

### 3.13 Environmental Justice

Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” dated February 11, 1994, requires federal agencies to identify and address disproportionately high and adverse human health or environmental effects of their actions on minorities and low-income populations and communities as well as the equity of the distribution of the benefits and risks of their decisions. Environmental justice addresses the fair treatment of people of all races and incomes with respect to actions affecting the environment. Fair treatment implies that no group of people should bear a disproportionate share of negative impacts from an environmental action.

To comply with the environmental justice policy established by the Secretary of the Interior, all DOI agencies are to identify and evaluate any anticipated effects, direct or indirect, from a project, action, or decision on minority and low-income populations and communities, including the equity of the distribution of the benefits and risks. Accordingly, this section examines the anticipated impacts associated with the alternatives with respect to potentially affected minority and economically disadvantaged groups. Socioeconomic issues, including population and housing, are evaluated in Section 3.9, Socioeconomics, Population, and Housing. This section does not function as part of the EIR portion of the joint EA/DEIR, because CEQA does not require state or local agencies to address environmental justice concerns in an EIR.

#### 3.13.1 AFFECTED ENVIRONMENT/ENVIRONMENTAL SETTING

##### Regional Setting

###### *Poverty Rate*

The Census uses a set of income limits that vary by family size and composition to determine who is poor. If a family’s total income is less than the income limit, then that family, and every individual in it, is considered poor. Poverty income level thresholds are nationwide standards set by the Census. The formula for the poverty rate is the number of persons below the poverty level divided by the number of persons for whom poverty status is determined. A comparison of the poverty rates calculated for Trinity County and California in 1989 and 1999 is depicted in Table 3.13-1.

**TABLE 3.13-1.**  
POVERTY RATE, TRINITY COUNTY AND CALIFORNIA

	1989	1999
Trinity County	18.5%	18.7%
California	12.5%	14.2%

Source: Adapted from Center for Economic Development 2001

In 1999, 18.7 percent of the population in Trinity County was living in poverty. The 1999 median household income for Trinity County was \$27,711, which is 42 percent less than the average California income (Center for Economic Development 2004). For most communities in Trinity County, the poverty rates are higher than poverty rates of the state. The community in Trinity County with the highest poverty rate is Hyampom.

### ***Population by Race/Ethnicity***

Population by race and ethnicity is estimated annually by the California Department of Finance, Demographic Research Unit. Population by race and ethnicity is compiled by what the respondents to the Census indicate as their primary ancestry. White, black, American Indian, and Asian are racial designations, while Hispanic is an ethnic designation that can be a mixture of white, black, and American Indian races. The Hispanic population is separated from the four main racial groups because many Hispanic people associate their ancestry with their ethnicity rather than their race.

According to the data compiled by the Center for Economic Development (2004), the vast majority of the population in Trinity County (approximately 90 percent), as measured in 2003, consists of white non-Hispanic individuals. The remainder of the population is predominantly Native American (5 percent) and Hispanic (4 percent).

Following state patterns, the percentage of Hispanic and American Indian people in Trinity County is steadily increasing (Center for Economic Development 2004). In 1990, the Hispanic population was 3.3 percent of the county's total population. By 2003, the percentage had increased to 4 percent of the total. The largest minority population in the county is the American Indian population. In 1990, American Indians constituted 4.6 percent of the total county population, rising to 5 percent by 2003. During the period from 1990 to 2004, California's American Indian population increased from 0.7 percent to 1 percent of the state's total population.

In 1990, Trinity County's non-Hispanic white population was 91 percent of the county's total population. By 2003, the percentage had decreased slightly to 90 percent of the total. Comparatively, California's non-Hispanic white population decreased from 69 percent of the total population in 1990 (U.S. Census Bureau 2002) to 63 percent in 2004 (U.S. Census Bureau 2004). The percentage of black and Asian residents of the county stayed the same (each less than 1 percent).

### **Local Setting**

The Trinity River is a valuable economic resource for Trinity County. Its popularity as a recreation destination, particularly for fishing, white water recreation, gold panning, and as an access point to the Trinity Alps, directly benefits communities such as Junction City through increased business patronage. Several RV parks, lodges, and campgrounds occur in close proximity to the Valdor Gulch and Elkhorn sites. These businesses benefit from a high volume of use during peak recreation periods (e.g., rafting, kayaking, and fishing). Other economic opportunities such as agriculture are severely limited by the surrounding topography, thereby minimizing the attraction for a transitional labor pool.

The Junction City community is predominantly white. No racial or ethnic group is disproportionately associated with this area. Cooper's Bar Estates, a middle- to upper middle-class residential subdivision that promotes large lots with river views, is located off Red Hill Road and extends along the uplands and the left bank of the Trinity River. Several homes in this development are located adjacent to the Valdor Gulch and Elkhorn sites.

The Junction City Elementary School, which includes grades kindergarten through eight, is located on Red Hill Road, just across the river from Junction City proper. This school is composed of 75 percent white (not Hispanic), 20 percent Native American, 3 percent Hispanic, and 2 percent Filipino (California Department of Education 2005). The ethnicity of the children attending the Junction City Elementary School corresponds to the general ethnic composition of the Junction City community and its environs. Similarly, the percentage of children participating in the free or reduced-cost lunch program corresponds to the general family income level. At the Junction City Elementary School, 71 percent of the children participate in the lunch program compared to 50 percent of public school children in the state (California Department of Education 2005).

### 3.13.2 ENVIRONMENTAL CONSEQUENCES/IMPACTS AND MITIGATION MEASURES

#### **Methodology**

The EPA compares three factors—minority representation, low-income representation, and environmental burden—for a community of concern and one or more reference areas—for example, an entire county—to analyze potential environmental justice impacts. A community of concern can be defined in a number of ways, including a municipality, a census block group, a user-defined radius around a source of pollution, or a boundary drawn along physical features such as streets, streams, or railroad tracks. The demographic data for the community of concern can then be analyzed to determine whether there would be a potential environmental justice concern in the area.

As part of this analysis, poverty levels and minority population levels were examined for Trinity County as a whole, as well as the community of Junction City. Detailed information on the residential areas associated with the project was unavailable.

#### **Significance Criteria**

Because environmental justice is not a CEQA issue, specific significance criteria were not applied in evaluating potential environmental justice consequences. Instead, any modification or change in environmental justice factors that would occur in response to the Proposed Action is evaluated.

#### **Impacts and Mitigation Measures**

Table 3.13-2 summarizes the potential environmental justice impacts that would result from implementation of the project.

**TABLE 3.13-2.**  
 SUMMARY OF ENVIRONMENTAL JUSTICE IMPACTS FOR THE PROPOSED ACTION, NO-ACTION ALTERNATIVE, AND ALTERNATIVE 1

Impact	Project Site	No-Action Alternative	Proposed Action	Alternative 1	Proposed Action with Mitigation	Alternative 1 with Mitigation
1. Implementation of the project could adversely affect a minority or low-income population and/or community.	All sites	LS	LS	LS	N/A <sup>1</sup>	N/A <sup>1</sup>

Notes:

LS = Less than Significant    S = Significant    SU = Significant Unavoidable  
 NI = No Impact    B = Beneficial    N/A = Not Applicable

<sup>1</sup>Because this potential impact is less than significant, no mitigation is required.

*All Sites (Conner Creek, Valdor Gulch, Elkhorn, and Pear Tree Gulch)*

**Impact 3.13-1:** Implementation of the project could adversely affect a minority or low-income population and/or community. **No Impact for No-Action Alternative; Less-than-Significant Impact for the Proposed Action and Alternative 1**

*No-Action Alternative*

Under the No-Action Alternative, no impact to a minority or low-income population or community would take place because construction associated with the project would not occur.

*Proposed Action and Alternative 1*

Although minority and low-income residents live within the general vicinity of the project (Trinity River corridor), the project impacts would generally be experienced by residents in relationship to their proximity to the Canyon Creek rehabilitation sites, regardless of their racial or income characteristics. There is no evidence to suggest that the project would cause a disproportionately high adverse human health or environmental effect on minority and low-income populations compared to other residents of the Junction City Community Plan area. The known health risks to residents that could be associated with the project are evaluated in Section 3.5, Water Quality; Section 3.12, Air Quality; and Section 3.15, Hazardous Materials. For the most part, these health risks are associated with the construction aspects of the project, in that residents and construction workers could be exposed to hazardous materials that may be associated with the project. Possible health risks to minority and low-income residents also include the risk of construction-related accidents. Reclamation will manage the project to minimize these risks, as required by applicable federal and state safety regulations. Therefore, no specific or disproportionate health risks or other impacts to low-income groups would be associated with the project.

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### **Mitigation Measures**

#### *No-Action Alternative, Proposed Action, and Alternative 1*

Since no significant impact has been identified for any of the alternatives, no mitigation measures are required.

*Significance After Mitigation: N/A.*