



# The Emergence of Environmental Justice in General Plans: Lessons from California’s Senate Bill 1000



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## Introduction

Urban planning has an uneasy relationship with environmental justice (EJ). Poor planning decisions and discriminatory practices have historically heightened the burdens of environmental contamination in low-income neighborhoods and communities of color, in comparison to white, wealthy populations (Bullard 1993; Méndez 2020). Since the 1980s, activists have garnered some regulatory and scholarly support for changes to policy and planning processes (Cole & Foster 2000), but urban planners have been slow to adopt an explicit EJ framework in land-use policies (Bryant 2022). The urban planning profession, however, has the capacity to help ensure that future development does not repeat the unjust environmental outcomes of the past.

Adopted in 2016 and implemented in 2018, California Senate Bill (SB) 1000 calls for local jurisdictions with disadvantaged communities to include EJ considerations in their general land-use plans. SB 1000 is intended to ensure transparency and community engagement in urban planning processes, mitigate the harm of living near environmental hazards, and facilitate equitable access to health-promoting amenities such as recreation, healthy and affordable food options, and safe and sanitary housing (California Governor’s Office of Planning & Research & the California Department of Housing & Community Development 2020; State of California Department of Justice 2022; Rigolon 2016; Walker et al. 2010; Yu 2014; Mui et al. 2021; Méndez and Zuñiga 2023).

Our research examines the following:

- (1) How and to what extent have the jurisdictions with the highest cumulative environmental health impact scores (as designated by the state of California) incorporated EJ into their general land-use plans?
- (2) What challenges regarding EJ policy have arisen through the implementation of California SB 1000, and how can they be addressed?

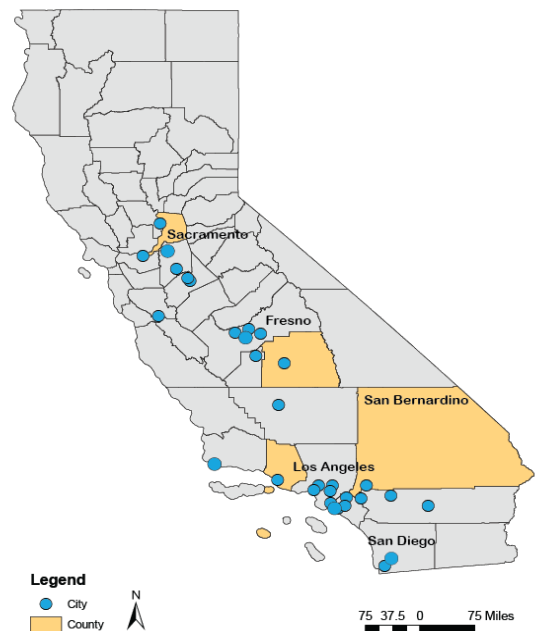
Interviews (33) with planners (public and private sectors), EJ community organization leaders, and the state Attorney General’s Office, as well as a document analysis of general land-use plans, were conducted to assess the scope of coverage and the barriers experienced. This research and analysis took place between June 2020 to November 2022.

The California Environmental Protection Agency’s Environmental Health Screening mapping tool was also employed to identify counties and cities containing census tracts with the highest cumulative environmental health impact scores in the state, those in the top 25 percent. State agencies use this threshold to designate a given area as disproportionately affected by environmental injustice. SB 1000 requires jurisdictions within this level to complete an EJ element (Lee 2021; State of California department of Justice 2022).

There are **238 cities** and **29 counties** (see map A) with census tracts in the top 25 percent for cumulative environmental health impact scores. Of those jurisdictions, we found that **33 cities** and **four counties** had adopted environmental justice considerations in their general plans or were in the process of doing so.



Map A: CA Cities with Cumulative Impact Scores in the Top 25%



Map B: CA Cities & Counties with Environmental Justice Considerations

*“Before the passage of SB 1000, EJ was rarely discussed. It just wasn’t on our radar. If it were not for the legislation, we may have not prioritized EJ in general plans.” -County Planner*



## Key Findings

### 1. Perspectives on Health

Starting with a broad discussion on public health can provide a straightforward way for residents to understand EJ. Three of 37 plans refer to a previous health element as an important precursor for EJ considerations. The health element also helped planners/policy makers understand the disparities that have existed among vulnerable populations and served to guide future outreach. In four jurisdictions, local departments of public health were also assisting planners to better understand community health and environmental needs. These partnerships were instrumental in guiding community engagement and acquiring data, as well as developing goals and policies related to EJ.

Furthermore, 13 jurisdictions either have embedded or plan to incorporate their EJ considerations within an element titled “Health and Equity,” “Health and Wellness,” or “Health and Environmental Justice.” While several jurisdictions foregrounded the interconnection of health and EJ, others strategically used health as a means to “soften” the element when there was not adequate political support from elected officials.

### 2. Environmental Justice Advisory Committees

Seven jurisdictions established EJ advisory committees comprising government and community-based representatives to help develop considerations. One notable example is Sacramento County, where the committee provided expertise on a range of issues, from food policy to air quality and energy access in low-income communities of color. Tulare County’s advisory group started informally; planners later sought formal status to better convey community concerns and suggestions to elected officials. In rather different circumstances, the City of Huntington Park is currently developing an advisory committee required by the State Attorney General to bring the city into compliance with SB 1000.

### 3. Understanding of the concept of “EJ” Among Planners

Several planners shared that they often had to educate the planning director and senior staff on the meaning and importance of EJ. As one consultant planner observed, “That whole process of educating internally is the first community engagement because if your internal people don’t understand it or see its value, they’re not going to get the community involved substantively”. Others, whose elected officials or managers did not support EJ, were more comfortable with a broad focus on access to resources or public health. Several planners indicated, however, that SB 1000 forced them to have open and thoughtful conversations about equity and inclusion, with their departments, policymakers, and in public settings.

### 4. Disaster and Climate Action Planning

Environmental injustice also extends to the fields of disaster and climate action planning, which often exclude socially vulnerable populations (Méndez 2015; Méndez et al. 2020; Goldsmith et al. 2021; Goldsmith et al 2023). Only 14 jurisdictions in the study have EJ considerations linked with climate action or disaster plans. Although both are required in general plans, they largely remain disconnected.

**Table 1 : Environmental Justice Concepts Considered in Data Analysis**

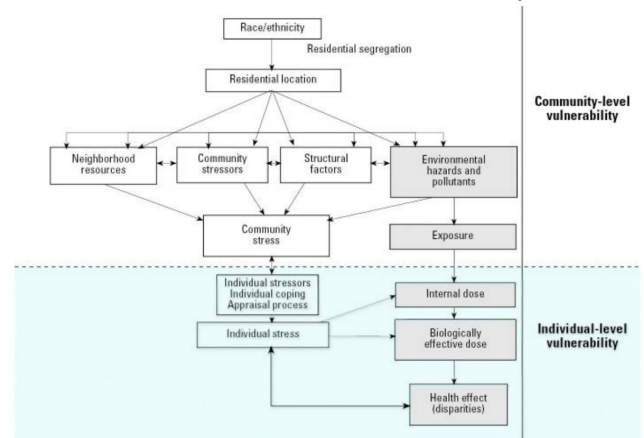
Environmental Justice Concepts Considered in the Review of General Plans	
Distributional Justice	suggests that environmental harm and benefits should be equally distributed
Procedural Justice	focuses on the rights of residents to participate in the planning process
Recognition Justice	acknowledges the effects of structural and historic inequalities on certain communities
Strengthening Capabilities	equips residents with resources for them to flourish—for example, access to health care, employment, affordable housing, ease of transportation and mobility, healthy food options, and quality education

### 5. Attorney General Comments

The Attorney General’s office has had a key role in compelling reluctant jurisdictions to implement EJ considerations. For example, the City of Huntington Park’s 2019 general plan did not identify disadvantaged communities or include considerations. As a result, the Attorney General’s Office entered into a legal settlement agreement with the City (State of California Department of Justice 2021).

### 6. Context Matters

“Outcome” and “contextual vulnerability” are two distinct approaches to understanding how people are affected by hazards in their environment. The former focuses on individual hazards and their direct effects, while the latter is more holistic, providing a multidimensional view (Méndez 2015; Pellow 2016). Only nine general plans in our study mention the contextual conditions tied to EJ. Figure 1 demonstrates Tulare County’s approach to describing contextual factors, communities of color, and environmental injustice.



**Figure 1: Contextual factors discussed in EJ Element**

Source: Tulare County EJ Element, Gee (et.al) 2004.

### 7. Stand-alone EJ Elements vs. Integrated Approach

Jurisdictions’ decisions to emphasize contextual or outcome vulnerabilities were also reflected in the structures of their general plans. Those focusing on contextual conditions often provided a more comprehensive stand-alone EJ element rather than distributing EJ considerations throughout the plan. While both are legal options, out of 37 general plans, only 14 opted for a stand-alone element. Other jurisdictions opted instead to distribute considerations throughout other elements, to highlight links with issues such as transportation, housing, and safety. This approach, however, led to a greater focus on outcome vulnerability, since there was nowhere to more effectively address the contextual conditions related to EJ.



## Recommendations

The results of this research invite planners to shift how EJ is viewed, assessed, and implemented. We offer policy recommendations for resources and tools needed for effective planning that supports EJ:

### 1. Support the development of an EJ advisory committee

Environmental justice advisory committees help ensure that residents are involved from the outset of the general planning process. These committees are typically made up of community leaders, public health workers, and residents from disadvantaged communities.

### 2. Provide more resources for jurisdictions to incorporate EJ in general plans

State and federal governments should provide additional resources and staff training to local governments whose communities are most burdened by environmental hazards, especially jurisdictions that are underresourced. One approach would be to provide funding opportunities for the hiring of consultants and community leaders.

### 3. Develop a hybrid approach, creating a stand-alone element & integrating considerations throughout the general plan

The benefits of creating a stand-alone element include clarity, the elevation of EJ concerns, and the opportunity to recognize large-scale and historical inequities. At the same time, integrating considerations in other parts of the plan shows EJ touches all aspects of the city's vision for the future.

### 4. Link EJ considerations with public health, climate action, & disaster plans

Relatively few governments are substantively integrating their general plans with public health, disaster, and climate action plans to address EJ. Some cities across the United States are safeguarding these communities by creating departments focused specifically on mitigating the impacts of climate change through an equity lens (Parker 2021).

### 5. Develop new tools relating to the interaction of EJ & climate change

State and federal governments should develop geographic mapping tools that demonstrate the compounding impacts of factors such as climate change, air pollution, socio-demographics, and other relevant variables. A uniform platform that quantifies potential climate change and disaster vulnerabilities in EJ communities should be available as a free open-source mapping tool.

### 6. Establish a State Attorney General Office of Environmental Justice Enforcement

State Attorney Generals should create such offices to ensure environmental laws in low-income, communities of color are enforced. In California, the office has been instrumental in facilitating more robust community engagement and substantive EJ elements in general plans.

## Conclusion

We provide an analysis of the emergence of EJ considerations in general plans. Results are mixed. They highlight positive outcomes in some jurisdictions, such as the development of EJ advisory committees and contextual analyses to educate public officials about environmental harm in the communities that they represent. However, many governments face significant challenges, including a lack of political support, limited discussions of environmental racism, ineffective community engagement, and few resources to implement and monitor measures.

Without support from elected officials and senior planning managers, progress toward EJ will be slow and uneven. Hence, the real work of EJ takes place in the implementation and enforcement of laws and policies. Environmental justice will not be fully realized without strong oversight and political leadership, and racial diversification of urban planning institutions (Méndez 2022a; Méndez and Zuñiga 2023; Solis 2020).

In California, the Attorney General's office has had a key role in compelling reluctant jurisdictions to implement EJ considerations. Despite these challenges, our research shows that SB 1000 is providing some localities with a proactive instrument to redress local environmental hazards and ensure more equitable land-use policies. By offering their examples and corresponding recommendations, we hope to contribute to more equitable environmental and land use planning throughout the United States.

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