

## **3B.6 ENVIRONMENTAL JUSTICE – WATER**

### **3B.6.1 AFFECTED ENVIRONMENT**

The U.S. Environmental Protection Agency (EPA) defines environmental justice as: “The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means no group of people, including racial, ethnic, or economic groups should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of Federal, state, local, and tribal programs and policies.

The description of the affected environment as provided in Section 3A.6 “Environmental Justice – Land,” for racial distribution, income characteristics, and poverty levels within Sacramento County would be applicable to Zone 4 of the “Water” Study Area. A review of minority and low-income housing data for Sacramento County produced as part of the 2035 Sacramento Metropolitan Transportation Plan (MTP), indicates that the conveyance alignments for Off-site Water Facility Alternatives 2, 2A, 3, 3A, 4, and 4A cross through an area identified as a low-income community; south of Mather Airport (SACOG 2008). This area includes census blocks: 1075, 1078–1080, 1083–1085, 1087, 1091–1097, and 1110–1115. No other low-income or minority communities are located within a half mile of Zone 4 of the “Water” Study Area.

### **3B.6.2 REGULATORY FRAMEWORK**

#### **FEDERAL PLANS, POLICIES, REGULATIONS, AND LAWS**

The following Federal plans, policies, regulations, and laws related to environmental justice are relevant to the Off-site Water Facility Alternatives, and are described in detail in 3A.6, “Environmental Justice – Land:”

- ▶ National Environmental Policy Act, Section 1502
- ▶ The Council on Environmental Quality’s (CEQ) Regulations for Implementing the Procedural Provisions of NEPA
- ▶ Executive Order 12898

#### **STATE PLANS, POLICIES, REGULATIONS, AND LAWS**

The following State plans, policies, regulations, and laws related to environmental justice are relevant to the Off-site Water Facility Alternatives, and are described in detail in Section 3A.6, “Environmental Justice – Land:”

- ▶ California Environmental Protection Agency – California Public Resources Code Sections 71110–71113

#### **REGIONAL AND LOCAL PLANS, POLICIES, REGULATIONS, AND LAWS**

There are no regional or local plans, policies, regulations, or laws related to environmental justice that are applicable to the Off-site Water Facility Alternatives under consideration.

### **3B.6.3 ENVIRONMENTAL CONSEQUENCES AND MITIGATION MEASURES**

#### **THRESHOLDS OF SIGNIFICANCE**

Based on CEQ and EPA guidelines (CEQ 1997, EPA 1998), the Off-site Water Facility Alternatives under consideration were determined to result in a violation of Federal environmental justice principles if the alternatives under consideration would cause impacts that are disproportionately high and adverse, either directly, indirectly, or cumulatively. To make a finding that disproportionately high and adverse impacts would likely fall on a minority or low-income population, three conditions must be met simultaneously:

- ▶ a minority or low-income population must reside in the impact zone,
- ▶ a high and adverse impact must exist, and
- ▶ the impact on the minority or low-income population must be disproportionately high and adverse.

The CEQ guidance indicates that, when determining whether the effects are high and adverse, agencies are to consider whether the risks or rates of impact are “significant” (as defined by NEPA) or above generally accepted norms.

#### **ANALYSIS METHODOLOGY**

To determine if a project could disproportionately affect a high-minority or low-income population, it must also be determined how the project would affect other segments of the population. For example, if there are more high-income populations affected by a project than low-income populations, then the potential for disproportionate impacts to the low-income population, and thus the potential for environmental justice impacts, is low. If the proportion of low-income and high-minority populations impacted by a project is greater than either the middle or high-income populations or the middle- or low-minority populations, then there is more of a potential for an environmental justice impact.

#### **IMPACT ANALYSIS**

Impacts that would occur under each of the Off-site Water Facility Alternatives are identified as follows:

NCP (No USACE Permit Alternative)

PA (Proposed Off-site Water Facility Alternative)

1 (Off-site Water Facility Alternative 1 – Raw Water Conveyance – Gerber/Grant Line Road Alignment and White Rock WTP)

1A (Off-site Water Facility Alternative 1A Raw Water Conveyance – Gerber/Grant Line Road Alignment Variation and White Rock WTP)

2 (Off-site Water Facility Alternative 2 Treated Water Conveyance – Douglas Road Alignment and Vineyard SWTP)

2A (Off-site Water Facility Alternative 2A Treated Water Conveyance – Excelsior Road Alignment Variation and Vineyard SWTP)

2B (Off-site Water Facility Alternative 2B Treated Water Conveyance – North Douglas Tanks Variation and Vineyard SWTP)

3 (Off-site Water Facility Alternative 3 Raw Water Conveyance – Excelsior Road Alignment and White Rock WTP)

3A (Off-site Water Facility Alternative 3A Raw Water Conveyance – Excelsior Road Alignment Variation and White Rock WTP)

4 (Off-site Water Facility Alternative 4 Raw Water Conveyance – Easton Valley Parkway Alignment and Folsom Boulevard WTP)

4A (Off-site Water Facility Alternative 4A Raw Water Conveyance – Easton Valley Parkway Alignment Variation and Folsom Boulevard WTP).

The impacts for each alternative are compared relative to the PA at the end of each impact conclusion (i.e., similar, greater, lesser).

**IMPACT**      **Potential Effects on Minority Populations.** *Implementation of the Off-site Water Facility Alternatives would not create a disproportionate placement of adverse environmental impacts on minority communities.*  
**3B.6-1**

NCP, PA, 1, 1A, 2, 2A, 2B, 3, 3A, 4, and 4A

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Construction of the Off-site Water Facility Alternatives would occur within unincorporated portions of Sacramento County and the City of Rancho Cordova. Because the minority populations of portions of unincorporated Sacramento County and the City of Rancho Cordova are less than 50%, implementation of the off-site Water Facility Alternatives would not cause a disproportionately high and adverse impact on minority populations. Therefore, this would be a **less-than-significant direct** impact. **No direct** impacts would occur. *[Similar]*

Mitigation Measure: No mitigation measures are required.

**IMPACT**      **Potential Effects on Low-Income Populations.** *Project implementation would not create a disproportionate placement of adverse environmental impacts on low-income populations.*  
**3A.6-2**

NCP, PA, 1, 1A, and 2B

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These alternatives would not involve the placement of any of the Off-site Water Facilities within or in close proximity to low-income populations. Based on the absence of low-income populations (> 50%) within portions of Zone 4 of the “Water” Study Area traversed by these alternatives, no **direct** or indirect disproportionate construction or operational impacts to low-income populations would occur under these Off-site Water Facility Alternatives. *[Similar]*

Mitigation Measure: No mitigation measures are required.

2, 2A, 3, 3A, 4, and 4A

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Implementing these above alternatives would involve the construction and operation of a new water conveyance facility that crosses communities south of Mather Airport identified as a low-income (>50%). Normal operation of the pipeline would not generate significant air quality, traffic, noise, or aesthetic impacts once in place because it would be buried. The incremental long-term impact on adjacent land uses would be the low-level risk of an accidental pipe breakage with minor flooding and traffic disruption and routine maintenance activities. Because operation itself would not result in significant impacts, there is no reason to expect that high-minority and/or low-income populations would be affected disproportionately by operation of the Off-site Water Facilities. This **direct** impact would be **less than significant**. There would be **no indirect** impacts. *[Greater]*

An analysis of construction impacts in all other disciplines analyzed in this EIR/EIS is presented in other applicable “Water” sections of Chapter 3, and mitigation measures are presented in each section to reduce construction-related impacts to less-than-significant levels. The only construction-related impacts identified that cannot be fully reduced to a less-than-significant level are construction-related emissions and noise (see Impact

3B.11-1 in Section 3B.11, “Noise – Water”). Construction-related emissions would exceed emission standards set by the Sacramento Metropolitan Air Quality Management District (SMAQMD) and contribute to the SMAQMD’s emissions inventory within the SVAB (see Impact 3B.2-1 in Section 3B.2, “Air Quality - Water”). However, these short-term effects would be dispersed throughout the conveyance alignment and not focused to any one location with the exception of the WTPs for the applicable alternatives. Because no low-income populations are located in close proximity to the WTP sites and the impacts would be distributed along the entirety of the pipeline route, impacts to low-income populations along the route would be similar to other affected census block groups. Therefore, identified areas of low-income populations, would not be, overall, disproportionately affected by construction or operation of the Off-site Water Facility Alternatives. **Direct and indirect** environmental justice-related impacts would therefore be **less than significant**. *[Greater]*

Mitigation Measure: No mitigation measures are required.

#### **3B.6.4 RESIDUAL SIGNIFICANT IMPACTS**

The implementation of Off-site Water Facility Alternatives would not cause a disproportionately high and adverse impact on low-income or minority populations. Potential impacts to existing low-income and minority populations would be less than significant and, therefore, no residual significant impact would occur.