



## 2.0 RECOMMENDATION AND PROCEDURES

The County Planning Commission's motion should include the following:

1. Make the required findings for approval, including CEQA findings, and recommend that the Board of Supervisors make the required findings for approval, including CEQA findings, of the Environmental Justice Element project (Attachment A).
2. Recommend that the Board of Supervisors determine that Case No. 22GPA-00000-00003 is exempt from the provisions of CEQA pursuant to 15061(b)(3) of the State Guidelines for the Implementation of CEQA (Attachment B); and
3. Adopt a resolution (Attachment C) recommending that the Board of Supervisors adopt the proposed comprehensive plan amendment, Case No. 22GPA-00000-00003, adding the Environmental Justice Element into the Comprehensive Plan (Attachment C, Exhibit 1).

Refer back to staff if the County Planning Commission takes other than the recommended action for appropriate findings.

## 3.0 JURISDICTION

This project is being considered by the County Planning Commission based on the following:

1. Section 35.80.020 of the County Land Use and Development Code (LUDC), which states that the County Planning Commission reviews Comprehensive Plan Amendments, Development Code Amendments, and Zoning Map Amendments, and provides a recommendation to the Board of Supervisors.
2. Sections 2-25.2(b)(1) and (2) of Chapter 2 - Administration of the County Code, which states in part:

*...the following shall remain within the jurisdiction of the county planning commission...*

*(1) Recommendations regarding proposed amendments to articles I, II, III, V, and VII of chapter 35 of the county Code...*

*(2) Initiation, consideration and recommendations regarding general plan amendments required by law or requested by the board of supervisors...*

3. Government Code Section 65354, which states:

*The planning commission shall make a written recommendation on the adoption or amendment of a general plan. A recommendation for approval shall be made by the*

*affirmative vote of not less than a majority of the total membership of the commission. The planning commission shall send its recommendation to the legislative body.*

## **4.0 ISSUE SUMMARY**

Environmental justice is defined by Government Code Section 65040.12 (e) (1) as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies, according to California law. This means ensuring that everyone has the right to a healthy environment, equal access to decision-making, and protection from environmental and health hazards, regardless of their background. State law (Senate Bill 1000 [Levy, 2016]) requires that the County incorporate environmental justice goals, policies, and objectives into the Comprehensive Plan because there are communities within the unincorporated area of the County that meet the state definition of Disadvantaged Communities. The following eight communities are Disadvantaged Communities and are referred to as Environmental Justice Communities (EJCs): Cuyama, New Cuyama, Ventucopa, Sisquoc, Garey, Casmalia, Los Alamos, and Isla Vista. All these communities, except for Isla Vista, are also identified in the Land Use Element as Disadvantaged Unincorporated Communities as a result of updates to the Land Use Element processed in 2015 and 2022, respectively.

As discussed in Section 5.2.2 below, P&D staff worked with community members and service providers in the EJCs to understand their needs as they relate to environmental justice issues. Staff developed draft objectives and actions to address these needs in collaboration with the EJE Working Group, which consisted of staff from 15 County departments and affiliate agencies. Much like climate adaptation, environmental justice touches on a wide variety of issues and can only be addressed through interdisciplinary and interdepartmental coordination. The EJE does not conflict with the rest of the County Comprehensive Plan, including community plans.

## **5.0 PROJECT INFORMATION**

### **5.1 Legislative Mandate**

Government Code Section 65302(h) (Senate Bill 1000) requires all cities and counties with Disadvantaged Communities (EJCs) to adopt an EJE or related Environmental Justice (EJ) goals, policies, and objectives that do all the following:

1. Identify objectives and policies to reduce the unique or compounded health risks in Disadvantaged Communities by means that include, but are not limited to, the reduction of pollution exposure, including the improvement of air quality, and the promotion of public facilities, food access, safe and sanitary homes, and physical activity;
2. Identify objectives and policies to promote civic engagement in the public decision-making process; and

3. Identify objectives and policies that prioritize improvements and programs that address the needs of Disadvantaged Communities.

Government Code Section 65302(h)(2) states, "A city, county, or city and county subject to this subdivision shall adopt or review the environmental justice element, or the environmental justice goals, policies, and objectives in other elements, upon the adoption or next revision of two or more elements concurrently on or after January 1, 2018."

## **5.2 Summary of EJ Element**

### *5.2.1 Identification and Mapping of EJs*

P&D staff completed an analysis to identify EJs in accordance with the Governor's Office of Land Use and Climate Innovation (LCI) (formerly the Governor's Office of Planning and Research) guidelines for EJ elements (Chapter 4). The LCI guidance includes a Disadvantaged Community (DAC) screening analysis to identify DACs by mapping low-income areas and then evaluating whether they are disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation. LCI's recommendations for EJ identification include mapping: 1) household median incomes at or below the statewide median income by census tract; 2) areas at or below the California Department of Housing and Community Development (HCD)'s state income limits; 3) disproportionate environmental burdens and hazards (such as pollution) using CalEnviroScreen 4.0; and 4) community-specific data for health risk factors and pollution. The LCI guidance also acknowledges that jurisdictions have discretion in identifying EJs based on their review of all four factors. The County completed a thorough screening analysis and determined that Cuyama, New Cuyama, Ventucopa, Sisquoc, Garey, Casmalia, Los Alamos, and Isla Vista meet the state definition of a Disadvantaged Community and would be designated as EJs.

CalEnviroScreen 4.0 uses 21 statewide indicators to characterize both Pollution Burden and Population Characteristics (e.g. impaired waters, unemployment, etc.) at the census tract level. A percentile score is assigned for each indicator representing a relative score compared to other census tracts in California. A higher percentage means that the census tract is more environmentally burdened relative to other census tracts across the state. LCI guidance includes mapping both the census tracts with combined scores of 75 percent or higher as well as individual indicators with scores of 75 percent or higher within mapped low-income communities. Because CalEnviroScreen uses data aggregated at the census tract level, there are some limitations on the applicability of some indicators to smaller and rural communities, including many of the County's EJs.

Staff presented the mapping methodology to the Agricultural Advisory Committee (AAC). The AAC was concerned that the indicators in CalEnviroScreen 4.0 were inaccurate, particularly the indicator for pesticides, and how the data inappropriately correlates pesticide use with pesticide exposure. P&D staff worked with staff from the Agricultural Commissioner's Office to include language in the EJE to clarify information about pesticide use in the county and identify the limitations of CalEnviroScreen 4.0 more generally. Localized environmental hazard data was also reviewed for each EJ to help inform

the EJC mapping analysis. A complete list of environmental hazards reviewed, as well as more detailed information about the screening process and results can be found in Appendix B: Mapping Methodology of Attachment D.

Lastly, there are populations within the unincorporated area that may meet the criteria to be an EJC but were not mapped as an EJC due to their small numbers and/or transient nature. The EJE is intended to be an inclusive element that increases programs and services to affected populations. Therefore, the EJ goals, policies, objectives, and actions can generally be applied to communities within the County that meet the income requirements, adverse environmental conditions, and health outcomes conditions, whether or not they have been mapped as an EJC.

### *5.2.2 Community Engagement*

In accordance with state law and guidance, community engagement is a central component of the EJE, so P&D staff completed a multi-faceted approach to engagement for the preparation of the EJE. Appendix C: Engagement Summary of Attachment D discusses the community engagement process undertaken for the EJE. The Equity Advisory and Outreach Committee (EA+OC) is a subcommittee to the Santa Barbara County Climate Collaborative. The EA+OC provided guidance on terminology and engagement strategies, including key stakeholders and individuals who would be interested in engaging with County staff on the development of the EJE. The EA+OC also reviewed submissions of EJ artwork. The Santa Barbara County Promotores Network supported the design and implementation of engagement within each of the EJCs, including administration of a survey, co-facilitation of public meetings, and direct engagement at community events. The joint Housing Element Update and EJE survey was administered in 2022, and the Promotores Network collected 348 total responses. Also, P&D staff held three bilingual community meetings in Isla Vista, Los Alamos, and New Cuyama. These three EJCs have large Spanish-speaking populations, and the County wanted to have a more conversational approach to engagement to learn more about experiences and opportunities to support them. The Promotores Network promoted and facilitated bilingual community meetings to engage the Spanish-speaking populations within these three EJCs. Staff worked with the Promotores Network in fall 2023 to collect multimedia responses from community members describing their community, and their responses have been incorporated into the community descriptions within the EJE.

Because some of the response rates and participation levels during the community engagement efforts were low, staff supplemented the data with the knowledge and experience of the EJE Working Group, comprised of staff from 15 County departments currently providing resources and services to the EJCs, to identify additional EJ issues and needs. The EJE includes multiple objectives to improve community engagement within EJCs for future projects and programs.

### *5.2.3 Development of Interdepartmental EJ Goals, Policies, Objectives, and Actions*

The project team developed the EJE in coordination with other planning efforts by participating in the County's One Climate Initiative. This provided the opportunity to prepare an EJE informed by other

climate-related planning efforts such as the Active Transportation Plan, Climate Action Plan, Climate Change Vulnerability Assessment, and Climate Change Adaptation Plan. The nature of environmental justice necessitates a comprehensive interdepartmental and interagency effort. A working group of professional staff from the Agricultural Commissioner's Office, Air Pollution Control District, Behavioral Wellness Department, Community Services Department, County Education Office, County Executive Office, County Health (formerly the Public Health Department), Fire Department, First Five Santa Barbara County, General Services Department, Office of Emergency Management, Planning and Development Department, Public Works Department, Sheriff's Office, and Social Services Department convened in 2023 to develop the objectives and actions included in the Implementation Matrix. This EJE Working Group will remain in place as a resource to support implementation of the EJ Element.

#### *5.2.4 EJ Policies*

The EJE was created in collaboration with 15 County departments and affiliate agencies under the County's "One County-One Future" guiding principles. The EJ Element fully embraces these principles with the following EJE Goals:

1. Providing a comprehensive picture of County services within EJs,
2. Establishing a collaborative process for including EJs in County decision-making, and
3. Developing an equitable approach for addressing EJ needs through cost efficient exceptional services so all can enjoy a safe, healthy, and prosperous life.

The County, with guidance from the Equity Advisory and Outreach Committee, developed the following nine policies for the EJ Element to address the statutory requirements in Government Code Section 65302(h).

**Policy 1:** Promote public facilities in EJs.

**Policy 2:** Promote access to healthy and affordable food in EJs.

**Policy 3:** Promote physical activity for community members residing within EJs.

**Policy 4:** Improve air quality within EJs.

**Policy 5:** Reduce exposure to pollution within EJs.

**Policy 6:** Reduce unique or compounded health risks within EJs.

**Policy 7:** Promote civic engagement in the public decision-making process among EJ residents.

**Policy 8:** Promote safe and sanitary homes within EJs.

**Policy 9:** Prioritize the needs of EJs.

#### *5.2.5 EJ Objectives and Actions*

The EJE is designed to address the needs of EJs related to EJ issues. Under each policy are objectives and actions that implement the policy.

Please see Appendix A of Attachment D for the full list of objectives applicable to each of the nine policies. The following is a characterization of objectives under each legislative requirement:

1. **Public Facilities:** The EJE includes six objectives designed to promote access to public facilities, including public improvements, public services, and community amenities.
2. **Food Access:** Three objectives are included in the EJE to promote access to healthy and affordable foods within EJs.
3. **Physical Activity:** Three objectives are included to promote physical activity within EJs.
4. **Exposure to Pollution:** The EJE has five objectives to improve air quality, and six objectives to reduce pollution exposure within EJs.
5. **Unique or Compounding Health Risks:** Four of the EJ objectives are designed to reduce unique or compounding health risks within EJs.
6. **Civic Engagement:** Nine EJ objectives promote civic engagement in the public decision-making process.
7. **Safe and Sanitary Homes:** The three objectives to promote access to safe and sanitary homes within EJs are also aligned with the County's 2023-2031 Housing Element Update.

The EJE has a total of three goals, nine policies, 39 objectives, and 100 actions. The focus of the EJ objectives and actions are on items the County and community partners can do to address the needs of EJs. The actions are primarily service-related, as opposed to new regulations or restrictions on businesses or property owners. Many of the actions are the continuation of existing County programs or resources, which already support and address EJ community needs. The EJ objectives and actions were developed in collaboration with the EJE Working Group, including staff from 15 County departments and affiliate agencies: all with a critical role to play in implementing EJ objectives.

#### *5.2.6 EJE Implementation*

Successful implementation of the EJE would benefit from ongoing active engagement with EJs, continued collaboration among County departments who participated in the EJE Working Group, and staff capacity to manage EJE implementation. The EJE Working Group developed the EJE implementation matrix to include actions to implement EJE objectives. The implementation matrix is included as Appendix A to the EJE. The implementation matrix is designed to be a living document that is updated periodically as needed.

The California Attorney General's Office has developed EJ Element guidelines that instruct jurisdictions to adopt policies, objectives, and actions that are measurable and attainable according to a stated schedule. EJ actions will be implemented in a short, medium, or long-term timeframe depending on a number of factors such as complexity and cost. Some actions, though aspirational because of complexity and cost, still have value as long-term objectives and may be refined over time.

## **6.0 ANALYSIS**

### **6.1 Environmental Review**

The proposed project is exempt from environmental review pursuant to State CEQA Guidelines Sections 15061(b)(3). Section 15061(b)(3) states “[w]here 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.” The EJ element is required by State law and would not result in actions that could have a substantial effect on the environment. As explained further in Attachment B, no significant environmental impacts would occur as a result of the proposed element. Any projects that occur in furtherance of this element will be subject to compliance with CEQA, if applicable.

### **6.2 Tribal Consultation**

Government Code Sections 65352.3 and 65352.4 require cities and counties to contact and, if requested, consult with Native American tribes before adopting or amending a general plan (comprehensive plan). The Native American Heritage Commission (NAHC) maintains a consultation contact list of tribes that have expressed interest in preserving cultural places located within specific cities and counties.

Staff contacted the NAHC and received lists with 19 tribal contacts. Between July 12 and August 29, 2022, staff sent letters to all 19 tribal contacts. The letters described the proposed element and offered to consult with the tribes. Tribes have 90 days from receipt of letters to request consultation. The department did not receive a request to consult from any of the tribes.

### **6.3 Policy Consistency**

The proposed Comprehensive Plan element is a state-mandated element and is consistent with all applicable policies and development standards of the County’s Comprehensive Plan, including community plans. The EJ Element is closely linked to other elements of the Comprehensive Plan and is an important step in bringing equitable representation into the County’s planning process. Several EJ Element policies and objectives are directly interrelated with mandated topics in the Land Use, Housing, and Safety Elements. For example, the Land Use Element’s discussion of Disadvantaged Unincorporated Communities’ (DUCs) needs and deficiencies informed the discussion on public facilities within the EJ Element for the DUCs that are also EJs. The adopted 2023 Housing Element includes programs and policies related to safe and sanitary homes, and the forthcoming Safety Element Update is considering safety concerns of the most vulnerable populations in the County, including EJs.

## **7.0 APPEALS PROCEDURE**

Comprehensive Plan amendments recommended for approval or denial are automatically forwarded to the Board of Supervisors for final action; therefore, no appeal is required.

## **8.0 ATTACHMENTS**

- A. Findings for Approval
- B. Notice of Exemption
- C. County Planning Commission Resolution (Case No. 22GPA-00000-00003)
  - 1. Board of Supervisors Resolution Adopting the Environmental Justice Element
- D. Environmental Justice Element
  - 1. Appendix A: Implementation Matrix for EJE Policies and Objectives
  - 2. Appendix B: Mapping Methodology
  - 3. Appendix C: Engagement Summary