Legislation Details (With Text)

File #:	Int 0359-2014 **Version:** A	**Name:**	Requiring a study of environmental justice areas and the establishment of an environmental justice portal.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Environmental Protection
On agenda:	5/29/2014		
Enactment date:	4/25/2017	**Enactment #:**	2017/060

Title: A Local Law to amend the administrative code of the city of New York, in relation to requiring a study of environmental justice areas and the establishment of an environmental justice portal

Sponsors: Costa G. Constantinides, Robert E. Cornegy, Jr., Peter A. Koo, Deborah L. Rose, Ruben Wills, Laurie A. Cumbo, Ydanis A. Rodriguez, Rosie Mendez, Helen K. Rosenthal, Chaim M. Deutsch, Mark Treyger, Jumaane D. Williams, Annabel Palma, Andy L. King, Corey D. Johnson, Stephen T. Levin, Daniel Dromm, Vincent J. Gentile, Carlos Menchaca, James G. Van Bramer, Inez D. Barron, Margaret S. Chin, Rafael L. Espinal, Jr., Rory I. Lancman, Donovan J. Richards, Paul A. Vallone, Antonio Reynoso, I. Daneek Miller, Karen Koslowitz, Ritchie J. Torres, Andrew Cohen, Elizabeth S. Crowley, Mark Levine, Rafael Salamanca, Jr., Brad S. Lander

Indexes: Report Required

Attachments: 1. Legislative History Report, 2. Summary of Int. No. 359-A, 3. Summary of Int. No. 359, 4. Int. No. 359 - 5/29/14, 5. Committee Report 1/28/16, 6. Hearing Testimony 1/28/16, 7. Hearing Transcript 1/28/16, 8. Proposed Int. No. 359-A - 4/4/17, 9. Committee Report 4/5/17, 10. Hearing Transcript 4/5/17, 11. Mayoral Letter, 12. April 5, 2017 - Stated Meeting Agenda with Links to Files, 13. Hearing Transcript - Stated Meeting 4-5-17, 14. Int. No. 359-A (FINAL), 15. Mayor's Letter, 16. Minutes of the Stated Meeting - April 5, 2017, 17. Local Law 60

Date	Ver.	Action By	Action	Result
5/29/2014	*	City Council	Introduced by Council	
5/29/2014	*	City Council	Referred to Comm by Council	
1/28/2016	*	Committee on Environmental Protection	Hearing Held by Committee	
1/28/2016	*	Committee on Environmental Protection	Laid Over by Committee	
4/5/2017	*	Committee on Environmental Protection	Hearing Held by Committee	
4/5/2017	*	Committee on Environmental Protection	Amendment Proposed by Comm	
4/5/2017	*	Committee on Environmental Protection	Amended by Committee	
4/5/2017	A	Committee on Environmental Protection	Approved by Committee	Pass
4/5/2017	A	City Council	Approved by Council	Pass
4/5/2017	A	City Council	Sent to Mayor by Council	
4/25/2017	A	Mayor	Hearing Held by Mayor	
4/25/2017	A	Mayor	Signed Into Law by Mayor	
4/26/2017	A	City Council	Recved from Mayor by Council	

powered by Legistar™

Int. No. 359-A

By Council Members Constantinides, Cornegy, Koo, Rose, Wills, Cumbo, Rodriguez, Mendez, Rosenthal, Deutsch, Treyger, Williams, Palma, King, Johnson, Levin, Dromm, Gentile, Menchaca, Van Bramer, Barron, Chin, Espinal, Lancman, Richards, Vallone, Reynoso, Miller, Koslowitz, Torres, Cohen, Crowley, Levine, Salamanca and Lander

A Local Law to amend the administrative code of the city of New York, in relation to requiring a study of environmental justice areas and the establishment of an environmental justice portal

Be it enacted by the Council as follows:

Section 1. Section 3-1001 of the administrative code of the city of New York, as added by a local law of the city of New York for the year 2017, in relation to identifying and addressing environmental justice issues, as proposed in introduction number 886-A, is amended by adding a new definition for "disproportionate effect" in appropriate alphabetical order to read as follows:

Disproportionate effect. The term "disproportionate effect" means situations of concern where there exists significantly higher and more adverse health and environmental effects on minority populations or low-income populations.

§ 2. Paragraphs 5 and 6 of subdivision d of section 3-1002 of the administrative code of the city of New York, as added by a local law of the city of New York for the year 2017, in relation to identifying and addressing environmental justice issues, as proposed in introduction number 886-A, are amended to read as follows and a new paragraph 7 is added to such subdivision to read as follows:

5. Receive and respond to inquiries, including data requests, and recommendations from the advisory board; [and]

6. Develop an environmental justice plan pursuant to section [3-1003.] 3-1003; and

7. Conduct a study of environmental justice areas pursuant to section 3-1007.

§ 3. Subparagraphs (e) and (f) of paragraph 1 of subdivision a of section 3-1003 of the administrative code of the city of New York, as added by a local law of the city of New York for the year 2017, in relation to identifying and addressing environmental justice issues, as proposed in introduction number 886-A, are

amended to read as follows and a new subparagraph (g) is added to such paragraph to read as follows:

(e) Methods for promoting equitable distribution of and access to environmental benefits; [and]

(f) Methods for improving research and data collection relating to human health and the environment; and

(g) Recommendations for legislation, policy, budget initiatives and other measures the city can take, either acting alone or in collaboration with other organizations or governmental entities, to (i) mitigate or, to the extent possible, eliminate the disproportionate effects identified in the study required by section 3-1007 and (ii) increase utilization of renewable energy sources and energy efficiency measures in environmental justice areas.

§ 4. Chapter 10 of title 3 of the administrative code of the city of New York, as added by a local law of the city of New York for the year 2017, in relation to identifying and addressing environmental justice issues, as proposed in introduction number 886-A, is amended by adding a new section 3-1007 to read as follows:

§ 3-1007 Environmental justice study and portal. a. 1. By no later than December 31, 2018, and by December 31 in every fifth year thereafter, the interagency working group, with the cooperation of all relevant agencies, shall (i) conduct a study which shall identify and describe opportunities for and means of promoting environmental justice in the city, (ii) submit a report to the mayor and the speaker of the council on the findings of such study, and (iii) make a copy of such report publicly available online. Such study shall, at a minimum, evaluate and set forth the following:

(a) The locations and boundaries of environmental justice areas;

(b) A description of environmental justice concerns that may affect environmental justice areas and, for each such concern, (i) identify locations within the city experiencing such concern, if such locations can be reasonably determined, and (ii) propose data collection, research, or analysis that may be undertaken by a city agency to identify locations within the city experiencing the environmental justice concern;

(c) An estimate of the current federal, state and local investment per capita in utilization of renewable energy sources in environmental justice areas as compared to an estimate of such investment per capita for all

powered by Legistar™

parts of the city located outside such areas;

(d) A description of barriers to meaningful participation in environmental decision-making affecting residents of environmental justice areas;

(e) Existing city programs and processes that advance environmental justice goals and may be used by the public to participate in city agency decision-making;

(f) Existing city programs and processes that allow for public engagement with and participation in decisions made by city agencies regarding siting facilities and infrastructure;

(g) Existing city programs, policies, activities and processes that may otherwise implicate environmental justice concerns;

(h) Changes that may be made to existing city programs and policies to facilitate participation by populations in environmental justice areas in decision-making that implicates environmental justice concerns;

(i) Available data relating to environmental factors, including but not limited to air and water quality, the location and attributes of infrastructure owned, maintained and operated by the city, and concentrations of violations of city environmental regulations, that may reflect environmental problems in environmental justice areas; and

(j) Environmental justice programs proposed or being implemented in other municipalities or states within the United States.

2. Before commencing such environmental justice study, the interagency working group shall present a proposed design and scope for such study to the advisory board, which shall return its recommendations or comments within 30 days. The interagency working group shall include in the final design and scope for such study such working group's responses to all recommendations or comments submitted by such board and shall present to the advisory board and make publicly available online the final design and scope for the environmental justice study before commencing such study.

3. Before finalizing the environmental justice study, the interagency working group shall present such

powered by Legistar™

study in draft form to the advisory board, which shall return its recommendations or comments within 60 days. The interagency working group shall include in the final environmental justice study responses to all recommendations or comments submitted by such board.

b. By no later than June 30, 2019, the interagency working group, with the cooperation of all relevant agencies, shall make publicly available online an interactive map that can be used to (i) view the location and boundaries of environmental justice areas; (ii) view the location of facilities and infrastructure identified pursuant to subparagraph (c) of paragraph 1 of subdivision d of section 3-1002, except where identifying the location of such facility or infrastructure would pose a security risk; and (iii) search for such facilities and infrastructure by address, zip code, council district, community district and type of environmental concern. The interagency working group shall thereafter update such map as needed to reflect changes in such data.

c. By no later than December 31, 2018, the office of long-term planning and sustainability, or such other office or agency as the mayor may designate, in consultation with the department of environmental protection, the department of health and mental hygiene and other relevant agencies, shall create and maintain an environmental justice portal on the city's website that provides easy access to the following resources:

1. Data, maps and other information from city, state and federal sources, and from other relevant sources, relating to environmental justice concerns;

2. Any study or plan published by the city relating to environmental justice concerns;

3. Agency programs that promote environmental justice and foster community engagement with and participation in agency decision-making that implicates environmental justice concerns; and

4. New York state and federal programs that promote environmental justice.

§ 5. This local law takes effect on the same date that a local law of the city of New York for the year 2017, in relation to identifying and addressing environmental justice issues, as proposed in introduction number 886-A, takes effect. Nothing in this local law shall be deemed to create a private right of action to enforce its provisions. Nothing in this local law shall be construed to create any right or benefit enforceable against the

city of New York or any right to judicial review of any action taken by the city of New York.

WCJ
LS# 0926-2014
3/28/17 11:07PM