

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Cambria ESS		
Project Location (describe, and attach a general location map): 5147 Lockport Rd. Cambria, NY 14094		
Brief Description of Proposed Action (include purpose or need): The Applicant, Cambria ESS, LLC is proposing to construct a Tier 3 battery energy storage system (BESS) within an approximately 0.73 acre (31,585 sf) portion of the 18.6 acre parcel located along Lockport Road in the town of Cambria, Niagara County, New York, tax parcel ID: 121.00-2-46.211, as depicted on the site plan provided with this application. The Applicant proposes a system configuration that includes six (6) units of the Tesla Megapack 2XL batteries, providing 5 MW capacity and 23,500 kWh (4-hour duration) energy delivery. Equipment is proposed to be mounted on a foundation pad and will include transformers, meter, and switchgear.		
Name of Applicant/Sponsor: Cambria ESS, LLC		Telephone: 917-819-1900
		E-Mail: awelch@ric.energy
Address: c/o RIC Development, LLC, 17 State Street, Suite 2320		
City/PO: New York	State: NY	Zip Code: 10004
Project Contact (if not same as sponsor; give name and title/role): Andrew Welch; Director, Development, RIC Development, LLC		Telephone: 917-819-1900
		E-Mail: awelch@ric.energy
Address: c/o RIC Development, LLC, 17 State Street, Suite 2320		
City/PO: New York	State: NY	Zip Code: 10004
Property Owner (if not same as sponsor): Daniel McKie		Telephone: 716-949-6551
		E-Mail: dmckie@rochester.rr.com
Address: 8503 Chestnut Ridge Road		
City/PO: Gasport	State: NY	Zip Code: 14067



**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Cambria Site Plan Approval	January 2026
c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Cambria ZBA Use Variance Approval and Special Use Permit	November 2025 (Use Variance) and January 2026 (Special Use Permit)
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Niagara County 239m GML referral	January 2026
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC SPDES GP-02-25-001	January 2026
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>• <b>If Yes</b>, complete sections C, F and G.</li> <li>• <b>If No</b>, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): NYS Heritage Areas: West Erie Canal Corridor	
_____	
_____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
_____	
_____	
_____	

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
 The Project site is located partially within the Business 2 (B-2) zoning district. Under Local Law No. 2 of 2022, standalone Tier 3 BESS are only permitted in Industrial zoned districts. Therefore, this project requires a Use Variance.

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
 If Yes,  
 i. What is the proposed new zoning for the site? Use Variance required

**C.4. Existing community services.**

a. In what school district is the project site located? Starpoint School District

b. What police or other public protection forces serve the project site?  
Niagara County Sheriff's Office and the Town of Cambria Police Department

c. Which fire protection and emergency medical services serve the project site?  
Cambria Volunteer Fire Company and Tri-Community Ambulance Service

d. What parks serve the project site?  
N/A

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Tier 3 Battery Energy Storage System

b. a. Total acreage of the site of the proposed action? 18.6 acres  
 b. Total acreage to be physically disturbed? 0.73 acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 18.6 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types). \_\_\_\_\_  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? \_\_\_\_\_  
 iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: 2-3 months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_  
 • Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
 • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,  
 i. Total number of structures 6  
 ii. Dimensions (in feet) of largest proposed structure: 9.25 height; 6.0 width; and 30.0 length  
 iii. Approximate extent of building space to be heated or cooled: 1,080 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,  
 i. Purpose of the impoundment: \_\_\_\_\_  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_  
 iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_  
 iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres  
 v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length  
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:  
 i. What is the purpose of the excavation or dredging? \_\_\_\_\_  
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
 • Volume (specify tons or cubic yards): \_\_\_\_\_  
 • Over what duration of time? \_\_\_\_\_  
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_  
 iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres  
 vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres  
 vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet  
 viii. Will the excavation require blasting?  Yes  No  
 ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:  
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No  
 If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No  
 If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
 If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
 If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No  
 If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

\_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
 If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

- Do existing sewer lines serve the project site?  Yes  No
- Will a line extension within an existing district be necessary to serve the project?  Yes  No

 If Yes:
 

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

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iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:
 

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_

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vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_

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e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:
 

- i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)
- ii. Describe types of new point sources. \_\_\_\_\_
- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_
  - If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_
  - Will stormwater runoff flow to adjacent properties?  Yes  No

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iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

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f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:
 

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_
- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_
- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

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g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:
 

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No
- ii. In addition to emissions as calculated in the application, the project will generate:
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
  - \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

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k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade, to an existing substation?  Yes  No

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l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7am - 7pm</li> <li>• Saturday: _____ 7am - 7pm</li> <li>• Sunday: _____ None</li> <li>• Holidays: _____ None</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 24 hours</li> <li>• Saturday: _____ 24 hours</li> <li>• Sunday: _____ 24 hours</li> <li>• Holidays: _____ 24 hours</li> </ul>
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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No

If yes:  
*i.* Provide details including sources, time of day and duration:  
 During hours of construction, heavy equipment used for construction is expected to produce noise that exceed ambient noise levels. \_\_\_\_\_

*ii.* Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

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n. Will the proposed action have outdoor lighting?  Yes  No

If yes:  
*i.* Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: \_\_\_\_\_

*ii.* Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

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o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:  
*i.* Product(s) to be stored \_\_\_\_\_  
*ii.* Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
*iii.* Generally, describe the proposed storage facilities: \_\_\_\_\_

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q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:  
*i.* Describe proposed treatment(s): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*ii.* Will the proposed action use Integrated Pest Management Practices?  Yes  No

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r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes:  
*i.* Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

*ii.* Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

*iii.* Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe:

The current land use within the project site is entirely within agricultural field (row crops). On this same parcel to the southeast of the project area, there are commercial storage space units with an associated access road.

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1.75	2.09	+0.343
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	3.47	3.47	0.0
• Agricultural (includes active orchards, field, greenhouse etc.)	13.38	12.65	-0.73
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_  
\_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
\_\_\_\_\_

iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
\_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ >6.5 feet  According to USDA Soil Survey

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:	HIA - Hilton silt loam	29 %
	OoA - Ontario loam	69 %
	OvA - Ovid silt loam	1.5 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ 69 % of site  
 Moderately Well Drained: \_\_\_\_\_ 29 % of site  
 Poorly Drained \_\_\_\_\_ 1.5 % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ 100 % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name unnamed Tributary to Tonawanda Creek Classification C
- Lakes or Ponds: Name N/A Classification N/A
- Wetlands: Name Federal Waters, Federal Waters Approximate Size N/A
- Wetland No. (if regulated by DEC) N/A

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100-year Floodplain?  Yes  No

k. Is the project site in the 500-year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_

<p>m. Identify the predominant wildlife species that occupy or use the project site:  Predominant wildlife to the area passing _____ through this site may include: _____  groundhogs, mice, voles, and others. _____ rabbits, skunks, white tailed deer, birds, _____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>  If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>  If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>  If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>  If yes, give a brief description of how the proposed action may affect that use: _____</p>	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>  If Yes, provide county plus district name/number: <u>NIAGc07</u></p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>  i. If Yes: acreage(s) on project site? <u>18.6</u>  ii. Source(s) of soil rating(s): <u>USDA Soil Survey</u></p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>  If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>  If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district 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 the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: \_\_\_\_\_

iii. Brief description of attributes on which listing is based: \_\_\_\_\_

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

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h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: Erie Canal - New York State Barge Canal Historic District

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Erie Canal-way Trail

iii. Distance between project and resource: \_\_\_\_\_ 1.70 miles.

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i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district 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 the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: \_\_\_\_\_

iii. Brief description of attributes on which listing is based: \_\_\_\_\_

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

---

g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

---

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: Erie Canal - New York State Barge Canal Historic District

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Erie Canal-way Trail

iii. Distance between project and resource: \_\_\_\_\_ 1.70 miles.

---

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Kevin R. Bliss Date Dec. 2, 2025

Signature Kevin R. Bliss Title Director, Environmental Affairs and Permitting

**PRINT FORM**

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

Agency Use Only [If applicable]

Project :	Cambria ESS LLC
Date :	

**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.

<b>1. Impact on Land</b> 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
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>2. Impact on Geological Features</b> 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) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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"/>

<b>3. Impacts on Surface Water</b> 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) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

l. Other impacts: Contamination from potential toxic materials associated with potential BESS fires. _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<b>4. Impact on groundwater</b> 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) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
h. Other impacts: Contamination from potential toxic materials associated with potential BESS fires. _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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 type="checkbox"/>	<input checked="" 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. <b>Impacts on Air</b>			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</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. 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 <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) 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 checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: Potential air impacts in the event of a fire including the emission of fumes that may impact neighbors or wildlife. _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>

7. <b>Impact on Plants and Animals</b>			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</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 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 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 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 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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. 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>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> 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 checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input 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 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 type="checkbox"/> <input 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 type="checkbox"/> <input 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 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 type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> 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
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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"/>

<b>11. Impact on Open Space and Recreation</b>			
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 checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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 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 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 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 type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b>			
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
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: <u>Increases in road use during construction period.</u>		<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: <u>Information needed on the impacts to the Grid</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

**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: <u>Noise levels during construction will temporarily exceed ambient noise levels.</u>		<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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>Fire and releases from fire- potential hazardous runoff.</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</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'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 type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input checked="" 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"/>

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</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 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: Proposed action is not allowed By- Right nor by Special Use Permit in the _____ underlying zoning district.		<input type="checkbox"/>	<input checked="" 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.

Please refer to the attached Expanded Part 3 Analysis for the Cambria ESS LLC project.

**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  
(see attached expanded Part 3 Analysis)

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
Town of Cambria Planning Board \_\_\_\_\_ 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: Cambria ESS LLC

Name of Lead Agency: Town of Cambria Planning Board

Name of Responsible Officer in Lead Agency: William J. Amacher

Title of Responsible Officer: Planning Board Chairman

Signature of Responsible Officer in Lead Agency:



Date: 04/24/20

Signature of Preparer (if different from Responsible Officer)



Date: 04/09/26

**For Further Information:**

Contact Person: Tamara J. Cooper, Town Clerk

Address: Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York

Telephone Number: (716) 433-7664, ext 127

E-mail: townclerk@townofcambria.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>

**PRINT FULL FORM**

**RIC Cambria BESS**  
**Part 3 FEAF Expanded Attachment**

**SEQR: FEAF Additional Information**

The following information supplements the Full Environmental Assessment Form (FEAF) and provides additional information and analysis that the Town used in evaluating potential impacts arising from the proposed Battery Energy Storage System (BESS) project. It is intended to facilitate a thorough review in accordance with 6NYCRR Part 617 State Environmental Quality Review Act (SEQRA). It addresses categories where there may be potential moderate to large impacts, as identified in the FEAF Part 2 and Part 1 FEAF Mapper (any threshold identified as being met), or to clarify/evaluate other issues raised during the SEQR process.

The Lead Agency has determined that the Project may have several significant adverse environmental impacts. The Lead Agency, therefore, will issue a Positive Declaration for this Project.

**Description of Proposed Action/Project**

The proposed project consists of a Tier 3 Battery Energy Storage System, located at 5147 Lockport Road in Cambria, New York. The project will be sited on an approximately 0.73-acre (31,585 sq. ft) portion of the 18.6-acre parcel. The system configuration includes six (6) units of the Tesla Megapack 2XL batteries, providing 5MW capacity and 23,500 kWh (4-hour duration) energy delivery. Equipment is proposed to be mounted on a foundation pad and will include transformers, meter, and switchgear.

**Impact on Land**

There will be disturbance of land to install the project. The average depth to bedrock on the project site is stated as being greater than 6.5 feet below grade surface as indicated by the USDA Soil Survey. The project does not propose any blasting due to bedrock. The project will include a 20-foot-wide gravel access road. The project will not modify, destroy, or restrict access to any unique or unusual landforms. The project will convert active agricultural land to non-agricultural use. A decommissioning plan must be provided to depict removal of the facility at the end of its useful life.

### **Impact on Surface and Ground Water Resources**

A wetland delineation was provided for the proposed project. The delineation was conducted in May of 2025, with results indicating that there are no wetlands, streams, or open waters located on site. There is a roadside artificial ditch located along the southern boundary of the parcel, parallel with Lockport Road. The roadside artificial intermittent ditch is approximately 5-6 feet wide at the ordinary high-water mark (OHWM) with a continuous channel bed and sloped banks. A crossing of this ditch will be required to gain access to the facility. Once a crossing design is complete, the appropriate agencies will be contacted to ensure that the installation of the proposed culvert shall adhere to all applicable federal and state regulations.

The applicant states that the project will not increase stormwater runoff at the site. Existing drainage patterns will be maintained to the maximum extent practicable and minimal impervious surfaces are proposed. As such, no significant changes to the rate or volume of stormwater runoff are expected from the Project's operations. The appropriate precautionary, post construction Best Management Practices (BMPs) will be installed and maintained throughout the life of the project.

The Niagara County Planning Board stated there is a potential concern of pollutant runoff in the event of a fire on site.

Based on the above concerns (and below needs), the Planning Board has determined that the project may have a significant impact on surface and groundwater resources.

The applicant shall provide an Erosion and Sediment Control Plan to address on site disturbance and potential pollutant runoff in the event of a fire. The EIS shall include additional information regarding stormwater quality treatment measures and practices during and following a fire response or chemical release incident to demonstrate that the potential for adverse impacts from stormwater runoff is minimized to the maximum extent practicable.

### **Impact on Flooding**

The proposed Project site is located within FEMA Flood Insurance Rate Map (FIRM) panel 36063C0219E (effective 9/17/2010), which confirms that the entire parcel lies outside both the Regulatory Floodway and the 1% annual chance floodplain (AE Zone). A FIRMette illustrating these boundaries is included in the application. No construction, including the access road, is planned within these flood-prone areas. Therefore, a floodplain development permit is not required. The project will minimize changes to existing grades and elevations as much as practicable and comply with the Town of Cambria's Flood Damage Prevention Ordinance. As a result, the Project will not impact flood-prone land.

### **Impact on Air Quality**

The proposed action will not include a State regulated air emission source or have other air emissions beyond the temporary exhaust of construction or maintenance vehicles and the occasional lawn mower.

There are concerns about the impacts to air quality in the case of a fire, specifically, potential emission of fumes during a fire which may impact surrounding neighbors and/or wildlife. As a result, the Planning Board has determined that the Project may have a significant impact on air quality.

### **Impact on Plants and Animals**

The proposed project site lies within the vicinity of the State and Federally endangered Northern Long-Eared bat. No tree clearing has been proposed for this site, and forested portions of the site have been excluded from the project's limits of disturbance. The proposed endangered Tricolored bat was also identified as a potential species near the project site. Like the Northern Long-Eared bat, this species is negatively impacted by tree clearing, which will not be proposed on this site.

The applicant states that the USFWS noted the potential for the proposed endangered Salamander Mussel within the vicinity of the project area. The species inhabits fast-flowing rivers and streams with shelter under rocks and in crevices. This habitat does not occur on the project site.

Monarch Butterflies, a candidate species of concern, may also be present in the vicinity. The applicant states that the planting of pollinator supportive seed mix on the site will mitigate any potential impact to the Monarch Butterfly.

The applicant included these statements within their FEAF Part 1 Supplemental Documentation. The applicant should supply a copy of the U.S Fish and Wildlife documentation for the Town.

Based on the above, the Planning Board has determined that the project is not anticipated to have a significant impact on Plants and Animals.

### **Impact on Agricultural Resources**

The project is in New York State Agricultural District #4. The subject parcel contains MSG 1-4 soils, which are classified as Farmland of Statewide importance, Prime Farmland if drained, and Prime Farmland. While the site is zoned B-2, it is currently utilized for agricultural purposes, specifically for cultivating row crops. Approximately 13.38 acres of the parcel appear to be actively farmed. The proposed BESS facility will remove approximately 1

acre of farmland out of use. The proposed facility will also include an access road that may partially sever the agricultural parcel. While some farm operations are limited in the underlying zoning district, the parcel still contains Prime Farmland soil and is in an Agricultural District. Therefore, mitigation of any impacts to the soils on site is imperative.

Therefore, the Planning Board has concluded that the project may have a significant impact on Agricultural Resources.

The Environmental Impact Statement (EIS) should provide in-depth information regarding the Decommissioning process of the proposed project, to ensure no permanent impacts on the agricultural soils will occur. The Decommissioning Plan must comply with New York State Agriculture and Markets standards for decommissioning on MSG 1-4 soils.

### **Impact on Aesthetic Resources**

There are no mapped or known federal, state or locally designated scenic or aesthetic resources in the immediate vicinity and/ or adjacent to the project. The project will not be visible from any designated scenic or aesthetic resource. The proposed project will not hinder or impede the enjoyment of any public or private designated aesthetic resource. Based on the above, there will be no anticipated significant impacts to aesthetic resources.

### **Impact on Historic and Archaeological Resources**

The applicant states in the expanded Part 1 that the proposed project has received a “Letter of No Impact” from the NYS Office of Parks, Recreation, and Historic Preservation (NYSOPRHP). No properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

Therefore, the Planning Board has determined that no significant impacts on Historic or archaeological resources will occur.

### **Impact on Open Space and Recreational Resources**

The site is not presently designated as open space or utilized for recreational purposes, and the applicant has demonstrated that the project will not be visible from, nor impact any designated open space or recreational resources. The proposed action will not result in any reduction of open space resources as designated in any adopted municipal open space plan.

Therefore, the Planning Board has determined that the project will not have any significant impact on open space and recreational resources.

### **Impact on Critical Environmental Areas**

The proposed project site is not located within or adjacent to a Critical Environmental Area (CEA). The proposed project will have no impact on Critical Environment Areas.

### **Impact on Transportation**

There will be a temporary increase in truck and construction vehicle visits to the site during the construction period, as materials are brought to the site. These impacts will be temporary in nature and must meet Town requirements. After construction, the project will generate very little traffic. Based on this, the proposed project will have no anticipated impact on transportation.

### **Impact on Energy**

Information regarding potential impacts on the electrical grid has not been provided. Therefore, this project may have an impact on energy.

### **Impact on Noise, Odor, and Light**

There will be noise generated by the project. Operating noise levels may increase to 70 decibels at about 1- meter from the system. The applicant has not provided noise information to the nearest receptor.

The applicant's Part 1 Supplemental Documentation states the noise generated will be "comparable to that of the nearby Taconic State Parkway". The Taconic State Parkway is located on the other side of New York State.

There may be some noise generated temporarily during construction. The project will not result in any odors or excessive light. Construction hours will be limited from 7am-7pm Monday through Saturday.

Therefore, the Planning Board has concluded that the project may result in significant impacts from noise.

In the EIS, the applicant shall provide noise information to the nearest noise receptor and provide comparable noise estimates that are relevant to the Town of Cambria.

## Impact on Human Health

There are no hazardous substances maintained on site or exposed to the environment. Use of pesticides or herbicides are not proposed.

There may be a temporary increase in the rate of disposal of solid waste during construction. If local, county, and state regulations are followed regarding disposal of solid waste, no negative impacts due to solid waste are anticipated.

The access road will provide emergency egress into the site and the layout and design (H-20 loading) needs sign-off from the fire department. Emergency plans also need to be signed off by the Fire department.

There are potential health and safety concerns associated with potential fire or other incidents that could result in the release of airborne toxic chemicals or contamination of soil and groundwater resources. The Niagara County Planning Board stated there is a potential concern of pollutant runoff in the event of a fire on site. A fire on a BESS system can reach up to 2,000-3,000 degrees Fahrenheit and can burn for multiple days, often requiring specific fire maintenance that a typical Fire Department cannot assist with. These fires can potentially release large quantities of flammable gases, and fire behavior in BESS can exhibit different forms and phenomena depending on the system scale and other individual aspects. A decommissioning plan has not been provided for the project.

Therefore, the Planning Board has determined that emergency incidents at the site may result in public health and safety problems.

The EIS should depict how the project will be decommissioned and prove that no hazardous materials from the Lithium-Ion Batteries will be left behind during this process.

The EIS should provide more information on the specific chemicals that could affect the public and the associated health risks, how the public would be notified during an emergency incident at the Project, and is there an emergency evacuation plan in the event that emergency responders determine there is a need to implement mass evacuations, and how would the emergency evacuation plan affect the surrounding businesses.

The Applicant shall provide the appropriate documentation demonstrating compliance with the following standards:

- UL 9540 – Standard for Energy Storage Systems and Equipment
- UL 9540A – Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems

The EIS will explain how the proposed Project complies with UL 9540 and UL 9540A. UL 9540A test results will be attached to the EIS and evaluated in the EIS.

Additionally, the EIS will include documentation of Large-Scale Fire Testing (LSFT) by an approved testing laboratory as required by FCNYS.

An Emergency Response Plan (ERP) shall be provided in the EIS and included as an attachment. Additionally, the ERP shall include any required information regarding Hazard Support Personnel as required in FCNYS. Information on dispatch time of Hazard Support Personnel shall be required in the EIS. Duties of the Hazard Support Personnel as outlined in FCNYS shall be documented in the ERP.

A Hazard Mitigation Analysis (HMA) shall be completed and submitted in accordance with FCNYS. The HMA shall evaluate credible failure modes, fire and explosion hazards, thermal runaway scenarios, and mitigation measures specific to the proposed technology and site conditions. The HMA shall be attached to the EIS and its findings will be evaluated in the EIS.

### **Consistency with Community Plans and Community Character (Combined Section)**

The project will not replace or eliminate existing facilities, structures, or areas of historic importance to the community. It will not create a demand for additional community services (except during emergency events), and it will not displace any affordable housing. The project is being designed to be consistent with the predominant architectural scale and natural landscape of the site and surrounding area. The surrounding area consists of forested areas, agricultural croplands, and a variety of commercial businesses and storage areas.

The Project is located within an area covered by the following municipal and county plans: the Town of Cambria Comprehensive Plan (2021), Niagara County Comprehensive Plan (2015) and Niagara County Agricultural Farmland Protection Plan (2018).

The project, which is a Battery Energy Storage system, is not an allowed use in the General Business District (B-2) in the Town of Cambria. Under Local Law No. 2 of 2022, standalone Tier 3 BESS systems are only permitted in the Industrial districts. Therefore, this project requires a Use Variance. The project will also require Area Variances from the setback requirements. Local Law No. 2 of 2022 requires 500-foot setbacks for all property lines, and 1,000-foot setbacks from adjoining parcels zoned residential or commercial for Tier 3 BESS. The applicant is requesting relief from these setback requirements. As such, the proposed project is not in conformance with Town of Cambria Zoning requirements.

The Town of Cambria Comprehensive Plan describes the General Business District's purpose as follows: "General retail trade and business use, including automotive uses". This parcel of land is intended for business use listed in the Zoning Chapter. The Niagara County Comprehensive Plan states that in the Town of Cambria, agricultural preservation was listed as a top priority issue, as well as economic development in key areas. Additionally, the

Niagara County Agricultural Protection Plan notes that sprawl and other uses taking up valuable, prime farmland are considered a “future threat” to the County.

Therefore, the Planning Board has determined that the project may have a significant impact on Community Plans and Community Character.

The EIS shall further examine alternatives for the proposed project including alternate sites and alternate orientations which would not require a Use Variance or Area Variance for the proposed project.

**Town of Cambria Planning Board**  
**SEQRA Positive Declaration and Scoping Schedule Resolution**  
**Cambria ESS LLC Application**

**WHEREAS**, the Town of Cambria Planning Board received a Site Plan application, a Use Variance application, and an Area Variance application from Cambria ESS LLC (the “Applicant”) for the development of a 5.00-megawatt Battery Energy Storage System located at 5147 Lockport Road (the “Proposed Action”); and

**WHEREAS**, the Cambria Planning Board reviewed the application and any revisions to the application at meetings from February of 2026 to April of 2026; and

**WHEREAS**, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law, the Cambria Planning Board initiated the SEQRA Coordinated Review Process for this Unlisted action to establish the Planning Board as SEQR Lead Agency; and

**WHEREAS**, the Cambria Planning Board has received input from various Involved and Interested Agencies and Town departments, including reviewing the minutes of the Town Zoning Board of Appeals’ public hearing on the project, received input from the Town Planner and held public meetings on the application; and

**WHEREAS**, the Cambria Planning Board has reviewed the Environmental Assessment Form (EAF) submitted by the Applicant, comments and input from the Town Planner, Town departments, Planning Board members, other Involved Agencies and the public, information submitted by the Applicant on the project and revisions to the project, and has reviewed the Town’s Zoning Code and Comprehensive Plan; and

**WHEREAS**, no objections were made to the Cambria Planning Board acting as SEQR Lead Agency and the Planning Board therefore has been established as SEQR Lead Agency; and

**WHEREAS**, the Cambria Planning Board has completed Part 2 of the FEAF, analyzed those impacts identified in Part 2 as potentially “moderate to large impacts” in an expanded Part 3 document, reviewed the criteria for determining significance in accordance with Section 617.7 of SEQR, and determined that the proposed approval of the Cambria ESS LLC project may include the potential for at least one significant adverse environmental impact.

**NOW, THEREFORE, BE IT RESOLVED**, that the Cambria Planning Board hereby issues a Positive Declaration and authorizes the Planning Board Chairman to sign the EAF, which will act as the SEQRA Positive Declaration; and

**BE IT FURTHER RESOLVED**, that the Cambria Planning Board authorizes the Town Planner to file the proper Notices and complete the required mailings concerning this determination; and

**BE IT FURTHER RESOLVED**, that to ensure a comprehensive and orderly environmental review, the Planning Board establishes the following scoping schedule for the Draft Environmental Impact Statement (DEIS) as follows:

1. Draft Scoping Document Submission by Applicant
  - 1.1 The Applicant shall submit a Draft Scoping Document to the Planning Board no later than thirty (30) calendar days from the date of this Resolution.
2. Circulation of Draft Scoping Document and Notice of Public Scoping

- 2.1 Within twenty (20) calendar days of receipt of the Draft Scoping Document, the Planning Board shall circulate the Draft Scoping Document to Involved and Interested Agencies and post it for public review and shall issue a Notice of Public Scoping.
- 2.2 The Notice of Public Scoping shall provide not less than thirty (30) calendar days for written public and agency comments on the Draft Scoping Document.
3. Public Scoping Session
- 3.1 The Planning Board shall hold at least one public scoping session during the public comment period, on a date that provides a minimum of fourteen (14) calendar days' advance public notice.
4. Close of Written Comment Period on Draft Scoping
- 4.1 The written comment period on the Draft Scoping Document shall remain open for the thirty (30) calendar days specified in Section 2.2 and shall close at 4:30 p.m. on the final day of that period.
5. Preparation of Final Written Scope by Lead Agency
- 5.1 The Planning Board shall prepare and adopt the Final Written Scope within sixty (60) calendar days after the later of:
- (a) the close of the public comment period established in Section 4.1, or
  - (b) the conclusion of the public scoping session identified in Section 3.1, whichever occurs later.
- 5.2 The Final Written Scope shall identify potentially significant adverse environmental impacts, the extent and quality of information needed, reasonable alternatives, and mitigation measures to be analyzed in the DEIS.
6. Applicant's DEIS Preparation and Submission

6.1 Following issuance of the Final Written Scope, the Applicant shall prepare the DEIS consistent with the Final Written Scope and submit the DEIS to the Planning Board on or before the Applicant's proposed date [to be determined by the Applicant], recognizing that the Applicant controls the timing of its submission.

7. Lead Agency Determination of DEIS Adequacy for Public Review

7.1 Within forty-five (45) calendar days of receipt of the DEIS, the Planning Board shall determine whether the DEIS is adequate with respect to scope and content for public review.

7.2 If the DEIS is determined inadequate, the Planning Board shall identify deficiencies in writing and, upon resubmittal by the Applicant, shall have thirty (30) calendar days to determine adequacy of the resubmitted DEIS.

8. Public Notice and Hearing on DEIS; Comment Period

8.1 Upon determining the DEIS adequate for public review, the Planning Board shall file and circulate the Notice of Completion and provide public notice of a public hearing to occur not less than fifteen (15) nor more than sixty (60) calendar days from the date of the Notice of Completion.

8.2 The Planning Board shall establish a public comment period on the DEIS of not less than thirty (30) calendar days, which may be extended in the Planning Board's discretion up to a total of ninety (90) calendar days when a public hearing is held and to accommodate agency and public participation.

8.3 If a public hearing is held, the written comment period shall remain open for at least ten (10) calendar days following the close of the hearing and may remain

open through the end of the extended comment period established under Section 8.2.

9. Final EIS (FEIS) and Findings

9.1 Following the close of the public comment period on the DEIS, the Planning Board shall prepare or cause to be prepared the Final EIS and issue a Notice of Completion within ninety (90) calendar days, or such longer period as consented to in writing by the Applicant.

9.2 The Planning Board shall issue written SEQRA Findings no less than ten (10) calendar days after filing the FEIS and within thirty (30) calendar days thereafter, or such longer period as consented to in writing by the Applicant; and

**BE IT FURTHER RESOLVED**, that the Planning Board will begin the EIS process consistent with the foregoing scoping schedule upon the Applicant's submission of a Draft Scoping Document and in accordance with SEQRA procedures; and

**BE IT FINALLY RESOLVED**, that the Planning Board Chairman, Planning Board staff, and the Town Planner are authorized and directed to take all actions necessary to implement this Resolution, including issuance and filing of the SEQRA Positive Declaration and scoping notices, scheduling and noticing of the public scoping session, and coordination with Involved and Interested Agencies.

Unapproved

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# Town of Cambia Planning Board Meeting Minutes

**Date:** April 20, 2026

**Time:** 7:00 PM

**Location:** Town Hall Meeting Room, 4160 Upper Mountain Road, Sanborn, New York

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## **Attendees included:**

William Amacher, Chairman

Roger Schreader, Member

Michael Sieczkowski, Member

Gerald Kroening, Member

Garret Meal, Member

Chad Brachmann, Alternate Member

Michael Haseley, Alternate Member

Abe Platt, Attorney

Matthew Cooper, Building Inspector/Code Enforcement

Randy Roberts, Town Board Liaison

**Members not in attendance:** Krista Brocious, Clerk Planning /Zoning Board

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## **Call to Order**

The meeting was called to order by Chairman Amacher who welcomed everyone to the meeting and asked everyone to stand for the pledge of allegiance.

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## **Approval of Minutes**

**Motion:** To approve the minutes of the **March 16, 2026**, meeting.

- **Motion to approve minutes:** Mr. Schreader
  - **Second:** Mr. Sieczkowski
  - **Vote:** All in favor — **Carried**
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**TOTTEN, Kirk**  
**5930 Campbell Blvd, Lkpt**  
***Site Plan Approval***

**PSP-2026-001**  
**SBL#121.00-2-78**

The Board reviewed the application for Site Plan Approval of a Repair & Sales Shop. The project included the reuse of existing structures and the construction of future structures.

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# Town of Cambia Planning Board Meeting Minutes

**Date:** April 20, 2026

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Discussion included:

- The purchaser indicated that the project consisted of the conversion of a storage use to a business use.
- The new use will be a vehicle restoration business that will be open to the public.
- The proposed hours are to be 9:00 a.m. to 5:00 p.m., Monday through Friday, and 8:00 a.m. to 12:00 p.m. on Saturday.
- The proposed new structure is to be used as a future showroom. The rear structure will remain primarily used for personal storage.
- There is to be water on-site.
- Chairman Amacher indicated that the Niagara County Planning Board had reviewed and approved the Site Plan.
- The Applicant would be permitted a 4'x8' lit sign to be installed on the building. The sign will be lit during evening business hours; on a timer.
- Fluids and other automotive waste products collected on-site would be removed by a third party vendor.

## Negative Declaration under SEQRA.

**Motion** by: Mr. Kroening

**Second** by: Mr. Sieczkowski

**Vote:** All in favor. Motion carried.

## Site Plan Approval

**Motion** by Mr. Kroening to approve the Site Plan pursuant to the previously discussed terms and conditions.

**Second** by: Mr. Sieczkowski

**Vote:** All in favor. Motion carried.

**MCKIE Properties/RIC Energy**

5147 Lkpt Rd., Lkpt

*Coordinated Review*

**ZBUV-2025-003**

**SBL#121.00-2-46.211**

## SEQR Review – Coordinated Review Update

- The Planning Board was previously designated as **Lead Agency** for SEQR review and has completed a detailed review of SEQR Parts 2 and 3.
- Attorney Platt indicated that certain information was sought from the Applicant following the March 16, 2026, Planning Board meeting and that said information

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## Town of Cambria Planning Board Meeting Minutes

**Date:** April 20, 2026

**Time:** 7:00 PM

**Location:** Town Hall Meeting Room, 4160 Upper Mountain Road, Sanborn, New York

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was received from the Applicant and reviewed as part of the Board's review of SEQR Parts 2 and 3. Attorney Platt indicated that it was his understanding that the Board was now in a position to make its SEQR determination.

### SEQR Determination

**Motion:** That the Board issue a Positive Declaration relative to the BESS project.

- **Motion to issue a Positive Declaration:** Mr. Meal

The following proposed Resolution was read by Attorney Platt:

**WHEREAS**, the Town of Cambria Planning Board received a Site Plan application, a Use Variance application, and an Area Variance application from Cambria ESS LLC (the "Applicant") for the development of a 5.00-megawatt Battery Energy Storage System located at 5147 Lockport Road (the "Proposed Action"); and

**WHEREAS**, the Cambria Planning Board reviewed the application and any revisions to the application at meetings from February of 2026 to April of 2026; and

**WHEREAS**, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law, the Cambria Planning Board initiated the SEQRA Coordinated Review Process for this Unlisted action to establish the Planning Board as SEQR Lead Agency; and

**WHEREAS**, the Cambria Planning Board has received input from various Involved and Interested Agencies and Town departments, including reviewing the minutes of the Town Zoning Board of Appeals' public hearing on the project, received input from the Town Planner and held public meetings on the application; and

**WHEREAS**, the Cambria Planning Board has reviewed the Environmental Assessment Form

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## Town of Cambria Planning Board Meeting Minutes

**Date:** April 20, 2026

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(EAF) submitted by the Applicant, comments and input from the Town Planner, Town departments, Planning Board members, other Involved Agencies and the public, information submitted by the Applicant on the project and revisions to the project, and has reviewed the Town's Zoning Code and Comprehensive Plan; and

**WHEREAS**, no objections were made to the Cambria Planning Board acting as SEQR Lead Agency and the Planning Board therefore has been established as SEQR Lead Agency; and

**WHEREAS**, the Cambria Planning Board has completed Part 2 of the FEAF, analyzed those impacts identified in Part 2 as potentially "moderate to large impacts" in an expanded Part 3 document, reviewed the criteria for determining significance in accordance with Section 617.7 of SEQR, and determined that the proposed approval of the Cambria ESS LLC project may include the potential for at least one significant adverse environmental impact.

**NOW, THEREFORE, BE IT RESOLVED**, that the Cambria Planning Board hereby issues a Positive Declaration and authorizes the Planning Board Chairman to sign the EAF, which will act as the SEQRA Positive Declaration; and

**BE IT FURTHER RESOLVED**, that the Cambria Planning Board authorizes the Town Planner to file the proper Notices and complete the required mailings concerning this determination; and

**BE IT FURTHER RESOLVED**, that to ensure a comprehensive and orderly environmental review, the Planning Board establishes the following scoping schedule for the Draft Environmental Impact Statement (DEIS) as follows:

1. Draft Scoping Document Submission by Applicant

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# Town of Cambia Planning Board Meeting Minutes

**Date:** April 20, 2026

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- 1.1 The Applicant shall submit a Draft Scoping Document to the Planning Board no later than thirty (30) calendar days from the date of this Resolution.
  
2. Circulation of Draft Scoping Document and Notice of Public Scoping
  - 2.1 Within twenty (20) calendar days of receipt of the Draft Scoping Document, the Planning Board shall circulate the Draft Scoping Document to Involved and Interested Agencies and post it for public review and shall issue a Notice of Public Scoping.
  - 2.2 The Notice of Public Scoping shall provide not less than thirty (30) calendar days for written public and agency comments on the Draft Scoping Document.
  
3. Public Scoping Session
  - 3.1 The Planning Board shall hold at least one public scoping session during the public comment period, on a date that provides a minimum of fourteen (14) calendar days' advance public notice.
  
4. Close of Written Comment Period on Draft Scoping
  - 4.1 The written comment period on the Draft Scoping Document shall remain open for the thirty (30) calendar days specified in Section 2.2 and shall close at 4:30 p.m. on the final day of that period.
  
5. Preparation of Final Written Scope by Lead Agency
  - 5.1 The Planning Board shall prepare and adopt the Final Written Scope within sixty (60) calendar days after the later of:
    - (a) the close of the public comment period established in Section 4.1, or

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# Town of Cambia Planning Board Meeting Minutes

**Date:** April 20, 2026

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(b) the conclusion of the public scoping session identified in Section 3.1, whichever occurs later.

5.2 The Final Written Scope shall identify potentially significant adverse environmental impacts, the extent and quality of information needed, reasonable alternatives, and mitigation measures to be analyzed in the DEIS.

6. Applicant's DEIS Preparation and Submission

6.1 Following issuance of the Final Written Scope, the Applicant shall prepare the DEIS consistent with the Final Written Scope and submit the DEIS to the Planning Board on or before the Applicant's proposed date [to be determined by the Applicant], recognizing that the Applicant controls the timing of its submission.

7. Lead Agency Determination of DEIS Adequacy for Public Review

7.1 Within forty-five (45) calendar days of receipt of the DEIS, the Planning Board shall determine whether the DEIS is adequate with respect to scope and content for public review.

7.2 If the DEIS is determined inadequate, the Planning Board shall identify deficiencies in writing and, upon resubmittal by the Applicant, shall have thirty (30) calendar days to determine adequacy of the resubmitted DEIS.

8. Public Notice and Hearing on DEIS; Comment Period

8.1 Upon determining the DEIS adequate for public review, the Planning Board shall file and circulate the Notice of Completion and provide public notice of a public hearing to occur not less than fifteen (15) nor more than sixty (60) calendar days from the date of the Notice of Completion.

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## Town of Cambia Planning Board Meeting Minutes

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8.2 The Planning Board shall establish a public comment period on the DEIS of not less than thirty (30) calendar days, which may be extended in the Planning Board's discretion up to a total of ninety (90) calendar days when a public hearing is held and to accommodate agency and public participation.

8.3 If a public hearing is held, the written comment period shall remain open for at least ten (10) calendar days following the close of the hearing and may remain open through the end of the extended comment period established under Section 8.2.

### 9. Final EIS (FEIS) and Findings

9.1 Following the close of the public comment period on the DEIS, the Planning Board shall prepare or cause to be prepared the Final EIS and issue a Notice of Completion within ninety (90) calendar days, or such longer period as consented to in writing by the Applicant.

9.2 The Planning Board shall issue written SEQRA Findings no less than ten (10) calendar days after filing the FEIS and within thirty (30) calendar days thereafter, or such longer period as consented to in writing by the Applicant; and

**BE IT FURTHER RESOLVED**, that the Planning Board will begin the EIS process consistent with the foregoing scoping schedule upon the Applicant's submission of a Draft Scoping Document and in accordance with SEQRA procedures; and

**BE IT FINALLY RESOLVED**, that the Planning Board Chairman, Planning Board staff, and the Town Planner are authorized and directed to take all actions necessary to implement this Resolution, including issuance and filing of the SEQRA Positive Declaration and scoping

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## Town of Cambia Planning Board Meeting Minutes

**Date:** April 20, 2026

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notices, scheduling and noticing of the public scoping session, and coordination with Involved and Interested Agencies.

- **Second:** Mr. Sieczkowski
- **Vote:** All in favor – **Carried**

### Next Steps

- Applicant shall submit a Draft Scoping Document Draft
  - Applicant's submission will trigger the implementation of the proposed scoping schedule
- 

Chairman Amacher recognized that there were two individuals who remained in the gallery and asked if they had anything that they wanted to share with the Planning Board.

**Conrad Karsten**, on behalf of RIC Energy. Mr. Karsten indicated that the Applicant would provide any information requested by the Board with respect to the review process going forward.

- Mr. Sieczkowski asked Mr. Karsten if the project was a “virtual power plant” in light of the fact that it made use of Tesla Battery Packs. Mr. Karsten indicated that the “virtual power plant” platform was more of a residential use in nature and that he was not sure if the project would be considered a “virtual power plant” but that he would look into it. Mr. Karsten indicated that the premise was similar but distinguished that the subject project was of a “much larger scale” than a residential unit and was not associated with a solar project.
- Mr. Karsten indicated that the purpose of the project was essentially to “charge the batteries when the rates are cheap” and “discharge them onto the grid when they're expensive,” with the goal of “shaving a few cents off the cost of a megawatt.”

**James Kam**, 3677 Human Road, Sanborn. Mr. Kam asked the Board if every business that operates in the Town requires a site plan approval from the Board.

- Chairman Amacher and Attorney Platt indicated that they were familiar with Mr. Kam's situation. Chairman Amacher indicated that the Town had limited ability to regulate the business because of the State's Agriculture and Markets Law.

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# Town of Cambia Planning Board Meeting Minutes

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- Attorney Platt explained that because the subject business is a recognized farm operation operating within a recognized County Agricultural District, the business was largely regulated by State's Agriculture and Markets Law. The question as to whether the problematic aspects of the operation are illegal and subject to discipline must be determined via a state agency review to determine whether or not they represent a sound agricultural practice. If they are found to be a sound agricultural practice, they are protected by state law. If they are found not to be, the agency may seek to take corrective action, and Mr. Kam may be able to bring a private nuisance action seeking relief from a court.
  - Attorney Platt provided Mr. Kam with some general information regarding the sound agricultural practice review process.
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## REPORTS

**Building Inspector** – Nothing to report. Chairman Amacher announced that Mr. Cooper would be leaving his position with the Town on May 2, 2026, and thanked him for his service.

**Attorney** – Nothing to report.

**Town Board Liaison** – Nothing to report.

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## NEXT MEETING

**May 18, 2026 @ 6:00 pm**

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## ADJOURNMENT

- **Motion:** Mr. Meal
  - **Second:** Mr. Sieczkowski
  - **Vote:** All in favor – Meeting adjourned @ approximately 7:35
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*Abraham Platt*

Counsel