

1 **4.0 OTHER MAJOR AREAS OF CONCERN**

2 **4.1 CSLC ENVIRONMENTAL JUSTICE POLICY**

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

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

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

1 consideration, those that would minimize or eliminate environmental impacts
2 affecting such populations.

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

14 **4.1.1 Methodology**

15 The CSLC environmental justice policy does not specify a methodology for conducting
16 analyses of environmental justice issues. Due to the limited extent of the proposed
17 Hercules LLC/Prologis Pipeline Removal Project (Project)'s impacts on the human
18 environment, as established in Section 3 of this document, this section provides a
19 qualitative consideration of the Project's potential to disproportionately affect low-
20 income or minority communities.

21 This analysis focuses primarily on whether the Project's impacts have the potential to
22 affect areas of high-minority populations and/or low-income communities
23 disproportionately and thus would create an adverse environmental justice effect. For
24 the purpose of the environmental analysis, the Project's inconsistency with the CSLC's
25 Environmental Justice Policy would occur if the Project would:

- 26 • Have the potential to disproportionately affect minority and/or low-income
27 populations adversely; or
- 28 • Result in a substantial, disproportionate decrease in employment and economic
29 base of minority and/or low-income populations residing in immediately adjacent
30 communities.

31 **4.1.2 Project Analysis**

32 The Project's limited impact on the human environment is established in various
33 sections of this document, including Section 3.1 (Aesthetics), Section 3.2 (Air Quality
34 and Greenhouse Gas Emissions), 3.8 (Hazards and Hazardous Materials), Section 3.11
35 (Noise), Section 3.14 (Recreation), and Section 3.15 (Transportation/Traffic). The

1 discussion below considers the Project's potential to disproportionately affect any low-
2 income or minority communities.

3 The entire Project area (onshore and offshore) is located within the city of Hercules
4 (City). The unincorporated town of Rodeo is located immediately to the northeast. The
5 onshore work area is partially within CSLC jurisdiction and partially in the Union Pacific
6 Railroad Right-of-Way (UPRR ROW). Various residences are located in the vicinity of
7 the Project, as shown in Figure 2-1; these residential areas appear to include a range of
8 socioeconomic levels. Potential impacts associated with the Project would be localized
9 and would not disproportionately affect any specific residential area.

10 An additional environmental justice consideration for the Project is the nearby presence
11 of the two parks, Shoreline Park (Park) and Lone Tree Point Park, which are public
12 resources open to and used by people of all socioeconomic backgrounds. The Park
13 provides water-side picnic areas and open space within sight of San Pablo Bay (Bay).
14 Lone Tree Point Park is adjacent to the Project area to the northeast and also provides
15 a water-side picnic area and benches. The socioeconomic makeup of the Park users is
16 unknown, would be difficult to determine, and is beyond the scope of this analysis due
17 to the Project's limited potential to affect these users.

18 The Project would have no direct impact on the use of either the Park or Lone Tree
19 Point Park. Onshore construction during the Project would only occur in the area of the
20 UPRR ROW that is currently covered with riprap and is not part of either of the parks
21 (see Figure 2-1). It is not expected that Project impacts would have significant or
22 disproportionate impacts on any low-income or minority community.

23 The Project has no potential to disproportionately affect any low-income or minority
24 community that may reside in nearby communities or use the surrounding area for
25 recreation or commerce. The short duration (approximately 3 weeks total for combined
26 onshore and offshore activities) and location of the work would not significantly affect
27 the views or recreational use of the Parks, result in air quality, noise, or traffic impacts,
28 or pose increased hazardous materials exposure risks to environmental justice
29 populations. This assessment is based on the scope and duration of the Project,
30 combined with income information for the general area, and the potential extent of
31 effects. Furthermore, the CSLC is complying with its environmental justice policy by
32 subjecting its decision on this Project to public involvement through the California
33 Environmental Quality Act (CEQA) process, which will give people of all socioeconomic
34 backgrounds the opportunity to learn about and comment on the Project.

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