

State Environmental Quality Review Act

POSITIVE DECLARATION

Notice of Intent to Prepare a Draft Environmental Impact Statement
Lead Agency Determination of Significance

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law. The Planning Board of the Town of Mamakating has determined that the proposed action described below may have a significant impact on the environment and that a Draft Environmental Impact Statement will be prepared. The Planning Board hereby adopts a Positive Declaration in order to investigate and evaluate the potential environmental impacts of this Proposed Action. Scoping will be conducted, and the need for a public scoping meeting will be determined

Name of Action: Cypress Creek- Sugar Gum and Dunntown Solar

Lead Agency: Planning Board of the Town of Mamakating, Sullivan County

Date: January 23, 2018

SEQR Status: Type 1

Description of Action: The applicant proposes to construct two (2) new, separate freestanding photovoltaic (solar) array systems consisting of ground-mounted, solar photovoltaic panels on two sites in a fixed-tilt tracking configuration on an 83 acre combined site. The subject properties are located at 904 and 905 Mount Vernon Road, within the Mountain Greenbelt (MG) zoning district. These sites are separate but contiguous parcels and are being viewed as one project to examine the cumulative impacts.

Lot 14.-1-25.1, Dunntown Solar LLC is a 44.9 acre site with a proposed 4.66 acres of solar panels, expected to produce approximately 2 MW of power. The parcel contains 40.28 acres of mature forest and 5.6 acres of wetland. This site development proposal includes the access road through the narrowest portion of wetland, which will connect the Dunntown and Sugar Gum project sites.

Lot 14.-1-23.1, Sugar Gum Solar LLC is a 38.75 acre site with a proposed 3.84 acres of solar panels expected to produce approximately .9 MW of power. The parcel contains 38.16 acres of mature forest and 4.41 acres of wetland.

The construction of the system will involve driving posts approximately 6-10 feet into the ground, or at depths appropriate for frost conditions, every 12-16 feet, and mounting panel racks to the posts. Access to the site will require crossing a federal and state-regulated wetland on the Dunntown site to provide access to both this site and the adjacent site. Installation and operation of the panels will require the applicant to clear cut a combined 29.68 acres of mature, successional forest from the site.

The solar farm will operate as a Community Distributed Generation (CDG) facility as prescribed by the New York State Public Service Commission under the electric tariffs of Orange and Rockland Utilities. As a CDG facility, the project will provide clean energy to the existing electric

grid operated by Orange and Rockland Utility. The impacts associated with these combined sites, will produce approximately 3,000kW (3MW) of electricity as now amended.

Location: The project site is located on the North side of Mount Vernon Road, less than a half mile east of County Route 56/New Road in the Town of Mamakating.

Reasons Supporting this Determination: Potential environmental impacts associated with the proposed action are identified in the Full Environmental Assessment Form. These impacts, which may be reasonably expected to result from the Project, have been compared to the criteria for determining significance identified in 6 N.Y.C.R.R. § 617.7(c)(1) and in accordance with 6 N.Y.C.R.R. § 617.7(c)(2) and (3). The Planning Board finds that the Proposed Action may result in one or more significant impacts on the environment, and an Environmental Impact Statement (“EIS”) will be prepared to address, at a minimum, the following elements of the Proposed Action, which may result in potential impacts:

1. The Proposed Action requires conversion of more than 10 acres (29.68) of mature forest habitat.
2. Impact of the Proposed Action would benefit from an analysis of alternative sites or alternative plans
3. The clear cutting associated with development may have adverse visual impacts.
4. The Proposed Action may result in increased erosion from both physical disturbance and natural vegetation removal.
5. There have been inconsistencies in the materials submitted to date that may be clarified through the EIS process

The Lead Agency further determines that since it has convened a public hearing on the action and heard the concerns of the public on these applications, there is no need to go through a formal scoping for the EIS.

- 1) The applicant is directed to update all its submissions to date to make sure that they provide consistent information throughout;
- 2) Provide a project description to include:
 - a. The specifications of each site separately, and in total;
 - b. A summary of the enclosed materials;
- 3) Provide analysis of the following alternatives:
 - a. Developing only one of the two systems;
 - b. Developing one 3 MW system on one of the parcels;

- 4) Provide an analysis of possible off-site mitigations to address tree loss;
- 5) Provide analysis of wetland mitigation;
- 6) Provide further clarification on the Stormwater Pollution Prevention Plan, and potential impacts to neighboring properties;
- 7) Provide a cut and fill analysis, including an analysis of truck trip generation and potential impact on local and County roads;
- 8) A fiscal analysis in support of the applicant's response to the Town Board request for a PILOT agreement.

For Further Information:

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A copy of this Notice is being sent to the following Involved and Interested Agencies:

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