NEW YORK STATE | Department of Environmental Conservation

KATHY HOCHUL
Governor

AMANDA LEFTON
Commissioner

September 30, 2026

Via Electronic Mail

Raya Salter
Energy Justice Law and Policy Center
35 Forest Circle
New Rochelle, NY 10804

Subject: Compliance Notice – Grant Agreement DEC01-C03292GM-3350000

Dear Energy Justice Law and Policy Center,

This letter serves as formal notice that Energy Justice Law and Policy Center (EJLPC) risks becoming out of compliance with the terms and conditions pursuant to Grant Agreement DEC01-C03292GM-3350000 for project CEEC 2024.

Based on our review of the most recent draft License Agreement and accompanying e-mail sent to EJLPC by the City of New Rochelle, and further internal Department discussions, it has been determined that in the event that EJLPC signs said Agreement as currently drafted you will fail to comply with the following requirement set forth in Attachment A-1, Agency-Specific Terms and Conditions, Section XX: Site Access, to "obtain title to or sufficient interest in the project site, including rights-of-way and necessary easements, before the start of the project to ensure undisturbed use and possession for purposes of construction and completion of the project, as well as operation of the project throughout its useful life." For example, terms and conditions set forth in the draft License Agreement §1 Grant of License, §3 Term, §4.1 Permitted Renovations, §4.2 Asset Ownership, §4.3 Operational Use, and §4.4 Occupancy dictate the City of New Rochelle will retain sole discretion to control the use and possession of the subject Pavilion and are therefore incompatible with Attachment A-1, Section XX: Site Access.

To restore the grant to good standing, EJLPC must complete one of the following corrective actions:

- Secure site access in the project site sufficient to ensure undisturbed use and possession to construct and complete the project, as well as to operate the project throughout its useful life no later than fourteen (14) days from the date of receipt of this letter, or
- Reach a preliminary agreement with an alternative site suitable for the construction and operation of project CEEC 2024 pursuant to Grant Agreement DEC01-C03292GM-3350000 no later than ninety (90) days from the date of

receipt of this letter, and reach a final agreement with an alternative site suitable for the construction and operation of project CEEC 2024 pursuant to Grant Agreement DEC01-C03292GM-3350000 no later than one hundred eighty (180) days from the date of receipt of this letter.

Failure to resolve the specified non-compliance issue within the listed timeframe may result in further administrative actions, including but not limited to:

- Suspension of grant disbursement;
- Withholding of future reimbursements; or
- Partial or total termination of the Grant Agreement

Please submit your response directly to Raymond Loftfield at raymond.loftfield@dec.ny.gov by the corresponding deadline specified above.

Sincerely,



Alanah Keddell-Tuckey
Director, Office of Environmental Justice
Department of Environmental Conservation

CC:

Michael Zarin, Attorney for EJLPC
Wilfred Melendez, City Manager, City of New Rochelle
Dawn Warren, Corporation Counsel, City of New Rochelle
Yadira Ramos-Herbert, Mayor, City of New Rochelle