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Via e-mail ulstersupervisor@townofulster.org and regular mail

Hon. James E. Quigley, 3rd
Supervisor Town of Ulster
1 Town Hall Drive
Lake Katrine, NY 12449

Dear Supervisor Quigley and Town Board Members:

As you know this office represents the applicant Alcazar ESS, LLC in its application before your Board and the Town of Ulster Planning Board for approval of the Alcazar Energy Storage Project (“Project” or “Proposed Action”) on a 15.3-acre parcel (Tax Map No. 48.17-1-26) at 430 Hurley Avenue. The Project proposes a lithium-ion battery energy storage system (“BESS”) facility capable of storing and delivering approximately 250 megawatts (MW) of electric energy and associated ancillary services into the New York electric grid. The Project is permitted as a utility company structure in the OM and R-30 zoning districts, subject to site plan and special use permit approval from the Town Planning Board and Town Board. The Town Board, as the designated Lead Agency under SEQR, determined the Project to be a Type 1 Action and issued a Positive Declaration on October 2, 2025 and reaffirmed on February 5, 2026.

This letter is in response to a request by the public for an extension of the scoping time frame. The public has had multiple opportunities to become informed about and provide input regarding the Project. The Town Board first reviewed the Project on May 15, 2025 when it established itself as Lead Agency for coordinated review under SEQR. Since that time, our client has undertaken significant voluntary outreach, including a community presentation over Zoom on July 2, 2025, distribution of informational materials to nearby residents, and creation of a public website (<https://ulstercleanenergy.com/>) providing project information and key documents.

Finally, the Town as lead agency has maintained the draft scoping document on its website since accepted on February 5, 2026, has also provided direct written notice to adjoining property

owners, held a public scoping meeting on February 23, 2026 and February 24, 2026, and written comments will be accepted up until March 10, 2026. As a result, there are numerous public comments in the public record from the two (2) public hearings, as well as several written comments. During the public meetings, a number of community members and residents quoted information from a detailed “SEQR Scoping Comments” Document, an 18-page submission, including a detailed listing of five (5) specific topics for inclusion in the scoping document. In other words, the Town Board, as lead agency, and our client have taken (and in many ways gone beyond) every step outlined by the NYS Department of Environmental Conservation (DEC) in its SEQR Handbook, 4th Edition, for completion of the scoping process in a reasonable time line, which the DEC defines as sixty (60) days.

The SEQRA regulations 6 NYCRR §617.8(d) sets for the requirement for public participation in the scoping process as follows:

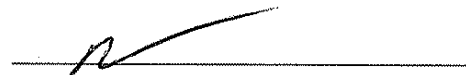
Scoping must include an opportunity for public participation. The lead agency may either provide a period of time for the public to review and provide written comments on a draft scope or provide for public input through the use of meetings, exchanges of written material, or other means.

Our client has no objection to the public participation requirements set forth by SEQR. It is our client’s position that the Town Board, as Lead Agency, has met, and exceeded, its obligations under 6 NYCRR §617.8, having provided not only time for review and submission of written comments but also public meetings and informational sessions for further public input. Additionally, as of the date of submission of this letter, there are still ten (10) calendar days for receipt of any additional written submissions from the public.

The scoping process is only the initial stage of environmental review. The public will have additional opportunities to review and comment on the Project when the Draft Environmental Impact Statement is prepared and circulated, and again during subsequent stages of the SEQR and local permitting processes. Moreover, extending the scoping period would not materially improve the environmental review but would delay preparation of the DEIS and the comprehensive analysis that will follow.

Therefore, for the reasons described herein, the applicant is unable to agree to the request to extend the date for delivery of the Final Scope. We believe that finalizing the scope by April 5, 2026, as scheduled, is reasonable and will allow the work required to prepare the Draft Environmental Impact Statement to begin without further delay.

Very truly yours,



Robert A. Panasci
E. Hyde Clarke