



Cassadaga Wind Project

Case No. 14-F-0490

1001.28 Exhibit 28

Environmental Justice

EXHIBIT 28 ENVIRONMENTAL JUSTICE

Exhibit 28 of the Article 10 Regulations requires the Applicant to provide sufficient information for the Department of Environmental Conservation and others to assess the potential impact of the Facility on Environmental Justice communities. The intent of an Environmental Justice evaluation is to determine if air quality and associated health impacts are disproportionately affecting certain communities or populations. As previously indicated, the Facility is a wind powered electric generation facility that will not result in emissions or air quality impacts (see Exhibit 17). Therefore, for the purposes of the Environmental Justice evaluation, and based on the criteria set forth in 6 NYCRR 487.4, the Applicant has defined the "Impact Study Area" to consist of a 0.5 mile radius around proposed Facility components.

Based on data obtained from the NYSDEC's *Geospatial Information System (GIS) Tools for Environmental Justice* website (www.dec.ny.gov/public/911.html), and as reported in the Facility's Public Involvement Program (PIP) plan and Public Scoping Statement (PSS), the nearest Potential Environmental Justice Area to the Facility is approximately 3 miles from the nearest proposed turbine locations (which is 2.5 miles outside of the "Impact Study Area"), based on the final layout presented in this Application, and features two adjacent census block groups that include all or part of the Towns of Leon and Conewango (block group ID: 360099605003) and the Towns of New Albion and Napoli (block group ID: 360099605004). Both block groups are designated because significant portions of the population have household incomes below the federal poverty level. In Leon-Conewango 36.08% of the population have household incomes below the federal poverty level, while in New Albion-Napoli, 28.29% of the population have household incomes below the federal poverty level. Please see Figure 28-1 of this Application for a map of these Potential Environmental Justice Areas.

The Applicant provided this information in the PIP and the PSS, and, to date, no comments have been received regarding potential impacts to these Environmental Justice areas or the need to further revise the Impact Study Area. Because the Facility is sited so far from the Potential Environmental Justice Areas and will not result in emissions or air quality impacts, the Facility will not have an impact on these or any other Potential Environmental Justice Areas. The full Environmental Justice Analysis outlined in 6 NYCRR 487.6 is not required.