

3.6 ENVIRONMENTAL JUSTICE

3.6.1 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.”

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 SPA, 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 (California Military Museum 2007). 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. When the city incorporated in 2003, it included more than 55,000 residents.

Existing land use patterns in Rancho Cordova have developed from regional growth patterns, geography, and circulation. 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 serve as building blocks for the community’s growth and revitalization (City of Rancho Cordova 2006). 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.

3.6.2 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) (1997). The second document, *Final Guidance for Incorporating Environmental Justice Concerns* (published in EPA’s NEPA Compliance Analysis) (61 Federal Register [FR] 135, July 12, 1996), 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, 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 (CalEPA) to develop a model environmental justice mission statement for boards, departments, and offices within the agency by January 1, 2001 (California 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 CalEPA in developing an intra-agency environmental justice strategy (California Public Resources Code Sections 72002–72003). SB 828 (Alarcón, Chapter 765, Statutes of 2001) added and modified due dates for the development of CalEPA’s intra-agency environmental justice strategy and required each board, department, and office within CalEPA to identify and address, no later than January 1, 2004, any gaps in its existing programs, policies, and activities that may impede environmental justice (California 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 *State of California General Plan Guidelines 2003*. 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]) (OPR 2003). The 2003 edition of the general plan guidelines included the contents required by AB 1553 (see pages 8, 12, 20–27, 40, 114, 142, 144, and 260 of the revised guidelines).

REGIONAL AND LOCAL PLANS, POLICIES, REGULATIONS, AND ORDINANCES

There are no regional or local plans, policies, regulations, or ordinances related to environmental justice that are applicable to the Proposed Project or alternatives under consideration.

3.6.3 ENVIRONMENTAL CONSEQUENCES AND MITIGATION MEASURES

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 likely would 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 (1) the minority population of the affected area exceeds 50%, or (2) 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 comprises 50% or more people living below the poverty threshold, as defined by the U.S. Census Bureau, or is substantially 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* (61 FR 135, July 12, 1996), for the purposes of an environmental justice screening, the study area is an approximately 6-mile radius surrounding the SPA. 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

Impacts that would occur under each alternative development scenario are identified as follows: NP (No Project), NCP (No USACE Permit), PP (Proposed Project), BIM (Biological Impact Minimization), CS (Conceptual Strategy), and ID (Increased Development). The impacts for each alternative are compared relative to the PP at the end of each impact conclusion (i.e., similar, greater, lesser).

IMPACT 3.6-1 **Potential Effects on Low-Income Populations.** *Project implementation would not create a disproportionate placement of adverse environmental impacts on low-income populations.*

NP

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]*

NCP, PP, BIM, CS, ID

According to the year 2000 census tracts (Table 3.6-1), there is one tract out of a total of 33 with a poverty population greater than 50% within 6 miles of the SPA. Of the 33 census tracts, 10 have poverty populations greater than 10%. Two 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 abuts the western boundary of the SPA’s census tract (Tract 8701). 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. 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. Poverty rates for Tract 8800 are expected to improve substantially from redevelopment activities. In addition, implementation of the project would not disproportionately affect or directly influence Tract 8800 because of its distance from the SPA. 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]*

Mitigation Measure: No mitigation measures are required.

**Table 3.6-1
Poverty Statistics within 6 Miles of the SPA**

| Census Tract Code | Total Population | Below Poverty Level ¹ | Poverty Rate |
|-------------------|------------------|----------------------------------|--------------|
| 005804 | 2,659 | 115 | 4.3 |
| 007702 | 4,566 | 337 | 7.4 |
| 007802 | 4,815 | 614 | 12.8 |
| 008005 | 5,199 | 177 | 3.4 |
| 008006 | 5,540 | 178 | 3.2 |
| 008009 | 4,293 | 366 | 8.5 |
| 008010 | 4,766 | 412 | 8.6 |
| 008503 | 8,045 | 246 | 3.1 |
| 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 |
| 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 |
| 009005 | 3,226 | 328 | 10.2 |
| 009006 | 4,638 | 584 | 12.6 |
| 009007 | 2,443 | 718 | 29.4 |
| 009009 | 3,886 | 394 | 10.1 |
| 009103 | 2,821 | 478 | 16.9 |
| 009107 | 3,253 | 156 | 4.8 |
| 009108 | 3,666 | 170 | 4.6 |
| 009109 | 5,082 | 394 | 7.8 |
| 009112 | 3,592 | 344 | 9.6 |
| 009200 | 1,432 | 74 | 5.2 |
| 009315 | 5,513 | 194 | 3.5 |
| 009404 | 4,913 | 102 | 2.1 |

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

IMPACT **Potential Effects on Minority Populations.** *Project implementation would not create a disproportionate placement of adverse environmental impacts on minority communities.*
3.6-2

NP

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*]

NCP, PP, BIM, CS, ID

Analyzing the data in aggregate across the census tracts (Table 3.6-2), the minority population in the project study area is less than 50%. The Caucasian population is approximately 71.7%. Minority (non-Caucasian) populations comprise 28.3% of the combined populations of the 2000 census tract data. 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*]

Mitigation Measure: No mitigation measures are required.

3.6.4 RESIDUAL SIGNIFICANT IMPACTS

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

3.6.5 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 a 6-mile radius of the SPA. 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. 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. 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* (Sacramento County 2003). Currently, the draft final master plan is being reviewed by the County Department of Environmental Review and Assessment pursuant to the California Environmental Quality Act. 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 disproportionately impact low-income and minority populations or communities; therefore, no cumulatively considerable incremental impacts would result.

**Table 3.6-2
Race Statistics within 6 Miles of the SPA**

| 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 |
|--------------------------|------------------|--------------|--|---------------|-------------------------------------|------------------------|-------------------|--------------------------|---------------------------|
| 005804 | 2,282 | 16 | 13 | 196 | 1 | 78 | 1 | 72 | 2,659 |
| 007702 | 3,908 | 87 | 15 | 185 | 17 | 228 | 13 | 118 | 4,571 |
| 007802 | 4,230 | 165 | 39 | 114 | 8 | 324 | 4 | 132 | 5,016 |
| 008005 | 4,328 | 81 | 34 | 320 | 2 | 300 | 3 | 139 | 5,207 |
| 008006 | 4,724 | 86 | 21 | 310 | 18 | 291 | 17 | 109 | 5,576 |
| 008009 | 3,715 | 51 | 30 | 117 | 4 | 292 | 10 | 119 | 4,338 |
| 008010 | 4,033 | 88 | 37 | 178 | 3 | 304 | 15 | 154 | 4,812 |
| 008503 | 6,042 | 140 | 28 | 1,015 | 19 | 551 | 6 | 244 | 8,045 |
| 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 |
| 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 |
| 009009 | 1,995 | 408 | 38 | 706 | 40 | 518 | 8 | 190 | 3,903 |
| 009103 | 1,915 | 404 | 8 | 299 | 7 | 425 | 8 | 169 | 3,235 |
| 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 |
| 009112 | 1,986 | 357 | 38 | 455 | 19 | 518 | 6 | 194 | 3,573 |
| 009200 | 869 | 27 | 35 | 219 | 0 | 223 | 2 | 72 | 1,447 |
| 009315 | 4,030 | 163 | 40 | 530 | 17 | 634 | 4 | 207 | 5,625 |
| 009404 | 3,912 | 101 | 63 | 117 | 4 | 513 | 18 | 192 | 4,920 |
| Total | 96,995 | 7,480 | 866 | 11,022 | 375 | 12,571 | 279 | 5,538 | 135,323 |
| Percent | 71.7 | 5.5 | 0.6 | 8.1 | 0.3 | 9.3 | 0.2 | 4.1 | - |

Source: U.S. Census Bureau 2000b

This page intentionally left blank.