

A. INTRODUCTION

An environmental justice analysis is conducted to identify a project's potential [^] disproportionate and adverse impacts on minority and low-income communities. The Proposed Project would extend across eight municipalities in Nassau County with varying concentrations of minority and low-income populations. Based on review of New York State Department of Environmental Conservation's (NYSDEC) available potential environmental justice community maps, environmental justice communities in the vicinity of the Project Corridor are concentrated in portions of the Village of Floral Park, the Village of New Hyde Park, Garden City Park (hamlet), the Village of Mineola, the Village of Westbury, New Cassel (hamlet), and Hicksville (hamlet). [^] Although environmental justice analysis [^] does not apply to transportation projects such as the Proposed Project[^], for informational purposes this chapter will discuss the NYSDEC's Environmental Justice Policy, set forth in detail in a guidance document entitled the NYSDEC's Commissioner Policy 29 (CP-29) (March 2003).

CP-29 was adopted by NYSDEC to assist the agency in considering environmental justice impacts due to the required NYSDEC issuance of a State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activity (GP-0-15-002). The methodology set forth in CP-29 involves: (1) identifying potential adverse environmental impacts and the area to be affected (i.e., establishing a Study Area); (2) determining whether potential adverse environmental impacts are likely to affect a potential environmental justice area (i.e., whether low-income and/or minority communities are present in the Study Area); (3) developing a public participation plan to engage potential environmental justice areas; (4) describing the existing environmental burden on potential environmental justice areas; (5) evaluating the additional burden of any significant adverse environmental impact on the potential environmental justice area; and (6) avoiding or minimizing any adverse environmental impact to the greatest extent practicable. Although CP-29 does not apply to the Proposed Project, the considerations identified in that policy, where relevant, will be discussed herein in order to determine whether the Proposed Project is likely to result in a significant adverse impact on environmental justice communities, defined by the policy as minority and low-income communities.

With regard to its programs in general, LIRR is required to comply with Title VI of the Civil Rights Act of 1964. This Act prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. LIRR submits a report every three years providing a detailed assessment of compliance with respect to maintaining both minority and income equality within its service area. LIRR also submits an annual compliance report. Although the Proposed Project is not utilizing federal assistance and therefore is not subject to Title VI, this chapter discusses Title VI for informational purposes.

B. PRINCIPAL CONCLUSIONS AND IMPACTS

Construction of the Proposed Project would occur throughout the Project Corridor over a four-year period. However, temporary impacts associated with construction at localized segments would be of shorter duration, limiting construction impacts. These temporary impacts would be experienced broadly through the Study Area. The Proposed Project would not result in disproportionate construction impacts to environmental justice communities.

In the operational phase, the Proposed Project would result in beneficial impacts within the Study Area, including to environmental justice communities, in terms of enhanced mobility and air quality. Increased noise levels are anticipated throughout the Study Area but, as set forth in Chapter 12, “Noise and Vibration,” are not considered significant adverse impacts. Increased noise levels would be mitigated by installation of sound attenuation walls, including in environmental justice communities. No disproportionate adverse noise impacts would be experienced in environmental justice communities.

C. METHODOLOGY

DELINEATION OF STUDY AREA

CP-29 provides that the environmental justice Study Area encompasses the area potentially affected by the Proposed Project. Because the Proposed Project is linear, and falls within a densely developed portion of Nassau County, the environmental justice Study Area has been chosen to include all census block groups that either intersect the Project Corridor or have a majority of their geographic area within a ½-mile of the Project Corridor.

IDENTIFY POTENTIAL ENVIRONMENTAL JUSTICE AREAS (MINORITY AND LOW INCOME POPULATIONS) WITHIN THE STUDY AREA

For this analysis, data on race, ethnicity, and poverty status in the Study Area [^] were gathered from the U.S. Census Bureau’s *American Community Survey (ACS) 2010-2014 5-Year Estimates*. For comparison purposes, data [^] were also compiled for Nassau County. Based on census data and CP-29 guidance (described above), potential environmental justice areas are identified as follows:

- *Minority communities:* CP-29 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 will also consider minority populations to include persons who identified themselves as being either “some other race” or “two or more races.” According to CP-29 guidance, a “minority community” is present when 51.1 percent or more of the population is minority.
- *Low-income communities:* The percent of individuals living below the poverty level in each census block group is used to identify low-income communities. CP-29 defines a low-income community to be any area where the low-income population (i.e., percent living below the poverty threshold) is equal to or greater than 23.59 percent of the total.

TITLE VI OF THE CIVIL RIGHTS ACT

While the discussion of CP-29 assumed analysis at the census block group level, compliance with Title VI of the Civil Rights Act requires analysis at the census tract level. In addition, guidance

documents for compliance with Title VI contain certain standards and thresholds for protected categories of individuals that differ slightly from the standards and thresholds established by NYSDEC. LIRR has defined two separate thresholds for compliance within its service area based upon a 2.5-mile radius from stations within the service area. Thresholds are defined for the New York City (Brooklyn, Queens and Manhattan) and Long Island (Nassau and Suffolk County) service areas. The Study Area falls within the Long Island classification. The following standards are used for compliance with Title VI, based on 2010 U.S. Census data:

- **Minority community:** a census tract having a minority population equal to or greater than 31.96 percent of the stratified service area.
- **Low-income community:** a census tract having a population at or below poverty level equal to or greater than 5.4 percent of the total population.

The analysis contained in this chapter considers both sets of standards and thresholds. For purposes of Title VI compliance, the Study Area contains both minority and low-income communities.

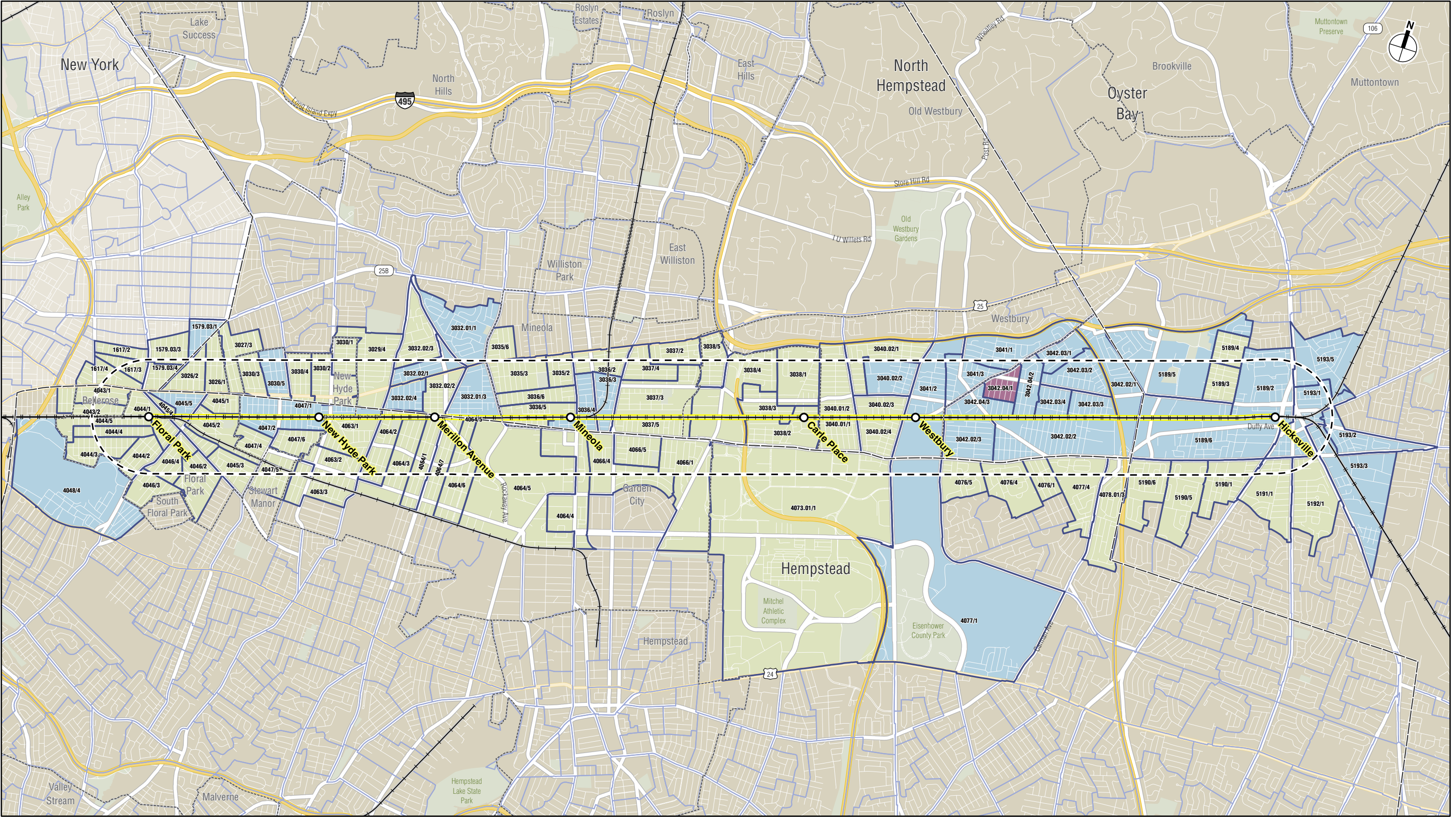
D. EXISTING CONDITIONS

MINORITY COMMUNITIES

Table 4-1 shows race, ethnicity, and poverty characteristics for the Study Area's census block groups, and for Nassau County. Of the Study Area's 112 census block groups, 34 census block groups are minority communities as defined by CP-29, with minority rates ranging from 51.5 percent to 100 percent (see **Figure 4-1**). The overall minority rate in the Study Area is 43.4 percent, which is similar to the 41.3 percent for Nassau County, as a whole. The largest minority group in the Study Area is Hispanic or Latino, approximately 19.9 percent of the total population.

Of the 34 census block groups within the Study Area that are 51 percent minority or greater, 17 directly border or intersect with the LIRR ^ ROW and five have a LIRR ^ Station. The Hicksville Station borders census tract 518900, block groups 6 and 2 (approximately 59 and 60 percent minority). The Westbury Station^ is within census tract 304100, block group 2 (approximately 82 percent minority). The Mineola Station is located on the border of census tract 303600, block group 4 (54 percent minority). The New Hyde Park Station borders census tract 404700, block groups 1 and 2 (approximately 55 and 60 percent minority).

Of the 34 census tract blocks within the Study Area that are 51 percent minority or greater, nine have a grade crossing within the census block group or directly on the border of the block group. The Urban Avenue grade crossing borders both census tract 304202, block group 2 (approximately 90 percent minority), and census tract 304203, block group 4 (approximately 99 percent minority). The School Street grade crossing is located at the intersection of census tract 304100, block group 2 (approximately 82 percent minority), census tract 304202, block group 3 (approximately 69 percent minority), and census tract 304204, block group 3 (approximately 98 percent minority). The Willis Avenue grade crossing is located along the border of census tract 303600, block groups 3 and 4 (approximately 67 and 54 percent minority). Also within the borders of Census Tract 303600, block group 3 is the Main Street grade crossing. Finally, along the border of census block 404700, block groups 1 and 2 (approximately 55 and 60 percent minority) are three grade crossings: Covert Avenue, South 12th Street and New Hyde Park Road. All seven grade crossings that would be eliminated under the Proposed Project are located within or proximate to environmental justice communities.



LIRR Expansion Project
Floral Park to Hicksville

Environmental Justice Communities
Figure 4-1

Long Island Rail Road Expansion Project

Table 4-1
Environmental Justice Study Area Race and Population Data

Census Tract	Block Groups	Population (2014)												Economic Profile (2014)	
		Total	Race and Ethnicity*										Total Minority (%)	Individuals Below Poverty Level (%)**	
			White	%	Black	%	Asian	%	Other	%	Hispanic	%			
157903	1	927	328	35.4%	0	0.0%	588	63.4%	11	1.2%	0	0.0%	64.6%	4.3%	
157903	3	1369	725	53.0%	0	0.0%	530	38.7%	32	2.3%	82	6.0%	47.0%	4.8%	
157903	4	723	424	58.6%	0	0.0%	275	38.0%	0	0.0%	24	3.3%	41.4%	2.9%	
161700	4	1763	1004	56.9%	7	0.4%	391	22.2%	9	0.5%	352	20.0%	43.1%	2.9%	
161700	3	921	511	55.5%	0	0.0%	284	30.8%	26	2.8%	100	10.9%	44.5%	7.3%	
161700	2	815	461	56.6%	0	0.0%	151	18.5%	0	0.0%	203	24.9%	43.4%	0.0%	
302600	1	1321	726	55.0%	97	7.3%	255	19.3%	19	1.4%	224	17.0%	45.0%	4.2%	
302600	2	1289	758	58.8%	32	2.5%	191	14.8%	4	0.3%	304	23.6%	41.2%	2.0%	
302700	3	1784	1083	60.7%	0	0.0%	592	33.2%	15	0.8%	94	5.3%	39.3%	8.2%	
302900	4	1194	690	57.8%	0	0.0%	428	35.8%	0	0.0%	76	6.4%	42.2%	3.3%	
303000	5	1061	436	41.1%	1	0.1%	305	28.7%	63	5.9%	256	24.1%	58.9%	5.0%	
303000	3	860	429	49.9%	0	0.0%	324	37.7%	51	5.9%	56	6.5%	50.1%	0.0%	
303000	1	820	512	62.4%	0	0.0%	308	37.6%	0	0.0%	0	0.0%	37.6%	7.1%	
303000	2	1373	731	53.2%	0	0.0%	463	33.7%	0	0.0%	179	13.0%	46.8%	1.3%	
303000	4	1587	984	62.0%	0	0.0%	403	25.4%	50	3.2%	150	9.5%	38.0%	7.5%	
303201	3	478	7	1.5%	140	29.3%	293	61.3%	38	7.9%	0	0.0%	98.5%	2.7%	
303201	1	2011	940	46.7%	0	0.0%	747	37.1%	14	0.7%	310	15.4%	53.3%	0.3%	
303202	3	1317	735	55.8%	0	0.0%	439	33.3%	63	4.8%	80	6.1%	44.2%	3.1%	
303202	2	795	498	62.6%	0	0.0%	253	31.8%	12	1.5%	32	4.0%	37.4%	0.0%	
303202	1	988	462	46.8%	15	1.5%	207	21.0%	0	0.0%	304	30.8%	53.2%	0.7%	
303202	4	904	317	35.1%	1	0.1%	188	20.8%	44	4.9%	354	39.2%	64.9%	17.7%	
303500	6	449	361	80.4%	0	0.0%	42	9.4%	0	0.0%	46	10.2%	19.6%	0.0%	
303500	3	708	423	59.7%	10	1.4%	170	24.0%	32	4.5%	73	10.3%	40.3%	4.1%	
303500	2	1098	640	58.3%	10	0.9%	43	3.9%	0	0.0%	405	36.9%	41.7%	17.6%	
303600	3	763	249	32.6%	28	3.7%	0	0.0%	0	0.0%	486	63.7%	67.4%	15.1%	
303600	5	1331	803	60.3%	0	0.0%	249	18.7%	0	0.0%	279	21.0%	39.7%	6.2%	
303600	2	1237	880	71.1%	0	0.0%	118	9.5%	0	0.0%	239	19.3%	28.9%	15.8%	
303600	6	1432	993	69.3%	40	2.8%	103	7.2%	0	0.0%	296	20.7%	30.7%	7.0%	
303600	4	1123	516	45.9%	31	2.8%	1	0.1%	0	0.0%	575	51.2%	54.1%	14.1%	
303700	5	2010	1491	74.2%	42	2.1%	121	6.0%	0	0.0%	356	17.7%	25.8%	1.5%	
303700	3	1390	1036	74.5%	0	0.0%	116	8.3%	0	0.0%	238	17.1%	25.5%	0.9%	
303700	4	775	701	90.5%	0	0.0%	26	3.4%	0	0.0%	48	6.2%	9.5%	1.5%	
303700	2	1232	1003	81.4%	0	0.0%	80	6.5%	0	0.0%	149	12.1%	18.6%	3.1%	
303800	4	809	751	92.8%	6	0.7%	0	0.0%	0	0.0%	52	6.4%	7.2%	13.0%	
303800	1	898	697	77.6%	0	0.0%	131	14.6%	0	0.0%	70	7.8%	22.4%	0.2%	
303800	5	1271	940	74.0%	197	15.5%	16	1.3%	4	0.3%	114	9.0%	26.0%	6.5%	
303800	3	1216	823	67.7%	0	0.0%	219	18.0%	19	1.6%	155	12.7%	32.3%	4.3%	
303800	2	1183	645	54.5%	17	1.4%	349	29.5%	21	1.8%	151	12.8%	45.5%	16.3%	
304001	1	1295	1005	77.6%	0	0.0%	163	12.6%	15	1.2%	112	8.6%	22.4%	3.2%	
304001	2	1355	1234	91.1%	21	1.5%	11	0.8%	12	0.9%	77	5.7%	8.9%	0.6%	
304002	4	1382	858	62.1%	40	2.9%	47	3.4%	65	4.7%	372	26.9%	37.9%	10.6%	
304002	3	773	607	78.5%	67	8.7%	73	9.4%	0	0.0%	26	3.4%	21.5%	1.2%	
304002	2	986	411	41.7%	82	8.3%	80	8.1%	0	0.0%	413	41.9%	58.3%	0.2%	
304002	1	1116	577	51.7%	74	6.6%	0	0.0%	0	0.0%	465	41.7%	48.3%	6.5%	
304100	2	1868	339	18.1%	228	12.2%	197	10.5%	152	8.1%	952	51.0%	81.9%	15.0%	
304100	1	891	145	16.3%	536	60.2%	16	1.8%	0	0.0%	194	21.8%	83.7%	11.7%	
304100	3	1526	75	4.9%	359	23.5%	72	4.7%	0	0.0%	1020	66.8%	95.1%	7.3%	
304202	1	483	61	12.6%	340	70.4%	28	5.8%	5	1.0%	49	10.1%	87.4%	0.0%	
304202	2	1319	133	10.1%	111	8.4%	30	2.3%	178	13.5%	867	65.7%	89.9%	10.9%	
304202	3	1695	523	30.9%	51	3.0%	80	4.7%	0	0.0%	1041	61.4%	69.1%	2.3%	
304203	3	1249	29	2.3%	584	46.8%	0	0.0%	175	14.0%	461	36.9%	97.7%	3.9%	
304203	2	2135	28	1.3%	1046	49.0%	0	0.0%	265	12.4%	796	37.3%	98.7%	11.0%	
304203	4	1093	10	0.9%	710	65.0%	0	0.0%	50	4.6%	323	29.6%	99.1%	14.0%	
304203	1	1212	61	5.0%	598	49.3%	0	0.0%	28	2.3%	525	43.3%	95.0%	20.3%	
304204	3	1448	27	1.9%	549	37.9%	76	5.2%	7	0.5%	789	54.5%	98.1%	18.5%	
304204	2	1976	0	0.0%	709	35.9%	0	0.0%	15	0.8%	1252	63.4%	100.0%	20.5%	
304204	1	1378	27	2.0%	414	30.0%	0	0.0%	60	4.4%	877	63.6%	98.0%	38.8%	
404300	1	617	463	75.0%	0	0.0%	75	12.2%	17	2.8%	62	10.0%	25.0%	3.1%	
404300	2	1224	641	52.4%	23	1.9%	314	25.7%	77	6.3%	169	13.8%	47.6%	3.3%	
404400	3	1294	1205	93.1%	0	0.0%	13	1.0%	22	1.7%	54	4.2%	6.9%	0.7%	

Table 4-1 (cont'd)
Environmental Justice Study Area Race and Population Data

Census Tract	Block Groups	Population (2014)												Economic Profile (2014)	
		Total	Race and Ethnicity*								Total Minority (%)	Individuals Below Poverty Level (%)**			
			White	%	Black	%	Asian	%	Other	%	Hispanic	%			
404400	2	1054	990	93.9%	0	0.0%	16	1.5%	0	0.0%	48	4.6%	6.1%	5.0%	
404400	1	878	751	85.5%	26	3.0%	9	1.0%	27	3.1%	65	7.4%	14.5%	8.3%	
404400	5	621	536	86.3%	0	0.0%	0	0.0%	34	5.5%	51	8.2%	13.7%	0.0%	
404400	4	963	920	95.5%	0	0.0%	0	0.0%	0	0.0%	43	4.5%	4.5%	10.1%	
404500	3	968	848	87.6%	0	0.0%	0	0.0%	18	1.9%	102	10.5%	12.4%	1.0%	
404500	1	989	528	53.4%	224	22.6%	0	0.0%	45	4.6%	192	19.4%	46.6%	2.1%	
404500	5	774	348	45.0%	101	13.0%	261	33.7%	0	0.0%	64	8.3%	55.0%	0.9%	
404500	2	806	693	86.0%	0	0.0%	49	6.1%	14	1.7%	50	6.2%	14.0%	3.1%	
404500	4	881	670	76.0%	0	0.0%	55	6.2%	8	0.9%	148	16.8%	24.0%	1.5%	
404600	4	1222	982	80.4%	0	0.0%	39	3.2%	32	2.6%	169	13.8%	19.6%	1.4%	
404600	3	857	797	93.0%	0	0.0%	40	4.7%	12	1.4%	8	0.9%	7.0%	0.9%	
404600	2	1515	1448	95.6%	0	0.0%	20	1.3%	24	1.6%	23	1.5%	4.4%	0.0%	
404700	4	1012	595	58.8%	4	0.4%	163	16.1%	38	3.8%	212	20.9%	41.2%	0.0%	
404700	1	1444	649	44.9%	1	0.1%	532	36.8%	13	0.9%	249	17.2%	55.1%	9.3%	
404700	2	1173	464	39.6%	0	0.0%	327	27.9%	0	0.0%	382	32.6%	60.4%	3.5%	
404700	6	690	362	52.5%	23	3.3%	85	12.3%	82	11.9%	138	20.0%	47.5%	1.3%	
404700	5	758	726	95.8%	0	0.0%	0	0.0%	0	0.0%	32	4.2%	4.2%	2.2%	
404800	4	1496	16	1.1%	961	64.2%	115	7.7%	142	9.5%	262	17.5%	98.9%	17.8%	
406300	3	978	776	79.3%	0	0.0%	42	4.3%	121	12.4%	39	4.0%	20.7%	0.0%	
406300	2	910	797	87.6%	0	0.0%	32	3.5%	11	1.2%	70	7.7%	12.4%	2.0%	
406300	1	801	737	92.0%	7	0.9%	10	1.2%	0	0.0%	47	5.9%	8.0%	1.2%	
406400	6	692	648	93.6%	0	0.0%	0	0.0%	0	0.0%	44	6.4%	6.4%	6.8%	
406400	1	822	768	93.4%	0	0.0%	0	0.0%	0	0.0%	54	6.6%	6.6%	0.0%	
406400	2	1294	1223	94.5%	0	0.0%	10	0.8%	0	0.0%	61	4.7%	5.5%	3.2%	
406400	5	1251	1199	95.8%	0	0.0%	0	0.0%	52	4.2%	0	0.0%	4.2%	1.4%	
406400	7	1134	1120	98.8%	0	0.0%	0	0.0%	0	0.0%	14	1.2%	1.2%	0.0%	
406400	4	780	745	95.5%	0	0.0%	0	0.0%	11	1.4%	24	3.1%	4.5%	1.9%	
406400	3	797	744	93.4%	0	0.0%	0	0.0%	0	0.0%	53	6.6%	6.6%	2.0%	
406600	5	575	526	91.5%	0	0.0%	23	4.0%	0	0.0%	26	4.5%	8.5%	1.6%	
406600	1	1426	1199	84.1%	0	0.0%	70	4.9%	40	2.8%	117	8.2%	15.9%	5.1%	
406600	4	672	581	86.5%	0	0.0%	68	10.1%	0	0.0%	23	3.4%	13.5%	0.0%	
407301	1	5196	3615	69.6%	652	12.5%	336	6.5%	160	3.1%	433	8.3%	30.4%	9.7%	
407600	5	555	356	64.1%	35	6.3%	112	20.2%	39	7.0%	13	2.3%	35.9%	22.2%	
407600	1	592	501	84.6%	0	0.0%	46	7.8%	13	2.2%	32	5.4%	15.4%	7.9%	
407600	4	1183	751	63.5%	0	0.0%	266	22.5%	0	0.0%	166	14.0%	36.5%	7.8%	
407700	4	1191	757	63.6%	2	0.2%	185	15.5%	0	0.0%	247	20.7%	36.4%	8.6%	
407700	1	1542	643	41.7%	0	0.0%	37	2.4%	0	0.0%	862	55.9%	58.3%	1.7%	
407801	3	1414	852	60.3%	0	0.0%	182	12.9%	8	0.6%	372	26.3%	39.7%	5.4%	
518900	6	2150	883	41.1%	138	6.4%	770	35.8%	0	0.0%	359	16.7%	58.9%	16.4%	
518900	5	1614	371	23.0%	420	26.0%	435	27.0%	27	1.7%	361	22.4%	77.0%	0.7%	
518900	3	790	701	88.7%	2	0.3%	0	0.0%	0	0.0%	87	11.0%	11.3%	2.7%	
518900	4	949	660	69.5%	0	0.0%	28	3.0%	0	0.0%	261	27.5%	30.5%	0.0%	
518900	2	622	250	40.2%	0	0.0%	154	24.8%	218	35.0%	0	0.0%	59.8%	0.0%	
519000	6	1270	1069	84.2%	0	0.0%	169	13.3%	0	0.0%	32	2.5%	15.8%	5.3%	
519000	5	901	529	58.7%	0	0.0%	138	15.3%	19	2.1%	215	23.9%	41.3%	7.0%	
519000	1	1082	707	65.3%	238	22.0%	134	12.4%	3	0.3%	0	0.0%	34.7%	1.1%	
519100	1	1659	838	50.5%	0	0.0%	399	24.1%	0	0.0%	422	25.4%	49.5%	3.6%	
519200	1	1235	633	51.3%	0	0.0%	479	38.8%	37	3.0%	86	7.0%	48.7%	2.1%	
519300	1	1158	458	39.6%	127	11.0%	168	14.5%	0	0.0%	405	35.0%	60.4%	7.3%	
519300	5	1126	541	48.0%	0	0.0%	173	15.4%	30	2.7%	382	33.9%	52.0%	2.7%	
519300	2	989	438	44.3%	0	0.0%	309	31.2%	0	0.0%	242	24.5%	55.7%	6.0%	
519300	3	990	480	48.5%	33	3.3%	207	20.9%	0	0.0%	270	27.3%	51.5%	2.6%	
Study Area		129,981	73,591	56.6%	10,210	7.9%	17,367	13.4%	2,948	2.3%	25,865	19.9%	43.4%	6.2%	
Nassau County		1,350,601	860,218	63.7%	145,909	10.8%	110,500	8.2%	25,978	1.9%	207,996	15.4%	41.26%	6.3%	

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 threshold for poverty level defines poverty level. **BOLD** indicates block group that meets or exceeds CP-29 thresholds for minority or low-income community.

Sources: American Community Survey (ACS) – Census Bureau, 2010-2014 5-year Estimates.

LOW-INCOME COMMUNITIES

Of the 112 Study Area census block groups, only one (see **Figure 4-1**) is classified as a low-income community as defined by the CP-29 guidelines. ^ This lone census block group categorized as low income exhibits a poverty rate of approximately 39 percent. The other 111 census block groups have poverty rates that range from 0 to 22.2 percent. With an approximate poverty rate of 6.2 percent, the environmental justice Study Area as a whole is not classified as a low-income area. The poverty rate for the Study Area is 0.14 percentage points lower than the poverty rate for Nassau County (6.3 percent).

EXISTING SOURCES OF ENVIRONMENTAL IMPACTS

In accordance with Policy CP-29, existing sources of environmental impacts to environmental justice communities within the Study Area should be considered in order to establish the baseline conditions against which impacts of a project are assessed. The Study Area includes a number of regional highways and ^ other roadway infrastructure including the eastern portion of Jamaica Avenue, the East Jericho Turnpike, Meadowbrook State Parkway, and Wantagh State Parkway. In addition the Northern State Parkway is just outside of the ½-mile Study Area. These highways and ^ other road infrastructure are known to contribute to traffic, air quality, and noise impacts associated with traffic in the Study Area. It should be noted there will be improvements to the Hicksville Station, a separate project that already has secured capital program funding and for which construction will start shortly, including platform reconstruction and new platform amenities.

E. POTENTIAL IMPACTS OF THE PROPOSED PROJECT

SUMMARY OF POTENTIAL BENEFICIAL AND ADVERSE IMPACTS

Generally, potential environmental impacts caused by the Proposed Project would be experienced across all the communities within the Study Area and would not be limited only to^ the environmental justice communities. It should be noted that some potential adverse impacts, specifically temporary construction impacts related to the elimination of grade crossings, could have a disproportionate effect on the nine environmental justice communities in which those grade crossings are located due to the proximity of these communities to construction locations. However, after the grade crossings have been eliminated and the construction impacts related to ^ those eliminations have ceased, the Proposed Project would confer numerous benefits on those communities, such as improved mobility, better air quality, and less noise due to the removal of queuing and gate bells associated with grade crossings.

Consistent with the analysis presented in this ^ EIS, a summary of potential environmental impacts as a result of the Proposed Project is provided below:

- ***Land Use, Community Character, and Public Policy.*** As discussed in more detail in Chapter 2, “Land Use,” the Proposed Project would occur mostly within the LIRR right-of-way (ROW) or within the footprint of existing roadways. A limited number of individual commercial sites would be acquired and repurposed for transportation use; however, no changes to land use patterns would occur either in the build year (2020) or analysis year (2040). In addition, the Proposed Project would neither change community character within either analysis year timeframe, nor would it result in adverse impacts in terms of public

- policy in the foreseeable future. The Proposed Project would not result in disproportionate adverse land use impacts to environmental justice communities.
- ***Socioeconomic Conditions.*** Overall, the Proposed Project is intended to improve mobility in the region, which would be beneficial to residents, transit users, employers, and employees in the Study Area. There would be no residential displacement with the Proposed Project. While some commercial property acquisition would be necessary, the businesses subject to these acquisitions would receive just compensation and relocation assistance, with priority given to relocation within the same hamlet or village where the displaced businesses currently operate. The Proposed Project would not result in disproportionate adverse socioeconomic impacts to environmental justice communities.
 - ***Visual and Aesthetic Resources.*** The Proposed Project would result in changes to the visual character of the communities. However, the changes would not result in any significant adverse visual impacts, as use and enjoyment of any sensitive receptors (e.g., parks and open spaces or historic resources) identified in the Study Area, where views of the new project elements would be possible, would not be degraded. The Proposed Project would not result in disproportionate adverse visual and aesthetic resource impacts to environmental justice communities.
 - ***Historic and Archaeological Resources.*** Environmental justice communities exist proximate to construction areas where there is the potential for the Proposed Project to affect archaeological and architectural resources. However, because potential impacts to these resources would be evenly distributed throughout the Project Corridor, the Proposed Project would not result in disproportionate adverse historic resources impacts to environmental justice communities.
 - ***Natural Resources.*** Overall, the Proposed Project would not result in significant adverse impacts to natural resources, i.e., habitat, species, floodplains, water bodies, wetlands, and groundwater, within the Study Area. Because the Proposed Project would not result in any impacts to natural resources, it would not result in disproportionate natural resource impacts to environmental justice communities.
 - ***Contaminated Materials.*** Portions of the Study Area are or were used historically for railroad operations and other industrial activities. Because of this, a number of potentially contaminated sites are likely to be found within the Study Area. However, the potential for adverse impacts at these sites would be avoided by ensuring that construction activities are performed in accordance with standard safety protocols that would be incorporated into all work plans and, as a result, no significant adverse impacts related to contaminated materials would result from operation and/or construction activities related to the Proposed Project. The Proposed Project would not result in disproportionate contaminated materials impacts to environmental justice communities.
 - ***Utilities.*** Utilities serving communities within the Study Area, including environmental justice communities would be relocated with limited interruptions in service. Any impact would be not be significant and would not disproportionately affect environmental justice communities.
 - ***Transportation.*** Construction of grade crossings would require the temporary closure of roadways and the diversion of traffic to other crossings. This would result in increased congestion and travel times at these other crossings. These impacts would be temporary, as construction duration for each grade crossing would be between six and nine months. Also, while each grade crossing to be eliminated is located in or adjacent to an environmental

justice community, transportation impacts resulting from the grade crossing eliminations would not be localized, but would be spread among roadway users throughout the Study Area.

In the long term, the Proposed Project likely would confer a net benefit due to the elimination of queuing times at crossing gates, and as additional riders opt for a more reliable transit rail system instead of automobiles. At South 12th Street and Main Street, full closure of the grade crossings to vehicular traffic would not adversely affect pedestrian traffic as there would be overpasses (or, potentially, in the case of South 12th Street, a pedestrian underpass). The Proposed Project would not result in disproportionate transportation impacts to environmental justice communities.

- **Air Quality.** At some local intersections, air quality [^] would be affected slightly due to the change in traffic congestion during the construction phase of the Proposed Project. However, future air quality conditions would be improved in the Study Area, as compared to existing conditions, due to the elimination of grade crossings and the [^] resulting elimination of vehicle idling time. The Proposed Project would not result in disproportionate air quality impacts to environmental justice communities.
- **Climate Change.** Although the Proposed Project would result in increased GHG emissions associated with the operation of construction machinery during the construction phase, the Proposed Project would likely result in a long-term net benefit in terms of GHG emissions because: a) idling times at grade crossings would be eliminated, and b) improved rail service would result in increased transit use and decreased use of automobiles, thereby shifting commute trips to a less GHG-intensive means of transportation.
- **Noise.** In the operational phase, the Proposed Project would result in a net benefit in terms of noise, as train horns and warning gate bells would no longer sound as a result of grade crossing elimination and addition of sound attenuation walls. This benefit would be conferred throughout the Study Area but would be more concentrated along the Project Corridor, where most environmental justice communities in the Study Area are found.
- **Construction.** Construction of the Proposed Project elements would occur throughout the Project Corridor over a four-year period. However, temporary impacts associated with construction at localized segments would be of shorter duration, limiting construction impacts. These temporary impacts would be experienced broadly through the Study Area. The Proposed Project would not result in disproportionate construction impacts to environmental justice communities.
- **Safety & Security.** The Proposed Project would not result in any significant adverse impacts to public safety and security. Rather, the completion of a continuous third track and the elimination of seven (7) grade crossings would provide the opportunity for improvements to safety and security for the adjacent communities, LIRR customers, and workers.
- **Electromagnetic Fields.** While substations within environmental justice communities in the Study Area would be upgraded under the Proposed Project, these upgrades would not result in significant adverse impacts in terms of [^] electromagnetic fields. The Proposed Project would not result in disproportionate electromagnetic fields impacts to environmental justice communities.

F. CONCLUSION

Impacts associated with the Proposed Project would be experienced over the entire Study Area, and would not disproportionately affect environmental justice communities as defined either

under CP-29 or Title VI of the Civil Rights Act. However, if it is determined during implementation that disproportionate impacts to environmental justice communities are occurring, corrective action would be taken.

G. PUBLIC PARTICIPATION

To ensure a comprehensive and inclusive public outreach effort for the Proposed Project, the MTA LIRR has developed and implemented a Public Involvement Plan (PIP) to engage stakeholders (including a broad range of individuals and organizations, such as community groups, elected and appointed officials, and business and/or commercial entities) located within or having interests within the Project Corridor. The public outreach effort is informing stakeholders about the project alternatives, soliciting their feedback, and communicating the potential project benefits and impacts.

To effectively engage the various stakeholders throughout the Proposed Project, various communication tools are being employed, including the use of a website (www.AModernLI.com) which was launched in May 2016 and is regularly updated to notify viewers of available documents, responses to frequently asked questions, upcoming meetings, helpful graphics, and press releases to reach individual residents, employers, and employees living and/or working within the vicinity of the Project Corridor. As of the date of this FEIS, approximately 1,500 individuals registered through the electronic mailing list available on the project website which provides regular project updates and meeting notices via email. In addition, the use of posters at train stations, seat drop brochures on LIRR seats, visual media content appropriate for social media display on twitter and YouTube, newsletters, and project brochures [^] have been produced and widely distributed throughout the Project Corridor.

The Project Team is maintaining a project office, or Project Information Center (PIC), in the Mineola Station adjacent to the south platform waiting room. The PIC was staffed Tuesday through Saturday during the [^] Scoping period for customers and residents to learn about the Proposed Project and [^] submit scoping comments. The current PIC schedule is available on the Proposed Project website, www.AModernLI.com. The PIC is continually stocked with project brochures and information fact sheets that were made available at public hearings, and also has displays, exhibits, and interactive elements. LIRR is coordinating additional outreach and events including tours, educational events, and community meetings.

SCOPING PROCESS

During the Scoping process six public meetings were held at four different locations. On Tuesday, May 24, 2016, a daytime public meeting and an evening meeting were held at The Inn at New Hyde Park and a daytime meeting and an evening meeting were held at Hofstra University in the Town of Hempstead. On Wednesday, May 25, 2016, a daytime public meeting was held at the Yes We Can Community Center in Westbury and an evening meeting was held at Antun's by Minar in Hicksville. A total of approximately 1,200 individuals attended the meetings. At these meetings, graphic presentations regarding the Proposed Project were displayed and LIRR, NYSDOT, and consultant team staff were available to answer questions. Attendees were able to [^] submit public verbal comments, private verbal comments, and written comments (through an on-line database and comment cards). The public comment period for the Draft Scoping Document was open through June 13, 2016. During the public comment period more than 750 individuals or entities submitted comments or questions. LIRR has provided responses to these comments and questions in the Final Scoping Document. LIRR [^] continued to

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conduct public outreach and afford the public an opportunity to provide input about the Proposed Project and the associated environmental analysis through the course of the SEQRA process.[^]

DEIS PROCESS

The DEIS for the LIRR Expansion Project was released for public review on Monday, November 28, 2016. Hard copies of the entire DEIS and its appendices were made available for review at the Project Information Center at Mineola Station, at libraries, and at other public locations in and near the project area. An electronic copy of the DEIS and its appendices was posted online at www.AModernLI.com.

The 65-day comment period was initially scheduled to close on January 31, 2017. To accommodate requests by some communities and elected officials for a longer review period, Governor Cuomo extended the comment period until February 15, 2017. In all, the DEIS comment period lasted for 80 days, longer than the DEIS comment periods for other comparable projects. As explained below, a variety of comment methods were available to the public. More than 700 comments were received during the DEIS comment period.

In accordance with SEQRA and Eminent Domain Procedures Law (EDPL), public hearings were held throughout the Project Corridor. The meetings were held during both daytime and evening hours, to accommodate a variety of public preferences. Meetings occurred in multiple communities along the Project Corridor and all venues were accessible to persons with disabilities. At these public hearings, the project team presented an overview of the Proposed Project and summarized the conclusions of the DEIS technical analyses. A series of visuals (including engineering alignments and renderings) were displayed. MTA, LIRR, NYSDOT, consultant team staff, and representatives from the Governor's Office were available to answer questions. A total of six public meetings were held at three different locations, as follows:

- Tuesday, January 17, 2017:
 - 11 am to 2 pm at the Yes We Can Community Center in the Village of Westbury
 - 6 pm to 9 pm at the Yes We Can Community Center in the Village of Westbury
- Wednesday, January 18, 2017:
 - 11 am to 2 pm at Hofstra University in the Town of Hempstead
 - 6 pm to 9 pm at Hofstra University in the Town of Hempstead
- Thursday, January 19, 2017:
 - 11 am to 2 pm at The Inn at New Hyde Park in the Village of New Hyde Park
 - 6 pm to 9 pm at The Inn at New Hyde Park in the Village of New Hyde Park

In total, approximately 1,000 individuals attended the six DEIS public hearings. At each hearing, the public had an opportunity to submit formal comments about the DEIS. These comments were incorporated into the public record and used to inform project officials during preparation of the FEIS. Attendees were able to provide oral comments (either in a public or private forum) and written comments (through an on-line database or comment cards). The stenographers' transcripts from each hearing can be found in Appendix 22.

DEIS COMMENTS

In addition to the oral testimony and written comments provided at the DEIS hearings, members of the public could submit comments throughout the 80-day DEIS comment period. Comments could be submitted through the project website, e-mail, regular mail, or in-person at the Project Information Center. Information regarding comment submissions was advertised widely on the project website and listserv, at the Project Information Center, through various local newspaper advertisements, seat drop pamphlets, and posters hung at train stations. In total, more than 700 comments or questions were received during the DEIS comment period. All formal comments submitted during the DEIS comment period are included in Appendix 22. Chapter 22, “Response to Comments,” provides a summary of the comments and questions submitted and the general topics and themes of the comments. The public input received during the DEIS comment period helped to shape and refine the Proposed Project in the FEIS—including identification of new project elements and selections of preferred grade crossing options. *