

1 **5.0 ENVIRONMENTAL JUSTICE**

2 This Section analyzes the distributional patterns of high-minority and low-income
3 populations on a regional basis and characterizes the distribution of such
4 populations adjacent to the proposed and alternative pipeline corridors. This
5 analysis focuses on whether the proposed Project has the potential to adversely and
6 disproportionately affect minority populations and low-income communities, thus
7 creating an inconsistency with the intent of the California State Lands Commission
8 (CSLC) environmental justice policy.

9 **5.1 BACKGROUND**

10 On February 11, 1994, President Clinton issued an “Executive Order on Federal
11 Actions to Address Environmental Justice in Minority Populations and Low-Income
12 Populations” designed to focus attention on environmental and human health
13 conditions in areas of high minority populations and low-income communities, and
14 promote non-discrimination in programs and projects substantially affecting human
15 health and the environment (White House 1994). The order requires the U.S.
16 Environmental Protection Agency (EPA) and all other Federal agencies (as well as
17 State agencies receiving Federal funds) to develop strategies to address this issue.
18 The agencies are required to identify and address any disproportionately high and
19 adverse human health or environmental effects of their programs, policies, and
20 activities on minority and/or low-income populations.

21 **5.2 CALIFORNIA STATE LANDS COMMISSION POLICY**

22 The CSLC has developed and adopted an Environmental Justice Policy to ensure
23 equity and fairness in its own processes and procedures. The CSLC adopted an
24 amended Environmental Justice Policy on October 1, 2002, to ensure that
25 “Environmental Justice is an essential consideration in the CSLC’s processes,
26 decisions and programs and that all people who live in California have a meaningful
27 way to participate in these activities.” The policy stresses equitable treatment of all
28 members of the public and commits to consider environmental justice in its
29 processes, decision-making, and regulatory affairs, which is implemented, in part,
30 through identification of, and communication with, relevant populations that could be
31 adversely and disproportionately affected by CSLC projects or programs. This
32 discussion is provided in this document consistent with and in furtherance of the
33 CSLC’s Environmental Justice Policy. The staff of the CSLC is required to report to
34 the CSLC on how environmental justice is integrated into its programs, processes,
35 and activities (CSLC 2002).

1 5.3 SETTING

2 Regional and local environmental justice assessments have been performed by
3 agencies within the Project area, such as the Sacramento Area Council of
4 Government's 2006 Metropolitan Transportation Plan (MTP). Analysis within the
5 MTP is specific to transportation planning and addresses the effects of
6 transportation activities on minority and low-income populations. The methods
7 applied in this discussion are the same as those used in the MTP report.

8 The proposed Project would be located within a total of 11 U.S. Census Block
9 Groups in Yolo, Sutter, Sacramento, and Placer Counties. Racial diversity and
10 income levels for residents within these counties were obtained from 2000 U.S.
11 Census data. A summary of this information for the affected counties and for the
12 State of California is provided in Table 5-1 and Table 5-2. As shown in these tables,
13 counties within the Project area have significantly lower minority populations than
14 the statewide average. The annual per capita income in Placer County is higher
15 than the statewide average, while Sacramento, Sutter, and Yolo counties all have a
16 lower than average annual per capita income. Both Yolo and Sutter counties have a
17 higher percentage of the population below poverty level than the statewide average
18 while Sacramento County has a similar rate and Placer County's rate is significantly
19 lower.

20 **Table 5-1: Summary of Census 2000 Demographics of Affected Counties and**
21 **California**

County	Total Population	Percent Minority ¹	Annual per Capita Income (\$) (1999)	Percent Below Poverty Level	Percent Age 65 or Above
Yolo	168,660	41.9	19,365	18.4	9.4
Sutter	78,930	39.8	17,428	15.5	12.4
Sacramento	1,223,499	42.2	21,142	14.1	11.1
Placer	248,399	16.6	27,963	5.8	13.1
Total for California	33,871,648	53.3	22,711	14.2	10.6

Notes:

¹ For purposes of this study, minority population calculations included all Hispanic or Latino origin and all other persons of non-white racial origin.

Source: US Census Bureau, Census 2000, Summary File 1 (SF 1), Summary File 3 (SF 3) and Table P-8.

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1 **Table 5-2: Summary of Census 2000 Race and Ethnicity Demographics for Project Area**

County	Total Population	Percent White ¹	Percent Black or African American	Percent American Indian and Alaska Native	Percent Asian	Percent Native Hawaiian & other Pacific Islander	Percent some other Race	Percent two or more Races	Percent Hispanic or Latino (of any race)	Percent Minority
Yolo	168,660	67.7	2.0	1.2	9.9	0.3	13.8	5.2	25.9	41.9
Sutter	78,930	67.5	1.9	1.6	11.3	0.2	13.0	4.6	22.2	39.8
Sacramento	1,223,499	64	10.0	1.1	11.0	0.6	7.5	5.8	16.0	42.2
Placer	248,399	88.6	0.8	0.9	2.9	0.2	3.4	3.2	9.7	16.6
Total for California	33,871,648	59.5	6.7	1.0	10.9	0.3	16.8	4.7	32.4	53.3
Notes: ¹ For purposes of this study, minority population calculations included all Hispanic or Latino origin and all other persons of non-white racial origin. Source: US Census Bureau, Census 2000, Summary File 1 (SF 1) Table P-7 and Table P-8.										

1 5.4 POLICY ISSUES

2 An inconsistency with the environmental justice policy would occur if the proposed
3 Project would:

- 4 1. Have the potential to disproportionately affect minority and/or low income
5 populations in areas in which the Project is located; or
- 6 2. Result in a substantial disproportionate decrease in the employment and
7 economic base of minority and/or low income populations residing in the
8 County and/or immediately surrounding cities.

9 For this discussion, an area of 1,000 feet, centered on the proposed pipeline
10 alignment, was used to determine possibly affected communities. The potential
11 affected area was identified based on previously completed environmental justice
12 analyses for similar natural gas pipeline projects. This area encompasses both
13 construction-related affects on nearby populations as well as the potentially affected
14 area in the unlikely event of a rupture and explosion of the pipeline.

15 5.4.1 Potentially Affected Populations

16 Potential affects on minority and low-income populations within 1,000 feet of the
17 Project area are discussed below. Evaluation of such populations is based on the
18 SACOG environmental justice analysis for their MTP. SACOG's analysis is based
19 on U.S. Bureau of the Census, Census 2000 data. The Project's area of potential
20 affect crosses 11 block groups including five in Yolo County, two in Sutter County,
21 three in Placer County, and one in Sacramento County. Approximately 13,762
22 people reside within these 11 block groups. The population of each block group is
23 shown in Table 5-3.

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Table 5-3: Block Group Population

Block Group in Project Area	Total Population 2000
Yolo County	
Census Tract 101.02, Block Group 4	564
Census Tract 112.06, Block Group 1	739
Census Tract 114.00, Block Group 1	539
Census Tract 114.00, Block Group 4	1,301
Census Tract 115.00, Block Group 2	771

Block Group in Project Area	Total Population 2000
Sutter County	
Census Tract 511.00, Block Group 3	363
Census Tract 511.00, Block Group 4	851
Sacramento County	
Census Tract 71.00, Block Group 2	220
Placer County	
Census Tract 209.02, Block Group 1	1,053
Census Tract 210.07, Block Group 2	6,349
Census Tract 213.01, Block Group 2	1,012
Source: U.S. Census Bureau, Census 2000.	

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2 Potential environmental justice areas of concern were identified in SACOG's MTP by
3 comparing the average minority and low-income populations of each block group
4 within the Sacramento area counties to threshold values determined by those
5 county's averages.

6 **Low-Income Populations**

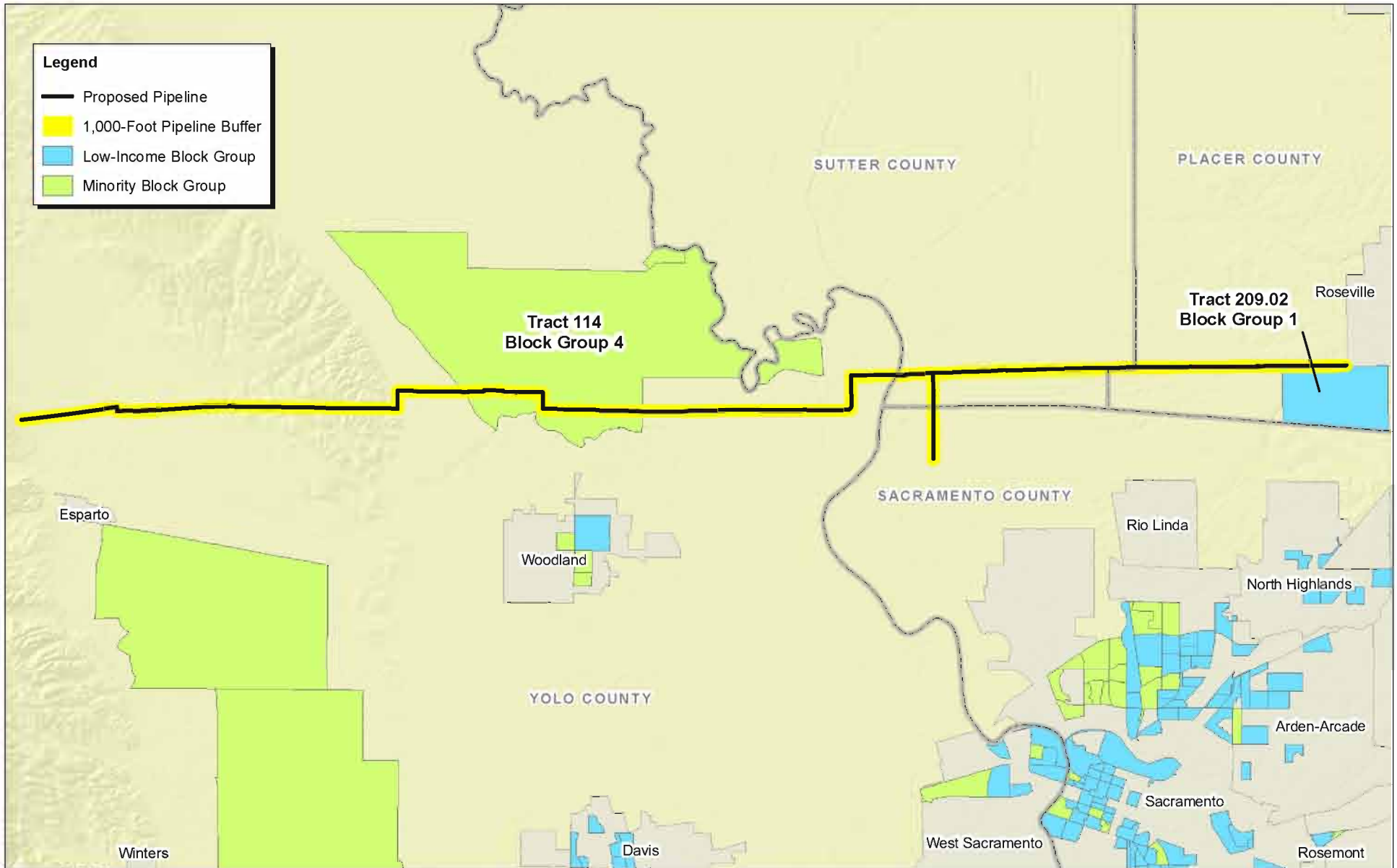
7 The 11 block groups potentially affected by the proposed Project have an average
8 percentage of population below poverty level of 10.6 percent, which is lower than the
9 combined counties average of 13.5 percent. The average per capita income for the
10 11 affected block groups is \$21,510, which is slightly higher than the average per
11 capita income of \$21,475 for the four counties in which they reside. As such, the 11
12 block groups have an overall higher than average income and lower than average
13 poverty rate.

14 Block groups with potentially significant low-income populations are those with more
15 than 50 percent of households earning less than one-half of the respective county's
16 median household income. Additionally, a potentially affected low-income area must
17 contain residential buildings within the potential affected area in order to be
18 identified. According to SACOG's data, Block Group 1, Census Tract 209.02 in
19 Placer County contains a low-income population within the Project's area of affect
20 (refer to figure 4.15-1). As shown in Table 5-4, approximately seven households are
21 located within the Project's area of affect in this block group.

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Table 5-4: Low-Income Populations in Project Area

Block Group in Potential Affected Area	Total Population 2000	Median Household Income (\$) (1999) ¹	Number of Residential Buildings within Potential Affected Area ²	Contains Significant Low-Income Populations Potentially in Project Affected Area ³
Yolo County		40,769		
Census Tract 101.02, Block Group 4	564	35,774	1	No
Census Tract 112.06, Block Group 1	739	46,875	3	No
Census Tract 114.00, Block Group 1	539	37,361	8	No
Census Tract 114.00, Block Group 4	1,301	31,696	18	No
Census Tract 115.00, Block Group 2	771	42,431	1	No
Sutter		38,375		
Census Tract 511.00, Block Group 3	363	47,188	8	No
Census Tract 511.00, Block Group 4	851	40,417	7	No
Sacramento		43,816		
Census Tract 71.00, Block Group 2	220	85,247	0	No
Placer		57,535		
Census Tract 209.02, Block Group 1	1,053	35,813	7	Yes
Census Tract 210.07, Block Group 2	6,349	68,028	13	No
Census Tract 213.01, Block Group 2	1,012	52,500	37	No
<p>Notes:</p> <p>1 From Census 2000 Summary File 3.</p> <p>2 The Potential Affected Area is determined by a 1,000-foot area of affect centered on the pipeline. The count of residential buildings within this area is based on Google earth aerial photos, accessed in April 2008 and observations during a May 2008 site visit.</p> <p>3 Block Groups with potentially significant low-income populations are those containing populations of more than 50 percent earning less than one-half of the respective county's median household income. Calculation of these data were performed by SACOG and are not reflected in this table.</p> <p>Source: U.S. Census Bureau, Census 2000, Michael Brandman Associates 2008, SACOG 2006.</p>				



Source: PG&E 2009, SACOG 2006, MBA 2009.



Michael Brandman Associates

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Figure 5-1
Environmental Justice Communities

1 Minority Populations

2 Table 5-5 shows the Census Block Group minority populations within the Project
3 area as compared to the minority populations for counties in which they reside. The
4 average minority population for the 11 block groups is 31.5 percent while the
5 average minority population for the four counties in which they are located is 35.1
6 percent. As such, combined average minority populations within the 11 block
7 groups are lower than the combined counties' averages.

8 Block groups with high-minority populations are those with white/non-Hispanic
9 populations equal to or less than 35 percent of the total block group population or
10 conversely, minority populations of more than 65 percent. According to SACOG
11 data, the only minority population within the Project's area of affect is Block Group 4,
12 Census Tract 114 in Yolo County (refer to Figure 4-15.1). Approximately 18
13 households are located within the Project's area of affect in this block group.

14 **Table 5-5: Block Group Minority Populations in Potential Project Areas**

Tracts in Project Area	Total Population 2000	Minority Population	Percent Minority ¹	Number of Residential Buildings within Potential Affected Area ²	Contains Significant Minority Populations Potentially in Project Affected Area ³
Yolo County	168,660	70,718	41.9		
Census Tract 101.02, Block Group 4	564	316	56.0	1	No
Census Tract 112.06, Block Group 1	739	333	45.1	3	No
Census Tract 114.00, Block Group 1	539	167	31.0	8	No
Census Tract 114.00, Block Group 4	1,301	795	61.1	18	Yes
Census Tract 115.00, Block Group 2	771	262	34.0	1	No
Sutter	78,930	31,398	39.8		
Census Tract 511.00, Block Group 3	363	105	28.9	8	No
Census Tract 511.00, Block Group 4	851	173	20.3	7	No
Sacramento	1,223,499	516,844	42.2		

Tracts in Project Area	Total Population 2000	Minority Population	Percent Minority ¹	Number of Residential Buildings within Potential Affected Area ²	Contains Significant Minority Populations Potentially in Project Affected Area ³
Census Tract 71.00, Block Group 2	220	48	21.8	0	No
Placer	248,399	41,163	16.6		
Census Tract 209.02, Block Group 1	1,053	117	11.1	7	No
Census Tract 210.07, Block Group 2	6,349	1297	20.4	13	No
Census Tract 213.01, Block Group 2	1,012	166	16.4	37	No
Notes:					
¹ Data shown in this table are calculated from Census 2000 Data. SACOG used this data to project future population, and thereby minority populations, for the 2006 MTP. As such, the percent minority for each block group reflected in the table is slightly less than what is reflected in the 2006 MTP.					
² The Potential Affected Area is determined by a 1,000-foot area of affect centered on the pipeline. The count of residential buildings within this area is based on Google earth aerial photos, accessed in April 2008 and observations during a May 2008 site visit.					
³ Block groups with potentially significant low-income populations are identified if those block groups contain white/non-Hispanic populations equal to or less than 35 percent of the total block group population or conversely, minority populations of more than 65 percent. Calculation of these data were performed by SACOG and are not reflected in this table.					
Source: US Census Bureau, Census 2000, Summary File 1 & 3, Table P-8.					

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2 As summarized in Table 5-6, approximately 103 residences are located within the
3 potential affected area of the Project. Of the 103 residences, 18 (17 percent) are
4 located in a block group with a significant minority population and 7 (6 percent) are
5 located in a block group containing low-income populations. This represents a
6 relatively small portion of residences potentially affected by the Project.

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2**Table 5-6: Summary of Block Groups with Significantly Low-Income or Minority Populations**

Census	Number of Residential buildings within Potential Affected Area	Contains Significant Low-Income Populations Potentially in Project Affected Area	Contains Significant Minority Populations Potentially in Project Affected Area
Yolo County			
Census Tract 101.02, Block Group 4	1	No	No
Census Tract 112.06, Block Group 1	3	No	No
Census Tract 114.00, Block Group 1	8	No	No
Census Tract 114.00, Block Group 4	18	No	Yes
Census Tract 115.00, Block Group 2	1	No	No
Sutter			
Census Tract 511.00, Block Group 3	8	No	No
Census Tract 511.00, Block Group 4	7	No	No
Sacramento			
Census Tract 71.00, Block Group 2	0	No	No
Placer			
Census Tract 209.02, Block Group 1	7	Yes	No
Census Tract 210.07, Block Group 2	13	No	No
Census Tract 213.01, Block Group 2	37	No	No
Total Population/Affected Block Groups	103	1	1
Source: Michael Brandman Associates 2009.			

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4 **5.4.2 Policy Analysis and Conditions**5 **Disproportionately Affect Populations**

6 The Project would not have a potential to disproportionately affect minority and/or
7 low income populations in areas in which the Project is located. The two resource
8 areas discussed below resulted in affects to populations in the Project area.
9 However, the resulting affects from Project implementation would be evenly

1 dispersed along the entire length of the pipeline. The Project would be consistent
2 with the CSLC Environmental Justice Policy.

3 **Air Quality.** Construction emissions resulting from Project implementation would
4 exceed quantitative significance thresholds as defined by air pollution control
5 districts/air quality management districts in which the Project would be constructed.
6 Other affects would occur to air quality due to Project emissions exceeding State or
7 federal ambient air quality standards. These affects would have the potential to
8 contribute to unhealthy air quality situations throughout the entire Project area. As
9 such, low-income or minority populations would not be disproportionately affected.

10 **Hazards and Hazardous Materials.** The Project would expose people to an
11 unacceptable risk of existing or potential hazards, including upset and accident
12 conditions involving the risk of fires, including wildland fires, explosions, or the
13 release of hazardous materials into the environment. Similar affects would result
14 from the creation of a hazard to the public or the environment through the routine
15 transport, use, or disposal of hazardous materials. A majority of the pipeline would
16 be located in agricultural lands containing low densities of population. Risk of upset
17 or explosion of the pipeline is equal for the entire length of the pipeline and would
18 not disproportionately impact a low-income or minority area. Furthermore, U.S. DOT
19 class designations were identified based on population density with more stringent
20 safety regulations as the human population density increases with Class 1 as the
21 least dense and Class 4 as the densest. The proposed pipeline facilities would be
22 constructed in areas which are presently within Class 1, 2, and 3 locations. A
23 portion of the identified minority block group contains a Class 2 area of
24 approximately 15 rural residences. The identified low-income block group contains a
25 portion of a Class 2 area. In the case of Class 2 areas, the pipeline must adhere to
26 stricter design measures, including more soil coverage, greater pipe wall thickness
27 and increased frequency of pipeline patrols and surveys in order to increase safety,
28 as compared to Class 1 areas. As such, the Class 2 areas of the minority or low-
29 income block groups would not be disproportionately affected.

30 **Substantial Disproportionate Decrease in Employment or Economic Base**

31 The Project would not result in a substantial disproportionate decrease in the
32 employment and economic base of minority and/or low-income populations residing
33 in the county and/or immediately surrounding cities. Implementation of the proposed
34 Project would affect income generated from the production of agricultural goods on
35 lands utilized for the pipeline right-of-way. Affected landowners would be fairly

1 compensated for both temporary and long-term impacts resulting from restrictions to
2 the planting of deep-rooted vegetation above the pipeline. PG&E would be required
3 to provide financial compensation for temporary and permanent loss of agricultural
4 uses through the California Code of Civil Procedure, section 1245.030(b), which
5 requires compensation for property damage, including crop damage, resulting from
6 pre-construction project studies, testing, and surveying. Section 1263.210(a)
7 requires all property improvements, including agricultural crops and associated
8 facilities and infrastructure, in project land rights acquisition compensation. Finally,
9 Section 1263.250(a) requires compensation for crop damage/losses resulting from
10 project construction; and requires scheduling project construction to avoid impacts to
11 agricultural crops when possible. This impact would be the same for all agricultural
12 areas throughout the length of the pipeline and would therefore not
13 disproportionately affect the identified minority or low-income block groups.
14 Therefore, the Project would be consistent with the CSLC Environmental Justice
15 Policy.

16 **5.5 RELATIONSHIP TO ALTERNATIVES**

17 A No Project Alternative as well as twelve options have been proposed for the
18 alignment in order to minimize or eliminate environmental impacts of the proposed
19 Project. The twelve options, labeled A through L, have been analyzed in
20 comparison to the portion of the proposed route that has been avoided as a result of
21 the option. Descriptions of the options can be found in Section 3.0, Alternatives and
22 Cumulative Projects, and are depicted in Figure 3-2A through Figure 3-2K.

23 **5.5.1 No Project Alternative**

24 Under the No Project Alternative, no natural gas pipeline would be constructed and
25 there would be no potential to disproportionately affect high-minority or low-income
26 populations. Therefore, this alternative would be consistent with the CSLC
27 Environmental Justice Policy.

28 **Option A**

29 Option A would realign a portion of Line 406 to be located near County Road (CR)
30 16 and CR-15B, instead of near CR-17 and CR-16A. A portion of this option is
31 located within Tract 114, Block Group 4, which has a minority population. The
32 portion of this option within Block Group 4 crosses agricultural land. The remainder
33 of this option, as well as the remainder of the Line 406 pipeline alignment is also
34 located in an agricultural area with rural residential development. Therefore, this

1 alternative would not disproportionately affect high-minority or low-income
2 populations. Option A would be consistent with the CSLC Environmental Justice
3 Policy.

4 **Option B**

5 Option B would realign a portion of Line 406 to be located near CR-16 and CR-89,
6 instead of near CR-17. Since the area associated with this option is not located
7 within a low-income or minority block group, Option B would be consistent with the
8 CSLC Environmental Justice Policy.

9 **Option C**

10 Option C would realign a small portion of Line 406 in order to avoid bisecting three
11 agricultural fields. The area traversed by Option C is not located in a minority or low-
12 income block group. Option C would therefore be consistent with the CSLC
13 Environmental Justice Policy.

14 **Option D**

15 Option D would realign a portion of Line 406 in order to avoid bisecting 10
16 agricultural fields. The area traversed by Option D is not included in a minority or
17 low-income block group. Option D would be consistent with the CSLC
18 Environmental Justice Policy.

19 **Option E**

20 Option E would realign a portion of Line 406 in order to avoid bisecting 10
21 agricultural fields. The area traversed by Option E is not included in a minority or
22 low-income block group. Option E would be consistent with the CSLC
23 Environmental Justice Policy.

24 **Option F**

25 Option F would realign a portion of Line 407 West to bisect an agricultural field in
26 order to avoid difficult trenching through hilly terrain. The realignment would
27 increase the short and long-term effects to a single row-crop field. The area
28 traversed by Option F is not located in a minority or low-income block group. Option
29 F would be consistent with the CSLC Environmental Justice Policy.

1 Option G

2 Option G would realign a portion of Line 407 West in order to avoid bisecting one
3 agricultural field. Both the proposed project and the area traversed by Option G are
4 located within Tract 114, Block Group 4, which has a minority population. The
5 remainder of the Line 407 West pipeline alignment is also located in an agricultural
6 area with rural residential development. Option G would not disproportionately affect
7 high-minority or low-income populations. This alternative option would be consistent
8 with the CSLC Environmental Justice Policy.

9 Option H

10 Option H would increase disturbance to the Yolo Bypass. The area traversed by
11 Option H is not located in a minority or low-income block group. Option H would be
12 consistent with the CSLC Environmental Justice Policy.

13 Option I

14 Option I would realign a portion of Line 407 East to the north in order to maintain a
15 minimum 1,500-foot distance from a proposed school site south of Base Line Road.
16 The area traversed by Option I is not located in a minority or low-income block
17 group. Option I would therefore be consistent with the CSLC Environmental Justice
18 Policy.

19 Option J

20 Option J would realign a portion of Line 407 East to the north in order to maintain a
21 minimum 1,500-foot distance from a proposed school site south of Base Line Road.
22 The area traversed by Option J is not located in a minority or low-income block
23 group. This alternative option would be consistent with the CSLC Environmental
24 Justice Policy.

25 Option K

26 Option K would realign a portion of Line 407 East to the north in order to maintain a
27 minimum 1,500-foot distance from a proposed school site south of Base Line Road.
28 The area traversed by Option K is not located in a minority or low-income block
29 group. This alternative option would be consistent with the CSLC Environmental
30 Justice Policy.

1 **Option L**

2 Option L would extend the proposed HDD alignment for a portion of Line 407-E in
3 order to increase safety for a proposed school site south of Base Line Road. The
4 area traversed by Option L is not located in a minority or low-income block group.
5 Option L would therefore be consistent with the CSLC Environmental Justice Policy.

6 **5.6 CUMULATIVE PROJECTS POLICY ANALYSIS**

7 None of the other projects within this Project's vicinity, as identified in Section 3.0,
8 Alternatives and Cumulative Projects, identify potential cumulative affects related to
9 environmental justice.

10 No projects within the cumulative study area are identified as located within Tract
11 114, Block Group 4, which has been identified as containing a significant minority
12 population. Three projects are planned in Tract 209.02, Block Group 1, which has
13 been identified as containing a significant low-income population. Approximately
14 seven residences are located within 1,000 feet of the pipeline within this block group.
15 The three projects include the Watt Avenue Widening, Placer Vineyards Specific
16 Plan, and Walerga Road Widening. It is unlikely that cumulative affects from these
17 projects would result because none of the seven residences are located within 1,000
18 feet of the proposed pipeline along Watt Avenue; the Placer Vineyards Specific Plan
19 Area does not include the seven residences; and the portion of Walerga Road that is
20 adjacent to the seven residences located within 1,000 feet of the proposed pipeline
21 has already been widened to four lanes. Since the proposed Project would not
22 disproportionately affect environmental justice areas of concern and those areas
23 would not likely be affected by other projects in the area, the proposed Project would
24 not create a policy inconsistency.