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SB-115 Environmental justice. (1999-2000)

Current Version: 10/10/99 - Chaptered

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SECTION 1. Section 65040.12 is added to the Government Code, to read:

65040.12. (a) The office shall be the coordinating agency in state government for environmental justice programs.

(b) The director shall do all of the following:

(1) Consult with the Secretaries of the California Environmental Protection Agency, the Resources Agency, the Trade and Commerce Agency, the Business, Transportation, and Housing Agency, any other appropriate state agencies, and all other interested members of the public and private sectors in this state.

(2) Coordinate the office's efforts and share information regarding environmental justice programs with the Council on Environmental Quality, the United States Environmental Protection Agency, the General Accounting Office, the Office of Management and Budget, and other federal agencies.

(3) Review and evaluate any information from federal agencies that is obtained as a result of their respective regulatory activities under federal Executive Order 12898.

(c) For the purposes of this section, "environmental justice" means 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.

SECTION 1. SEC. 2. Section 21001.2 Part 3 (commencing with Section 72000) is added to Division 34 of the Public Resources Code, to read:

~~21001.2.~~

~~21001.2.~~ The Legislature hereby finds and declares that people of all races, cultures, and incomes must be treated fairly with respect to the development, adoption, implementation, and enforcement of environmental statutes, ordinances, regulations, and public policies.

3. ENVIRONMENTAL JUSTICE

72000. The California Environmental Protection Agency, in designing its mission for programs, policies, and standards, shall do all of the following:

(a) Conduct its programs, policies, and activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the state.

(b) Promote enforcement of all health and environmental statutes within its jurisdiction in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations in the state.

(c) Ensure greater public participation in the agency's development, adoption, and implementation of environmental regulations and policies.

(d) Improve research and data collection for programs within the agency relating to the health of, and environment of, people of all races, cultures, and income levels, including minority populations and low-income populations of the state.

(e) Identify differential patterns of consumption of natural resources among people of different socioeconomic classifications for programs within the agency.

72001. On or before January 1, 2001, the California Environmental Protection Agency shall develop a model environmental justice mission statement for boards, departments, and offices within the agency. For purposes of this section, environmental justice has the same meaning as defined in subdivision (c) of Section 65040.12 of the Government Code.

SEC. 2. Section 21087 of the Public Resources Code is amended to read:

~~21087. (a) The Office of Planning and Research shall, at least once every two years, review the guidelines adopted pursuant to Section 21083 and shall recommend proposed changes or amendments to the Secretary of Resources. The Secretary of Resources shall certify and adopt guidelines, and any amendments thereto, at least once every two years, pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, which shall become effective upon the filing thereof. However, guidelines shall not be adopted or amended without compliance with Sections 11346.4, 11346.5, and 11346.8 of the Government Code.~~

~~(b) Prior to April 4, 1995, the Office of Planning and Research shall recommend proposed changes and the Secretary of Resources shall certify and adopt revisions to the guidelines pursuant to Section 21083 to reflect the changes to this division enacted during the 1993-94 Regular Session of the Legislature.~~

~~(c) (1) On or before January 1, 2001, pursuant to Section 21083, the Office of Planning and Research shall recommend proposed changes in, and the Secretary of Resources shall certify and adopt revisions to, the guidelines to provide for the identification and mitigation by public agencies of disproportionately high and adverse environmental effects of projects on minority populations and low-income populations.~~

~~(2) To assist public agencies in identifying and mitigating disproportionately high and adverse environmental effects of projects on minority populations and low-income populations, the Office of Planning and Research, in consultation with other state agencies, shall, on or before January 1, 2001, review its available data bases and other available data bases and information, including information relating to environmental documents submitted to the State Clearinghouse and notices provided to the office, to identify communities and populations affected by disproportionately high and adverse environmental effects of projects. In reviewing available data and information, the office shall identify communities and populations for which existing data or information is insufficient or incomplete and propose strategies for correcting those deficiencies.~~

~~(3) The office and the secretary shall rely on procedures to implement federal Executive Order 12898 in meeting the requirements of this subdivision.~~