SUBJECT

Climate Action Plan Update and Proposed Environmental Justice Element: Considerations for New General Plan Policies and Programs for the Hayward 2040 General Plan

RECOMMENDATION

That the Planning Commission reviews and provides feedback on the proposed updates to the City's Climate Action Plan and new policies and programs related to the adoption of a new Environmental Justice element of the Hayward 2040 General Plan.

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 in 2020. The current CAP, part of the *Hayward 2040 General Plan* adopted in 2014, is being updated along with revisions to the Housing and Safety Elements of the General Plan, which is required by the State. This report also presents a draft policy framework for a new Environmental Justice element of the General Plan. This report provides a status 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 stakeholders to ensure that all policies in the CAP are equitable and align with community needs.

Staff is requesting feedback from the Planning Commission on the updates to the Climate Action Plan and proposed programs and policies related to a new Environmental Justice element of the *Hayward 2040 General Plan* and will forward that feedback to City Council for their consideration at a future meeting.

BACKGROUND

In July 2009, Hayward adopted its first CAP, which included aggressive goals for reducing GHG emissions. The CAP was later amended in 2014 and incorporated into the *Hayward 2040 General Plan*[1] 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 inventory[2] showing that emissions had been reduced by 25.7% since 2005.

[1] https://www.hayward-ca.gov/sites/default/files/documents/General_Plan_FINAL.pdf
[2] https://hayward.legistar.com/LegislationDetail.aspx?ID=4747797&GUID=2B1F0C6F-B961-4AA3-9553-240ACE74B4B1&Options=&Search=

On June 23, 2020[3], the 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.

State law requires the Housing Element be updated by January 2023 and requires amendments to the Safety Element as part of those updates. State law also requires an Environmental Justice Element for communities that have disadvantaged census tracts[4]. To support this work, the Council adopted Resolution No. 20-054 in May 2020 to authorize the City Manager to apply for a Local Early Action Planning (LEAP) Grant to fund the Housing and Safety Element updates, as well as develop the new Environmental Justice Element of the *Hayward 2040 General Plan*. In May 2021, the City and State entered into an Agreement to fund the Housing, Safety and Environmental Justice portions of the project. The CAP portion is funded by enterprise funds managed by the Public Works Department.

On July 20, 2021[5], 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.

On May 9, 2022[6], 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 (HUSD), 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.

Staff is in the process of reaching out to additional community organizations, including HUSD, to seek early input on equitable approaches to potential strategies to reduce GHG emissions. Throughout the development of the CAP and Environmental Justice Element, staff will continue to ensure that new policies and programs align with the City's Strategic Roadmap.

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 City's goals for 2030 and 2045 are consistent with the State's. SB 32, signed into law in

[3]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=

[4] It was recently determined that Hayward does not have any census tracts classified as "disadvantaged", however some are just above the threshold. In addition, preparation of the EJ Element is consistent with Council's priority to address racial equity.

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

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

December 2020, requires that when a city or county updates its CAP or general plan, they must be consistent with these statewide GHG reduction targets. 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 comprehensive and more holistic approach that will result in cost savings and time efficiencies.

GHG Inventory and Forecast. Hayward's most recent inventory, presented to the CSC in January 2021[7], 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.

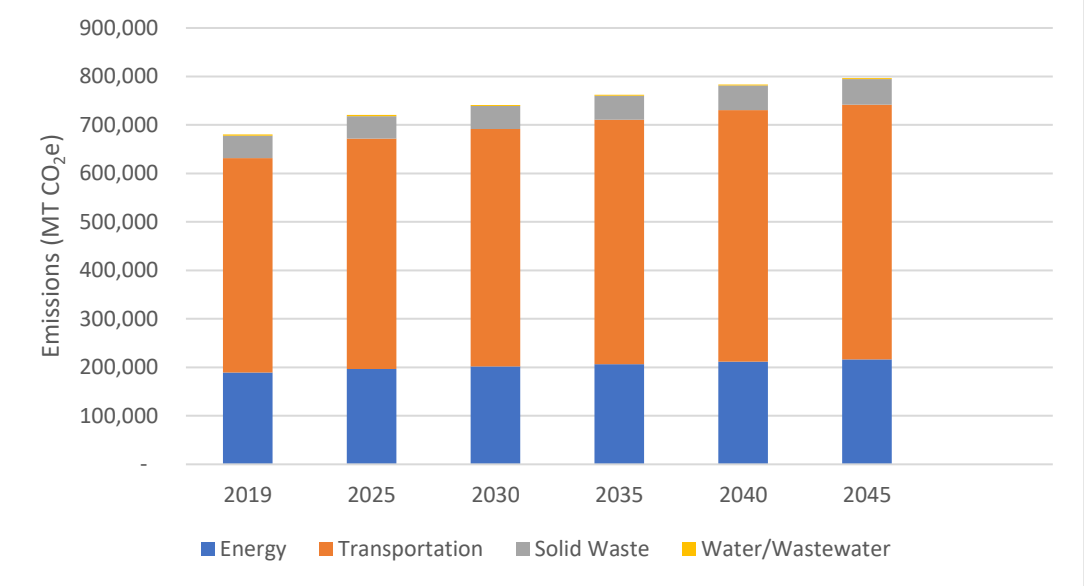
In the GHG inventory evaluation, the consultants recommended that the City include emissions from public buses (AC Transit), update off-road emissions data, and calculate total transportation emissions using a new data source from Google called Environmental Insights Explorer (EIE). Previous inventories have included on-road transportation activity data from the Metropolitan Transportation Commission (MTC) in units of vehicle miles traveled (VMT), which is the standard metric for calculating transportation-related GHG emissions. The MTC data uses a transportation model which relies on surveys of transportation patterns, land use and population metrics to calculate VMT for passenger and commercial vehicles completing trips entirely within the city, ending or starting within the city, and those that only pass through. Staff supplemented the MTC data with data from the California Air Resources Board on motorcycles, motor homes, and buses to account for the full scope of on-road transportation in Hayward. The new dataset from Google EIE accounts for all vehicle types that start or end within the city. 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. For example, the Google EIE data reflected the decrease in on-road transportation during the COVID-19 pandemic.

After making these updates, the finalized inventory was used to forecast future emissions. The following forecasts are provided for two scenarios: *Business as Usual (BAU)* and *Adjusted for State and Federal Regulations*. The purpose of the forecasts is to provide an estimate of how the City's GHG emissions are expected to change from 2019 to 2045 as a result of economic and population growth (Business as Usual) and California climate-related legislation (Adjusted for State and Federal Regulations). The forecasts will help the City quantify the emission reductions that need to be addressed by local policies and programs in order to meet long term targets.

Business As Usual Forecast. The first forecast provided is Hayward's 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.

[7] https://hayward.legistar.com/LegislationDetail.aspx?ID=4747797&GUID=2B1F0C6F-B961-4AA3-9553-240ACE74B4B1&Options=&Search=

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



Adjusted State + Federal Regulations Forecast. There are multiple federal and state regulations that have been enacted recently, which will further help 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

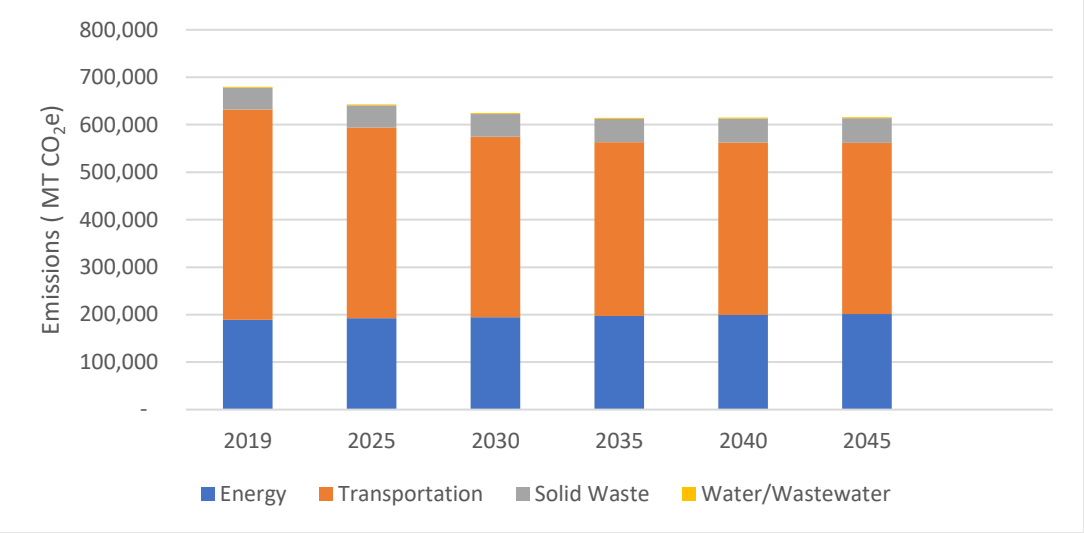
  The RPS program, accelerated in 2018 under SB 100, requires investor-owned utilities, publicly owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 50 percent of total procurement by 2026 and 60 percent of total 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.

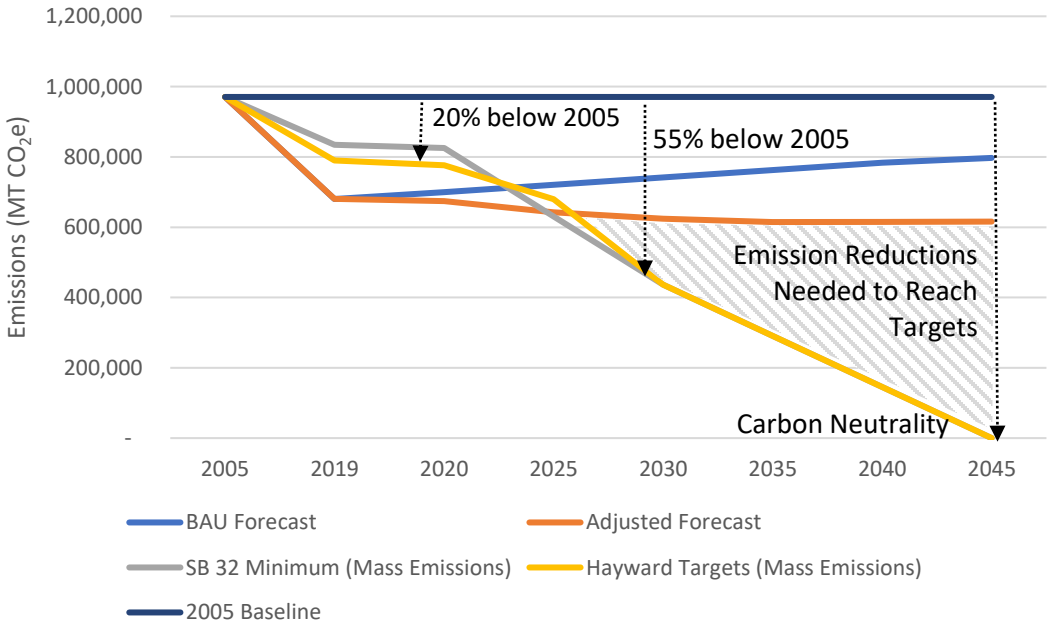
Compliance with State legislation is expected to result in GHG emissions reductions from the BAU GHG Emissions Forecast in the transportation and energy sectors for residential and non-residential activities. The impact of these regulations was quantified by Rincon to create the adjusted forecast shown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

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



Gap Analysis. The Adjusted Forecast was then compared against the City's targets to identify the gap in emissions reductions that is needed by the City in order 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 estimated targets and the emissions gap are shown in Figure 3 below.

Figure 3. GHG Emissions Targets & Gap Analysis



First CAP Community Workshop. The information reflected in the figures noted above were presented at a virtual community workshop on April 13, 2022. This meeting was open to the public and advertised through the project website, a Leaflet article, and emails to stakeholders, including attendees of the first EJ Forum. During the workshop, the attendees provided input on the following topics through a Mural Board interactive activity (see Attachment II). Below each topic, staff summarized the public feedback received:

- *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, stability of the community over time, and disruption of the supply of essential resources (food, water, power, etc.).

- *Potential opportunities to reduce GHG emissions in Hayward*
  Attendees recommended the CAP emphasize reducing emissions from on-road transportation. Comments included making public transportation, biking, and electric vehicles more accessible, safe, and affordable. Other comments addressed the need to reduce air pollution from factories and construction.

- *Sectors to prioritize in the CAP*
  Attendees voted on which sectors they believe should be included in the CAP Update, and of the seven options provided[8], the top four choices were:
  - Increasing Public Transit Access;
  - Increasing the Number of Trees Planted;
  - Electrifying New Buildings; and
  - Electrifying Existing Buildings

- *Recommendations to make the CAP Update more equitable*
  To make the CAP more equitable, participants recommended that all Hayward residents be involved throughout the process, especially the most impacted communities, by meeting people in their neighborhood, including possible compensating them for their time. There were also recommendations to strengthen engagement in communities that will be most impacted by climate change to ensure that any programs included in the CAP Update 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.

The meeting recording and presentation from the April 13 Workshop are available on the project website[9]. Additionally, there is also a short survey for residents to share ideas, concerns, and feedback on the CAP Update.

Staff is seeking direction and ideas from Council and the Planning Commission regarding additional potential GHG-reducing measures to be considered for the draft CAP. Staff will

[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.
[9] https://haywardhousingandclimateupdate.com/project-resources/#materials

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 Workshop. Analysis will consider:

- Emissions reduction potential;
- Co-benefits such as cost savings or health benefits;
- Costs and challenges associated with implementation; and
- 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 virtually to discuss environmental justice issues, such as health, pollution exposure, parks access, food access, and community engagement outlined in an Environmental Justice Technical Report[10]. This meeting was open to the public and advertised through the project website, the Leaflet, and emails to stakeholders and interested parties. There were sixteen members of the public who attended the forum and recommended that the new Environmental Justice Element address the following issues, which are also detailed in Attachment III:

- The disproportionate amount of pollution that impacts some multifamily and affordable housing units and the related health risks associated with this impact;
- The lack of public transit/biking/walking routes to access public amenities and grocery stores, including stores with limited access to affordable and 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.

The community input was used to help create a draft policy framework (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.

At the second virtual Environmental Justice Public Forum held 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. This meeting was open to the public and advertised through the project website, and emails to stakeholders and participants from the first EJ Forum. 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;

[10] https://haywardhousingandclimateupdate.com/wp-content/uploads/2022/02/Hayward-EJ-Background-Tech-Report.pdf

- 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, including feedback from the Planning Commission and City Council to create the draft Environmental Justice Element. Staff is seeking direction and ideas from the Planning Commission regarding the areas listed above as well as additional Environmental Justice policies that should be considered in the Environmental Justice Element.

The meeting recordings and presentations from both Public Forums are available on the project website[11].

Safety Element. Along with the CAP update and new Environmental Justice Element, staff is also preparing an update to the Safety Element of the *Hayward 2040 General Plan*. The City is required to update the Safety Element due to several pieces of legislation that were triggered by updating the Housing Element. As a part of the Safety Element update, staff and the consultant team have been working on evacuation scenario planning and drafting a Climate Vulnerability Assessment, which are new requirements following State legislation. 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 present draft Safety Element policies and programs to the Planning Commission at a later date.

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

ENVIRONMENTAL REVIEW

Environmental review for this project has yet to begin. Staff anticipates preparing an addendum to the Environmental Impact Report (EIR) prepared for the Hayward 2040 General Plan, which was adopted in 2014. Once completed, staff will return to the Planning Commission for review and a recommendation to Council.

PUBLIC OUTREACH

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 efforts for all three projects simultaneously, with an emphasis on equity and extensive community involvement. For example, Rincon consultants created a project website[12] with information on the Housing Element, Environmental Justice Element, Safety Element, and the Climate Action Plan. Through the website, the public can see upcoming

[11] https://haywardhousingandclimateupdate.com/project-resources/#materials
[12] https://haywardhousingandclimateupdate.com/

meetings, access resources from past meetings, and engage through surveys and email. Currently, there is a short survey open for the CAP Update to receive feedback on what sectors to prioritize and ideas for GHG reducing policies and programs.

Prior to the Environmental Justice and CAP community workshops, staff contacted over 100 community-based organizations and stakeholder groups to gauge interest in collaborating on the General Plan updates. Staff 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 Division staff visited 19 different locations across the city to promote public outreach and solicit feedback. Additionally, the City's Housing Division outreach included standard surveys and interviews, including a interactive housing simulation that allows people to identify sites and areas for future development. More information on these efforts can be found on the "Get Involved" page of the project webpage[13].

Additionally, earlier this year staff created 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. Staff offered the posters to various organizations including a request by Alameda County Transit Authority offices 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.

Additional Chabot College and CSUEB Outreach Efforts. 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 the Commission.

NEXT STEPS

Following the input and feedback from the Commission, staff will consolidate the comments and update the recommended Environmental Justice and GHG reduction policies and programs, which will be presented to the Council Sustainability Committee on July 11, 2022. Staff will return to the Planning Commission at a future date when the draft goals policies and

[13] https://haywardhousingandclimateupdate.com/get-involved/

programs for the CAP, the Environmental Justice Element and the Safety Element are completed. In the meantime, 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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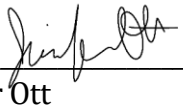

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