

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
 Project: New Leaf Energy Project PIN 46-2-42.3
 Date: 6/13/23

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1, D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: <u>Construction of access drives.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: <u>Blasting for the installation of the turbine pad may damage adjacent wells.</u> _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air
 The proposed action may include a state regulated air emission source. NO YES
 (See Part 1. D.2.f., D.2.h, D.2.g)
If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals
 The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) NO YES
If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part I. E.3.a. and b.)		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: <u>Visual impacts during recreational enjoyment of adjacent properties.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

NO

YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: <u>Health results due to living in proximity to a wind turbine, including but not limited to noise, light, ice throws, blade throws, and tower failure.</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

17. Consistency with Community Plans
 The proposed action is not consistent with adopted land use plans. NO YES
 (See Part I. C.1, C.2. and C.3.)
If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character
 The proposed project is inconsistent with the existing community character. NO YES
 (See Part I. C.2, C.3, D.2, E.3)
If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

PRINT FULL FORM

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See attached.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Area Variance, Site Plan Review, and Conditional Use Permit for a Wind Energy Conversion System

Name of Lead Agency: Joint Zoning Board of Appeals/Planning Commission

Name of Responsible Officer in Lead Agency: Fredrick Meyers

Title of Responsible Officer: Chairman

Signature of Responsible Officer in Lead Agency:

Date: 6/13/23

Signature of Preparer (if different from Responsible Officer)

Date: 6/13/23

For Further Information:

Contact Person: Christopher Henry

Address: 109 N. Main Street, Oneida, NY 13421

Telephone Number: 315-363-7467

E-mail: chenry@oneidacityny.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

Attachment A -

Part 3 – Evaluation of the Magnitude and Importance of Project Impacts

Brewer Road Wind Turbine, New Leaf Energy
State Environmental Quality Review
Full Environmental Assessment Form

Action: Brewer Road Wind Energy Conversion System (Wind Turbine)

Location: 0 Brewer Road, Oneida, NY 13421
Tax Parcel No. 46.-2-42.3

Lead Agency: City of Oneida Joint Zoning Board of Appeals/Planning Commission (PCZBA)

Description: The Applicant, New Leaf Energy on behalf of Patrick and Nancy Starke, is seeking an area variance, site plan, and conditional use permit approval from the City's Zoning Board of Appeals/Planning Commission (PCZBA) to develop a Wind Energy Conversion System (Wind Turbine) at 0 Brewer Road, City of Oneida, Madison Co., NY. The project site is bisected by the municipal boundary between the Town of Lincoln and the City of Oneida. The two adjacent project parcels include tax parcel 46.-2-42.3 which is 153.83 acres and located in the City of Oneida. It is this property that will contain the wind turbine. The private entrance/driveway will be located in the Town of Lincoln on tax parcel 53.-2-32.142. The City of Oneida will act as Lead Agency for the site plan review due to the proposed location of the Wind Turbine under its jurisdiction. A Driveway Permit will be required by the Town of Lincoln.

The Project Site is located in the area bound by Brewer Road to the West, and Forest Ave to the South. The project is currently vacant but has been used for agricultural purposes. There are no wetlands existing on the property, nor is there any structure, landscape, or features of archeological or cultural significance as noted in the Wetlands Report and concurring letters from the US Army Corps of Engineers (USACOE) and the NYS Department of Environmental Conservation (NYSDEC).

The Project Site is located within the Town of Lincoln's Agricultural Residential Zone 2 (AR-2) (Tax Parcels ID's 53.-2-32.142), as well as the City of Oneida's Agricultural (A) Zoning District (Tax Parcel 46.-2-42.3). The proposed use in the City is defined as a "Wind Energy Conversion System (WECS)" and is permitted in the A Zoning District, pursuant to conditional use permit and Site Plan Review approval by the PCZBA. The applicant will also require the approval of an area variance to meet the 450' height restriction. The WEC's total footprint is estimated to be 7.24± acres disturbed in size. An additional 1.31 acres of vegetation will be cleared for the construction of the 18 ft. x 18 ft. pad. The turbine height is proposed to be 560'. The facility is proposed to operate 24 hours a day, every day of the week including holidays unless otherwise specified in any environmental, or operational plans. The facility will not have any employees on-site regularly, therefore, no water, wastewater, or solid waste during operation will be generated. However, monthly maintenance and supervision may be required.

Part 2 of the Full Environmental Assessment Form (FEAF) was completed based on information contained in Part 1 of the Full Environmental Assessment Form (FEAF) and the following documents:

- Site Plan Drawings
- Phase 1 Environmental Site Assessment
- Decommissioning Plan
- NYS SHPO No impact determination
- US Fish and Wild Life Service Species List of threatened and endangered species
- Army Corps of Engineers Delineation letter
- Communication Tower Study
- Ice Impact on the Operation of Wind Turbines - Risk and Mitigation –
- Microwave Study
- NYSDEC Jurisdictional Review Letter
- Visuals Map and Photo Log
- Forest Avenue Wind Sound Report
- Storm Water Pollution Prevention Plan
- Preliminary Geotechnical Report
- Turbine Failure Setback Considerations
- Wetlands Report

In addition to the documents listed above, information submitted by Involved Agencies, the general public, and information presented by the applicant to the PCZBA was reviewed and considered. The FEAR workbook provided guidance in determining the appropriate responses to questions 1-18 of Part 2.

Using the Part 2 guidance, the Board determined that there would be no impact on the environmental resources evaluated in Questions 2 (Geologic Features), 3 (Surface Water), 6 (Air), 10 (Historic and Archeological Resources), 12 (Critical Environmental Areas), 13 (Transportation) and 14 (Energy). Each of these was checked "No".

The Board determined that questions 1 (Land), 4 (Groundwater), 5 (Flooding), 7 (Plants & Animals), 8 (Agricultural Resource), 11 (Open Space & Recreation), 15 (Noise, Odor, Light), 16 (Human Health), 17 (Consistency with Community Plans) warranted further evaluation and were checked "Yes". Although each principal question was checked "Yes", further evaluation resulted in nearly all the subset of questions in each category receiving a "No, or small impact may occur" response.

The Board determined that after review questions 9 (Aesthetic Resources), and 18 (Consistency with Community Character) warranted further review, and found that more than one subset question in each had a "Moderate to large impact may occur" but were mitigated by the design, location, and mitigating proposals made by the applicant.

1. Impact on Land

Brief description of the impact on land:

The project occurs on two tax parcels. The sites are a contiguous combination of meadows, grasslands, brushlands, and forests. The property is bounded by Brewer Road in Oneida to the North, and Forest Ave to the South. Access and likely the future 911 address will be off Forest Avenue in the Town of Lincoln.

The turbine foundation is anticipated to be a spread footer that will predominately be underground, leaving an 18-foot concrete pedestal aboveground. Permanent features of the project shall include a gravel access road off Forest Avenue, a gravel pad around the turbine, a crane pad, and a small run of overhead electrical lines and poles off Forest Avenue, while the remaining electrical lines will be underground as referenced in the submitted site plans and the Geotechnical and Foundation Considerations Memo dated April 26, 2023.

No significant grading is proposed for the installation of the turbine, however, excavation for roughly 1.5 acres of the permeable driveway is proposed to access the turbine. The access road will be a 20-foot-wide gravel access drive and 1 turbine foundation is expected. According to the Stormwater Pollution Prevention Plan (SWPPP), the project will disturb roughly 7.24 acres, of which 2.08 acres is a new impervious area due to the significant length required for the gravel access road. Construction will be sequenced so that disturbed areas are stabilized as work progresses to limit the area of disturbance to less than 5 acres at any time. The SWPPP also identifies temporary and permanent erosion control measures to stabilize disturbed soils.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of “no impact”:

- a. *The proposed action may involve construction on land where the depth to the water table is less than 3 feet.*
- b. *The proposed action may involve construction on slopes of 15% or greater.*
- c. *The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.*
- d. *The proposed action may involve construction that continues for more than one year or in multiple phases.*
- e. *The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).*
- f. *The proposed action is or may be, located within a Coastal Erosion hazard area.*

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of “small impact”:

- g. *Other impacts: Construction of Access Drives*

The typical detail for construction of the 20-foot-wide access drives, as illustrated in Drawing C-7.0 indicates that 3 inches of crushed stone will be placed on 10 inches of sand and gravel Biaxial geotextile fabric. The temporary erosion and sediment controls required by the SWPPP will minimize the impact pre and post-construction by utilizing filter strips along the access road and turbine page, vegetative swales around the turbine pad and upgradient of the access road, and level spreaders. These actions will minimize the impacts of exposed subgrade soils to erosion, therefore, no significant adverse impacts to land are anticipated as a result of the proposed action.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of “moderate to large impact”:

- c. *The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.*

The applicant acknowledges in their "Oneida Wind Geotechnical and Foundation Considerations" memo that blasting may occur to reach the minimum depth required for a turbine foundation of approximately 15 feet deep. The applicant proposes a mitigation measure that will have the contractor berm around the excavation to redirect surface water run-off from entering the excavation and bedrock. If voids or large fractures are identified at the bedrock surface indicative of karst conditions, the contractor will pack the void/fracture surface with no-slump concrete. Lastly, a placement of geotextile separation blanket at the base of the foundation and placement of concrete above the fabric to keep concrete from entering fractures or voids in the bedrock.

Additionally, the applicant proposes, that the City of Oneida will require that the contractor possess a valid New York State Explosives License and Blaster Certificate of Competence. Submittal of a blast plan will be provided to the City of Oneida 30 calendar days before blasting, and neighbors within 3,000 feet shall be notified by at least 14 calendar days before blasting, but no sooner than 30 days. The applicant will be required to offer pre-and post-well water testing to any landowner within 3,000 feet of the blast site and the project sponsor will make a good faith effort to fix any damages that may occur as a result of the blasting as the applicant proposed.

Lastly, the location of where the blasting will occur is setback significantly from adjacent property lines. The NYS Department of Health (NYS DoH) provides minimum separation standards to prevent well contamination and the largest separation noted in the NYS DoH standard is 300 feet. These actions will minimize the impacts of exposed bedrock, therefore no significant adverse impacts to the land are anticipated as a result of the proposed action.

4. Impacts on Groundwater

Brief description of impacts on groundwater:

The applicant describes the potential of blasting for the installation of the turbine pad.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of "no impact":

- a. *The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.*
- b. *Water supply demand from the proposed action may exceed the safe and sustainable withdrawal capacity rate of the local supply or aquifer.*
- c. *The proposed action may allow or result in residential uses in areas without water and sewer services.*
- d. *The proposed action may include or require wastewater discharged to groundwater.*
- e. *The proposed action may result in the construction of water supply wells in locations where groundwater is or is suspected to be, contaminated.*

- f. The proposed action may require the bulk storage of petroleum or chemical products over groundwater or an aquifer.*
- g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.*

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of “moderate to large impact”:

- h. The proposed may have other impacts related to blasting for the installation of the turbine pad that may damage adjacent wells.*

As noted above, in the “Impacts on land response. The mitigation measures proposed by the applicant will minimize the impact and therefore, no significant adverse impacts to the groundwater are anticipated as a result of the proposed action.

5. Impacts on Flooding

Brief description of impacts of Flooding

According to the “Wetland and Stream Delineation Report” and corroborated by NYSDEC and the USACOE there are no wetlands or floodplains on the project site. The project involves the construction of a single wind turbine and associated features and infrastructure. At the time of preparation of the SWPPP, the exact model anticipated for the project is unknown at this time but has a maximum tip height of 560 feet. The turbine foundation is anticipated to be a spread footer that will predominately be underground, leaving an 18-foot concrete pedestal aboveground. Permanent features of the project shall include a gravel access road off Forest Avenue, a gravel pad around the turbine, a crane pad, and a small run of overhead electrical lines and poles off Forest Avenue, while the remaining electrical lines will be underground. The water quality volume and runoff reduction can be achieved by the use of a filter strip or naturally occurring buffer area as long as the filter strip width is equal to or greater in width than the impervious area draining to it. The calculated water quality and minimum runoff reduction volumes are equal to 8,200 cubic feet, and 2,200 cubic feet per the Draft SWPPP. This project meets the water quality and runoff reduction requirements using filter strips at culvert discharge points and naturally occurring buffer areas adjacent to the site. No additional stormwater management practices will be utilized to minimize disturbance to the property.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of “no impact”:

- a. The proposed action may result in development in a designated floodway.*
- b. The proposed action may result in development within a 100 year floodplain.*
- c. The proposed action may result in development within a 500 year floodplain.*
- e. The proposed action may change floodwater flows that contribute to flooding.*
- f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?*

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of “small impact”:

- e. *The proposed action may result in, or require, modification of existing drainage patterns.*

The SWPPP mitigation measures proposed will retain stormwater run-off on site. Based on the above information, no significant adverse impacts on flooding are anticipated as a result of the proposed action.

7. Impacts on Plants and Animals

Brief description of impacts on plants and animals:

On May 25, 2021, New Leaf Energy received a letter in response to a request submitted to the New York Natural Heritage Program (NYNHP) indicating that there were no known records of state-listed threatened or endangered species in the vicinity of the Project. To investigate this issue further Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (EDR), reviewed data from eBird, the New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper (ERM), the NYSDEC Environmental Assessment Form (EAF) Mapper, the New York State Breeding Bird Atlas, and the U.S. Fish and Wildlife Service (USFWS) online Information for Planning and Consultation (IPaC) system to determine if there were other records of state-listed threatened or endangered species occurring in the vicinity of the Project Site. It has been determined that no endangered or threatened species were found on site. EDR conducted a review of potential avian species via the eBird database, managed by the Cornell Laboratory of Ornithology, which is an online database of bird observations collected by citizen scientists around the world and vetted by regional experts. The nearest eBird hotspot, Mount Hope Park, is located approximately 2 miles northeast of the Project Site. Since 2016, a total of 74 bird species have been observed at this hotspot. Within the last five years, one state-listed threatened bird species (northern harrier [*Circus cyaneus*; also known as *Circus hudsonius*]) and one state-listed bird species of special concern (Cooper's hawk [*Accipiter cooperii*]) have been observed at this hotspot on the site and below is a summary of what they found.

- **The northern harrier** is a slender-bodied hawk with long wings and a long tail. Key identifying characteristics include a facial ruff that gives the species an owl-like appearance, a white rump, and specialized foraging behavior (coursing and gliding low over fields and marshes). The reconnaissance-level site visit indicated that some open field areas within the proposed Project Site could potentially be suitable for the use by grassland bird species, including northern harriers. However, in general, these open areas are: (1) relatively small in size; surrounded by advancing successional shrubland and/or forestland; and (3) broken up or partially isolated by wooded hedgerows/islands. Therefore, large expanses of open, contiguous grassland are not present within the Project Site, and the suitability of onsite fields and shrubland for use by northern harriers may be relatively limited. The reconnaissance-level site visit indicated that there are some open field areas within
- The Cooper's hawk is a woodland raptor that uses deciduous, mixed, and coniferous woodlands for nesting and feeding, as well as urban and suburban areas (Cornell Lab of Ornithology, 2021). Forested habitat that could potentially support nesting and/or foraging Cooper's hawks was identified within and adjacent to the proposed Project Site.

The second-closest eBird hotspot is the Madison County Landfill, which is located approximately 4 miles west of the proposed Project Site. Since 2016, a total of 34 bird species have been observed at this hotspot. Within the last five years, one state-listed endangered bird species (peregrine falcon [*Falco peregrinus*]) and one state-listed threatened bird species (bald eagle [*Haliaeetus leucocephalus*]) have been observed.

EDR's habitat assessment for these species is provided below.

- The **Peregrine Falcon** often nests on ledges or holes on the faces of rocky cliffs, and in more urban areas, on artificial structures such as bridges and tall buildings (NYNHP, 2021b). Wintering peregrine falcons frequently utilize buildings, towers, and steeples in urban areas, and open areas with plentiful prey in more natural settings (NYNHP, 2021b). Based on the results of EDR's site visit, suitable habitat for peregrine falcons (i.e., cliffs or tall structures) does not appear to be present on or adjacent to the proposed Project Site.
- In New York State, **Bald Eagles** usually winter and breed in undisturbed areas with large bodies of water that support high populations of fish and waterfowl, their primary food sources. Large, heavy nests are typically built in tall pine, spruce, fir, cottonwood, oak, poplar, or beech trees (NYNHP, 2021c). Although the proposed Project Site contains deciduous forests composed of oak and beech trees, these areas do not appear to provide suitable breeding or wintering habitats for bald eagles, as there are no nearby areas of open water that could provide their primary food sources.

Mitigation

Bat Curtailment: The turbine will be programmed to halt operation from July 1 through October 1 when wind speeds are less than 5.5 m/s from 1/2 hour before sunset to ½ hour after sunrise when ambient temperatures are 50 degrees Fahrenheit or greater.

For the duration of the project, if the project results in the take of a bald eagle, the operator shall inform NYSDEC to develop an appropriate mitigation plan that will result in a net conservation benefit to the species.

Based on the information contained in Part 1 of the FEA and supplemental documents each of the following criteria is deemed to be of "no impact":

- The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.*
- The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community.*
- The proposed action requires the conversion of more than 10 acres of forest, grassland, or any other regionally or locally important habitat.*
- Proposed action (commercial, industrial, or recreational projects, only) involves the use of herbicides or pesticides.*

Based on the information contained in Part 1 of the FEA and supplemental documents each of the following criteria is deemed to be of "small impact":

- The proposed action may cause a reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.*
- The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened, or endangered species, as listed by New York State or the federal government.*
- The proposed action may cause a reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal*

government, that use the site or are found on, over, or near the site.

- d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.*
- g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.*

Given the applicant's responses provided within the investigation report from EDR, NYSEDEC, and USUFW, the proposal to halt operation for Bat Curtailment and to develop a bald eagle mitigation plan with the DEC the impacts on plants and animals are anticipated to be small as a result of the proposed action.

8. Impact on Agricultural Resources

Brief description of the impact on agricultural resources:

According to the NRCS Soil Survey, 46 acres of highly productive soils are currently present on a project site of 154 acres. There is currently no agricultural production on the property. In the future, the proposed project will be approximately 2 acres which includes all the roads and the turbine area. The remaining areas of the project site would either be wooded or meadows.

The soil groups mapped by NRCS Prime that Prime Farmland or Farmland of Statewide Importance are the following: Aurora silt loam (AuB), 3 to 8 percent slopes; Aurora silt loam (AUC), 8 to 15 percent slopes; Cazenovia silt loam (CfC), 8 to 15 percent slopes; Wassaic silt loam (WmB), 3 to 8 percent slopes. These soils make up roughly 50% of the property. The remaining soils include the Farmington-Wassaic-Rock outcrop complex, sloping (FGC); Honeoye-Farmington complex, 25 to 65 percent slopes, rocky (HOE). The turbine location is primarily WmB soils, and the access roads traverse some WmB, and AuB. A majority of the access roads go through FGC soils. Overall, 2 acres will be dedicated to access roads and the turbine. Even if the project existed just on Prime Farmland and Farmland of Statewide Importance, it would only be 4% of the highly productive agricultural soils (Total Project Area (2 ac)/Highly Productive Soils Area (46 ac) = 4%).

The applicant has determined that approximately 46 acres of these highly productive soils fall within the proposed project area.

Based on the information contained in Part 1 of the FEA and supplemental documents each of the following criteria is deemed to be of "no impact":

- b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).*
- c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.*
- d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.*
- e. The proposed action may disrupt or prevent the installation of an agricultural land*

management system.

- f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.*
- g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.*

Based on the information contained in Part 1 of the FEA and supplemental documents each of the following criteria is deemed to be of "small impact":

- a. The proposed action may impact soil classified within soil groups 1 through 4 of the NYS Land Classification System.*

In the City, the Project Site is located within the Agricultural (A) zoning district. Per §47-21(A) all large-scale solar energy systems are permitted through the issuance of a conditional use permit within the Agricultural zoning district, and subject to site plan review by the PCZBA. A draft decommissioning plan, signed by the owner and/or operator of the WECS was submitted during the conditional use permit and site plan approval process.

The Proposed Project will comply with all of the general and permitting requirements and safety standards in §190 of the City of Oneida zoning law. The WECS have a relatively long useful life (20 +/- years) but the system can be decommissioned, allowing the land and the underlying highly productive soils to revert to agricultural uses. Additionally, the amount of highly productive soils is small in the context of the overall property and availability other of highly productive soils on the site.

Based on this information, no significant impacts on agricultural resources are anticipated as a result of the proposed action.

9. Impact on Aesthetic Resources

Brief description of the impact on aesthetic resources:

The 2005 Comprehensive Plan does not identify any aesthetic resources on this property. The Forest Ave Visuals Map and Photo Log have 4 visualization simulations. The simulations illustrate existing conditions, proposed conditions based on the City's 450' height limitation, and finally with applicant's proposed height. All photos show, "no leaf" conditions. The first simulation is off of Forest Ave looking Northeast. The proposed turbine shows heavy vegetation that appears to have less than half of the structure covered by the tree line. The second location looks East/Southeast from Brewer Road. The photo simulation shows heavy screening by an existing house and tree line, but if taken from another angle, the amount of screening could change. The third image taken from Mt. Hope Ave shows nearly half of the proposed turbine screened. Lastly, the fourth image looks West from Crescent Ave. The proposed turbine appears to be heavily screened by the tree line.

Given the height of the proposed turbine, it will more than likely be visible for miles around the property.

Based on the information contained in Part 1 of the FEA and supplemental documents each of the

following criteria is deemed to be of "small impact":

- a. *The proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.*
- b. *The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.*
- d. *The situation or activity in which viewers are engaged while viewing the proposed action is:*
 - i. *Routine travel by residents, including travel to and from work*
 - ii. *Recreational or tourism-based activities*
- e. *The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.*
- f. *There are similar projects visible within the following distance of the proposed project:*
 - 0-1/2 mile*
 - 1/2 -3 mile*
 - 3-5 mile*
 - 5+ mile*

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of "moderate to large impact":

- c. *The proposed action may be visible from publicly accessible vantage points:*
 - i. *Seasonally (e.g., screened by summer foliage, but visible during other seasons)*
 - ii. *Year-round*

The applicant submitted as a Part of the FEAF Part 1 that in visual proximity to the site, there is the Canastota-Cazenovia State Trailway, Old Erie Canal State Historic Park, and in addition, there is the City of Oneida Rail Trail. The applicant has prepared numerous visual simulations to inform the community of the proposed visual impacts. The turbine height makes visual mitigation difficult. The PCZBA considers the distance from roads, the vegetation, and the number of turbines being proposed. The impact on visual resources may be moderate when vegetation is dormant but will screen more during the spring and summer months. Additionally, the singular turbine is near another turbine in the same neighborhood. All things considered, the impacts may be moderate due to the contrast to the area it is being constructed but the impact is not anticipated to be adverse due to the screening, and quantity of turbines.

11. Impacts on Open Space and Recreation

Brief description of impacts on open space and recreation:

The City's 2005 Comprehensive Plan did not locate any assets existing or proposed for this project. The current project will be located on vacant agricultural land, and limited vegetation will be removed from the project area.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of 'no impact':

- a. *The proposed action may result in the loss of a current or future recreational resource.*
- b. *The proposed action may eliminate open space or recreational resources in an area with few such resources.*

- c. *The proposed action may result in the loss of an area now used informally by the community as an open space resource.*
- d. *The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, and wildlife habitat.*

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of "small impact":

- e. *Visual impacts during recreational enjoyment of adjacent properties.*

There is no impact for a majority of the subset questions, however, the PCZBA wanted to acknowledge the open space recreational impacts of adjacent property owners. It will be highly visible to neighbors, and it could have a small impact on the enjoyment of their property. This was determined to be small because there is only one turbine buffered by vegetation and large setbacks.

Based on this information, no significant impacts on open space and recreation are anticipated as a result of the proposed action.

15. Impact on Noise, Odor, and Light

Brief description of impacts on noise, odor, and light:

A comprehensive sound-level modeling assessment was conducted for the Forest Avenue Wind Project within the City of Oneida, New York. Sound levels resulting from the operation of the wind turbine were calculated at 661 modeling receptors, and isolines were generated from a grid encompassing the area surrounding the wind turbine. The predicted 45 dBA sound contour is contained within the Project Site for the Vestas V150-4.3 SO12, GE 3.4-140 NRO 100, and Vensys 136-3.5 Mode 4 wind turbines. It was determined that the low noise modes from these turbine models that are being considered by the applicant will keep the noise compliant with the City Code.

Construction will be limited to daytime hours. The project sponsor also will implement mitigation measures proposed in the Sound Level Monitoring Report, where they will ensure construction equipment is fitted with exhaust systems and mufflers that have the lowest associated noise whenever those features are available. Regular equipment maintenance will be done to prevent unnecessary noise. Where possible the applicant will keep the louder equipment as far as possible from noise-sensitive locations like residences. The applicant will have contractors keep backup alarms at the lowest compliant level, and locate staging areas to be as far away from sensitive receptors.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of 'no impact':

- a. *The proposed action may produce sound above noise levels established by local regulations.*
- b. *The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed daycare center, or nursing home.*
- c. *The proposed action may result in routine odors for more than one hour per day.*
- d. *The proposed action may result in the light shining onto adjoining properties.*

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the

following criteria is deemed to be of "small impact":

- e. *The proposed action may result in lighting creating sky-glow brighter than existing area conditions.*
- f. Construction noise.

Common and ordinary construction equipment and tools used for the site clearing and installation of the wind turbine, underground electric cables, and access drives will generate noise that is not uncommon in rural residential and agricultural settings. This construction noise will be temporary, therefore, no significant impacts on noise, odor, and light are anticipated. There will be no blasting within 1,500 feet of a house as the closest house is 2,086 feet away. This property has no ground lighting proposed. The only lighting proposed is the FAA lighting which could have a small impact. It is mitigated by being 400 feet high and setback from the nearest residence by over 2,000 feet.

Based on this information, no significant impacts on noise, odor, or light are anticipated as a result of the proposed action.

16. Impact on Human Health

Brief description of impacts on Human Health

As noted in the sound level modeling assessment. The noise levels will be compliant with Chapter 98 title Noise of the City of Oneida Code. However, additional research was performed by the City to better understand the health impacts of wind turbines. According to a study conducted by Knopper et al. (2011)¹, there is no significant evidence suggesting that wind turbines have a negative impact on human health. The study, which involved a review of existing literature and a survey of individuals living near wind turbines, found that there was no correlation between the presence of wind turbines and adverse health effects. However, it is important to note that some individuals may experience annoyance or discomfort due to the noise produced by wind turbines. Overall, the study suggests that wind turbines are a safe and sustainable form of energy production. These findings were supported by a study conducted by the Vermont Department of Health². They found no evidence of direct health effects from wind turbine noise at the levels studied. However, as noise levels increase, community members report increased annoyance, which is associated with migraines, dizziness, tinnitus, chronic pain, hair cortisol concentrations, blood pressure, and self-reported sleep quality. It was recommended in the article, that efforts to minimize annoyance should address noise and non-noise-related factors, and an annual noise limit of 35 dBA coupled with community engagement could be considered.

A study released by McLean County, IL, 2016 by Jerry Punch and Richard R. James³ had contrary findings. They assert that the available evidence suggests that large wind turbines generate infrasound, which can cause pathological symptoms such as headache, dizziness, nausea, or motion sickness. They also believe annoyance is also a health issue for many people living near wind turbines, which is consistent with both

¹ Knopper, L. D., Ollson, C. A., McCallum, L. C., Whitfield Aslund, M. L., Berger, R. G., Souweine, K., & McDaniel, M. (2014, June 19). *Wind turbines and human health. Frontiers in public health.*

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4063257/>

² *Wind Turbine Noise & Human Health: A Review of the Scientific Literature.* (2017, May).

https://www.healthvermont.gov/sites/default/files/documents/pdf/PHA_wind_turbine_sound_05_2017.pdf

³ Punch, Jerry. "Wind Turbine Noise and Human Health: A Four-Decade History of Evidence that Wind Turbines Pose Risks." *Bulletin of Science, Technology & Society*, vol. 36, no. 1, 2016, pp. 15-28.

the WHO's definition of health and contemporary models of the relationships between annoyance, stress, and health. They believe that available literature is sufficient to establish a general causal link between a variety of commonly observed adverse health effects and noise emitted by wind turbines. A pro-health view is that there is enough anecdotal and scientific evidence to indicate that infrasound from wind turbines causes annoyance, sleep disturbance, stress, and a variety of other adverse health effects to warrant siting the turbines at distances sufficient to avoid such harmful effects, which, without proper siting, occur in a substantial percentage of the population.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of 'no impact':

- a. *The proposed action is located within 1500 feet of a school, hospital, licensed daycare center, group home, nursing home or retirement community.*
- b. *The site of the proposed action is currently undergoing remediation.*
- c. *There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.*
- d. *The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction). The proposed action may result in the light shining onto adjoining properties.*
- e. *The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.*
- f. *The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.*
- g. *The proposed action involves construction or modification of a solid waste management facility.*
- h. *The proposed action may result in the unearthing of solid or hazardous waste.*
- i. *The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.*
- j. *The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.*
- k. *The proposed action may result in the migration of explosive gases from a landfill site to adjacent off-site structures.*
- l. *The proposed action may result in the release of contaminated leachate from the project site.*

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of "small impact":

- m. *Health results due to living in proximity to a wind turbine, including but not limited to noise, light, ice throws, blade throws, and tower failure.*

Research related to the impacts of WECS is still highly debated. The PCZBA wishes to acknowledge that there "could" be health impacts related to WECS, but research is still inconclusive for the PCZBA to know for certain. Due to the height and setbacks per the research and the Sound Modeling Assessment, the PCZBA believe that these impacts will be mitigated by the height and distance from residential uses, therefore, no significant impacts on noise, odor, or light are anticipated as a result of the proposed action.

17. Consistency with Community Plans

Brief description of the impact on community plans:

The City's 2005 Comprehensive Plan does not refer to WECS specifically, however, the comprehensive plan does allow for the creation of new zoning laws to improve land management. The existing Wind Energy Law was adopted in 2022, and this project is compliant with the law, except for the requested area variance for height. The applicant in a memo dated April 23, 2023 (April Memo), directed to the City's Planning Director, indicated that their project would help the City achieve goals in the Comprehensive Plan, primarily through a Host Community Agreement. A Host Community Agreement can be structured in many ways, potentially earmarking funds for specific projects. For example, a specific activity identified in the Comprehensive Plan to help achieve Goal 1 is to "Create attractive gateways at the major entrances to the city". Funds could be allocated to help achieve Goal 6, which is related to the economic development of the city. It is not anticipated that this project will generate economic development in the long term. It will, however, increase the tax base without significantly increasing the demand for services. The applicant notes in the April Memo that the project will utilize local labor. Any specialized workers would be brought from outside the County that would help local businesses related to lodging, food, and other services. Ultimately these activities would bring dollars from outside the County and the City.

Concerning other community plans, Madison County's Economic Development Strategy notes renewable energy as a growth area for the County. Wind Energy is not addressed specifically, but Wind Energy is presumed to fall under the renewable energy umbrella. There is no land use plan available to determine if this project would help the Town of Lincoln meet its development goals.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of "no impact":

- b. The proposed action will cause the permanent population of the city, town, or village in which the project is located to grow by more than 5%.*
- d. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.*
- e. The proposed action is located in an area characterized by low-density development that will require new or expanded public infrastructure.*
- f. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)*

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of "small impact":

- c. The proposed action is inconsistent with local land use plans or zoning regulations.*
- d. The proposed action is inconsistent with any County plans, or other regional land use plans.*

The suggested actions align with the overall comprehensive plan, as changes to the zoning regulations are empowered by the comprehensive plan. While the current comprehensive plan does not specifically address renewable energy or WECS, the proposed Host Community Agreement would help the City to meet its other goals and objectives. Although the height variance requested is significant, it is considered a small impact as all other requirements for development are met.

The project does not currently conflict with any regional or county plans, but it is considered a small impact since Wind Energy is not referenced specifically in the Madison County Economic Development Strategy.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of "moderate to large impact":

- a. *The proposed action's land use components may be different from, or in sharp contrast to, the current surrounding land use pattern(s).*

Even though the area permits WECS, there will be a noticeable visual contrast between the turbines and the surrounding residential and agricultural land. However, the project proposes to maintain the land beneath the turbines with vegetation and preserve existing trees. To reduce the impact of this contrast, physical measures such as vegetative screening and setbacks from the adjacent property lines have been suggested. The project sponsor has also provided visualizations to demonstrate that the proposed turbine height of 560' will have a minimal visual difference compared to the current local law height restriction of 450'. Though the impact is moderate to large related to visual contrast to surrounding land uses, no negative adverse impacts on community plans are anticipated as a result of the proposed action due to the setbacks, and vegetative screening.

18. Consistency with Community Character

Brief description of the impact on community character:

The architectural and landscape characteristics of current uses near the property include rural residential, and agriculture. If any use predominates, it would be residential. In addition to the surrounding fields and fenced pastures, Brewer Road, and Forest Ave. are bounded by numerous agricultural buildings and residential structures.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of "no impact":

- a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.
- c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of "small impact":

- b. The proposed action may create a demand for additional community services (e.g. schools, police, and fire)
- d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.

Based on the status of the property, the demand for additional community services is expected to have a minimal impact. However, it is important to consider the potential risks associated with the installation of wind turbines, such as vandalism and trespassing, which may require additional police protection and monitoring. Additionally, the fire department should develop an action plan in case of a fire on the turbine, which may increase their workload. Nevertheless, these potential impacts are consistent with any development project and are unlikely to be adverse.

Based on the information contained in Part 1 of the FEAF and supplemental documents each of the following criteria is deemed to be of "moderate to large impact":

- e. The proposed action is inconsistent with the predominant architectural scale and character.
- f. The proposed action is inconsistent with the character of the existing natural landscape.

By the structural characteristics of wind turbines, the proposed project introduces architectural components inconsistent with the character of the existing architectural and natural landscape. Much of the information presented in Sections 9 and 17 applies to this subject. Further, as discussed in Sections 9 and 17, there are many design features and mitigation strategies to be implemented by the applicant that will lessen the visual impacts of this project. Once the project is operational, there will be no traffic. Noise will be within the threshold set by the City of Oneida zoning law §98. There is an existing smaller wind energy turbine nearby, additionally, there are numerous towers surrounding the property at a significant height. The setbacks and the increased development of WECS in Madison County would result in no significant adverse impacts on community character as a majority of the project site will aesthetically be within the predevelopment condition and there is only one turbine proposed.