

4.1 Regulatory Setting

The EPA defines environmental justice as the “fair treatment for people of all races, cultures, and incomes, regarding the development of environmental laws, regulations, and policies” (EPA 1998). In 1994, concern that minority populations and/or low-income populations were bearing a disproportionate amount of adverse health and environmental effects led President Clinton to issue Executive Order 12898, which focused federal agency attention on these issues.

Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, directed each federal agency to make achieving environmental justice a part of its mission. The President specifically recognized the importance of using the procedures under the National Environmental Policy Act (NEPA) to identify and address environmental justice concerns.

There is no requirement under CEQA to address environmental justice; however, two recent California laws have begun to focus attention on the topic within the state. Senate Bill 115 (signed into law in October 1999) established the Governor’s Office of Planning and Research as the lead agency for implementing environmental justice programs within the state. This bill also directed Cal-EPA to develop a model environmental justice mission statement for its boards, departments, and offices. Senate Bill 89 (signed into law in September 2000) established a working group, supported by an advisory committee, to assist Cal-EPA in developing an interagency strategy for identifying and addressing any gaps in existing programs, policies, or activities that might hinder the goal of achieving environmental justice.

Although not required under CEQA, the following analysis of potential disproportionately high and adverse human health or environmental effects to low-income or minority populations is consistent with the environmental justice guidelines for NEPA in the federal document *Environmental Justice: Guidance Under the National Environmental Policy Act* (Council on Environmental Quality 1997).

Several other jurisdictions have also recognized the need for the fair treatment for all people during the development of environmental laws, regulations, and policies.

The *City of Los Angeles General Plan* has adopted Environmental Justice policies as outlined in the Framework Element and the Transportation Element (City of Los Angeles 2002a).

The Framework Element includes a policy to “assure the fair treatment of people of all races, cultures, incomes and education levels with respect to the development, implementation and enforcement of environmental laws, regulations, and policies, including affirmative efforts to inform and involve environmental groups, especially environmental justice groups, in early planning stages through notification and two-way communication.”

The Transportation Element includes a policy to “Assure the fair and equitable treatment of people of all races, cultures, incomes and education levels with respect to the development and implementation of citywide transportation policies and programs, including affirmative efforts to inform and involve environmental groups, especially environmental justice groups, in the planning and monitoring process through notification and two-way communication.”

The City of Los Angeles has also committed to a Compact for Environmental Justice, which was adopted as the city’s foundation for a sustainable urban environment (City of Los Angeles 2002b). Statements relevant to this project include the following.

- All people in Los Angeles are entitled to equal access to public open space and recreation, clean water, and uncontaminated neighborhoods.
- All planning and regulatory processes must involve residents and community representatives in decision making from start to finish.

In 1997, the South Coast Air Quality Management District adopted a set of principles on environmental justice to promote equal enforcement activity in informing the public of findings concerning public health, and in working to improve air quality in the region (King 2001).

Additionally, the California Council for Environmental and Economic Balance (CCEEB) (City of Los Angeles 2002c) also has adopted Environmental Justice policies.

4.1.1 Methodology

To identify whether a proposed action is likely to have disproportionately high and adverse human health or environmental effects on low-income or minority populations (i.e., environmental justice impacts), demographic data was gathered for the potential impact area. For the proposed project, the U.S. Census block

group data for a radius of 1 mile from the project boundaries was gathered. Low-income populations are defined as block groups with greater than 50% of the population below the poverty level, as identified in the 2000 U.S. Census. Minority populations are defined as block groups with greater than 50% non-Caucasian populations, as identified in the 2000 U.S. Census.

Figure 4-1 shows the seven minority block groups partially or wholly within a 1-mile radius of the project boundaries. There are no low-income block groups within one mile of the project boundaries.

4.2 Assessment

The following significant environmental impacts would result from the proposed project:

- short-term adverse construction impacts on regional air quality (generation of CO, PM₁₀, ROCs, and NO_x);
- long-term adverse operational impacts on regional air quality (weekend and weekday emission levels exceeding the SCAQMD's significance thresholds for CO, ROCs, and NO_x); and
- exposure of people and structures on the project site to adverse geologic impacts, including liquefaction, groundshaking, and ground acceleration during major earthquakes.

Both the short-term and long-term air quality impacts associated with the proposed project are regional impacts, incrementally affecting the entire SCAB. These impacts would not disproportionately affect the low-income and minority populations within 1 mile of the project site.

The significant adverse geologic impacts relate to exposing structures and people on the project site to geologic hazards during earthquakes. The project would not increase these same hazards off site; therefore, it would not disproportionately affect the low-income and minority populations within 1 mile of the project site.

The project would not individually or cumulative contribute to disproportionately adverse impacts to low-income or minority populations. These impacts would be less than significant and no mitigation is required.

4.3. Public Outreach

CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on them. The purpose of this Recirculated Draft SEIR is to inform agencies and the public of significant environmental effects

associated with the proposed project, to describe and evaluate reasonable alternatives to the project, and to propose mitigation measures that would avoid or reduce the project's significant effects.

The LAHD has made considerable effort to provide public outreach to all segments of the population, beyond what is minimally required by the CEQA Guidelines. All EIRs are the subject of public meetings at locations and times convenient for the affected community, prior to the document being submitted to the Board of Harbor Commissioners. The meetings are held either at the Port Administration Building or in the community, depending on the location of the project.

Notification of availability of documents is extensive and utilizes a variety of media. CEQA notices are placed in 5 papers, including the *Los Angeles Times*, *Daily Breeze*, *La Opinion*, *Sentinel*, and *Long Beach Press Telegram*. Meeting notices are sent to all active community organizations and to anyone who has requested to be on LAHD's CEQA mailing list. A free copy of documents is provided to community organizations.

LAHD also consults with affected community groups through the Port Community Advisory Committee (PCAC), a special stakeholder advisory committee of the Los Angeles Board of Harbor Commissioner. This committee which meets monthly, includes representatives from a number of community groups and includes subcommittee and focus groups which address a broad range of environmental issues including studies on those impacts that might result in disproportionate impacts on relevant populations.

4.3.1 Alternative Forms of Distribution

The Recirculated Draft SEIR for the Cabrillo Way Marina was distributed directly to numerous agencies, organizations, and interested groups and persons for comment during the formal review period. The Recirculated Draft SEIR has been made available for review at LAHD's Environmental Management Division and at three Los Angeles public library branches: Central, San Pedro, and Wilmington. In addition to the printed copies, the Recirculated Draft SEIR is also available in electronic format on the LAHD web site, located at: <http://www.portoflosangeles.org/Environmental/publicnotice.htm>, and is also available for free on CD-ROM.

4.3.2 Spanish Translation

With a large Hispanic population adjacent to the Port, meeting notifications and executive summaries of major CEQA documents will be provided in Spanish. The executive summary of this Recirculated Draft SEIR is available in a Spanish translation, to assist the Spanish-speaking members of the local community in understanding the purpose of the Recirculated Draft SEIR, project overview,

project description, environmental impacts, alternatives to the proposed project, areas of controversy, and issues to be resolved.

LAHD also provides an interpreter at public meetings where required and publishes its regular community newsletter, *The Main Channel*, in both English and Spanish.