

A. INTRODUCTION

OVERVIEW

This environmental justice (EJ) analysis has been prepared to identify and address any potential disproportionate adverse impacts on minority or low-income populations that could result from the proposed project. The need for performing an environmental justice analysis is related to the establishment of Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations* (February 11, 1994). Certain state agencies, such as the New York State Department of Environmental Conservation (NYSDEC), have developed their own policies for incorporating environmental justice concerns into environmental review. This EJ analysis follows NYSDEC's guidance and methodology for incorporating environmental justice concerns into environmental review. On March 19, 2003, NYSDEC issued *Commissioner's Policy (CP)-29 Environmental Justice and Permitting* (the Policy), to address environmental justice concerns and ensure community participation in the NYSDEC environmental permit review process and the NYSDEC application of the State Environmental Quality Review Act. The Policy is intended to encourage meaningful public participation by minority or low-income communities in the environmental review process and to assist NYSDEC in addressing any adverse impacts on minority and low-income communities.

This EJ analysis has been prepared as a way to assess if the proposed project could cause disproportionate adverse impacts on minority or low-income populations. It can be applied in the GEIS in support of the state of federal permits that are required for the project.

METHODOLOGY

As set forth in the NYSDEC policy regarding environmental justice analyses, "Environmental justice means the fair treatment and meaningful involvement of all people regardless of race, color, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences."

Following NYSDEC guidance, this EJ analysis involved identifying the area that may be potentially affected by adverse environmental impacts from the proposed project (i.e., establishing a study area) and determining whether potential adverse environmental impacts are likely to affect a potential environmental justice area (i.e., assessing whether low-income and/or minority populations are present in the study area), as discussed in greater detail below.

DELINEATION OF STUDY AREA

The study area for this EJ analysis was defined to include all census block groups substantially within a half-mile of the proposed project, or the area where any potential impacts resulting from the project could occur. Figure 27-1 depicts the 14 census block groups in the environmental justice study area.

IDENTIFY POTENTIAL ENVIRONMENTAL JUSTICE AREAS

The next step in the analysis was to determine whether low-income or minority communities (“potential environmental justice areas”) are present in the study area. In accordance with NYSDEC’s methodology, to identify significant minority and low-income populations within the study area, demographic information was obtained from the U.S. Census Bureau’s *Census 2000*. Demographic data such as total population, race and ethnicity, and poverty status were compiled at the census block group level for each census block group in the environmental justice study area. In addition, data were compiled for Staten Island and New York City as a whole to allow for a comparison of study area characteristics to a larger reference area.

According the Policy, potential environmental justice areas include minority or low-income communities. Those communities are defined as follows:

- *Minority communities:* NYSDEC’s policy defines minorities to include Hispanics, African-Americans or Black persons, Asian Americans and Pacific Islanders, and American Indians. This EJ analysis also considers minority populations to include Alaskan Natives as well as persons who identified themselves as being either “some other race” or “two or more races” in *Census 2000*. Following NYSDEC guidance, a minority community is a census block group, or contiguous area with multiple census block groups, having a minority population equal to or greater than 51.1 percent of the total population in an urban area and 33.8 percent of the total population in a rural area. The EJ study area includes only urban areas, as established by the U.S. Census Bureau. Therefore, any census block group with a minority population equal to or greater than 51.1 percent was considered to be a potential environmental justice area.
- *Low-income communities:* The Policy defines a low-income population as a population with an annual income below the poverty threshold as defined by the U.S. Census Bureau. For each census block group in the study area, data were compiled on the percentage of persons living below the poverty threshold. The Policy defines a low-income community to be any area where the low-income population (i.e., persons living below the poverty threshold) is equal to or greater than 23.59 percent of the total population.

B. IDENTIFICATION OF POTENTIAL ENVIRONMENTAL JUSTICE AREAS WITHIN THE STUDY AREA

Using the methodology described above, none of the census block groups within the study area are considered potential communities of concern for environmental justice (see Table 27-1).

According to *Census 2000*, the study area has a total population of 51,935 residents, of which approximately 19.8 percent belong to a minority group—well below the 51.1 percent threshold and also lower than in Staten Island (28.7 percent) and New York City as a whole (65 percent). The block groups in the study area are not considered minority communities and have minority populations ranging from zero to 50 percent.

**Table 27-1
Study Area Population and Economic Characteristics**

Census Tract (CT)/Block Group (BG)	Population (2000)												Economic Profile (1999)
	2000 Total Pop.	Race and Ethnicity*										Total Minority (%)	Individuals Below Poverty Level (%)**
		White	%	Black	%	Asian	%	Other	%	Hispanic	%		
CT 170.07 BG 1	3,006	2,161	71.9	111	3.7	256	8.5	57	1.9	421	14.0	28.1	8.1
CT 170.08 BG 1	8,230	7,416	90.1	20	0.2	359	4.4	64	0.8	371	4.5	9.9	2.0
CT 170.1 BG1	7,722	6,312	81.7	153	2.0	362	4.7	95	1.2	800	10.4	18.3	4.0
CT 170.1 BG2	1,556	1,354	87.0	8	0.5	100	6.4	10	0.6	84	5.4	13.0	5.6
CT 208.01 BG 1	8,261	7,231	87.5	20	0.2	459	5.6	71	0.9	480	5.8	12.5	4.3
CT 226 BG 1	4,360	3,076	70.6	529	12.1	119	2.7	36	0.8	600	13.8	29.4	9.2
CT 226 BG 2	1,703	1,536	90.2	9	0.5	48	2.8	24	1.4	86	5.0	9.8	5.1
CT 226 BG 3	40	20	50.0	0	0.0	9	22.5	0	0.0	11	27.5	50.0	0.0
CT 277.02 BG 1	5,883	4,116	70.0	1	0.0	943	16.0	112	1.9	569	9.7	30.0	6.7
CT 277.03 BG 2	3,118	2,179	69.9	0	0.0	509	16.3	50	1.6	325	10.4	30.1	9.2
CT 277.03 BG 3	5,725	4,392	76.7	51	0.9	763	13.3	124	2.2	395	6.9	23.3	6.9
CT 291.02 BG 1	2,213	1,773	80.1	14	0.6	88	4.0	60	2.7	278	12.6	19.9	5.6
CT 291.02 BG 1	2	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0.0	0.0
CT 291.02 BG 2	116	86	74.1	8	6.9	1	0.9	0	0.0	21	18.1	25.9	7.4
Study Area	51,935	41,654	80.2	924	1.8	4,016	7.7	703	1.4	4,441	8.6	19.8	5.6
Staten Island	443,728	316,316	71.3	39,704	8.9	24,786	5.6	9,372	2.1	53,550	12.1	28.7	10.0
New York City	8,008,278	2,801,267	35.0	1,962,154	24.5	780,229	9.7	304,074	3.8	2,160,554	27.0	65.0	21.2

Notes:
 * The racial and ethnic categories provided are further defined as: White (White alone, not Hispanic or Latino); Black (Black or African American alone, not Hispanic or Latino); Asian (Asian alone, not Hispanic or Latino); Other (American Indian and Alaska Native alone, not Hispanic or Latino; Native Hawaiian and Other Pacific Islander alone, not Hispanic or Latino; Some other race alone, not Hispanic or Latino; Two or more races, not Hispanic or Latino); Hispanic (Hispanic or Latino; Persons of Hispanic origin may be of any race).
 ** Percent of individuals with incomes below established poverty level. The U.S. Census Bureau's established income thresholds for poverty levels defines poverty level.

Sources: U.S. Census Bureau, Census 2000.

As shown in Table 27-1, about 5.6 percent of the residents in the study area live below the poverty level (compared to approximately 10 percent in Staten Island and 21.2 percent in New York City as a whole). The percentage of the total population living below the poverty threshold in each block group ranges from zero to 9.2 percent. Therefore, the low-income population of the study area and of each of the study area's block groups does not exceed NYSDEC's 23.59 percent threshold for identifying low-income communities.

C. CONCLUSIONS ON DISPROPORTIONATE ADVERSE IMPACTS

In summary, the study area as a whole is not considered a potential environmental justice area and there are no block groups within the study area that exceed NYSDEC thresholds for minority or low-income communities. Approximately 80 percent of the study area is comprised of non-minority populations, and 94 percent is made up of non-low-income populations. Therefore, the proposed project is not expected to result in any disproportionate significant adverse impacts on minority or low-income populations. *

