

**DRAFT PREPARED FOR INTERESTED AND INVOLVED AGENCY
COMMENTS**

State Environmental Quality Review Act (SEQRA)

**SUPPLEMENTAL DRAFT ENVIRONMENTAL
IMPACT STATEMENT (SDEIS)**

SCOPING DOCUMENT

ORANGE AND ROCKLAND UTILITIES

**LITTLE TOR ROAD ELECTRICAL SUBSTATION, GAS REGULATOR
AND A CELL TOWER UPGRADE**

Planning Board

Town of Clarkstown, Rockland County, NY

DRAFT, REVISED March 6, 2013

**PROJECT: O & R UTILITIES (ORU) – CONSTRUCTION OF AN ELECTRICAL
SUBSTATION (INCLUDING (2) 50 MVA TRANSFORMERS AND (1) 25 MVA
TRANSFORMER), A GAS REGULATOR UPGRADE AND A CELL TOWER
ANTENNA UPGRADE**

CLASSIFICATION OF ACTION: Type 1 Action

Lead Agency: Town of Clarkstown Planning Board

**LOCATION: Southwest corner of the intersection of Little Tor Road and South
Mountain Road, Hamlet of New City, Town of Clarkstown, Rockland County**

GENERAL SCOPING CONSIDERATIONS

Unless otherwise directed by this Scoping Document, the provisions of 6 NYCRR 617.9(a)(7) applies to the content of the Supplemental DEIS and is incorporated herein by reference.

The Supplemental DEIS will assemble relevant and material facts, evaluate alternatives, and be analytical. 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, if it must be included in its entirety, will be referenced in the Supplemental DEIS and included in an appendix.

Narrative discussions will be accompanied by illustrative tables and graphics. All graphics will clearly identify the project area. Footnotes may be used as the form of citing references. Opinions of the applicant will be identified as such.

Full-scale plans will accompany the Supplemental DEIS as an appendix and reduced size copies of pertinent plan sheets and details will be included in the text of the Supplemental DEIS. The document shall contain plans, reports, and studies meeting prevailing Federal, State and Town criteria with respect to all disciplines of study as well as Town of Clarkstown standards.

SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT STATEMENT (SDEIS) CONTENT

Cover Sheet. Must include the following:

- (i) Type of EIS whether it is a draft or final EIS;
- (ii) the name or descriptive title of the action;
- (iii) the location (county and town, village or city) and street address, if applicable, of the action;
- (iv) the name and address of the lead agency and the name and telephone number of a person at the agency who can provide further information;
- (v) the names of individuals or organizations that prepared any portion of the statement;
- (vi) the date of its acceptance by the lead agency; and
- (vii) in the case of a draft EIS, the date by which comments must be submitted

Table of Contents.

The Table of Contents indicates the list of Chapters of the SDEIS and page numbers as well as lists of all figures, tables and appendices of the SDEIS. The SDEIS format will address those issues identified as potentially significant adverse environmental impacts not addressed or inadequately addressed in the Draft Environmental Impact Statement (DEIS). The Chapters of the SDEIS will be formatted independent of the DEIS. Information from the DEIS may be referenced in the SDEIS as Appendices.

Executive Summary

- A. Introduction and Background – Orange and Rockland Utilities (ORU), the Applicant, prepared and submitted a DEIS to construct a new electrical substation consisting of (2) 50 MVA transformers and (1) 25 MVA transformer, a new upgraded gas regulator station and a cell tower antenna upgrade. Multiple public hearings were held to allow public review of the DEIS. During the public review potentially adverse environmental impacts were identified that were either not addressed or inadequately addressed in the Draft Environmental Impact Statement (DEIS). The Planning Board, based on the public comment and their review made a decision to require the Applicant to provide a Supplemental DEIS. The following is a list of the categories that the SDEIS will address:
- Existing Conditions – An examination of elements that were not in place during the examination of existing conditions in preparation of the DEIS (i.e. temporary substation)
 - Analysis of the need for (2) 50 MVA transformers and (1) 25 MVA transformer including justification for termination of the Tilcon (Haverstraw) substation
 - Impact on Water
 - Impact on Air
 - Impact on Aesthetic Resources
 - Impact on Public Health
 - Impact on Community Character
 - Impact on Community Facilities
 - Impact on Economic Conditions
 - Comprehensive evaluation of Alternatives to the proposed site
- B. The Executive Summary will include a brief description of the proposed action and a listing of all potentially significant adverse environmental impacts identified during the DEIS public hearing process and provide detailed information on proposed mitigation measures.
- C. Statement of project purpose and need at this location as identified during the DEIS public hearing process.
- D. Summary of significant adverse environmental impacts identified in each subject area as identified during the DEIS public hearing process.

- E. Summary of mitigation measures proposed for significant adverse environmental impacts as identified during the DEIS public hearing process.
- F. Description of alternatives to include but not limited to those identified through the DEIS public hearing process.
- G. Graphic Illustrations will be included.

NOTE: The purpose of the environmental review is to examine a proposed action and to eliminate or mitigate significant adverse environmental impacts to the maximum extent practicable. Existing conditions are considered to be part of the baseline or background conditions. These existing conditions are not generally subject to review for mitigation under SEQRA.

CHAPTER I - DESCRIPTION OF THE PROPOSED ACTION

A. Site Location and Description

1. A summary of written and graphic description of the location of the project site in the context of the Town of Clarkstown for reference in the SDEIS.
2. Description of the environmental setting of the site and the natural resources identified thereon, including the Town designated Historic Road (South Mountain Road, the area along the Hackensack tributaries and impacts on Lake Lucille for reference in the SDEIS.
3. Description of the existing infrastructure serving the project site and/or its immediate environs, including site access and road network. This description must include the temporary substation. SEQRA requires that an environmental review of existing conditions must be included in the SDEIS. The temporary substation must be included in the SDEIS since the temporary substation was new information not available prior to the public hearing and it is thereby open for environmental review. All environmental impacts of the temporary substation are to be included. This includes those impacts that are a result of the installation, to include but not limited to tree removal, grading, roadway installation, stormwater management and environmental analysis of the electromagnetic fields (EMF's) created as a result of this installation. An analysis of the EMF's produced from the temporary substation is to be provided with a comprehensive description of the temporary substation, describing its use and

purpose, including the date the use will be terminated. Any existing emergency incident management plan based on the presence of a gas regulator, temporary substation and cellular antenna is to be analyzed. The analysis should further examine the increase in electrical load on the existing distribution lines as a result of the temporary substation being in service.

B. Description of the Proposed Action

1. Written description of the proposed action, including the proposed of both short term utilization and the phase in for full utilization of the (3) transformers including a comprehensive timeline for full utilization. This description should include the anticipated use of the upgraded gas regulator and the proposed use of the substation, including a comprehensive review of the customer base (including % of customers, by residential and non-residential, average load by residential and non residential, and peak load by residential and non-residential) for the proposed substation as well as the upgraded gas regulator.. Additionally, the description should include existing power sources (substation(s)) for the Hamlet of New City. This must include current and proposed/projected usage with a complete description of usage. This should be both in narrative and graphic form. The description should include any addition/modification of transmission and/or distribution lines (to include any realignments and or upgrades to lines needed at this time or anticipated in the future) to serve the substation and its service area and the increased demand that can be accommodated by the substation. Analysis of “load” on all distribution and transmission lines (to be shown by time of day and day of week). Increased electrical load on existing lines (distribution and transmission) as a result of the proposed action should be shown comparing existing conditions as baseline data to the proposed electric load after installation of the substation. For purposes of review the temporary substation should not be in service when a review of the distribution/transmission line loads is evaluated. This analysis should include the electric load on all transmission/distribution lines showing EMF’s in adjacent distribution lines including but not limited to the transmission lines through Hi-Tor Mountain, the distribution lines along South Mountain Road including Lake Lucille and those on Little Tor Road and Denver Drive.

C. Project Purpose and Need

1. Provide detailed analysis of the purpose, provide comprehensive information related to the need for the two 50 MVA transformers and the dedicated 25 MVA transformer for Tilcon (Haverstraw). Provide details and justification for termination rather than upgrade of the existing Tilcon (Haverstraw) substation and a comprehensive analysis and reasons for the relocation of the Tilcon substation to the proposed Little Tor Road site. Provide a detailed analysis of existing area substations (New Hempstead, Haverstraw, Congers, and West Nyack) and potential for their upgrades to provide additional MVA.
2. Describe the potential need for electricity by new developments in the area, particularly large commercial users such as the proposed desalination plant in Haverstraw and how they will be serviced.

CHAPTER II – ENVIRONMENTAL SETTING, IMPACTS, MITIGATION

This section of the Supplemental DEIS will identify the existing environmental conditions, potential impacts of the action, and proposed mitigation measures as appropriate for each of the major issues identified in this Scoping Document. Sufficient detail should be provided so that reviewers are able to gain an understanding of current conditions and impacts. The format or organization of this section will include the following subsection headings for each topic or impact issue to be addressed in the Supplemental Draft Environmental Impact Statement (SDEIS):

Existing Conditions

Potential Impacts

Mitigation Measures

This format provides for a meaningful presentation of the environmental issues that allows the reader to focus on individual impact issues.

The SEQR process is, in part, a disclosure process. For this disclosure to be complete and to allow for understanding and participation by the Planning Board, other involved and interested agencies, and the public, including neighbors and interested groups, all potential impacts should be fully evaluated.

A. IMPACT ON WATER

1. Existing Conditions

- a. Describe in summary form surface water resources and wetlands based on published, federal, state and local wetland mapping resources including site and nearby water resources, including Hackensack tributaries and Lake Lucille.
- b. Evaluate existing potable drinking water supply, including wells providing service to nearby residences. Identify properties served by wells within a one mile radius.
- c. Identify aquifers in the area of the proposed project site and provide mapping.

2. Potential Impacts

- a. Describe the potential impacts to surface water resources from possible on-site contaminants including but not limited to oil or other contaminants currently or to be used on-site. Provide Material Safety Data Sheets (MSDS) for all elements intended to be utilized in the proposed substation, upgraded gas regulator and the antenna upgrade. Identify quantities of each material now or to be located on-site. Include an analysis of potential leakage of oil or other substances from the facility and the impact on the site, the adjacent areas, including the Hackensack tributaries, Lake Lucille and the potable water system/sources in the area. All environmentally sensitive areas in the vicinity of the proposed project site will be identified and all potential impacts to these sites will be analyzed. Provide an analysis of the natural surface and subsurface flow pattern from the site to the surrounding area.
- b. Describe the potential impact of development of the project site on surface water resources, groundwater and wetlands.
- c. Describe the dissolved phase of organics transporting into groundwater impacting area wells.

3. Mitigation

- a. Provide a qualitative analysis of the proposed stormwater management and site containment system and the use of geo-composite material. Provide details of the materials that comprise geo-composite, including documentation of the use of geo-composite materials use in containment systems of this type (substation and gas regulator) and provide reference material where this technology is in use for this application.
- b. Provide detailed analysis of the use of leak sensor technology to be employed for transformers on site, providing documentation on the use of this technology for this application. Provide reference material where this technology is in use.
- c. Describe methods and best management practices that will lessen erosion and prevent contaminants from migrating off-site or into nearby waterbodies/wetlands including an evaluation of their effectiveness to mitigate impacts.
- d. Describe the oil water separator mechanism and provide a comprehensive review regarding preventing malfunctions, and response activities in the event of malfunction.
- e. Describe the mechanisms to be used to eliminate dissolved phase of organics transporting into groundwater impacting area wells.

B. IMPACT ON AIR

1. Existing Conditions

Describe prevailing wind patterns within one half mile including deviations caused by topographic variation.

2. Potential Impacts

- a. Identify impacts on air quality as a result of fire/explosion from the temporary substation and/or the proposed substation, and gas regular including a review of all potential contaminant/hazardous materials included in the temporary

substation, proposed substation and gas regulator as well as the combined impacts on air quality of a fire/explosion with the cell tower, gas regulator and the proposed substation and the potential impacts on local residents and the surrounding land features, including the residential areas and the mountainous area.

3. Mitigation

Discuss measures, if any, which would be implemented to mitigate the impacts on air quality and human health from fire/explosion. .

C. IMPACT ON AESTHETIC RESOURCES

1. Existing Conditions

- a. Describe the existing conditions in the South Mountain/Little Tor Road corridor. Include photography of existing visual conditions on and off the project site during leaf off condition, including the visual impacts of the temporary substation. The description should incorporate changes to the DEIS analysis of visual impacts based on the site disturbance for installation of the temporary substation.
- b. Qualitatively describe the visibility of the overall project components from four specific vantage points as identified by the lead agency, during leaf off. This should be in narrative and graphic form.

2. Potential Impacts

- a. Qualitatively describe the visual impacts the proposed construction will have on properties located nearby of (3) three utilities, a substation consisting of (3) transformers, the upgraded gas regulator and a telecommunication tower. Since the proposed action includes combining these three utilities the impact should include the cumulative visual impact during leaf off.
- b. Describe the visual impact of the temporary substation. Provide photographs of the temporary substation on-site and from at least (4) four off-site locations to be identified by the Planning Board. This impact should

include the visual impact on the surrounding residential properties during leaf off. SEQR states that existing conditions must be included in the SDEIS and since the temporary substation was new information not available prior to the public hearing it is open for environmental review.

3. Mitigation

- a. Evaluate enclosing the substation and gas regulator within structures that would assimilate into the surrounding neighborhood.
- b. Evaluate constructing the substation using Gas Insulated Switchgear
- c. Evaluate constructing the substation and gas regulator underground
- d. Evaluate constructing the substation at an alternative location such as at the industrial site at Tilcon (Haverstraw) or other non-residential site and/or evaluate upgrading one of the existing substations to accommodate the additional MVA transformers proposed.

D. IMPACT ON PUBLIC HEALTH

1. Existing Conditions

- a. Describe the existing conditions in the South Mountain/Little Tor Road corridor, describing the surrounding rural residential environs.
- b. Provide detailed information of the current EMF's produced by the existing electric primary distribution/transmission lines, and compare this to the short term (immediate utilization) and long term (phase in to full capacity) including the changes in EMF's on-site and on the distribution/transmission lines related to the installation of the electric substation.. This analysis should include distribution lines along South Mountain Road to include Lake Lucille, Little Tor Road and Denver Drive. This information is to be provided in narrative and in graphic form.

2. Potential Impacts

- a. Describe the changes in the EMF's on-site and on the distribution lines in the vicinity of Little Tor Road, Denver Drive, South Mountain Road, including Lake Lucille as a result of the proposed electrical substation. Describe the changes in EMF's (due to load) on the Hi-Tor transmission lines. This analysis should also include analysis by day of week, time of day and provide seasonally adjusted data (for example summer usage versus winter usage).
- b. Provide baseline EMF's within the property, on the property lines, areas within 1,000 feet of the substation at intervals along the existing distribution and transmission lines at 500 foot intervals for a distance of 1 mile and provide the same information through calculations of the EMF's/MVA after build-out with full utilization of the (2) 50 MVA substations and the (1) 25 MVA substation on the existing distribution/transmission lines. This should be provided in narrative and graphic form.
- c. Describe the health impacts as found in current literature from sources available such as the World Health Organization, National Cancer Institute and university studies.
- d. Identify and describe all potential health impacts that may result from the operation of the proposed facilities.

3. Mitigation

- a. Describe the concept of "prudent avoidance" which the Planning Board has observed in locating cellular tower antennas in the Town, how this concept would apply to the Applicant's proposal, and the implication of locating an electric substation, gas regulating facility and telecommunication facility in close proximity as well as in a residential neighborhood.
- b. Evaluate the construction of the substation at an alternative non-residential location employing prudent avoidance principles to eliminate potential health risks to neighboring residents.
- c. Evaluate the construction of the substation and/ or the gas regulator underground.

- c. Evaluate both maintaining and the construction of the substation at the existing Tilcon (Haverstraw) site.
- d. Evaluate alternate locations for the proposed electrical substation at alternative non-residential sites. .
- e. Evaluate the potential for underground electrical distribution lines or relocation of distribution wires or lines to reduce potential health impacts. .

E. IMPACT ON COMMUNITY CHARACTER

1. Existing Conditions

- a. Describe existing land uses and character of the proposed site and the adjacent area. This section must include a description of the temporary substation constructed on the site, including all relevant analysis relating to environmental factors, including those created in part from the installation of the temporary substation such as removal of trees, roadway excavation and impacts on the surrounding residential neighbors. Provide an analysis of the electromagnetic fields (EMF's) created as a result of the temporary substation. The cumulative risk factors of a gas regulator, a cell tower and an electric substation at the same site must be evaluated. Also any changes to the "load" on the existing distribution and/or transmission lines as a result of the operation of this temporary substation. Discuss the timeframe of operation of the temporary substation.
- b. Describe existing land uses and character of the proposed site and the adjacent residential neighbors as it pertains to the impacts of 3 utilities on site adjacent to residential properties.

2. Potential Impacts

Evaluate potential significant adverse changes in the environment of the Little Tor Road, Denver Drive, South Mountain Road residential neighbors as a result of the temporary substation and the proposed cumulative effect of the proposed electric substation, the proposed upgraded gas regulator and the proposed cell tower upgrade.

3. Mitigation

- a. Discuss measures, if any, which would be implemented to mitigate the adverse impacts to community character from the proposed action.
- b. Discuss measures to restore the site from the disturbance due to installation of the temporary substation.

F. IMPACT ON COMMUNITY FACILITIES

1. Existing Conditions

- a. Describe all community facilities affected by the proposed action including police, fire and emergency service providers affected by development of the proposed Little Tor Road substation and upgrade to the gas regulator. Describe existing mountainous rural backdrop to the subject proposal of a substation and upgrade to the gas regulator.
- b. Describe the availability of fire hydrants and adequate pressure in the surrounding areas, within one mile.

2. Potential Impacts

- a. Provide a detailed description of the potential risk of fire and explosion impacts of the proposed substation and gas regulator upgrade, and cellular communications facility on emergency service providers and the public in the surrounding area.
- b. Provide analysis of potential for fires and lightning strikes to the individual or combined facilities to extend to the north up South Mountain. Include in this analysis a literature review of fires/explosions at substations/gas regulators/cell tower and the impacts of a site containing all three utilities.
- c. Identify type and quantity of materials/substances at facility that may cause hazards to first responders, neighbors, water courses and other sensitive receptors due to spillage, mishandling, fire/explosion or compromise to the environment or individuals.

- d. Provide information on the implications of combined facilities including both a gas regulator, electric substation of equal or greater MVA, and cellular communications facility addressing increased risk factors of cumulative impact (a gas regulator and substation and cellular facility) of fire and explosion.
- e. The proposed project will place increased demand on existing community services including police, fire protection, emergency services and utilities (water). Each service area will be quantitatively described and an assessment of needs/expansion of services described.

3. Mitigation

- a. Evaluate the need for additional fire hydrants and conduct a water pressure analysis based on the extension of water line.
- b. Evaluate the need for education/training of first responders or any special firematic equipment, materials or measures to be employed in case of fire or explosion. Identify training opportunities and locations. Identify funding source of additional equipment, material and training that may be needed.
- c. Evaluate use of building enclosures or other fire prevention solutions to protect the Hackensack River tributaries, other stream courses, Lake Lucille, Hi Tor Mountain and surrounding residential properties and water supply wells.
- d. Evaluate use of automated fire suppression systems.

G. ECONOMIC CONDITIONS (IMPACT ON PROPERTY VALUES)

1. Existing Conditions

- a. Describe the existing demographic and economic conditions that currently exist in the South Mountain/Little Tor Road vicinity. Include the current real property valuation.

- b. Describe the existing inventory of homes for sale, including listing price, days on market and listing/sale price analysis in the nearby residential areas.

2. Potential Impacts

Provide expanded information on the impact on property values for residential properties located near (3) three utilities: a substation (of equal or greater value in MVA's), a gas regulator and a telecommunication tower. Since the proposed action includes combining these three utilities the real estate analysis must be expanded to include the combined impacts on real estate values.

3. Mitigation

- a. Evaluate the use of enclosing the substation and gas regulator within structures that assimilate into the South Mountain/Little Tor Road environs.
- b. Construct the substation using Gas Insulated Switchgear
- c. Construct the substation and gas regulator underground
- d. Construct the substation at an alternative location such as at the industrial site at Tilcon (Haverstraw) or other non-residential site.
- e. Upgrade existing substations as an alternative to the proposed project site.

CHAPTER III. ALTERNATIVES

A. ALTERNATIVE SITES.

1. The SDEIS will expand the evaluation of alternative locations for the substation, specifically to non-residential siting including but not limited to the industrial site at Tilcon (Haverstraw) where an existing substation is located and as part of this proposed action is scheduled to be decommissioned.
2. Evaluate upgrading existing substations and avoid use of the proposed site as an electric substation promoting “prudent avoidance” in this residential neighborhood.

B. ALTERNATIVE TECHNOLOGY

The Applicant should evaluate alternative technology, such as underground infrastructure, Gas Insulated Switchgear.

C. ALTERNATIVE TO DE-COMMISSIONING OF TILCON (HAVERSTRAW) SUBSTATION

The Applicant should provide a full analysis to maintain/upgrade the existing Tilcon (Haverstraw) substation.

CHAPTER IV. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

A. Identify and evaluate each of the alternatives identified in Chapter III.

CHAPTER V. UNAVOIDABLE ADVERSE IMPACTS

This section of the SDEIS will identify impacts that are likely to occur despite mitigation measures, such as increased EMF's of distribution and transmission lines. Analysis should include short and long range utilization of distribution and transmission lines from the impacts of the proposed substation provide any current or future changes proposed for the existing distribution lines to carry the additional electrical load.

The unavoidable adverse impacts are to be identified for each of the Alternatives in Chapter III.

CHAPTER VI. APPENDICES

The appendices will include a list of all underlying studies and reports relied upon in preparing the SDEIS, technical exhibits and studies, background information relevant to the proposed action such as the revised EAF Part 2, the Positive Declaration, this Scoping Document and other relevant SEQR documents, a list of involved and interested agencies, and relevant correspondence with involved agencies and persons. It may also include reference material to portions of the DEIS, Volumes 1 and 2.