



Environmental Considerations in Disadvantaged Communities

Moderator: Christian Marsh | Downey Brand LLP

Panelists:

- ❖ Phoenix Armenta | BCDC
- ❖ Divya Agarwal | Miller Starr Regalia

November 7, 2022

Environmental Considerations in Disadvantage Communities

Bay Planning Coalition Summit
November 7, 2022

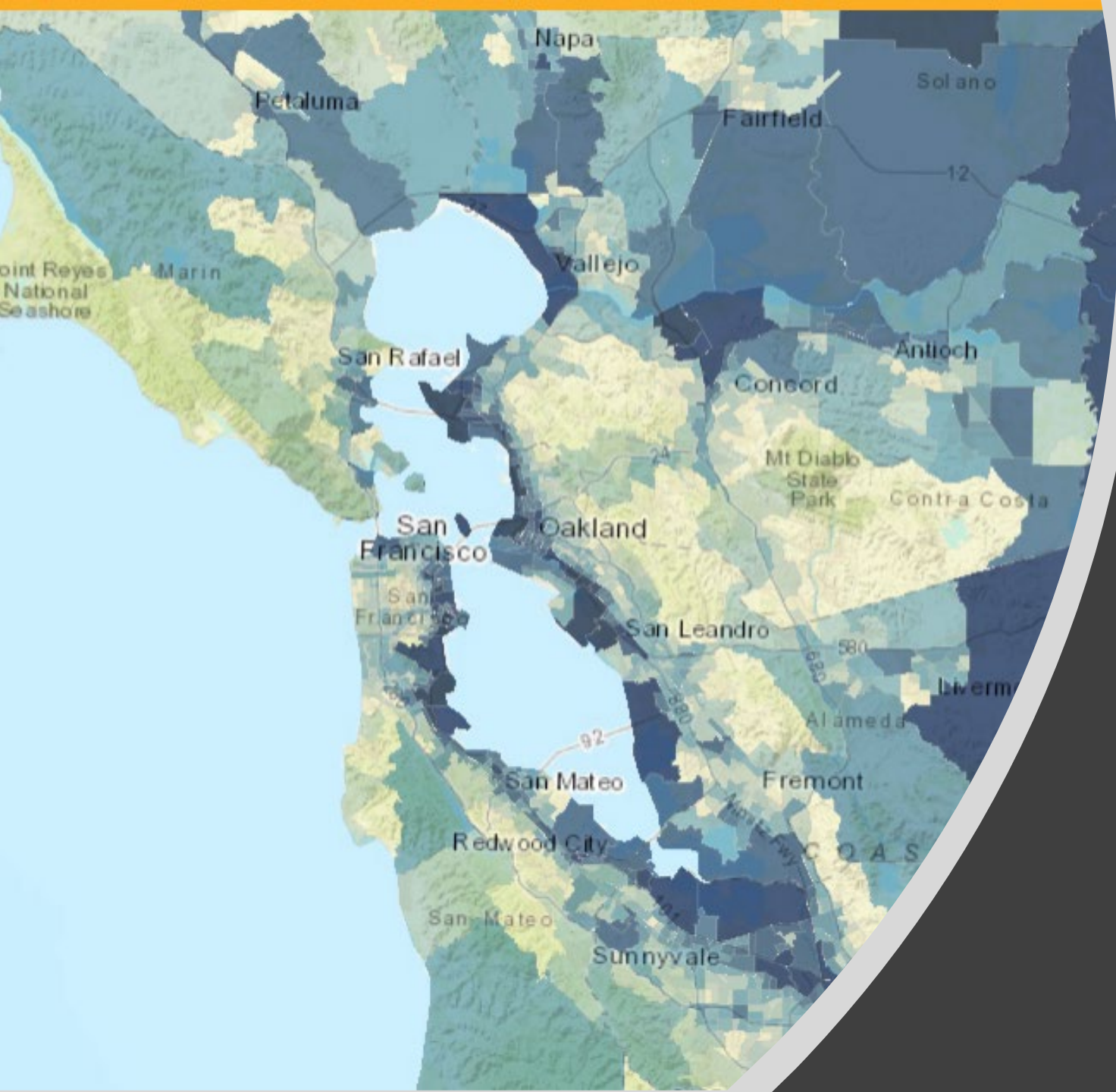
Phoenix Armenta
Senior Manager of Climate Equity and Community
Engagement
Bay Conservation and Development Commission
Phoenix.Armenta@bcdc.ca.gov



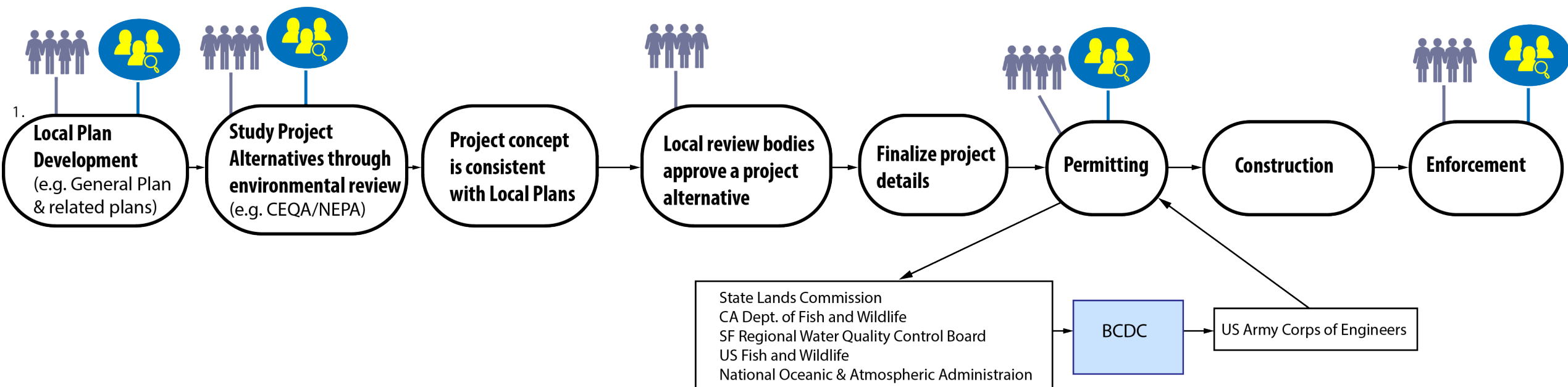


Sr. Manager of Climate Equity and Community Engagement

Formally of the West Oakland Environmental
Indicators Project



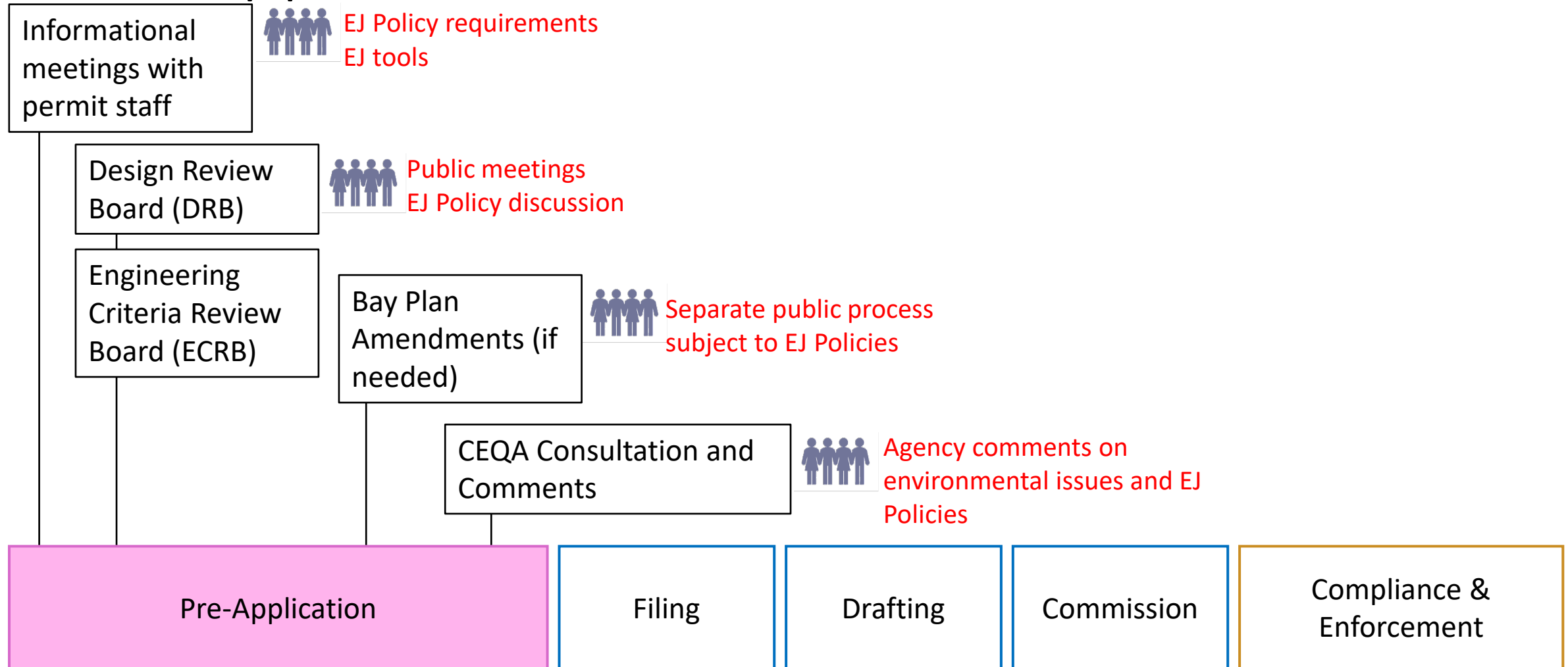
Environmental Justice in the Bay Area



 **Community Input Opportunity**
(e.g. public meeting or comment)

 **Opportunity to use BCDC Tools**

Pre-Application



BCDC Environmental Justice and Social Equity Principles

3. Equitable, culturally-relevant community outreach and engagement should be conducted by local governments and project applicants to meaningfully involve potentially impacted communities for major projects and appropriate minor projects in underrepresented and/or identified vulnerable and/or disadvantaged communities, and such outreach and engagement should continue throughout the Commission review and permitting processes. Evidence of how community concerns were addressed should be provided. If such previous outreach and engagement did not occur, further outreach and engagement should be conducted prior to Commission action.

What is Meaningful Community Engagement?

According to the U.S. Environmental Protection Agency, *meaningful involvement* means

“(1) people have an opportunity to participate in decisions about activities that may affect their environment and/or health;

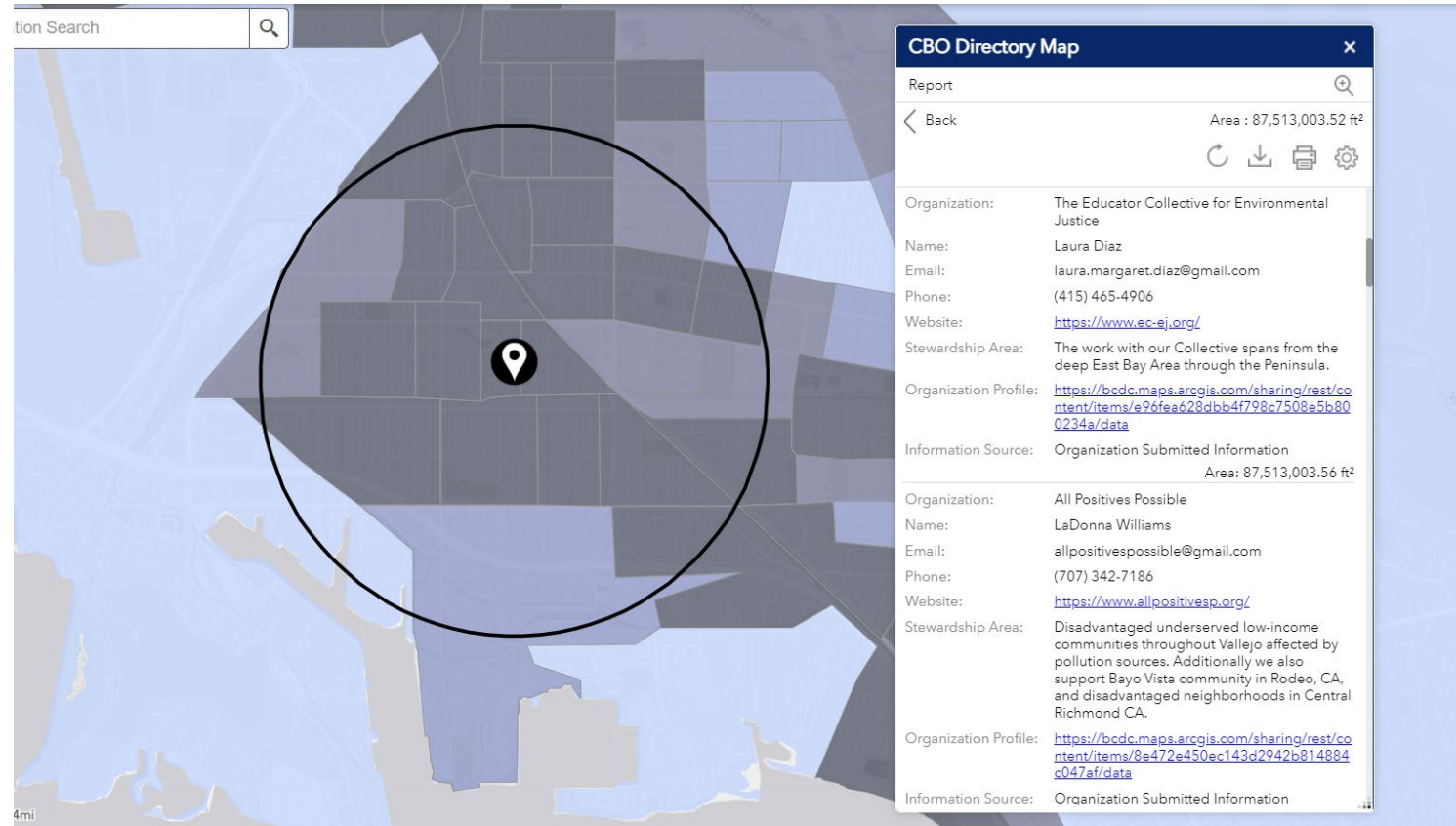
(2) the public's contribution can influence the regulatory agency's decision;

(3) community concerns will be considered in the decision-making process; and

(4) decision makers will seek out and facilitate the involvement of those potentially affected.”

(Guidance on Considering Environmental Justice During the Development of a Regulatory Action).

Turning **Environmental Justice** and **Equity** into reality



Community Vulnerability Mapping & CBO Directory

www.bcdc.ca.gov/data/community.html

Case Study: Oakland Turning Basin

OAKLAND HARBOR TURNING BASINS WIDENING NAVIGATION FEASIBILITY STUDY

Resource Agency and Tribal Working Group
Team Meeting

29 SEP 2022

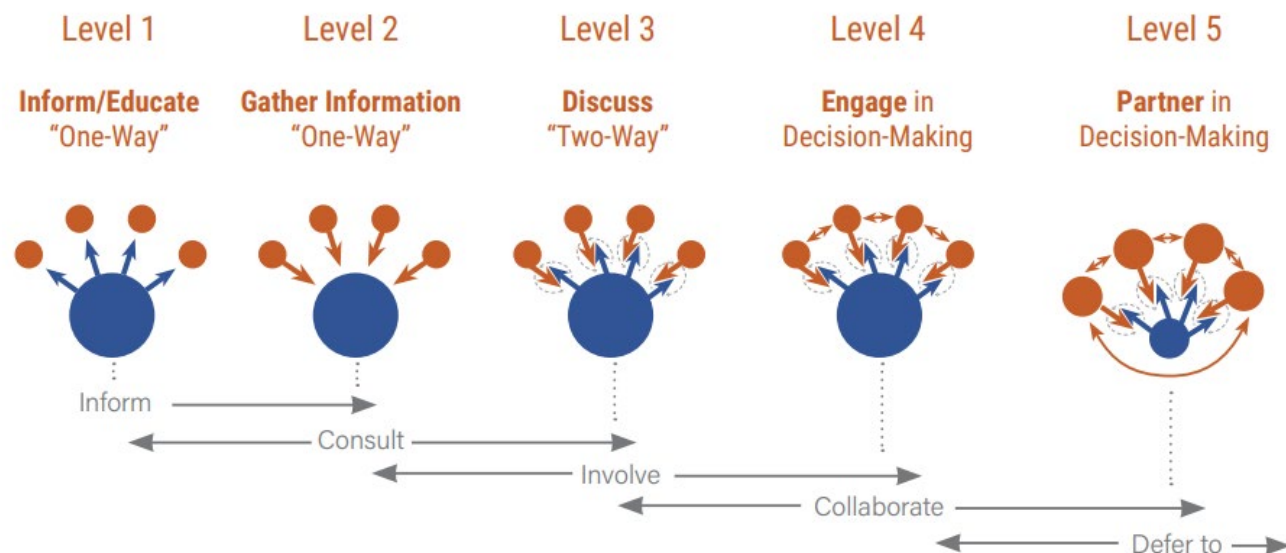


Port of Oakland

- Worked with stakeholders to help define meaningful community engagement
- Pushed for study of impacts to vulnerable communities

Centering people in climate adaptation planning

Levels of Participation



A community-based organization called Nuestra Casa, in East Palo Alto, has been developing community programs to educate residents on climate and environmental justice. Photo by Nuestra Casa.

Turning **Environmental Justice and Equity** into reality

BCDC Environmental Justice Advisors



Julio Garcia



Anthony Khalil



Selena Feliciano



Violet Saena



Janniece Murray

**Dominique Brooks
(Not Pictured)**



FARTHER TOGETHER

Seven Best Practices for Engaging Communities
to Create a Healthy, Resilient Region for All



1. **Budget** Wisely for Effective
Community Engagement



2. **Expand** Engagement through
Interagency Partnerships



3. **Co-Design** Your Process
with Community



4. **Make** Engagement Activities
Accessible and Relevant for All



5. **Identify** Locally Meaningful
Vulnerabilities and Assets

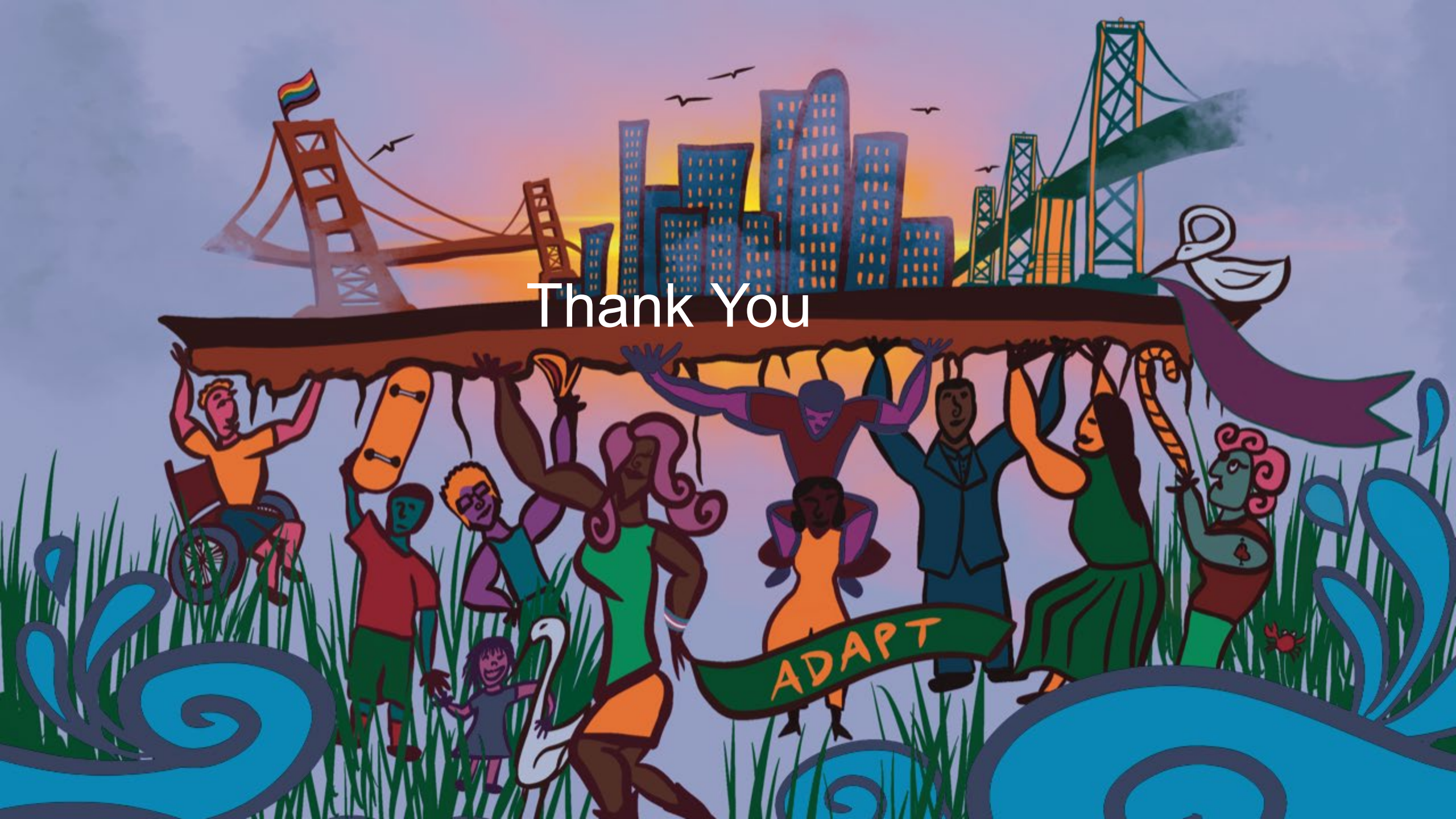


6. **Prioritize** Community-Supported
Resilience Actions



7. **Collaborate** to Bring Equitable
Solutions to Fruition

Thank You



Environmental Considerations in Disadvantaged Communities: AQ perspective

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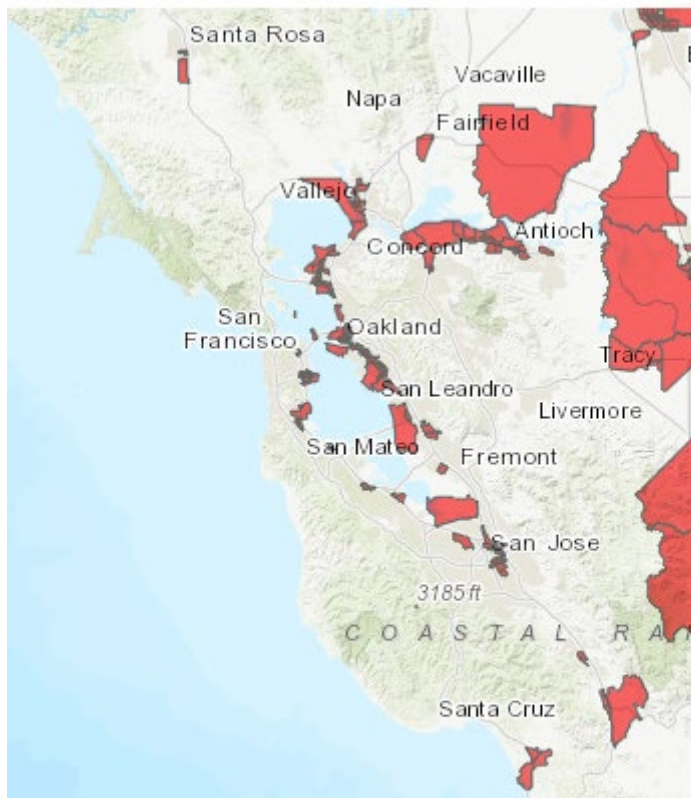
Divya Agarwal
Emily Wen



trinityconsultants.com

Background: CA-wide and Air District initiatives

SB535 Disadvantaged Communities



SB 535 Disadvantaged Communities 2022 (Census Tracts and Tribal Areas)

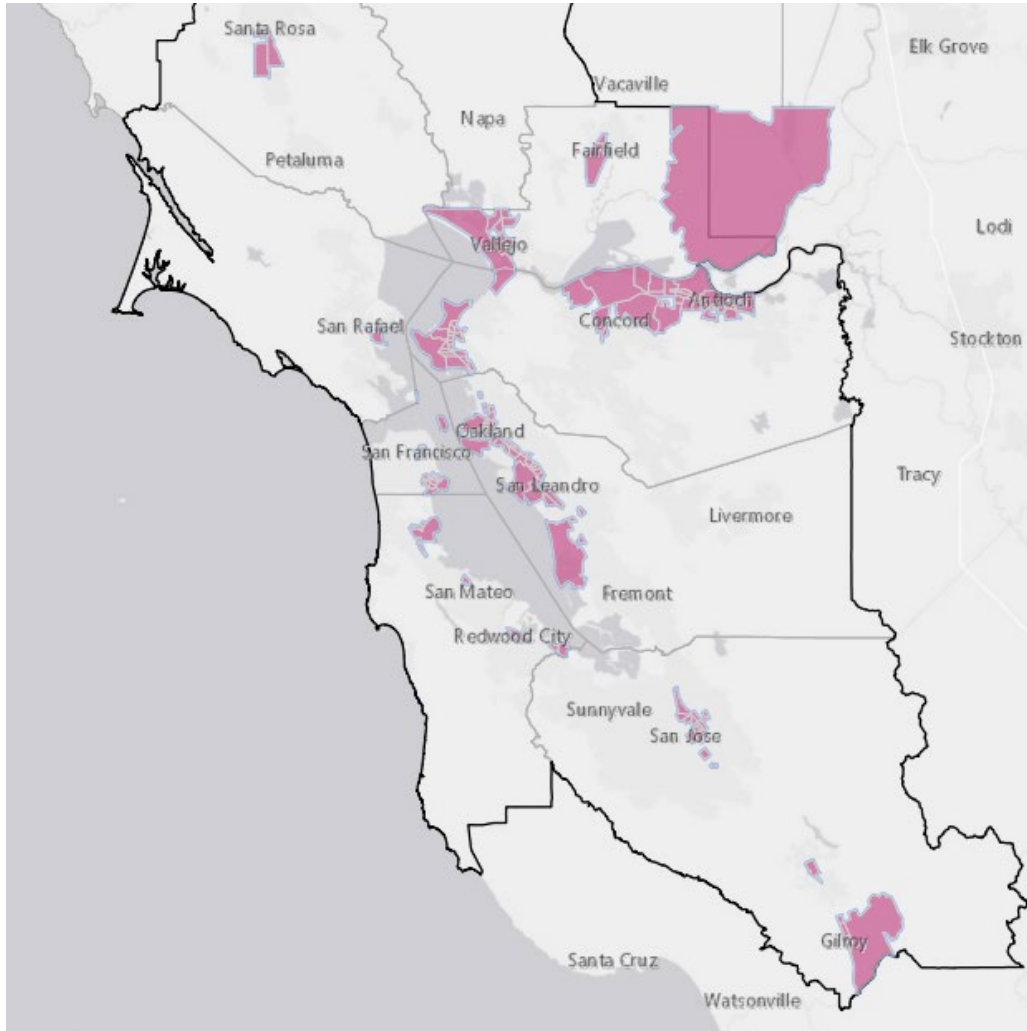


Source: SB 535 Disadvantaged Communities.
<https://oehha.ca.gov/calenviroscreen/sb535>



Source: Community Air Risk Evaluation Program, Bay Area Air Quality Management District (2018, January 25).

Reg 2-1 Overburdened Community



An area located (i) within a census tract identified by the California Communities Environmental Health Screening Tool (CalEnviroScreen) Version 4.0, as having an overall CalEnviroScreen score at or above the 70th percentile, or (ii) within 1,000 feet of any such census tract

Reg 2 implications for Overburdened Community

- ▶ Overburdened Community Projects which trigger a Health Risk Assessment are now subject to **Public Notice**
 - Public notice is distributed to parents or guardians of children enrolled at a school within $\frac{1}{4}$ mile of the source and within 1,000 feet of the source
 - Public comment period open for 30 days
- ▶ Burden of public notice fees on Applicant
- ▶ **Project Risk Requirement (2-5-301)** : The project risk should not exceed any of the following project risk limits:

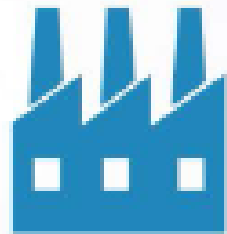
Outside Overburdened Community	Within Overburdened Community
(a) A cancer risk of 10.0 in one million (10E-6)	(a) A cancer risk of 6.0 in one million (6E-6)
(b) A chronic hazard index of 1.0,	(b) A chronic hazard index of 1.0,
(c) An acute hazard index of 1.0.	(c) An acute hazard index of 1.0.

AB 617 – Overview

AB 617 ELEMENTS • Focus on Community Action



Community
emissions
reduction
programs



Accelerated
retrofit of
pollution
controls on
industrial facilities



Community-level
air quality
monitoring



Enhanced
emissions
reporting



Increased
penalty
provisions



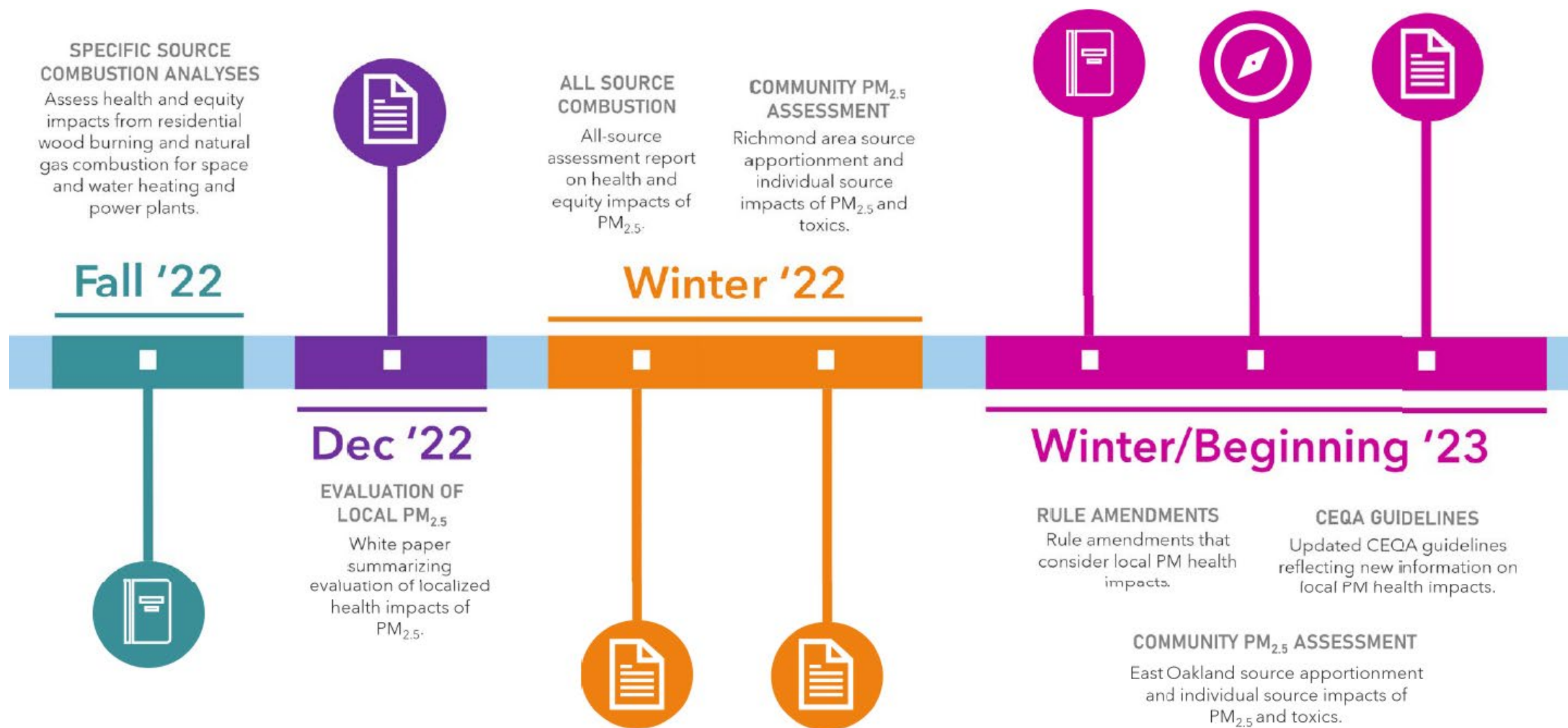
Grants
to local
community
groups

BAAQMD ongoing activity

- Continued efforts with advisory council on PM modeling
 - ◆ Goal: reduce PM exposure where it matters most
 - ◆ Four recent advisory council presentations
 - **Local PM_{2.5} Risk methodology**
 - NG health & equity analysis
 - **Combustion Analysis**
 - PM strategy implementation

	PM _{2.5} Local Risk Method	Combustion Analysis
What	A method to evaluate localized PM _{2.5} health impacts.	Assessments of health & equity impacts of PM _{2.5} at regional and local scales
How	Local-scale modeling of PM _{2.5} concentrations and exposures using a new method.	Individual and combined PM sources, including combustion, analyzed using traditional models and reduced complexity InMap model.
Why	To allow consideration of local PM _{2.5} health impacts in new permitting and CEQA thresholds.	To better understand combustion sources which will inform rules, prioritization, community impacts and emission reduction strategies.

BAAQMD ongoing activity - timeline



From BAAQMD Advisory Council Meeting Presentation dated July 11, 2022