

## **3.3 ENVIRONMENTAL JUSTICE**

### **3.3.1 AFFECTED ENVIRONMENT**

Environmental justice is defined by the U.S. Environmental Protection Agency (EPA) Office of Environmental Justice as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” Fair treatment means that “no group of people, including racial, ethnic, or socioeconomic group shall bear a disproportionate share of negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.” Analysis of effects of projects on environmental justice is required by the National Environmental Policy Act (NEPA).

For the purposes of an environmental justice screening, race, ethnic origin, and poverty status were obtained for all of the City of Rancho Cordova (City); part of the city of Sacramento; and all or part of the unincorporated communities of Carmichael, Fair Oaks, Gold River, La Riviera, Rosemont, Arden-Arcade, and North Highlands. These city and unincorporated community boundaries represent a 6-mile radius surrounding the project site, which is the area that is appropriate for consideration pursuant to EPA Guidelines.

The present-day City of Rancho Cordova began as a part of a route used during the Gold Rush by miners departing Sacramento and heading toward the Sierra Nevada foothills in 1848. By the late 19th and the early 20th centuries, agriculture had become the main industry in the region. In 1918, the U.S. Air Force constructed Mills Field, later renamed Mather Field. Mather Air Force Base (AFB) was built to serve as a flight training school. A Strategic Air Command B-52 squadron was assigned to Mather AFB in 1958 and operated until 1989, when the base was decommissioned under the Base Realignment and Closure Act (Mather Field 2004). The closure of the base prompted the County of Sacramento (County) Board of Supervisors to examine the potential for converting the base to a public-use facility. The Air Force transferred the base to the County, and in May 1995 Mather Airport was opened. Other parts of the base were redeveloped for use as housing and a business park.

The name “Rancho Cordova” was formally applied to the area currently known as the City of Rancho Cordova in 1955 when a post office was established. Efforts by local residents to formally establish a city continued over the next 40 years, until Rancho Cordova was incorporated by voter approval in July 2003. At that time, the newly appointed city included more than 55,000 residents.

Existing land use patterns in Rancho Cordova have developed from regional growth patterns, geography, and circulation. The City of Rancho Cordova has recently adopted its General Plan. The City’s vision includes a community that will support a mix of land uses, including public spaces, services, culture, and open space and recreation, in addition to well-planned roadways, public transportation routes, and trails. An integrated network of neighborhoods, villages, and districts will be emphasized as building blocks for the community’s growth and revitalization. City planners hope to create a community with an identifiable look and feel, where the quality of the built environment is reflected in the character of the neighborhoods, the walkable streets, the unified architectural details and landscaping, and the dynamics of the public spaces.

### **3.3.2 REGULATORY FRAMEWORK**

#### **FEDERAL PLANS, POLICIES, REGULATIONS, AND LAWS**

##### **Executive Order 12898**

The purpose of Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority and Low Income Populations” (1994), is to identify and address the disproportionate placement of adverse environmental, economic, social, or health impacts from federal actions and policies on minority and/or low-income communities. This order requires that planners take into account impacts on minority or low-income populations

when they prepare environmental and socioeconomic analyses of projects or programs that are proposed, funded, or licensed by federal agencies.

Executive Order 12898, signed by President Clinton on February 11, 1994, requires the following:

*To the greatest extent practicable and permitted by law...each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. (Section 1-101)*

*Each Federal agency shall conduct its programs, policies, and activities that substantially affect human health or the environment, in a manner that ensures that such programs, policies, and activities do not have the effect of excluding persons (including populations) from participation in, denying persons (including populations) the benefits of, or subjecting persons (including populations) to discrimination under, such programs, policies, and activities, because of their race, color, or national origin. (Section 2-2)*

*Each Federal agency shall work to ensure that public documents, notices, and hearings relating to human health or the environment are concise, understandable, and readily accessible to the public. (Section 5-5[c])*

In addition, the presidential memorandum accompanying the Executive Order states that “(e)ach Federal Agency shall analyze the environmental effects, including human health, economic and social effects, of Federal actions, including effects on minority communities and low-income communities, when such analysis is required by the NEPA [National Environmental Policy Act] of 1969.”

Two documents provide some measure of guidance to agencies required to implement the Executive Order. The first is *Environmental Justice Guidance Under the National Environmental Policy Act*, published by the Council on Environmental Quality (CEQ). The second document, *Final Guidance for Incorporating Environmental Justice Concerns* (published in EPA’s NEPA Compliance Analysis), serves as a guide for incorporating environmental justice goals into preparation of environmental impact statements under NEPA. These documents provide specific guidelines for determining whether there are any environmental justice issues associated with a proposed federal project.

## **STATE PLANS, POLICIES, REGULATIONS, AND LAWS**

There are no state plans, policies, regulations, or laws related to environmental justice that are applicable to the proposed project or alternatives under consideration. However, Senate Bill (SB) 115 (Solis, Chapter 690, Statutes of 1999) was signed into law in 1999, and defined environmental justice in statute and established the Governor’s Office of Planning and Research (OPR) as the coordinating agency for state environmental justice programs (Section 65040.12). SB 115 further required the California Environmental Protection Agency (Cal/EPA) to develop a model environmental justice mission statement for boards, departments, and offices within the agency by January 1, 2001 (Public Resources Code Sections 72000–72001).

In 2000, SB 89 (Escutia, Chapter 728, Statutes of 2000) was signed, which complemented SB 115 by requiring the creation of an environmental justice working group and an advisory group to assist Cal/EPA in developing an intra-agency environmental justice strategy (Public Resources Code Sections 72002–72003). SB 828 (Alarcón, Chapter 765, Statutes of 2001) added and modified due dates for the development of Cal/EPA’s intra-agency environmental justice strategy and required each board, department, and office within Cal/EPA to identify and address, no later than January 1, 2004, any gaps in its existing programs, policies, and activities that may impede environmental justice (Public Resources Code Sections 71114–71115).

Assembly Bill (AB) 1553 (Keeley, Chapter 762, Statutes of 2001) required OPR to incorporate environmental justice considerations in the *General Plan Guidelines*. AB 1553 specified that the guidelines should propose methods for local governments to address the following:

- ▶ planning for the equitable distribution of new public facilities and services that increase and enhance community quality of life,
- ▶ providing for the location of industrial facilities and uses that pose a significant hazard to human health and safety in a manner that seeks to avoid overconcentrating these uses in proximity to schools or residential dwellings,
- ▶ providing for the location of new schools and residential dwellings in a manner that avoids proximity to industrial facilities and uses that pose a significant hazard to human health and safety, and
- ▶ promoting more livable communities by expanding opportunities for transit-oriented development.

Although environmental justice is not a mandatory topic in the general plan, OPR is required to provide guidance to cities and counties for integrating environmental justice into their general plans (Section 65040.12[c]) (Governor’s Office of Planning and Research 2003). The 2003 edition of the *General Plan Guidelines* included the contents required by AB 1553 (see pp. 8, 12, 20–27, 40, 114, 142, 144, and 260 of the revised Guidelines).

## **REGIONAL AND LOCAL PLANS, POLICIES, REGULATIONS, AND LAWS**

There are no regional or local plans, policies, regulations, or laws related to environmental justice that are applicable to the proposed project or alternatives under consideration.

### **3.3.3 ENVIRONMENTAL CONSEQUENCES**

#### **THRESHOLDS OF SIGNIFICANCE**

To prove a violation of federal environmental justice principles, the government must demonstrate that the proposed project or alternatives under consideration would cause impacts that are “disproportionately high and adverse,” either directly, indirectly, or cumulatively. To make a finding that disproportionately high and adverse effects would likely fall on a minority or low-income population, three conditions must be met simultaneously: (1) there must be a minority or low-income population in the impact zone; (2) a high and adverse impact must exist; and (3) the impact must be disproportionately high and adverse on the minority or low-income population.

#### **ANALYSIS METHODOLOGY**

According to CEQ and EPA guidelines established to assist federal and state agencies for developing strategies to examine this circumstance, the first step in conducting an environmental justice analysis is to define minority and low-income populations. Based on these guidelines, a minority population is present in a project study area if: (a) the minority population of the affected area exceeds 50%, or (b) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis. By the same rule, a low-income population exists if the project study area is composed of 50% or more people living below the poverty threshold, as defined by the U.S. Census Bureau, or is significantly greater than the poverty percentage of the general population or other appropriate unit of geographic analysis. The second step of an environmental justice analysis requires a finding of a high and adverse impact. The CEQ guidance indicates that when determining whether the effects are high and adverse, agencies are to consider whether the risks or rates of impact “are significant (as employed by NEPA) or above generally accepted norms.” The final step requires a finding that the impact on the minority or low-income population be disproportionately high and adverse. Although none of the published guidelines define the term

“disproportionately high and adverse,” CEQ includes a nonquantitative definition stating that an effect is disproportionate if it appreciably exceeds the risk or rate to the general population.

As defined in EPA’s *Final Guidance for Incorporating Environmental Justice Concerns*, for the purposes of an environmental justice screening, the study area is an approximately 6-mile radius surrounding the project site. To use a comparable distance in this analysis, data from the U.S. Census Bureau, 2000 Census, for race, ethnic origin, and poverty status were obtained. All census tracts touching on the 6-mile radius were included in the analysis.

## IMPACT ANALYSIS

Effects that would occur under each alternative development scenario are identified as follows: PP (Proposed Project), HD (High Density), IM (Impact Minimization), NF (No Federal Action), and NP (No Project). The impacts for each alternative are compared relative to the PP at the end of each impact conclusion (i.e., similar, greater, lesser).

### Program Level Impacts and Mitigation Measures

IMPACT 3.3-1
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**Potential Effects on Low-Income Populations.** *Project implementation would not create a disproportionate placement of adverse environmental impacts on low-income populations.*

PP, HD, IM,  
NF

According to the year 2000 census tracts (Table 3.3-1), there is one tract out of a total of 59 with a poverty population greater than 50% within 6 miles of the project site. Of the 59 census tracts, 21 have poverty populations greater than 10%. Seven have poverty populations between 20 and 30% of the tract population. Tract 8800 has the highest poverty rate, with 85.8% of the population below the poverty level in the year 2000. The boundary of Tract 8800 corresponds to Mather Field (formerly Mather AFB) and is located about 0.75 mile west of the project site. Since the closure of the base in 1995, this area has undergone substantial redevelopment, including construction of 1,300 new homes from 1999 to 2004, modernization and improvement of streets and infrastructure, commercial development, and the continued use of Mather Airport for general aviation and air cargo (Mather Field 2004). Data from Mather Field indicate that by the year 2000, approximately 2,600 new jobs had been generated by redevelopment activities, and economic development is expected to continue in the future. Poverty rates for Tract 8800 are expected to improve substantially from redevelopment activities. In addition, implementation of the project would not result in a disproportionate effect or directly influence Tract 8800 because of its distance from this area. Therefore, project implementation would not cause a disproportionately high and adverse impact on low-income populations. This would be a **less-than-significant, direct** impact. **No indirect** impacts would occur. *[Similar]*

NP

Under the No Project Alternative, mining activities at the project site, which are not part of the Rio del Oro project, would continue under existing Conditional Use Permits—one originally issued by the County, and the other issued by the City—and possibly under one or more future individual Implementation Permits expected to be issued by the City. Because the project site and the surrounding lands to the north, east, and south are undeveloped, and land to the west surrounding Mather Field is undergoing economic redevelopment, mining activities would have no effect on low-income populations.

No development would occur under the No Project Alternative that could have a potential impact on a low-income population; thus, **no direct** or **indirect** impacts would occur. *[Lesser]*

**Mitigation Measure: No mitigation measures are required.**

**Table 3.3-1  
Poverty Statistics within 6 Miles of the Project Site**

Census Tract Code	Total Population	Below Poverty Level <sup>1</sup>	Poverty Rate
005701	3,021	128	4.2
005702	4,736	85	1.8
005801	5,249	395	7.5
005803	3,487	159	4.6
005804	2,659	115	4.3
005901	5,333	352	6.6
005902	7,110	755	10.6
006002	4,418	570	12.9
006003	4,605	1,033	22.4
006004	2,393	135	5.6
007413	6,309	2,160	34.2
007503	5,123	1,273	24.8
007504	1,962	368	18.8
007601	6,546	601	9.2
007602	4,333	546	12.6
007701	5,835	924	15.8
007702	4,566	337	7.4
007801	5,446	588	10.8
007802	4,815	614	12.8
007903	4,563	248	5.4
007904	5,116	477	9.3
007905	4,051	290	7.2
007906	3,643	155	4.3
008005	5,199	177	3.4
008006	5,540	178	3.2
008007	3,487	567	16.3
008008	4,415	90	2.0
008009	4,293	366	8.5
008010	4,766	412	8.6
008207	4,488	219	4.9
008403	4,123	122	3.0
008504	4,236	48	1.1
008600	5,307	200	3.8
008701	5,123	31	0.6
008702	3,355	46	1.4
008800	520	446	85.8
008905	4,816	797	16.5
008907	5,198	694	13.4
008908	4,976	799	16.1

**Table 3.3-1  
Poverty Statistics within 6 Miles of the Project Site**

Census Tract Code	Total Population	Below Poverty Level <sup>1</sup>	Poverty Rate
008909	2,146	389	18.1
008910	3,521	280	8.0
008911	2,287	677	29.6
008912	3,347	247	7.4
008913	4,534	732	16.1
009004	3,966	396	10.0
009005	3,226	328	10.2
009006	4,638	584	12.6
009007	2,443	718	29.4
009008	5,314	1,168	22.0
009009	3,886	394	10.1
009103	2,821	478	16.9
009105	2,797	479	17.1
009106	4,087	433	10.6
009107	3,253	156	4.8
009108	3,666	170	4.6
009109	5,082	394	7.8
009110	1,584	448	28.3
009111	5,563	700	12.6
009112	3,592	344	9.6

<sup>1</sup> Figures are for individuals for whom poverty status has been determined.  
Source: U.S. Census Bureau 2000a

**IMPACT  
3.3-2**

**Potential Effects on Minority Populations.** *Project implementation would not create a disproportionate placement of adverse environmental impacts on minority communities.*

**PP, HD, IM,  
NF**

Analyzing the data across the census tracts in aggregate, the minority population present in the project study area is less than 50%. The Caucasian population is approximately 74%. Minority (non-Caucasian) populations comprise 26.3% of the combined populations of the 2000 census tract data. Table 3.3-2 shows demographic data for these tracts. Therefore, project implementation would not cause a disproportionately high and adverse impact on minority populations. This would be a **less-than-significant, direct** impact. **No indirect** impacts would occur. *[Similar]*

**NP**

Under the No Project Alternative, mining activities at the project site, which are not part of the Rio del Oro project, would continue under existing Conditional Use Permits—one originally issued by the County, and the other issued by the City—and possibly under one or more future individual Implementation Permits expected to be issued by the City. Because the project site and the surrounding lands to the north, east, and south are undeveloped, and land to the west surrounding Mather Field is undergoing economic redevelopment, mining activities would have no effect on minority populations.

No development would occur under the No Project Alternative that could have a potential impact on a minority population; thus, **no direct** or **indirect** impacts would occur. *[Lesser]*

Mitigation Measure: No mitigation measures are required.

Table 3.3-2 Race Statistics within 6 Miles of the Project Site									
Census Tract Code	Caucasian	Black	American Indian or Alaskan Native	Asian	Hawaiian or Pacific Islander	Hispanic Origin	Other Race	Two Or More Races	Census Tract Total
005701	2,527	27	8	141	3	235	5	81	3,027
005702	4,260	31	18	110	2	232	13	83	4,749
005801	4,434	62	17	172	17	390	9	173	5,274
005803	3,037	28	5	218	0	130	4	69	3,491
005804	2,282	16	13	196	1	78	1	72	2,659
005901	4,845	144	52	175	12	342	12	125	5,707
005902	5,848	273	44	214	13	610	24	276	7,302
006002	3,358	199	42	134	18	462	13	206	4,432
006003	3,461	223	67	263	29	413	24	190	4,670
006004	2,034	61	9	52	5	208	1	65	2,435
007413	3,584	775	76	450	24	1,028	25	370	6,332
007503	3,286	476	43	516	27	638	12	233	5,231
007504	1,557	130	20	55	16	241	2	87	2,108
007601	5,198	217	40	284	24	513	18	259	6,553
007602	3,604	121	39	151	13	354	4	184	4,470
007701	4,778	177	51	265	12	534	11	208	6,036
007702	3,908	87	15	185	17	228	13	118	4,571
007801	4,591	181	55	154	9	391	14	209	5,604
007802	4,230	165	39	114	8	324	4	132	5,016
007903	3,778	137	26	189	7	312	9	125	4,583
007904	4,416	81	48	123	20	348	9	127	5,172
007905	3,529	80	17	139	9	218	10	73	4,075
007906	3,049	63	128	146	6	257	5	8	3,662
008005	4,328	81	34	320	2	300	3	139	5,207
008006	4,724	86	21	310	18	291	17	109	5,576
008007	2,839	143	11	83	6	280	11	121	3,494
008008	3,920	51	17	160	10	300	6	114	4,578
008009	3,715	51	30	117	4	292	10	119	4,338
008010	4,033	88	37	178	3	304	15	154	4,812
008207	3,836	45	34	162	4	265	13	115	4,474

**Table 3.3-2  
Race Statistics within 6 Miles of the Project Site**

Census Tract Code	Caucasian	Black	American Indian or Alaskan Native	Asian	Hawaiian or Pacific Islander	Hispanic Origin	Other Race	Two Or More Races	Census Tract Total
008403	3,269	87	30	380	11	311	13	123	4,224
008504	3,040	67	8	665	7	257	6	127	4,177
008600	4,550	134	35	160	3	396	4	130	5,412
008701	3,527	73	18	769	8	209	11	100	4,715
008702	2,746	25	4	445	4	125	2	69	3,420
008800	373	118	17	62	20	139	8	177	914
008905	3,214	408	47	349	13	730	6	236	5,003
008907	3,614	398	26	386	13	541	22	235	5,235
008908	3,552	398	36	230	7	593	20	150	4,986
008909	1,409	191	12	224	6	225	8	193	2,164
008910	2,465	260	38	156	16	441	12	184	3,581
008911	1,213	393	17	103	18	418	1	146	2,309
008912	2,374	258	13	230	9	352	11	117	3,364
008913	3,460	295	32	202	6	372	5	432	4,534
009004	2,041	651	30	508	19	533	8	209	3,999
009005	1,834	414	18	341	8	481	10	152	3,258
009006	2,522	691	37	519	17	564	10	300	4,660
009007	1,105	563	10	186	47	459	8	174	2,552
009008	2,995	689	40	326	35	823	13	352	5,273
009009	1,995	408	38	706	40	518	8	190	3,903
009103	1,915	404	8	299	7	425	8	169	3,235
009105	1,676	340	12	220	27	390	1	149	2,815
009106	2,944	269	29	283	19	423	13	146	4,126
009107	2,280	230	7	306	9	352	12	136	3,332
009108	2,348	256	34	454	12	435	8	137	3,684
009109	3,400	404	18	474	11	553	4	232	5,096
009110	685	503	22	97	14	271	0	95	1,687
009111	3,195	449	52	724	26	821	21	339	5,627
009112	1,986	357	38	455	19	518	6	194	3,573
<b>Total</b>	<b>184,716</b>	<b>14,032</b>	<b>1,782</b>	<b>16,035</b>	<b>790</b>	<b>23,193</b>	<b>576</b>	<b>9,372</b>	<b>250,496</b>
<b>Percent</b>	<b>73.7</b>	<b>5.6</b>	<b>0.7</b>	<b>6.4</b>	<b>0.3</b>	<b>9.3</b>	<b>0.2</b>	<b>3.8</b>	<b>--</b>

Source: U.S. Census Bureau 2000b



## Project Level (Phase 1) Impacts and Mitigation Measures

### IMPACT 3.3-3

**Potential Effects on Low-Income Populations.** *Implementation of development Phase 1 would not create a disproportionate placement of adverse environmental impacts on low-income populations.*

Impacts would be the same under Phase 1 as under the program (entire project site) level analysis for all alternatives. Refer to Impact 3.3-1 for further discussion of this impact.

### IMPACT 3.3-4

**Potential Effects on Minority Populations.** *Implementation of development Phase 1 would not create a disproportionate placement of adverse environmental impacts on minority communities.*

Impacts would be the same under Phase 1 as under the program (entire project site) level analysis for all alternatives. Refer to Impact 3.3-2 for further discussion of this impact.

## CUMULATIVE IMPACTS

Past, present, and probable future projects used for this cumulative analysis are restricted to those projects that have occurred or are planned to occur within the 6-mile radius included in the analysis. Within this radius, Tract 8800 has the highest poverty rate, with 85.8% of the population below the poverty level in the year 2000. The boundary of Tract 8800 corresponds to Mather Field (formerly Mather AFB). Since the closure of the base in 1988 and the opening of Mather Airport in 1995, this area has undergone substantial redevelopment, including construction of 1,300 new homes from 1999 to 2004, modernization, and improvement of streets and infrastructure, commercial development, and the continued use of Mather Airport for general aviation and air cargo (Mather Field 2004). Data from Mather Field indicate that by the year 2000, approximately 2,600 new jobs had been generated by redevelopment activities, and economic development is expected to continue in the future. Poverty rates for Tract 8800 are expected to decrease substantially as a result of new development and redevelopment activities with implementation of the *Mather Airport Master Plan*. Currently, the draft final Master Plan is being reviewed by the County Department of Environmental Review and Assessment pursuant to CEQA. The goal of the Master Plan is to guide development over the next 20 years and to identify the facilities necessary to meet near- and long-term aviation demand. The project and related projects are not anticipated to contribute to disproportionate placement of environmental impacts on low-income and minority populations or communities; therefore, no cumulatively considerable impacts would result.

### 3.3.4 RESIDUAL SIGNIFICANT IMPACTS

All impacts associated with environmental justice are considered less than significant. Therefore, there are no residual significant impacts.