

## **D.17 Environmental Justice**

This section addresses potential environmental justice impacts resulting from construction and operation of the Proposed PROJECT. Section D.17.1 provides a description of the existing setting/affected environment, and the applicable regulations, plans, and standards are introduced in Section D.17.2. An analysis of the Proposed PROJECT impacts/environmental effects and discussion of mitigation is provided in Section D.17.3. An analysis of project alternatives is provided in Sections D.17.4 through D.17.7. Section D.17.8 provides mitigation monitoring, compliance, and reporting information; Section D.17.9 addresses residual effects of the project and Section D.17.10 lists the references cited in this section.

### **D.17.1 Environmental Setting/Affected Environment**

#### **Methodology and Assumptions**

This section presents descriptive information about communities in the project area, as well as the Campo, Manzanita, and Jordan wind energy project areas, and their racial/economic composition. Minorities are defined as individuals who are members of one of the following population groups: Hispanic, African-American, American Indian or Alaskan Native, and Asian or Pacific Islander. Low-income populations are those exceeding the poverty threshold.

Data used to assess environmental justice considerations were obtained from the U.S. Census Bureau, Census 2000, which is the most complete and accurate source of demographic data and economic/income data available for the project area. Data related to the census tract block groups that encompass the Proposed PROJECT study area were used to compile information that could be used to distinguish minority and low-income populations.

The Campo, Manzanita, and Jordan wind energy projects are being analyzed at a program level in this EIR/EIS as no site-specific survey data is available. Due to the close proximity of these wind energy projects to the ECO Substation, Tule Wind, and ESJ Gen-Tie projects, a similar setting is assumed.

#### ***D.17.1.1 General Overview***

The Proposed PROJECT is located in San Diego County and is entirely contained within the Mountain Empire census county division (CCD) area. CCDs are geographical statistical subdivisions of counties established cooperatively by the Census Bureau and officials of state and local governments in states where minor civil divisions (MCDs) either do not exist or are unsatisfactory for census purposes.

The Mountain Empire CCD contains four block groups. Block groups are geographic subdivisions of census tracts. Their primary purpose is to provide a geographic summary unit for census block data. A block group must comprise a reasonably compact and contiguous cluster of census blocks. Each census tract contains a minimum of one block group and may have a maximum of nine block groups. As indicated on Figure D.17-1B, the Proposed PROJECT is located within Census Tract 211, block groups 3 and 4. The extent of these block groups serves as the environmental justice study area for the Proposed PROJECT.

The information in Table D.17-1 shows the minority and low-income composition for block groups 3 and 4, as well as for other geographic areas for comparative purposes. Block groups 3 and 4 are populated by residents who are generally less affluent and less racially diverse than the State of California and County of San Diego.

**Table D.17-1**  
**Racial Composition and Poverty Level Status**

Geographic Area	Total Population	Population Below Poverty Level	Below Poverty Level (%)	Minority* (%)
United States	281,421,906	33,899,812	12.0	24.9
California	33,871,648	4,706,130	13.9	40.5
San Diego County	2,813,833	338,399	12.0	33.5
Mountain Empire CCD	6,485	1,265	19.5	27.4
Census Tract 211, Block Group 1	2,321	455	19.6	21.0
Census Tract 211, Block Group 2	1,860	348	18.7	32.7
<b>Census Tract 211, Block Group 3</b>	<b>1,511</b>	<b>315</b>	<b>20.8</b>	<b>29.3</b>
<b>Census Tract 211, Block Group 4</b>	<b>793</b>	<b>147</b>	<b>18.5</b>	<b>30.3</b>

Source: U.S. Census Bureau 2000.

\*Minority aggregation includes the sum of Black, Asian, American Indian and Alaskan Native, Hawaiian and other Pacific Islander, some other race, and two or more races.

It is important to note that the East County (ECO) Substation Project, Tule Wind Project, and Energia Sierra Juarez U.S. Generator-Tie Project as proposed by Energia Sierra Juarez U.S. Transmission, LLC, (collectively referred to as the Proposed PROJECT) all consist of the same environmental justice study area, as they are all located within Census Tract 211, block groups 3 and 4.

### **D.17.2 Applicable Regulations, Plans, and Standards**

This section discusses federal, state, and regional environmental regulations, plans, and standards applicable to the Proposed PROJECT, as well as the Campo, Manzanita, and Jordan wind energy projects. In addition to the federal regulations identified, the Campo and Manzanita wind energy projects may be subject to the Bureau of Indian Affairs' (BIA's) policies and regulations and tribe-specific policies and plans.

## Federal Regulations

### *Executive Order 12898*

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 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” (Executive Order 12898, Sections 1–101).

Guidance from the Council on Environmental Quality (CEQ) says that “minority populations should be identified where either: (a) the minority population of the affected area exceeds 50 percent or (b) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis” (CEQ 1997, p. 25).

### **D.17.3 Environmental Effects**

#### ***D.17.3.1 Definition and Use of CEQA Significance Criteria/Indicators under NEPA***

Consistent with the requirements set forth in CEQA Guidelines Section 15131, environmental justice effects are not treated as significant effects on the environment in this analysis and, therefore, no CEQA significance conclusions are presented for such effects.

According to NEPA, an EIS must evaluate the social and economic effects of a project if they are related to effects on the natural or physical environments. ~~NEPA provides no specific thresholds of significance for the assessment of environmental justice impacts.~~

The Proposed PROJECT would affect environmental justice if it would result in disproportionately high or adverse effects on minority or low-income populations. More specifically, an environmental justice impact would result from the Proposed PROJECT or its alternatives if one of the two following criteria is met:

- More high-minority block groups are affected by the Proposed PROJECT than either medium-minority block groups or low-minority block groups
- More high-poverty block groups are affected by the Proposed PROJECT than either medium-poverty block groups or low-poverty block groups.

Either of these conditions would constitute a disproportionate impact on these populations by the project.

**Analysis Methodology**

The Mountain Empire CCD was chosen as the appropriate geographic unit of analysis, as this area contains the Proposed PROJECT as well as neighboring communities. Of the four block groups contained within the CCD, two make up the ECO Substation, Tule Wind, and ESJ Gen-Tie project study area (see Figure D.17-1, Mountain Empire Census County Division (CCD) Area – Census Tract 211). The proposed Campo, Manzanita, and Jordan wind energy projects are within the Mountain Empire CCD. Areas of high-minority populations and their locations are identified as those block groups having a total minority population percentage within the highest one-third (33% in terms of minority percentage) of all block groups in the Mountain Empire CCD. These groups are classified as high-minority block groups. Those block groups having a total minority population percentage within the lowest one-third (33%) of the block groups in the Mountain Empire CCD are classified as low-minority block groups. Those block groups having a total minority population percentage that is greater than the upper bound of minority population percentage for the low-minority block groups but less than the lower bound for the high-minority block groups are classified as medium-minority block groups.

Areas of high poverty and their locations are identified as those census block groups having a poverty rate that is in the highest one-third (33%) of the block groups in the Mountain Empire CCD. These block groups are classified as high-poverty block groups. Those block groups having a poverty rate in the lowest one-third (33%) of the block groups in the CCD are classified as low-poverty block groups. Those block groups having a poverty rate that is greater than the upper bound for the low-poverty block groups but less than the lower bound of the high-poverty block groups are classified as medium-poverty block groups. Thus, all of the block groups in the CCD are divided into the highest one-third, middle one-third, and the lowest one-third in terms of poverty rates.

The information in Table D.17-2 shows the classification of the four block groups within the Mountain Empire CCD, based on poverty levels and minority rates.

**Table D.17-2**  
**Classification of Block Groups by Poverty and Minority Rates**

<b>Geographic Area</b>	<b>Below Poverty Level (%)</b>	<b>Poverty Classification</b>	<b>Minority (%)</b>	<b>Minority Classification</b>
<i>Mountain Empire CCD</i>				
Census Tract 211, Block Group 1	19.6	Medium	21.0	Low
Census Tract 211, Block Group 2	18.7	Low	32.7	High
Census Tract 211, Block Group 3*	20.8	High	29.3	Medium
Census Tract 211, Block Group 4*	18.5	Low	30.3	Medium

Note: \* Block groups in which Proposed PROJECT is located.

**D.17.3.2 Applicant Proposed Measures**

No Applicant Proposed Measures (APMs) have been identified for the ECO Substation Project, Tule Wind Project, or the ESJ Gen-Tie Project related to environmental justice. At the time this EIR/EIS was prepared, the project proponents for the Campo, Manzanita, and Jordan wind energy projects have not developed project-specific APMs.

**D.17.3.3 Direct and Indirect Effects**

Table D.17-3 lists the impacts identified for the Proposed PROJECT, ~~along with the classification of impacts~~ under NEPA. Because CEQA has no significance criteria for environmental justice, these impacts are identified ~~classified under NEPA~~ as “No Impact.” under NEPA. Although there is no requirement for federal agencies to classify impacts or to determine the significance of impacts, this project is being analyzed in an EIS under NEPA and the BLM must take a “hard look” at the impacts of the Proposed PROJECT and its alternatives and determine whether they are adverse. Detailed discussions of each impact and the specific locations where each is identified are presented in the following sections. As mentioned earlier, the ECO Substation Project, Tule Wind Project, and ESJ Gen-Tie Project (collectively referred to as the Proposed PROJECT) all consist of the same environmental justice study area, as they are all located within Census Tract 211, block groups 3 and 4. As a result, any impacts identified as a result of the Proposed PROJECT would apply equally to the ECO Substation Project, Tule Wind Project, and ESJ Gen-Tie Project. The impacts discussion has been organized accordingly to reflect this approach. Cumulative effects are analyzed in Section F of this EIR/EIS.

**Table D.17-3**  
**Environmental Justice Impacts**

Impact No.	Description	NEPA Classification
<b>ECO Substation – Environmental Justice Impacts</b>		
ECO-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact
<b>Tule Wind – Environmental Justice Impacts</b>		
Tule-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact
<b>ESJ Gen-Tie – Environmental Justice Impacts</b>		
ESJ-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact
<b>Proposed PROJECT (COMBINED – including Campo, Manzanita, and Jordan Wind Energy)</b>		
EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact

## Environmental Impacts/Environmental Effects

*Direct and Indirect* (Note: cumulative effects are addressed in Section F of this EIR/EIS)

**Impact EJ-1: Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations (No Impact).**

The Proposed PROJECT has a total of two census block groups that lie within the ECO Substation, Tule Wind, and ESJ Gen-Tie project study area. In terms of minority populations, both of these census block groups are classified as medium-minority within this study area. There are no census block groups classified as high- or low-minority within the study area. In terms of poverty rates, one of these census block groups is classified as a high-poverty block group, and the other is classified as a low-poverty block group. These classifications are summarized in Table D.17-2.

As the number of high-poverty block groups within the study area is equal to the number of low-poverty block groups, and because high-poverty and low-poverty block groups would be affected equally, there would be no disproportionate impacts to high-minority or high-poverty populations. Therefore, no environmental justice impacts would result from construction or operation of the Proposed PROJECT (No Impact).

Impacts to minority and high-poverty populations resulting from the proposed Campo, Manzanita, and Jordan wind energy projects are anticipated to be similar to the Proposed PROJECT.

### **D.17.4 ECO Substation Project Alternatives**

Table D.17-4 summarizes the impacts and classifications of impacts under NEPA that have been identified for the ECO Substation Project alternatives. Although there is no requirement for federal agencies to classify impacts or to determine the significance of impacts, this project is being analyzed in an EIS under NEPA and the BLM must take a “hard look” at the impacts of the Proposed PROJECT and its alternatives and determine whether they are adverse.

**Table D.17-4  
Environmental Justice Impacts Identified for ECO Substation Alternatives**

Impact No.	Description	NEPA Classification
<b>ECO Substation Alternative Site</b>		
ECO-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact
<b>ECO Partial Underground 138 kV Transmission Route Alternative</b>		
ECO-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact
<b>ECO Highway 80 138 kV Transmission Route Alternative</b>		
ECO-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact
<b>ECO Highway 80 Underground 138 kV Transmission Route Alternative</b>		
ECO-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact

**Summary of Impacts for ECO Substation Project Alternatives**

**Impact EJ-1:** Section D.17.1.1 provides a general overview of the environmental justice study area. The ECO Substation Project alternatives would not result in any change in the study area, as any changes resulting from these alternatives would occur within the same census block groups analyzed under the Proposed PROJECT. As a result, the environmental impacts would be the same as described in Section D.17.3.3, and these alternatives would result in the same impacts as those identified under the Proposed PROJECT. No environmental justice impacts would result (No Impact).

**D.17.5 Tule Wind Project Alternatives**

Table D.17-5 summarizes the impacts and classifications of impacts under NEPA that have been identified for the different Tule Wind Project alternatives. Although there is no requirement for federal agencies to classify impacts or to determine the significance of impacts, this project is being analyzed in an EIS under NEPA and the BLM must take a “hard look” at the impacts of the Proposed PROJECT and its alternatives and determine whether they are adverse.

**Table D.17-5  
Environmental Justice Impacts Identified for Tule Wind Project Alternatives**

Impact No.	Description	NEPA Classification
<b>Tule Wind Alternative 1, Gen-Tie Route 2 with Collector Substation/O&amp;M facility on Rough Acres Ranch</b>		
Tule-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact
<b>Tule Wind Alternative 2, Gen-Tie Route 2 Underground with Collector Substation/O&amp;M facility on Rough Acres Ranch</b>		
Tule-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact
<b>Tule Wind Alternative 3, Gen-Tie Route 3 with Collector Substation/O&amp;M facility on Rough Acres Ranch</b>		
Tule-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact
<b>Tule Wind Alternative 4, Gen-Tie Route 3 Underground with Collector Substation/O&amp;M facility on Rough Acres Ranch</b>		
Tule-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact
<b>Tule Wind Alternative 5, Reduction in Turbines</b>		
Tule-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact

Note: O&M = operations and maintenance.

### Summary of Impacts for Tule Wind Project Alternatives

**Impact EJ-1:** Section D.17.1.1 provides a general overview of the environmental justice study area. The Tule Wind Project alternatives would not result in any change in the study area, as any changes resulting from these alternatives would occur within the same census block groups analyzed under the Proposed PROJECT. As a result, the environmental impacts would be the same as described in Section D.17.3.3, and these alternatives would result in the same impacts as those identified under the Proposed PROJECT. No environmental justice impacts would result (No Impact).

### D.17.6 ESJ Gen-Tie Project Alternatives

Table D.17-6 summarizes the impacts and classifications of impacts under NEPA that have been identified for the ESJ Gen-Tie Project alternatives. Although there is no requirement for federal agencies to classify impacts or to determine the significance of impacts, this project is being analyzed in an EIS under NEPA and the BLM must take a “hard look” at the impacts of the Proposed PROJECT and its alternatives and determine whether they are adverse.



**Table D.17-6  
Environmental Justice Impacts Identified for ESJ Gen-Tie Project Alternatives**

Impact No.	Description	NEPA Classification
<b>ESJ 230 kV Gen-Tie Underground Alternative</b>		
ESJ-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact
<b>ESJ Gen-Tie Overhead Alternative Alignment</b>		
ESJ-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact
<b>ESJ Gen-Tie Underground Alternative Alignment</b>		
ESJ-EJ-1	Construction and operation would not result in disproportionately high or adverse effects on minority or low-income populations.	No Impact

**Summary of Impacts for ESJ Gen-Tie Project Alternatives**

**Impact EJ-1:** Section D.17.1.1 provides a general overview of the environmental justice study area. The ESJ Gen-Tie Project alternatives would not result in any change in the study area, as any changes resulting from these alternatives would occur within the same census block groups analyzed under the Proposed PROJECT. As a result, the environmental impacts would be the same as described in Section D.17.3.3, and these alternatives would result in the same impacts as those identified under the Proposed PROJECT. No environmental justice impacts would result (No Impact).

**D.17.7 No Project/No Action Alternatives**

***D.17.7.1 No Project Alternative 1 – No ECO Substation, Tule Wind, ESJ Gen-Tie, Campo, Manzanita, or Jordan Wind Energy Projects***

**Environmental Impacts/Environmental Effects**

**Impact EJ-1:** Under the No Project Alternative 1, the ECO Substation, Tule Wind, and ESJ Gen-Tie, as well as the Campo, Manzanita, and Jordan wind energy projects, would not be built and the existing conditions would remain at these sites.

Environmental justice impacts resulting from the Proposed PROJECT would not occur.

***D.17.7.2 No Project Alternative 2 – No ECO Substation Project***

**Environmental Impacts/Environmental Effects**

**Impact EJ-1:** Under the No Project Alternative 2, the ECO Substation project would not be built, and the conditions in the existing energy grid and local environment would remain.

Planned generation facilities including the Tule Wind and ESJ Gen-Tie projects would require additional transmission and possibly multiple connection points to SDG&E's existing transmission system. While the location of these transmission lines and connection points is not known, it is anticipated that these improvements would occur within the Proposed PROJECT's environmental justice study area. As a result, impacts to environmental justice from development of additional transmission and connection points is expected to result in the same impacts as those identified under the Proposed PROJECT. No environmental justice impacts would result (No Impact).

#### ***D.17.7.3 No Project Alternative 3 – No Tule Wind Project***

##### **Environmental Impacts/Environmental Effects**

**Impact EJ-1:** Under the No Project Alternative 3, the Tule Wind Project would not be built and the existing conditions on the project site would remain. The ECO Substation and ESJ Gen-Tie Projects would still be built under this alternative, and as a result the environmental impacts would be the same as described in Section D.17.3.3. Therefore, this alternative would result in the same impacts as those identified under the Proposed PROJECT. No environmental justice impacts would result (No Impact).

#### ***D.17.7.4 No Project Alternative 4 – No ESJ Gen-Tie Project***

##### **Environmental Impacts/Environmental Effects**

**Impact EJ-1:** Under the No Project Alternative 4, the ESJ Gen-Tie Project would not be built, and the existing conditions on the project site would remain. The ECO Substation and Tule Wind Projects would still be built under this alternative; however, an additional transmission line to a different connection point would be required to connect the ESJ Project to SDG&E's existing transmission system. While the location of this transmission line and connection point is not known, it is anticipated that these improvements would occur within the Proposed PROJECT's environmental justice study area. As a result, impacts to environmental justice from development of additional transmission and connection points is expected to result in the same impacts as those identified under the Proposed PROJECT. No environmental justice impacts would result (No Impact).

#### **D.17.8 Mitigation Monitoring, Compliance, and Reporting**

As described in Sections D.17.3 through D.17.6, no adverse impacts were identified for environmental justice impacts, and hence mitigation measures are not necessary. Accordingly, no mitigation monitoring, compliance, or reporting is necessary for impacts to environmental justice.

The proposed Campo, Manzanita, and Jordan wind energy projects would require preparation of a mitigation monitoring, compliance, and reporting program following project-specific environmental review and evaluation under all applicable environmental regulations once sufficient project-level information has been developed.

#### **D.17.9 Residual Effects**

Since no adverse impacts were identified in Section D.17, no residual environmental justice impacts would occur for the Proposed PROJECT or alternatives.

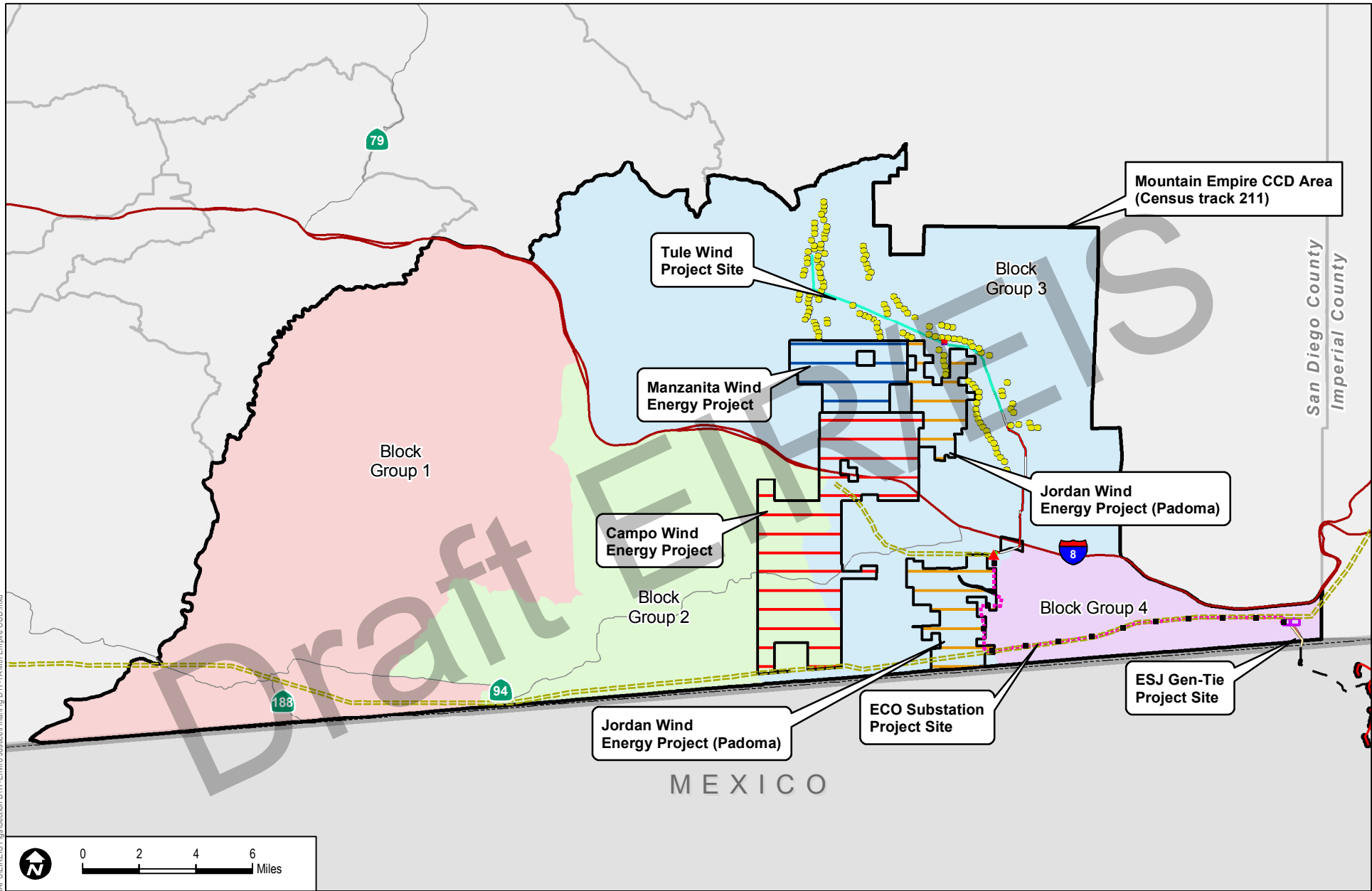
#### **D.17.10 References**

CEQ (Council on Environmental Quality). 1997. *Environmental Justice: Guidance Under the National Environmental Policy Act*. Washington, D.C.: Executive Office of the President. December 10, 1997.

Executive Order 12898: “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.” February 11, 1994.

U.S. Census Bureau. 2000. Census 2000: Summary Files 1 and 3. Accessed April 15, 2010, at: <http://factfinder.census.gov>

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SOURCE: SANDAG 2009, Census 2000

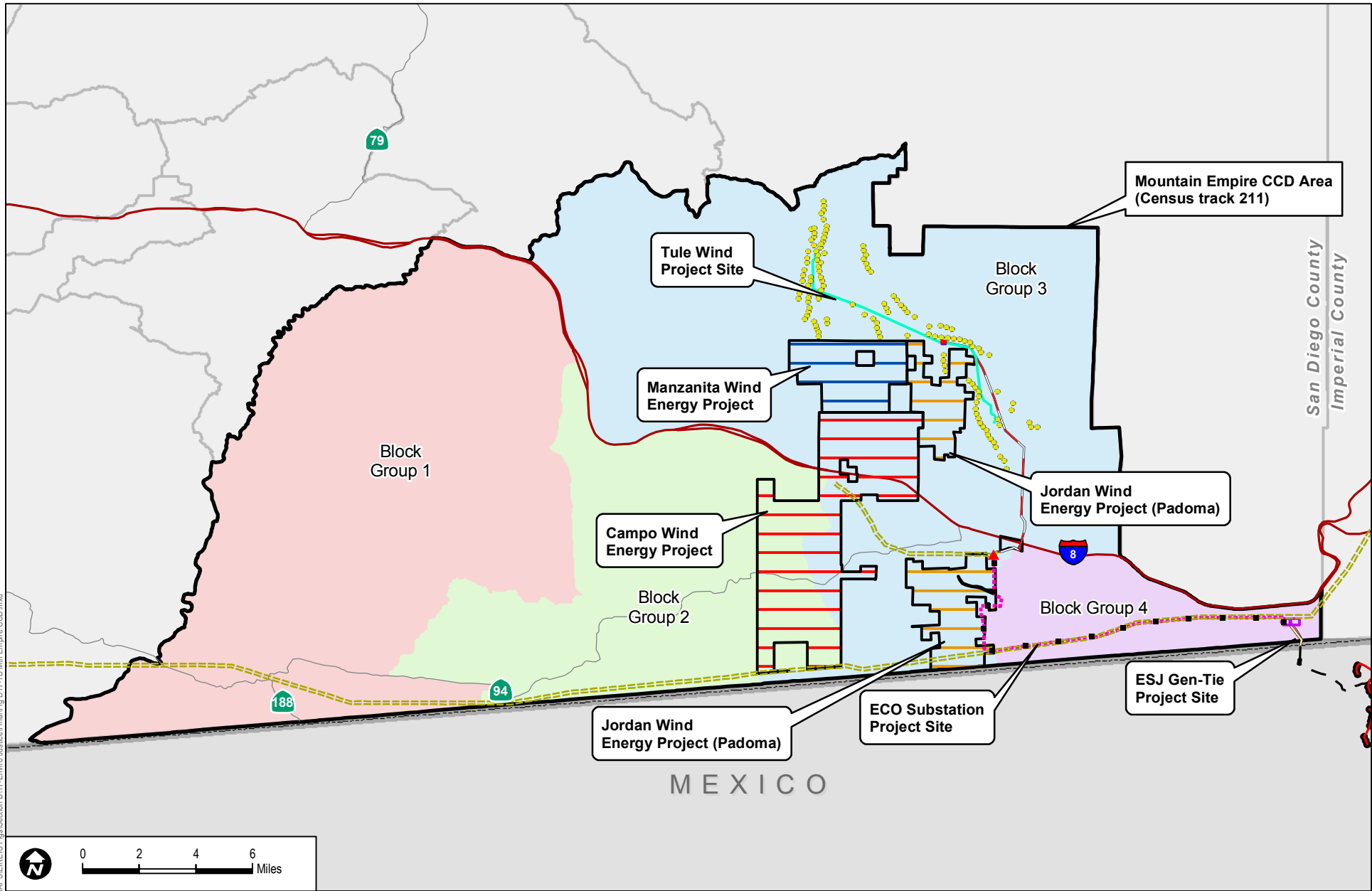
**FIGURE D.17-1A**

**Mountain Empire Census County Division (CCD) Area - Census Track 211**

6168-01

East County Substation/Tule Wind/Energia Sierra Juarez Gen-Tie Projects - EIR/EIS

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SOURCE: Iberdrola Renewables 2011; SANDAG 2009, Census 2000

**FIGURE D.17-1B**

**Mountain Empire Census County Division (CCD) Area - Census Track 211**

6168-01

East County Substation/Tule Wind/Energia Sierra Juarez Gen-Tie Projects - EIR/EIS

Note: Figure depicts the Tule Wind modified project layout

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