



DATE: May 24, 2022

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Climate Action Plan and Environmental Justice: Considerations for New General Plan Policies and Programs

RECOMMENDATION

That Council reviews and comments on this report and provides direction to staff.

SUMMARY

The City is in the process of updating its Climate Action Plan (CAP) to establish policies and programs needed to meet greenhouse gas (GHG) reduction targets adopted by Council. The CAP, part of the Hayward 2040 General Plan, is being updated along with revisions to the Housing and Safety Elements of the General Plan. This report also presents a draft policy framework for a new Environmental Justice Element of the General Plan. This report provides an update on the project, community engagement strategies, and next steps. The City is working with Rincon Consultants to forecast GHG emissions and develop policies and programs that will help reduce community-wide emissions. Staff will continue engaging with community stakeholders to ensure that all policies in the CAP are equitable and align with community needs.

Council Sustainability Committee Review – On May 9, 2022¹, the Council Sustainability Committee (CSC) considered a report about the Climate Action Plan and Environmental Justice updates and outreach efforts. Committee members requested that staff:

- Engage with local organizations and nonprofits, including, Save the Bay, Hayward Promise Neighborhood, Hayward Unified School District, StopWaste, Green the Church, and Indigenous groups;
- Partner with the City's Library to reach different audiences through already existing programs like Storytime; and
- Ensure that Strategic Roadmap initiatives align with proposed CAP and EJ initiatives.

¹ <https://hayward.legistar.com/LegislationDetail.aspx?ID=5644445&GUID=18072FD1-2F1C-4355-91BE-CA6780C8961A&Options=&Search=>

BACKGROUND

In July 2009, Hayward adopted its first CAP, which included aggressive goals for reducing GHG emissions. The CAP was amended and incorporated into the General Plan² in 2014 and includes actions necessary to meet Hayward's 2020 GHG reduction target (20% below 2005 levels by 2020). This target was achieved two years early, with Hayward's 2018 emissions inventory showing that community-wide emissions were reduced by 21.6% from 2005 to 2018. In January 2021, staff presented to the CSC Hayward's 2019 GHG inventory³ showing that emissions had been reduced by 25.7% since 2005.

On June 16, 2020⁴, Council introduced and on June 23, 2020⁵, Council adopted an ordinance amending Hayward's CAP and General Plan to include the following goals:

- reduce emissions by 30% below 2005 levels by 2025
- reduce emissions by 55% below 2005 levels by 2030
- work with the community to develop a plan that may result in the reduction of community based GHG emissions to achieve carbon neutrality by 2045.

On July 20, 2021⁶, Council adopted a resolution authorizing the City Manager to execute an agreement with Rincon Consultants to prepare General Plan amendments related to the Housing Element, CAP, Environmental Justice Element, and the Safety Element.

DISCUSSION

The CAP update is needed to identify the policies and programs necessary to achieve the 2030 GHG reduction target and put Hayward on a path to achieve carbon neutrality by 2045. The CAP update is being combined with the Housing Element update and Environmental Justice Element effort because issues of housing, environmental justice, safety and hazard planning, and climate change are inextricably linked. Conducting outreach, planning, and environmental review for all the General Plan amendments simultaneously will result in a more comprehensive and holistic approach to these issues and will result in cost and time efficiencies.

GHG Inventory and Forecast

Hayward's most recent inventory accounts for community GHG emissions through 2019. Rincon consultants evaluated the 2019 GHG inventory and provided a forecast of emissions through 2045. The 2020 inventory is currently in progress and will be presented to the CSC when all necessary data becomes available.

²https://www.hayward-ca.gov/sites/default/files/documents/General_Plan_FINAL.pdf

³ <https://hayward.legistar.com/LegislationDetail.aspx?ID=4747797&GUID=2B1F0C6F-B961-4AA3-9553-240ACE74B4B1&Options=&Search=>
⁴ Amending the 2040 General Plan and Adoption of Ordinance to Comply with State Law Changes to Establish Vehicle Miles Traveled (VMT) Thresholds & Updates Greenhouse Gas Emissions (GHG) Reduction Targets. June 16, 2020 City Council Meeting.

<https://hayward.legistar.com/LegislationDetail.aspx?ID=4568609&GUID=46FF5863-9294-4217-9119-9631D7A2BB6F&Options=&Search=>

⁵ Second Reading of VMT Thresholds and GHG Emission Reduction Targets Ordinance. June 23, 2020 City Council Meeting.

<https://hayward.legistar.com/LegislationDetail.aspx?ID=4576651&GUID=4E2F5527-D216-4472-BB79-5D9A37A41AE8&Options=&Search=>

⁶ <https://hayward.legistar.com/LegislationDetail.aspx?ID=5034289&GUID=A1DD2D35-7B4A-42C8-9284-7DEB78AAD470&Options=&Search=>

In the GHG inventory evaluation, the consultants recommended that the City include emissions from public buses (AC Transit), updated off-road emissions data, and calculate total transportation emissions using Google’s Environmental Insights Explorer (EIE) data. Previous inventories have included vehicle miles traveled (VMT) data from the Metropolitan Transportation Commission (MTC), which includes passenger and commercial vehicles. The City supplemented these datasets with Emission FAcT or (EMFAC)⁷ data on motorcycles, motor homes, and buses. MTC uses a transportation model that estimates VMT using population and land use metrics. Google EIE accounts for all vehicle types that start or end within the City boundary. This data is advantageous because it uses anonymized and aggregated location history data that is a real time reflection of local changes in transportation use. After making these updates, the finalized inventory was used to project future emissions and calculate how much Hayward will have to reduce emissions through local initiatives and programs to meet long term targets.

Business As Usual Forecast

The first forecast provided is Hayward’s business as usual (BAU) GHG emissions, shown below in Figure 1. The BAU forecast provides an estimate of how emissions are predicted to change from 2019 to 2045, given that existing actions continue as they were in 2019 with no new regulations or actions that reduce local GHG emissions. The forecast is based on projected trends in population growth and employment, consistent with local and regional projections.

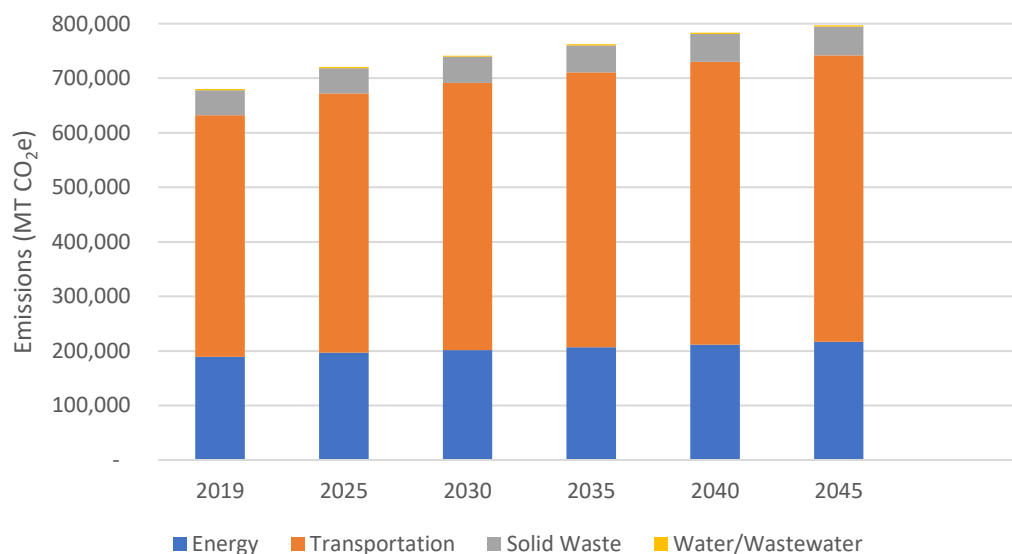


Figure 1. Hayward BAU GHG Emissions Forecast (MT CO₂e) through 2045

⁷ EMFAC is a model from the California Air Resources Board (CARB) that estimates the official emissions inventories of on-road mobile sources in California (<https://arb.ca.gov/emfac/>)

Adjusted Emissions – State + Federal Regulations

There are multiple federal and state regulations that have been enacted that are expected to reduce Hayward's GHG emissions in the coming years. The following State actions were applied to the Adjusted Forecast based on the unique sectors within Hayward:

- **2019 Title 24 Building Energy Efficiency Standards**
The 2019 Title 24 Energy Efficiency Standards have come into effect, creating significantly more efficient new building stock. Starting in 2020, new residential developments are required to include on-site solar generation and near-zero net energy use.
- **Renewable Portfolio Standard (RPS) and Senate Bill 100**
The RPS program, accelerated in 2018 under SB 100, requires investor-owned utilities, publicly owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 50 percent of total procurement by 2026 and 60 percent of total procurement by 2030. The RPS program further requires these entities to increase procurement from GHG-free sources to 100 percent of total procurement by 2045.
- **Transportation Legislation**
The Advanced Clean Cars program coordinates the goals the Low Emissions Vehicles, Zero Emissions Vehicles, and Clean Fuels Outlet programs into a single coordinated package of requirements for model years 2017 to 2025. The new standards are anticipated to reduce GHG emissions by 34 percent in 2025. Public transit GHG emissions will also be reduced in the future through the Innovative Clean Transit (ICT) regulation, adopted in December 2018, which requires all public transit agencies to gradually transition to a 100-percent zero-emission bus fleet by 2040.

Compliance with State legislation is expected to result in GHG emissions reductions from the BAU GHG Emissions Forecast in the transportation and energy sectors for residential and non-residential activities. The impact of these regulations was quantified by Rincon to create the adjusted forecast shown below in Figure 2.

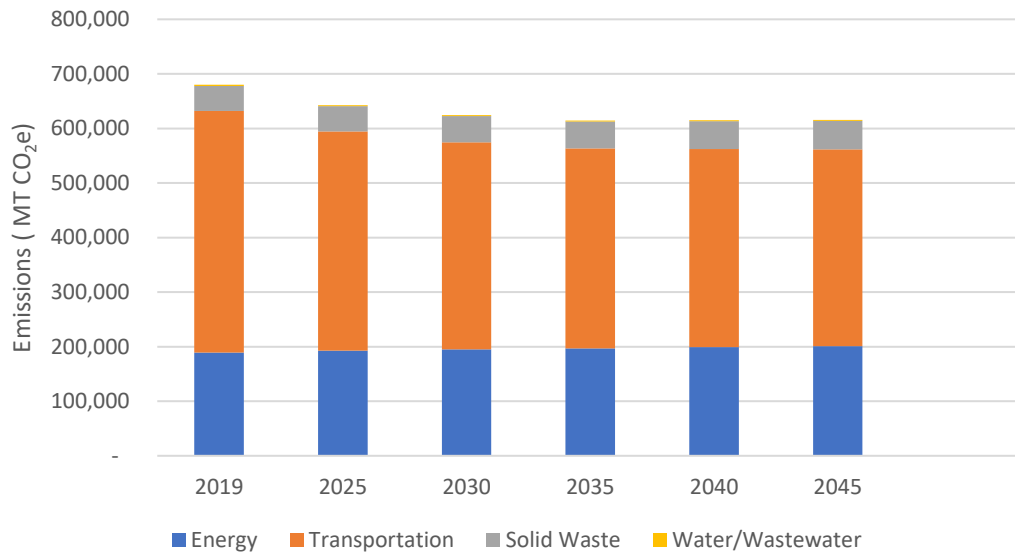


Figure 2. Hayward Adjusted GHG Emissions Forecast (MT CO₂e) through 2045

Gap Analysis

The adjusted forecast was compared against the City's targets to establish the gap in emissions reductions that need to be tackled by the City to reach the GHG reduction goals stated previously. The CAP Update will assess the GHG emissions reductions needed based on the difference between the legislative adjusted GHG emissions forecast and the adopted Hayward GHG reduction targets. The targets and the emissions gap are shown in Figure 3.

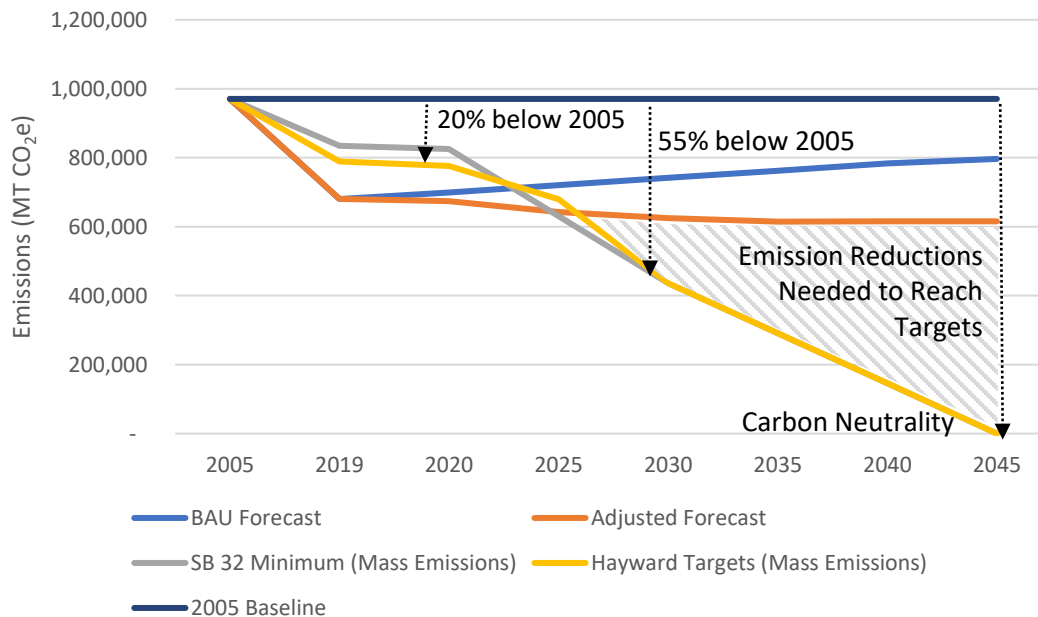


Figure 3. GHG Emissions Targets & Gap Analysis

First CAP Community Workshop

The above Figures were presented at a community workshop on April 13, 2022. There were 12 attendees, of which 5 represent a local organization. During the workshop, the attendees provided input on the following topics through a Mural Board interactive activity (see Attachment II):

1. Concerns about climate change and GHG emissions

Many community members in the meeting expressed their concern for the disproportionate impact of climate change on low-income, BIPOC (black, indigenous and people of color) communities. Additionally, there were concerns about health impacts, livability, and stability of the community over time, and resource scarcity.

2. Potential opportunities to reduce GHG emissions in Hayward

Attendees expressed a need for the CAP to emphasize reducing emissions from on-road transportation. Comments included making public transportation, biking, and electric vehicles more accessible, safe, and affordable. Other comments addressed reducing air pollution from factories and construction.

3. Sectors to prioritize in the CAP

Attendees voted on which sectors they believe should be included in the CAP Update, and of the 7 options provided⁸, the top 4 choices were:

Increasing Public Transit Access;
Increasing Tree Count;
Electrifying New Buildings; and
Electrifying Existing Buildings

4. Recommendations to make the CAP Update more equitable

To make the CAP more equitable, the most common recommendation from participants was to involve all Hayward residents, especially the most impacted communities, by meeting people where they are and compensating them for their time. There were also recommendations to build capacity in frontline communities and ensure that any programs included in the CAP are accessible and equitable. Finally, a key theme throughout this activity was the concern for future generations and the suggestion to involve the school district and students who are passionate about climate change but don't know how to contribute.

Staff is seeking direction and ideas from Council regarding additional potential GHG-reducing measures to be considered for the draft CAP. Staff will work with Rincon to analyze potential measures to develop a suite of recommended measures that are in-line with the community input received in the CAP Public Workshop. Analysis will consider:

- Emissions reduction potential;
- Co-benefits such as cost savings or health benefits;
- Costs and challenges associated with implementation; and

⁸ The 7 options provided were: (1) increase public transit access, (2) increase electric vehicle (EV) charging infrastructure, (3) increase car sharing options, (4) increase tree count, (5) electrify existing buildings (residential + commercial), (6) electrify new buildings (residential + commercial), (7) ban natural gas.

- Equity
 - Who would the action benefit?
 - Who would the action not benefit?
 - Who is currently implementing the action?
 - Who is not currently implementing the action and why?

Environmental Justice Public Forums

On February 23, 2022, the City hosted the first Environmental Justice Public Forum to discuss environmental justice issues, such as health, pollution exposure, parks access, food access, and community engagement outlined in an Environmental Justice Technical Report⁹. The 16 forum attendees recommended that the new Environmental Justice Element address issues detailed in Attachment III, which include:

- The disproportionate pollution burden impacting some multifamily and some affordable housing units and the health risks associated with it;
- The lack of public transit/biking/walking routes to grocery stores, and limited stores with affordable healthy food options;
- Inadequate programming and maintenance, and safety concerns at some parks;
- Multi-lingual outreach efforts that include underrepresented groups and bring meetings to residents to increase accessibility.

This community input was used to help create a draft policy framework (see Attachment IV). Once finalized, the framework will be used as an outline of key environmental justice topics specific to Hayward that will be addressed by the policies and programs identified in the Environmental Justice Element.

In the second Environmental Justice Public Forum on April 27, 2022, community members had an opportunity to provide direct feedback on the topics identified as policy focal points for the Environmental Justice Element. Key themes that emerged around the policy focal points from the 19 attendees of the second public forum (see Attachment V) included:

- Limiting pollution exposure as a result of traffic;
- Considering illegal dumping as pollution and addressing the issue;
- Increasing public transit, active transportation, and EV charging facilities;
- Increasing food rescue programs and locally grown food;
- Providing housing support, especially to non-English speakers and seniors;
- Creating more green space, and partnering with HARD and HUSD to do so.

Staff intends to use the community input from these forums and other outreach efforts, comments from the Planning Commission, and Council direction to create the draft Environmental Justice Element.

Safety Element

Along with the CAP update and new Environmental Justice Element, staff is also preparing an update to the Safety Element of the General Plan. As a part of the Safety Element update, staff and the consultant team have been working on evacuation scenario planning and

⁹ <https://haywardhousingandclimateupdate.com/wp-content/uploads/2022/02/Hayward-EJ-Background-Tech-Report.pdf>

drafting a Climate Vulnerability Assessment. While the CAP will focus on efforts to minimize climate change, the Safety Element will contain policies and programs supporting community resilience and adaptation efforts. Staff will have more information about the Safety Element with the next report to Council.

ECONOMIC IMPACT

Climate change is expected to negatively impact national and local economies. The new Environmental Justice Element and the updated CAP will seek to help make Hayward's economy more resilient to climate change.

FISCAL IMPACT

Council approved a total budget of \$720,000 for the General Plan updates. This project will not impact the City's General Fund. The project is funded by a Local Early Action Planning (LEAP) Grant from the California Department of Housing and Community Development (HCD), the Development Services Department's Planning Policy Fund, and the Public Works and Utilities Department's Recycling, Water, and Sewer Funds.

STRATEGIC ROADMAP

This agenda item supports the Strategic Priority to *Confront Climate Crisis & Champion Environmental Justice* as included in the Strategic Roadmap adopted May 3, 2022.

Specifically, this item is related to implementation of the following project:

Project C5: Adopt & Implement 2030 GHG Goal & Roadmap along with other General Plan Elements

SUSTAINABILITY FEATURES

Meeting GHG reduction goals is the primary objective of the City's CAP. Meeting the goals will require reducing emissions in every sector of Hayward's economy and will entail improving energy efficiency in buildings, decarbonizing existing buildings, increasing the use of renewable energy, and reducing vehicle-related emissions. All these actions will result in cleaner air for Hayward residents and for the region.

PUBLIC CONTACT

Equitable Outreach Plan

There is considerable overlap between the issues addressed in the CAP, Housing Element and Environmental Justice Element. As a result, staff is conducting public outreach for all three projects simultaneously, with an emphasis on equity and extensive community involvement.

Prior to the Environmental Justice and CAP community workshops, staff reached out to over 100 community-based organizations and groups in Hayward to gauge interest in collaborating on the General Plan updates. Staff members have also visited various locations around Hayward (grocery stores, laundromats, farmers market, BART stations,

etc.) to pass out flyers with information on the General Plan Updates and how residents can be involved. Collectively, Environmental Services and Planning staff visited 19 different locations across the City. Housing outreach has included standard surveys and interviews and an interactive housing simulation that allows people to identify sites and areas for future development.

Additionally, staff organized a Gallery Walk Event, featuring large poster boards with information on the Climate Action Plan, Housing Element, Environmental Justice Element, Safety Element, and the History of Hayward. The posters were printed in both English and Spanish and were displayed in City Hall, the Downtown Hayward Library, BART, the Farmers Market and at Chabot and Hayward NAACP Branch offices in conjunction with outreach events. Additionally, staff offered the posters to various organizations and Alameda County Transit Authority requested the posters to display in their Hayward facility where approximately 400 Hayward residents are employed. Community members were invited to learn about the General Plan updates by walking through the gallery and engage with the posters through QR codes.

Another avenue of community engagement has been through surveys and interviews conducted by college students in Hayward. Chabot College students have helped the City by surveying residents about parks and housing. In Spring 2021, Chabot College students interviewed 252 residents about their experience, concerns, and ideas for parks in Hayward. Chabot students also interviewed approximately 550 residents online in Fall 2021 and Spring 2022 about housing, discrimination, pollution, and community amenities. Additionally, students in a public health capstone class at CSU East Bay (CSUEB) are conducting surveys around park access, pollution, access to healthy food, and safe and sanitary housing. They are currently in the process of collecting survey responses and will use the data to provide policy recommendations to the City to potentially include in the Environmental Justice Element or other parts of the General Plan Update. Survey results from both Chabot and CSUEB will be summarized in the presentation to Council.

NEXT STEPS

Staff will present the CAP and Environmental Justice community comments and potential policies to the Planning Commission on May 26, 2022. Based on community input, Council direction, and analysis by the consultant team, staff will recommend Environmental Justice and GHG reduction policies and programs which will be presented to the Council Sustainability Committee on July 11, 2022. Staff will continue to engage with the Hayward community to ensure that the Environmental Justice Element and CAP respond to community needs and does so in an equitable way.

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Erik Pearson, Environmental Services Manager

Recommended by: Alex Ameri, Director of Public Works

Approved by:

A handwritten signature in black ink, appearing to read 'K. McAdoo', is positioned above a horizontal line.

Kelly McAdoo, City Manager