DRAFT Alcazar Battery Energy Storage Project:

SEQR Full EAF Part 3 – Findings Narrative

January 29, 2026

Alcazar ESS, LLC ("Applicant") proposes to construct the Alcazar Energy Storage Project ("Project" or "Proposed Action") on a 15.3-acre parcel (#48.17-1-26) at 430 Hurley Avenue. Utility infrastructure will be located on two parcels totaling 24.5 acres located at 439 Hurley Avenue (parcels #48.17-1-13.110 and #48.17-1-22.110), both owned by Central Hudson Gas and Electric ("CHGE"). The total Project area encompasses 39.8 acres ("Project Site") in the Town of Ulster, Ulster County, New York. 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.

Applicant submitted a site plan and special use permit application to the Town of Ulster Town Board ("Town Board" or "Lead Agency") for review. The Town Board as the designated Lead Agency under SEQR determined the Project to be a Type 1 Action and considered both the short-term and long-term potential impacts in preparing its determination of significance for the Proposed Action.

The Lead Agency carefully reviewed the Project documents submitted by the Applicant, including the Part 1 EAF, as well as input from the public and the Involved and Interested Agencies. This information informed preparation of the Part 2 EAF. To assess whether the potential moderate to large impacts identified in the Part 2 may have a significant adverse impact on the environment, they were compared against the criteria for determining significance provided in 6 NYCRR § 617.7.

As discussed hereafter, the Lead Agency has determined that the Project may have several significant adverse environmental impacts. The Lead Agency, therefore, issues a Positive Declaration for this Project.

The Lead Agency finds the magnitude and importance of the following moderate to large impacts identified in Part 2 of the EAF support a determination that the action will result in a significant adverse impact and result in one or more of the indicators of potential impacts on the environment as outlined in 6 NYCRR § 617.7(c):

## Impact on Land

The following criteria in Part 2 of the EAF were identified pertaining to impacts on land:

a. Impact on Land (Full EAF Part 2, No 1, f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides): *Moderate to Large impact may occur*.
b. Impact on Land (Full EAT Part 2, No 1, e. The proposed action may involve construction that continues for more than one year or in multiple phases): *Small impact may occur.*

The Project proposes physical disturbance to approximately 17.1 acres and the creation of approximately 7.4 acres of new impervious surfaces. Portions of the Project development will impact areas with slopes that exceed a 10 percent grade. The Applicant provided grading details in the Site Plan. Portions of the Project development activity proposed at 439 Hurley Avenue parcels are anticipated to occur within or near potential federal and state regulated

surface water resources and adjacent areas. The development of the Project may involve construction that exceeds a duration of one year and/or occur in multiple phases.

According to the Applicant, construction will occur primarily within previously disturbed portions of the site. Stormwater management facilities will be designed to control runoff and maintain pre-development flow rates. The Environmental Impact Assessment (EIS) will explain how Soil Erosion and Sediment Control (SESC) practices will be implemented in accordance with the New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities (GP 0-25-001) and detail whether any associated mitigation measures could reduce impacts.

## Impact on Surface Water

The following criteria in Part 2 of the EAF were identified pertaining to impacts on surface water:

a. Impact on Surface Water (Full EAF Part 2, No 3, d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body): *Small impact may occur.*
b. Impact on Surface Water (Full EAF Part 2, No 3, h. The proposed action may cause soil erosion, or otherwise create a source stormwater discharge that may lead to siltation or other degradation of receiving water bodies): *Small impact may occur*.

According to the Applicant's Wetland Delineation Report, dated November 2024, there is a potential for the interconnection to encroach on delineated wetland features on the CHGE parcels located at 439 Hurley Avenue. The Applicant will be required to provide a jurisdictional determination from the U.S Army Corps of Engineers (USACE) and the NYSDEC for delineated wetlands, demonstrate minimization of wetland impacts, and detail whether any required wetland mitigation measures could reduce impacts in the EIS. The EIS will also provide documentation of necessary permits for work in or adjacent to wetland areas in the EIS.

The Applicant's Stormwater Pollution Prevention Plan (SWPPP) dated June 5, 2025 proposes various erosion, siltation, and stormwater control measures to minimize the potential for adverse impacts to surface waters. The EIS will explain how the Project's stormwater design will mitigate potential stormwater impacts, and summarize updates to the SWPPP.

## Impact on Endangered and Threatened Species

The following criteria in Part 2 of the EAF were identified pertaining to impacts on plants and animals:

a. Impact on Plants and Animals (Full EAF Part 2, No 7, b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened, or endangered species, as listed by New York State or the federal government): *Small impact may occur.*

The Project proposes development activity within the potential habitat range of several state and federally protected species including the Northern long-eared bat (federally and state endangered), Indiana bat (federally and state endangered), Tricolored bat (proposed federally endangered), and the Monarch butterfly (proposed federally threatened).

Applicant's consultant EDR obtained an official federal species list from the USFWS IPaC system on February 4, 2025 which listed the Northern long-eared bat, Indiana bat, Tricolored bat, and the Monarch butterfly as potentially having habitat on or near the Project site. The NYSDEC EAF Mapper summary report flagged the Northern long-eared bat as potentially having habitat on or near the Project Site.

Applicant's consultant EDR contacted the New York Natural Heritage Program (NYNHP) regarding the state-listed species. In its letter dated March 12, 2025, NYNHP indicated that there are no records of rare or state-listed animals or plants, or significant natural communities at the Project site. The letter indicated that a Northern long-eared bat hibernaculum is located within 3.5 miles of the Project site.

Applicant's consultant EDR consulted with the USFWS IPaC and obtained USFWS IPaC determination letters on April 1, 2025 for the Indiana Bat, Northern long-eared bat, and Tricolored bat which indicated that proposed Project will "not likely adversely affect (NLAA)" these bats or their designated critical habitat.

Northern long-eared bat, Indiana bat, Tricolored bat

According to the EAF Part 1, the proposed Project will remove approximately 0.37 acres of forested landcover type. The Project Site overlaps with the Northern long-eared bat, Indiana bat, and tricolored bat habitat ranges. Applicant's consultant EDR performed a desktop review and did not identify any documented hibernaculum within or near the Project Site. EDR also conducted a site visit to evaluate on-site habitat conditions, and they did not find any on-site habitat conditions suitable for bats.

Applicant has proposed to conduct tree clearing activities between November 1 and March 31 when bats are within their winter hibernaculum to avoid potential impacts to bats.

Monarch Butterfly

EDR's site visit indicated that the Project site contains herbaceous areas which could provide potential habitat for the Monarch butterfly. As this species is not yet a federally listed species, it is not subject to federal protections. The EIS will address the listing status of the Monarch butterfly to ensure compliance with future federal protections associated with the formal listing of this species.

## Impact on Aesthetic Resources

The following criteria in Part 2 of the EAF were identified pertaining to impacts on aesthetic resources:

a. Impact on Aesthetic Resources (Full EAF Part 2, No 9, c. The proposed action may be visible from publicly accessible vantage points): *Moderate to large impact may occur.*
*b.* Impact on Aesthetic Resources (Full EAF Part 2, No 9, d. The situation or activity in which viewers are engaged while viewing the proposed action is- (i) routine travel by residents, including travel to and from work and (ii) recreational or tourism-based activities): *Moderate to large impact may occur.*

The proposed demolition of the John A. Coleman Catholic High School and the construction of the proposed Project would result in a visual change from existing conditions that may result in a moderate to large impact on aesthetic resources. The school will be demolished and transformed into an energy facility.

John A. Coleman Catholic High School is located along Hurley Avenue (Ulster County Route 29), a two lane through road that connects NYS Route 209 in Hurley to the City of Kingston. It also provides access to Interstate 87. Land uses adjacent to Hurley Avenue are primarily residential with some additional mixed uses. It is a travel corridor that connects urban areas to the east with rural areas to the west.

The Applicant provided one visual simulation of a view from Hurley Avenue looking at the northwest corner of the Project. At least one additional visual simulation should be provided looking from Hurley Avenue at the northeast corner of the site, where the Project access road is proposed. Additional visual simulations may be required to accurately portray how the BESS facility will impact surrounding aesthetic resources. The Applicant should explain how the Project's architectural and landscape features relate with the surrounding environment.

## Impact on Historic and Archaeological Resources

The following criteria in Part 2 of the EAF were identified pertaining to impacts on historic and archaeological resources:

a. Impact on Historic and Archaeological Resources (Full EAF Part 2, No 10, a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places): *Moderate to large impact may occur.*
b. Impact on Historic and Archaeological Resources (Full EAF Part 2, No 10, b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation office (SHPO) archaeological site inventory): *Small to moderate impact may occur.*
c. Impact on Historic and Archaeological Resources (Full EAF Part 2, No 10, e. If any of the above are answered "Moderate to large impact may occur", continuing with the following questions to help support conclusions in Part 3- (i) The proposed action may result in the destruction or alteration of all or part of the site property and (iii) The proposed action may result in the introduction of visual elements which are out of character with the site property, or may alter its setting): *Moderate to large impact may occur.*

The John A. Coleman Catholic High School is eligible for listing in the State and National Register of Historic Places under Criterion C: "*Architecture as an intact example of an institutional building in the Brutalist style. The two-and-three-story brick school building was constructed in 1967, and displays consistent masonry patterns, recessed doorways, and regularly spaced fenestration. The building's interior is largely reflective of its late-1960s construction date and its use as a religious school. The gym retains original wood flooring and athletic bleachers, while the chapel area's stained-glass windows, woodwork, and original footprint remain intact*."

The Applicant consulted with the New York State Historic Preservation Office (SHPO) regarding the Project. It is the Town's understanding that SHPO determined that the demolition of the school would be a significant adverse impact and required the Applicant to submit an Alternatives Analysis. The Town also understands that SHPO reviewed the Applicant's Alternatives Analysis and issued a determination letter on October 7, 2025 that indicates there

are no prudent or feasible alternatives that would avoid or minimize harm to the former John A. Coleman High School. A draft Letter of Resolution (LOR) between the NYS Office of Parks Recreation and Historic Preservation (OPRHP), the NYSDEC, and the Applicant was prepared that includes the following stipulations to be completed by the Applicant.

1. Conduct a photographic survey prior to demolition of the school.
2. Prepare an historic narrative of the structure that shall provide an appropriate historic context for the site.
3. Within six (months) of the execution of this agreement, the Applicant will submit a copy of the final report to OPRHP for transmittal to the New York State Archives. A copy of the report will also be offered to the regional Catholic Diocese and other institutions with an interest in the property and a digital copy uploaded the OPRHP's Cultural Resources Information System (CRIS).

The LOR also outlines additional stipulations with respect to duration, monitoring and reporting, dispute resolution, amendments, and termination.

The proposed demolition of the High School will have a potentially adverse impact on Historic Resources. Adherence to the LOR stipulations and continued coordination with the SHPO, at a minimum, are necessary mitigation measures. The EIS will document Applicant's consultation process with SHPO, provide copies of Applicant's correspondence with SHPO, and explain how the proposed Project will comply with the LOR and its stipulations. The EIS will include the fully executed LOR signed by all parties and all of the documentation stipulated in the LOR.

The Project Site is within an area designated by SHPO as sensitive for archaeological sites. The EIS will explain whether SHPO requires archaeological studies or investigations for this Project. Relevant correspondence with SHPO will be included in the EIS. If SHPO requires archaeological studies or investigations for the proposed Project, these studies will be discussed within the EIS and attached as supporting documents.

## Impact on Energy

The following criteria in Part 2 of the EAF were identified pertaining to impacts on energy:

a. Impact on Energy (Full EAF Part 2, No 14, a. The proposed action will require a new, or upgrade to an existing substation): *Moderate to large impact may occur.*
b. Impact on Energy (Full EAF Part 2, No 14, e. Other Impacts- Transmission and interconnection components): *Moderate to large impact may occur.*

The Project includes the construction of a new substation on the Project Site. The substation will connect to the New York Independent System Operator (NYISO) electric grid at the CHGE Hurley Substation. Crossing Hurley Avenue to perform this interconnection will require a crossing easement from Ulster County. The EIS will include information regarding the interconnection requirements at the Hurley Substation and the grid's capacity to accommodate the Project. This information is needed to determine if the Project would result in a significant adverse impact on Energy. The EIS will provide a discussion of anticipated

infrastructure requirements at the Hurley Substation necessary to accommodate the proposed Project and anticipated environmental impacts.

## Impact on Noise and Lighting

The following criteria in Part 2 of the EAF were identified pertaining to impacts on noise and lighting:

a. Impact on Noise (Full EAF Part 2, No 15, a. The proposed action may produce sound above noise levels established by local regulation): *Small to moderate impact may occur.*
b. Impact on Noise (Full EAF Part 2, No 15, d. The proposed action may result in light shining onto adjoining properties): *Small to moderate impact may occur.*

*Noise*

The Project is anticipated to create temporary noise impacts as a result of construction activities that may exceed existing ambient noise levels during construction, however only during 6:00 AM to 7:00 PM Mondays to Fridays, in accordance with the Town of Ulster Code. The EIS will analyze how temporary noise impacts will be mitigated during construction.

Operational noise is anticipated to primarily originate from the proposed inverters and Heating, Ventilation, and Air Conditioning (HVAC) equipment for the Project. There are numerous residences within one quarter mile of the Project within the Town of Ulster and the City of Kingston that may experience elevated ambient noise levels during Project operations.

According to the Applicant's Noise Compliance Report, drafted by Jacobs on April 2, 2025, predicted sound levels for the Project will comply with the Town of Ulster's sound level standards. These standards include a daytime limit of 72 dBA and a nighttime limit of 66 dBA. According to the Applicant, these levels represent typical performance for similar energy storage facilities and are consistent with applicable municipal thresholds. Therefore, small to moderate temporary impacts on noise may occur as a result of the Project.

*Lighting*

Per the Applicant, security and safety lighting will be incorporated into the Project's design. Onsite lighting will be turned on only for motion-activated security, emergency, and maintenance purposes; the Project Site will not be lit at night during normal operations. The lights will be shielded and directed downward per local building code requirements. Therefore, small to moderate impacts relating to lighting may occur as a result of the Project.

## Consistency with Community Plans and Character

The following criteria in Part 2 of the EAF were identified pertaining to impacts on consistency with community character and plans:

a. Consistency with Community Plans (Full EAF Part 2, No 17 a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s)): *Moderate to large impact may occur.*
b. Consistency with Community Character (Full EAF Part 2, No 18, a. The Proposed Action may replace or eliminate existing facilities, structures, or areas or historic importance to the community): *Moderate to large impact may occur.*
c. Consistency with Community Character (Full EAF Part 2, No 18, b. The Proposed Action may create a demand for additional community services (e.g. schools, police, and fire): *Moderate to large impact may occur.*

d. Consistency with Community Plans (Full EAF Part 2, No 18 e. The proposed is inconsistent with the predominant architectural scale and character): *Moderate to large impact may occur.*

The Project is located within an area covered by the following municipal and county plans: the Town of Ulster Comprehensive Plan 2007), Ulster County Open Space Plan (2010) and Draft Ulster County Agricultural Farmland Protection Plan (2025).

The demolition of the historic Coleman High School building will substantially change community and visual character of the Project area. Currently, the Project area is predominately residential with single-family homes. Of note, the nearby CHGE Hurley substation does not create a visual impact on along Hurley Avenue because it is set back from Hurley Road and screened by natural vegetation, existing homes, and a church. The proposed Project, however, would remove the existing high school and field areas that are visible from Hurley Avenue, and construct in their place the proposed BESS development.

The Project is anticipated to require additional fire safety, training, and response services to address the specific requirements for a BESS facility. Numerous public comments submitted on the Project relate to health and safety concerns associated with potential fire or other incidents that could result in the release of airborne toxic chemicals or contamination to soil and groundwater resources. The public comments include requests for more information on the specific chemicals that could affect the public and the associated health risks, how the public would be notified during an emergency incident at the Project, and is there an emergency evacuation plan in the event that emergency responders determine if there is a need to implement mass evacuations, and how would the emergency evacuation plan affect the surrounding residences, Hurley Avenue, and Interstate-87. The EIS will address the comments raised by the public regarding these health and safety-related concerns.

The proposed Project was evaluated for consistency with the applicable provisions of the 2025 Fire Code of New York State (FCNYS) and identifies required documentation, compliance items, and deficiencies requiring correction or clarification.

The following codes and standards were reviewed or referenced as part of this assessment:

- 2025 Fire Code of New York State (FCNYS)
- NFPA 855 (2023 Edition) – Standard for the installation of Stationary Energy Storage Systems
- NFPA 731 – Standard for the Installation of Electronic Premises Security Systems
- UL 9540 – Standard for Energy Storage Systems and Equipment
- UL 9540A – Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems

The applicable code for the proposed BESS installation is the 2025 Fire Code of New York State. The provided project description documents reference the 2020 edition of this code. All references to the 2020 FCNYS within the submitted project documentation must be updated to reflect the proper code. The proposed BESS Project requires additional documentation, revisions, and clarifications to demonstrate compliance with the 2025 Fire Code of New York State and referenced standards. It is important to note that section numbering and technical documents have changed from the prior edition. Documents referencing the superseded fire code editions shall be revised accordingly. Compliance with

applicable fire and building codes, while necessary, does not by itself eliminate the potential for significant adverse environmental impacts under SEQR.

A Hazard Mitigation Analysis (HMA) shall be completed and submitted in accordance with FCNYS § 127.1.60. The HMA shall evaluate credible failure modes, fire and explosion hazards, thermal runaway scenarios, and mitigation measures specific to the proposed technology and site conditions. The HMA will be attached to the EIS and its findings will be evaluated in the EIS.

The Applicant shall provide documentation demonstrating compliance with the following standards:

- UL 9540 – Standard for Energy Storage Systems and Equipment
- UL 9540A – Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems

The EIS will explain how the proposed Project complies with UL 9540 and UL 9540A. UL 9540A test results will be attached to the EIS and evaluated in the EIS.

Additionally, the EIS will include documentation of Large-Scale Fire Testing (LSFT) by an approved testing laboratory as required by FCNYS § 127.1.7. Demonstration of LSFT shall be submitted to and reviewed by the Fire Code Official.

Review of the Emergency Response Plan (ERP) identified incomplete and/or inaccurate information and will require a revision and resubmittal. The revised ERP will be summarized in the EIS and included as an attachment. Within the document, addresses for emergency medical facilities are inaccurate, the name of the local law enforcement agency is incorrect, and the phone number listed for the local fire department is for the Town Hall. There is no direct seven (7) digit number for the local Public Safety Answering Point (PSAP).

The Applicant should include a dedicated acronyms page to the ERP for clarity and consistency. Additionally, the ERP shall include required information regarding Hazard Support Personnel as required in FCNYS § 127.1.8.1. Hazard Support Personnel shall be dispatched within 15 minutes of an emergency event occurring and be on site within four (4) hours. Duties of the Hazard Support Personnel as outlined in FCNYS § 127.1.85.2 shall be documented in the ERP. Qualifications of HRP are listed in FCNYS § 127.1.8.3.

The EIS should address how the Applicant's emergency response plan will interface with municipal and county Emergency Response Plans. When revising the ERP, emergency responders including, but not limited to fire service, law enforcement, and emergency management personnel shall be included as essential stakeholders in the development, review, and validation of these essential emergency response planning documents.

The EIS will also include additional information regarding stormwater quality treatment measures and practices during and following a fire response or chemical release incident to demonstrate that the potential for adverse impacts from stormwater runoff is minimized to the maximum extent practicable.

Impact on Disadvantaged Communities

The proposed Project Site is located in a disadvantaged community (DAC). The EIS will provide responses to the new Environmental Justice Siting Law questions in the draft model EAF Part 1 available at https://dec.ny.gov/sites/default/files/2025-01/draftfeafchanges.pdf. Specifically, the EIS will provide C.2.d., D.2.g., D.2.h., E.1.b., E.4. a, b, and c, and E.5.a, b, c, and d. The EIS will analyze the direct and indirect impacts (including noise, air emissions, wastewater discharges, generation of odors, light pollution, radiation sources, and solid waste management) of the proposed Project on the DAC.

Consideration of the above evaluation supports the issuance of a Positive Declaration by the Town Board as its Determination of Significance for the Proposed Action.