to technology. Some of the concerns that we've heard about are the digital divide that exists in communities of color and low-income communities and how to meaningfully address that. Who is in control of that? Is there a local or regional effort that can begin to provide the resources for virtual engagement? We've seen some best practices emerge around the use of mobile phones and pulling through different channels, but we can't always assume that everyone will always use those channels. We have talked about this at OPR and our sister agency, SGC, about the need to provide more technical assistance around these specific methods during these challenging times. We don't have any specifics to share yet, but I can envision that should this pandemic be very prolonged, we might decide to update the EJ guidance to speak to more broad methods for looking at virtual engagement and increasing overall engagement, especially in vulnerable and disadvantaged communities.

- Comment: Charles Guiam from the City of Anaheim plans to kick off their EJ element in the next year.

4. EQUITY IN ACTION

Joseph Lambert, Development Services Department, City of Placentia

Presentation Summary:

- The City of Placentia's Health Wellness and Environmental Justice Element, adopted earlier this year, was recognized by the California Attorney General's Office Bureau of Environmental Justice.
- Their new General Plan will provide direction for private and public development, outline goals and policies for all city services, and help to implement their long-range vision for Placentia.
- The Plan addresses contemporary policy issues and new regulatory requirements: autonomous vehicles, complete streets, bike master plan, water conservation measures, climate change impacts, more robust safety policies, old town and transit-oriented development focus, economic development, sustainable development growth and financing, health and wellness, and EJ for disadvantaged communities.
- Three new elements were added: 1) economic development (optional), 2) health, wellness, and environmental justice (only EJ is required), and 3) sustainability (optional).
- Two dedicated community meetings were held in disadvantaged communities and aided in the success of implementing their new element.
- Joseph Lambert can be contacted at: jlambert@placentia.org.

Comments and Questions:

- Question: Did you include analyzing disadvantaged communities that may not be geographically constrained, for example, homeless populations that might be across the city or any other type of disadvantaged community that wasn't defined by statute through CalEnviroScreen 3.0? Did you have

other tools or definitions you used to identify disadvantaged communities other than CalEnviroScreen 3.0?

Answer: Yes, the citywide element doesn't just pertain to the disadvantaged communities. Although we were concentrating on outreach in the disadvantaged communities, it's a citywide document. We really focused on the disadvantaged communities. The balance of the city is more suburban and physically newer. The disadvantaged communities happen to be the older parts of the city. All of the policies we included pertain to the whole city.

5. SCAG EQUITY EFFORTS – EQUITY DEFINITION

Anita Au & Tom Bellino, SCAG

Presentation Summary:

- On July 14, 2020, SCAG's board adopted a resolution to support racial and social justice efforts. They developed a policy for regional discussion and action on equity and social justice, which formed the Special Committee on Equity and Social Justice. It also directs staff to regularly report back to this special committee on key deliverables, including an agency-wide equity definition and inventory report on SCAG's equity framework on what they plan to do in the future in terms of their efforts to continue pushing for equity.
- SCAG's working draft definition (from November 16, 2020) states: As central to SCAG's work, equity describes the actions, policies and practices that eliminate bias and barriers to create opportunities for all people, and especially historically and systemically marginalized people, to be healthy and prosperous and to participate fully in civic life.
- The Equity Inventory and Framework catalogues existing planning work that takes equity into account and identifies additional areas where equity could be incorporated.
- Anita Au and Tom Bellino can be contacted at: au@scag.ca.gov and bellino@scag.ca.gov.

Comments and Questions:

- Question: Does SCAG have any equity policies aimed at procurement policies, like contracting?
Answer: That would be part of our internal processes with our internal equity working group as well as HR and public affairs. We don't have policies right now, but we are working to incorporate more equity into those processes.
- Question: Does SCAG currently (or plan to) conduct any form of racial equity analysis in the work done on your RTP/SCS updates, or other actions taken by the agency? SB 288 (2020) provides a potential CEQA exemption for major projects valued at \$100M, but requires racial equity analysis to be completed as a condition for the exemption.
Answer: We have an EJ analysis for our RTP/SCS or ConnectSoCal. We will be incorporating more racial equity analysis into our EJ analysis for the 2024 Connect SoCal. We should be starting that very soon as we update the RTP every 4 years. In terms of SB 288, we have a CEQA program that will probably address this requirement. We want to do a lot of CEQA streamlining so it would be easier for local jurisdictions to tier off our Connect SoCal PEIR.

6. SCAG SOCIAL GREENPRINT – SOCIAL EQUITY COMPONENT

Shona Ganguly & Brian Cohen, The Nature Conservancy (TNC)

Presentation Summary:

- The Nature Conservancy is an international, science-based conservation organization working with SCAG to develop a greenprint that will help to have better information and make better decisions in the region, especially when it comes to equity and community.
- A greenprint is a strategic conservation plan or assessment tool that reveals the economic and social benefits that parks, open space, and working lands provide to communities.
- The goal is to protect, restore, and enhance natural lands, public greenspace, working lands, and water resources and the benefits provided to people and nature throughout the SCAG region.
- The Greenprint provides relevant data and analyses to help prioritize and conserve our valued natural assets and working lands, ensure access to urban green spaces for all, and guide development to avoid conflicts with nature.
- It will support stakeholders in integrating public open space, natural and working lands resources into land use, conservation, and infrastructure plans and projects.
- Key users make land use decisions that could better protect, restore, or enhance nature if the information from the Greenprint was used to inform those decisions.