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March 4, 2021

Via First Class Main and E-Mail

Sergio Infanzon
Director of Community Development
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

RE: City of Huntington Park General Plan Update

Dear Mr. Infanzon:

The Office of the Attorney General is writing to express its concern that the City of Huntington Park has failed to comply with Government Code section 65302, which requires that the City adopt environmental justice policies or an environmental justice element when it adopted revisions to its general plan on May 28, 2019.¹ While we have notified the City of its noncompliance on several occasions, the City has not taken any steps toward coming into compliance with this law.

In 2016, the California Legislature passed Senate Bill (SB) 1000, codified at Government Code section 65302, subdivision (h), to incorporate environmental justice into the local land use planning process. SB 1000 requires local governments to address pollution and other hazards that disproportionately impact low-income communities and communities of color in their jurisdiction. If a local government adopts or updates two or more elements of its general plan after January 1, 2018, SB 1000 requires the local government to identify any “disadvantaged communities” within its planning area. (Gov. Code, § 65302, subs. (h)(1)–(2).) The law defines “disadvantaged communities” to include two identification methods: (1) “an area identified by the California Environmental Protection Agency (CalEPA) pursuant to Section 39711 of the Health and Safety Code”; or (2) “an area that is low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.” (Gov. Code, § 65302, subd. (h)(4)(A).) If a local government identifies one or more disadvantaged communities in its planning area, its general plan must have either an “environmental justice element” or “related goals, policies, and objectives integrated in other elements” (collectively, “EJ policies”) that

¹ The Attorney General submits these comments pursuant to his independent power and duty to protect the environment and natural resources of California. See Cal. Const., art. V, § 13; Gov. Code §§ 12511, 12600–12; *D’Amico v. Board of Medical Examiners* (1974) 11 Cal.3d 1, 14–15.

“reduce the unique or compounded health risks in disadvantaged communities” by addressing eight different topics, such as reducing pollution exposure, promoting public improvements, promoting safe and sanitary homes, and promoting public engagement in the local decision making process. (Gov. Code, § 65302, subd. (h)(1).)

The City of Huntington Park contains twenty census tracts that the California Environmental Protection Agency (CalEPA) has designated as “disadvantaged communities.”² According to CalEnviroScreen 3.0,³ CalEPA’s screening tool that ranks each census tract in the state for pollution and vulnerability, Huntington Park’s census tracts score among the highest in the state. Residents of Huntington Park are 97.1% Latinx⁴ and face high levels of fine particulate matter (PM_{2.5}), toxic releases, cleanup sites, hazardous waste, and solid waste. In addition to environmental hazards, Huntington Park residents face additional vulnerabilities from asthma, cardiovascular disease, low levels of educational attainment, linguistic isolation, poverty, and high housing cost burdens. Huntington Park is exactly the type of community that SB 1000 seeks to protect by requiring cities and counties to adopt EJ policies in general plan revisions.

Census Tract	CalEnviroScreen 3.0 Percentile
6037532500	90-95%
6037532603	95-100% (highest scores)
6037532604	90-95
6037532605	90-95%
6037532606	90-95%
6037532700	95-100% (highest scores)
6037533002	95-100% (highest scores)
6037533103	90-95%
6037533104	80-85%
6037533105	90-95%
6037533106	80-85%
6037533107	80-85%
6037533201	90-95%
6037533202	90-95%
6037533203	85-90%
6037533501	90-95%
6037533502	85-90%
6037533503	85-90%
6037534501	90-95%
6037534502	95-100% (highest scores)

² Attachment A, Map of Disadvantaged Communities in Huntington Park, <<https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>>.

³ CalEnviroScreen is a tool created by the Office of Environmental Health Hazard Assessment that uses environmental, health, and socioeconomic information to produce scores and rank every census tract in the state. (CalEnviroScreen 3.0, Cal. Off. Environmental Health Hazard Assessment <<https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>>.)

⁴ U.S. Census Bureau, Quick Facts, QuickFacts Huntington Park city, California <<https://www.census.gov/quickfacts/fact/table/huntingtonparkcitycalifornia/PST045219>>.

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Despite these factors, the Huntington Park City Council adopted Huntington Park's 2030 General Plan on May 28, 2019, which does not identify disadvantaged communities or include EJ policies as required by SB 1000. The City's failure to address environmental justice in its General Plan not only violates Government Code section 65302, subdivision (h), it denies the City's residents—many of whom are among the most vulnerable in the state—the benefit of equitable policies that address the disproportionate amount of pollution to which they are exposed.

We discussed our concern about the City's compliance with SB 1000 with City planning staff and have provided available resources that could assist the City in coming into compliance in October 2019 and January 2020. To our knowledge, the City has not taken any steps to come into compliance with SB 1000 since then. City staff has not responded to our more recent inquiries in December 2020 and January 2021.

We urge the City to take immediate steps to come into compliance with SB 1000. If you would like to discuss this matter further with our Office, please contact me at Jessica.Wall@doj.ca.gov or (916) 210-6384.

Sincerely,



JESSICA L. WALL
Deputy Attorney General

For XAVIER BECERRA
Attorney General

cc: Manuel Avila, Mayor
Ricardo Reyes, City Manager

Attachment A: Map of Disadvantaged Communities in Huntington Park

