

New Leaf Energy YMCA Road Wind Turbine Project

Town of Florida, New York Draft Environmental Impact Statement (DEIS) Scoping Document

Name of Project:	New Leaf Energy Wind Turbine Project
Applicant:	New Leaf Energy
Project Location:	153 YMCA Road Florida, New York
Tax ID:	102.-1-19
SEQRA Classification:	Unlisted
Lead Agency:	Town of Florida Planning Board 214 Fort Hunter Road Amsterdam, New York 12010
Lead Agency Contact:	Steve Viele, Chair Florida Planning Board (518) 843-6372
Date of Scoping Meeting:	XXX
Date of Scope Adoption:	XXX

**New Leaf Energy Wind Project
Town of Florida, New York
Draft Environmental Impact Statement (DEIS)
Draft Scope**

This document identifies the issues to be addressed in the Draft Environmental Impact Statement (DEIS) for the proposed New Leaf Energy Wind Turbine Project (the “Project”) in the Town of Florida, New York (the “Town”), proposed by New Leaf Energy (the “Applicant”). This Scope document contains the items described in 6 NYCRR Part 617.8 (e) (1) through (7). For purposes of this Scope, the term “Project” means the Project and all related implementing actions, such as approvals and permits.

REQUIRED ELEMENTS OF THE DEIS

The DEIS shall conform to requirements for preparation and content of environmental impact statements as stipulated in 6 NYCRR 617.9, which include but are not limited to the following:

- A description of the proposed Project and its environmental setting;
- A statement of the environmental impacts of the proposed Project as identified in the Positive Declaration adopted by the Lead Agency on December 5, 2022, including its short- and long- term effects, and typical associated environmental effects;
- An identification of any significant adverse environmental effects that cannot be avoided if the proposed Project is implemented;
- A description of mitigation measures proposed to minimize or avoid any significant adverse environmental impacts of the proposed Project;
- A discussion of alternatives to the proposed Project; and
- An identification of any irreversible and irretrievable commitments of resources that would be involved of the proposed Project should it be implemented.

All discussions of mitigation will consider at least the mitigation measures identified in this Scope. Where reasonable and necessary, such mitigation measures will be incorporated into the proposed Project if they are not already so included. If any mitigation measures listed in this Scope are not incorporated into the proposed Project, the rationale for not incorporating them will be discussed in the DEIS. The Applicant may suggest additional mitigation measures where appropriate. When no mitigation is provided, the rationale will be discussed in the DEIS.

PROPOSED PROJECT

New Leaf Energy proposes development of a 4.5 MW, 650 foot tall wind turbine on a 135 +/- acre property accessed from YMCA Road in the Town of Florida, New York. Energy from the project will be delivered into the local power grid and made available for purchase locally. The property consists of tax parcel 102.1-1-19. The property is owned by Martin Milano and will be leased by Florida Wind 1, LLC.

The project will include construction of an access road, an electrical collection system to include ground mounted electrical equipment and utility poles, the wind turbine and a gravel crane pad.

The subject property is zoned A-Agriculture. Commercial Wind projects are an allowed use in this zone pursuant to a special use permit issued by the Planning Board. The project received a height variance allowing construction of a 650 foot tower from the Town of Florida Zoning Board of Appeals on December 13, 2021.

Although identified by the Florida Planning Board as a Type 1 Action pursuant to SEQRA, the project exceeds none of the Type 1 thresholds in 6 NYCRR Part 617.4 and is therefore an Unlisted Action. The Florida Zoning Board of Appeals conducted an uncoordinated review pursuant to 6 NYCRR 617.6.(b)(4) and issued a Negative Declaration for the height variance on December 13, 2021.

The Town of Florida Planning Board declared itself Lead Agency for the Action under its jurisdiction, issuance of the special use permit, on February 7, 2022, and on December 5, 2022 it issued a Positive Declaration requiring the preparation of this environmental impact statement. Potentially significant impacts identified by the Planning Board in its Positive Declaration were aesthetic resources, visual (including shadow flickering), radio and over-the-air TV communications services in the immediate and surrounding area, community plans, and community character.

ORGANIZATION AND CONTENT OF THE DEIS

The DEIS will contain the following information.

COVER SHEET identifying:

- (1) The proposed Project and its location;
- (2) The name, address, email and telephone number of the Lead Agency and contact person;
- (3) The name, address, email and telephone number of the preparer and other organizations that contributed to the DEIS; the date of DEIS submission and acceptance;
- (4) The name, address, email and telephone number of the Applicant/Owner;
- (5) Public hearing date and DEIS comment period; and
- (6) Website where the DEIS and Final Environmental Impact Statement (FEIS) will be posted.

Following the cover sheet, a list (name, address, email and telephone numbers) of all of the Applicant's consultants, and a list of all interested and involved agencies will be provided, with names, address, email and phone numbers for each agency provided.

TABLE OF CONTENTS, indicating the chapters of the DEIS and page numbers as well as lists of exhibits, tables and appendices.

The text of the DEIS will include the following:

I. EXECUTIVE SUMMARY

- A. Introduction;
- B. Description of the proposed Project;
- C. List of all involved and interested agencies and identification of local, county, State and other approvals required;
- D. Statement of Project purpose and need;
- E. Summary of significant adverse environmental impacts identified in each subject area;
- F. Summary of mitigation measure proposed for significant adverse environmental impacts; and
- G. Description of alternatives analyzed and a table comparing the impacts of the proposed Project with the impacts of the various alternatives.

II. DESCRIPTION OF THE PROPOSED PROJECT

- A. Description of Project Location
 - 1. Identification of regional and area location (including mapping/descriptive graphics).
 - 2. Narrative and mapping of tax parcels, and total parcel area.
 - 3. Description of present and historical ownership and use.
 - 4. Describe the nature and location of any known covenants and easements on the Project Site.
 - 5. Narrative and mapping of existing access indicating the routes to and from the proposed Project on both the local and on the regional roadway network.
 - 6. Description of on- and off-site utilities serving the Project Site.
 - 7. Description of surrounding land uses and existing zoning in narrative and graphic form.
 - 8. Description of all existing uses and structures currently on the Project Site.
 - 9. Description of topography of site.
- B. Description of the Proposed Project
 - 1. Site plan at a scale of 1" = 100' including topography, roadways, grading and stormwater management facilities.

2. Description of the Wind Turbine including height and appearance.
3. Discussion of compliance with the design requirements of Town of Florida Zoning Ordinance Article VIII, Section 45.4.
4. Discussion of access, including construction access routes and methods for wind turbine components.
5. Discussion of access road wetlands crossings and proposed mitigation.
6. Discussion of tree clearing, landscaping and screening.
7. Discussion of electrical connections.
8. Description of ancillary facilities
9. Description of security provisions.
10. Description of operations and maintenance plan.
11. Description of emergency response provisions.
12. Description of construction process, including phasing and duration and provisions for emergency response during construction.
13. Project Purpose and Need
 - a. Discussion of Project purpose and need.
 - b. Discussion of objectives of the Applicant.
 - c. Description of benefits of the proposed Project.
 - d. Discuss future ownership and management.
14. Description of required permits and approvals, including a description of the approval process.

III. EXISTING CONDITIONS, POTENTIAL IMPACTS AS A RESULT OF THE PROPOSED PROJECT AND PROPOSED MITIGATION

This section will discuss only those impacts identified as potentially significant in the Town's Positive Declaration.

A. Visual/Aesthetic Impacts

1. Existing Conditions
 - a. Document, with photographs and narrative the visual character of the Project Site and the area located within a five-mile radius of the Project Site.
 - b. Describe and provide photographs of the appearance of the Project Site from locations specified by the Town.
2. Potential Impacts as a Result of the Proposed Project

- a. Provide visual simulations of the Project during “leaf-off” conditions from areas determined through consultation with Town in Section III.A.1.b above.
 - b. Conduct a shadow flicker study.
 - c. Discuss proposed lighting.
 - d. Describe the structural design, including materials, colors and dimensions of the proposed turbine.
 - 3. Proposed Mitigation
 - a. Discuss appropriate mitigation measures for identified impacts.
- B. Over the Air Radio and Television Communications
 - 1. Existing Conditions
 - a. Provide a discussion of the physical characteristics of over the air radio and television communications.
 - 2. Potential Impacts as a Result of the Proposed Project
 - a. Study and identify potential interference with microwave and over-the-air radio and television signals.
 - 3. Proposed Mitigation
 - a. Provision of alternative service for over-the-air radio and television signals that may be affected by the project.
 - b. Discuss other appropriate mitigation measures for identified impacts.
- C. Community Plans and Character
 - 1. Existing Conditions
 - a. Discuss the Town of Florida Comprehensive Plan as it relates to wind power generally and the project site specifically.
 - b. Discuss the provisions of the Town of Florida Zoning Ordinance as they relate to wind power.
 - c. Discuss any regional plans relevant to the site.
 - d. Discuss State of New York renewable energy goals.
 - e. Describe land uses on and in the vicinity of the site.
 - 2. Potential Impacts as a result of the Proposed Project
 - a. Discuss consistency with the Town of Florida Comprehensive Plan.
 - b. Discuss consistency with the Town of Florida Zoning Ordinance.
 - c. Discuss changes to land uses, including any loss of land in agricultural production.

ALTERNATIVES

- A. The “No Action” Alternative.
- B. Alternative tower height.
- C. Alternative location.

SIGNIFICANT IMPACTS THAT CANNOT BE AVOIDED

Identification of significant long term and short-term operations and construction impacts that cannot be avoided.

GROWTH INDUCING ASPECTS

A description and analysis of potential growth-inducing aspects, including short and long term, and primary, secondary and indirect impacts, will be provided and mitigation measures discussed if necessary.

EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

A description of the effect of the proposed Project on the short and long term use and conservation of energy resources will be provided

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

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

APPENDICES

- A. SEQRA Notices and Filings
- B. Scoping Document
- C. Letters of Record
- D. Visual Study
- E. Shadow Flicker Study
- F. Others as required.