




**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.:

3 . 1

Planning Commission Hearing: June 2, 2021

PROPOSED PROJECT

Case Number(s):	GPA No. 190004	Applicant(s): County of Riverside
CEQA Exempt	Section 15061(b)(3)	
Area Plan:	Various	
Zoning Area/District:	Various	
Supervisory District:	Countywide	
Project Planner:	Robert Flores, Principal Planner Advance Planning	 <hr/> John Hildebrand Planning Director
Project APN(s):	N/A	

PROJECT DESCRIPTION AND LOCATION

General Plan Amendment (GPA) No. 190004 proposes to amend the Healthy Communities Element and the Land Use Element to provide policies on how to address and promote environmental justice, pursuant to the requirements of Senate Bill (SB) 1000 (Leyva, 2016). Specifically, these elements will be amended as follows:

- ❖ Land Use Element – this element is proposed to include the framework for environmental justice in the General Plan. Additionally, the Land Use Element is proposed to include maps/figures that delineate the environmentally disadvantaged communities within the jurisdiction of the County of Riverside. These communities are known as “disadvantaged communities” in SB 1000 but will be known as Environmental Justice Communities (“EJ Communities”) in the County’s General Plan.
- ❖ Healthy Communities Element – this element is proposed to include a list of environmental justice policies that are categorized under Civic Engagement, Health Risk Reduction (Pollution Exposure, Food Access, Safe and Sanitary Homes and Physical Activity), and Public Facilities.

This amendment affects the unincorporated area of the County of Riverside within the proposed designated EJ Communities. EJ Communities are shown on proposed Land Use Element Figure 4.1a and 4.1b (Attachment C of this report).

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

THAT THE PLANNING COMMISSION TAKE THE FOLLOWING ACTIONS:

ADOPT the Planning Commission Resolution No. 2021-006, which:

RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

FIND that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3) based on the findings and conclusions in the staff report; and

TENTATIVELY APPROVE GENERAL PLAN AMENDMENT NO. 190004, based upon the findings and conclusions provided in this staff report, subject to adoption of the General Plan Amendment resolution by the Riverside County Board of Supervisors.

PROJECT BACKGROUND AND ANALYSIS

Background:

Healthy Communities and Land Use Element

Senate Bill (SB) 1000 was adopted in 2016 requiring local general plans to address environmental justice and include related policy, if a “disadvantaged community” is identified within the area covered by the general plan. In order to fully address environmental justice, the general plans must include new policy intended to (1) reduce unique or compounded health risks in disadvantaged communities, (2) promote civic engagement in the public decision-making process, and (3) prioritize improvements and programs that address the needs of disadvantaged communities (Gov. Code §65302). This requirement took effect in January 2018. Thereafter, general plans must address EJ when two or more elements are amended concurrently. The County has not amended two or more elements concurrently (at the same time) since January 2018. However, an effort to incorporate EJ into the County General plan commenced in 2018 as part of GPA No. 1226, which was later separated as its own project, now known as GPA No. 190004 (EJ).

Government Code Section 65302(h)(4)(A) defines a disadvantaged community as 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” or a geographic area that is identified by the California Environmental Protection Agency (“Cal EPA”) based on the area’s socioeconomic, public health, and environmental hazard criteria.

In accordance with Senate Bill 1000, the Environmental Health Screening Tool version 3.0 (CES 3.0), also known as CalEnviroScreen 3.0, and the Cumulative Environmental Vulnerability Assessment (CEVA) mapping data were used to identify EJ Communities. Two independent data sets were used because CES 3.0 is a statewide analysis, and CEVA is a Riverside County analysis, this approach would ensure that environmental justice communities within unincorporated Riverside County were identified and mapped. The mapping data was sourced from the California Office of Environmental Health Hazard Assessment (OEHHA) and the California Institute for Rural Studies (CIRS).

Mapping Methodology

- ❖ Unincorporated Riverside County EJ Communities in need of remediation were mapped by selecting only those census tracts identified by CES 3.0 and CEVA to have the highest environmental hazards and lowest social-economic indicators.
- ❖ According to the CES 3.0 methodology, the census tracts with the highest scores represent EJ communities/areas (a.k.a. “disadvantaged communities”) and have the greatest environmental issues and economic challenges. Therefore, only census tracts with a score that falls above the 75th percentile was selected for mapping of EJ Communities, which is consistent with CalEPA methodology. Since no census tract has a score of 0, the use of percentiles, instead of

percentages, effectively allows for the selection of the top scoring tracts or communities of concern.

- ❖ CEVA, differed from CES 3.0 in scale and methodology, however as with CES 3.0 only census tracts identified as heavily impacted both by environmental hazards and by low social-economic indicators were selected for mapping.
- ❖ A single census tract mapping layer was created from CES 3.0 and CEVA data, with adjustments to fully capture EJ communities and to ensure mapping continuity to facilitate the identification of areas in which environmental remediation would be evaluated.
- ❖ Areas within census tract boundaries not within Riverside County jurisdiction, such as, national parks, cities, tribal lands were removed from the census tract layer.
- ❖ Specific Plans areas were also removed because, as planned new communities, these areas comply with SP policy and may address EJ separately.
- ❖ Municipal Advisory Council (MAC) and Community Council (CC) boundaries, established by the Board of Supervisors, were correlated with EJ community boundaries to identify potential venues for communication between constituents and new development.
- ❖ Any existing communities captured by CES 3.0 and CEVA but outside MAC and CC boundaries were identified and captured by using a predefined boundary such as a census block.
- ❖ The resulting final map layer contained areas identified by CES 3.0 and CEVA that are within MAC/CC boundaries and some areas outside of MAC and CC boundaries but adjacent to the map layer excluded non-jurisdictional areas and specific plan areas.

Project Analysis:

GPA No. 190004

Environmental justice goals and policies are addressed within existing General Plan policies that are part of the nine adopted elements comprising the General Plan. However, in an effort to collectively and comprehensively address environmental justice, a section is proposed to be added to the Healthy Communities Element with a list of environmental justice policies that are categorized under Civic Engagement, Health Risk Reduction (Pollution Exposure, Food Access, Safe and Sanitary Homes and Physical Activity), and Public Facilities. Additionally, the Land Use Element is proposed to include a section to address the law and framework for enacting environmental justice policies in the Healthy Communities Element. Attachment B (*Draft LUE/HCE policy inserts*), provides all proposed policies and textual changes to the abovementioned General Plan elements.

General Plan Consistency

State law requires internal consistency of the County's General Plan, including consistency of policy within an element and consistency of policy with other elements.

The proposed *Environmental Justice* sections in the Healthy Communities and Land Use Element will add new policy to the General Plan focused on the subject matter to improve public health and the environment within EJ Communities. Many of the new policies were derived from existing policy and focus on environmental justice. However, there are also new policies created to fully meet state requirements and address community concerns as it relates to EJ. All derived and new environmental justice policies were analyzed and do not create conflict with existing Land Use or Healthy Communities Element policies or with policies in the remaining elements of the General Plan.

Senate Bill 18 and Assembly Bill 52

State law requires that an opportunity for consultation to be made available to Native American tribes in the County when considering a general plan amendment and a CEQA project compliance document, pursuant to Senate Bill (SB) 18 and Assembly Bill (AB) 52, respectively. An SB 18 letter was sent to affected tribes on April 5, 2018. No notification was provided pursuant to AB 52 because the project is exempt from CEQA and AB 52 consultation is only required when an environmental impact report, mitigated negative declaration or negative declaration is prepared for a project. As of July 4, 2018 (90-day review period), six (6) responses were received from Native American tribes, yielding no requests to consult on the project due to an absence of impacts on tribal resources.

Airport Land Use Commission (ALUC) Review

The proposed project was submitted to the Riverside County Airport Land Use Commission (RCALUC), pursuant to Public Resource Code Section 21676, which requires a review of projects for consistency with the airport land use compatibility plan. On June 11, 2018, RCALUC determined that GPA No. 190004 (which was part of GPA No. 1226 at that time) is "Consistent with the 2004 Riverside County Airport Land Use Compatibility Plan...."

CEQA Compliance

The proposed General Plan Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

GPA No. 190004 creates policy to address environmental justice in the unincorporated areas of the County, pursuant to state law. These policies promote the creation of safe and healthy communities with the goal of improving the living and physical environment. The proposed addition of new text and maps provides guidance on how to address EJ, and does not implement any specific project, action, or funding. Therefore, it can be seen with certainty that there is no possibility that GPA No. 190004 will have a significant effect on the environment.

FINDINGS

In order for the County to approve the proposed project, the following findings are required to be made:

GPA No. 190004 is a General Plan Amendment that amends the Healthy Communities Element and the Land Use Element. Accordingly, the findings supporting this type of General Plan amendment, pursuant to Ordinance No. 348, Section 2.4.C.2. a. b. and d. or e., are as follows:

a: The proposed amendment does not involve a change in or conflict with: The Riverside County Vision, any General Plan Principle set forth in General Plan Appendix B; or any Foundation Component designation in the General Plan.

1. The Riverside County Vision:

- a. GPA No. 190004 supports many of the fundamental values listed in the Riverside County Vision (“Vision”) Chapter of the County’s General Plan, including, but not limited to, the *Community, Health, Diversity, Equity, Varied Communities, Balance, Participation, Distinctiveness, Multi-Modal Transportation, Safety, Recreation, and Healthy Food*.

The new *Environmental Justice* Sections in the Healthy Communities and Land Use Elements will include new policy intended to (1) reduce unique or compounded health risks in disadvantaged communities, (2) promote civic engagement in public decision-making process, and (3) prioritize improvements and programs that address the needs of disadvantaged communities, thereby supporting the values of the Vision listed above, especially *Community, Health, Equity, Participation, Recreation, and Healthy Food*.

- b. The *Health Community* section of the Vision states, “Our communities are built with the overall health and wellbeing of our residents in mind. The communities are sustainable and continue to thrive because the residents take advantage of the amenities and healthy choices provided by the built and natural environment. The residents are provided options to live close to work, health services, and child day care; to safely travel as they choose (by car, public transit, foot, bicycle or other nonmotorized form of travel); to have access to trails, parks and open-space; and to have the choice of accessible healthy food. Partnerships are formed between the public and private agencies, as well as the community members to help endow the residents a healthier lifestyle.” The proposed amendments to the Healthy Communities Element and the Land Use Element in furtherance of environmental justice achieves the above vision with new policies that reduce health risks, promote civic engagement, and prioritize improvements and programs in low-income areas that are disproportionately affected by environmental pollution and other hazards.

2. General Plan Principle:

- a. Community Development Principle I.C.1., *Maturing Communities*, states, “...every community in the County is maturing in its own way, at its own pace and within its own context. Policies and programs should be tailored to local needs to accommodate the particular level of anticipated maturation in any given community.” The proposed *Environmental Justice* section in the Healthy Communities Element creates policies tailored to address local health issues within EJ Communities.
- b. Transportation Principle III.E.1., *Pedestrian, Bicycle and Equestrian Friendly Communities*, states, “Bicycle and pedestrian paths should be conveniently located and linked to commercial, public, educational and institutional uses.” The proposed *Environmental Justice* section in the Healthy Communities Element creates policies that promote active and healthy lifestyles, including policies that encourage the development of infrastructure that link areas and destinations within a community.
- c. Community Design Principle IV.F.1., *Parks and Recreation*, states, “An ample system of specialized open space and recreational facilities should be provided which are pedestrian, bicycle and equestrian oriented and accessible to persons of all ages, and whose frequent use is encouraged through placement and design.” The proposed *Environmental Justice* section in the Healthy Communities Element create policies that promote active and healthy lifestyles, including policies that promote the development of accessible open space (i.e. parks, greenbelts and spaces, natural environment, and trails, etc.) and recreational facilities.

3. Foundation Component:

The proposed amendment does not include a specific project that changes a property's land use designation from one Foundation Component to another.

b: The proposed amendment would either contribute to the purposes of the General Plan or, at a minimum, would not be detrimental to them.

The purpose of the General Plan is to set direction for land use and development in strategic locations, provide for the development of the economic base, establish a framework of the transportation system and other infrastructure and services, and the preservation of valuable natural and cultural resources, in a manner that protects public health and safety. The purpose of the state's environmental justice requirement for general plans is to reduce health risks, promote civic engagement, and prioritize improvements and programs in low-income areas that are disproportionately affected by environmental pollution and other hazards, and the proposed *Environmental Justice* policies in the Healthy Communities Element allow the County to improve living conditions in EJ Communities. The proposed EJ policies will provide for appropriate development and help establish appropriate framework for improvement and program (including to the transportation system) within EJ communities to reduce health risks and provide for safer communities; therefore, the proposed amendment is necessary to further the purposes of the General Plan and, at a minimum, will not be detrimental to achieving these purpose.

d: A change in policy is required to conform to changes in state or federal law or applicable findings of a court of law:

SB 1000 requires local general plans to address environmental justice and include related policy, if a "disadvantaged community" is identified within the area covered by the general plan.

e: An Amendment is required to comply with an update of the Housing Element or change in State Housing Element law.

The County's Housing Element (HE) must be adopted by October 2021, which also necessitates the update of the County's Safety Element (SE), pursuant to State Planning law. The update of two or more elements concurrently, as will be done in October 15, 2021 for the HE and SE updates, will trigger the requirement to adopt EJ policies by that date or sooner, pursuant to SB 1000.

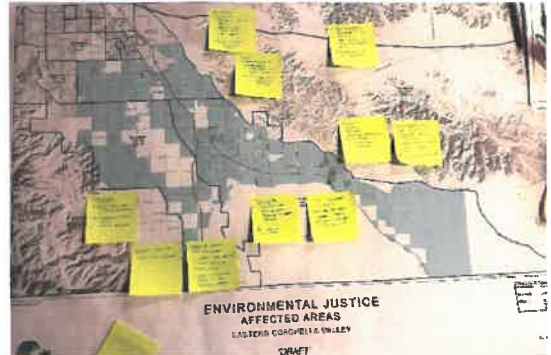
Conclusions

Based on the above findings, the Project is in conformance with all elements and components of the Riverside County General Plan; protects the public's health, safety, and general welfare; and, will not have a significant effect on the environment.

PUBLIC OUTREACH AND HEARINGS

Public (Community) Outreach and Engagement

As described below, nine (9) different community engagement opportunities were hosted by the County at various stages of the planning process for GPA No. 190004 (EJ) to provide the communities (and residents/stakeholders) of the unincorporated County the opportunity to participate in the process.



Concurrent with preliminary policy drafting (pre-pandemic):

- ❖ Four (4) workshops at MACs/CCs (English presentation with translation)
- ❖ One (1) Planning Commission study session (English presentation)
- ❖ One (1) project-specific workshop (Spanish presentation with English translation)

After release of draft policies (during pandemic):

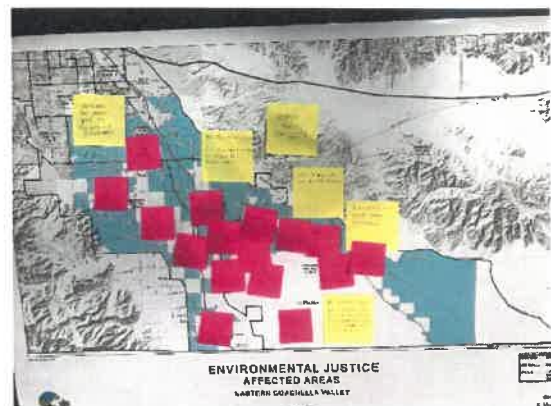
- ❖ One (1) virtual office hours event (speak to a planner Q/A session) to discuss policies (English and Spanish presentations)
- ❖ Two (2) virtual policy charettes (English and Spanish presentations)

All events were published in the newspaper, website, and on social media. In addition, Staff relied on community partners to share the word via newsletters, word-of-mouth, etc. Staff presented information at all workshops and received comments.

Staff received similar comments at all community engagement opportunities, which included many questions about EJ and the goals, intent, and impacts. In addition to questions, staff received several comments about the lack of community engagement and involvement, affordable housing, and infrastructure/services within EJ Communities. Furthermore, other comments received include:

- ❖ Lack of healthcare facilities
- ❖ Poor access to food, especially affordable healthy options
- ❖ Poor air quality
- ❖ Lack of green areas
- ❖ Lack of commercial areas and jobs
- ❖ Lack of representation and collaboration
- ❖ Presence of dangerous and impactful situations because of adjacent uses
- ❖ Presence of gentrification

Comments received at all community engagement events, and comments received in writing, were reviewed, and considered in the drafting of policies.



In addition to the above community input, the following tools were used to better engage the community:

- ❖ Dedicated webpage (available since 2018): <https://planning.rctlma.org/EJ>
- ❖ English and Spanish materials
- ❖ Social media posting of events and availability of information
- ❖ Community partnership

For the full description of outreach activities for EJ (GPA No. 190004), refer to the dedicated webpage for the project: planning.rctlma.org/EJ.

Public Hearing Notification

GPA No. 190004 was advertised in the Press Enterprise and Desert Sun newspaper on May 9, 2021, pursuant to Section 1.6, 1.7, 1.8 of Riverside County Ordinance No. 348. The project was presented to the Planning Commission on May 19, 2021 as a public hearing item on the Agenda.

Prior to the publishing of the public hearing notice and the preparation of this staff report, Planning staff has received nine (9) comment letters. The letters are attached (Attachment D) to this staff report.

On May 19, 2021, the Planning Commission voted 5-0 to continue the public hearing for GPA No. 190004 to June 2, 2021, to provide additional time for review and consideration of the project. On May 19, 2021, the Planning Commission took public testimony from one speaker. The speaker represented a community organization, and he spoke on the revisions and advancement of proposed policy, the continued recommendation that the County establish an office to advance EJ, the reorganization of existing east County community councils, and the establishment of regulations to address issues with mobilehomes.

REPORT:

Prepared by Robert Flores
Reviewed by Aaron Gettis
Reviewed by Shellie Clack
Approved by John Hildebrand

ATTACHMENTS:

Attachment A: PC Resolution No. 2021-006
Attachment B: Draft LUE/HCE Policy Inserts and Implementation Plan
Attachment C: Proposed EJ Affected Areas (2 maps)
Attachment D: Comment Letters Received
Attachment E: Draft Notice of Exemption

ATTACHMENT A

PC Resolution No. 2021-006

2
3 **RESOLUTION No. 2021-006**

4 **RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. 190004**

5
6 **WHEREAS**, pursuant to the provisions of Government Code Section 65350 et seq., a public
7 hearing was held before the Riverside County Planning Commission in Riverside, California on May 19,
8 2021 and June 2, 2021, to consider the above-captioned matter; and,

9 **WHEREAS**, all the procedures of the California Environmental Quality Act (“CEQA”) and the
10 Riverside County Rules to Implement the Act have been satisfied and a Notice of Exemption has been prepared
11 pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense); and

12 **WHEREAS**, a notice of exemption has been prepared; and,

13 **WHEREAS**, the matter was discussed fully with testimony and documentation presented by staff,
14 the public and affected government agencies; now, therefore,

15 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Planning Commission
16 of the County of Riverside, in regular session assembled on June 2, 2021, that it has reviewed and
17 considered the staff report and considered the Notice of Exemption, staff’s presentation and input from the
18 public, and, based on the findings and conclusions in the staff report, which are incorporated herein by
19 reference, recommends that the Board of Supervisors:

20 **FIND** the Project exempt from CEQA; and

21 **APPROVE** General Plan Amendment No. 190004.

ATTACHMENT B

Draft LUE/HCE Policy Inserts and Implementation Plan

Land Use Element (add)

(Insert the following within the 4th section of this element – “Issues and Polices” – after “Policy Areas” that ends on page LU-74. The new subsection will be the fourth of the section). The policies after this section will have to be renumbered.

Environmental Justice

Environmental justice is “the fair treatment of people of all races, cultures, and incomes with respect to development, adoption, implementation, and enforcement of environmental laws, regulations, and policies” (Gov. Code §65040.12). To this end, the state legislature approved Senate Bill (SB) 1000 in 2016 that requires local general plans to address environmental justice and include related policy, if a “disadvantaged community” is identified within the area covered by the general plan. In order to fully address environmental justice, the general plans must include new or existing policy intended to (1) reduce unique or compounded health risks in disadvantaged communities, (2) promote civic engagement in public decision-making process, and (3) prioritize improvements and programs that address the needs of disadvantaged communities (Gov. Code §65302).

A disadvantaged community or **environmental justice community** (“EJ Community”) is defined as 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” or a geographic area that is identified by the California Environmental Protection Agency (“Cal EPA”) based on the area’s socioeconomic, public health, and environmental hazard criteria (Gov. Code §65302). Using an environmental health screening tool, CalEnviroScreen 3.0, Cal EPA was able to identify and designate EJ Communities throughout the state that are burdened by multiple sources of pollution. There are a number of EJ Communities located within the unincorporated areas of the County, as shown on Figure LU - 4.1, entitled “*Riverside County Environmental Justice Communities.*” Additionally, the communities of Thermal and Oasis have been included in Figure LU - 4.1 as EJ Communities because the census tracts for these communities have been identified as having distinct environmental impact parameters. Figure LU – 4.1 may be updated as new information related to living or environmental conditions becomes available from either the State or the County, or the state updates CalEnviroScreen 3.0. The update comprising CalEnviroScreen 4.0 is in preparation. Figure LU 4.1a depicts the Area Plan boundaries as identified in the Land Use Element, overlain with the CalEnviroScreen EJ community boundaries thereby providing additional context for affected EJ areas.

Furtherance of policies to be addressed by government agencies and new land use development proposed within the EJ Communities will be evaluated for promoting all environmental justice policies. The land use entitlement process provides a key opportunity to address environmental justice policies through the creation of safe, healthy, and environmentally sustainable communities.

Senate Bill (SB) 244 (2011), as discussed on page LU-24, covers policy related to disadvantaged unincorporated communities with its focus on socio-economic disadvantages, including specifically the availability of public services, facilities, and infrastructure serving households earning eighty percent (80%) or less than the median household income of the County. While there is some overlap between SB 244 and the EJ Communities defined by Cal EPA through CalEnviroScreen, the focus of the latter is on public health and factors affecting the physical environment, collectively constituting an EJ Community. Nevertheless, there is substantial overlap between EJ communities and the fact that many households in

such communities are socio-economically constrained. Updating SB 244 compliance is being undertaken in conjunction with the 6th Cycle Housing Element update and subsequently through future eight (8) year Housing Element cycle updates with the next cycle due to be prepared in 2029. At that time, any new legislation affecting compliance with SB 244 will also be addressed.

Environmental Justice Policies

Environmental justice is addressed within the nine adopted elements of the County's General Plan. However, in an effort to collectively address environmental justice, the *Healthy Communities Element* includes a section entitled, "Environmental Justice" where focused policies are found, some of which are derived from other policies within the General Plan. The goal of the environmental Justice section in the Healthy Communities Element is to ensure the consideration of environmental justice policies, in order to improve public health and the environment within EJ Communities.

Application of Environmental Justice Policies

Policies relevant to environmental justice apply particularly in the EJ Communities identified by the State of California. These communities are adapted from the state database and made part of the County's General Plan.

The General Plan represents the build-out vision of Riverside County. As such, it not only addresses what the County envisions to be achieved from new development, it also provides a framework for the collective living and working environment of its residents. Policies applicable to new development will be implemented by the County. Other policies to be implemented require cooperation with non-profits, community-based organizations, foundations, other government agencies, including those within county government, or entities outside of county government, as feasible.

To be clear, the General Plan is a document consisting of goals and policies. Such goals and policies are evaluated as a continuum of direction within broad interpretation parameters. They are not regulations in the manner that a zoning code consists of regulations with which compliance must be achieved. Goals and policies are interpreted and if the direction set by the goal or policy is met, a level of compliance is achieved such that the direction set by the goal or policy is met within a continuum framework. EJ policies are evaluated in the same manner as all other General Plan goals and policies – subject to interpretation with appropriate determinations of compliance within a continuum framework pursuant to the EJ Implementation Plan.

In addition to General Plan Amendment noticing requirements, future amendments to the Land Use Element or Healthy Communities Element relative to EJ policies and the EJ Implementation Plan and the spatial definition of the EJ Communities which may result from state adoption of CalEnviroScreen 4.0 will be reviewed for comment and input with the affected EJ communities as depicted on Land Use Element Figure LU-4.1a and LU-4.1b as well as with the affected municipal advisory councils and community councils.

EJ Implementation Plan

As noted, EJ policies are compiled in the Healthy Communities Element of the General Plan. The EJ implementation plan is provided as an appendix to the Healthy Communities Element (Appendix___). As such it is not part of this element and is not otherwise part of the General Plan. It is, therefore, an

administrative document that can be modified as the County gains experience in interpreting and evaluating development and related activity for compliance with EJ policies without having to process a general plan amendment for any changes to the document.

DRAFT

Healthy Communities Element

(Insert after the 2nd section of this element – “Policies” – that ends on page HC-12; the EJ section will be a separate section of this element and the last section. No renumbering of other policies necessary)

Environmental Justice

The *Environmental Justice* section of the Healthy Communities Element identifies environmental justice policies that address quality of life and environmental safety. These environmental justice policies apply to the Environmental Justice Communities (“EJ Communities”) shown on Figure LU-4.1, entitled “Riverside County Environmental Justice Communities,” within the General Plan Land Use Element with specific policies located in the Healthy Communities Element. It is important to note that in addition to policies shown under the Environmental Justice Section, all other policies within the Healthy Communities Element also directly apply within EJ Communities; for example, policies HC 2.1, HC 11.1 and HC 11.2 above all encourage access to food, which is an issue within EJ Communities.

Environmental justice policies address eight topics under the following categories:

Civic Engagement: this category includes policies that promote civic engagement in the decision-making process.

Health Risk Reduction: this category addresses pollution prevention in the day to day living environment that are grouped under the following headings:

- Pollution Exposure
- Food Access
- Safe and Sanitary Homes
- Physical Activity

Public Facilities: this category includes policies that prioritize improvements and programs for public facilities.

- Health Care Facilities

Other: this category includes policies that do not fall under one of the above sections.

The objectives of these environmental justice policies are to increase civic engagement, reduce unique and compounded health risks, and prioritize improvements and programs for public facilities within EJ Communities. Meeting these objectives involves collaboration and coordination with the unincorporated communities and constituents, stakeholder groups, other government agencies, service districts, and the development community.

The environmental justice policies are provided below grouped under the headings discussed above.

Civic Engagement

This category includes policies that promote civic engagement in the decision-making process.

Policies:

HC 15.1 In coordination with community based organizations and community members, develop an outreach and engagement plan using multiple means for increasing public awareness

and participation in the local planning process in furtherance of environmental justice planning.

- HC 15.2 Encourage collaboration between the county, community, and community-based organizations, as well as local stakeholders, and environmental justice focus groups in promoting environmental justice.
- HC 15.3 Work with local community-based organizations and environmental justice focus groups to promote civic engagement activities in furtherance of environmental justice as set forth in the General Plan and related programs established within environmental justice communities.
- HC 15.4 Coordinate, with environmental groups, Native American tribal groups, the business community, special interests, county and non-county agencies and the general public in the development of programs that effectively reduce greenhouse gas emissions and air pollution, and as applicable pursuant to the Community Air Protection Program (AB617).
- HC 15.5 Develop a sustainability plan for siting hazardous waste and hazardous materials facilities, including solid waste and recycling facilities, through the County's local planning processes utilizing public outreach and engagement pursuant to policies HC 15.1, HC 15.2 and HC 15.3. The plan shall increase waste reduction measures, address illegal dumping, and increase access and affordability to composting and recycling facilities.
- HC 15.6 Utilize multilingual staff personnel to assist in evacuation and short-term recovery activities and meeting general community needs.
- HC 15.7 Establish a far-ranging, creative, forward-thinking public education and community-oriented outreach campaign, to inform the environmental justice communities about the following in conjunction with implementation of policy HC15.1:
- a. Potential hazards.
 - b. The costs of not mitigating hazards and the health and environmental implications associated therewith
 - c. Facts about each hazard.
 - d. Methods to ameliorate health and environmental constraints.
 - e. Opportunities and constraints the County of Riverside has to address regarding environmental justice criteria.

Health Risk Reduction

This category includes policies that work towards reducing unique and compounded health risks. The following policies address pollution exposure and access to food and encourages safe and sanitary homes and an environment conducive to engaging in physical activity.

Pollution Exposure Policies:

- HC 16.1 In cooperation with affected federal state, local agencies, county departments, and impacted community residents, monitor changes to the Salton Sea and other bodies of water that impact air quality and water quality and seek and pursue opportunities to

address impacts to the maximum extent possible, and make public the data and other information related to the status of the effort.

- HC 16.2 Pursue funding and other opportunities from state, federal, and local government and non-government sources and allocate county general funds to improve public health and limit pollution exposure and promote efforts to ameliorate environmental justice constraints in environmental justice communities.
- HC 16.3 Assist communities in seeking funding for community initiated clean air projects including the installation of on-site air monitoring equipment in areas of high exposure to air contaminants.
- HC 16.4 Pursue funding to connect low income residents and communities to municipal water and wastewater services. In the interim, seek financial assistance for septic system repair in order to limit groundwater contamination by poorly maintained septic systems or to provide for connections to wastewater systems as a viable alternative if such systems can be made readily available.
- HC 16.5* Evaluate the compatibility of unhealthy and polluting land uses being located near sensitive receptors including possible impacts on ingress, egress, and access routes. Similarly, encourage sensitive receptors, such as housing, schools, hospitals, clinics, and child care facilities to be located away from uses that pose potential hazards to human health and safety.
- HC 16.6* When developing and siting large scale logistics, warehouse and distribution projects, address the Good Neighbor Policy for Logistics and Warehouse/Distribution uses criteria adopted by the Board of Supervisors on November 19, 2019 and as may be subsequently amended.
- HC 16.7 Evaluate public and private facilities for health hazards or major sources of contamination and identify and implement alternatives for removal of contamination.
- HC 16.8 Evaluate creating a cap or threshold on the number of pollution sources within EJ communities and make recommendations thereon.
- HC 16.9 Explore the feasibility of creating a partnership with the South Coast Air Quality Management District (SCAQMD) to establish a mitigation program to reduce the impact of air pollution as well as assist with the implementation of air quality programs.
- HC 16.10* Plan for compact development projects in appropriate locations, including in existing communities and the clustering of affordable and mixed income housing therein, that make the most efficient use of land and concentrate complementary uses in close proximity to transit or non-transit mobility options and advocate for expanded transit and non-transit mobility options to serve such areas.
- HC 16.11 Implement development of bicycle and pedestrian facilities to reduce dependency on fossil fuel based transportation and pursue funding to implement mobility plans and projects.

- HC 16.12 Plan and implement complete streets which include sidewalks, greenbelts, and trails to facilitate use by pedestrians and bicyclists where such facilities are well separated from parallel or cross through traffic to ensure pedestrian and cyclist safety and rehabilitate/expand existing to achieve same or similar design features.
- HC 16.13 Provide buffer spaces and vegetative barriers between high-volume roadways/ transportation and train track corridors and sensitive land uses.
- HC 16.14* Assure that sensitive receptors are separated and protected from polluting point sources, as feasible, including agricultural businesses that produce or use pesticides and chemical fertilizers.
- HC 16.15* Assure that site plan design protects people and land, particularly sensitive land uses such as housing and schools, from air pollution and other externalities associated with industrial and warehouse development through the use of barriers, distance, or similar solutions or measures from emission sources when possible.
- HC 16.16* Apply pollution control measures such as landscaping, vegetation, and green zones (in cooperation with the SCAQMD) and other materials, which trap particulate matter or control air pollution.
- HC 16.17 Landscape by planting of trees on a community basis that removes pollutants from the air, provides shade and decreases the negative impacts of extreme heat on the community.
- HC 16.18* Promote new development that emphasizes job creation and reduction in vehicle miles traveled in job-poor areas and does not otherwise contribute to onsite emissions in order to improve air quality.
- HC 16.19 Promote reduction of vehicle miles traveled (VMT) by encouraging expanded multi-modal facilities, linkages between such facilities, and services that provide transportation alternatives, such as transit, bicycle and pedestrian modes.
- HC 16.20 Facilitate an increase in transit options. In particular, coordinate with adjacent municipalities, transit providers and regional transportation planning agencies in the development of mutual policies and funding mechanisms to increase the use of alternative transportation modes. All new development should contribute and invest in increasing access to public transit and multimodal active transportation infrastructure.
- HC 16.21 Require the creation of programs that increase carpooling and public transit use, decrease trips and commute times, and increase use of alternative-fuel vehicles and facilities supporting the use of such vehicles including charging stations
- HC 16.22* Discourage industrial uses which use large quantities of water in manufacturing or cooling processes that result in subsequent effluent discharges, and encourage agricultural businesses to limit and reduce the production and use of pesticides and chemical fertilizers to the maximum extent possible thereby minimizing contaminated infiltration and runoff, including runoff to the Salton Sea and other standing bodies of water.

- HC 16.23* Discourage industrial and agricultural uses which produce significant quantities of toxic emissions into the air, soil, and groundwater to prevent the contamination of these physical environments.
- HC 16.24* Ensure compatibility between industrial development and agricultural uses and adjacent land uses. To achieve compatibility, industrial development and agricultural uses will be required to include criteria addressing noise, land, traffic and greenhouse gas emissions to avoid or minimize creating adverse conditions for adjacent communities.
- HC 16.25* Require the conversion of mining operations into uses that are compatible with surrounding areas in accordance with the Surface Mining and Reclamation Act.
- HC 16.26 Enforce the land use policies and siting criteria related to hazardous materials and wastes through continued implementation of the programs identified in the County of Riverside Hazardous Waste Management Plan including the following:
- a. Ensure county businesses comply with federal, state and local laws pertaining to the management of hazardous wastes and materials including all Certified Unified Program Agency (CUPA) programs.
 - b. Require and promote the programs, practices, and recommendations contained in the Riverside County Hazardous Waste Management Plan, giving the highest waste management priority to the reduction of hazardous waste at its source.

Food Access Policies:

- HC 17.1 Cooperate with transit providers in the review of transit routes to provide service to jobs, shopping, schools, libraries, parks, healthcare facilities, grocery stores, markets, food distribution centers, and healthy restaurants that provide whole grain, low fat, low salt and fresh and cooked vegetable options. This policy must also coordinate with transit policies to ensure stronger connectivity and accessibility for residents.
- HC 17.2* Orient buildings closer to streets or provide landscaped promenades that connect buildings to bus stops with routes that provide access to shopping centers, grocery stores, and areas where farmers markets are held.
- HC 17.3* Encourage site design for new development to accommodate interior spaces for recreational and other neighborhood uses, such as community gardens and farmer's markets in order to increase access to fresh and healthy foods; and to render such spaces convenient and available to neighboring streets, neighborhoods, and other nearby facilities to fill the void or lack of small grocery stores and increase access to fresh and healthy foods within EJ Communities.
- HC 17.4 Work with community organizations to develop a food recovery plan which minimizes wasting of edible food products prioritizing after school sites and other community centers as spaces to distribute recovered food.
- HC 17.5* Encourage the development of diverse food establishments prioritizing mom and pop healthy food establishments and community kitchens for homemade foods to be sold in

areas with a high concentration of fast food establishments, convenience stores and liquor stores.

- HC 17.6* Work with local farmers and growers to develop a program to provide affordable access to fruits and vegetables grown in the area to the EJ communities. Identify and establish the location of grocery stores, healthy corner stores, farmers markets all which carry a complement of healthy foods to be located in close proximity to transit nodes and other active transportation system links.
- HC 17.7* Promote edible landscaping and community gardens for suitable public and private land as well as for residential and mixed use projects.

Safe and Sanitary Home Policies:

- HC 18.1 Promote code compliance inspections to also identify any observed pollution sources or safety hazards and establish rehabilitation and weatherization programs to assist various housing types.
- HC 18.2 Identify funding sources for an education program for housing related hazards, such as lead, asbestos, mold and pests with guidance on how to upgrade these safely, including available assistance programs.
- HC 18.3 Assist and provide support to service agencies in their application for state and federal funding to upgrade water infrastructure, including wastewater and electric infrastructure giving priority to disadvantaged communities that have contaminated or vulnerable water sources.
- HC 18.4 In cooperation with service agencies, ensure that sources of potable water are protected from contamination. Codevelop plans for updating dated water infrastructure and have contingency plans for when contamination occurs under unforeseen circumstances. Develop and implement a water quality testing program applicable to small water systems and domestic wells.
- HC 18.5 In cooperation with service agencies, seek funding to develop the use of innovative potable water and wastewater systems in areas of diminished water quality.
- HC 18.6 In cooperation with service agencies, encourage the consolidation of public potable water systems or the extension of water service from existing systems, especially for communities that lack access to clean drinking water.
- HC 18.7* Discourage industrial, agricultural and other land uses that may pollute and cause health conflicts with residential land uses either directly or indirectly. Ensure that community members are properly notified and involved in the decision-making process for new land use proposals.
- HC 18.8* Work with the development community including small property and mobile home park owners so new residential development, particularly for low income households, is designed to limit their exposure to high noise levels, pesticide and fertilizer exposure,

dust pollution, and other potential impacts associated with adjacent industrial and agricultural uses.

HC 18.9*

Encourage the location and design of new developments to visually enhance and not degrade the character of the surrounding area through consideration of the following concepts.

- a. Using design standards of the appropriate Area Plan land use category.
- b. Construction of structures in accordance with the requirements of Riverside County's zoning, building, and other pertinent codes and regulations.
- c. Require that an appropriate landscape plan be submitted and implemented for development projects subject to discretionary review.
- d. Use of drought tolerant landscaping that incorporates adequate drought-conscious irrigation systems.
- e. Application of energy efficiency through street configuration, building orientation, and landscaping to capitalize on shading and facilitate solar energy.
- f. Application of water conservation techniques, such as groundwater recharge basins, use of porous pavement, drought tolerant landscaping, and water recycling, as appropriate.
- g. Encourage innovative and creative design concepts.
- h. Encourage the provision of public art that enhances the community's identity, which may include elements of historical significance and creative use of children's art.
- i. Include consistent and well-designed signage that is integrated with the building's architectural character.
- j. Provide safe and convenient vehicular access and reciprocal access between adjacent commercial uses.
- k. Locate site entries and storage bays to minimize conflicts with adjacent residential neighborhoods.
- l. Mitigate noise, odor, lighting, pollution exposure and other impacts on surrounding properties.
- m. Provide and maintain landscaping in open spaces and parking lots.
- n. As feasible, maximize landscape coverage with emphasis on drought-tolerant landscaping.
- o. Preserve, as feasible, natural features, such as unique natural terrain, arroyos, canyons, and other drainage ways, and native vegetation, wherever possible, particularly where they provide continuity with more extensive regional systems.
- p. Require, as feasible, that new development be designed to provide adequate space for pedestrian connectivity and access, recreational trails, vehicular access and parking, supporting functions, open space, and other pertinent elements.
- q. Design parking lots and structures to be functionally and visually integrated and connected.
- r. As feasible, site building access points along sidewalks, pedestrian areas, and bicycle routes, and include amenities that encourage pedestrian activity where such pass-through areas include wayfinding signage, street trees, grade and lateral separation

from roads, all with consideration given to adequate safety lighting, and landscape screening.

- s. Encourage safe and frequent pedestrian crossings and ensure that sidewalks and other pedestrian walkways provide continuity between land uses essential to a functional lifestyle, and as needed such sidewalks and pedestrian walkways should provide sufficient lighting and signage to ensure public safety
- t. Encourage creation of a human-scale ground floor environment that includes public open areas that separate pedestrian space from auto traffic or where mixed, it does so with special regard to pedestrian safety.
- u. Recognize open space, including hillsides, arroyos, riparian areas, and other natural features as amenities that add community identity, beauty, recreational opportunities, and monetary value to adjacent developed areas.
- v. Manage wild land fire hazards in the design of development proposals located adjacent to natural open space.

HC 18.10 Work with local service and utility providers to to monitor and expand the capacities of infrastructure and services in coordination with outside agencies and jurisdictions to ensure that growth does not exceed acceptable levels of service and that such capacity analysis also addresses the infrastructure and service needs of existing disadvantaged communities. Develop contingency plans for growing areas that are near or exceeding the current infrastructure capacity.

HC 18.11 In coordination with service agencies, limit or prohibit new development or activities in areas lacking water and access roads in the absence of a plan to address such deficiencies to meet the needs of both new development and within existing disadvantaged communities. Work with community partners and service agencies to establish future plans to meet needs for potential community growth in areas lacking water and road infrastructure.

HC 18.12* Prioritize the development of safe and affordable housing in EJ Communities while at the same time minimizing the displacement of existing residents consistent with Housing Element, Goal 2, Action 2.1h and as may be amended by the 6th Cycle Housing Element. Affordable housing projects should include various housing types that respond to community priorities and input.

HC 18.13 Plan for the removal or remediation of hazardous material from older homes and mobile homes including but not limited to asbestos and lead containing material.

Physical Activity Policies:

HC 19.1 Collaborate with the relevant agencies to promote opportunities to provide recreational facilities for residents, including the Salton Sea area, and other bodies of water, as applicable, that are accessible via public transit and active transportation, including pedestrian friendly local roads with sidewalks and bikeways. Other projects and amenities should be developed as identified by community members.

- HC 19.2* Develop of high-quality parks, green space, hiking trails, recreational facilities and natural environments in areas where such facilities are lacking.
- HC 19.3 Promote pedestrian and bicycle access to parks and open space through infrastructure investments, education and improvements.
- HC 19.4 Promote the preparation of a pedestrian network plan that allows for safe travel between all areas and destinations of the community to include as feasible shade structures, street furniture, signage, and exercise areas such as par courses.
- HC 19.5 Paseos, pedestrian and bicycle paths should be provided between residential structures and nonresidential structures.
- HC 19.6* Plan for a system of local trails that enhances recreational opportunities and connects with regional trails.
- HC 19.7* Incorporate open space, community greenbelt separators, and recreational amenities into development areas in order to enhance recreational opportunities and community aesthetics to improve the quality of life.
- HC 19.8 Paseos and pedestrian/bicycle connections should be provided between the highest density residential uses and those nonresidential uses so that the local population can safely connect with ease. Alternative transportation mode connections should also be provided to the public facilities in the vicinity, including schools, libraries, and community facilities.
- HC 19-9 Pursue joint use agreements with school districts for park and recreational facility use, especially when access to comparable public facilities is not available.

Public Facilities

This category includes policies that prioritize improvements and programs for public facilities.

Policies:

- HC 20.1* New development should provide for public services including but not limited to solar street lighting, shading structures at bus stops, other supporting infrastructure, and extension of trash and recyclables pickup routes.
- HC 20.2* New development should promote convenient internal pedestrian circulation among land uses (existing and proposed) within each neighborhood and connecting with existing adjacent developed areas, and as applicable consistent with the Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy, and amendments thereto.
- HC 20.3 Enhance the quality of existing residential neighborhoods by including adequate maintenance of public facilities in the County’s capital improvement program and requiring residents and landlords to maintain their properties in good condition and seek opportunities, particularly funding, to enhance quality of life conditions in existing mobile home parks particularly those which are affected by deteriorating infrastructure and hardscape.

- HC 20.4* New development and conservation land uses should not infringe upon existing essential public facilities and public utility corridors, which include county regional landfills, fee owned rights-of-way and permanent easements, whose true land use is that of public facilities.
- HC 20.5 In working with transit service providers and developers of residential projects, promote better and safer connections between residential areas and services to include local and regional transportation hubs as well as ancillary components such as sidewalks and shade structures as being associated with these connections for better access to parks, schools, and employment areas.
- HC 20.6 With the availability of funding and pursuant to health and safety considerations, ensure that surface drainage is properly captured and disposed and does not mix or otherwise interface with septic systems.
- HC 20.7 Ensure that health and safety facilities such as fire stations and sheriff substations are adequately sited, improved and staffed to serve affected communities. Identify which communities need services to be built in close proximity to reduce the amount of time it takes to respond to an emergency.
- HC 20.8 Review the location and extent of community recreational facilities to ensure maximum use by children and adults and use that information to develop new recreational facilities and opportunities for the community, including indoor and outdoor facilities.
- HC 20.9 Ensure that safe and potable drinking and cooking water is available in the EJ communities.

Health Care Facilities Policies

This category encompasses the need for facilities to maintain community health.

- HC 21.1 Review and analyze the location of medical, dental and vision clinics and staffing to ensure that community health can be maintained for routine and complex health issues and ensure that facilities have cooperative agreements in place with similar facilities in the area. Locate interim facilities and mobile clinics until permanent facilities can be built.

Other EJ Related Policies

This category includes policies not directly related to the SB1000 categories but will help improve the quality of life in EJ communities.

- HC 22.1 Increase coordination and collaboration with the implementation of existing climate action plans such as the county’s 2020 Climate Action Plan update, resilience action plans, mobility plans and AB 617 plans, as may be amended.
- HC 22.2 Develop a stormwater capture system in areas that do not have the appropriate curb and gutter infrastructure.

- HC 22.3 Work with community residents to identify a pathway for community solar projects and other renewable energy projects that do not harm the natural habitat, resources, and environment of the community.
- HC 22.4 Utilizing public outreach and engagement pursuant to policies HC 15.1, HC 15.2 and HC 15.3, update community and area plans, and create new plans to be determined, located in the environmental justice communities adapting the polices contained herein to address local needs including in conjunction with the development of the county's Unincorporated Communities Initiative.
- HC 22.5 New specific plans or existing specific plans that includes a substantial revision that are within "disadvantaged communities," as identified by CalEPA should address Environmental Justice goals and include appropriate policies similarly to this section.

DRAFT

Environmental Justice (EJ) Implementation Plan (Appendix ____)

Overview

EJ policies are compiled in the Healthy Communities Element of the General Plan. The EJ implementation plan is provided as an appendix to the Healthy Communities Element. As such it is not part of this Element and is not otherwise part of the General Plan. It is, therefore, an administrative process and procedure oriented document that can be modified as the County gains experience in interpreting and evaluating development and related activity for compliance with EJ policies without having to process a general plan amendment for any changes to this document or any other Element of the General Plan.

Process and Procedure

EJ polices contained in the Healthy Communities Element are implemented on a parallel track – government and agency implementation, and development project implementation.

Government and Agency Implementation

EJ communities have evolved over decades of blending incompatible land uses, environmental degradation affecting public health and safety, generally including a socioeconomically disadvantaged population, and a lack of public investment for rehabilitation and remediation over the same periods, and a lack of investment in supportive infrastructure. The remedying of these conditions will take a major effort in leadership, collaboration, cooperation and a substantial investment of resources on the part of local government as well as regional, state and federal agencies, together with the EJ communities, consisting of its residents and community-based organizations to address these equity issues and over time create balanced, safe, and prosperous communities. The direction associated with those policies not related to development project implementation will take this level of effort to achieve.

Development Project Implementation

The EJ policies denoted with an asterisk (*) apply to all new development within the EJ areas depicted on the environmental communities map on Figure LU 4-1 in the Land Use Element of the General Plan and includes all discretionary approvals for development projects consisting of housing, and nonresidential uses including but not limited to commercial, services, industrial, agricultural, and non-profits.

Evaluation of Development Related EJ Policies

As part of the application process the builder or developer is required to evaluate project compliance with the EJ policies. Each policy shall be listed with a concise narrative thereunder explaining how the project is proposed to comply with the policy. The concluding statement under the narrative should be one of the following, as proposed based on the narrative:

- Compliance via mitigation measure
- Compliance via project design feature
- Compliance via condition of approval
- Policy not applicable (no narrative needed in this case)
- Project cannot or does not comply

Project Submittal and Presentation

Subsequent to project submittal, including the EJ analysis, Current Planning staff will review and evaluate the EJ policy analysis and other submittal components, and in addition to other administrative procedures associated with the submittal, staff shall schedule the project for presentation to the affected Community Council (CC) or Municipal Advisory Council (MAC) in the EJ area where the project is being proposed. If the project is not located within the boundary of a CC or MAC, but is within an EJ area, staff will work with the developer or builder in an effort to identify a suitable location for presenting the project and the EJ policies. Both the project's assigned staff and the developer or builder shall partake in the presentation and accept and respond to comments provided by CC or MAC members as well as the public. Information regarding MAC and CC meetings will be widely noticed within the affected communities.

The following CCs or MACs are located in EJ areas where EJ policies will be discussed. Their names and represented communities are also indicated.

MAC/CC	COMMUNITY	DISTRICT
HIGHGROVE MAC	HIGHGROVE	2
MEAD VALLEY MAC	MEAD VALLEY	1
MECCA-NORTH SHORE CC	DESERT BEACH	4
	NORTH SHORE	
	MECCA	
NUVIEW/ROMOLAND MAC	NUEVO	5
PERRIS VALLEY MAC	GOOD HOPE	1
	MEADOWBROOK	
RIPLEY CC	RIPLEY	4
SAN GORGONIO PASS MAC	TWIN PINES	5
SKY VALLEY CC	SKY VALLEY	4
TEMESCAL VALLEY MAC	TEMESCAL CANYON	1
	SPANISH HILLS	
	DAWSON CANYON	
THERMAL-OASIS CC	ARABIA	4
	OASIS	
	THERMAL	
THOUSAND PALMS CC	THOUSAND PALMS	4
VISTA SANTA ROSA CC	VISTA SANTA ROSA	
WARM SPRINGS CC	WARM SPRINGS	1
WEST DESERT MAC	CABAZON	5
WINCHESTER/HOMELAND MAC	HOMELAND	5
	WINCHESTER	

Input received from presentations on EJ policies will be considered by staff in compiling project recommendations to decisionmakers.

EJ Policy Implementation Monitoring/Annual Progress Report

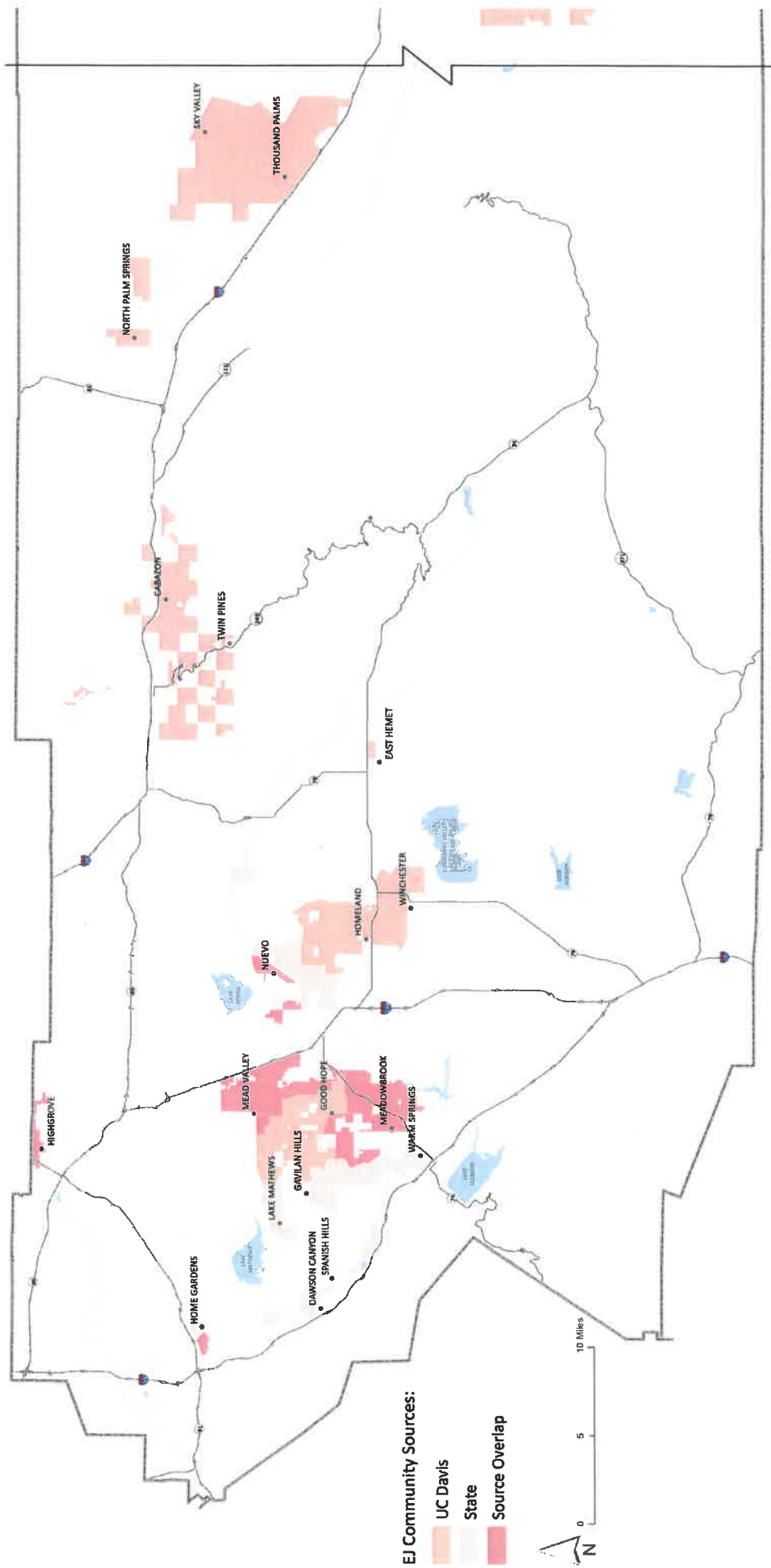
Commencing in April 2023, concurrent with the General Plan's Housing Element Annual Progress Report, the County shall prepare an annual progress report on the criteria achieved demonstrating quantitative or qualitative progress in moving forward with the direction set by the individual EJ policies. The County shall also review and evaluate the spatial definition of the EJ communities as conditions change in those communities and as a result of state changes to CalEnviroScreen boundary definitions.

Consistent with community engagement/outreach policies HC 15.1, HC 15.2, HC 15.3, HC 15.6 and HC 15.8 the draft report shall be made public for review and comment. Additionally, the report shall be presented for review and comment by the above referenced municipal advisory councils and community councils. The report shall then be presented to the Board of Supervisors for review, comment and direction before the preparation of subsequent reports commencing in April 2024.

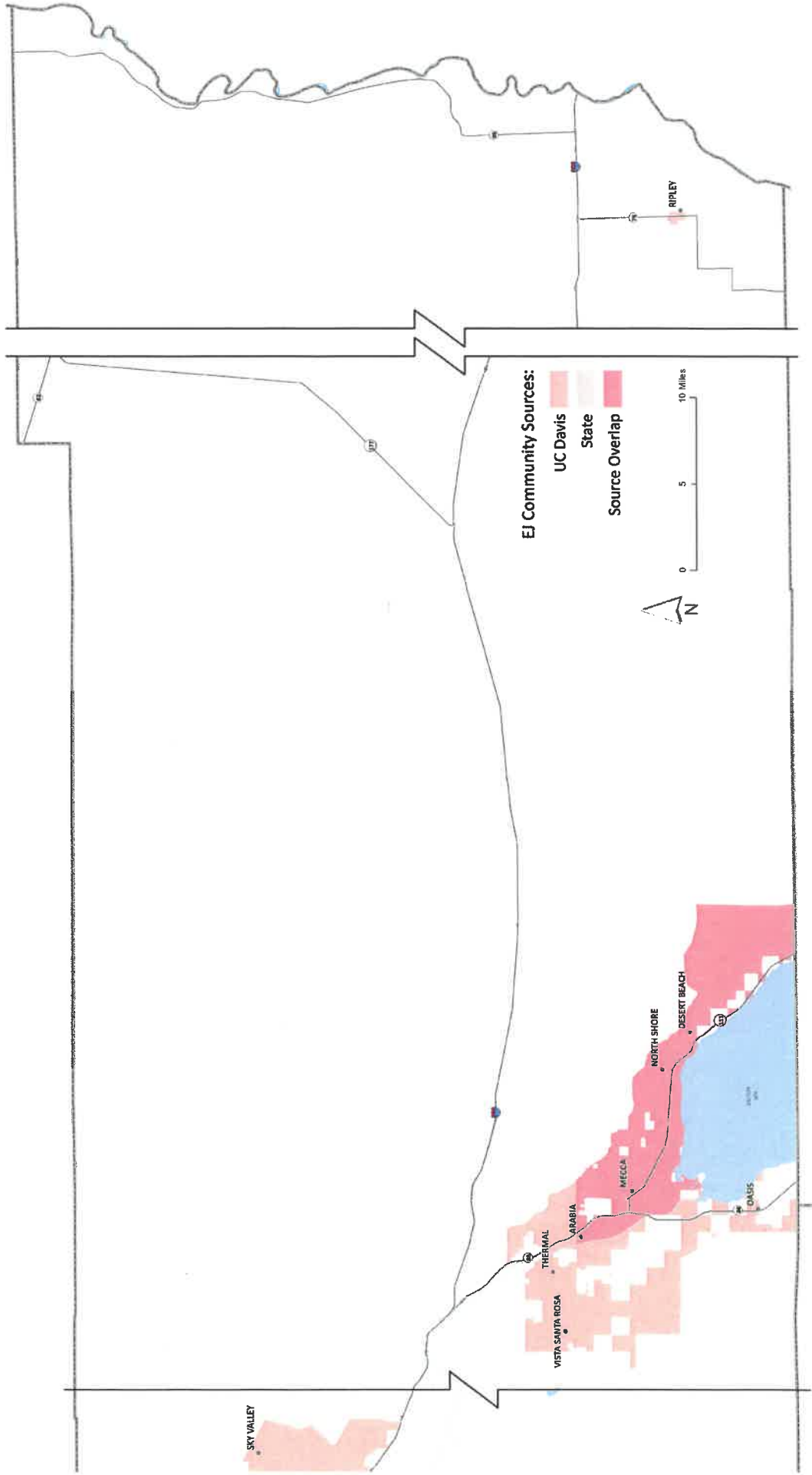
ATTACHMENT C

Proposed EJ Affected Areas (2 maps)

ENVIRONMENTAL JUSTICE AFFECTED COMMUNITIES - WEST COUNTY



ENVIRONMENTAL JUSTICE AFFECTED COMMUNITIES - EAST COUNTY



ATTACHMENT D

Comment Letters Received

XAVIER BECERRA
Attorney General

State of California
DEPARTMENT OF JUSTICE



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February 24, 2021

Via E-mail

Robert Flores
Principal Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501
RFlores@rivco.org

RE: Riverside County General Plan Amendment No. 190004

Dear Mr. Flores:

Thank you for the opportunity to comment on Riverside County's Revised Draft Environmental Justice Policies, which will be considered for approval under General Plan Amendment No. 190004 ("EJ Policies"). We appreciate the County's efforts to engage with community members to discuss the EJ Policies, as requested in our October 24, 2018 letter regarding the first public draft of the EJ Policies.¹ However, we believe the EJ Policies would be improved if they incorporated feedback the County has received from community members, included implementation measures, and addressed the requirements in Riverside County's Good Neighbor Policy for the logistics, warehouse, and distribution industries. Therefore, we respectfully request that Riverside County further revise its EJ Policies before they are brought to the Planning Commission for consideration.²

¹ From May through October 2019, Riverside County Planning Staff held six workshops to discuss environmental justice and collect input from the public. These workshops were held in different areas throughout the County and were advertised via notices in English and Spanish. In January and February 2021, Riverside County Planning Staff provided three additional opportunities for the public to discuss the EJ Policies during online meetings. The County posted information about these workshops and meetings on its new environmental justice website and shared public notices directly with known stakeholders.

² The Attorney General submits these comments pursuant to his independent power and duty to protect the environment and natural resources of California. See Cal. Const., art. V, § 13; Gov. Code §§ 12511, 12600-12612; *D'Amico v. Board of Medical Examiners*, 11 Cal.3d 1, 1415 (1974).

I. The EJ Policies Should Incorporate Community Feedback

California law defines environmental justice to include “at a minimum, the meaningful consideration of recommendations from communities most impacted by pollution into environmental and land use decisions.” Gov. Code § 65040.12(e)(2). Riverside County Planning Staff has collected feedback on the EJ Policies from community members over the past two years, but the latest version of the EJ Policies is not substantially different from the original 2018 draft. For example, the revised EJ Policies do not have any new policies in several policy categories, including civic engagement, pollution exposure, and physical activity. Further, according to the January 26, 2021 letter from the Leadership Council for Justice and Accountability and five other community groups that engaged in Riverside County’s public workshops, “we have seen little to no changes made to the Environmental Justice policies based on the input provided by community residents or organizations since 2018.” Riverside County should summarize the feedback it has received from the public regarding its EJ Policies, explain how it has addressed these comments (or explain why it has not made certain revisions), and adjust its EJ Policies to reflect the important input it has received from community members. This process will promote transparency as the County develops its EJ Policies and ensure that the EJ Policies match the real, on-the-ground pollution burdens and unique needs of the disadvantaged communities in its jurisdiction.

II. The County Should Develop and Finalize the EJ Implementation Plan in Conjunction with the EJ Policies

Senate Bill 1000 (“SB 1000”) requires local governments with disadvantaged communities to develop an environmental justice element or related goals, policies, and objectives (collectively, an “EJ element”) in its general plan that meet certain requirements. Gov. Code § 65302(h)(1). The EJ element must “reduce the unique or compounded health risks in disadvantaged communities” by reducing pollution exposure, improving air quality, and promoting public facilities, food access, safe and sanitary homes, and physical activity. *Id.* § 65302(h)(1)(A). To meet these requirements, an EJ element should include specific and targeted measures that implement the policies in a local government’s EJ element. These implementation measures are essential for ensuring that a government’s environmental justice-related plans translate into actual improvements for disadvantaged communities.

Here, Riverside County’s EJ Policies states that the County will develop an “EJ Implementation Plan” at an unspecified later date. This Plan will be published as an Appendix to the General Plan, so “it is not part of [the Healthy Communities Element] and is not otherwise part of the General Plan.” Instead, the County views the future Plan as “an administrative document that can be modified as the County gains experience in interpreting and evaluating development and related activity for compliance with EJ policies without having to process a general plan amendment for any changes to the document.” Our October 24, 2018 letter to Riverside County requested that Riverside County present its Implementation Plan to the public as part of its General Plan Update for the EJ Policies, but Riverside County did not do so.

While we understand the desire to have an EJ Implementation Plan that can be improved as needed, we are concerned the County's approach will result in an unreasonably delayed Plan that is created without input from the communities most impacted by the EJ Policies. Public participation is a crucial step to developing effective and meaningful EJ policies and implementation measures. As such, the County should present its EJ Implementation Plan to the public now, when community members are already considering and commenting on the EJ Policies. The Implementation Plan should include target deadlines for the implementation measures and performance standards to encourage accountability. Moreover, Riverside County should include in its Policies a requirement to notify the public of any future revisions to the Implementation Plan and provide stakeholders with ample opportunities to provide comments. These changes to Riverside County's approach for its EJ Implementation Plan will ensure that the County does not delay creating the most impactful part of its EJ Policies – the Plan that is necessary for the County to realize its important EJ goals for disadvantaged communities – and will make the Plan stronger because it benefits from the public's input.

III. The EJ Policies Should Incorporate and Strengthen the Requirements from Riverside County's Good Neighbor Policy

As a part of the SB 1000 compliance process, the Office of Planning and Research's ("OPR") General Plan Guidelines encourage local governments to review existing environmental justice policies, programs, and regulations to identify applicable regulations, evaluate consistency with the regulations, and determine where improvements may be needed for disadvantaged communities given their unique burdens and needs.³ Riverside County's Good Neighbor Policy for Logistics and Warehouse/Distribution Uses ("Good Neighbor Policy"), which was approved by the Board of Supervisors on November 19, 2019, should be included in the analysis.⁴ The Good Neighbor Policy was created to provide "a framework through which large-scale logistics and warehouse projects can be designed and operated in a way that lessens their impact on surrounding communities and the environment." This goal is achieved with a number of development and operational criteria to reduce the impacts from these developments on sensitive receptors, such as a 300-foot buffer zone between sensitive receptors and loading docks (Paragraph 3.1) the placement of truck driveways on streets that do not have sensitive receptors (Paragraph 3.3), and a requirement for specific truck routes that avoid traveling near sensitive receptors (Paragraph 4.6).

While the EJ Policies include some general measures that will overlap with these requirements, the EJ Policies do not incorporate or address any of the specific requirements from

³ OPR, General Plan Guidelines, Chapter 4: Required Elements, Section 4.8: Environmental Justice Element (June 2020), pg. 13, available at https://opr.ca.gov/docs/20200706-GPG_Chapter_4_EJ.pdf.

⁴ See Riverside County, Board of Supervisors Policy F-3, available at <https://www.rivcocob.org/wp-content/uploads/2020/01/Good-Neighbor-Policy-F-3-Final-Adopted.pdf>.

the Good Neighbor Policy. For example, Policy HC 16 “encourage[s] developments that pose potential health and safety hazards to be located away from sensitive receptors,” but does not state which types of developments must comply with this policy, which hazards must be addressed, or specify the necessary distance for protecting sensitive receptors. The EJ Policies also do not include any guidelines or standards for truck routes or truck driveways. Riverside County should revise its EJ Policies to be consistent with and reflect the standards in its own Good Neighbor Policy. Further, the County should revise its EJ Policies to be more protective than the Good Neighbor Policy as necessary to address the unique pollution burdens and needs of the disadvantaged communities in its jurisdiction, especially since these communities are already severely and disproportionately impacted by pollution from the logistics, warehouse, and distribution industries.

IV. Conclusion

Thank you for considering our suggestions for stronger EJ Policies and the EJ Implementation Plan in Riverside County. Please do not hesitate to reach out to me if you have any questions throughout the remainder of your planning process or would like to discuss these issues further.

Sincerely,



ABIGAIL BLODGETT
Deputy Attorney General

For XAVIER BECERRA
Attorney General

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February 19, 2021

Robert Flores
Riverside County Planning Department
4080 Lemon Street
Riverside, CA 92501

Sent via Email

RE: SB 1000 Implementation in Riverside County's General Plan

Dear Mr. Hersh, Mr. Flores, and Mr. Villalpando,

Thank you for the opportunity to provide feedback on the Environmental Justice draft policies that you developed in response to SB 1000. We appreciate the time you have spent engaging with us on this issue. We would like to take the opportunity to share our concerns, comments, and suggestions on the Environmental Justice policies included in the Land Use and Healthy Communities Elements in the Riverside County General Plan.

We believe the General Plan serves as a guide that can transform Riverside County for the better. As stated in the California Government Code at 65040.12(e), "Environmental Justice" means 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. This includes the availability of a healthy environment for all people and the inclusion of and meaningful consideration of recommendations from populations and communities most impacted by pollution into environmental and land use decisions.¹

¹ California Code, Government Code - GOV § 65040.12

1. Legal Requirements regarding General Plans and Environmental Justice

The law calls for Riverside County to promote transparency and public engagement in local government planning and decision-making processes. In regards to the development of the environmental justice draft policies, it is our understanding that Riverside County lacked a meaningful and intentional outreach process to reach and include community residents, community-based organizations, and other significant community stakeholders in order to assist in the development of these draft policies. Moving forward, we expect the Planning Department to comply with intentional outreach meaningful engagement efforts, as required by law.

The responsible Riverside County departments, in collaboration with the County Executive Office and County Board of Supervisors must work together to allocate county funding to support the implementation of environmental justice county policies and programs. Such entities must make a diligent effort to keep up to date with the state budget and advocate for funding programs that will reduce pollution burdens like from the Greenhouse Gas Reduction Fund (GGRF).

2. Public Participation and Engagement

As partners in the region, we believe that community members and their priorities should be at the forefront of planning for environmental justice, particularly those located within disadvantaged unincorporated communities, such as the communities of Mecca, North Shore, Oasis and Thermal. For this process, the County has not followed a meaningful community engagement process that provides time and diverse opportunities for residents to engage. There have been no direct updates to the community about the County's progress on SB 1000 since late 2019. Although we appreciate the county's recent efforts, the meetings held in January and February 2021 were during working hours with limited interpretation, no translation of materials, and limited outreach done to residents across the county. We encourage you to follow the guidance included in the CEJA SB 1000 Toolkit² to learn about best practices for community engagement and implementation of SB 1000. Prior to taking the updated environmental justice policies to the Board of Supervisors in 2021, the County must comply with the following engagement strategies:

- Hold a series of virtual community meetings that target residents from across the County to provide various opportunities for resident and stakeholder input.
- Share community meeting information two weeks in advance with local organizations and Riverside County departments such as the Public Health Department to share information and flyers with the community.

² CEJA SB 1000 Toolkit: <https://caleja.org/2017/09/sb-1000-toolkit-release/>

- Develop infographics or factsheets that describe the purpose and intent of SB 1000 implementation. We recommend that the Planning Department plans and works closely with community-based organizations, including the undersigned organizations, and allow the opportunity to review fact sheets before they are final to ensure the language used is accessible to community members.
- Materials developed for SB 1000 should be provided in Spanish and other languages as requested, as well as providing adequate interpretation at office hours and community meetings.
- Provide specific guidance and timelines at the initial stages of the process for public comment and approval.
- Use alternative outreach methods in addition to social media and email to inform residents and stakeholders of the progress and events for the general plan update. These methods can include partnering with school districts to contact parents through phone or text alerts, flyer distribution at food and vaccination distribution sites, and conducting direct texting and phone banking to community residents and partnering with local broadcasters
- Proactively seek diverse geographic participation within the County.

3. Follow a Joint SB 1000 and Housing/Safety Element Update Process

As mentioned in our January 26th letter regarding public participation, we request that the efforts to comply with SB 1000 and update the Housing and Safety Elements be done concurrently. There is a clear correlation and intersection between housing and environmental justice and in order to encourage community input, the best practice to follow would be to combine both processes and coordinate the engagement together in joint meetings. This is especially true now with the state Housing Element Law's requirement that 6th cycle housing elements include an Assessment of Fair Housing and policies and programs that affirmatively further fair housing that overcome segregation and disparities in access to opportunity. Gov. Code Sec. 8899.50(a); 65583(c)(5)&(10).

4. Key Recommendations to Advance Environmental Justice

The following recommendations should be reflected throughout the updated environmental justice policies and the implementation plan in order to ensure that they directly help address institutional and systemic issues within environmental justice communities in Riverside County.

1. Maintain public health and racial equity, inclusion, and diversity at the forefront of all policies and programs to improve the quality of life in environmental justice communities. All programs and policies implemented through SB 1000 shall primarily help advance social, racial, and environmental justice and equity in

low-income communities and communities of color by understanding the needs of the community and providing direct investments to address those priorities. This requires a strong commitment to community outreach and engagement.

2. Prohibit polluting land uses and unwanted development near sensitive receptors. All new development should cause no further harm to public and environmental health, particularly in already overburdened and vulnerable communities. However, mitigation and adaptation measures should be developed to address existing polluting land uses.
3. Coordinate and collaborate with agencies and stakeholders to implement programs and policies that have already been identified by the community, including those in the general plan and other community-led plans (i.e. the Eastern Coachella Valley Climate Action Plan, the Regional and Neighborhood Mobility Plans for the Eastern Coachella Valley, and the AB 617 CERP/CAMP plans, among others).
4. Develop a sustainability plan that identifies and maps all contaminated and toxic hotspots in unincorporated communities, including tribal land, in order to develop prevention and mitigation efforts to protect vulnerable populations in close proximity. Prevention, mitigation, and adaptation efforts should enhance the capacity of unincorporated communities to be more resilient to the impacts of climate change.
5. Co-create chartered neighborhood councils in the Disadvantaged Unincorporated Communities as a pilot to achieve greater civic and public participation in underrepresented low-income communities.
 - a. We request the Riverside County Planning Department to replace the existing community councils of Thermal/Oasis and Mecca/North Shore with co-created chartered neighborhood councils in the disadvantaged unincorporated communities of Thermal, Oasis, Mecca, and North Shore each respectively, alongside community members to achieve greater and more meaningful civic and public participation in underrepresented low-income communities. Through the formation of these neighborhood councils, seats shall be elected by the broader community to promote more fair and democratic processes of government in community development. Additionally, it is crucial the planning department work with the community to create a guidance that promotes fair representation where council members do not advance their self-interest but rather centers the community members that elect them to represent their best interests.
 - b. The neighborhood councils would serve an important role to reject or recommend proposed development projects, advance community priorities, and ensure residents of all socio-economic segments of their community are informed and voices are heard. We recommend Riverside

County replace the existing community councils of Thermal/Oasis and Mecca/North Shore with neighborhood councils that will promote more democratic governance, community agency, and advance fair and equitable representation. Currently, the existing community councils are ineffective, lack guidance and a clear structure, and a fair process for electing council members. Council members are appointed rather than elected which is inherently problematic because it opens up the opportunity to advance self-interest and prioritize property owners rather than community members with less access to capital.

- c. Neighborhood councils must also function and make decisions based on the advancement of racial equity and public health and prevent gentrification and displacement.
6. Coordinate and collaborate with agencies like the South Coast AQMD, CVAG, SCAG, CNRA, CARB, SWRCB, DPR, and other utility and service providers to implement programs and policies that advance environmental justice across the County. Collaboration must also include community-based organizations and a tailored public participation process that's inclusive of the community.
7. Work with other Riverside County departments to develop a comprehensive "Unincorporated Communities Initiative." This should include a prioritized project list - informed by community members - for all unincorporated communities that will be used to apply for available grant funding on an annual basis. Additional small-scale projects shall also be implemented using the general fund and other funding available through inter-agency collaboration.
 - a. Utilize this new initiative to make targeted investments and commitments to mitigate pollution in environmental justice communities and advance environmental equity by making development criteria stricter in areas that need more protection from cumulative impacts to public health.
8. Prioritize and advance climate resilience and adaptation in environmental justice and unincorporated communities:
 - a. Planning for environmental justice and unincorporated communities must proactively help advance the development of community resource and amenities including crucial infrastructure like waste management programs, water and wastewater infrastructure, weatherization programs for mobile homes, community solar energy projects, parks, trails, stormwater capture systems, increased access to healthy food, urban greening projects, and emission reduction strategies.
 - b. Expand water, wastewater, electric, and other utilities to facilitate new construction of affordable and mixed income housing.
9. Ensure that future land development is more consistent with the existing land uses and environment, and as dictated by community residents. The County and local

jurisdictions shall minimize incompatible uses and provide an extensive notification mechanism to residents when new land uses are proposed.

10. Establish an Office of Enforcement and Environmental Justice within the County's Planning Department that promotes environmental justice in air and water enforcement decisions, including creating meaningful opportunities for low-income, minority, or limited-English residents and community-based organizations to participate in environmental decision making.
 - a. This office shall be tasked with conducting continuous community outreach and engagement for all general plan activities, including updates, amendment cycles and implementation, that meaningfully incorporates community resident input and priorities from across disadvantaged unincorporated communities in Riverside County.
 - b. Provide regular updates to residents and stakeholders on the progress of SB 1000 implementation and outcomes on their recommendations and participation.

5. Recommended Language Modifications to the Updated Environmental Justice Policies

a. Civic Engagement

In accordance with SB 1000's requirement that the County "identify objectives and policies to promote civi[c] engagement in the public decision-making process", we hope that the following recommended modifications to the County's updated environmental justice policies on Civic Engagement help the County practice stronger and more effective public participation methods to inform the implementation of SB 1000.

HC 15.1 In partnership with community-based organizations and community members, develop and implement an outreach and engagement plan with best practices for increasing public awareness and participation in the planning process and decision-making on environmental justice planning. This includes planning and decision-making processes which impact quality of life and access to opportunity for residents in disadvantaged unincorporated communities.

- HC 15.1 shall be combined with HC 15.7 to establish a comprehensive, far-ranging, creative, forward-thinking public awareness and outreach community-oriented campaign, to inform the environmental justice communities about the following:
 - Existing and potential hazards and their effects on public health and the environment.
 - The costs of not mitigating hazards and the health and environmental implications associated therewith.
 - Environmental racism.

- *The planning process, land use, the general plan, and the benefits of being civically engaged.*
- *Methods to ameliorate health and environmental constraints.*
- *The County's role and responsibility in addressing environmental justice issues.*
- *SB 1000 implementation through the general plan.*
- *Using a variety of public communication methods within designated disadvantaged communities, the County shall continue to share public information across a variety of media, technological, and traditional platforms, and languages based on the demographics of the community. This includes translation of materials, providing interpretation at meetings (virtual and-in person), and conducting phone calls or other methods of outreach to invite community residents and stakeholders to meetings.*

HC 15.2 *Develop community planning groups across the County to update community plans and increase stakeholder collaboration with a focus on environmental justice.*

HC 15.3 *Work with local communities to revamp community groups like the ECV Environmental Justice Task Force to create more accessible opportunities to advance environmental justice and the implementation of the General Plan throughout the year.*

HC 15.4 *Coordinate with environmental and advocacy groups, Tribal Governments and communities, businesses, agencies, and the general public in the development of programs that effectively reduce greenhouse gas emissions and air pollution. Initiate ongoing collaboration with the South Coast AQMD to support and coordinate the implementation of AB 617 plans within the County. Ensure that implementation efforts reflect input provided by communities targeted for emissions reductions under AB 617.*

HC 15.5 *Develop a regional sustainability plan to inform the decision-making process for siting hazardous waste and hazardous materials facilities, including solid waste and recycling facilities through the County's local planning processes. This plan shall increase waste reduction measures, address illegal dumping, and increase access and affordability to composting and recycling facilities.*

- *As part of HC 15.5, develop a program for proper and sustainable disposal of leftover food from grocery stores and restaurants. Entities for direct donations shall also be co-identified with the community.*
- *Enhance the County's partnership with local Chambers of Commerce and other food businesses to contribute to sustainable food disposal.*
- *In accordance with HC 18.7, the County shall commit to prohibiting hazardous and polluting facilities and land uses to be sited near environmental justice communities as well as providing notice and engagement opportunities for community residents in siting requests.*

b. Pollution Exposure

The County's environmental justice policies shall urgently work towards minimizing pollution exposure in overburdened communities, but it is equally important to prevent pollution and reduce emissions. The following policy modifications will help increase collaboration with different agencies and stakeholders and help advance innovative projects that also help create climate resiliency in the County's most impacted communities.

Additionally, we request the County coordinate with AB 617 efforts to ensure mobile home parks and public roads are properly paved to reduce air pollution.

HC 16.1 *In cooperation with federal, state, agencies, and impacted community residents, continue monitoring changes to the Salton Sea that impact air and water quality and make any changes or data publicly available. Actively pursue funding and other opportunities to improve public health and limit pollution exposure. This will include, at a minimum, developing and maintaining a list of available local funding and funding opportunities, deadlines and applying to at least one source of funding per year.*

- *The County shall collaborate with CNRA, SSA, Riverside County District 4, South Coast AQMD, Torres Martinez, IID, Imperial County, CARB, DPR, RWQCB, and local and statewide environmental and advocacy organizations in this effort. This work shall be directly connected and in support of the AB 617 Community Emission Reduction Program and the Community Air Monitoring Plan for the Eastern Coachella Valley.*
- *The responsible Riverside County departments, in collaboration with the County Executive Office and County Board of Supervisors must work together to allocate county funding to support the implementation of environmental justice county policies and programs. Such entities must make a diligent effort to keep up to date with the state budget and advocate for funding programs that will reduce pollution burdens like from the Greenhouse Gas Reduction Fund (GGRF).*

HC 16.2 and 16.3 *In partnership with community residents and stakeholders, provide ongoing support to the South Coast AQMD to proactively utilize general funds, other existing funding, and seek new funding to implement community plans and other prioritized projects that help reduce exposure to air pollution.*

HC 16.4 *Actively pursue funding to connect low income residents and communities, like mobile homes and mobile home parks, to municipal water and wastewater service. Simultaneously advocate for the expansion of such infrastructure across environmental justice and unincorporated communities.*

HC 16.5 and 16.6 *Revise the County's Zoning Ordinance to prohibit unhealthy and polluting land uses, including but not limited to warehouses, airports, racetracks, landfills, golf courses, railyards, freeways, and others, to be located near sensitive receptors. Ensure compliance with and enforce as needed permit conditions, Riverside County municipal code performance standards, and mitigation measures applicable to existing land uses that are near sensitive receptors. Evaluate public and private facilities for health hazards for major sources of contamination to identify mitigation strategies for implementation.*

HC 16.7 *The County shall not approve new discretionary projects within or in the immediate vicinity of existing residential areas, especially designated disadvantaged communities, introducing a new incompatible land use that could have substantial adverse health impacts on an area's residents.*

- **HC 16.22** shall be combined and folded into HC 16.7.

HC 16.8 *Create a partnership with South Coast AQMD to establish a County-wide mitigation program to reduce the impact of air pollution, as well as assist with the implementation of air quality programs.*

- *This policy will also require the County to be an active partner in implementing AB 617 plans within the County's jurisdiction.*

HC 16.9 *Plan for compact development projects in appropriate locations, including in existing communities and the clustering of affordable and mixed-income housing therein, that make the most efficient use of land and concentrate complementary uses in close proximity to transit or non-transit mobility options. In unincorporated communities, the County will make equal effort to develop transit access to existing affordable housing clusters (like mobile home parks) and increase new routes to these communities.*

HC 16.10 *Implement bicycle and pedestrian facilities, with a focus on expanding facilities serving disadvantaged communities, to reduce dependency on fossil fuel based transportation and actively pursue funding to implement mobility plans and projects.*

HC 16.11 *Plan and implement complete streets which include sidewalks, bike lanes, greenbelts, and trails to facilitate use by pedestrians and bicyclists where such facilities are well separated from parallel or cross through traffic to ensure pedestrian and cyclist safety.*

- *As part of HC 16.11, develop a sustainable trail revitalization plan that expands and increases access to trails and recreational facilities in unincorporated communities.*

HC 16.12 *Implement buffer spaces and vegetative barriers between and within a minimum of ½ mile between high-volume roadways, transportation and train track corridors, and sensitive land uses.*

- *Other sources include agricultural sites, airports, racetracks, etc.*
- *HC 16.12 shall also direct the County to develop a green zones map in partnership with South Coast AQMD to assist with the implementation of buffer spaces and vegetative barriers to increase urban greening and carbon capture in environmental justice communities.*
- *HC 16.12 shall be combined with HC 16. 15 and HC 16.6 to include the planting of trees that removes pollutants from the air, provides shade and decreases the negative impacts of high temperatures.*

HC 16.18 and 16.20 *Incentivize the creation of programs that increase carpooling and public transit use, decrease trips and commute times, and increase the use of zero-emission vehicles that include the necessary supporting infrastructure like accessible charging stations.*

- *As part of 16.18, work towards reducing vehicle miles traveled (VMT) by applying to all eligible cycles of funding programs. Such programs would help expand multi-modal facilities, connectivity, and services that provide transportation alternatives, such as transit, bicycle and pedestrian modes.*

HC 16.19 *Facilitate an increase in transit options. In particular, coordinate with adjacent municipalities, transit providers and regional transportation planning agencies in the development of mutual policies and funding mechanisms to increase the use and availability of alternative transportation modes. All new development should contribute and invest in increasing access to public transit and multi-modal active transportation infrastructure.*

HC 16.21 *As part of HC 16.21, build a partnership with the RWQCB to mitigate agricultural runoff into the Salton Sea and comply with the AB 617 Community Emission Reduction Plan.*

c. Food Access

HC 17.1 *Cooperate with transit providers in the review of transit routes to provide service to jobs, shopping, schools (K-12, Community Colleges, Universities and University Extensions), libraries, parks, healthcare facilities, dedicated grocery stores, food markets, food distribution centers, and healthy restaurants. This policy must also coordinate with transit policies to ensure stronger connectivity and accessibility for residents.*

- *This section should define what constitutes a healthy restaurant.*

HC 17.4 *Work with community organizations to develop a food recovery plan which minimizes wasting of edible food products, prioritizing after school sites or community centers as spaces to distribute recovered food.*

- *This policy should be coordinated with HC 15.5 of the Civic Engagement section.*

HC 17.5 *Encourage the development of diverse food establishments, prioritizing mom and pop*

healthy food establishments *and community kitchens for homemade foods to be sold* in areas with a high concentration of fast food establishments, convenience stores and liquor stores, *or overall limited access to food establishments.*

- This policy should incorporate a plan for concurrently developing facilities and community centers to house community kitchens, gardens, and other services.

HC 17.6 Work with local farmers and growers to develop a program to provide affordable and access to local fruits and vegetables grown in the area to rural communities. *Identify and establish* the location of grocery stores, healthy corner stores, farmers markets all of which carry a complement of healthy foods to be located in close proximity to transit nodes and other active transportation system links.

- This policy should recognize that many disadvantaged unincorporated communities have very limited public transit and active transportation systems. These deficiencies should not deter the development of healthy and community supported food sources coming into the community.

HC 17.7 Promote *the use of year round* edible landscaping in *public parks, schools, alongside residential projects* and community gardens for suitable public and private land as well as for residential and mixed use projects. Additionally, we request the County promote methods to reduce food waste.

d. Safe and Sanitary Homes

HC 18.1 *Enforce* code compliance inspections to also identify any observed pollution sources or safety hazards *and establish rehabilitation and weatherization programs to assist various housing types.*

- Combine with HC 18.2: *Identify* funding sources for an education program for housing related hazards, such as lead, asbestos, mold and pests, *with guidance on how to remove or upgrade these safely, including available assistance programs.*

HC 18.3 Assist and ~~provide support to~~ service agencies in their application ~~for state and federal funding to~~ upgrade water infrastructure, *including wastewater and electric infrastructure, prioritizing* disadvantaged communities that have contaminated *or vulnerable water sources.*

HC 18.4 In cooperation with service agencies, ensure that sources of potable water are protected from contamination, *codevelop plans for updating dated water infrastructure and have contingency plans for when contamination occurs under unforeseen circumstances. Develop a regular water quality testing program that is applicable to small water systems and domestic wells.*

HC 18.5 In cooperation with service agencies, *seek funding to develop the use of innovative potable water and wastewater systems in areas of diminished water quality. Identify ways of successfully securing funds for communities with low population density.*

HC 18.6 In cooperation with service agencies, *establish the consolidation of public potable water systems and wastewater systems or the extension of water service from existing systems, especially for communities in rural areas that lack access to clean drinking water.*

HC 18.7 Discourage industrial and agricultural, *water, air, and other harmful land uses that may pollute and cause health conflicts to nearby residential land uses either directly or indirectly. Ensure that community members are properly notified and involved in the decision-making process for new land use proposals.*

HC 18.8 Work with *land developers, including small property and mobile home park owners, so that all new residential development, particularly for low income residents, is designed to limit their exposure to noise, light, air and water pollution. Establishing a minimum of 1000 ft distance between new residential housing and freeways, major roads and major intersections. Minimizing pesticide exposure by having new developments be away from wind currents that lift agricultural and dust pollutants associated with adjacent industrial and agricultural uses.*

HC 18.10 *Work with local service and utility providers to develop a database that monitors the capacity of infrastructure and services to help identify opportunities for expanding infrastructure and develop contingency plans for growing areas that are near or exceeding the current infrastructure capacity. Such capacity analysis should also address the infrastructure and service needs of existing disadvantaged communities.*

HC 18.11 In coordination with service agencies, *encourage the development of needed infrastructure in areas that are currently lacking water and access to paved roads while working with community partners and service agencies to establish future plans to meet needs for potential community growth in areas currently lacking water and road infrastructure.*

HC 18.12 *Prioritize the development of safe and affordable housing in environmental justice communities while preventing the displacement of existing residents consistent with the Housing Element, Goal 2, Action 2.1h. Affordable housing projects should include various housing types that respond to community priorities and input.*

Additionally, for further community recommendation on housing opportunities please refer to the *Riverside County 6th Cycle Housing Element Update Policy and Program Recommendations* comment letter.

e. Physical Activity

HC 19.1 Collaborate with the relevant agencies to promote opportunities to provide recreational facilities for *community members*, including the Salton Sea area that are accessible via public transit and active transportation, including pedestrian friendly local roads with sidewalks and bikeways, and provide solar outdoor lighting. Other projects and amenities should also be developed as identified by community members.

HC 19.2 Advance the development of *accessible* high-quality parks, green space, *hiking trails*, recreational facilities and natural environments in areas where such facilities are lacking, *especially in low-income communities across Riverside County*.

- Provide support and identify funding sources that can help accomplish this policy.
- Combine with **HC 19.3** to promote pedestrian and bicycle access to parks and open space through infrastructure investments, *education* and improvements *by applying to state grants*.

f. Public Facilities

HC 20.1 New development should not hinder provision of public services including, but not limited to, *solar* street lighting, shading *structures* at bus stops and other supporting infrastructure, and extension of garbage pickup routes

HC 20.2 New development should *be designed in a manner that promotes* convenient internal pedestrian circulation among land uses (existing and proposed) within each neighborhood and connecting with existing adjacent developed areas.

- *This policy should coordinate with the existing transportation and mobility that exist within the region, including SCAG's RTP/SCS.*

HC 20.3 Enhance the quality of existing residential neighborhoods by including adequate maintenance of public facilities in the County's capital improvement program and requiring residents and landlords to maintain their properties in good condition and seek opportunities, particularly funding, to enhance quality of life conditions in existing mobile home parks particularly those which are affected by deteriorating infrastructure and hardscape

HC 20.4 New development and conservation land uses should not infringe upon existing essential public facilities and public utility corridors, which include county regional landfills, fee owned rights-of-way and permanent easements, whose true land use is that of public facilities.

HC 20.5 In working with transit service providers and developers of residential projects, consider opportunities for better and safer connections between residential areas and services to include ancillary components such as sidewalks and shade structures as being associated with these connections for better access to parks, schools, and employment areas. *In*

addition, explore local and regional transportation hubs in multiple locations across Riverside county.

HC 20.7 Ensure that health and safety facilities such as fire stations and sheriff substations are adequately sited, improved and staffed to serve affected communities. *Identify which communities need services to be built in closer proximity to reduce the amount of time it takes to respond to an emergency.*

- Combine this policy with **HC 21.1** to *identify what areas or communities lack direct access to medical, dental and vision facilities and develop programs to bring mobile clinics to these communities.*

HC 20.8 Review the location and extent of community recreational facilities to ensure maximum use by children and adults, *and use that information to develop new recreational facilities and opportunities for the community, including indoor and outdoor facilities.*

HC 20.9 *Initiate and continue the construction of water and sewer facilities within environmental justice communities by working with local agencies like water and other utility service providers.*

g. Additional Recommended Policies

- Increase coordination and collaboration with the implementation of existing climate action plans that include unincorporated communities.
 - In the ECV, this includes the Eastern Coachella Valley Climate Resilience Action Plan, Mobility Plans, and AB 617 Plans.
- Develop a county-wide stormwater capture system in areas that don't have the appropriate curb and gutter infrastructure. This shall be done in partnership with local water providers.
- Develop an annual progress report to present to the Board of Supervisors on the progress and implementation of SB 1000 and the environmental justice policies.
- Develop a plan to transition communities, mobile homes in particular, away from using propane.
- Work with community residents to identify a pathway for community solar projects and other renewable energy projects that don't harm the natural habitat, resources, and environment of the community.
- Coordinate with the ongoing development of the Unincorporated Communities Initiative Program to ensure meaningful and equitable investment across disadvantaged unincorporated communities in the County.
- Community of interest?

6. Implementation Plan

Policies and programs developed for environmental justice should also include direction and time commitments. The implementation plan must describe in detail how the County plans on implementing and following through with these policies and programs and have annual targets and milestones, as well as metrics for success. Once released, the implementation plan should also have an independent comment period of a minimum of 30 days. The plan should reflect the updated environmental justice policies and be adopted concurrently by the Board of Supervisors.

* * * * *

We appreciate the opportunity to continue collaborating with you on SB 1000 implementation and other general plan work. We hope that our input and community perspective will help create and implement strong environmental justice policies and programs across Riverside County.

Sincerely,

**Rebecca Zaragoza, Regional Policy Manager
Leadership Counsel for Justice and
Accountability**

**Sergio Carranza, Executive Director
Pueblo Unido CDC**

**Lesly Figueroa, Policy Advocate
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**Erika Ramirez-Mayoral, Program Manager
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**Araceli Palafox-Parks, Deputy Director
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**Demi Espinoza, California Desert Program
Manager
National Park Conservation Association**



January 26, 2021

Robert Flores
Riverside County Planning Department
4080 Lemon Street
Riverside, CA 92501

Sent via Email

Re: Riverside County 6th Cycle Housing Element Update Public Participation Requirement & Affirmatively Furthering Fair Housing in California // SB 1000 Implementation

Dear Mr. Flores:

We are writing to provide feedback and recommendations on the development of the Riverside County 6th Cycle Housing Element in order for the County to adequately implement and comply with the public participation requirement and the federal rule to affirmatively further fair housing in California. We provide these comments in order to assist the County in developing a holistic and comprehensive update to the housing element and SB 1000 implementation in a manner that meaningfully engages low-income residents and residents of disadvantaged communities pursuant to the requirements of the state Housing Element Law, County's duty to affirmatively further fair housing, and meaningful implementation of SB 1000.

~~We ask these comments are taken into meaningful consideration to ensure greater public participation from historically underrepresented low-income and communities of color to be part of the planning process of creating a forward-thinking and aspirational planning guide for housing and land-use in our region.~~

I. Housing Element Participation of All Economic Segments of the Community

Thank you to the Riverside County Planning Department, Placeworks, and Michael Baker International, for your efforts to engage community residents throughout the County. Although we appreciate your

visits to the community councils across the County, we believe there should be more opportunities for residents to give input. Unfortunately, community resident attendance and participation at the Thermal/Oasis Community Council and Mecca/North Shore Community Council meetings in December of 2020 were not only poorly attended but it also did not represent all economic segments of the community. We are still in a worldwide pandemic and most public meetings have transitioned primarily to Zoom, which can serve both as an opportunity and challenge for different communities. The County must solicit participation from community members from all economic segments of the community to ensure the housing element acknowledges the needs and challenges of communities most impacted by the housing crisis. The lack of sufficient resident engagement to date highlights the need for the County to conduct additional, targeted outreach to ensure that the 6th Cycle Housing Element is informed by residents and that the County complies with its public engagement duties under state Housing Element Law.

We appreciate the County's efforts to date, which include conducting two public stakeholder meetings and meeting with community-based organizations in the region to take initial feedback on housing policies and programs, as well as suggestions to improve public participation from underrepresented low-income and communities of color. However, these stakeholder meetings were not advertised to community residents and were also held during "normal work hours" at 11am and 2pm respectively, times when most residents are working and would be unable to participate in County meetings. In addition, we appreciate the two additional virtual workshops the County is hosting for January 28th and January 30th to discuss the draft EJ element policies. As we have mentioned before, in order to achieve greater public participation from all segments of the community, it is critical to hold virtual meetings in the evenings in the languages most accessible to community members. This means conducting meetings or workshops in languages that community residents of the regions are most comfortable with such as English, Spanish, Purepecha, and with the appropriate translations for specific jargon used in planning documents.

As a reminder, Gov Code section 655583(c)(8) requires that each jurisdiction must make a diligent effort to achieve public participation of all economic segments of the community in developing its housing element. In addition, the housing element must now include an Assessment of Fair Housing which must be developed in accordance with the Federal Affirmatively Furthering Fair Housing Rule. That rule establishes robust community engagement requirements. Specifically, Section 5.158 of the Rule establishes the following public participation requirement:

to ensure that the AFH is informed by meaningful community participation, program participants must give the public reasonable opportunities for involvement in the development of the AFH and in the incorporation of the AFH into the consolidated plan, PHA Plan, and other required planning documents.....Program participants shall ensure that all aspects of community participation are conducted in accordance with fair housing and civil rights laws, including title VI of the Civil Rights Act of 1964 and the regulations at 24 CFR part 1; section 504 of the Rehabilitation Act of 1973 and the regulations at 24 CFR part 8.

This presents the County with a greater opportunity and duty to meaningfully engage community members and ensure that the 6th Cycle Housing Element truly reflects the vision and priorities of residents for affordable and fair housing opportunities. The County to date has not engaged in discussions with the community on specific topics of fair housing, segregated living patterns, or identifying significant disparities in specific communities, to name a few. We ask the County to take meaningful action to comply with Gov. Code Sec. 8899.50 to affirmatively further fair housing in California as interpreted below:

“Affirmatively furthering fair housing” means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a public agency’s activities and programs relating to housing and community development.

We provide the following recommendations for further outreach by the County to ensure that it effectively engages Riverside County’s diverse communities in its housing element update and SB 1000 implementation:

- **Establish additional virtual workshops with ample outreach to all economic segments of the community**

We request that additional virtual workshops be conducted in multilingual formats and in accessible/non-technical language for community residents to truly engage and provide input on the material presented to them. This includes providing at least 2 additional virtual workshops before the release of the housing element draft in western Riverside County and eastern Riverside County. After the release of the draft we ask that the County conduct at least 2 additional workshops to solicit input and feedback on the draft. The County should provide enough time for residents to provide feedback and for the County to update the draft as necessary to meaningfully incorporate resident input received. Lastly, we request that the final update submitted to HCD and approved by the Riverside County Board of Supervisors be presented to the public with specific action steps to implement the housing policies and programs in the region, as required by the Housing Element Law, Gov. Code Sec. 65583(c).

- **Establish additional public outreach methods**

It is critical that every discussion moving forward for the housing element update must be held in conjunction with the implementation of SB 1000 as these topics are interconnected and impact one another. We are open to the possibility of co-hosting community planning meetings on the housing element and environmental justice policies in Western and Eastern Riverside County to ensure community members voices are heard and the County complies with its public participation requirements.

We believe it is important to ensure there is meaningful public participation and policies that will promote better representation and inclusion of Environmental Justice communities that have been historically marginalized in both the update to the housing element and the adoption of the environmental justice policies in Riverside County. Although a few organizations in the Eastern Coachella Valley co-hosted an event with the Planning Department in October of 2019 where community input was gathered, we have seen little to no changes made to the Environmental Justice policies based on the input provided by community residents or organizations since 2018. In order to ensure meaningful public participation and promote a transparent public process, we request the County to create and share a reasonable timeline and respectful process for engaging residents of the County on issues impacting their communities.

Additional public outreach methods include: online surveys, targeted social media posts, informational videos, and radio info sessions with public radio stations or public television. All public outreach methods must be in multilingual formats and in accessible/non-technical language for community residents. Through the use of these additional public outreach methods we ask that social media posts directly ask for input in the comment section and serve as another method to solicit input from the public on their housing needs.

- **Housing Element Advisory Committee**

It is critical the County establishes a housing element advisory committee that will include stakeholders, community-based organizations, and community members from disadvantaged unincorporated communities, farmworkers, low-income and communities of color, residents with disabilities, and other groups with special housing needs. This committee will serve to advise the County on developing and implementing the various housing element policies and programs that acknowledge environmental justice. Other cities and counties have effectively used such committees to enhance public awareness regarding the opportunities presented by the housing element update process and to ensure effective and appropriate implementation. The City of Arvin in the Central Valley, established the *Arvin Housing Element Advisory Committee* for the 2013 to 2023 Arvin Housing Element to inform and actively participate in the City's efforts, is one example.

In order to advance the County's efforts to create a comprehensive and holistic housing plan that meets the needs of the entire community, establishing a housing element advisory committee will serve to inform the process and solicit greater public participation from the broader community, especially members from all economic segments in the County.

We ask that these recommendations are taken into consideration to ensure greater public participation from the broader community.

* * * *

We hope that our input will assist Riverside County's efforts to develop the 6th Cycle Housing Element and implement SB 1000 that expands housing opportunity and promotes healthy land-use practices for all residents in compliance with applicable state and federal law. Additionally, we will be submitting detailed

policy and program requests and recommendations based on community priorities in a subsequent letter. Thank you for your efforts to date and we look forward to working together to create an equitable process that promotes forward-thinking planning in our region.

Sincerely,

Lesly Figueroa
Policy Advocate
Leadership Counsel for Justice and Accountability

Rebecca Zaragoza
Senior Policy Advocate
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Erika Ramirez-Mayoral
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November 22, 2019

Riverside County Planning Department
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4080 Lemon Street 12th Floor
Riverside, CA 92502

RE: Riverside County SB 1000 Policy Development and Community Engagement Process

Dear Mr. Flores, Mr. Villalpando, Mr. Hersh, and Ms. Nanthavongdouangsy:

On behalf of Leadership Counsel for Justice and Accountability, Alianza Coachella Valley, and the California Institute for Rural Studies, we thank you for participating in a collaborative partnership with our respective organizations and the communities of the Eastern Coachella Valley (ECV) as part of the SB 1000 implementation process. As a follow up to the SB 1000 Workshop held in Mecca on October 29th, 2019, we submit the following requests detailing the next steps for SB 1000 implementation and community engagement as it pertains to the Eastern Coachella Valley:

1. Public Review Process

As detailed in your presentation on October 29th, your timeline includes a potential approval by the Planning Commission in December 2019 and potential approval by the Board of Supervisors in early 2020. While this is an ambitious goal, this short timeline does not allow for the appropriate or sufficient time for public review of the draft policies. We respectfully ask that this process be prolonged to allow a 60 day public comment period after the release of the draft policies. Sufficient notice from Riverside County should be provided to local non-profit organizations, agencies, community residents, and other stakeholders.

2. Community Engagement

With the extension of the approval and public review process, we also request that the County follow a robust community engagement process moving forward. Our co-hosted workshop on

XAVIER BECERRA
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DEPARTMENT OF JUSTICE



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October 24, 2018

Via First Class Mail and E-Mail

Robert Flores
Project Planner
Riverside County Planning Department
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RE: Riverside County General Plan Amendment No. 1226

Dear Mr. Flores:

Thank you for the opportunity to comment on Riverside County's Draft General Plan Amendment Number 1226 ("General Plan Amendment"), which is scheduled to be considered by the Riverside County Board of Supervisors at their December 4, 2018 meeting. The Attorney General's Office appreciates the County's efforts to comply with Senate Bill 1000 ("SB 1000") through this General Plan Amendment. In particular, the General Plan Amendment includes a map that identifies disadvantaged communities in the County's jurisdiction and environmental justice policies that address SB 1000's minimum requirements. (See Gov. Code, § 65302, subd. (h)(1).) However, we are concerned about the County's efforts to reach out to disadvantaged communities and receive public input on the draft environmental justice policies in the General Plan Amendment, as discussed below. We provide this comment letter to recommend that the County set up a transparent process through which it can receive additional public input on the draft General Plan Amendment and any future implementation of the Amendment's policies.

A. Background on Environmental Justice and SB 1000

Low-income communities and communities of color often bear a disproportionate burden of pollution and associated health risks when compared to their more affluent neighbors. This inequity can be addressed through environmental justice, which is defined by California law as "the 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." (Gov. Code, § 65040.12, subd. (e).) Environmental justice aims to correct the legacy of concentrating pollution and other hazards in or near low-income communities of color by

reducing these hazards and involving the impacted communities in any decisions that affect their environment or health.

In an effort to promote environmental justice through the local land use planning process, the California Legislature passed Senate Bill 1000 in 2016. SB 1000 ensures that local governments take into account pollution burdens and other hazards experienced by communities within their jurisdiction that are disproportionately exposed to such hazards. The purpose of SB 1000 is to make environmental justice a real and vital part of the planning process by promoting transparency and public engagement in local governments' planning and decision-making processes, reducing harmful pollutants and associated health risks in environmental justice communities, and encouraging equitable access to health-inducing benefits, such as healthy food options, housing, and recreation.

As you are aware, if a city or county adopts or updates two or more elements of its general plan after January 1, 2018, SB 1000 requires the local government to identify any "disadvantaged communities" in its jurisdiction. (Gov. Code, § 65302, subd. (h)(1)-(2).) SB 1000 defines "disadvantaged communities" as either: (1) "an area identified by the California Environmental Protection Agency (CalEPA) pursuant to Section 39711 of the Health and Safety Code";¹ or (2) "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."² (*Id.* at (h)(4)(A).) Therefore, local governments have some discretion to choose the appropriate method or methods to identify disadvantaged communities.

Once a local government identifies one or more disadvantaged communities in its jurisdiction, it must include either an "environmental justice element" or "related goals, policies, and objectives integrated in other elements" (collectively, "EJ policies") in its general plan update. (Gov. Code, § 65302, subd. (h)(1).) A general plan's EJ policies must "reduce the unique or compounded health risks in disadvantaged communities" by doing at least the following:

¹ CalEPA designates an area as a disadvantaged community if a census tract scores at or above 75 percent on the agency's CalEnviroScreen screening tool. See CalEPA and Office of Health Hazard Assessment, CalEnviroScreen 3.0, available at <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>.

² SB 1000 defines a "low-income area" as "an area with household incomes at or below 80 percent of the statewide median income" or (2) an area with "household incomes at or below the threshold designated as low income by the Department of Housing and Community Development's (HCD) list of state income limits adopted pursuant to Section 50093 of the Health and Safety Code." (Gov. Code, § 65302, subd. (h)(4)(C).) After identifying low-income areas, a government must evaluate if those areas are disproportionately affected by environmental pollution or other hazards that can lead to negative health impacts. (*Id.* at (h)(4)(A).) There are various data sets that can be used for the second part of this analysis, including CalEnviroScreen, which contains specific information regarding pollution sources.

- 1) reduce pollution exposure;
- 2) improve air quality;
- 3) promote public facilities;³
- 4) promote food access;
- 5) promote safe and sanitary homes; and
- 6) promote physical activity.

(*Id.* at (h)(1)(A).) SB 1000 also requires EJ policies that “promote civil engagement in the public decisionmaking process” and “prioritize improvements and programs that address the needs of disadvantaged communities.” (*Id.* at (h)(1)(B)-(C).)

B. Riverside County’s Public Engagement Process for the General Plan Amendment

The public has received limited notice and opportunities to provide comments and feedback on the proposed General Plan Amendment. It appears that Riverside County relied on its July 8, 2018 newspaper publication to notify residents that it was proposing to undertake this General Plan Amendment. The text of the proposed Amendment itself is buried in staff reports and related documents for one Planning Commission and one Board of Supervisors meeting, and it is otherwise not available on the County’s website for public review.⁴ It is also our understanding that no public workshops shared information with or sought input from the public on the subject of environmental justice or on the proposed General Plan Amendment, other than the formal hearings held by the Planning Commission and Board of Supervisors.

Due to the limited opportunities for the public to participate in the development of the General Plan Amendment, the Amendment lacks the benefit of input from the residents of Riverside County’s disadvantaged communities. As a result, the draft EJ policies may not address the most pressing environmental and health issues faced by each disadvantaged community in Riverside County, or the unique and diverse needs of those communities. This is contrary to the intent of SB-1000, which has at its core a requirement that EJ policies promote public engagement in the decisions that affect environmental justice communities.

As required by SB 1000, the proposed General Plan Amendment includes seven policies to promote “civic engagement” in decision-making processes. (HC 15.1 – HC 15.7.)³ Nevertheless, Riverside County has not followed these policies during its development of the

³ SB 1000 defines “public facilities” as facilities that include “public improvements, public services, and community amenities.” (Gov. Code, § 65302(h)(4)(B).)

⁴ Since Riverside County is claiming that the General Plan Amendment is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15061(b)(3), the public did not receive any additional notice of the proposed Amendment or formal opportunities to comment pursuant to CEQA’s requirements. (*See, e.g.*, Pub. Resources Code, §§ 21091-21092.)

Amendment itself. For example, HC 15.2 states that the County will “encourage collaboration, as feasible, between the County, community, and community-based organizations, as well as local stakeholders in promoting environmental justice.” Further, HC 15.3 says that the County will, “as feasible, partner with local community-based organizations to promote civic engagement activities.” However, we are not aware of any efforts by the County to “collaborate” or “partner” with local residents or community organizations.⁵ Instead, the County has provided the minimum notice and public comment opportunities for the General Plan Amendment, such as publishing the proposed Amendment in meeting agendas prior to hearings and allowing the public to provide comments during Planning Commission and Board of Supervisors hearings. Riverside County should develop the General Plan Amendment in a way that complies with its own proposed civic engagement policies.

In addition, during our discussion of the General Plan Amendment, Riverside County’s planning staff expressed an aspiration to create a robust implementation plan for its EJ policies after the Board of Supervisors adopts the Amendment. The County stated its intent to include extensive public outreach opportunities through this implementation plan. However, the specifics of that plan are not articulated in the General Plan Amendment. In fact, the implementation plan is not mentioned in the proposed General Plan Amendment or any public documents prepared for the Amendment process. If Riverside County intends to develop a plan to implement its EJ policies, this plan should be included as a part of the General Plan Amendment, including a detailed description of the planned implementation activities and timeline that is available for public review and comment. This will ensure that the General Plan Amendment is developed and implemented through a transparent process that reflects community input and includes written standards.

We recommend that Riverside County consider the following actions to ensure that residents, including those located in disadvantaged communities, have adequate notice of the General Plan Amendment and sufficient opportunities to engage in an open dialogue with the County about the Amendment:

- 1) Make the proposed General Plan Amendment, any supporting documents, and all subsequent drafts easily accessible on Riverside County’s website, including information about how and when community members can raise concerns or comments.
- 2) Hold a public workshop or meeting to discuss the General Plan Amendment and EJ policies with interested community members. Riverside County should ensure that this meeting or meetings are held at convenient places and times for community

⁵ Despite the limited opportunities to participate in Riverside County’s General Plan Amendment, several community groups sent letters commenting on the Amendment, including the Building Healthy Communities Collaborative Coachella Valley/Alianza Coachella Valley Collaborative, Center for Community Action and Environmental Justice, and Leadership Council for Justice and Accountability. These letters raised similar concerns regarding the County’s engagement with disadvantaged communities throughout its development of the Amendment.

members located in disadvantaged communities. The County should partner with local community groups to advertise these meetings.

- 3) Offer information about the General Plan Amendment, including information prepared for meetings to discuss the Amendment, in English and Spanish through appropriate interpretation or translation services.
- 4) Provide public responses to the comments and concerns raised by community members throughout the public input process, including those concerns raised in comment letters and during any future public meetings. Revise the General Plan Amendment as necessary to address community concerns.

There are several resources available to assist as Riverside County continues to engage with the public to develop its General Plan Amendment. The Office of Planning and Research's ("OPR") 2017 General Plan Guidelines includes several chapters that discuss public engagement techniques, including Chapters 3 (Community Engagement and Outreach) and 4 (Required Elements – Environmental Justice).⁶ In addition, the California Environmental Justice Alliance's ("CEJA") SB 1000 Toolkit describes options for promoting community engagement and lists resources and examples for engagement activities.⁷ Riverside County can also consult other jurisdictions that have engaged with disadvantaged communities to adopt EJ policies, such as National City and Jurupa Valley.⁸ Sacramento County is another jurisdiction that had a robust public engagement process to develop and adopt Phase One of its Environmental Justice Element.⁹

C. Additional Comments on the General Plan Amendment

As mentioned above, Riverside County received several comment letters from community groups regarding the draft General Plan Amendment, including letters from the Building Healthy Communities Collaborative Coachella Valley/Alianza Coachella Valley Collaborative, Center for Community Action and Environmental Justice, and Leadership Council for Justice and Accountability. These letters suggest ways to strengthen the draft EJ policies and increase the General Plan Amendment's positive impact on disadvantaged communities in the County. Specifically, the community groups ask Riverside County to: 1) list all disadvantaged communities in the County's jurisdiction; 2) describe the unique health risks and pollution

⁶ See OPR, 2017 General Plan Guidelines, pgs. 26-38, 164-194, available at <http://www.opr.ca.gov/planning/general-plan/guidelines.html>.

⁷ See CEJA, SB 1000 Toolkit: Planning for Healthy Communities, pgs. 36-64, 108-126, available at <https://caleja.org/2017/09/sb-1000-toolkit-release/>.

⁸ See National City General Plan, Health and Environmental Justice, available at <http://www.nationalcityca.gov/Home/ShowDocument?id=5019>; Jurupa Valley General Plan, Environmental Justice Element, available at <http://civicsolutions.com/wordpress/wp-content/uploads/Oct-2014-Jurupa-Valley-Environmental-Justice-Element.pdf>.

⁹ See Sacramento County Environmental Justice Element, Phase One, available at <http://www.per.saccounty.net/PlansandProjectsIn-Progress/Pages/Environmental-Justice-Element.aspx>.

October 24, 2018

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burdens faced by each disadvantaged community; 3) address environmental justice in other elements of the general plan; and 4) strengthen the draft EJ policies with concrete and regional-focused language. We encourage the County to consider revising the Amendment to address the concerns raised by community members.

Thank you for considering our suggestions for increasing public participation in Riverside County's draft General Plan Amendment and EJ policies. Please let me know if I can provide any assistance to you during your planning process. I look forward to continuing our conversation about civic engagement and Riverside County's General Plan Amendment.

Sincerely,



ABIGAIL BLODGETT
Deputy Attorney General
Bureau of Environmental Justice

For XAVIER BECERRA
Attorney General



October 8, 2018

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RE: Riverside County SB 1000 Environmental Justice Element/Policies in General Plan

Dear Mr. Hersh, Mr. Flores, and Mr. Villalpando,

Thank you for the opportunity to provide feedback on the Environmental Justice draft policies that you developed in response to SB 1000. We appreciate the time you have spent engaging with us on this issue. Leadership Counsel for Justice and Accountability is a community-based, social and environmental justice organization that works closely with community residents in the Eastern Coachella Valley including Thermal, Oasis, Mecca, North Shore, and the City of Coachella. Although the comment period has closed on the most updated draft, we would like to take the opportunity to share our concerns, comments, and suggestions on the Environmental Justice policies included in the Land Use and Healthy Communities Elements in the Riverside County General Plan.

1. Legal Requirements regarding General Plans and Environmental Justice

It is our concern that while Riverside County provides a map outlining the different Environmental Justice communities within its jurisdiction, it does not clearly state each community outside of Figure LU-4.1 - Riverside County Environmental Justice Communities. The identification of the EJ communities is crucial in adequately addressing the unique and compounded health risks experienced throughout these communities and surrounding areas. In addition to Figure LU-4.1, we ask that a list be provided to clearly state which EJ communities have been identified and the methodology the County used to identify each community.

The law calls to promote transparency and public engagement in local government planning and decision-making processes. In terms of the development of the environmental justice draft policies, it is our understanding that Riverside County lacked a meaningful outreach process to reach and include community residents, community-based organizations, and other significant

community stakeholders to assist in the development of these policies. Moving forward, we expect the Planning Department to comply with outreach efforts as required by law.

Furthermore, the amendment does not identify nor address the specific pollution burdens and health risks that EJ communities experience throughout the County. This information is crucial to state in order to be able to address the diverse pollution sources and health risks in the proposed Environmental Justice policies for Riverside County.

The proposed policies do not include concrete implementation measures in the general plan to reduce the unique or compounded health risks in disadvantaged communities impacted by pollution burdens. We understand that the Planning Department recommended developing an implementation plan separately, however, we believe that including implementation measures within the draft EJ policies would create a stronger amendment to the General Plan and create stronger avenues to address environmental justice issues in the identified communities.

2. Community Engagement in the Planning Process

It is critical to have community residents of impacted environmental justice communities be part of the planning process and creation of an environmental justice element or policies for the Riverside County General Plan. From reviewing the public events that were held, we believe there was no meaningful outreach done to community residents or community-based organizations regarding this planning process. We strongly suggest that Riverside County commit to enhancing their outreach and engagement efforts to meaningfully include community voices into this process as required under SB 1000; to meaningfully engage Environmental Justice communities in the creation and adoption of an Environmental Justice element or incorporation of EJ policies. While it's understandable the amount of responsibility the County has, this should not be dealt with at the expense of the health and safety of disadvantaged communities that are already more than vulnerable.

In order to achieve real environmental justice measures, community residents, Native-American Tribes, community-based organizations, and other stakeholders should be actively engaged throughout the development and implementation process of these EJ policies. We recommend connecting with local organizations who have direct and constant contact with community residents and providing all necessary knowledge and materials with language justice in mind. We find that community meetings are most accessible to the public. These should be held at times and locations convenient for residents, translation and food should be provided, and overall they should allow for residents to safely and comfortably voice their concerns, provide feedback, and make demands.

3. Methodology

A. Include Brief Analysis of Each Environmental Justice Community

The Planning Department has expressed their use of CalEnviroScreen 3.0 to identify EJ communities. While this tool is critical in identifying certain EJ communities across the state, it is also very limited and inaccurate when it comes identifying all EJ communities in California. We strongly encourage the use of the *SB 1000 Implementation Toolkit: Planning for Healthy Communities*¹ developed by the California Environmental Justice Alliance, to be able to properly address all statutes under SB 1000, but to also identify other ways to strengthen an EJ element or integrated policies. Chapter 3, Identifying Disadvantaged Communities, outlines four different methods to use and adjust CalEnviroScreen for contextual need. These are very important steps to take as it will lead to the identification of environmental justice communities that do not score high enough on CalEnviroScreen to be considered as such. An example is the exclusion of Thermal and Oasis, two unincorporated communities in the ECV. These two communities have been historically marginalized and disqualified for several statewide climate investments because of its CalEnviroScreen score. As a result, we urge the County to use innovative methods when it comes to identifying disadvantaged and environmental justice communities. We are grateful that the updated map now includes the communities of Thermal and Oasis.

B. Eastern Coachella Valley: Rural and Agricultural

One of the regions and communities that merits analysis and unique interventions is the Eastern Coachella Valley, given the distinct obstacles to health, safety, and environmental justice that the region faces. For example, pollutants such as pesticides and others emitted from the Salton Sea make this regions' needs unique. Additionally, the ECV has faced historic marginalization due to methodologies that categorically focus on more densely populated areas and industrial pollution factors rather than including agricultural factors as well. As a related matter, we've noted throughout the need to include considerations of impacts from agricultural land uses and practices and ask that language be revised to address agricultural area concerns.

C. Current Draft Policies: Not Specific or Time-bound

Many of the policies included in the draft are vague and do not necessarily follow the Environmental Justice principles set by SB 1000 to adequately support disadvantaged

¹ California Environmental Justice Alliance. *SB 1000 Implementation Toolkit: Planning for Healthy Communities*. caleja.org/2017/09/sb-1000-toolkit-release/.

communities. The policies do not propose how collaboration, facilitation, or partnerships will occur and at what magnitude. There is no standard to how meaningful the actions with communities or agencies the County will commit to and as a result, we ask that the policies be revised and modified to include implementation measures and adopted concurrently into the General Plan.

In addition, the food access policies are unclear, meager, and out of context to what they should be. For instance, the policies read more land-use related rather than detailing how land-use and food access intersect and what can be done to improve existing conditions. These conditions are unique to different unincorporated communities such as those in the ECV which is farther from commercial nodes than most urban areas. In addition, the language does not have a concentrated focus on climate change such as including climate resilience strategies to Environmental Justice communities in the General Plan amendment.

D. Implementation Plan for EJ Policies

We are aware of the Planning Department's goal to develop an implementation plan for the draft EJ policies, however, there is no commitment or certainty that there will be an implementation plan to go along with the EJ policies as its adoption is dependant on the Board of Supervisors approval. This is concerning because the current draft of the aforementioned policies are unclear, vague, and set no reasonable timelines. The creation and adoption of an implementation plan will allow for more measurable and precise guidelines, but we ask that said implementation plan be integrated within the General Plan concurrently with the draft policies.

E. Addressing Conditional Language with Concrete and Measurable Policies

In our revision and analysis of the draft, we believe that the integrated policies would be much stronger and beneficial to environmental justice communities if the language was revised in a way that demonstrates actionable change. The policies include various words and phrases such as "*as feasible*", "*will consider*", "*suggest*", and "*encourage*" that demonstrate weak and loose commitment to the policies and feasibility of implementation. This perpetuates a lack of accountability with the majority of the policies. By eliminating conditional language, the policies can be strengthened to demonstrate the County's commitment to address the needs of EJ communities.

F. Consider Alterations to the Draft EJ Policies

We ask that you all consider the recommendations we are providing. We believe it is critical to comply with the law but also create meaningful and effective Environmental Justice policies that are not rushed and include community members in the decision-making process.

We strongly recommend that Riverside County do the following:

1. Revise the draft to change vague and unclear language in the proposed policies
2. Extend timeline to create language that is supportive of EJ communities and to conduct meaningful and accessible community engagement opportunities
3. Include stronger language and policies that address the specific EJ concerns in the Eastern Coachella Valley
4. Include a complete implementation plan or measures *with* the General Plan updates
5. Provide a list of the Riverside County identified EJ communities
6. Include region-specific pollution burdens with supporting implementation plan/measures

4. Specific Language Changes on General Plan Amendment No. 1226

A. Civic Engagement

HC 15.1-15.7, 16.2-16.3, 16.5-16.11, 16.13-16.17, 16.20, 16.25 (b.), 17.2-18.1, 18.6, 18.9, 19.2-19.3 One of our main concerns is the use of certain vague and aspirational language throughout the draft policies, rendering them weak and unmeasurable. In the policies listed here, words and phrases such as, “consider”, “encourage”, “explore the potential”, “as feasible” shall be replaced with words and language that demonstrate a commitment toward meeting environmental justice and civic engagement goals. We recommend words such as ensure, establish, and facilitate and allow objective evaluation of civic engagement efforts, all of which will allow for measurable implementation

HC 15.7 Although we believe this is a well-intentioned plan, the existing language is unclear and inappropriate. We recommend the following language revision:

- In subsection (a.) we suggest writing “The hazards faced in Environmental Justice communities.”
- In subsection (b.) we suggest writing “The health and environmental implications of inaction.”
- We recommend adding a section or amending section (e) to reflect the County’s commitment to working with community residents and community-based organizations

to address community concerns, and outline the County's plan to provide concrete solutions for mitigation.

- Subsections (d.), (f.), and (g.) should be eliminated as they reflect poorly on the County of Riverside and eliminate any sense of accountability.

B. Health Risk Reduction: Pollution Exposures

HC 16.1 We appreciate policy HC 16.1 as currently stated, but ask that language explicitly addresses the impacts faced in the Eastern Coachella Valley from Salton Sea contamination.

HC 16.4 Change "homeowners" to "residents" to be more inclusive of non-homeowners; include other inadequate onsite wastewater treatment systems; include funding for connections to municipal wastewater service providers

HC 16.5 We believe this policy could have great potential with a few adjustments. When talking about sensitive receptors and potentially hazardous sites, it is imperative to look at both the existing sensitive receptors but more specifically on future land use projects and how their implementation may impact nearby communities and sensitive receptors. .

HC 16.7 Rather than "explore," we believe the County should enforce the creation of a cap or threshold on *all* pollution sources within its jurisdiction.

HC 16.8 A relationship and partnership between the County and local air district should be established and strengthened. This will better assist the development and establishment of a mitigation program to reduce the impact of air pollution as currently stated in the policy.

~~**HC 16.9** We support the policy intention of promoting compact development and suggest further language in this policy promoting compact development in existing communities instead of promoting new towns, new neighborhoods and sprawl development. We further recommend that this policy include assurances of affordable housing in compact development projects.~~

~~**HC 16.13** This policy is unclear as to how it will affect the North Shore school set to be built near agriculture and the Salton Sea.~~

HC 16.16 Include "community-appropriate trees" and remove "encourage"

HC 16.17 Change "job-poor" to 'higher lower job opportunity'. Additionally, any development strategies should ensure that development does not increase pollution sources in disadvantaged communities.

HC 16.21 Include language to also reflect impacts of agricultural discharges in this policy or add an additional policy to address agricultural discharges.

HC 16.22 This policy should be more protective of air quality, and should instead state: Restrict development or expansion of uses that contribute toxic emissions into the air including both industrial and agricultural uses; reduce toxic emissions from existing uses including both industrial and agricultural uses.

C. Health Risk Reduction: Food Access Policies

HC 17.1-17.3 These three policies are meant to directly address food access. Cooperating with transit providers to review routes and encouraging development planning to utilize better land use strategies is helpful, but currently, these policies are not stated in a way that relate directly for food access. Our suggestions are as follows:

- Include other amenities such as grocery stores, markets, and food distribution centers, as well as healthy restaurants.

Include language that requires better connectivity between residential areas and public transit, including safe and healthy options, like sidewalks and shade structures in areas with higher temperatures. Transportation connectivity and access can also function as its own policy to better address transportation issues outside of food access.

D. Health Risk Reduction: Safe and Sanitary Homes Policies

HC 18.2 Remove 'to identify'.

HC.18.3-18.4, 18.6 Add "assist and" prior to "provide" and replace "support" with "technical assistance." This past legislative season, Governor Brown passes AB 2501 (Chu) which will expand access to municipal drinking water service in some of the most vulnerable communities in California. We recommend the County utilize this new opportunity to leverage state and federal funding for projects specifically in disadvantaged communities with unsafe drinking water.

Similar to other policies, HC 18.3 and 18.4 should also include implementation measures to outline how service agencies will prioritize disadvantaged communities, such as mobile home parks and unincorporated communities, and include language to describe the potential partnership with the local water districts and agencies.

HC 18.5 Related to HC 18.3 and 18.4, this policy can also leverage the recent passage of AB 2510 but also SB 1215 (Hertzberg), which will expand access to wastewater services for neighborhoods that currently rely on failing septic systems and cesspools in disadvantaged communities.

HC 18.7 Replace “discourage” with “restrict” and replace “may conflict” with “are not compatible.”

HC 18.8 In addition to the current language, the policy should clearly state that it will be focused on the vulnerable communities in the county and prioritize affordable housing opportunities under “residential development.”

HC 18.9 It is unclear how design-centered policies included in 18.9 is relevant to environmental justice or environmental justice policies from either a procedural or substantive perspective.

HC 18.10 We recommend that this policy be clarified to to further environmental justice goals. Accordingly, add the following language following “levels of service”: that growth is not prioritized over providing service and infrastructure to existing disadvantaged communities or low income households, and that services and infrastructure services are targeted to existing neighborhoods and communities that lack adequate services rather than to new communities and new growth.

HC 18.11 We recommend that this policy be clarified to further environmental justice goals. Accordingly, add the following language after “such deficiencies”: “and prioritize the provision of water, roads, and other basic services to existing neighborhoods and communities that lack adequate services rather than to new communities.

E. Physical Activity Policies

HC 19.1 Include language clarifying that this policy is designed to provide services to adjacent Salton Sea communities rather than catering to tourism, the public health and safety of residents that live near the Salton Sea should be prioritized..

HC 19.2-19.3 These two are similar policies and could perhaps be combined.

19.4-19.9 These policies do not respond to environmental justice needs, whereas the focus is on aesthetic, urban design, and improvements that do not address environmental justice community concerns.

F. Public Facilities Policies

HC 20.1 This policy should state what is considered a public facility. In addition, we suggest adding “in existing, disadvantaged and lower-income communities and neighborhoods” directly after “public services.”

HC 20.2 It is unclear how this policy applies to rural and agricultural communities. New development in these areas should be eliminating the infrastructure gaps. For example, the paving of mobile home parks, water and wastewater infrastructure, affordable housing, community amenities such as parks and recreational spaces, as well as transportation infrastructure.

HC 20.3 We understand the County’s intent to require “residents and landlords to maintain their properties in good condition,” but it’s important to be cognizant of the financial capabilities of both residents and landlords. In the ECV, one of the main sources of affordable housing are mobile homes and mobile home parks. The majority of these homes are in substandard conditions and placed in mobile home parks that lack the appropriate opportunities both maintain and improve the conditions of the park. This policy should address the urgency to provide public assistance to low-income communities, whether it comes from the local, County, or State funding sources. It’s important to at least connect communities to these resources and opportunities.

5. Existing Examples for Reference

The County’s currently proposed EJ policies do not satisfy a standard that is adequate and reflective of what SB 1000 requires. To better address these deficiencies, we urge you to utilize CEJA’s SB 1000 Implementation Toolkit in partnership with various community organizations.

Other implementation examples include the City of Jurupa, who have developed an EJ Element with language that is more reflective of EJ principles and agricultural and rural communities similar to the Eastern Coachella Valley.

Additionally, the City of Jurupa has included an introduction, background history, and specific communities in their General Plan. We believe it is important to include a similar section into the Riverside County General Plan, one with a more robust introduction with a vision for the county as it relates to Environmental Justice. The inclusion of background history on the various EJ communities is helpful to document existing health and environmental data from the EJ communities and demonstrate the progress or state of the communities as policies will be

outlined in the element to address the issues in those communities. Doing so will also inform the specific goals, policies and programs that are most relevant to each of the unique communities and regions. Lastly, including specific demographics and information on each community will not only be helpful but it will acknowledge the diversity of the communities and their role in Riverside County's present and future.

6. Conclusion

The above recommendations would help create a substantial EJ amendment to the County's General Plan. They will allow for better representation and inclusion of EJ communities that, like the ECV, have been historically marginalized.

Thank you in advance for your time and consideration of our recommendations. We look forward to our collaboration and partnership in implementing SB 1000 in Riverside County. Please feel free to contact Rebecca Zaragoza at rzaragoza@leadershipcounsel.org or call (760) 774-3528 to further discuss how to include and truly reflect the needs of Environmental Justice Communities.

Sincerely,

Rebecca Zaragoza, Policy Advocate
Lesly Figueroa, Policy Advocate
Leadership Counsel for Justice and Accountability



October 4, 2018

Riverside County Planning Department
77588 El Duna Ct Suite H,
Palm Desert, CA 92211
4080 Lemon Street 12th Floor
Riverside, CA 92502

RE: Riverside County Environmental Justice Element in General Plan

To Whom it may Concern,

As the Alianza Coachella Valley collaborative¹, we would like to take the opportunity to give feed back to the recent updates to the Land Use Element (LUE) and the Healthy Communities Element (HCE) related to inclusion of an Environmental Justice (EJ) Element.

We applaud the effort you have made to include Environmental Justice as a planning element as required by the State of California. We also thank you for including most of our suggestions submitted in our letter from September 2018. The inclusion of the communities of Thermal and Oasis along with the associated communities in the Eastern Coachella Valley was very important to us. However, it is important for the County to include a list of all DACs in the General Plan. While the map is important and valuable, a list of communities is also essential.

We thank you for addressing our methodological concerns in defining DACs in Riverside County. Lack of data is no reason for exclusion and we appreciate your willingness to accept the CEVA from UC Davis.

We had hoped that the County would incorporate Environmental Justice concepts in every aspect of the County General Plan. We note that this is not required by SB1000 and that the County has abided by the letter of the law, if not the intent. While we applaud the creation of the policies you have written on Environmental Justice, we still have some concerns. All of these were outlined in our original letter and we hope you will address them before you move toward adoption of your policies.

SB 1000 states: Gov. Code. § 65302, subd. (h)(1)(A.) Additionally, the stand-alone EJ element or through integrated EJ goals must **promote public engagement in the decision making process** and prioritize improvements or programs to address the needs of the disadvantaged communities. Gov. Code. § 65302, subd. (h)(1)(B)-(C).

¹ Formerly Building Healthy Communities Coachella Valley

Civic Engagement is mentioned in your policies, as required by law. However, there has been little civic engagement within local disadvantaged communities around the current process of developing the EJ element. It is essential to begin engagement at the outset of this entire process. Civic engagement in local planning processes and the collaboration of the County, the community, community-based organizations, and local stakeholders should be a requirement **throughout** the planning process as we stated in our original letter. And while the County has written this language in, it has too many qualifiers.

The language used in the policies written are not conducive to change.

To state, for example,

IN HC 15.1 THAT THE COUNTY WILL "ENCOURAGE" CIVIC ENGAGEMENT. This is not a policy, this is a hope. IN HC 15.2 THE COUNTY STATES THAT IT WILL WORK "AS FEASIBLE" TO "ENCOURAGE" COLLABORATION. Again, this is not a policy.

This use of conditional language is unacceptable. Policies are concrete, not aspirational. By couching the language in the conditional, the County is allowing itself an option to not follow through on EJ policies or to simply "check off" on community engagement without engaging in a meaningful way. And this option has been exercised in the development of the document you have created.

Health Risk Reduction policies outlined in your most recent document are, again, conditional. In addition to identifying and listing the DACs in Riverside County, the County must also identify the unique and geographically specific pollution burdens for each of these communities/regions.

We appreciate the fact that you included agricultural toxins in your consideration in this version of the plan. However, there are many other pollution burdens that are not included that are impacting Riverside County communities. By explaining the different types of pollution burdens and inequities that exist in the identified areas you would be able to set goals and clarify objectives for real justice. By acknowledging the sources of pollution, we can more accurately design frameworks to mitigate them.

In the Eastern Coachella Valley there are exposures to toxins from waste and recycling facilities that impact air quality as well as the impacts from the ever-shrinking Salton Sea.

Communities throughout the County are impacted by freight facilities and diesel pollution that may have a source in other DACs. The policies in the GP must acknowledge warehouses that attract diesel trucks into and out of their facilities as a pollution burden, consistently throughout the GP.

The movement of goods is a leading source of impact for DAC's, even in the Eastern Coachella Valley. The logistics industry must be addressed intentionally as a pollution burden as it encompasses the freeways, railyards and truck routes that expose DAC's to harmful toxins and contribute to negative regional air quality. So while each EJ community has unique and specific toxin burdens, they also share many of the same sources and burdens.

Our stance remains that the Health Risk Reduction section should include addressing the lack of potable water for EJ communities, especially in rural regions of the County. According to our State, clean drinking water is a human right. The County can make policies to support the policies enacted at the State level and ensure that residents have access to potable water without financial burden. While you have addressed this issue under Safe and Sanitary Homes, it should also be included under the Health Risk policies since many rural residents have water contaminated by toxins such as arsenic and chromium 6.

The **Food Access** Policies as updated are still lacking actions and rules that are enforceable. There needs to be investment in small grocery stores and farmers markets to increase access to fresh fruits and vegetables in all EJ communities. Many Counties have embarked on "corner store conversions" but in some cases, even corner stores do not exist. While we applaud the steps forward in this section, again the language used suggests a lack of commitment.

In the **Safe and Sanitary Homes** Policy there needs to be a stated commitment to build safe, affordable housing in rural EJ communities and there needs to be a statement about providing safe homes for EJ communities that exist in regions of the County that will be severely impacted by climate change. In the policy below, you have begun to address the need for safe, affordable housing. However, again, you have used language that is less than committed.

HC 18.12 ENCOURAGE DEVELOPMENT OF AFFORDABLE AND SAFE HOUSING IN EJ COMMUNITIES WHILE AT THE SAME TIME MINIMIZING THE DISPLACEMENT OF EXISTING RESIDENTS CONSISTENT WITH HOUSING ELEMENT, GOAL 2, ACTION 2.1H.

Land use and development need to focus on improving the living conditions in disadvantaged rural communities. We believe that the County has made strides forward in addressing these issues in the most recent version of your document. However, there remains a lack of commitment to environmental justice indicated in the use of conditional, aspirational language.

Through partners, we have become aware of the Planning Department's wish to develop an implementation plan for the newly developed EJ Policies. It is essential that this implementation plan be developed, with community engagement, in tandem with the policies and based on the enumeration of communities, pollution burdens and other risks and vulnerabilities we discuss above. To create policies with no plan to implement them is what has led to a lack of clarity and commitment in the current draft.

We, Alianza Coachella Valley, are open to conversations regarding our recommendations. We appreciate your efforts to date and hope to be able to continue working together to better serve environmental injustice communities.

Sincerely,

Alianza Collaborative



October 2, 2018

Riverside County Planning Department
4080 Lemon St.
Riverside, CA 92501



**Re: 7661 TRANSPORTATION AND LAND MANAGEMENT
AGENCY/PLANNING: PUBLIC HEARING FOR GENERAL PLAN
AMENDMENT NO. 1226 (ENTITLEMENT/POLICY AMENDMENT)**

Dear Planning Department,

Thank you for the opportunity to engage with the County of Riverside. On behalf of the Center for Community Action and Environmental Justice (CCA EJ), please accept these comments in response to Riverside County's General Plan (GP) update. CCA EJ is a community based Environmental Justice organization with over 40 years of experience working with and representing communities throughout the Inland Valley region. We submit these comments because we are particularly concerned with the impact that the General Plan update will have on the Environmental Justice (EJ) communities of Riverside county, specifically the communities that are impacted by freight and the goods movement.

I. THE GENERAL PLAN MUST MEET THE SB1000 REQUIREMENTS

SB1000 requires a local government to prepare an EJ element or integrate EJ-related policies into other elements when both of the following conditions apply: the concurrent adoption or next revision of two or more other GP elements on or after January 1, 2018 AND when a local jurisdiction identifies one or more disadvantaged communities (DACs) within its GP planning area.

SB1000 allows a local jurisdiction to adopt either (1) a stand-alone EJ Element or (2) a set of EJ-related policies integrated throughout other elements of the GP. Gov. Code §63502, subd. (h).

Identifying Disadvantaged Communities

DACs should be identified at the beginning of the EJ and GP process since all other parts of the process rely on this basic building block.

A Disadvantaged Community (DAC) is defined as (1) an area identified by the CalEPA pursuant to Section 39711 of the Health and Safety Code (those identified by CalEPA which are top 25 percent of highest scoring census tracts in CalEPA's CalEnviroScreen) or (2) an area that is low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation. Gov. Code, § 65302, subd. (h)(4)(A).

If the local government uses the second definition of DAC, it would have to first determine whether "low-income areas" exist. (State of California Department of Justice, *SB1000 Fontana General Plan*

Update Letter, at p. 2 (August 20, 2018)). A low-income area is an area with household incomes at or below 80 percent of the statewide median income or with household incomes at or below the threshold designated as low income by the Department of Housing and Community Development's list of state income limits adopted pursuant to Section 50093 of the Health and Safety Code. Gov. Code, § 65302, subd. (h)(4)(C).

Once it identifies low-income areas using this definition, the local government would then evaluate if these areas are disproportionately affected by environmental pollution that can lead to negative health effects. Gov. Code, § 65302, subd. (h)(4)(A).

In regards to the second part of the analysis, SB1000 does not specify a clear method or threshold for identifying areas "disproportionately affected by environmental pollution and other hazards." (State of California Department of Justice, *SB1000 Fontana General Plan Update Letter*, at p. 2 (August 20, 2018)).

If the local government identifies one or more disadvantaged communities in its jurisdiction, it must include either an environmental justice element or EJ related goals, policies, and objectives integrated in other elements in its general plan update. Gov. Code, § 65302, subd. (h)(1).

EJ Goals, Objectives, and Policies

SB1000 requires than an EJ Element or integrated EJ-related policies target eight goals and objectives to reduce the unique and compounded health risks in Disadvantaged Communities (DACs).

SB1000 requires eight areas that **must** be integrated into the stand-alone EJ Element or through integrated EJ goals that:

1. Reduce the unique and compounded health risks in DACs.
2. Reduce pollution exposure and improve air quality.
3. Promote public facilities: public improvements, public services and community amenities in accordance with Government Code Section 66000.
4. Promote food access.
5. Promote safe and sanitary homes.
6. Promote physical activity.

(Gov. Code. § 65302, subd. (h)(1)(A).) Additionally, the stand-alone EJ element or through integrated EJ goals **must promote public engagement** the decision making process and **prioritize improvements or programs** to address the needs of the disadvantaged communities. Gov. Code. § 65302, subd. (h)(1)(B)-(C).

II. POLICIES RECOMMENDATIONS

Lack of Community Engagement

The intent of SB1000 is to broaden civic engagement and participation equitably for the purpose of assessing and improving the County's DAC's. SB1000 lays out a template for their prioritization, inclusion and meaningful engagement in the drafting process so they can accurately inform the goals, policies and objectives that directly impact them. Due to the lack of meaningful community engagement there was minimal public participation from the DAC's therefore leaving a gap in the policies that address their specific lived experiences.

We believe that the EJ element should go further than just *encourage* civic engagement in their policies but should *require* it. Additionally, collaboration among local stakeholders, community members and community-based organizations with the County and government agencies cannot be conducted *when feasible* but instead should be *required*. As this is the only way to plan for changes that address and improve EJ issues. Lastly, DAC's should be considered a unique stakeholder group that is addressed specifically in each policy. Similar to how community-based organizations, local business, etc are all addressed in the policies.

Identification of Pollution Burdens

Relatedly, the GP update does not identify what pollution burdens and health risks the DAC's in Riverside County are experiencing. As a result it is difficult to determine how existing policies will address the unique pollution burdens and health risks that those communities face. It would be helpful if there was a section in the EJ element dedicated to explaining the different types of pollution burdens and inequities that exist in the identified areas. This would help inform the *objectives* in the GP and set a foundation for where *goals* and *policies* stem from. By acknowledging the sources of pollution, we can more accurately design frameworks that aim in ameliorating them. Specifically, for the communities impacted by freight facilities and diesel pollution, the policies in the GP must acknowledge industrial projects, such as warehouses that attract diesel trucks into and out of their facility as a pollution burden, consistently throughout the GP. We also view the goods movement as a leading source of impact for DAC's. The logistics industry must be addressed intentionally as a pollution burden as it encompasses the freeways, railyards and truck routes that expose DAC's to harmful toxins and contribute to negative regional air quality.

Region-Specific Environmental Justice Policies

We compliment the efforts that have been made on the existing policies and recommend strengthening some of the language and word choices. With regard to specific talking points and language, we have listed on the next page, section by section suggestions under the appendix.

We also want to strongly advocate that specific EJ policies, such as those that follow, be included in the draft General Plan update. We include these in the hopes that more regional-specific policies can be developed jointly.

1. Ensure that Disadvantaged Communities (DAC's) residents' can live and prosper in communities that are a safe distance from harmful land uses such as refineries, warehouses, freeways, agriculture, etc.
2. Protect residents from toxic land uses, by creating a plan, timeline and funding proposals that mitigates existing impacts.
3. Ensure that DAC's impacted by the logistics and agricultural industry do not get additionally burdened by projects that increase contamination by creating a cap or threshold on the number of pollution sources within EJ communities.
4. Require community-based agreements with all new warehouses to ensure that restricted truck routes are created near homes and schools and the cleanest equipment and transportation technology is being used at the facility.
5. Conduct a ground level toxics emissions study focusing on black carbon emissions for all projects along primary freight corridor-level analysis for proposed projects adjacent to or within the boundaries of a DAC.
6. Recognize the cumulative air quality impact that DAC's are faced with and create a plan and financing strategy that results in time bound enforceable measures that provide direct emissions reductions.
7. In cooperation with regional and state air quality agencies, pursue zero-emission funding and prioritize DAC's implementation.
8. Provide infrastructure for electric vehicles (passenger, medium and heavy-duty) in disadvantaged communities along heavily traveled corridors.
9. Fund mitigation measures (e.g. air filters in homes and schools) to improve air quality in neighboring homes, schools and other sensitive receptors.
10. Reduce car and bus idling through direct enforcement and fining.
11. Ensure all bus fleets are compliant with most recent Clean Fleet rules from the California Air Resources Board
12. Prioritize investments in local roadways and sidewalks in compliance with the California Complete Streets Act of 2008 (Assemblyman Mark Leno)

We appreciate the time taken to review our feedback. We are hopeful that the policies considered will provide the greatest protection possible for EJ communities and lays out a framework for implementation. We recommend the planning department take into consideration our requests to take a stronger approach at community engagement, to strengthen the language of the existing policies and include region-specific EJ policies. Thank you for considering these changes and for understanding our concerns.

Sincerely,

Andrea Vidaurre
Community Organizer

Anna Sanchez
Law Intern

Appendix

HC 15.1 ~~Require~~ **Encourage** civic engagement from the DAC's in the local planning process, in furtherance of environmental justice planning

HC 15.2 ~~Require~~ **Encourage** collaboration, ~~as feasible~~, between the County, community, and community based organizations, as well as local stakeholders in promoting environmental justice.

HC 15.3 ~~As feasible~~, partner with local community-based organizations to promote civic engagement activities.

HC 15.4 Coordinate, ~~as feasible~~, with environmental groups, the business community, special interests, DAC's and the general public in the development of programs that effectively reduce airborne pollutants.

HC 15.7 ~~Consider~~ establishing a far-ranging, creative, forward-thinking public education and outreach campaign, to inform the community about the following:

- a. Potential hazards
- b. The costs of not mitigating the hazards.
- c. Facts about each hazard.
- d. Why jurisdictions don't have all the answers.
- e. Mitigation incentives.
- f. What the County of Riverside does for them.
- g. What the County of Riverside cannot be expected to do for them.

HC 16.2 Assist communities, ~~as feasible~~, in seeking funding for community initiated clean air projects.

HC 16.3 ~~Encourage~~ **Create a plan** for the installation of on-site air monitoring equipment in areas of high exposure to air contaminants.

HC 16.4 Assist low-income homeowners, ~~as feasible~~, in seeking financial assistance for septic system repair in order to limit groundwater contamination by poorly maintained septic systems.

~~HC 16.5 Encourage sensitive receptors, such as schools and hospitals, to be located away from uses that pose potential hazards to human health and safety, including landfills, farm fields, freight facilities, warehouses and other potentially hazardous sites.~~

HC 16.6 Evaluate, ~~as feasible~~, public facilities for health hazards or major sources of contamination.

HC 16.7 ~~Explore the potential~~ **Create a plan** for creating a cap or threshold on the number of pollution sources within EJ communities

HC 16.8 ~~Explore the feasibility of~~ creating a partnership with the local air quality management district to establish a mitigation program to reduce the impact of air pollution.

ATTACHMENT E
Draft Notice of Exemption



RIVERSIDE COUNTY PLANNING DEPARTMENT

Charissa Leach, P.E.
Assistant TLMA Director

NOTICE OF EXEMPTION

TO: Office of Planning and Research (OPR)
P.O. Box 3044
Sacramento, CA 95812-3044
 County of Riverside County Clerk

FROM: Riverside County Planning Department
 4080 Lemon Street, 12th Floor
P. O. Box 1409
Riverside, CA 92502-1409

38686 El Cerrito Road
Palm Desert, CA 92201

Project Title/Case No.: General Plan Amendment No. 190004

Project Location: This amendment affects the unincorporated area of the County of Riverside within the proposed designated EJ Communities.

Project Description: General Plan Amendment (GPA) No. 190004 proposes to amend the Healthy Communities Element and the Land Use Element to provide policies on how to address and promote environmental justice, pursuant to the requirements of Senate Bill (SB) 1000 (Levy, 2016).

Name of Public Agency Approving Project: County of Riverside

Project Applicant & Address: 4080 Lemon St. 12th floor, Riverside CA 92501

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- Categorical Exemption (Sec. 153XX)
- Statutory Exemption (15282 XX)
- Other: Section 15061 (b)(3)

Reasons why project is exempt: GPA No. 190004 creates policy to address environmental justice in the unincorporated areas of the County, pursuant to state law. These policies promote the creation of safe and healthy communities with the goal of improving the living and physical environment. The proposed addition of new text and maps provides guidance on how to address EJ, and does not implement any specific project action or funding. Therefore, this it can be seen with certainty that there is no possibility that GPA No. 190004 may have a significant effect on the environment.

Robert Flores (951) 955-1195
County Contact Person Phone Number

Signature Title Date

Principal Planner

Date Received for Filing and Posting at OPR: _____

Please charge deposit fee case#: ZEA No. N/A ZCFG No. N/A - County Clerk Posting Fee
FOR COUNTY CLERK'S USE ONLY