

Scope Suggestions by Town Citizens (ToUC) ¹	Final Scope by Lead Agency ² (ToUTB)
<p>1) <u>Suggesting Alternatives</u> is the most powerful aspect of the SEQR Law. ToUC recommended: <u>No Action</u> due to lack of need in Town of Ulster, three other regional power plants on line, and safety of nearby residents and fragile ecosystem of the forest; an <u>alternate power source</u> using renewables in place of fossil fuel or using battery storage only; suggested two specific <u>alternate locations</u> in the Town. Citizens asked that the applicant <u>reveal all other sites</u> considered in the Town before settling on a 121-acre forest.</p> <p>2) <u>Purpose/Need/Public Benefit</u>: ToUC posed <u>33 questions</u> and requests on how the <u>downstate counties are benefitting</u> and how our area receives no benefit, the future use of 117 <u>unused acres</u>, near-future changes in both <u>federal and state regulations benefitting storage</u> more that power generation, the <u>grid operators</u> determining the usage of the proposed project, the <u>Town’s Comprehensive Plan</u> that seeks to preserve the Town’s character and directing growth to existing development centers. In addition, the ToUC devoted an entire section of <u>24 questions</u> and requests on <u>cost/benefit analysis</u> that follows the money, effecting the applicant’s earnings, the public purse of the Town (taxes & PILOTs), and the cost to the Town’s residents regarding health, property values, community character and ecosystem balance.</p>	<p>1) <u>Alternatives</u> section (p.33) lists no specific alternatives. Instead, the ToUTB is <u>vague</u>: “alternatives will be considered...will be addressed...will be discussed....”</p> <p>2) <u>Purpose/Need/Public Benefit</u> (p.12) in only one sentence asks the applicant to “discuss potential environmental protection and socioeconomic benefits...added tax revenues.” Under “Fiscal Impacts” on page 30, there is an slightly expanded discussion on taxes and PILOTs (payment in lieu of taxes).</p>

¹ According to SEQR Law on “public participation TownOfUlsterCitizens.org (ToUC), submitted 181 challenging statements, direct questions and specific requests to the Lead Agency on March 21, 2018 for inclusion into the Final Scope—the official document to which the applicant must respond. Only a few highlights are included in this comparison.

² Lead Agency is the Town of Ulster Town Board (ToUTB). They submitted to GlidePath, the applicant, the Final Scope on April 19, 2018. The Final Scope contained none of the direct questions and specific comments / requests of the citizens or the environmental groups that submitted formal scoping commentary. Rather, the Final Scope of the ToUTB is more “boilerplate” formality written mostly in the passive voice.

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<p>3) <u>Toxic Emissions Inventory</u>: Because neither the applicant nor Town of Ulster Town Board (ToUTB) and its citizens know the quantity of the toxic emissions, the proposed project still has much explaining to do.</p> <p>ToUC posed <u>34 questions and requests pertaining to determining toxic emissions—kind, quantities, and effects</u>, addressing: scientific sources, ambient pollutant concentrations, temporal and spatial distribution, health effects, cumulative impacts that also factoring in nearby industrial pollution, consistent and constant emissions monitoring of all aspects of fossil fuel burning, methane leakage as a potent climate forcer, current pre-project air measurements, gaussian plume modeling factoring for stacks at 60, 70, 80, 90, 100 feet, and concentric emissions measurements at 680 feet and incrementally to 5 miles, short and long term human health exposure at varying distances and plant running periods under worst-case high operations.</p> <p><u>An energy economist determined that the proposed plant operating 4-6 hours / day will generate as much air pollution as all the Town’s homes combined. The Final Scope’s estimate of 6-14 hours would double the current level of pollution of the entire Town—residents and businesses.</u></p> <p>Additionally, 6-14 hours may be the latest estimation of the applicant, but <u>the grid’s independent operators will the ones who will determine the hours of operations</u>. If the applicant is as competitive as they claim, their services could be in demand <u>24/7</u>.</p>	<p>3) <u>Toxic Emissions Inventory</u> (p.27): <u>does not name natural gas</u> but refers to “dual [sic] fuel and back-up” diesel and “propane.” <u>Propane</u> was not ever proposed as a back-up fuel by the applicant. This is either careless copy-and-paste information by the ToUTB or a vaguely suggested alternative.</p> <p>The applicant’s <u>EAF Form Part 1 left completely blank the toxic emissions category</u>. The ToUTB’s <u>EAF Form Part 2</u> obscured the emission’s impact with numbers that are “greater than” <u>a vague guessed amount</u>. <u>Both EAFs, containing either absent or obscure information, were used to create a Scoping document.</u></p> <p>On January 17, 2018, the <u>applicant</u> was publicly caught by an energy economist <u>giving incorrect emissions</u> information. The applicant publicly stated that their proposed peaker plant would be running 4-6 hours / day. The Final Scope says 6-14 hours / day. The Final Scope requests “worst-case short and long-term emission rates” (p.28).</p>

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<p>4) <u>Community Character</u>: The citizens used the <u>NYS Department of Environmental Conservation’s SEQR Handbook’s</u> definition of community character as it relates to “<u>how people function within and perceive their community</u>” (Chapter 4, p. 87). Residents closest to the project site—Fox Run Townhouses, Sunrise single-family homes, Ulster Gardens Apartments, and the Old Flatbush neighborhood—perceive their community as a quiet, safe, healthy, clean environment next to a pristine forest and close to services. They believe that the proposed project would dramatically decrease the quality of air by doubling the Town’s hazardous air pollutants, decreasing property values between 20-45 percent, creating troubling noise, odor, and negative visual impacts.</p> <p>In addition, <u>cultural resources</u>, such as Native American archeology must be preserved.</p> <p>5)<u>Safety, “Reasonably Foreseeable Catastrophic Impacts”</u>: Citizens consider the secluded location of an unmanned facility in the middle of a forest vulnerable to only internal malfunction but mostly to <u>external threats such as wildfire, vandalism, or a stray bullet from a hunter</u>. Catastrophic Impacts that re reasonably foreseeable follows a <u>graduated plan: avoidance, minimization, mitigation, response and recovery</u>. <u>Without this project, Ulster County’s Priority Risk Index for the Town of Ulster is Medium; Probability is Possible; Impact is Critical; the Warning Index is 4 on a 1-4 scale.</u></p>	<p>4) <u>Community Character</u>: ToUTB assigns within three sentences the applicant to determine the “existing conditions, potential impacts, and mitigation measures” pertaining to community character. As Lead Agency, the Town Board expresses no views on the current community character.</p> <p>5)<u>Safety, “Reasonably Foreseeable Catastrophic Impacts”</u>: On page 31, the potential impacts and mitigation measures refer only to vulnerability and hazard analysis regarding the <u>operation of the facility itself and fuel storage</u>. There is no request to address external threats.</p>

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<p>6) Project Area & Cumulative Impacts: Citizens assert that the definition of <u>Project Area</u> defined in the Project Description (p. 2) as <u>project site plus 1,000 feet</u> can be applied in five sections—Faunal, Floral, Air, Noise and Odor—formally <u>granting the applicant arbitrary freedom from responsibility</u>. Only Water is acknowledged as inter-connected and is exempt from the project area definition.</p> <p>Animals do not have permanent addresses. The endangered Northern Long-eared Bats, other flying creatures, and all ground ambulatory animals are all over a large and connected forest. Floral life can be affected by pollution beyond 1,000 feet of air pollution.</p> <p>People in homes beyond 1,000 feet are affected by air contaminants, noise and odor coming from a power plant.</p> <p><u>Cumulative Impacts</u> (pages 30-31) from other existing and potential projects which compromise the environment in some way contradicts the 1,000-foot definition of project area. <u>The proposed project running 6-14 hours/day will double the Town’s toxic emissions</u>. The Independent System Operator (ISO) that controls power flow into the electric grid could decide to that this project will run much more that 6-14 hours/day.</p> <p>Impacts of project night lighting, plant noise, pollution and odor affect not only people. Those factors encourage a migration of larger animals, eventually leaving behind only rodents and ticks to multiply.</p>	<p>6) Project Area & Cumulative Impacts: Final Scope describes the <u>Project Area</u> consisting of the project site—the actual physically disturbed area—and <u>the surrounding area within 1,000 feet</u> (p.2). That definition applies with specificity to <u>Faunal and Floral life</u> (pages 18-19). Impacts to <u>Water</u> that is “contiguous or hydrologically connected” may be extended “beyond 1,000 feet of the area proposed for development” (p.15). The section on <u>Air resources</u> (pages 27-28) did not receive the same exemption—beyond 1,000 feet—as water because no such exemption was stated. Apparently, air falls under the earlier restricted definition (p. 2) of project area. Similarly, <u>Noise and Odor</u> (pages 29-30) logically falls under the Project Area definition of site plus 1,000 feet.</p> <p><u>Cumulative Impacts</u> of project night lighting, noise and odor as they may affect people negatively. The Final Scope does not address the biology of forest fragmentation that upsets a delicate ecosystem balance of forest life. The first step is the unintended consequence of an early exodus of larger animals and birds of prey.</p>