



August 3, 2022
Irvine Planning Commission
Irvine City Hall
1 Civic Center Plaza
Irvine, CA 92606
Via Email

RE: The Definition and Incorporation of Environmental Justice for the Irvine Planning Commission

Dear Chair Huang and Irvine Planning Commissioners,

My name is Lexi Hernandez and I am a climate equity community organizer with Climate Action Campaign, a leading climate policy watchdog in the region. Thank you all for your work to make Irvine a safe and just place for all residents through your pivotal work on the planning commission.

At the July 21st Planning commission meeting, there were questions from commissioners regarding what environmental justice is. Please regard Climate Action Campaign, and myself as a resource in providing a definition of environmental justice and in offering policy recommendations as someone who has lived in a community experiencing environmental injustice, and advocates for a clean livable environment for all.

Environmental justice is defined by the federal Environmental Protection Agency (EPA) as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies¹. Additionally the EPA defines both “fair treatment” and “meaningful Involvement”, which I have included below, as they are helpful in understanding the key role the planning commission plays in ensuring environmental justice in Irvine².

¹ Environmental Protection Agency, “[Environmental Justice-Related Terms As Defined Across the PSC Agencies](#)”. May 13, 2015.

² Environmental Protection Agency, “[Environmental Justice-Related Terms As Defined Across the PSC Agencies](#)”. May 13, 2015.

Fair Treatment means that no group of people should bear a **disproportionate burden** of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations **or programs and policies**.

Meaningful Involvement means that:

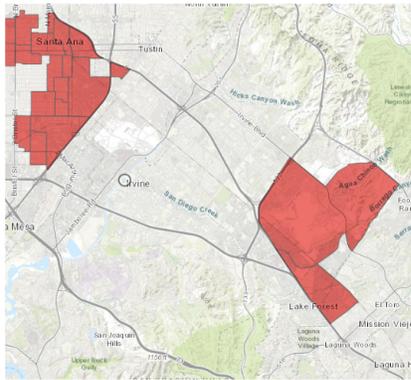
1. Potentially affected community members have an appropriate opportunity to **participate in decisions about a proposed activity** that will affect their environment and/or health;
2. The public's contribution can influence the regulatory agency's decision
3. The concerns of all participants involved will be considered in the decision-making process
4. The decision-makers **seek out and facilitate the involvement of those potentially affected**.

As you know, an environmental justice element will be added to the general plan, as legally required by SB1000.

There are a number of tools that help cities determine whether they have communities that are disadvantaged, and whether they are burdened by environmental pollution. The SB535 designation is a community that is identified by the EPA to have high amounts of pollution and low-income populations, and shows where climate investments are needed. Pollution Burden can be seen through the Cal EPA's CalEnviroScreen 4.0 tool, which shows the communities that bear more pollution than any other communities in California.

Using these state tools, these Irvine communities have been identified as disadvantaged:

- 1) The communities between Alton and Bake (figure 1).
- 2) The Irvine business complex area has ranked in the 99th percentile for pollution burden according to Cal EPA's calenviro 4.0 tool (figure 2).



Irvine sb 535 community

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



Figure 1. The communities between Alton and Bake are shown via the [Cal Enviro Tool](#). Census tracts marked in red signify they are disadvantaged communities as identified by Cal EPA for SB535.

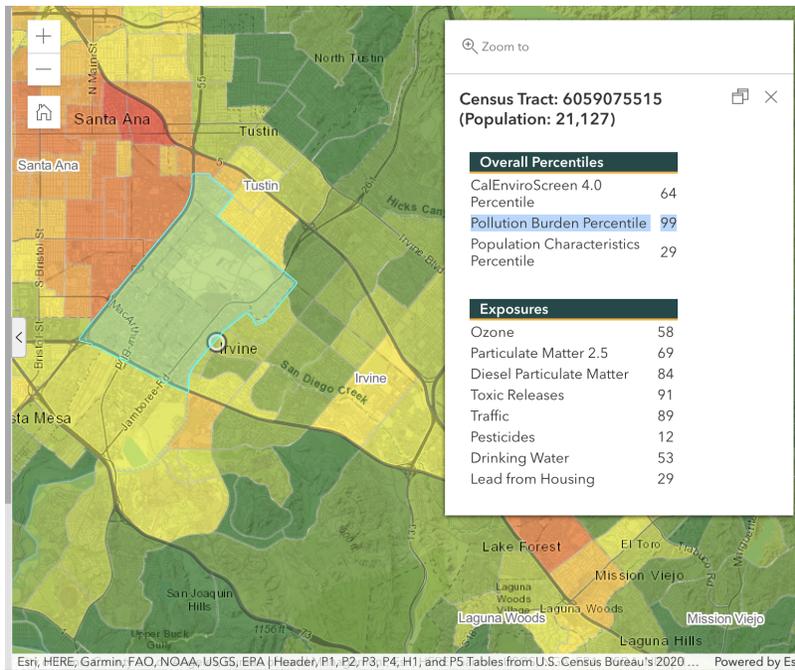


Figure 2. Through the Cal EPA's [Calenviro 4.0 tool](#) the Irvine Business Complex community is selected to show census tract information. Highlighted in blue the pollution burden percentile for the census tract is shown to be in the 99th percentile.

If these communities are not prioritized and intentionally discussed while deciding and reviewing policy and programs, these communities can be further harmed.

Because the planning commission is tasked with reviewing the general plan and the new environmental justice element it is important to keep in mind how to meaningfully engage these groups so that they do not experience disproportionate burden.

Here are some examples of how and where to implement these tools:

1)The city is updating its general plan, and in order to ensure environmental justice, needs to begin this process by engaging residents in these communities, and soliciting feedback on potential policies and programs. Irvine will be including climate policies in the general plan update, and engaging with impacted residents is a way to intentionally develop policies to address the disproportionate burden of environmental issues on these communities. This would also look like outlining policies and goals in the general plan such as building electrification, and increasing active transportation in communities that currently are the most impacted by the climate crisis.

2) Additionally city staff recently shared an update on the circulation element in the general plan, where they will be implementing the City's first Vehicle Miles Traveled (VMT) analysis guidelines. Environmental justice can be ensured within this program by including a plan to use these results to create policy that reduces VMT throughout Irvine with a strategy specifically on how to reduce VMT in environmental justice communities where they may not have the same access to electric cars, public transportation, or telecommuting. This can be created by engaging with these community members to understand how they are impacted and solicit their feedback on programs.

There are many ways to ensure environmental justice in the city of Irvine, so that Irvine is a safe, sustainable, and just place for all residents to live in. By keeping the definition of environmental justice in mind, and working to meaningfully engage with those most impacted by climate change, the planning commission can help the city of Irvine develop environmentally just policies. Please use Climate Action Campaign as a resource as you continue to navigate the environmental justice space and work on policies with the goal of achieving this.

Sincerely,
Lexi Hernandez and the CAC Team