

New York Bight Draft Programmatic Environmental Impact Statement: Environmental Justice Impacts Summary

The Draft Programmatic Environmental Impact Statement (PEIS) describes the potential impacts that could result from developing six wind energy leases in an area offshore New Jersey and New York known as the New York Bight (NY Bight). The Draft PEIS also discusses how implementing actions known as avoidance, minimization, mitigation, and monitoring (AMMM) measures could prevent or reduce potential impacts.

The Environmental Justice (EJ) section (Section 3.6.4, pp. 585-619) describes possible impacts related to EJ from the Proposed Action and alternatives. The separate Cultural Resources (Section 3.6.2, pp. 533-564) and Demographics, Employment, and Economics (Section 3.6.3, pp. 564-585) sections are not included in this summary but also may be of interest to EJ community organizations and members.

What is an EJ impact?

Agencies must consider potential impacts of actions that may significantly and adversely affect communities with EJ concerns, including minority populations, low-income populations, and Native American Tribes (called “EJ populations” or “EJ communities” in this summary). Agencies are required to consider ecological, cultural, human health, economic, and social impacts, and whether these impacts may be borne disproportionately by certain communities.

The Draft PEIS considers three alternatives for the development of offshore wind projects in the six NY Bight lease areas and the adoption of AMMM measures: Alternative A (the No Action Alternative; project development does not take place in any of the six lease areas); Alternative B (development of the six identified lease areas with adoption of AMMM measures deferred until project stage); and Alternative C (the Proposed Action; development of the six identified lease area and adoption of programmatic AMMM measures) ([Alternatives Factsheet](#); full description in Section 2.1, pp. 52-68).

Scope

The geographic area analyzed for EJ impacts includes the following (full list of counties in Appendix B.5, pp. 39-44):

- counties where onshore infrastructure may be located
- counties with representative ports that may be used by the projects
- counties closest to the lease areas that may be affected by construction and operations

The Draft PEIS looks at county-level impacts because the specific locations of onshore activities are currently unknown. Future project-specific NEPA analyses where specific locations are named may use more detailed census block-level data (Section 3.6.4.1, pp. 585-598). BOEM reviewed the analysis of all potential impacts to the environment in the Draft PEIS to assess whether impacts may disproportionately affect EJ populations (Section 3.6.4.2, p. 599). Impact levels are defined as *negligible*, *minor*, *moderate*, or *major* – see Table 3.6.4-2 (p. 600) for full impact level definitions for EJ. Impacts on the environment that were found unlikely to affect EJ populations were not analyzed in the EJ section of this Draft PEIS, but each future project-specific analysis will reconsider potential effects on EJ populations based on more specific project details and input from EJ communities.

Resources with impacts unlikely to affect EJ populations: bats; benthic resources; birds; coastal habitat and fauna; cultural resources; finfish, invertebrates, and Essential Fish Habitat; marine mammals; navigation and vessel traffic; sea turtles; water quality; and wetlands.

Alternative A: No Action Alternative (Section 3.6.4.4, pp. 601-610)

Alternative A analyzes the impacts of ongoing and planned offshore wind activities outside of the six NY Bight leases, non-offshore wind activities, and existing EJ conditions in nearby affected counties. This alternative evaluates what could happen without development of the six NY Bight lease areas and considers how EJ populations may be impacted by climate change and their ability to adapt to effects such as sea level rise, storm surges, and damage to infrastructure.

Alternative B: Defer Adoption of AMMM Measures (Section 3.6.4.5, pp. 610-617)

Under Alternative B, AMMM measures could be adopted during the later project-specific NEPA stages instead of at the Programmatic stage. However, the analysis in Alternative B describes potential impacts of development without the adoption of AMMM measures at either stage, in addition to cumulative effects from ongoing and planned activities outside of the NY Bight projects. Alternative B could cause *negligible to major impacts* depending on port locations,

construction timing, and proximity to fishing and tourism areas. Possible impacts include increased noise, air emissions, and land disturbance from construction and port utilization; fishing business disruption from offshore structures and construction; and negative economic impacts from port utilization, construction, and cable installment. Alternative B could cause *minor to moderate beneficial impacts* on regional and ocean-related employment, depending on the offshore wind industry, states, and local governments supporting workforce development and job access in EJ communities. Other possible benefits for EJ communities include decreased air emissions due to decreasing fossil fuel energy generation and associated health benefits.

Alternative C: Adoption of AMMM Measures – Proposed Action (Section 3.6.4.6, pp. 617-619)

Alternative C analyzes how the AMMM measures described in Appendix G of the Draft PEIS may reduce potential impacts of developing the NY Bight leases. Similar to Alternatives A and B, Alternative C also considers cumulative effects from ongoing and planned activities. The impacts of Alternative C could be similar to the impacts of Alternative B, except where they may be reduced by AMMM measures.

Proposed AMMM Measures (summary in Table 3.6.4-5, p. 617.; full description in Appendix G, pp. 8-10)

Measure	Description
EJ-1	Lessees would create Environmental Justice Communications Plans to notify EJ communities about when and where construction and operations activities will take place and who they may affect. Lessees would share these plans with communities as part of their coordinated engagement efforts and solicit input on appropriate communication methods.
EJ-2	Lessees would create Environmental Justice Mitigation Resources Plans to provide households in EJ communities that are impacted by construction and operations activities with supplies or mitigation resources needed (e.g., air filters, noise canceling headphones, blackout curtains) to reduce adverse impacts.
EJ-3	Lessees would be required to report progress related to their Environmental Justice Communications Plans and Environmental Justice Mitigation Resources Plans. This measure would ensure activities of the communications and mitigation plans are recorded and available to BOEM, BSEE, and EJ communities. This measure would also enable adjustments to mitigation measures over time to make sure they are adequately addressing impacts on EJ communities.
EJ-4	Lessees would make annual financial contributions to a third-party-managed compensatory mitigation fund to address disproportionate and adverse impacts on EJ populations directly tied to Outer Continental Shelf offshore wind activities that have not been addressed through other mitigation measures.

Alternative C may:

- Allow EJ communities time to adjust to upcoming project activities.
- Ensure community concerns and recommendations are heard and documented.
- Help EJ communities take advantage of offshore wind employment opportunities.
- Directly reduce impacts on EJ populations from construction activities.
- Continue EJ community engagement with offshore wind activities.
- Establish accountability for communications and mitigation plans.
- Offset impacts not addressed by other AMMM measures.
- Provide a way to resolve EJ concerns throughout the life of the offshore wind projects.

The application of AMMM measures in Alternative C could reduce impacts on EJ populations to the levels of *negligible to moderate*. EJ populations could experience the same minor to moderate benefits with Alternative C as Alternative B.