Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information					
"Town of Long Lake Revised Battery Energy Storage System Law" - Local Law Adoption by the	ne Town Board Long Lake, H	lamilton County, NY			
Name of Action or Project:					
Town of Long Lake Revised Battery Energy Storage System Law - Proposed as Local Law No. 1 of 2024					
Project Location (describe, and attach a location map):					
Town wide					
Brief Description of Proposed Action:					
Adoption of a local law regulating the designating of properties suitable for the location, construction, operation and decommissioning of battery energy storage systems and to ensure compatible land uses in the vicinity of the the areas affected by battery energy storage systems and to mitigate impacts of battery energy storage on the the environmental resources and lands within the Town of Long Lake. The proposed law contains procedures and requirements to obtain a permit application review. The proposed local law provides for the issuance, conditioning, or denial of a permit by the Town Board.					
Name of Applicant or Sponsor:	Telephone: 518-624-3001				
Town Board of the Town of Long Lake	E-Mail: supervisor@mylonglake.com				
Address:					
1130 Deerland Rd					
City/PO:	State:	Zip Code:			
Long Lake	NY	12847			
Does the proposed action only involve the legislative adoption of a plan, loca administrative rule, or regulation?	l law, ordinance,	NO YES			
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that					
may be affected in the municipality and proceed to Part 2. If no, continue to question 2.					
2. Does the proposed action require a permit, approval or funding from any other government Agency?					
If Yes, list agency(s) name and permit or approval:					
a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	acres acres acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:					
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)					
Forest Agriculture Aquatic Other(Specify):					
Parkland					
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5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?			
b. Consistent with the adopted comprehensive plan?			
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES
o. Is the proposed detroit consistent with the prodominant character of the existing durit of hatarar landscape.			
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES
If Yes, identify:			
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES
b. Are public transportation services available at or near the site of the proposed action?		片	H
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed		H	H
action? 9. Does the proposed action meet or exceed the state energy code requirements?		Щ	Ш
		NO	YES
If the proposed action will exceed requirements, describe design features and technologies:			
		П	П
<u></u>			_
10. Will the proposed action connect to an existing public/private water supply?		NO	YES
			120
If No, describe method for providing potable water:	<u>_</u>		
11. Will the proposed action connect to existing wastewater utilities?		NO	YES
If No describe method for moveiding vectorester treatment.			
If No, describe method for providing wastewater treatment:			
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or distri	ct	NO	YES
which is listed on the National or State Register of Historic 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 th State Register of Historic Places?	ð	100	Ш
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for			Ш
archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?			
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES
wettailus of other waterbodies regulated by a rederal, state of local agency?			
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?			
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:			
		100	No. of the last

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:				
Shoreline Forest Agricultural/grasslands Early mid-successional				
□Wetland □ Urban □ Suburban				
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or		YES		
Federal government as threatened or endangered?				
16. Is the project site located in the 100-year flood plan?	NO	YES		
17. Will the proposed action create storm water discharge, either from point or non-point sources?		YES		
If Yes,				
a. Will storm water discharges flow to adjacent properties?				
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	Ш			
18. Does the proposed action include construction or other activities that would result in the impoundment of water	NO	YES		
or other liquids (e.g., retention pond, waste lagoon, dam)?		TES		
If Yes, explain the purpose and size of the impoundment:	П	П		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES		
If Yes, describe:				
	Ш			
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES		
If Yes, describe:				
	Ш	Ш		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BE	ST OF			
MY KNOWLEDGE				
Applicant/sponsor/name: Clay Arsenault Date: 5/3/2024				
Signature:				

Narrative for legislative action to accompany SEAF Part One Project Description

The Long Lake Town Board is considering the enactment of a Revised Battery Energy Storage System Law and will conduct a public hearing on the matter on Wednesday at 7 PM -May 29th, 2024 at the Long Lake Town Hall.

Last year the Town adopted its *Battery Electric Storage System Law* (BESS) as Local Law No.1 of 2023 and an *Opt-Out from Real Property Law § 487 for certain Energy Related Improvements* as Local Law No. 2 of 2023.

The laws were adopted last year on April 20, 2023 after receiving comments, conducting a hearing and environmental review.

After a spate of battery electric storage system fires within New York State in the year 2023, on July 28, 2023, Governor Kathy Hochul announced the creation of a new Inter-Agency Fire Safety Working Group to ensure the safety and security of energy storage systems across the state. Updates and resources on the Governors working group can be found on the Working Group's webpage https://www.nyserda.ny.gov/All-Programs/Energy-Storage-Program/New-York-Inter-Agency-Fire-Safety-Working-Group

Subsequently, on August 30th, 2023, the Town Board declared a moratorium on permitting new Tier 2 (greater than 600kWh) BESS's. This was done to allow time to formulate this current proposed Local Law in a way that better reflected community concerns engendered by the battery electric storage system fires and the Governor's convening of the Fire Safety Working Group.

The Town Board is the lead agency for this unlisted action.

The Revised BESS Law is based upon a model local law provided by NYSERDA, but the revised local law adds substantial additional regulatory clarity and firmer standards and protocols on setbacks, noise, device signage, financial accountability of BESS operators, as well as a provision for variances.

Critical concerns for the community's extremely limited firefighting capacity and remoteness of the territory within the Town regarding any realistic and timely arrival of mutual aid or outside fire fighting support has driven the revised text toward requiring more safeguards for the suppression of fire and the containment of fire to the confines of any proposed project site. Additionally, the Town's rural qualities that prize quiet have focused text to be more specific on pre-project sound surveys and post project modifications if additional residential development occurs subsequent to project permitting.

The new local law also addresses concerns over disruption of public water supply and road infrastructure.

The new local law would enact a variance protocol modeled upon that available under the uniform building code.

Lastly, the Town Board in 2023 directed the revision of the Town's Comprehensive plan to more closely reflect the experience and concerns information elucidated during the now terminated process connected with National Grid's proposed BESS system in the Town's hamlet of Raquette Lake. The Comprehensive Plan revision is still underway.

In text boxes below is the "narrative for legislative action" that accompanied the SEAF Part One for enactment of the original Battery Electric Storage Law (Local Law No. 1 of 2023) and is herewith repeated for context.

Adoption of a local law regulating the designation of properties suitable for the location, construction, operation, and decommissioning of battery energy storage systems and to ensure compatible land uses in the vicinity of the areas affected by battery energy storage systems and to mitigate impacts of battery energy storage on the environmental resources and lands within the Town of Long Lake. The proposed law contains procedures and requirements to obtain a permit application review. The proposed local law provides for the issuance, conditioning, or denial of a permit by the Town Board.

One of the Goals of the Town of Long Lakes Comprehensive Plan adopted January 27, 2021 as stated on page 34 of the section titled:

Goal: Ensure that the infrastructure is designed, operated, and built in a sustainable and resilient manner.

2. Make electrical service more reliable, particularly in emergency situations (e.g., redundant service, generators, etc.). The Town's long distance from power generation sources means that there is a greater amount of transmission infrastructure exposed to risks like falling trees and windstorms. The Town should continue to diversify its power sources and consider using generators, solar, and battery cells. Currently, the Town is in conversations with National Grid about the possibility of utilizing new high-capacity battery cells as backup power supplies. The Town should diligently pursue ongoing coordination with National Grid to ensure that this project moves forward.

Previous to the adoption of the Town's <u>Comprehensive Plan</u> in 2021, New York in 2019 New York passed the "Climate Leadership and Community Protection Act" (<u>Climate Act</u>), which codified aggressive climate and energy goals, including the deployment of 1,500 MW of energy storage by 2025, and 3,000 MW by 2030. (NYSERDA has since predicted that this installation base will be well over 6000 MW by 2030.)

Over \$350 million in New York State incentives have been authorized to accelerate the adoption of energy storage systems in an effort to build a self-sustaining industry. Energy storage systems are being supported by New York State's Public Service Commission which oversees public utilities with the hope that they assist in with many critical energy infrastructure needs associated with more renewable energy generation and the increasing demands made upon the existing electrical grid throughout the state and region.

As intermittent renewable power sources, such as wind and solar, provide a larger portion of New York's electricity, energy storage systems will be used to smooth and time-shift renewable generation, and minimize curtailment. As New York's grid becomes smarter and more decentralized, these systems will dispatch stored energy when and where it is needed the most.

Further, energy storage systems are being pursued by the major utilities within the state so as to meet peak power needs without relying on its oldest and dirtiest peak generating plants, many of which are approaching the end of their useful lives.

Also, the Climate Act and market forces are causing there to be an increasing "electrification" of daily life within the state. While rural areas such as Long Lake may not see the steep immediate trend toward electrification that many urban areas see first, there will be increasing demands upon the grid for air conditioning, heat pumps and Electric Vehicle (EV) charging stations.

Additionally, battery energy storage systems are being increasing deployed in the U.S. to help create the micro-grids which can provide short-term back-up power in selected areas during disruptions to normal grid system power transmission or generation facilities.

In 2020, New York State Energy Research and Development Authority (NYSERDA) developed the first comprehensive set of guidelines for reviewing and evaluating battery energy storage systems. The Town's proposed local law on the topic is based principally upon the guidance and information provided to communities throughout the state to take steps necessary at the local level to protect the public, first responders, firefighters while promoting safe energy storage installations as part of the Climate Act objectives. NYSERDA has provided the Town with on-line web training and technical support and its document "The Battery Energy Storage System Guidebook" (Guidebook) to help local government officials, and citizens to understand and develop a battery energy storage system permitting and inspection processes to ensure efficiency, transparency, and safety in their local communities. The Guidebook is available to public on NYSERDA's website at https://www.nvserda.nv.gov/All-Programs/Clean-Energy-Stiing-Resources/Battery-Energy-Storage-Guidebook

NYSERDA also provided a <u>Battery Energy Storage System Model Law</u> which the Town has adapted to be the proposed Local Law #1 of 2023 currently under review.

As is well known, certain activities require a permit from the Adirondack Park Agency under: the <u>Adirondack Park Agency Act</u>; the <u>Wild, Scenic and Recreational Rivers System Act</u>; and the <u>Freshwater Wetlands Act</u>. For each of these laws, the APA's permitting review criteria involves an analysis of potential impacts from the proposed activity on the natural, scenic, aesthetic, ecological, wildlife, historic, recreational, open space, and other resources of the Park - in addition to other standards.

The APA Act requires landowners to obtain permits for certain new development and subdivision activities, referred to as "regional projects." Regional projects include: *Businesses providing goods, services, activities, etc. for a fee (except in Hamlet areas). * The construction of any structure over 40 feet in height, as measured from the highest point of the structure to the lower of either original or finished grade (except in Industrial Use areas)

Notwithstanding the comprehensive environmental review that <u>could</u> be provided by the APA for a Battery Energy Storage System within the Town of Long Lake, there are many circumstances where such review by APA would be absent or minimal and, in any case, might not cover all the concerns that local citizen's would have in hosting such facilities within the Town. The proposed local law is aimed at filling in the gaps to ensure that the construction, operation, and decommissioning of such facilities comport with this local government's requirements and obligations to ensure the health safety and the general well-being of the community.