

AMENDED IN SENATE JANUARY 26, 2000

AMENDED IN SENATE JANUARY 14, 2000

AMENDED IN SENATE APRIL 14, 1999

**SENATE BILL**

**No. 89**

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**Introduced by Senator Escutia**

December 7, 1998

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An act to amend Section 72001 of, and to add Sections 72002, 72003, and 72004 to, the Public Resources Code, relating to environmental justice.

LEGISLATIVE COUNSEL'S DIGEST

SB 89, as amended, Escutia. Environmental quality: minority and low-income populations.

Existing law establishes the Office of Planning and Research as the coordinating agency in state government for environmental justice programs. Existing law defines "environmental justice" to mean the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation and enforcement of environmental laws and policies.

This bill would require the Secretary for Environmental Protection, on or before January 15, 2001, to convene a Working Group on Environmental Justice, composed of *various* representatives ~~from state and~~ *as determined by the secretary, including representatives of* local government, as prescribed. The bill would make the existing definition of "environmental justice" applicable to its provisions and would require the working group to take various actions relating to

the ~~developmental~~ *development* and implementation of environmental justice strategies.

The bill would require the secretary, on or before January 15, 2001, to convene a technical advisory committee to assist the working group by providing recommendations and information to, and serving as a resource for, the working group. The bill would also require the secretary, not later than January, 1 2006, and every 3 years thereafter, to prepare and submit to the Governor and the Legislature a report on the implementation of the body of law of which this bill would be a part.

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 72001 of the Public Resources  
2 Code is amended to read:

3 72001. (a) On or before January 1, 2001, the  
4 California Environmental Protection Agency shall  
5 develop a model environmental justice mission statement  
6 for boards, departments, and offices within the agency.

7 (b) For purposes of this part, environmental justice  
8 has the same meaning as defined in subdivision (c) of  
9 Section 65040.12 of the Government Code.

10 SEC. 2. Section 72002 is added to the Public Resources  
11 Code, to read:

12 72002. (a) On or before January 15, 2001, the  
13 Secretary for Environmental Protection shall convene a  
14 Working Group on Environmental Justice to assist the  
15 California Environmental Protection Agency in  
16 developing an agencywide strategy for identifying and  
17 addressing any gaps in existing programs, policies, or  
18 activities that may impede the achievement of  
19 environmental justice.

20 (b) The working group shall be composed of ~~the~~  
21 ~~Attorney General, the Director of Planning and~~  
22 ~~Research, and any other appropriate state agency~~  
23 ~~representatives~~ *various representatives of groups or*  
24 *entities concerned with achieving environmental justice,*  
25 as determined by the Secretary for Environmental



1 Protection, ~~and~~ including representatives of local  
2 governments.

3 (c) On or before January 1, 2002, the working group  
4 shall do all of the following:

5 (1) Examine existing data and studies on  
6 environmental justice.

7 (2) Recommend criteria to ~~state agencies~~ *the*  
8 *California Environmental Protection Agency* for  
9 identifying and addressing any gaps in existing programs,  
10 policies, or activities that may impede the achievement  
11 of environmental justice.

12 (3) Recommend procedures and provide guidance to  
13 ~~each state agency~~ *the California Environmental*  
14 *Protection Agency* for the coordination and  
15 implementation of intraagency ~~and agencywide~~  
16 environmental justice strategies.

17 (4) Recommend procedures for collecting,  
18 maintaining, analyzing, and coordinating information  
19 relating to an environmental justice strategy.

20 (5) Recommend procedures to ensure that public  
21 documents, notices, and public hearings relating to  
22 human health or the environment are concise,  
23 understandable, and readily accessible to the public. The  
24 recommendation shall include guidance for determining  
25 when it is appropriate for ~~a state agency~~ *the California*  
26 *Environmental Protection Agency* to translate crucial  
27 public documents, notices, and hearings relating to  
28 human health or the environment for  
29 limited-English-speaking populations.

30 (6) Hold public meetings, as appropriate, to receive  
31 public comments regarding recommendations required  
32 pursuant to this section.

33 (7) Make recommendations on other matters needed  
34 to assist the agency in developing an ~~agencywide~~  
35 *intraagency* environmental justice strategy.

36 SEC. 3. Section 72003 is added to the Public Resources  
37 Code, to read:

38 72003. The Secretary for Environmental Protection  
39 shall, on or before January 15, 2001, convene a technical  
40 advisory group to assist the working group described in



1 Section 72002 by providing recommendations and  
2 information to, and serving as a resource for, the working  
3 group. The technical advisory group shall be composed of  
4 representatives from local and regional land use planning  
5 agencies, air pollution control districts, certified unified  
6 program agencies (CUPAs), the public, and the business  
7 community. The technical advisory group may form  
8 subcommittees to address specific types of  
9 environmental program areas.

10 SEC. 4. Section 72004 is added to the Public Resources  
11 Code, to read:

12 72004. The Secretary for Environmental Protection  
13 shall, not later than January 1, 2006, and every three years,  
14 thereafter, prepare and submit to the Governor and the  
15 Legislature a report on the implementation of this part.

