

Senate Bill No. 1113

Passed the Senate September 11, 1997

Secretary of the Senate

Passed the Assembly September 9, 1997

Chief Clerk of the Assembly

This bill was received by the Governor this ____ day
of _____, 1997, at ____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend Section 21087 of, and to add Section 21001.2 to, the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 1113, Solis. Environmental quality: minority and low-income populations.

Existing law, the California Environmental Quality Act, requires the Office of Planning and Research to prepare, and the Secretary of the Resources Agency to certify and adopt, guidelines for use in implementing the act.

This bill would require, by January 1, 2000, the office to recommend proposed changes in, and the secretary to 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. The bill would require the office, by January 1, 2000, in consultation with other state agencies, to review its available data bases and other available data bases and information to identify affected communities and populations. The bill would make related legislative findings and declarations.

The people of the State of California do enact as follows:

SECTION 1. Section 21001.2 is added to the Public Resources Code, to read:

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.

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 recommend proposed changes or amendments to the Secretary of the Resources Agency. The Secretary of the Resources Agency 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) Within six months from the date of the enactment of Chapter 1294 of the Statutes of 1994, that is, not later than April 4, 1995, the Office of Planning and Research shall recommend proposed changes and the Secretary of the Resources Agency 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, 2000, pursuant to Section 21083, the Office of Planning and Research shall recommend proposed changes in, and the Secretary of the Resources Agency 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, 2000, 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.



Approved _____, 1997

Governor

