

3A.6 ENVIRONMENTAL JUSTICE – LAND

This section contains a program-level evaluation of environmental justice issues. However, environmental justice impacts would be the same under each individual development phase as under the program (entire SPA) analysis.

3A.6.1 AFFECTED ENVIRONMENT

RACIAL DISTRIBUTION

Table 3A.6-1 shows the racial and ethnic composition of the population in Folsom, Sacramento County, and El Dorado Hills, which is a census designated place (CDP) within unincorporated El Dorado County. El Dorado Hills data is included because, under the Proposed Project Alternative, there would be off-site roadway connections into El Dorado Hills to connect with existing roadways. It should be noted that the data presented in Table 3A.6-1 includes the racial and ethnic characteristics of Folsom Prison and California State Prison Sacramento population. In general, the population of Folsom Prison and California State Prison Sacramento affect the statistics for the City as a whole because the prison population is more racially and ethnically diverse (City of Folsom 2008:10).

The populations of the City of Folsom, Sacramento County, and El Dorado Hills are predominantly white. The white population in the City of Folsom accounted for 77.9% of the population in 2000 and 74.7% in 2007. Similarly, Sacramento County's white population accounted for 64.0% of the population in 2000, and 61.4% in 2007. El Dorado Hills' white population accounted for 90.1% in 2000 and 81.5% in 2007. The white population decreased in Folsom, Sacramento County, and El Dorado Hills between 2000 and 2007 while the Black/African American, Asian, and Latino populations increased during the same period. However, the populations of Folsom, Sacramento County, and El Dorado Hills remained predominantly white.

The Black/African American population in Folsom increased from 6.0% to 6.5% between 2000 and 2007. The Black/African American population in Sacramento County generally remained the same. The Black/African American population of El Dorado Hills increased approximately 1% from 0.8% in 2000 to 1.9% in 2007.

For Folsom, Sacramento County, and El Dorado Hills, the American Indian/Alaskan Native and Native Hawaiian/Pacific Islander populations generally remained the same between 2000 and 2007, comprising approximately 1% or less of the total population in each location.

The Asian population in Folsom and El Dorado Hills grew substantially between 2000 and 2007, increasing from 7.2% to 10.5% in Folsom and from 4.1% to 12.3% in El Dorado Hills. Sacramento County's Asian population also increased from 11.0% to 13.4% between 2000 and 2007.

Folsom's Hispanic/Latino population increased slightly from 9.5% to 10.1% between 2000 and 2007. Sacramento County had a larger population of Hispanic/Latino residents than Folsom, and the Hispanic/Latino population increased from 16.0% to 19.2% during the same period. The Hispanic/Latino population also increased in El Dorado Hills from 5.0% in 2000 to 8.4% in 2007.

Table 3A.6-2 shows the racial composition of the population in Folsom excluding persons in Folsom Prison and California State Prison Sacramento. When compared to Table 3A.6-1 above, the racial composition of Folsom is less racially and ethnically diverse. The white population in the City increases from 77.9% to 81.0%. The largest decrease was shown in the Black/African American population, which decreased from 6% to 3.8%, followed by the Hispanic/Latino population, which decreased from 9.5% to 8.2%. The percentage of American Indian/Alaskan Native, Asian, and Native Hawaiian/other Pacific Islander populations generally remains the same. (City of Folsom 2008:11.)

**Table 3A.6-1
Population Distribution by Race and Ethnicity for the
City of Folsom, Sacramento County, and El Dorado Hills**

Race/Ethnicity ¹	2000		2007 ¹	
	Population	Percent of Total ²	Population	Percent of Total ²
City of Folsom				
White (non-Hispanic)	40,415	77.9	53,085	74.7
Black or African American	3,108	6.0	4,650	6.5
American Indian or Alaskan Native	302	0.6	300	0.4
Asian	3,731	7.2	7,475	10.5
Native Hawaiian or other Pacific Islander	100	0.2	33	0.0
Other ³	4,227	8.1	5,551	7.8
Hispanic or Latino ⁴	4,914	9.5	7,208	10.1
Sacramento County				
White (non-Hispanic)	783,240	64.0	842,858	61.4
Black or African American	121,804	10.0	138,501	10.1
American Indian or Alaskan Native	13,359	1.1	12,680	0.9
Asian	134,899	11.0	184,209	13.4
Native Hawaiian or other Pacific Islander	7,264	0.6	10,731	0.8
Other ³	162,933	13.3	184,794	13.4
Hispanic or Latino ⁴	195,890	16.0	263,610	19.2
El Dorado Hills				
White (non-Hispanic)	16,234	90.1	26,434	81.5
Black or African American	139	0.8	604	1.9
American Indian or Alaskan Native	83	0.5	126	0.4
Asian	740	4.1	3,992	12.3
Native Hawaiian or other Pacific Islander	30	0.2	0	0
Other ³	247	1.4	852	2.6
Hispanic or Latino ⁴	896	5.0	2,717	8.4
Notes:				
The percent of total may add to more than 100% because individuals may report more than one race.				
¹ The U.S. Census Bureau's 2007 data is based on data collected over a 3-year time period and represents the average characteristics of Folsom and Sacramento between 2005 and 2007.				
² Includes the Folsom Prison population.				
³ Includes the "other" racial category and "two or more races."				
⁴ The U.S. Census Bureau considers Hispanic and Latino as an ethnicity, not a race. Consequently, a person of Hispanic or Latino descent could identify racially as White, Black/African American, Native American, Asian, or other.				
Sources: U.S. Census Bureau 2000, 2007				

**Table 3A.6-2
2000 Population Distribution by Race and Ethnicity for the City of Folsom
Excluding the Prison Population**

Race/Ethnicity	Population	Percent of Population ¹
White (non-Hispanic)	39,533	81.0
Black or African American	1,832	3.8
American Indian or Alaskan Native	290	0.6
Asian	3,701	7.6
Native Hawaiian or other Pacific Islander	100	0.2
Other ²	3,358	6.9
Hispanic or Latino (of any race) ³	4,006	8.2

Notes:
¹ The percent of total may add to more than 100% because individuals may report more than one race.
² Includes the "other" racial category and "two or more races."
³ The U.S. Census Bureau considers Hispanic and Latino as an ethnicity, not a race. Consequently, a person of Hispanic or Latino descent could identify racially as White, Black/African American, Native American, Asian, or other.
Source: City of Folsom 2008

INCOME CHARACTERISTICS

Median household income and per capita income represent widely used indicators of social well-being. Table 3A.6-3 shows the 1999 and 2007 median household income and per capita income in the City of Folsom, Sacramento County, and El Dorado Hills. In 1999, the City of Folsom's median income was \$73,175 and its per capita income was \$30,210, compared to a median income of \$43,816 and a per capita income of \$21,142 in Sacramento County. El Dorado Hills had the highest median income and per capita income, \$93,483 and \$40,239, respectively. Median income and per capita income increased in Folsom, Sacramento County, and El Dorado Hills between 1999 and 2007; however, Folsom's income remained greater than the county's income and El Dorado Hills remained the highest. In 2007, Folsom's median income was \$89,865 and its per capita income was \$36,207; the county's median income was \$55,882 and its per capita income was \$26,405; and El Dorado Hills' median income \$113,927 and per capita \$44,878.

**Table 3A.6-3
Median Household Income and Per Capita Income for the
City of Folsom, Sacramento County, and El Dorado Hills**

Community	Median Household Income		Per Capita Income ¹	
	1999	2007 ²	1999	2007 ²
City of Folsom	\$73,175	\$89,865	\$30,210	\$36,207
Sacramento County	\$43,816	\$55,882	\$21,142	\$26,405
El Dorado Hills	\$93,483	\$113,927	\$40,239	\$44,878

Notes:
¹ Per capita income is the mean income computed for every man, woman, and child residing in Folsom, Sacramento County, and El Dorado Hills, respectively.
² The U.S. Census Bureau's 2007 data is based on data collected over a 3-year time period and represents the average characteristics of Folsom and Sacramento between 2005 and 2007.
Sources: U.S. Census Bureau 2000, 2007; Sacramento County 2008

The City of Folsom’s and El Dorado Hills’ median household income and per capita income are substantially greater than the county’s median household income and per capita income. This difference can be accounted for in part because patterns of household income in Sacramento County vary by geography. The highest income communities, such as Folsom, Rancho Murieta, Gold River, and Wilton, had incomes that were twice or more than the lowest income communities, such as Parkway-South, Foothill Farms, and the City of Sacramento (Sacramento County 2008:5-8).

POVERTY LEVEL

Poverty rates represent the percentage of an area’s total population living at or below the poverty threshold established by the U.S. Census Bureau. Table 3A.6-4 shows the 1999 and 2007 percent of persons below poverty level in Folsom, Sacramento County, and El Dorado Hill. In 1999, approximately 7.3% of Folsom’s residents, 14.1% of Sacramento County’s residents, and 1.7% of El Dorado Hills’ residents were below poverty level. Poverty levels have declined in Folsom and Sacramento County between 1999 and 2007, to 3.3% and 12.5%, respectively. In El Dorado Hills, the percentage of residents below the poverty level increased to 3.5% in 2007. The poverty levels in El Dorado Hills and Folsom are substantially less than that of Sacramento County. This difference is a result of the variation in poverty rates among communities in Sacramento County. Poverty rates among higher income communities, such as such as Folsom, Rancho Murieta, Gold River, and Wilton, ranged from 2% or less while poverty rates among the lowest income communities, such as Parkway-South, Foothill Farms, and the City of Sacramento, ranged from 19% or more (Sacramento County 2008:5-9).

Community	Percent of Persons Below Poverty Level	
	1999	2007 ¹
City of Folsom	7.3	3.3
Sacramento County	14.1	12.5
El Dorado Hills	1.7	3.5

Notes:
¹ The U.S. Census Bureau’s 2007 data is based on data collected over a 3-year time period and represents the average characteristics of Folsom and Sacramento between 2005 and 2007.
 Sources: U.S. Census Bureau 2000, 2007; Sacramento County 2008

3A.6.2 REGULATORY FRAMEWORK

FEDERAL PLANS, POLICIES, REGULATIONS, AND LAWS

National Environmental Policy Act, Section 1502

Provisions in NEPA found in Section 1502.16(c) of the Code of Federal Regulations (CFR) (40 CFR 1502.16[c]) require Federal agencies to identify potential conflicts between a proposed action and the related plans and policies of Federal, State, and local agencies and Native American tribes. This requirement helps Federal agencies identify potential conflicts that may cause adverse effects on the social and economic environment of a study area because many agencies’ and tribes’ plans and policies are designed to protect the people residing within their jurisdictions and/or the local economy they depend upon for their economic livelihoods (NEPAnet 2008).

Council on Environmental Quality

The Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 CFR 1500–1508) provide guidance related to social and economic impact assessments by noting that the “human environment” assessed under NEPA is to be “interpreted comprehensively” to include “the natural and physical environment and the relationship of people with that environment” (40 CFR 1508.14). Furthermore, these regulations require agencies to assess “aesthetic, historic, cultural, economic, social, or health” effects, whether direct, indirect, or cumulative (40 CFR 1508.8).

Executive Order 12898

In 1994, President Bill Clinton issued Executive Order 12898 regarding environmental justice. This order requires Federal agencies to identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States. Two documents provide some measure of guidance to agencies required to implement this executive order: *Environmental Justice: Guidance under the National Environmental Policy Act* (CEQ 1997) and *Final Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analysis* (U.S. Environmental Protection Agency [EPA] 1998). Both serve as guides for incorporating environmental justice goals into preparation of environmental impact statements under NEPA. These documents provide specific guidelines for determining whether there are any environmental justice issues associated with a proposed Federal project.

STATE PLANS, POLICIES, REGULATIONS, AND LAWS

California Environmental Protection Agency

The California Environmental Protection Agency (Cal/EPA) adopted an environmental justice policy in 2004 (Cal/EPA 2004). Pursuant to California Public Resources Code Sections 71110–71113, Cal/EPA developed this policy to provide guidance to its resource boards, departments, and offices. The policy is intended to support the state's goal of “achieving fair treatment of people of all races, cultures and incomes with respect to the development, adoption, implementation and enforcement of environmental laws and policies.”

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 Proposed Project or alternatives under consideration.

3A.6.3 ENVIRONMENTAL CONSEQUENCES AND MITIGATION MEASURES

THRESHOLDS OF SIGNIFICANCE

Based on CEQ and EPA guidelines (CEQ 1997, EPA 1998), the Proposed Project or alternatives under consideration were determined to result in a violation of Federal environmental justice principles if the Proposed Project or 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

According to CEQ and EPA guidelines, a minority population is present in a study area if the minority population of the affected area exceeds 50%, or if 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. Under the same guidelines, a low-income population exists if the project study area is composed of 50% or more people living below the poverty threshold, as defined by the U.S. Census Bureau, or if the percentage of people living below the poverty threshold in the study area is substantially greater than the poverty percentage of the general population or other appropriate unit of geographic analysis.

For the purposes of an environmental justice screening, race, ethnic origin, income characteristics, and poverty status were obtained from the City of Folsom Draft Housing Element Background Report (2008), the Housing Element of the Sacramento County General Plan (2008), and the U.S. Census Bureau (2000, 2007) for the City of Folsom, Sacramento County, and El Dorado Hills. The City of Folsom and Sacramento County boundaries represent the primary area that is appropriate for consideration of environmental justice issues pursuant to EPA guidelines. El Dorado Hills is included in the area of consideration for environmental justice issues only for the Proposed Project Alternative, because it is the only alternative that would include off-site facilities (two roadway connections) in El Dorado Hills. The residential portions of the City of Folsom which are most immediately adjacent to the SPA (north of U.S. Highway 50) do not include concentrations of racial or ethnic groups compared to the City as a whole; similarly, household incomes and poverty rates are comparable to the entire city. Census data for this smaller area are only available from 2000, not 2007 because Census data is collected every 10 years. For this reason, 2007 Citywide data were used in this analysis.

IMPACT ANALYSIS

Impacts that would occur under each alternative development scenario are identified as follows: NP (No Action/No Project), NCP (No USACE Permit), PP (Proposed Project/Action), RIM (Resource Impact Minimization), CD (Centralized Development), RHD (Reduced Hillside Development). The impacts for each alternative are compared relative to the PP at the end of each impact conclusion (i.e., similar, greater, lesser).

IMPACT 3A.6-1 Potential Effects on Minority Populations. *Project implementation would not create a disproportionate placement of adverse environmental impacts on minority communities.*

On-Site and Off-Site Elements

NP

Under the No Project Alternative, development of up to 44 rural residences could occur under the existing Sacramento County agricultural zoning classification AG-80, and no off-site water facilities would be constructed. The small amount of scattered rural residences would have no impact on a minority population; thus, **no direct** or **indirect** impacts would occur. [*Lesser*]

On-Site Elements

NCP, PP, RIM, CD, RHD

As discussed above and shown in Table 3A.6-1, no minority population exceeds 50% in Folsom, Sacramento County, or El Dorado Hills. In 2000, the white population in Folsom (including persons in Folsom Prison),

Sacramento County, and El Dorado Hills was approximately 77.9%, 64%, and 90.1%, respectively. Although the white population decreased in Folsom, Sacramento County, and El Dorado Hills between 2000 and 2007 and the Black/African American, Asian, and Latino populations increased during the same period, these minority populations did not exceed 50% and the populations of Folsom, Sacramento County, and El Dorado Hills remained predominantly white.

Because the minority populations of Folsom, Sacramento County, and El Dorado Hills are less than 50%, implementation of the No USACE Permit, Proposed Project, Resource Impact Minimization, Centralized Development, and Reduced Hillside Development Alternatives would not cause a disproportionately high and adverse impact on minority populations. This would be a **less-than-significant, direct** impact. **No indirect** impacts would occur. *[Similar]*

Mitigation Measure: No mitigation measures are required.

Off-Site Elements

Construction of the off-site freeway interchange improvements, roadway connections into El Dorado Hills, sewer force main, and the detention basin would occur within Folsom, Sacramento County, and El Dorado Hills. Because the minority populations of Folsom, Sacramento County, and El Dorado Hills are less than 50%, implementation of the off-site improvements 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 3A.6-2	Potential Effects on Low-Income Populations. <i>Project implementation would not create a disproportionate placement of adverse environmental impacts on low-income populations.</i>
------------------	--

On-Site and Off-Site Elements

NP

Under the No Project Alternative, development of up to 44 rural residences could occur under the existing Sacramento County agricultural zoning classification AG-80. No off-site water facilities would be constructed under this alternative. No development would occur under the No Project Alternative that could have a potential impact on a low-income population; thus, **no direct** or **indirect** impacts would occur. *[Lesser]*

On-Site Elements

NCP, PP, RIM, CD, RDH

When compared, the median household incomes and per capita incomes of the City of Folsom and El Dorado Hills are substantially greater than that of Sacramento County (Table 3A.6-3). In 1999, Folsom's median income was \$73,175 and its per capita income was \$30,210. In 1999, El Dorado Hills' median income was \$93,483 and its per capita income was \$40,239. However, in 1999, Sacramento County's median household income was \$43,816 and its per capita income was \$21,142. In 2007, Folsom's median household income was \$89,865 and its per capita income was \$36,207 and El Dorado Hills' median household income was \$113,927 and its per capita income was \$44,878. These are both greater than Sacramento County's 2007 median household income of \$55,882 and its per capita income of \$26,405.

Table 3A.6-4 shows the 1999 and 2007 percent of persons below poverty level in Folsom, Sacramento County, and El Dorado Hills. The percent of persons below poverty level in Folsom and El Dorado Hills was less than the

county's percentage in 1999 and 2007. In 1999, approximately 7.3% of Folsom's residents and 1.7% of El Dorado Hills' residents were below poverty level, while approximately 14.1% of Sacramento County's residents were below poverty level. In 2007, approximately 3.3% of Folsom's residents and 3.5% of El Dorado Hills' residents were below poverty level, compared to approximately 12.5% of Sacramento County's residents below poverty level.

Because the median household and per capita income and the poverty rate in Folsom and El Dorado Hills is less than that of Sacramento County, the Folsom and El Dorado Hills median household and per capita income and poverty rate is not meaningfully greater than the county's rate. Therefore, project implementation would not cause a disproportionately high and adverse impact on low-income populations. This would be a **less-than-significant, direct** impact. **No indirect** impacts would occur. *[Similar]*

Mitigation Measure: No mitigation measures are required.

Off-Site Elements

Construction of the off-site freeway interchange improvements, roadway connections into El Dorado Hills, the sewer force main, and the drainage basin would occur within Folsom, Sacramento County, and El Dorado Hills. Because the median household and per capita income and the poverty rate in Folsom and El Dorado Hills is less than that of Sacramento County, the Folsom and El Dorado Hills median household and per capita income and poverty rate is not meaningfully greater than the county's rate. Therefore, implementation of off-site improvements would not cause a disproportionately high and adverse impact on low-income populations. This would be a **less-than-significant, direct** impact. **No indirect** impacts would occur. *[Similar]*

Mitigation Measure: No mitigation measures are required.

3A.6.4 RESIDUAL SIGNIFICANT IMPACTS

Impacts associated with environmental justice are considered less than significant. Therefore, there would be no residual significant impacts.