

CITY OF KINGSTON

Common Council

commoncouncil@kingston-ny.gov

James Noble, Common Council President



Reynolds Scott-Childress, Majority Leader

TO:

Rosa Mendez

Director

NYS DEC Office of Environmental Justice

Dear Ms. Mendez,

On March 20th, 2018, the NYS DEC in it's "Comments on Draft Scope" for the Lincoln Park Grid Support Center under Air Resources stated that, "Air Permit Applications are subject to the Department's Environmental Justice Policy (CP-29). A Potential Environmental Justice Area (PEJA) is located 1.3 miles south of the proposed project location. The draft scoping document indicates that air quality studies and air emissions modeling will be conducted. **If the air data indication that the project's potential impact area includes the PEJA, the applicant will be required to incorporate environmental justice into the permitting process and prepare a Public Participation Plan as described in the attached Environmental Justice Fact Sheet. Please note that environmental justice should be incorporated in the DEC permitting process as early as possible,** therefore the applicant may wish to submit preliminary air studies/modeling to the Department as soon as they are available to determine the potential impact area. Certainly, the SEQR review process should also address potential impacts on any environmental justice communities from the development of the project."

In response to Air Resources in the Final Scoping document, the applicant Lincoln Park DG, LLC dba (Lincoln Park Grid Support Center) states that, "The analysis will include predicted impacts based on exhaust stake heights of 60 feet and 80 feet, and a comparison of those results to State and Federal air quality standards will be presented. Relevant provisions of NYSDEC's "CP-29 Environmental Justice and Permitting" will be addressed.

On Tuesday, December 4, 2018, the City of Kingston's Common Council unanimously passed a resolution to amplify Mayor Steve Noble's request for the DEC to send a written notice to the applicant requesting that it immediately commence compliance with the requirements of the Department's Environmental Justice Policy, as specific in the Department's March 20, 2018 comments on the Draft Scope. The City of Kingston, in which the PEJA area is located, specifically requests that the Department direct the Applicant to prepare and submit an enhanced participation plan for review and approval, so that it can be implemented before the public comment on the DEIS is opened. In this way, the intent of the Commissioner's Policy is honored, and Kingston's identified environmental justice community will be provided with sufficient time, tools and the opportunity to clearly voice, and have their comments be considered, on the proposed Lincoln Park Grid Support Center.

Thank you for your consideration of this important matter.

Respectfully,

A handwritten signature in cursive script, appearing to read "James Noble".

James Noble
City of Kingston Common Council President