

AMENDED IN ASSEMBLY JUNE 13, 2000
AMENDED IN SENATE JANUARY 26, 2000
AMENDED IN SENATE JANUARY 14, 2000
AMENDED IN SENATE APRIL 14, 1999

SENATE BILL

No. 89

Introduced by Senator Escutia

December 7, 1998

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, ~~2001-2002~~, to convene a Working Group on Environmental Justice, composed of various representatives as ~~determined by the secretary, including representatives of local government, as prescribed~~ *specified*. 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 development and implementation of environmental justice strategies.

The bill would require the secretary, on or before January 15, 2001–2002, to convene a ~~technical~~ *an* 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.—~~

11 *SECTION 1.* Section 72002 is added to the Public
 12 Resources Code, to read:

13 72002. (a) On or before January 15, 2001–2002, the
 14 Secretary for Environmental Protection shall convene a
 15 Working Group on Environmental Justice to assist the
 16 California Environmental Protection Agency in
 17 developing an agencywide strategy for identifying and
 18 addressing any gaps in existing programs, policies, or
 19 activities that may impede the achievement of
 20 environmental justice.

21 (b) The working group shall be composed of ~~various~~
 22 ~~representatives of groups or entities concerned with~~



1 ~~achieving environmental justice, as determined by the~~
2 ~~Secretary for Environmental Protection, including~~
3 ~~representatives of local governments.~~ *the Secretary for*
4 *Environmental Protection, the chairs of the State Air*
5 *Resources Board, the California Integrated Waste*
6 *Management Board, and the State Water Resources*
7 *Control Board, the Director of Toxic Substances Control,*
8 *the Director of Pesticide Regulation, the Director of*
9 *Environmental Health Hazard Assessment, and the*
10 *Director of Planning and Research.*

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

13 (1) Examine existing data and studies on
14 environmental justice.

15 (2) Recommend criteria to the ~~California~~
16 ~~Environmental Protection Agency for~~ *Secretary for*
17 *Environmental Protection* for identifying and addressing
18 any gaps in existing programs, policies, or activities that
19 may impede the achievement of environmental justice.

20 (3) Recommend procedures and provide guidance to
21 the California Environmental Protection Agency for the
22 coordination and implementation of intraagency
23 environmental justice strategies.

24 (4) Recommend procedures for collecting,
25 maintaining, analyzing, and coordinating information
26 relating to an environmental justice strategy.

27 (5) Recommend procedures to ensure that public
28 documents, notices, and public hearings relating to
29 human health or the environment are concise,
30 understandable, and readily accessible to the public. The
31 recommendation shall include guidance for determining
32 when it is appropriate for the California Environmental
33 Protection Agency to translate crucial public documents,
34 notices, and hearings relating to human health or the
35 environment for limited-English-speaking populations.

36 (6) Hold public meetings, ~~as appropriate,~~ to receive
37 public comments regarding recommendations required
38 pursuant to this section, *prior to the finalization of the*
39 *recommendations. The California Environmental*
40 *Protection Agency shall provide public notice of the*



1 *availability of draft recommendations at least one month*
2 *prior to the public meetings.*

3 (7) Make recommendations on other matters needed
4 to assist the agency in developing an intraagency
5 environmental justice strategy.

6 ~~SEC. 3.—~~

7 *SEC. 2.* Section 72003 is added to the Public Resources
8 Code, to read:

9 72003. The Secretary for Environmental Protection
10 shall, on or before January 15, 2001, ~~convene a technical~~
11 ~~2002, convene an~~ advisory group to assist the working
12 group described in Section 72002 by providing
13 recommendations and information to, and serving as a
14 resource for, the working group. ~~The technical advisory~~
15 ~~group shall be composed of representatives from local~~
16 ~~and regional land use planning agencies, air pollution~~
17 ~~control districts, certified unified program agencies~~
18 ~~(CUPAs), the public, and the business community. The~~
19 ~~technical advisory group may form group. The Secretary~~
20 ~~for Environmental Protection shall appoint members to~~
21 ~~the advisory group according to the following categories:~~

22 (a) *Two representatives of local or regional land use*
23 *planning agencies.*

24 (b) *Two representatives from air districts.*

25 (c) *Two representatives from certified unified*
26 *program agencies (CUPAs).*

27 (d) *Two representatives from environmental*
28 *organizations.*

29 (e) *Two representatives from the business*
30 *community.*

31 (f) *Two representatives from community*
32 *organizations. The advisory group may form*
33 *subcommittees to address specific types of*
34 *environmental program areas. The California*
35 *Environmental Protection Agency shall provide a*
36 *reasonable per diem for attendance at advisory*
37 *committee meetings by advisory committee members*
38 *from nonprofit organizations.*

39 ~~SEC. 4.—~~



1 *SEC. 3.* Section 72004 is added to the Public Resources
2 Code, to read:
3 72004. The Secretary for Environmental Protection
4 shall, not later than January 1, 2006, and every three years,
5 thereafter, prepare and submit to the Governor and the
6 Legislature a report on the implementation of this part.

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