

FOUR CORNERS ROAD SOLAR PROJECT

DRAFT SCOPING DOCUMENT

FOR THE

Draft Environmental Impact Statement

TOWN OF WARWICK

Lead Agency, State Environmental Quality Review Act

SEPTEMBER 27, 2023

INTRODUCTION

The State Environmental Quality Review Act (SEQRA) process has recently been initiated for a proposed action: the Four Corners Road Solar Project. The Four Corners Road Solar Project (hereafter referred to as the Project) is a 3.2-megawatt (MW) community solar project which will generate clean electricity for New York residents and businesses and help the State achieve the renewable energy goals codified in the Climate Leadership and Community Protection Act. The Project is considered a commercial large-scale solar energy system as defined by the Town of Warwick Town Code and is located on approximately 39.5 acres of leased area on a +/-55.3-acre property (tax parcel 23-1-17) located to the southeast of the intersection of Four Corners Road and East Ridge Road, in the Town of Warwick, New York (the "Project Site"). The Project consists of an array of solar photo-voltaic (PV) panels mounted on single-axis tracking support systems and associated infrastructure including an internal gravel access road, fencing, and an underground electrical collection system within a 15.85-acre limit of disturbance. The electrical collection system will aggregate the output from the PV panels and convert the electricity from direct current (DC) to alternating current (AC) via inverters. The electrical collection system daylights aboveground near East Ridge Road where it will interconnect to an existing electrical distribution line owned by Orange & Rockland Utility (O&R). The Project is approved for interconnection and the renewable electrical energy will be delivered to utility customers.

PURPOSE OF THE DRAFT SCOPING DOCUMENT IN SEQRA

The basic purpose of SEQRA is to incorporate the consideration of environmental factors into the existing planning, review and decision-making processes of State, regional, and local government agencies at the earliest possible time. To accomplish this goal, SEQRA requires a determination of whether a proposed action may have a significant impact on the environment, and if it is determined that the action may have a significant adverse impact, prepare or request an Environmental Impact Statement (EIS). It was the intention of the State Legislature that the protection and enhancement of the environment, human and community resources should be

given appropriate weight with social and economic considerations, and that those factors be considered together in reaching decisions on proposed actions. It is not the intention of SEQRA that environmental factors be the sole consideration in decision-making.

This draft scoping document represents an initial step in the review of potential environmental impacts under SEQRA for the proposed solar facility. The primary goals of scoping are to focus an EIS on potentially significant impacts and to eliminate consideration of those impacts that are not relevant or non-significant with respect to the Project. The purpose of this draft scoping document is to provide an opportunity for involved agencies, interested agencies, and the public to review and comment on the identification of significant environmental conditions and resources that may be affected by the Project, and the extent and quality of information necessary to address those issues during the SEQRA process.

Pursuant to New York State Environmental Conservation Law Article 8, SEQRA and Part 617 of Chapter 6 of the New York Code of Rules and Regulations (NYCRR), and the adoption of a positive declaration by the Town of Warwick Planning Board acting as the SEQRA Lead Agency on September 20, 2023, the Town of Warwick requires the preparation of a Draft Environmental Impact Statement (DEIS) for the Project. In accordance with SEQRA, the DEIS will address specific adverse environmental impacts which can reasonably be anticipated consistent with parts 1, 2, and 3 of the Full Environmental Assessment Form. This scoping document identifies the significant environmental conditions and resources that may be affected by the Project and defines the extent and quality of information necessary to address those issues.

The DEIS will include all elements required by 6 NYCRR 617.9, including:

- i. **DEIS Cover Sheet.** All draft and final EISs must be preceded by a cover sheet stating whether it is a draft or final EIS; the name or descriptive title of the action; the location (county and town, village or city) and street address, if applicable, of the action; the name and address of the Lead Agency and the name and telephone number of a person at the agency who can provide further information; the names of individuals or organizations that prepared any portion of the statement; the date of its acceptance by the Lead Agency; and the date by which comments must be submitted.
- ii. **DEIS Table of Contents.** The table of contents will include listings of DEIS sections, tables, figures, maps, appendices, attachments and any items that may be submitted under separate cover (and identified as such).

In addition, the DEIS shall include the following sections:

1.0 EXECUTIVE SUMMARY

The executive summary will include a brief description of the Project and a listing of potential environmental impacts and proposed mitigation measures. A summary will also be provided

of the approvals and permits required, and the alternatives to the Project that are evaluated within the DEIS.

2.0 DESCRIPTION OF THE PROJECT

As described in more detail in the following sections, this chapter of the DEIS will include a comprehensive description of the site and will provide a detailed discussion of the Project.

2.1 Site Description

This section of the DEIS will characterize the size, geographic boundaries, and physiographic characteristics of the Project Site. The Project Site is located southeast of the intersection of Four Corners Road and East Ridge Road. The land uses within the vicinity of the Project Site will also be discussed.

2.2 Detailed Description of the Project

The purpose, size, and layout of the proposed Project will be described in this section of the DEIS. Maps, graphics, renderings, and/or plans will be provided showing the proposed Project, including the solar arrays, associated structures, fencing, and site access.

2.3 Purpose, Need and Benefits

A statement describing the purpose and need for the Project will be provided, along with background and history of the Project. This section will also include a brief overview of the environmental, social and/or economic benefits that are anticipated to result from the Project. This will include an estimate of employment opportunities (both temporary construction jobs and permanent staff jobs) that are anticipated to result from the Project.

2.4 Construction and Operation

This section of the DEIS will describe construction of the proposed Project, including construction schedule/duration, construction staging and parking, anticipated construction employment, construction sequencing, and routing of construction traffic along local roads. The construction schedule will be compliant with the State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities (GP) 0-20-001.

2.5 Reviews, Approvals and Other Compliance Determinations

Governmental agencies having approval over the Project will be listed in this section, with an explanation of the nature of their jurisdiction and the specific approvals required from each listed entity.

3.0 EXISTING CONDITIONS, POTENTIAL IMPACTS, AND MITIGATION MEASURES

With respect to each issue (or set of issues) described below in the various resource sections, the corresponding section of the DEIS will identify in sequence: the existing environmental conditions; the potential impacts of the proposed Project; and anticipated measures to avoid, minimize, and/or mitigate those impacts, as appropriate. The impacts and mitigation measures presented in these sections will include those related to the proposed solar facility operation as well as its construction.

The text of these sections will be supplemented with maps, graphics, agency correspondence and agency data/analyses, Geographic Information System (GIS) data and completed support studies as necessary to convey the required information. The sections listed below have been identified to correspond to the potential impacts identified in the Town of Warwick SEQRA Positive Declaration Resolution.

3.1 Soils

This section will evaluate and describe soil types on the Project Site as classified by the U.S. Department of Agriculture and the New York State Department of Agriculture and Markets. Potential impacts to soil resources could result from construction of the facility. Descriptions of existing conditions will be based upon published data (e.g., the Soil Survey of Orange County, electronic data from the Natural Resources Conservation Service, topographic mapping from the U.S. Geological Service, New York State Department of Agriculture and Markets), and data from the Applicant's on-site geotechnical study.

Potential impacts associated with the proposed Project will be identified and evaluated relative to the characterization of existing conditions provided in the sources noted above. This section will also describe any mitigation measures that will be used to avoid, minimize, or mitigate impacts to soils, including an approved erosion and sediment control plan.

3.2 Surface Water Resources

This section of the DEIS will describe surface water resources and stormwater at the Project Site. Existing conditions, potential impacts and mitigation measures will be evaluated for each resource.

Surface Waters

The section will describe surface waters (e.g., wetlands, streams) on and adjacent to the Project Site, including their respective state and federal classifications. If relevant and applicable, the DEIS will identify the need for any permits or approvals required under Sections 401 and 404 of the Clean Water Act or Article 15 of the New York State Environmental Conservation Law. Any Project-related impacts to surface water resources will be described, along with proposed measures to avoid, minimize and/or mitigate such impacts.

Stormwater

The DEIS will describe anticipated construction related impacts to drainage, stormwater runoff, and consequent effects upon water quality in the vicinity of the construction site. This section will be informed by the site-specific Storm Water Pollution Prevention Plan (SWPPP) prepared for the Project. The SWPPP describes measures for controlling runoff and pollutants from the Project Site during and after construction activities. Typical components of SWPPPs include measures that reduce or eliminate erosion and sedimentation, control volume and peak rate of stormwater runoff, and maintain stormwater controls during and after completion of construction. The SWPPP will be included as an Appendix to the DEIS.

3.3 Community Character and Visual Resources

Community Character

This section of the DEIS will describe the existing character of the Project Site and adjacent community based on the visual assessment study prepared for the Project and previously prepared and adopted planning documents that include the Project Site vicinity. The DEIS will identify how the proposed Project may affect the character of the community, and mitigation measures will be identified, as needed.

Visual Resources

The DEIS will describe the existing visual character in the vicinity of the Project Site, evaluate visual impacts associated with construction and operation of the proposed solar facility, and recommend measures to avoid, minimize, or mitigate any adverse impacts to aesthetic resources.

Analysis will include identification of public recreational areas, visually sensitive sites and/or critical views within (approximately) 5 miles of the proposed facility, with emphasis on views from publicly accessible areas and recreational resources surrounding the Project Site. The potential visual effect of the Project to the following will also be evaluated: Hudson River Valley National Heritage Area; Town of Warwick Agricultural Protection Overlay zoning district; Town of Warwick Ridgeline Overlay zoning district; Bellvale to Esopus Ridgeline; and adjacent public and private roads in the Town of Warwick. Photographs will be taken to document existing conditions. The DEIS will include a "leaf-on" and "leaf-off" Photo-simulation and Line-of-Sight diagrams from public vantage points to analyze the visual change resulting from the completed Project and proposed landscaping mitigation.

The DEIS will evaluate potential mitigation measures involving vegetative screening as per §164-46J (97) of the Town Code that specifies: *"Solar panels shall be adequately screened from adjacent properties to minimize views, taking into consideration the need for southern exposure."*

4.0 UNAVOIDABLE ADVERSE IMPACTS

This section of the DEIS will identify impacts that are likely to occur despite mitigation measures and will compare these unavoidable impacts to Project-related benefits. This section will also identify general avoidance and mitigation measures (e.g., adherence to applicable regulatory requirements), and specific mitigation measures (e.g., development of a SWPPP).

5.0 ALTERNATIVES ANALYSIS

The DEIS will include a description and evaluation of the range of reasonable site design alternatives to the Project. Alternatives to be considered will include at a minimum, the "no action" alternative, and one or more alternatives with varied site layouts and scale, and the use of differing solar array panels and racking systems.

6.0 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

This section of the DEIS will identify those natural and man-made resources consumed, converted, or otherwise made unavailable for future use as a consequence of the proposed Project.

7.0 CUMULATIVE IMPACTS

The DEIS will evaluate the potential cumulative impacts of the proposed Project along with other relevant projects developed or proposed projects in the Project Site vicinity. The cumulative impacts evaluation will focus on the areas of potential adverse impact studied in this statement (i.e., soils, surface water resources, and community character and visual resources).

8.0 GROWTH INDUCING ASPECTS

This section of the DEIS will describe potential growth-inducing aspects the proposed facility may have with respect to additional development in the vicinity of the Project Site.

9.0 EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

This section of the DEIS will describe the effect of the proposed Project on the use and conservation of energy.

10.0 REFERENCES

This section of the DEIS will list any sources of information cited directly within the narrative text.

APPENDICES TO ACCOMPANY DEIS

At a minimum, and as described in more detail in the previous sections, the following materials will be included to supplement the information presented within the narrative:

- Relevant maps and figures
- Project plans, specifications, and/or construction information
- Relevant agency correspondence
- Visual Assessment
- Glare Study
- Stormwater Pollution Prevention Plan (SWPPP)

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