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Monica L. Abreu Conley, Esq.
Environmental Justice Coordinator
New York State Department of Environmental Conservation
Office of Environmental Justice
625 Broadway, 14th Floor
Albany, NY 12233-1500

Dear Ms. Conley:

I am writing to express my support for *Recommendations for the New York State Department of Environmental Conservation Environmental Justice Program 2002* report.

One of the recommendations mentioned which I believe will be an asset to East Harlem's fight for environmental justice is evaluating and addressing activities and agencies exempt from the State Environmental Quality Review (SEQR) Act. Presently New York State law provides exemption for certain projects to be approved and/or implemented by various agencies such as the New York Metropolitan Transportation Authority (MTA). This legal "loophole" has allowed the MTA to proceed with plans to rebuild and reopen a bus depot on 100th Street and Lexington Avenue. This bus depot will house the new articulated buses powered by diesel engines. East Harlem residents have complained about the existence of the bus depot in their community prior to its closing in 1998. Members of the community were outraged when they learned that The New York State Department of Environmental Conservation (NYSDEC) permitted the MTA to proceed with its plan without the submission of an environmental impact statement. Mount Sinai School of Medicine supported opposition to the reopening of the bus depot because we identified East Harlem as the community with the highest asthma hospitalization rate in New York City in a study published in the Journal of Asthma in 1999.

As someone involved in epidemiological research and community outreach, I believe the recommendations will be a positive step in providing better review of environmental justice issues to the community. It is important that NYSDEC ensure environmental justice analysis of facilities exempted from SEQR review that require permits from the environmental state agency.

Sincerely,

Leon Tulton
Leon Tulton
Research Assistant

