

# NEW JERSEY ENVIRONMENTAL JUSTICE LAW

## Overburdened Communities Notification FAQ

**What is the Environmental Justice Law?** Signed into law by Governor Phil Murphy on September 18, 2020, New Jersey's groundbreaking Environmental Justice Law, N.J.S.A. 13:1D-157, (Law) requires the New Jersey Department of Environmental Protection (NJDEP) to evaluate the contributions of certain facilities to existing environmental and public health stressors in overburdened communities when reviewing certain permit applications. [Read New Jersey's Environmental Justice Law.](#)

### **Why is my community receiving this notification?**

The Law directs the NJDEP to publish a list of overburdened communities and provide notice to the 331 municipalities in which those communities are located.

**What is an "overburdened community"?** Pursuant to the Law, the Legislature designated an overburdened community as any census block group, as determined in accordance with the most recent United States Census, in which: (1) at least 35 percent of the households qualify as low-income households (at or below twice the poverty threshold as determined by the United States Census Bureau); (2) at least 40 percent of the residents identify as minority or as members of a State recognized tribal community; or (3) at least 40 percent of the households have limited English proficiency (without an adult that speaks English "very well" according to the United States Census Bureau).

**What information did NJDEP use to define "overburdened community"?** NJDEP used the most recent census data from 2019 (*5-year American Community Survey Data 2015 to 2019*). Calculations were done for Census Block Groups (Summary Level 150) and Tribal Areas (Summary Level 280) with municipal boundaries determined by using the US Census County Subdivision GIS files. These files are similar to New Jersey's municipal boundaries but align with the census block group files. If at least one Block Group or Tribal Area in the municipality meets the definition of overburdened community in the Environmental Justice Law, the municipality will be notified.

### **Where can I view the overburdened communities list?**

The data is being provided in the following formats through the [NJDEP's Environmental Justice webpage](#).

- [List of block groups](#) identified as an overburdened community within a municipality in an Excel spreadsheet;
- [Interactive mapping tool](#);
- [PDF maps](#) for each municipality that has any part designated as an overburdened community; and
- [Downloadable GIS layer](#)

### **How will the list of overburdened communities be used in the Environmental Justice Law?**

As required by the Law, permits issued by the NJDEP for certain facilities will be required to meet the requirements set forth in the implementing regulations, including providing residents in overburdened communities with opportunities for enhanced participation in the permitting process. These requirements will go into effect upon adoption of the implementing regulations. The NJDEP is in the process of crafting these regulations with input solicited from its stakeholders.

**How can I learn more?** [RSVP here](#) for a webinar on February 9, 2021, 3 p.m. – 4 p.m. where NJDEP will walk through the method used to identify overburdened communities and whether any part of the municipality has been designated an overburdened community and answer questions from its local government partners.

**How can I get involved?** All municipalities are also invited to participate in the Environmental Justice rulemaking stakeholder process. The first public information session was held in the fall. Visit the [Environmental Justice rulemaking website](#) for a meeting recording and presentation material and other rulemaking process information. [RSVP here](#) to participate in the next stakeholder meeting: January 20, 2021, 6 p.m. – 8 p.m. Geographic Points of Comparison/Facility & Permit Definitions for Environmental Justice/Environmental/Community Organizations, and related parties.

**How can I get updates?** Subscribe to the [Environmental Justice Rulemaking email list](#) to stay informed about stakeholder sessions.