



STATE ENVIRONMENTAL QUALITY REVIEW ACT
DRAFT SCOPING DOCUMENT FOR A
GENERIC ENVIRONMENTAL IMPACT STATEMENT

September 17, 2026

ACTION: Promulgation of Interconnection
Reforms for Large Loads Including
Data Centers

LOCATION: Statewide

CLASSIFICATION: Unlisted

LEAD AGENCY: New York State Public Service Commission

LEAD AGENCY CONTACT: Ryan Coyne, Senior Attorney
Department of Public Service

POTENTIALLY INTERESTED AGENCIES:

1. Long Island Power Authority
2. New York Power Authority
3. New York State Department of Agriculture and Markets
4. New York State Department of Environmental Conservation
5. New York State Department of Health
6. New York State Department of Homeland Security and
Emergency Services
7. New York State Department of State
8. New York State Department of Transportation
9. New York State Energy Research and Development Authority
10. New York State Office of General Services
11. New York State Office of Parks Recreation and Historic
Preservation

I. Introduction

On February 12, 2026, the New York State Public Service Commission (Commission) issued an *Order Instituting Proceeding and Soliciting Comments* in Case 26-E-0045 (the Initiating Order). On July 14, 2026, Governor Hochul issued Executive Order 62 (EO62), *Establishing a Temporary Moratorium on Data Centers in New York While the State Develops Higher Standards for Data Center Development and Benefits Blueprint to Support Localities*. As explained in the Initiating Order, New York State (the State) is exploring revisions to the existing approach for the interconnection of new large electric load customers. The State's objectives include providing greater certainty and predictability for new customers with large electric demands, protecting other ratepayers from incurring incremental costs, and ensuring electric system reliability. As part of these efforts, the State may establish cost allocation standards applicable to large loads, including data centers. EO62 further directs the New York State Department of Public Service (DPS or the Department) to specifically examine the impacts associated with the construction and operation of data centers in the state through Case 26-E-0045.

In accordance with the State Environmental Quality Review Act (SEQRA), the Commission, acting as lead agency for this Unlisted action, issued a positive declaration, finding that the action may have a significant adverse impact on the environment and that a generic environmental impact statement (GEIS) is required.¹ Accordingly, the Department intends to prepare a GEIS pursuant to 6 NYCRR 617.10.

A GEIS is appropriate when an agency action would affect a wide range of resources or geographical areas, requiring exploration of a range of mitigation measures that would work in various circumstances.² The broader focus of a GEIS enables the lead agency to identify and broadly analyze the cumulative impacts of a group of actions or a combination of impacts from a single action. The fundamental elements of a GEIS are the same as the elements for a site-specific or project-specific EIS, but a GEIS provides broader review and general analysis of existing conditions and potential impacts. Thus, a GEIS is typically used to assess the environmental impacts of an entire program or plan having wide application, including new or significant changes to an agency's regulatory

¹ See 6 NYCRR 617.7.

² See New York State Dep't of Env'tl. Conserv., The SEQRA Handbook, p. 141 (4th Edition 2020).

programs.³ Reforming the State's interconnection processes contemplates such changes.

Generating a scope is the first step in a lead agency's preparation of a draft GEIS. Scoping focuses the environmental impact assessment on the potentially significant impacts associated with the action and eliminates consideration of impacts that are irrelevant or not significant.⁴

II. Description of Proposed Action

The proposed action is the development and promulgation of interconnection processes and cost allocation standards for large electric load customers, including but not limited to data centers. The GEIS will evaluate the potential impacts that may result from implementation of the proposed interconnection reforms, as well as the potential impacts of the construction and operation of large load data centers in the state.

The purpose of, and need for, interconnection reforms is the anticipated significant load growth due to data centers and similar facilities in the coming years. As of August 2026, nearly 14 gigawatts of large electric load customer requests were in the New York Independent System Operator (NYISO) interconnection queue, with more than eight gigawatts entering the queue in 2025 alone. Data centers accounted for 88 percent of the total large electric load interconnection queue.

III. General Scoping Considerations

DPS will prepare a GEIS that will address the impacts outlined in this scoping document, including cumulative impacts. DPS will prepare the GEIS in accordance with all applicable legal requirements, including SEQRA requirements. The GEIS will assemble relevant and material facts and discuss and evaluate reasonable alternatives. DPS may summarize and reference highly technical material in the GEIS and may provide narrative discussion and illustrative tables or graphics as necessary or appropriate.

Specifically, the GEIS will identify the potentially significant adverse impacts arising from the development and promulgation of interconnection processes and cost allocation standards for large electric load customers, as well as the potentially significant

³ See 6 NYCRR 617.10(a)(4).

⁴ See 6 NYCRR 617.8(a).

adverse impacts arising from the construction and operation of data centers in the State.

Resulting local impacts may occur throughout the State, including in areas where large electric load customers like data centers currently operate or may be constructed in the future.⁵ Beyond local impacts, the GEIS will evaluate the statewide impacts and potential benefits of the proposed action. Interconnection reforms constitute a statewide program that aims to support the State's clean energy goals, contribute to statewide electric system reliability, and protect other ratepayers from incurring incremental costs.

The GEIS will also distinguish temporary from permanent impacts that result from interconnection reforms and the construction and operation of data centers and other large loads. Potential adverse impacts may include, but are not limited to, potential impacts to land, surface water resources, groundwater resources, floodways and floodplains, air quality, plants and animals, agricultural resources, aesthetic, archaeological and historical resources, transportation systems, energy use, local noise, odor, and light impacts, and human health. To the degree that data centers or other large electric load customers may be sited in or near critical environmental areas and open space and recreation areas, those resources will also be considered. The GEIS will also analyze whether and how the proposed action impacts the achievement of the Climate Leadership and Community Protection Act (CLCPA) goals. The GEIS will also consider potential impacts to communities throughout the State, including on community land use plans and existing community character as well as potential disproportionate impacts on disadvantaged communities. The scoping analysis, including the completed Environmental Assessment Form (EAF), has concluded that impacts to geological features are not expected to be significant and thus will not be evaluated in the GEIS.

To conduct this analysis, the GEIS will describe existing and proposed data center and other large load sites and their interaction with and impacts to the local environment. The GEIS will also assess potential statewide impacts resulting from the interconnection of data centers and other large electric load customers to the electric grid, including impacts to the State's energy resources and progress towards the State's clean energy targets. To assess potential impacts, DPS will rely on various sources of information to generate the GEIS including, but not

⁵ As of August 2026, there are data centers operating in four counties and proposed data centers in over 10 additional counties throughout the state.

limited to, reports and publications of the NYISO, other relevant environmental impact statements, and the administrative record in Case 26-E-0045. DPS will evaluate the significance of identified impacts in the context of the mitigation measures that are available to address them.

The draft GEIS will discuss potential alternative policies concerning the interconnection of new large electric load customers, including the "no action" alternative. The alternatives discussion may overlap or be consolidated with the discussion of avoidance, minimization, and mitigation measures since the purpose of an alternative is to avoid or minimize impacts.

The "no action" alternative discussion will provide a baseline for the evaluation of potentially significant adverse impacts. The "no action" discussion will be a description of the likely circumstances if no governmental action is taken. In the GEIS, the "no action" alternative is a scenario in which new large electric load customers are subject to current interconnection processes, and no moratorium exists on construction of new data centers in the state.⁶

As may be further modified or supplemented during the GEIS process, the GEIS may consider, among other approaches, the following policy mechanisms in evaluating the proposed action, reasonable alternatives, and avoidance, minimization, and mitigation measures:

1. Employing capacity-based charges;
2. Requiring large load customers to procure their own dedicated generation or storage resources;
3. Using grid flexibility or curtailment policies;
4. Modifying tariff and cost recovery rules to protect against financial risk; and
5. Providing thermal energy storage and other beneficial uses of waste heat.

⁶ EO62 establishes a moratorium on data center development and includes other provisions that are beyond the scope of Case 26-E-0045. The GEIS is focused on the environmental impacts of interconnection reforms for large loads and the potential environmental impacts of the construction and operation of data centers in the state. The other initiatives referenced in EO62 are outside the scope of the GEIS.

IV. Contents of the GEIS

a. Cover Sheet

The GEIS shall include a cover sheet that provides: (1) the name or descriptive title of the action; (2) the location; (3) the name and relevant contact information for the lead agency; (4) the name and relevant contact information for the consultant that prepared the GEIS; and (5) relevant dates, including the date that the draft GEIS was accepted as complete and adequate for public review, the dates of the public comment period, and the dates of the public hearings, if any. For the draft GEIS, the cover page must clearly identify the document as a draft.

b. Table of Contents

The GEIS shall include a table of contents listing the sections of the GEIS, tables, figures, maps, appendices, attachments, and items that may be submitted under separate cover, if any.

c. List of Acronyms and Abbreviations

The GEIS shall include a list of commonly used acronyms and abbreviations that are used within the text of the document.

d. Executive Summary

The GEIS shall include an executive summary that contains a brief description of the proposed action and a listing of potential environmental impacts, proposed mitigation measures, and proposed social, economic, and other essential considerations. Additionally, a summary of any approvals required in connection with the action may be provided, along with a summary of the alternatives to the proposed action that are analyzed within the GEIS. The executive summary will include only that information that is found elsewhere in the GEIS, with cross references to same as may be appropriate.

e. Description of the Proposed Action

The GEIS shall include a detailed description of the proposed action. As discussed in further detail below, the description of the proposed action may identify and describe the geographic area impacted by the proposed action, the proposed action, the need for the proposed action, and the objectives of the proposed action. Additionally, as indicated below, the description of the proposed action shall include a list of all approvals, reviews, and permits required in connection with the proposed action. This section may also provide discussion and analysis of existing data centers and

other large loads in the state and of potential data center and other large load developments in the future.

i. Environmental Setting

This section of the GEIS shall describe the environmental setting of the proposed action, including discussion on a statewide basis of population demographics, land use, water resources, air quality, species biodiversity, open space resources, socioeconomics, and community character in New York. Additionally, this section may describe the existing large loads, including data center interconnections in the state and the interaction of existing large loads, including data centers with the local environment.

ii. Detailed Description

This section of the GEIS shall include a detailed description of the proposed action.

iii. Purpose, Need, and Benefits

This section of the GEIS shall provide a discussion of the purpose of, and need for, interconnection reforms and cost allocation standards. Specifically, this section may include an overview of the scope and scale of data center and other large load requests currently in the NYISO interconnection queue, the need to update the State's regulatory frameworks for data centers and other large loads to address environmental and cost-sharing concerns, and the potential benefits for communities that host data centers and other large loads. Additionally, this section may also provide discussion of how the proposed action will help support the State's electric system, consumers, and the State's energy goals and policies, including the CLCPA.

iv. Approvals, Reviews, and Permits

The proposed action is subject to approval by the Commission. No other reviews or permits are required.

f. Analysis

i. Existing Conditions, Potential Impacts, and Mitigation Measures

These sections of the GEIS will describe existing conditions, identify potential impacts of the proposed action, and discuss any actions or measures necessary to avoid and minimize the potential impacts or mitigate any impacts that cannot be avoided or

minimized. This discussion will provide a level of detail sufficient for reviewers to understand existing conditions and impacts. The GEIS will endeavor to explain technical information in plain language and supporting figures, tables, or graphics shall be utilized as appropriate.

For each issue identified herein, discussion of the issue may be organized with relevant chapters and subheadings providing for discussion and analysis of: (1) existing conditions; (2) potential impacts; and (3) proposed mitigation. Such discussion may identify and consider short-term, long-term, cumulative, and indirect impacts of the proposed action. Discussion of proposed mitigation may indicate, as applicable, where mitigation has already been incorporated as part of the proposed action. Additionally, any proposed mitigation may include clearly defined and measurable milestones and provide for long-term management and repercussions if not maintained.

1. Impact on Land

This section shall identify existing land resources, including soil, geologic, and topographic resources, throughout the state. Additionally, this section shall identify and discuss the potential impacts of the proposed action on land, including discussion of impacts on soils and topography. This section may also evaluate how the proposed action addresses construction that occurs for more than one year or in multiple phases, as well as the potential for increased erosion. Additionally, this section may address potential impacts resulting from changes in land use.

2. Impact on Surface Water

This section shall identify existing surface water resources throughout the state and provide discussion of the potential impacts of the proposed action to surface water, including potential impacts to wetlands or other surface water bodies. Additionally, this section may address whether and how the proposed action considers, accounts for, and addresses activities within surface water bodies or in proximity thereto, as well as facility water consumption, use, discharge, or other activities that may affect water quality, quantity, temperature, or use.

3. Impact on Groundwater

This section shall identify existing groundwater resources throughout the state and provide discussion of the potential impacts of the proposed action to groundwater, including potential contamination of groundwater or aquifers. This section may

specifically address groundwater use conflicts, impacts to drinking water supplies, and degradation.

4. Impact on Flooding

This section shall identify existing areas throughout the state that are prone to flooding and provide discussion of the potential impacts of the proposed action on flooding, including discussion of whether the proposed action may result in development of lands subject to flooding. This section may specifically consider whether and how the reforms contemplated by the proposed action may address development of data centers and other large loads within floodways or floodplains. Additionally, this section may discuss how the proposed action may impact development that may modify existing drainage patterns or change water flows that contribute to flooding. This section may also include discussion and analysis of climate change as it contributes to or may exacerbate flooding conditions.

5. Impact on Air

This section shall identify existing air resources throughout the State, including air resources in environmental justice areas and disadvantaged communities, and provide a discussion of the potential impacts of the proposed action on such resources. This section shall assess how the proposed action may affect the attainment of the statewide greenhouse gas emissions limits established under the CLCPA. This section may also evaluate whether and how the proposed action addresses air impacts in environmental justice areas and disadvantaged communities.

6. Impact on Plants and Animals

This section shall identify existing aquatic and terrestrial plant and animal species generically throughout the state and discuss the potential impacts of the proposed action on such resources. This section may include discussion and analysis of climate change as it impacts plants and animals. This section may also provide a discussion and analysis of whether and how the reforms contemplated by the proposed action address impacts to species, with particular emphasis on impacts to threatened and endangered species.

7. Impact on Agricultural Resources

This section shall identify existing agricultural resources throughout the state and provide discussion of potential impacts to such resources. This section may address state policy as it

pertains to agricultural resources and consider impacts to state or local farmland protection plans. Additionally, this section may include specific discussion of the potential for loss of fishing resources in proximity to discharge points. This section may also consider whether and how the reforms contemplated by the proposed action may impact agricultural resources. This section may also include discussion of the impacts of climate change on agricultural resources throughout the state.

8. Impact on Aesthetic Resources

This section shall identify existing scenic and aesthetic resources throughout the state and provide discussion of potential impacts to such resources. This section may also consider whether and how the reforms contemplated by the proposed action consider and account for the potential for visual impacts or impacts to scenic and aesthetic resources.

9. Impact on Historic and Archeological Resources

This section shall identify existing historic and archeological resources throughout the state and provide discussion of potential impacts to such resources. This section may also include discussion of potential impacts to cultural resources of Indigenous Nations. This section may also consider whether and how the reforms contemplated by the proposed action consider and account for the potential for impacts to historic and archeological resources.

10. Impact on Open Space and Recreation

This section shall discuss potential impacts to open space and recreational opportunities throughout the state. This section may identify and consider impacts to state parks and provide detailed discussion of any potential impacts to these areas. Additionally, this section may consider whether and how the proposed action considers, accounts for, and addresses the potential for impacts to open space and recreation resources.

11. Impact on Critical Environmental Areas

This section shall provide a discussion of potential impacts on critical environmental areas. Additionally, this section may consider whether and how the reforms contemplated by the proposed action consider, account for, and address the potential for impacts to critical environmental areas.

12. Impact on Transportation

This section shall identify existing transportation resources throughout the state and discuss potential impacts to such resources. This section may specifically discuss the potential impacts of worker travel on local transportation conditions during higher intensity periods (e.g., construction). Additionally, this section may consider whether and how the reforms contemplated by the proposed action consider, account for, and address the potential for impacts to transportation resources identified and discussed in this section.

13. Impact on Energy

This section shall provide a discussion on the role of data centers' and other large electric load customers' energy use in the statewide energy system and the potential impacts of the proposed action on energy demand and mix.

14. Impact on Noise, Odor, and Light

This section shall identify and provide discussion of potential impacts to noise, odor, and light resources, including discussion of both construction and operational impacts, including those in potential local host communities. Additionally, this section may consider whether and how the reforms contemplated by the proposed action consider and account for the potential for impacts on noise, odor, and light.

15. Impact on Human Health

This section shall identify and provide discussion of potential impacts on human health from exposure to new or existing sources of contaminants. Specifically, this section may address how the construction and operation of data centers and other large electric load customers may introduce contaminants to the environment. This section may also address the fire risks resulting from the construction and operation of data centers and the associated impacts on human health. The analysis may consider whether and how the proposed action addresses potential exposures to such contaminants and associated impacts on human health.

16. Consistency with Community Plans

This section shall provide discussion of potential impacts of the proposed action to existing state or local land use plans. Additionally, this section may consider whether and how the reforms contemplated by the proposed action consider and account for the

potential for impacts to state or local land use plans.

17. Consistency with Community Character

This section shall identify and address the elements that constitute community character throughout the state and provide a discussion of potential impacts to these character elements. Additionally, this section may consider whether and how the reforms contemplated by the proposed action consider and account for the potential for impacts to these character elements.

18. Socioeconomics, Environmental Justice, and Disadvantaged Communities

This section shall discuss demographics and socioeconomic indicators across the state, including employment, income and wages, and housing characteristics. This section may also identify minority, low-income, and disadvantaged communities across the state. Additionally, this section may consider whether and how the reforms contemplated by the proposed action may affect socioeconomic conditions, environmental justice, and disadvantaged communities across the state.

ii. Unavoidable Adverse Impacts

This section of the GEIS will identify all adverse environmental impacts that, based on the discussion of impacts contained herein, cannot be avoided or minimized. Additionally, this section of the GEIS will discuss, analyze, and assess all mitigation measures being considered.

iii. Alternatives

This section of the GEIS shall evaluate and compare the proposed action to, at a minimum, the "no action" alternative and other reasonable potential alternative policies. The evaluation and comparison will include specific discussion of the potential benefits, as well as the potential impacts of the proposed action, along with consideration of the purpose of and need for the proposed action.

iv. Irreversible and Irretrievable Commitment of Resources

This section of the GEIS shall identify those natural, agricultural, and man-made resources consumed, converted, or otherwise made unavailable for future use as a consequence of the proposed action.

v. Growth-Inducing Aspects

This section of the GEIS shall identify and describe the potential growth-inducing aspects of the proposed action, including short- and long-term impacts. Additionally, this section may include discussion of mitigation measures to address growth-inducing impacts of the proposed action. Such discussion may include evaluation of population and development density, use of existing infrastructure, capacity of existing infrastructure, and the need for new or improved infrastructure.

vi. Effects on the Use and Conservation of Energy Resources

This section shall discuss the potential impacts of the proposed action on the use and conservation of energy, including the use of renewable energy sources. Additionally, this section may discuss the impact and role of large load electricity demand in facilitating the achievement of the State's energy policies, including the CLCPA, and provide discussion and analysis of the proposed action in relation to the same.

g. References

This section of the GEIS will list all sources of information cited directly within the narrative text.

h. Appendices

Appendices to the GEIS may include studies, reports, or plans produced, reviewed, considered, or referenced in connection with environmental review of this action pursuant to SEQRA, as well as an assessment of public comments received on the draft GEIS.