

4.15 Environmental Justice

4.15.1 Background

On February 11, 1994, President Clinton issued the Executive Order on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (Executive Order 12898), which was designed to focus attention on environmental and human health conditions in high minority populations and low-income communities and promote non-discrimination in programs and projects substantially affecting human health and the environment (White House 1994). The order requires the U.S. Environmental Protection Agency (EPA) and all other Federal agencies (as well as state agencies receiving federal funds) to develop strategies to address this issue. The agencies are required to identify and address any disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and or low-income populations.

In 1997, the EPA's Office of Environmental Justice released the Environmental Justice Implementation Plan, supplementing the EPA environmental justice strategy and providing a framework for developing specific plans and guidance for implementing Executive Order 12898. Federal agencies received a framework for the assessment of environmental justice in the EPA's Guidance for Incorporating Environmental Justice Concerns in EPA's National Environmental Policy Act (NEPA) Compliance Analysis in 1998. This approach emphasized the importance of selecting an analytical process appropriate to the unique circumstances of the potentially affected community.

While many state agencies have utilized the EPA's Environmental Justice Implementation Plan as a basis for the development of their own environmental justice strategies and policies, the majority of California State agencies do not have guidance for incorporating environmental justice impact assessment into the California Environmental Quality Act (CEQA) analysis which is not required. The California Air Resources Board (CARB), for example, has examined this issue and received advice from legal counsel in a memorandum entitled "CEQA and Environmental Justice." This memorandum states, in part, "For the reasons set forth below, we will conclude that CEQA can readily be adapted to the task of analyzing cumulative impacts/environmental justice whenever a public agency (including the Air Resources Board, the air pollution control districts, and general purpose land use agencies) undertakes or permits a project or activity that may have a significant adverse impact on the physical environment. All public agencies in California are currently obliged to comply with the CEQA, and no further legislation would be needed to include an environmental justice analysis in the CEQA documents prepared for the discretionary actions public agencies undertake."

Under Assembly Bill (AB) 1553, signed into law in October 2001, the Governor's Office of Planning and Research (OPR) is required to adopt guidelines for addressing environmental justice issues in local agencies' general plans. Currently, the OPR is in the process of updating the General Plan Guidelines to incorporate the requirements of AB 1553.

4.15.2 California State Lands Commission

The California State Lands Commission (CSLC) has developed and adopted an Environmental Justice Policy to ensure equity and fairness in its own processes and procedures. The CSLC adopted an amended Environmental Justice Policy on October 1, 2002, to ensure “Environmental Justice is an essential consideration in the Commission’s processes, decisions and programs and that all people who live in California have a meaningful way to participate in these activities.” The policy stresses equitable treatment of all members of the public and commits to consider environmental justice in its processes, decision making, and regulatory affairs, and the policy is implemented, in part, through identification of, and communication with, relevant populations that could be adversely and disproportionately impacted by CSLC projects or programs, and by ensuring that a range of reasonable alternatives is identified that would minimize or eliminate environmental impacts affecting such populations (CSLC 2002).

4.15.3 Approach

This section analyzes the distributional patterns of high-minority and low-income populations on a regional basis and characterizes the distribution of such populations in the vicinity of the proposed Project and within the region. This analysis focuses on whether the proposed Project and all Project Alternatives have the potential to disproportionately affect high-minority population(s) or low-income communities and thus create an adverse environmental justice impact. For the purposes of this analysis and as applied to tables and figures within this section, minority, minority population, low-income, low-income population, and disproportionately high and adverse effects are defined as follows:

Minority means a person who is: (1) Black (having origins in any of the black racial groups of Africa); (2) Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race); (3) Asian American (having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands); or (4) American Indian and Alaskan Native (having origins in any of the original people of North America and who maintain cultural identification through tribal affiliation or community recognition).

Minority Population means any readily identifiable groups of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed program, policy, or activity.

Low-Income means a household income at or below the United States Department of Health and Human Services poverty guidelines.

Low-Income Population means any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who would be similarly affected by a proposed program, policy, or activity.

Disproportionately High and Adverse Effect on Minority and Low-Income Populations means an adverse effect that (1) is predominately borne by a minority population and/or a low-income population or (2) will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

4.15.4 Environmental Setting

According to the Southern California Association of Governments (SCAG), the city of Hermosa Beach in 2012 had a population of 19,574, 10,160 housing units, and employment for 6,845. The population of Hermosa Beach in 2012 was 0.2% of Los Angeles County. Table 4.16-1 provides a statistical summary of race population, housing, and income levels of Hermosa Beach as compared with Los Angeles County and the SCAG region. The SCAG region encompasses six counties (Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura) and 191 cities in an area covering more than 38,000 square miles.

The U.S. Census Bureau provides data on poverty levels for California cities as compared to Los Angeles County and the State of California as a whole. Data for the years 2008 through 2012 show the percentage of persons living below the poverty level in the City of Hermosa Beach as 3.5% as compared to 17.1% for Los Angeles County and 15.3% for the State of California. Data for the neighboring cities Redondo Beach and Manhattan Beach, show 5.9% and 2.9%, respectively, for the percentage of person living below the poverty level.

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Table 4.16-1 City of Hermosa Beach Statistical Summary*

Category	Hermosa Beach	Los Angeles County	Hermosa Beach Relative to Los Angeles County	SCAG Region
2012 Population	19,574	9,884,632	[0.2%]	18,242,331
2012 Median Age (Years)	38.0	35.6	2.4	35.2
2012 Hispanic	8.5%	48.5%	-40.0%	46.4%
2012 Non-Hispanic White	80.3%	27.1%	53.2%	32.1%
2012 Non-Hispanic Asian	5.9%	13.9%	-8.0%	12.4%
2012 Non-Hispanic Black	1.2%	8.0%	-6.8%	6.3%
2012 Non-Hispanic American Indian	.1%	.2%	-.1%	.2%
2012 Non-Hispanic All Other	4.1%	2.4%	1.7%	2.5%
2012 Number of Households	9,548	3,249,575	[0.29%]	5,870,003
2012 Average Household Size	2.0	3.0	-0.9	3.1
2012 Median Household Income (\$)	93,017	53,880	39,137	57,465
2012 Number of Housing Units	10,160	3,454,092	[0.29%]	6,356,479
2012 Homeownership Rate	44.7%	54.3%	-9.6%	54.3%
2012 Median Existing Home Sales Price (\$)	957,000	330,000	627,000	323,000
2011 - 2012 Median Home Sales Price Change	-2.2%	4.8%	-7%	6.4%
2012 Drove Alone to Work	84.7%	75.3%	9.4%	77.8%
2012 Mean Travel Time to Work (minutes)	32	32	0	31.4
2012 Number of Jobs	6,845	4,209,116	[0.16%]	7,462,957
2011 - 2012 Total Jobs Change	108	54,513	[0.2%]	109,491
2011 Average Salary per Job (\$)	47,623	50,666	-3,043	49,468
2012 K-12 Public School Student Enrollment	1,327	1,569,933	.1%	3,096,034

Source: SCAG, Profile of the City of Hermosa Beach, May 2013.

4.15.5 Significance Criteria

A conflict with the CSLC's Environmental Justice Policy would occur if the proposed Project would:

- Have the potential to disproportionately affect minority and low-income populations at levels exceeding the corresponding median for the County in which the Project is located; or
- Result in a substantial, disproportionate decrease in the employment and economic base of minority and low income populations residing in the County and immediately surrounding cities.

4.15.6 Policy Impacts

As shown in table 4.16-1, City of Hermosa Beach Statistical Summary, the estimated minority population in the vicinity of the Project Site is 19.7% which is less than a third of the minority population percentage (72.9%) for Los Angeles County as a whole. Of the coastal areas within Los Angeles County, none have a greater proportion of minority populations than the County as a whole. Therefore, the proposed Project will not disproportionately affect minority populations within the vicinity of the Project Site.

Based on the US Census Bureau data for the years 2008 through 2012, the estimated population with income below the poverty level in Hermosa Beach is 3.5% which is less than one fourth the percentage of the population below the poverty level for Los Angeles County (17.1%). The estimated population with incomes below the poverty level for the neighboring cities of Redondo Beach and Manhattan Beach is also well below the population below the poverty level for Los Angeles County. Therefore, the proposed Project would not disproportionately affect low-income populations with the site vicinity. Due to the short term and temporary impacts associated with Pipeline construction, the installation of the Proposed Pipelines would not disproportionately affect the low income populations of the City of Torrance.

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