

While S232 - “Environmental Justice Law” (EJ Law) - provides first-in-the-nation legal protections to New Jersey residents at risk for environmental injustice, the categorization of these regions does not account for occupants of state recognized regions of food insecurity called food deserts. Quantitative assessment of the demographics of overburdened communities (OBCs) which do and do not overlap food deserts shows a significant distinction in the distribution of low income and marginalized people. We therefore suggest an addendum to the rules of the EJ Law and the Food Desert Relief Act (FDRA) of 2021 to provide priority protections and encourage investment in those communities.

The Department of Environmental Protection (DEP) defines environmental justice (EJ) as “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 pursuit of this, in 2020, EJ advocates and lawmakers pushed to grant communities deemed overburdened special legal protections from the siting of new polluting facilities which could cause undue risk to residents. The EJ Law created a permitting process by which firms seeking to build, expand or maintain their existing facilities in OBCs would be subject to review by the Department of Environmental Protection on the grounds of air, water and ground contamination. The current map is broad, covering over half of NJ's census block groups (3,592 of 6,603), defined based on the presence of high numbers of low-income, minority and/or limited English-speaking residents but ultimately representing diverse communities and conditions.

Independently, the Murphy administration took strides against food insecurity, in part due to a marked rise following the start of the COVID-19 pandemic. Alongside post-pandemic allocations to support food banks and expand SNAP coverage, the Governor championed the FDRA to provide economic incentives to build new grocery stores in food deserts. As part of the FDRA, the Economic Development Agency has drafted rankings of the top 50 food desert regions, covering 1.5 million residents per the recent census.

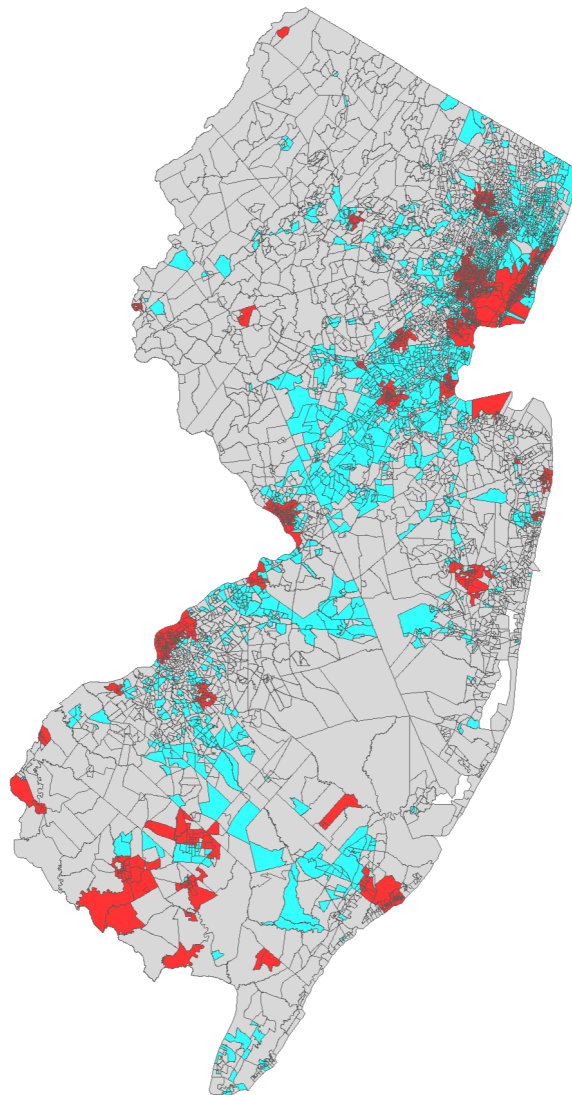
Presently, the DEP does not include food insecurity in its classification of OBCs. We identify that 1,494 of the 3,592 census block groups, containing almost half of the overall OBC population, overlap food deserts. These regions show significant increases in the rates of almost all burdens used to define OBCs, with median poverty, minority and limited English rates ranging from 140% to 225% greater than those OBCs not in food deserts. Given the intersectional nature of the burdens faced by these communities, we propose the following:

- A. The official recognition of food desert regions in the DEP’s permit review process
- B. The relaxation of standards for the development of new supermarket facilities, pursuant to the FDRA, to more strongly encourage investment in these communities
- C. The formation of a working group within the NJ Environmental Justice Advisory council to focus on strategies for mitigating food insecurity

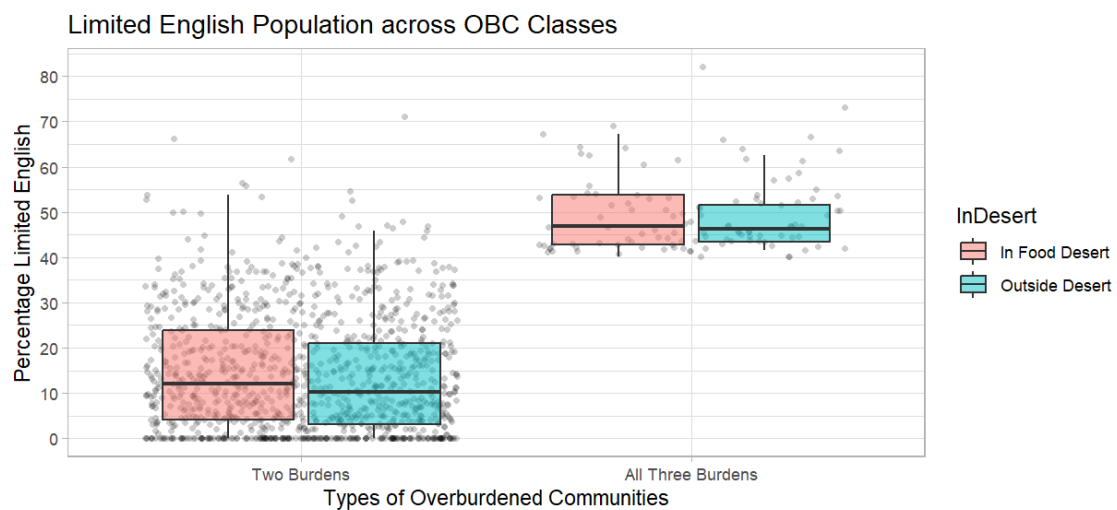
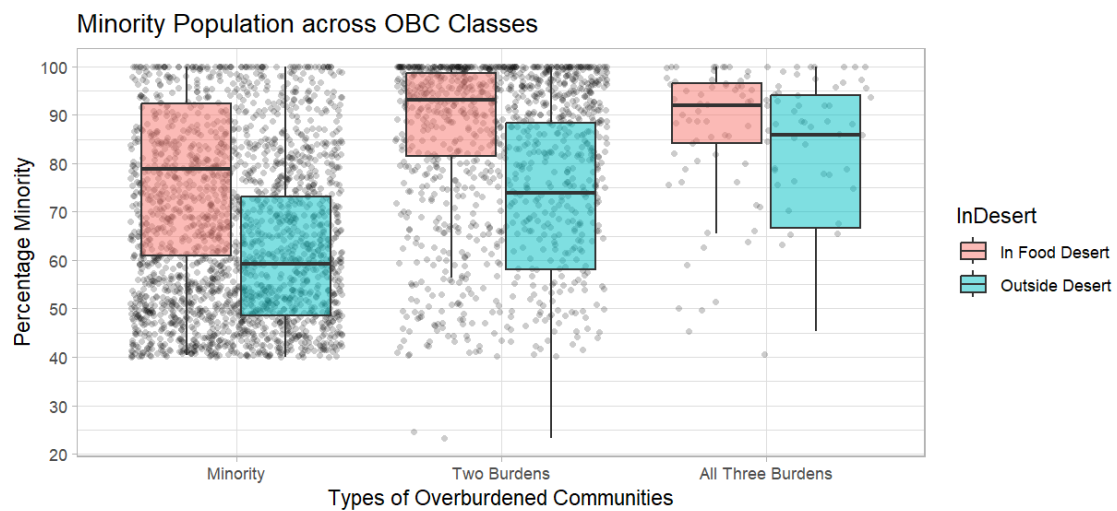
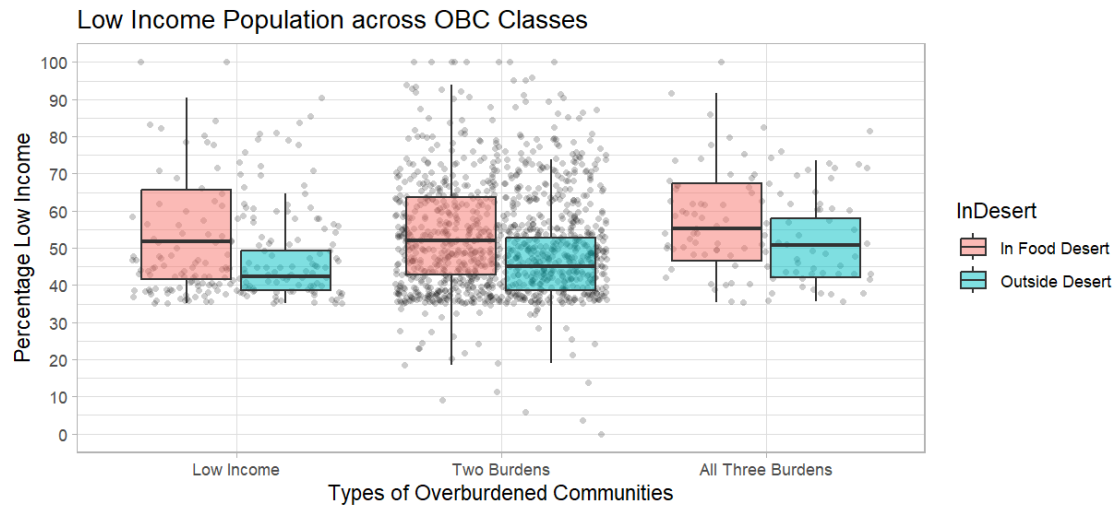
Historic disregard for the social disparities enacted by the siting of environmental hazards has enabled systemic injustices which remain present today. Expanding the social context in which we discuss environmental hazards has the potential to not only increase protections for hitherto underserved groups but also to provide functional examples of what similar policies could look like in other states and even at the federal level.

Overburdened Communities in New Jersey (red, overlap food deserts)

	OBCs in Food Deserts (1,494)	OBCs outside Food Deserts (2,098)	Not Overburdened (3,011)
Median Low Income Percentage	40.8%	18.1%	9.5%
Median Minority Percentage	87.0%	59.9%	18.6%
Median Limited English Percentage	10.0%	4.9%	0.0%



Map of New Jersey's Overburdened Community Census Blocks.



Distribution of Census Blocks by Quantitative Overburden based on the 2024 EJ Law Combined Stressor Summary. Boxplots depict quartiles and average values. Note that “Two burdens” for each set refers to the titular burden plus any of the others, exclusive from the third column which contains all burdens. Additionally, no census blocks had only Limited English as a burden.