

## **3.10 Socioeconomics and Environmental Justice**

This section of the Environmental Impact Report (EIR) characterizes the existing socioeconomic and environmental justice conditions near the Eden Landing Phase 2 project area and analyzes whether the project would cause a substantial adverse effect on population, employment, housing, or minority and low-income populations near the project area. This section has been prepared so that the EIR is also compliant with NEPA requirements and to remain consistent with previous documents. The information presented is based on a review of existing socioeconomic data as well as other pertinent federal, state and local regulations, which are presented in the regulatory framework setting section. Using this information as context, an analysis of the socioeconomic and environmental justice impacts of the project is presented for each alternative. Program-level mitigation measures described in Chapter 2, Alternatives, would be implemented with the project. Therefore, this section only discusses additional mitigation measures as needed.

### **3.10.1 Physical Setting**

#### **Methodology**

##### ***Socioeconomics***

The socioeconomic analysis describes the potential impacts of the project on population growth, employment, and housing in the census tracts included within a one-mile “study area” around the actual Eden Landing Phase 2 project area, as well as the adjacent cities and county. Historic and current regional population and economic information from the U.S. Census (2000a, 2010), and the State of California Department of Finance are presented in the Socioeconomics section for Alameda County and its relevant subparts, which are as follows:

- City of Hayward
- City of Union City
- City of Fremont
- Study area (composed of census tracts 4403.32, 4403.31, 4403.04, 4403.05 and 4403.06)

##### ***Environmental Justice***

This subsection provides an overview of minority and low-income populations in the Eden Landing Phase 2 study area. The topics addressed in the environmental justice analysis are race and ethnicity, and relevant economic indicators of social well-being, which include income and poverty. Specifically, data from the American Community Survey 2010 to 2014 is presented to evaluate if any communities of concern exist locally. This is done by comparing percentage of minority and low-income populations in the study area, relative to the city and the region.

#### **Project Setting**

##### ***Socioeconomics***

The Eden Landing Phase 2 project activities occur in one large pond complex. The socioeconomic climate around the Eden Landing pond complex is that of large, developed communities with strong economies. These communities experienced slow population growth (0.5 percent per year) during the decade of 2000

to 2010. But population growth has accelerated to 1.3 percent since, given their proximity to a rapidly growing Silicon Valley (Table 3.10-1). Population for Alameda County as a whole is projected to grow at a similar annual rate of 1.0 percent through 2020 and a slightly lower annual rate of 0.8 percent through 2040 (State of California, Department of Finance 2014), implying that the region will continue to grow at a higher rate than it did in the last decade.

**Table 3.10-1 County and City Populations (2000-2016)**

COUNTY AND CITY	TOTAL POPULATION			ANNUAL GROWTH %	ANNUAL GROWTH %
	2000	2010	2016	2000-2010	2010-2016
<b>Alameda County</b>	1,443,939	1,510,271	1,627,865	0.5	1.3
Fremont	203,413	214,089	229,324	0.5	1.2
Hayward	140,030	144,186	158,985	0.3	1.6
Union City	66,869	69,516	72,952	0.4	0.8

Sources: State of California, Department of Finance 2012, 2016.

Employment in these communities remained consistent, and in some cases declined through the 10-year period between 2000 and 2010. Since 2010, employment grew rapidly at an annual rate of 2.5 percent, and as a result these communities are currently experiencing low unemployment rates as seen in Table 3.10-2. The majority of the jobs are in the high wage management, professional and related occupations sector (ACS 2010-2014). Employment for the county as a whole is projected to experience high to moderate job growth (approximately 1.5 percent annually), particularly in the high wage occupation sectors (State of California, Employment Development Department 2015).

**Table 3.10-2 County and City Labor Force and Unemployment (2000-2016)**

COUNTY AND CITY	EMPLOYMENT			UNEMPLOYMENT %
	2000	2010	2016	2016
<b>Alameda County</b>	741,900	697,100	804,500	4.6
Fremont	102,200	99,500	114,900	3.6
Hayward	63,300	64,100	74,200	6.5
Union City	31,300	31,400	36,000	4.2

Sources: US Census 2000b. State of California, Employment Development Department 2016.

*Note: Data for 2016 is the latest monthly estimate for August, 2016. Historical data for 2000 and 2010 are annual estimates. Data for the year 2000 has been sourced from US Census 2000 for the citywide estimates and State of California 2016 for Countywide estimates.*

Over the past few years, population growth has increased rapidly in these communities, while the growth in housing units has lagged behind. As such, these communities have high ratios of persons per household and extremely low vacancy rates as seen in Table 3.10-3.

**Table 3.10-3 County and City Housing and Occupancy Rates (2016)**

COUNTY AND CITY	HOUSEHOLDS	HOUSEHOLDS	HOUSING UNITS		
	TOTAL	PERSONS PER HOUSEHOLD	TOTAL	OCCUPIED	VACANCY RATE %
<b>Alameda County</b>	1,588,787	2.79	593,662	569,029	4.1
Fremont	227,673	3.09	75,386	73,593	2.4
Hayward	155,692	3.22	49,292	48,285	2.0
Union City	72,434	3.49	21,464	20,744	3.4

Sources: State of California, Department of Finance 2016.

As shown in Table 3.10-4, the Eden Landing Phase 2 study area houses a substantial percentage of the local population, and 28.2 percent of Union City’s population resides within the 5 census tracts that make up the study area. As a percent of the regional population, the study area comprises of 4.6 percent of the total population in the cities of Fremont, Hayward and Union City.

**Table 3.10-4 Eden Landing Phase 2 SBSP Study Area Population**

POND COMPLEX	LOCAL CITYWIDE <sup>1</sup> POPULATION	POPULATION IN STUDY AREA <sup>2</sup>	PERCENT OF CITYWIDE POPULATIONS IN STUDY AREA
Eden Landing	71,675	20,244	28.2

Source: American Community Survey 2010-2014

Notes:

<sup>1</sup> Made up of Union City

<sup>2</sup> Made up of census tracts 4403.32, 4403.31, 4403.04, 4403.05 and 4403.06

***Environmental Justice***

Table 3.10-5 compares the percentage of non-white residents living in the study area with the percentage of non-white residents in the surrounding cities. The study area has a slightly higher percentage of non-white residents than Union City as a whole, and the Asian (not Hispanic or Latino) race/ethnicity group is the largest race/ethnicity group (making up over 60 percent of the total population). In comparison with the regional population as well, the study area has a higher percentage of non-white residents.

Tables 3.10-6 and 3.10-7 compare the economic well-being of the residents of study area with the surrounding communities. The study area has a lower percentage of individuals living under the poverty line and a higher mean household income than Union City as a whole. In comparison with the regional population, the study area has lower poverty and higher income levels.

**Table 3.10-5 Eden Landing Phase 2 SBSP Study Area Non-White Population**

POND COMPLEX	PERCENT OF REGIONAL <sup>1</sup> POPULATION THAT IS NON- WHITE	PERCENT OF CITYWIDE <sup>2</sup> POPULATION THAT IS NON- WHITE	PERCENT OF STUDY AREA <sup>3</sup> POPULATION THAT IS NON-WHITE
Eden Landing	79	86	88

Source: American Community Survey 2010-2014

Notes:

<sup>1</sup> Made up of Hayward, Union City, and Fremont.

<sup>2</sup> Made up of Union City

<sup>3</sup> Made up of census tracts 4403.32, 4403.31, 4403.04, 4403.05 and 4403.06

**Table 3.10-6 Eden Landing Phase 2 SBSP Study Area Population Below Poverty Level**

POND COMPLEX	PERCENT OF REGIONAL <sup>1</sup> POPULATION THAT IS BELOW POVERTY LINE	PERCENT OF CITYWIDE <sup>2</sup> POPULATION THAT IS BELOW POVERTY LINE	PERCENT OF STUDY AREA <sup>2</sup> POPULATION THAT IS BELOW POVERTY LINE
Eden Landing	9.4	8.4	6.6

Source: American Community Survey 2010-2014

Notes:

<sup>1</sup> Made up of Hayward, Union City, and Fremont.

<sup>2</sup> Made up of Union City

<sup>3</sup> Made up of census tracts 4403.32, 4403.31, 4403.04, 4403.05 and 4403.06

**Table 3.10-7 Eden Landing Phase 2 SBSP Study Area Mean Household Income**

POND COMPLEX	MEAN HOUSEHOLD INCOME FOR REGIONAL <sup>1</sup> POPULATION	MEAN HOUSEHOLD INCOME FOR CITYWIDE <sup>2</sup> POPULATION	MEAN HOUSEHOLD INCOME FOR STUDY AREA <sup>3</sup> POPULATION
Eden Landing	\$99,400	\$99,892	\$112,700

Source: American Community Survey 2010-2014

Notes:

<sup>1</sup> Made up of Hayward, Union City, and Fremont.

<sup>2</sup> Made up of Union City

<sup>3</sup> Made up of census tracts 4403.32, 4403.31, 4403.04, 4403.05 and 4403.06

For the purposes of this analysis, an area with a non-white population exceeding 50 percent and higher than that of the citywide population is considered to have a minority population and with respect to environmental justice, are considered communities of concern. By that definition, the census tracts within the study area are considered to be minority communities. Low-income areas are defined as those where the percentage of the population below the poverty line is “meaningfully greater” than the citywide or regional average. The census tracts within the study area have a lower percentage of population below the poverty line as compared to the city as well as the surrounding cities, and are thus not considered low-income populations.

The minority communities of concern within the study area have been evaluated to determine if they would be disproportionately affected by any of the proposed project activities.

### 3.10.2 Regulatory Setting

Relatively few of the cities that surround the South Bay Salt Ponds (SBSPP) Restoration Project include relevant strategies, policies, or implementation measures pertaining to environmental justice in their general plans. Those that do are discussed below.

#### **Federal Regulations**

Executive Order (EO) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994), requires all federal agencies to seek to achieve environmental justice by "...identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations."

#### **State Regulations**

There are no specific requirements for the analysis of socioeconomic and environmental justice issues under state law. California Environmental Quality Act (CEQA) Guidelines Section 15131(a) through (c) provides guidance on the discussion of economic and social effects in an Environmental Impact Report (EIR) (AEP 2016). Specifically, such effects may be included in an EIR but "shall not be treated as significant effects on the environment." However, economic and social effects may be used to determine the significance of physical changes caused by a project, but these changes "need not be analyzed in any detail greater than necessary to trace the chain of cause and effect." CEQA Guidelines provide for the consideration of economic, social, and particularly housing factors, together with technological and environmental factors, to determine whether changes in a project are feasible to reduce or avoid the significant effects on the environment identified in the EIR.

#### **Regional/Local Regulations**

This section discusses the policies related to socioeconomics and environmental justice in the cities surrounding the Eden Landing Phase 2 activities.

#### ***Socioeconomics***

***City of Union City:*** Union City's General Plan Housing Element was adopted January 27, 2015 (City of Union City 2015) and includes the following relevant goals and policies related to socioeconomics and environmental justice:

Goal HE-B: To encourage construction and maintenance of affordable housing in Union City.

Policy HE-B.1: The city shall give priority to multifamily housing project applications that provide affordable housing on-site to ensure that they are expedited.

Policy HE-B2: The city shall continue to provide financial and regulatory incentives and use State and Federal funding assistance for the production of affordable housing.

Policy HE-B3: The City shall ensure, through conditions of approval, that residential units that are required to sell or rent at below-market rates and are included within a housing development are produced simultaneously with market-rate housing.

Policy HE-B.4: The city shall continue to implement the Affordable Housing Ordinance.

Policy HE-B.5: In accordance with the provisions of State law, the City shall grant density bonuses for qualifying projects as an incentive for the development of lower-income and senior citizen housing.

Policy HE-B.6: The City shall support and facilitate the construction of secondary dwelling units on single family designated and zoned parcels as a means of providing affordable housing.

Policy HE-B.7: The City shall continue to work with local non-profit organizations and the Alameda County Housing Authority to acquire and bank properties for the development of affordable housing.

Policy HE-B.8: The City shall strive to preserve as many assisted, at-risk units as possible, given the availability of funding.

Policy HE-B.9: The City shall defer certain fees on affordable housing developments until issuance of a Certificate of Occupancy to help offset development costs for affordable housing.

Goal HE-E: To promote equal opportunity to secure safe, sanitary, and affordable housing for everyone in the community regardless of age, religion, race, creed, sex, sexual orientation, marital status, ancestry, national origin, disability, economic level, and other arbitrary factors.

Policy HE-E.1: The City shall promote housing opportunities for all persons age, race, creed, religion, sex, sexual orientation, marital status, ancestry, national origin, color, disability, economic level, or other barriers that prevent choice in housing.

Policy HE-E.2: The City shall continue to support and enforce laws and programs that promote equal housing opportunities and provide fair-housing and rental-mediation services.

Policy HE-E3: As appropriate, the City shall continue to support fair housing programs through the City's Community Development Block Grant Program.

***City of Hayward:*** Various elements of the Hayward General Plan 2040 (adopted July 1, 2014) (City of Hayward 2014) include the following relevant goals and policies related to socioeconomics and environmental justice:

Economic Development Element:

Goal ED-1.9: The City shall encourage the development of specialty businesses that reflect the diverse ethnic and cultural groups of the Hayward Community.

Community Health and Quality of Life Element:

Goal HQL-1.6: The City shall address health inequities in Hayward by striving to remove barriers to healthy living, avoiding disproportionate exposure to unhealthy living environments, and providing a high quality of life for all residents, regardless of income, age or ethnicity.

Goal HQL-6.3: The City shall facilitate the development of a range of housing types, including affordable housing, multi-generational housing, independent living, and assisted living for Hayward seniors.

Goal HQL-12.3: The City shall encourage and/or promote cultural and ethnic programs and activities of local interest.

**City of Fremont**: Various elements of the City of Fremont General Plan (Adopted December 13, 2011) include the following relevant goals and policies related to socioeconomics and environmental justice:

Housing Element:

Policy 3.01: Be creative and a leader in identifying and leveraging available funding resources in order to provide the maximum of amount of affordable housing.

Policy 3.03: Facilitate the development of a diverse housing stock provides a range of housing types and affordability levels throughout the community.

Policy 4.02: Continue to support housing programs for special needs households such as seniors, disabled, homeless, and families in crisis.

Economic Development Element

Policy 6-6.1: Promoting Fremont as a city that has a broad variety of occupations and family incomes, ethnic and lifestyle diversity and a variety of housing accommodations, a broad range of commercial services, educational opportunities, and many recreational options.

### **3.10.3 Environmental Impacts and Mitigation Measures**

#### **Significance Criteria**

For the purposes of this EIR, the project would have a significant impact if it would result in the following:

- Displace, relocate, or increase area businesses because of the expected increase in recreational users;
- Change lifestyles and social interactions;
- Disproportionately affect minority communities or low-income communities;
- Change the ethnic or racial composition in the community; or
- Change local employment opportunities or community tax bases.

The significance criteria identified above are established based on EO 12898 and the Environmental Impact Checklist for some of the More Common Social Concerns in the United States Fish and Wildlife Service (USFWS) Reference Handbook (USFWS 2007). Because CEQA does not identify social and economic effects as significant, National Environmental Policy Act (NEPA) regulations were used to determine potential effects. The Eden Landing Phase 2 SBSP Restoration Project would not substantially affect local employment opportunities or change the community tax base. Therefore, this significance criterion is not discussed below.



### Program-Level Evaluation Summary

The 2007 SBSP Restoration Project Final Environmental Impact Statement/Report (2007 Final EIS/R) assessed the impact of the three program-level alternatives. In all of these alternatives, the assessment showed that no construction or demolition of any facilities that would change the community tax base would occur. That document also stated that Programmatic Alternative A would not affect local employment opportunities but that there may be minor increases in local employment opportunities associated with management of the tidal habitat/ponds and new recreational facilities under Programmatic Alternatives B and C. However, the creation of additional jobs, if any, at either of the land-owning or -managing entities in the SBSP Restoration Project (USFWS or the California Department of Fish and Wildlife [CDFW]) would not substantially affect local employment opportunities.

As explained in Section 3.1.2, although both the Council on Environmental Quality (CEQ) Regulations for Implementing NEPA and the CEQA Guidelines were considered during the impact analysis, impacts identified in this EIR are characterized using CEQA terminology, but NEPA regulations were used to determine potential effects. Please refer to Section 3.1.2 for a description of the terminology used to explain the severity of the impacts.

### Project-Level Evaluation

#### ***Phase 2 Impact 3.10-1: Displace, relocate, or increase area businesses, particularly those associated with the expected increase in recreational users.***

*Alternative Eden A (No Action).* Under Alternative Eden A, no new activities would occur as part of Eden Landing Phase 2. The southern Eden Landing ponds would continue to be monitored and managed through the activities described in the Adaptive Management Plan (AMP) and in accordance with current USFWS practices. No new recreation or public access features will be added, and as such would not be expected to change business conditions in the long term. Therefore, no impact to area businesses would occur, and there would be few, if any, substantial changes in the local employment opportunities or community tax bases.

#### **Alternative Eden A Level of Significance: No Impact**

*Action Alternatives.* The Action Alternatives for Eden Landing Phase 2 are Alternative Eden B, Eden C, and Eden D. All three Action Alternatives would have similar levels and types of impacts from the perspective of socioeconomics and environmental justice and as such have been evaluated together.

These alternatives propose the construction of a range of new recreational and public access facilities, which would include viewing platforms and new trails. These new facilities would primarily be an extension of existing services and would not be expected to substantially increase the recreational uses of the facilities (detailed recreational use projections and analysis are presented in Section 3.6, Recreation Resources). As such, business activity for surrounding businesses that cater to these recreational users could be expected to increase slightly, and there could be minor associated increases in local employment opportunities or community tax bases. Therefore the effects of Eden Landing Phase 2 on local business would be less than significant under CEQA and beneficial under NEPA.

#### **Action Alternatives Level of Significance: Less than Significant (CEQA); Beneficial (NEPA)**



#### **Phase 2 Impact 3.10-2: Change lifestyles and social interactions.**

*Alternative Eden A (No Action).* Under Alternative Eden A, no new activities would occur as part of Eden Landing Phase 2. The Eden Landing ponds would continue to be monitored and managed through the activities described in the AMP and in accordance with current USFWS practices. The local communities would experience no changes to their existing conditions. Therefore, no impacts to the current lifestyles and social interactions would be expected.

#### **Alternative Eden A Level of Significance: No Impact**

*Action Alternatives.* The Action Alternatives for Eden Landing Phase 2 are Alternative Eden B, Eden C and Eden D. All three Action Alternatives would have similar levels of impacts from the perspective of socioeconomics and environmental justice, and as such have been evaluated together.

These alternatives proposed the construction of new recreational and public access facilities, which would provide enhanced access to outdoor recreational activities and improve the “livability” for the local communities. The increase in recreational opportunities could have a small but beneficial effect on the lifestyles and social interactions for the communities surrounding the Eden Landing pond complex.

#### **Action Alternatives Level of Significance: Less than Significant (CEQA); Beneficial (NEPA)**

#### **Phase 2 Impact 3.10-3: Effects disproportionately placed on densely populated minority and low-income communities or effects on the ethnic or racial composition in a community.**

*Alternative Eden A (No Action).* Under Alternative Eden A, no new activities would occur as part of Eden Landing Phase 2. The Eden Landing ponds would continue to be monitored and managed through the activities described in the AMP and in accordance with current CDFW practices. These communities would remain similar to existing conditions.

The potential for impacts related to changes in flood risk or severity would be unchanged relative to the current flood risk. Although, there are minority communities of concern in the study area, the impacts from flooding would remain similar to those in the larger community, and would not be exclusively limited to areas with minority communities. Therefore, no disproportionate effects to the minority communities would be expected.

#### **Alternative Eden A Level of Significance: No Disproportionate Effect (NEPA)**

*Action Alternatives.* The Action Alternatives for Eden Landing Phase 2 are Alternative Eden B, Eden C, and Eden D. All three Action Alternatives would have similar levels of impacts from the perspective of socioeconomics and environmental justice, and as such have been evaluated together.

These alternatives propose raising pond bottom elevations, levee modifications, construction of habitat construction zones and habitat islands, installation of water control structures, and the addition of new recreation and public access facilities, most notably several miles of the Bay Trail spine. These actions would involve the delivery of dredge materials to the ponds from an offloading facility in the Bay and delivery via truck of fill material from off-site excavation areas through the surrounding communities to the Eden Landing Phase 2 project area. These have the potential to cause short-term construction disturbance impacts (e.g. noise from construction, increases truck traffic and congestion, dust or other

construction emissions), which are evaluated in more detail in Chapters 3.11, Traffic, 3.12, Noise, and 3.13, Air Quality. The construction activity itself would occur at some distance from residents, and the short-term construction disturbance impacts would be experienced by residents of the larger regional community as well as non-residents that are employed in local businesses or users of local roads or trails. The impacts from the short-term construction activity would not occur exclusively in areas where there are minority communities of concern. The temporary nature of construction activity and because these activities are not occurring in exclusively minority communities, the Action Alternatives would not disproportionately affect minority communities.

The potential for impacts related to changes in flood risk or severity, as discussed in Section 3.2, Hydrology, and in the Southern Eden Landing Preliminary Design Memorandum (Appendix D), would be avoided through the design of appropriate levee modifications, channels, and water control structures to maintain or improve the current flood risk. Although, there are minority communities of concern in the study area, the impacts from flooding would be similar to the larger community, and would not be exclusively limited to areas with minority communities. Therefore, no disproportionate effects to the minority communities would be expected.

**Action Alternatives Level of Significance: No Disproportionate Effect (NEPA)**

**Impact Summary**

Phase 2 impacts and levels of significance are summarized in Table 3.10-8. The levels of significance are those remaining after implementation of program-level mitigation measures, project-level design features, the AMP and other Refuge management documents and practices. The socioeconomics and environmental justice analysis required no project-level mitigation measures to reduce the impacts to a level that was Less than Significant.

**Table 3.10-8 Phase 2 Summary of Impacts: Socioeconomics and Environmental Justice**

IMPACT	ALT. EDEN A	ALT. EDEN B	ALT. EDEN C	ALT. EDEN D
<b>Phase 2 Impact 3.10-1:</b> Displace, relocate, or increase area businesses, particularly those associated with the expected increase in recreational users.	NI	LTS/B	LTS/B	LTS/B
<b>Phase 2 Impact 3.10-2:</b> Change lifestyles and social interactions.	NI	LTS/B	LTS/B	LTS/B
<b>Phase 2 Impact 3.10-3:</b> Effects disproportionately placed on densely populated minority and low-income communities or effects on racial composition in a community.	NDE	NDE	NDE	NDE

Notes: Alternative A is the No Action Alternative (No Project Alternative under CEQA).

B = Beneficial (NEPA only)

LTS = Less than Significant

NDE = No Disproportionate Effect

NI = No Impact