

# **HEALTH IMPACTS, CEQA, AND PLANNING**

**ASSOCIATION OF ENVIRONMENTAL  
PROFESSIONALS**

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# SPEAKERS AND DIFFERENT PERSPECTIVES

- ▶ Jim Moose, Senior Partner, Remy Moose Manley, LLP (CEQA Requirements)
- ▶ Larry Greene, Executive Director/Air Pollution Control Officer, Sacramento Metropolitan AQMD  
(Air District Issues/Approaches)
- ▶ Elizabeth Baca, MD, Senior Health Advisor, Governor's Office of Planning and Research  
(Planning/Healthy Communities)

# IN CEQA, HUMAN HEALTH IS MOSTLY AN INDIRECT EFFECT

- ▶ CEQA enacted as an environmental law, oriented originally to natural resources values
- ▶ References to human environment included in legislative policies and scattered around the statute
- ▶ In practice, health is usually an indirect consequence of other environmental effects, like hazardous materials contamination, air pollutants (incl. TACs), or water pollutants

# BASIC CEQA LEGISLATIVE POLICY

- ▶ Legislative policy with a *health connection*:
  - “...maintenance of a *quality environment for people*...is a matter of statewide concern.” (§21000)
  - “It is necessary to provide a high-quality environment that at all times is *healthful*...” (§21000)
  - “...provide the people of the state with *clean air and water*, enjoyment of aesthetic, natural, scenic, and historic qualities, and freedom from excessive noise.” (§21001)
  - “Create and maintain conditions under which *land and nature can exist in productive*...” (§21001)

# STATUTE PROVISIONS AIMED AT PROTECTING PEOPLE

- ▶ Guidelines must address “environmental effects...on *human beings*, either directly or indirectly” (§21083)
- ▶ Categorical exemptions are disallowed if a project site *contains hazardous materials* (§21084)
- ▶ EIR or ND must evaluate *presence of hazardous materials*, pipelines, and nearby freeway for school construction or site purchase (§21151.8)

# RECENT INFILL STREAMLINING INCLUDES HEALTH

- SB 226 (2011) Qualifying Infill Projects: *Protect public health, including the health of vulnerable populations from air or water pollution, or soil contamination* (§21094.5.5[b][7]).
- Transit priority project or infill housing project qualifying for statutory exemption must not be on a hazardous materials site, and must resolve “the potential for *exposure of future occupants to significant health hazards* from nearby property or activity.” (§21155.1, §21159.21)
- Transit priority project or infill housing project qualifying for statutory exemption must not be subject to wildland fire hazard, high risk of explosion, *risk of public health exposure*, seismic risk of a fault zone, landslide hazard, flood plain, or flood way, *mitigated* (§21155.1, §21159.21)

# “HEALTH,” THE WORD, IN CEQA

- ▶ 89 Total times mentioned in the statute
  - 1 healthful
  - 7 health and safety
  - 18 health or public health
  - 1 health insurance 😊
  - 62 Health and Safety Code references
  
- ▶ No specific mandate, such as: “CEQA review shall include evaluation of human health impacts of a project.”