

Rush Creek Project, FERC Project No. 1389

EJ 1 – Environmental Justice
Draft Technical Study Report

August 2024



Southern California Edison Company
Regulatory Support Services
2244 Walnut Grove Ave. Rosemead, CA 91770

This Page Intentionally Left Blank

Table of Contents

1	Introduction.....	1
2	Study Objectives	1
3	Study Implementation	1
4	Study Area.....	2
5	Study Approach.....	2
6	Study Results.....	3
6.1	Environmental Justice Populations Based on the Presence of Minority Populations	3
6.2	Environmental Justice Populations Based on the Presence of Low- Income Populations	3
6.3	Non-English-Speaking Groups	5
6.4	Sensitive Receptors and New Construction.....	5
6.5	Summary	5
7	References	6

List of Tables

Table EJ 1-1.	Race, Ethnicity, and Low-Income Data	11
---------------	--	----

List of Maps

Map EJ 1-1.	Environmental Justice Study Area and Census Tract 1.01	15
Map EJ 1-2.	Environmental Justice Study Area	17

List of Acronyms

ACS	American Community Survey
CalEPA	California Environmental Protection Agency
CalOEHHA	California Office of Environmental Health Hazards Assessment
CARB	California Air Resources Board
CDP	Census Designated Place
CDWR	California Department of Water Resources
EPA	U.S. Environmental Protection Agency
FERC	Federal Energy Regulatory Commission
Project	Rush Creek Project
SCE	Southern California Edison Company
SR 158	State Route 158
TSR	Technical Study Report

1 INTRODUCTION

This Technical Study Report (TSR) describes the methods and results associated with implementation of the environmental justice study by Southern California Edison Company (SCE) for the Rush Creek Project (Project). The environmental justice study was included as a requirement of the Federal Energy Regulatory Commission's (FERC's) Study Plan Determination on October 26, 2022 (SCE 2022). FERC, consistent with many federal agencies,¹ describes 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 (FERC 2023).

2 STUDY OBJECTIVES

FERC identified the following five objectives in the Study Plan Determination:

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

3 STUDY IMPLEMENTATION

The study was initiated and completed in 2023. There are no study elements outstanding and no deviations or proposed modification to the methodology prescribed in FERC's Study Plan Determination other than that the study included evaluation of a larger area around the study boundary than required.

¹ Including the U.S. Environmental Protection Agency (EPA) and the Federal Emergency Management Agency.

4 STUDY AREA

The Project is located on the eastern slope of the Sierra Nevada in Mono County, California. The majority of the Project facilities occupy federal lands within the Inyo National Forest. Project facilities located upstream of Gem Dam are located within the Ansel Adams Wilderness. The only Project facility within 1 mile of residences or businesses is the Rush Creek Powerhouse and ancillary structures. The powerhouse is located adjacent to State Route 158 (SR 158), approximately 4 miles southwest of the town of June Lake, the nearest population center and a census designated place (CDP).

FERC suggested the geographic scope of the environmental justice analysis include all areas within 1 mile of the Project boundary. This area, as well as the area within 1 mile of the June Mountain Ski Area Parking Lot—which would serve as the base for Project-related construction operations—is the study area and is depicted in Map EJ-1. The analysis considered this area, as well as the racial, ethnic, and poverty statistics for the June Lake CDP. The boundaries of the June Lake CDP are equivalent to the boundaries of Census Tract 1.01, Block Group 2. The June Lake CDP includes all inhabited areas within 1 mile of the Project boundary as well as the areas around June Mountain Ski Area and areas on both sides of SR 158 north, east, and south of the Project (all inhabited locations in the vicinity of the June Lake Loop).

5 STUDY APPROACH

To implement the study the following methodology was employed:

- An analysis was completed describing the racial, ethnic, and poverty statistics for the June Lake CDP based on information from the U.S. Census Bureau's 2022 American Community Survey (ACS) 5-year Estimates; specifically, Table #B03002 was used for race and ethnicity data and Table #B17017 was used for low-income households (U.S. Census Bureau 2022). The analysis described the total population of each racial and ethnic group, the percentage of the total population that is a minority (including individuals of Hispanic or Latino origin), and the total percent of the population below the poverty level² for the State of California, Mono County, Census Tract 1.01, and the June Lake CDP (the boundaries of the June Lake CDP are equivalent to the boundaries of Census Tract 1.01, Block Group 2).
- Guidelines for defining disadvantaged and low-income communities used by the federal U.S. Environmental Protection Agency (EPA) and by multiple California state agencies, including the California Environmental Protection Agency (CalEPA), California Office of Environmental Health Hazards Assessment

² Following the Office of Management and Budget's Statistical Policy Directive 14, the U.S. Census Bureau uses a set of money income thresholds that vary by family size and composition to determine who is in poverty. If a family's total income is less than the family's threshold, then that family and every individual in it is considered in poverty. The official poverty thresholds do not vary geographically, but they are updated for inflation using Consumer Price Index. The official poverty definition uses money income before taxes and does not include capital gains or noncash benefits (such as public housing, Medicaid, and food stamps) (U.S. Census Bureau 2023).

(CalOEHHA), California Air Resources Board (CARB), and California Department of Water Resources (CDWR), were referenced.

- The local county supervisor was contacted to learn whether they were aware of any non-English-speaking groups within the June Lake Loop that may not have been captured by the U.S. Census Bureau's Data.
- Using this information (above), the study evaluated whether there were any environmental justice communities present in the affected area.

6 STUDY RESULTS

Based on the most recent ACS files available (2022 ACS 5-Year Estimates) and with reference to federal and state criteria for defining environmental justice communities, SCE finds that there are no environmental justice communities based on the presence of minority populations or based on the presence of low-income populations within the June Lake CDP. Therefore, there is no potential for the Project, as proposed, to negatively affect disadvantaged or environmental justice communities.

Table EJ-1 describes the racial, ethnic, and poverty statistics for the relevant state (California), county (Mono County), census tract (Census Tract 1.01, Mono County), and block group (Census Tract 1.01, Block Group 2/June Lake CDP).

6.1 ENVIRONMENTAL JUSTICE POPULATIONS BASED ON THE PRESENCE OF MINORITY POPULATIONS

Per EPA's *Promising Practices for Environmental Justice Methodologies in NEPA Reviews* (EPA 2016), one way to determine environmental justice communities based on the presence of minority populations is by determining whether the total percent of a minority population of any census block group in the affected area either exceeds 50 percent or is meaningfully greater than the minority population present in the county. The total minority population for the June Lake CDP is 7 percent. The total minority population for Mono County is 36 percent. Therefore, the June Lake CDP does not qualify as an environmental justice community based on the presence of minority populations—the total minority population does not exceed 50 percent, nor is the minority population meaningfully greater than the population present in the county.

6.2 ENVIRONMENTAL JUSTICE POPULATIONS BASED ON THE PRESENCE OF LOW-INCOME POPULATIONS

Per EPA's *Promising Practices for Environmental Justice Methodologies in NEPA Reviews* (EPA 2016), one way to determine environmental justice communities based on the presence of low-income populations is by determining whether the poverty level in the identified census block group is equal to or greater than that of a reference population (commonly the county). To calculate the percentage of the total population below the poverty level, the total number of households below the poverty level in Census Tract

1.01, Block Group 2/the June Lake CDP³ (13 households) was divided by the total number of households in the June Lake CDP (141 households) and the result multiplied by 100.⁴ Using this methodology, the percent of the population below the poverty level in the June Lake CDP is 9 percent, the same percentage as the county, though less than the percent of the population below the poverty level in the state, which is 12 percent. Therefore, using EPA’s 2016 methodology, the June Lake CDP could be identified as an environmental justice community based on the presence of a low-income population that is equal to that of Mono County. However, this finding contradicts that of multiple California state agencies who have established their own guidelines for identifying disadvantaged communities, low-income communities, economically distressed areas, and underrepresented communities.

For example, disadvantaged communities in California are specifically targeted for investment of proceeds from the state’s greenhouse gas emissions cap-and-trade program. These investments are aimed at improving public health, quality of life, and economic opportunity in California’s most burdened communities and, at the same time, reducing pollution that causes climate change (CalOEHHA 2023). In May 2022, CalEPA released its updated designation of disadvantaged communities for the purpose of distributing cap-and-trade program funds. Neither the June Lake CDP nor Mono County are designated as disadvantaged communities based on CalEPA’s designation (CalEPA 2022).

Likewise, the California Air Resources Board (CARB) has identified priority populations within the state for climate investments (CARB 2023). At least 35 percent of California climate investments must benefit these priority populations, which include disadvantaged communities, low-income communities, and low-income households. Disadvantaged communities are designated by CalEPA (CalEPA 2022), and low-income communities and households are defined as the census tracts and households, respectively, that are either at or below 80 percent of the statewide median income or at or below the threshold designated as low-income by the California Department of Housing and Community Development’s Revised 2021 State Income Limits.⁵ Census Tract 1.01 in Mono County, which contains the June Lake CDP (Block Group 2), is not identified as a low-income community or a disadvantaged community (CARB 2023).

In addition, based on 2016–2020 census data and criteria established by the California Department of Water Resources (CDWR) associated with guidelines for implementing the Integrated Regional Water Management Disadvantaged Community Involvement Program, the California Water Plan, and the Sustainable Groundwater Management Act, neither Mono County nor the June Lake CDP (Census Tract 1.01, Block Group 2) qualifies as a disadvantaged community (CDWR 2020a). Neither is Mono County or Census Tract 1.01 identified by CDWR as an economically distressed area. It is not an area where

³ The boundaries of the June Lake CDP are equivalent to the boundaries of Census Tract 1.01, Block Group 2.

⁴ Using the U.S. Census Bureau’s 2022 ACS 5-year Estimates.

⁵ Low-income definitions per Assembly Bill 1550 (Gomez, Chapter 369, Statutes of 2016)

the median household income is less than 80 percent of the statewide annual median household income (CDWR 2020b).

Therefore, though 13 of the 141 households in the June Lake CDP qualify as below the U.S. Census Bureau's poverty level, making the percentage of the population living in poverty equivalent to the percentage of the population living in poverty in the county (9 percent), the percentage of the population living in poverty in the county is less than the percentage of the population living in poverty in the state, and neither Mono County nor the June Lake CDP are identified as a disadvantaged or low-income community by the CalEPA, CARB, or CDWR. Therefore, SCE finds that the June Lake CDP is not a disadvantaged or environmental justice community.

6.3 NON-ENGLISH-SPEAKING GROUPS

According to 2022 census data, there are 302 people living in the June Lake CDP. No non-English-speaking groups within the June Lake CDP have been identified through anecdotal or observational experience over the course of SCE interactions with community stakeholders. Mono County Supervisor for District 3, Bob Gardner (representing the June Lake area), was queried regarding his knowledge of any non-English-speaking populations within the general vicinity of the June Lake Loop in December 2023.⁶ That correspondence did not reveal any known populations.

6.4 SENSITIVE RECEPTORS AND NEW CONSTRUCTION

Sensitive receptor locations include hospitals, schools, and daycare centers (California Health & Safety Code § 42705.5 [2022]), as well as developed lands such as subdivisions, residences, churches, and libraries (California Department of Transportation 2013). The main Project construction activities with the potential to affect sensitive receptors are associated with helicopter, construction equipment, and truck use at either the June Mountain Ski Area Parking Lot or the potential enhancement area in the lower Rush Creek channel. There are no schools or hospitals located within 1 mile of either area. There may be one or more daycare centers in the town of June Lake, approximately 1 mile away from the June Mountain Ski Area Parking Lot. Construction-related impacts commonly include potential exposure to air pollution from construction emissions or to construction-related noise (including helicopter noise). Project-related construction impacts and associated protection, mitigation, and enhancement measures will be evaluated in the license application.

6.5 SUMMARY

Based on the most recent ACS files available (2022 ACS 5-Year Estimates) and with reference to federal and state criteria for defining environmental justice communities, SCE finds that there are no environmental justice communities based on the presence of minority populations or based on the presence of low-income populations within the June Lake CDP. Therefore, there is no potential for the Project, as proposed, to negatively affect disadvantaged or environmental justice communities. In addition, no non-English-

⁶ Personal communication between Matthew Paruolo, SCE Government Relations Manager, and Bob Gardner, Supervisor for Mono County District 3, December 2023.

speaking groups in the June Lake CDP have been identified. Although there are no environmental justice communities that have been identified within the geographic scope of analysis, SCE maintains regular email communication with local and regional stakeholders (including Tribes, June Lake homeowners' associations, and various public interest groups), with the goal of including all interested and potentially affected populations. In addition, SCE has held in-person meetings (including in April of 2021, in October of 2021, and in February of 2024) in June Lake with the intention of connecting with the community directly about the Project and addressing their concerns.

7 REFERENCES

- Cal EPA (California Environmental Protection Agency). 2022. CalEnviroScreen SB 535 Disadvantaged Communities 2022 (Census Tracts and Tribal Areas), Online Mapping Tool. Available at: <https://oehha.ca.gov/calenviroscreen/sb535>.
- Cal OEHHA (California Office of Environmental Health Hazards Assessment). 2023. SB 525 Disadvantaged Communities webpage. Available at: <https://oehha.ca.gov/calenviroscreen/sb535>.
- California Department of Transportation. 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol. September.
- CARB (California Air Resources Board). 2023. Sensitive Receptor Assessment. Available at: <https://ww2.arb.ca.gov>.
- CDWR (California Department of Water Resources). 2020a. California Disadvantaged Communities Online Mapping Tool. Available at: <https://gis.water.ca.gov/app/dacs/>.
- . 2020b. California Disadvantaged Communities Online Mapping Tool. Available at: <https://gis.water.ca.gov/app/edas/>.
- EPA (U.S. Environmental Protection Agency). 2016. Promising Practices for EJ Methodologies in NEPA Reviews. Report of the Federal Interagency Working Group on Environmental Justice and NEPA Committee. Available at: https://www.epa.gov/sites/default/files/2016-08/documents/nepa_promising_practices_document_2016.pdf.
- FERC (Federal Energy Regulatory Commission). 2023. Environmental Justice. Available at: <https://www.ferc.gov/EJ/>. Accessed February 2023.
- SCE (Southern California Edison Company). 2022. Rush Creek Project (FERC Project No. 1389) FERC Study Plan Determination. October.

U.S. Census Bureau. 2022. Data and Mapping Tool. American Community Survey (ACS) 5-Year Estimates Detailed Tables (Table #B03002 and Table #B17017). Available at: <https://data.census.gov>.

———. 2023. How the Census Bureau Measures Poverty (June 2023). Available at: <https://www.census.gov/topics/income-poverty/poverty/guidance/poverty-measures.html>.

This Page Intentionally Left Blank

TABLES

This Page Intentionally Left Blank

Table EJ 1-1. Race, Ethnicity, and Low-Income Data

Geography	Race and Ethnicity Data										Low-Income Data
	Total Population (count)	White Alone Not Hispanic (count)	African American (count)	Native American/ Alaska Native (count)	Asian (count)	Native Hawaiian & Other Pacific Islander (count)	Some Other Race (count)	Two or More Races (count)	Hispanic or Latino (count)	Total Minority (%)	Below Poverty Level (%)
California	39,356,104	13,848,294	2,102,510	114,271	5,861,649	135,460	176,652	1,499,338	15,617,930	65%	12%
Mono County	13,219.00	8,490	23	152	539	0	144	289	3,582	36%	9%
Mono County, Census Tract 1.01	3,506	2,436	0	116	47	0	3	122	782	31%	15%
June Lake CDP/Census Tract 1.01, Block Group 2	302	280	0	0	22	0	0	0	0	7%	9%

Source: U.S. Census Bureau 2022: American Community Survey 2022, American Community Survey 1-Year Estimates Detailed Tables.

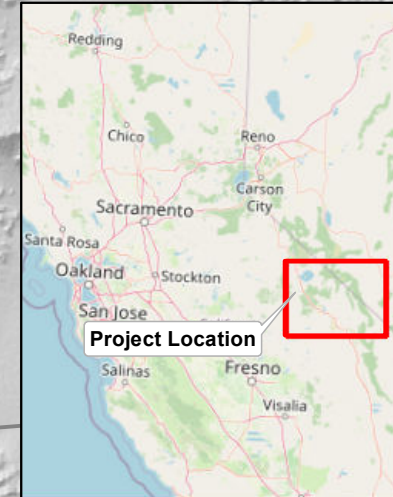
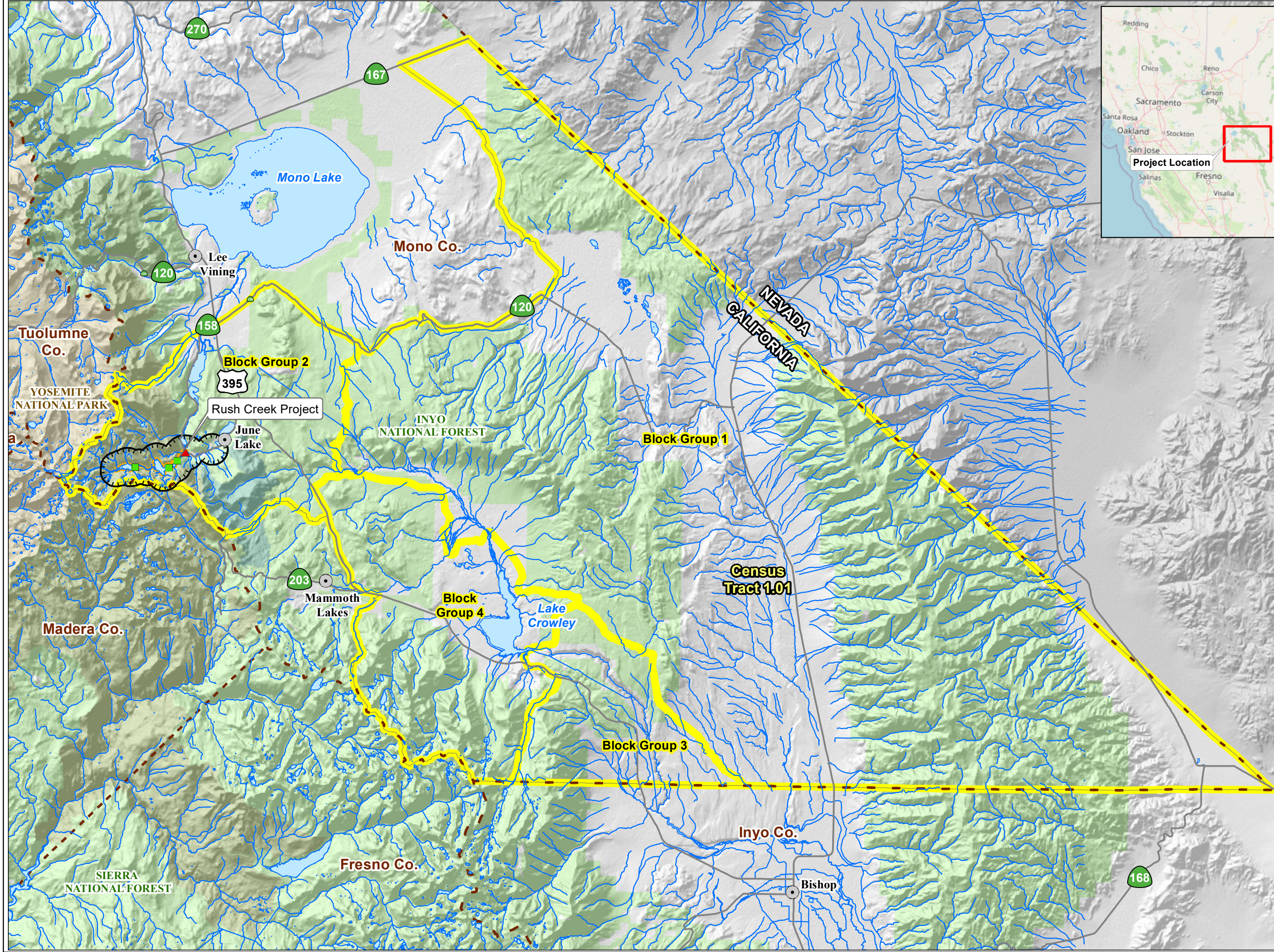
Table # B03002. Hispanic or Latino Origin by Race.

Table # B17017. Poverty Status in the Past 12 Months by Household Type by Age of Householder

This Page Intentionally Left Blank

MAPS

This Page Intentionally Left Blank



- SCE Facilities**
- Dam
 - ▲ Powerhouse
 - FERC Boundary
- Other Features**
- Major City/Town
 - Highway
 - River/Stream
 - Lake
 - County Boundary

- Land Jurisdiction and National Wilderness Areas/Parks***
- U.S. Forest Service
 - Ansel Adams Wilderness (U.S. Forest Service)
 - Owens River Headwaters Wilderness (U.S. Forest Service)
 - Yosemite National Park / Yosemite Wilderness (National Park Service)
 - Private (Blank)

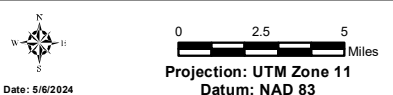
*SOURCES: BLM, 2020.
Mono Co., 2019.
Wilderness.net, 2019.

- Environmental Justice Study**
- Study Area (1-Mile Buffer of FERC Boundary and June Mountain Ski Area Parking Lot)
 - Census Tract / Block Group Boundary



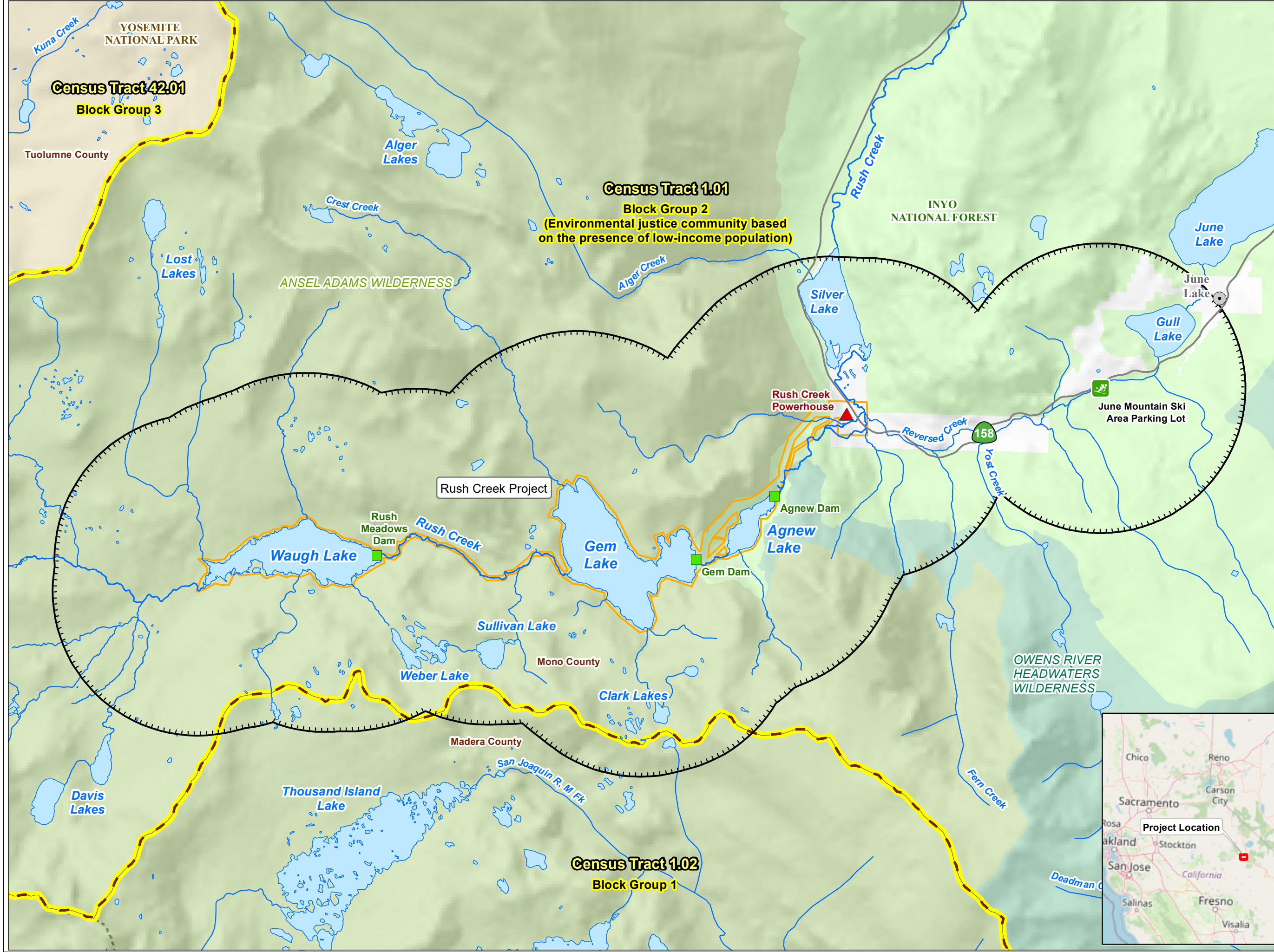
Rush Creek Project (FERC 1389)

Map EJ-1
Environmental Justice Study Area and Census Tract 1.01



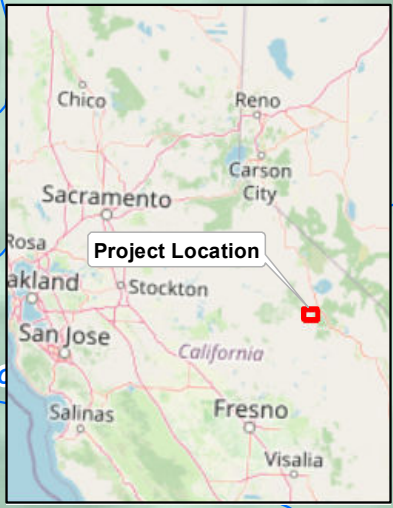
Southern California Edison (SCE) has no reason to believe that there are any inaccuracies or defects with information incorporated in this work and make no representations of any kind, including, but not limited to, the warranties of merchantability or fitness for a particular use, nor are any such warranties to be implied, with respect to the information or data, furnished herein. No part of this map may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying and recording system, except as expressly permitted in writing by SCE.


This Page Intentionally Left Blank



- SCE Facilities**
- Dam
 - ▲ Powerhouse
 - FERC Boundary
- Other Features**
- Major City/Town
 - Highway
 - River/Stream
 - Lake
 - County Boundary
- Land Jurisdiction and National Wilderness Areas/Parks***
- U.S. Forest Service
 - Ansel Adams Wilderness (U.S. Forest Service)
 - Owens River Headwaters Wilderness (U.S. Forest Service)
 - Yosemite National Park / Yosemite Wilderness (National Park Service)
 - Private (Blank)
- *SOURCES: BLM, 2020.
Mono Co., 2019.
Wilderness.net, 2019.

- Environmental Justice Study**
- Study Area (1-Mile Buffer of FERC Boundary and June Mountain Ski Area Parking Lot)
 - Census Tract / Block Group Boundary






SOUTHERN CALIFORNIA EDISON
An EDISON INTERNATIONAL® Company

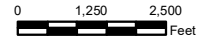
Rush Creek Project (FERC 1389)

Map EJ-2

Environmental Justice Study Area



Date: 5/6/2024



Projection: UTM Zone 11
Datum: NAD 83

Southern California Edison (SCE) has no reason to believe that there are any inaccuracies or defects with information incorporated in this work and make no representations of any kind, including, but not limited to, the warranties of merchantability or fitness for a particular use, nor are any such warranties to be implied, with respect to the information or data, furnished herein. No part of this map may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying and recording system, except as expressly permitted in writing by SCE.

This Page Intentionally Left Blank