Draft Scope

FOR

Alcazar Energy Storage Project

DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)
(PART 617.8 STATE ENVIRONMENTAL QUALITY REVIEW (SEQR))

TOWN OF ULSTER

ULSTER COUNTY, NEW YORK

This Draft Scope identifies and describes the scope of environmental studies to be conducted to analyze the potentially significant adverse environmental impacts of the Project. This Draft Scope is issued pursuant to Part 617.8 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

SEQR STATUS:

Type 1 Action
Positive Declaration issued on October 2, 2025
Revised Positive Declaration and FEAF Parts 2 and 3 issued on February 5, 2026

LEAD AGENCY:

Town of Ulster Town Board
1 Town Hall Drive
Lake Katrine, NY 12449

APPLICANT:

Alcazar ESS, LLC

Contents **Page**

DRAFT SCOPING DOCUMENT

FOR

ALCAZAR ENERGY STORAGE PROJECT

TOWN OF ULSTER

ULSTER COUNTY, NEW YORK

I. INTRODUCTION

This Draft Scope of the Draft Environmental Impact Statement (DEIS) for the Alcazar Energy Storage Project, has been prepared by the Applicant and reviewed by the Town Board of the Town of Ulster as Lead Agency.

In accordance with the State Environmental Quality Review Act (SEQRA), coordinated review for Lead Agency status was initiated by the Town Board on April 29, 2025, to designate the Town Board as Lead Agency. All Involved and Interested Agencies were contacted under the SEQRA process, and no objections to the Town Board proceeding as Lead Agency were received. A list of Involved and Interested Agencies is attached to this document. On May 15, 2025, the Town Board declared itself Lead Agency for the purposes of conducting the review and making such determinations as are necessary with respect to the Proposed Action as required by Article 8 of the New York Environmental Conservation Law and the regulations promulgated under 6NYCRR Part 617.

The Town of Ulster Town Board issued a Positive Declaration on October 2, 2025, and subsequently completed the final FEAF Parts 2 and 3 and passed a resolution revising the Positive Declaration on February 5, 2026, requiring the Applicant to prepare a DEIS and associated documentation. The Positive Declaration, along with the completed Environmental Assessment Form (EAF) Parts 2 and 3 identifying the potentially significant adverse impacts of the Project, are included in the record and attached to this Draft Scoping Document.

I. PROJECT DESCRIPTION

A. Location and Description

1. Location

The Proposed Action is located on approximately 40 acres at 430 Hurley Avenue in the Town of Ulster, Ulster County, New York. The Project Site consists of three tax parcels (SBLs 48.17-1-26, 48.17-1-22.110, and 48.17-1-13.110) and is bisected by Hurley Avenue, immediately northwest of the New York State (NYS) Thruway (Interstate 87). Parcel 48.17-1-26 includes

the former John A. Coleman Catholic High School, which closed in 2019, and features three terraced levels: a lower athletic field, a middle level containing the former school building, and an upper parking area rising toward the Thruway embankment. The Project Site is bordered by the Central Hudson Gas & Electric (CHGE) Hurley Substation to the north, the NYS Thruway to the south, an Office and Manufacturing (OM)-zoned parcel with a single-family residence to the east, and CHGE utility lands to the west. The surrounding area consists of mixed institutional, residential, interstate highway, and utility uses.

2. Project Description

Alcazar ESS, LLC (the Applicant) proposes to construct, own, and operate the Alcazar Energy Storage Project (the Project or Proposed Action) on the 40-acre Project Site. The Applicant seeks site plan and special use permit approval from the Town of Ulster Planning Board and Town Board, respectively. The Project will include a lithium-ion battery energy storage system (BESS) facility, a project substation, a stormwater management basin, access roads, and temporary areas for construction staging and access. Approximately 17.9 acres will be physically disturbed during construction. The BESS facility and substation will occupy roughly 15 acres south of Hurley Avenue, while an approximately 0.3-mile above-ground interconnection tie-line (tie-line) and associated support structures, will cross Hurley Avenue north through CHGE-owned parcels (SBLs 48.17-1-13.110 and 48.17-1-22.110) to interconnect with the existing CHGE Hurley Substation. A proposed 2,250-square foot operations and maintenance (O&M) building will also be constructed on the CHGE property to support operations staff as needed. No other structures are proposed within CHGE property.

a. The Project is a lithium-ion BESS facility designed to store up to 250 megawatts ("MW") of electricity from the regional power grid and discharge it during periods of peak demand or grid instability. The Proposed Action will support system reliability, enhance grid resiliency, and enable greater integration of renewable energy resources in alignment with New York State's clean energy goals, the Climate Leadership and Community Protection Act ("CLCPA") and New York State Energy Plan ("NYSEP"). Key benefits include supplying up to 250 MW of electricity (roughly enough to serve 250,000 typical homes for four hours at full output); lowering peak demand costs; creating local jobs and tax revenues; and providing additional capacity near load centers to defer or avoid expensive utility transmission and distribution upgrades which would otherwise be paid by ratepayers.

b. For the purpose of the DEIS, the Project Site is defined as the 40-acre site which is the subject of the site plan.

c. The Project will consist of a UL-9540 listed BESS with non-walk-in, outdoor cabinet-type enclosures utilizing lithium-based battery modules installed in racks and housed within the enclosures. The batteries will provide the above-listed services to the grid. Each enclosure will include integrated Heating, Ventilation, and Air Conditioning (HVAC); smoke, gas, and radiant heat detection systems; explosion prevention measures compliant with National Fire Protection Association (NFPA) 69; and deflagration control measures compliant with NFPA 68. The Project will comply with the Fire Code of New York State (FCNYS) Section 1206 and NFPA 855 standards for the installation of stationary energy storage systems.

d. The representative equipment configuration identified for purposes of site plan review and SEQRA analysis is intended to provide a conservative and reasonable basis for evaluating potential environmental and public safety impacts. Final equipment manufacturer, model selection, enclosure layout, and system configuration will be determined closer to construction and may differ from the representative configuration analyzed in the DEIS, provided that any selected technology meets or exceeds the safety performance characteristics, separation distances, and code requirements evaluated herein and required by the Project approvals.

e. An approximately 45 feet × 50 feet Operations and Maintenance (O&M) building up to 25 feet tall will include restroom facilities, tool storage, and workspace for periodic maintenance personnel.

f. The system will be available to the New York State electric grid 24 hours a day and will operate based on the needs of the grid, with very little operation on some days and continuous operation on other days.

g. When construction is completed, the Project will be monitored and operated remotely 24 hours per day, 7 days per week from the Applicant's offsite control center. The Project will be unstaffed during normal operations. It is estimated that maintenance will include two to four staff members performing maintenance visits biweekly and as needed.

h. The site is currently supplied with water from a private corporation.

   An onsite 30,000-gallon water storage tank will be installed to support emergency response needs, and an additional 10,000-gallon water storage tank will be installed for maintenance activities and ancillary non-potable uses such as landscape maintenance, equipment cleaning, dust suppression, and other routine operational needs associated with facility maintenance.

   In the event of an interruption to the primary water supply, water may be delivered to the Project Site by licensed water haulers for replenishment of the onsite storage tanks and to support limited potable water needs within the operations and maintenance building. This contingency approach is consistent with standard practice for industrial and utility facilities and does not require permanent off-site infrastructure improvements.

i. Construction is anticipated to last approximately 18 months and will employ an average of 110 full-time equivalent jobs during intensive phases.

The Project Site is divided into two municipal zoning districts: the R-30 (Residential) and OM (Office and Manufacturing). The Town does not have a BESS-specific land use law or provisions of the zoning code. By zoning interpretation letter dated March 18, 2025, the Town Building Inspector classified the BESS as a "utility company structure." Utility company structures are permitted industrial uses subject to Planning Board site plan approval and Town Board special use permit (SUP) approval. The Project Site is within Ulster Fire District # 1 and the Kingston City School District. Fire protection is provided by the Spring Lake Fire Department, and police services are provided by the Town of Ulster Police Department.

B. Required Approvals

At this time, it is anticipated that the following Town, County and State approvals and permits may be required to construct and operate the proposed Project:

Agency	Type of Approval
Town of Ulster Town Board	Special Use Permit (SUP) Decommissioning Bond Host Community Agreement (HCA)
Town of Ulster Planning Board	Site Plan Approval
Town of Ulster Code Enforcement	Building Permit
Town of Ulster MS4 Coordinator	MS4 SWPPP Acceptance Form under NYSDEC General for Construction (Permit No. GP-0-25-001)
Ulster County Planning Board	239-m (General Municipal Law) Approval
Ulster County Department of Public Works	Road Work Permit
Ulster County Department of Health	Ulster County DOH Sewage Disposal System
Ulster County IDA	Payment-in-Lieu-of-Taxes (PILOT) authorization (if required)
NYSERDA	Bulk energy storage incentive agreement
NYSDEC	Article 24 Freshwater Wetlands Permit
	Emergency Diesel Generator PBS storage Registration (if required)
	Emergency Generator Air State Registration (if required)
NYSDEC/NYNHP	Consultation with respect to Threatened and Endangered Species
NYSHPO	Section 106 of the National Historic Preservation Act (NYS Parks, Recreation, & Historic Preservation Law, Section 14.09)
NYSDOT	NYS Vehicle and Traffic Law, Section 385 (Special Hauling Permit)
NYSPSC	NYSPSC §68 Certificate of public convenience and necessity (CPCN)

II. GENERAL GUIDELINES FOR THE DEIS

The Applicant will prepare the DEIS in accordance with the SEQRA regulations governing DEIS content, including 6 NYCRR Part 617.9. Unless otherwise refined by the Final Scoping Document, the provisions of 6 NYCRR 617.9(b) apply to the content of the DEIS and are incorporated herein by reference. The DEIS will assemble relevant and material facts, evaluate reasonable alternatives, and be analytical rather than encyclopedic. It will also be clearly and concisely written in plain language that can be easily read and understood by the public.

Highly technical material will be summarized and, where necessary, referenced in the DEIS and included as an appendix. Narrative discussions will, to the greatest extent practicable, be

accompanied by illustrative tables, charts, graphs, and figures. All figures will clearly identify the Project Site. Full-scale engineered plans will be included with the DEIS as an appendix, and where appropriate, reduced-size copies of such plans will be included in the text of the DEIS.

The DEIS will be written in the third person and will not use the terms I, we, or our. All assertions will be supported by evidence. Opinions not supported by evidence will be kept to a minimum and identified as such. Footnotes will be used to cite applicable references.

For purposes of SEQR review, the DEIS will evaluate the potential environmental and public safety impacts of the proposed action based on representative, code-compliant BESS technology and conservative bounding assumptions. The analyses presented in the DEIS are intended to assess whether the proposed action can be designed, constructed, and operated in a manner that avoids or minimizes significant adverse environmental impacts. Detailed demonstration of final compliance with the Fire Code of New York State, Uniform Code, UL standards, and manufacturer-specific installation requirements will be provided during final design and building permit review, consistent with standard practice for complex infrastructure projects.

III. POTENTIALLY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS

Based on environmental analyses and the Full Environmental Assessment Form (FEAF), Parts 1, 2, and 3 completed for the Project, several environmental resource area impacts are not anticipated to result from Project activities, which include impacts on Geological Features, Groundwater, Flooding, Air, Agricultural Resources, Open Space and Recreation, Critical Environmental Areas, Transportation, and Human Health. Therefore, these resource areas will not be addressed within this Draft Scoping Document or subsequent DEIS.

However, based on the final FEAF Parts 2 and 3, Project activities may result in small or moderate to large impacts to environmental resource areas. Small impacts may include impacts on Surface Water, Plants and Animals, and Noise, Odor, and Light. Moderate to large impacts may include impacts on Land, Aesthetic Resources, Historic and Archeological Resources, Energy, Consistency with Community Plans and Applicable Codes and Standards, and Consistency with Community Character. This Draft Scoping Document includes a discussion of existing conditions for all environmental resource areas anticipated to result in small or moderate to large impacts, as documented in the FEAF Part 2, and describes the information to be provided by the Applicant in the DEIS to evaluate resources, and assess avoidance and minimization of potential adverse impacts identified in the FEAF Part 3. In addition, the FEAF Part 3 identifies the potential for Project activities to result in adverse impacts on Disadvantaged Communities. The following environmental resource area impacts are therefore proposed to be addressed during Project scoping and within the subsequent DEIS:

Small Impacts

- Impact on Surface Water
- Impact on Noise, and Light
- Impact on Plants and Animals

Moderate to Large Impacts

- Impact on Land

- Impact on Aesthetic Resources
- Impact on Historic and Archaeological Resources
- Impact on Energy
- Consistency with Community Plans and Applicable Codes and Standards
- Consistency with Community Character
- Impact on Disadvantaged Communities

IV. INITIAL AVOIDANCE AND MINIMIZATION OF POTENTIAL ADVERSE IMPACTS

Impact avoidance and minimization measures identified as part of the Project proposal include:

- Documentation of existing conditions at 430 Hurley Avenue, including photographic documentation, a historic narrative, and a report describing the site's historic character and current conditions.
- Minimization of Project sound levels through site design and equipment selection.
- Avoidance of wetland impacts through careful project layout and construction planning.
- Construction within previously disturbed areas to minimize new ground disturbance and reduce ecological impacts.
- Use of downward-facing and motion or sensor-activated lighting fixtures to minimize light trespass and reduce impacts on wildlife.
- Limitation of tree clearing to only those areas necessary for construction and operational safety.
- Commitment to conduct vegetation clearing activities within the bat hibernation clearing window (November 1 to March 31).
- Use of landscape screening, a perimeter wall, and a vegetated buffer along the NYS Thruway to minimize visual impacts and effects on community character associated with the Project.

The above avoidance and minimization measures may be modified and additional mitigative measures may be required for inclusion in the DEIS to address adverse environmental impacts identified and validated during the public scoping process.

V. DEIS SCOPE AND CONTENT

A. Cover Sheet and Table of Contents

1. DEIS Cover Sheet

The cover sheet will list the names, addresses, and telephone numbers of individuals or organizations that prepared any portion of the DEIS, the title of the Project, the Project location (streets, town, county, and state), DEIS identification, and the name, address, and telephone number of the Lead Agency, including the name and telephone number of the Lead Agency contact for further information. The cover sheet will also include relevant dates, such as the DEIS submittal date, the date of acceptance of the DEIS by the Lead Agency (to be inserted

when available), the date, time, and location of the public hearing, and the final date for acceptance of written comments.

2. DEIS Table of Contents

The table of contents will include a list of all appendices, tables, figures, maps, charts, and any items that may be submitted under separate cover (and identified as such). All pertinent SEQRA documentation will be included as appendices to the DEIS, including, but not limited to Parts 1, 2, and 3 of the FEAF, Positive Declaration/Circulation Notice, Final Scoping Document, a list of abbreviations and acronyms, and technical correspondence from Involved and Interested Agencies. All other correspondence related to issues addressed in the DEIS, including technical studies and reports, will also be included in the appendices.

B. Executive Summary

The Executive Summary will provide a concise overview of the Proposed Action and its potential environmental effects. Information presented in the DEIS will be described in greater detail in the Existing Conditions, Potential Environmental Impacts, and Proposed Avoidance and Minimization Measures sections of the DEIS, as appropriate. The Executive Summary will be brief and non-technical and will avoid duplicating the detailed narrative analysis provided elsewhere in the document.

1. Description of the Proposed Action

The DEIS will describe the Project Site, including its location (street address, town, county, and state), parcel identification numbers, total site acreage, existing easements affecting the site, existing zoning, existing site access, existing site character, and existing vegetative conditions. It will also identify abutting properties, note any known plans for development on abutting parcels, and describe the Applicant's proposed activities on the Project Site, and where applicable, on any abutting parcels, including detailed electric and natural gas interconnection routes.

2. Purpose, Need, and Public Benefit

The DEIS will describe the purpose and objectives of the Proposed Action, as well as the public need for and public benefit(s) associated with the Proposed Action. The Project is intended to function as a short-term peaking resource, support management of short-term frequency and voltage fluctuations on the electric grid, and facilitate the integration of variable renewable energy generation from wind and solar projects. The Project is consistent with the CLCPA and the NYSEP, which identify energy storage as a key tool for supporting renewable integration, grid reliability, and reduced emissions. The DEIS will discuss how the Project would contribute to achieving these objectives and associated state policy.

a. Potentially Significant Impacts.

The DEIS will summarize the potential environmental impacts of the Proposed Action, including those identified as potentially significant under SEQRA. Based on Part 2 of the EAF, the DEIS will focus on the six potentially significant impacts: Impacts on Land,

Aesthetic Resources, Historic and Archeological Resources, Energy, Consistency with Community Plans and Applicable Codes and Standards, and Consistency with Community Character.

b. Impact Avoidance and Minimization Measures

The DEIS will summarize the impact avoidance and minimization measures proposed to avoid and minimize potential environmental impacts associated with the Project.

c. Project Alternatives Considered

The DEIS will summarize the reasonable alternatives to the Proposed Action that were considered.

d. Required Approvals

The DEIS will identify the federal, state, and local approvals and permits required to implement the Proposed Action, including an assessment of applicable zoning requirements and conditions.

e. List of Involved Agencies

The DEIS will provide a complete list of all Involved Agencies, including their addresses and a description of the required approvals or permits each agency is responsible for issuing.

VI. DESCRIPTION OF THE PROPOSED ACTION

The Description of the Proposed Action will provide a detailed presentation of the Project, supported as necessary by maps, plans, and other graphic materials. The description will address the following topics:

A. Site Location

The DEIS will provide written and graphic descriptions of the geographic boundaries of the Project, including the municipality in which the site is located, tax parcel identification numbers, and a list of abutting properties. The geographical boundaries of the Project Site will be mapped on both local and regional scale maps. The site will be described relative to surrounding land uses, zoning designations, and other key features, including Hurley Avenue, NYS Thruway, streams, ponds, wetlands, visual and aesthetic resources, and other prominent natural, historic and man-made features within and adjacent to the Project Site.

B. Site History

The DEIS will describe the prior and current uses of the Project Site, including a discussion of existing deeds, easements, covenants, and other restrictions affecting the property.

C. Description of Project

A detailed description of the Project will be provided including the following elements:

1. The proposed development, including but not limited to, the representative number, size, and general locations of proposed BESS enclosures, equipment pads, inverters, transformers, switchgear, tie-line, and any auxiliary facilities (e.g., control building, access driveways, perimeter fencing, fire safety systems), sufficient to evaluate potential environmental impacts under SEQR.

2. A thorough description of the Project and its components, as well as how it operates, its intended use and estimated hours of operation, and how it is anticipated to fit into the context of the New York energy grid, based on representative design assumptions and conservative bounding conditions.

3. A description of the interconnection process and approvals to connect the Project to the electric grid, including identification of the proposed point of interconnection and a summary of applicable regulatory and utility approval processes.

4. A discussion of the Project's conformance with the Town's Comprehensive Plan, existing zoning and site plan standards as described in the Town of Ulster Code and Zoning Code, and other applicable local laws recognizing that final engineering design and equipment selection will occur during post-SEQR permitting and building permit review.

D. Phasing and Construction Schedule.

The DEIS will describe construction phasing and scheduling, including:

1. The proposed construction phases, anticipated construction schedules, expected year of Project completion, construction access routes, construction methods, hours of construction, and the location of construction vehicles, staging areas, and parking.

2. Construction techniques. including grading methods and other major site preparation and earthwork activities.

3. The anticipated timing for the start and completion of key construction milestones, such as site clearing, grading and fill placement, and installation of infrastructure, foundations, and site amenities.

E. <u>Purpose/Need/Public Benefit.</u>

The DEIS will describe the purpose and objectives of the Proposed Action, the need for the Project, and the public benefits associated with its implementation. The discussion will include the following:

1. Describe the need for the BESS facility including information addressing the service area. A clear discussion of the purpose or objectives of the Project, including any public need for, or public benefits, including social and economic considerations, will be discussed in sufficient detail to allow the Lead Agency to assess potential benefits in relation to potential environmental impacts. Explain how BESS technology benefits

residents, ratepayers, and consumers through improved reliability, price stabilization, and reduced reliance on fossil-fuel generation.

2. Discuss consistency with the CLCPA, including how the Project supports State greenhouse gas reduction goals and the transition to a zero-emission electricity sector. Describe alignment with the NYSEP, including how the Project supports grid modernization, renewable integration, and system reliability.

3. Describe the Project's consistency with adopted community development plans, requirements, and guidance published by the New York Independent System Operator (NYISO) for the New York energy grid.

4. Discuss potential environmental protection and socioeconomic benefits associated with the Project, including contributions to grid reliability and resilience and the generation of tax revenues for the Town, School District, and other taxing jurisdictions.

VII. EXISTING CONDITIONS/POTENTIAL ENVIRONMENTAL IMPACTS AND PROPOSED IMPACT AVOIDANCE AND MINIMIZATION MEASURES

The DEIS will describe existing environmental conditions of the Project Site, the potential impacts associated with the proposed Project, and applicable avoidance, minimization, and where necessary, mitigation measures. Sufficient detail will be provided to enable reviewers to understand current conditions and the context in which potential impacts will be assessed. For each topic area, existing conditions will be identified, potential impacts will be characterized, avoidance and minimization measures will be described. The following resources will be addressed in the DEIS:

A. Impact on Surface Water

1. Existing Surface Water and Wetland Resources.

The DEIS will describe existing surface water and wetland resources on and in the vicinity of the Project Site. Information will be summarized from materials previously submitted by the Applicant to the Town of Ulster Planning Board with the Site Plan Application, including the Wetland Delineation Report and Positive Parcel Jurisdictional Determination.

2. Potential Surface Water and Wetland Impacts.

The DEIS will evaluate and summarize potential impacts to surface water and wetland resources during both Project construction and operation. The DEIS will include the Article 24 Freshwater Wetlands Permit Application submitted to NYSDEC, the NYSDEC-validated drawings of state jurisdictional wetland boundaries, and the status of the pending Freshwater Wetlands Permit Application. The DEIS will demonstrate avoidance of jurisdictional impacts to federally-regulated wetlands and streams and discuss why federal permitting is not anticipated to be required.

3. Surface Water and Wetland Avoidance and Minimization Measures.

The DEIS will include:

a. Consideration of specific design measures that will avoid or minimize impacts to surface waters. As applicable, enhanced site design protocols and Best Management Practices (BMPs) will be incorporated in the site plan and operation of the Project.

b. Documentation of jurisdictional determination from the NYSDEC for delineated wetlands and regulated adjacent areas, demonstrate minimization of wetland impacts, and detail whether any additional wetland avoidance and minimization measures could reduce impacts.

c. Documentation and status of necessary permits for work in or adjacent to jurisdictional wetlands or state-regulated adjacent areas.

d. The DEIS will evaluate stormwater management and site design measures intended to contain, control, and manage firefighting runoff consistent with SPDES requirements and BMPs, in order to minimize the potential for off-site migration to surface water or groundwater to the maximum extent practicable. The Project will not involve the storage, handling or use of bulk hazardous chemicals.

e. The DEIS will include an explanation of how the Project's stormwater design will minimize potential stormwater impacts and summarize relevant details and erosion control measures from the SWPPP. With the implementation of these measures, surface water impacts are anticipated to be small.

f. The DEIS will reference the SWPPP which establishes requirements and instructions for the management of construction-related stormwater discharges to protect water resources. The specified erosion and sediment controls will be installed and maintained to minimize or eliminate the discharge of pollutants and prevent a violation of the water quality standards. The Project does not discharge to a 303(d) waterbody segment.

B. Impact on Noise and Lighting

1. Existing Noise and Lighting Conditions.

The DEIS will describe existing acoustical setting and anticipated sound conditions in the vicinity of the Project to provide environmental context for the analysis. Data for the anticipated sound levels produced from the BESS facility previously presented in the Applicant's Site Plan Application to the Town of Ulster Planning Board will be provided, including the sound modeling report, graphs, and figures. The previously prepared noise analysis demonstrating compliance with applicable Town noise performance standards will be summarized. Existing ambient sound information, where referenced, will be used for contextual characterization only and not as regulatory compliance criteria. "The Town Noise Ordinance establishes the applicable performance standard for operational sound levels, and

the DEIS noise assessment is structured to evaluate compliance with that adopted regulatory framework."

2. Potential Noise and Lighting Impacts.

The DEIS will evaluate the Project's compliance with the Town's noise ordinance including the applicable daytime and nighttime sound level limits at the property boundary. The assessment will focus on predicted operational sound levels relative to applicable regulatory thresholds rather than incremental changes from existing ambient sound levels, which are not part of the Town's regulatory criteria.

The DEIS will also describe all lighting proposed as part of the Project's design and operation. The analysis will address impact avoidance and will demonstrate compliance with applicable local lighting standards.

3. Noise and Lighting Avoidance and Minimization Measures.

The DEIS will summarize measures incorporated into the Project design which minimize sound and lighting from the Project during construction and operation. Noise minimization measures include, as appropriate, the use of sound barriers, noise-attenuating equipment, and other noise minimization technologies implemented to ensure compliance with the Town Code and applicable noise ordinances and regulations. These standards include a daytime noise limit of 72 dBA and a nighttime noise limit of 66 dBA at the property boundary, and Project design measures will be implemented to ensure compliance with these adopted regulatory thresholds.

Lighting avoidance and minimization measures will include limiting onsite lighting to motion-activated security, emergency, and maintenance purposes. The Project Site will not be illuminated during normal nighttime operations. All lighting fixtures will be fully shielded and directed downward in accordance with local building code requirements to minimize light trespass onto adjacent properties. . With these measures incorporated into Project design, lighting is expected to comply with applicable local standards, minimize off-site light trespass, with impacts anticipate to be small.

C. Impact on Plants and Animals

1. Existing Plant and Animal Conditions

The DEIS will describe existing plant and animal communities within areas to be disturbed by the Project. Information presented in the Applicant's Site Plan Application to the Town of Ulster Planning Board (i.e., Project Narrative and T&E Species Memorandum) will be summarized, including evaluation of publicly available data for the Project Site provided in the FEAF Part 1, and the results of consultations with the New York Natural Heritage Program (NYNHP) and U.S. Fish and Wildlife Service (USFWS).

2. Potential Plant and Animal Impacts

A summary of potential impacts to existing plant and animal communities within the Project will be provided with the DEIS. This will include an assessment of potential impacts to suitable

habitat for state and federally listed species identified through agency consultations and desktop analysis. Specifically, potential impacts to state and federally listed bat species and the federally proposed threatened Monarch Butterly from proposed vegetation and tree clearing will be discussed.

3. Plant and Animal Avoidance and Minimization Measures.

The DEIS will include a discussion of proposed measures to avoid and/or minimize impacts, such as:

- Adherence to seasonal clearing restrictions, including conducting tree removal during winter months when protected bat species are not active.
- Minimization of forest clearing to the greatest extent practicable, avoiding unnecessary disturbance to existing vegetation and wildlife habitat.
- Implementation of measures to minimize potential impacts from construction-related noise and lighting, including limiting nighttime work and using directional or shielded lighting, as appropriate.
    - Application of additional BMPs which minimize impacts to plant communities.

With the implementation of these measures, impacts to plants and animals are anticipated to be small.

D. Impact on Land

1. Existing Land Conditions.

The DEIS will summarize data presented in the Applicant's Site Plan Application to the Town of Ulster Planning Board, including the geotechnical report, wetland delineation report, and summary of land uses within the Project. Supplemental information on existing site conditions, such as soil types, ecological communities, slopes and land cover will be obtained, as necessary, from site-specific studies (i.e., geotechnical investigations) or publicly available resources (e.g., Soil Survey of Ulster County, New York, published by the USDA Natural Resources Conservation Service).

2. Potential Land Impacts.

The DEIS will discuss potential project-related impacts to soils, slopes, and bedrock and evaluate the suitability of the Project Site for the proposed grading, cuts and fills, and installation methods associated with the Project. The evaluation will assess the likelihood and extent of soil erosion, sedimentation, compaction, or alteration of natural land features. Impacts to slopes greater than 10 percent grade will be identified and mapped.

3. Land Avoidance and Minimization Measures.

   The DEIS will identify BMPs to implement during construction to avoid and minimize soil disturbance, erosion, or alteration of existing land features. The DEIS will summarize the Soil Erosion and Sediment Control practices to be implemented in accordance with the NYSDEC State Pollutant Discharge Elimination System General Permit for Construction Activities (GP 0-25-001) and the Project's Stormwater Pollution Prevention Plan (SWPPP).

E. Impact on Aesthetic Resources

The DEIS will include an evaluation of potential Project visibility and visual impacts within a 1-mile radius visual study area surrounding the Project site, and will include:

1. A description of the appearance and dimensions of the visible Project components.

2. Identification of visually sensitive resources located within the study area, which will be based on guidance provided in the NYSDEC Program Policy DEP-00-02 Assessing and Mitigating Visual and Aesthetic Impacts.

3. Viewshed analysis to determine the geographic area of potential Project visibility based upon the heights and positions of Project components and limit of disturbance.

4. A site visit to verify the accuracy of the viewshed results and document existing visual character from areas with potential Project visibility.

5. Photographic simulations (photosimulations) from up to three representative viewpoints to illustrate the range of visual change that would occur with the proposed Project in place, and the effectiveness of the proposed visual impact mitigation measures. It is assumed that two of these simulations will be located along Hurley Avenue from vantage points that would experience open, close-proximity views of the proposed Project. A third viewpoint will be selected based upon the results of the viewshed analysis.

6. A discussion of the proposed Project's visual contrast with the existing visual environment based on the results of the existing landscape characterization, viewshed analysis, and photosimulations.

F. Impact on Historic and Archaeological Resources

Existing Historic and Archaeological Resource Conditions, Impact Assessment, and Mitigation

   a. The DEIS will include an inventory of known and potential cultural resources, including historic buildings, structures, districts, and archaeological sites identified through review of the State and National Registers of Historic Places, the New York State Historic Preservation Office (NYSHPO) Cultural Resource Information System (CRIS), local preservation records, and relevant prior studies.

   b. The DEIS will summarize NYSHPO consultation completed to date regarding historic and archaeological resources.

c. The DEIS will document all correspondence between the Applicant and NYSHPO regarding the former John A. Coleman Catholic High School, which NYSHPO determined to be eligible for listing in the State and National Registers of Historic Places (S/NRHP) under Criterion C (Architecture) as an intact example of a Brutalist-style institutional building constructed in 1967. Correspondence to be provided will include the Alternatives Analysis and Supplemental Alternatives Assessment completed to evaluate potential alternatives for the school building, including retention, incorporation, or removal, and the executed Letter of Resolution (LOR) between NYSHPO and NYSDEC, outlining mitigation commitments by the Applicant.

d. The DEIS will explain how the Project will comply with the LOR and its stipulations, and include the fully executed LOR signed by all parties and all documentation stipulated in the LOR.

e. The DEIS will provide supporting documentation from NYSHPO demonstrating that the NYSHPO has completed their review of the Project for archaeological resources and that further archaeological investigations are not required for the Project.

G. Impact on Energy

1. Existing Energy Conditions

The DEIS will describe the existing electric energy infrastructure in the vicinity of the Project Site, including transmission lines, substations, and distribution facilities. The discussion will include an overview of the NYISO electric grid serving the area, with particular focus on the CHGE Hurley Substation, which is proposed as the interconnection point for the Project. Existing regional energy demand and any prior upgrades or modifications to nearby substations or transmission facilities that may influence the Project will be summarized.

2. Potential Energy Impacts

The DEIS will evaluate potential impacts of the Project on energy resources and infrastructure. The analysis will address the construction of a new substation on the Project Site and associated transmission and interconnection components, including the proposed interconnection requirements at the CHGE Hurley Substation. Potential impacts on grid capacity, reliability, and operations will be evaluated, including the ability of the existing infrastructure to accommodate the Project and the potential for temporary or permanent disruptions during construction. Coordination with NYISO and other utility providers, as well as easement requirements for the interconnection-related crossing over Hurley Avenue anticipated to be covered under a Road Work Permit from Ulster County DPW, will be considered as part of the impact assessment.

3. Energy Avoidance and Minimization Measures

The DEIS will describe measures proposed to avoid and minimize potential impacts on energy infrastructure and grid operations. Measures may include siting and design considerations to

limit disturbance at the Project Site and along interconnection routes, coordination with NYISO, Ulster County, and applicable utility providers to ensure system reliability, and implementation of construction sequencing or phased construction to reduce disruptions to existing transmission operations. The DEIS will also describe compliance with applicable utility, safety, and environmental regulations.

H. Consistency with Community Plans and Applicable Codes and Standards

1. Existing Community Plans Conditions

The DEIS will describe the municipal and county planning context for the Project, including but not limited to, the Town of Ulster Comprehensive Plan (2007), Ulster County Open Space Plan (2010), and the Draft Ulster County Agricultural Farmland Protection Plan (2025); [collectively the Adopted Plans]). The analysis will summarize existing land use patterns, zoning designations, and relevant Adopted Plan objectives.

2. Potential Community Plans Impacts

The DEIS will evaluate the Project's consistency with the Adopted Plans, including whether the proposed land use components are consistent with their goals, objectives, and policies. The analysis will consider public concerns regarding changes to the Project Site, including the demolition of the John A. Coleman Catholic High School, and whether the Project would result in functional inconsistencies with community plans.

3. Community Plans Avoidance and Minimization Measures

The DEIS will describe measures to avoid or minimize potential impacts on the Adopted Plans. Measures may include a discussion of site layout optimization refinements to maintain consistency with surrounding land uses, retention of open space or vegetated buffers where feasible, reduction of wetland impacts, and incorporation of screening to reduce visual impacts. The DEIS will also describe public outreach and engagement efforts undertaken to address community concerns and identify measures to reduce adverse effects to the extent practicable.

The DEIS will address adherence to applicable codes and standards, and include the following:

a. Summary of adherence to the 2025 Fire Code of New York State (FCNYS) and additional applicable standards.

b. Demonstration and evaluation of compliance with UL 9540 and UL 9540A, including attachment of test results.

c. Submittal of large-scale fire testing documentation completed for representative technology by an approved testing laboratory. Testing documentation will demonstrate compliance of representative technologies and systems proposed for the Project with the FCNYS.

d. The DEIS will summarize the approach to preparation of a Hazard Mitigation Analysis (HMA) based on representative BESS technology and conservative

bounding assumptions. The HMA will evaluate credible failure modes, fire and explosion hazards, thermal runaway scenarios, and site-specific mitigation measures to the proposed technology and site conditions. A final, equipment-specific HMA addressing the selected configuration will be completed and submitted during final design and building permit review in accordance with the Fire Code and subject to review by the reviewing agencies. Proposed Project technologies and equipment will be evaluated and modified by the Applicant as requested by the Fire Authority Having Jurisdiction and applicable code officials, as appropriate.

e. The Emergency Response Plan (ERP) described in the DEIS will be programmatic in nature and will identify roles and responsibilities, coordination protocols, notification procedures, and decision-making authority. The ERP will include required information regarding Hazard Support Personnel as required in the FCNYS 127.1.8.1. Hazard Support Personnel duties will also be documented. A revised, site-specific ERP incorporating valid agency contact information, corrected addresses for emergency medical facilities, local law enforcement agencies and fire departments, responder-specific protocols, and equipment specific procedures will be developed in coordination with local and county emergency responders. A dedicated acronyms page will be added to the ERP. The ERP presented in the DEIS is intended to establish a planning framework and coordination protocol and does not constitute a final operational plan; detailed equipment-specific procedures and contact information will be finalized during post-SEQR permitting and building permit review. The final ERP will be submitted for review and approved by the applicable Fire Authority Having Jurisdiction and applicable agencies, as appropriate, in accordance with the Fire Code of New York State and Uniform Code requirements prior to commencement of operations.

f. The DEIS will explain how the Project's ERP will interface with existing municipal and county emergency response plans and describe the role of stakeholder involvement in emergency planning. Emergency responders such as fire service, law enforcement, and emergency management personnel shall be included as essential stakeholders in the development, review, and validation of the response documents.

g. The DEIS will address as needed the stormwater management and water quality protection measures during and following a fire response or incident involving firefighting runoff or residual materials generated during a thermal event, demonstrating that potential stormwater runoff impacts are minimized to the

maximum extent practicable. The Project will not involve the storage, handling or use of bulk hazardous chemicals.

I. Consistency with Community Character

1. Existing Community Character Conditions

The DEIS will describe the Project Site and its setting within the surrounding community, including existing land uses and development patterns in the vicinity of the Project Site. The analysis will note that the surrounding area is primarily residential, with institutional and utility uses present, including the CHGE Hurley Substation, which is set back from Hurley Avenue and largely screened from public view. Information previously submitted as part of the Site Plan Application, including an assessment of local land uses will be summarized as appropriate.

2. Potential Community Character Impacts

The DEIS will evaluate potential impacts of the Project on community character, referencing completed historic resource and visual assessments where appropriate. The evaluation will consider the Project's compatibility with surrounding land uses patterns, architectural character, and existing facilities and structures known for their historic or community importance, and potential for the Project to create additional demand for community services, such as fire protection, emergency response, and public safety services. The DEIS will address public comments related to health and safety concerns, including the potential for fire, thermal runaway, or incidents involving firefighting runoff or combustion byproducts; public notification procedures; evacuation planning; and potential effects on surrounding residences, Hurley Avenue, and NYS Thruway, will be addressed in detail.

3. Community Character Avoidance and Minimization Measures

The DEIS will describe the measures proposed to avoid and minimize potential impacts to community character. Measures may include building setbacks from public roads and adjacent properties, visual screening and buffering, thoughtful site design, and operational controls intended to reduce visual, noise, and safety-related effects. This section of the DEIS will also describe the Project's Emergency Action Plan.

J. Impact on Disadvantaged Communities

1. Existing Disadvantaged Community

The Project Site is located within a community identified as a disadvantaged community under New York State environmental justice screening criteria. The DEIS will describe existing environmental, demographic, and socioeconomic conditions in the area surrounding the Project Site, including baseline exposure to environmental stressors and existing land use patterns. The analysis will characterize existing sources of noise, air emissions, wastewater discharges, generation of odors and light pollution, solid waste management and other environmental conditions within the community. The DEIS will also describe the regulatory

framework applicable to environmental justice review, including the Environmental Justice Siting Law and any related New York State guidance.

2. Potential Impacts to Disadvantaged Communities

The DEIS will evaluate the potential for the Project to result in disproportionate adverse environmental or public health impacts on the disadvantaged community. The analysis will address both direct and indirect impacts associated with construction, operation, and emergency scenarios, including but not limited to potential noise, air, emissions, light and stormwater runoff. The evaluation will consider potential cumulative impacts in the context of existing environmental burdens within the community. Public concerns related to health, safety emergency preparedness and community notification will also be considered.

3. Disadvantaged Community Avoidance and Minimization Measures

The DEIS will describe measures incorporated into the Project to avoid and minimize potential adverse impacts to the disadvantaged community. Measures may include design features and operational controls intended to limit noise, emissions, lighting, and other environmental stressors; enhanced stormwater management and water quality protection practices; and compliance with applicable fire, safety, and environmental regulations. The DEIS will also describe outreach and coordination efforts undertaken to engage community members and address environmental justice considerations, including coordination with emergency responders and local agencies to support effective emergency preparedness and public notification. The DEIS will identify avoidance and minimization measures and explain how potential effects on the disadvantaged community are minimized to the maximum extent practicable.

VIII. CUMULATIVE IMPACTS

The DEIS will summarize the potential cumulative environmental impacts of the proposed Project with respect to other proposed projects (i.e., under review by the Town of Ulster) or recently approved projects that have been determined to result in significant adverse environmental impacts to the same resources as the Project. Consistent with SEQRA, the cumulative impact analysis will focus on whether the impacts resulting from the proposed Project, combined with impacts from other related local actions, could result in cumulative significant adverse environmental impacts to the same resources.

Cumulative impacts are required to be evaluated when actions are proposed, or can reasonably be anticipated, to occur simultaneously or sequentially in a way that combined impacts may be significant. As with direct impacts, the analysis of cumulative impacts will be limited to reasonably foreseeable actions and will not include speculative development. The cumulative impact analysis will evaluate projects approved by the Town within the last five years, and proposed actions (i.e., under Town review), located within a 0.5-mile radius of the Project that have the potential to result in significant adverse impacts to the same environmental resources.

1. Existing Conditions

The DEIS will describe existing conditions and reasonably foreseeable development within the Town, including a summary of projects for which applications have been filed or approved but are not yet completed, for purposes of evaluating cumulative and off-site impacts.

2. Potential Impacts

The DEIS will evaluate the potential cumulative impacts of the Project when considered in conjunction with other past, present, and reasonably foreseeable projects. The analysis will address cumulative effects of those potentially significant adverse environmental impacts identified for the Project, including potentially significant impacts on Land, Aesthetic Resources, Historic and Archeological Resources, Energy, Consistency with Community Plans, and Consistency with Community Character. The level of detail presented in the DEIS will be based on the extent of information publicly available for the previously identified projects to be included in the cumulative assessment. The DEIS will also describe whether the Project could reasonably be expected to result in similar facilities being proposed in proximity to the Project Site.

3. Avoidance and Minimization Measures

The DEIS will include a discussion of avoidance and minimization measures intended to avoid or minimize potential cumulative impacts associated with the Project, where applicable.

IX. SIGNIFICANT ADVERSE UNAVOIDABLE IMPACTS

The DEIS will include a discussion of the significant adverse environmental impacts identified in Section III that can be expected to occur regardless of the avoidance and minimization measures proposed. Based on the information assessed and evaluated to date, it is not anticipated that the proposed Project will result in significant adverse unavoidable impacts.

Compliance with applicable fire, building, and safety codes will be required as a condition of Project approval and verified by the applicable Authority Having Jurisdiction (AHJ), including the Fire Code Official and/or Code Enforcement Officer, prior to construction and operation; such compliance determinations are separate from, and subsequent to, the SEQR process.

X. ALTERNATIVES

The following reasonable alternatives to the proposed Project will be evaluated in the DEIS. The level of detail of each alternative may be conceptual in nature but sufficient to allow the Lead Agency to evaluate the range of reasonable alternatives against the proposed action:

A. The "No Action" alternative will be addressed as required under 6 NYCRR 617.9.b.5. The DEIS will evaluate the "No Action" alternative, which assumes that the Project would not be constructed and the Project Site would remain in its existing condition.

B. Reasonable alternative site layouts, designs, and scales, as well as alternative energy storage technologies, will be discussed. The DEIS will evaluate reasonable alternative site

layouts and Project designs, including variations in facility configuration, equipment placement, type of equipment, and magnitude and capacity of the Project.

C. Availability and suitability of alternative sites, including sites previously identified by the Town of Ulster and Ulster County and evaluated by the Applicant, including the Town of Ulster Industrial Park (Lincoln Park Grid Support Center), and sites located on Wood Road in the Town of Kingston and East Church Road in the Town of Saugerties.

XI. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

The DEIS will identify those natural and man-made resources consumed, converted, or otherwise made unavailable for future use because of the Project.

XII. GROWTH INDUCING ASPECTS

The DEIS will describe potential growth inducing aspects as a result of the proposed Project.

XIII. EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

The DEIS will describe the energy sources to be used, anticipated levels of energy consumption, and any applicable energy conservation measures proposed. The DEIS will discuss the NYSEP and will describe whether the proposed Project is consistent with the NYSEP. Consultation with the Department of Public Service regarding the NYSEP will also be discussed.

APPENDICES

A. Correspondence (including all SEQRA documentation).

B. Geotechnical Report

C. Wetland Delineation Report

D. Hydrological Analysis

E. Threatened and Endangered Species Memorandum and Consultation

F. Visual Impact Analysis

G. Cultural Resources Consultation

H. Noise Analyses

I. Storm Water Pollution Prevention Plan

J. Engineering Drawings

K. Other, as Appropriate

L. Consultant Qualifications

M. Copies of the Joint Application Form, air application, and other relevant supporting permit application documents

N. List of Acronyms and Abbreviations

Maps: All maps necessary to illustrate subject matter, including but not limited to:

- Boundary Survey
- Consolidated Plan
- Site Plan
- Grading Plan
- Erosion and Sediment Control Plan
- Utility Plan
- Landscaping Plan
- National Historic Landmark District and the Estates District (SASS)