

# Bluestone Wind Project

Case No. 16-F-0559

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 enhance public participation and review of environmental impacts of proposed facilities in EJ communities and reduce disproportionate impacts to already overburdened communities. 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 the . . . 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). With respect to fossil fuel-fired electric generation sources, the primary environmental impact of concern in EJ communities is typically air impacts. In this case, the Facility is a wind powered electric generation facility that will not result in any emissions or air quality impacts (see Exhibit 17). Therefore, for purposes of the EJ 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 5-mile radius around each of the 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](http://www.dec.ny.gov/public/911.html)), there are no potential EJ areas within the Facility Site or Impact Study Area boundaries. The nearest potential EJ areas are approximately 12.8 miles from the Facility Site boundary in the Village of Sidney (Delaware County) and 15.2 miles from the Facility Site boundary in the City of Binghamton (Broome County). See Figure 28-1 for a map of these potential EJ areas.

The Applicant provided information on potential EJ areas in the Public Involvement Plan and PSS. To date, no comments have been received regarding potential impacts to EJ areas. Due to the distance between the proposed Facility and the potential 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.