



# Agenda

## SUSTAINABILITY COMMITTEE

June 28, 2021

1:00 P.M.

1025 Escobar St., Martinez

**\*\*Meeting Remotely Until Further Notice\*\***

To slow the spread of COVID-19, in lieu of a public gathering, the Sustainability Committee meetings will be remote until further notice and accessible via link to all members of the public as permitted by the Governor's Executive Order N29-20.

Supervisor John Gioia, Chair

Supervisor Federal D. Glover, Vice Chair

### Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Committee.

**Please click the link below to join:**

<https://cccounty-us.zoom.us/j/89637875462>

**Meeting ID: 896 3787 5462**

**Or Telephone, dial**

**USA 214 765 0478 US Toll or USA 888 278 0254 US Toll-free**

**Conference code: 198675**

1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).
3. **APPROVE Record of Action from May 24, 2021, Special Meeting of the Sustainability Committee.** (Jody London, Department of Conservation and Development)
4. **RECEIVE** update and **PROVIDE DIRECTION** on draft environmental justice policies for updated County General Plan. (Will Nelson, DCD)
5. The next meeting is currently scheduled for July 26, 1-2:30 p.m.
6. Adjourn

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*The Sustainability Committee will provide reasonable accommodations for persons with disabilities planning to attend Sustainability Committee meetings. Contact the staff person listed below at least 72 hours before the meeting.*

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*Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Sustainability Committee less than 96 hours prior to that meeting are available for public inspection at 651 Pine Street, 1st floor, during normal business hours.*

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*Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.*

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For Additional Information Contact:

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Jody.London@dcd.cccounty.us



# Contra Costa County Board of Supervisors

## Subcommittee Report

### **\*SPECIAL MEETING\* SUSTAINABILITY COMMITTEE**

**Meeting Date:** 06/28/2021

**Subject:** APPROVE Record of Action from May 24, 2021, Special Meeting of the Sustainability Committee.

**Submitted For:** Jody London, Sustainability Coordinator

**Department:** Conservation & Development

**Referral No.:** N/A

**Referral Name:** N/A

**Presenter:** Jody London, DCD Sustainability  
Coordinator

**Contact:** Jody London  
(925)655-2815

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### **Referral History:**

This is an ongoing item of the Committee.

### **Referral Update:**

### **Recommendation(s)/Next Step(s):**

### **Fiscal Impact (if any):**

N/A

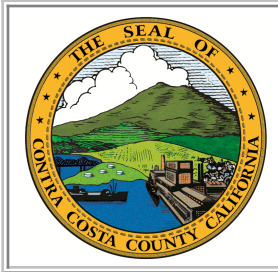
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### **Attachments**

05-24-21 Sus Committee Minutes FINAL.pdf

Item 5. Bldg Electrification Reach Code Option

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## SUSTAINABILITY COMMITTEE

RECORD OF ACTION FOR  
May 24, 2021

Supervisor John Gioia, Chair  
Supervisor Federal D. Glover, Vice Chair

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Present: John Gioia, Chair  
Federal D. Glover, Vice Chair

Staff Present: Jody London, Sustainability Coordinator; Jason Crapo, Deputy Director, Conservation and Development; John Kopchik, Director, Conservation and Development; Demian Hardman-Saldana, Senior Energy Planner, Conservation and Development; Joe Yee, Deputy Director, Public Works; Maureen Toms, Deputy Director, Conservation and Development; Dom Pruett, Field Representative, Office of Supervisor Andersen; Lisa Chow, District Representative, Office of Supervisor Mitchoff; Michael Kent, Hazardous Materials Ombudsman; Will Nelson, Principal Planner, Conservation and Development; Maureen Parkes, Senior Planning Technician, Department of Conservation and Development; Daniel Barrios, Senior Planner, Department of Conservation and Development; Erin Steffen, Management Analyst, County Administrator's Office; Luz Gomez, Building Healthy Communities Manager, Health Services; Nicole Shimizu, Climate Corps Fellow, Conservation and Development

Attendees: Wes Sullens, Marti Roach, Gary Farber, Carol Weed, Lisa Jackson, Ogie Strogatz, Jackie Garcia Mann, Dan Bonetti, Betty Lobos, Denice Dennis, Jim Naprawa, Lisa Marshall, Nick Despota, Sean Sevilla, Mike Moore, Christine Coody

1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).

*There was no public comment.*

3.

*The Record of Action from the April 26, 2021 Special Meeting of the Sustainability Committee was approved*

AYE: Chair John Gioia  
Vice Chair Federal D. Glover

4. RECEIVE UPDATE on Conversion of County Fleet to Electric Vehicles, and PROVIDE DIRECTION.

*Joe Yee, Public Works Deputy Director, presented an update of the County's fleet electrification progress. Yee pointed to funding for electric charging station installation at County facilities as the major roadblock to electrifying the County's fleet. Yee reported that Public Works is taking steps to simultaneously install solar projects and electric vehicle (EV) charging station infrastructure to make County facilities EV charging station-ready. In addition, Public Works is exploring the use of commercially available charging stations as a way to encourage electric vehicle (EV) adoption by County departments.*

*The Sustainability Committee made it clear that EV charging stations on-site at County facilities are a necessity as the County fleet electrifies; the use of commercially available chargers off-site is not sufficient. The Committee stated that it would like to establish County policy to direct County department adoption of EVs as long as they are useful, appropriate, and have sufficient mileage. The Committee stressed the importance of equity on the issue of distribution and accessibility to EV chargers across the County.*

*The Sustainability Committee requested that Public Works come back to the Committee at its next regular meeting in July with an updated report of EV charging station needs at County facilities and a cost analysis of installing EV chargers at those facilities. The Committee asked Public Works to create a summary of the total number of hybrid, electric, and internal combustion engine vehicles purchased by each County department over the last two years; an inventory of all the charging stations that exist at County facilities including their type and who can access them; an updated list of which County facilities will need more chargers to successfully electrify the County's fleet, where the infrastructure would go, and how much it would cost; a status update on the sustainability fund which could potentially fund this work; and an assessment of existing County policies around EV chargers and fleet electrification.*

*During public comment, Betty Lobos suggested exploring solar-powered charging stations. Gary Farber stated that policy on EV adoption needs to come from the Board of Supervisors rather than leaving it up to individual departments' choice. Farber suggested installing solar photovoltaic and battery storage systems at EV charging stations and differentiating between plug-in versus conventional hybrid vehicles when Public Works conducts its County fleet inventory. Marti Roach suggested that the EV implementation plan include measurable goals and a timeline to gauge progress.*

5. RECEIVE REPORT on building electrification reach code requirements and PROVIDE DIRECTION as appropriate.

*Demian Hardman, Senior Energy Planner, provided a report summarizing the legal process for reach code adoption and possible options for the County to consider in the adoption of its own building electrification reach code. Hardman posited the following questions for the Committee's consideration: should the reach code be developed for the current code or postponed until the 2022 Building Code cycle, what type of reach code the County should pursue, and should the County or the State develop cost-effectiveness studies for building types not already examined. Hardman noted that a building electrification reach code could be pursued for building types already studied and that the code could be amended to include other building types once the additional studies have been completed.*

*During public comment, members of the public were overwhelmingly in support of the development and adoption of a prescriptive building electrification reach code as soon as possible citing the Climate Emergency Resolution, health outcomes, and the risk of locking natural gas infrastructure into new buildings as key motivators. One person noted that stakeholder engagement should be conducted and another person suggested the County consider waivers to address equity issues.*

*The Committee recommended that the full Board pursue a building electrification reach code ordinance for building types contained in existing cost-effectiveness studies including single-family, multifamily up to three stories, office, retail, and hotel buildings. The Committee directed staff to request that the State conduct the cost-effectiveness studies of restaurants, accessory dwelling units (ADUs), and high-rise multifamily buildings above three stories. The Committee requested staff to explore and report back on the inclusion of life sciences or industrial buildings in a building electrification reach code ordinance.*

*The Committee requested that staff conduct outreach to the local Building Industry Association and to the East Bay Leadership Council.*

**6. RECEIVE report from Sustainability Commission Chair, or designee.**

*Wes Sullens summarized the main points of the Sustainability Commission's April meeting. The Commission received two presentations: the first focused on the Vision Zero framework for Contra Costa County while the second focused on green buildings and Leadership in Energy and Environmental Design (LEED) standards. The Commission created two working groups in response to the presentations which will report back at the Commission's next meeting in June. The Commission continues to have discourse around Just Transition.*

*The Sustainability Committee asked if the Sustainability Commission would provide a recommendation to the Board of Supervisors regarding the building electrification reach code*

7. RECEIVE report from Sustainability Coordinator.

*Jody London highlighted ongoing work on the Interdepartmental Climate Action Task Force's next report to the Board of Supervisors, ongoing work on the carbon sequestration grant which just released its request for proposals (RFP), the Solid Waste team's work on SB 1383 which will come to the Committee soon, Public Works' Active Transportation Plan's virtual community workshops, and the potential to coordinate with MCE and Drive Clean Bay Area for County employee EV incentives*

8. The next meeting is currently scheduled for June 28, 2021.

9. Adjourn

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For Additional Information Contact:

Jody London, Sustainability Coordinator  
Phone (925) 674-7871  
Jody.London@dcd.cccounty.us

# Building Electrification Reach Code Options

BOS Sustainability Committee  
May 24, 2021

**Demian Hardman-Saldana**

Department of Conservation and Development  
Contra Costa County

925-655-2816 · [Demian.Hardman@dcd.cccounty.us](mailto:Demian.Hardman@dcd.cccounty.us)





# Report Overview



State Building  
Code/Reach Code  
Requirements



Types of Reach  
Codes/Other  
Jurisdictions



Cost-Effectiveness  
Studies/Requirements



Energy Code Cycle and  
Reach Code Timeline



Options for Committee  
Consideration

# Legal Requirements for Reach Codes

Energy efficiency reach codes are similar to other local ordinances, but there are special requirements for reach codes. Like other local laws, reach codes cannot conflict with federal requirements (federal preemption).

1. A reach code must be at least as stringent as the statewide code.
2. A reach code must be cost effective.
3. Requires a minimum of two public hearings prior to adoption.
4. Must be approved by the California Energy Commission.
5. A reach code needs to be re-approved with each Energy Code update.



# Types of Reach Codes

Reach Code Type	Examples
<b>Prescriptive codes</b> Require one or more specific energy efficiency measures	<ul style="list-style-type: none"><li>✓ Requiring solar on one or more types of new buildings</li><li>✓ Requiring reduced outdoor lighting</li><li>✓ Requiring cool roofs</li></ul>
<b>Performance codes</b> Require a building to perform more efficiently based on accepted computer modelling and allow trade-offs between energy efficiency measures.	<ul style="list-style-type: none"><li>✓ Exceeding minimum building energy performance by 15%</li><li>✓ Exceeding minimum building energy performance if solar panels are not installed (by different amounts for different types of development)</li></ul>
<b>Hybrid</b> A combination of prescriptive and performance reach codes	<ul style="list-style-type: none"><li>✓ Waiving solar and performance requirements if a home is all-electric or is Passive House certified</li></ul>

# Types of Reach Codes to Consider for New Construction Projects

- All electric by Building Type:
  - **Low Rise Residential (SF or MF, 3 Stories or Less)\***
  - *County-Owned Properties*
  - High Rise Residential (4 or more stories)
  - Non-Residential
    - **Hotel\*, Retail\*, Office\***, Restaurants, Life Sciences, or Industrial
- All electric Preferred
  - May choose All Electric, or Mixed-Fuel (Natural Gas)
    - **Mixed-Fuel** – Most jurisdictions require an increased building efficiency using the performance code approach (i.e. 15% more efficient than existing code requirements).
    - **All Electric** – Buildings only using electricity just need to meet minimum energy code standards or may require additional measures, such as battery storage and solar.

\*Cost-effectiveness Study Available Now for these building types for Contra Costa County.

# Jurisdictions that Adopted Reach Codes (Attachment 3)

Jurisdiction	Approach			Systems			Building Types							Add-Ons		
	Natural Gas Infrastructure Moratorium	All-Electric Reach	Electric-Preferred	Whole Building	Water Heating	Space Heating	Low Rise Residential	City-Owned Properties	High Rise Residential	Hotel	Retail	Office	Restaurant	Life Sciences	Additional Solar	Electric Vehicles
Alameda	X			X				X								
Albany			X				X			X	X				X	X
Berkeley*	X		X	X			X	X	X	X	X	X	X	X	X	X
Brisbane		X			X	X	X	X	X	X	X	X	X			X
Burlingame		X		X	X	X	X	X	X	X	X			X		X
Campbell		X			X	X	X									X
Carlsbad	X	X			X		X								X	X
Cupertino		X		X			X	X	X	X	X	X				X
Davis			X	X			X									
East Palo Alto		X		X			X	X	X	X	X		X			X
Hayward		X	X	X			X	X	X	X	X	X	X	X	X	X
Healdsburg		X			X	X	X	X	X	X	X	X	X			
Los Altos		X		X	X	X	X	X	X	X	X					X
Los Altos Hills		X			X	X	X	X	X	X	X	X				
Los Gatos		X		X			X									X
Marin County			X	X			X	X	X	X	X	X	X			X
Menlo Park		X			X	X	X	X	X	X	X	X			X	X
Millbrae		X			X	X	X	X	X	X	X	X	X			X
Mill Valley			X	X			X		X							X
Milpitas			X	X			X	X	X	X	X	X	X			X

Source: Building Decarbonization Coalition

# Reach Code - City of Richmond Example

## Electrification Ordinance Mandates the Following:

1. New Residential Buildings require an electric fuel source for **space heating, water heating and clothes dryers**.
  - Natural gas allowed for cooktops and fireplaces.
  - Prewiring for future electric appliance is required where natural gas appliances are used\*
2. Nonresidential building require electricity as the fuel source for all appliances.
  - Exceptions for life science buildings space heating, public agency owned and operated emergency operations centers, and cookware for nonresidential kitchens.
    - If exception granted, natural gas appliance locations must be electrically prewired for future electric appliance installation\*
  - New Construction nonresidential buildings must install a minimum amount of on-site solar production based on square footage.

\*Expected in New 2022 Building Code

Proposed  
Building Code  
Changes for  
2022 being  
considered  
Effective January  
1, 2023

- Add new prescriptive solar photovoltaic and battery requirements for the following newly constructed nonresidential building types: **high-rise multifamily, hotel-motel, tenant-space, office, medical office or clinic, restaurant, grocery store, retail store, school, and theater/auditorium/convention center buildings**;
- Add new requirements that **mixed fuel buildings (Natural Gas) be electric ready**, meaning that electrical connections and other features needed to allow use of non-combustion equipment options are installed at the time of initial construction, such as **Electric Cooktop Ready, Electric Clothes Dryer Ready, and electric panel upgrades**
- **Improve nonresidential and multifamily efficiency standards** for building envelopes (e.g., exterior walls, windows, roofs, and floors, including among other things).

# Cost-Effectiveness Studies/Requirements

## Studies Completed for Contra Costa County:

- **2019 Cost-effectiveness Study: Low-Rise Residential New Construction (Attachment 1)**
  - Single-Family Homes
  - Multi-Family Buildings (Up to 3 Stories)
- **2019 Nonresidential New Construction Reach Code Cost Effectiveness Study (Attachment 2)**
  - Office
  - Retail
  - Hotel Buildings

County would need to conduct its own study if wants to include other building types (i.e. restaurants, or industrial buildings) in Reach Code:

- State IOU Codes and Standards Team to conduct Study for County at no direct cost to County; or
- County may conduct its own study – County would need to pay for it out-of-pocket.

Source: <https://explorer.localenergycodes.com/contra-costa-county>





# Reach Code Timeline Overview

Reach Code Step	Anticipated Month
Decide on What to Pursue	May 2021
Cost Effectiveness Study	Use existing Cost-effectiveness studies or 2-3 month estimate for County to conduct specific study
Develop Draft Ordinance	2-3 Months
Public Hearing 1	September 2021/December 2021
Public Hearing 2	November 2021/January 2022
Submittal to the Energy Commission	December 2021/February 2022
Submittal to the Building Standards Commission	November 2021/March 2022
Reach Code Effective	Feb/March 2022/June 2022

# Options for Committee Consideration

Whether the reach code should be developed for the 2022 Building Code (Effective January 2023) or for current code.

Determine the type of reach code: Prescriptive, Performance, or Hybrid

County develop its own cost-effectiveness study to include other building types not already studied?

- Have Statewide IOU Team develop study at no direct cost to County, or
- County initiate its own cost-effectiveness study at County's expense

# Questions?

Contact:

**Demian Hardman-Saldana**

Senior Energy Planner

[demian.hardman@dcd.cccounty.us](mailto:demian.hardman@dcd.cccounty.us)

P: 925-655-2816



# Contra Costa County Board of Supervisors

## Subcommittee Report

### **\*SPECIAL MEETING\* SUSTAINABILITY COMMITTEE**

**Meeting Date:** 06/28/2021

**Subject:** RECEIVE update and PROVIDE DIRECTION on draft environmental justice policies for updated County General Plan.

**Submitted For:** Jody London, Sustainability Coordinator

**Department:** Conservation & Development

**Referral No.:** N/A

**Referral Name:** N/A

**Presenter:** Will Nelson, DCD

**Contact:** Jody London (925)674-7871

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### **Referral History:**

Since 2018, the Department of Conservation and Development (DCD) has been working on Envision Contra Costa 2040, the update to the County General Plan, Zoning Code, and Climate Action Plan. A requirement related to the General Plan update is compliance with SB 1000, the Planning for Healthy Communities Act, passed in 2016. SB 1000 requires the County General Plan to address environmental justice (EJ) in Impacted Communities (labeled “disadvantaged communities” in the statute). CalEnviroScreen, the State’s tool for identifying Impacted Communities, identifies North Richmond, Montalvin Manor/Tara Hills/Bayview, Rodeo, Crockett, Mountain View/Vine Hill, Pacheco, Clyde, and Bay Point as such (see Attachment A, Draft Impacted Communities Map).

The Sustainability Committee received a report on the draft General Plan EJ policy guidance at its September 29, 2020, meeting. The Committee provided direction on numerous topics, including environmental impacts, community benefits, public banks, access to fresh food, and outreach. The Committee asked that the draft EJ policy guidance be brought back for further review and discussion after additional community outreach and input from the Hazardous Materials Commission.

The revised EJ policy guidance was reviewed by the Sustainability Committee at a special meeting on April 26, 2021. The Committee provided comments on several specific goals, policies, and actions and directed DCD staff to return in June with further revisions. The Committee also directed DCD staff to meet with Contra Costa Health Services and Richmond LAND staff to address their comment letters submitted in March 2021.

### **Referral Update:**

In late March the County's General Plan consultant, PlaceWorks, submitted the first full set of draft of goals, policies, and actions for the updated County General Plan for internal staff review. Since then, staff of the following County departments and programs have been reviewing the draft goals, policies, and actions, including the draft EJ policy guidance, and providing comments to DCD's Advance Planning staff:

- County Administrator's Office
- Health Services
- Public Works/Flood Control District
- Office of Emergency Services
- Libraries
- Agriculture, Weights, and Measures
- Hazardous Materials
- Current Planning
- Transportation Planning
- Housing
- Sustainability
- Habitat Conservation
- Solid Waste
- Water Agency
- Parks

As part of the internal review process, Advance Planning staff met with staff of each of these departments and programs to discuss and further refine their comments. Since April, Advance Planning staff also met three times with staff from Richmond LAND. The revised draft EJ policy guidance, which responds to comments from the Sustainability Committee, County staff, and Richmond LAND, is provided in redline format in Attachment B. This document also includes comment boxes containing Sustainability Committee comments from April 26 along with staff responses where appropriate.

### Discussion Items

Staff requests feedback and direction from the Sustainability Committee on additional refinements to the draft EJ goals, policies, and actions. In particular, staff seeks Committee feedback on the following:

- Policy SC-1.5 – Community Benefits Agreements: The Committee indicated that this policy should place a primary value on mitigating negative impacts from projects in Impacted Communities. The revised policy responds to that comment.
- Action SC-A3.5/Policy SC-P5.1 – Alcoholic Beverage Sales: The Committee indicated that policies should discourage new liquor stores in Impacted Communities. The revised action and policy respond to that comment.
- Policies SC-P4.4/HS-P1.10 – Indoor Air Quality: The Committee indicated that indoor air quality must be addressed in the EJ policy guidance or elsewhere in the General Plan. These new policies respond to that comment.
- Action SC-A6.4 – Public Notification: This is a new action not previously reviewed by the Committee. State law requires public notification for hearings on land use issues. In addition to posting the hearing notice in the local newspaper, the County is required to mail the hearing notice to all properties within 300 feet of the boundary of the project site. As written, this action would increase the notification distance for refinery projects to 3,000 feet (i.e., 10 times the statutory requirement). Staff seeks the Committee's guidance on the types of projects that should receive additional notification (refinery projects only, or others as well?), and what the notification distance ultimately should be.
- SC-A6.5 – Centralized Outreach Services: This is a new action not previously reviewed by the Committee. An issue that emerged from the internal staff discussions on the draft General Plan goals,

policies, and actions was the need for a single entity within the County that would support all County departments with interpretation and translation services. This is fundamental to improving outreach, especially in Impacted Communities. Staff seeks the Committee's guidance as to the specific wording of this action.

- **Policy HS-P1.3 – Siting of Sensitive Receptors/Buffers:** This policy is unchanged from the version the Committee reviewed in April. The Committee flagged this policy for discussion at a future meeting.
- **Policy HS-P1.5 – Zero-Emissions for Large Facilities:** The Committee indicated this policy must be revised to require large facilities to implement various measures designed to eliminated emissions. The revised policy combines language from existing Conservation Element Policy 8-113, adopted by the Board of Supervisors in December 2018, and conditions of approval for recent projects in North Richmond.

Related to this topic, Attachment C is guidance from the California Department of Justice, Environmental Justice Bureau, on best practices and mitigation measures for warehouse and logistics projects to comply with the California Environmental Quality Act. Staff will consult this guidance and continue incorporating best practices as the draft General Plan policies related to this topic are further refined.

- **Policy HS-P1.6 – Idling:** The Committee indicated this policy must be revised to prohibit diesel truck idling. The revised policy responds to that comment.

**Recommendation(s)/Next Step(s):**

RECEIVE update and PROVIDE DIRECTION on draft environmental justice policy guidance for updated County General Plan.

**Fiscal Impact (if any):**

No fiscal impact currently.

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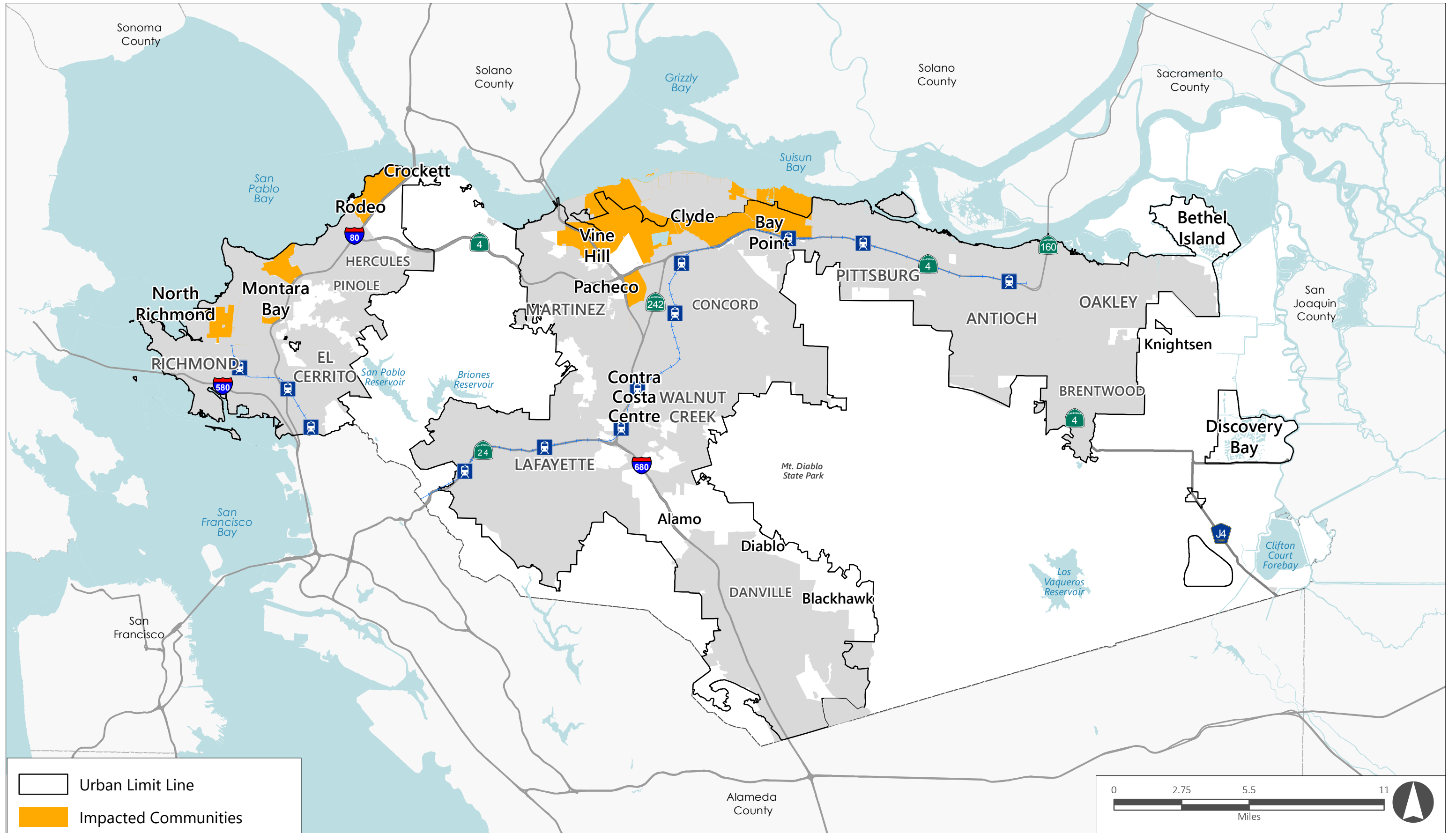
**Attachments**

Attachment A - Impact Communities Map

Attachment B - Revised Environmental Justice Draft Policy Guidance

Attachment C - DOJ Guidance on Warehouse Projects

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Source: California Office of Environmental Health Hazard Assessment, CalEnviroScreen 4.0, 2021; Public Health Alliance of Southern California, California Healthy Places Index, 2016; Contra Costa County, 2019; PlaceWorks, 2019.



**Icons:** Policies and actions related to the four themes of the General Plan – community health, environmental justice, economic development, and sustainability – are identified using these icons.

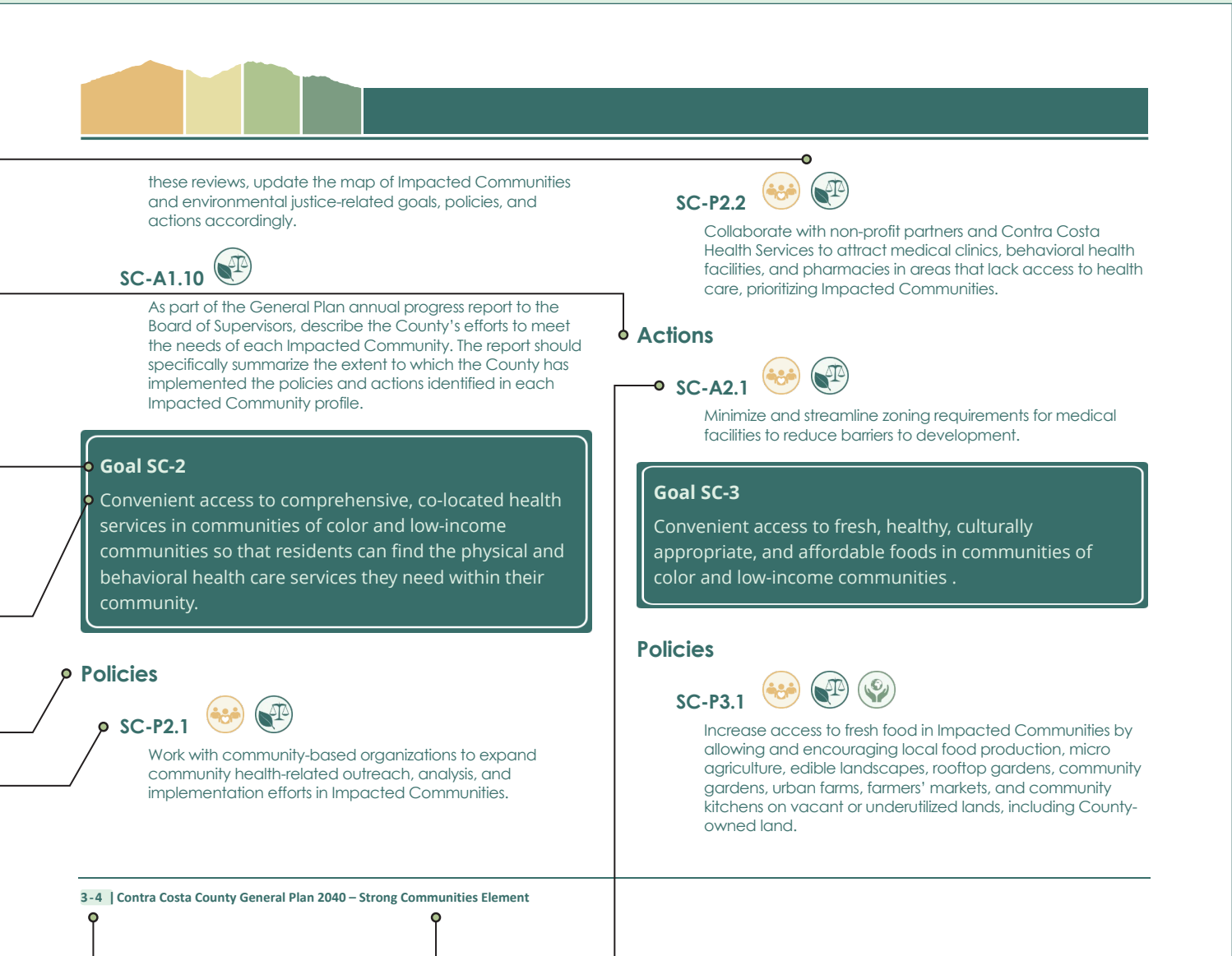
**Actions:** An action is a measure, procedure, or technique that helps the County achieve a specific goal. An action is something concrete that can and will be completed.

**Goal Numbering:** Each goal number starts with the element acronym and is followed by the number of the goal (e.g., SC-2 = Strong Communities Element, second goal).

**Goals:** A goal describes the general desired result sought by the County. Each goal has one or more policies and/or actions associated with the goal.

**Policies:** A policy is a specific statement that guides decision-making as the County works to achieve a specific goal. Policies represent statements of County regulation and set the standards used by decision-makers when considering proposed development and actions. These are on-going and require no further action.

**Policy Numbering:** The policy number is shown as the last number, supporting the goal it follows (e.g., SC-P2.1 = Strong Communities Element, second goal, first policy). Policy numbers are not tied to action numbers.



these reviews, update the map of Impacted Communities and environmental justice-related goals, policies, and actions accordingly.

**SC-A1.10**

As part of the General Plan annual progress report to the Board of Supervisors, describe the County's efforts to meet the needs of each Impacted Community. The report should specifically summarize the extent to which the County has implemented the policies and actions identified in each Impacted Community profile.

**Goal SC-2**

Convenient access to comprehensive, co-located health services in communities of color and low-income communities so that residents can find the physical and behavioral health care services they need within their community.

**Policies**

**SC-P2.1**

Work with community-based organizations to expand community health-related outreach, analysis, and implementation efforts in Impacted Communities.

**SC-P2.2**

Collaborate with non-profit partners and Contra Costa Health Services to attract medical clinics, behavioral health facilities, and pharmacies in areas that lack access to health care, prioritizing Impacted Communities.

**Actions**

**SC-A2.1**

Minimize and streamline zoning requirements for medical facilities to reduce barriers to development.

**Goal SC-3**

Convenient access to fresh, healthy, culturally appropriate, and affordable foods in communities of color and low-income communities .

**Policies**

**SC-P3.1**

Increase access to fresh food in Impacted Communities by allowing and encouraging local food production, micro agriculture, edible landscapes, rooftop gardens, community gardens, urban farms, farmers' markets, and community kitchens on vacant or underutilized lands, including County-owned land.

**Page Numbering:** Shows the chapter and page number (e.g., 3-4 = Chapter 3, page 4).

**Section Footer:** Identifies the element title.

**Action Numbering:** The action number is shown as the last number, supporting the goal it follows (e.g., SC-A2.1 = Strong Communities Element, second goal, first action). Action numbers are not tied to policy numbers.

# 3

## STRONGER COMMUNITIES ELEMENT

### NOTES FOR ALL ELEMENTS

The General Plan will call out policies and actions that address specific topics of concern raised by the community. For the reader's ease, policies and actions related to these topics of concern are identified throughout the General Plan using the following icons. The policies and actions related to each topic will be compiled in an appendix to the General Plan.



Community Health



Environmental Justice



Economic Development



Sustainability

In addition, the draft policy guidance uses the term "Impacted Community" to identify what are called "disadvantaged communities" under Senate Bill (SB) 1000. SB 1000 defines these communities as low-income areas that are disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.

### Goals, Policies, and Actions

#### Goal SC-1

Equitable distribution of social and economic resources among all communities in the county so that Impacted Communities are not disproportionately burdened by environmental pollution or other hazards.

**Commented [TS1]:** April 2021 Committee Meeting: Goal SC-1: Agree with comment from CCHS; this should not just be just about increasing advantages, but also decreasing disadvantages.

**Commented [TS2R1]:** Staff response: The previous version of this goal referenced "social and economic advantages"; this version now references "social and economic resources." As part of the narrative introducing this section of the General Plan, we will explain that the goal of all of the related policy guidance is to reduce disadvantages in Impacted Communities.

#### Policies

##### SC-P1.1



In coordination with residents of Impacted Communities, workers, ~~and~~ business/industry, environmental and environmental justice stakeholders, community colleges, workforce development and training entities, local government, and other appropriate agencies, support transition from petroleum-refining industries to ~~just, equitable, and clean~~ renewable and sustainable industries that ~~offer~~ provide living-wage jobs.

##### SC-P1.2



Incentivize and streamline the permitting process for public



and private investment in new development, redevelopment, and rehabilitation that promotes community goals in Impacted Communities, as identified in the community profiles.

### SC-P1.3

Support development of small-scale ~~neighborhood nodes/walking districts~~ that provide a range of neighborhood-serving retail, public amenities, services, and related infrastructure to residents of Impacted Communities within walking distance of their homes.

### SC-P1.4

Support community-driven events, such as festivals, farmers' markets, ~~block parties~~, and community service days, that support social connections, ~~and~~ neighborhood identity, ~~and~~ environmental stewardship.

### SC-P1.5

For projects negatively affecting an Impacted Community, pursue community benefits agreements (CBAs) negotiated with the community and project applicant. The primary objective of these CBAs is to mitigate project impacts to the greatest extent possible, which could include mitigations exceeding the requirements of CEQA. Secondly, to compensate for impacts that cannot be fully mitigated, these CBAs should secure community benefits that exceed that go beyond the inherent project benefits and achieve support the community goals identified in the community profile, as negotiated with the community.

### SC-P1.6

To support the findings necessary to approve large-scale Prior to approval of a major development project in or adjacent to an Impacted Community, require applicants for such projects to submit documentation demonstrating how the project will promote environmental justice and health, including how the project will ensure the following:

- (a) It will not adversely impact the community;
- (b) It will provide benefits that support the community goals, as identified in the community profile ~~and/or otherwise expressed by negotiated with~~ the community;
- (c) It will provide economic opportunities for the community;
- (d) It will ~~neither not~~ directly ~~nor~~ indirectly cause unwelcome, permanent displacement of existing residents or businesses in the community; and
- (e) It will avoid direct ~~or and~~ indirect negative impacts on health and the quality of life and health of residents within the community.

**Commented [TS4]:** April 2021 Committee Meeting: While okay to require the applicant to provide information, staff should verify/confirm the findings.

## Actions

### SC-A1.1

In coordination with residents of Impacted Communities, workers, business/industry, environmental and environmental justice stakeholders, community colleges, workforce development and training entities, local government, and the other appropriate agencies, develop and implement a plan to transition from petroleum refining and other highly polluting industries to renewable and sustainable, just, equitable, and clean industries that offer living-wage jobs.

**Commented [TS5]:** April 2021 Committee Meeting: Add these additional stakeholders.

**Commented [TS3]:** April 2021 Committee Meeting:

Policy needs to place a primary value on first mitigating any negative impacts. Don't assume negative impacts will occur. While impacts may happen, the policy first needs to say that impacts will be mitigated.

While we need to pursue community benefits, they should be considered separately from any impacts and impact mitigation.

The plan should address site remediation responsibilities, along with timelines, and strategies to improve the health, safety, infrastructure, job opportunities, and revenue opportunities during the shift-transition toward a clean energy, net-zero emission economy, paying special attention to helping develop new opportunities for how Impacted Communities will realize economic, health, educational, and other benefits.

**SC-A1.2**  

With input from residents of Impacted Communities, develop criteria to be used in the project review process to evaluate how new development supports the County's environmental justice and health goals and the environmental justice and health-related community goals identified in the applicable community profile.

**SC-A1.3**  

Revise the hazard scoring system in the Industrial Safety Ordinance to increase the hazard scores for projects with potential to adversely that negatively affect Impacted Communities, as well as address ambiguities and antiquated terminology that complicate administration of the ordinance.

**SC-A1.4**  

Upon each review of the General Plan will cross-reference a see Land Use Element a Action LU-A# #related to regular reviews of the General Plan, review health outcomes data for Impacted Communities to evaluate the effectiveness of

the County's environmental justice policies. During this review, and assess any updated information related to the delineation of Impacted Communities in Contra Costa County. Based on these reviews, update the map of Impacted Communities and environmental justice-related goals, policies, and actions accordingly.

**SC-A1.5** 

As part of the General Plan annual progress report to the Board of Supervisors, describe specific efforts to implement the General Plan policies and actions in each Impacted Community. Develop metrics/indicators for evaluating the effectiveness of the County's environmental justice policies and actions and include these in the report.

**SC-A1.6** 

Submit a report to the Board of Supervisors on the feasibility of creating, and/or participating in public-private partnerships, community land trusts, and/or attracting a public bank or other types of economic development and wealth-building tools to support local interests and community development in Impacted Communities.

**SC-A1.7**   

Establish a process for the County to assist with obtaining easily accessed financial support, such as mini-identify seed grants, micro loans, or similar funding available to for community-based organizations or public-private partners to support physical improvements in Impacted Communities, such as murals, vegetative buffers, and planting strips.

**Commented [TS7]:** April 2021 Committee Meeting:

Sometimes health outcomes take longer to achieve. Don't want people who want to weaken regulations to point to a lack of change in health outcomes as justification for weakening or not strengthening policies.

Consult CCHS about the language and consider other metrics that can be used in addition to health outcomes.

**Commented [TS6]:** April 2021 Committee Meeting: The Industrial Safety Ordinance itself also needs other revisions because it is ambiguous and some terminology needs better definitions.



**SC-A1.8**  

Establish funding mechanisms to create and maintain public art in Impacted Communities. Work with residents ~~of Impacted Communities~~ to ensure public art is appropriate for their community.

**SC-A1.9**  

Establish a process to permit and facilitate partial and/or temporary street closures for amenities such as parklets, farmers' markets, or other community-driven events ~~as~~ initiated by community groups. Provide streamlined and timely processing of permits and assist applicants through the permit process.

**SC-A1.10** 

~~Dedicate staff in appropriate departments. Develop and sufficiently fund a program~~ to assist applicants from Impacted Communities in navigating the project application and review process ~~for projects in Impacted Communities~~.

**SC-A1.11** 

Place appropriate contact information on the front page of the DCD website to maintain clear, simple lines of communication for residents to reach the County regarding code enforcement and nuisance complaints. Provide equitable, prompt responses to resident calls.

**Goal SC-2**

Convenient access to comprehensive, co-located health services so residents of Impacted Communities can find the physical and behavioral health care services they need.

**Actions**

**SC-A2.1**  

Collaborate with non-profit partners to establish medical clinics, behavioral health facilities, and pharmacies in Impacted Communities.

**SC-A2.2**  

Streamline zoning requirements for healthcare facilities to reduce barriers to their establishment in Impacted Communities.

**Goal SC-3**

Convenient access to fresh, healthy, and affordable food in Impacted Communities.

## Policies

### SC-P3.1

Increase access to fresh food in Impacted Communities by allowing and encouraging safe local food production, micro agriculture, edible landscapes, rooftop gardens, community gardens, urban farms, farmers' markets, food trucks, and community kitchens on vacant or underutilized lands, including County-owned land, to the extent legally permissible and provided that funding is available.

### SC-P3.2

Maximize multimodal access to fresh food in Impacted Communities, prioritizing bicycle and pedestrian access, by encouraging grocery stores, healthy corner stores, community gardens, and outdoor markets at key transit nodes and within transit-oriented developments.

### SC-P3.3

Encourage new residential development to incorporate community gardens into the project design.

### SC-P3.4

Provide temporary and/or permanent access to County locations and land in Impacted Communities for farmers' markets and community gardens.

## Actions

### SC-A3.1

Inventory and map food deserts in the county. As part of the inventory, account for walking, biking, and transit access.

### SC-A3.2

Update the Zoning Code to streamline permitting of grocery stores and markets, including co-ops, in Impacted Communities and food deserts.

### SC-A3.3

Adopt guidelines to support implementation and program management of micro agriculture, rooftop gardens, community gardens, and urban farms.

### SC-A3.4

Study the feasibility of restricting fast food restaurants near schools, parks, and other places where children gather.

**Commented [TS8]:** April 2021 Committee Meeting: Add "and/or permanent."



### SC-A3.5

Every five years beginning in 20##, review the existing Alcoholic Beverage Sales Commercial Activities Ordinance to ensure it protects Impacted Communities are not from experiencing disproportionate concentrations of, and impacts from, new bars and liquor stores. To support implementation of this ordinance, set up and maintain a shared data system between the Health Services and Conservation and Development departments that identifies the location of current establishments, along with information about public safety and health.

County, affordable housing developers, and other organizations to transition vacant, unentitled land in Impacted Communities into affordable and transitional housing and shared equity models, which could include many types of innovative housing products. This should include homeownership opportunities to help residents build intergenerational wealth.

### SC-P4.3

Ensure rental housing is fit for human occupancy through ongoing and effective rental inspection and Code Enforcement services, with priority given to rental properties in Impacted Communities.

### SC-P4.4

Encourage healthy indoor air quality and noise levels in existing and new housing. Support efforts to retrofit existing housing units with multi-paned windows, air filtration systems, low-emission building materials, equipment and appliances, and other improvements that reduce indoor air and noise pollution while at the same time working to improve energy efficiency.

## Actions

### SC-A4.1

Develop and fund a land-banking program for future development of housing affordable to lower- and moderate income households in Impacted Communities.

## Goal SC-4

Access to safe and sanitary homes in Impacted Communities.

## Policies

### SC-P4.1

Ensure that future improvements in Impacted Communities will not produce a net loss of affordable housing or the result in displacement of residents, while seeking to increase the amount of affordable housing in the community.

### SC-P4.2

Coordinate with residents of Impacted Communities, community land trusts, the Housing Authority of Contra Costa

**Commented [TS9]:** April 2021 Committee Meeting: Strengthen this action. Policies should discourage new liquor stores in impacted communities. There's already an ordinance to prohibit liquor stores where there is a concentration of this use; this needs to be stronger.

**Commented [TS10R9]:** Staff note: In addition to the edits made here, liquor stores have been added to the list of discouraged uses in SC-P5.1.

**Commented [TS12]:** April 2021 Committee Meeting: Need to address indoor air quality; if not here, then ensure that it's addressed elsewhere in the GP.

**Commented [TS13R12]:** Staff note: See also Policy HS-P1.10 in the Health & Safety Element.

**Commented [TS11]:** April 2021 Committee Meeting: Add "Impacted Communities" to the list.





**SC-A4.2**  

In collaboration with nonprofit and for-profit developers, study the feasibility of establishing community land trusts and supporting existing community land trusts serving ~~each all~~ Impacted Communities that will support long-term community ownership and housing affordability.

**SC-A4.3** 

Expand the County's first-time homebuyer program to provide more information and assistance, prioritizing outreach and marketing in Impacted Communities to spread awareness of the program.

**SC-A4.4**  

Create an inventory of available County-owned land for tiny homes or other types of innovative housing products as alternatives to accommodate people who lack housing or are facing housing instability.

**SC-A4.5**  

Collaborate with entities such as the Contra Costa Council on Homelessness and community land trusts to develop and implement a plan to provide transition facilities, permanent and longer-term housing, and services for people facing homelessness and housing instability. Provide adequate funding to maintain and/or abate homeless encampments and provide adequate security for the Coordinated Outreach, Referral and Engagement Teams (CORE). Link homeless programs with supportive services such as

behavioral health, substance abuse, and primary healthcare.

**SC-A4.6**  

On a yearly basis, inform ~~Conduct periodic outreach to~~ absentee owners of rental properties in Impacted Communities to inform owners of about their legal obligations to maintain rental properties in a safe and habitable condition. On a yearly basis, inform ~~Keep~~ tenants about their rights to a safe and habitable home, and informed of these efforts, including by translating ~~the~~ information into the most common languages spoken other than English.

**SC-A4.7**  

Create an online resource, in multiple languages, for tenants to understand their rights related to Building Code standards, landlord and tenant responsibilities, and how to request repairs or improvements to their home, including information that is specific to County housing and eCode eEnforcement regulations.

**SC-A4.8**   

Obtain funding for and reduce barriers to participation in the County's Wweatherization ~~p~~Program and other similar programs like the Contra Costa Asthma Green and Healthy Homes Initiative and Neighborhood Preservation Program for extremely low-, very low-, and low-income homeowners, landlords, and renters. Focus these efforts on homes in Impacted Communities, and in particular rental housing and high-density housing.

**Commented [TS15]:** April 2021 Committee Meeting: Add "permanent and longer-term housing."





**SC-A4.9**  

Consider ~~the~~ development of a vacant property registration ordinance that includes a fee to cover the costs for the County to address issues on deal with vacant properties, such as derelict buildings, illegal dumping, and overgrown vegetation, and to reduce blight.

The program should include an educational component to teach the community about the benefits and process of solar installation and give them the opportunity to sign up for the program at a discounted rate.

**SC-A4.10**   

Create a bulk buying program or a revolving loan fund that allows people to purchase energy efficient electric appliances such as air conditioners, fans, air purifiers, heaters, and other electric appliances at wholesale prices or minimal cost, and/or with zero-percent interest financing, to increase energy efficiency and replace hazardous appliances. Work with volunteer groups to help people install air conditioners and other electrical appliances if they are unable to do so themselves, focusing on Impacted Communities and other areas with high levels of vulnerable people. Consider augmenting energy efficiency programs to reduce electricity use and help offset the cost of operating electrical appliances.

**Goal SC-5**

Access to and expansion of job training, job opportunities, and economic stability in Impacted Communities so that residents can access safe jobs, earn a living wage to support their families, and build shared prosperity.

**Policies**

**SC-A4.11**   

Partner with local solar companies, providers, or MCE, and/or PG&E to enact a solar group buy program to purchase solar panels and battery storage in bulk for installation in Impacted Communities, including establishment and subsidization of community solar programs for joint membership, which aggregate multiple consumers' electricity sourced from a single photo-voltaic solar location.

**SC-P5.1**   

Welcome businesses, especially clean/green businesses, that provide desired goods and services in Impacted Communities, including food stores with fresh produce, healthcare, childcare, pharmacies, and other retailers, while discouraging predatory lenders, liquor stores, dollar stores, and fast-food restaurants. Balance community desires with comprehensive assessments of market demand to guide business attraction efforts.

**SC-P5.2**  

Promote entrepreneurship and locally owned businesses and enterprises in Impacted Communities to support economic

**Commented [TS16]:** April 2021 Committee Meeting: Should also include the concept of clean businesses.

self-sufficiency and stability, including through training and outreach to local small business owners and minimizing permitting and other fees.

## Actions

### SC-A5.1



Establish a First Source Hiring Program requiring developers, contractors, and employers to utilize good faith efforts toward employing economically disadvantaged residents of Impacted Communities, with emphasis on residents who are economically disadvantaged.

### SC-A5.2



Explore strategies to establish a revolving loan fund, micro loans, or other economic development initiatives to support small businesses in Impacted Communities.

### SC-A5.3



Develop and sufficiently fund a program to offer one-on-one support to small businesses in Impacted Communities; through this program, provide guidance related to available grants, marketing, financing, and mentorship.

## Goal SC-6

Meaningful and respectful engagement with Impacted Communities so that residents have strong voices to communicate needs and solutions.

## Policies

### SC-P6.1



Notify and engage community members, organizations, and leaders when County planning decisions on major projects are being considered in or adjacent to Impacted Communities. Conduct meaningful outreach and engagement with Impacted Communities early in the planning process, as follows:

- Prepare public notices in the predominant language(s) spoken in the community and provide interpretation services at meetings as needed.
- Make public notices and other important documents easy to understand and available in print at local libraries, community centers, or other gathering places.
- Use a wide array of methods to inform community members of opportunities to participate, such as the County website, social media, texts, banners, mailers, and flyers.
- Use supplemental outreach approaches that are appropriate for the participating community.
- Schedule, format, and locate community workshops

**Commented [TS18]:** April 2021 Committee Meeting: Add "and respectful" to Goal SC-6.

**Commented [TS17]:** April 2021 Committee Meeting: change to cover Impacted Community residents more broadly, with an emphasis on economically disadvantaged residents.

**Commented [TS19]:** April 2021 Committee Meeting: Add "meaningful."



and meetings to be convenient for community members – both in-person and online.

- Use social media, virtual meeting platforms, recorded meetings, and other communication techniques for those without time or ability to attend public meetings.
- Consider data that reflects the economic, gender, age, and racial diversity of the affected population.
- Clearly explain potential adverse impacts of a proposed project in plain language that is easily understood by the target-participating community.

#### SC-P6.2

Support community-driven or community-led initiatives in Impacted Communities that work toward the policies and actions identified in the community profiles.

### Actions

#### SC-A6.1

Designate County staff to be liaisons to each Impacted Community.

#### SC-A6.2

Hold semi-annually public meetings in each Impacted Community, including the County Supervisor representing the community and representatives from the full spectrum of County Departments, to hear from residents of these communities, and use that input to inform the County's annual budgeting process. Provide translation-interpretation

services at these meetings.

#### SC-A6.3

Identify communities with a significant number of non-English speaking households and develop resources and strategies to better engage them.

#### SC-A6.4

Increase the public notification distance for hearings concerning refineries from 300 feet to 3,000 feet.

#### SC-A6.5

Develop centralized outreach services to support all County departments with language interpretation, translation services for written documents, and sign language services for public meetings and interacting with the public.

# 5

## TRANSPORTATION ELEMENT

### NOTES FOR ALL ELEMENTS

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Community Health



Environmental Justice



Economic Development



Sustainability

In addition, the draft policy guidance uses the term "Impacted Community" to identify what are called "disadvantaged communities" under Senate Bill (SB) 1000. SB 1000 defines these communities as low-income areas that are disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.

### Goals, Policies, and Actions

#### Goal TR-1

A transportation system that accommodates and encourages active, safe, reliable, comfortable, convenient, affordable, and resilient multi-modal travel options for all county residents, businesses, and visitors, regardless of age, ability, race, culture, or economic status.

#### Policies

##### TR-P1.1



Support improvements to transit, bikeways, and sidewalks to make active transportation more accessible, user-friendly, and safer. Prioritize infrastructure projects and programming in Impacted Communities.



### TR-P1.2

Provide energy-efficient street lighting for traveler safety and comfort. Prioritize implementation in Impacted Communities, particularly at parks, transit stops, alleyways, bike and pedestrian paths, and other appropriate areas, consistent with community desires.

### TR-P1.3

Streamline ~~the~~ implementation of traffic calming measures through the Neighborhood Traffic Management Program to encourage walkability in Impacted Communities.

### TR-P1.4

Work with school districts, neighborhood groups, and the local Safe Routes to School Program to ensure that safe active modes of transportation to schools and related facilities are prioritized in Impacted Communities.

### TR-P1.5

Partner with adjacent jurisdictions, Contra Costa Transportation Authority, and the Metropolitan Transportation Commission to manage regional movement of goods through unincorporated areas, minimizing impacts on residents and other sensitive receptors.

## Actions

### TR-A1.1

Implement an equitable pricing program for on-street parking in commercial corridors throughout the county. Such a program would allocate parking revenue to improvement projects in Impacted Communities.

### TR-A1.2

Pursue funding and other resources to implement the Accessible Transportation Services Strategic Plan and similar plans or initiatives that expand the hours of operation, operational boundaries, convenience, and quality of accessible transit to improve mobility for seniors, people with disabilities, and other vulnerable populations.

### TR-A1.3

Provide convenient ways for residents to notify the County and other responsible agencies when transit shelters and amenities, other transportation infrastructure, and street furniture (i.e., benches, garbage cans, and water fountains) are in a state of disrepair. Encourage and promote use of this reporting program in Impacted Communities.

### TR-A1.4

Support establishment of a Bay Area-wide transit fare equity program that includes free and/or means-based support means-based fare programs that would subsidize transit passes for residents of Impacted Communities and other

vulnerable populations.

accessibility.

### TR-A1.5



Develop a program that establishes, maintains, and aggressively enforces truck routes in the unincorporated county through State and local legislation and collaboration with other enforcement agencies, with the goal of minimizing impacts on residents and other sensitive receptors. This program should provide engineering solutions to divert trucks from Impacted Communities and establish criteria for designating truck routes, installing signage, and enforcement.

### TR-A1.8



Develop a Local Access Score to identify top priorities for Active Transportation projects, including criteria that prioritize projects in Impacted Communities.

Commented [TS1]: April 2021 Committee meeting: change to say "free and/or" means-based...

Commented [TS2]: April 2021 Committee meeting: add "aggressively."

### TR-A1.6



Facilitate enforcement of idling trucks by promoting community-based reporting through the use of phone and online apps for offenses which would trigger immediate enforcement agency follow up.

### TR-A1.7



Collaborate with transit providers, cities, and CCTA to develop a countywide transit stop program that takes a holistic approach to transit stop planning and construction. Push for the program to address right-of-way adequacy (i.e., sufficient space for bus pullouts and amenities), amenities (e.g., shelters and seating), and improvements around stops to improve accessibility (e.g., curb ramps and sidewalk widening). In collaboration with cities, transit providers, and CCTA, develop a uniform countywide transit shelter program, including maintenance and best practices in

# 8

## PUBLIC FACILITIES & SERVICES ELEMENT

### NOTES FOR ALL ELEMENTS

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Environmental Justice



Economic Development



Sustainability

In addition, the draft policy guidance uses the term "Impacted Community" to identify what are called "disadvantaged communities" under Senate Bill (SB) 1000. SB 1000 defines these communities as low-income areas that are disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.

### Goals, Policies, and Actions

#### Goal PFS-1

Public facilities, infrastructure, and services that meet the needs of, and are accessible to, residents of Impacted Communities.

#### Policies

##### PFS-P1.1



Systematically prioritize investments in public facilities, infrastructure, and services that benefit Impacted Communities and respond to the needs identified in the community profiles.

##### PFS-P1.2



Advocate for and coordinate with various service providers (e.g., water, sewer, transit, and recreation districts) for proper planning, maintenance, and implementation of services and infrastructure to ensure efficient and effective service delivery in Impacted Communities.



**PFS-P1.3**  

Prioritize and adequately fund clean-up of illegal dumping and associated code enforcement on public and private property in Impacted Communities.

**PFS-P1.4** 

Continue to advocate for public-private partnerships that will improve access to reliable, fast internet and make digital resources available in Impacted Communities at affordable prices.

**PFS-P1.5** 

When communities request levels of County services that exceed the countywide standard, require the creation of a County Service Area, Community Facilities District, or other special governmental unit to fund the service costs. Allow exceptions for enhanced services in Impacted Communities if alternative funding sources can be identified.

**PFS-P1.6** 

When adopting, amending, and imposing impact fees, Community Benefits Agreements, and developer exactions, consider the effects of such fees and exactions upon project economics, the County's goals, and housing supply. Consider fee reductions or exemptions for projects in Impacted Communities that are consistent with the priorities identified in the community profile.

**PFS-P1.7** 

Collaborate with local water service providers (e.g., Contra Costa Water District, EBMUD, and community services districts etc.) and private well owners to ensure continuity of water supplies and provide financial relief to Impacted Communities if prices rise in drought conditions.

**PFS-P1.8**  

Install signage and increase monitoring and enforcement to discourage illegal dumping and to prosecute violators, especially in Impacted Communities and rural areas.

**PFS-P1.9**  

Expand recycling programs and locate recycling centers in Impacted Communities that are convenient to reach using multiple modes of transportation.

**PFS-P1.10** 

Ensure facilities and services meet the needs of all users, regardless of age, ability, race, ethnicity, culture, or economic status.

**Commented [TS1]:** April 2021 Committee meeting: add "on public and private property."

**Commented [TS2]:** Staff note: Committee input requested on this policy. Specifically, there are concerns about how services will be funded if the County reduces or waives fees.



## Actions

### PFS-A1.1

Prioritize needs and services in each Impacted Community as part of the annual budgeting process.

### PFS-A1.2

Establish funding and financing mechanisms in Impacted Communities to provide and maintain community-desired public facilities and services. These could be County- or community-initiated, and include business improvement districts, green benefit districts, and similar mechanisms.

### PFS-A1.3

Implement and maintain urban greening and green infrastructure, including sustainable/green street projects in Impacted Communities that support the community's goals, including those identified in the community profiles.

### PFS-A1.4

Assess current Code Enforcement and Public Works maintenance practices for equitable implementation. Prioritize resources to keep Impacted Communities safe and clean, emphasizing enforcement actions on issues identified in community profiles.

### PFS-A1.5

Ensure the 211 information service includes contact information for Code Enforcement.

### PFS-A1.6

Establish a task force of County department heads or their designee(s) to coordinate efforts, provide oversight, and otherwise ensure that public services and facilities in Impacted Communities are prioritized and delivered efficiently and effectively ~~delivered~~.

### PFS-A1.7

Partner with community organizations and solid waste franchise ~~garbage collection~~ haulers to maximize participation in ~~optimize~~ community clean-up days and residential on-call garbage pick-ups in Impacted Communities, including by focusing clean up activities and pick ups in Impacted Communities over other communities that are part of the same contract. Encourage community participation by holding these events in conjunction with other community events.

### PFS-A1.8

Pursue funding for and develop a tool lending library program to serve Impacted Communities.



**Goal PFS-2**  
 Convenient access to safe and well-maintained recreational activities and parks in Impacted Communities.

**Policies**

**PFS-P2.1**   

Increase access to diverse, high-quality parks, green space, recreational facilities, trails, and natural environments for residents of Impacted Communities, including through a variety of transportation modes. Collaborate with other organizations to obtain funding and design and maintain these facilities to offer a safe and comfortable environment for residents of all ages and abilities.

**PFS-P2.2**   

Require major new development projects in Impacted Communities to improve existing park and recreation amenities within the community and/or to add new amenities within the project, ideally open to the public. In-lieu fees may should be used when the County determines that amenity improvements or new amenities are not feasible.

**PFS-P2.3**  

Collaborate with school districts, park and recreation districts, utilities, and other entities. Coordinate with other agencies to support joint-use of recreation facilities serving Impacted Communities.

**PFS-P2.4**  

Increase recreation opportunities by working with other agencies to convert public easements, such as utility corridors or unused rights-of-way, into parks and trails, with Impacted Communities prioritized.

**PFS-P2.5**  

Support local community groups and volunteer organizations in efforts to improve or and maintain local parks, trails, and other public spaces, such as through an Adopt-A-Trail program, especially in Impacted Communities.

**PFS-P2.6**  

Promote and prioritize recreational activity programs and opportunities in Impacted Communities.

**Actions**

**PFS-A2.1**  

Coordinate with park and recreation districts to prepare a parks and open space needs assessment for each Impacted Community. Based on the results of the assessment for each

**Commented [TS3]:** April 2021 Committee meeting: add "trails."



community, implement improvements that address barriers to outdoor physical activity, such as inadequate infrastructure and safety concerns.

DRAFT

# 9

## HEALTH & SAFETY ELEMENT

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Economic Development



Sustainability

In addition, the draft policy guidance uses the term "Impacted Community" to identify what are called "disadvantaged communities" under Senate Bill (SB) 1000. SB 1000 defines these communities as low-income areas that are disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.

### Goals, Policies, and Actions

#### Goal HS-1

Healthy air quality for all communities so no community bears the disproportionate burden of environmental hazards and health risks.

#### Policies

##### HS-P1.1



Require a cumulative ~~Health~~ ~~Impact~~ ~~Assessment~~, including consideration of truck traffic impacts, when a project potentially affects sensitive receptors in Impacted Communities, and require appropriate mitigation based on the findings of the assessment, including the use of buffers around areas posing health risks, as appropriate.

##### HS-P1.2



When evaluating health risk impacts of projects in Impacted Communities, use an excess cancer risk of 1.0 per million and a non-cancer (acute and chronic) hazard index greater than 0.2 as the threshold for finding that the project would



cause a cumulatively considerable contribution and a significant impact.

**HS-P1.3**  

Require new development to locate sensitive receptors such as homes, schools, playgrounds, sports fields, childcare centers, senior centers, and long-term health care facilities as far away as possible from significant pollution sources.

(b) Provide electrified loading docks with receptacles allowing plug-in of refrigerated and other types of trailers that otherwise would receive power from the tractor unit.

(c) Utilize heavy-duty trucks that are model year 2014 or later and expedite a transition to zero-emission trucks as they become commercially available.

(d) Utilize a "clean fleet" of delivery vehicles as they become commercially available.

(e) Utilize zero-emission forklifts, pallet trucks and jacks, stackers, and other yard equipment.

(f) Implement practices to control and remove road dust, tire wear, brake dust, and other contaminants from paved areas.

**HS-P1.4**  

When evaluating air quality impacts of projects in Impacted Communities, use thresholds of significance that match or are more stringent than the air quality thresholds of significance identified in the current Bay Area Air Quality Management District (BAAQMD) Air Quality Guidelines.

**HS-P1.6**  

Prohibit fossil fuel-powered truck, construction vehicle, and transit vehicle idling of diesel engines countywide. Prohibit non-diesel truck, construction vehicle, and transit vehicle idling within 100 feet of sensitive receptors such as homes, schools, playgrounds, sports fields, childcare centers, senior centers, and long-term health care facilities.

**HS-P1.5**   

Require new or expanded commercial and industrial projects exceeding 10,000 square feet of gross floor area, such as big-box stores, warehouses, and distribution centers, and similar uses, to be zero-emissions operations, including the facilities themselves and the associated fleets. Require all necessary measures, such as the following, to achieve zero emissions: facilities to provide adequate on-site truck parking to prevent idling and require refrigerated warehouses to provide generators for refrigerated trucks.

(a) Provide adequate on-site parking for all anticipated truck traffic to prevent idling and off-site queuing.

**HS-P1.7**   

Prioritize new street tree plantings and increase the tree canopy on public and private property, especially in Impacted Communities, in particular and areas with a high heat index, by prioritizing funding for new street tree planting

**Commented [TS1]:** April 2021 Committee Meeting:

We also need to decrease pollution from those sources so that positive change can happen, like infill near transit. Limiting development in areas with sources of pollution can limit the opportunity to build parks, child care centers, and new homes, which can lock existing residents into a lower standard of living. While there's a place for buffers, there's also a need to reduce pollution from those sources so that we don't redline existing residents.

Supervisors would like to discuss this issue in more detail at a future meeting; flag this for discussion. There are some things that can be done, like using air filters at the facility, or requiring air filters in new homes. This also relates to the just transition discussion.

**Commented [TS2R1]:** Staff note: Flagged for Committee discussion.

**Commented [TS3]:** Staff note: Redundant with Policy HS-P1.2.

**Commented [TS4]:** April 2021 Committee Meeting: These two policies need to be re-written. They should require zero emissions both through the facility and the fleet, and to the extent there are diesel trucks, they should require no idling at all. The policies should also require electrical outlets, rather than generators, which can pollute via diesel gas. These are all requirements that are being placed on the two North Richmond industrial projects.

and maintenance.

### HS-P1.8

Support ~~preservation~~protection, restoration, and enhancement of natural landscapes in and near Impacted Communities for their role in improving air quality and community health.

### HS-P1.9

Require housing projects to evaluate and mitigate the health risks from surrounding air pollution for the future occupants of the project, not just impacts of the project on the surrounding environment.

### HS-P1.10

Require that new residential developments are designed to ensure occupants will not be exposed to elevated levels of air pollution, including fine particulate matter (PM<sub>2.5</sub>), by adhering to BAAQMD's Healthy Communities Guidelines.

### HS-P1.11

Support and participate in emission and exposure reduction, public education, engagement, and outreach programs sponsored by BAAQMD and other agencies that promote air quality, focusing on Impacted Communities, and carried out in a way that is culturally and linguistically appropriate.

### HS-P1.12

Require that any mitigation of air quality impacts relying on offsets obtains the offsets from sources as near to the project site as possible. For projects in or adjacent to an Impacted Community, obtain offsets within or adjacent to the Impacted Community before seeking offsets elsewhere.

## Actions

### HS-A1.1

Coordinate with State and regional regulatory entities and community members to facilitate AB 617 citizen-led programs including data collection, monitoring of pollution exposure, and identification and implementation of solutions in Impacted Communities.

### HS-A1.2

Assist BAAQMD in establishing and implementing Community Air Monitoring Plans to reduce the health impacts of air pollution in Impacted Communities, including considering future General Plan and/or Zoning Code amendments as needed to support BAAQMD in meeting AB 617 objectives.

### HS-A1.3

Coordinate with BAAQMD to determine where to focus a targeted permit inspection program in Impacted Communities to help ensure enforcement of air quality



permits.

**HS-A1.4**   

Adopt an ordinance that matches or is more stringent than the State’s maximum idling law, and coordinate with CARB, BAAQMD, and law enforcement to achieve compliance.

**HS-A1.5**   

Prepare an urban forest master plan for the county that includes quantified goals and tracking methods, including mapping the tree canopy, and prioritizes Impacted Communities.

**Goal HS-2**  
Communities that are safe and resilient protected from hazards associated with the use, manufacture, transport, storage, treatment, and disposal of hazardous waste and hazardous materials, including from fossil fuels, chemical refining, and power plants, as well as pipelines, rail lines, and truck transportation.

**Policies**

**HS-P2.1**   

Coordinate with local and regional agencies in efforts to remediate or treat contaminated surface water, groundwater, or soils in or affecting Impacted Communities.

**HS-P2.2**   

Oppose construction of new large-scale hazardous waste facilities.

**HS-P2.3**   

Provide equitable inspection and enforcement of hazardous material and hazardous waste regulations throughout the county.

**HS-P2.4**   

Ensure there are adequate sites for the collection of household hazardous waste (HHW), unused pharmaceuticals, and wastes generated by boats and marinas, including provisions for residents that don’t own cars or are physically unable to deliver materials to a collection site.



**HS-P2.5**  

Ensure there are adequate identified locations for alternative care sites, especially in Impacted Communities.

**HS-A2.4**  

Provide clear information in plain language to residents of Impacted Communities about the hazards they face from pollutant sources in and around their community.

**Actions**

**HS-A2.1**   

In collaboration with local environmental justice organizations, update the County's Brownfields and Contaminated Sites Cleanup Policy and prioritize implementation of clean-up efforts in Impacted Communities.

**HS-A2.5**  

Coordinate with park and recreation and school districts to identify indoor recreational and athletic facilities to serve as emergency housing and cooling centers in Impacted Communities for natural hazards or extreme heat events. In addition, work with these districts to prepare a list of priority improvements at these facilities to implement in preparation for emergency events.

**HS-A2.2**   

Establish a mechanism to ensure that new or expanded industrial uses that involve hazardous materials will fund any needed clean-up of contamination resulting from the use.

**HS-A2.3**  

Establish a comprehensive, long term strategy that coordinates efforts from appropriate regulatory agencies to mitigate impacts from private industrial facilities on adjacent communities, both acute and long-term, with priority given to developing strategies for Impacted Communities. The strategies must include specific mitigations to address air pollution, pipeline risks, accidents, potential water or soil contamination, and sensitive ecological resources.

**Commented [TS5]:** April 2021 Committee Meeting: add "or expanded."



XAVIER BECERRA  
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DEPARTMENT OF JUSTICE



## Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act

In carrying out its duty to enforce laws across California, the California Attorney General's Bureau of Environmental Justice (Bureau)<sup>1</sup> regularly reviews proposed warehouse projects for compliance with the California Environmental Quality Act (CEQA) and other laws. When necessary, the Bureau submits comment letters to lead agencies, and in rare cases the Bureau has filed litigation to enforce CEQA.<sup>2</sup> This document builds upon the Bureau's comment letters, collecting knowledge gained from the Bureau's review of hundreds of warehouse projects across the state. It is meant to help lead agencies pursue CEQA compliance and promote environmentally-just development as they confront warehouse project proposals.<sup>3</sup> While CEQA analysis is necessarily project-specific, this document provides information on feasible best practices and mitigation measures, the overwhelming majority of which have been adapted from actual warehouse projects in California.

### I. Background

In recent years, the proliferation of e-commerce and rising consumer expectations of rapid shipping have contributed to a boom in warehouse development.<sup>4</sup> California, with its ports, population centers, and transportation network, has found itself at the center of this trend. For example, in 2014, 40 percent of national container cargo flowed through Southern California, which was home to nearly 1.2 billion square feet of warehouse facilities.<sup>5</sup> In the Inland Empire alone, 150 million square feet of new industrial space was built over the last decade,<sup>6</sup> and 21 of the largest 100 logistics leases signed in 2019 nationwide were in the Inland

<sup>1</sup> <https://oag.ca.gov/environment/justice>.

<sup>2</sup> <https://oag.ca.gov/environment/ceqa/letters>; *South Central Neighbors United et al. v. City of Fresno et al.* (Super. Ct. Fresno County, No. 18CECG00690).

<sup>3</sup> Anyone reviewing this document to determine CEQA compliance responsibilities should consult their own attorney for legal advice.

<sup>4</sup> As used in this document, "warehouse" or "logistics facility" is defined as a facility consisting of one or more buildings that stores cargo, goods, or products on a short or long term basis for later distribution to businesses and/or retail customers.

<sup>5</sup> Industrial Warehousing in the SCAG Region, Task 2. Inventory of Warehousing Facilities (April 2018), [http://www.scag.ca.gov/Documents/Task2\\_FacilityInventory.pdf](http://www.scag.ca.gov/Documents/Task2_FacilityInventory.pdf) at 1-1, 2-11.

<sup>6</sup> Los Angeles Times, *When your house is surrounded by massive warehouses*, October 27, 2019, <https://www.latimes.com/california/story/2019-10-27/fontana-california-warehouses-inland-empire-pollution>.

Empire, comprising 17.5 million square feet.<sup>7</sup> This trend has not slowed, even with the economic downturn caused by COVID-19, as e-commerce has continued to grow.<sup>8</sup> Forecasts predict that the Central Valley is where a new wave of warehouse development will go.<sup>9</sup>

When done properly, these activities can contribute to the economy and consumer welfare. However, imprudent warehouse development can harm local communities and the environment. Among other pollutants, diesel trucks visiting warehouses emit nitrogen oxide (NO<sub>x</sub>)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.<sup>10</sup> Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.<sup>11</sup> The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate contribute to traffic jams, deterioration of road surfaces, and traffic accidents. These environmental impacts also tend to be concentrated in neighborhoods already suffering from disproportionate health impacts.

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<sup>7</sup> CBRE, *Dealmakers: E-Commerce & Logistics Firms Drive Demand for Large Warehouses in 2019* (January 23, 2020), <https://www.cbre.us/research-and-reports/US-MarketFlash-Dealmakers-E-Commerce-Logistics-Firms-Drive-Demand-for-Large-Warehouses-in-2019>; see also CBRE, *E-Commerce and Logistics Companies Expand Share Of Largest US Warehouse Leases, CBRE Analysis Finds* (Feb. 25, 2019), <https://www.cbre.us/about/media-center/inland-empire-largest-us-warehouse-leases> (20 of the largest 100 warehousing leases in 2018 were in the Inland Empire, comprising nearly 20 million square feet).

<sup>8</sup> CBRE, 2021 U.S. Real Estate Market Outlook, Industrial & Logistics, <https://www.cbre.us/research-and-reports/2021-US-Real-Estate-Market-Outlook-Industrial-Logistics>; Kaleigh Moore, *As Online Sales Grow During COVID-19, Retailers Like Montce Swim Adapt And Find Success*, FORBES (June 24, 2020), available at <https://www.forbes.com/sites/kaleighmoore/2020/06/24/as-online-sales-grow-during-covid-19-retailers-like-montce-swim-adapt-and-find-success/>.

<sup>9</sup> New York Times, *Warehouses Are Headed to the Central Valley, Too* (Jul. 22, 2020), available at <https://www.nytimes.com/2020/07/22/us/coronavirus-ca-warehouse-workers.html>.

<sup>10</sup> California Air Resources Board, Nitrogen Dioxide & Health, <https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health> (NO<sub>x</sub>); California Air Resources Board, Summary: Diesel Particulate Matter Health Impacts, <https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts>; Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, <https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf> (DPM).

<sup>11</sup> Noise Sources and Their Effects, <https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm> (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

## II. Proactive Planning: General Plans, Local Ordinances, and Good Neighbor Policies

To systematically address warehouse development, we encourage governing bodies to proactively plan for logistics projects in their jurisdictions. Proactive planning allows jurisdictions to prevent land use conflicts before they materialize and guide sustainable development. Benefits also include providing a predictable business environment, protecting residents from environmental harm, and setting consistent expectations jurisdiction-wide.

Proactive planning can take any number of forms. Land use designation and zoning decisions should channel development into appropriate areas. For example, establishing industrial districts near major highway and rail corridors but away from sensitive receptors can help avoid conflicts between warehouse facilities and residential communities.

In addition, general plan policies, local ordinances, and good neighbor policies should set minimum standards for logistics projects. General plan policies can be incorporated into existing economic development, land use, circulation, or other related elements. Many jurisdictions alternatively choose to consolidate policies in a separate environmental justice element. Adopting general plan policies to guide warehouse development may also help jurisdictions comply with their obligations under SB 1000, which requires local government general plans to identify objectives and policies to reduce health risks in disadvantaged communities, promote civil engagement in the public decision making process, and prioritize improvements and programs that address the needs of disadvantaged communities.<sup>12</sup>

The Bureau is aware of four good neighbor policies in California: Riverside County, the City of Riverside, the City of Moreno Valley, and the Western Riverside Council of Governments.<sup>13</sup> These policies provide minimum standards that all warehouses in the jurisdiction must meet. For example, the Western Riverside Council of Governments policy sets a minimum buffer zone of 300 meters between warehouses and sensitive receptors, and it requires a number of design features to reduce truck impacts on nearby sensitive receptors. The Riverside County policy requires vehicles entering sites during both construction and operation to meet certain California Air Resources Board (CARB) guidelines, and it requires community benefits agreements and supplemental funding contributions toward additional pollution offsets.

The Bureau encourages jurisdictions to adopt their own local ordinances and/or good neighbor policies that combine the most robust policies from those models with measures discussed in the remainder of this document.

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<sup>12</sup> For more information about SB 1000, see <https://oag.ca.gov/environment/sb1000>.

<sup>13</sup> <https://www.rivcocob.org/wp-content/uploads/2020/01/Good-Neighbor-Policy-F-3-Final-Adopted.pdf> (Riverside County); <https://riversideca.gov/planning/pdf/good-neighbor-guidelines.pdf> (City of Riverside); [http://qcode.us/codes/morenovalley/view.php?topic=9-9\\_05-9\\_05\\_050&frames=on](http://qcode.us/codes/morenovalley/view.php?topic=9-9_05-9_05_050&frames=on) (City of Moreno Valley); <http://www.wrcog.cog.ca.us/DocumentCenter/View/318/Good-Neighbor-Guidelines-for-Siting-Warehouse-Distribution-Facilities-PDF?bidId=> (Western Riverside Council of Governments).

### **III. Community Engagement**

Early and consistent community engagement is central to establishing good relationships between communities, lead agencies, and warehouse developers and tenants. Robust community engagement can give lead agencies access to community residents' on-the-ground knowledge and information about their concerns, build community support for projects, and develop creative solutions to ensure new logistics facilities are mutually beneficial. Examples of best practices for community engagement include:

- Holding a series of community meetings at times and locations convenient to members of the affected community and incorporating suggestions into the project design.
- Posting information in hard copy in public gathering spaces and on a website about the project. The information should include a complete, accurate project description, maps and drawings of the project design, and information about how the public can provide input and be involved in the project approval process. The information should be in a format that is easy to navigate and understand for members of the affected community.
- Providing notice by mail to residents and schools within a certain radius of the project and along transportation corridors to be used by vehicles visiting the project, and by posting a prominent sign on the project site. The notice should include a brief project description and directions for accessing complete information about the project and for providing input on the project.
- Providing translation or interpretation in residents' native language, where appropriate.
- For public meetings broadcast online or otherwise held remotely, providing for access and public comment by telephone and supplying instructions for access and public comment with ample lead time prior to the meeting.
- Partnering with local community-based organizations to solicit feedback, leverage local networks, co-host meetings, and build support.
- Considering adoption of a community benefits agreement, negotiated with input from affected residents and businesses, by which the developer provides benefits to the community.
- Creating a community advisory board made up of local residents to review and provide feedback on project proposals in early planning stages.
- Identifying a person to act as a community liaison concerning on-site construction activity and operations, and providing contact information for the community relations officer to the surrounding community.

### **IV. Warehouse Siting and Design Considerations**

The most important consideration when planning a logistics facility is its location. Warehouses located in residential neighborhoods or near other sensitive receptors expose community residents and those using or visiting sensitive receptor sites to the air pollution, noise, traffic, and other environmental impacts they generate. Therefore, placing facilities away from sensitive receptors significantly reduces their environmental and quality of life harms on local

communities. The suggested best practices for siting and design of warehouse facilities does not relieve lead agencies' responsibility under CEQA to conduct a project-specific analysis of the project's impacts and evaluation of feasible mitigation measures and alternatives; lead agencies' incorporation of the best practices must be part of the impact, mitigation and alternatives analyses to meet the requirements of CEQA. Examples of best practices when siting and designing warehouse facilities include:

- Per CARB guidance, siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors.<sup>14</sup>
- Creating physical, structural, and/or vegetative buffers that adequately prevent or substantially reduce pollutant dispersal between warehouses and any areas where sensitive receptors are likely to be present, such as homes, schools, daycare centers, hospitals, community centers, and parks.
- Providing adequate areas for on-site parking, on-site queuing, and truck check-in that prevent trucks and other vehicles from parking or idling on public streets.
- Placing facility entry and exit points from the public street away from sensitive receptors, e.g., placing these points on the north side of the facility if sensitive receptors are adjacent to the south side of the facility.
- Locating warehouse dock doors and other onsite areas with significant truck traffic and noise away from sensitive receptors, e.g., placing these dock doors on the north side of the facility if sensitive receptors are adjacent to the south side of the facility.
- Screening dock doors and onsite areas with significant truck traffic with physical, structural, and/or vegetative barriers that adequately prevent or substantially reduce pollutant dispersal from the facility towards sensitive receptors.
- Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.
- Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.

## **V. Air Quality and Greenhouse Gas Emissions Analysis and Mitigation**

Emissions of air pollutants and greenhouse gases are often among the most substantial environmental impacts from new warehouse facilities. CEQA compliance demands a proper accounting of the full air quality and greenhouse gas impacts of logistics facilities and adoption of all feasible mitigation of significant impacts. Although efforts by CARB and other authorities to regulate the heavy-duty truck and off-road diesel fleets have made excellent progress in reducing the air quality impacts of logistics facilities, the opportunity remains for local jurisdictions to further mitigate these impacts at the project level. Lead agencies and developers

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<sup>14</sup> California Air Resources Board (CARB), Air Quality and Land Use Handbook: A Community Health Perspective (April 2005), at ES-1. CARB staff has released draft updates to this siting and design guidance which suggests a greater distance may be warranted under varying scenarios; this document may be found on CARB's website and is entitled: "California Sustainable Freight Initiative: Concept Paper for the Freight Handbook" (December 2019).

should also consider designing projects with their long-term viability in mind. Constructing the necessary infrastructure to prepare for the zero-emission future of goods movement not only reduces a facility's emissions and local impact now, but it can also save money as regulations tighten and demand for zero-emission infrastructure grows. In planning new logistics facilities, the Bureau strongly encourages developers to consider the local, statewide, and global impacts of their projects' emissions.

Examples of best practices when studying air quality and greenhouse gas impacts include:

- Fully analyzing all reasonably foreseeable project impacts, including cumulative impacts. In general, new warehouse developments are not ministerial under CEQA because they involve public officials' personal judgment as to the wisdom or manner of carrying out the project, even when warehouses are permitted by a site's applicable zoning and/or general plan land use designation. CEQA Guidelines § 15369.
- When analyzing cumulative impacts, thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, even if the project's individual impacts alone do not exceed the applicable significance thresholds.
- Preparing a quantitative air quality study in accordance with local air district guidelines.
- Preparing a quantitative health risk assessment in accordance with California Office of Environmental Health Hazard Assessment and local air district guidelines.
- Refraining from labeling compliance with CARB or air district regulations as a mitigation measure—compliance with applicable regulations is a baseline expectation.
- Fully analyzing impacts from truck trips. CEQA requires full public disclosure of a project's anticipated truck trips, which entails calculating truck trip length based on likely truck trip destinations, rather than the distance from the facility to the edge of the air basin. Emissions beyond the air basin are not speculative, and, because air pollution is not static, may contribute to air basin pollution. Moreover, any contributions to air pollution outside the local air basin should be quantified and their significance should be considered.
- Accounting for all reasonably foreseeable greenhouse gas emissions from the project, without discounting projected emissions based on participation in California's Cap-and-Trade Program.

Examples of measures to mitigate air quality and greenhouse gas impacts from construction are below. To ensure mitigation measures are enforceable and effective, they should be imposed as permit conditions on the project where applicable.

- Requiring off-road construction equipment to be zero-emission, where available, and all diesel-fueled off-road construction equipment, to be equipped with CARB Tier IV-compliant engines or better, and including this requirement in applicable

bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.

- Prohibiting off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day.
- Requiring on-road heavy-duty haul trucks to be model year 2010 or newer if diesel-fueled.
- Providing electrical hook ups to the power grid, rather than use of diesel-fueled generators, for electric construction tools, such as saws, drills and compressors, and using electric tools whenever feasible.
- Limiting the amount of daily grading disturbance area.
- Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- Forbidding idling of heavy equipment for more than two minutes.
- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.
- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- Using paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L.
- Providing information on transit and ridesharing programs and services to construction employees.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations for construction employees.

Examples of measures to mitigate air quality and greenhouse gas impacts from operation include:

- Requiring that all facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site meet or exceed 2010 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators shall maintain records on-site demonstrating compliance with this requirement and shall make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring all heavy-duty vehicles entering or operated on the project site to be zero-emission beginning in 2030.
- Requiring on-site equipment, such as forklifts and yard trucks, to be electric with the necessary electrical charging stations provided.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Forbidding trucks from idling for more than two minutes and requiring operators to turn off engines when not in use.
- Posting both interior- and exterior-facing signs, including signs directed at all

dock and delivery areas, identifying idling restrictions and contact information to report violations to CARB, the air district, and the building manager.

- Installing and maintaining, at the manufacturer's recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of facility for the life of the project.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.
- Constructing electric truck charging stations proportional to the number of dock doors at the project.
- Constructing electric plugs for electric transport refrigeration units at every dock door, if the warehouse use could include refrigeration.
- Constructing electric light-duty vehicle charging stations proportional to the number of parking spaces at the project.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity, such as equal to the building's projected energy needs.
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.
- Requiring operators to establish and promote a rideshare program that discourages single-occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking.
- Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
- Achieving certification of compliance with LEED green building standards.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations.
- Posting signs at every truck exit driveway providing directional information to the truck route.
- Improving and maintaining vegetation and tree canopy for residents in and around the project area.
- Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants to use carriers that are SmartWay carriers.



- Providing tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.

## **VI. Noise Impacts Analysis and Mitigation**

The noise associated with logistics facilities can be among their most intrusive impacts to nearby sensitive receptors. Various sources, such as unloading activity, diesel truck movement, and rooftop air conditioning units, can contribute substantial noise pollution. These impacts are exacerbated by logistics facilities' typical 24-hour, seven-days-per-week operation. Construction noise is often even greater than operational noise, so if a project site is near sensitive receptors, developers and lead agencies should adopt measures to reduce the noise generated by both construction and operation activities.

Examples of best practices when studying noise impacts include:

- Preparing a noise impact analysis that considers all reasonably foreseeable project noise impacts, including to nearby sensitive receptors. All reasonably foreseeable project noise impacts encompasses noise from both construction and operations, including stationary, on-site, and off-site noise sources.
- Adopting a lower significance threshold for incremental noise increases when baseline noise already exceeds total noise significance thresholds, to account for the cumulative impact of additional noise and the fact that, as noise moves up the decibel scale, each decibel increase is a progressively greater increase in sound pressure than the last. For example, 70 dBA is ten times more sound pressure than 60 dBA.

Examples of measures to mitigate noise impacts include:

- Constructing physical, structural, or vegetative noise barriers on and/or off the project site.
- Locating or parking all stationary construction equipment as far from sensitive receptors as possible, and directing emitted noise away from sensitive receptors.
- Verifying that construction equipment has properly operating and maintained mufflers.
- Requiring all combustion-powered construction equipment to be surrounded by a noise protection barrier
- Limiting operation hours to daytime hours on weekdays.
- Paving roads where truck traffic is anticipated with low noise asphalt.
- Orienting any public address systems onsite away from sensitive receptors and setting system volume at a level not readily audible past the property line.

## **VII. Traffic Impacts Analysis and Mitigation**

Warehouse facilities inevitably bring truck and passenger car traffic. Truck traffic can present substantial safety issues. Collisions with heavy-duty trucks are especially dangerous for passenger cars, motorcycles, bicycles, and pedestrians. These concerns can be even greater if

truck traffic passes through residential areas, school zones, or other places where pedestrians are common and extra caution is warranted.

Examples of measures to mitigate traffic impacts include:

- Designing, clearly marking, and enforcing truck routes that keep trucks out of residential neighborhoods and away from other sensitive receptors.
- Installing signs in residential areas noting that truck and employee parking is prohibited.
- Constructing new or improved transit stops, sidewalks, bicycle lanes, and crosswalks, with special attention to ensuring safe routes to schools.
- Consulting with the local public transit agency and securing increased public transit service to the project area.
- Designating areas for employee pickup and drop-off.
- Implementing traffic control and safety measures, such as speed bumps, speed limits, or new traffic signs or signals.
- Placing facility entry and exit points on major streets that do not have adjacent sensitive receptors.
- Restricting the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors.
- Constructing roadway improvements to improve traffic flow.
- Preparing a construction traffic control plan prior to grading, detailing the locations of equipment staging areas, material stockpiles, proposed road closures, and hours of construction operations, and designing the plan to minimize impacts to roads frequented by passenger cars, pedestrians, bicyclists, and other non-truck traffic.

## **VIII. Other Significant Environmental Impacts Analysis and Mitigation**

Warehouse projects may result in significant environmental impacts to other resources, such as to aesthetics, cultural resources, energy, geology, or hazardous materials. All significant adverse environmental impacts must be evaluated, disclosed and mitigated to the extent feasible under CEQA. Examples of best practices and mitigation measures to reduce environmental impacts that do not fall under any of the above categories include:

- Appointing a compliance officer who is responsible for implementing all mitigation measures, and providing contact information for the compliance officer to the lead agency, to be updated annually.
- Creating a fund to mitigate impacts on affected residents, schools, places of worship, and other community institutions by retrofitting their property. For example, retaining a contractor to retrofit/install HVAC and/or air filtration systems, doors, dual-paned windows, and sound- and vibration-deadening insulation and curtains.
- Sweeping surrounding streets on a daily basis during construction to remove any construction-related debris and dirt.
- Directing all lighting at the facility into the interior of the site.

- Using full cut-off light shields and/or anti-glare lighting.
- Using cool pavement to reduce heat island effects.
- Installing climate control in the warehouse facility to promote worker well-being.
- Installing air filtration in the warehouse facility to promote worker well-being.

## **IX. Conclusion**

California's world-class economy, ports, and transportation network position it at the center of the e-commerce and logistics industry boom. At the same time, California is a global leader in environmental protection and environmentally just development. The guidance in this document furthers these dual strengths, ensuring that all can access the benefits of economic development. The Bureau will continue to monitor proposed projects for compliance with CEQA and other laws. Lead agencies, developers, community advocates, and other interested parties should feel free to reach out to us as they consider how to guide warehouse development in their area.

Please do not hesitate to contact the Environmental Justice Bureau at [ej@doj.ca.gov](mailto:ej@doj.ca.gov) if you have any questions.