

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

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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 64 census block groups. It should be noted that the ½ mile study area encompasses a portion of Brooklyn.

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 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 64 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 115,503 in 2000, or approximately 8 percent of the total population of Manhattan.

More than half of the study area's population (51 percent) identified themselves as Asian, making up the largest racial or ethnic group. Approximately 78 percent of the residents of this study area are minority—a substantially larger proportion than in Manhattan (54 percent) and 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, 51 of the individual block groups in the study area have minority populations that exceed the 50 percent threshold, ranging from 53.8 percent to 100 percent.

In addition, 45 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 25.6 percent to 55.4 percent. Overall, the study area has a low income population of 29 percent, and therefore exceeds the CEQ threshold of 25 percent and is considered a low-income community.

Minority representation in the study area exceeds the 50 percent minority threshold and low-income population exceeds the 25 percent threshold. Therefore, the entire study area is considered a potential environmental justice area, and more than half of its 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 New York City Department of Parks and Recreation have held a number of meetings with the local community board, local preservation groups, and other local stakeholder groups.

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 issuing a statement of findings for the project.

E. IDENTIFICATION OF DISPROPORTIONATE ADVERSE IMPACTS

As discussed throughout this EA, the Proposed Project would produce beneficial effects for the local community, including the enhancement of the visual quality of the project area and the creation of public green space, recreational space, and amenities in an area that has a strong demand for open space. 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 linking the adjacent Lower East Side, Two Bridges, and Chinatown neighborhoods to the East River. 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.

Table 4-1
Study Area Population and Economic Characteristics

Census Tract (CT)/ Block Group (BG)	Population Profile by Race and Ethnicity*												Individuals Below Poverty Level**
	Total	White	%	Black	%	Asian	%	Other	%	Hispanic	%	Total Minority	
CT 2.01 BG 1	1,243	138	11.1%	35	2.8%	947	76.2%	13	1.0%	110	8.8%	88.9%	23.7%
CT 2.01 BG 2	2,086	27	1.3%	243	11.6%	531	25.5%	24	1.2%	1,261	60.5%	98.7%	34.5%
CT 2.02 BG 1	715	121	16.9%	82	11.5%	194	27.1%	25	3.5%	293	41.0%	83.1%	37.2%
CT 2.02 BG 3	4,066	573	14.1%	468	11.5%	988	24.3%	94	2.3%	1,943	47.8%	85.9%	34.0%
CT 6 BG 1	3,001	136	4.5%	32	1.1%	2,579	85.9%	210	7.0%	44	1.5%	95.5%	36.2%
CT 6 BG 2	4,283	164	3.8%	540	12.6%	2,045	47.7%	26	0.6%	1,508	35.2%	96.2%	35.8%
CT 6 BG 3	2,769	141	5.1%	223	8.1%	1,091	39.4%	84	3.0%	1,230	44.4%	94.9%	31.9%
CT 6 BG 4	2,223	79	3.6%	7	0.3%	2,075	93.3%	56	2.5%	6	0.3%	96.4%	31.9%
CT 8 BG 1	1,497	26	1.7%	0	0.0%	1,419	94.8%	28	1.9%	24	1.6%	98.3%	37.1%
CT 8 BG 2	3,721	861	23.1%	83	2.2%	2,527	67.9%	29	0.8%	221	5.9%	76.9%	18.7%
CT 8 BG 3	5,699	141	2.5%	0	0.0%	5,405	94.8%	89	1.6%	64	1.1%	97.5%	29.2%
CT 12 BG 2	829	645	77.8%	26	3.1%	0	0.0%	24	2.9%	134	16.2%	22.2%	14.4%
CT 12 BG 3	1,718	338	19.7%	80	4.7%	313	18.2%	18	1.0%	969	56.4%	80.3%	37.5%
CT 14.01 BG 1	2,962	2,237	75.5%	67	2.3%	140	4.7%	49	1.7%	469	15.8%	24.5%	6.5%
CT 14.02 BG 1	313	93	29.7%	0	0.0%	102	32.6%	11	3.5%	107	34.2%	70.3%	45.7%
CT 14.02 BG 2	1,029	115	11.2%	58	5.6%	219	21.3%	28	2.7%	609	59.2%	88.8%	26.6%
CT 14.02 BG 3	252	0	0.0%	0	0.0%	212	84.1%	10	4.0%	30	11.9%	100.0%	51.2%
CT 14.02 BG 4	1,425	323	22.7%	42	2.9%	473	33.2%	51	3.6%	536	37.6%	77.3%	32.0%
CT 16 BG 1	3,722	378	10.2%	0	0.0%	3,310	88.9%	34	0.9%	0	0.0%	89.8%	31.2%
CT 16 BG 2	1,836	53	2.9%	0	0.0%	1,783	97.1%	0	0.0%	0	0.0%	97.1%	26.9%
CT 16 BG 3	1,399	37	2.6%	57	4.1%	1,054	75.3%	0	0.0%	251	17.9%	97.4%	44.0%
CT 16 BG 4	2,641	56	2.1%	0	0.0%	2,483	94.0%	81	3.1%	21	0.8%	97.9%	14.8%
CT 18 BG 1	1,808	325	18.0%	45	2.5%	1,003	55.5%	19	1.1%	416	23.0%	82.0%	26.0%
CT 18 BG 2	785	162	20.6%	23	2.9%	460	58.6%	40	5.1%	100	12.7%	79.4%	15.0%
CT 18 BG 3	1,473	154	10.5%	32	2.2%	1,043	70.8%	9	0.6%	235	16.0%	89.5%	33.5%
CT 18 BG 4	1,676	20	1.2%	11	0.7%	1,452	86.6%	32	1.9%	161	9.6%	98.8%	37.1%
CT 18 BG 5	2,021	23	1.1%	0	0.0%	1,666	82.4%	13	0.6%	319	15.8%	98.9%	34.2%
CT 18 BG 6	1,338	172	12.9%	172	12.9%	819	61.2%	25	1.9%	150	11.2%	87.1%	40.8%
CT 18 BG 7	1,056	143	13.5%	0	0.0%	858	81.3%	48	4.5%	7	0.7%	86.5%	24.8%

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Table 4-1 (cont'd)
Study Area Population and Economic Characteristics

Census Tract (CT)/ Block Group (BG)	Population Profile by Race and Ethnicity*												Individuals Below Poverty Level**
	Total	White	%	Black	%	Asian	%	Other	%	Hispanic	%	Total Minority	
CT 22.01 BG 1	3,803	253	6.7%	709	18.6%	962	25.3%	63	1.7%	1,816	47.8%	93.3%	27.1%
CT 22.01 BG 2	1,370	264	19.3%	100	7.3%	292	21.3%	51	3.7%	663	48.4%	80.7%	25.8%
CT 22.01 BG 3	1,368	284	20.8%	100	7.3%	286	20.9%	0	0.0%	698	51.0%	79.2%	34.1%
CT 25 BG 1	5,209	123	2.4%	775	14.9%	2,078	39.9%	67	1.3%	2,166	41.6%	97.6%	48.4%
CT 29 BG 1	2,556	28	1.1%	0	0.0%	2,454	96.0%	59	2.3%	15	0.6%	98.9%	44.7%
CT 29 BG 2	1,560	164	10.5%	12	0.8%	1,343	86.1%	29	1.9%	12	0.8%	89.5%	30.6%
CT 29 BG 3	1,361	35	2.6%	0	0.0%	1,326	97.4%	0	0.0%	0	0.0%	97.4%	28.3%
CT 29 BG 4	1,019	66	6.5%	600	58.9%	127	12.5%	0	0.0%	226	22.2%	93.5%	45.2%
CT 29 BG 5	926	228	24.6%	161	17.4%	34	3.7%	0	0.0%	503	54.3%	75.4%	0.0%
CT 30.01 BG 1	862	351	40.7%	21	2.4%	209	24.2%	45	5.2%	236	27.4%	59.3%	12.1%
CT 30.01 BG 2	749	498	66.5%	22	2.9%	48	6.4%	37	4.9%	144	19.2%	33.5%	17.1%
CT 30.01 BG 3	1,687	423	25.1%	0	0.0%	751	44.5%	48	2.8%	465	27.6%	74.9%	27.5%
CT 30.01 BG 4	1,129	229	20.3%	53	4.7%	222	19.7%	0	0.0%	625	55.4%	79.7%	28.0%
CT 30.02 BG 1	1,964	1,250	63.6%	191	9.7%	103	5.2%	55	2.8%	365	18.6%	36.4%	19.3%
CT 30.02 BG 2	1,165	538	46.2%	63	5.4%	328	28.2%	25	2.1%	211	18.1%	53.8%	26.2%
CT 32 BG 2	2,322	1,615	69.6%	55	2.4%	298	12.8%	68	2.9%	286	12.3%	30.4%	10.3%
CT 32 BG 3	2,187	1,514	69.2%	88	4.0%	409	18.7%	38	1.7%	138	6.3%	30.8%	9.4%
CT 36.01 BG 1	880	113	12.8%	31	3.5%	165	18.8%	30	3.4%	541	61.5%	87.2%	28.1%
CT 36.01 BG 2	1,327	218	16.4%	70	5.3%	477	35.9%	22	1.7%	540	40.7%	83.6%	36.5%
CT 36.01 BG 3	1,073	275	25.6%	204	19.0%	277	25.8%	35	3.3%	282	26.3%	74.4%	49.7%
CT 36.02 BG 1	1,606	1,017	63.3%	35	2.2%	170	10.6%	71	4.4%	313	19.5%	36.7%	28.9%
CT 36.02 BG 2	717	166	23.2%	328	45.7%	53	7.4%	79	11.0%	91	12.7%	76.8%	55.4%
CT 38 BG 2	2,825	1,877	66.4%	51	1.8%	510	18.1%	178	6.3%	209	7.4%	33.6%	18.5%
CT 41 BG 1	1,393	176	12.6%	0	0.0%	1,150	82.6%	29	2.1%	38	2.7%	87.4%	31.8%
CT 41 BG 2	1,334	89	6.7%	0	0.0%	1,230	92.2%	15	1.1%	0	0.0%	93.3%	25.6%
CT 41 BG 3	1,590	98	6.2%	0	0.0%	1,432	90.1%	32	2.0%	28	1.8%	93.8%	44.0%
CT 41 BG 4	1,567	408	26.0%	0	0.0%	1,078	68.8%	24	1.5%	57	3.6%	74.0%	30.8%
CT 41 BG 5	1,308	378	28.9%	0	0.0%	905	69.2%	6	0.5%	19	1.5%	71.1%	27.4%
CT 41 BG 5	1,531	502	32.8%	35	2.3%	907	59.2%	24	1.6%	63	4.1%	67.2%	26.2%
CT 43 BG 1	1,906	1,343	70.5%	5	0.3%	252	13.2%	98	5.1%	208	10.9%	29.5%	15.7%
CT 43 BG 2	1,337	405	30.3%	9	0.7%	646	48.3%	67	5.0%	210	15.7%	69.7%	33.1%

Table 4-1 (cont'd)
Study Area Population and Economic Characteristics

Census Tract (CT)/ Block Group (BG)	Population Profile by Race and Ethnicity*											Total Minority	Individuals Below Poverty Level**
	Total	White	%	Black	%	Asian	%	Other	%	Hispanic	%		
CT 43 BG 3	1,608	839	52.2%	26	1.6%	534	33.2%	0	0.0%	209	13.0%	47.8%	16.7%
CT 45 BG 1	880	567	64.4%	0	0.0%	240	27.3%	24	2.7%	49	5.6%	35.6%	16.9%
CT 45 BG 2	219	146	66.7%	0	0.0%	73	33.3%	0	0.0%	0	0.0%	33.3%	0.0%
CT 55.02 BG 1	1,579	1,239	78.5%	61	3.9%	119	7.5%	40	2.5%	120	7.6%	21.5%	9.9%
Study Area	115,503	25,400	22.0%	6,131	5.3%	58,679	50.8%	2,529	2.2%	22,764	19.7%	78.0%	28.9%
Manhattan	1,537,195	703,873	45.8%	234,698	15.3%	143,291	9.3%	37,517	2.4%	417,816	27.2%	54.2%	20.0%
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%	21.0%

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.

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