

**FINAL SCOPING DOCUMENT
FOR THE PREPARATION OF A DRAFT
ENVIRONMENTAL IMPACT STATEMENT
FOR ORANGE AND ROCKLAND SUBSTATION
TO BE LOCATED ON HARTLEY ROAD
TOWN OF GOSHEN, ORANGE COUNTY, NEW YORK**

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GENERAL GUIDELINES

The Draft Environmental Impact Statement ("DEIS") will address all items in this Scoping Document and conform to the format outlined in this Scoping Document. If appropriate, impact issues listed separately in this outline may be combined in the DEIS, provided all such issues described in this Scoping Document are addressed as fully in a combined format, as if they were separately addressed.

The document should be written in the third person. The terms "we" and "our" should not be used. The Applicant's conclusions and opinions should be identified as those of the "Project Sponsor", "Applicant" or the "Developer".

Narrative discussions should be accompanied by appropriate charts, graphs, maps and diagrams whenever possible. If a particular subject matter can most effectively be described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically. All plans and maps showing the site shall include adjacent homes, other neighboring uses and structures, roads, water bodies and a legend.

The entire document should be checked carefully to ensure consistency with respect to the information presented in the various sections.

Environmental impacts should be described in terms that the layperson can readily understand (e.g., truck-loads of fill and cubic yards rather than just cubic yards).

All discussions of mitigation measures should consider at least those measures mentioned in the Scoping Outline. Where reasonable and necessary, mitigation measures should be incorporated into the Proposed Action if they are not already included.

All discussions of adverse impacts must, whenever possible, offer more than one method to mitigate the potential impact. The potential mitigation measures should be considered with input from the involved agencies.

The DEIS is intended to convey general and technical information regarding the potential environmental impacts of the proposed project to the Lead Agency, as well as several other agencies involved in the review of the proposed project. The DEIS is also intended to convey the same information to the interested public. The Preparer of the Draft Environmental Impact Statement is encouraged to keep this audience (of the DEIS) in mind as it prepares the document. Enough detail should be provided in each subject area to ensure that most readers of the document will understand and be able to make decisions based upon the information provided.

Because the DEIS will become a document that may, if appropriate, support objective findings upon the approvals requested under the application, upon acceptance by the Lead Agency, the Preparer is requested to avoid subjective statements regarding potential impacts. The DEIS should contain objective statements and conclusions of facts based upon technical analyses. Subjective evaluations of impacts where evidence is inconclusive or subject to opinion should be prefaced by statements indicating that "It is the Applicant's opinion that As Lead Agency, the Town of Goshen Planning Board reserves the right during review of the document, to request that subjective statements be removed from the document or otherwise modified to indicate that such subjective statements are not necessarily representative of the findings of the Planning Board.

BRIEF DESCRIPTION OF THE PROPOSED ACTION

Orange and Rockland Utilities, Inc. (sometimes the "Applicant" and sometimes "ORU") has applied to the Town of Goshen Town Board and to the Planning Board for a Special Permit and Site Plan Approval respectively, to construct a new electrical substation on its property (the Property") located at the intersection of Hartley and Cheechunk Roads. The tax map designation for the Property is Section 12, Block 1, Lot 1.7. ORU is the owner of the Property which consists of 48.73± acres. The substation driveway is intended to be located on Cheechunk Road. The Property is located partly in an RU (Rural District) zoning district (in which public utility substations are permitted by Special Permit issued by the Town Board), partly in an SR (Scenic Road Overlay District), and partly in the CO (Commercial/Office Mixed-Use District).

SITE PLAN

The proposed substation is centrally located on the western half of the Property and is situated in the southwest corner of an open field delineated by a rock wall adjacent to the existing Orange and Rockland Utilities, Inc. ("ORU") transmission right-of-way. The station will occupy an area of approximately 210 ft. X 210 ft. (44,100 square feet). To minimize the visual impact the station will be set back approximately 215 feet from Cheechunk Road and the driveway will curve to eliminate a direct view of the station from the road. All of the existing rock walls are to be maintained to the greatest extent feasible. The driveway entrance is accessed through an existing opening (farm access road) in the rock wall along Cheechunk Road.

The Action has been classified as Unlisted under SEQRA and the Lead Agency has determined to conduct a coordinated review and approval by other agencies. A determination was made by the Lead Agency on February 17, 2011 and filed in accordance with Sections 617.7 and 617.12 of the State Environmental Quality Review Act.

INVOLVED AGENCIES

A variety of permits and approvals are required for this project from the following agencies:

Agency	Approval/Permit/Review
Town of Goshen	
Town Board	Special Permit for Electrical Substation and Acceptance of conservation easement affecting a portion of the lands within which the development site is included, provided the granting of such conservation easement is authorized by the New York State Public Service Commission
Planning Board	Site Plan Approval
Highway Department	Highway Work Permit
Zoning Board of Appeals	Variances
New York State Agencies	
Department of Environmental Conservation	SPDES General Permit for Stormwater Discharge from Construction Activities and Operation of Electrical Substation
Public Service Commission	Approval of Conservation Easement

INTERESTED AGENCIES

U.S. Army Corps of Engineers	
Town of Goshen Environmental Review Board	
Orange County Department of Planning	GML § 239-m referral

SCOPE OF THE ENVIRONMENTAL IMPACT STATEMENT

The following items are required elements of the Draft Environmental Impact Statement (DEIS).

A. Cover Sheet

The cover sheet shall identify the following:

1. Identification as the Draft Environmental Impact Statement;
2. The date the document was submitted to the Planning Board;
3. Environmental Impact Statement Distribution;
4. The name and location of the Project;
5. The Lead Agency for the Project, and the name, address, telephone number of the contact person for the Lead Agency, and website of the Lead Agency;
6. The name and address of the Project Sponsor, and the name, address and telephone number of the contact person representing the applicant;
7. The name and address of the primary preparers of the DEIS, and the name, address and telephone number of the contact person representing the preparer;
8. The date the DEIS was accepted by the Lead Agency as complete, i.e., adequate for public review (to be inserted at a later date);
9. The date of the public hearing, and any subsequent adjournments, on the DEIS (to be inserted at a later date);
10. The date which written public comments on the DEIS are due to the Planning Board (to be inserted at a later date);
11. All revision dates of the DEIS.

B. Table of Contents

The DEIS will include a Table of Contents identifying major sections and subsections of the document. The Table of Contents must also include a list of figures, tables, appendices and any additional volumes if necessary.

C. Body of the Document

Chapter I: Executive Summary

An Executive Summary shall be required as part of the DEIS. No information will be included in the Executive Summary that is not found within the body of the document. The executive summary will include the following elements:

1. An introduction, including the purpose of the DEIS, a relevant history of the SEQRA process and other legal proceedings that have occurred.
2. List of Involved and Interested Agencies and Required Approvals
3. Summary of Existing Conditions, Potential Impacts and Proposed Mitigation – This section should be organized by topic areas of discussion, as presented in this scoping document under the Chapter III below, in tabular form if possible. Discussion should be brief and can reference back to the Section where more information can be found.
4. Project Purpose, need and benefits.
5. Summary of Alternatives.
6. Unavoidable Adverse Impacts and Irreversible and Irretrievable Commitment of Resources.

Chapter II: Description of Proposed Action

1. Site Location and Description – This section will include a narrative description and graphical representation of the regional and area location of the proposed project. In addition, the tax map designation, abutting streets, utilities and infrastructure, surrounding land uses and existing zoning categories will also be presented.

Existing Site Description – Provide a short description, as well as a brief history of the subject property and characterize its topographical, water, natural features and use of the property and where existing changes to its natural state have occurred (*i.e.*, locations of buildings and/ or farming activities). A site location map and an existing conditions map will be provided.

2. Description of Proposed Action – A narrative description of the proposed project, zoning requirements will be provided and the Applicant shall indicate if any waivers or variances will be required.

Project Description Overview – Provide sufficient narrative detail to provide an overview of the project design including all major elements to be constructed such as buildings, roads and utility infrastructure.

3. The proposed Site Plan, including proposed limits of site disturbance.
4. Project purpose, need and benefits.
5. Construction Impact – Include a brief discussion of single phase plan, as well as provide a summary of potential impacts that are likely to occur during the period of the construction of the project.
6. Permits and Approvals.

Chapter III: Existing Conditions, Anticipated Impacts and Proposed Mitigation Measures

1. Land Use, Zoning and Public Policy

- a. Existing Conditions:

Existing zoning and land use within a half mile of the project site will be discussed and presented graphically.

Existing zoning and land use on the Property, including a description of what is permitted in the zoning districts and applicable overlay districts. Other requirements related to the site, such as the Heritage Trail right-of-way will be shown on the plan and addressed in the text.

Address the environmental impacts for an underground alternative. Discuss the impact of underground transmission lines if variance is not granted for overhead transmission lines.

- b. Potential Impacts:

Relationship with surrounding land uses including sensitive uses such as parks (Heritage Trail) and agricultural uses.

Project's relationship to existing zoning, including regulations applicable to the proposed Hartley Road Electrical Substation.

c. Proposed Mitigation:

Proposed and potential mitigation measures for identified adverse environmental impacts will be discussed.

2. Visual Character

a. Existing Conditions:

This section will document views from public roadways into the project site. Views analysis will include the following locations:

- Cheechunk Road at its intersection with Owens Road.
- Heritage Trail near the location of the existing overhead transmission lines.
- Intersection between Cheechunk Road and Hartley Road taken from Echo Lake Road 500' feet from the intersection.
- Hartley Road 450' feet west of the location of the support poles for the proposed overhead transmission lines.
- Cheechunk Road at the location of the proposed driveway for access to the substation site.
- Cheechunk Road 500' feet east of the proposed driveway for access to the substation site.
- Cheechunk Road, 100' feet north of its intersection with Hartley Road

Photographs of the site and its environs will be provided in this chapter. Prevalent land forms, vegetative cover and stonewalls (for example) within the project site that are visible from public roadways or other public resources such as the Heritage Trail.

b. Potential Impacts:

Description of project's physical design, site lighting, landscaping plan including proposed buffering. Visual impacts related to the construction of the substation facility will be evaluated, which shall include the views listed above.

By the use of photographs, cross sections or photo simulations, elevations and/or sketches, the post-construction views into the project site from the locations listed above. At a minimum, photographs, cross sections or photo simulations will be utilized to illustrate the potential visual impact of this project.

Discuss any adverse impacts related to the character of the surrounding area, and the effect of the project upon residential values in the neighborhood of the project.

c. Proposed Mitigation: Proposed and potential mitigation measures for identified adverse environmental impacts will be discussed, including the potential for vegetated berms, wooded buffers and stone walls. Unavoidable adverse environmental impacts will be identified.

3. Vegetation and Wildlife

a. Existing Conditions:

Updated site information concerning rare, endangered and threatened species, and species of conservation concern will be obtained from the NYS Natural Heritage Program, NYS Department of Environmental Conservation ("DEC") and the US Department of the Interior Fish and Wildlife Service (The DEC definitions for these terms will be used.) This list will include, but not be limited to the Indiana bat and bog turtle.

The Applicant shall engage a qualified consultant in flora, to walk the property, take an inventory of and provide a study concerning rare, endangered and threatened species, and species of conservation concern. The Applicant shall hire a qualified consultant in fauna, to walk the property, take an inventory of and provide a study concerning rare, endangered and threatened species, and species of conservation concern.

Describe onsite vegetative communities. Mappings for habitats of threatened, rare and endangered species will be provided. For purposes of this DEIS, a habitat is a place where a plant or animal lives, with all the living and nonliving conditions necessary for it to thrive. Also, an ecological community shall be considered an assemblage of plants and animals that interact in a shared environment, and a vegetative community is only the plant component of the assemblage.

The existing habitats onsite, within the areas of disturbance, should be identified and described, including terrestrial, wetland and aquatic habitats. Identify those species that are rare, endangered, threatened or are species of conservation concern, as identified by the NYS Natural Heritage Program, NYS DEC, and US FWS, that can be supported by those habitats described as being present onsite.

b. Potential Impacts:

Discuss the project's potential impacts to habitats of threatened, rare and endangered species that use them, as identified in Section 3 a. above. This will include a discussion of any onsite or downstream water quality or temperature impacts on animals and plants.

In addition, the impact on existing trees within the limits of potential site disturbance will be presented. All trees within the site disturbance area, of 12" dbh @ four (4) feet above grade will be identified and shown on a tree survey plan.

c. Proposed Mitigation:

Proposed and potential mitigation measures for identified adverse environmental impacts will be discussed. Unavoidable adverse environmental impacts will be identified.

4. Wetlands and Surface Water Hydrology

a. Existing Conditions:

A map of all existing wetlands will be included, verified by the US Army Corps of Engineers ("ACOE") and the extent of New York State Department of Environmental Conservation ("DEC") wetlands.

Regulated State and Federal wetlands and other surface water or flood plains will be described (including size, classification and appropriate jurisdiction) and delineated as well as associated buffers as enacted by the NYS DEC and ACOE.

Identify any wetlands on the Property or buffers from adjacent properties that extend onto the project site, in accordance with the Town of Goshen Code.

b. Potential Impacts:

Identify and discuss all wetlands (as defined by the Town of Goshen Code) and/or buffer encroachments and the reason for such encroachments. Identify all direct and indirect impacts on wetlands from construction or stormwater management systems.

Discuss the potential impacts for soil erosion and sediment control, in accordance with DEC regulations.

c. Proposed Mitigation:

Proposed and potential mitigation measures for identified adverse environmental impacts will be discussed.

5. Stormwater Management

a. Existing Conditions:

Existing drainage patterns.

b. Potential Impacts:

Post construction drainage patterns, flows, quality and quantity, as defined in the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities will be described.

Discussion of transformer oil.

c. Proposed Mitigation:

Proposed and potential mitigation measures for identified adverse environmental impacts will be discussed.

6. Geology, Topography and Soils

a. Existing Conditions:

Underlying bedrock, soil conditions and topographic features of the site will be described utilizing data provided in the Orange County Soils Survey and supported with information provided by actual borings when necessary.

b. Potential Impacts:

Discussion of potential impacts based upon soil borings.

c. Proposed Mitigation:

Proposed and potential mitigation measures for identified adverse environmental impacts will be discussed. Unavoidable adverse environmental impacts will be identified.

7. Traffic and Transportation

a. Existing Conditions:

Description of adjacent roads and classification.

b. Potential Impacts:

Study will include a sight distance evaluation and comparison to AASHTO guidelines and Town of Goshen sight distance standards.

Updated estimate of number of vehicles will be provided and identification of potential traffic patterns.

The impact of traffic patterns due to trenching for electrical utility connections will be discussed.

c. Proposed Mitigation:

Proposed and potential mitigation measures for identified adverse environmental impacts will be discussed. Unavoidable adverse environmental impacts will be identified.

8. Cultural Resources

a. Existing Conditions:

Historic resources on-site and within a one-half mile radius will be identified and those on site studied in accordance with the NYS Standards for Cultural Resources Investigation.

b. Potential Impacts:

Impacts identified to archeological, cultural or historic resources.

c. Proposed Mitigation:

Proposed and potential mitigation measures for identified adverse environmental impacts will be discussed.

9. EMF Analysis

a. Existing Conditions:

This section will discuss the electromagnetic fields that currently exist on the project site. The description will detail the EMF levels at different locations on the project site at the property line.

b. Potential Impacts:

This section will discuss the proposed electromagnetic fields at the project site. The description will detail the EMF levels at varying locations at the Property Line for each alternative. It will also discuss the criteria set forth by the NYS Public Service Commission.

Discuss the significance of any changes in EMF levels at the property lines.

c. Proposed Mitigation:

Proposed and potential mitigation measures for the identified impacts will be discussed.

10. Noise

a. Existing Conditions:

This section will discuss the noise levels that currently exist on the project site. The description will detail the decibel levels at different locations on the Property Line.

b. Potential Impacts:

This section will discuss the proposed noise at the project site resulting from two transformers on site. The description will detail the decibel levels at varying locations on the Property. It will also discuss the noise criteria set forth by the Town of Goshen Zoning Code.

c. Proposed Mitigation:

Proposed and potential mitigation measures for the identified impacts will be discussed.

Chapter IV: Construction Impacts

This chapter will outline the construction schedule for the project. Hours of construction will be provided. Environmental impacts related to construction, including noise (as regulated under the Town of Goshen Code), construction traffic and dust control will be discussed, with references to truck traffic and impacts to and weight limits on Town roads.

Chapter V: Alternatives

1. No Action Alternative
2. Failure to secure variance to allow overhead transmission lines.

Chapter VI: Unavoidable Adverse Impacts

This Section will identify and summarize those adverse environmental impacts that can be expected to occur, with or without possible mitigation measures.

Chapter VII: Irreversible and Irretrievable Commitment of Resources

This chapter will summarize the proposed project and its Environmental Impacts in terms of the loss of environmental resources, both in the immediate future and in the long term.

Chapter VIII: Growth Inducing Impact

This chapter will discuss whether there is a growth inducing impact as the consequence of the approval and construction of the project.

Technical Appendices

1. SEQRA Documentation: EAF, DEIS Scope and Agency Correspondence
2. SWPPP and supporting data
3. Wetland Delineation Map and all other technical reports
4. Site Plan (Full size)
5. Natural resources reports: Bog Turtle and Indiana Bat
6. Subsurface Exploration Report
7. Appraisal Report
8. Acoustical Impact
9. Magnetic Field Modeling Assessment
10. Archaeological Survey B Phases 1A and 1B
11. Resumes of Professionals submitting reports