

4.0 OTHER MAJOR AREAS OF CONCERN

1 4.1 CSLC ENVIRONMENTAL JUSTICE POLICY

2 Environmental justice is defined by California law as “the fair treatment of people of all
3 races, cultures, and incomes with respect to the development, adoption,
4 implementation, and enforcement of environmental laws, regulations, and policies”
5 (Senate Bill 115 [Chapter 690, Statutes of 1999]). This definition is consistent with the
6 Public Trust Doctrine principle that the management of trust lands is for the benefit of all
7 of the people. The California State Lands Commission (CSLC) adopted an
8 environmental justice policy in 2002 to ensure that environmental justice is an essential
9 consideration in the agency’s processes, decisions, and programs. Through its policy,
10 CSLC reaffirms its commitment to an informed and open process in which all people are
11 treated equitably and with dignity, and in which its decisions are tempered by
12 environmental justice considerations. As part of this policy, the CSLC continues and
13 enhances its processes, decisions, and programs with environmental justice as an
14 essential consideration by:

- 15 1) Identifying relevant populations that might be adversely affected by CSLC
16 programs or by projects submitted by outside parties for its consideration.
- 17 2) Seeking out community groups and leaders to encourage communication and
18 collaboration with the CSLC and its staff.
- 19 3) Distributing public information as broadly as possible and in multiple languages,
20 as needed, to encourage participation in the CSLC’s public processes.
- 21 4) Incorporating consultations with affected community groups and leaders while
22 preparing environmental analyses of projects submitted to the CSLC for its
23 consideration.
- 24 5) Ensuring that public documents and notices relating to human health or
25 environmental issues are concise, understandable, and readily accessible to
26 the public, in multiple languages, as needed.
- 27 6) Holding public meetings, public hearings, and public workshops at times and in
28 locations that encourage meaningful public involvement by members of the
29 affected communities.
- 30 7) Educating present and future generations in all walks of life about public access
31 to lands and resources managed by the CSLC.
- 32 8) Ensuring that a range of reasonable alternatives is identified when siting
33 facilities that may adversely affect relevant populations and identifying, for the
34 CSLC’s consideration, those that would minimize or eliminate environmental
35 impacts affecting such populations.

- 1 9) Working in conjunction with Federal, State, regional, and local agencies to
2 ensure consideration of disproportionate impacts on relevant populations, by
3 instant or cumulative environmental pollution or degradation.
- 4 10) Fostering research and data collection to better define cumulative sources of
5 pollution, exposures, risks, and impacts.
- 6 11) Providing appropriate training on environmental justice issues to staff and the
7 CSLC so that recognition and consideration of such issues are incorporated
8 into its daily activities.
- 9 12) Reporting periodically to the CSLC on how environmental justice is a part of the
10 programs, processes, and activities conducted by the CSLC and by proposing
11 modifications as necessary.

12 **4.1.1 Methodology**

13 The CSLC environmental justice policy does not specify a methodology for conducting
14 programmatic-level analysis of environmental justice issues. This analysis focuses
15 primarily on whether the Project's impacts have the potential to affect areas of high-
16 minority populations and/or low-income communities disproportionately and thus would
17 create an adverse environmental justice effect. For the purpose of the environmental
18 analysis, the Project's inconsistency with the CSLC's Environmental Justice Policy
19 would occur if the Project would:

- 20 • Have the potential to disproportionately affect minority and/or low-income
21 populations adversely; or
- 22 • Result in a substantial, disproportionate decrease in employment and economic
23 base of minority and/or low-income populations residing in immediately adjacent
24 communities.

25 **4.1.2 Project Analysis**

26 4.1.2.1 Communities of Concern Identified within the Project Study Area

27 Project removal and abandonment activities are located primarily across the San
28 Joaquin River crossing between the City of Oakley (City) in Contra Costa County and
29 levee at Sherman Island in southern Sacramento County. Onshore and offshore work
30 crews would be required. Onshore personnel would access the southern landing and
31 valve pit at the Lauritzen Yacht Harbor located in the City in Contra Costa County. The
32 northern landing would be accessed via State Route (SR) 160 (Antioch Bridge) to
33 Sherman Island in southern Sacramento County. Offshore crews would likely access
34 the Project site from Mare Island located approximately 30 miles west of the Project
35 site. As such, demographics for the onshore communities of the City, Contra Costa
36 County, and Sacramento County have been included and discussed herein.

1 4.1.2.2 Environmental Setting

2 **Demographics**

3 As indicated in Table 4-1, a summary of the regional demography within the Project
4 onshore potentially affected areas shows that the City contains a smaller percentage of
5 minority persons compared to total population (24.6 %) than in Contra Costa County
6 (34.6%) or Sacramento County (36%). One feature of the U.S. Census data is important
7 to note because it complicates the environmental justice analysis. Hispanic and Latino
8 persons are considered as minority persons, consistent with federal and State
9 environmental justice policies. However, as characterized in the census data, Hispanic
10 or Latino persons may also belong to any race (i.e., White, Black, Native American, or
11 any other racial category). Because an unspecified percentage of Hispanic or Latino
12 persons identify themselves as White, the census data do not include members of that
13 group in the category of “ethnic minorities.” As a result, for a given population, the total
14 percentage of persons belonging to “ethnic minorities” (as defined by census data)
15 underestimates the actual percentage of minority community members. Since Hispanic
16 and Latino persons represent a substantial portion of the minority communities in some
17 parts of the onshore Project area considered, the percentage of each area’s population
18 identifying themselves as Hispanic or Latino is summarized separately below.

19 Although the City contains a smaller percentage of minority persons than Contra Costa
20 or Sacramento Counties as a whole, a larger percentage of persons within the total
21 population within the City identify themselves as being persons of Hispanic or Latino
22 origin (25 %) than that identified for Contra Costa or Sacramento Counties (16-17.7 %).
23 However, although Hispanic and Latino persons are also considered within the minority
24 population, in this instance, the percentage of Hispanic and Latino persons for the City
25 (25 %) is consistent with the percentage of minorities for the City (24.6 %).

26 **Socioeconomics**

27 As shown in Table 4-2 below, socioeconomic statistics regarding income and poverty
28 levels from the onshore potentially affected areas, as estimated by the U.S. Census
29 Bureau, are varied. Sacramento County has the lowest median family income levels
30 (\$50,717) and highest percentage of individuals (14.1 %) and families (10.3 %) living
31 below the established poverty level. In comparison, Contra Costa County has a higher
32 median family income level (\$73,039) and moderate percentage of individuals (7.6 %)
33 and families (5.4 %) living below the poverty level. The City has a median family income
34 level of \$68,888 and a lower percentage of individuals (5 %) and families (2.8 %) living
35 below the poverty level.

Table 4-1. U.S. Census Regional Demographic Comparison Table

County/City	Total Population	White	Ethnicity of Minority Population						Approx. % of Minority Population	Persons of Hispanic or Latino Origin (from Total Population)
			Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Two Or More Races	Some Other Race		
Sacramento	1,223,449	64%	10.0%	1.1%	11.0%	0.6%	5.8%	7.5%	36%	16.0%
Contra Costa	948,816	65.5%	9.4%	0.6%	11.0%	0.4%	5.1%	8.1%	34.6%	17.7%
Oakley	25,619	75.5%	3.4%	0.9%	2.9%	0.3%	6.5%	10.6%	24.6%	25%

Source: DP-1 Profile of General Population and Housing Characteristics, 2000. US Census, Factfinder 2014.

Table 4-2. Socioeconomic Comparison of Affected Environment

County/City	Per Capita Income	Median Household Income	Median Family Income	Percentage of Individuals below Poverty Level	Percentage of Families Below Poverty Level
Sacramento	\$21,142	\$43,816	\$50,717	14.1%	10.3%
Contra Costa	\$30,615	\$63,675	\$73,039	7.6%	5.4%
Oakley	\$21,895	\$65,589	\$68,888	5.0%	2.8%

Source: U.S. Census Bureau, Census 2000 Summary File 3 - Profile of Selected Economic Characteristics (DP-3) Accessed US Census Factfinder 2014

1 **4.1.3 Impact Analysis**

2 4.1.3.1 Northern Landing at Sherman Island (Sacramento County)

3 Pipelines and the existing subterranean valve pit would be removed 15 feet north of the
 4 toe of the Sherman Island levee at the northern landing (levee) at Sherman Island. This
 5 area is currently open space that is partially zoned for agricultural development. The
 6 closest residential development is within the City to the south. Access to this area
 7 during construction would be via SR 160 (Antioch Bridge). During construction,
 8 personnel required for onshore work may temporarily reside within the City as
 9 discussed below (Southern Landing).

10 Following completion of construction, the Project area would be return to pre-Project
 11 conditions. The area would be backfilled with native materials and restored in
 12 accordance with Central Valley Flood Protection Board/ Reclamation District 341
 13 standards. As discussed in Section 3.2, Agricultural Resources, no impacts to exiting
 14 agricultural operations would result. Additionally, although Sacramento County

1 (containing Sherman Island) has the highest percentage of minority and low-income
2 populations within the areas of potential affect considered on behalf of the Project,
3 onshore work activities at Sherman Island are located within a remote area and would
4 not result in impacts that would have the potential to significant or disproportionately
5 affect minority or low-income populations. No impact would result.

6 4.1.3.2 Southern Landing at the Lauritzen Yacht Harbor (City, Contra Costa County)

7 Pipelines within the southern landing would be abandoned in-place within an existing
8 subterranean valve pit located within the Lauritzen Yacht Harbor. The existing valve pit
9 is located within a cleared dirt area adjacent to the dock and slips. Construction
10 activities at this location may cause a temporary impediment to traffic flow within this
11 immediate area; however, this inconvenience would not affect minority or low-income
12 populations. During construction, personnel required for onshore work may temporarily
13 reside within the City area. The addition of these crew members for up to 3 months
14 would contribute to a slight increase in housing demand and local traffic within the
15 respective local roadway systems and communities. However, impacts are not
16 anticipated as this area does not contain a high percentage (approximately 24.6 %) of
17 minority or low-income (5 %) persons. No disproportionate impact to environmental
18 justice communities would result.

19 4.1.3.3 Offshore Vessel Mobilization and Pipeline Removal Across San Joaquin River

20 Initial offshore vessel mobilization would likely be from the Mare Island located within an
21 industrially developed area located approximately 30 miles west of the Project site.
22 Vessels would mobilize east along the San Joaquin River to the offshore Project
23 corridor east of SR 160 (Antioch Bridge). Once on-station, the primary vessel (barge)
24 and support vessels would remain moored offshore for the duration of removal activities
25 (approximately 3 months). During this time, offshore pipeline removal activities may be
26 observed by travelers along SR 160 (Antioch Bridge), other commercial or recreational
27 boaters transiting through this area, and adjacent development at the shoreline of the
28 City or Sherman Island.

29 As discussed in Section 3.16, Transportation, offshore construction activities would
30 temporarily increase offshore vessel traffic and congestion. However, as this waterway
31 is commonly used in support of local industry, the addition of these few vessels and the
32 transitory 500-foot preclusion area for safety purpose required for pipeline removal
33 activities for approximately 3 months would not generate a significant increase in vessel
34 traffic or congestion. No commercial fishing is located within this area. Recreational
35 boaters or fisherman would have other areas of opportunity to pursue their activities.
36 Offshore vessel traffic and anchoring would remain in accordance with existing uses
37 through noticing (**MM TRANS-1: Local Notice to Mariners**), for use of established

1 vessel traffic corridors, and an approved anchoring plan would be developed in
2 accordance with USCG standards (**MM HAZ-2 Marine Safety and Anchoring Plan**).

3 Expenditures during construction would be limited to equipment rental and food and
4 lodging for construction personnel, and would typically stay in the local economy.
5 Offshore support crew personnel may require several days of hotel stay for workers;
6 however, the small increase in number of construction workers during offshore pipeline
7 removal activities would not displace any residences, and would not necessitate
8 construction of additional housing. As such, short-term socioeconomic effects of
9 offshore construction are expected to be minimal and no disproportionate impact to
10 minority and low-income populations would result.

11 **4.1.4 Mitigation Summary**

12 The Project would not result in significant impacts to environmental justice populations;
13 therefore, no mitigation is required. Although there are no impacts resulting from the
14 proposed Project, the following MMs would further reduce the potential for impacts to
15 environmental justice populations:

- 16 • MM TRANS-1: Local Notice to Mariners.
- 17 • MM HAZ-2: Marine Safety and Anchoring Plan.