# SB 1000 FAQ Primer

**SB1000 EQUITY TOOLKIT**

cta
San Bernardino County
Transportation Authority

sb

cog
San Bernardino
Council of Governments

# SB 1000 FAQ Primer

**This FAQ Primer was produced by the San Bernardino County Transportation Authority (SBCTA) and the San Bernardino Council of Governments (SBCOG) as part of their SB 1000 Toolkit.**

## TABLE OF CONTENTS

# Frequently Asked Questions

## (1) What is the purpose of SB 1000?

Senate Bill 1000 (SB 1000), or the Planning for Healthy Communities Act, was signed into law in 2016. It intends to make environmental justice a real and vital part of the general plan planning process by requiring local governments to identify environmental justice issues in their communities and address them through tailored policies.

It recognizes that communities experience discrimination through unjust land use policies and practices, and aims to correct instances when the planning profession has an adverse impact on health and equity outcomes in these communities.

## (2) What is environmental justice?

Environmental justice aims to:

- Address the inequities that arise from low-income communities and communities of color bearing a disproportionate burden of pollution and associated health risks when compared to their more affluent neighbors; and
- Correct the legacy of concentrating pollution and other hazards in and near low-income communities, often communities of color, by reducing these hazards and involving the impacted communities in any related decisions.

To learn more about environmental justice, please see the Principles of Environmental Justice.

## (3) How is environmental justice defined in California?

In 1999, California codified environmental justice into statute (SB 115, H. Solis), and defined it 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(e).)

In 2019, AB 1628 (R. Rivas) revised the state definition to "*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*.

## (4) What are the requirements to comply with SB 1000?

The requirements can be organized into four steps.

**Step 1:** A city or county must identify any "Priority Equity Communities"[1] in its jurisdiction when it adopts or updates two or more elements of its general plan on or after January 1st, 2018.

- If a city or county does not identify any Priority Equity Communities, no action is required.

**Step 2:** If a city or county identifies one or more Priority Equity Communities in its jurisdiction, it must do one of the following as part of its general plan:

- Create a separate Environmental Justice Element; or
- Integrate a set of related, policies, and objectives into other General Plan elements.

**Step 3:** Once it selects one of the two options above, a city or county must, at a minimum, address six topic areas to reduce the unique or compounded health risks in its identified Priority Equity Communities. The topic areas are:

1. *Reduce pollution exposure*, such as improving air quality and water quality.
2. *Promote public facilities*, such as expanding parks, libraries, health facilities, and other infrastructure.
3. *Promote food access*, such as expanding the number of grocery stores, farmers' markets, and community gardens.
4. *Promote safe and sanitary homes*, such as improving home air filtration, increasing access to affordable housing, and removing asbestos, mold, and lead-based building materials.
5. *Promote physical activity*, such as improving street walkability and bikeability.
6. *Promote civic engagement*, such as expanding language access and adopting participatory planning methods.

**Step 4:** Finally, a city or county develops environmental justice goals, policies, and objectives for its general plan to address the identified priorities in Priority Equity Communities.

Throughout every step of the process—from identifying communities and main EJ issues, to developing policy and program solutions—a city or county must engage with the Priority Equity Communities.

---

[1] "Priority Equity Communities" are "Disadvantaged Communities", as defined in Senate Bill 1000. Please refer to Question 5 for a complete definition of a Priority Equity Community, and please refer to the SB 1000 Toolkit's "Data Tools" webpage for a full analysis of Priority Equity Communities in the county.

## (5) How does a city or county identify a "Priority Equity Community" in its jurisdiction?

According to State law, a "disadvantaged 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". SBCTA/SBCOG refers to disadvantaged communities as "Priority Equity Communities" in order to align with the terminology developed by the Southern California Association of Governments and to center equitable investments as part of the SB 1000 process.

A Priority Equity Community is defined in two ways depending on which method is used, (the different types of methods are described below).

- For Method 1, it is an area identified by CalEPA pursuant to Section 39711 of the Health and Safety Code. CalEPA designates an area as a disadvantaged community if a census tract scores at or above the 75th percentile (or top 25%) statewide on the CalEnviroScreen composite score.
- For Method 2, it is 1) an area with a CalEnviroScreen composite score and/or individual CalEnviroScreen pollution burden indicators that are at or above the 75th percentile (or top 25%) statewide; and 2) and area that is designated as low-income.

A low-income area is defined as:

- An area with household incomes at our below 80% of the statewide median income; or
- An area with household incomes at or below the threshold designated as low-income by California Department of Housing and Community Development.

To comply with the above State requirements, there are three technical analysis methods that build upon each other to identify Priority Equity Communities (Fig. 1).

**Method 1:** The first method only requires accounting for the CalEnviroScreen composite score, and identifying those census tracts that are in the top 25% statewide, or in the 75th percentile or above, of the CalEnviroScreen composite score.

**Method 2:** The second method adds more specificity in two ways. First, it considers any of the CalEnviroScreen pollution burden indicator scores that are in the top 25% statewide, or in the 75th percentile or above, rather than the single composite score. And second, it considers low-income communities, i.e., census tracts that are at or below 80% the state and/or county area median income.

**Method 3:** The third method adds the elements of local knowledge and additional data at the local and community levels. Examples of local knowledge and data may include experiential knowledge gathered by community organizations and leaders and local air quality monitoring.
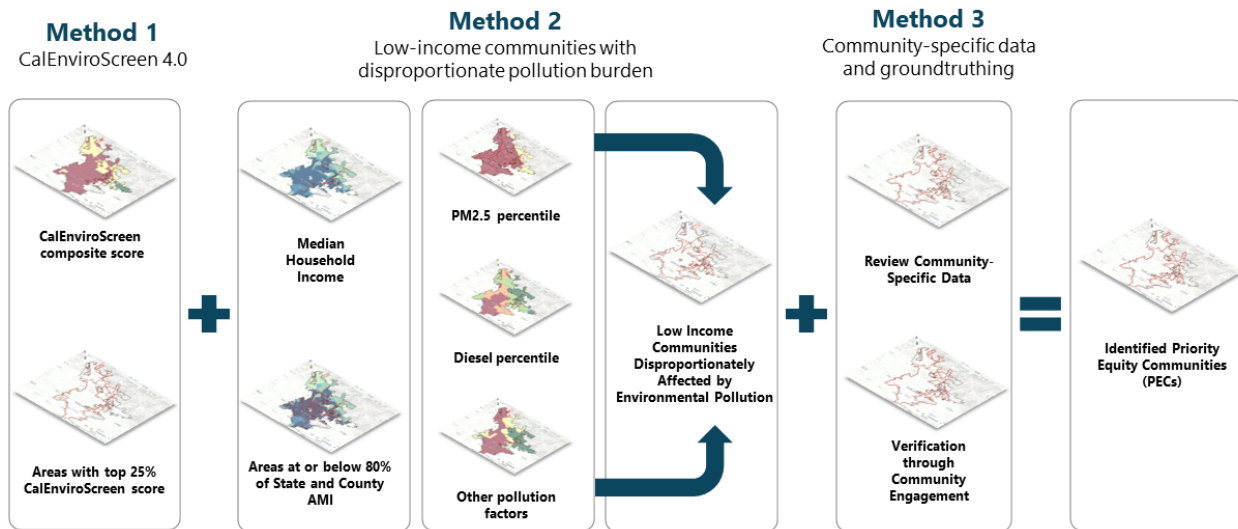
*Figure 1. Three main methods for SB 1000 data analysis (Image source: Raimi + Associates).*

## (6) How does CalEnviroScreen 4.0 score census tracts?

CalEnviroScreen was developed by the Office of Environmental Health Hazards Assessment (OEHHA), an office within California's Environmental Protection Agency (CalEPA) in 2010. The tool is updated every 3-4 years to account for newly available datasets and advances in public health research. In 2021, OEHHA released version 4.0.

CalEnviroScreen contains 13 indicators related to pollution burden and eight indicators that track population characteristics (Fig. 2). It scores census tracts in two main ways, both using percentiles (i.e., 100 groups into which data is equally divided based on the distribution of the values).

The first is an individual score for each of the 21 indicators. The percentile represents a score for the indicators, on a scale from 1 to 100 indicating the percentile into which a given census tract falls, relative to all the census tracts in the state.

The second is a composite score that combines the average of pollution exposures and environmental effects indicators under pollution burden, and the average of sensitive populations and socioeconomic factors indicators under population characteristics, into one score. The scale is the same as above, ranging from 1 to 100 to indicate the percentile into which a given census tract falls relative to all the census tracts in the state.

To learn more about CalEnviroScreen 4.0 methodology, please see the CalEnviroScreen 4.0 Report.
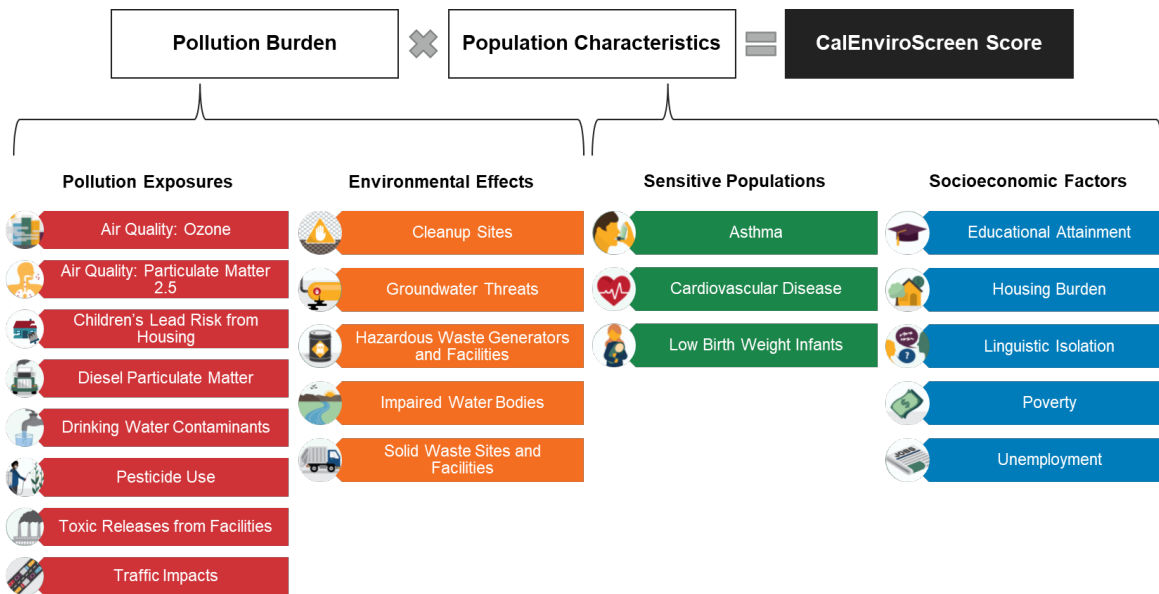
Sources: Raimi + Associates. Graphic Elements adapted from California Office of Environmental Health Hazard Assessment CalEnviroScreen 4.0 Webpage and Report.

*Figure 2. CalEnviroScreen 4.0 Indicators (Image source: Raimi + Associates).*

## (7) How does a SB 1000 Priority Equity Community designation relate to SB 535?

In 2012, SB 535 established initial requirements for minimum funding levels to Disadvantaged Communities for investment of proceeds from the state's Cap-and-Trade Program. These investments are aimed at improving public health, quality of life, and economic opportunity in California's most pollution-burdened communities, and at the same time, addressing the causes of climate change. SB 535 gives CalEPA the responsibility for identifying those communities, stating that CalEPA's designation of Disadvantaged Communities must be based on "geographic, socioeconomic, public health, and environmental hazard criteria."

CalEPA's methodology for identifying Disadvantaged Communities is similar to, but different from, the SB 1000 methodology recommended by the Office of Planning and Research and the Office of the Attorney General. In May 2022, CalEPA released its updated designation of Disadvantaged Communities for the purpose of SB 535. Many communities in San Bernardino County were identified as SB 535 communities and, thus, are eligible to access additional State resources for implementing climate equity and environmental justice initiatives that jurisdictions identify in their Environmental Justice Elements.

For more information about SB 535 Disadvantaged Communities, please visit:
https://oehha.ca.gov/calenviroscreen/sb535

## (8) How does SB 1000 relate to other elements of a general plan?

SB 1000 can be implemented as either a separate environmental justice element, or a related set of environmental justice goals, policies, and objectives into the other elements of a general plan. Regardless of whether SB 1000 is separate or integrated into other elements, there are a few best practices and considerations to ensure integration of environmental justice across the general plan:

- The Priority Equity Community analysis findings should inform the general plan update's community engagement plan, prioritizing engagement activities within the identified Priority Equity Communities of the city. See question #9 for more best practices in community engagement.
- The Priority Equity Community analysis findings should inform the update's refinement of the general plan land use designations and designations map; mobility maps, including street, bicycle/pedestrian, transit, and truck routes; and policy and program development across the elements. Ensure that goals, policies, and actions prioritize Priority Equity Communities for improvements and investments regardless of whether a specific goal, policy, and action is directly related to environmental justice. For example, many goals, policies, and actions in a transportation or mobility element could be tailored to geographically prioritize improvements and investments in Priority Equity Communities above other criteria.

## (9) What are best practices for conducting community outreach and meaningful engagement?

Below are several best practices identified from the California Office of Attorney General comment letters responding to cities and counties who are developing or have submitted an EJ Element.

- Partner with local community groups for outreach (and for improving and increasing community engagement) and development of element.
- Post information and updates on websites and newsletters. Create a website specific to this process for sharing information and updates.
- Provide a survey for community members to identify EJ priorities, concerns, and burdens for their communities.
- Host recurring public workshops and meetings for community members at different stages of the process and in different locations across the city.
  - Hold them on weekends or weekday evenings and locate the in-person meetings within Priority Equity Communities to make attending easier.
  - Share an agenda and summarize all comments received.
- Offer information and provide translation and interpretation during all workshops, meetings, and hearings in the languages that are native to Priority Equity Communities.
- Provide public responses to comments and concerns from community members.
- Set up a transparent process to receive and respond to public input.

- o Share preliminary drafts with Priority Equity Communities and allow time and space for providing and incorporating feedback.
- Actively promote civic engagement in decision-making processes in the development of the EJ element and policies.
- Refer to the Office of Planning and Research's (OPR) 2017 General Plan Guidelines, which discusses community engagement techniques.
- Create an EJ Advisory Committee that is fully representative of Priority Equity Communities.
- Collaborate with other government agencies knowledgeable and working on EJ and similar issues.
- Cities and counties should strive for meaningful engagement. This means not rushing towards a deadline and instead ensuring engagement is extensive and meaningful. It's an opportunity for communities to engage in government decisions that affect them.

## (10) What are the main environmental justice and health equity issues in San Bernardino County?

In May through July of 2022, staff from SBCTA/SBCOG and National Community Renaissance (National CORE) conducted a series of focus group meetings with community-based organizations, government agencies, and other stakeholders interested in promoting favorable health, equity, and/or environmental justice outcomes in communities across San Bernardino County.

All participants were asked to identify the most pressing environmental justice and equity issues facing communities across San Bernardino County. Based on responses, three broad areas of concern emerged:

- **1) Built environment and public health**: Participants were primarily concerned with air pollution and negative noise and traffic impacts emerging from the logistics and distribution industry. A lack of access to healthy foods and to high-quality transit were also identified as core environmental justice challenges related to the built environment.
- **2) Local community capacity building**: A second area of concern centered around the public decision-making process and the need for community capacity and civic engagement resources. Participants pointed to language barriers, "codeswitching," and complex public systems as factors that discourage public participation and limit the impacts of public outreach.
- **3) Wealth building opportunities**:  A third area of concern focused on limited jobs and access to high growth and high pay industries, posing barriers to economic mobility for many San Bernardino County residents. Participants described the phenomenon of "brain drain" as a detrimental impact to the county's employment market - there are limited, local opportunities for young and educated residents, forcing them to leave the region for areas with better, higher-paying jobs.

Additionally, in 2022, the Center for Social Innovation at the University of California, Riverside conducted a Regional Equity Study that was commissioned by SBCTA/SBCOG. The intent of this quantitative

regression analysis was to identify barriers to equity within the built environment faced by Priority Equity Communities, from both a county-wide as well as at the sub-regional level. The analysis assessed a wide variety of socioeconomic factors that influence health and equity outcomes including the following: housing cost burden, food access, childhood poverty, and proximity to warehouses and freight truck routes.

The Regional Equity Study found that the southwest corner of the county (i.e., West Valley) had the most environmental disadvantages across the board. Specifically, four census tracts in San Bernardino, Muscoy, and Victorville were found to have the greatest disadvantage. The regression analysis also identified the following key indicators relevant to housing cost burden: household income, life expectancy, CalEnviroScreen 4.0 score, asthma rate, poverty rate, linguistic isolation, and educational attainment. Finally, food access was found to be a significant concern in both urban and rural areas.

## (11) Where can I learn more about SB 1000 and find more resources and examples?

The following resources include guidance for developing an Environmental Justice Element and examples of past Elements.

- OPR, General Plan Guidelines and Technical Advisories: https://opr.ca.gov/planning/general-plan/guidelines.html
- OPR, 2020 Updated EJ Element Section: https://opr.ca.gov/docs/20200706-GPG_Chapter_4_EJ.pdf
- OPR, Model EJ Policies for General Plans: https://opr.ca.gov/docs/20200624-Model_EJ_Policies_for_General_Plans.pdf
- CEJA SB 1000 Toolkit: https://caleja.org/2017/09/sb-1000-toolkit-release/
- Office of the Attorney General, SB 1000: https://oag.ca.gov/environment/sb1000

The following resources provide ideas for other data resources to integrate in the analysis of identifying Priority Equity Communities.

- CalEnviroScreen indicator maps: https://oehha.ca.gov/calenviroscreen/indicators
- CA Health Places Index: https://map.healthyplacesindex.org/
- Public Health Institute Tracking CA Project: https://www.trackingcalifornia.org/
- CARB SB 535 Disadvantaged Communities map: https://oehha.ca.gov/calenviroscreen/sb535

The following resources were developed by SBCTA/SBCOG as part of its SB 1000 Toolkit.

- SB 1000 Factsheet: for use with internal public sector staff and other stakeholders.
- SB 1000 Public-Facing Factsheet: for use with community members.
- SB 1000 Example Practices: for use by public sector staff early in the SB 1000 process.

- Regional Data Dashboard: publicly available data analysis and mapping on environmental justice and health equity topics that fulfill SB 1000 requirements.
- SB 1000 Model Language: for use by public sector staff in developing the EJ policy language for the general plan.