


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER DAN KALB

RESOLUTION SUPPORTING ASSEMBLY BILL 1001 (GARCIA) THAT WOULD AUTHORIZE MITIGATION MEASURES IDENTIFIED IN AN ENVIRONMENTAL IMPACT REPORT OR MITIGATED NEGATIVE DECLARATION TO MITIGATE OR COMPENSATE THE ADVERSE EFFECTS OF A PROJECT ON AIR OR WATER QUALITY DIRECTLY IN THE DISADVANTAGED COMMUNITY AND WOULD DIRECT PUBLIC AGENCIES IMPLEMENTING CEQA TO GIVE CONSIDERATION TO THE PRINCIPLES OF ENVIRONMENTAL JUSTICE.

WHEREAS, overburdened communities contend with various types of pollution, including fumes and particulate matter; and

WHEREAS, the environmental justice movement has fought for years to ensure that all communities, especially those overburdened, have a seat at the table when projects that may have environmental impacts on their communities are discussed; and

WHEREAS, overburdened communities suffer from poor air quality, have higher incidences of asthma, diabetes, and cancer; and

WHEREAS, overburdened communities are sicker and are dying at faster rates than those who have the benefit of living in communities that are not overburdened; and

WHEREAS, studies show that children living in certain overburdened areas in East and West Oakland have childhood asthma hospitalization rates that are 150% to 200% higher than children who do not live in overburdened areas; and

WHEREAS, studies show that Oakland residents living in certain overburdened areas in East and West Oakland have lower life expectancies than those of Oakland residents who do not live in overburdened areas; and

WHEREAS, Assembly Bill (AB) 1001 (Garcia) would require that mitigation measures identified in an environmental impact report or mitigation negative declaration must mitigate those impacts directly within the disadvantaged community; and

WHEREAS, AB 1001 would direct public agencies implementing CEQA to give consideration to the principles of environmental justice; and

WHEREAS, the goal of AB 1001 is to recognize the adverse impacts that disadvantaged communities have faced and attempt to create healthier communities by requiring mitigation or

compensation and additional consideration of environmental justice when implementing the CEQA process; now, therefore, be it

RESOLVED: That the City of Oakland hereby endorses AB 1001 (Garcia) and urges the California State Legislature and Governor Gavin Newsom to support its enactment into law.

FURTHER RESOLVED: That the City Council directs the Administrator or his designee to distribute this Resolution upon its adoption to Governor Gavin Newsom, State Assemblymember Cristina Garcia, and state legislators representing the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND PRESIDENT FORTUNATO BAS

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California