

**Mohawk Solar**

**Case No. 17-F-0182**

**1001.28 Exhibit 28**

**Environmental Justice**

## EXHIBIT 28 ENVIRONMENTAL JUSTICE

Exhibit 28 of the Article 10 Application 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. As previously indicated, the Facility is a solar powered electric generation facility that will not result in any 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 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 Environmental Justice Areas within the Impact Study Area. The nearest Potential Environmental Justice Area to the Facility is south of the City of Johnstown (in Fulton County) and approximately 10 miles northeast of the Facility Area boundary. See Figure 28-1 of this Application for a map of this potential EJ area in relation to the Facility Area.

The Applicant provided this information in the PIP and no comments were received regarding potential impacts to these Environmental Justice Areas. Because of the distance between the proposed Facility and the Potential Environmental Justice Area described above, the Facility is not expected to have an impact on this or any other Environmental Justice Areas. Therefore, the full Environmental Justice Analysis outlined in 6 NYCRR 487.6 is not required, and is therefore not provided in the Article 10 Application.