

AMENDED IN ASSEMBLY MAY 7, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1071**

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**Introduced by Assembly Members Atkins and Eduardo Garcia**

February 26, 2015

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An act to add Section 71118 to the Public Resources Code, relating to environmental justice.

LEGISLATIVE COUNSEL'S DIGEST

AB 1071, as amended, Atkins. Supplemental environmental projects.

Existing law requires the Secretary for Environmental Protection to convene a Working Group on Environmental Justice to assist the secretary in developing an agencywide strategy for identifying and addressing gaps in existing programs, policies, or activities of the agency's boards, departments, and offices that may impede the achievement of environmental justice.

This bill would require each board, department, and office within the California Environmental Protection Agency to establish a specified policy on supplemental environmental projects, as defined, that benefits environmental justice communities, as defined.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

- 1 SECTION 1. Section 71118 is added to the Public Resources
- 2 Code, to read:
- 3 71118. (a) For purposes of this section, the following terms
- 4 have the following meanings:

1 (1) “Agency” means the California Environmental Protection  
2 Agency.

3 (2) “Environmental justice community” means a community  
4 identified pursuant to Section 39711 of the Health and Safety Code.

5 (3) “Supplemental environmental project” means an  
6 environmentally beneficial project that a person subject to an  
7 enforcement action voluntarily agrees to undertake in settlement  
8 of the action and to offset some of a civil penalty.

9 (b) Each board, department, and office within the agency shall  
10 establish a policy on supplemental environmental projects that  
11 benefits environmental justice communities. The policy shall  
12 include, but need not be limited to, all of the following:

13 (1) A public process to solicit potential supplemental  
14 environmental projects from environmental justice communities.

15 (2) Allowing the amount of a supplemental environmental  
16 project to be up to 50 percent of the enforcement action brought  
17 under the jurisdiction of a board, department, or office within the  
18 agency.

19 (3) An annual list of supplemental environmental projects that  
20 may be selected to settle *a portion of* an enforcement action under  
21 the jurisdiction of a board, department, or office within the agency.

22 (c) The Secretary for Environmental Protection shall consolidate  
23 the projects compiled pursuant subdivision (b) into one list and  
24 post that list on the agency’s Internet Web site.