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Appendix 5.10A
Environmental Justice Analysis

Pecho Energy Storage Center

APPENDIX 5.10A: Environmental Justice

Introduction

This Appendix was prepared in compliance with Presidential Executive Order (EO) 12898, Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-Income Populations (EO 12898), dated February 11, 1994. The purpose of this report is to determine whether disproportionately high and adverse human health or environmental effects of the proposed Pecho Energy Storage Center (PESC) are likely to fall on minority and/or low-income populations. This Appendix focuses on the populations that are located within the area potentially affected by the PESC project. In accordance with EO 12898, this evaluation of EJ documents where minority and low-income populations reside and examines if there are high and adverse impacts identified relative to these populations. This EJ analysis also discusses the specific outreach efforts made to involve minority and low-income populations in the decision-making process.

Studies Performed and Coordination Conducted

Overview of Executive Order 12898

EO 12898, issued by President Clinton in 1994, requires that “each Federal agency shall make achieving EJ 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....” In his memorandum transmitting EO 12898 to federal agencies, President Clinton further specified that, “each Federal agency shall analyze the environmental effects, including human health, economic and social effects, of Federal actions, including effects on minority communities and low-income communities, when such analysis is required by the National Environmental Policy Act of 1969.” The Council on Environmental Quality (CEQ) has issued guidance on how to implement EO 12898 and conduct an EJ analysis.

Methodology and Approach

In accordance with California Energy Commission (CEC) siting regulations, this Appendix presents an evaluation of the PESC project for compliance with EO 12898. This EJ analysis involved an evaluation of the following three criteria.

1. A determination is made as to which impacts of the project are high and adverse.

The series of environmental analyses prepared for the PESC AFC were reviewed, and discussions with the environmental professionals who prepared these sections were conducted to determine which environmental or human health impacts could reach the level of high and adverse after proposed mitigation measures were implemented. Neither EO 12898, nor any of the environmental justice guidance documents, contain official guidance on the definition of “high and adverse.” For purposes of this analysis, adverse impacts identified by the professional analysts working on this AFC as “significant” under California Environmental Quality Act (CEQA) are synonymous with high and adverse impacts as described in EO 12898.

2. A determination is made as to whether minority or low-income populations exist within the high and adverse impact zones.

For information on the distribution of minority and low-income populations in the PESC project area, this EJ analysis reviewed 2010 Census data and the 2015-2019 American Community Survey (ACS) 5-year data. The analysis involved reviewing census tract level minority data and census tract income data.

Tables 5.10A-1 and **5.10A-2** show the distribution of the populations that intersect the 10-mile radius buffer by minority and income, respectively.

3. The spatial distribution of high and adverse impacts is reviewed to determine if these impacts are likely to fall disproportionately on the minority or low-income population.

As a result of there being no anticipated high and adverse human health or environmental effects from the implementation and operation of the PESC project, a final determination of impacts on low income and minority populations is not required. However, this Appendix presents a summary of the census tract data for the minority and low-income populations that intersect the 10-mile radius buffer.

Outreach to Minority and Low- Income Populations

EO 12898 requires Federal agencies to ensure effective public participation and access to information. Consequently, a key component of compliance with EO 12898 is outreach to the potentially affected minority and/or low-income population to discover issues of importance that may not otherwise be apparent. As part of the AFC process, the CEC will provide information to residents in the area and provide opportunities for their involvement.

The CEC typically:

- Mails written notice to all property owners within 1,000 feet of the site and within 500 feet of the centerline of all linear corridors
- Publishes notice in the local newspaper announcing public workshops and hearings
- Provides access to information by submitting copies of key documents to local libraries and providing materials via a web page
- Holds hearings and workshops in the local community
- Assigns a public advisor to assist the public in participating in the process

Demographic Analysis

Distribution of the Minority Population

Based on the Census and ACS data used by the USEPA EJ Mapper, the total population within a 10-mile radius of the PESC site is approximately 84,794 (USEPA 2021). As indicated in **Table 5.10A-1**, the minority population, in the Census Tracts that intersect the 10-mile radius buffer, comprises approximately 16 percent of this total population. The minority population data is based on the U.S. Census Bureau's 2010 Decennial Census data.

Figure 5.10-1 identifies the minority population percentages of Census Tracts in the vicinity of the PESC. As shown in **Figure 5.10-1**, none of the Census Tracts in the vicinity of the PESC are above 50 percent minority populations (U.S Census Bureau 2021a). As such, none of the Census Tracts within the 10-mile radius of the PESC site would meet the CEQ guidance for identifying minority populations (CEQ 1997).

Distribution of the Low-Income Population

Based on the 2015-2019 ACS 5-year estimates dataset, the total population for whom poverty status is determined within the Census Tracts that intersect the 10-mile radius buffer around the PESC site was approximately 90,807. As indicated in **Table 5.10A-2**, the low-income population, in the Census Tracts that intersects the 10-mile radius buffer, comprises about 16.6 percent of the total population. **Figure 5.10-2** identifies the low-income population percentages of Census Tracts in the vicinity of the PESC.

Unlike the CEQ 1997 guidance on minority population, none of the environmental justice guidance documents contain a quantitative definition of how many low-income individuals it takes to comprise a low-income population. In the absence of guidance, for this analysis the density used to identify minority populations (i.e., 50 percent or greater) was also used to identify low-income populations. As shown on **Figure 5.10-2**, Census Tracts 109.01 and 109.02 contain more than 50 percent low-income populations (U.S Census Bureau 2021b). Census Tracts 109.01 and 109.02 are located within the City of San Luis Obispo, CA.

Results and Conclusion

As discussed in the Methodology and Approach section above, for purposes of this analysis, CEQA significant adverse impacts are synonymous with high and adverse impacts as described in EO 12898. As reported in the series of environmental analyses prepared for the PESC AFC, no significant adverse impacts will occur after the Applicant implements proposed mitigation measures. Consequently, none of the impacts of this project are high and adverse in the context of EO 12898. As such, no high and adverse human health or environmental effects will fall disproportionately on minority or low-income populations. The PESC project is, therefore, consistent with the policy established in EO 12898.

Bibliography and References

- Clinton, William. 1994. Memorandum for the Heads of All Departments and Agencies; Executive Order on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. Presidential Documents, Vol. 30, No. 6, 279-280. February 11.
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- U.S. Census Bureau. 2021a. 2010 Decennial Data – Race. <https://data.census.gov/cedsci/advanced>. Website accessed August 11, 2021.
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- U.S. Environmental Protection Agency. 2021. Environmental Justice Mapper. <https://ejscreen.epa.gov/mapper/>. Website accessed August 12, 2021.

APPENDIX 5.10A

Table 5.10A-1

2010 Census Minority Data by Census Tract
Pecho Energy Center 10-mile Radius

Census Tract	Population	White	Minority	Percent Minority
Census Tract 100.16, San Luis Obispo County, California	4,864	3,904	960	20
Census Tract 105.03, San Luis Obispo County, California	5,339	4,613	726	14
Census Tract 105.04, San Luis Obispo County, California	2,592	2,366	226	9
Census Tract 106.02, San Luis Obispo County, California	3,836	3,372	464	12
Census Tract 106.03, San Luis Obispo County, California	1,287	1,122	165	13
Census Tract 107.01, San Luis Obispo County, California	4,650	3,968	682	15
Census Tract 107.03, San Luis Obispo County, California	3,487	2,820	667	19
Census Tract 107.07, San Luis Obispo County, California	5,751	5,208	543	9
Census Tract 109.01, San Luis Obispo County, California	8,319	6,487	1832	22
Census Tract 109.02, San Luis Obispo County, California	3,874	3,259	615	16
Census Tract 110.01, San Luis Obispo County, California	5,314	4,448	866	16
Census Tract 110.02, San Luis Obispo County, California	2,877	2,538	339	12
Census Tract 111.01, San Luis Obispo County, California	3,592	3,067	525	15
Census Tract 111.02, San Luis Obispo County, California	5,127	4,431	696	14
Census Tract 111.03, San Luis Obispo County, California	2,737	2,224	513	19
Census Tract 112, San Luis Obispo County, California	7,355	6,393	962	13
Census Tract 113, San Luis Obispo County, California	7,745	6,202	1543	20
Census Tract 114, San Luis Obispo County, California	6,446	3,391	3055	47
Census Tract 115.01, San Luis Obispo County, California	1,783	1,481	302	17

Census Tract	Population	White	Minority	Percent Minority
Census Tract 115.03, San Luis Obispo County, California	3,624	3,245	379	10
Census Tract 115.04, San Luis Obispo County, California	1,362	1,137	225	17
Census Tract 116, San Luis Obispo County, California	4,292	4,006	286	7
Census Tract 125.02, San Luis Obispo County, California	4,985	4,233	752	15
Census Tract 125.03, San Luis Obispo County, California	5,240	4,283	957	18
Census Tract 125.05, San Luis Obispo County, California	4,891	4,303	588	12
Census Tract 126, San Luis Obispo County, California	7,793	6,924	869	11
Census Tract 127.02, San Luis Obispo County, California	6,550	5,754	796	12
Census Tract 127.04, San Luis Obispo County, California	8,650	8,028	622	7
Census Tract 128, San Luis Obispo County, California	1,107	717	390	35
Census Tract 129, San Luis Obispo County, California	5,296	4,586	710	13
Census Tract 130, San Luis Obispo County, California	2,539	2,096	443	17

Source. United States Census Bureau 2021a.

Table 5.10A-2
2010 Census Poverty Data for 10-Mile Radius 2019 ACS
Pecho Energy Storage Center

Census Tract	Population for whom poverty status is determined	Below 100 percent of the poverty level
Census Tract 100.16, San Luis Obispo County, California	5,029	14.6%
Census Tract 102.01, San Luis Obispo County, California	7,425	5.0%
Census Tract 102.02, San Luis Obispo County, California	5,167	8.2%
Census Tract 105.03, San Luis Obispo County, California	5,429	9.4%
Census Tract 105.04, San Luis Obispo County, California	2,630	15.6%
Census Tract 106.02, San Luis Obispo County, California	3,713	13.5%
Census Tract 106.03, San Luis Obispo County, California	1,386	9.8%
Census Tract 107.01, San Luis Obispo County, California	5,400	10.4%
Census Tract 107.03, San Luis Obispo County, California	3,662	15.2%
Census Tract 107.07, San Luis Obispo County, California	6,698	6.2%
Census Tract 109.01, San Luis Obispo County, California	2,257	79.8%
Census Tract 109.02, San Luis Obispo County, California	4,059	69.3%
Census Tract 110.01, San Luis Obispo County, California	4,852	15.5%
Census Tract 110.02, San Luis Obispo County, California	3,393	34.5%
Census Tract 111.01, San Luis Obispo County, California	3,510	31.8%
Census Tract 111.02, San Luis Obispo County, California	5,738	15.6%
Census Tract 111.03, San Luis Obispo County, California	2,973	5.3%
Census Tract 112, San Luis Obispo County, California	7,950	47.6%
Census Tract 113, San Luis Obispo County, California	7,269	16.7%

Census Tract	Population for whom poverty status is determined	Below 100 percent of the poverty level
Census Tract 114, San Luis Obispo County, California	0	-
Census Tract 115.01, San Luis Obispo County, California	1,819	18.7%
Census Tract 115.03, San Luis Obispo County, California	3,367	3.8%
Census Tract 115.04, San Luis Obispo County, California	628	4.1%
Census Tract 116, San Luis Obispo County, California	3,908	5.1%
Census Tract 124.01, San Luis Obispo County, California	6,720	5.2%
Census Tract 125.02, San Luis Obispo County, California	5,558	11.8%
Census Tract 125.03, San Luis Obispo County, California	6,565	10.4%
Census Tract 125.05, San Luis Obispo County, California	4,856	6.0%
Census Tract 126, San Luis Obispo County, California	7,885	5.7%
Census Tract 127.02, San Luis Obispo County, California	6,721	7.8%
Census Tract 127.04, San Luis Obispo County, California	9,042	4.7%
Census Tract 128, San Luis Obispo County, California	215	34.4%
Census Tract 129, San Luis Obispo County, California	4,828	2.6%
Census Tract 130, San Luis Obispo County, California	2,687	4.9%

Source. United States Census Bureau 2021b.