



To: public_comments@cityofchicago.org

From: Ellis Walton, Associate Attorney

Re: Hazel M. Johnson Cumulative Impacts Ordinance

To the Honorable City Council Members,

My name is Ellis Walton. I am an Associate Attorney at the Environmental Law and Policy Center, former co-chair of the Policy Working Group in the Chicago Cumulative Impacts Assessment, and a Chicago Environmental Equity Working Group member. I am writing to express ELPC's support for the Hazel M. Johnson Cumulative Impacts Ordinance.

Chicago's historic role as an industrial center and key transportation hub led to the progressive development of the city, driving economic growth while also leaving environmental, social, and health burdens for generations of residents who work or live near industrial facilities and transportation nodes. City policies and zoning practices led to the concentration of polluting activities in non-white communities, particularly on the South and West Sides. Previous Chicago administrations have sadly treated the south and west sides as "sacrifice zones," forcing residents to live in toxic environments.

In 2022, the U.S. Department of Housing and Urban Development (HUD) confirmed what overburdened residents had long known: Chicago's policies systematically shifted pollution into Black and Latino neighborhoods, which deepened environmental and racial disparities.¹ This was due in part to the City's "Industrial Corridor System," which labeled mostly non-white neighborhoods as corridors open to receiving more industrial development.² As a result, the City entered into a Voluntary Compliance Agreement with HUD and local community members, and committed to significant reforms, including the 2023 Cumulative Impacts Assessment (CIA), which identified pollution disparities across the city and relevant policy solutions.³ In September 2023, the City and EEWG presented our findings to the City Council and made the findings publicly available online.⁴ The CIA Community Input Summaries, Policy Recommendations, and Chicago Environmental Justice Index and Map are included in the findings and provide

¹ Letter of Findings of Noncompliance with Title VI and Section 109 Southeast Environmental Task Force, et al. v. City of Chicago, at 2, 5. ("HUD Letter of Findings")
https://www.hud.gov/sites/dfiles/Main/documents/Letter_of_Finding_05-20-0419_City_of_Chicago.pdf.

² HUD Letter of Findings at 14.

³ See generally Voluntary Compliance Agreement between HUD and the City of Chicago, HUD Case No. 05-20-0419-6/8/9 https://www.hud.gov/sites/dfiles/Main/documents/Signed_VCA_Chicago.pdf.

⁴ Chicago's Cumulative Impact Assessment Webpage
https://www.chicago.gov/city/en/depts/cdph/supp_info/Environment/cumulative-impact-assessment.html

information to understand the environmental disparities present, the policy tools available to address them, and concerns and desired reforms expressed by residents during the CIA.

The Hazel M. Johnson Cumulative Impacts Ordinance is a culmination of decades of advocacy from Chicago's environmental justice ("EJ") groups, and builds on the groundbreaking work conducted during the 2023 Chicago CIA. This ordinance establishes key definitions, such as "Environmental justice" and "Environmental justice priority areas," setting a standard for EJ that City of Chicago staff and departments can work towards and be held accountable to. It recognizes that different areas of the City have experienced unequal environmental, social, and health burdens and that it is past time to remedy those disparities. The ordinance also requires the City to conduct a CIA every three years and to incorporate its updated findings into its decision-making concerning zoning, permitting, enforcement, and transportation actions.

The ordinance targets the City's discriminatory Industrial Corridor system by amending the City's zoning code to remove by-right zoning privileges for intensive manufacturing, recycling, warehousing, and freight movement facilities. The ordinance requires new or expanded facilities in these categories to prepare a site-specific cumulative impacts study evaluating each proposal's impact on public health, safety and the environment within a radius of at least one-mile. It also obligates zoning applicants to host at least one public meeting in the affected community, explain the proposed project and its impact, and solicit public comment for incorporation into the cumulative impact study.

The ordinance also creates an Environmental Justice Advisory Board to provide recommendations and advice to City administrators on zoning changes, departmental EJ action plans, community engagement strategies, and other EJ policies. Ten of the twenty-one seats on the Board are reserved for community members from EJ priority areas, ensuring that Chicago's overburdened residents have direct input in shaping the policies and decisions that affect their communities.

As you consider this ordinance, we urge you to ground your decision in data, lived experiences, and the well-documented environmental harm in Chicago. The findings of the Cumulative Impacts Assessment, the Chicago Environmental Justice Index, and the extensive Community Input Summaries all demonstrate that structural reforms are needed to prevent further harm. The Hazel M. Johnson Cumulative Impacts Ordinance is a critical first step toward equality, accountability, and a healthier future for all Chicagoans.

ELPC strongly urges you to vote in support.

Thank you,

/s/ Ellis Walton

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