High Bridge Wind Project

Case No. 18-F-0262

1001.28 Exhibit 28

Environmental Justice

EXHIBIT 28 ENVIRONMENTAL JUSTICE

(a) Impact on Environmental Justice Areas

Section 1001.28 of the Article 10 regulations requires the Applicant to provide sufficient information for the New York State Department of Environmental Conservation (NYSDEC) and others to assess the potential impact of the Facility on environmental justice (EJ) communities. The intent of an EJ evaluation is to determine if air quality and associated health impacts from energy generation are disproportionately affecting certain communities or populations already overburdened by pollution, and to ensure adequate public outreach and engagement where such communities stand to be impacted by a major electric generating facility. 6 NYCRR § 487.1(b).

In assessing impacts on EJ communities, the Applicant must first identify the "impact study area," which is defined as "the geographic study area of at least a one-half mile radius around the location of a proposed major electric generating facility in which the population is likely to be affected by at least one potentially significant adverse environmental impact resulting from the construction and/or operation of the facility that is different in type, scope or magnitude compared to the population located in the broader geographic area surrounding the facility." 6 NYCRR § 487.3(o). Therefore, for purposes of the EJ evaluation, the Applicant has defined the Environmental Justice Study Area as the area within a 0.5-mile radius of Facility components. Consistent with the criteria set forth in 6 NYCRR § 487.4, the potential impact of the Facility on environmental justice (EJ) communities have been assessed within this area.

Based on data obtained from the NYSDEC's Geospatial Information System (GIS) Tools for Environmental Justice website (www.dec.ny.gov/public/911.html), there are no potential EJ areas within the Facility Site or Environmental Justice Study Area boundaries. The nearest Potential Environmental Justice Area is approximately 5.2 miles from the Facility Site[1] and features two adjacent census block groups within the City of Norwich.[2] Both block groups are designated because significant portions of the population have household incomes below the federal poverty level (DADS, 2010). However, given the significant distance between these communities and the Facility, and given that the Facility is a wind energy generating facility that will not result in negative air quality impacts, no disproportionate impacts to Potential Environmental Justice Areas are anticipated.

The Applicant provided information on potential EJ areas in the Preliminary Scoping Statement ("PSS"), filed on January 24, 2019, and in the Final Scoping Statement ("FSS") filed on July 24, 2019. To date, no comments have been received regarding potential impacts to EJ areas. Due to the distance between the proposed Facility and the potential

[1] The project Facility Site has evolved during development in response to various considerations (see Exhibit 9). Accordingly, this value is slightly different than what was presented in the Public Involvement Program (PIP) Plan and the Preliminary Scoping Statement (PSS).
[2] Block groups 360179903003 and 360179904002.

EJ areas described above, the Facility is not expected to have an impact on any EJ areas and the full EJ analysis outlined in 6 NYCRR § 487.6 is not required, and has not, therefore, been provided as part of this Application.

REFERENCES

Data Access and Dissemination Systems (DADS). 2010. American FactFinder. Available at: https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml