

Fair Treatment and Meaningful Involvement

*Implementing Environmental Justice
in Planning and Compliance*



San Francisco
Water
Power
Sewer

Services of the San Francisco
Public Utilities Commission



What We'll Cover

Al Thompson, Managing Associate, ESA

What is Environmental Justice (where California planning and environmental compliance is concerned)?

What is some relevant state legislation and policy?

John Lundgren, Senior Planner, County of Sacramento

How did Sacramento County meet its requirements under SB 1000?

Practical tips for planners approaching EJ

Javier Padilla Reyes, EJ and Land Use Analyst, SFPUC

Why did SFPUC do a stand-alone EJ analysis for a wastewater project?

How did SFPUC analyze potential EJ impacts?

What was the public's reaction/reception?

All

EJ resources for your projects

YOUR questions!

What We Won't Cover

- A comprehensive history of environmental justice movements, laws, programs, etc.
- How to do EJ under NEPA
- Your questions we don't have answers to

What is Environmental Justice?

(in California planning law)

[t]he **fair treatment** of people of all **races, cultures, and incomes** with respect to the development, adoption, implementation, and enforcement of **environmental** laws, regulations, and policies.

California Government Code §65040.12 (directing the California Office of Planning and Research to be the coordinating agency in state government for environmental justice programs)

What is Environmental Justice?

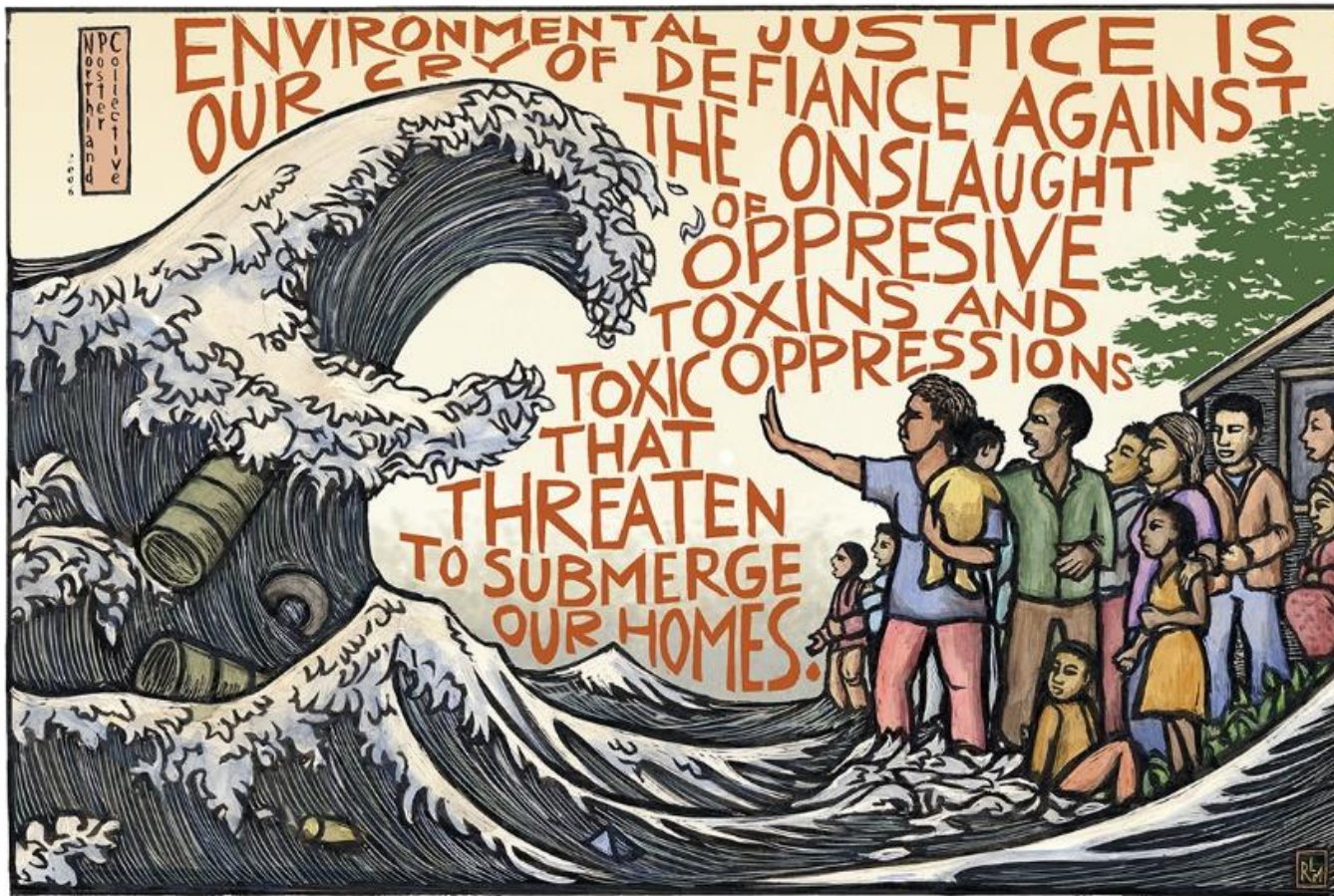
(from a federal perspective)

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. Fair treatment means that **no group of people**, including racial, ethnic, or socioeconomic group should bear a **disproportionate share of the negative environmental consequences** resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

USEPA Office of Environmental Justice, 1998 NEPA Guidance

What is Environmental Justice?

(a people's perspective)



Ricardo Levins Morales

Some Relevant California EJ Policy

- **Government Code 65040.12**
 - OPR as EJ coordinating agency
- **SB 1000 (Gov. Code 65302)**
 - requires EJ element(s) in General Plans
 - requires consideration of disadvantaged communities and low income areas
 - defines “low income areas” as an area with household incomes at or below 80 percent of the statewide median income

Some Relevant California EJ Policy

- **SB 535, California Global Warming Solutions Act of 2006 (Health and Safety Code 39711)**

defines “disadvantaged communities” based on:

geographic, socioeconomic, public health, and environmental hazard criteria, [which] may include, but are not limited to, either of the following:

- (a) Areas disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation.
- (b) Areas with concentrations of people that are of low income, high unemployment, low levels of homeownership, high rent burden, sensitive populations, or low levels of educational attainment.



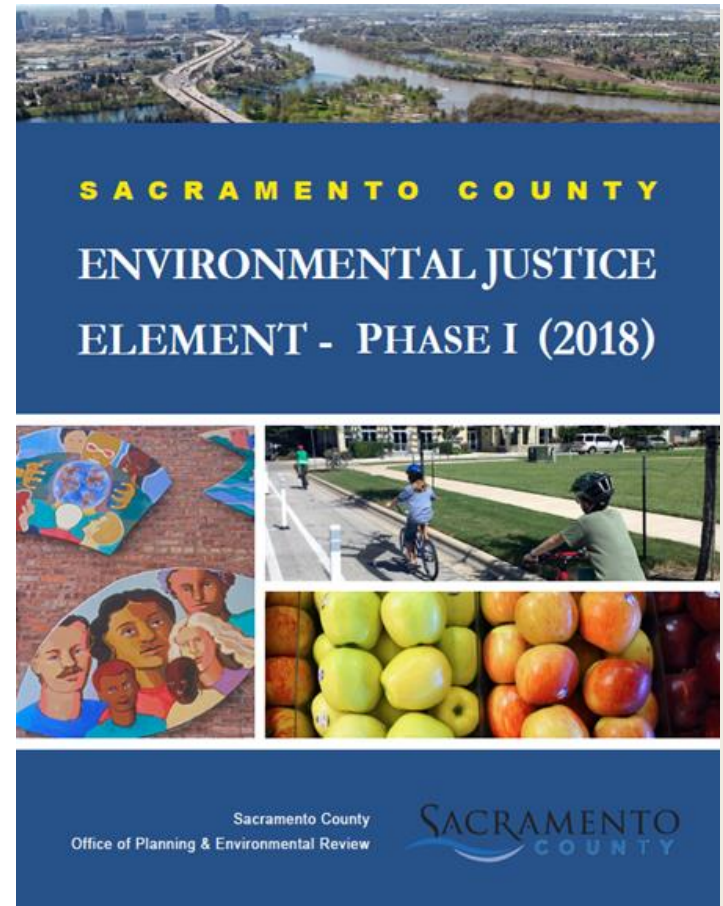
Adopting an Environmental Justice Element Sacramento County's Journey

John Lundgren, Senior Planner
Office of Planning and Environmental Review
lundgrenj@sacounty.net (916) 874-8043

AEP Annual Conference
March 26, 2019

EJ - State Requirements

- SB 1000
 - Requires cities and counties with disadvantaged communities to incorporate EJ policies into their general plans
- To Address
 - Geographic and procedural inequities
 - Lead to unique or compounded health risks in disadvantaged areas



EJ – Topical Areas

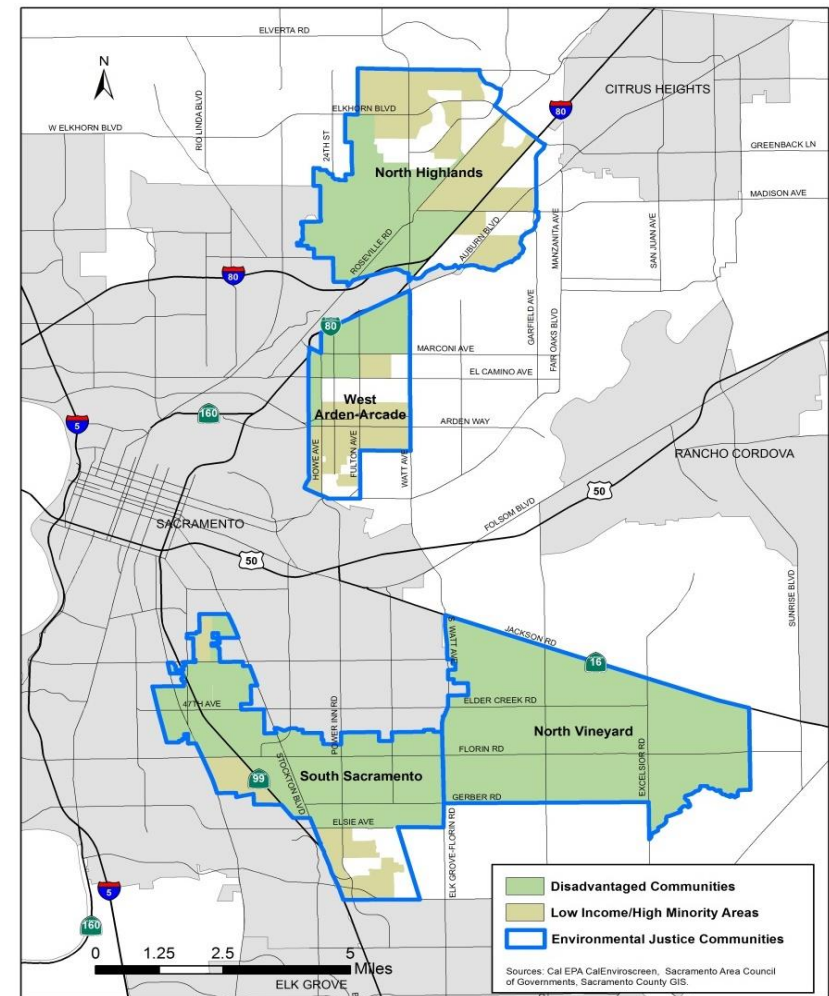


- Reducing Pollution Exposure and Improving Air Quality
- Promoting Public Facilities
- Food Access
- Safe and Sanitary Homes
- Physical Activity
- Promoting Civic Engagement
- Prioritizing Improvements and Programs That Address the Needs of Disadvantaged Communities
- Crime Prevention



Identification of EJ Areas

- CalEnviroScreen
- SACOG MTP/SCS
- Environmental Justice Communities
 - Community Scale
 - Cohesive Areas
 - Most of area either: Disadvantaged Community, or Low Income High Minority area



EJ –Public Outreach

- 5 CPAC Workshops
- 7 Events - Pop-Up Booths
 - Take survey
 - Win prize
- 3 Community Workshops
 - Used Eventbrite
 - Used CMO and Nextdoor
- Numerous Meetings with Community and Special Interest Groups
- Web Survey (6 languages)



EJ – Mobile Pop-Up



EJ – Prioritization Exercise



EJ – Outreach/Community Engagement



EJ – Outreach/Community Engagement



EJ – Internal Slogan Contest

"MAKING ENVIRONMENTAL JUSTICE REALITY"

**The
Environmental
Justice Element
Project**

**SLOGAN
CONTEST**

GRAND PRIZE WINNER
gets bragging rights & cookies from Cookie Connection

The Long Range Planning team is asking for
your help to create a slogan for
The Environmental Justice Element Project

- The slogan will be used on the Environmental Justice Element project website, at public events, and meetings
- Ideas will be accepted through December 15th
- Submit questions or ideas to Tim Kohaya at kohaya@sacounty.net
- The winner will be announced on December 18th
- Slogan example: Making environmental justice reality

SACRAMENTO
COUNTY

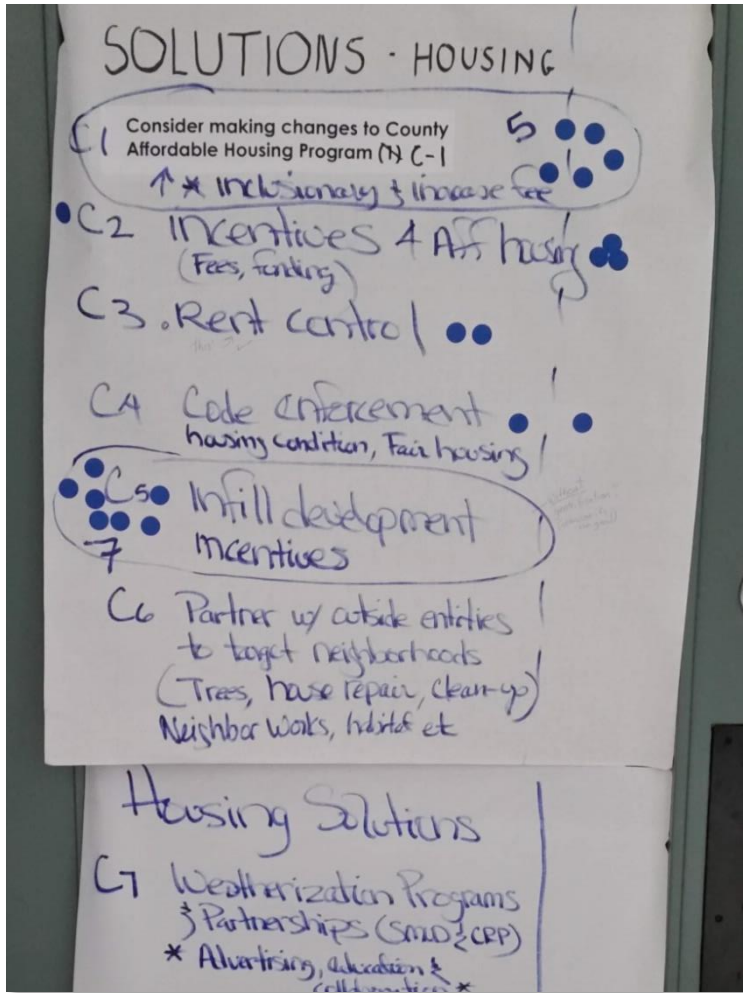


EJ – Hot Topics/Best Practices

- Advisory Committee
- Trusted spokespersons
- Social Capital
- Use innovative outreach
 - Extend beyond the typical cast of characters
 - Vary your approach
 - Food, prizes, recognition of others
- Translation Services
- Identifying “problems”
- It’s like dating
- Supporting research document



EJ – Policy Development



- Conduct data research
- Identify common themes from outreach
- Determine unique or compounding factors/impacts
 - To inform policy and implementation
 - To determine applicability (EJ only or County-wide)
- We can't do it all
- Set the table for others
- Don't box-in the elected

Summary Points

- The process is as important as the policy
- Work both internally and externally
- Focus on land use
- Listen first even if you have heard it all before



Web Links

Office of Planning and Environmental Review

Leighann Moffitt, Planning Director

www.per.saccounty.net



Sacramento County EJ Webpage

<http://www.per.saccounty.net/PlansandProjectsIn-Progress/Pages/Environmental-Justice-Element.aspx>



Sacramento County General Plan Webpage

<http://www.per.saccounty.net/PlansandProjectsIn-Progress/Pages/GeneralPlan.aspx>





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**SEWER
SYSTEM**
IMPROVEMENT PROGRAM
Grey. Green. Clean.



San Francisco
Water Power Sewer



Environmental Justice Analysis of BDFP and Community Benefits Program



Services of the San Francisco
Public Utilities Commission

Our mission is to provide our customers with high quality, efficient and reliable water, power, and sewer services in a manner that is **inclusive of environmental and community interests**, and that sustains the resources entrusted to our care.

Governing Policies

- **Environmental Justice Policy (2009)**

- SFPUC affirms and commits to the goals of environmental justice to prevent, mitigate, and lessen disproportionate environmental impacts of its activities on communities in all SFPUC service areas and to insure that public benefits are shared across all communities.

- **Community Benefits Policy (2011)**

- Directs the SFPUC to be a good neighbor to all whose lives or neighborhoods are directly affected by our operations, programs, and policies. Defines community benefits to be the “positive effects on the community that result from the operation and improvement of our water, wastewater and power services.”

The Bayview-Hunter's Point



Southwest Plant photographed when completed in 1952, looking south. Source: SFPUC Photo Archives

Advancing our mission through Environmental Justice

Doing our part to support healthy
communities

EJ Analysis – Purpose & Goals

- **Purpose**

- To ensure that we do our part to support positive EJ outcomes through our infrastructure investments & our ongoing Community Benefits programs, as mandated by our agency's Environmental Justice Policy.

- **Goals**

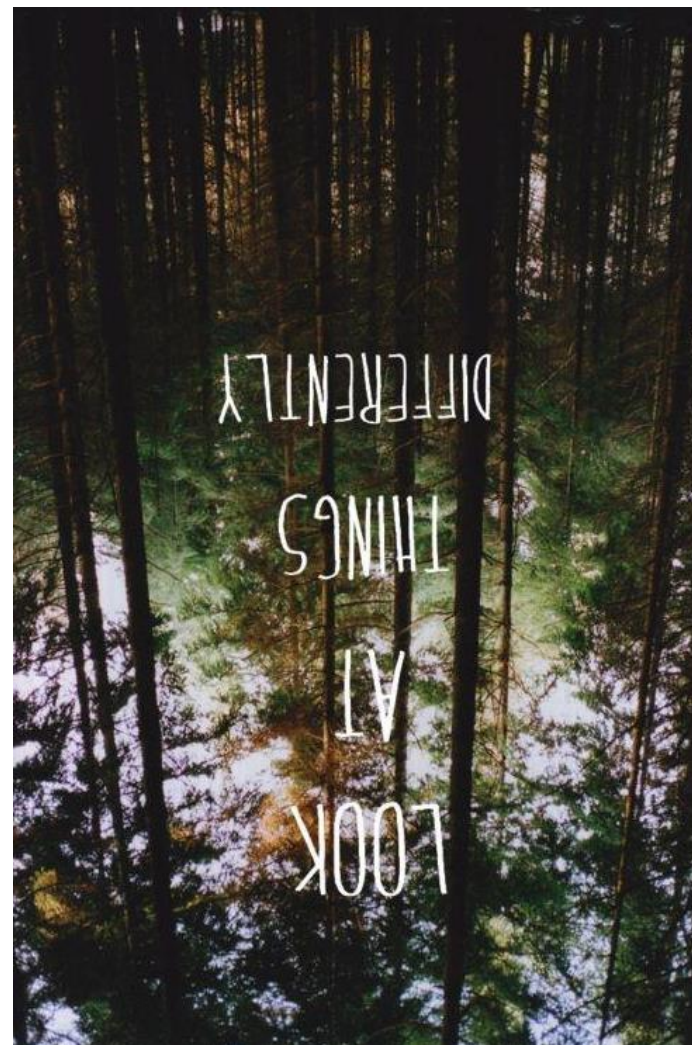
- To better understand the EJ Issues impacting the Bayview-Hunters Point community – utilizing the community's input
- To understand the potential for the BDFP and SFPUC's Community Benefits Program to adversely or beneficially affect known EJ indicators
- To tangibly incorporate principles of environmental justice into our decision making process

Report Overview

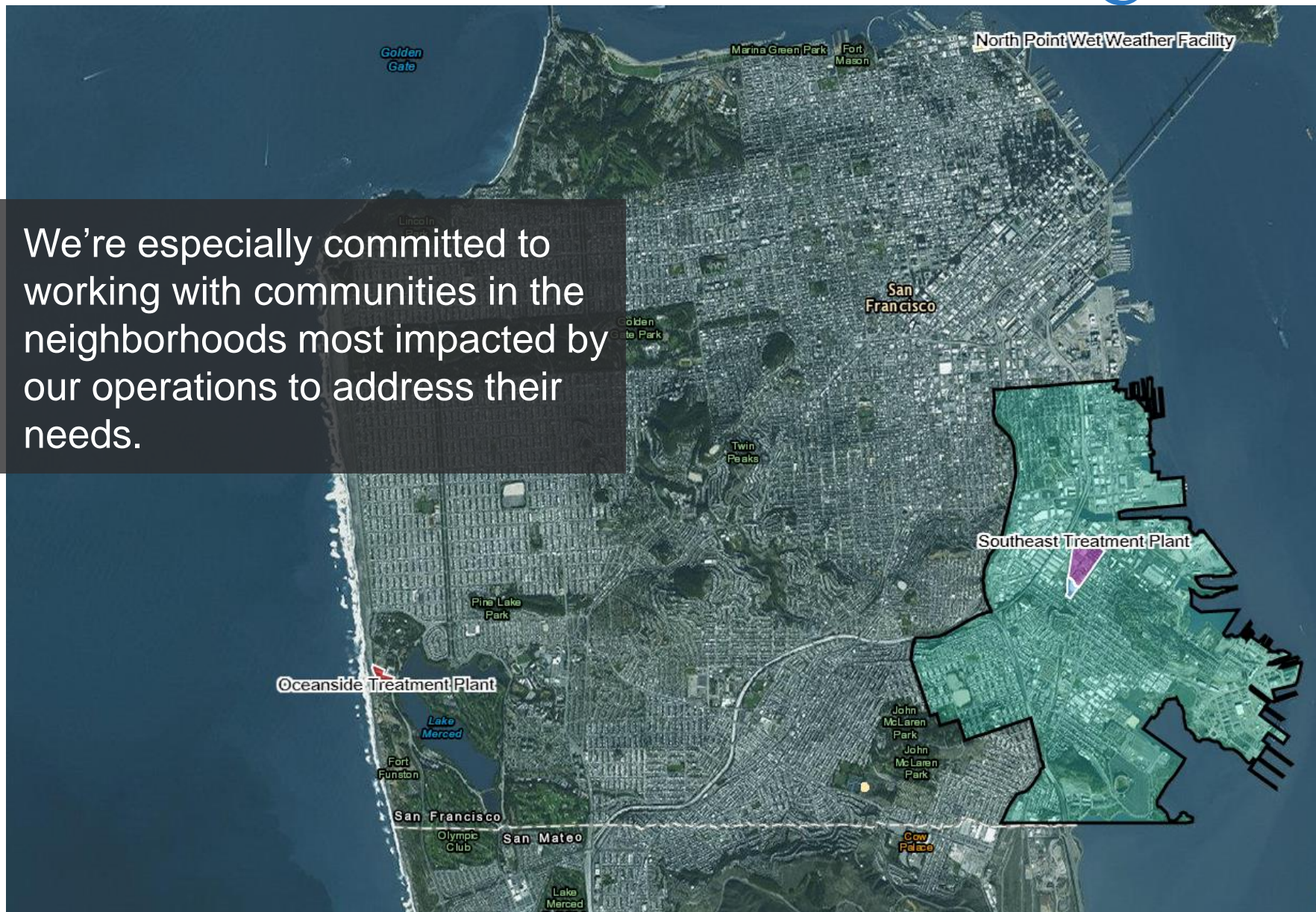
- **Intro and Existing Conditions (Chapters 1-4)**
 - Proactive consideration of social, demographic, economic factors that may be disproportionately affecting the community of BVHP
 - Utilizing Federal & State indicators, plus localized indicators
- **BDFP Impact Analysis (Chapter 5)**
 - Screened for nexus to BDFP
 - Evaluation of BDFP potential effects on these indicators
 - Recommendations
- **Community Benefits Impact Analysis (Chapter 6)**
 - Screened for nexus to SFPUC's Community Benefits Program
 - Evaluation of potential beneficial effects on these indicators
 - Recommendations

Relationship to CEQA

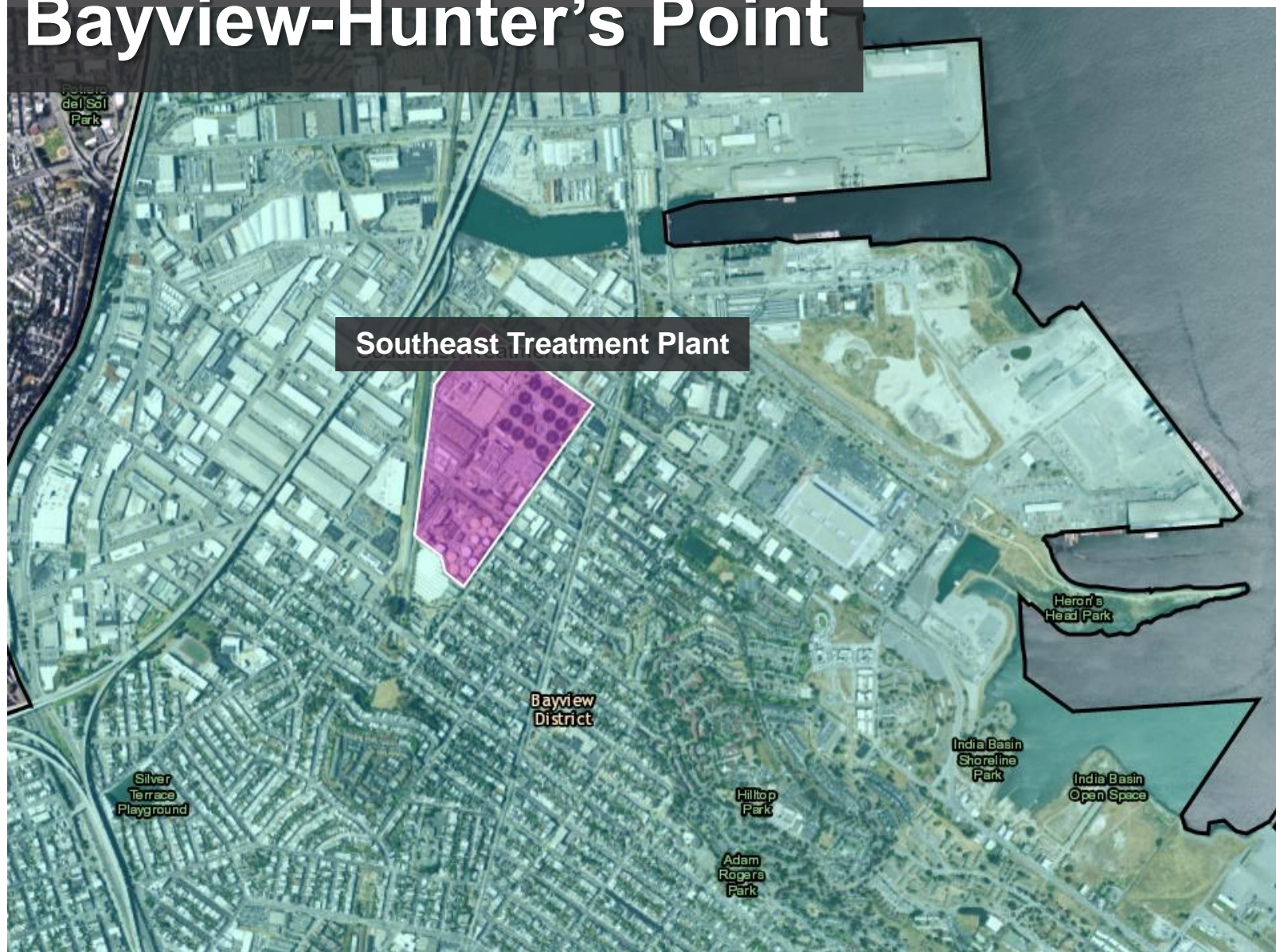
- Looks at issues from a different angle, using community-based data
- Includes more socio-economic considerations
- Utilizes specific EJ indicators (e.g. Cal Enviro Screen & SF Indicators Project)



We're especially committed to working with communities in the neighborhoods most impacted by our operations to address their needs.



Bayview-Hunter's Point










Introduction and Existing Conditions Report Chapter 4






CalEnviroScreen 2.0

Pollution Indicators

Exposure Indicators




 Air Quality: Ozone	 Air Quality: PM2.5	 Diesel Particulate Matter	 Drinking Water Contaminants
 Pesticide Use	 Toxic Releases from Facilities	 Traffic Density	

Environmental Effect Indicators






 Cleanup Sites	 Groundwater Threats	 Hazardous Waste Generators and Facilities	 Impaired Water Bodies
 Solid Waste Sites and Facilities			

Population Characteristics Indicators

Sensitive Population Indicators

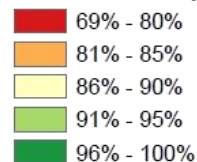
 Asthma	 Cardiovascular Disease	 Low Birth Weight Infants
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Socioeconomic Factor Indicators

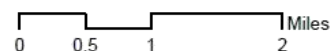
 Educational Attainment	 Housing Burden	 Linguistic Isolation	 Poverty
 Unemployment			

Percent of Mothers Receiving Prenatal Care in First Trimester

Percent with early prenatal care



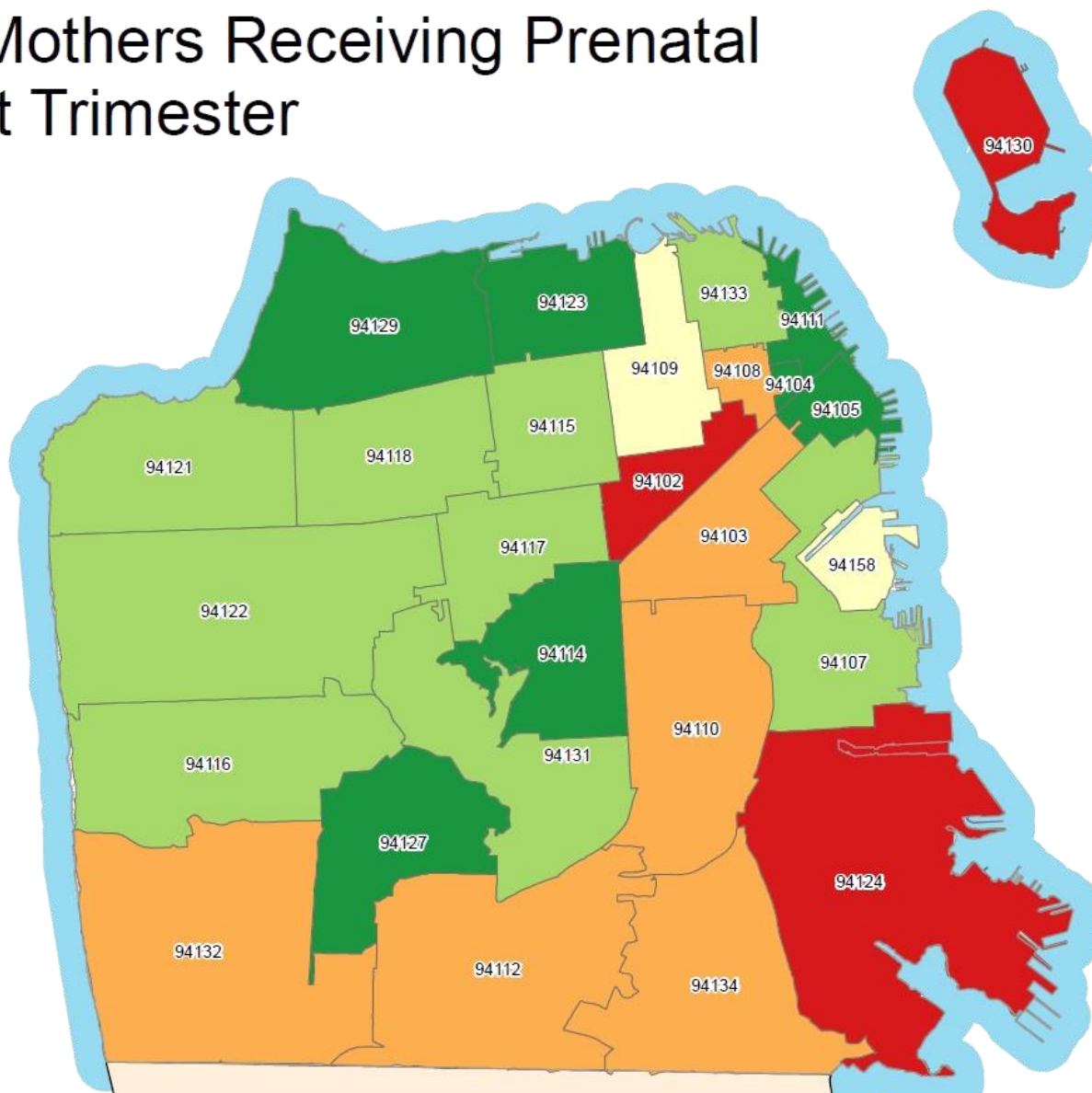
*Only ZIP Codes with five events or more are included.



Source: California Department of Public Health, 2010 Birth Records

City and County of San Francisco
Department of Public Health
Environmental Health Section

Available at www.thehdm.org



SUMMARY OF ENVIRONMENTAL JUSTICE INDICATORS

Indicator Type	EJ Indicator	Notes Regarding Disproportionality
Ozone Concentrations		Citywide rates are all the same (and lowest statewide)
PM2.5 Concentrations	●	Percentage of people in an area with a PM2.5 concentration at or above 10 µg/m3 is 3.7 times the citywide percentage
DPM Concentrations		DPM concentrations below citywide average
Toxic Releases from Facilities		Rate of exposure to toxic releases is consistent with other tracts citywide
Cancer Risk from TACs	●	Percentage of people in an area with total cancer risk greater than 100 cases per 1 million people is 1.6 times the citywide percentage
Nuisance Odors	●	Nuisance odors are a known issue for this neighborhood
Traffic Density	●	Only an indicator for western census tracts near U.S. 101 and I-280
Truck Routes		Lower percentage of residents live near truck routes than citywide
Outdoor Noise Levels		Lower percentage of residents live in an area of high outdoor noise than citywide
Traffic-Related Injuries		Lower rates of injuries than citywide
Polluted Discharges / Impaired Water Bodies		Census tracts in proximity to Bay, Golden Gate, and Ocean all have high rates
Drinking Water Contamination		SFPUC water is some of the least contaminated in the state
Agricultural Pesticide Use		Data not available for or applicable to BV-HP
Presence of Cleanup / Brownfield Sites	●	While several neighborhoods have a higher concentration of sites, approximately one-third of all sites citywide are located in BV-HP
LUST Concentration		LUSTs are most associated with gas stations, evenly distributed throughout City
Hazardous Waste Generators / Facilities Proximity	●	Proximity score between 1.3 and 2.5 times the citywide average
Solid Waste Sites and Facilities Proximity	●	Highest concentration in BV-HP compared to all other neighborhoods

Existing Conditions

62

EJ Indicators Evaluated

33

Disproportionate
Burden



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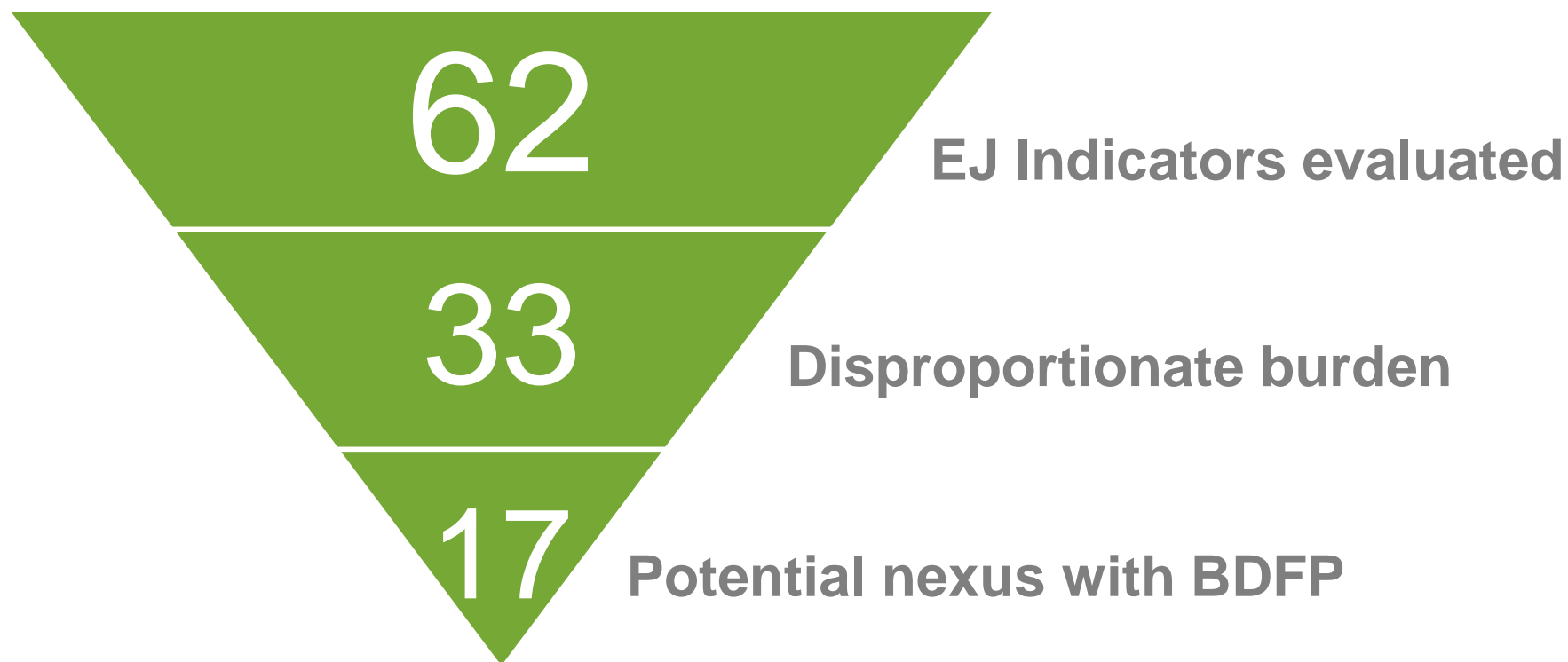
SEWER SYSTEM

IMPROVEMENT PROGRAM
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Environmental Justice Analysis of BDFP Chapter 5

Indicators Screened for Potential Nexus to BDFP





Biosolid Digesters

Residential

17 EJ Indicators Carried Forward for Analysis of BDFP Impacts

1. PM2.5 Concentrations
2. Cancer Risk from TACs
3. Nuisance Odors
4. Traffic Density
5. Hazardous Waste Generators and Facilities
6. Presence of Cleanup +/- Brownfield Sites
7. Zoning for Industrial Uses
8. Public Transit Ridership & Score
9. Bike Network
10. Walkability
11. Open Space & Trees
12. Unemployment Rate
13. (high) Population of Children
14. Low Birth Weight
15. Asthma Hospitalization Rate
16. Linguistic Isolation
17. Community Resiliency to Climate Change

EJ Indicators Improved with Project

- + Nuisance Odors
- + Bike Network
- + Presence of Cleanup +/- Brownfield Sites
- + Walkability
- + Unemployment Rate
- + Public Transit Ridership & Score

EJ Indicators w/potential to contribute to an existing disproportionate impact

- PM 2.5 Concentrations
 - Cancer Risk from TACs
 - Population of Children
 - Asthma Hospitalization Rate
 - Linguistic Isolation
- Hazardous Waste Generators & Handling Facilities
- Open Space & Trees

BDFP Recommendations

- PM2.5 Concentrations and Cancer Risk from TACs:
 - PM2.5 offset program
 - Add EV charging stations in/around SEP
 - Install and operate air quality monitoring equipment at/near SEP
 - Traffic Control Plan should route traffic away from childcare provider during drop-off, pickup, and recess
- Bicycle Network: Include dedicated bike lanes instead of sharrows
- Walkability: Design Jerrold Ave and Evans/Phelps crossing consistent with Better Streets Plan
- Open Space and Trees: Replace all removed trees 1:1, share landscape plan with Urban Forestry Council
- Linguistic Isolation: Provide signage in Spanish and Chinese



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SEWER SYSTEM

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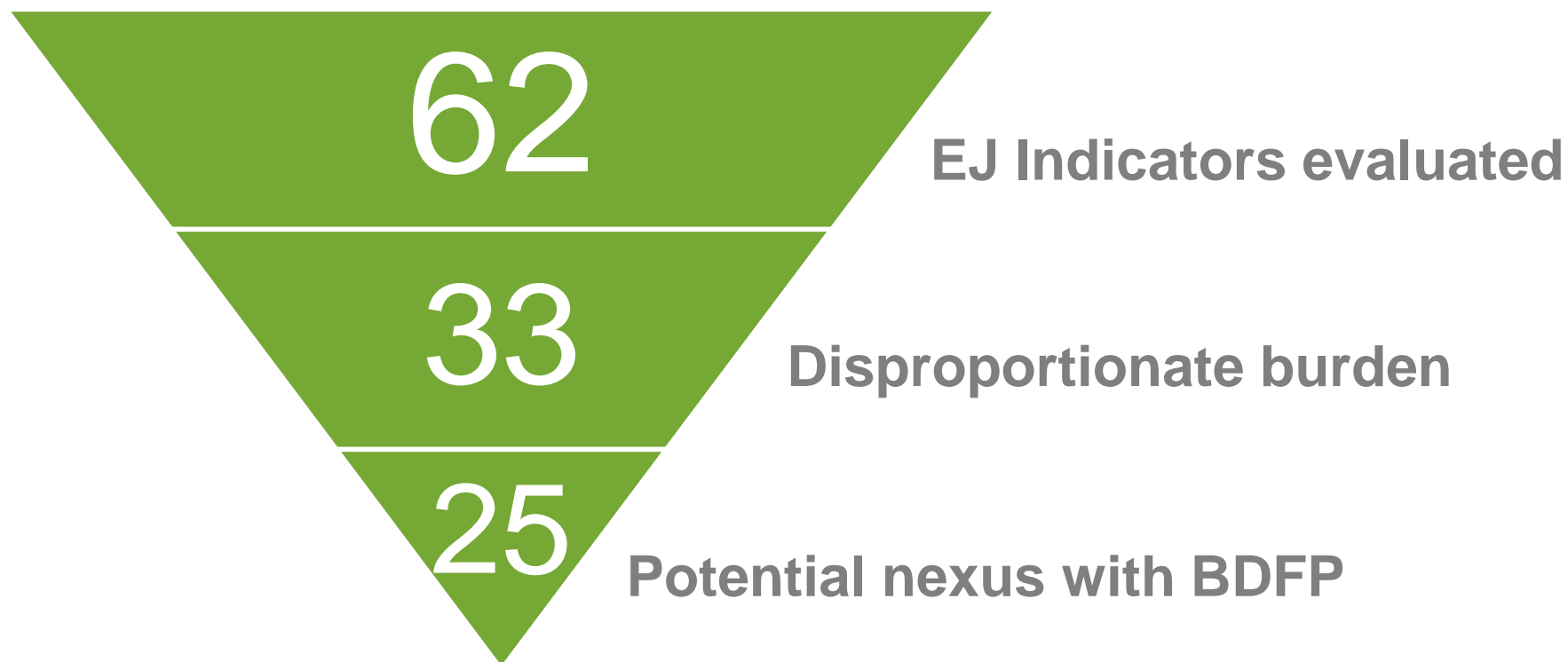


San Francisco
Water Power Sewer



Environmental Justice Analysis of Community Benefits Program Chapter 6

Indicators Screened for Nexus to Community Benefits



25 EJ Indicators Carried Forward for Analysis of Community Benefits

1. PM2.5 Concentrations
2. Cancer Risk from TACs
3. Nuisance Odors
4. Affordability Gap: Rental
5. Displacement
6. Homelessness
7. Public Transit Ridership & Score
8. Walkability
9. Academic Performance of Schools
10. Recreational Area Score
11. Open Space & Trees
12. Average Child Care Burden
13. Healthy Food Retail Proximity
14. Financial Services Proximity
15. Poverty
16. Unemployment
17. EITC
18. (high) Population of Children
19. Pre-Natal Care Rate
20. Low Birth Weight
21. Asthma Hospitalization Rate
22. Preventable Hospitalizations
23. Educational Attainment
24. Linguistic Isolation
25. Community Resiliency to Climate Change

Community Benefits Recommendations

- PM2.5 Concentrations and Cancer Risk from TACs:
 - Bring back Garden Supply pop-ups
 - Tree and garden grant programs
 - Add EV charging stations at new community facility
- Unemployment, Poverty/Earned Income Tax Credit, and Affordability Gap: Provide 150 to 200 paid youth internships annually
- Child Care Burden: Double square footage of Wu Yee childcare
- Healthy Food Access: Use future greenhouses for food production
- Monitoring Progress: Review outcomes and progress with Office of the Controller after 5 years

THANK YOU

EJ Resources

CalEnviroScreen 3.0

<https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>

SB535 Disadvantaged Communities Map

<https://oehha.ca.gov/calenviroscreen/sb535>

SB 1000 Bill Text

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1000

CalEPA Environmental Justice Portal

<https://calepa.ca.gov/envjustice/>

SFPUC EJ Report

<https://sfwater.org/index.aspx?page=654> (bottom of page)

Your Questions?

