

MINUTE ITEM
This Calendar Item No. 63
was approved as Minute Item
No. 63 by the State Lands
Commission by a vote of 3
to 0 at its 4-9-02
meeting.

**MINUTE ITEM
63**

04/09/02

**CALIFORNIA STATE LANDS COMMISSION
(PARTY)**

Calendar Item 63: Commissioners asked that staff bring back a comprehensive Environmental Justice Policy before the end of the year, preferably at the September meeting, and amended item so that members of the Commission be included in the training process. Item was approved.

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CALENDAR ITEM
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A)
Statewide
S)

04/09/02

CONSIDER THE ADOPTION OF A POLICY STATEMENT RELATING TO
ENVIRONMENTAL JUSTICE

PARTY:

California State Lands Commission

BACKGROUND:

At its last meeting, the Commission requested staff to prepare an environmental justice policy to ensure the integration of environmental justice issues into decisions by the Commission and staff. Environmental justice is defined under State law as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."

Environmental justice laws and policies developed in the mid-1990s at the federal level in response to siting industrial facilities such as toxic waste dumps that pose a significant risk to human health in minority and low-income communities. State and local governments across the nation have also begun to incorporate environmental justice issues into their planning and decision-making. Federal policy specifically requires federal agencies to address the issue of disproportionate impacts to minority and low-income communities. While similar proposed requirements have been introduced in the legislature, to date, California law only requires that existing law be implemented fairly.

Commission staff has become more familiar with environmental justice issues by, among other efforts, attending forums hosted by the Governor's Office of Planning and Research, the overall coordinator for environmental justice programs in State government. Although the State Lands Commission is not currently required by State law to develop an environmental justice policy, the Commission's express interest coincides with the development of policies by other State agencies. In recognition of the intent of environmental justice, staff recommends adoption and implementation of the attached policy statement.

Full integration of environmental justice issues into State Lands Commission decision-making will be a lengthy process and must reflect public participation and collaboration.

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As an example, the California Air Resources Board approved an environmental justice policy last December that took nearly two years to develop with the help of environmental and community groups, industry representatives, and government.

Therefore, it is also recommended that the Commission direct staff to develop a specific plan for public participation and collaboration on a more detailed environmental justice policy and to provide its plan and recommendations to the commission in six months. Staff will collaborate with representatives of minority groups and the Office of Planning and Research to formulate this plan.

EXHIBIT

A. Environmental Justice Policy Statement

RECOMMENDATIONS

IT IS RECOMMENDED THAT THE COMMISSION:

1. ADOPT THE GUIDANCE POLICY STATEMENT ON ENVIRONMENTAL JUSTICE ATTACHED AS EXHIBIT A.
2. DIRECT STAFF TO IMPLEMENT THIS POLICY.
3. DIRECT STAFF TO DEVELOP A SPECIFIC PLAN FOR PUBLIC PARTICIPATION AND COLLABORATION ON A MORE DETAILED ENVIRONMENTAL JUSTICE POLICY AND TO PROVIDE ITS PLAN AND RECOMMENDATIONS TO THE COMMISSION IN SIX MONTHS.

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Exhibit A

Environmental Justice Policy Statement California State Lands Commission

Mission Statement: *The California State Lands Commission serves the people of California by providing stewardship of the lands, waterways, and resources entrusted to its care through economic development, protection, preservation, and restoration.*

Commission Jurisdiction/Programs

The California State Lands Commission (Commission) holds title to and manages four million acres of tide and submerged land underlying the State's navigable and tidal waterways. These lands are held under and governed by the provisions of the Public Trust for specific public purposes such as fishing, water dependent commerce and navigation, ecological preservation, and scientific study, among others.

The Commission also holds title to and manages about 570,000 acres of State School Lands. The school lands are held in trust for the betterment of the common schools of the State and the revenue, by statute, goes to support the State Teachers Retirement System. The school lands must be administered for the benefit of the public.

The Commission grants leases and permits on State lands for such purposes as marinas, industrial wharves, tanker anchorages, timber harvesting, dredging, grazing, mining, oil and gas, and geothermal development. The Commission has regulatory authority over all marine oil facilities and terminals in the State.

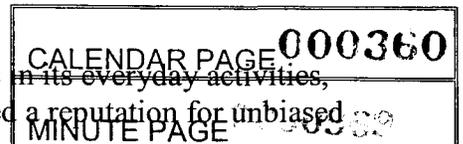
The Commission also administers programs to remove hazardous artificial structures from waterways that pose a risk to public health and safety and participates in projects and programs to preserve, enhance, and restore natural resources.

In the performance of its duties, the Commission frequently makes land use and permitting decisions, produces regulations, and takes other discretionary actions that may have an impact on the environment and human health.

Environmental Justice Policy

The Commission pledges to conduct its business with environmental justice as an essential consideration. Environmental justice is defined by State law as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."

The Commission stresses fair treatment of all members of the public in its everyday activities, decision-making, and regulatory affairs. The Commission has earned a reputation for unbiased



and balanced decisions concerning uses of public lands and resources. The Commission reaffirms its commitment to an informed and open process in which all people are treated equitably and with dignity and in which its decisions are tempered by environmental justice considerations. The Commission will communicate this policy to the cities, counties, and harbor districts who manage lands granted to them by the Commission and for which it retains oversight.

The Commission pledges to work toward the incorporation of environmental justice into its processes by:

1. Identifying areas of relevant populations that might be adversely affected by Commission programs or by projects submitted by outside parties for its consideration.
2. Seeking out community groups and leaders to encourage communication and collaboration with the Commission and its staff.
3. Distributing public information as broadly as possible in multiple languages, as needed, to encourage participation in the Commission's public processes.
4. Incorporating consultations with affected community groups and leaders while preparing environmental analyses of projects submitted to the Commission for its consideration.
5. Ensuring that public documents and notices relating to human health or environmental issues are concise, understandable, and readily accessible to the public, in multiple languages, as appropriate.
6. Holding public meetings, public hearings, and public workshops at times and in locations that encourage meaningful public involvement by members of the affected communities.
7. Educating present and future generations in all walks of life about public access to lands and resources managed by the Commission.
8. Ensuring that all reasonable alternatives are considered when siting facilities that may be near relevant populations.
9. Providing appropriate training on environmental justice issues to its staff so that consideration of such issues is incorporated into its daily activities.
10. Reporting periodically to the Commission on how environmental justice has been incorporated into programs and activities conducted by the Commission.

This policy shall be reviewed annually to evaluate its effectiveness in achieving environmental justice in the Commission's management of the lands and resources within its jurisdiction.

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