

**A. INTRODUCTION AND BACKGROUND**

To satisfy Executive Order 12898 (EO 12898), *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (February 11, 1994), this environmental justice analysis has been prepared to identify and address any disproportionate and adverse impacts on minority or low-income populations that could result from the Proposed Project. In addition, this environmental justice analysis was prepared pursuant to the U.S. Department of Housing and Urban Development (HUD) regulations found at 24 CFR Parts 50 and 58, which mandate compliance with EO 12898 for HUD and/or HUD applicants.

EO 12898 also requires federal agencies to work to ensure greater public participation in the decision-making process. For the Proposed Project, this requirement has been satisfied by the review process for this Environmental Assessment (EA) under the National Environmental Policy Act (NEPA).

This chapter analyzes the Proposed Project's potential effects on minority and low-income populations, to determine if disproportionately high and adverse impacts on those populations would result. This environmental justice analysis assesses the potential effects of the Proposed Project over the full range of environmental and health effects on minority and low-income populations.

In summary, the principal conclusion of the analysis is that the Proposed Project is not expected to result in any disproportionately high and adverse effects on minority and low-income populations, and no environmental justice concerns are expected with the Proposed Project.

**B. METHODOLOGY**

The environmental justice analysis for the Proposed Project follows the guidance and methodologies recommended in the federal Council on Environmental Quality (CEQ)'s *Environmental Justice Guidance under the National Environmental Policy Act* (December 1997), as summarized below.

**CEQ GUIDANCE**

The CEQ, which has oversight of the federal government's compliance with EO 12898 and NEPA, developed its guidance to assist federal agencies with their NEPA procedures so that environmental justice concerns are effectively identified and addressed.

The CEQ methodology involves collecting demographic information on the area where the project may cause significant adverse effects; identifying low-income and minority populations in that area using census data; and identifying whether the project's adverse effects are disproportionately high on the low-income and minority populations in comparison with those on other populations. Mitigation measures should be developed and implemented for any

## **Fulton Corridor Revitalization Program**

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disproportionately high and adverse effects. Under NEPA, the potential for disproportionately high and adverse effects on minority and/or low-income populations should then be one of the factors the federal agency considers in making its finding on a project and issuing a Finding of No Significant Impact or a Record of Decision.

### **METHODOLOGY USED FOR THIS ASSESSMENT**

The assessment of environmental justice for the Proposed Project was based on CEQ guidance, as described above. It involved four basic steps:

1. Identify the area where the project may cause significant and adverse effects (i.e., the study area);
2. Compile population and economic characteristics for the study area and identify potential environmental justice areas (i.e., minority or low-income communities);
3. Identify the Proposed Project's potential adverse effects on minority and low-income communities; and
4. Evaluate the Proposed Project's potential adverse effects on minority and low-income communities relative to its overall effects to determine whether any potential adverse impacts on those communities would be disproportionate.

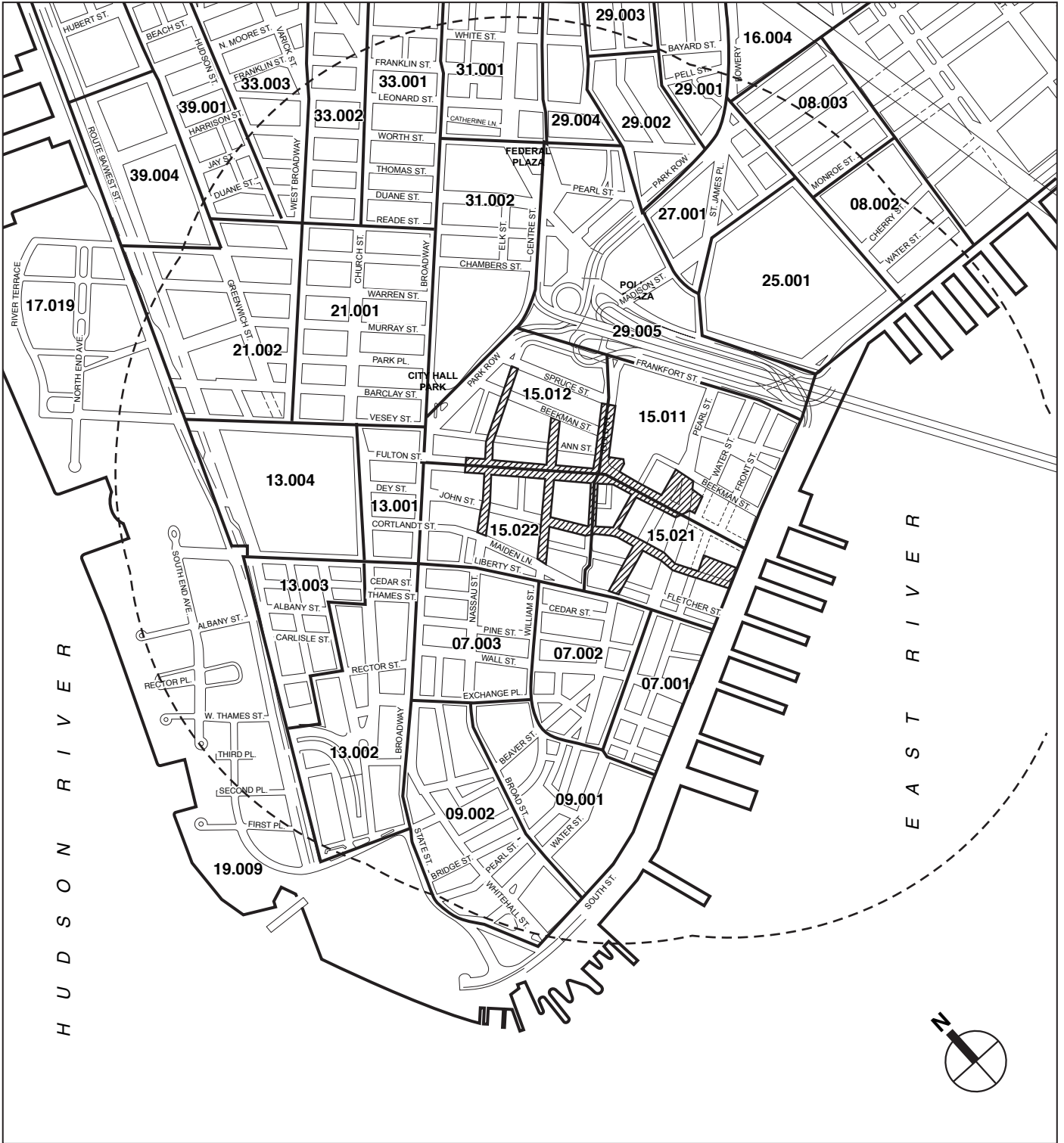
### *DELINEATION OF STUDY AREA*

The study area for environmental justice encompasses the area most likely to be affected by the Proposed Project and considers the area where potential impacts resulting from construction and operation of the Proposed Project could occur. The study area for environmental justice includes the census block groups that are at least 50 percent within the area of potential effect, which is generally the area within ½ mile of the Proposed Project site, based on the other impact analyses included in this EA. As shown in Figure 4-1, the study area includes 28 census block groups.

### *IDENTIFICATION OF POTENTIAL ENVIRONMENTAL JUSTICE AREAS*


Data on race, ethnicity, and poverty status were gathered from the U.S. Census Bureau's *Census 2000* for the census block groups within the study area, and then aggregated for the study area as a whole. For comparison purposes, data for Manhattan and New York City were also compiled. Based on census data and CEQ guidance (described above), potential environmental justice areas were identified as follows:

- *Minority communities:* CEQ guidance defines minorities to include American Indians or Alaskan Natives, Asian and Pacific Islanders, African Americans or Black persons, and Hispanic persons. This environmental justice analysis also considers minority populations to include persons who identified themselves as being either "some other race" or "two or more races" in the *Census 2000*. Following CEQ guidance, minority communities were identified where the minority population of the affected area exceeds 50 percent.
- *Low-income communities:* The percent of individuals living below the poverty level in each census block group, also available in *Census 2000*, was used to identify low-income populations. Because CEQ guidance does not specify a threshold for identifying low-income communities, all census block groups with a low-income population percentage that is meaningfully greater than in Manhattan—the Proposed Project's primary statistical reference area—were considered low-income communities. In Manhattan, approximately 20



 Project Site

 Study Area Boundary (1/2-Mile Perimeter)

 15.022 Census Block Group



percent of the total population is living below the federal poverty threshold, so any block group with a low-income population equal to or greater than 25 percent was considered a low-income community.

### **C. ENVIRONMENTAL JUSTICE POPULATIONS IN THE STUDY AREA**

The environmental justice study area includes 28 census block groups (see Figure 4-1). Table 4-1 shows population and economic characteristics in terms of race, ethnicity, and poverty status. The study area had a population of approximately 55,000 in 2000, or approximately 3.6 percent of the total population of Manhattan. Approximately 41 percent of the study area's population identified themselves as Caucasian, making up the largest racial or ethnic group. However, approximately 59 percent of the residents of this study area are minority—a substantially larger proportion than in Manhattan (54 percent) but less than the City as a whole (65 percent). Because the study area's total minority percentage exceeds CEQ's 50 percent threshold, the study area as a whole is considered a minority community. Moreover, 14 of the individual block groups in the study area have minority populations that exceed the 50 percent threshold, ranging from 50 percent to 100 percent.

In addition, five of the block groups in the study area have low-income population percentages that are meaningfully greater than in Manhattan and the City as a whole, ranging from 27 percent to 31 percent. Overall, the study area has a low income population of 16 percent; therefore, although individual block groups have greater than 25 percent low-income residents, the study area as a whole is not considered a low-income community.

Minority representation in the study area exceeds the 50 percent minority threshold, and certain block groups in the study area have low-income population exceeding 25 percent. Therefore, the entire study area is considered a potential environmental justice area. Further, more than half of the study area's block groups are considered potential environmental justice communities.

### **D. PUBLIC PARTICIPATION**

EO 12898 requires federal agencies to work to ensure greater public participation in the decision-making process. In addition, CEQ guidance suggests that federal agencies should acknowledge and seek to overcome linguistic, cultural, institutional, geographic, and other barriers to meaningful participation.

The Proposed Project's public outreach and participation component required by EO 12898 has been satisfied by the review process for this EA under NEPA. Under NEPA, federal agencies are required to encourage early and meaningful public participation in the decision-making process. To this end, the Lower Manhattan Development Corporation (LMDC) and the City of New York have held a number of meetings with the local community board, local preservation groups, and other local stakeholder groups. LMDC also published and distributed an early public notice regarding the Proposed Project.

The public will have the opportunity to comment on this EA during the 15-day public review period. LMDC has circulated a notice of the availability of this EA to community groups in the affected area, and will consider any public comments that are received prior to finally approving the Proposed Project.

Table 4-1  
Study Area Population and Economic Characteristics

Census Block Group	2000 Total	Population by Race and Ethnicity*										Total Minority (%)	Percent Poverty Level (%)**
		White	%	Black	%	Asian	%	Other	%	Hispanic	%		
7.002	225	135	60%	20	9%	40	18%	20	9%	10	4%	40%	9%
7.003	785	465	59%	10	1%	150	19%	105	13%	55	7%	41%	
8.002	3940	1000	25%	100	3%	2525	64%	95	2%	220	6%	75%	
8.003	5765	155	3%	0	0%	5405	94%	140	2%	65	1%	97%	
9.001	1160	790	68%	40	3%	125	11%	120	10%	85	7%	32%	
9.002	70	35	50%	0	0%	25	36%	0	0%	10	14%	50%	
13.001	19	4	21%	0	0%	0	0%	15	79%	0	0%	79%	
13.002	1050	805	77%	80	8%	55	5%	50	5%	60	6%	23%	
13.003	565	375	66%	10	2%	25	4%	80	14%	75	13%	34%	
13.004	75	0	0%	20	27%	25	33%	15	20%	15	20%	100%	
15.011	3740	2450	66%	235	6%	760	20%	65	2%	230	6%	34%	9%
15.012	1075	560	52%	145	13%	230	21%	80	7%	60	6%	48%	2%
15.021	2345	1655	71%	55	2%	415	18%	90	4%	130	6%	29%	9%
15.022	1810	1325	73%	25	1%	260	14%	105	6%	95	5%	27%	7%
21.001	1099	815	74%	4	0%	110	10%	90	8%	80	7%	26%	5%
21.002	1595	1180	74%	40	3%	215	13%	65	4%	95	6%	26%	2%
25.001	7380	1045	14%	960	13%	2085	28%	1125	15%	2165	29%	86%	31%
27.001	1565	300	19%	15	1%	1180	75%	45	3%	25	2%	81%	24%
29.001	2570	35	1%	0	0%	2455	96%	65	3%	15	1%	99%	42%
29.002	1570	175	11%	10	1%	1345	86%	30	2%	10	1%	89%	30%
29.003	1360	35	3%	0	0%	1325	97%	0	0%	0	0%	97%	27%
29.004	1240	120	10%	600	48%	125	10%	170	14%	225	18%	90%	4%
29.005	1435	510	36%	385	27%	35	2%	0	0%	505	35%	64%	0%
31.001	1685	825	49%	85	5%	315	19%	370	22%	90	5%	51%	4%
31.002	115	0	0%	30	26%	0	0%	40	35%	45	39%	100%	3%
33.001	1875	1505	80%	25	1%	190	10%	80	4%	75	4%	20%	4%
33.002	649	590	91%	0	0%	4	1%	40	6%	15	2%	9%	1%
317.019	8400	6000	71%	225	3%	1390	17%	370	4%	415	5%	29%	5%
Study Area	<b>55,162</b>	<b>22,889</b>	41%	<b>3,119</b>	6%	<b>20,814</b>	38%	<b>3,470</b>	6%	<b>4,870</b>	9%	<b>59%</b>	16%
Manhattan	1,537,195	703,873	46	234,698	15	143,291	9	37,517	2	417,816	27	54	20
New York City	8,008,278	2,801,267	35	1,962,154	25	780,229	10	304,074	4	2,160,554	27	65	21

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 level defines poverty level.

\*\*\* Percentages in **bold** were identified as minority or low-income communities.

## **E. IDENTIFICATION OF DISPROPORTIONATE ADVERSE IMPACTS**

As discussed throughout this EA, the Proposed Project would produce beneficial effects for the local community, including improved access to the waterfront and enhancement of the visual quality of the project area. At the same time, the Proposed Project would not result in any significant adverse impacts. Therefore, the Proposed Project is not expected to result in any disproportionately high and adverse effects on minority and low-income populations. Overall, the Proposed Project would have a positive effect on the neighboring communities by creating and enhancing public open space and providing new waterfront access. In addition, the Proposed Project would be in compliance with all applicable NEPA and HUD regulations related to environmental justice protections. Therefore, there are no environmental justice concerns expected with the Proposed Project. \*