



A.8490-A (PEOPLES, ROSENTHAL)

Summary

This bill would incorporate environmental justice principles into New York State agencies' decision-making processes, make permanent the Environmental Justice Advisory Group within the state's Department of Environmental Conservation (DEC), and establish an Environmental Justice Interagency Coordinating Council to report on the effectiveness and implementation of New York's environmental justice policies within state agencies.

Explanation

Environmental justice refers to 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.

In 1999, the DEC convened an environmental justice advisory group which issued recommendations to develop an environmental justice program in 2002. While the DEC implemented a policy related to environmental justice and permitting in 2003, no action was taken on the group's other recommendations, which included incorporating environmental justice into the State Environmental Quality Review Act (SEQR), addressing Native American environmental justice issues, assessing DEC enforcement efforts with regard to environmental justice, and other issues.

According to the report, *Toxic Wastes and Race at 20: 1987-2007 Grassroots Struggles to Dismantle Environmental Racism in the United States*, neighborhoods within 1.8 miles of a commercial hazardous waste site in New York are disproportionately low-income communities of color. In these communities, more than half of residents are people of color and 20 percent of residents live below the poverty line. On average, in communities that are not home to a hazardous waste site, people of color make up only 37 percent of the population and 14 percent of residents live below the poverty line. Given these facts, it is essential that New York recognize and eliminate the disproportionate adverse impacts resulting from the state's environmental policies and projects.

To that end, this bill directs the Environmental Justice Advisory Group to develop a model environmental justice policy for all agencies whose actions may affect the environment. The Advisory Group will also monitor agencies' compliance with environmental justice policies. Additionally, the bill calls on agencies to adopt environmental justice policies within six months, and also establishes an Environmental Justice Interagency Coordinating Council to coordinate agency activities affected by the bill's requirements.

Environmental Advocates of New York supports this bill.

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