

3.14 Environmental Justice

3.14.1 Policy/Regulatory Considerations

Federal agencies are directed by Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority and Low Income Populations*, as amended, to develop an Environmental Justice Strategy that identifies and addresses disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations. Regulation of the Federal Government's compliance with Executive Order 12898 and National Environmental Policy Act (NEPA) is provided by the Council on Environmental Quality (CEQ). CEQ, with assistance from the Environmental Protection Agency (EPA) and other agencies, has developed guidance to assist Federal agencies with their NEPA procedures so that environmental justice concerns are effectively identified and addressed. CEQ's *Environmental Justice Guidance under the National Environmental Policy Act* advises agencies to consider the composition of the affected area, to determine whether minority populations, low-income populations, or Indian tribes are present in the area affected by the proposed action, and if so whether there may be disproportionately high and adverse environmental effects.

3.14.2 Affected Environment

Federal agencies must identify a geographic scale for which they will obtain demographic information in order to determine whether a proposed action will possibly have disproportionately high and adverse effects. The geographic scale should more or less correspond to the affected environment.

A census tract is a specific area grouped for the purpose of taking a census. Census tract boundaries are defined by a local committee of census data users for the purpose of taking a census. Traditionally, census tract boundaries follow visible features and may also coincide with city, towns or other administrative limits. Census tracts are intended to display uniform demographic information with regards to the economic status, living conditions and characteristics of the people within the tract at the time of the tract's formation. Consequently, the affected environment for the environmental justice analysis is determined to be the area within Census Tract 1542 which includes the City of Cloverdale and the unincorporated area surrounding the project.¹

Minority Populations

According to CEQ guidelines for environmental justice analysis, "Minority populations should be identified where either (a) the minority population of the affected area exceeds 50 percent or (b) the minority population percentage of the affected area is meaningfully greater than the majority population percentage in the general population or other appropriate unit of geographic analysis...A minority population also exists if there is more than one minority group present and

¹ The Census Tract 1542 boundary extends more than ten miles south of Cloverdale to the outskirts of Healdsburg at Lytton Springs Road.

the minority percentage, as calculated by aggregating all minority persons, meets one of the above-stated thresholds” (CEQ, 1997).

Information regarding racial diversity was derived from the 2000 Census (U.S. Census Bureau, 2000a). **Table 3.14-1** presents the racial composition for Sonoma County, the City of Cloverdale, and Census Tract 1542. As shown in the table, the racial composition for Census Tract 1542 is very similar to that of the City of Cloverdale, differing only in a slightly higher proportion of White alone residents and correspondingly reduced proportion of Hispanic or Latino residents.

**TABLE 3.14-1
RACIAL COMPOSITION FOR APPLICABLE STUDY AREA (2000)**

	White	Hispanic / Latino	Black	American Indian / Alaska Native	Asian	Native Hawaiian / Pacific Islander	Other
Sonoma County	74.5%	17.3%	1.3%	0.8%	3.0%	0.2%	2.9%
City of Cloverdale	68.7%	26.7%	0.1%	1.2%	0.9%	0.1%	2.4%
Census Tract 1542	69.3%	26.1%	0.1%	1.2%	0.9%	0.1%	2.4%

Other includes reported unspecified race or individuals of two or more non-hispanic or non-latino races.

SOURCE: U.S Census Bureau, 2000a. Summary File 1, QT-P4.

Compared with Sonoma County’s racial composition, Cloverdale has a smaller proportion of White alone residents and a greater proportion of Hispanic or Latino residents. Cloverdale’s Black and Asian population represent a considerable smaller proportion of the local population than for Sonoma County as a whole. There are also a greater proportion of American Indian residents in the Cloverdale area than within Sonoma County.

Under CEQ guidelines for minority populations, neither the City of Cloverdale nor Census Tract 1542 would qualify as minority populations.

Income

The CEQ’s environmental justice guidance does not clearly set the demarcations at the census poverty thresholds, but states that “Low-income populations in an affected area should be identified with the annual statistical poverty thresholds from the Bureau of the Census’ Current Population Reports, Series P-60 on Income and Poverty.”

Poverty level thresholds vary according to a household’s size and composition. The Census poverty threshold for a two-parent household with two children was \$17,465 in 1999 dollars which is equivalent to \$22,044 in 2008 dollar terms. The poverty thresholds provide one national measurement of income that is not adjusted for regional costs of living. Among its poverty statistical data, the U.S. Census Bureau also reports population data income ratios from 50 percent to 200 percent of the poverty threshold (U.S. Census Bureau, 2000b). For many federal and state programs,

eligibility levels are significantly higher than the poverty level (e.g., for the Women, Infants, and Children program² the eligibility criterion is 185 percent of the poverty level).

The Metropolitan Transportation Commission's (MTC) *2001 Regional Transportation Plan Equity Analysis and Environmental Justice Report* provides one of the most substantial recent environmental justice analyses and is used by several other Bay Area agencies as a model. In its definition of low-income communities, the report states (MTC, 2001):

“Low-income is defined as the household income that is at or below the U.S. Department of Health and Human Services Poverty Guidelines. For the purposes of this exercise [i.e., 2001 Regional Transportation Plan Equity Analysis] the definition of low-income to households was established as households at or below 200 percent of poverty. This level was used to reflect the relatively high cost of living in the Bay Area. Zones, where the low-income population was 30 percent of the total population or greater, were included in the Equity Analysis.”

Table 3.14-2 presents the percentages of residents with incomes less than the poverty level (including less than and greater than 200 percent of the poverty level) for Cloverdale, Sonoma County and Census Tract 1542.

**TABLE 3.14-2
INCOME OF APPLICABLE STUDY AREA (2000)**

	Median Family Income (1999)	Population with Incomes Less than Poverty Level	Population with Incomes Less than 200 Percent of Poverty Level	Population with Incomes Greater than 200 Percent of Poverty Level
Sonoma County	\$61,921	8.1%	22.2%	77.8%
Cloverdale	\$50,000	10.4%	26.7%	73.3%
Census Tract 1542	\$50,771	10.8%	26.7%	73.3%

SOURCE: U.S. Census Bureau, 2000b. Summary File 3, QT-P32, QT-P33, QT-P34.

The 2000 Census reported that the median household income of Sonoma County was \$60,821 in 1999 dollars. The census also determined that approximately 8.1 percent of all persons included had an income below the federal poverty level. As discussed in **Section 3.7**, Sonoma County has a higher median family income than at the State of California and national level. The County has a lower proportion of residents living below poverty level than at the State and national level. The City of Cloverdale's median family income level is lower than Sonoma County and California as a whole, but it is above the national average. Although the City of Cloverdale has a higher proportion of residents living below the lower poverty level than Sonoma County, its proportion is less than at the State or national level. Even using the more stringent MTC definition, neither Cloverdale nor Census Tract 1542 qualify as low-income communities.=

² The Women, Infants, and Children program is a nutrition program under the California Department of Health Services that helps pregnant women, new mothers, and young children eat well and stay healthy.

3.14.3 References

- Council on Environmental Quality (CEQ), 1997. *Environmental Justice – Guidance under the National Environmental Policy Act*. Executive Office of the President; Washington, D.C. Available at: <http://www.nepa.gov/nepa/regs/ej/justice.pdf>. Accessed September 28, 2009.
- Metropolitan Transportation Commission (MTC), 2001. *The 2001 Regional Transportation Plan - Equity Analysis and Environmental Justice Report*. Oakland, CA. September 2001. Available at: http://www.mtc.ca.gov/library/2001_rtp/downloads/EJ/EquityReport.pdf. Accessed September 28, 2009.
- U.S. Census Bureau, 2000a. Table QT-P4: Race, Combinations of Two Races, and Not Hispanic or Latino: 2000. Census 2000 Summary File 1. Available at: <http://factfinder.census.gov/>.
- U.S. Census Bureau, 2000b. Table QT-P32: Income Distribution in 1999 of Households and Families: 2000; Table QT-P33: Income in 1999 by Selected Household, Family, and Individual Characteristics: 2000; Table QT-P34: Poverty Status in 1999 of Individuals: 2000. Census 2000 Summary File 3. Available at: <http://factfinder.census.gov/>.