

# **New Leaf Energy Stark Wind Turbine Project**

## **Town of Stark, New York Draft Environmental Impact Statement (DEIS) Scoping Document**

<b>Name of Project:</b>	<b>New Leaf Energy Stark Wind Turbine Project</b>
<b>Applicant:</b>	<b>Stark Wind 1, LLC/Stark Wind 2, LLC</b>
<b>Project Location:</b>	<b>489 Sickler Rd Stark, New York 741 County Road 29 Springfield, NY</b>
<b>Tax ID:</b>	<b>133.4-1-14 6.00-1-5.00</b>
<b>SEQRA Classification:</b>	<b>Type I</b>
<b>Lead Agency:</b>	<b>Town of Stark Town Board 703 Elwood Road Fort Plain, NY 13339</b>
<b>Lead Agency Contact:</b>	<b>Richard Bronner, Supervisor Stark Town Board (518) 993-3506</b>
<b>Date of Scoping Meeting:</b>	<b>May 9, 2023</b>
<b>Date of Scope Adoption:</b>	<b>May 9, 2023</b>

**New Leaf Energy Wind Project  
Town of Stark, New York  
Draft Environmental Impact Statement (DEIS)  
Final 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 Stark, New York (the “Town”), proposed by Stark Wind 1, LLC/Stark Wind 2, LLC (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 zoning 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 moderate to large environmental impacts of the proposed Project as identified in the Positive Declaration adopted by the Lead Agency on April 11, 2023 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 two (2) 5 MW, 650 foot tall wind turbines on a 143 +/- acre property accessed from an abutting parcel of 244 +/- acres off of Sickler Road in the Town of Springfield, 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 parcels #133.4-1-14 (Town of Stark) and #6.00-1-5.00 (Town of Springfield). The property is owned/will be leased from Gregory Ortensi.

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

The subject property is zoned Rural Agricultural. Commercial Wind projects are an allowed use in this zone pursuant to a special use permit issued by the Town Board.

The Town of Stark Town Board declared itself Lead Agency for the Action under its jurisdiction, issuance of the special use permit, on December 13, 2022, and on April 11, 2023 it issued a Positive Declaration requiring the preparation of this environmental impact statement. Potentially significant impacts identified by the Town Board in its Positive Declaration were impacts on land, geological features, animals (state-threatened species), aesthetic resources, transportation, 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 (if applicable) 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 Stark Wind Energy Facilities Law.
  - 4. Discussion of access, including construction access routes and methods for wind turbine components.
  - 5. Discussion of tree clearing, landscaping and screening.

6. Discussion of electrical connections.
7. Description of operations and maintenance plan.
8. Description of emergency response provisions.
9. Description of construction process, including phasing and duration and provisions for emergency response during construction.
10. 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.
11. 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 and those identified in comments received in the Town's review of the draft scoping document

#### **A. Impact on Land and Geological Features**

1. Existing Conditions
  - a. Describe the existing soil characteristics, depth to bedrock, and geological features of the site. Include discussion on karst conditions.
2. Potential Impacts as a Result of the Proposed Project
  - a. Conduct a geotechnical investigation where turbines are proposed to determine actual depth to bedrock and potential karst-like conditions, including impacts to underground water flows
  - b. Describe suggested turbine foundation based on the geotechnical foundation.
3. Proposed Mitigation
  - a. Discuss appropriate mitigation measures for identified impacts.

B. Impact on Wildlife

1. Existing Conditions

- a. Describe the existing habitat at the site. Provide documentation from the appropriate agencies of endangered and threatened species in the vicinity of the project.

2. Potential Impacts as a Result of the Proposed Project

- a. Conduct a habitat survey to determine the presence or absence of the northern harrier and upland sandpiper species at the project site.
- b. Discuss potential impact on migrating raptors and other birds, bat populations.

3. Proposed Mitigation

- a. Discuss appropriate mitigation measures for identified impacts. Discuss coordination with the NYSDEC.

C. Impact on Aesthetic Resources

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.
- c. Describe and provide photographs of the appearance of the Project Site from the Holy Trinity Monastery, a national historic site.

2. Potential Impacts as a Result of the Proposed Project

- a. Provide visual simulations of the Project from areas determined through consultation with Town in Section III.C.1. above.
- b. Discuss proposed lighting.
- c. Describe the structural design, including materials, colors and dimensions of the proposed turbine.

D. Impact on Transportation

1. Existing Conditions

2. Potential impacts as result of the Proposed Project

- a. Discuss road use, necessary improvements and responsibility of repairs, including documentation of road conditions before and after construction

- b. Identify the entire transportation route and evaluate for potential impacts
  - c. Impact on seasonal and regional events such as baseball camps that attract large volumes of pedestrian, bicycle and vehicular traffic
  - d. Discuss impact on local road usage, and on school bus routes.
3. Proposed Mitigation
- a. Discuss appropriate mitigation measures for identified impacts.
- E. Impact on Noise and Light
- 1. Existing Conditions
  - 2. Potential Impacts as a Result of the Proposed Project
    - a. Identify the duration of shadow flicker and affected properties.
    - b. Identify nearby lands and properties impacted by sound generation. Identify the methods by which conformance with Town of Stark sound ordinance limits will be verified over four seasons.
      - i. Identify controls and operating protocols for icing conditions.
  - 3. Proposed Mitigation
    - a. Discuss appropriate mitigation measures for identified impacts.
- F. Impact on Community Plans and Character
- 1. Existing Conditions
    - a. Discuss the provisions of the Town of Stark Wind Energy Facilities Law as they relate to wind power.
    - b. Discuss any regional plans relevant to the site.
    - c. Discuss State of New York renewable energy goals.
    - d. Describe land uses on and in the vicinity of the site, including drainage resources.
  - d. Potential Impacts as a result of the Proposed Project
  - e. Discuss consistency with the Town of Stark Town of Stark Wind Energy Facilities Law
  - 2. Discuss changes to land uses, including any loss of land in agricultural production.
  - 3. Proposed Mitigation
    - a. Discuss appropriate mitigation measures for identified impacts.

## **ALTERNATIVES**

- A. The “No Action” Alternative.
- B. 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. Geotechnical Report
- E. Visual Study
- F. Habitat Survey
- G. Others as required.