

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

Case 03-E-0188 - Proceeding on Motion of the Commission Regarding a Retail
Renewable Portfolio Standard.

ENVIRONMENTAL ASSESSMENT FORM

Modifications to the Renewable Portfolio Standard (RPS) Program to Fund and
Implement the Solar Photovoltaic Megawatt Block Programs.

Prepared By:

NEW YORK STATE DEPARTMENT OF PUBLIC SERVICE
Three Empire State Plaza
Albany, New York 12223-1350

Dated: April 9, 2014
Albany, New York

State Environmental Quality Review
Environmental Assessment Form

Introduction

An environmental assessment is an evaluation of the known or potential environmental consequences of a proposed action. Such an assessment also determines whether additional relevant information about such impacts is needed. Environmental assessments help involved and interested agencies identify their concerns about the action and provide guidance to the lead agency in making its determination of significance. This document provides the substantive information solicited by Appendix B of 6 NYCRR 617.20, part of the regulations promulgated by the New York State Department of Environmental Conservation pursuant to the State Environmental Quality Review Act ("SEQRA"), Article 8 of the New York Environmental Conservation Law. Because the proposed action is in the nature of policy making rather than physical construction, a narrative exposition of impact categories was chosen to communicate the information solicited rather than using the standard form of the Environmental Assessment Form (EAF).

An environmental assessment provides an organized approach to identifying the information needed by the lead agency to make its determination of significance. A properly completed EAF describes a proposed action, its location, its purpose and its potential impacts on the environment. This the first step in the environmental impact review process and leads to either a positive declaration (requiring further analysis of the environmental impacts) or a negative declaration (requiring no further action) of potentially significant adverse environmental impact(s).

Part I – PROJECT INFORMATION

Name of Action:

Public Service Commission consideration of certain modifications to the Renewable Portfolio Standard (RPS) Program, in Case 03-E-0188, to fund and implement the Solar Photovoltaic Megawatt Block Programs.

Project Location:

New York State

The Proposed Action:

The proposed action under consideration are certain a modifications to the existing RPS Program to fund and implement the Solar Photovoltaic (PV) Megawatt Block Programs. This is an unlisted action in accordance with 6 NYCRR 617.2(ak).

More specifically, the Commission is considering whether to adopt, modify, or reject, in whole or in part, the proposal of the New York State Energy Research and Development Authority (NYSERDA) that the Commission authorize new incentive funding for the Renewable Portfolio Standard (RPS) Customer-Sited Tier (CST) photovoltaic (PV) programs; authorize Long Island Power Authority (LIPA) residential and small commercial customers to participate in a statewide PV program; authorize the implementation of a Megawatt (MW) Block program based on NYSERDA's design proposed criteria; authorize additional funds to support program administration, evaluation and NYSERDA's cost recovery fee, and other related matters. In particular, the Commission is considering NYSERDA's "Petition NY-Sun 2016-2023 Funding Considerations And Other Program Implementation Considerations," which proposes future budgets and program changes for the Commission's RPS CST PV programs.

Applicant/Sponsor:

New York State Public Service Commission
Three Empire State Plaza
Albany, New York 12223

1-2. Legislative Adoption/ Funding From Other Governmental Agencies:

The action does not involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation. The action does not require a permit, approval or funding from any other governmental agency.

3-20. Land Use of Proposed Action:

The action to be undertaken by the Commission does not include direct approval for the siting or construction of any facilities. Therefore, a consideration of site-specific amounts of land affected, and compliance with existing zoning or other land-use controls are inapplicable to this evaluation.

PART II – IMPACT ASSESSMENT

The Commission's decision on the proposed program modifications is not likely to cause any direct environmental effects, since the action alone does not involve physical activities that might have impacts on the environment. Instead, the action would likely create circumstances that subsequently induce activities, which in turn may cause environmental effects. This environmental assessment sets out an evaluation of a range of conceivable secondary consequences of the action. The evaluation relies on qualitative judgments as to the potential changes resulting from the proposed actions and the magnitude and importance of the corresponding potential environmental impacts.

1. Impact to Land Use Plans/Zoning

The action to be undertaken by the Commission does not include direct approval for the siting or construction of any facilities. Therefore, a consideration of site-specific amounts of land affected, and compliance with existing zoning or other land-use controls are inapplicable to this evaluation. Individual communities or agencies will consider impacts to location specific resources as they may apply to a particular location.

2. Change in Use or Intensity of Use of Land

Individual communities or agencies will consider impacts to location specific resources as they may apply to a particular location. Impacts to agricultural resources will be avoided by use of roof top areas or locating the facilities outside of areas used for crop production. This decision will not cause specific impacts since it does not authorize a particular project.

3. Character or Quality of Existing Community

The implementation of the action would likely not have any significant adverse impact on the growth and the character of any communities or neighborhoods. The action under consideration would likely induce some construction that would introduce new structures into the landscape, but such structures are expected to be of small scale and generally accessory to existing structures already in the landscape. The action may also induce increased economic development opportunities in the renewable resources industry and the attraction of renewable technology manufacturers and installers to New York State.

4. Impact to Environmental Characteristics Causing a Critical Environmental Area (CEA)

Individual communities or agencies will consider impacts to location specific resources as they may apply to a particular location. CEA are designated and administer locally therefore impacts will have to be consider as a part of 6 NYCRR § 617.17(g). This decision will not cause specific impacts since it does not authorize a particular project.

5. Impact to Existing Levels of Traffic/Mass Transit, Biking or Walkway Infrastructure

Individual communities or agencies will consider impacts to location specific resources as they may apply to a particular location. The projects will not attract large number of people to a particular location on a frequent basis nor for a long duration. Many projects will be residential in scale and commercial projects do not require a dedicated labor force to operate a

facility. Mass transit facilities will eligible for grants or loans to support development of renewable energy resources to offset their energy needs. This decision will not cause specific impacts since it does not authorize a particular project.

6. Impact to Energy Use

The implementation of the action would likely result in reduced demand for electricity and natural gas. Any decrease in electricity demand would likely result in a corresponding decrease in demand for commodity fuels consumed in the generation of electricity. However, the action, as described above, could involve changes in policy, practices and economic arrangements affecting the choice and development of new generation sources and dispatch and retirement decisions of existing sources. Also, any decrease in electricity demand would likely result in a corresponding decrease in demand for commodity fuels consumed in the generation of electricity.

7. Impact to Water Supplies/Wastewater Treatment Utilities

These facilities may continue to seek grants or loans to support development of eligible renewable energy projects. Development of renewable energy at water or wastewater treatment plants will offset their energy consumptions reducing energy expenditures by the facility operators.

8. Impact to Historic/Archaeological/Architectural/Aesthetic Resources

This action is not likely to lead to adverse impacts to these resources. Individual communities or agencies will consider impacts to location-specific resources as they may apply to a particular location. Projects involving eligible or listed cultural resources will have complete required review processes of the NYS Office of Parks Recreation and Historic Preservation. The potential impacts to aesthetic resources will be evaluated locally in compliance with local rules. Roof top facilities may not be readily visible from areas important to the character of the community or to cultural resources. This action will not cause specific impacts since it does not authorize a particular project.

9. Impact to Natural Resources

The action is not likely to cause any direct adverse environmental effects, since the action is intended to and would likely reduce the demand for electricity generated by the combustion of coal, oil, and natural gas which in turn should result in reductions in the emissions of sulfur dioxide, nitrogen oxides, particulates, and carbon dioxide emitted as byproducts of

such combustion processes employed in the burning of fossil fuels by central generating plants.

This decision will not cause specific impacts since it does not authorize a particular project. The subsequent construction of any approved projects will not create traffic, or noise other than during the installation of the panels, which will be short-term. Solid waste production will consist of packaging which may be handled as required by local rules regarding recycling. Most often, the PV facilities are installed on rooftops with little to no potential for soil disturbance and erosion. Any large-scale project with ground disturbance will be subject to local and State rules related to storm water management, and thus significant adverse impacts are unlikely. Individual communities or agencies will consider impacts to location-specific resources as they may apply to a particular location. Most projects will be near previously developed areas, or on rooftops, which will limit impacts on plants and wildlife and natural communities.

10. Potential for Erosion/Flooding/Drainage

The implementation of the action would likely not have any significant adverse impact on land drainage or soil erosion.

11. Hazard to Environmental Resources or Human Health

A reduction in the use of fossil-fired generation due to implementation of the action would contribute to reductions in the emission of sulfur dioxide, nitrogen oxides and particulates could occur. Thus the action could reduce the adverse impacts of these pollutants on humans.

PART III

This Petition will result in positive environmental and economic impacts that will benefit both the local community and New York State. The cumulative benefits of the increased supply of renewable energy include improved energy security, local and statewide economic benefits, and improved environmental quality. Specific environmental benefits may a reduction in fossil fuel usage, and lower emission of carbon dioxides nitrogen oxides and sulfur oxides.

The action will not result in a significant adverse environmental impact as described above and a negative declaration is appropriate and recommended to the Commission under 6 NYCRR 617.7.

Public Service Commission

Name of Lead Agency

Christina Palmero

Print or Type Name of Responsible Officer in Lead Agency

Chief, Renewable Energy & Environmental Compliance

Office of Efficiency and the Environment

Title of Responsible Officer

Christina Palmero

Signature of Responsible Officer in Lead Agency

4/24/14
Date