

## Section 6

**Environmental Justice**1  
2**6.1 Introduction**

3  
4 The environmental justice analysis presented in this document complies with Executive  
5 Order 12898, Federal Actions to Address Environmental Justice in Minority Populations  
6 and Low-Income Populations. This executive order requires federal agencies in fulfilling  
7 their obligations under the National Environmental Policy Act (NEPA) to assess the  
8 potential for their actions to have disproportionately high and adverse environmental and  
9 health impacts on minority and low-income populations. The analysis also is compliant  
10 with the guidance document prepared by the Council on Environmental Quality (CEQ)  
11 titled Environmental Justice: Guidance Under the National Environmental Policy Act  
12 (CEQ, 1997). Finally, this assessment is consistent with California state law regarding  
13 environmental justice.

14 It is important to note that the proposed Project is not subject to Executive Order 12898,  
15 as there is no federal funding or federal action for the proposed Project that would require  
16 a NEPA analysis equivalent to this EIR. However, in accordance with the August 2004  
17 California Environmental Protection Agency (Cal/EPA) final Intra-Agency  
18 Environmental Justice Strategy document, environmental justice issues are being  
19 analyzed in this EIR in order to address the LAHD's goal as lead agency under CEQA to  
20 integrate environmental justice into the development, adoption, implementation, and  
21 enforcement of environmental laws, regulations, programs, and policies.

**6.2 Environmental Setting**

22  
23 The proposed Project is bounded generally by Sepulveda Boulevard to the north, Pacific  
24 Coast Highway to the south, the Dominguez Channel to the west, and the Terminal Island  
25 Freeway to the east. For this assessment, the area of potential effect was determined in  
26 accordance with CEQ's guidance for identifying the "affected community," which  
27 requires consideration of the nature of likely project impacts and identification of a  
28 corresponding unit of geographic analysis. Therefore, the area of potential project effect  
29 for purposes of environmental justice corresponds roughly to the areas of effect  
30 associated with the specific environmental issues analyzed in the EIR, particularly the  
31 area modeled in the air quality dispersion and health risk analysis.

32 CEQ environmental justice guidance defines "minority persons" as "individuals who are  
33 members of the following population groups: American Indian or Alaskan Native; Asian  
34 or Pacific Islander; Black (not of Hispanic origin; or Hispanic" (CEQ, 1997). Hispanic or  
35 Latino refers to an ethnicity whereas American Indian, Alaskan Native, Asian, Pacific  
36 Islander, and Black/African-American (as well as White or European-American) refer to

1 racial categories; thus, for Census purposes, individuals classify themselves into racial  
 2 categories as well as ethnic categories, where ethnic categories include Hispanic/Latino  
 3 and non-Hispanic/Latino. The 2000 U.S. Census allowed individuals to choose more than  
 4 one race. For this analysis, consistent with guidance from CEQ (1997) as well as USEPA  
 5 (1998; 1999), “minority” refers to people who are Hispanic/Latino of any race, as well as  
 6 those who are non-Hispanic/Latin of a race other than White or European-American.

7 The same CEQ environmental justice guidance (CEQ, 1997) suggests low-income  
 8 populations be identified using the national poverty thresholds from the U.S. Census  
 9 Bureau. Guidance from the USEPA (1998; 1999) suggests, however, that using other  
 10 regional low-income definitions may be appropriate in some cases. Due to the higher cost  
 11 of living in southern California compared to the nation as a whole, a higher threshold is  
 12 appropriate for the identification of low-income populations. For the purposes of this  
 13 analysis, low-income people are those with a household income of 1.25 times the national  
 14 Census poverty threshold. The 1.25 ratio is based on application of a methodology  
 15 developed by the National Academy of Sciences (Citro and Michael, 1995) and utilized  
 16 in the TraPac EIR/EIS (LAHD, 2007), which incorporates detailed data about fair market  
 17 rents, over the period 1999-2007 for Los Angeles County from the U.S. Department of  
 18 Housing and Urban Development (USHUD, 2007).

19 To establish context for this environmental justice analysis, race and ethnicity (i.e.,  
 20 minority) and income characteristics of the population residing in the vicinity of the  
 21 proposed Project were reviewed. Table 6-1 presents population, minority, and low-  
 22 income status from the 2000 U.S. Census and the Los Angeles City Planning Department  
 23 for Wilmington-Harbor City, the City of Carson, the City of Long Beach, the City of Los  
 24 Angeles, Los Angeles County, and California. The table also presents similar data for  
 25 other cities in the general vicinity (5 miles) of the proposed Project.

26 **Table 6-1. Minority and Low-Income Populations.**

Place	Total Population	Percent Minority Population	Percent Low-Income Population*
<b>California</b>	33,871,648	53	19
Los Angeles County	9,519,338	69	24
City of Los Angeles	3,694,834	70	29
City of Carson	89,549	88	13
City of Long Beach	461,381	67	30
Wilmington-Harbor City	75,215	87	32
<b>Nearby Cities</b>			
City of Compton	93,493	99	37
City of Lakewood	79,345	48	10
City of Lomita	20,046	46	16
City of Rancho Palo Verdes	41,145	37	4
City of Signal Hill	9,333	64	22
City of Torrance	137,946	48	9
City of West Carson	21,138	71	13

27 \*Denotes that percentage is a result of being divided against SF3 Total Population  
 28

1 Table 6-1 shows that Wilmington-Harbor City (as the neighborhood is defined by the Los  
2 Angeles Planning Department) and Carson have proportions of total minorities of 87 and  
3 88 percent, respectively. These neighborhoods constitute a “minority population  
4 concentration” under CEQ guidance because the guidance indicates such a concentration  
5 exists if the percent minority exceeds 50 percent. The City of Long Beach also has a total  
6 minority proportion of over 50 percent, with a proportion of 67 percent. No areas  
7 displayed in Table 6-1 exhibit a proportion of people with low income over 50 percent,  
8 although the proportion of those with low income is higher in Wilmington-Harbor City  
9 than it is in the City of Los Angeles or the whole of Los Angeles County.

10 Figure 6-1 shows the distribution of percentages of minority residents in Census block  
11 groups near (within 1 mile) the proposed Project, and Figure 6-2 shows the distribution of  
12 percentages of low-income residents in the same area. (Figures 6-1 and 6-2 show block  
13 groups within the area modeled in the air quality dispersion and health risk analysis,  
14 which represents an outer boundary over which significant and unavoidable impacts may  
15 conceivably occur; however, note that the effects analysis does not, in fact, find  
16 significant and unavoidable impacts over the entire area of analysis, as described in  
17 Section 3.2). Pockets of substantially higher proportions of low-income individuals and  
18 minorities can be seen through this presentation. Table 6-2 presents data for the 49 block  
19 groups within the 1-mile buffer shown in Figures 6-1 and 6-2.

Figure 6-1. Percent Minority Population within 1-mile Buffer or Project Boundary.

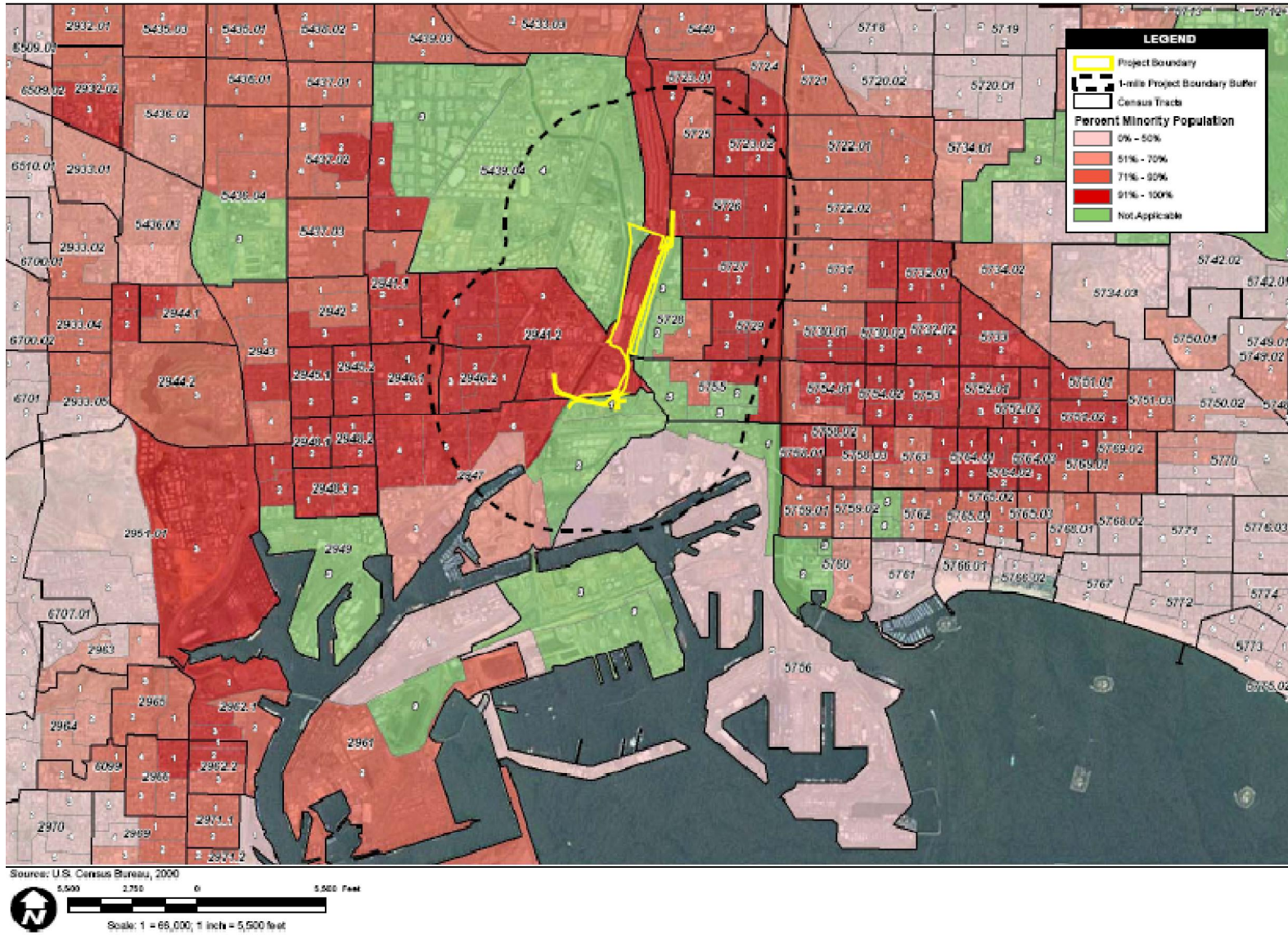
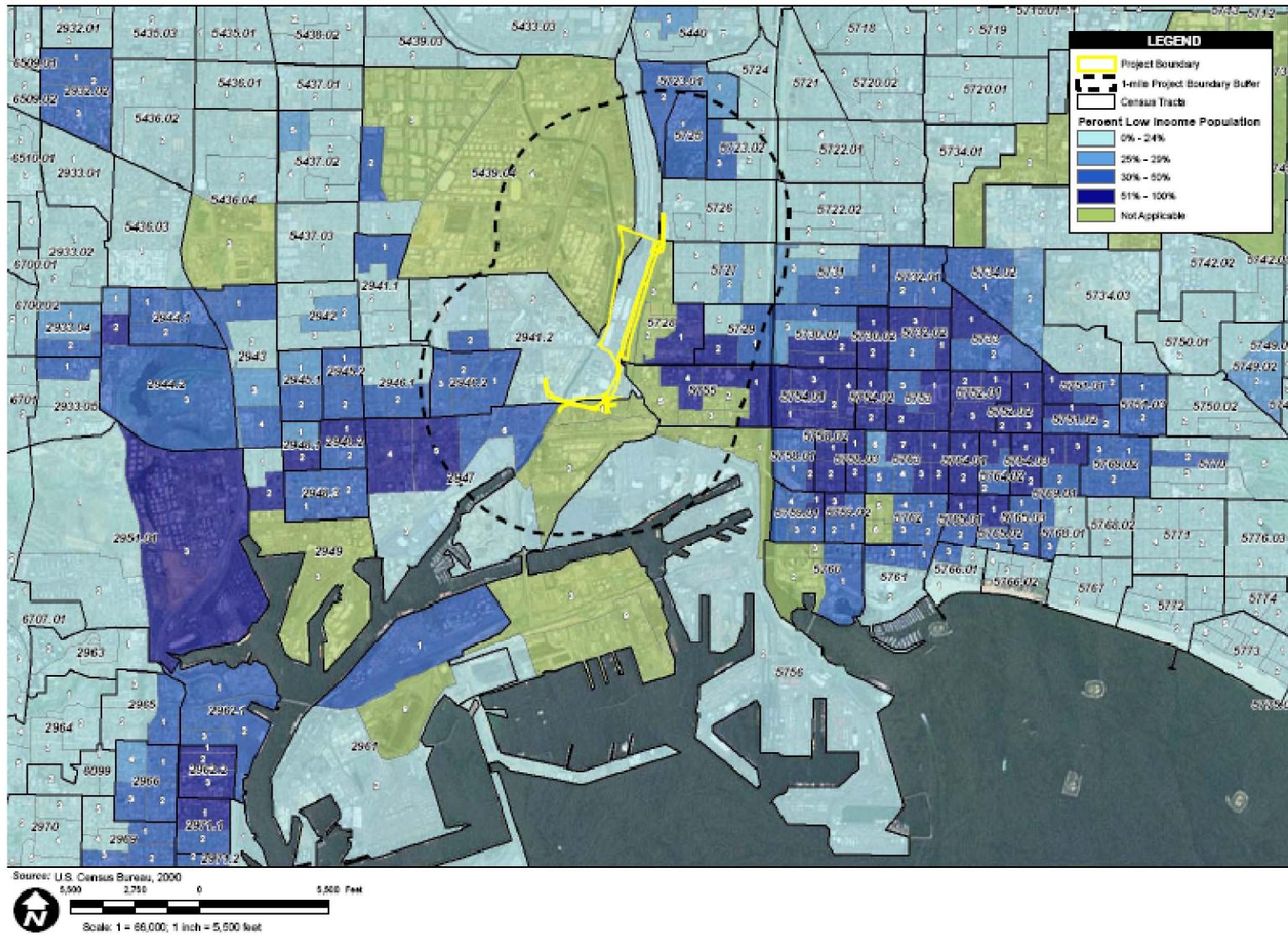


Figure 6-2. Percent Low Income Population within 1 mile Buffer or Project Boundary.



1  
2**Table 6-2. Minority and Low-Income Characteristics in the Vicinity of the Proposed Project Site by Block Group.**

Census Block Group	Total Population	Proportion Minority Population	Proportion Low-Income Population
2941201	637	0.99	0.14
2941202	1204	0.99	0.35
2941203	688	0.97	0.14
2946101	1208	0.93	0.13
2946102	2667	0.93	0.35
2946201	1600	0.98	0.36
2946202	1581	0.98	0.35
2946203	750	0.97	0.34
2947001	12	0.58	0.00
2947002	19	0.84	0.00
2947003	95	0.53	0.13
2947005	523	1.00	0.60
2947006	727	0.98	0.45
5439044	3	0.00	0.00
5722013	1958	0.82	0.03
5722022	677	0.77	0.16
5722023	831	0.74	0.04
5722024	1452	0.80	0.14
5723011	1921	0.93	0.27
5723012	1732	0.93	0.31
5723021	864	0.95	0.17
5723022	791	0.94	0.22
5723023	1847	0.92	0.35
5724002	700	0.85	0.13
5725001	3700	0.78	0.50
5726001	1382	0.94	0.17
5726002	1644	0.96	0.10
5726003	1423	0.94	0.19
5726004	681	0.93	0.13
5727001	1125	0.96	0.12
5727002	1095	0.96	0.25
5727003	1455	0.97	0.21
5727004	1820	0.94	0.21
5728001	262	0.88	0.72
5728002	0	0.00	0.00
5728003	1	0.00	0.00
5729001	1803	0.97	0.37
5729002	2106	0.98	0.55
5729003	1204	0.96	0.21
5730014	1350	0.82	0.42
5731003	1417	0.81	0.29
5731004	751	0.84	0.20
5755001	49	0.98	0.63
5755002	2	0.00	0.00
5755003	16	0.81	0.00
5755004	180	0.73	0.51
5755005	5	0.80	0.00
5756001	11	0.45	0.00
5756002	2	0.50	0.00

3

## 6.3 Environmental Justice Policies and Programs

The following sections describe pertinent federal, state, and local policies and programs pertaining to environmental justice-related issues.

### 6.3.1 Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

In 1994, in response to growing concern that minority and/or low-income populations bear a disproportionate amount of adverse health and environmental effects, President Clinton issued Executive Order 12898 on Environmental Justice, formally focusing federal agency attention on these issues. The Executive Order contains a general directive that states that “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.”

As indicated in Section 6.1, the proposed Project is not technically subject to Executive Order 12898. However, the guidance of Executive Order 12898 has been followed for this analysis because this Executive Order is considered the basis of most federal, state, and local environmental justice initiatives.

### 6.3.2 California Government Code Sections 65041-65049; Public Resources Code Sections 71110-71116

Environmental justice is defined by California state law 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.”

The California Public Resources Code Section 71113 states that the mission of the California Environmental Protection Agency (Cal/EPA) includes ensuring that it conducts any activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the state.

As part of its mission, Cal/EPA was required to develop a model environmental justice mission statement for its boards, departments, and offices. Cal/EPA was tasked to develop a Working Group on Environmental Justice to assist it in identifying any policy gaps or obstacles impeding the achievement of environmental justice. An advisory committee including representatives of numerous state agencies was established to assist the Working Group pursuant to the development of the Cal/EPA intra-agency strategy for addressing environmental justice. The California Public Resources Code Sections 71110-71116 charges the Cal/EPA with the following responsibilities:

1. Conduct programs, policies, and activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the State.
2. Promote enforcement of all health and environmental statutes within Cal/EPA's jurisdiction in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the State.
3. Ensure greater public participation in the agency's development, adoption, and implementation of environmental regulations and policies.
4. Improve research and data collection for programs within the agency relating to the health and environment of minority populations and low-income populations of the state.
5. Coordinate efforts and share information with the USEPA.
6. Identify differential patterns of consumption of natural resources among people of different socioeconomic classifications for programs within the agency.
7. Consult with and review any information received from the IWG pursuant to developing an agency-wide strategy for Cal/EPA.
8. Develop a model environmental justice mission statement for Cal/EPA's boards, departments, and offices.
9. Consult with, review, and evaluate any information received from the IWG pursuant to the development of its model environmental justice mission statement.
10. Develop an agency-wide strategy to identify and address any gaps in existing programs, policies, or activities that may impede the achievement of environmental justice.

California Government Code Sections 65040-65040.12 identify the Governor's Office of Planning and Research (OPR) as the comprehensive state agency responsible for long-range planning and development. Among its responsibilities, the OPR is tasked with serving as the coordinating agency in state government for environmental justice issues. Specifically, the OPR is required to consult with the Cal/EPA, state Resources Agency, the Working Group on Environmental Justice, and other state agencies, as appropriate, and share information with the CEQ, USEPA, and other federal agencies as appropriate to ensure consistency.

Cal/EPA released its final Intra-Agency Environmental Justice Strategy in August 2004. The document sets for the agency's broad vision for integrating environmental justice into the programs, policies, and activities of its departments. It contains a series of goals, including the integration of environmental justice into the development, adoptions, implementation, and enforcement of environmental laws, regulations, and policies.

### 6.3.3 South Coast Air Quality Management District: Environmental Justice Program

In 1997, the South Coast Air Quality Management District (SCAQMD) adopted a set of guiding principles on environmental justice, addressing the rights of area citizens to clean air, the expectation of government safeguards for public health, and access to scientific findings concerning public health. Subsequent follow-up plans and initiatives led to the SCAQMD Board's approval in 2005 of an Environmental Justice Workplan (SCAQMD, 2005). SCAQMD intends to update this workplan as needed to reflect ongoing and new initiatives.

SCAQMD's environmental justice program is intended to, "ensure that everyone has the right to equal protection from air pollution and fair access to the decision making process that works to improve the quality of air within their communities." Environmental justice is defined by



1 SCAQMD as, "...equitable environmental policymaking and enforcement to protect the health  
2 of all residents, regardless of age, culture, ethnicity, gender, race, socioeconomic status, or  
3 geographic location, for the health effects of air pollution."

## 4 **6.3.4 City of Los Angeles General Plan**

5 The City of Los Angeles General Plan has adopted environmental justice policies as outlined in  
6 the Framework Element and the Transportation Element. These policies are summarized below.  
7 The Framework Element is a "strategy for long-term growth which sets a citywide context to  
8 guide the update of the community plan and citywide elements."

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

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

19 The City of Los Angeles also has committed to a Compact for Environmental Justice, which  
20 was adopted by the City's Environmental Affairs Department as the city's foundation for a  
21 sustainable urban environment. Statements relevant to the proposed project include the  
22 following:

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

## 27 **6.4 Assessment**

### 28 **6.4.1 Methodology**

29 The following methodology and assessment addresses the potential for the proposed Project to  
30 cause disproportionately high and adverse human health and environmental effects on low-  
31 income and minority populations. Although, as described above, federal Executive Order 12898  
32 (CEQ, 1997) does not apply to the proposed Project, this analysis is consistent with that  
33 executive order. In addition, although the California Environmental Quality Act (CEQA) does  
34 not specifically require analysis of environmental justice effects, this EIR includes an  
35 environmental justice analysis for the proposed Project.

36 The methodology for conducting the impact analysis for environmental justice included  
37 reviewing impact conclusions for each of the resources in Sections 3.1 through 3.12, as well as  
38 the cumulative analysis in Chapter 4. If the EIR identified significant impacts or a cumulatively  
39 considerable contribution to a cumulatively significant impact, or otherwise identified impacts  
40 considered to be high and adverse after mitigation, an evaluation was conducted to determine if  
41 those impacts would result in disproportionately high and adverse effects on minority  
42 populations or low-income populations.

1 The City of Los Angeles CEQA Thresholds Guide (City of Los Angeles, 2006) does not  
2 identify significance thresholds for environmental justice or for disproportionately high and  
3 adverse effects on minority and low-income populations. In the absence of local thresholds,  
4 federal guidance provided by CEQ has been utilized as the basis for determining whether the  
5 proposed Project would result in environmental justice effects. The CEQ guidance identifies  
6 three factors to be considered to the extent practicable when determining whether environmental  
7 effects are disproportionately high and adverse (CEQ, 1997):

- 8 • Whether there is or would be an impact on the natural or physical environment that  
9 significantly (as the term is employed by NEPA) and adversely affects a minority  
10 population, low-income population, or Indian tribe. Such effects may include ecological,  
11 cultural, human health, economic, or social impacts on minority communities, low-income  
12 communities, or Indian tribes when those impacts are interrelated to impacts on the natural  
13 or physical environment;
- 14 • Whether the environmental effects are significant (as the term is employed by NEPA) and  
15 are or may be having an adverse impact on minority populations, low-income populations,  
16 or Indian tribes that appreciably exceeds or is likely to appreciably exceed those on the  
17 general population or other appropriate comparison group; and
- 18 • Whether the environmental effects occur or would occur in a minority population, low-  
19 income population or Indian tribe affected by cumulative or multiple adverse exposures  
20 from environmental hazards.

21 Findings for project-level impacts and the contribution of the proposed Project to cumulative  
22 impacts were reviewed to determine which impacts were significant, or represented  
23 cumulatively considerable contributions to cumulatively significant impacts, and would  
24 therefore require environmental justice analysis.

25 For impacts that were less than significant and also less than cumulatively considerable, or  
26 classified as “No Impact” (and therefore also not cumulatively considerable), further evaluation  
27 of the potential for disproportionately high and adverse effects on minority and low-income  
28 populations was not needed because impacts that would not be significant would not have the  
29 potential to result in such disproportionate effects.

30 Findings of significant impacts or cumulatively considerable contributions to cumulatively  
31 significant impacts were reviewed to determine whether those impacts could cause substantial  
32 effects on *human populations* (i.e., the public), as opposed to primarily affecting the natural or  
33 physical environment and/or resulting in limited public exposure. Significant impacts that would  
34 *not* be associated with substantial effects on human populations would not result in  
35 disproportionately high and adverse effects on minority and low-income populations. However,  
36 for disclosure purposes, these significant impacts are summarized in order to facilitate public  
37 involvement and review by potentially affected minority and low-income populations in the  
38 vicinity of the project.

- 39 • For findings of significant impacts under CEQA that would affect the public, mitigation  
40 measures were considered to determine whether adverse effects would still be significant  
41 after mitigation measures are implemented. If the impact would be less than significant after  
42 mitigation – or, in the case of a cumulative contribution, if the contribution would be less  
43 than cumulatively considerable after mitigation – then the impact was documented for  
44 disclosure purposes, but detailed analysis to determine if the impact or contribution would  
45 occur disproportionately on low-income and/or minority populations was not done.
- 46 • If the impact would be significant and unavoidable – or the contribution to cumulative  
47 impacts would be cumulatively considerable and unavoidable – then the impact was further

1 evaluated to determine whether it would result in disproportionately high and adverse  
 2 human health or environmental effects on minority and low-income populations. If the  
 3 specific location of the impact was identified, the population demographics of the affected  
 4 area were estimated using data from the 2000 Census. In cases where the boundaries of the  
 5 impacted area were not known, conclusions were drawn based on available information. In  
 6 cases where data limitations did not allow a full evaluation, this fact was identified.

- 7 • In cases where the minority and low-income characteristics of populations in the impacted  
 8 area could be estimated, the impact area characteristics were compared to data for the  
 9 general population (i.e., Los Angeles County). If the minority population in the adversely  
 10 affected area is greater than 50 percent or if either the minority percentage or the low-  
 11 income percentage of the population in the adversely affected area is meaningfully greater  
 12 than that of the general population, disproportionate effects on minority or low-income  
 13 populations could occur (“meaningfully greater” is not defined in CEQ or USEPA  
 14 guidance; for this analysis, “meaningfully greater” is interpreted to mean simply “greater,”  
 15 which provides for a conservative analysis). In addition, disproportionate effects could also  
 16 occur in cases where impacts are predominantly borne by minority or low-income  
 17 populations.
- 18 • Proposed Project benefits were also considered to determine whether adverse effects would  
 19 still be appreciably more severe or of greater magnitude after these other elements are  
 20 considered. In addition, if significant unavoidable impacts or contributions to cumulatively  
 21 significant impacts were determined to be disproportionate, the identified mitigation  
 22 measures were reviewed to determine whether they would be effective in avoiding or  
 23 reducing the impacts on minority and low-income populations. If necessary, additional  
 24 mitigations were considered.

25 Section 6.4.2 addresses the analysis of environmental justice for the proposed Project, then the  
 26 No Project Alternative, followed by the Reduced Project Alternative.

## 27 **6.4.2 Proposed Project**

### 28 **6.4.2.1 Evaluation of Disproportionately High and Adverse Effects on** 29 **Minority and Low-Income Populations**

30 The proposed Project’s individual impacts are described for each resource in Chapter 3, and  
 31 contributions to cumulative impacts in Chapter 4. The proposed Project would have significant  
 32 impacts related to aesthetics (AES-1), cultural resources (CR-2), land use (LU-4), and noise  
 33 (NOI-6) that would remain significant after mitigation. LU-4 is comprised of secondary impacts  
 34 of AES-1 and NOI-6, and need not be considered separately. With these unavoidable impacts,  
 35 the Proposed Project would have new, significant effects with respect to minority and low-  
 36 income populations. Those impacts would fall disproportionately on minority and low-income  
 37 populations because the census blocks adjacent to the point of impact (the eastern edge of the  
 38 Project site) constitute minority populations, and some (i.e., all or parts of census tracts 2946.2,  
 39 2947, 5723, 5725, 5728, 5729, and 5755) constitute low-income populations. Those impacts are  
 40 summarized below.

41 **AES-1:** In general, the proposed project would not cause an unfavorable and additional contrast  
 42 with features associated with the aesthetic image of the areas seen from the key public viewing  
 43 positions. However, the construction of a new Sepulveda Boulevard railroad bridge would result  
 44 in a substantial change in the visual environment as seen from one key view. This change  
 45 results in a significant impact.

1 As described in Section 3.4, **MM CR-2** and **MM CR-3** would ensure that historic elements of  
2 the existing railroad bridge would be documented, salvaged, and maintained to the greatest  
3 extent feasible, which would reduce visual impacts. However, demolition of the existing bridge  
4 cannot be avoided, and the impact after mitigation is considered significant and unavoidable.  
5 Accordingly, **Impact AES-1** would constitute a disproportionately high and adverse effect on  
6 minority or low income populations.

7 **CR-2:** Construction of the proposed Project has an extremely low potential to disturb unknown  
8 archaeological ethnographic cultural resources, and impacts on archaeological and ethnographic  
9 cultural resources would be less than significant under CEQA. However, the proposed Project  
10 would demolish and replace a historical resource, the Sepulveda Boulevard Bridge. In replacing  
11 the bridge, the Project would eliminate the historic materials and integrity of the bridge.  
12 Therefore, the proposed Project would result in a significant impact because it would cause a  
13 substantial adverse change in the significance of an historical resource. As described in Section  
14 3.4, **MM CR-2** and **MM CR-3** will include preparing archival documentation, sensitivity in the  
15 new bridge design, salvage of historical features for use in the new bridge, and interpretation of  
16 the historical resource. However, demolition of the existing bridge cannot be avoided, and the  
17 impact after mitigation is considered significant and unavoidable. Accordingly, **Impact CR-2**  
18 would constitute a disproportionate high and adverse effect on minority or low income  
19 populations.

20 **NOI-6:** The proposed Project would result in construction and operational noise that would  
21 exceed City of Long Beach guidelines. Construction would produce an increase in noise of  
22 more than 5 dBA at several sensitive receptors, and could result in nighttime sleep disturbance.  
23 Operation would increase noise by more than 3 dBA for two sensitive receptors near three  
24 highway intersections. Mitigation measures **MM-NOI-1**, **MM NOI-2**, and **MM NOI-3** include  
25 constructing sound walls and imposing construction controls, and they would reduce all but one  
26 of the impacts to less than significant. However, noise from nighttime operations would remain  
27 significant and unavoidable after mitigation, which would constitute a disproportionate high and  
28 adverse effect on minority or low income populations.

#### 29 **6.4.2.2 Summary of Impacts that Would Not Cause Disproportionately** 30 **High and Adverse Effects on Minority and Low-Income** 31 **Populations**

32 The proposed Project would also have impacts that would not cause disproportionately high and  
33 adverse effects on minority and low-income populations, either (1) because the unmitigated  
34 proposed Project would not result in significant project impacts or make a cumulatively  
35 considerable contribution to cumulatively significant impacts; (2) mitigation measures applied  
36 to the proposed Project would reduce impacts to less than significant and cumulative  
37 contributions to less than cumulatively considerable; and/or (3) because the significant impact  
38 or cumulatively considerable contribution would not affect human populations or would not  
39 have a disproportionately high and adverse effect on minority and low-income populations  
40 based on comparison of the affected population to the general population.

41 The EIR concluded that the proposed Project would result in significant impacts related to  
42 aesthetics (AES-1), air quality (AQ-1, AQ-2, and AQ-4), biology (BIO-1a), cultural resources  
43 (CR-1, CR-2, CR-3), greenhouse gases (GHG-1), land use (LU-4), noise (NOI-6), public  
44 services (PS-6), and water resources (WR-1a). With the exception of AES-1, CR-2, LU-4, and  
45 NOI-6, considered above, those impacts would either be reduced through mitigation, or would  
46 not fall on human populations, or would not fall disproportionately on minority and low-income  
47 populations. In the case of AQ-2 and AQ-4, although significant impacts in the form of

1 exceedances of concentration thresholds would occur, those exceedances are not linked to  
2 localized health effects and thus would not disproportionately affect communities of concern.  
3 Likewise, GHG-1 would not target a specific group or area, but is instead a statewide and global  
4 issue; accordingly, it is not considered to be an environmental justice issue in this EIR.

### 5 **6.4.3 Alternative 1: No Project Alternative**

6 The No Project Alternative's individual impacts are described for each resource in Chapter 5.  
7 Under this alternative, implementation of the proposed Project would not occur and the current  
8 conditions would remain, except that site activity levels are assumed to increase by 10 percent  
9 by 2046 compared to baseline conditions. In addition, truck traffic between the Ports and the  
10 Hobart railyard in east Los Angeles would increase somewhat in response to increased cargo  
11 growth and increased capacity at Hobart.

12 The minor increase in site activity, either compared to the baseline or in the context of regional  
13 growth, would not result in significant impacts. The increase in truck traffic on regional  
14 highways would contribute to a future increase in congestion. However, that congestion would  
15 affect everyone in the region and would not fall disproportionately on minority and low-income  
16 populations. Furthermore, it is important to note that under the proposed Project and Reduced  
17 Project alternatives, at least some of the truck traffic removed from regional freeways north of  
18 the Project site would be quickly backfilled by other traffic, so that the difference in freeway  
19 congestion between the No Project Alternative and the other alternatives would be small. The  
20 air quality impact noted in Section 3.2 for the No Project Alternative, wherein concentrations of  
21 NO<sub>2</sub> and PM<sub>10</sub> are expected to exceed significance thresholds, is not expected to fall  
22 disproportionately on minority and low-income populations. Accordingly, this alternative would  
23 not have new, significant effects with respect to minority and low-income populations.

### 24 **6.4.4 Alternative 2: Reduced Project**

25 In this alternative, the near-dock railyard described in the proposed Project would be  
26 constructed on the site, but its activity level would be limited to 1.85 million TEU by lease  
27 conditions. All physical features of the project would be the same as the proposed Project,  
28 including the container handling systems and the off-site improvements to roads and trackage  
29 (Section 2.4.2). The construction methods and schedule would be the same as the proposed  
30 Project (Section 2.4.3).

31 The resource analyses in Chapter 3, and the summary of alternatives and impacts in Chapter 5,  
32 provide detailed and summary information (respectively) comparing the effects of this  
33 alternative with other alternatives and the proposed Project.

34 This alternative would result in the same impacts as the proposed Project, except that in some  
35 cases the magnitude of the impacts would be less because of the lower activity levels.  
36 Disproportionately high and adverse impact on minority and low-income populations would  
37 occur for the resource impacts enumerated in Section 6.4.2.1. Therefore, Alternative 2 would  
38 have new, significant effects with respect to minority and low-income populations.

## 39 **6.5 BNSF Outreach Efforts**

40 Since the Project was first announced, BNSF Railway has conducted outreach in local  
41 communities and throughout Los Angeles County in order to provide information and address  
42 community concerns with respect to the proposed Project.

1 In addition to the Project scoping meetings held by the LAHD (Section 1.4) in Wilmington and  
2 West Long Beach, BNSF conducted community outreach in the form of directly knocking on  
3 more than 1,176 doors in West Long Beach and having conversations with members of 420  
4 households. Residents overwhelmingly communicated that the top issues they felt needed to be  
5 addressed were 1) the need for more jobs, 2) improved public safety, and 3) concerns with noise  
6 from truck traffic and congestion on the Terminal Island freeway. As a result of the community  
7 walk, BNSF committed to the project features described in Section 2.4.1 (jobs program, clean  
8 trucks requirement, dedicated truck routes).

9 Additional BNSF outreach activities include:

- 10 • Developed a project website that provides information about the proposed Project, contact  
11 information, toll-free hotline, and opportunity to sign up for project updates.
- 12 • Produced and distributed thousands of brochures and fact sheets about the proposed Project  
13 in English and Spanish.
- 14 • Participated in local events and festivals, including the Long Beach Green Port Fest, where  
15 brochures and fact sheets were distributed.
- 16 • Met with residents, community leaders, local organizations, and stakeholders in the cities of  
17 Los Angeles (including Wilmington, San Pedro and Harbor City), Long Beach, Carson,  
18 Commerce, South Gate, Maywood, Huntington Park, Cudahy, Bell Gardens, El Monte,  
19 Lynwood, Downey, and Artesia.
- 20 • Met with representatives of the Long Beach Unified School District and various  
21 environmental groups such as Communities for a Better Environment (CBE), Natural  
22 Resources Defense Council (NRDC), and Sierra Club.
- 23 • Hosted multiple events to showcase new technologies, including those planned for the  
24 proposed Project.
- 25 • Met with key media, including the editorial boards for the Los Angeles Times, Long Beach  
26 Press-Telegram and Daily Breeze who published editorials and articles about the proposed  
27 Project.

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