

## Mitigation Monitoring and Reporting Program

**Table 1 Mitigation Monitoring Requirements**

Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> <li>In 2030, develop a plan for post-2030 actions.</li> </ul> <p>Prior to January 1, 2021, the County of San Bernardino shall appoint an Implementation Coordinator, under the County Executive Officer (CEO) to oversee the successful implementation of all selected GHG reduction strategies. The primary function of the Implementation Coordinator will be to create a streamlined approach to manage implementation of the GHG Reduction Plan. The Implementation Coordinator will also coordinate periodic community outreach to leverage community involvement, interest, and perspectives. The Implementation Coordinator shall prepare annual reports to the County Board of Supervisors on the GHG Plan, including the measures, progress on meeting the emissions goals, and periodic monitoring of emissions.</p> <p>Prior to adoption of the Unincorporated County of San Bernardino's GHG Reduction Plan update, for projects with a post-2020 buildout date that have potentially significant impacts, the County of San Bernardino shall consider the following measures identified in the 2017 Scoping Plan:</p> <p><b>Construction</b></p> <ul style="list-style-type: none"> <li>Enforce idling time restrictions for construction vehicles</li> <li>Require construction vehicles to operate with the highest tier engines commercially available</li> <li>Divert and recycle construction and demolition waste, and use locally-sourced building materials with a high recycled material content to the greatest extent feasible</li> <li>Minimize tree removal, and mitigate indirect GHG emissions increases that occur due to vegetation removal, loss of sequestration, and soil disturbance</li> <li>Utilize existing grid power for electric energy rather than operating temporary gasoline/diesel powered generators</li> <li>Increase use of electric and renewable fuel powered construction equipment and require renewable diesel fuel where commercially available</li> <li>Require diesel equipment fleets to be lower emitting than any current emission standard</li> </ul> <p><b>Operation</b></p> <ul style="list-style-type: none"> <li>Comply with County's standards for mitigating transportation impacts under SB 743</li> <li>Require on-site EV charging capabilities for parking spaces serving the project to meet jurisdiction-wide EV proliferation goals</li> </ul>				

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<ul style="list-style-type: none"> <li>▪ Allow for new construction to install fewer on-site parking spaces than required by local municipal building code, if appropriate<sup>4</sup></li> <li>▪ Dedicate on-site parking for shared vehicles</li> <li>▪ Provide adequate, safe, convenient, and secure on-site bicycle parking and storage in multi-family residential projects and in non-residential projects</li> <li>▪ Provide on- and off-site safety improvements for bike, pedestrian, and transit connections, and/or implement relevant improvements identified in an applicable bicycle and/or pedestrian master plan</li> <li>▪ Require on-site renewable energy generation</li> <li>▪ Prohibit wood-burning fireplaces in new development, and require replacement of wood-burning fireplaces for renovations over a certain size developments</li> <li>▪ Require cool roofs and “cool parking” that promotes cool surface treatment for new parking facilities as well as existing surface lots undergoing resurfacing</li> <li>▪ Require solar-ready roofs</li> <li>▪ Require organic collection in new developments</li> <li>▪ Require low-water landscaping in new developments (see CALGreen Divisions 4.3 and 5.3 and the Model Water Efficient Landscape Ordinance [MWELO], which is referenced in CALGreen). Require water efficient landscape maintenance to conserve water and reduce landscape waste.</li> <li>▪ Achieve Zero Net Energy performance building standards prior to dates required by the Energy Code</li> <li>▪ Encourage new construction, including municipal building construction, to achieve third-party green building certifications, such as the GreenPoint Rated program, LEED rating system, or Living Building Challenge</li> <li>▪ Require the design of bike lanes to connect to the regional bicycle network</li> <li>▪ Expand urban forestry and green infrastructure in new land development</li> <li>▪ Require preferential parking spaces for park and ride to incentivize carpooling, vanpooling, commuter bus, electric vehicles, and rail service use</li> <li>▪ Require a transportation management plan for specific plans which establishes a numeric target for non-SOV travel and overall VMT</li> </ul>				

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<ul style="list-style-type: none"> <li>Develop a rideshare program targeting commuters to major employment centers</li> <li>Require the design of bus stops/shelters/express lanes in new developments to promote the usage of mass-transit</li> <li>Require gas outlets in residential backyards for use with outdoor cooking appliances such as gas barbeques if natural gas service is available</li> <li>Require the installation of electrical outlets on the exterior walls of both the front and back of residences to promote the use of electric landscape maintenance equipment</li> <li>Require the design of the electric outlets and/or wiring in new residential unit garages to promote electric vehicle usage</li> <li>Require electric vehicle charging station (Conductive/inductive) and signage for non-residential developments</li> <li>Provide electric outlets to promote the use of electric landscape maintenance equipment to the extent feasible on parks and public/quasi-public lands</li> <li>Require each residential unit to be "solar ready," including installing the appropriate hardware and proper structural engineering</li> <li>Require the installation of energy conserving appliances such as on-demand tank-less water heaters and whole-house fans</li> <li>Require each residential and commercial building equip buildings with energy efficient AC units and heating systems with programmable thermostats/timers</li> <li>Require large-scale residential developments and commercial buildings to report energy use, and set specific targets for per-capita energy use</li> <li>Require each residential and commercial building to utilize low flow water fixtures such as low flow toilets and faucets (see CALGreen Divisions 4.3 and 5.3 as well as Appendices A4.3 and A5.3)</li> <li>Require the use of energy-efficient lighting for all street, parking, and area lighting</li> <li>Require the landscaping design for parking lots to utilize tree cover and compost/mulch</li> <li>Incorporate water retention in the design of parking lots and landscaping, including using compost/mulch</li> <li>Require the development project to propose an off-site mitigation project which should generate carbon credits equivalent to the anticipated GHG emission reductions. This would be implemented via an approved protocol for carbon credits from California Air</li> </ul>				

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Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>Pollution Control Officers Association (CAPCOA), the California Air Resources Board, or other similar entities determined acceptable by the local air district</p> <ul style="list-style-type: none"> <li>Require the project to purchase carbon credits from the CAPCOA GHG Reduction Exchange Program, American Carbon Registry (ACR), Climate Action Reserve (CAR) or other similar carbon credit registry determined to be acceptable by the local air district</li> <li>Encourage the applicant to consider generating or purchasing local and California-only carbon credits as the preferred mechanism to implement its off-site mitigation measure for GHG emissions and that will facilitate the State's efforts in achieving the GHG emission reduction goal.</li> </ul>					
<b>5.11 MINERAL RESOURCES</b>					
11-1	<p>Prior to project approval for proposed development of properties classified as either MRZ-2a, 2b or MRZ-3a as modified by 2013 state designations of significance, a mineral resource evaluation shall be conducted to determine the significance and economic viability of mining the resource. If development of a property would preclude future extraction of a significant mineral resource, in accordance with CEQA, the County shall make the appropriate findings and adopt a Statement of Overriding Considerations prior to permitting development of the property.</p>	Project applicant	Prior to discretionary project approval	San Bernardino County Land Use Services Department	
11-2	<p>Prior to approval of any project on lands classified as either MRZ-2a, 2b or MRZ-3a as modified by 2013 state designations of significance, a report shall be prepared that analyzes the project's value in relation to the mineral values found onsite. The analysis shall consider the importance of construction aggregate mineral resource onsite to the market region as a whole, and not just the importance of the resources found within the San Bernardino County area. The report shall be submitted to the County, such that the County has adequate information to develop a statement of reasons for permitting the proposed land use to the California Department of Conservation, State Mining and Geology Board, for subsequent review, in accordance with SMARA, Article 2, Section 2762 and 2763 for areas designated of regional significance.</p>	Project applicant	Prior to discretionary project approval	San Bernardino County Land Use Services Department	

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Mitigation Measure		Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<b>5.12 NOISE</b>					
12-1	<p>Prior to issuance of demolition, grading and/or building permits on sites adjacent to sensitive receptors, a note shall be provided on construction plans indicating that during grading, demolition, and construction, the project applicant shall be responsible for requiring contractors to implement the following measures to limit construction-related noise:</p> <ul style="list-style-type: none"> <li>▪ During the entire permitted activity, equipment and trucks used for the project shall utilize the best available noise control techniques (e.g., improved mufflers, intake silencers, ducts, engine enclosures, and acoustical attenuation), wherever feasible.</li> <li>▪ Require impact tools (e.g., jack hammers and hoe rams) that are hydraulically or electrically powered whenever feasible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.</li> <li>▪ Stationary equipment such as generators and air compressors shall be located as far as feasible from nearby noise-sensitive uses.</li> <li>▪ Stockpiling shall be located as far as feasible from nearby noise-sensitive receptors.</li> <li>▪ Prior to the start of construction activities, a sign shall be posted at the job site, clearly visible to the public, that includes permitted construction days and hours, as well as contact information for the County Building Inspection Supervisor and contractor's authorized representative. If the authorized contractor's representative receives a noise or vibration complaint, he/she shall investigate, take appropriate corrective action, and report the action to the County.</li> <li>▪ Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes.</li> <li>▪ During the entire active construction period, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall be responsible for adjusting alarms based on the background noise level, or to utilize human spotters when feasible and in compliance with all safety requirements and laws.</li> <li>▪ Erect temporary noise barriers, where feasible, when construction noise is predicted to exceed the County noise standards and when the anticipated construction duration is greater than is typical (e.g., two years or greater).</li> </ul>	Project applicant	Prior to issuance of demolition, grading and/or building permits	San Bernardino County Land Use Services Department	

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12-2	Individual projects that use vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, near sensitive receptors shall be evaluated for potential vibration impacts. If construction-related vibration is determined to exceed the maximum level of 0.2 in/sec PPV at residential structures per Development Code Section 83.01.090 additional requirements, such as use of less-vibration-intensive equipment or construction techniques, shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).	Project applicant	Prior to construction activities	San Bernardino County Land Use Services Department	
12-3	During the project-level CEQA process for individual discretionary development projects likely to generate noise or vibration exceeding limits established under the CWP or County Development Code at the site of a nearby sensitive receptor, a noise and vibration analysis shall be conducted to assess and mitigate potential noise and vibration impacts related to the operations of that development. This analysis shall be conducted by a qualified, experienced acoustical consultant or engineer and shall follow the latest CEQA guidelines, practices, and precedents.	Project applicant	During the project-level CEQA process	San Bernardino County Land Use Services Department	
12-4	Require that new discretionary residential projects (or other sensitive uses) within 200 feet of existing railroad lines conduct a groundborne vibration and noise evaluation consistent with FTA-approved methodologies.	Project applicant	Prior to discretionary project approval	San Bernardino County Land Use Services Department	
<b>5.16 TRANSPORTATION AND TRAFFIC</b>					
16-1	Prior to approval of discretionary projects subject to VMT reduction analysis and located outside the designated growth areas, applicants shall demonstrate compliance with the County's adopted Transportation Impact Study (TIS) Guidelines for CEQA assessment of VMT impacts. For projects with VMT/capita exceeding the County's significance threshold, a mitigation plan shall be developed and implemented. Mitigation should consist of Transportation Demand Management (TDM) measures analyzed under a VMT-reduction methodology consistent with Chapter 7 of the California Air Pollution Control Officers Association's Quantifying Greenhouse Gas Mitigation Measures (August 2010) and approved by the Traffic Division and Land Use Services Department (if applicable), or the project description should be reviewed and modified to promote reduced VMT.	Project applicant	Prior to discretionary project approval	San Bernardino County Land Use Services Department	

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16-2	<p>Discretionary projects located within the designated growth areas that are subject to VMT reduction analysis shall develop a VMT reduction plan to achieve a minimum of a four percent reduction in VMT/capita in comparison to existing conditions. At a minimum, the VMT reduction plan shall consider the following TDM measures (estimated potential VMT reduction as shown):</p> <ul style="list-style-type: none"> <li>▪ UT-6, Integrate affordable and below market rate housing: 0.04 to 1.20 percent.</li> <li>▪ LUT-9, Improve Design of Development: 3.0 to 21.3 percent.</li> <li>▪ SDT-1, Provide pedestrian network improvements. Applicable for subdivisions connecting to other development, in areas identified for growth in the CWP, unincorporated Valley region areas, or unincorporated spheres of influence.</li> <li>▪ SDT-2, Provide Traffic Calming Measures: 0.25 to one percent. Applicable for subdivisions connecting to other development, in areas identified for growth in the CWP, unincorporated Valley region areas, or unincorporated spheres of influence.</li> <li>▪ TRT-4, Implement Subsidized or Discounted Transit Passes: 0 to 16 percent. Applicable to development within 1/2 mile of a transit system. As such, it would be applicable in the Valley region but less applicable in other areas.</li> <li>▪ TRT-6, Encourage Telecommuting and Alternative Work Schedules: 0.2 to 4.5 percent. Applicable to the County as the County is and will continue to partner with internet providers to increase coverage within the County to facilitate this application.</li> <li>▪ TRT-10, Implement a School Pool Program: 7.2 to 15.8 percent reduction in school VMT. Applicable for large developments, i.e., approximately 300 households or more.</li> </ul>	Project applicant	Prior to discretionary project approval	San Bernardino County Land Use Services Department	

## Mitigation Monitoring and Reporting Program

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# EXHIBIT M

## Additional Correspondence

**From:** [Planning Commission Comments](#)  
**To:** [Vickie Paulsen](#); [Planning Commission Comments](#)  
**Cc:** [Watkins, Karen](#); [Peterson, Suzanne](#); [Blum, Jerry](#)  
**Subject:** RE: Countywide Plan mtg Sept 17  
**Date:** Friday, September 11, 2020 11:23:38 AM  
**Attachments:** [image001.png](#)

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Hello Vickie,

Thank you for your feedback on the Newberry Springs Community Action Guide. We have made changes to the plan and profile to reflect your feedback with the exception of the air quality information and the weaknesses section. You can view the updated plan here: [countywideplan.com/wp-content/uploads/2020/09/20\\_Newberry-Springs-Foundation-Plan\\_ROUND\\_4PRECWP\\_FINAL.pdf](http://countywideplan.com/wp-content/uploads/2020/09/20_Newberry-Springs-Foundation-Plan_ROUND_4PRECWP_FINAL.pdf)

We understand that Newberry Springs can have different air quality than Barstow, however when we consulted AQMD, they let us know that the Barstow station was the closest official station to Newberry Springs. As for the weaknesses, the SWOT analysis was conducted at Public Meetings early on in the process and the words and phrases were provided directly from the community, and therefore we are very careful about retaining what the community has shared with us.

We look forward to seeing or hearing from you at the September 17<sup>th</sup> public hearing.

Thank you,

**Jessie Bruckhart**

Planner  
**Land Use Services Department**  
Phone: 909-387-8311  
Cell: 909-601-4641  
Fax: 909-387-3223  
385 N. Arrowhead Ave., 1<sup>st</sup> Floor  
San Bernardino, CA 92415-0187



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**From:** Vickie Paulsen <words4fun@gmail.com>

**Sent:** Thursday, September 10, 2020 10:43 AM

**To:** Planning Commission Comments <PlanningCommissionComments@lus.sbcounty.gov>

**Subject:** Countywide Plan mtg Sept 17

Commenting on Action Plan section for Newberry Springs.

This is an instrument that will last for years so should be a lot more accurate to reflect the community.

The Introduction talks about trying to attract "local tourists." Do you know what that is? I don't. We want to, and do, attract worldwide tourists, a lot of them.

Under "Events" - Commodity - "moths" should be "Months".

Community "News-Letter" should be "newsletter"

Air Quality - This paragraph is woefully inaccurate, as is all the County info about Newberry Springs' air quality. The monitor is in Barstow, which has completely different air than we do. Photos prove it. If air is blocking visibility to 20 ft here, it can be clear in Barstow. Do not promulgate this inaccuracy!

Community Garden - Plan says we have none. Not true! It is under construction and well on its way. By the time this is published and for years to come, it will be in business.

Zoning - Plan says we are RL zoned. We also have Agriculture and Commercial zoning. Very important!

Weaknesses - "The CSD is weak etc". The comment comes from meetings 5 years ago; things have changed completely (except for the ideas of a very few residents). Do not label us forever in this way. Leave it out!

Thank you --

--

Vickie Paulsen

Email received from Steve Bardwell on September 4, 2020

Dear Mr. Blum and Ms. Karen Watkins,

CC to: Terri Rahhal, Supervisor Dawn Rowe, Mark Lundquist, Matt Knox

Yesterday, on September 3, it came to the attention of residents in the desert communities that the September 17 Planning Commission will consider recommendations to the Board of Supervisors to adopt the Countywide Plan.

A notice was not sent to all of us who have commented through the years on the Countywide Plan and EIR. We anticipate these notices, and during these difficult times we depend on them. If a meeting notice was sent and overlooked please provide the date the notice was emailed.

This was brought to our attention by Betty Munson from Homestead Valley following her conversation with Karen Watkins about zoning changes and the SH247 Scenic Highway designation. The September 17 Commission meeting was mentioned. Betty then began the alert chain.

The September 17 Commission meeting date is prominently displayed on the Countywide Plan website. This, however, is not public notification.

On August 7, the County Facebook page posted the availability of the Draft Countywide Plan revisions on Environmental Justice. No deadline for comments was posted and there is no alert for the September 17 meeting. The Facebook announcement was paired with email notices to stakeholders.

However, on the County Meetings and Events page <https://countywideplan.com/events/> :

*"The public is invited to participate in a Planning Commission meeting on September 17th. Participants may view the meeting via live stream or by attending in-person, with facial coverings and social distancing. Purpose of the Workshop At this meeting, the Planning Commission will consider recommendations to the Board of Supervisors to adopt the Countywide [...]"*

After two years of planning LUS now schedules the Planning Commission meeting to take the next important step of recommending to the Board adoption of the Final Countywide Plan without the adequately noticing the stakeholders. **Although this notice says that we, the public, are invited to participate we were not sent an invitation to the party. Our participation would be substantive.**

The PC meeting and agenda notice will be posted on September 11 at 5 PM or 3 working days before the meeting. This is sufficient for the Brown Act but not for the stakeholders to be prepared to participate. We request this agenda item be postponed until the October meeting and be properly noticed.

Thank you for your consideration and attention.

Steve Bardwell

president, MBCA

[steve@infinityranch.net](mailto:steve@infinityranch.net)

Email received from Steve Bardwell on September 9, 2020 and response by County to previous email, dated September 8, 2020.

Dear Mr. Blum,

Thank you for your response.

As stakeholders who have been tracking the County Wide Plan we expect you have met the letter-of-the-law satisfying noticing methods and timelines.

Yet we stakeholders, who have been engaged and involved with the County Wide Plan for years, were made aware of the schedule for its consideration by the Planning Commission only by happenstance. This fact belies any contention that Land Use Services has been diligent in keeping stakeholders informed and engaged. Not until September 4 was email notification given to many of the stakeholders regarding the Agenda for the Planning Commission hearing. We would hope LUS would go well beyond merely 'checking all the boxes' to assure this important information is widely broadcast.

Thorough review and consideration of this huge and important set of documents by stakeholders requires more time than the mandated minimum. To enable preparation of meaningful comments and input on the County Wide Plan, we request postponement of consideration by the Planning Commission of the County Wide Policy documents until the month of **November 2020**.

The request for additional time is especially relevant as we are in the middle of a global pandemic of a magnitude not seen since 1918, and because there are so many living under severe stress coping with the issues of our new reality.

Thank you for your consideration.

Steve Bardwell

president, MBCA

[steve@infinityranch.net](mailto:steve@infinityranch.net)

On Sep 8, 2020, at 4:02 PM, Blum, Jerry <[Jerry.Blum@lus.sbcounty.gov](mailto:Jerry.Blum@lus.sbcounty.gov)> wrote:

Dear Steve:

I received your email and wanted to get the input from several staff members before I replied to you. I appreciate the fact that you and members of your community have been involved in the Countywide Plan from the inception of the public participation program. Your input and that of many others has helped to better the final documents that are now making their way through the hearing process.

Please know that ensuring notice and public participation in the future review and consideration of the Countywide Plan (CWP) is paramount and a primary mission of the County and the Land Use Services Department. In keeping with this mission, the Department has complied with all notice and public

hearing requirements required by the California Government Code, Public Resources Code, and San Bernardino County Code for a general plan of this scope and magnitude, which authorize notice via publication in a newspaper of general circulation. In addition to the required notice, the Department provided supplemental notice via electronic display and use of other social media platforms in an effort to ensure public participation. These email notices and the posting of final documents relative to the Countywide Plan on two websites were in addition to what is required by State law and were provided ahead of normal posting procedures.

Should you have any questions regarding the foregoing, please do not hesitate to contact me or the Department.

Sincerely,

**Jerry L. Blum**

Countywide Plan Coordinator  
***Land Use Services Department***  
Phone: 909-387-4422  
Fax: 909-387-3223  
385 North Arrowhead Ave.  
San Bernardino, CA 92415



September 9, 2020

Ms. Linda Mawby (**By Email: [Linda.Mawby@lus.sbcounty.gov](mailto:Linda.Mawby@lus.sbcounty.gov)**)

Senior Planner

Mr. Jerry Blum (**By Email: [Jerry.Blum@lus.sbcounty.gov](mailto:Jerry.Blum@lus.sbcounty.gov)**)

Countywide Plan Coordinator

County of San Bernardino Land Use Services Department – Planning Division

385 North Arrowhead Avenue, First Floor

San Bernardino, CA 92415-0187

RE: Comments on County Draft Policy Plan Environmental Justice Revisions July 2020 (EJ Plan)

Dear Ms. Mawby and Mr. Blum,

We are pleased to submit the following comments on this vital portion of the County Wide Plan. Throughout this letter we have used **bold** type for emphasis. We begin by reviewing the requirements of the:

### **State Government Code**

The draft County Environmental Justice Policy Plan must satisfy the State Government Code Title 7, Division 1. Planning and Zoning, Chapter 1.5 Article 4 Powers and Duties §65040.12

*“(d) the guidelines developed by the office pursuant to subdivision (e) shall recommend provisions for general plans to do all of the following:*

*(e) (1) For purposes of this section, “environmental justice” means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.*

*(2) “Environmental justice” **includes, but is not limited to**, all of the following:*

*(A) The availability of **a healthy environment for all people**.*

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*(B) The deterrence, reduction, and elimination of pollution burdens for populations and communities experiencing the adverse effects of that pollution, so that the effects of the pollution are not disproportionately borne by those populations and communities.*

*(C) Governmental entities engaging and providing technical assistance to populations and communities most impacted by pollution to promote their meaningful participation in all phases of the environmental and land use decision making process.*

*(D) At a minimum, the meaningful consideration of recommendations from populations and communities most impacted by pollution into environmental and land use decisions.”<sup>1</sup>*

With this understanding of the State requirements, following are our specific comments:

### **County Environmental Justice Policy Plan (EJ Plan)**

The introduction to the County E J Plan Hazard Element calls out **unincorporated disadvantaged communities** for protection.

#### **EJ Plan Hazards Element introduction**

*“The County is committed to protecting life, property, and commerce from impacts associated with natural hazards, human-generated hazards, and increased risk due to climate change. The County also works to ensure that residents in **unincorporated disadvantaged communities** have a reduced risk of exposure to pollution and have equitable access to public facilities and services. Effectively reducing these risks requires the County and its partners to evaluate public safety threats, proactively plan and protect against potential hazards, and establish systems that will make the county and its people safer and more self-reliant.”<sup>2</sup> (Bold added)*

#### **The Hazard Element (HZ) Purpose and Principles**

The Purpose and Principles commit to protecting those that live in **unincorporated disadvantaged communities** from elevated exposure to pollution and reduced access to public facilities and services.<sup>3</sup>

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<sup>1</sup> Comment Appendix pages 11-12

<sup>2</sup> EJ Plan page EJ-1

<sup>3</sup> EJ Plan page EJ-1



However, the supporting **HZ-3 Goal and 21 Policies** fail to achieve this requirement by narrowing the scope of protection to **environmental justice focus areas**.

### **Environmental Justice Focus Areas (EJFAs)**

**Goal HZ-3** introduces a new undefined and restrictive category, the County unincorporated EJFAs.

*“For unincorporated **environmental justice focus areas**, equitable levels of protection from environmental and health hazards...”*

The following HZ Policies call out **only the unincorporated EJFAs** for protective actions.<sup>4</sup>

**HZ-3.1** Health Risk Assessment

**HZ-3.2** Studying and Monitoring

**HZ-3.3** Community emissions reduction plans

**HZ-3.4** Residential improvements

**HZ-3.5** Hazardous waste facilities

**HZ-3.6** Contaminated water and soils

**HZ-3.7** Well water testing

**HZ-3.8** Indoor air quality

**HZ-3.9** Public improvements

**HZ-3.10** Multi-use facilities

**HZ-3.11** Public health

**HZ-3.12** Barriers to physical activity

**HZ-3.13** Safe routes to school

**HZ-3.14** Community-desired improvements

**HZ-3.16** Notification

**HZ-3.17** Community stakeholders

**HZ-3.18** Applicant requirements

**HZ-3.19** Community education

**HZ-3.20** Updating EJFAs

**HZ-3.21** Emerging pollutants

There is one Policy exception.

#### **HZ-3.15 Food access.**

*“We increase food access in **underserved areas** ... and prioritize **environmental justice communities** for technical assistance...”* These two newly referenced categories are undefined and used only within the HZ-3.15 Policy.<sup>5</sup>

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<sup>4</sup> EJ Plan pages EJ-2 through EJ-4

<sup>5</sup> EJ Plan page EJ-3 and EJ-4

## Identification of Environmental Justice Focus Areas

In Table HZ-1 the County EJ Plan uses census tracts from the state CalEnviroScreen 3.0 to define the community environmental justice focus areas.<sup>6</sup>

The EJ Plan **Table HZ-1 CalEnviroScreen Scores for Environmental Justice Focus Areas** shows that two census tracts in the North High Desert qualify as EJFAs: Barstow and Daggett/Newberry Springs/Baker.

### Questions: What is an EJFA and how were the EJFAs chosen?

The Environmental Justice Focus Area (EJFA) is a designation unique to the County Draft EJ Plan.

- The justification for choosing the two census tracts to the exclusion of other census tracts with similar scores is not revealed.
- Why the CalEnviroScreen 3.0 is the only metric used as opposed to inclusion of the classic income driven disadvantaged and severely disadvantaged communities is not revealed.

### Why is Lucerne Valley not an EJFA?

The scores for the Pollution and Population Factors are found on the State CalEnviroScreen 3.0 map.<sup>7</sup> The County EJ Plan does not provide these scores, giving only the factors (AQ, DW, etc.) instead. The scores have been retrieved from the CalEnviroScreen 3.0 and are provided both in Table 1 in the Comment Appendix and separately.<sup>8</sup>

### Lucerne Valley is a winner

See **Table 1 in the Comments Appendix** for a comparison of the CalEnviroScreen 3.0 scores for Barstow and Daggett/Newberry Springs/Baker with its neighbor Lucerne Valley. The CalEnviroScreen 3.0 data for all these communities is found in the Comments Appendix. Lucerne Valley holds its own.

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<sup>6</sup> EJ Plan page EJ-5; Comments Appendix page 10

<sup>7</sup> <https://oehha.ca.gov/calenviroscreen/maps-data>

<sup>8</sup> Comments Appendix: page 6-7 and individually on pages 13-15

If the County designated EJFAs on these scores then Lucerne Valley should be categorized as an EJFA. If the County did not use the scores, what did they use in their decision making?

**Citizens in the County's unincorporated disadvantaged communities want to know**

- 1. How were the Environmental Justice Focus Areas determined?**
- 2. Why is this restrictive category not found in the Hazard Element's defining Purpose and Principles but is headlined in the HZ-3 Policies?**
- 3. Why is the CalEnviroScreen 3.0 the only metric used as opposed to inclusion of the classic income driven disadvantaged and severely disadvantaged communities?**

**And perhaps most importantly,  
Where in this County Environmental Justice Plan is Environmental Justice guaranteed to the citizens in the myriad of other County communities that qualify under State Code §65040.12 and the County Environmental Justice County Policy Plan Introduction, Purpose, and Principles?**

With the continuing calls for equal-justice-for-all being made all over the Country, we are reminded of the inextricable connection between Environmental and Social Justice.

Thank you for your consideration.

We look forward to receiving your response

Steve Bardwell, president  
Morongo Basin Conservation Association

# COMMENTS APPENDIX

**Table 1: CalEnviroScreen 3.0 Scores Comparing EJFAs Lucerne Valley with Barstow, Daggett/Newberry Springs/Baker**

	Goal HZ-3 For unincorporated environmental justice focus areas (EJFAs), equitable levels of protection from environmental health hazards...	Barstow CT 6071009300	Daggett/Newberry Springs/Baker CT 6071010300	Lucerne Valley CT 60710121 04
Population:		1,257	3,846	5,110
CalEnviroScreen 3.0&		85-90%	75-80%	65-70%
Population Burden %		62	67	42
Population characteristics %		95	75	77
	Policy HZ-3.2; 3.3; 3.6; 3.9; 3.16; 3.17; 3.18; 3.20; 3-21;			
Ozone		85	91	91
*PM2.5		9	8	11
*PM10 not considered				
Diesel		50	3	2
Pesticides		58	20	0
Toxic Releases		11	7	21
Traffic		26	10	1
Drinking Water		90	99	99
Cleanup		69	96	96
Groundwater Threats		70	94	32
Hazardous Waste		61	93	61
Impaired Water		0	0	0
Solid Waste		21	98	74
	Policy HZ-3.11			
Asthma		100	62	85
Low Birth Weight		96	89	72
Cardiovascular Rate		100	64	93
Education		79	61	39
Linguistic Isolation		9	58	11
Poverty		85	66	73
Unemployment		95	77	86

<b>Housing Burden</b>		<b>66</b>	<b>42</b>	<b>53</b>
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**Red** = A ranking of 70 or higher

**Yellow highlight** = Ranked in Draft Environmental Justice Plan, page EJ-5

**CT** = **Census Tract**, page EJ-5

**\*PM2.5** is provided on CalEnviroScreen 3.0 but not measured by MDAQMD in the three unincorporated areas above

**\*PM10** is not measured by MDAQMD in unincorporated areas of Daggett/Newberry Springs and Lucerne Valley

## Environmental Justice Policy Plan (Draft) Blue is new text Pages EJ-1 thru EJ-4

### Purpose

The Hazards Element:

- Identifies potential natural and human-generated hazards, including increased risk due to climate change.
- Provides direction to address risks to residents, businesses, workers, and visitors.
- Prioritizes resources and reduce pollution exposure in unincorporated disadvantaged communities.

### Principles

We believe:

- A safe environment is necessary to build and maintain a sustainable and prosperous county.
- The County **is proactive** in lessening risks from natural and human-generated hazards.
- Reduction in the loss of life, injury, private property damage, infrastructure damage, economic losses, and social dislocation can be achieved through planning and preparedness.
- Those who live in unincorporated disadvantaged communities should not be burdened with elevated exposure to pollution risks and reduced access to public facilities and services.

### Goal HZ-3 Environmental Justice

For unincorporated environmental justice focus areas, equitable levels of protection from environmental and health hazards; expanded opportunities for physical activity and meaningful civic engagement; and access to healthy food, public facilities, safe and sanitary housing.

Policy HZ-3.2 **Studying and monitoring.** We coordinate with state and regional regulatory entities to monitor pollution exposure, **publicize pollution data**, and identify solutions in unincorporated environmental justice focus areas. We work with state and regional regulatory entities to obtain grant funding to study cumulative health risks affecting such areas.

Policy HZ-3.3 **Community emissions reduction plans.** We assist the air quality management districts in establishing community emissions reduction plans for unincorporated environmental justice focus areas and implement, as feasible, those parts of the plans, that are within the jurisdiction and authority of the County, with particular emphasis in addressing the types of pollution identified in the Hazard Element tables.

Policy HZ-3.8 **Indoor air quality.** We educate and raise awareness in unincorporated environmental justice focus areas about indoor air quality, and we pursue grant funding **to address** asthma and other respiratory illnesses.

Policy HZ-3.11 **Public Health.** We utilize County Department of Public Health experience, expertise, and staffing resources to expand outreach, analysis, and implementation efforts in

unincorporated environmental justice focus areas, with particular emphasis in addressing the types of health concerns identified in the Hazard Element tables.

**Policy HZ-3.16 Notification.** We notify the public through the County website when applications are accepted for conditional use permits, changes in zoning, and Policy Plan amendments in or adjacent to environmental justice focus areas. We prepare public notices in the predominant language(s) spoken in the communities containing environmental justice focus areas.

**Policy HZ-3.17 Community stakeholders.** We identify and coordinate with key community stakeholders through advisory committees or other methods to increase public awareness and obtain timely community input concerning potential funding opportunities, conditional use permits, changes in zoning, and amendments to the Policy Plan in or adjacent to environmental justice focus areas.

**Policy HZ-3.18 Application requirements.** In order for a Planning Project Application (excluding Minor Use Permits) to be deemed complete, we require applicants to indicate whether the project is within or adjacent to an unincorporated environmental justice focus area and, if so, to:

- document to the County's satisfaction how an applicant will address environmental justice concerns potentially created by the project; and
- present a plan to conduct at least one public meeting for nearby residents, businesses, and property owners to obtain public input for applications involving a change in zoning or the Policy Plan. The County will require additional public outreach if the proposed project changes substantively in use, scale, or intensity from the proposed project presented at previous public outreach meeting(s).

**Policy HZ-3.21 Emerging pollutants.** For pollutants that do not yet have established regulatory thresholds, we coordinate with regulatory agencies to assist their efforts to monitor pollutant levels, establish thresholds, and identify funding and mitigation options, particularly for pollutants that are found in environmental justice focus areas.

**Table HZ-1. CalEnviroScreen Scores for Environmental Justice Focus Areas**

CES Rankings		Quartile 1 = Good		Quartile 2 = Moderate		Quartile 3 = Poor		Quartile 4 = Challenged	
Variables/Factors in the CES model:									
POLLUTION EXPOSURE		ENVIRONMENTAL EFFECTS			SENSITIVE POPULATION			SOCIOECONOMIC FACTORS	
AQ = Air Quality		CS = Toxic Cleanup Sites			AS = Asthma			LI = Linguistic Isolation	
PEST = Pesticides		GW: Groundwater Threats			LB = Low Birth Weight			POV = Poverty	
DW = Drinking Water		HZ = Hazardous Waste			CVD = Heart Disease			UE = Unemployment	
TR = Toxic Releases		IW = Impaired Waters						HB = Housing Burden	
TD = Traffic Density		SW = Solid Waste Sites/Facilities						ED = Educational Attainment	
Census Tract	Low Income	Percentile and Quartile Rank			Scores in the Upper Quartile				
		Composite Score	Pollution Score	Population Score	Pollution Factors		Population Factors		
El Mirage Valley									
6071009117	Yes	92	63	99	AQ, DW, CS, HW			AS, LB, CVD, ED, POV, UE, HB	
North High Desert									
6071009300 Barstow	Yes	88	62	95	AQ, DW			AS, LB, CVD, POV, ED, UE	
6071010300 Daggett/ Newberry Springs/Baker	Yes	77	67	75	AQ, DW, CS GW, HW, SW			LB, UE	

Page EJ-5



**GOVERNMENT CODE - GOV**

**TITLE 7. PLANNING AND LAND USE [65000 - 66499.58]**

*( Heading of Title 7 amended by Stats. 1974, Ch. 1536. )*

**DIVISION 1. PLANNING AND ZONING [65000 - 66301]**

*( Heading of Division 1 added by Stats. 1974, Ch. 1536. )*

**CHAPTER 1.5. Office of Planning and Research [65025 - 65059.3]**

*( Chapter 1.5 repealed and added by Stats. 1970, Ch. 1534. )*

**ARTICLE 4. Powers and Duties [65040 - 65040.17]** *(Article 4 added by Stats. 1970, Ch. 1534. )*

**65040.12.** (yellow highlight for emphasis)

(a) The office shall be the coordinating agency in state government for environmental justice programs.

(b) The director shall do all of the following:

(1) Consult with all of the following:

(A) The Secretary for Environmental Protection.

(B) The Secretary of the Natural Resources Agency.

(C) The Secretary of Transportation.

(D) The Secretary of Business, Consumer Services, and Housing.

(E) The Working Group on Environmental Justice established pursuant to Section 71113 of the Public Resources Code.

(F) Any other appropriate state agencies and all other interested members of the public and private sectors in this state.

(2) Coordinate the office's efforts and share information regarding environmental justice programs with the Council on Environmental Quality, the United States Environmental Protection Agency, the General Accounting Office, the Office of Management and Budget, and other federal agencies.

(3) Review and evaluate any information from federal agencies that is obtained as a result of their respective regulatory activities under federal Executive Order 12898, and from the Working Group on Environmental Justice established pursuant to Section 71113 of the Public Resources Code.

(c) When it adopts its next edition of the general plan guidelines pursuant to Section 65040.2, but in no case later than July 1, 2003, the office shall include guidelines for addressing environmental justice matters in city and county general plans. The office shall hold at least one public hearing before the release of any draft guidelines, and at least one public hearing after the release of the draft guidelines. The hearings may be held at the regular meetings of the Planning Advisory and Assistance Council.

(d) The guidelines developed by the office pursuant to subdivision (c) shall recommend provisions for general plans to do all of the following:

(1) Propose methods for planning for the equitable distribution of new public facilities and services that increase and enhance community quality of life throughout the community, given the fiscal and legal constraints that restrict the siting of these facilities.

(2) Propose methods for providing for the location, if any, of industrial facilities and uses that, even with the best available technology, will contain or produce material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant hazard to human health and safety, in a manner that seeks to avoid overconcentrating these uses in proximity to schools or residential dwellings.

(3) Propose methods for providing for the location of new schools and residential dwellings in a manner that seeks to avoid locating these uses in proximity to industrial facilities and uses that will contain or produce material that because of its quantity, concentration, or physical or chemical characteristics, poses a significant hazard to human health and safety.

(4) Propose methods for promoting more livable communities by expanding opportunities for transit-oriented development so that residents minimize traffic and pollution impacts from traveling for purposes of work, shopping, schools, and recreation.

(e) (1) For purposes of this section, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.

(2) "Environmental justice" includes, but is not limited to, all of the following:

(A) The availability of a healthy environment for all people.

(B) The deterrence, reduction, and elimination of pollution burdens for populations and communities experiencing the adverse effects of that pollution, so that the effects of the pollution are not disproportionately borne by those populations and communities.

(C) Governmental entities engaging and providing technical assistance to populations and communities most impacted by pollution to promote their meaningful participation in all phases of the environmental and land use decision making process.

(D) At a minimum, the meaningful consideration of recommendations from populations and communities most impacted by pollution into environmental and land use decisions.

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=65040.12.#:~:text=\(a\)%20The%20office%20shall%20be,do%20all%20of%20the%20following%3A&text=\(F\)%20Any%20other%20appropriate%20state,private%20sectors%20in%20this%](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=65040.12.#:~:text=(a)%20The%20office%20shall%20be,do%20all%20of%20the%20following%3A&text=(F)%20Any%20other%20appropriate%20state,private%20sectors%20in%20this%20)

## **BARSTOW**

Census Tract: 6071009300

**Population:** 1,257  
**CalEnviroScreen 3.0 Percentile:** 85-90%

**Pollution Burden Percentile:** 62

**Population Characteristics  
Percentile:** 95

**Ozone:** 85

**PM 2.5:** 9

**Diesel:** 50

**Pesticides:** 58

**Toxic Releases:** 11

**Traffic:** 26

**Drinking Water:** 90

**Cleanups:** 69

**Groundwater Threats:** 70

**Hazardous Waste:** 61

**Impaired Water:** 0

**Solid Waste:** 21

**Asthma:** 100

**Low Birth Weight:** 96

**Cardiovascular Rate:** 100

**Education:** 79

**Linguistic Isolation:** 9

**Poverty:** 85

**Unemployment:** 95

**Housing Burden:** 66

### **Information about age**

This tract contains 14% Children under 10. The average in California census tracts is 13%. It also contains 14% Elderly over 65. The average in California census tracts is 12%.

#### **Race/Ethnicity & Age Profiles**

*Hover your mouse over the pie chart to see the race/ethnicity characteristics of this census tract. Click on the arrow next to the pie chart to see the age profile of this census tract.*

## DAGGETT/NEWBERRY SPRINGS

Census Tract: 6071010300

**Population:** 3,846  
**CalEnviroScreen 3.0 Percentile:** 75-80%

**Pollution Burden Percentile:** 67

**Population Characteristics  
Percentile:** 75

**Ozone:** 91

**PM 2.5:** 8

**Diesel:** 3

**Pesticides:** 20

**Toxic Releases:** 7

**Traffic:** 10

**Drinking Water:** 99

**Cleanups:** 96

**Groundwater Threats:** 94

**Hazardous Waste:** 93

**Impaired Water:** 0

**Solid Waste:** 98

**Asthma:** 62

**Low Birth Weight:** 89

**Cardiovascular Rate:** 64

**Education:** 61

**Linguistic Isolation:** 58

**Poverty:** 66

**Unemployment:** 77

**Housing Burden:** 42

### **Information about age**

This tract contains 13% Children under 10. The average in California census tracts is 13%. It also contains 14% Elderly over 65. The average in California census tracts is 12%.

## LUCERNE VALLEY

Census Tract: 6071012104

**Population:** 5,110  
**CalEnviroScreen 3.0 Percentile:** 65-70%

**Pollution Burden Percentile:** 42

**Population Characteristics  
Percentile:** 77

**Ozone:** 91

**PM 2.5:** 11

**Diesel:** 2

**Pesticides:** 0

**Toxic Releases:** 21

**Traffic:** 1

**Drinking Water:** 99

**Cleanups:** 96

**Groundwater Threats:** 32

**Hazardous Waste:** 61

**Impaired Water:** 0

**Solid Waste:** 74

**Asthma:** 85

**Low Birth Weight:** 72

**Cardiovascular Rate:** 93

**Education:** 39

**Linguistic Isolation:** 11

**Poverty:** 73

**Unemployment:** 86

**Housing Burden:** 53

### Information about age

This tract contains 11% Children under 10. The average in California census tracts is 13%. It also contains 15% Elderly over 65. The average in California census tracts is 12%.

September 2, 2020

San Bernardino County  
385 N. Arrowhead Ave., 1st Floor  
San Bernardino, CA 92415



Dear San Bernardino County Planning Department,

Thank you for considering our comments and recommendations on the previous San Bernardino County General Plan Update. The Center for Community Action and Environmental Justice (CCA EJ) acknowledges your efforts to address environmental justice (EJ) issues throughout unincorporated areas of San Bernardino County. While staff have addressed some of our concerns and recommendations in the draft policy, we believe that stronger language should be considered to increase accountability in EJ focused areas across the County and be in stronger compliance with Senate Bill 1000. We strongly encourage staff to review and consider the following recommended changes, additions, and amendments to policies.

### **Stronger Language in Improvement of Resources**

We recommend stronger language in the following policies that specify how, which, and to what extent resources in these areas will be improved. More specifically acknowledging the need to prioritize these communities, as well as establishing routine testing of different levels of cumulative contamination in these areas.

Policy HZ-3.1 **Cumulative Health Risk Assessment.** ~~Health risk assessment.~~ We require projects processed by the County to provide a **cumulative** health risk assessment when a project could potentially increase the incremental cancer risk by 10 in 1 million or more in unincorporated environmental justice focus areas **within 1,000 feet**, and we require such assessments to evaluate impacts of truck traffic from the project to freeways. We establish appropriate mitigation prior to the approval of new construction, rehabilitation, or expansion permits.

- With an oversaturated presence of warehouse and distribution centers in many unincorporated areas of San Bernardino County, an emphasis on addressing **cumulative health risks** should be a priority. While the California Environmental Quality Act (CEQA) already requires a cumulative health risk assessment, the County should take a proactive role in ensuring that this is being addressed.

Policy HZ 3.3 **Community emissions reduction plan.** We ~~assist the air quality management districts in establishing~~ **establish** community emissions reduction plans for unincorporated environmental justice focus areas and implement, as feasible,

those parts of the plans that are within the jurisdiction and authority of the County, with particular emphasis in addressing the types of pollution identified in the Hazard Elements tables.

Policy HZ 3.4 **Residential Improvements** - In directing discretionary housing improvements investments in unincorporated communities, we **encourage** and prioritize investments that also address environmental conditions identified in the Hazard Element tables. We utilize code enforcement activities to enhance structural safety and property maintenance in environmental justice focus areas. **We assist unincorporated environmental justice focus areas in meeting code requirements to ensure enhanced structural safety and property maintenance. We pursue funding and other assistance for rehabilitation and home improvements in conforming residential units in unincorporated environmental justice focus areas.**

Policy HZ-3.6 **Contaminated water and soils.** We advocate for and coordinate with local and regional agencies in efforts to remediate or treat **various levels of** contaminated surface water, groundwater, or soils in or affecting unincorporated environmental justice focus areas. We obtain grant funding and establish partnerships to implement the County's Site Remediation Program in unincorporated environmental justice focus areas, with particular emphasis in addressing the types of contamination identified in the Hazard Element tables.

- It is important to plan when and how contamination in water and soil will be treated. The Hazard Element Tables identify four CES rankings, specification on how contamination will be addressed at each of these quantiles is necessary.

Policy HZ-3.7 **Well water testing.** In unincorporated environmental justice focus areas that are not served by public water systems, we periodically test well water for contamination, identify potential funding sources, and, ~~where feasible~~, provide technical assistance to implement necessary improvements, with particular emphasis in addressing the types of contamination identified in the Hazard Element tables.

- Identify what periodic testing looks like. In this case consider addressing the history of the site's contamination, for example testing should be done more often on a site where contamination ranking in quartile 4 has been found. Lastly, specify what conditions are necessary to provide assistance for improvement.

Policy HZ-3.12 **Barriers to physical activity.** We **prioritize identification of** ~~identify and include~~ appropriate remedies to improve ~~or~~ **and** remove ~~where feasible~~ barriers to outdoor physical activity, such as inadequate infrastructure, when doing County

projects in environmental justice focus areas, with particular emphasis in addressing the types of health and mobility issues identified in the Hazard Element tables.

Policy HZ-3.13 **Safe routes to school.** We work with our regional transportation authority **and** school districts ~~and local law enforcement~~ to ensure that schools have safe walking and bicycling routes to school. In applying for Safe Routes to School grants, we will prioritize schools that are either located in the environmental justice focus areas, or serve children residing in environmental justice focus areas.

Policy HZ-3.15 **Food access.** We increase access to healthy food in underserved areas by promoting local food production, community gardens, and urban farms in agricultural zoning districts or on vacant or underutilized lands. We also encourage, **prioritize, and incentivize** existing and new small grocery or convenience stores to sell fresh foods in underserved areas. We require the County Healthy Communities Program to prioritize environmental justice communities for technical assistance and grant making, and ensure that residents of environmental justice communities are provided educational materials related to food assistance programs, healthy eating habits and food choices. **We also work with local farms and organizations to provide local grocery and convenience stores with fresh foods and produce at low costs that would otherwise be wasted.**

Policy TM-4.6 **Transit access to public service, health, and wellness.** In unincorporated areas where public transit is available, ~~we prefer~~ **we improve old infrastructures and construct necessary** new public and behavioral health facilities, other public facilities and services, education facilities, grocery stores, and pharmacies to be located within one-half mile of a public transit stop. We ~~prefer~~ **encourage and plan to** locate new County health and wellness facilities within one-half mile of a public transit stop in incorporated jurisdictions. We encourage public K-12 education and court facilities to be located within one-half mile of public transit

### **Stronger Language in Community Engagement**

We recommend stronger language in the following policies that explain what community engagement looks like, and how it will be conducted and funded. Most specifically illustrating what community collaboration looks like with specific emphasis on keywords. For example, explain what educate, raise awareness, outreach, and assistance entails in action. This planning includes acknowledging who will be doing the field work and looking for grant funding.



Policy HZ-3.8 **Indoor air quality.** We **take a proactive role to** educate and raise awareness in unincorporated environmental justice focus areas about indoor air quality, and we pursue grant funding to address asthma and other respiratory illnesses.

Policy HZ-3.11 **Public Health.** We utilize County Department of Public Health experience, expertise, and staffing resources to expand **and improve** outreach, **community engagement**, analysis, and implementation efforts in unincorporated environmental justice focus areas, with particular emphasis on addressing the types of health concerns identified in the Hazard Element tables.

Policy HZ-3.14 **Community-desired improvements.** We ~~assist~~ **partner with** unincorporated environmental justice focus areas to identify ways in which they might establish special funding and financing mechanisms to provide community-desired public facilities and services, recreational facilities, sidewalks and bike trails, and access to fresh and healthy food.

Policy HZ 3.16 **Notification.** We notify the public through the County website **and mail** when applications are accepted for conditional use permits, changes in zoning, and Policy Plan amendments ~~in or adjacent to~~ **in, adjacent to, or within 1,000 ft of** environmental justice focus areas. We prepare public notices in the predominant language(s) spoken in communities containing environmental justice focus areas.

Policy HZ-3.18 **Application requirements.** In order for a Planning Project Application (excluding Minor Use Permits) to be deemed complete, we require applicants to indicate whether the project ~~is within or adjacent to~~ **is within, adjacent to, or within 1,000 ft of** an unincorporated environmental justice focus area, and, if so, to:

- document to the County's **and resident's** satisfaction how an applicant will address environmental justice concerns potentially created by the project; and
- present a plan to conduct at least ~~one~~ **two** public meetings for nearby residents, businesses, and property owners to obtain public input for applications involving a change in zoning or the Policy Plan. The County will require additional public outreach if the proposed project changes substantively in use, scale, or intensity from the proposed project presented at previous public outreach meeting(s).

Policy HZ-3.19 **Community education.** We make educational materials available to the public in unincorporated environmental justice focus areas so that they clearly understand the potential for adverse pollution, noise, odor, vibration, and lighting and glare, and the effects of toxic materials to promote civil engagement. We

require that such educational materials be developed in accordance with Plain Language Guidelines. **We require that this information be made available in public spaces such as libraries and community centers, as well as online and through mailing services.**

### **Stronger Language in Goods Movements**

The goods movement has impacted environmental justice communities health through the emissions created from freight and truck traffic, **therefore we should encourage policy that aligns with California’s SIP for zero emissions and move to electrification of our goods movement industry.**

Policy TM-5.1—~~Efficient~~ **Sustainable goods movement network.** We advocate for the maintenance of ~~an efficient sustainable~~ a sustainable goods movement network in southern California **that prioritizes public health through the use of zero-emission equipment and infrastructure.**

Policy TM-5.3 ~~High Desert Corridor.~~ We support the development of the High Desert Corridor ~~to improve the regional goods movement network and foster economic development in the North Desert region.~~

- The county should be supporting development that fosters economic sustainable development that includes social, environmental, and economic prosperity. The high desert corridor can have negative impacts to environmental justice communities that have not been fully looked at in the EIR, and therefore should not be fully supported in policy.<sup>1</sup>

Policy TM-5.5 **Countywide truck routes.** We support SBCTA’s establishment of regional truck routes that efficiently distribute regional truck traffic **through roadways whose adjacent properties are commercial, industrial, or undeveloped; and maneuver truck traffic away from residential communities.** ~~while minimizing impacts on residents.~~ We support funding through the RTP to build adequate truck route infrastructure **such as vegetative buffers or alternative routes that will reduce the health impacts on residents.**

Policy TM-5.6 **Unincorporated truck routes.** We ~~may~~ establish local truck routes **away from residential areas and instead efficiently distribute regional truck traffic through roadways whose adjacent properties are commercial, industrial, or undeveloped** in unincorporated areas to efficiently funnel truck traffic to freeways while minimizing impacts on residents. We ~~establish routes where trucks are prohibited in unincorporated environmental justice focus areas and to avoid overlaps or conflicts with safe routes to schools.~~

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<sup>1</sup> <https://www.latimes.com/opinion/story/2019-10-06/high-desert-corridor-freeway-stopped>

- Both countywide and unincorporated truck routes should include installation of vegetative buffers in landscaping between residences and truck businesses or routes, which all can help reduce the public health impacts of truck activities.<sup>2</sup>

### **Region-Specific Environmental Justice Policy Amendments:**

In addition to the above recommendations and additions, we include region-specific environmental justice policy amendments to be considered. These amendments are included with the intention to create more robust EJ policies. In creating these amendments, CCAEJ has thoroughly considered the needs of unincorporated EJ focus areas in San Bernardino County. We urge staff to review and include these amendments so that they are reflected in what is presented to the Planning Commission on September 17, 2020.

1. Ensure that students, teachers and staff at all schools can live and prosper in communities that are a safe distance from harmful land uses such as refineries, warehouses, freeways, agriculture, etc.
2. Protect residents from new and existing toxic land uses, by creating a plan, timeline and funding proposals that mitigates existing impacts.
3. Require community-based agreements with all new warehouses to ensure that restricted truck routes are created near homes and schools and the cleanest equipment and transportation technology is being used at the facility.
4. Recognize the cumulative air quality impact that DAC's are faced with and create a plan and financing strategy that results in time bound enforceable measures that provide direct emissions reductions.
5. Provide infrastructure for electric vehicles (passenger, medium and heavy-duty) in disadvantaged communities and other communities along heavily traveled corridors.

CCAIEJ and the communities in unincorporated EJ focus areas in San Bernardino County highly encourage the Planning Department staff to consider and include the stated recommendations, additions, and policy amendments. Including these changes will not only ensure a higher quality of life in EJ focus areas, but will also provide a greater compliance with SB 1000.

Sincerely,

*Ricardo Olea*

*Mariela Loera*

*Ivette Torres*

Center for Community Action and Environmental Justice

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<sup>2</sup> <http://www2.oaklandnet.com/oakca1/groups/pwa/documents/agenda/oak053443.pdf>