

**10.1 OVERVIEW**

As directed in Executive Order 12898, signed by President Clinton in 1994, environmental justice (EJ) is concerned with the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income. Fair treatment means that no group of people, including racial, ethnic, or socioeconomic groups, should bear a disproportionate share of negative environmental consequences resulting from industrial, municipal, and commercial operations. The objective of environmental justice analysis is to identify minority and low-income populations potentially affected by the Project in order to determine whether the proposed Project would result in a potentially disproportionate impact to these populations. The proposed Tehachapi Renewable Transmission Project (TRTP) transmission line (T/L) segments 6 and 11 traverse the Angeles National Forest (ANF), which is managed by the U.S. Forest Service (USFS). Because the USFS is a federal agency with discretionary approval authority for this Project, the National Environmental Policy Act (NEPA) of 1969 is applicable to the Project for the forthcoming Environmental Impact Statement (EIS) to be prepared by the USFS. This EJ analysis is presented to support preparation of the forthcoming EIS.

**10.2 TECHNICAL METHODOLOGY**

This analysis is performed based on methodology defined in the United States Environmental Protection Act's (EPA's) *Final Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses (Guidance)* (1998), which specifically serves as a guide to incorporate environmental justice goals into preparation of Environmental Impact Statements and Environmental Assessments under NEPA. According to this guidance document, the following criteria may be used during environmental justice screening and impact assessment:

- The minority or low-income population<sup>1</sup> may be identified for the affected area if the minority or low-income population of the affected area is greater than 50 percent of the affected area's general population
- The minority or low-income population percentage of the area is "meaningfully greater" than the minority population percentage in the general population or other appropriate unit of geographic analysis
- Whether potential environmental impacts attributable to the Project would fall disproportionately on the minority or low-income residents of the community

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<sup>1</sup> For the purposes of this analysis "low-income" is defined as individuals below the Federal poverty level (U.S. Department of Health and Human Services, 2000)

In the following analysis, the percentages of minority and low-income populations were assessed for the EJ Project Area, which consists of each census tract occurring within 0.1 mile of the proposed Project and alternatives, as shown in Figures 10-1 and 10-2. Table 10-1 presents Federal poverty thresholds that are used in determining poverty status. Year 2000 U.S. Census data were used to characterize affected populations in terms of poverty status and ethnic/racial composition. To place these data within a broader and more appropriate geographic context, they were compared to similar data collected for each affected county. Impacts were then assessed by determining whether significant unavoidable environmental impact associated with the proposed Project or alternatives would occur in an area occupied by low-income or minority populations as defined above. Refer to Table 10-1 for data on Federal poverty thresholds.

**TABLE 10-1  
FEDERAL POVERTY THRESHOLDS<sup>1</sup>**

Size of Family	Poverty Threshold
1	\$8,350
2	\$11,250
3	\$14,150
4	\$17,050
5	\$19,950
6	\$22,850
7	\$25,750
8	\$28,650

<sup>1</sup> Source: U.S. Department of Health and Human Services. 2000 Poverty Guidelines.

### **10.3 REGULATORY FRAMEWORK**

#### **10.3.1 Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-income Populations**

In 1994, President Clinton signed Executive Order (EO) 12898, which requires federal governmental agencies to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. This EO establishes the framework for federal agencies to enforce health and environmental statutes in areas with low-income and minority populations, ensure greater public participation, improve research and data collection, and identify differential patterns of consumption of natural resources among low-income and minority populations.

**10.4 LOW-INCOME AND MINORITY POPULATION SCREENING****10.4.1 Kern County****10.4.1.1 Low-income and Minority Population Analysis**

In Kern County, the TRTP traverses Census Tracts 60.05 and 55.06 (refer to Figure 10-1). Data presented in Table 10-2 indicate that the proportions of low-income households in these tracts fall well below the 50 percent threshold and by this criteria would not be considered low-income communities. Another criteria for determining whether a population should be considered for environmental justice analysis is whether the percentage of low-income households or minorities is “meaningfully greater” than the general population. For this analysis, the general population is considered the county. As shown in Table 10-2, Kern County has a 20.8 percent poverty level, which is higher than Census Tracts 60.05 and 55.06. As a result, the EJ Project Area in Kern County would not constitute low-income populations.

**TABLE 10-2  
KERN COUNTY POPULATION CHARACTERISTICS OF CENSUS TRACTS  
TRAVERSED AND WITHIN 0.1 MILE OF PROPOSED PROJECT<sup>1</sup>**

Jurisdiction/Census Tract Number	Individuals Above the Federal Poverty Level (%)	Individuals Below the Federal Poverty Level (\$)	White Population (%)	Minority Population (%)
Kern County	79.2	20.8	61.4	38.6
60.05	91.3	8.7	77.0	23.0
55.06	84.2	15.8	88.2	11.8

<sup>1</sup> Source: U.S. Census, 2000.

Similarly, Table 10-2 demonstrates that populations living in Census Tracts 60.05 and 55.06 are predominantly white with percentages of minorities less than the 50 percent threshold and less than the county percentage. In this way, the EJ Project Area in Kern County would not meet the minority population criteria.

**10.4.2 Los Angeles County****10.4.2.1 Low-income Population Analysis**

A total of 70 census tracts are located within the Los Angeles County EJ Project Area, which are depicted on Figures 10-1 and 10-2. As shown in Table 10-3, all 70 census tracts have low-income levels below the 50 percent threshold.

**TABLE 10-3**  
**LOS ANGELES COUNTY POPULATION CHARACTERISTICS: CENSUS TRACTS**  
**TRAVERSED OR WITHIN 0.1 MILE OF PROPOSED PROJECT ROUTE<sup>1</sup>**

Jurisdiction/Census Tract Number	Individuals Above the Federal Poverty Level (%)	Individuals Below the Federal Poverty Level (\$)	White Population (%)	Minority Population (%)
Los Angeles County	82.1	17.9	48.6	51.4
4006.03	87.3	12.7	63.8	36.2
4033.25	95.0	5.0	44.9	55.1
4046	83.6	16.4	48.9	51.1
4047.01	74.1	25.9	37.4	62.6
4047.03	72.1	27.9	33.0	67.0
4049.01	81.9	12.1	45.7	54.3
4050.01	82.2	17.8	47.6	52.4
4070.02	82.7	17.3	36.4	63.6
4083.01	77.7	22.3	47.6	52.4
4083.02	94.0	6.0	51.7	48.3
4084.02	93.5	6.5	58.4	41.6
4085.03	96.1	3.9	46.5	53.5
4086.27	91.5	8.5	35.2	64.8
4086.28	90.1	9.9	22.4	77.6
4086.29	76.5	3.5	39.7	60.3
4087.03	95.0	5.0	16.0	84.0
4087.22	92.3	7.7	36.4	63.6
4300.01	95.6	4.4	63.7	36.3
4300.02	88.1	11.9	51.8	48.2
4322.01	81.5	18.5	37.0	63.0
4322.02	83.3	16.7	31.3	68.7
4333.03	71.2	28.8	30.4	69.6
4338.02	92.6	7.4	42.4	57.6
4340.02	83.5	16.5	43.4	56.6
4600	97.7	2.3	76.9	23.1
4601	98.3	1.7	72.8	27.2
4602	91.8	8.2	39.8	60.2
4603.01	92.4	7.6	34.4	65.6
4604	88.2	11.8	25.0	75.0

**TABLE 10-3 (CONTINUED)**  
**LOS ANGELES COUNTY POPULATION CHARACTERISTICS: CENSUS TRACTS**  
**TRAVERSED OR WITHIN 0.1 MILE OF PROPOSED PROJECT ROUTE<sup>1</sup>**

Jurisdiction/Census Tract Number	Individuals Above the Federal Poverty Level (%)	Individuals Below the Federal Poverty Level (\$)	White Population (%)	Minority Population (%)
4605.01	96.7	3.3	71.4	28.6
4625	92.4	7.6	73.6	26.4
4629	93.7	6.3	69.5	30.5
4631.02	90.2	9.8	56.5	43.5
4632	90.5	9.5	62.8	37.2
4800.02	95.4	4.6	50.2	49.8
4800.11	86.9	13.1	40.6	59.4
4800.12	88.5	11.5	44.1	55.9
4801.01	91.4	8.6	44.5	55.5
4801.02	91.2	9.8	40.0	60.0
4812.02	84.2	15.8	35.8	64.2
4813	82.1	17.9	28.9	71.1
4814.02	82.9	17.1	27.0	73.0
4824.01	77.3	22.7	27.0	73.0
4824.02	76.7	23.3	29.8	70.2
4825.03	71.6	28.4	23.9	76.1
4825.21	86.5	13.5	38.6	61.4
4825.22	82.6	7.4	36.5	63.5
4826	93.1	6.9	25.8	74.2
4828	86.7	13.3	40.4	59.6
5001	98.2	1.8	80.2	19.8
5002.01	95.3	4.7	84.8	15.2
5002.02	95.1	4.9	75.3	24.7
5003	93.1	6.9	55.2	44.8
5015.01	91.9	8.1	78.7	21.3
5016	91.4	8.6	69.4	30.6
5300.03	94.3	5.7	56.2	43.8
9009	87.7	12.3	83.8	16.2
9012.03	85.3	14.7	81.8	18.2
9012.05	91.2	8.8	77.4	22.6
9012.06	93.9	6.1	85.7	14.3

**TABLE 10-3 (CONTINUED)**  
**LOS ANGELES COUNTY POPULATION CHARACTERISTICS: CENSUS TRACTS**  
**TRAVERSED OR WITHIN 0.1 MILE OF PROPOSED PROJECT ROUTE<sup>1</sup>**

Jurisdiction/Census Tract Number	Individuals Above the Federal Poverty Level (%)	Individuals Below the Federal Poverty Level (\$)	White Population (%)	Minority Population (%)
9012.07	92.5	7.5	83.5	16.5
9102.05	75.9	24.1	73.2	26.8
9102.06	100.0	0.0	89.3	10.7
9107.08	80.8	19.2	90.9	9.1
9108.04	93.0	7.0	89.2	10.8
9108.05	91.5	8.5	87.4	12.6
9108.06	89.2	10.8	73.1	26.9
9300	92.0	8.0	69.8	30.2
9301	100.0	0.0	93.7	6.3
9302	80.2	19.8	77.1	22.9

<sup>1</sup> Source: U.S. Census, 2000.

A tract could also be considered a low-income population if its proportion of low-income households is “meaningfully greater” than the county as a whole. As indicated in Table 10-4, Los Angeles County has a low-income level of 17.9 percent. In comparison, 10 of the 70 tracts within the Los Angeles County EJ Project Area have greater proportions of low-income households. Of these, tracts 4825.03 and 4047.03 have the greatest differentials and exceed the County average by 10.5 and 10.0 percentage points, respectively. These differentials are not considered “meaningfully greater,” and this analysis concludes that there are no low-income census tracts within the Los Angeles County portion of the EJ Project Area.

#### **10.4.2.2 Minority Population Analysis**

As shown in Table 10-3, 36 of the 70 census tracts within the EJ Project Area have minority percentages greater than 50 percent. However, analysis of the general population shows that Los Angeles County has a total minority population of 51.4 percent, which according to the *Guidance*, defines the residents of the entire County as a minority population. As such, the appropriate analysis is to determine whether any census tracts crossed by the Project have minority percentages “meaningfully greater” than the general population. Data presented in Table 10-5 indicate that 35 census tracts have minority percentages that exceed the County’s and some of these differences can be considered measurably greater than in the general population. For example, Census Tract 4087.03 has the highest differential, and its

**TABLE 10-4**  
**LOS ANGELES COUNTY: EJ PROJECT AREA CENSUS TRACTS HAVING**  
**LOW-INCOME PERCENTAGES GREATER THAN COUNTY TOTAL<sup>1</sup>**

County or Census Tract Number	Low-Income (%)	Low-Income Differential, Relative to Los Angeles County (% Points)
Los Angeles County	17.9	0.0
4047.01	25.9	8.0
4047.03	27.9	10.0
4083.01	22.3	4.4
4322.01	18.5	0.6
4824.01	22.7	4.8
4824.02	23.3	5.4
4825.03	28.4	10.5
9102.05	24.1	6.2
9107.08	19.2	1.3
9302	19.8	1.9

<sup>1</sup> Source: U.S. Census, 2000.

proportion of minorities is 32.6 percentage points greater than the County's. Additionally, 6 tracts (4086.28, 4604, 4814.02, 4824.01, 4825.03, and 4826) exceed the County level by more than 20 percentage points. These differentials are considered substantial and identify levels "meaningfully greater" than the general population. Consequently, for purposes of this environmental justice analysis, the 7 tracts (4087.03, 4086.28, 4604, 4814.02, 4824.01, 4825.03, and 4826) are identified as having minority populations. The locations of these 7 tracts are shown in Table 10-6.

### **10.4.3 San Bernardino County**

#### **10.4.3.1 Low-income Population Analysis**

The San Bernardino County EJ Project Area consists of 6 census tracts, as depicted in Figure 10-2. Table 10-7 presents low-income and minority population data for these census tracts. As shown, the data indicate that all census tracts exhibit low proportions of low-income households. Accordingly, no low-income populations are identified within the EJ Project Area census tracts in San Bernardino County.

**TABLE 10-5**  
**LOS ANGELES COUNTY: PROJECT AREA CENSUS TRACTS HAVING**  
**MINORITY PERCENTAGES GREATER THAN COUNTY TOTAL<sup>1</sup>**

Census Tract Number	Minority (%)	Minority Differential, Relative to Los Angeles County (% Points)
Los Angeles County	51.4	0.0
4033.25	55.1	3.7
4047.01	62.6	11.2
4047.03	67.0	15.6
4070.02	63.6	12.2
4083.01	52.4	1.0
4085.03	53.5	2.1
4086.27	64.8	13.4
4086.28	77.6	26.2
4086.29	60.3	8.9
4087.03	84.0	32.6
4087.22	63.6	12.2
4322.01	63.0	11.6
4322.02	68.7	17.3
4338.02	57.6	6.2
4340.02	56.6	5.2
4602	60.2	8.8
4603.01	65.6	14.2
4604	75.0	23.6
4800.11	59.4	8.0
4800.12	55.9	4.5
4801.02	60.0	8.6
4812.02	64.2	12.8
4813	71.1	19.7
4814.02	73.0	21.6
4824.01	73.0	21.6
4824.02	70.2	18.8
4825.03	76.1	24.7
4825.21	61.4	10.0
4825.22	63.5	12.1
4826	74.2	22.8
4828	59.6	8.2

<sup>1</sup> Source: U.S. Census, 2000.

**TABLE 10-6  
LOCATIONS OF MINORITY POPULATION TRACTS**

County	Census Tract	TRTP Segment	Milepost
Los Angeles	4086.28	8A	11.13-13.54
Los Angeles	4087.03	8A	14.74-17.02
Los Angeles	4604	11	19.14-19.34
Los Angeles	4814.02	11	32.40-32.43
Los Angeles	4824.01	11	33.00-33.73
Los Angeles	4825.03	11	34.18-34.49
Los Angeles	4826	11	35.14-35.75
San Bernardino	1.05	8A	23.88-24.49
San Bernardino	1.06	8A	20.65-23.88
San Bernardino	7	8A	27.69-28.52

**TABLE 10-7  
SAN BERNARDINO COUNTY POPULATION  
CHARACTERISTICS: CENSUS TRACTS TRAVERSED  
OR WITHIN 0.1 MILE OF PROPOSED PROJECT ROUTE<sup>1</sup>**

Jurisdiction/Census Tract Number	Individuals Above the Federal Poverty Level (%)	Individuals Below the Federal Poverty Level (\$)	White Population (%)	Minority Population (%)
San Bernardino County	84.2	15.8	58.7	41.3
1.05	92.0	8.0	42.9	57.1
1.06	96.7	3.3	49.9	50.1
1.07	97.5	2.5	74.9	25.1
5	94.3	5.7	59.5	40.5
7	87.0	13.0	30.6	69.4
19	95.4	4.6	59.3	40.7

<sup>1</sup> Source: U.S. Census, 2000.

### 10.4.3.2 Minority Population Analysis

Within the EJ Project Area, 3 of the 6 census tracts in San Bernardino County have minority percentages greater than the 50 percent threshold, as shown in Table 10-7. The highest minority percentage is found in tract 7 with 69.4 percent, followed by tracts 1.05 and 1.06

with 57.1 percent and 50.1 percent, respectively. Analysis of the general population in the County shows that while the County's minority population is relatively high at 41.3 percent, the County does not exceed the 50 percent threshold, and therefore is not identified as a minority population. Furthermore, in comparison with Census Tracts 7, 1.05, and 1.06, the Countywide minority population percentage is notably less than in the tracts, which indicates that the minority population percentages observed in the 3 census tracts are not entirely representative of the regional context. As a result, based on minority levels exceeding the 50 percent threshold, minority populations are identified in Census Tracts 7, 1.05, and 1.06. The locations of the 3 census tracts are identified in Table 10-6.

### **10.5 POTENTIAL ENVIRONMENTAL AND ADVERSE HEALTH IMPACTS**

Typical EJ concerns for a project of this nature include housing, traffic, noise, water quality, public health, and public service impacts. Based on findings provided in Section 4.0, impacts to these resources would be less than significant and thus there would be no EJ impacts. However, as presented in Section 4.4, there would be a potential for short-term air quality impacts during construction. In addition, analysis presented in Section 4.2 has determined that significant unavoidable adverse impacts to aesthetic resources are expected because proposed towers would block sensitive views. Some of these areas of visual impact would occur in census tracts containing minority populations as defined above. The remaining portion of this analysis addresses whether these impacts are disproportionate.

### **10.6 DISPROPORTIONATE IMPACT ANALYSIS**

The final criteria used to determine whether the proposed Project may potentially result in impacts related to environmental justice is the assessment of whether the potential environmental impacts attributable to the Project would fall disproportionately on the low-income or minority populations.

As previously discussed in Section 10.4, no low-income populations were identified for residents within 0.1 mile of the proposed Project area. However, 10 census tracts within Los Angeles County and San Bernardino County were identified with minority populations, as listed in Table 10-6. According to the *Guidance*, "it is important to understand where such communities are located and how the lives and livelihoods of the members of these communities may be impacted by the proposed and alternative actions." This is because "minority and low-income populations are likely to be dependent upon their surrounding environment (i.e., subsistence living), more susceptible to pollution and environmental degradation (e.g., reduced access to health care), and are often less mobile or transient than other populations."

The EJ issues of concern from the Project involve aesthetic impacts and potential air quality impacts that would affect a few census tracts which include minority populations. The minority populations that would be affected by air quality and aesthetic impacts represent only a small portion of people living within or near the EJ Project Area; these groups would not be disproportionately affected.

In summary, the environmental justice impact assessment demonstrates the proposed Project would not have a disproportionate impact on low-income or minority populations.

**10.7 REFERENCES**

Totten, Arthur and Dickerson, Bill, et al. 1998. Final Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses.

U.S. Census Bureau. 1999. P89: Poverty Status in 1999 by Age by Household type [39] – Universe: Population for Whom Poverty Status is Determined. Data Set: Census 2000 Summary file (SF 3).

2000a. DP-1 Profile of General Demographic Characteristics: 2000. Data Set: Census 2000 Summary File 1 (SF 1) 100-Percent Data.

2000b. DP-3 Profile of Selected Economic Characteristics: 2000. Data Set: Census 2000 Summary File 3 (SF 3).

U.S. Department of Health and Human Services. The 2000 HHS Poverty Guidelines. <http://aspe.hhs.gov/poverty/00poverty.htm>.

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