4 ENVIRONMENTAL JUSTICE

4.1 CSLC ENVIRONMENTAL JUSTICE POLICY

Environmental justice is defined by California law as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.” This definition is consistent with the Public Trust Doctrine principle that the management of trust lands is for the benefit of all of the people. The CSLC adopted an environmental justice policy in October 2002 to ensure that environmental justice is an essential consideration in the agency’s processes, decisions, and programs. Through its policy, CSLC reaffirms its commitment to an informed and open process in which all people are treated equitably and with dignity, and in which its decisions are tempered by environmental justice considerations.

As part of the CSLC environmental justice policy, the CSLC pledges to continue and enhance its processes, decisions, and programs with environmental justice as an essential consideration by:

1. Identifying relevant populations that might be adversely affected by CSLC programs or by projects submitted by outside parties for its consideration.
2. Seeking out community groups and leaders to encourage communication and collaboration with the CSLC and its staff.
3. Distributing public information as broadly as possible and in multiple languages, as needed, to encourage participation in the CSLC’s public processes.
4. Incorporating consultations with affected community groups and leaders while preparing environmental analyses of projects submitted to the CSLC for its consideration.
5. Ensuring that public documents and notices relating to human health or environmental issues are concise, understandable, and readily accessible to the public, in multiple languages, as needed.
6. Holding public meetings, public hearings, and public workshops at times and in locations that encourage meaningful public involvement by members of the affected communities.
7. Educating present and future generations in all walks of life about public access to lands and resources managed by the CSLC.
8. Ensuring that a range of reasonable alternatives is identified when siting facilities that may adversely affect relevant populations and identifying, for the CSLC’s consideration, those that would minimize or eliminate environmental impacts affecting such populations.
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9. Working in conjunction with federal, State, regional, and local agencies to ensure consideration of disproportionate impacts on relevant populations, by instant or cumulative environmental pollution or degradation.

10. Fostering research and data collection to better define cumulative sources of pollution, exposures, risks, and impacts.

11. Providing appropriate training on environmental justice issues to staff and the CSLC so that recognition and consideration of such issues are incorporated into its daily activities.

12. Reporting periodically to the CSLC on how environmental justice is a part of the programs, processes, and activities conducted by the CSLC and proposing modifications as necessary.

4.2 METHODOLOGY

The CSLC environmental justice policy does not specify a methodology for conducting project-specific analysis of environmental justice issues. Due to the limited extent of the Project’s impacts on the human environment, as established in Chapter 3 of this document, this chapter provides a qualitative consideration of the Project’s potential to disproportionately affect low-income or minority communities.

4.3 PROJECT ANALYSIS

The Project’s limited impact on the human environment is established in various sections of this document, including Section 3.3.1 (Aesthetics), Section 3.3.2 (Air Quality), Section 3.3.7 (Greenhouse Gas Emissions), 3.3.8 (Hazards and Hazardous Materials), Section 3.3.12 (Noise), Section 3.3.15 (Recreation), and Section 3.3.16 (Traffic). The discussion below considers the Project’s potential to disproportionately affect any low-income or minority communities.

The Project is located offshore of an unpopulated area, with the nearest community comprising on-base residential development more than a mile to the north. Beyond that, residential uses in the City of San Clemente are located approximately 3 miles northwest of the project site. Due to this distance between the Project site and residential areas, and due to the small-scale and underwater nature of the proposed facilities, there would be no direct impact on residential communities, regardless of their socioeconomic makeup.

An additional environmental justice consideration for the Project is the nearby presence of the two areas of San Onofre State Beach — San Onofre Surf Beach to the north and San Onofre Bluffs to the south of SONGS Units 2 and 3 — which are public resources open to and used by people of all socioeconomic backgrounds. The uses at San Onofre
Bluffs are primarily swimming, surfing, and camping, while San Onofre Surf Beach is used for swimming and surfing. The offshore area surrounding the Project site is also used for boating and recreational and commercial fishing. The socioeconomic makeup of these users is unknown, would be difficult to determine, and is beyond the scope of this analysis due to the Project’s limited potential to affect these users.

The Project would have no direct impact on State Beach users due to the distance from shore and underwater nature of the proposed facilities. The Project’s distance from shore also would limit indirect construction impacts on these users. With respect to fishing and boating, Section 3.3.15 of this document states that Project construction of each LOED will occur within the restricted-access area surrounding SONGS, limiting the potential impact on these activities. Mitigation measure REC-1 requires notifying the U.S. Coast Guard of Project construction so that they can include Project information in the Local Notice to Mariners, which would reduce to a less-than-significant level the Project’s potential impacts on any fishing and boating that may occur in the area. Accordingly, the Project’s impacts on any low-income or minority community that may use the area surrounding the Project site would be negligible.

The Project has no potential to disproportionately affect any low-income or minority community that may reside in nearby communities or use the surrounding area for recreation or commerce. Furthermore, the CSLC is complying with its environmental justice policy by subjecting its decision on this Project to public involvement through the CEQA process, which will give people of all socioeconomic backgrounds the opportunity to learn about and comment on the Project.