

State Environmental Quality Review
POSITIVE DECLARATION
Notice of Intent to Prepare a Draft EIS
Determination of Significance

Planning Board of the Town of Wawayanda, Orange County, New York

Date: 25 June 2008

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law. The Planning Board of the **Town of Wawayanda**, as Lead Agency, has determined that the proposed action described below may have a significant impact on the environment and that a Draft Environmental Impact Statement shall be prepared.

Name of Action: CPV Valley Energy Center

SEQR Status: Type 1 Action

Description of Action:

The proposed action involves the construction of a nominal 580 MegaWatts (MW) natural gas-fired combined cycle electric generating facility (with ultra low sulfur fuel oil back-up), plus related utility infrastructure in the Town of Wawayanda, Orange County, New York. The Project is proposed to be located on a 122 ± acre parcel located between U.S. Route 6 and Interstate 84. When operating under a condition with duct firing, the electrical output could increase to a maximum total output of 630 MW. The Project would produce electricity for the regional electric power transmission grid by an interconnect with the New York Power Authority transmission line located north of the project site. Natural gas for the Facility will be provided via connections to the Millennium Pipeline located approximately 7 miles east of the Project site or by Orange and Rockland owned pipelines located east of the Facility. Process water for the Project operations will provided via a pipeline from the City of Middletown wastewater treatment plant utilizing gray water or on-site ground water resources. Potable water will be provided to the site via a connection to the Town of Wawayanda's public water supply system.

Location: Tax Lots 4-1-38.32, 4-1-38.33 and 4-1-40.22 in the Town of Wawayanda, Orange County, New York.

Reasons Supporting This Determination:

Potential environmental impacts associated with proposed action are identified in a Full Environmental Assessment Form submitted with the Project application as modified by the Planning Board as Lead Agency. These impacts, which may be reasonably expected to

result from the Project, has been compared to the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617(c)(2) and (3). As indicated below, each of the impacts identified may result in one or more significant impacts on the environment and an Environmental Impact Statement must be prepared to address those impacts and other impacts identified during the scoping session.

The Planning Board as Lead Agency, has identified the following potential significant environmental impacts; impacts to land, impacts on water, impacts to surface and ground water quality or quantity, impacts to surface drainage, impacts to air, impacts on plants and animals, impacts on agricultural land resources and agricultural soils, impacts on aesthetic resources, impacts on historical and archeological resources, impacts on open space and recreation, impacts on transportation, impacts on energy usage, noise and odor impacts, impacts on growth and community character, impacts on State and Federal jurisdictional wetlands.

The cumulative impacts of the Project shall be addressed in the Environmental Impact Statement. A public scoping session has been scheduled for 27 August 2008 at the Town Hall, Ridgebury Hill Road, P.O. Box 296, Slate Hill, New York 10973 at 7:30 p.m., or as soon thereafter as can be heard.

For Further Information:

Contact Person: Ann Yates, Chairperson, Town of Wawayanda Planning Board
Address: P. O. Box 296, Slate Hill, NY 10973
Telephone Number: 845-355-5712
845-355-5752 (fax)

A copy of this notice sent to:

NYS Dept. of Environmental Conservation, 625 Broadway, Albany, New York 12233-1750.
Dept. of Environmental Conservation, 21 South Putt Corners Road, New Paltz, New York 12561,
John Razzano, Supervisor, Town of Wawayanda
Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750.

Interested and involved agencies: see attached.