

3.8 Environmental Justice

3.8.1 Introduction

As part of the planning process associated with the IRP Facilities Plan, the City of Los Angeles included the promotion of environmental justice as an important objective. Also, because the IRP could include infrastructure improvements funded in whole or in part through State Revolving Fund (SRF) loans established under the federal Clean Water Act, compliance with federal Executive Order 12898 must be documented. Accordingly, this section describes the requirements of federal Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority and Low income Populations* (1994), as they relate to the Proposed Project Alternatives, and documents how the Alternatives comply with the Executive Order. Any state or local environmental justice requirements applicable to the Proposed Project Alternatives are discussed as part of this analysis.

3.8.2 Environmental Setting

To identify minority and low income populations for this environmental justice assessment, two parts of the HSA study area are identified. First, the census tracts from the 2000 U.S. Census of Population and Housing (U.S. Census Bureau, 2001) (hereinafter “2000 Census”) that either encompass or are located adjacent to some or all of each facility is used for the project-level components of the IRP. Second, for the program-level components of the IRP, a broader study area has been defined to encompass the entire City of Los Angeles, which is representative of the larger geographic scope of the HSA. The City of Los Angeles is used to represent the HSA, because demographic data are not reported specifically for the HSA. This is an acceptable means of reporting the data because the City of Los Angeles comprises the majority of the HSA geography. In addition, it is reasonable to assume that demographic characteristics of the small remaining portions of the HSA are not substantially different than in the City of Los Angeles. Demographic data detailing the race/ethnicity and economic characteristics of the population in the study areas have been reviewed from the 2000 Census. For consistency, the same demographic data were examined for the County of Los Angeles.

3.8.2.1 General Setting

As noted above, demographic data for the City of Los Angeles have been selected to represent data in the HSA. Race and ethnicity data for the City population are outlined in Table 3.8-1. These data indicate that the racial/ethnic composition of the population in the City of Los Angeles is not substantially different from that of the surrounding County of Los Angeles. Comparable to the County, minority population groups comprise the majority of the population in the City of Los Angeles (i.e., 70.3 percent). No one group, however, forms a majority. Persons of Hispanic/Latino origin represent the largest group at 46.5 percent, followed in order by descending proportions: White (29.7 percent), Black/African American (10.9 percent), Asian (9.9 percent), Multi-racial (two or more races) (2.4 percent), American Indian/Alaska Native (0.2 percent), Other (0.2 percent), and Native Hawaiian/Pacific Islander (0.1 percent).

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Setting, Impacts, and Mitigation

Table 3.8-1. Existing Population Characteristics, Race/Ethnicity (2000)
Integrated Resources Plan EIR

Location	Total Population	White	%	Hispanic or Latino	%	Black/ African American	%	American Indian/ Alaska Native	%	Asian	%	Native Hawaiian/ Other Pacific Islander	%	Other	%	Multi-racial	%
Los Angeles County	9,519,338	2,959,614	31.1	4,242,213	44.6	901,472	9.5	25,609	0.3	1,124,569	11.8	23,265	0.2	19,935	0.2	222,661	2.3
Los Angeles City	3,694,820	1,099,188	29.7	1,719,073	46.5	401,986	10.9	8,897	0.2	364,850	9.9	4,484	0.1	9,065	0.2	87,277	2.4
HYPERION																	
Study Area	11,287	8,312	73.6	1,473	13.1	273	2.4	37	0.3	725	6.4	35	0.3	49	0.4	383	3.4
Census Tract 2780	2,430	1,461	60.1	482	19.8	157	6.5	12	0.5	210	8.6	12	0.5	3	0.1	93	3.8
Census Tract 6201.01	5,347	4,105	76.8	580	10.8	79	1.5	17	0.3	332	6.2	16	0.3	28	0.5	190	3.6
Census Tract 6201.02	3,510	2,746	78.2	411	11.7	37	1.1	8	0.2	183	5.2	7	0.2	18	0.5	100	2.8
TILLMAN																	
Study Area	31,146	11,199	36.0	15,758	50.6	1,644	5.3	81	0.3	1,491	4.8	38	0.1	72	0.2	863	2.8
Census Tract 1275.1	4,261	1,521	35.7	2,188	51.3	185	4.3	9	0.2	235	5.5	2	0.0	24	0.6	97	2.3
Census Tract 1276.02	6,490	1,401	21.6	4,234	65.2	388	6.0	17	0.3	307	4.7	13	0.2	6	0.1	124	1.9
Census Tract 1277.1	6,755	2,067	30.6	3,530	52.3	540	8.0	18	0.3	355	5.3	6	0.1	19	0.3	220	3.3
Census Tract 1283.02	4,763	645	13.5	3,763	79.0	132	2.8	18	0.4	115	2.4	3	0.1	5	0.1	82	1.7
Census Tract 1284	4,101	2,128	51.9	1,390	33.9	224	5.5	6	0.1	200	4.9	10	0.2	4	0.1	139	3.4
Census Tract 1390	4,776	3,437	72.0	653	13.7	175	3.7	13	0.3	279	5.8	4	0.1	14	0.3	201	4.2
LOS ANGELES/GLENDALE																	
Study Area	25,914	9,400	36.3	9,825	37.9	596	2.3	44	0.2	4,291	16.6	14	0.1	73	0.3	1,671	6.4
Census Tract 1881	4,348	1,084	24.9	2,562	58.9	109	2.5	8	0.2	454	10.4	1	0.0	22	0.5	108	2.5



Table 3.8-1. Existing Population Characteristics, Race/Ethnicity (2000)
Integrated Resources Plan EIR

Location	Total Population	White	%	Hispanic or Latino	%	Black/ African American	%	American Indian/ Alaska Native	%	Asian	%	Native Hawaiian/ Other Pacific Islander	%	Other	%	Multi-racial	%
Census Tract 1882	5,767	3,410	59.1	926	16.1	272	4.7	8	0.1	916	15.9	8	0.1	23	0.4	204	3.5
Census Tract 3023.01	3,516	1,245	35.4	900	25.6	45	1.3	8	0.2	1,017	28.9	3	0.1	5	0.1	293	8.3
Census Tract 3023.02	6,034	2,039	33.8	2,477	41.1	62	1.0	6	0.1	873	14.5	0	0.0	16	0.3	561	9.3
Census Tract 3024	6,249	1,622	26.0	2,960	47.4	108	1.7	14	0.2	1,031	16.5	2	0.0	7	0.1	505	8.1
NEIS II																	
Study Area	78,825	24,638	31.3	35,545	45.1	1,269	1.6	189	0.2	11,998	15.2	69	0.1	166	0.2	4,951	6.3
Census Tract 1864.01	6,239	234	3.8	5,492	88.0	76	1.2	13	0.2	372	6.0	12	0.2	2	0.0	38	0.6
Census Tract 1864.02	5,777	375	6.5	4,405	76.3	36	0.6	24	0.4	879	15.2	0	0.0	7	0.1	51	0.9
Census Tract 1871	6,849	1,201	17.5	3,739	54.6	50	0.7	24	0.4	1,680	24.5	8	0.1	11	0.2	136	2.0
Census Tract 1872	3,178	199	6.3	2,541	80.0	29	0.9	9	0.3	364	11.5	0	0.0	3	0.1	33	1.0
Census Tract 1873	3,390	1,363	40.2	1,171	34.5	156	4.6	20	0.6	553	16.3	6	0.2	11	0.3	110	3.2
Census Tract 1881	4,348	1,084	24.9	2,562	58.9	109	2.5	8	0.2	454	10.4	1	0.0	22	0.5	108	2.5
Census Tract 1882	5,767	3,410	59.1	926	16.1	272	4.7	8	0.1	916	15.9	8	0.1	23	0.4	204	3.5
Census Tract 1883	3,694	1,132	30.6	1,290	34.9	52	1.4	16	0.4	1,059	28.7	8	0.2	10	0.3	127	3.4
Census Tract 3016.01	6,987	3,201	45.8	2,061	29.5	90	1.3	8	0.1	661	9.5	3	0.0	25	0.4	938	13.4
Census Tract 3017.01	2,828	1,498	53.0	636	22.5	29	1.0	8	0.3	438	15.5	5	0.2	7	0.2	207	7.3
Census Tract 3017.02	6,044	3,013	49.9	1,278	21.1	46	0.8	6	0.1	781	12.9	3	0.0	10	0.2	907	15.0
Census Tract	3,516	1,245	35.4	900	25.6	45	1.3	8	0.2	1,017	28.9	3	0.1	5	0.1	293	8.3



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Table 3.8-1. Existing Population Characteristics, Race/Ethnicity (2000)
Integrated Resources Plan EIR

Location	Total Population	White	%	Hispanic or Latino	%	Black/ African American	%	American Indian/ Alaska Native	%	Asian	%	Native Hawaiian/ Other Pacific Islander	%	Other	%	Multi-racial	%
3023.01																	
Census Tract 3023.02	6,034	2,039	33.8	2,477	41.1	62	1.0	6	0.1	873	14.5	0	0.0	16	0.3	561	9.3
Census Tract 3024	6,249	1,622	26.0	2,960	47.4	108	1.7	14	0.2	1,031	16.5	2	0.0	7	0.1	505	8.1
Census Tract 3025.02	7,925	3,022	38.1	3,107	39.2	109	1.4	17	0.2	920	11.6	10	0.1	7	0.1	733	9.2
GBIS																	
Study Area	74,116	43,436	58.6	16,846	22.7	3,782	5.1	231	0.3	6,355	8.6	79	0.1	183	0.2	3,204	4.3
Census Tract 1254	7,495	3,586	47.8	1,838	24.5	1,219	16.3	30	0.4	517	6.9	8	0.1	29	0.4	268	3.6
Census Tract 1255	5,948	3,481	58.5	1,473	24.8	397	6.7	22	0.4	327	5.5	3	0.1	16	0.3	229	3.9
Census Tract 1256	2,379	1,847	77.6	236	9.9	95	4.0	12	0.5	124	5.2	1	0.0	3	0.1	61	2.6
Census Tract 1431	3,528	2,826	80.1	315	8.9	144	4.1	3	0.1	140	4.0	1	0.0	8	0.2	91	2.6
Census Tract 1432	3,752	2,281	60.8	692	18.4	294	7.8	12	0.3	309	8.2	0	0.0	5	0.1	159	4.2
Census Tract 1436.01	4,991	3,526	70.6	546	10.9	343	6.9	13	0.3	410	8.2	5	0.1	15	0.3	133	2.7
Census Tract 1882	5,767	3,410	59.1	926	16.1	272	4.7	8	0.1	916	15.9	8	0.1	23	0.4	204	3.5
Census Tract 1897.01	3,619	2,723	75.2	297	8.2	185	5.1	10	0.3	245	6.8	1	0.0	8	0.2	150	4.1
Census Tract 3016.01	6,987	3,201	45.8	2,061	29.5	90	1.3	8	0.1	661	9.5	3	0.0	25	0.4	938	13.4
Census Tract 3016.02	4,148	1,424	34.3	1,906	45.9	82	2.0	15	0.4	584	14.1	4	0.1	9	0.2	124	3.0
Census Tract 3017.01	2,828	1,498	53.0	636	22.5	29	1.0	8	0.3	438	15.5	5	0.2	7	0.2	207	7.3
Census Tract 3114	2,187	1,620	74.1	295	13.5	63	2.9	12	0.5	144	6.6	1	0.0	6	0.3	46	2.1



Table 3.8-1. Existing Population Characteristics, Race/Ethnicity (2000)
Integrated Resources Plan EIR

Location	Total Population	White	%	Hispanic or Latino	%	Black/ African American	%	American Indian/ Alaska Native	%	Asian	%	Native Hawaiian/ Other Pacific Islander	%	Other	%	Multi-racial	%
Census Tract 3116	6,929	5,119	73.9	864	12.5	247	3.6	33	0.5	469	6.8	4	0.1	15	0.2	178	2.6
Census Tract 3117	6,025	4,254	70.6	985	16.3	102	1.7	21	0.3	473	7.9	15	0.2	9	0.1	166	2.8
Census Tract 3118	7,533	2,640	35.0	3,776	50.1	220	2.9	24	0.3	598	7.9	20	0.3	5	0.1	250	3.3
Census Tract 3200	0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

Source: U.S. Census Bureau (2001).



Income and poverty status data for the City of Los Angeles population are detailed in Table 3.8-2. These data show that the per capita income for persons in the City of Los Angeles (i.e., \$20,671) is essentially the same as in the County (i.e., \$20,683). The proportion of persons in the City of Los Angeles whose income in 1999 was below the Census Bureau poverty threshold (i.e., 22.1 percent) is slightly higher than in the surrounding County (i.e., 17.9 percent).

3.8.2.2 Components

Demographic data for the components of the IRP evaluated at a project level have been collected for the census tracts adjacent to each facility. Because the components evaluated at a program level could be implemented in any number of locations throughout the HSA, demographic data for the City and County of Los Angeles have been selected for review.

Project-Level Components

Tables 3.8-1 and 3.8-2 summarize the race/ethnicity and income/poverty characteristics for each of the facilities below.

Hyperion

Three census tracts with a total population of 11,287 persons are situated around or adjacent to Hyperion (Tables 3.8-1 and 3.8-2). This study area includes a substantially smaller proportion of minority population groups (i.e., 26.4 percent) than in the City of Los Angeles or County of Los Angeles. One of the three census tracts (i.e., Tract 2780) has slightly greater proportions of Hispanic/Latino and Black/African American persons (19.8 percent and 6.5 percent, respectively) than in the study area as a whole; however, these proportions are still markedly smaller than in the City of Los Angeles or County of Los Angeles. The Hyperion study area also is characterized by a higher per capita income (\$30,871) and a smaller proportion of persons below the federal poverty threshold (5.7 percent) than in the City of Los Angeles or County of Los Angeles. The three census tracts in the study area show similar data for income and poverty status. Tract 2780 has a somewhat lower per capita income and greater proportion of persons below the poverty threshold, but still has higher incomes and less poverty than in the City of Los Angeles and County of Los Angeles.

Tillman

Six census tracts are adjacent to or are located around Tillman, and the total population in the Tillman study area is 31,146 persons (Tables 3.8-1 and 3.8-2). Of the total population, 64.0 percent of persons are in minority population groups, with persons of Hispanic/Latino origin representing the largest group at 50.6 percent. One of the six tracts in the study area (i.e., Tract 1283.02) has a relatively greater proportion of persons of Hispanic/Latino origin compared to the others, while two tracts (i.e., Tracts 1284 and 1390) have substantially fewer minority persons than the others. Per capita income for the Tillman study area is \$18,954, and the proportion of persons below the poverty threshold is 20.0 percent, not significantly different from the City of Los Angeles and County of Los Angeles. Two tracts in the study area (i.e., Tracts 1276.02 and 1283.02) have lower incomes and higher proportions of poverty compared to the overall study area. Another two tracts (i.e., Tracts 1284 and 1390)

have considerably larger per capita incomes and lower proportions of persons below the poverty threshold.

Table 3.8-2. Existing Population Characteristics, Income/Poverty (2000) Integrated Resources Plan EIR				
Area	Total Population	Per Capita Income (\$)	Persons Below Poverty Threshold	% of Total
County of Los Angeles	9,349,771	\$20,683	1,674,599	17.9%
City of Los Angeles	3,622,606	\$20,671	801,050	22.1%
Hyperion				
Study Area	11,129	\$30,871	636	5.7%
Census Tract 2780	2,417	\$25,453	208	8.6%
Census Tract 6201.01	5,215	\$32,779	260	5.0%
Census Tract 6201.02	3,497	\$34,381	168	4.8%
Tillman				
Study Area	26,038	\$18,953	5,198	20.0%
Census Tract 1275.1	4,212	\$18,518	481	11.4%
Census Tract 1276.02	6,459	\$12,450	1,628	25.2%
Census Tract 1277.1	6,730	\$15,835	1,379	20.5%
Census Tract 1283.02	4,542	\$11,224	1,167	25.7%
Census Tract 1284	4,095	\$25,680	543	13.3%
Census Tract 1390	4,768	\$30,015	509	10.7%
LOS ANGELES/Glendale				
Study Area	25,605	\$19,477	4,818	18.8%
Census Tract 1881	4,333	\$17,921	500	11.5%
Census Tract 1882	5,761	\$37,967	654	11.4%
Census Tract 3023.01	3,421	\$16,130	614	17.9%
Census Tract 3023.02	6,003	\$11,484	1,440	24.0%
Census Tract 3024	6,087	\$13,886	1,610	26.4%
NEIS II				
Study Area	78,089	\$17,296	15,902	20.4%
Census Tract 1864.01	6,211	\$8,553	2,351	37.9%
Census Tract 1864.02	5,698	\$11,848	1,321	23.2%
Census Tract 1871	6,815	\$15,682	897	13.2%
Census Tract 1872	3,175	\$10,321	745	23.5%
Census Tract 1873	3,386	\$32,598	452	13.3%

Table 3.8-2. Existing Population Characteristics, Income/Poverty (2000) Integrated Resources Plan EIR				
Area	Total Population	Per Capita Income (\$)	Persons Below Poverty Threshold	% of Total
Census Tract 1881	4,333	\$17,921	500	11.5%
Census Tract 1882	5,761	\$37,967	654	11.4%
Census Tract 1883	3,676	\$21,397	216	5.9%
Census Tract 3016.01	6,952	\$14,639	1,817	26.1%
Census Tract 3017.01	2,841	\$18,716	401	14.1%
Census Tract 3017.02	5,897	\$13,518	970	16.4%
Census Tract 3023.01	3,421	\$16,130	614	17.9%
Census Tract 3023.02	6,003	\$11,484	1,440	24.0%
Census Tract 3024	6,087	\$13,886	1,610	26.4%
Census Tract 3025.02	7,833	\$14,774	1,914	24.4%
GBIS				
Study Area	73,331	\$29,919	9,160	12.5%
Census Tract 1254	7,484	\$24,532	1,455	19.4%
Census Tract 1255	5,940	\$25,673	559	9.4%
Census Tract 1256	2,376	\$41,761	243	10.2%
Census Tract 1431	3,514	\$50,838	207	5.9%
Census Tract 1432	3,752	\$27,428	375	10.0%
Census Tract 1436.01	4,991	\$36,723	409	8.2%
Census Tract 1882	5,761	\$37,967	654	11.4%
Census Tract 1897.01	3,551	\$60,223	367	10.3%
Census Tract 3016.01	6,952	\$14,639	1,817	26.1%
Census Tract 3016.02	4,070	\$17,865	643	15.8%
Census Tract 3017.01	2,841	\$18,716	401	14.1%
Census Tract 3114	2,164	\$34,010	89	4.1%
Census Tract 3116	6,731	\$35,436	471	7.0%
Census Tract 3117	5,747	\$34,043	323	5.6%
Census Tract 3118	7,457	\$18,856	1,147	15.4%
Census Tract 3200	0	\$0	0	0.0%
Source: U.S. Census Bureau (2001).				



LAG

The five census tracts around or adjacent to LAG have a total of 25,914 persons, with minority population groups making up 63.7 percent of the total population (Tables 3.8-1 and 3.8-2). Hispanic/Latino and White population groups are the largest in the LAG study area (37.9 percent and 36.3 percent, respectively). A substantial proportion of Asian persons are also present in the study area (i.e., 16.6 percent), including 28.9 percent in Tract 3023.01. One tract (i.e., Tract 1881) has a relatively larger proportion of persons of Hispanic/Latino origin (i.e., 58.9 percent) than the others in the study area. The LAG study area has a per capita income of \$19,478, similar to that in the City and County of Los Angeles. The proportion of persons below the poverty threshold in the study area is 18.8 percent, also in line with the City and County of Los Angeles. One tract (i.e., Tract 1882) has a somewhat higher per capita income and lower proportion of persons below the poverty threshold. Two tracts in the study area (i.e., Tracts 3023.02 and 3024) have lower incomes and higher proportions of poverty compared to the overall study area.

NEIS II

The study area for NEIS II encompasses 15 census tracts adjacent to or around the proposed alignment options, and includes a total population of 78,825 persons (Tables 3.8-1 and 3.8-2). Similar to the City of Los Angeles and County of Los Angeles, minority population groups are 68.7 percent of the total. The proportion of Asian persons (i.e., 15.2 percent) is larger than in the City of Los Angeles and County of Los Angeles, with three tracts (i.e., Tracts 1871, 1883, and 3023.01) having substantial proportions of this group. Three tracts (i.e., Tracts 1864.01, 1864.02, and 1872) also have large proportions of persons of Hispanic/Latino origin. The NEIS II study area has a per capita income slightly lower than the City of Los Angeles and County of Los Angeles at \$17,296, and a proportion of persons below the poverty threshold that is similar to the City of Los Angeles and County of Los Angeles (i.e., 20.4 percent). Two tracts (i.e., 1873, 1882) have a per capita income (i.e., \$32,598 and \$37,967) that is higher than the others in the study area. One other tract (i.e., 1864.01) has a very low per capita income (i.e., \$8,553) and high proportion of persons below the poverty threshold (i.e., 37.9 percent).

GBIS

A total of 74,116 persons are in the 16 census tracts that comprise the GBIS study area. See Tables 3.8-1 and 3.8-2. Of the total, 41.1 percent are minority population groups, a lower proportion than in the City of Los Angeles and County of Los Angeles. One tract (i.e., Tract 1,254) has a larger proportion of Black/African American persons than the study area as a whole, as well as the other tracts. With the exception of two tracts (i.e., Tracts 3013.02 and 3118), the tracts in this study area have lower proportions of persons of Hispanic/Latino origin than in the City of Los Angeles and County of Los Angeles. Per capita income in the GBIS study area is \$29,919, and the proportion of persons below the poverty threshold is 12.5 percent. Two tracts (i.e., Tracts 1431 and 1897.01)

have considerably higher per capita income (i.e., \$50,838 and \$60,223) than the other tracts in the study area. Three tracts (i.e., Tracts 3016.01, 3016.02, and 3118) have much lower per capita income. Of these three tracts, Tract 3016.01 also has a substantially greater proportion of persons below the poverty threshold than the study area as a whole or the other individual tracts.

Program-Level Components

Because program-level components of the IRP could be situated at various places in the HSA, please refer to the race/ethnicity and income/poverty data provided for the City and County of Los Angeles (Section 3.8.2.1, General Setting).

3.8.3 Environmental Impacts

Presented below are brief discussions of the regulatory framework, methodology, and thresholds of significance used to analyze each Alternative and program-level component.

3.8.3.1 Regulatory Framework

Federal

Title VI of the 1964 Civil Rights Act provides one of the principal legal underpinnings for environmental justice. It states:

No person . . . shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Executive Order 12898, signed by President Clinton on February 11, 1994, states:

...([t]o 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...

According to the pertinent guidance materials described below, the term “minority” includes persons who identify themselves in whole or in part as Black, Asian/Pacific Islander, Native American, or Hispanic, and the term “low income” includes persons whose household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines. A different income threshold (e.g., U.S. Census Bureau poverty threshold) could be used, providing it is not selectively implemented and is inclusive of all persons at or below the HHS poverty guidelines. See Council on Environmental Quality, Environmental Justice: Guidance under the National Environmental Policy Act 25 (December 10, 1997) (CEQ Guidance). The 1999

HHS poverty guideline for an individual was \$8,240 and was \$16,700 for a family of four. The HHS poverty guidelines website, however, notes:

... 1999 and 2000 poverty guidelines figures should NOT be used in connection with determining poverty population figures from 2000 Decennial Census data. Poverty population figures are calculated using the Census Bureau poverty thresholds, not the poverty guidelines. ... (<http://aspe.os.dhhs.gov/poverty/figures-fed-reg.shtml>)

Accordingly, this environmental justice analysis relies upon the 1999 Census Bureau poverty threshold, which was \$8,501 for an individual and \$17,029 for a family of four.

EPA has elaborated on the definition of environmental justice, stating:

Environmental Justice is 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 a racial, ethnic, or a socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies. Meaningful involvement means that: (1) potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health; (2) the public's contribution can influence the regulatory agency's decision; (3) the concerns of all participants involved will be considered in the decision making process; and (4) the decision makers seek out and facilitate the involvement of those potentially affected (<http://www.epa.gov/compliance/environmentaljustice/index.html>).

State

Senate Bill 115 (Chapter 690, Statutes of 1999) was signed into law by Governor Davis in 1999. SB 115 was the first California legislation to explicitly define environmental justice and to enact environmental justice policy into California statutes. The bill defines environmental justice as “the fair treatment of people of all races, cultures and incomes with respect to the development, adoption, implementation and enforcement of environmental laws, regulations and policies” (Cal. Govt. Code sec. 65040.12). SB 115 did not create a specific legal mandate with respect to environmental justice, but broadly required that all agencies under Cal-EPA conduct their programs, policies and activities that substantially affect human health or the environment in a way that ensures the fair treatment of people of all races, cultures and income levels, including minority and low income populations of the state.

Under Senate Bill 89 (Chapter 728, Statutes of 2000), Cal-EPA was required to develop an agencywide environmental justice strategy. Specifically, Cal-EPA was required to convene an interagency working group on environmental justice to assist the agency by identifying any gaps in existing programs and activities that could impede the achievement of environmental justice. Consistent with this directive, an interagency working group (IWG) was formed in 2001 and is composed of: the Secretary for Environmental Protection; the Chairs of the State Air Resources Board, the California Integrated Waste Management Board, and the Water Resources Control Board; the Director of Toxic Substances Control; the Director of Pesticide Regulation; the Director of Environmental Health Hazard Assessment; and the Director of the Governor's Office of Planning and Research. After substantial consultation and coordination with environmental justice stakeholders throughout the state, the IWG issued the Cal-EPA *Environmental Justice Strategy* in August 2004 (Cal-EPA, 2004a) and the *Environmental Justice Action Plan* in October 2004 (Cal-EPA, 2004b). Both documents establish certain goals, objectives, and programs to integrate environmental justice into the activities of the various Cal-EPA boards, departments, and offices.

Local

The City of Los Angeles *General Plan Framework Element* (City of Los Angeles, 2001) includes the following statement of the commitment of the City to environmental justice:

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 City of Los Angeles also has adopted a *Compact for Environmental Justice* (City of Los Angeles, 2002). Sections of the compact that are relevant to the IRP 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.

3.8.3.2 Methodology

The assessment of potential environmental justice effects that could result from the IRP follows a multistep analytical approach described below.

Identification of Environmental Justice Population Groups

Section 3.8.2 of this EIR describes the race/ethnicity and income/poverty characteristics for the HSA/City of Los Angeles and the study areas surrounding each of the project-level components of the IRP. As explained above, the demographic data for the HSA/City of Los Angeles have been used for the program-level components of the IRP because they could be implemented in any number of locations throughout the HSA. For purposes of this analysis, a conservative scenario has been assumed whereby environmental justice considerations would be examined for every component in each of the Alternatives, although it is conceivable that some components might not be constructed and operated in geographic areas with environmental justice communities (i.e., in areas where the proportions of minority and/or low income population groups are small).

Identification of Impacts to the General Population

The impact analyses for each of the resource areas evaluated in this EIR have been reviewed for this environmental justice assessment. Where significant adverse impacts have been identified in those resource areas and mitigation measures would reduce the impacts to a less than significant level, it has been assumed that the relative efficacy of that mitigation would be the same for all population groups, including minority and low income persons. Therefore, all fully mitigated impacts would have no potential to be disproportionately high and adverse. Significant residual adverse impacts (i.e., impacts that cannot be avoided or reduced to a less-than-significant level) have been given additional scrutiny to determine whether they could be disproportionately high and adverse to minority and/or low income population groups.

Identification of Disproportionately High and Adverse Impacts

Although no definitive guidelines currently exist for determining how significant impacts should be considered disproportionately high and adverse, two general issues are weighed in this analysis: (1) whether the significant residual adverse impact(s) of the proposed project will be predominately borne by a minority or low income population group; or (2) whether the significant residual adverse impact(s) of the proposed project will be appreciably more severe or greater in magnitude than the adverse impacts to groups that are not of the minority and/or low income population, even after mitigation measures and offsetting project benefits are considered.

Overview of Public Involvement and Community Outreach

Extensive public outreach and coordination have been conducted for the IRP Facilities Plan and for each of the Proposed Alternatives evaluated in this EIR. The public involvement and community outreach efforts for the IRP planning and project development process are discussed in the Executive Summary, Section 1, Section 2, and Appendix A of this EIR. In addition, a discussion in the IRP Facilities Plan, Volume 4, describes the efforts to promote environmental justice that were incorporated into the analysis of Proposed Project Alternatives (City of Los Angeles, 2004). Specific reference is made to those measures taken to ensure that environmental justice issues are addressed and that all segments of the population have meaningful opportunities to participate in and exercise influence on every aspect of the IRP.



3.8.3.3 Thresholds of Significance

To evaluate the potential environmental justice effects of the Proposed Alternatives, this analysis determines whether or not the IRP would have a disproportionately high and adverse human health or environmental effect on minority and/or low income populations.

3.8.3.4 Component Impacts

Because an assessment of impact is made for the Alternatives (rather than at the component level), the environmental justice evaluation is made at the Alternative level. The significance findings for the Alternatives are comparable in the context of an environmental justice assessment; therefore, the environmental justice impacts are discussed for the four proposed Project Alternatives as a group, followed by the No Action Alternative. Several guiding assumptions relative to the proposed Alternatives are presented below. Detailed descriptions of the Proposed Project Alternatives are in Section 2.

Environmental Justice Population Groups

As noted in the discussion of methodology, it has been assumed that any of the components in this Alternative could be constructed and operated in an area with sensitive minority and/or low income population groups. Thus, an assessment of potential environmental justice considerations is warranted, and the conclusions represent the most conservative assessment scenario.

Impacts to the General Population

Table 3.8-3 provides a summary of the impacts of the Proposed Project Alternatives, if any, that remain significant after mitigation for each resource area. Greater detail on the impacts for resources evaluated in this EIR is in the other sections of Section 3 and in Table ES-1 in the Executive Summary. As Table 3.8-3 shows, the Project Alternatives would result in significant impacts after mitigation for the following resource areas: Aesthetics, Air Quality (Criteria Pollutants), Air Quality (Odors), Cultural Resources (Paleontological and Archaeological Resources), Geology, Noise and Vibration, and Recreation.

Disproportionately High and Adverse Impacts

For each impact associated with the Proposed Project Alternatives, an analysis has been made whether or not the impact(s) of the proposed project would be (1) predominately borne by a minority or low income population group, or (2) appreciably more severe or greater in magnitude than the adverse impacts to minority and/or low income population groups.

The impacts of the Proposed Project Alternatives would be likely to affect all population groups and would not be predominately borne by minority and/or low income populations. For the project-level components in the Alternatives where a significant adverse impact is expected (i.e., Hyperion, Tillman, LAG, NEIS II alignments, and GBIS alignments), the proportions of minority and low income population groups are relatively similar to those in the overall HSA and the City of Los Angeles. For the program-level components of the Alternatives, all population groups are relatively likely to bear certain significant impacts, because these

components could be located in any number of places throughout the HSA. Some sites might have proportions of minority and low income persons that are similar to the overall HSA and City of Los Angeles; however, other areas could just as likely have greater or lesser proportions of such groups. The locations of the project-level and program-level components that would compose the Alternatives would depend on factors wholly unrelated to the demographic characteristics of a particular area. Component locations instead would be influenced by engineering and design considerations, as well as topography and geology. Accordingly, the relatively equal likelihood that any given population group would be subject to significant residual adverse impacts from an Alternative suggests that no disproportionately high or adverse human health or environmental impact would occur.

Table 3.8-3. Impacts of Proposed Project Alternatives Integrated Resources Plan EIR	
Impact #	Description of Impact after Mitigation
Aesthetics	
AES-2	Operation of biosolids handling improvements could result in a permanent obstruction of a valued view
Air Quality (Criteria Pollutants)	
AQ-1	Construction emissions of all criteria pollutants would remain above applicable thresholds
AQ-2	Operational emission of VOCs and NO _x cannot be mitigated and would remain above applicable thresholds
Air Quality (Odor and Toxics)	
AQ-3	Operational odors would remain potentially significant at Hyperion and ATFs for NEIS II, GBIS, and VSLIS
Cultural Resources	
CUL-1	Tunneling activities for NEIS II, GBIS, VSLIS, or other facilities could result in impacts to paleontological resources.
CUL-2	Tunneling for NEIS/GBIS or VSLIS in Holocene or younger sediments could result in impacts to archeological resources.
CUL-4	Disturbances of Native American cemeteries, human remains, or burials could be significant if such remains are present.
Geology and Soils	
GEO-1	Although remote, a potential exists for the NEIS II sewer to break at the crossing with the Hollywood-Raymond fault.
GEO-2	Risk of ground loss and associated ground surface settlement from the tunneling operations would exist for NEIS II, GBIS, and VSLIS.
Recreation	
REC-1	Construction could result in the loss of recreational space at the Crystal Springs Picnic Grounds, Pecan Grove, a golf course, Riverside East, Riverside West, and Woodbridge Park. In addition, operation of permanent facilities (e.g., ATFs) has the potential to affect parking at the Los Angeles Zoo, to significantly affect Pecan Grove Picnic Grounds, and to significantly affect Woodbridge Park.

No evidence suggests that the adverse impacts of the Alternatives would be more severe or greater in magnitude for minority and low income population groups compared with the general population. For instance, the construction-related impacts

(i.e., air quality, noise, recreation, and parking) that could not be mitigated fully would not be dissimilar to the widespread, but temporary, effects of construction projects experienced by all segments of the population in a densely populated, urbanized region like Southern California. Similarly, the operational impacts that could not be mitigated to a less-than-significant level (i.e., aesthetics, VOC and NO_x emissions, and disruptions to recreational facilities) would be undesirable for all segments of the population but would not be likely to vary in their severity or magnitude for any particular population group. Thus, given the generally similar degree of impact for all groups, disproportionately high and adverse impacts to minority and/or low income population groups would be unlikely.

Certain off-setting benefits of the Alternatives also would weigh against any disproportionately high and adverse impacts to minority and/or low income population groups. With implementation of any of the Alternatives, all population groups would be afforded a more reliable, safe, and efficient wastewater conveyance and treatment system. Threats to public health would be reduced to the extent that an improved system would be less likely to have sewage spills or beach closures due to storm runoff pollution.

All the Proposed Alternatives would be developed in accordance with Title VI of the Civil Rights Act of 1964, which provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. In addition, the Proposed Alternatives would be developed in conformity with related statutes and regulations mandating that no person in the State of California shall, on grounds of race, color, sex, age, national origin, or disabling condition, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity administered by or on behalf of the state.

No Project Alternative

The No Project Alternative, for purposes of this EIR, is no action. Under this Alternative, integrated improvements to the wastewater treatment and collection system, recycled water system, or runoff system would not occur.

Individual wastewater, recycled water, or runoff projects are still likely to be necessary to meet regulatory requirements and future demands, but such individual projects would be designed and constructed as the needs arise rather than being planned for in a system-wide integrated manner. Each individual project would be subject to its own environmental justice analysis in the future.