EJ 1 – ENVIRONMENTAL JUSTICE TECHNICAL MEMORANDUM

KERN RIVER NO. 1 HYDROELECTRIC PROJECT
FERC PROJECT NO. 1930

PREPARED FOR:

February 2025

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List of Acronyms

ACS	American Community Survey
BG	Block Group
CalEPA	California Environmental Protection Agency
CBG	Census Block Group
CDC	Centers for Disease Control and Prevention
CT	Census Tract
DAC	Disadvantaged Communities
EJ	environmental justice
EJ Study	Environmental Justice Study
EJScreen	USEPA Environmental Justice Screening and Mapping Tools
FERC	Federal Energy Regulatory Commission
Forest Service	U.S. Forest Service
ILP	Integrated Licensing Process
LEP	Limited English Proficient
NEPA	National Environmental Policy Act
OEHHA	California Office of Environmental Health Hazard Assessment
Project	Kern River No. 1 Hydroelectric Project (FERC Project No. 1930)
SB	Senate Bill
SCE	Southern California Edison Company
SPD	Study Plan Determination
USDA	U.S. Department of Agriculture
USEPA	U.S. Environmental Protection Agency

1.0 INTRODUCTION

An Environmental Justice Study (EJ Study) was developed in response to the Federal Energy Regulatory Commission's (FERC) March 14, 2024, Study Plan Determination (SPD) (FERC 2024). This Technical Memorandum provides the methods and findings of desktop research associated with the EJ-Environmental Justice Study Plan outlined in FERC's SPD in support of Southern California Edison's (SCE) Kern River No. 1 Hydroelectric Project (Project) relicensing, FERC Project No. 1930. The EJ Study follows federal guidelines and methodologies to identify the presence of environmental justice (EJ) communities, develop outreach strategies and solicit input from these communities regarding the Project, and assess the potential for the Project to have disproportionately adverse and significant impacts on those communities.

Desktop data collection efforts were completed in 2024 and are summarized below.

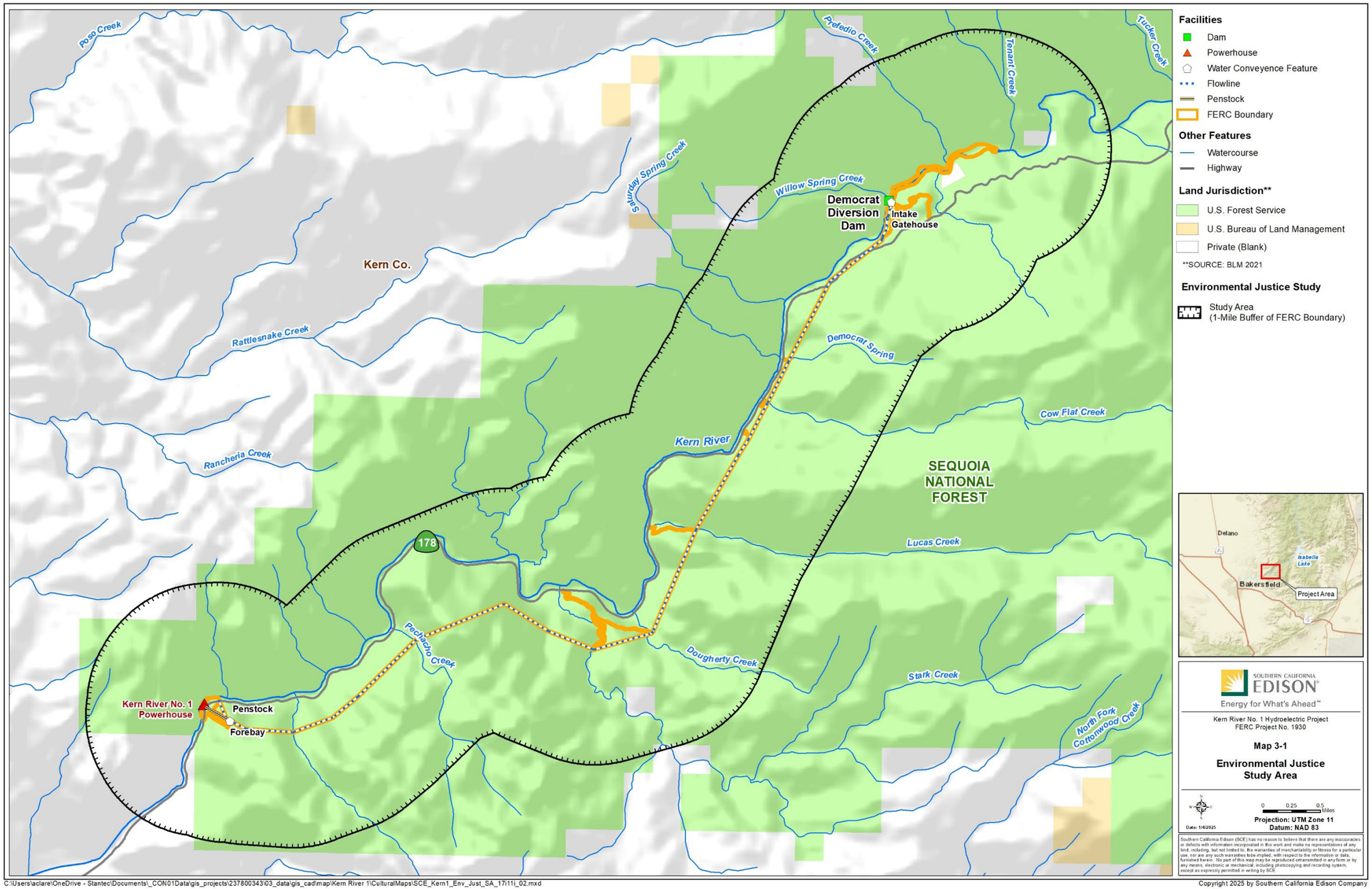
2.0 STUDY OBJECTIVES

The objectives of the study, as outlined in FERC's SPD and addressed in this memorandum, include:

- Identify the presence of any EJ communities that may be affected by the relicensing of the Project and identify outreach strategies to engage the identified EJ communities in the relicensing process, if present;
- Identify the presence of non-English speaking populations that may be affected by the Project and identify outreach strategies to engage non-English speaking populations in the relicensing process, if present;
- Discuss effects of relicensing the Project on any identified EJ communities and identify any effects that are disproportionately high and adverse;
- Identify mitigation measures to avoid or minimize Project effects on EJ communities; and
- Identify sensitive receptor locations within the Project area and identify potential effects and measures taken to avoid or minimize the effects of such locations, if they are present.

3.0 STUDY AREA

The Project is located along the Kern River in Kern County, California. The Project is situated in the foothills of the western slope of the Sierra Nevada and occupies federal lands within the Sequoia National Forest which is under the jurisdiction of the U.S. Forest Service (Forest Service). The study area includes areas within the FERC Project boundary and within 1 mile of the FERC Project boundary. The study area is shown on Map 3-1.



Map 3-1. Environmental Justice Study Area

4.0 METHODS

Study implementation followed the methods described in FERC's SPD (FERC 2024).

The methodology used in the study is consistent with guidance from the U.S. Environmental Protection Agency's (USEPA) *Promising Practices for EJ Methodologies in NEPA Reviews* (NEPA Committee and EJ IWG 2016). The analysis was accomplished through a desktop review of available EJ data including but not limited to population, health, racial and economic composition, minority groups, low-income individuals, and non-English-speaking groups. The following sources were used to compile this information:

- U.S. Census Bureau (U.S. Census Bureau 2022a, 2022b, 2022c, 2022d, 2023a)
- USEPA Environmental Justice Screening and Mapping Tools (EJScreen) (USEPA 2024a, 2024b)
- California Environmental Protection Agency (CalEPA) CalEnviroScreen 4.0 (CalEPA 2021a)

4.1 STUDY PLAN VARIANCES

There are no variances from FERC's SPD (FERC 2024).

4.2 ENVIRONMENTAL JUSTICE DEMOGRAPHIC DATA

In accordance with federal guidelines, the EJ study includes demographic and poverty-level data for the geographical area potentially affected by the Project to determine if EJ populations are present. EJ populations have been identified by applying the methods included in USEPA's *Promising Practices for EJ Methodologies in NEPA Reviews* (NEPA Committee and EJ IWG 2016).

Individuals who identify as any race other than White and/or list their ethnicity as Hispanic or Latino are considered minority (USEPA 2024a). According to federal guidelines, an area where the minority population exceeds 50 percent of the total population or where the minority population percentage is "meaningfully greater" than the minority population of an appropriate unit of geographic analysis, referred to as a reference population, is determined to be an EJ population (CEQ 1997); for the purpose of this Technical Memorandum, and as recommended by FERC in the SPD, "meaningfully greater" has been set as 10 percent greater than the reference population percentage.

Unlike federal guidance on minority populations, there is no quantitative definition of what proportion of low-income populations constitutes an EJ population. Guidelines suggest using an appropriate poverty threshold and comparing the low-income population in an affected area to a reference population (NEPA Committee and EJ IWG 2016). Within this memorandum, low-income percentages of census block groups (CBG) are compared to the relative county percentage, and any equal to or greater than that percentage is designated a low-income EJ population. Low-income is defined by the USEPA as

households where the income is less than or equal to twice the federal poverty level (USEPA 2024a). The poverty threshold is calculated as a percentage of those for whom the poverty ratio was known, as reported by the U.S. Census Bureau. In 2022, the federally defined poverty threshold for an individual under age 65 was $15,230 (U.S. Census Bureau 2023a).

To define an analysis area and identify potentially impacted EJ populations, federal guidance advises using an "appropriate unit of geographic analysis" that does not "artificially dilute or inflate" the population (CEQ 1997). The selected area may be a neighborhood CBG,[1] Census Tract (CT),[2] a governing body's jurisdiction, or other similar geographic unit. The CBG is the smallest geographic unit for which U.S. Census Bureau demographic data are available.

This study defines the analysis area as the CBGs where the Project is located and any CBGs within 1 mile of the FERC Project boundary. A CBG was selected as the appropriate geographic unit for analysis for purposes of determining whether EJ populations are in the area that may be affected by operation and maintenance of the Project.

4.3 CALENVIROSCREEN 4.0

In addition to using the U.S. Census Bureau demographics, information from the California-specific EJ tool, CalEnviroScreen (CalEPA 2021a), was reviewed. CalEnviroScreen shows cumulative impacts in California communities by CT. The Project is located within two CTs in Kern County: CT 52.06 and CT 51.04. These two CTs make up the study area for the CalEnviroScreen data.

CalEnviroScreen scores are calculated from the scores for two groups of indicators (i.e., Pollution Burden and Population Characteristics) and present a relative, rather than an absolute, evaluation of pollution burdens and vulnerabilities in California communities by providing a relative ranking of communities across the state. The model uses 21 statewide indicators to characterize Pollution Burden and Population Characteristics and uses percentiles to assign scores for each of the indicators in a given geographic area. The percentile represents a relative score for the indicators. Percentiles are averaged using a scoring system for the set of indicators in each of the four components: Exposures, Environmental Effects, Sensitive Populations, and Socioeconomic Factors. These component scores are then combined to produce a CalEnviroScreen Score for a given place relative to other places in the state. The formula for calculating the CalEnviroScreen Score is as follows:

Pollution Burden × Population Characteristics = CalEnviroScreen Score

Where Pollution Burden is the average of exposures and environmental effects (environmental effects score is weighted half as much as the exposures score) and

[1] A Census Block Group (CBG) is comprised of a Census Tract (CT) and a specific Block Group (BG) within the CT.
[2] A CT is comprised of a group of BGs.

Population Characteristics is the average of sensitive populations and socioeconomic factors. A full description of the methodology for the tool can be found in the October 2021 CalEnviroScreen 4.0 Document on the CalEPA website (CalEPA 2021b).

CalEnviroScreen's purpose is to help calculate the cumulative impact of multiple environmental and social burdens on communities. It is not intended to determine classification of a community as an EJ population. The tool has helped CalEPA and other local, state, and federal agencies ensure their activities address these pollution burdens and protect those communities from additional ones. CalEPA uses CalEnviroScreen to prioritize enforcement and outreach in vulnerable communities.

4.4 SENSITIVE RECEPTORS

A look at specific locations within a study area community that may be associated with sensitive populations is also included. Sensitive Receptors include:

- Places where the community gathers such as community centers, senior facilities, or places of worship;
- Facilities where health vulnerable populations gather such as medical facilities; and
- Locations with large concentrations of children such as schools and daycare centers.

For this study, sensitive receptors were identified using a combination of mapping tools (Google Earth Pro, EJScreen, and ArcGIS) to search the study area for the closest sensitive receptor facilities to the Project.

5.0 RESULTS SUMMARY

The EJ study follows the federal guidelines and methodologies outlined in Section 4.0 to assess the potential for the Project to have disproportionately adverse impacts on vulnerable populations (or EJ populations).

5.1 ENVIRONMENTAL JUSTICE POPULATIONS IN THE STUDY AREA

Using the U.S. Census Bureau data and the recommended FERC guidelines for identifying an EJ population, one CBG (CT 52.06 BG 1) within the study area is classified as an EJ community based on income.

None of the CBGs within the study area have minority populations that are meaningfully greater than the Kern County minority population. Kern County has a total minority population that is greater than 50 percent in addition to being greater than the minority population in the state of California; however, the CBGs in the study area have much lower populations of minority residents. Throughout the study area, the minority group with the highest populations are those identifying as Latino or Hispanic or Two or More Races. Refer to Table 5.1-1 and Map 5.1-1 for a breakdown of the CBGs in the study

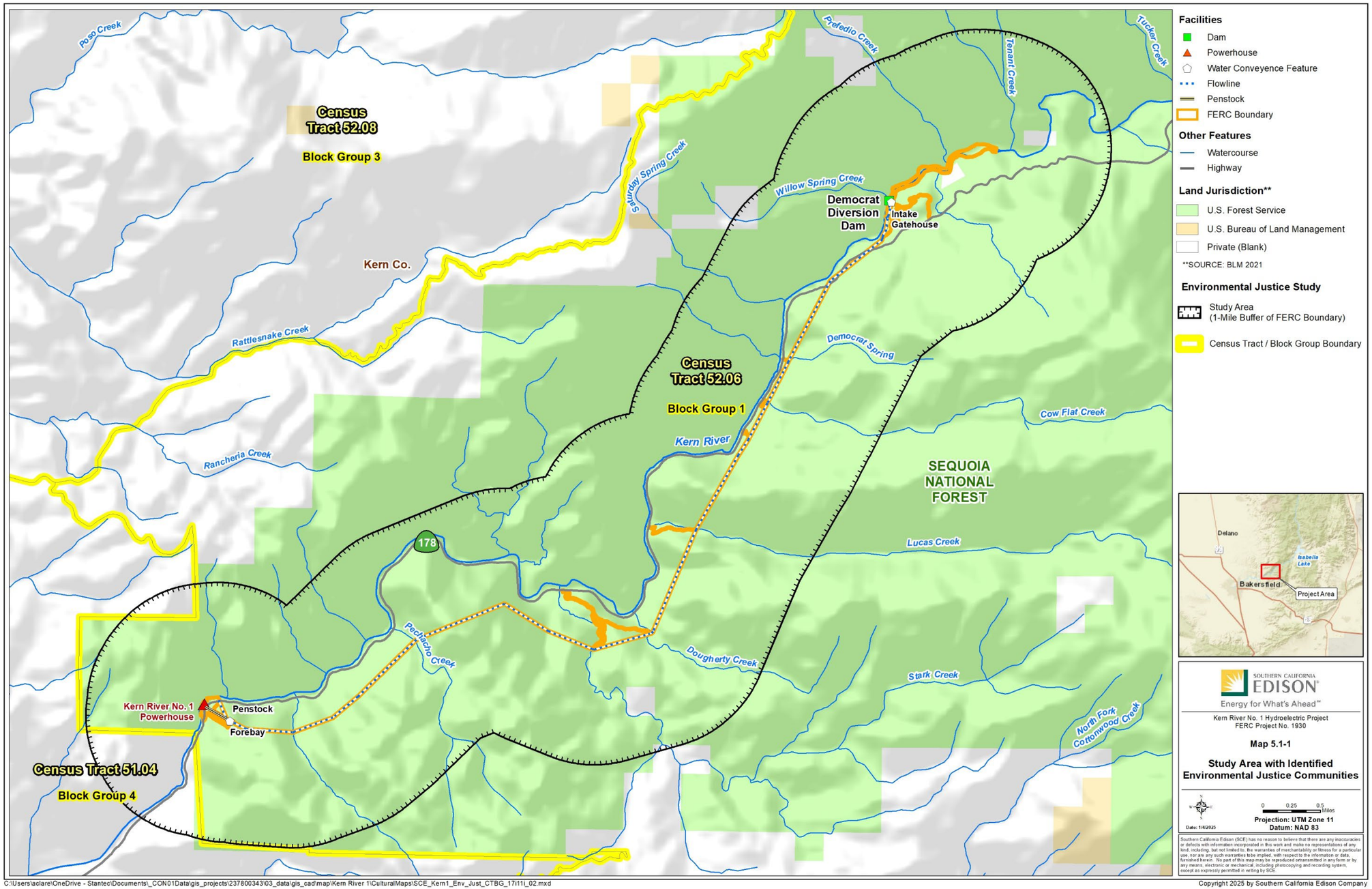
area. Minority populations by race and low-income populations within the study area are summarized in Table 5.1-2.

Table 5.1-1. Census Block Groups within the Study Area

County	Census Block Groups
Kern County	CT 52.06 BG 1[1] CT 51.04 BG 4

[1] EJ Community based on low-income population higher than the relative county percentage.

Key: BG = Block Group
CT = Census Tract



Map 5.1-1. Study Area Map with Identified Environmental Justice Communities

Table 5.1-2. Minority Populations by Race and Low-Income Populations within the Study Area

Geography	Race and Ethnicity Data[1,2]										Low-Income Data[1,2]
	Total Population	White Alone Not Hispanic	African American	Native American / Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Hispanic or Latino	Total Minority[3]	Below Poverty Level
California	39,356,104	35.2%	5.3%	0.3%	14.9%	0.3%	0.4%	3.8%	39.7%	64.8%	11.8%
Kern County	906,883	31.5%	4.9%	0.4%	4.8%	0.1%	0.4%	2.7%	55.3%	68.5%	18.2%
CT: 52.06 BG: 1	751	67.0%	3.3%	0.0%	0.0%	0.0%	0.0%	6.5%	23.2%	33.0%	**40.5%**
CT: 51.04 BG: 4	391	90.0%	0.0%	0.0%	3.07%	0.0%	0.0%	4.86%	2.05%	10.0%	0.0%

Source: U.S. Census Bureau 2022b and 2022d

[1] Bold type and gray shading indicate minority or low-income populations exceeding the established thresholds.
[2] Due to rounding differences in the dataset, the totals may not reflect the sum of the addends.
[3] "Minority" refers to people who reported their ethnicity and race as something other than Non-Hispanic White.

Key: BG = Block Group
CT = Census Tract

5.2 OTHER COMMUNITY VULNERABILITIES

5.2.1 Limited-English-Speaking Groups and Age Data

The non-English speaking groups identified within the study area are Spanish speakers and speakers of a language or languages categorized as Indo-European or Asian and Pacific Islands. According to the U.S. Census ACS, individuals with LEP (limited English proficient) speak English less than very well, as self-identified, and speak a language other than English at home (U.S. Census Bureau 2023b). Kern County includes a high percentage of groups who display limited English at 44.8 percent, which is greater than that of the state of California at 43.8 percent (Table 5.2-1). Overall, the CBG with the highest percentage of total limited English in the study area is CT 52.06 BG 1 with 13.5 percent, with speakers of Spanish contributing to the entire total.

Age data in the study area was also collected. A higher percentage of residents over the age of 64 were identified in both CBGs compared to the respective county percentage. In addition, a lower percentage of residents under the age of 17 were identified in both CBGs compared to the respective county percentage.

Table 5.2-1. Limited-English-Speaking Groups and Age Data within the Study Area

Geography	Vulnerable Age Groups		Limited-English-Speaking Groups				
	Age 17 and Under	Over Age 64	Spanish	Indo-European	Asian and Pacific Islands	Other	Total Limited English
California	22.3%	14.9%	28.2%	4.6%	9.9%	1.1%	43.8%
Kern County	28.8%	11.3%	39.4%	1.8%	2.9%	0.7%	44.8%
CT 52.06 BG 1	16.0%	49.3%	13.5%	0.0%	0.0%	0.0%	13.5%
CT 51.04 BG 4	9.2%	42.7%	0.0%	1.9%	3.2%	0.0%	5.1%

Sources: U.S. Census Bureau 2022a and 2022c

Key: BG = Block Group
CT = Census Tract

5.2.2 Service Gaps and Health Burdens

Lack of broadband internet is not identified as a gap in critical services in the study area with CT 52.06 BG 1 in the 35th percentile nationally and in the 48th percentile for the state of California, and CT 51.04 BG 4 in the 25th percentile nationally and 35th percentile for the state of California. CT 52.06 BG 1 has a higher percentage of residents considered low-income (63 percent) compared to CT 51.04 BG 4 (16 percent), which most likely affects the disparity of those who can comfortably afford broadband internet in these CBGs (USEPA 2024b).

Lack of health insurance is not identified as a gap in critical services in the study area with CT 52.06 BG 1 in the 20th percentile nationally and in the 24th percentile for the state of California, and CT 51.04 BG 4 in the 9th percentile nationally and in the 12th percentile for the state of California.

Housing burden is not labeled as a concern for either CT 52.06 BG 1 or CT 51.04 BG 4. However, both CBGs are classified as food deserts and as having a lack of transportation access, which is not unusual for rural communities. Refer to Table 5.2-2 for a summary of critical service gaps for each CBG.

Table 5.2-2. Critical Service Gaps

Indicator	Value	State Average	State Percentile	U.S. Average	U.S. Percentile
Kern County CT 52.06 BG 1					
Broadband internet	6%	9%	48	13%	35
Lack of health insurance	3%	7%	24	9%	20
Housing burden	No	N/A	N/A	N/A	N/A
Transportation access burden	Yes	N/A	N/A	N/A	N/A
Food desert	Yes	N/A	N/A	N/A	N/A
Kern County CT 51.04 BG 4					
Broadband internet	4%	9%	35	13%	25
Lack of health insurance	2%	7%	12	9%	9
Housing burden	No	N/A	N/A	N/A	N/A
Transportation access burden	Yes	N/A	N/A	N/A	N/A
Food desert	Yes	N/A	N/A	N/A	N/A

Source: USEPA 2024b

Key: BG = Block Group
CT = Census Tract
N/A = not applicable

Health disparities included in EJScreen are as follows:

- Low life expectancy—Average life expectancy data developed as a collaboration between National Center for Health Statistics, the National Association for Public Health Statistics and Information Systems, and the Robert Wood Johnson Foundation. This data is available at the CT level; the same tract value is then assigned to all sub CBGs. EJScreen pulls this data layer from the U.S. Small-area Life Expectancy Estimates Project.

- Heart disease—Heart disease prevalence among adults aged 18 years or older. The term "heart disease" refers to several types of heart conditions. This data is available at the CT level; the same tract value is then assigned to all sub CBGs. EJScreen pulls this information from the Centers for Disease Control and Prevention (CDC) Places Data.

- Asthma—Asthma prevalence among adults aged 18 or older. This data is available at the CT level; the same tract value is then assigned to all sub CBGs. EJScreen pulls this information from the CDC Places Data.

- Cancer—Cancer (excluding skin cancer) prevalence among adults aged 18 or older. This data is available at the CT level; the same tract value is then assigned to all sub CBGs. EJScreen pulls this information from the CDC Places Data.

- Persons with Disabilities—Percent of all persons with disabilities. This data is derived from Census ACS data at the CT level. CBG values are calculated by multiplying the tract value by the block population weight. The weights are derived from the same Census source used by the EJScreen buffer reports and analysis. EJScreen uses data from the Census Bureau's ACS 5-year summary estimates for this map layer.

Both of the CBGs in the study area have various health indicators above the average on both national and statewide measurements. CT 52.06 BG 1 is in the 98th percentile nationally for low life expectancy, heart disease, and persons with disabilities. CT 52.06 BG 1 also ranks high for cancer, 93rd percentile nationally, and asthma, 80th percentile nationally. Additionally, CT 52.06 BG 1 is above for all five health indicators compared to the state of California.

CT 51.04 BG 4 presents much lower health vulnerabilities overall. CT 51.04 BG 4 is in the 95th percentile nationally for cancer but ranks below the national and state averages for low life expectancy, asthma, and persons with disabilities. However, CT 51.04 BG 4 is above the national and state averages for heart disease. Overall, health vulnerabilities are present within the study area with rankings at or above the 80th percentile appearing either for state of California or nationally for all the indicators in CT 52.06 BG 1 (Table 5.2-3).

Table 5.2-3. Health Indicators

Indicator	Value	State Average	State Percentile	U.S. Average	U.S. Percentile
Kern County CT 52.06 BG 1					
Low life expectancy	29%	18%	99	20%	98
Heart disease	10	4.8	99	5.8	98
Asthma	11.4	9.6	93	10.3	80
Cancer	8.8	5.6	95	6.4	93
Persons with disabilities	31.4%	11.3%	99	13.7%	98

Indicator	Value	State Average	State Percentile	U.S. Average	U.S. Percentile
Kern County CT 51.04 BG 4					
Low life expectancy	16%	18%	35	20%	20
Heart disease	6.3	4.8	88	5.8	62
Asthma	9.2	9.6	38	10.3	20
Cancer	9.2	5.6	96	6.4	95
Persons with disabilities	10.9%	11.3%	54	13.7%	37

Source: USEPA 2024b

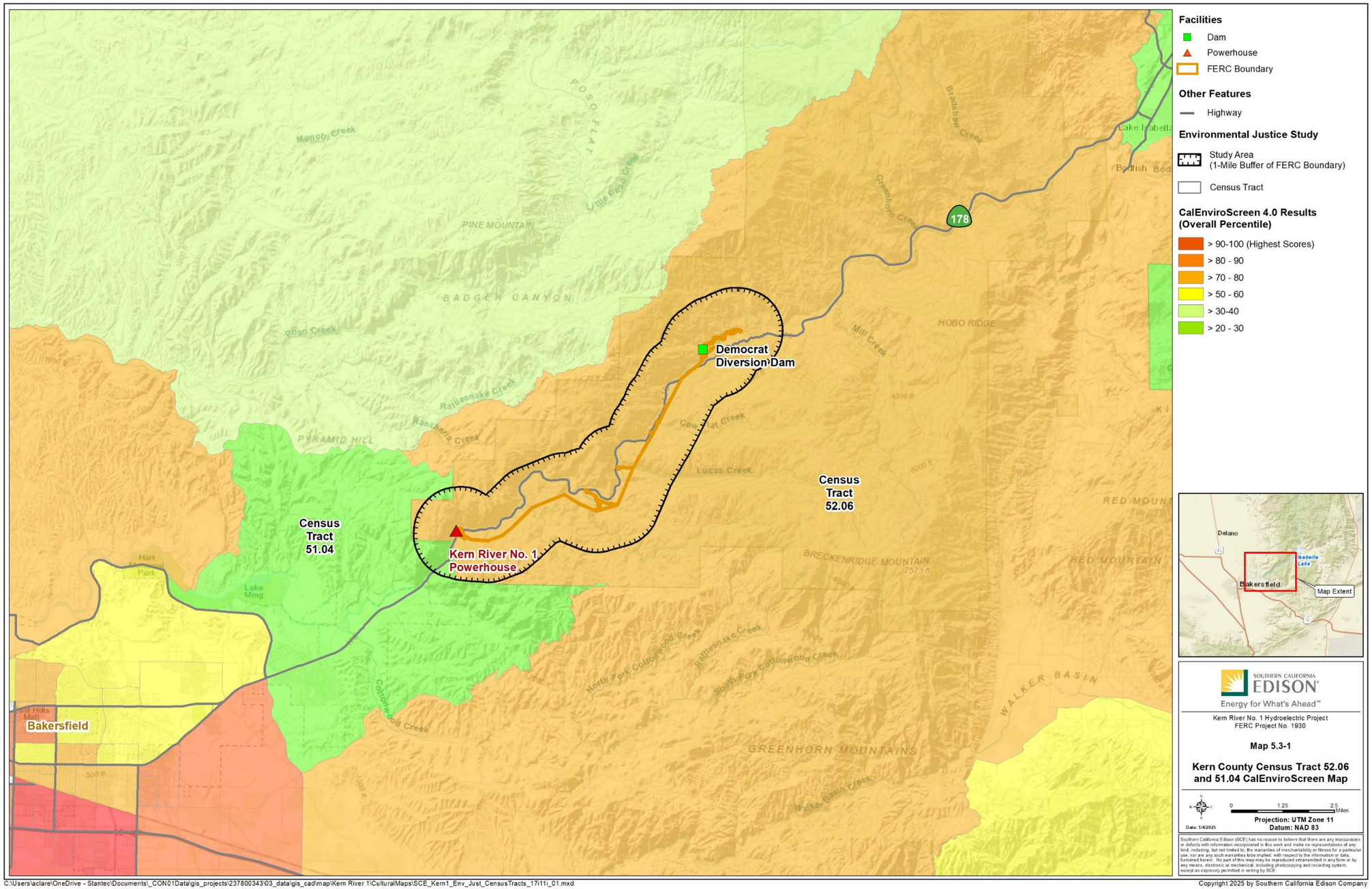
Key: BG = Block Group
CT = Census Tract

5.3 CALENVIROSCREEN 4.0

Map 5.3-1 identifies the overall CalEnviroScreen percentile of each CBG in the study area (CalEPA 2021a). To get the overall CalEnviroScreen percentile score, the Pollution Burden component and the Population Characteristics component are multiplied. Each component is made up of a set of indicators. There are 13 Pollution Burden indicators and 8 Population Characteristics indicators (California Office of Environmental Health Hazard Assessment [OEHHA] 2024). CTs with darker red colors have higher CalEnviroScreen scores and therefore have relatively high pollution burdens and population sensitivities. CTs with lighter green colors have lower scores and correspondingly lower pollution burdens and sensitivities.

The overall percentile for CalEnviroScreen in CT 52.06 is 80 with the Pollution Burden percentile at 54 and the Population Characteristics percentile at 90, and the overall percentile for CalEnviroScreen in CT 51.04 is 31 with the Pollution Burden percentile at 36 and the Population Characteristics percentile at 28 (Map 5.3-1).

CalEPA also provides a mapping tool that identifies Disadvantaged Communities (DAC) in accordance with Senate Bill (SB) 535 established in 2012. SB 535 detailed initial requirements for minimum funding levels to DACs and gives CalEPA the responsibility for identifying those communities. The legislation states that CalEPA's designation of DACs must be based on "geographic, socioeconomic, public health, and environmental hazard criteria" (CalEPA 2024).



Map 5.3-1. Kern County Census Tract 52.06 and 51.04 CalEnviroScreen Map

According to the CalEPA SB 535 map for the study area, the pollution and demographic burdens are in the low to mid-range for the state of California. Within the study area, CT 52.06 BG 1 qualifies as a DAC following the designation established by CalEPA (Map 5.3-2).

5.4 SENSITIVE RECEPTORS

The Project is in a rural area of Kern County on federal lands within the Sequoia National Forest. The nearest populated area to the Project (as measured from the Project powerhouse) is the City of Bakersfield, which is approximately 9 miles southwest.

SCE is not proposing any new construction as part of the Project that has the potential to affect sensitive receptors. Further, there are no sensitive receptor locations (e.g., schools, day care centers, hospitals, etc.) within the study area.

6.0 STUDY SPECIFIC CONSULTATION

According to the methodology described in FERC's SPD, there are no minority EJ communities in the study area. However, CT 52.06 BG 1 is considered an EJ community based on income, according to FERC's "low-income threshold criteria" since the percent of the population below the poverty level in the identified block group is equal to or greater than that of the reference population (Kern County).

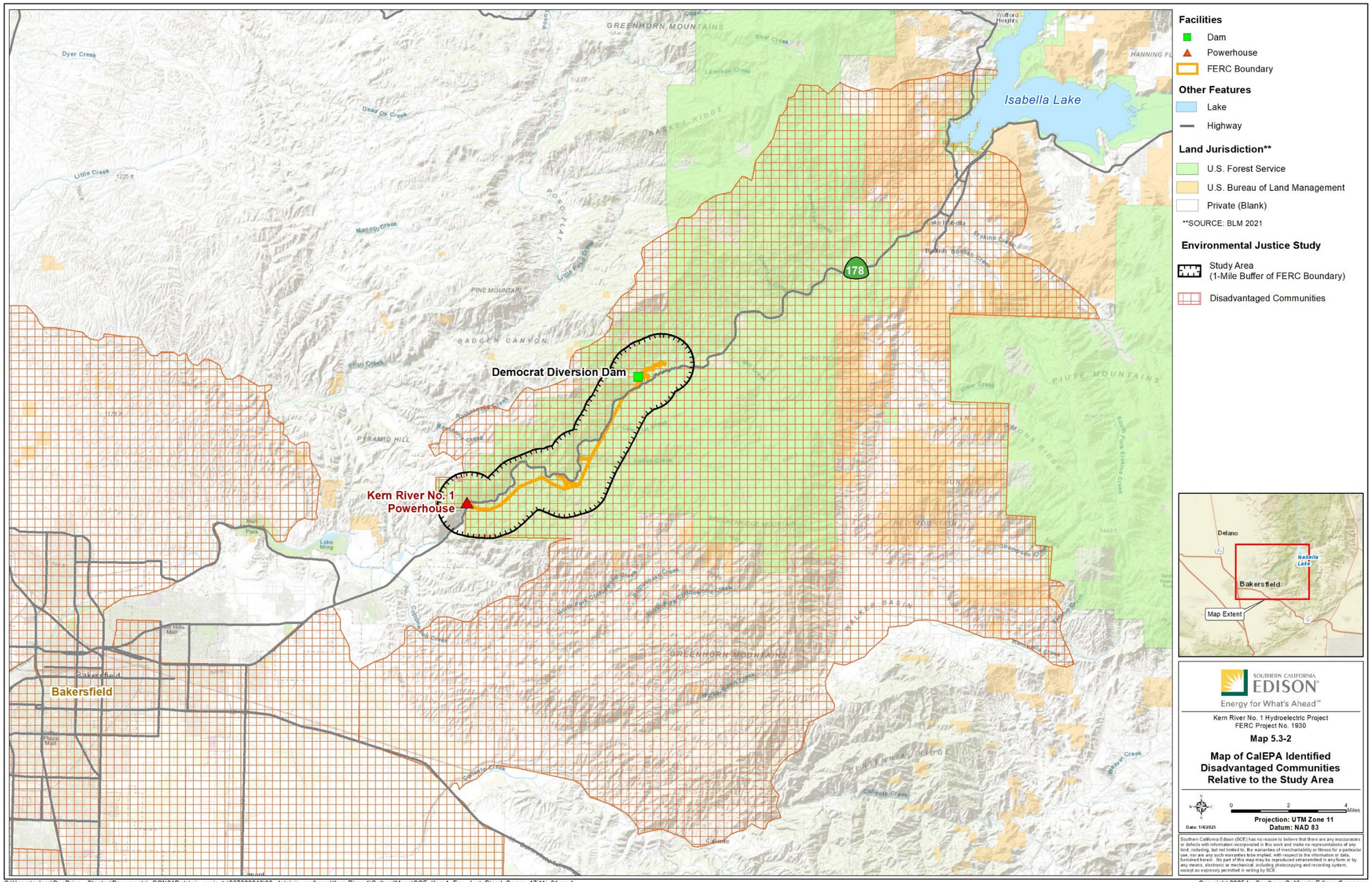
To support public outreach and consultation, SCE has engaged with interested stakeholders throughout the relicensing process since 2022. Documents related to the relicensing are publicly available on FERC's e-Library and on SCE's public relicensing website. All interested stakeholders (including those who have filed a comment on the relicensing proceeding) are notified via email when documents are filed with FERC as part of this proceeding.

In addition to the consultation required as part of FERC's Integrated Licensing Process (ILP), SCE conducted the following stakeholder engagement activities:

- On July 21, 2022, SCE distributed a Project Information Questionnaire to stakeholders to solicit information on existing resources in the vicinity of the Project and to identify potential resource issues.

- On August 23, 2022, SCE notified stakeholders of the early outreach activities being conducted as part of the relicensing process, including the questionnaire that was also made electronically available on the Project website, and notice that a public relicensing kick-off teleconference would be conducted. In addition, SCE posted the relicensing public announcement on social networks (i.e., Facebook and Next Door).

- On June 13, 2023, SCE conducted a public relicensing teleconference to acquaint stakeholders with FERC's ILP, including key milestones and opportunities for stakeholder participation; describe Project facilities and operations; and explain the Pre-Application Document contents and organization.



Map 5.3-2. Map of CalEPA Identified Disadvantaged Communities Relative to the Study Area

- As part of other FERC-approved technical studies that include direct interactions with the public as part of study plan implementation, bilingual (English and Spanish) information flyers, public questionnaires, and bilingual field staff have been deployed.

SCE will continue ongoing outreach to the local communities and stakeholders in the vicinity of the Project to obtain comments regarding the relicensing of the Project and to understand primary concerns and questions from interested stakeholders as part of the ILP. If a Project-related impact on low-income EJ communities is identified through the relicensing process and there is a potential nexus between the impact and the EJ community, additional consultation and potential mitigation measures may be necessary.

7.0 OUTSTANDING STUDY PLAN ELEMENTS

Two additional study objectives noted by FERC in the SPD will be addressed, as applicable, in SCE's License Application and include: (1) a discussion of impacts from relicensing the Project on any identified EJ communities and if those impacts are disproportionate, significant and adverse; and (2) if needed, include proposed mitigation measures to avoid or minimize Project impacts on EJ communities.

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