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May 21, 2024

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Conservation and Outdoor Recreation Division Office
National Park Service
1849 C Street NW
Washington, DC 20240

Terry Gray, Director
RI Department of Environmental Management
235 Promenade St.
Providence, RI 02908

Re: Morley Field Conversion Application

To Whom It May Concern:

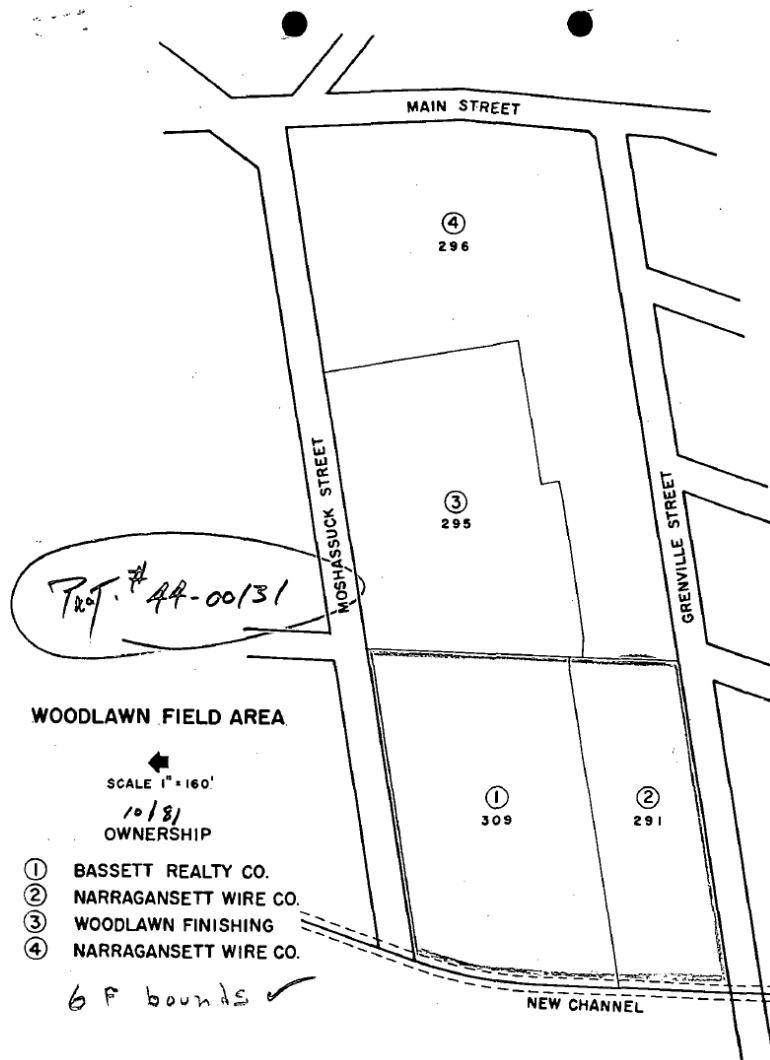
Conservation Law Foundation (“CLF”) sends this letter to the National Park Service (“NPS”) and the Rhode Island Department of Environmental Management (“RIDEM”) to raise specific concerns regarding the City of Pawtucket’s (“City”) application to convert Land and Water Conservation Fund (“LWCF”) properties at Morley Field, Dunnell Park, and McCoy Stadium. It is our understanding that the administration of Mayor Grebien submitted this application in February or March 2024 for RIDEM’s review and investigation prior to making a recommendation to NPS for the application’s denial, conditional approval, or approval.

CLF believes that RIDEM should recommend denial of the application to NPS, and that NPS will have sufficient evidence to support that denial.

In this letter, CLF seeks to inform RIDEM and NPS of the City’s lack of good faith in this process. Without a public hearing or contested proceeding, there is no meaningful forum to inform your agencies of the context surrounding the project, which we believe justifies the denial of the City’s application. We will lay out how the City has: i) sought to marginalize the community and ignore any critiques or concerns about its proposal; ii) willfully and intentionally ignored its legal requirements under the LWCF, to the point of profiting off the sale of Federally protected land; and iii) cherry-picked data and exaggerated findings of inconclusive studies to justify depriving the community of a critical recreational asset. At each turn the City has shown

no respect for its residents or its legal obligations, and we strongly urge your agencies to step in and remind the City that it is bound by both the law and policies of the Rhode Island and Federal governments; it is not a sovereign, independent kingdom.

Morley Field Identification and Environmental Justice Determination



Map 1. Dated December 22, 1981, and attached to the original 1974 Project Agreement (Note 3) indicating the 6f boundaries of the Morley Field site. Bold lines around plots 309 and 291 constitute the project area.¹

¹ Department of the Interior, Bureau of Outdoor Recreation. *Land and Water Conservation Fund Project Agreement. Project Number 44-0131.* May 21, 1974.

Morley Field,² located in Pawtucket’s Woodlawn Neighborhood and Council Ward 5,³ was acquired by the City for \$185,000 in 1974 – 50% of this amount came from the LWCF.⁴ It is the largest, and arguably only, green space in the area, since the next nearest recreational space, Payne Park, is roughly 1.1 miles away. Morley Field has been regularly used and enjoyed by residents as a place to lay out a blanket, picnic, stroll on a break from work, engage in pickup sports, and walk the dog.⁵ More formally, the park served as the location for organized sports like youth football, baseball, and soccer.⁶

As noted above in **Map 1**, the “6f Boundary” – this term refers to the borders of a LWCF project – Morley Field – which was established by the project agreement.⁷ The eastern boundary of Lot 309 is unambiguously aligned with the eastern boundary of Lot 291, which borders lot 309 to the south. This document definitively sets the perimeter of the property and identifies where the LWCF regulations are in force, including limitations on the ability to transfer the property.

Morley Field is in the Woodlawn neighborhood, and, more specifically, Pawtucket’s Ward 5 and Census Tract 164. Census Tract 164’s population is 82% racial minorities with a median household income of \$38,510.⁸ The demographics of this community meets the RIDEM definition of an environmental justice focus area,⁹ as its minority population exceeds 40%, and its annual household income is only 47% of the statewide median of \$81,370.¹⁰ The determination that this is an environmental justice area triggers additional consideration of the historic environmental and health burdens experienced by the community. It also means that the

² City of Pawtucket Tax Assessor’s Map. Plat 62A, Lots 291 and 309.

³ Ward maps are available at https://pawtucketri.gov/wp-content/uploads/2023/12/CouncilDistricts_May_2022.pdf

⁴ Department of the Interior, *supra* note 1.

⁵ Steve Ahlquist. *Pawtucket Moves to Eliminate Remaining Green Space in an Environmental Justice Community*. Uprise RI. Aug. 17, 2022. Available at: <https://upriseri.com/pawtucket-eliminates-green-space-environmental-justice-community/>. Last Accessed May 20, 2024.

⁶ *Id.*

⁷ Dept. of the Interior. *supra* note 1.

⁸ City of Pawtucket, Conversion Application. *Appendix B – Social Equity Discussion*.

⁹ Department of Environmental Management. *Environmental Justice Policy*. Version 1.4, Sept. 28, 2023, at 2. This policy uses the term “environmental justice focus area” and defines it as a census tract that meets one of the following criteria: (i) Annual median household income is not more than 65% of the statewide annual median household income; (ii) Minority population is equal to or greater than 40% of the population; (iii) 25% or more of the households lack English proficiency; (iv) Minorities are 25% or more the population and the annual household income of the area does not exceed 150% of the statewide annual median household income.

¹⁰ U.S. Census Bureau. *2018-2022 American Community Survey 5-Year Estimates*. Available at <https://www.census.gov/quickfacts/fact/table/RI,US/INC110222>. Last accessed May 20, 2024.



NPS, for additional guidance in decision-making, should consult President Biden’s “Executive Order on Revitalizing Our Nation’s Commitment to Environmental Justice for All.”¹¹ The Order provides the NPS additional guidance on how to approach environmental justice issues when they arise as the agency seeks to apply Federal laws and regulations.

Accountability for the 2017 Illegal Conversion of a Section of Morley Field

While the saga of Morley Field’s downfall began before 2017, the first overt step in transferring ownership of the Field to a private, commercial entity occurred when the City Council approved a Purchase and Sale Agreement on June 22, 2017, for a portion of the field.¹² The conversion application submitted by the City in 2024 conveniently ignores these actions and overlooks that transaction; however, this improper 2017 transfer must be addressed when considering the current application before RIDEM and NPS, as approval would serve to ratify this previous illegal behavior of the City.

Moreover, the context for this illegal conversion is important. The neighboring lot to the east – Lot 295 – is the former home of Microfibres Inc., a textile manufacturer that filed for bankruptcy in 2016.¹³ The new owners, Tukek Holding, intended to build and operate a warehouse and distribution center on Lot 295.¹⁴ Subsequently, Tukek Holding presumably conducted a survey of its property and discovered that it did not have title to an area it used for parking. That area was actually part of Morley Field, Lot 309.¹⁵ Tukek Holding paid the City \$5,000 for a section of Lot 309 as described in a quitclaim deed.¹⁶ As indicated in both the Purchase & Sale Agreement and the deed, there was no disagreement that the City owned the property prior to 2017, even though a portion of Lot 309 had been used by the previous owners of Lot 295.¹⁷

¹¹ President Biden E.O. 10996. *Revitalizing Our Nation’s Commitment to Environmental Justice for All*. 88 FR 25251 (April 21, 2023).

¹² City of Pawtucket, Resolution of the City Council. *Resolution Amending the Resolution Entitled, “Resolution Authorizing the Transfer of a Portion of Plat 62A, Lot 309 Located on Moshassuck Street to Tukek Holding Anonim Sirketi*. Approved June 22, 2017.

¹³ Patricia Resende. *Pawtucket Manufacturer to File Bankruptcy, Closes Shop after 90 Years in Business*. WJAR NBC 10, Jan. 28, 2016. Available at: <https://turnto10.com/news/local/pawtucket-manufacturer-to-file-bankruptcy-closes-shop-after-90-years-in-business>. Last accessed May 3, 2024.

¹⁴ Ethan Shorey. *Distribution Center Approved at Site of Former Microfibres*. The Valley Breeze, June 8, 2021. Available at: https://www.valleybreeze.com/news/distribution-center-approved-at-site-of-former-microfibres/article_32c356c5-41db-5463-be62-d293020c242e.html. Last accessed May 3, 2024.

¹⁵ City of Pawtucket Resolution, *supra* note 12 at para. 2.

¹⁶ City of Pawtucket. Quitclaim Deed. Book 4128, page 180, Plat Card #1169.

¹⁷ City of Pawtucket Resolution, *supra* note 12 at para. 3.

The sale of this portion of Lot 309 constituted an unapproved and illegal conversion. The LWCF rules establish that, “[s]ituations that trigger a conversion include: (a) Property interests are conveyed for private use...”¹⁸ Here, documents from NPS, DEM and the City all clearly indicate that the City owned the entirety of Lot 309, and it was purchased with support of LWCF. In 2017, the City transferred ownership of a portion of Lot 309 to a private entity for private use, in direct violation of Section F of the LWCF Financial Assistance Manual.

RIDEM and NPS are well aware of the appropriate procedure for a municipality to convert LWCF-supported properties to new and potentially non-recreational purposes.¹⁹ Unfortunately, the program does not require a public hearing or public engagement process, and What is noteworthy is that the City simply ignored these procedures. Instead, they readily took payment in exchange for a piece of LWCF property. Not only did the City not consult NPS, as described in Section F(3) of the LWCF Financial Assistance Manual, the City did not even contact RIDEM regarding the transfer, *see* Section F(3) of the Manual. RIDEM – in a 2022 response to a public inquiry about the 2017 sale – misidentified which portion of the property had been sold, only to be corrected by City staff.²⁰ **Map 2**, below, shows the area identified by the City as having been sold off with the demonstrably inaccurate statement that “[t]his area was never included within the 6f designation...”²¹ Apparently, the City did not endeavor to take the logical initial step of consulting its agreement with NPS to verify the unambiguously established boundaries. RIDEM compounded the problem and failed to conduct oversight when it became aware of the property transfer. When RIDEM received notice that a portion of Lot 309 had been sold without the necessary consultations, it dismissed any concern with no further discussion about how the City was prohibited from selling the property. RIDEM, without reference to any applicable legal standard, asserted that there was still sufficient protected space.²² In making this assertion, RIDEM failed to follow applicable precedent in determining that both lots, in their entirety, comprised the relevant LWCF 6f boundaries for this project. While the City claimed it was “...a corrective subdivision / deed update...,”²³ that is contradicted by the plain fact that the

¹⁸ National Park Service. *Land and Water Conservation Fund State Assistance Program: Federal Financial Assistance Manual*. Volume 71 at § F(1)(a), p. 103. March 11, 2021. *See also*. 54 U.S.C. 2003, §200305(f)(3).

¹⁹ *See. Id.* at § F.

²⁰ Paul Jordan and Jay Rosa email exchange, *Re: FW: [EXTERNAL] : William H. Morley Memorial Field, 94 Moshassuck Street, Pawtucket, Plat 62, Lots 291 & 309*. Dated Friday, September 2, 2022 at 9:10am.

²¹ *Id.*

²² *Id.* Specifically, staff stated that “[t]he LWCF grant agreement was for acquisition of 5 acres and you still have that and a bit more...” without referencing ownership issues or original program property boundaries.

²³ *Id.*

City sold the property, meaning it created a new deed or subdivision, not a correction of a prior deed.



Map 2. Excerpted from an email from City staff to RIDEM staff identifying the portion of the field that was sold in 2017.



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NPS, in the event of a dispute, is empowered to make a final determination as to the correct 6f boundary of the Morley Field LWCF project. In the First Circuit case of *Boston Redevelopment Authority v. Nat'l Park Service*,²⁴ NPS resolved a 6f boundary dispute by relying on the maps that were developed contemporaneously with the funding of the project. The plaintiff's attempt to introduce maps made years later to indicate that the project was never intended to encompass the land NPS determined was protected was rebuffed as being an illogical and ex post facto revision to an otherwise sound contract.²⁵ The facts of the current case are clearer than those the First Circuit had to tackle. In *Boston Redevelopment*, the plaintiff unsuccessfully sought to prove that the original boundaries were in dispute and that the property NPS was protecting was never part of the lot. Here, the City stated in the Purchase and Sale Agreement that the property at issue was part of the protected lot and *accepted payment for the property*, meaning the City cannot dispute it owned the property.

CLF recognizes that the opportunity to return the illegally sold portion of Lot 309 to Morley Field may be in the rearview mirror given the new owner's reliance on the City's representations in 2017. However, NPS has more tools at its disposal, and its actions in response to becoming aware of this sale is an opportunity to hold grant recipients accountable to the obligations that flow from accepting the funds. LWCF rules provide alternative remedies for failure to comply, which could include:

...temporarily withholding payment of federal funds to the State on account of such project, disallowing costs, suspending or terminating the award, initiating suspension or debarment proceedings, withholding funds for other projects of the State, withholding approval of further projects of the State, or taking other remedies that might be legally available.²⁶

Given the abject disregard for the LWCF protections, CLF encourages NPS to craft and apply such penalties to the City and/or State, including denying the City's conversion application, to provide accountability in this instance and deter future efforts to undermine the purpose of the LWCF and its grant obligations.

Ongoing Impermissible Barring of the Public from Morley Field

²⁴ 838 F.3d 42 (1st Cir. 2016).

²⁵ *Id.* at pp. 48-49.

²⁶ National Park Service, *supra*, note 18 at p. 117.

The City, for the past 18 months and for the foreseeable future, continues to prevent public access to Morley Field and has taken no action to remedy the Field's impairment, which was a byproduct of allowing a private developer access to the site under a purchase and sale agreement.²⁷ Under the LWCF, the City has an obligation to operate and maintain the property to certain specifications, including that "[t]he property shall be maintained so as to appear attractive and inviting to the public..." and "[p]roperties shall be kept reasonably open, accessible, and safe for public use."²⁸ The City relied upon a report prepared by Alliance Environmental, the consultant for the proposed purchasers of the lot, to determine that there was lead and benzene contamination of the Field such that it was a hazard for public use.²⁹ However, in response to the testing, RIDEM stated they did not recommend closing the field, which is consistent with EPA guidance in place in 2022.³⁰

Without independent investigation or verification, it is possible that the findings, especially with respect to lead, may be the product of human error, sampling bias, or the potential of some other testing anomaly.³¹ All but one sample from Alliance found acceptable lead levels between 5.52 – 116 mg/kg, with one outlier finding 246 mg/kg.³² Engaged community members, recognizing the City's failure to confirm the existence of an environmental hazard, organized their own testing of Morley Field and two other nearby parks that are currently open to the public.³³ The citizens' tests indicated Morley Field *had the least level of lead contamination of all three fields tested*: 4.1 mg/kg at Morley Field,³⁴ 12.7 mg/kg at Max Read Field³⁵ – the

²⁷ See. Frank Carini. *Pawtucket has Plans to Make Two Environmental Justice Neighborhoods Green Free*. EcoRI, August 5, 2022. Available at: <https://ecori.org/pawtucket-has-plans-to-make-two-environmental-justice-neighborhoods-green-free/>. Last accessed May 20, 2024.

²⁸ National Park Service, *supra* note 18 at p. 98.

²⁹ Alliance Environmental Group. *Site Investigation Report of 94 Moshassuck St. Plat 62A, Lots 291 and 309*. May 17, 2022.

³⁰ Ahlquist, *supra* note 5. It should be noted that in January 2024, 17 months after the cited reporting, EPA revised down, from 400 ppm to 200 ppm the screening level for lead in residential soil. See Barry N. Breen, EPA Office of Land and Emergency Management. *Updated Residential Soil Lead Guidance for CERCLA Sites and RCRA Corrective Action Facilities*. January 17, 2024.

³¹ Forrest Snyder. *New Data Calls into Question the Soil Testing Done at Morley Field by the Developer, JK Equities*. UpriseRI, November 8, 2022. Available at <https://upriseri.com/new-data-calls-into-question-the-soil-testing-done-at-morley-field-by-the-developer-jk-equity-2/>. Last accessed May 20, 2024.

³² Alliance Environmental Group, *supra* note 29 at p. 16.

³³ *Id.*

³⁴ University of Vermont, Agricultural & Environmental Testing Laboratory. *Soil Test Report: Morley*. October 25, 2022.

³⁵ University of Vermont, Agricultural & Environmental Testing Laboratory. *Soil Test Report: Max Read*. October 25, 2022.



proposed location for the new recreational facilities – and 22.4 mg/kg at O’Brien Park.³⁶ The results of these tests raise the real question as to whether the contaminated sample is an outlier and should lead any logical investigator to conduct further independent tests to determine whether there is, in fact, contamination sufficient to close the Field.

While CLF believes that whether there is contamination at Morley Field is an open question, the response by the City and RIDEM to potential contamination is inconsistent with the purposes of the LWCF and reinforces the City’s dogged determination that sale of the property is the only acceptable outcome. Prior to the conversion application currently under review, RIDEM approved a Site Remediation Plan prepared by the potential purchaser of the Field that includes turning it into a parking lot.³⁷ In other words, RIDEM approved a remediation plan that, by itself, would constitute an illegal conversion of the property, since there was no NPS-approved conversion nor was there even an application to do so at the time of submission. The City and RIDEM should have been guided by their obligation to maintain public access at the park, rather than flouting their obligations under the LWCF and ignoring the recreational needs of the Woodlawn community. The City has abjectly failed its requirements to maintain the Field as “reasonably open, accessible, and safe for public use,”³⁸ and it has demonstrated its belief that the only path to remediation is to end recreational use and pave it.

CLF maintains that the NPS and RIDEM have an obligation to deny the current conversion application and direct the City to develop and implement a plan to bring Morley Field into alignment with the operational requirements of the LWCF. This should include independent and thorough soil testing, coupled with a remediation plan in the event the hazardous levels of contaminants are confirmed, so the public can access the property without it being turned into a parking lot.

Conversion Application Not Approved by City Council

Beyond these repeated violations of the LWCF, the underlying conversion application currently before RIDEM was submitted without engagement with and approval by the City Council, as is required by the approved purchase and sale agreement for Morley Field.³⁹ Among the recitations found in the document is: “WHEREAS, among the requirements of the process is the opportunity for public comment on the plan and approval of the plan by the City Council

³⁶ University of Vermont, Agricultural & Environmental Testing Laboratory. *Soil Test Report: O’Brien*. October 25, 2022.

³⁷ *Id.* at p. 7.

³⁸ National Park Service, *supra* note 18 at §B(4), p. 98.

³⁹ City of Pawtucket, Resolution of the City Council. *Resolution Authorizing the Purchase and Sale Agreement with JK Equities LLC for Plat 62A, Lot 309, Located at 94 Moshassuck Street*. Approved October 20, 2022.

prior to formal submission to NPS and RIDEM...”.⁴⁰ Additionally, City planning staff, in their communication to RIDEM and members of the public, unequivocally stated that, “. . .nor will any transactions occur without City Council approval of this proposed recreation conversion as required before submitting to DEM and NPS for consideration.”⁴¹

As of this writing, the City has not provided the conversion application to the Council, which is highlighted by Councilman Clovis Gregor, who represents Ward 5.⁴² Moreover, while the City provided a mechanism to receive comments from the public, it summarily ignored and failed to respond to any comment critical of the conversion, providing no additional context or modification of the proposal based upon community input.⁴³ City staff even noted that all submitted comments “expressed the opinion that Morley Field should remain as an athletic field.”⁴⁴ Nevertheless, the City stated it “is not going to respond directly to any of the comments submitted.”⁴⁵ There is no rationale or explanation for this failure to respond, which goes against the very nature and purpose of public comment processes.

While motive cannot be definitively construed by this failure to serve the public, it speaks to the City’s single focus to sell off Morley Field without regard to community input, legal deficiencies, or any criticism, be it large or small. For instance, CLF submitted comments during the City’s unadvertised window to provide input,⁴⁶ which outline both legal and factual issues that should have been addressed prior to finalizing the application. Even if the Mayor’s administration did not believe it necessary to respond to potential application deficiencies, the Council should have been provided the opportunity to consider the public concerns and weigh in on whether to submit the application. Instead, the Mayor bypassed the Council and sought to insulate both RIDEM and NPS from any discussion of community opposition or legal concerns about the application. This disregard for community input is indicative of the City’s lack of good

⁴⁰ *Id.*

⁴¹ Jay Rosa email to DEM staff. *Re: LWCF : William H. Morley Memorial Field, 94 Moshassuck St., Pawtucket, RI.* Thursday, September 1, 2022, at 3:28 pm.

⁴² Clovis Gregor. *Request for Prompt Suspension and Rescission of the of [sic] City of Pawtucket’s Submitted Application for the Combined Conversion of the Following LWCF-Assisted Sites: Morley Field; McCoy Stadium Annex; Dunnell Park.* April 12, 2024.

⁴³ Memo of Michael Cassidy. *Public Comments on NPS Submittal for Park Conversion.* February 8, 2024.

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ Richard Stang on behalf of Conservation Law Foundation. *Public Comment on the City of Pawtucket’s application to “convert” (remove the Recreation restrictions) a portion of Morley Field (“Morley Field Conversion Parcel”), a portion of Hank Soare Complex (Dunnell Park) and the McCoy Stadium Annex complex and replace these areas with a new recreation area on the City’s waterfront, which is currently part of the Riverside Cemetery (hereinafter referred to as the “Application”).* February 2, 2024.



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faith – meaning an intentional disregard to both the letter and intention of the applicable law – in its approach to this entire project where they shall tolerate no opposition.

Substantive Failings of Conversion Application

One of the purposes of this letter is to provide additional information and context that the City has deemed inconvenient and worth hiding from key agencies. Since the City may believe there is no required public hearing procedure or opportunity to contest a conversion application, CLF deems it necessary to act outside the standard review and approval process because the City is singularly committed to obfuscation regarding its actions – and any critique thereof – to systematically devalue and destroy this recreational space.

For that reason, we are providing the following list of concerns with the application, without diving into a full analysis, to prompt RIDEM and NPS to investigate these points:

- Air quality impacts. In the part of its application entitled “Appendix C – Morley Field Environmental Review,” the City claims that the conversion will “have no impact or potential for some improvement.”⁴⁷ This assertion wholly ignores that a successful conversion will lead to the development of a 24 hour-a-day, 7 day-a-week distribution facility on the Microfibres site, drastically increasing the volume of diesel trucks traveling local roads, negatively impacting the community and exacerbating existing air quality concerns for a community already burdened by more than its fair share of pollutants.
- Circulation / Transportation. The City asserts that there will be “no impact or potential for some improvement.”⁴⁸ Moreover, there is no evaluation of the impact on traffic patterns stemming from the incessant traffic of a never closing distribution facility in the Woodlawn Neighborhood and on that a portion of Morley Field that is proposed to remain in use.
- Environmental Justice. Again, the City asserts that there is “no impact or potential for some improvement.”⁴⁹ The data provided demonstrates that the Woodlawn Neighborhood and Ward 5 meets the definition of an environmental justice community, yet the City provides no support for its conclusion that there would be no impact on the community or be an improvement. This bald conclusory statement continues the historic

⁴⁷ City of Pawtucket. Conversion Application. *Appendix C – Morley Field Environmental Review.*

⁴⁸ *Id.*

⁴⁹ *Id.*

marginalization of the Woodlawn Neighborhood environmental justice community by ignoring the comments of residents and by providing no pathway for meaningful participation. President Biden’s Executive Order directs agencies such as the NPS to “identify, analyze, and address historical inequities, systemic barriers, or actions related...that impair the ability of communities with environmental justice concerns to achieve or maintain a healthy and sustainable environment,”⁵⁰ “identify, analyze, and address barriers...that impair the ability of communities with environmental justice concerns to receive equitable access to human health or environmental benefits...”⁵¹ and “provide opportunities for the meaningful engagement of persons and communities with environmental justice concerns...”⁵² In light of the City’s disregard of this guidance, it is NPS’s duty to give the President’s order life through its application.

- Land Use Plans. Again, the City asserts that there is “no impact or potential for some improvement.”⁵³ However, NPS needs to consider the State Comprehensive Outdoor Recreation Plan (“SCORP”). The Rhode Island plan states that “[r]equests for conversions should be resisted and should face the highest burden of proof of net public recreational benefit.”⁵⁴ The SCORP goes on to say that “approval should be predicated on full administrative review and public scrutiny.”⁵⁵ So far, nothing about this process has sought to deliver net public recreational benefits for the Woodlawn community or constitute a full administrative review and public scrutiny. In fact, the City has taken the opposite approach, maximizing private benefit and avoiding administrative and public scrutiny by censoring public comments and avoiding Council engagement.

Given these deficiencies and factual obfuscation in the application, CLF’s request is for RIDEM and NPS to go beyond the surface assertions by the City and take notice of the volume of additional information that non-City actors have been attempting to bring to the attention of regulators. At each turn, the City has attempted to avoid discussion of alternatives, ignore community impacts, and consistently serve private interests over the public need.

Conclusion

⁵⁰ President Biden. *supra* at note 11, at Sec. 3(iii).

⁵¹ *Id.* at Sec. 3(iv).

⁵² *Id.* at Sec. 3(vii).

⁵³ City of Pawtucket, *supra* note 47.

⁵⁴ State of Rhode Island, Division of Statewide Planning and Department of Environmental Management. *Ocean State Outdoors: Rhode Island’s Comprehensive Outdoor Recreation Plan*. State Guide Plan Element 152 at p. 10. August 2019.

⁵⁵ *Id.*



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CLF thanks RIDEM and NPS for the time and attention it takes to go through the details provided in this letter. This is a difficult task for your staff, and CLF honors and respects the work you do on behalf of communities in Rhode Island and across the country. We regret the circumstances that have led to this communication and the need to call into question the actions of a Rhode Island municipality in the operation of its LWCF properties. We respectfully request that you conduct your due diligence in reviewing this conversion application and carefully consider the points raised in this communication. We believe that the City of Pawtucket has not met its burden of proof to secure an approval of the proposed conversion, and CLF will explore all legal avenues to vindicate the rights of its members who stand to suffer direct and specific harm if the conversion is approved.

Sincerely yours,

Darrell Brown
VP of Rhode Island
Conservation Law Foundation

Richard Stang
Senior Attorney

James Rhodes
Senior Attorney

- cc: Stephan Nofield, NPS National Lead; Rivers, Trails, and Conservation Assistance
Mary Kay, Chief Legal Counsel, RI Dept. of Environmental Management
The Honorable Senator Jack Reed
The Honorable Senator Sheldon Whitehouse
The Honorable Representative Gabe Amo
The Honorable Senator Meghan Kallman
The Honorable Representative Cherie Cruz
The Honorable Representative Jennifer Stewart
The Honorable Mayor Donald Grebien, City of Pawtucket
The Honorable Clovis Gregor, Ward 5 Councilmember, City of Pawtucket
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