

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Office of Environmental Justice

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Guidance on Commissioner's Policy 29 During the COVID-19 Public Health Crisis

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Commissioner's Policy 29 contains provisions that require public gatherings, which could impair the health and well-being of persons attending such meetings. To satisfy the public outreach requirements of CP 29 while avoiding public gatherings, for the duration of Governor Cuomo's Executive Order 202 pertaining to the COVID-19 pandemic, the Commissioner, through the Office of Environmental Justice, directs the following affecting the Department's implementation of Commissioner's Policy 29:

- **Applicants** and **DEC staff** must immediately cancel all public meetings and information sessions.
- As part of any public participation plans, **applicants** must host one video or teleconference call in place of cancelled public meetings and information sessions.
- **Applicants** must create a dedicated publicly accessible website to publish all application and related documents.
- **Applicants** must mail informational flyers to impacted residents consisting of:
 1. A summary of the application,
 2. Directions on how to obtain the application materials on the publicly available website,
 3. The time and date of a video- or teleconference-meeting (that would take place in place of a public meeting), and
 4. A contact list of telephone numbers and e-mail addresses. Applicants must provide explicit directions on signing onto the tele- or video conference. The informational flyer should also include instructions on how impacted residents can submit questions or comments via email, writing or telephone, and the deadline for submitting questions via those alternative methods.
- The video- or teleconference should occur not less than fifteen days from the postmark date of the informational mailing.
- Public participation plans must allow for impacted residents to submit comments or questions by telephone or email to the **applicant** for a period of 15 days from the date of the video or teleconference. The minimum public comment period shall be 35 days from the date of the post mark date of the informational flyer.
- **Applicants** must provide to the DEC staff written comments, if any, and a summary of public comments received.