

Appendix 1-D: Responses to Comments Received in DEIS Transcripts

List of Contents – Responses to Comments Received in DEIS Transcripts

Public Hearing – June 28, 2011 – 3:00 p.m.

Ryan Courtien	1D-1
Alan Surman	1D-1
William Sena	1D-3
Donald Dedrich	1D-5
Lorraine O'Neill	1D-5
Brigid Casson	1D-7
Peg Day	1D-8
Jessica Abrams	1D-8
Ilana Nilsen	1D-9

Public Hearing – June 28, 2011 – 6:00 p.m.

Ryan Courtien	1D-11
Cate Wilson	1D-11
Antonia Shoumatoff	1D-16
Christina Bleakley	1D-16
Tamara Wade	1D-20
Jessica Abrams	1D-20
Peter Rustenberg	1D-24
Jessica Wade	1D-25
Jim Utter	1D-27
Peg Day	1D-31
Lorraine O'Neill	1D-31

Public Hearing – July 9, 2011 – 9:00 a.m.

Linda French	1D-33
Paul Palmer	1D-33
Stancy DuHamel	1D-33
Valerie LaRobardier	1D-34

List of Contents – Responses to Comments Received in DEIS Transcripts (continued)

Public Hearing – July 9, 2011 – 9:00 a.m. (continued)

Mark Chipkin	1D-34
Chris Wood	1D-39
Tyler Davis	1D-47
Mike Purcell	1D-50
Alan Surman	1D-57
Steve Vincent	1D-59
Jaime Vincent	1D-59
Ross Cardwell	1D-60
Carol Moran	1D-64
Manna Jo Green	1D-65
Jill Way	1D-69
Lydia Odunsi	1D-70
Jessica Wade	1D-72
Alex Ackerman	1D-74
Ashely Ley	1D-78
Ryan Courtien	1D-79
Chris Galayda	1D-79
Stancy DuHamel	1D-85
Jurgen Wekerle	1D-87

Public Hearing – June 28, 2011 – 3:00 p.m.

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 1 – Public Hearing Session June 28, 2011, 3:00 p.m.				
Speaker	Summary	Comment Number	Response	FEIS Section Reference
Town of Dover Supervisor Ryan Courtien	<i>Request for Saturday public hearing</i>	T1-1	Two formal NYSDEC weekday hearings were held on June 28, 2011 and a Saturday hearing sponsored by the Town of Dover was held on July 9, 2011. All comments received during the Town's Saturday hearing have been entered into the NYSDEC record and are responded to in this FEIS.	1.4.2
Dutchess County Legislator Alan Surman	I would like to see some consideration, for example, where the walls are built strong enough on the east side so if we ever, God forbid, have a disaster, the blast will be directed up or at least away from Metro-North and Route 22.	T1-2	The Project will carry substantial insurance to cover the cost of any damage associated with a Project incident.	1.4.7
Dutchess County Legislator Alan Surman	The positive is: We are going to bring tax revenue to the Town. I know a lot of people have the NIMBY attitude, "Not In My Backyard," but if this plant displaces some of the dirtier burning plants, I think people in this overall region are going to benefit.	T1-3	Comments acknowledging benefits of the Project are noted. The Project will provide local and regional economic and environmental benefits by adding temporary and permanent jobs and by reusing a dilapidated industrial site in a productive and environmentally sensitive manner. The Project will also provide a long-term revenue source for the Dover schools, the Town of Dover and Dutchess County through contributions to the tax base and community benefits.	1.4.3 6.3.6
Dutchess County Legislator Alan Surman	...I was one of the proponents to bring in the DEC earlier. I actually wrote to Commissioner Grannis to make the DEC the Lead Agency, because I really wanted an expert review of the air quality issues.	T1-4	Support of the Project and the process set out by the NYSDEC is noted.	1.4.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

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Alan Surman, Dutchess County Legislator	So a big concern would be air dispersion...I think consideration and extra thought should be put into the height of the stacks, even if they're slightly unsightly, to make sure that we have sufficient dispersion of the carbon dioxide coming out. It's again, a very, very clean plant, but we don't want this settling in the valley.	T1-5	The height of the stacks was determined using USEPA's Good Engineering Practice criteria and model. Constructing stacks at Good Engineering Practice height helps ensure compliance with all applicable state and federal regulations, including air quality standards established by the USEPA and NYSDEC. The three stacks were also co-located (clustered together) to enhance dispersion. This occurs when closely located buoyant plumes are emitted, as the individual flow rates of each plume are additive, resulting in a greater plume height, thus allowing more dispersion before the dispersed emissions reach ground level. This dispersion technique goes above and beyond Good Engineering Practice requirements and adds considerable cost to the Project, but results in lower ambient air quality impacts.	4.3.3.2
Alan Surman, Dutchess County Legislator	I would also like to see -- I know these folks do carry insurance -- but, perhaps, some kind of a fund should be put aside, potentially, for window breakage within a few miles, if they do have a mishap there, and potential compensation for landowners immediately around the site, if they have some downturn in their property values based on this plant.	T1-6	The Project will carry substantial insurance to cover the cost of any damage associated with a Project incident.	1.4.7

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

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Speaker	Summary	Comment Number	Response	FEIS Section Reference
William Sena, Dover Resident	I live right on top of the hill, up at High Meadows...there's over a hundred homes up there...We're on top of a mountain, and it is like a valley. And I'm kind of concerned with the gases, you know, and the smell...I don't want it to be like when you're driving down the Jersey Turnpike, you know that smell when you drive by those tanks. I'm sure they followed all the rules and everything else for the environment, but when you drive by there, you can still smell it.	T1-7	No emissions from the facility would exceed odor recognition thresholds.	4.3
William Sena, Dover Resident	You also made a comment about shuttling the employees for the construction... But...when they start knocking the buildings down, tractor trailer trucks, dump trucks going in and out. I mean, it's a nice spot -- it's a straight run for the tractor, but there is a blind spot when you're coming from the Dover school, coming down. There's the three roads. The one road that goes up in the back of the mountain, and then the other road that goes to the other side of Wingdale. When you come around that -- where the entrance	T1-8	CVE will work closely with the town and NYSDOT to develop a construction management plan. This will identify known areas where additional traffic control may be warranted (for example, if there is a known "blind spot") during certain periods. In addition to known concerns, the plan will include ongoing communication and provide for adjustments so that the construction period affects local traffic to the minimum extent possible.	6.3.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 1 – Public Hearing Session June 28, 2011, 3:00 p.m.				
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	to the plant is, it's like a little bit of a blind spot, so that could be, like, kind of hazardous for school buses and stuff like that, especially with the school right up there.			
William Sena, Dover Resident	You're going to be running steam, and you're going to cool it back down, and you're going to accumulate a lot of water. You're going to get the runoff for the water from the buildings and everything else, which sounds really good, but what happens if you have an overabundance of water? You know, I'm sure -- what's going to happen with the overabundance of water?	T1-9	<p>In addition to reducing the need for water, a benefit of the air cooled system that will be used at the Project is the avoidance of accumulating water. In this closed system, used steam that is condensed to water in the air cooled condensers will be reused to make new steam in a closed cycle system, thus avoiding "accumulating" water.</p> <p>The Project will employ a Zero Liquid Discharge system from which water will also be recycled. To the extent that recycled water and captured rainwater is available, groundwater withdrawal will be reduced, avoiding any overabundance of water.</p> <p>Detailed information on how the Project will handle stormwater runoff, including 100-year storm conditions, is described in Section 5.6 and in Appendix 5-A of the DEIS. Updated preliminary SWPPPs for the proposed laydown areas, which are detailed in Section 5.3.1, include Best Management Practices and Preliminary Design Calculations for Stormwater Volume that will be reviewed in detail as part of the Project's Section 65 (Erosion and Sedimentation Control) permit with the Town of Dover.</p>	5.3.1

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 1 – Public Hearing Session June 28, 2011, 3:00 p.m.				
Speaker	Summary	Comment Number	Response	FEIS Section Reference
William Sena, Dover Resident	...The most concern I would think of is the air, the air, you know, coming out of the plant.	T1-10	The DEIS and air permit applications have carefully considered air quality impacts. These analyses were conducted using the best tools and information available and thoroughly reviewed by USEPA and NYSDEC meteorologists and engineers are various points in the process. As demonstrated in the DEIS, the Project will not cause or significantly contribute to a violation of NAAQS or NYAAQS nor significantly degrade air quality currently in compliance with those standards.	4.3.3.3
Donald Dedrich	...Is it safe, or not safe, to assume that perhaps our electric rates in the Harlem Valley would decrease some?	T1-11	CVE will bid its power into the NYISO power pool. As one of the most efficient power generation facilities in the country, it will be able to bid lower prices in the wholesale market which should contribute to lower overall electric prices. The Dispatch Analysis provided in Appendix 1-A of the DEIS projects annual reductions in load-weighted costs to serve in the New York Pool of up to \$275 million. While many factors affect retail electric prices, the Project will certainly be a positive element in controlling costs to ratepayers.	1.4.3
Lorraine O'Neill, Town Board, Town of Dover	<i>Request for Saturday hearing</i>	T1-12	Two formal NYSDEC weekday hearings were held on June 28, 2011 and a Saturday hearing sponsored by the Town of Dover was held on July 9, 2011. All comments received during the Town's Saturday hearing have been entered into the NYSDEC record and are responded to in this FEIS.	1.4.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

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Speaker	Summary	Comment Number	Response	FEIS Section Reference
Lorraine O'Neill, Town Board, Town of Dover	...You are blaming Dover's deteriorated air quality on outside sources. I'd like to know what they are. And are you trying to say that this facility will not deplete our air quality? Because, according to the air quality reports that I received, it will. And I believe -- this is my opinion -- that it is inappropriate that it was stated that it will help the tax base and school revenue, which it will, but is that in replacement of clean air?	T1-13	<p>See Section 4.3.3.3 – Dispersion Modeling and Compliance Demonstration (Air Quality, Public Health, and the School Complex). Note that air quality knows no boundaries, however, and local air quality is influenced by upwind sources.</p> <p>The air dispersion modeling analysis demonstrated that the proposed Project, taking existing air quality levels and the contributions of other sources into account, will neither cause nor significantly contribute to any violation of the NAAQS or NYAAQS which have been established by the USEPA and NYSDEC, respectively, to ensure the protection of the health of the most sensitive segments of the population. An inventory of the emission sources used in the cumulative modeling analyses is provided in Appendices 4-A and 4-B in the DEIS.</p>	4.3.3.3
Lorraine O'Neill, Town Board, Town of Dover	I would also like to clearly state that the... electricity will not benefit our residents and their electric bills. The electricity will be generated here in Dover, then passed on to Putnam Valley, and then down to New York City.	T1-14	<p>CVE will bid its power into the NYISO power pool, which serves all consumers within the New York Control Area. The Project will provide local and regional economic and environmental benefits by adding temporary and permanent jobs and by reusing a dilapidated industrial site in a productive and environmentally sensitive manner. The Project will also provide a long-term revenue source for the Dover schools, the Town of Dover and Dutchess County through contributions to the tax base and community benefits.</p> <p>The Dispatch Analysis projects annual reductions in load-weighted costs to serve in the New York Pool of up to \$275 million. This will help to control electricity costs for all New York State consumers, including the residents of</p>	1.4.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

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			Dover.	
Brigid Casson, Dover Resident	...I understand there will be parking and shuttling from the north end of town. I would suggest that there be some at both ends, because that makes the assumption that everyone working there is going to come from the north, and it makes no sense if they're coming from the south end to go all the way through town to get on a bus and then come back down to the site. I'm sure there must be situations available in the south end of town for parking arrangements.	T1-15	With the addition of the former Rasco parcel to the Project, the majority of construction parking will be available directly on the Project site. This will reduce the parking needs at the remote Laydown Site, including the use of shuttle buses, and will allow for careful management of particular transportation uses to keep impacts to local roadways minimized.	6.3.3
Brigid Casson, Dover Resident	I am curious as to whether the effect of any heat generated from the plant will impact the Swamp River and their ecosystem of the Swamp River. And although I know the water -- it's a self-contained unit, I'm curious about the heat generated.	T1-16	Heat from the Project will not impact the Swamp River or its ecosystem, as no discharge of heated water is proposed. Rather, heat will be recirculated to make additional energy through the combined cycle process, with cooling occurring in the air-cooled condenser and as exhaust gases exiting the stack. Neither the air-cooled condenser nor the stack will result in discernible ground level heat.	5.3.2
Brigid Casson, Dover Resident	... I would like to strongly recommend that you consider, should this come to pass, a green roof, if it's possible. Many structures now have green roofs, and if you're trying to be	T1-17	The Project will utilize rooftop rainwater capture and is considering all reasonable opportunities to incorporate on-site renewable energy such as solar panels on the Project's roofs. These low-impact designs will reduce the environmental impacts of the facility.	1.4.4

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 1 – Public Hearing Session June 28, 2011, 3:00 p.m.				
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	environmentally sensitive, that would be a significant step in the right direction.			
Peg Day, Wingdale Resident	<i>Request for Saturday meeting</i>	T1-18	Two formal NYSDEC weekday hearings were held on June 28, 2011 and a Saturday hearing sponsored by the Town of Dover was held on July 9, 2011. All comments received during the Town's Saturday hearing have been entered into the NYSDEC record and are responded to in this FEIS.	1.4.2
Peg Day, Wingdale Resident	The stacks, what exactly do they exhaust or release? Carbon dioxide was mentioned earlier. Is there any chance that methane is released? And is that released purposefully, or could it be released accidentally?	T1-19	Emissions from the stacks include mostly air, with smaller concentrations of combustion byproducts, which are the exact same products of combustion that are emitted from a natural gas-fired furnace or stove. As such, the largest constituents in the exhaust stream are identical to those found in air, which include nitrogen, oxygen, carbon dioxide, water vapor and argon. Pollutant emissions from the proposed Project that were reviewed with respect to the NNSR and PSD programs include NO _x , VOCs, CO, SO ₂ , PM ₁₀ , PM _{2.5} , sulfuric acid, and greenhouse gases, including carbon dioxide, methane, and nitrous oxide. These emissions are controlled by LAER/BACT as described more fully in Section 4.3 of the DEIS.	4.3.7
Jessica Abrams	How many times do we have to repeat the same mistakes until we wake up, until we realize this is not the solution? This is not even in the right direction. We're taking two steps back to trip one forward. We're walking into an era of totally unpredictable weather.	T1-20	The State Environmental Quality Review Act (SEQRA) process is intended to carefully consider a full range of potential issues, incorporating public and agency comment into the scope of study as well as in the review process. The Project will be among the lowest emitting, most water efficient facilities of its type ever constructed. In addition to displacing the operation of older, higher emitting generators, yielding significant regional emissions	1.4.1

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

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	Completely unknown circumstances may be arising, as we have seen with Fukushima currently raining down on us daily. We are noticing it in so many forms. We can't even eat from our own Hudson River. Talk about our own backyard. If you really care enough, look at the history and think to yourselves: How many times do we have to repeat the same mistakes before we realize we have the solutions? They're clean. They're here. They're domestic.		reductions, the Project will clean up and restore an unused industrial site. It will also remediate wetlands and Adjacent Areas that have been significantly degraded by historical conditions on the site. Development of the Project also enables the preservation of 79 acres of land abutting the Swamp River, protecting that area from future development.	
Ilana Nilsen	...For the natural gas coming from the Iroquois pipeline, where will that be coming from? Is this part of New York State? Is it coming down from Canada?	T1-21	The CVE Project will interconnect to the Iroquois gas pipeline which runs through New York State (and Connecticut) from Canada to Long Island. Iroquois has numerous connections with other interstate pipelines. CVE will be relying upon the general flow of natural gas from many sources within the interstate pipeline transportation system and it is not possible to either influence or distinguish from where the gas originates.	1.3.8
Ilana Nilsen	...I'd like to know more about the plume that's predicted to come off that smoke stack, not only what it will be carrying, but where it's going to fall, where it's going to take off and drop.	T1-22	Section 4 of the DEIS includes a comprehensive discussion of what constituents will be emitted from the facility and the resulting impacts. See Section 4.3.3 – Dispersion Modeling and Compliance Demonstration for a detailed discussion.	4.3.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 1 – Public Hearing Session June 28, 2011, 3:00 p.m.				
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Ilana Nilsen	And, then, the last thing is jobs. I'm wondering of the three to 700 people that are going to be employed for construction, how many of them will be local? And, also, when the plant is finalized, how many local jobs do you expect to contribute to Dover's economy, as well as Dutchess County's economy?	T1-23	The DEIS, in Section 6.7.3.1.3, outlines the workforce availability in the general area, concluding that approximately 90 percent of the required construction labor force could be filled by the local labor market. Details about Project construction and operational jobs are provided in Sections 6.7.3.1 and 6.7.3.2 of the DEIS, respectively. Priority will be given to staffing construction from local resources, as they are available, and a significant secondary economic effect during construction will also benefit local workers, as discussed in detail in Section 6.7.3.1.2 of the DEIS.	6.3.7

Public Hearing – June 28, 2011 – 6:00 p.m.

**Final Environmental
Impact Statement**

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Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Town of Dover Supervisor Ryan Courtien	<i>Request for Saturday hearing.</i>	T2-1	Two formal NYSDEC weekday hearings were held on June 28, 2011 and a Saturday hearing sponsored by the Town of Dover was held on July 9, 2011. All comments received during the Town's Saturday hearing have been entered into the NYSDEC record and are responded to in this FEIS.	1.4.2
Cate Wilson, Wingdale Resident	The first thing I would like to note is that the DEIS document itself is quite lengthy. It's many hundreds of pages long. It's also on a topic that's complex and difficult for many of us to understand. Given that, I think that perhaps the review period that's been allowed is somewhat shorter than it might have been...The one piece of it that I was able to get a pretty good look at is the executive summary document. That, of course, is a very much reduced version of what is in the complete study.	T2-2	The DEIS public comment period was extended on multiple occasions to allow for additional public comment. The time period for public review lasted from May 25, 2011 through August 5, 2011, which is well beyond the minimum 30-day period prescribed in SEQRA regulations. CVE has supplemented the official SEQRA process with extensive public outreach that includes 15 public workshops, two open houses, and a "Guide to the DEIS" newsletter mailed to Dover residents. In addition, the Project maintains a Project website (www.cricketvalley.com) through which it created an "Ask Cricket Valley" webpage, specifically designed to answer frequently asked questions and guide the public to answers within the DEIS.	1.4.2
Cate Wilson, Wingdale Resident	In the executive summary, it talks about the area of primary impact, which I think has been designated as a one-mile zone from the projected project and one-mile radius around. Our property is actually well within that zone, I	T2-3	A 1-mile radius is a typical planning standard to describe a site's setting from a land use and natural features perspective. It is not intended to represent a specific "area of impact." The area of primary impact for this Project is the 57-acre Project Development Area. The regulations for notification during any construction-related blasting	1.4.7 6.3.1

**Final Environmental
Impact Statement**

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	believe.		<p>occurring on the site require a notice to everyone within a zone of a 1,000-foot radius area. The notification plan will notify all property owners abutting the Property, which will include the commenter's property.</p> <p>The DEIS did not intend to imply a one-mile radius would be considered an "area of primary impact." Section 6.1.2.2 and Figure 6.1-2 of the DEIS do describe land uses that occur within one mile of the Property. This is intended as a general characterization of the Project's setting, and not to represent specific anticipated impacts. As applicable, locations where impacts are projected to occur are specifically identified for each technical issue evaluated. For example, noise isopleths show modeled sound levels extending out from the Property, traffic service levels were evaluated along the Route 22 corridor, and air quality impacts were evaluated in surrounding elevated terrain.</p>	
Cate Wilson, Wingdale Resident	<p>There are a couple of places in the executive summary where we talk about the noise levels in particular that are going to occur during the construction project. The noise, the emissions, the traffic, all of that is going to have a significant impact on all of those who are local.</p> <p>Since our property directly abuts - - it's immediately south of Howland's Apartments. We're in</p>	T2-4	<p>CVE has incorporated significant mitigation measures to reduce noise (as detailed in Section 6.4.3.3.2 of the DEIS), including obtaining an option to purchase additional property to the south to increase the buffer from other land uses.</p> <p>Note that the addition of the former Rasco parcel has effectively moved the southern property line of the site approximately 2,000 feet, ensuring that the Project will be in compliance with the Town of Dover daytime and nighttime noise standards at the north, east, and south property lines, including the property of the commenter.</p>	6.3.4

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

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	<p>kind of a hot spot for the ultimate noise level and all the rest of it. However, the study itself never addresses that southern end except to say that...while the project is expected to comply with the most restricted nighttime sound level limit of the Town of Dover zoning code, which is not specified here, at the north and east property lines, the west line and the southern line abutting other industrial zoned, and we are not industrial zones, are expected to be noncompliant...</p> <p>They've requested an adjustment to the zoning law to allow for that higher level of noise which I really think is unacceptable. If you're going to have a rule about a noise level and it's a nighttime noise level, in particular, it should be adhered to -- Towns should make them stick to that. If that means the construction project takes a little bit longer, that's -- people shouldn't be... kept awake at night because they're building a plant.</p>			

**Final Environmental
Impact Statement**

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Cate Wilson, Wingdale Resident	The project, and I quote, "The project will be a new major source of air emissions." Still, it will purchase emissions offsets." It goes on to talk about that a little bit. I think that... probably more needs to be said about what these carbon credits, these emission credits are and why they're necessary for a project that is supposed to produce minimal emissions to begin with. It seems to me that it's a fancy way of getting around the law as opposed to really ...not making air emissions... And I just think that this whole business of getting credit for what we emit, it's okay if you emit it here because we gave somebody else back something over there, is really not an appropriate way to address the problem.	T2-5	<p>USEPA and NYSDEC require that major sources of ozone precursors (NO_x and VOC) first incorporate BACT/LAER in selecting stringent emissions control. The CVE Project has done so. However, even with low emissions that comply with regulatory standards, the desire to work towards a net regional emissions reduction of ozone precursors means that USEPA and NYSDEC also require projects to obtain emissions offsets prior to issuing an air permit. Emission offsets must be obtained from sources that have implemented a permanent, enforceable and quantifiable emissions reduction. The Project has secured offsets equal to 115 percent of its maximum permitted emissions of NO_x and VOC from sources located in areas determined by USEPA and NYSDEC to contribute to ozone levels in Dutchess County.</p> <p>The Project will be required to comply with CSAPR, a cap-and-trade program required by the USEPA to reduce emissions of ozone season NO_x (a precursor to ozone) and annual NO_x and SO₂ (precursors to fine particulates). Under this cap-and-trade program, plants holding excess allowances will be able to sell or trade allowances to those without sufficient allowances. The number of allowances will gradually decrease, encouraging the retrofit of additional NO_x and SO₂ controls on sources, or retirement of those plants; thereby reducing regional emissions and encouraging the development of cleaner sources of electricity. A detailed description of CSAPR is provided in Section 4.3.1.1.</p>	4.3.1.1 4.3.1.4

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

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Author	Summary	Comment Number	Response	FEIS Section Reference
			<p>New York is also a participant in the Regional Greenhouse Gas Initiative (RGGI) a regional CO₂ cap-and-trade program. As such, the Project will be required to obtain CO₂ allowances to cover its annual emissions. Similar to other regional cap-and-trade programs, this program is intended to encourage the use of energy sources, like CVE, that are more efficient in terms of greenhouse gas emissions.</p> <p>Participation in the above cap-and-trade programs, as well as the requirement to obtain offsets in no way relieves the Project of the requirement to minimize emissions. The CVE Project will apply LAER and BACT – which are the Lowest Achievable Emission Rate technologies and Best Available Control Technology – as applicable by individual pollutant. With these controls, the Project will be among the cleanest fossil-fuel-fired power plants ever constructed. The allowance program requirements are in addition to these emissions control requirements, not a substitute for them.</p> <p>See Section 4.3.1.4 – Regulatory Updates and Discussion (Miscellaneous Regulatory Updates for more information.</p>	
Cate Wilson, Wingdale Resident	We are in a place here in this little valley where for many, many years, we've enjoyed what I can only call a pristine environment. It's completely and totally outside the normal level of places where most people live. We have a better environment than what is	T2-6	In addition to requiring new projects to demonstrate compliance with NAAQS, USEPA's PSD program establishes "increments" that new projects need to comply with to ensure that in addition to meeting health-based ambient air quality standards, air quality is not allowed to degrade from existing levels that are better than standards. In order to be especially protective of air quality, worst case background air quality levels are used	4.3.3 6.3.4

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

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Author	Summary	Comment Number	Response	FEIS Section Reference
	standard. So now we have a project that proposes to increase the noise, the air, et cetera, emissions to a level that's within acceptable realms, but acceptable compared to somebody else's.		<p>in the NAAQS compliance assessment.</p> <p>CVE is addressing the concern to maintain quiet in natural areas through noise mitigation measures in the Project design, and CVE has acquired the right to purchase a significantly larger parcel than is necessary for the Project in order to provide an adequate buffer for such potential impacts. At the edge of the CVE Property in all directions, including the residential properties to the south, the Project will comply with both state standards and local requirements. It is only along the narrow strip of Metro-North property that traverses through the site that the Project would exceed the local standard.</p> <p>The construction of the Project will have a range of different sounds over the three year construction period. In addition to consistency with the state policy and compliance with town standards, CVE has identified the process through which it will address potential noise complaints to determine their root cause as described in Section 6.3.4.4 of the FEIS.</p>	
Antonia Shoumatoff, Housatonic Valley Association	<i>Reading of portions of the formal comment letter submitted into the record and responded to in this FEIS.</i>	T2-7	The specific comments outlined in this letter are addressed in the FEIS in response to Comments No. 9-1 through 9-5.	1.4.1
Christina Bleakley	I live on Sherman Hill Road...across from where the site of the parking is going to be located. One of my concerns is, is any hazard [sic] materials will be stored at that site? 850 cars	T2-8	No hazardous materials will be stored at the remote Laydown Site. Section 2.3.4 describes in detail how the remote Laydown Site will be created, maintained and restored to its original condition at the completion of construction. Parking and storage of equipment at that location will be on one level.	6.3.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	parking, is it one-level parking? Is it two-level parking? I think they need to be a little bit more descriptive.		The addition of the former Rasco parcel to the Property will allow CVE to move most of the off-site parking from the remote Laydown Site to the Property. This is intended to reduce the impacts and traffic associated with the originally proposed remote parking area. CVE expects to use the remote Laydown Site for overflow parking during the peak construction months and as a staging area for construction material only.	
Christina Bleakley	I'm concerned about the traffic noise that will be imposed on the surrounding roads. As you know, most of the traffic coming from 22 North and going to commuting, they might not wait for the side road or the side passage that you'll be providing as a shoulder to pass. So some of those cars might direct into the private roads, such as Sherman Hill. How is that going to affect?	T2-9	<p>With the addition of the former Rasco parcel to the Property, use of the remote Laydown Site for parking is anticipated to be much less extensive. Since fewer cars (i.e., approximately 95) will be accessing the remote Laydown Site during a much more limited period of time (i.e., during the 5-month peak construction only), and appropriately sized turning lanes will be included on Route 22 based upon NYSDOT recommendations, use of local side roads as detours is not anticipated and associated noise impact would not occur.</p> <p>With the addition of the former Rasco parcel and its ability to provide on-site parking the construction crew during most of the construction period, use of the remote Laydown Site for parking is anticipated to be much less extensive. Since fewer cars will be accessing the remote Laydown Site during a much more limited period of time (i.e., during peak construction-only), use of local side roads as detours (and any associated noise impact) is not anticipated.</p>	6.3.3 6.3.4

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Christina Bleakley	When we purchased our home eight years ago, one of the things that the builder asked [sic] is the aesthetic of the land would stay and all the homes were in an area to be pretty much the same. I'm concerned -- I know there was mention that the parking will be -- the land will be put back to where they found [sic]. But I think it will change the aesthetic of the location where it is.	T2-10	The commenter is asking about the remote Laydown Site. The proposed use of the remote Laydown Site is temporary in nature. During the time it is in use, the site itself will visually change. However, trees lining Route 22 and the lack of taller stored items at the site will screen views from offsite locations. Following construction, the site will be restored. No permanent change in site conditions is anticipated, and no significant impact to community character will result.	6.3.2
Christina Bleakley	I was not informed that this was going on...So I also would consider that maybe some information would be sent to the local towns that will be affected by this project like Pawling, New Milford. I think that we have the duty of informing them that this project is going to be going on so close to them.	T2-11	CVE has held 15 public workshops and two open houses spanning a 24-month period, inviting those interested in the Project to participate in either group discussions or one-on-one conversations with a range of technical experts. Invitations were extended to every household in Dover via a mailed postcard, were publicized in the quarterly CVE newsletter which is also mailed to every household in Dover, were announced on the Cricket Valley Energy website, and were publicized via advertisements and press releases in local newspapers and periodicals that are circulated in Dover, as well as in surrounding towns, including Pawling and Millbrook (e.g., Pawling Press, Millbrook Independent, Pennysaver, etc.). In addition, the Town of Dover and NYSDEC have held six formal public meetings since May of 2009 to solicit public comment, with each of these meetings publicized via advertisements, postcard mailings, road signs, press releases, and announcements on the Cricket Valley Energy website.	1.4.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Christina Bleakley	And the other question I have is concerning the emergency. I know that they...will have some kind of emergency system in case of emergency. Are the schools being trained on how to act in the case of emergency?	T2-12	A detailed Emergency Response Plan (as discussed in Section 6.2.7 of the FEIS) will be developed in consultation with the appropriate Town officials, including the Town Board, Dover Union Free School District, J.H. Ketcham Hose Company, and other emergency response providers.	1.4.7 6.3.7
Christina Bleakley	The level of noise, as the resident was mentioning, if the level is so high in the daytime, the kids are supposed to be outside playing, so if they're dealing with the noise that might be exceeding the level...for them to be outside.	T2-13	CVE has carefully considered noise impacts to the surrounding community in developing the Project layout and in the selection of facility components and orientation. As such, the Project is not expected to produce a significant noise impact and will be consistent with the levels established in NYSDEC guidelines and local noise requirements. Outdoor sound from the facility will not be intrusive.	6.3.4
Christina Bleakley	...Was a traffic study made at the surrounding roads anywhere? I couldn't find any studies done on surrounding roads.	T2-14	A traffic analysis was included in the DEIS as Section 6.3. Traffic operational analysis (analyzing the operation and flow of travel on local roadways) utilizes key "gateway" intersections through which Project traffic would be expected to travel. The CVE traffic study analyzed 11 key intersections along Route 22 between Dover Plains and Wingdale, including the proposed construction entrances to the main site and remote Laydown Site. This methodology focuses on the highest impact locations and assesses anticipated changes in Levels of Service (generally indicated by the change in waiting times to pass through a given intersection, considering all three possible directions). Through this method, a strong understanding of affects to the overall roadway network is gained. An updated traffic study has been prepared to reflect the	6.3.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			inclusion of the former Rasco parcel as part of the Project site (Appendix 6-C of the FEIS) and is discussed in Section 6.3.3 of this FEIS.	
Christina Bleakley	And the last part I read, they had archeological materials that they were doing the study on this parking area. I couldn't find anywhere what was the result of the second phase. Were they able to find anything there that was there before?	T2-15	As described in Section 6.2.6, archaeological survey crews did not find evidence of either a prehistoric or historic site within the remote Laydown Site and submitted its findings to OPRHP. In a letter dated July 6, 2011 (6-D), based upon the results of a Phase 1B survey, OPRHP indicated that use of the remote Laydown Site will have “No Effect” upon cultural resources.	6.3.6
Tamara Wade	Many of us do not possess the knowledge to fully understand the DEIS in its entirety...I think that we need more time.	T2-16	The DEIS public comment period was extended on multiple occasions to allow for additional public comment. The time period for public review lasted from May 25, 2011 through August 5, 2011, which is well beyond the minimum 30-day period prescribed in SEQRA regulations. CVE has supplemented the official SEQRA process with extensive public outreach that includes 15 public workshops, two open houses, and a “Guide to the DEIS” newsletter mailed to Dover residents. In addition, the Project maintains a Project website (www.cricketvalley.com) through which it created an “Ask Cricket Valley” webpage, specifically designed to answer frequently asked questions and guide the public to answers within the DEIS.	1.4.2
Jessica Abrams	Just because [natural gas] comes from the earth does not make it a green source.	T2-17	Natural gas is the cleanest-burning fossil fuel alternative available.	1.4.6

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Jessica Abrams	...We're located apparently on, according to New York State, a seismic level C area. Dutchess County rates 15 out of 65 places expected to potentially have this type of annual -- potential event. We need to consider these like never because of the painful lesson we continue to learn daily from Fukushima.	T2-18	Seismic conditions have been an important consideration for the design of the Project. The area has a mapped seismic hazard rating of "intermediate" within the four seismic zone ratings in the State of New York. The Project will be designed in compliance with the appropriate code to address this rating. The Project's Engineering, Procurement, and Construction (EPC) Contractor will be required to adhere to all New York State Building Codes, including seismic requirements, as the Project is designed and constructed.	2.3
Jessica Abrams	We do not want this in our backyards. Unfortunately, we can't escape it. It's everyone's backyard, regardless. That's the unfortunate side...25 jobs? And this major risk we're looking to introduce to our area for no reason, as we do have the solutions... First and foremost is our people, the right to access to clean water and clean air and a safe environment is first and foremost before profits...Our health is not for sale.	T2-19	Environmental standards are established to be protective of the entire population, recognizing that the environment has no boundaries. This Project complies with applicable environmental requirements, and thus will safeguard clean water and clean air in addition to providing the range of environmental, economic and societal benefits, including direct and secondary economic benefits, addressed in Section 6.7 of the DEIS.	1.4.1

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Jessica Abrams	We really need to consider also the adjustments to the area that they're discussing about entrances, exits, the shuttling of folks back and forth.	T2-20	A construction management plan, developed through consultation with the town and NYSDOT, will specify details of the planned shuttles and other potential traffic reduction measures such as manual traffic controls, temporary passing lanes, and acceleration/de-acceleration lanes.	6.3.3
Jessica Abrams	I want to understand, who pays for this? Is this a tax dollar issue to accommodate bringing this to the area? Because that would, of course, be completely unacceptable.	T2-21	The Project is privately funded, and will be a significant contributor to the local and regional tax revenues. No public revenue resources will be diverted to accommodate this Project.	1.4.1
Jessica Abrams	We also have to understand the footprint that we're now removing from that very land. What is the impact of this going forward on retention, the impact on the Village, the infrastructures. We want to make sure we reduce that as much as possible.	T2-22	<p>The Project will remediate an abandoned industrial site, including both the Project Development Area and the former Rasco parcel. This remediation will include restoration of previously impacted wetlands on the site, which will have a positive impact on water quality.</p> <p>Stormwater management systems have been carefully designed, prioritizing water reuse and conservation and using bioretention swales. See Section 5.3.1 of the FEIS and FEIS Appendices 5-A and Appendix 5-B for a discussion of the proposed stormwater management plans, addressing the impacts of the footprint on retention.</p> <p>The Project will predominantly reuse a site that has been previously developed and utilized for industrial uses, as shown in Figure 3-9 of the DEIS. Stormwater management systems have been carefully designed, prioritizing water reuse and conservation and using bioretention swales.</p>	1.4.1 2.3 5.3.1 6.3.7

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			<p>The Project will be relatively self-contained, and will not add significant demand for town services or infrastructure. Avoiding and minimizing impact to the community and the environment has been a priority for the Project.</p> <p>The proposed Project can predominantly re-use a site that has been previously developed and utilized for industrial uses, as shown in Figure 3-9 of the DEIS (updated for the expanded project area as Figure 1-2). Stormwater management systems have been carefully designed, prioritizing water reuse and conservation and using bioretention swales. The Project will be relatively self-contained, and will not add significant demand for town services or infrastructure. Avoiding and minimizing impact to the community and the environment has been a priority for the Project.</p>	
Jessica Abrams	Not only do we need extra time to navigate the pros, the cons, but we also need time to understand, what are we in this for?	T2-23	<p>The DEIS public comment period was extended on multiple occasions to allow for additional public comment. The time period for public review lasted from May 25, 2011 through August 5, 2011, which is well beyond the minimum 30-day period prescribed in SEQRA regulations.</p> <p>CVE has supplemented the official SEQRA process with extensive public outreach that includes 15 public workshops, two open houses, and a “Guide to the DEIS” newsletter mailed to Dover residents. In addition, the Project maintains a Project website (www.cricketvalley.com) through which it created an “Ask Cricket Valley” webpage, specifically designed to answer frequently asked questions and guide the public to answers within the DEIS.</p>	1.4.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Peter Rustenberg, Sherman, CT	If you look at a map of the Hudson River watershed, most of the maps, in fact, all of the maps I've seen, have it ending at the Connecticut State line. However, the fact is the best native brook trout stream in the seven counties north of New York City is Connecticut water. We provide that. And it goes into Haviland Hollow Brook. And the water from the Swamp River comes to Connecticut...I think we have to recognize that watersheds cross State and political boundaries.	T2-24	The Swamp River flows in a northerly direction from the Town of Pawling, NY to the Town of Dover, NY where it empties into the Ten Mile River. From this confluence, the Ten Mile River flows southerly and easterly to the Housatonic River in the State of Connecticut. As detailed in the DEIS Appendix 5-C, the Project's Site Water Budget Report measured both the upstream and downstream flow rates of the Swamp River and concluded that the Property is fully capable of supporting the Project's proposed average water consumption budget under both average and drought conditions, without significant impact to those flow rates. Because the Project incorporates a Zero Liquid Discharge system, there will be no process wastewater discharge to the Swamp River and, therefore, no discharge to the water bodies of Connecticut.	5.3.2
Peter Rustenberg, Sherman, CT	...And the air comes to Connecticut. Yet Connecticut is not involved in any formal or informal way. I think that's a mistake...And large towers that emit nitric oxide, sulphuric acid, radiation, and other pollutants...also go beyond political boundaries.	T2-25	Air impact analyses conducted for the Project have included consideration of impact potential throughout the airshed, including Connecticut. Formal consultation with the Connecticut Department of Environmental Protection was an element of the air modeling protocol. See Section 4.3.3.4 – Dispersion Modeling and Compliance Demonstration (Political Boundaries) for more information. No radiation will be emitted from the proposed Project.	4.3.3.4

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Peter Rustenberg, Sherman, CT	Bob Boyle...asked me to read this to you tonight. "The single biggest threat to water in the history of the United States is slick water hydraulic fracturing, a/k/a fracking, for unconventional natural gas and shale in more than 30 states." ...All the gas that comes here could be coming up from this horizontal hydrofracking in Pennsylvania.	T2-26	CVE will be relying upon the general flow of natural gas from many sources within the interstate pipeline transportation system. The Project cannot influence, nor can it distinguish between the sources of natural gas in the interstate pipeline system.	1.3.8
Jessica Wade, Dover Resident	...Many of you spoke about hydrofracking tonight...And while this is not going to be a site where there's hydrofracking, they're hydrofracking in other parts of the country, and they're bringing the gas to this plant where they will burn it.	T2-27	CVE will be relying upon the general flow of natural gas from many sources within the interstate pipeline transportation system. The Project cannot influence, nor can it distinguish between the sources of natural gas in the interstate pipeline system.	1.3.8
Jessica Wade, Dover Resident	So my question is: If the gas companies that are extracting the gas from the land are able to walk on and have landowners sign an agreement and say that there will be no problems, what are the gas companies that are constructing the plants and to burn the gas -- are they going to do the same to us? ...I ask you, for the people	T2-28	CVE is working closely with the town, county and state, as well as reaching out to members of the public, in order to provide sufficient information to support reaching Project decisions with confidence. CVE has supplemented the official SEQRA process with extensive public outreach that includes 15 public workshops, two open houses, and a "Guide to the DEIS" newsletter mailed to Dover residents. In addition, CVE maintains a Project website (www.cricketvalley.com) through which it created an "Ask Cricket Valley" webpage, specifically designed to answer	1.3.8

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	that are going to put this plant on our property in our small town, where our schools are less than a mile away, in your hearts, are you really doing the right thing? Are you telling us something that might not necessarily be true?		frequently asked questions and guide the public to answers within the DEIS.	
Jessica Wade, Dover Resident	I'm 22 years old. I just graduated from college. I have a great life of ahead of me, and I'm going places, and I really don't need to stay here in Dover. I really don't. And I probably won't be. But how can I turn my back on my mom and dad who will be a mile away from this or a community that raised me... they're not able to just sell their homes and go off. If they did want to sell their homes, I'm wondering if health effects do -- if we start to see that there are health effects and that people are getting sick, are people going to want to come into our community and buy our homes? What are you going to do about that when we can't sell our homes and we want to get out?	T2-29	<p>The environmental standards with which the Project will comply were developed to be protective of public health, including for the most sensitive populations. The Project offers substantial environmental benefits, including mitigation and restoration of an abandoned industrial site, preservation of 79 acres of land abutting the Swamp River, and displacement of the operation of less efficient, higher emitting generators, yielding a regional air quality benefit. CVE is not aware of any instance in which a community sponsoring a gas fired combined cycle project has experienced negative impacts on its real estate market as a consequence of the facility's development.</p> <p>The environmental standards with which the Project will comply were developed to be protective of public health, including for the most sensitive populations. The Project offers substantial environmental benefits, including mitigation and restoration of an abandoned industrial site, preservation of 79 acres of land abutting the Swamp River, and displacement of the operation of less efficient, higher emitting generators, yielding a regional air quality benefit.</p> <p>As discussed in Section 6.3.7.2, a study conducted by the</p>	1.4.1 6.3.7

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			<p>Public Service Commission of Wisconsin indicates, “actual property value is comprised of an often complex set of desirable and undesirable factors, including proximity and quality of schools, the attractiveness of the house and yard, and access to work and to local amenities. The research has not been conclusive because of the difficulty researchers have of accounting for all of the variables. The few studies done to date have not shown a clear, consistent correlation between power plant location and reduced property values.”</p> <p>It is important to note that property values are driven by a myriad of factors which include externalities such as the quality of school systems, property taxes, and community services. CVE’s PILOT agreement will provide substantial revenues to the Town of Dover and the Dover Union Free School District which can be used for improved Town/School facilities, expanded community services, and/or lower taxes.</p>	
Jim Utter, Friends of the Great Swamp	My concern is rooted in what the impacts are, potentially, to the swamp, to the natural system, which relates to the water quality, quantity, wildlife, plants, things like that...I personally am glad to see something happen to that site because it has been occupied by a series of very bad polluters over the last several decades. There is a legacy of pollutants that are still	T2-30	We agree that the Project has great potential to improve site conditions and adjacent habitat. Construction of the Project will incorporate site clean-up measures that will improve environmental conditions at the site, including potential habitat value. Additional information regarding potential indirect effects to species is provided in Section 3.3.3 of the FEIS.	3.3.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	seeping out into the Swamp River and the Great Swamp. So, from that perspective, I'm glad to see something is being talked about that would help clean this up and mitigate a little bit.			
Jim Utter, Friends of the Great Swamp	When I first started in, you folks were planning to withdraw a million gallons a day from the ground water...Now they said it's going to be 100,000, or something in that order. If they are able to do that, then I think that's great.	T2-31	<p>The importance of the Great Swamp, the Swamp River and the Harlem Valley watershed to the community is acknowledged. Since its first Town Meeting in April 2009, during which Dr. Utter's concerns were raised, the Project has made considerable efforts to re-engineer its facility to minimize water use, including the addition of a Zero Liquid Discharge system to internally recycle water, and a rooftop rainwater capture system to supplement the water supply. Through these efforts, the Project will be one of the most water-efficient power plants of its type.</p> <p>It is anticipated that the summer nominal water needs will be approximately 72,000 – 86,400 gpd of water, the equivalent of 50 – 60 gpm for 24 hours. See DEIS Appendix 5-E.</p>	5.3
Jim Utter, Friends of the Great Swamp	Part of the problem that we see is withdrawing water from ground water will effect surface water. It's going to draw down in the wetlands and streams. And with the turnover of water in the Swamp River being so low, it has very little current in this area, drawing it down at all can be a serious problem.	T2-32	<p>As discussed in Section 5.3.2, alteration of the wetlands is not anticipated due to Project water use, confirmed by the long-term pump test and associated wetland monitoring described in DEIS Section 5.4.4.2 and discussed further below.</p> <p>CVE has committed to install a stream gauging station downstream of the Project on the Swamp River. Meetings with local residents and environmental groups have concluded that the Route 22 bridge, where a USGS</p>	5.3.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			stream gauging station had been previously sited, would be the most advantageous location for gauging to occur. Note that anticipated NYSDEC permitting requirements will formalize monitoring and reporting obligations to verify that Project water usage is consistent with the assessed demand.	
Jim Utter, Friends of the Great Swamp	I also am glad to see that there's plans to not discharge it back in. I don't know where it's going. But the early plan was to discharge a lot of it back into the surface water. And that bothered me too.	T2-33	CVE has incorporated a Zero Liquid Discharge system into the Project. Water is continually recycled throughout the Project using this system, such that no process wastewater discharge is required. Rather, residual solids filtered from the water as it recirculates are accumulated and disposed of at a licensed solid waste landfill.	5.3
Jim Utter, Friends of the Great Swamp	I think a serious problem is for Dover to look at what is going to be happening in the area. Because one of the goals of the EIS process is to look at cumulative impacts. As was mentioned before, there are at least three major projects proposed. One of them has been put on hold now, 22 Wind Rose. But right on the same stem, not very far apart, is Dover Knolls, which still plans to take a million gallons a day out of the ground water, and Cricket Valley. This is water impact. It's also traffic impact. It's all sorts of impacts. I think the Town really needs to	T2-34	The importance of studying the cumulative impact of the Project with other proposed uses in the Town of Dover and the Harlem Valley is acknowledged. With these concerns in mind, the Project's Site Water Budget Report (DEIS Appendix 5-C), was commissioned to specifically analyze whether the Project's water consumption, in conjunction with other proposed projects in the area, including the Knolls of Dover, will be sustainable. The Chazen Companies, which has been involved in Harlem Valley watershed investigations since 1997, was chosen based on their knowledge and expertise of Harlem Valley hydrogeology. Their conclusion is that the Project water withdrawal needs are locally sustainable and that there will be no permanent off-site drawdown effects on the aquifer. CVE has committed to install a stream gauging station downstream of the Project on the Swamp River. Meetings	5.3 6.3.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	make sure that the cumulative impacts from a long-range standpoint are considered in all of this. So that they are laid out and there are clear decisions made by the Planning Board. Where they want Dover to be in 25 years and how much should each project take from or add to the Town. It's a little hard to anticipate the economic downturn that stopped Wind Rose. But these are serious issues that affect the natural environment but also affects the community and social environment and the whole culture of the area.		with local residents and environmental groups have concluded that the Route 22 bridge, where a USGS stream gauging station had been previously sited, would be the most advantageous location for gauging to occur. Note that anticipated NYSDEC permitting requirements will formalize monitoring and and reporting obligations to verify that Project water usage is consistent with the assessed demand. As detailed in Section 6.3 of the DEIS, traffic impacts during both the construction and operational periods of the Project were analyzed. This analysis took into consideration existing conditions, Project-related traffic (such as construction vehicles and workers), and future growth, including the Knolls of Dover. The traffic study found that traffic impacts associated with the Project (regardless of other ongoing growth in traffic) will be minimal.	
Jim Utter, Friends of the Great Swamp	Air quality is another serious issue. Several of you raised that point. You can't burn fossil fuel without creating pollution. That doesn't happen. These things are natural products. They're not renewable, but they are natural products. And the result from putting decomposition on organic materials that have -- we know they all have nitrogens and sulfurs and all these other chemicals. When you burn them,	T2-35	See Section 4.3.3.3 – Dispersion Modeling and Compliance Demonstration (Air Quality, Public Health, and the School Complex). As discussed, detailed consideration of Project emissions has occurred, as well as a demonstration that the Project meets all regulatory requirements for air quality.	4.3.3.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	they go someplace. So when you concentrate the burning of a fossil fuel in one place, you really have to be very careful with what you do with the air going out of it because it's going to contain pollutants.			
Peg Day, Wingdale Resident	...I think it's very obvious that we need more time. We need more time for individuals to study, to learn, to think, and to assess.	T2-36	The DEIS public comment period was extended on multiple occasions to allow for additional public comment. The time period for public review lasted from May 25, 2011 through August 5, 2011, which is well beyond the minimum 30-day period prescribed in SEQRA regulations. CVE has supplemented the official SEQRA process with extensive public outreach that includes 15 public workshops, two open houses, and a "Guide to the DEIS" newsletter mailed to Dover residents. In addition, the Project maintains a Project website (www.cricketvalley.com) through which it created an "Ask Cricket Valley" webpage, specifically designed to answer frequently asked questions and guide the public to answers within the DEIS.	1.4.2
Lorraine O'Neill, Town Board, Town of Dover	Clearly, the public is asking for more time, whether they come to the podium or not.	T2-37	The DEIS public comment period was extended on multiple occasions to allow for additional public comment. The time period for public review lasted from May 25, 2011 through August 5, 2011, which is well beyond the minimum 30-day period prescribed in SEQRA regulations. CVE has supplemented the official SEQRA process with extensive public outreach that includes 15 public workshops, two open houses, and a "Guide to the DEIS"	1.4.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 2 – Public Hearing Session June 28, 2011, 6:00 p.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			newsletter mailed to Dover residents. In addition, the Project maintains a Project website (www.cricketvalley.com) through which it created an “Ask Cricket Valley” webpage, specifically designed to answer frequently asked questions and guide the public to answers within the DEIS.	

Public Hearing – July 9, 2011 – 9:00 a.m.

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Linda French, Dover Resident	<i>Statement in support of the project.</i>	T3-1	Comments acknowledging support of the Project are noted.	1.4.1
Paul Palmer, Dover Resident	<i>Statement in support of the project.</i>	T3-2	Comments acknowledging support of the Project are noted.	1.4.1
Stancy DuHamel, Wingdale Resident	<i>Reading of comments by Robert Herzog, responded to in this FEIS.</i>	T3-3	Comments from Robert Herzog are addressed in this FEIS, in response to Comments No. 42-1 through 42-20.	1.4.1
Stancy DuHamel, Wingdale Resident	And I really want to reiterate that this town does not have the capacity to analyze this DEIS...I struggled, myself, going through the DEIS and only focused on air quality... You know, it's just not -- it's not the kind of thing that a local citizen and our Town Board, who are elected officials, they are local citizens, none of them have an expertise in the power, energy utility or air pollution or noise pollution arenas. We need experts. We can't afford them. Cricket Valley Energy has to pay for them, and we need to choose...them.	T3-4	CVE provided funding to the Town of Dover to allow for independent consulting review of the DEIS and for a review of the environmental impacts related to air quality. The Town of Dover selected AKRF and Berger Engineering for independent review of the DEIS and Dr. Bruce Egan, to supplement the existing expertise for a review of the environmental impacts related to air quality. In addition, NYSDEC, as Lead Agency for the Project, has conducted an independent review of the analyses contained in the DEIS, relying upon in-house experts. Where appropriate, in-house expertise was augmented with an independent contractor, Ecology & Environment, Inc., which assisted in the evaluation of water resources, traffic, noise and visual impacts. USEPA, in conjunction with NYSDEC, reviewed the air quality input analyses completed for the Project. Independent review of environmental topics has also been undertaken by the U.S. Fish and Wildlife Service, New York State Office of Parks, Recreation and Historic Preservation, and the U.S. Army Corps of Engineers.	1.4.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Stancy DuHamel, Wingdale Resident	...The two schools, the middle and the high school, they're within just over a mile from this plant. I mean, those are our kids; they've got to be considered. It's not for us, who have old lungs, and some of us are ex-smokers like myself, it's, you know, so that -- for the kids, they are new lungs, and they really...need the expert advice.	T3-5	See Section 4.3.3.3 – Dispersion Modeling and Compliance Demonstration (Air Quality, Public Health, and the School Complex). The air dispersion modeling analysis demonstrated that the proposed Project, taking existing air quality levels and the contributions of other sources into account, will neither cause nor significantly contribute to any violation of the NAAQS or NYAAQS which have been established by the USEPA and NYSDEC, respectively, to ensure the protection of the health of the most sensitive segments of the population. Air quality impacts at the school complex, for all pollutants and averaging times, were determined to be insignificant.	4.3.3.3
Stancy DuHamel, Wingdale Resident	<i>Reading of comments by Constance DuHamel, responded to in this FEIS.</i>	T3-6	Comments from Constance DuHamel from this letter are addressed in this FEIS, in response to Comments No. 41-1 through 41-11.	1.4.1
Valerie LaRobardier, Dover Plains Resident	<i>Statement of support for the project and for the open, transparent process, and surprise at new questions coming at this stage of review.</i>	T3-7	Comments acknowledging support of the Project are noted.	1.4.1
Mark Chipkin, Pawling Resident	...It is a serious issue...when we talk about adding more fossil -- more carbon dioxide and other types of greenhouse gases into our atmosphere, and I certainly agree that this is worth taking an extra look and having another party analyze this, because there's lots of questions that are unanswered...	T3-8	The air quality analyses undertaken were reviewed by USEPA and NYSDEC meteorologists at several points in the process. In addition, comments were received from the Town of Dover's third party consultants on the DEIS, including air quality comments from the consultant's air quality expert. Those comments are addressed in this FEIS. In addition, the Town of Dover has hired an independent air modeling expert, funded by CVE, to assist in the review of the Project by the Town Board.	4.3.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Mark Chipkin, Pawling Resident	I know because -- for instance, on my road...we have a facility that stores bank records, and it seemed like it was gonna be quiet, but all of a sudden what happened is that...whenever there was any kind of...electrical outage, they ran generators, and for people...by the Nature Reserve...who enjoy listening to birds and animals, and you hear this constant hum for days sometimes,...it really does get in the way of enjoying life, I think.	T3-9	All significant equipment required for the operation of the Project was considered in the analysis of sound levels. Generators will be equipped with noise mitigation to ensure the Project does not exceed established noise limits (as described in Section 6.4.4.4) Further discussion on potential impacts to species due to Project sound levels is provided in Section 6.4.3.6.	6.3.4
Mark Chipkin, Pawling Resident	...The other thing I wanted to mention is that in taking all this water and producing all those greenhouse gases, I don't see much here in terms of what Cricket Valley Energy is giving back...And yes, I know that there'll be some -- there'll jobs created, but I don't want jobs for pollution, that's not -- that's not a good trade-off to me...	T3-10	The Project incorporates significant benefits by minimizing water needs, maximizing water recycling and eliminating the need for process wastewater discharge, all of which are a financial commitment to good stewardship. In addition, through displacement of older, less efficient power plants in the region, the Project will result in a net <u>reduction</u> of over 650,000 tons per year of GHG emissions. The Project will remediate an abandoned industrial site, including both the Project Development Area and the former Rasco parcel. This remediation will include restoration of previously impacted wetlands on the site, which will have a positive impact on water resources. CVE has engaged in a wide variety of community outreach efforts (such as Advisory Working Groups, Open	4.3.6 5.3.1

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			<p>Houses, and newsletters) to share Project information and listen to concerns and priorities of the Dover community and its neighbors. Project design refinements and potential community benefits have resulted from these discussions; these conversations continue as CVE works with the Town of Dover Town Board to discuss components of a formal community benefits package. For example, CVE has been working with local land acquisition groups, including the Oblong Land Conservancy, to place the land west of the Metro-North rail line, approximately 79 acres, into permanent conservation. In addition, CVE continues to support the advancement of Dover's youth through a scholarship, awarded annually to a graduating Dover High School Senior pursuing an advanced degree in engineering or environmental science. The Project will also fund and execute the cleanup of an abandoned industrial complex which currently represents a potential environmental liability.</p> <p>The Project will comply with environmental regulations intended to safeguard the environment and community. Other Project features such as jobs, taxes, and scholarships are important community benefits, but in no way are considered to be a replacement for good environmental stewardship.</p>	
Mark Chipkin, Pawling Resident	And even the lighting, as something that happened locally, once again, we asked this business to turn off their lights and because of what they called	T3-11	Consistent with town codes and industry practice, lighting at the facility will be shielded to be directed down to minimize light intrusion while maintaining necessary levels of lighting to ensure worker safety. A detailed lighting study for the Project was included in Appendix 6-C to the	6.3.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	security reasons, we have lights shining in many directions into the residences...		DEIS. Since the DEIS was filed, CVE has completed similar lighting analysis for the temporary use of the former Rasco parcel and remote Laydown Site (Appendices 6-A and 6-B, respectively, of the FEIS). These lighting plans will be included in the Project's Special Permit Application to the Town of Dover.	
Mark Chipkin, Pawling Resident	...Being the person who is in charge of -- with our committee, taking care of the plants and animals in Pawling and, of course, in parts of Wingdale, on the res -- on the 1,000-acre reserve, when they talked about the possibility of Bog turtles and rattlesnakes, I'm a fan of rattlesnakes unlike some people, and I think that it's really important because if you disturb just one area in a den with rattlesnakes, that's their main point, for instance, and once that's gone, you can't move them, they don't move like that...	T3-12	An update of the bog turtle and rattlesnake surveys, including gathering additional data, is discussed in Section 3.3.2 of the FEIS to reflect the increase in site size. No rattlesnake dens are located on the site, although snakes may traverse the area. No direct impact to potentially suitable bog turtle habitat is proposed.	3.3.2
Mark Chipkin, Pawling Resident	...I don't understand why no solar or wind power or anything like that was included in this project. Even GE in Turkey has proposed a hybrid type of plant, and I don't see that here...	T3-13	The Project is located in a valley that is very poorly suited to wind energy, lacking the strong, persistent winds necessary for a viable wind turbine location. Development and operation of wind farms is supported in locations more suitable for this form of energy. The Project will utilize rooftop rainwater capture and is considering all reasonable opportunities to incorporate on-	1.4.4

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			site renewable energy, such as solar panels on the Project's roofs.	
Mark Chipkin, Pawling Resident	...I don't understand what happens if they don't get a contract. Like what if they start building this and then all of a sudden they can't find somebody who wants to buy that [power], what do we do with that? What happens to that building that we put up?	T3-14	The CVE facility is a merchant project. No ratepayer funding is being sought. Therefore, any and all favorable impacts would benefit New York without imposing additional risk on electric ratepayers. CVE alone bears the economic risks of its participation in electricity markets.	1.4.3
Mark Chipkin, Pawling Resident	...I'd like to see Cricket Valley Energy doing more to say, well, we're gonna...pollute the area with carbon dioxide and other gases, we're gonna take your water, and...here's what we're gonna mitigate that with, here's the things we're gonna do, we're gonna add thousands of trees here, we're gonna put up -- you know, if they got to that point, that, I would see being part of this project so that everybody makes this a healthy project, because we know that at any discretion there is some loss...I see them fixing a little part of their wetland, now, that's great and I think that's important, but I think there's got to	T3-15	<p>The Project will provide local and regional economic and environmental benefits by adding temporary and permanent jobs and by cleaning up and reusing a dilapidated industrial site in a productive and environmentally sensitive manner. The Project will also provide a long-term revenue source for the Dover Union Free School District, the Town of Dover and Dutchess County through contributions to the tax base. The Project is currently in discussions with the Town and the School District to ensure these taxing jurisdictions are only positively affected.</p> <p>These contributions are in no way considered to be a replacement for good environmental stewardship. CVE has demonstrated a commitment to such stewardship, reducing its environmental impacts and giving back to the community through a wide variety of community outreach efforts (such as Advisory Working Groups, Open Houses, and newsletters). Project design refinements and potential community benefits have resulted from these</p>	1.4.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	be more to it.		<p>discussions.</p> <p>CVE is also currently working with the Town of Dover to discuss the components of a formal community benefits package. In addition, CVE has been working with local land acquisition groups, including the Oblong Land Conservancy, to place the land west of the Metro-North rail line, approximately 79 acres, into permanent conservation. In addition, CVE continues to support the advancement of Dover's youth through a scholarship, awarded annually to a graduating Dover High School Senior pursuing an advanced degree in engineering or environmental science.</p> <p>The Project will also restore wetlands that have been significantly degraded from historical industrial activities on the site. It will also reduce regional emissions of pollutants and GHG through displacement of operation of less efficient and higher emitting units.</p>	
Chris Wood, Pawling Resident, Oblong Land Conservancy	...The Harlem Valley is really a special place and it provides a number of unique habitats and we'd like to see that as many steps be taken as possible so as to ensure that they're conserved.	T3-16	The Project will contribute to the preservation of Harlem Valley habitat by limiting permanent development to previously disturbed areas to a very significant extent, and acquiring additional acreage (approximately 79 acres west of the railroad track and approximately 44 acres of the former Rasco parcel) where no development is proposed. CVE hopes to enter into an agreement for the long-term preservation of the 79-acre portion of the Property so that it is preserved as habitat.	3.3.1
Chris Wood, Pawling Resident, Oblong	We are very aware that a number of questions have been raised, including the short-term need for	T3-17	It is assumed that the commenter is citing to comments that indicate that there is no imminent need for additional electric generation facilities to avoid violating minimum	1.4.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Land Conservancy	this plant.		<p>reliability criteria for New York’s electric transmission system. However, as discussed in Section 1.4.3 of the FEIS, a need for the Project has been established.</p> <p>NYSPSC has, in several recent orders,^{1,5} recognized the need for the addition of new, more efficient generating facilities, even where there is not an imminent threat to system reliability, based on a number of factors, including system reliability benefits, economic benefits for customers and New York State, and achievement of public policy goals including environmental benefits. With respect to reliability, the NYSPSC has determined that the addition of new generation facilities provides an additional source of supply in the event that other expected generation and transmission projects are not available to the bulk electric system.</p> <p>In support of the development of new sources of electric generation, the NYISO 2011 Power Trends report explains that the sustained adequacy of resources may be challenged by the following factors: the considerable lead-time needed to finance, permit and construct major energy projects; the potential retirement or other closure of existing generation facilities as a result of business of governmental determinations; aging generation and transmission infrastructure; and the cumulative impact of impending federal and state environmental regulations on the continued operation of various existing power plants.</p>	

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Chris Wood, Pawling Resident, Oblong Land Conservancy	Long-term availability and costs of the gas used to power it, leakage, if any, with the issue of hydrofracking in the marcellus shale formation...	T3-18	CVE will be relying upon the general flow of natural gas from many sources within the interstate pipeline transportation system. The Project cannot influence, nor can it distinguish between the sources of natural gas in the interstate pipeline system. The demand of this one project is not sufficient to drive the need for new sources of natural gas supply.	1.4.6 1.3.8
Chris Wood, Pawling Resident, Oblong Land Conservancy	...the benefits that will accrue locally as opposed to regionally or nationally for the provision of this plant.	T3-19	Environmental benefits are articulated in the response to Comment 23-14. Many of these – particularly the clean-up of the site and preservation of land adjacent to Swamp River – will be predominantly local benefits. The Project will provide local and regional economic and environmental benefits by adding temporary and permanent jobs and by reusing a dilapidated industrial site in a productive and environmentally sensitive manner. The Project will also provide a long-term revenue source for the Dover schools, the Town of Dover and Dutchess County through contributions to the tax base and community benefits.	1.4.8 6.3.6
Chris Wood, Pawling Resident, Oblong Land Conservancy	...We are very pleased to note that within the proposal there is this notion to preserve some 74 acres in the sensitive area adjacent to the Swamp River and, of course, this includes our Carruth Preserve...We've got proposals to upgrade some of the degrading wetlands, which is also a very useful use of the proposal.	T3-20	The Project includes careful siting to utilize previously disturbed areas to the greatest extent possible, as well as site and wetland restoration, and has no plans to develop much of the site, most notably those areas west of the Metro-North rail line (approximately 79 acres). CVE hopes to enter into an agreement for the long-term preservation of this undeveloped property. An additional 44 acres of the former Rasco parcel is not proposed for any Project use or activity.	3.3.1

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Chris Wood, Pawling Resident, Oblong Land Conservancy	...In relation to air quality...the project will be a major, new source of air emissions, and as laymen, it will seem to us as though the air quality modeling on data obtained from Poughkeepsie Airport, something more is required. Initially, adjustments had been made for the change in topography and ground cover, but we are concerned that this modeling may not properly represent conditions in the project development area. For example, the Harlem Valley is frequently subjected to air inversions, and the Village of Pawling, being located at the lowest elevations, is likely to be subjected to the effects of this. We believe that the air dispersion models must be in developed based upon local conditions.	T3-21	Anemometer data from the Dutchess County airport were selected for use in the Air Quality Modeling Protocol, which was approved by USEPA and NYSDEC, because those data were collected at a location in a similarly oriented north-south valley that closely matches the degree of terrain channeling that the Project's plumes will experience, given their height. Five years of hourly meteorological data were used in the modeling, including numerous hour of calm to near calm winds and thermal inversions. Topographic (terrain) conditions reflect the actual elevations of each of the 1,710 receptor locations from in and near the Harlem Valley input into the model and the surface roughness and other similar parameters input to the model reflect specific local conditions. Impacts to receptors in the valley under these conditions have been demonstrated to be negligible. See Section 4.3.3.1 – Dispersion Modeling and Compliance Demonstration (Meteorology and Topography).	4.3.3.1
Chris Wood, Pawling Resident, Oblong Land Conservancy	...We believe that a specialist air quality firm must be engaged by the Town of Dover to review the DEIS and make specific recommendations thereof.	T3-22	The air quality analyses undertaken were reviewed by USEPA and NYSDEC meteorologists at several points in the process. In addition, comments were received from the Town of Dover's third party consultant on the DEIS, including air quality comments from the consultant's air quality expert. Those comments are addressed in this FEIS. The Town of Dover has also hired an additional independent air modeling expert, funded by CVE, to assist	4.3.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			in the review of the Project by the Town Board.	
Chris Wood, Pawling Resident, Oblong Land Conservancy	The project includes a number of conservation measures and pump tests have been run that would indicate that the needs of the project should not exceed local capacities. However, the fact remains that the communities in the valley rely upon an aquifer. This is just a finite resource. The Swamp River is a slow moving stream with limited capacity to self-cleanse. Were the water resources to become contaminated or subject to chronic depletion present and future residents of the area would have nowhere to turn.	T3-23	<p>Alteration of the wetlands is not anticipated due to Project water use, confirmed by the wetland monitoring described in DEIS Section 5.4.4.2 and discussed further in Section 5.3.2.</p> <p>The Project's Site Water Budget Report (DEIS Appendix 5-C) was commissioned to specifically analyze whether the Project's water consumption, in conjunction with other proposed projects in the area, including the Knolls of Dover, will be sustainable. The Chazen Companies, which has been involved in Harlem Valley watershed investigations since 1997, was chosen to conduct this study based on their knowledge and expertise of Harlem Valley hydrogeology. Their conclusion is that the Project water withdrawal needs are locally sustainable. Further, under proposed regulations at 6 NYCRR Part 601, the Project may be required to obtain a water withdrawal permit. Once these regulations become effective, CVE will seek to obtain required water withdrawal permits, which are expected to carry with them stringent reporting requirements on the quantities of water withdrawn.</p> <p>CVE has committed to install a stream gauging station downstream of the Project on the Swamp River. Meetings with local residents and environmental groups have concluded that the Route 22 bridge, where a United States Geological Survey (USGS) stream gauging station had been previously sited, would be the most advantageous location for gauging to occur.</p> <p>As discussed in Section 5 of the DEIS and Section 5 of</p>	1.4.5 5.3.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			this FEIS, CVE has incorporated a Zero Liquid Discharge system into the Project. Water is continually recycled using this system, such that no process wastewater discharge is required. With no discharge of process wastewater, that potential pathway for contamination of groundwater supplies will be avoided.	
Chris Wood, Pawling Resident, Oblong Land Conservancy	<p>In view of this, we believe according to the water resources on a regional basis to serve the needs of CVE against the long-term implications of additional piecemeal development in the area, as well as large-scale projects such as Dover Knolls...given the critical importance of this resource, it will be prudent to examine the practicality of crafting and implementing a permanent monitoring regime so that the town is forewarned of changes in aquifer levels and water quality. Such a regime should be coupled with a requirement on the part of CVE to change its operating model to maintain a certain level of resource availability.</p> <p>In order to guarantee adequate groundwater supplies for nearby residents and unlimited supplies</p>	T3-24	<p>The importance of studying the cumulative impact of the Project with other proposed uses in the Town of Dover and the Harlem Valley is acknowledged. With these concerns in mind, the Project's Site Water Budget Report (Appendix 5-C) was commissioned to specifically analyze whether the Project's water consumption, in conjunction with other proposed projects in the area, including the Knolls of Dover, will be sustainable. Chazen, which has been involved in Harlem Valley watershed investigations since 1997, was chosen based on their knowledge and expertise of Harlem Valley hydrogeology, and their conclusion is that the Project water withdrawal needs are locally sustainable and that there will be no permanent off-site drawdown effects on the aquifer.</p> <p>CVE has committed to install a stream gauging station downstream of the Project on the Swamp River. Meetings with local residents and environmental groups have concluded that the Route 22 bridge, where a USGS stream gauging station had been previously sited, would be the most advantageous location for gauging to occur. Note that anticipated NYSDEC permitting requirements will formalize monitoring and reporting obligations to verify that Project water usage is consistent with the assessed</p>	5.3.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	for sensitive hydrological resources like the several fens in the area and the wetlands in the Swamp River, this is a measure that would help ensure protection of these water resources.		demand.	
Chris Wood, Pawling Resident, Oblong Land Conservancy	...The project expects you to comply with the most restrictive nighttime sound-level limit in the Town of Dover Zoning Code at the north and east property lines. However, the west property line abutting the Metro-North rail line and the southern-prepared property line approximately how will it adjust to our reserve property, expect it to be noncompliant. This is not anticipated to be problematic since these properties are not likely to be occupied by noise-sensitive users. We cannot support the view that exceeding the Town of Dover's noise limits are acceptable under any conditions irrespective of whether adjacent landowners are noise-sensitive or not.	T3-25	CVE has addressed the concern to maintain quiet in natural areas by incorporating noise mitigation measures into the Project design, and has acquired the right to purchase a significantly larger parcel than is necessary for the Project in order to provide an adequate buffer for such potential impacts. At the edge of the CVE Property in all directions, including the Oblong Land Conservancy's Carruth Preserve, the Project will comply with both state standards and local requirements. It is only along the narrow strip of Metro-North property that traverses through the site that the Project would exceed the local standard. Metro-North's use of that property results in significant sound levels along the railroad road and to surrounding properties.	6.3.4

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Chris Wood, Pawling Resident, Oblong Land Conservancy	Sound travels and there is no way to tell in advance what, if any, effect, the impacts of this new source of sound will be. Notwithstanding the modeling that has been undertaken, we retain considerable reservations about the introductions of the new and continuous source of sound in a substantially rural area, and in these circumstances the project should be required to comply with all existing sound regulations.	T3-26	In determining sound level compliance, the specifics of the site's topography and ground cover were incorporated into modeling. Estimates of operational sound levels produced by the Project were calculated using CadnaA environmental sound modeling software (Version 3.7.123 DataKustic GmbH). The CadnaA sound modeling software uses algorithms and procedures described in ISO 9613-2, which provides estimates of sound levels for meteorological conditions that are favorable for the propagation of sound (downwind with a wind speed of 1-5 meters/second). Although the Project will still request a zoning amendment for sound levels to the west, as discussed in Section 6.3.4.2, this is only due to Metro-North's narrow parcel that traverses the site. Compliance is achieved in all other compass directions.	6.3.4
Chris Wood, Pawling Resident, Oblong Land Conservancy	Additionally, a permanent siting regime along the lines of that proposed for the water resources and accompanied by the requirement for remediation in the event of significant noise impacts should be a requirement.	T3-27	The Project has been designed with the measures that will achieve the sound levels represented. Additional monitoring and compliance is detailed in Section 6.3.4.4 of the FEIS.	6.3.4
Chris Wood, Pawling Resident, Oblong Land Conservancy	...Just recently I've become aware, and I think it's the NYISO which has circulated a report in Albany, I believe it's confidential, but one of the provisions in it, I understand, relates to the making availability of funds for local communities to better investigate	T3-28	CVE provided funding to the Town of Dover to allow for independent consulting review of the DEIS and for a review of the environmental impacts related to air quality. The Town of Dover selected AKRF and Berger Engineering for independent review of the DEIS and Dr. Bruce Egan, to supplement the existing expertise for a review of the environmental impacts related to air quality. The DEIS public comment period was extended on	1.4.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	significant-impact projects, such as power plants. Now, if this in fact proves to be the case, it would be very useful. This has been referred to in other states as "Comments," to have additional expert advice provided, independent advice, on issues like noise quality and water, and if there is to be funding available from, say, to other sources, then time should be taken to allow that to happen. So, I would respectfully suggest that there be an extension to the period for public comment.		multiple occasions to allow for additional public comment. The time period for public review lasted from May 25, 2011 through August 5, 2011, which is well beyond the minimum 30-day period prescribed in SEQRA regulations.	
Tyler Davis, Dover Plains Resident	...It seems like no matter what happens, even with the best technology available, the town of Dover will take a hit when it comes to water quality, air quality and noise, and to me, that's a problem, because it seems like we're not gonna benefit directly by anything, that there is some type of grid on a regional level, on a national level. What about us? If we're gonna have this huge thing in our town, I want something back.	T3-29	As detailed in the DEIS (Appendix 5-C), the Project's Site Water Budget Report measured both the upstream and downstream flow rates of the Swamp River and concluded that the Property is fully capable of supporting the Project's proposed average water consumption budget under both average and drought conditions (DEIS Appendix 5-C), without significant impact to those flow rates. Because the Project incorporates a Zero Liquid Discharge system, there will be no process wastewater discharge. The Project has been carefully designed to integrate noise reduction measures and comply with state guidelines and local noise standards, except along one narrow stretch of property traversing the site which is used for active rail	4.3.6 5.3.2 6.3.4

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			<p>travel. Sound level impacts, therefore, from the Project will be appropriately managed to be consistent with applicable standards. The Project will provide local and regional economic and environmental benefits by adding temporary and permanent jobs and by reusing a dilapidated industrial site in a productive and environmentally sensitive manner. The Project will also provide a long-term revenue source for the Dover Union Free School District, the Town of Dover and Dutchess County through contributions to the tax base. The local community will also have the benefit of funds from the Project's tax agreement.</p> <p>Through displacement of older, less efficient power plants in the region, the Project will result in a net <u>reduction</u> of over 650,000 tons per year of GHG emissions.</p> <p>CVE has engaged in a wide variety of community outreach efforts (such as Advisory Working Groups, Open Houses, and newsletters) to share Project information and listen to concerns and priorities of the Dover community and its neighbors. Project design refinements and potential community benefits have resulted from these discussions; these conversations continue as CVE works with the Town of Dover Town Board to identify components of a formal community benefits package.</p> <p>For example, CVE has been working with local land acquisition groups, including the Oblong Land Conservancy, to place the land west of the Metro-North rail line, approximately 79 acres, into permanent conservation. In addition, CVE continues to support the</p>	

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			<p>advancement of Dover’s youth through a scholarship, awarded annually to a graduating Dover High School Senior pursuing an advanced degree in engineering or environmental science. The Project will also fund and execute the cleanup of an abandoned industrial complex which represents a potential environmental liability.</p> <p>The Project will comply with environmental regulations intended to safeguard the environment and community. Other Project features such as jobs, taxes, and scholarships are important community benefits, but in no way are considered to be a replacement for good environmental stewardship.</p>	
Tyler Davis, Dover Plains Resident	...I'm a big proponent of natural gas, I think it's a much better alternative than oil, but what can we do to have the gas infrastructure placed...along Route 22 to the future Dover Knolls, Dover Plains?...	T3-30	<p>The commenter’s sentiment is noted; however, CVE is a wholesale generator of electricity, which it will produce and sell in the electric markets administered by NYISO. The Project will purchase natural gas from the nearby Iroquois pipeline, but it is not licensed to supply natural gas to others, a service that can only be provided by the area’s franchised local gas utility, NYSEG.</p>	1.4.6
Tyler Davis, Dover Plains Resident	Also, the idea of a compressed natural gas power station like to fuel your vehicles, I think in the future we're gonna see -- you know, gas prices are already very high -- here in Dover, we must drive everywhere, so we could go off a lot of money on fuel, you know, could that be incorporated into the design?	T3-31	<p>CVE will be relying upon the general flow of natural gas from many sources within the interstate pipeline transportation system. The Project cannot influence, nor can it distinguish between the sources of natural gas in the interstate pipeline system. The demand of this one Project is not sufficient to drive the need for new sources of natural gas supply.</p> <p>The Project will purchase natural gas from the nearby Iroquois pipeline, but it is not licensed to supply natural gas to others, a service that can only be provided by the</p>	1.4.6

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			area's local franchised gas utility.	
Tyler Davis, Dover Plains Resident	...If we could get a break on our electricity prices, I think that would assuage a lot of people's comments.	T3-32	CVE will bid its power into the NYISO power pool. As one of the most efficient power generation facilities in the country it is able to bid lower prices in the wholesale market which should contribute to lower overall electric prices. The Dispatch Analysis forecasts annual reductions in load-weighted costs to serve in the New York Pool of up to \$275 million. While many factors affect the retail price of electricity, the Project will have a positive effect on controlling costs to ratepayers.	1.4.3
Tyler Davis, Dover Plains Resident	...I wholeheartedly agree with the idea of having an independent person come in to look at the data from a nonbiased perspective.	T3-33	CVE provided funding to the Town of Dover to allow for independent consulting review of the DEIS and for a review of the environmental impacts related to air quality. The Town of Dover selected AKRF and Berger Engineering for independent review of the DEIS and Dr. Bruce Egan, to supplement the existing expertise for a review of the environmental impacts related to air quality.	1.4.2
Mike Purcell, Pawling Resident	...There were several chapters in the "Air" section, but that the studies were conducted at Dutchess County Airport...One of the things that I see, I get up early, especially in the Harlem Valley, every morning there's this – these fog rises right before dawn, and it's usually gone about 45 minutes after sunrise but it rises very high, and the thing that struck me about the data from Dutchess County Airport is that	T3-34	See Section 4.3.3.1 – Dispersion Modeling and Compliance Demonstration (Meteorology and Topography). Anemometer data from the Dutchess County airport were selected for use in the Air Quality Modeling Protocol, which was thoroughly reviewed and approved by USEPA and NYSDEC, because those data were collected at a location in a similarly oriented north-south valley that closely matches the degree of terrain channeling that the Project's plumes will experience, given their height. Five years of hourly meteorological data were used in the modeling, including numerous hours of calm to near calm winds and thermal inversions. Topographic (terrain) conditions reflect the actual	4.3.3.1

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	<p>the topography over there is much different than in the Harlem Valley.</p> <p>So, I started looking at a <i>United States Geological Survey (USGS)</i> map and I noticed that in the CVE documents it says that, you know, the stack – the building -- the finished...building is gonna be around 450 feet, 440 feet, above sea level and then the stack is 282 feet, so that puts it at about 732 feet above sea level, and in the Harlem Valley we have all these hills on...East Mountain, Preston Mountain, Rattlesnake Hill, the other side, you got Sawmill Hill and Pell Lake up there on the west side and...a lot of them are about 1200 feet, so I was thinking...what's gonna happen to these emissions coming out of the stack?</p>		<p>elevations of each of the 1,710 receptor locations from in and near the Harlem Valley input into the model and the surface roughness and other similar parameters input to the model reflect specific local conditions. Because the exhaust plume is very buoyant due to its temperature, it will quickly rise above any fog in the area. Impacts to receptors in the valley under these conditions have been demonstrated to be negligible. Impacts at higher terrain are predicted to be higher than the valley, however, the maximum projected impacts, taking existing air quality levels and contributions from other sources into account will not cause or significantly contribute to violations of the ambient air quality standards established by USEPA and NYSDEC to protect the most sensitive individuals.</p>	
Mike Purcell, Pawling Resident	<p>...The other thing I noticed was that the nitrogen oxide emissions exceed the EPA threshold. According to the documents, it says that 100 tons per year is NO_x, they call it, nitrogen oxide, that's 100 tons per year, and it</p>	T3-35	<p>When a project exceeds a major source threshold, it is required to be reviewed under the PSD and/or NNSR program, as applicable. In turn, this program requires: application of BACT to minimize emissions; a demonstration that the project will not cause an exceedance of the NAAQS; a demonstration that the project will not degrade air quality that currently meets</p>	4.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	said that the potential emissions for Cricket Valley is 256 tons per year, oh, so I was wondering about that, like what would happen...		standards (PSD “increments”); a demonstration that the project will not adversely affect sensitive soils or vegetation; a demonstration that the project will not adversely affect air quality related values at the nearest designated pristine (Class 1) area; an assessment of indirect secondary growth impacts; and a demonstration that the project will not significantly and disproportionately impact designated environmental justice communities. These analyses have been completed for the CVE Project and were described in Section 4 of the DEIS. Based upon CVE’s compliance with these requirements, NYSDEC has issued the draft PSD Permit.	
Mike Purcell, Pawling Resident	...Then I was thinking, well, how high is the plume coming out of the stack, so I found out that the middle of the plume is about 500 feet above the stack, so that's at, roughly, 1,200 feet, but, you know, most of the winds are usually blowing west to east, southwest to northeast, sometimes they come out to northwest. Up on that east ridge, when I'm working up there a lot of times, you'll see that it's colder up there and that the wind comes out of the north a lot, so I was wondering what impact that's gonna have on the emissions, because it seems to me that anything that's in the Hudson	T3-36	See the response to Comment No. T3-34 and Section 4.3.3.1 – Dispersion Modeling and Compliance Demonstration (Meteorology and Topography). Elevations of the ridge tops west and east of the Project’s stacks were input to the air quality model, which specifically accounts for terrain that is above plume height. The maximum air quality impacts reflected in the DEIS, which fully comply with all health-based standards, specifically accounted for this terrain.	4.3.3.1 4.3.4.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	Valley just gets blown into those summits up there up on East Mountain.			
Mike Purcell, Pawling Resident	<p>...I found out more about nitrogen oxide, is that nitrogen in the atmosphere is very abundant, it's...the most abundant gas in the atmosphere, and that it's also a form of pollution.</p> <p>So, I read this document called "Nitrogen Pollution in the Northeastern United States" and it talked about sources and management options, and one of the reasons that Long Island Sound's got problems is nitrogen pollution, and that 15 to 25 percent of that comes out of the atmosphere from power plants. So, you know, if we have this added emissions in the Harlem Valley, what's that gonna do to our watershed... if the nitrogen readily absorbs to water vapor? So, if you have fog or if you have some instance where it's raining or it's precipitation or clouds, this stuff can adhere to the water molecules and it stays in the water, it doesn't really reabsorb</p>	T3-37	<p>In accordance with the New York State Acid Deposition Control Act, a "Source Specific Acidic Deposition Impacts" analysis was conducted to provide quantification of the Project's contribution to the New York State total deposition of sulfates and nitrates at 18 defined receptors in New York State, New England, and Canada. The DEIS included analyses of impacts of Project emissions on sensitive vegetation and soils as well as contributions to acid deposition and ambient concentrations of NO₂. The analyses concluded that the Project's impacts would not have a significant impact on sensitive natural resources.</p> <p>Further, by displacing regional emissions of NO_x from older, higher emitting generators, as well as directly offsetting 115 percent of the Project's NO_x emissions, nitrogen deposition to Long Island Sound will decrease.</p> <p>See Section 4.3.4.2 – Additional Impact Analysis (Acid and Nitrogen Deposition) and the response to Comment No. 19-8.</p> <p>As discussed in Section 5 – Water Resources of the FEIS, CVE has committed to install a stream gauging station downstream of the Project on the Swamp River, which will be capable of monitoring water quality.</p>	4.3.4.2 5.3.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	<p>into the ground too well, but it does get into the streams and waterways. And once nitrogen's in there it's like a nutrient, so you get algae growing and things like that and then you have problems with the...fish and wildlife, too much nitrogen in your drinking water, you get those problems. So, I was wondering about that and like what has Cricket Valley done or what are they gonna do about monitoring that, because I looked at where their monitoring stations are, there's one in Torrington, Connecticut, at a wastewater treatment plant, and there's one up in Cornwall, Connecticut, Cornwall Hill, and... that doesn't really tell me what's happening...in Dover, in Amenia, in Pawling, so I was... wondering why wasn't that addressed in the DEIS.</p> <p>You know, this is our town, it's our neighborhood, yet it's...impacted by nitrogen. ...There's gotta be a solution. So, I thought, well, why not test the water as it is now in these headwater systems,</p>			

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	<p>because there's...supposed to be swamps and stuff up on top of West Mountain, East Mountain, the lakes and rivers. That's what really supplies our aquifers. As the rain comes down to the top of these mountains and drains down to the valley bottom, it recharges our drinking water, it's part of that system, so you might want to know what you have now before you do anything else, and then, you know, moving on, you can test it.</p> <p>So, there has been some testing done like that. I was part of a study that checked the macroinvertebrate communities in the Swamp River Watershed, and two of the sites found acid depositions, which could be from, you know, who knows what, but most likely from acid rain, which is caused by nitrogen oxide, so it might be something to keep looking at.</p>			
Mike Purcell, Pawling Resident	I know that towns in Dutchess County that have these water problems, they're very expensive to fix for the community...You	T3-38	The Project will incorporate a Zero Liquid Discharge system and, therefore, no process wastewater discharge will occur. In addition, Project designs incorporate Best Management Practices relative to the storage of fuel,	5.3.1

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	know, if you get too much pollution in the water from any source, it's gonna cost the taxpayer money and...you can kind of tell a source to stop polluting, but...that doesn't always work out. ...A power plant might be good economically for some things, but in the long run...you gotta take a closer look at what's really out there.		lubricating oils, and chemicals. Since the Project's combustion turbines and the majority of other ancillary equipment will consume only natural gas, only small quantities of fuel, lubricating oil, and chemicals will be stored on site. As discussed in Section 5.6.4.2 of the DEIS, all tanks, equipment, and vessels containing fuel and lubricating oils will be inside a concrete containment, sump, or curbed/diked area as required for spill control and management. In addition, Best Management Practices related to chemical storage will be addressed as part of a Spill Prevention Control and Countermeasure (SPCC) Plan with the Town of Dover and JH Ketcham Hose Co. as part of the Project's Special Permit process.	
Mike Purcell, Pawling Resident	...I don't know how many <i>[studies]</i> Cricket Valley's done in the field here, and there's probably plenty they could do by monitoring water and air, you can maybe get some baseline studies to see...what's out there, because...the Harlem Valley's a real special place...	T3-39	<p>CVE worked closely with the public and agencies to define appropriate scopes of study for the Project, and has documented findings in the DEIS. It is correct that each site has unique attributes that must be considered; it is also the case that this site presents a unique opportunity to construct and operate the Project within the existing developed footprint of an abandoned industrial complex. Air quality monitoring is addressed in more detail in response to Comment No. T3-37.</p> <p>The Project will not use or be located in areas west of the Metro-North railroad track near the Swamp River. By maintaining this distance, CVE intends to preserve the high quality habitat located in that area. Detailed groundwater studies have been completed for the Project (described in Appendix 5-C and Appendix 5-Eof the DEIS and summarized below in Section 5.3.2) to confirm that the Project's use of groundwater would not have an</p>	4.3 3.3.2 5.3.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			<p>indirect effect on the Swamp River or its adjacent wetlands. Project impacts on wildlife are further addressed in Section 3 of the FEIS.</p> <p>CVE has undertaken numerous studies at the site in consultation with federal and state agencies, including formal species habitat surveys. An update of the bog turtle and rattlesnake surveys, including gathering additional data, is discussed in Section 3.3.2 of the FEIS to reflect the increase in site size. Most significantly, Project activities have been designed to predominantly occur on land that has been previously altered. In this way, the undeveloped habitat in the area can remain undisturbed and retain its use by native species.</p>	
Alan Surman, Dutchess County Legislator	<p>... I don't think anybody in this room would like to go back 100 years to the way it was. We use power every day. We use power for our laptops, we use power just for safe lighting as opposed to candles, we use power for our plasma TVs, we use power for our washing machines and our air conditioners...Electrical power generation is an extremely dangerous enterprise.</p> <p>Approximately one-third of the power in this state right now is being produced by Indian Point, and I don't feel very comfortable about that, and I agree with</p>	T3-40	A need for the Project has been demonstrated, as discussed in Sections 1.3.1 and 1.4.3 of the FEIS.	1.4.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	Mayor Cuomo that that plant should be shut down...nuclear power generation is an extremely dangerous enterprise, and I'd be a lot more worried about that than a plant which is gonna produce mostly carbon dioxide and some nitrogen oxide... <i>[Discussion of risks and limitations associated with several energy generating technologies]...</i>			
Alan Surman, Dutchess County Legislator	If these folks have learned by the Kleen Energy Project in Connecticut, then they'll do special procedures for purging the lines and whatever and we'll have a better plant in that regard.	T3-41	All purging of pipes will be performed with inert gases or compressed air. No natural gas purges will occur per Advanced Power's policy and the new NFPA standards.	1.4.7
Alan Surman, Dutchess County Legislator	...my major concern is the height of the smokestacks, just to make sure that this gets high enough for its expulsion, and if they take care of that, I think that'll pretty much answer most of your concerns.	T3-42	See response to Comment No. T1-5 regarding Good Engineering Practice stack height and plume dispersion.	4.3.3.2
Alan Surman, Dutchess County Legislator	This plant will produce, roughly, half the capacity of Indian Point, because we need a plant with the capacity of Indian Point and maybe a little more so that we can eventually shut that plant down and we could all breathe a	T3-43	Comments acknowledging support of the Project are noted. A need for the Project has been demonstrated, as discussed in Sections 1.3.1 and 1.4.3 of the FEIS, and the Project is being evaluated under SEQRA on its own merits.	1.4.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	little bit easier, because I don't like the fact that I'm within 50 miles of it, and that's what you really should be worried about. This is a much safer, cleaner, long-term method...			
Alan Surman, Dutchess County Legislator	One idea that I advanced earlier, if there was a continued need for water, since this place will be so close to Dover Knolls and Dover Knolls will be producing up to 500,000 gallons of effluent and be going through tertiary cleaning, conceivably one day we could force a pipeline up there for a mile and a half and they could use treated wastewater and they don't have to touch the groundwater at all.	T3-44	The water demand for the Project is very small and can easily be met through the use of bedrock wells without adverse impact. As discussed in DEIS Section 5.4.4.2, the proposed Knolls of Dover project is planned to have a wastewater treatment plant that could, at some future point, provide treated effluent to meet all or a portion of the project's water needs. Use of this treated effluent may be technically feasible (depending upon the consistent volume and quality of the discharge), but would require several miles of new water line along Route 22. While that project has been approved by the Town of Dover, until it has an operating track record to demonstrate consistent volume and quality of discharge, a practical assessment of that source cannot be completed. CVE is open to consideration of feasibility of use of this water source in the future.	1.4.4 5.3.4
Steve Vincent, Dover Resident	<i>Statement in favor of the project due to site clean-up, tax revenues, and compliance with standards.</i>	T3-45	Comments acknowledging support of the Project are noted.	1.4.1
Jaime Vincent, Dover Resident	<i>Statement in favor of the project, including the low noise impact expected due to other background sound level.</i>	T3-46	Comments acknowledging support of the Project are noted.	1.4.1

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Ross Cardwell, Wingdale Resident	I learned about this project about two weeks ago, two weeks. There was application before this Board that was submitted back in November of 2009. How is it possible that I've heard nothing about this project, I haven't seen a roadway sign, I haven't seen a poster? There's been no postage coming in through the mail, zero. Nothing went out into my trash as a false advertisement...absolutely nothing, and I only raise this concern because I've spoken to some of my neighbors since learning of this proposal, none of my neighbors have heard about this, none of my neighbors have received any postage, none of my neighbors know anything about this power plant and were mortified when I began to discuss the probability of three smokestacks blowing emissions a half a mile away from the high school.	T3-47	CVE has held 15 public workshops and two open houses spanning a 24-month period, inviting those interested in the Project to participate in either group discussions or one-on-one conversations with a range of technical experts. Invitations were extended to every household in Dover via a mailed postcard, were publicized in the quarterly CVE newsletter which is also mailed to every household in Dover, were announced on the Cricket Valley Energy website, and were publicized via advertisements and press releases in local newspapers and periodicals that are circulated in Dover, as well as in surrounding towns, including Pawling and Millbrook (e.g., Pawling Press, Millbrook Independent, Pennysaver, etc.). In addition, the Town of Dover and NYSDEC have held six formal public meetings since May of 2009 to solicit public comment, with each of these meetings publicized via advertisements, postcard mailings, road signs, press releases, and announcements on the Cricket Valley Energy website.	1.4.2
Ross Cardwell, Wingdale Resident	We need an independent entity to come in, review the proposals that have been made...I've seen nothing from the state, nothing from the EPA, nothing from any	T3-48	CVE provided funding to the Town of Dover to allow for independent consulting review of the DEIS and for a review of the environmental impacts related to air quality. The Town of Dover selected AKRF and Berger Engineering for independent review of the DEIS and Dr.	1.4.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	environmental agencies, that are independent of Cricket Valley that will allow for the residents of the state to make an independent decision of their own as to whether or not they want it.		<p>Bruce Egan, to supplement the existing expertise for a review of the environmental impacts related to air quality.</p> <p>NYSDEC, as Lead Agency for the Project, conducted an independent review of the analyses contained in the DEIS, relying upon in-house experts. Where appropriate, in-house expertise was augmented with an independent contractor, Ecology & Environment, Inc., to evaluate water resources, traffic, noise and visual impacts. USEPA, in conjunction with NYSDEC, reviewed the air quality analyses completed for the Project. Independent review of environmental topics has also been undertaken by the U.S. Fish and Wildlife Service, New York State Office of Parks, Recreation and Historic Preservation, and the U.S. Army Corps of Engineers.</p>	
Ross Cardwell, Wingdale Resident	...how it would impact our community from a tax-revenue standpoint, it sounds fine, but what's the percentage? How much was this going to benefit our community? How many jobs? There was...commentary as to 700 -- 500 to 750 jobs, perhaps, throughout the construction phase, maybe 25 to 50 jobs thereafter. 25 to 50 jobs thereafter? And to whom?	T3-49	Once details of the local tax agreement and community benefit package are established, the town can decide how its funds will be used over time including tax reduction or community improvements. The DEIS, in Section 6.7.3.1.3, outlines the workforce availability in the general area, concluding that approximately 90 percent of the required construction labor force could be filled by the local labor market. Details about project construction and operational jobs are provided in Sections 6.7.3.1 and 6.7.3.2 of the DEIS, respectively.	6.3.7

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Ross Cardwell, Wingdale Resident	What about the recreational facility that the children need or the new pool or the guaranteed fixed property tax, some greater benefit?	T3-50	Once details of the local tax agreement and community benefit package are established, the town can decide how its funds will be used over time, including whether recreational facilities or adjustments to tax structure would be appropriate.	6.3.7
Ross Cardwell, Wingdale Resident	I've heard some really horrible stories about some of the potential problems relating to this process. It's called fracking, that I know absolutely nothing about, to tell you up-front.	T3-51		1.4.6
Ross Cardwell, Wingdale resident	But if there's a remote possibility of any kind of explosion, whether or not it's subterranean or whether or not it's in my kitchen sink when I turn on the faucet, is of major concern to me and my family.	T3-52	In response to the Middletown, Connecticut accident, the NFPA has issued new standards for purging natural gas pipes following construction. All cleaning of pipes will be performed with inert gases or compressed air, which is consistent with the new NFPA standards. A detailed Emergency Response Plan will be developed in consultation with appropriate town officials, including the Town Board, Dover Union Free School District, J.H. Ketcham Hose Company, and other emergency response providers.	1.4.7
Ross Cardwell, Wingdale resident	...I'm not sure that there's been a clearcut study as to the impact of the development of this plant on Dover Knolls, what will that do.	T3-53	Cumulative impacts have been carefully considered as a part of the SEQRA process for this Project, addressed within each relevant technical area of study. These cumulative impacts considered not just regional effects, but local effects, with particular attention paid to the proposed Knolls of Dover project. For instance, the traffic study (DEIS Section 6.3 and DEIS Appendix 6-D), Water Well Test Report (DEIS Section 5 and DEIS Appendix 5-E), Site Water Budget Report (DEIS Section 5 and DEIS	1.4.5

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			Appendix 5-C), and visual analyses (DEIS Section 6.2) specifically incorporated the Knolls of Dover project, as well as other typical community growth over time.	
Ross Cardwell, Wingdale resident	...there's other ways to get business here and tax dollars here that'll benefit our community than building some, you know, multimillion-dollar plant that will generate profits with independent entities that'll take their money elsewhere. To power that much of our state, to have the capacity to do that much and to give us so little, doesn't make sense, it just doesn't make sense.	T3-54	<p>CVE believes the environmental and economic benefits offered by the Project exceed those of any other project ever proposed in Dover.</p> <p>The Project will provide local and regional economic and environmental benefits by adding temporary and permanent jobs and by remediating and reusing a dilapidated industrial site in a productive and environmentally sensitive manner. The Project will also provide a long-term revenue source for the Dover schools, the Town of Dover and Dutchess County through contributions to the tax base and community benefits.</p>	1.4.4
Ross Cardwell, Wingdale Resident	... you need two sides of the argument, we need the pros and the cons, we need an in-depth investigation...What does make sense is examination of the evidence from all sides so that we can make an informed decision as a community, and we don't have that available to us right now...And if we don't have that available to us right now, you can't support the application until you do...There's going to be problems. Their failures are human error. There's going to be	T3-55	The SEQRA process is intended to allow for detailed exploration of key issues, gathering input from the public as well as federal, state and local agencies, to inform a thorough and detailed public review and thoughtful decision process. CVE has provided significant information and opportunity to examine all sides of many issues through six public hearings, 15 advisory working group sessions and two open houses. In addition, CVE currently funds an escrow account with the Town of Dover which allows for the independent review of the Project by qualified consultants. As a result of this funding, the Town of Dover has retained the services of AKRF and Berger Engineering to review the DEIS, and outside expert, Dr. Bruce Egan, to supplement the existing expertise for a review of the environmental impacts	1.4.1

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	problems with this plant. We need to know what those potential problems are before it goes up.		related to air quality.	
Carol Moran, Dover resident	It seems to me that the most important things that have been said are the discussion of getting some funding to do the things that will help if this plan goes through. ...there are lots of things we can do with getting funds to maintain monitoring and even things like getting funds to maintain the Town's website so that we can disseminate information to those people who are fortunate enough to have computers and be comfortable using them.	T3-56	Monitoring is an essential element of the Project to confirm compliance with environmental commitments. Continuous monitoring of the air emissions and water system will occur. CVE is in the process of finalizing a PILOT agreement and Community Benefits Package with the Town of Dover. The use of those funds for monitoring and information dissemination will be at the discretion of the Town of Dover.	1.4.1
Carol Moran, Dover Resident	I did not participate in it [<i>the well testing program</i>], in part because my well is under my house and it would mean having somebody there in the house and I didn't want that. The negative well effects that were reported in there from the two wells, test wells, that you did that are closest to me, or the negative well effects on the neighbors, were glossed over, and that's your job in presenting this, because it's not just	T3-57	The original plan for pump testing was to conduct the analysis during April 2010. However, due to the large amount of rain in March and April 2010, CVE delayed the pump test to prevent results from being skewed. The tests were instead conducted in late June 2010, during a time when water levels were near 7Q10 conditions (i.e., the lowest stream flow for seven consecutive days that would be expected to occur once in ten years). The pump test was designed to monitor neighboring wells, adjacent wetlands, and the Swamp River to ensure the Project's water consumption would have no adverse impact. As discussed in DEIS Section 5.4.4.5, the Project's main well can be operated indefinitely at its	5.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	concerned with the immediate neighbors, but it made me, as many other things, like your selecting a period of heavy rainfall in which to do your testing, it made me doubt your serious intent of coming up with unbiased information as opposed to information that would support your points of view.		<p>design rate and, when tested at maximum water needs (120 gpm), it did not produce any discernible effects on any of the monitored off-site private wells, nor any of the on-site wetlands.</p> <p>The long-term pumping test – conservatively pumping at twice the maximum summer demand (120 gpm) – indicated that use of a series of back-up wells at levels greater than the anticipated demand could have a minor impact on three off-site wells (Wilson, Cablevision and MacEntee wells). However, as discussed in DEIS Appendix 5-E, impacts to these wells cannot be considered significant since, in each case, the water level changes were less than those caused by the owner’s use of the well.</p> <p>Because this test, which modeled an exaggerated Project water demand, revealed only minor impacts, the Project’s operation under a realistic range of circumstances is not anticipated to have a discernible impact on offsite wells. Note that anticipated NYSDEC permitting requirements will formalize monitoring and reporting obligations to verify that Project water usage is consistent with the assessed demand.</p>	
Manna Jo Green, Rosendale Resident, Environmental Director for Hudson River Sloop Clearwater	...if this plant moves forward...there's not an official requirement for a host community benefit package, but you are in negotiations and you could be negotiating for that facility to also include a huge solar array, and if	T3-58	<p>The Project will generate substantial revenue to the Town of Dover and is in negotiations with the town on a community benefits package.</p> <p>Regarding renewable energy opportunities, the Project is located in a valley that is very poorly suited to wind energy, lacking the strong, persistent winds necessary for a viable wind turbine location. Development and</p>	1.4.4 6.3.7

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	there is the potential for wind, that wind be captured so that it really is moving towards sustainability.		operation of wind farms is supported in locations more suitable for this form of energy. The Project will utilize rooftop rainwater capture and is considering all reasonable opportunities to incorporate on-site renewable energy, such as solar panels on the Project roofs. CVE is in the process of finalizing the local tax agreement and community benefit package. The local community can decide how they would like to use any increase in revenue, including the potential installation of renewable technologies.	
Manna Jo Green, Rosendale Resident, Environmental Director for Hudson River Sloop Clearwater	The other thing that I think is really important is closer monitoring.	T3-59	Monitoring is an essential element of the Project to confirm compliance with environmental commitments. Continuous monitoring of the air emissions and water system will occur.	1.4.1
Manna Jo Green, Environmental Director for Hudson River Sloop Clearwater	...we have enough power on the grid to do without Indian Point without building this facility, but I think that...the Governor and legislators really want the reassurance that there is replacement power coming online. We think that the majority of that replacement power should be from green sources and they really are immediately available...	T3-60	Renewable energy projects are recognized as an important part of the region's energy portfolio. The proposed Project is not incompatible with and will not preclude development of these types of projects. Further, the State Energy Planning process will establish renewable energy goals for the state. We firmly believe that efficiency and energy conservation, renewable sources of electricity and clean, reliable sources of baseload power are all essential elements of a sound energy policy.	1.4.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Manna Jo Green, Environmental Director for Hudson River Sloop Clearwater	The problem with fossil fuel is that it does generate greenhouse gases, so we not only have a dangerous situation in terms of nuclear power, an aging, really seriously deteriorating facility...but there is a very real danger of global warming and sea level rise is predicted within this century to be anywhere from four to six feet depending on how fast things melt and...how quickly the temperature rises.	T3-61	The proposed Project will generate greenhouse gases; CO ₂ will be the predominant GHG emitted from the Project. However, CO ₂ permit levels proposed by the Project represent the one of the lowest permit levels ever issued for a power plant in the U.S. Emissions of VOCs (expressed as methane) and nitrous oxide (N ₂ O) are considered negligible when compared to total CO ₂ emissions, and would not be considered significant to climate change issues. In addition, these compounds are also controlled, to varying degrees, by the SCR system and the oxidation catalyst. Further, through displacement of the operation of existing less efficient units, this Project will reduce regional GHG emissions.	4.3.7
Manna Jo Green, Environmental Director for Hudson River Sloop Clearwater	So, better monitoring, host community benefit, I think it's great that there's closed-cycle cooling, that there's been transparency, that the wetlands are gonna be cleaned up, the landfill is gonna be cleaned up, those are all steps in the right direction, but I think you're in a good position to ask for a lot more, you know, tax stabilization is really important, but also to have some of those negative environmental impacts offset right on the site, that was a really, really great idea.	T3-62	Restoring this industrial property is a significant benefit associated with the Project, in addition to providing the other benefits discussed in response to Comment No. 23-14.	1.4.8

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Manna Jo Green, Environmental Director for Hudson River Sloop Clearwater	And I also just want to mention one other thing and it has to do with what we call environmental justice. The plant in Astoria is a fossil-fuel plant and it's in a very, very densely populated area. The other issue that Entergy has raised that we disagree with but -- is that if Indian Point closes, that more gas-fired peaker plants will be burning in inner cities, so that's gonna put the pollution rate in areas that have very high asthma rates, in children and elderly, you know, that could raise that if that were the alternative, so people are thinking that this is a cleaner alternative, and that is not to minimize the air impacts on your community, and that's what, you know, we'd like to help you to minimize.	T3-63	<p>One of the Project's air permit application requirements was to demonstrate compliance with Environmental Justice criteria, including ensuring that the Project would not significantly nor disproportionately impact any qualifying Environmental Justice community. The Project has demonstrated compliance with this provision. Further information on Environmental Justice communities is included in Section 6.7.4 of the DEIS.</p> <p>Environmental justice is considered under the federal and state air quality programs as well as State Environmental Quality Review Act (SEQRA) in order to fully understand the consequence of environmental permitting decisions. As discussed in Section 6.7.4 of the DEIS, the Project fully complies with state and federal Environmental Justice (EJ) guidelines by demonstrating that it will not have a significant adverse or disproportionate impact on any Environmental Justice Community of Concern. Environmental justice areas are generally defined as communities or facilities housing disadvantaged groups, such as low-income or minority populations. As discussed in DEIS Section 6.7.4, there are no environmental justice populations proximate to the Project.</p> <p>The Project's air emissions meet strict federal and state standards designed to be protective of public health, even for asthmatics and other sensitive members of the population. As part of its air quality permit approvals, the Project demonstrated that it would neither significantly nor disproportionately impact EJ qualifying communities – and</p>	4.3.3 6.3.7

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			would meet protective standards everywhere.	
Manna Jo Green, Rosendale Resident, Environmental Director for Hudson River Sloop Clearwater	Oh, one other thing somebody mentioned, septic system, you know, from a large facility, and I'd like to encourage the use of an advanced wetland system...basically, it's using plants to process wastewater, and that cuts down on the consumption of chemicals and it cuts down on the use of energy, so the more we can cut down on the use of energy, the better.	T3-64	Consistent with New York State Department of Health requirements, a septic system will be used for sanitary waste disposal. Based upon a review of Dutchess County soil mapping, anticipated wastewater quantities (500 gpd), and previous soil borings, it is recommended that on-site sanitary waste be treated through a preliminary subsurface treatment using a fill pad based upon Dutchess County Department of Health standards. Additives such as stimulators or enhancers (e.g., chemicals) are not required in a properly designed and maintained system. The plant will have periodic monitoring and maintenance as required to ensure the septic system is operating per design standards. No additional wastewater treatment is required or proposed. The Project <u>will</u> utilize natural plantings to filter stormwater through the use of bio-retention ponds, which incorporate many of the pollutant removal mechanisms of a forested ecosystem. The Project's stormwater management plan currently incorporates three of these bioretention areas as discussed in DEIS Section 5.6.3.	3.3 5.3.3
Jill Way, Dover Resident	It is truly hard to balance economic development and environmental protection, and I'm here really to ask for one thing, that through maybe a collaborative arrangement or mutual agreement the Applicant and the Lead Agent could agree to extend the August 1 deadline	T3-65	CVE provided funding to the Town of Dover to allow for independent consulting review of the DEIS and for a review of the environmental impacts related to air quality. The Town of Dover selected AKRF (the Town Planner) and Berger Engineering (the Town Engineer) for independent review of the DEIS and Dr. Bruce Egan, to supplement the existing expertise for a review of the environmental impacts related to air quality.	1.4.2 4.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	<p>for the Town Board to make comment so that the Town Board would then have the time to consider and retain an expert on air quality.</p> <p>While I know that we have a Town Engineer and some other experts, I don't believe that we have an expert who can actually take a hard look at the particular geography and the air quality impacts in the Harlem Valley using a modeling – modeling data or data from western Dutchess County is not the same, and other folks have spoken about that, so I'm not gonna go over it, I think we all get the concept. And so, please, Town Board, would you consider hiring this air quality expert.</p>			
Lydia Odunsi, Wingdale Resident	We need to do a lot of work before we can prevent the air pollution, the too much traffic.	T3-66	These issues have been addressed in conjunction with the SEQRA review process, both by CVE and its team, as well as by members of the public and agency representatives. Detailed consideration of a range of issues, including air quality and traffic, has informed the public through SEQRA, and will continue to be vetted through the local approval processes. The Project will comply with air quality standards that are designed to protect even the most sensitive members of the	1.4.1

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			population, and the Project is anticipated to create a regional net air quality benefit. Traffic impacts during construction are likely to be noticeable, but measures will be implemented to mitigate the impacts to the community. Once the facility is operational, traffic impacts will be negligible.	
Lydia Odunsi, Wingdale Resident	... this here gentleman...said this plant would decrease carbon dioxide -- I'd like you to explain to us how you come to that scientific decision, because we haven't had no decrease in carbon dioxide in New York for the past -- I can't say -- 10, 15 years ago, we've been having increase because of the cars, the emissions, so if you can give us a little -- brief notes about how you come to that scientific decision that the carbon dioxide will decrease, because if we have the scientific solution for decrease the carbon dioxide in the air, there would be no asthma, no all this new sickness now that everybody faces, and we can use that technology, too, for different departments so that we can be able to breathe in fresh air. That's why now we're planting more trees, to get more oxygen, if I'm right, you know.	T3-67	<p>The Project will be more efficient and lower emitting than even the cleanest existing fossil fuel-fired power plants in New York. CO₂ permit levels proposed by the Project represent the lowest permit levels ever issued for a power plant in the U.S. Further, as demonstrated by the displacement analysis in Appendix 1-A of the DEIS (and summarized in Section 4.3.6), it will result in a net reduction of over 650,000 tpy of CO₂ emissions through displacement of the operation of existing less efficient and higher emitting power plants.</p> <p>The cumulative air quality modeling analysis included consideration of the maximum permitted emission levels from existing point sources in the valley and demonstrated that the Project, in combination with other existing sources and existing background air quality levels, will fully comply with NAAQS and NYAAQS set to be protective of the health of the most sensitive individuals, and will not appreciably degrade existing air quality.</p>	4.3.6

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Jessica Wade, Dover Resident	<p>In a recent report from the Lung Association in 2011, they stated that the Hudson Valley's air quality is stagnant and there has been no improvement in it and that it failed for the ozone and particular pollution.</p> <p>...I don't feel comfortable just having a plant in an area where there is no wind and the nitrous oxide and methane and carbon dioxide that's constantly being pumped every day is in our air and not lingering on somewhere else and we're there breathing all of those emissions in every day and it's not going anywhere. So, after years of that, and this plant is supposed to go on for 40 years, after years of that, how is it going to affect us? Well, I, for one, don't like the idea of my mom and dad and grandmother having to stay behind and breathing in those pollutants and possibly developing lung cancer, it's a decrease in your lung function, and I don't want my community members to have to go through that as well. I'm moving out and I</p>	T3-68	<p>As discussed in the responses to similar comments above, the air modeling dispersion analysis demonstrated that the proposed Project, taking existing air quality levels and the contributions of other sources into account, will neither cause nor significantly contribute to any violation of NAAQS or NYAAQS which have been established by the USEPA and NYSDEC, respectively, to ensure the protection of the health of the most sensitive segments of the population. See Section 4.3.3.1 – Dispersion Modeling and Compliance Demonstration (Meteorology and Topography) for more information.</p>	4.3.3.1

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	don't have to deal with this, but I still care.			
Jessica Wade, Dover Resident	...I know the Vincents brought up that they were concerned about the water quality, and I know that their children played in the river. I grew up in the river and I also played in the river, and it's important to know what you're swimming around in, and Town Supervisor Courtien, just so you know and the Vincents know, there are organizations, such as the EPA Superfund, that exist that will come in and clean up whatever these people left behind from previous -- basically what needs to be cleaned up, they'll come in and clean it up, and they'll hold the people that were there responsible that did not clean up, they'll hold them responsible and have them pay for it, so that does exist. So, Cricket Valley, we can have that option, they don't have to necessarily do that for us...	T3-69	<p>CVE has incorporated a Zero Liquid Discharge system into the project. Water is continually recycled throughout the project, using this system, such that no process wastewater will be discharged. In addition, Project designs incorporate Best Management Practices relative to the storage of fuel, lubricating oils, and chemicals. Since the Project's combustion turbines and the majority of other ancillary equipment will consume only natural gas, only small quantities of fuel, lubricating oil, and chemicals will be stored on site. As discussed in Section 5.6.4.2 of the DEIS, all tanks, equipment, and vessels containing fuel and lubricating oils will be inside an environmental concrete containment, sump, or curb dike area as required for spill control and management. In addition, Best Management Practices related to chemical storage will be addressed as part of a SPCC Plan with the Town of Dover and JH Ketcham Hose Co. as part of the Project's Special Permit process.</p> <p>The Property, although having an industrial character based on its prior use, is not significantly contaminated and likely would not be addressed under federal cleanup programs such as Superfund. For example, Superfund (which is intended to address hazardous waste sites, typically with contributions from responsible parties) is a lengthy process that involves steps to assess sites, determine if they should be added to the National Priorities List, develop and then implement cleanup plans.</p>	2.3 5.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			<p>This Property would be unlikely, based on its non-hazardous condition, to qualify for this type of program.</p> <p>CVE selected the Property, in part, based upon the opportunity to utilize an existing developed footprint and provide a benefit to the local community by returning the site to productive industrial use. Although the cost associated with demolition and restoration at the Property is not insignificant, CVE recognizes that the clean-up activities are an important side benefit both for the community and to the environment. Given the Property's long history in this condition, it seems unlikely that clean-up would occur unless it was within the context of a reuse proposal like the Project.</p>	
Alex Ackerman, Wingdale Resident	<p>...it's not even needed, this plant.</p> <p>...that's assuming you're gonna get contracted and you're gonna want this power, which you have not solidified, it's not there, nobody said they -- if nobody buys the power, it's a useless piece of junk standing there doing nothing. And you hear people here comment; it's not necessary. There's, if anything, an abundance of power. It's more or less just in case of something.</p>	T3-70	<p>It is assumed that the commenter is referring to comments indicating that there is no imminent need for additional electric generation facilities to avoid violating minimum reliability criteria. However, as discussed in Section 1.4.3 of the FEIS, an environmental, reliability and economic need for the Project has been established.</p> <p>NYSPSC has, in several recent orders,^{1,5} recognized the need for the addition of new, more efficient generating facilities, even where there is not an imminent threat to system reliability, based on a number of factors, including system reliability benefits, economic benefits for customers and New York State, and achievement of public policy goals including environmental benefits. With respect to reliability, the NYSPSC has determined that the addition of new generation facilities provides an additional source of supply in the event that other expected</p>	1.4.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			<p>generation and transmission projects are not available to the bulk electric system.</p> <p>In support of the development of new sources of electric generation, the NYISO 2011 Power Trends report explains that the sustained adequacy of resources may be challenged by the following factors: the considerable lead-time needed to finance, permit and construct major energy projects; the potential retirement or other closure of existing generation facilities as a result of business or governmental determinations; aging generation and transmission infrastructure; and the cumulative impact of impending federal and state environmental regulations on the continued operation of various existing power plants.</p>	
Alex Ackerman, Wingdale Resident	<p>...I lived in The Bronx for 30 years of my life. I moved up here...to get away from the pollution and everything else. And you're saying how if they don't build it here, it'll be more pollution in Queens or wherever it may be, well, that's why I take a two-hour ride and invest my time and my energy, so they [my family] don't have to breathe that air...</p> <p>...Having my children what, a half a mile, a quarter a mile away, from stacks that are emitting God knows what, having them breathe that, that's exactly the reason I</p>	T3-71	<p>The air modeling dispersion analysis demonstrated that the proposed Project, taking existing air quality levels and the contributions of other sources into account, will neither cause nor significantly contribute to any violation of the NAAQS or NYAAQS which have been established by the USEPA and NYSDEC, respectively, to ensure the protection of the health of the most sensitive segments of the population.</p> <p>Potential Project impacts have been carefully assessed, and compliance demonstrated with applicable environmental standards, including air quality programs designed to be protective of public health. Continuous monitoring will be conducted to confirm that Project emissions comply with permit limits throughout its life.</p>	4.3.3 6.3.7

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	moved away from The Bronx, that's why they're here, so they could breathe good, clean fresh air.			
Alex Ackerman, Wingdale Resident	...nobody mentioned... what this is going to do to property values. I can only imagine you want to sell your house and you see a wonderful three stacks of 300-foot-high God knows what coming out of there. A great selling point, I'm sure.	T3-72	<p>The Project will have a net positive impact on the environment, reducing regional emissions, cleaning up and restoring an inactive abandoned industrial site unlikely to be otherwise remediated, restoring degraded wetlands and jurisdictional Adjacent Area, and preserving in perpetuity 79 acres of land along the Swamp River.</p> <p>As discussed in Section 6.3.7.2, a study conducted by the Public Service Commission of Wisconsin indicates, "actual property value is comprised of an often complex set of desirable and undesirable factors, including proximity and quality of schools, the attractiveness of the house and yard, and access to work and to local amenities. The research has not been conclusive because of the difficulty researchers have of accounting for all of the variables. The few studies done to date have not shown a clear, consistent correlation between power plant location and reduced property values."</p> <p>It is important to note that property values are driven by a myriad of factors which include externalities such as the quality of school systems, property taxes, and community services. CVE's PILOT agreement will provide substantial revenues to the Town of Dover and the Dover Union Free School District which can be used for improved Town/School facilities, expanded community services, and/or lower taxes.</p>	6.3.7

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			In addition, the visual impact assessment presented in Section 6.2 of the DEIS indicated that views of the facility stacks will be limited, day or night, due to topography, vegetation and distance.	
Alex Ackerman, Wingdale Resident	<p>...But I came here, again, for the fresh air, for the great people, for the environment, and to have an - - unnecessary, literally chemical-producing smokestacks that are not needed in an area where you feel the people are maybe a little more poverty-encroached and need the extra money, \$22 million in tax revenue, let's be – admit it, it's a drop in the bucket, that's probably a three-day profit for you gentlemen from your company which you are gonna make.</p> <p>... I believe 80 percent of all the energy that's staying here, whatever it is, runs through Westchester and New York City, nothing to do with us whatsoever, so we get all the poison, all the garbage, they get all the energy, we get \$22 million bucks, which is not even a tenth of a penny, and that's unless you -- so, obviously, I'm against it.</p>	T3-73	<p>As detailed in Section 1 of the DEIS and further supported in Section 1 of this FEIS, there is a clear and stated need for the Project within the proposed Project timeline. The Project will be privately funded, and will generate substantial tax revenue to the benefit of the local community.</p> <p>The Project fulfills a stated need and has a net positive impact on the environment, reducing regional emissions, cleaning up and restoring an inactive abandoned industrial site unlikely to be otherwise remediated, restoring degraded wetlands and jurisdictional adjacent area, and preserving in perpetuity 79 acres of land along the Swamp River, while creating over 1,000 worker-years of construction employment, 25-30 permanent high-paying professional jobs and generating millions of dollars in taxes to benefit the town, county, school district and state along with millions of dollars in secondary employment and other economic benefits.</p> <p>Potential Project impacts have been carefully assessed, and compliance demonstrated with applicable environmental standards. In addition, this Project will have little demand on public services.</p>	1.4.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Alex Ackerman, Wingdale ResidentI want you to prove to me that you've shown -- sent me one flyer, that I have one flyer from you guys saying about this. 23 Bannister Lane, Wingdale, New York 12594...	T3-74	CVE has held 15 public workshops and two open houses spanning a 24-month period, inviting those interested in the Project to participate in either group discussions or one-on-one conversations with a range of technical experts. Invitations were extended to every household in Dover via a mailed postcard, were publicized in the quarterly CVE newsletter which is also mailed to every household in Dover, were announced on the Cricket Valley Energy website, and were publicized via advertisements and press releases in local newspapers and periodicals that are circulated in Dover, as well as in surrounding towns, including Pawling and Millbrook (e.g., Pawling Press, Millbrook Independent, Pennysaver, etc.). In addition, the Town of Dover and NYSDEC have held six formal public meetings since May of 2009 to solicit public comment, with each of these meetings publicized via advertisements, postcard mailings, road signs, press releases, and announcements on the Cricket Valley Energy website.	1.4.2
Ashley Ley, AKRF	I understand that there have been a lot of questions about air quality. We do have professionals who are experts in air quality on our staff that will take a look at the chapter and that have been reviewing the chapter. Some of the comments that we've been focusing on specifically,	T3-75	We are in receipt of all comments from the Town Planner (AKRF) and have responded to those comments, which relate to air, water, land use, and community character, as part of this FEIS.	1.4.2 4.3.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	because the Town of Dover is not the lead agency on this project, have been in relation to community character impacts, which include the noise impacts, because that does conflict with the Town of Dover Code, as well as visual impacts and water resources...			
Ryan Courtien	...I was one of the people who strongly advocated for the Town of Dover being the lead agency on the SEQRA...	T3-76	<p>NYSDEC was selected as lead agency for the Project in part due to its internal technical expertise and familiarity with this type of project. The Town is an involved agency under SEQRA, and has been welcomed to continue to play a strong role in the SEQRA process. Comments received on the DEIS, including those from the Town, are taken seriously both by CVE and by NYSDEC in the preparation of the FEIS and in Project decisions.</p> <p>The Town of Dover Town Board will have an integral role in the approval of the Project through the granting of a Special Permit.</p>	1.4.2
Mr. Chris Galayda, Town Board	...we petitioned at the very beginning to be the lead agent...and the DEC said no, and then we said, we know our residents best and we know our community best and we feel that we have...the most to gain by, or lose, as we are Town Board members of the community, so we went through the appeal	T3-77	<p>NYSDEC was selected as lead agency for the Project in part due to its internal technical expertise and familiarity with this type of project. The Town is an involved agency under SEQRA, and has been welcomed to continue to play a strong role in the SEQRA process. Comments received on the DEIS, including those from the Town, are taken seriously both by CVE and by NYSDEC in the preparation of the FEIS and in Project decisions.</p> <p>The Town of Dover Town Board will have an integral role</p>	1.4.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	process and the DEC said no. So, they basically stripped us of any power at this point until we get to the Special Permit stage...		in the approval of the Project through the granting of a Special Permit.	
Mr. Chris Galayda, Town Board	<p>...you look at reservoirs that are drained to the ground because the City does it, right, and you look at, you know, the fact that they're talking about New York City needs more power or the Governor wants it. And, I'm...trying to...balance and review this stuff, I mean, if the Governor wants it so bad, why doesn't he put it in his backyard?...the county has a lot to gain by this and not much to lose, they're gonna make a million dollars a year and not give us any more services. My children's health is not for sale, you know, and my neighbors' children's health is not for sale.</p> <p>...If they need more power in Manhattan, put it there, or like I said, better yet, in the Governor's backyard.</p>	T3-78	<p>As detailed in Section 1 of the DEIS and further supported in Section 1 of this FEIS, there is a clear and stated need for the Project within the proposed project timeline. The Project will be privately funded, and will generate substantial tax revenue to the benefit of the local community.</p> <p>The Project fulfills a stated need and has a net positive impact on the environment, reducing regional emissions, cleaning up and restoring an inactive abandoned industrial site unlikely to be otherwise remediated, restoring degraded wetlands and jurisdictional adjacent area, and preserving in perpetuity 79 acres of land along the Swamp River, while creating over 1,000 worker-years of construction employment (the hardest hit economic group in New York State), 25-30 permanent high-paying professional jobs and generating millions of dollars in taxes to benefit the town, county, school district and state along with millions of dollars in secondary employment and other economic benefits.</p> <p>Potential Project impacts have been carefully assessed, and compliance demonstrated with applicable environmental standards. In addition, this Project will have little demand on public services.</p>	1.4.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Chris Galayda, Town Board	... something I have said from the beginning in all the workshops that I attended is that there should be an air monitoring station in Dover...Now, if they put it at the school, if they had an air monitoring service in Dover and put it in the school, it would benefit the state because they would get much more accurate models, it would benefit the county, okay, because they would also get much more accurate models. If they put it at the school...the school could run a program and teach these children how to monitor the air quality...	T3-79	An air monitoring station at the Dover High School campus is discussed further in Section 4.3.3.3 – Dispersion Modeling and Compliance Demonstration (Air Quality, Public Health, and the School Complex). Once operational, the Project will be equipped with continuous emissions monitors which monitor stack emissions continuously. Any plant upset that would cause emissions to approach or exceed permitted levels would immediately be detected and appropriate measures, including plant shut-down, would be taken.	4.3.3.3
Chris Galayda, Town Board	The other thing is -- I'm not a fan of, is carbon credits. You're basically buying the right to pollute; you know, you're basically saying, we'll pay for somebody else not to pollute somewhere else so that we can pollute here, and that's something that I'm not completely a fan of, you know, so I think that all the data in the DEIS should be answered to not include any kind of – you know, numbers can look however you want numbers to look like, but	T3-80	The Project will be more efficient and lower emitting than even the cleanest existing fossil fuel-fired power plants in New York. CO ₂ permit levels proposed by the Project represent the lowest permit levels ever issued for a power plant in the U.S. New York is a participant in the Regional Greenhouse Gas Initiative, a carbon cap-and-trade program that aims to reduce regional GHG emissions through market-based incentives. In compliance with that program, CVE will need to obtain one CO ₂ allowance for each ton emitted. The regional GHG reductions forecast by the economic dispatch analysis do not rely on allowances, they are forecast actual reductions in GHG emissions based on the reduced operation of less efficient plants that will result	4.3.6

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	they should not reflect any type of difference based on carbon credits.		from the introduction of a superior, lower emitting power plant into the grid. Further, participation in this cap-and-trade program is mandatory, and it in no way relieves the facility from meeting any emissions standards or requirements, including demonstration of BACT for greenhouse gas emissions, as well as NYSDEC's newly promulgated new source performance standard for CO ₂ emissions. See Section 4.3.6 – Emissions Displacement and the response to Comment No. T2-5 for further detail regarding displacement.	
Mr. Galayda, Town Board	You know, I am absolutely in favor of an escrow for the Town that should be set so that we can go ahead and hire independent consultants.	T3-81	CVE has provided funding to the Town of Dover, through an escrow account under the Town's control, to allow for independent consulting review of the DEIS by the Town Planner (AKRF) and the Town Engineer (Berger Engineering). Through the Escrow funding, the Dover Town Board has hired an independent air quality expert, Dr. Bruce Egan, to supplement the existing expertise for a review of the environmental impacts related to air quality.	1.4.2
Mr. Galayda, Town Board	...as far as the noise concern also goes, I'm not going to budge on the noise concern. I think that if you're investing a billion, invest a little more and make it adhere to our Noise Code, because I completely agree with the remarks that noise ordinances were set for a reason, and I think that 50 decibels, if it's like this (indicating), is one thing, but if it's this constant thing (indicating), it	T3-82	The addition of the former Rasco parcel allows the Project to comply with the local noise code at the furthest extent of the project site in all compass directions. The one location where compliance is not predicted to be met, and for which a code amendment has been requested, is along the narrow Metro-North property that traverses through the site. The railroad track on this narrow property is itself a source of intermittent, but significant noise. As discussed in Section 6.3.4.4, sound impacts produced by the proposed Project will be the cumulative result of a wide range of sources that are distributed over the entire	6.3.4

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.

Author	Summary	Comment Number	Response	FEIS Section Reference
	<p>becomes a drone and people have to listen. You know, and if they're listening to it 24 hours a day, seven days a week, that's very difficult. So, something that I would like to see is exactly what 50 decibels sounds like on the site. So, I would like a determination done on the site as to where the most noise is going to come from and then I would like an independent company to come in and crank up 50 decibels and leave it running for a week and let the residents -- let the residents know. Because we can all talk about light rain, we could all talk about -- you know -- you know, and outside of the fact that it might rain for two or three days, you start to lose your mind if you're listening to the drone of even something like that. So, you know, I think that we can all talk about -- there's ways that we can easily provide notice to the Town and to residents as to what it really is, put up a big sign telling them that this is going on, stop your car and listen.</p>		<p>Project Development Area. Some of these sources will be relatively small point sources (e.g., the discharge of the exhaust stacks, and transformers), and some of these sources will be large area sources (e.g., the array of air cooled condensers along the railroad Property line). There is no practical means to effectively simulate this diverse range of sound sources such that an observer would be able to experience a realistic replication of sound impacts that will occur when the Project is actually operating.</p> <p>An experience of potential Project sound would be better found at an existing plant of similar size and technology. CVE representatives have offered to facilitate a site visit for Town of Dover officials and interested parties.</p>	

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Mr. Galayda, Town Board	...As far as some of the traffic goes, you know, I'm certainly concerned about traffic, but they can also flextime it – you know, I think that that's something I didn't see necessarily mentioned in the DEIS, right off the top of my head -- you know, maybe their work hours are 10 to 6, maybe their work hours, they split it up into two shifts. I do think it's absolutely crucial that they get bussed into the site so they don't add to that kind of traffic...	T3-83	The construction management plan will include consideration of timing shifts to avoid, for example, conflicts with significant school bus traffic. With the addition of the former Rasco parcel, fewer construction worker vehicles are expected to pass the Dover Middle/High School complex, however, CVE will work with the Town of Dover and Dover Union Free School District to ensure traffic conflicts are minimized, whether that means having construction workers arrive earlier, or later, to avoid congestion.	6.3.3
Mr. Galayda, Town Board	... I've gotten tons of postcards, but I think they need to continue to do that. And then I think that, based on some of the comments that we've heard here today from some of the public, they need to go back and look at their mailing list. We need to make sure that we're getting it out.	T3-84	CVE has held 15 public workshops and two open houses spanning a 24-month period, inviting those interested in the Project to participate in either group discussions or one-on-one conversations with a range of technical experts. Invitations were extended to every household in Dover via a mailed postcard, were publicized in the quarterly CVE newsletter which is also mailed to every household in Dover, were announced on the Cricket Valley Energy website, and were publicized via advertisements and press releases in local newspapers and periodicals that are circulated in Dover, as well as in surrounding towns, including Pawling and Millbrook (e.g., Pawling Press, Millbrook Independent, Pennysaver, etc.). In addition, the Town of Dover and NYSDEC have held six formal public meetings since May of 2009 to solicit public comment, with each of these meetings publicized via advertisements, postcard mailings, road signs, press	1.4.2

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			releases, and announcements on the Cricket Valley Energy website.	
Mr. Galayda, Town Board	...when you talk about what they propose for tax revenue, \$2 million goes to the school, a million goes to the county, and a million comes to Dover. That's really where they're at with their proposed benefits to the community. I would like to see the town benefit in some form of electrical subsidition [sic].	T3-85	As detailed in Section 1 of the DEIS and further supported in Section 1 of this FEIS, the Project will generate substantial tax revenue to the benefit of the local community. While the Project is a wholesale generator, and therefore cannot sell electricity directly to the community, the Project's more efficient technology will help displace the operation of existing, less efficient plants, yielding substantial cost savings. These savings were quantified in the economic dispatch analysis provided in Appendix 1-A of the DEIS, which forecasts annual reductions in load-weighted costs to serve the New York Pool of up to \$275 million.	6.3.7
Stancy DuHamel, Wingdale Resident	...we could ask them to size the project so that they're not going over noise thresholds or emissions thresholds...That's what an expert would be able to tell you, at what point does the size bring emissions and noise down to our acceptable levels. I don't want to rely on AKRF for that. I want an air quality expert to come in and tell us what those air quality levels are and how the plant can meet those levels.	T3-86	<p>The Project is asking for relief from the noise ordinance only with respect to the Project Development Area boundaries along the existing Metro-North railroad line, which does not represent a sensitive receptor. CVE controls the land on the other side of the rail line. The Project will comply with the ordinance along all other property boundaries.</p> <p>The NYSDEC and USEPA, both governmental agencies with a mission to protect the public health and the environment, have concluded that emissions are at acceptable levels to protect the health of the most sensitive members of the population. CVE provided funding to the Town of Dover to allow for independent consulting review of the DEIS and for a review of the environmental impacts related to air quality. The Town of Dover selected AKRF (the Town Planner) and Berger</p>	1.4.2 4.3.3 6.3.4

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
			<p>Engineering (the Town Engineer) for independent review of the DEIS and Dr. Bruce Egan, to supplement the existing expertise for a review of the environmental impacts related to air quality.</p> <p>CVE has incorporated numerous noise mitigation measures to result in a facility that complies with state and local noise requirements along its outer property boundary. A zoning code amendment is now only requested as it pertains to the strip of Metro-North land that traverses through the Property. In addition to the expert engineers and acoustical consultants which CVE has utilized in the Project's design and analysis, independent review has occurred at the state level by NYSDEC and at the local level by AKRF.</p>	
Stancy DuHamel, Wingdale Resident	... mitigation is cheaper and more effective than remediation. And who's gonna enforce it? The DEC, the DEC that allowed Rasco's predecessor to leave junk all over that property and then bring in another contaminated soil project over our aquifer. We don't want to rely on DEC to be enforcing excess emissions ... or anything like that. I want us to meet our standards before that point goes up.	T3-87	<p>The Project has incorporated substantial mitigation through use of careful siting and design features, as well as preservation, clean-up, restoration and wetland creation activities, including clean-up of the former Rasco parcel. CVE intends to carefully monitor compliance with all regulations. Project emissions will be continuously monitored and reported to NYSDEC which shares enforcement responsibility with USEPA.</p> <p>As described in Section 6.3.4.4, monitoring and compliance will be achieved prior to plant operations by a third party licensed acoustical engineer in accordance with industry practices and any applicable state and local regulatory requirements.</p>	1.4.1 4.3.3 6.3.4

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Stancy DuHamel, Wingdale Resident	... Capping our taxes is not good enough for polluting our air. I want to see tax reduction...	T3-88	The Project will not increase ambient air pollution, as discussed in detail in Section 4 of the DEIS and FEIS. CVE will be a significant contributor to local taxes; it will be up to the local community to determine how that contribution will be used.	1.4.8
Jurgen Wekerle, Sierra Club	Generating facilities are not utilities, they are considered factories, they get all of the benefits...above and beyond what we consider the energy subsidies from the '05 Energy Act as well, so they get it from both ways.	T3-89	The Project will not receive public subsidies or funding. This Project is not a utility but it does fall under the regulation of the NYSPSC and must meet all the NYSPSC requirements to be approved for construction. The Project is privately funded, and will be a significant contributor to the local and regional tax revenues.	1.4.1
Jurgen Wekerle, Sierra Club	The project here also benefits from credits of putting up a Superfund site. In effect, this project could be built in its entirety from the subsidies even if no returns are made on the investment, if no electricity ever were produced.	T3-90	The Project site is not a Superfund site and no subsidies or government funding will be used for the Project. All Project expenditures, including site demolition and remediation, will be privately funded and recovered through Project operations and the sale of electricity.	1.4.1
Jurgen Wekerle, Sierra Club	The issue is: Do we really need this project?... We are in our fourth year-over-year decline in energy consumption in New York State. The New York State Public Service Commission has issued directives to all the generators and utilities to prepare an austerity plan on which plants to	T3-91	The SEQRA process is intended to evaluate a project on its own merit, rather than focusing on potential implications to other operating facilities. It is assumed that the commenter is referring to analyses indicating that there is no imminent need for additional electric generation facilities to avoid violating minimum reliability criteria. However, the commenter notes the uncertain status of a number of older existing plants and, as discussed in Section 1.4.3 of the FEIS, an	1.4.3

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	<p>close down...The New York State Independent Systems Operator, which manages the reliability and the flow and the processing of contracts for electricity, they have a ten-year forward-moving average. There is no need projected until 2020, but they have no need after that either, but that's just within their current time frame. We have several other power plants...Indian Point does not produce at its capacity right now...Bowline in Rockland is on life support, Roseton in the town of Newburgh is on life support, Danskammer is producing a moderate amount of electricity. There is no need.</p> <p>...The market circumstances are such that we do not have a need for this energy. Another sign of the lack of the need and demand is the Levitt plant in Rockland County. That plant was... under consent decree to clean out its air emissions. Rather than do that, it was not economically feasible for them to invest money and converting to gas or improving the</p>		<p>environmental, reliability and economic need for the Project has been established.</p> <p>NYSPSC has, in several recent orders,^{1,5} recognized the need for the addition of new, more efficient generating facilities, even where there is not an imminent threat to system reliability, based on a number of factors, including system reliability benefits, economic benefits for customers and New York State, and achievement of public policy goals including environmental benefits. With respect to reliability, the NYSPSC has determined that the addition of new generation facilities provides an additional source of supply in the event that other expected generation and transmission projects are not available to the bulk electric system.</p> <p>In support of the development of new sources of electric generation, the NYISO 2011 Power Trends report explains that the sustained adequacy of resources may be challenged by the following factors: the considerable lead-time needed to finance, permit and construct major energy projects; the potential retirement or other closure of existing generation facilities as a result of business of governmental determinations; aging generation and transmission infrastructure; and the cumulative impact of impending federal and state environmental regulations on the continued operation of various existing power plants.</p>	

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	<p>coal or some other fuel, and they petitioned the Public Service Commission for decommissioning. Before any power plant can go off-line, they have to ensure a replacement supply of power... The Levitt plant was able to satisfy the needs of the state in the entire grid that we are all hooked up into here.</p> <p>Through the efficiency measures by Orange & Rockland Utilities that you saw on that plan prior to deregulation, by creating a -- by building a new substation, by improving the regional distribution lines and the transformers neighborhood to neighborhood, the efficiency in that upgrade of the regional grid by itself captured the capacity of the production of the Levitt coal plant all by itself.</p> <p>A major goal of New York State is to modernize the entire grid. If that happens, more power plants will close, let alone new power plants coming online. So, we have the taxes, we have the assessment issues that may vaporize totally. We also –</p>			

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	mentioned earlier was no contracts, does this company have contracts. They may not need contracts, and that is something that the DEIS should look at very carefully, and that is the whole New York State Independent Systems Operator auction system, how does that work, how would it affect the prices that homeowners actually pay here?			
Jurgen Wekerle, Sierra Club	...Any more capacity is not going to lower the price either. That may have other dire consequences in the payments in lieu of taxes that will be negotiated locally. The example in Rockland County, based on the lower use, is that the towns of Haverstraw and Stony Point suffered when Myron, the owner of those plants, declared bankruptcy and also a series of reassessments, and the property taxes, to offset the income that the municipalities became dependent on, doubled and doubled again...The Town of Newburgh and the Town of Marlboro in Orange and Ulster	T3-92	<p>The Project will provide local and regional economic and environmental benefits by adding temporary and permanent jobs and by reusing a dilapidated industrial site in a productive and environmentally sensitive manner. The Project will also provide a long-term revenue source for the Dover schools, the Town of Dover and Dutchess County through contributions to the tax base and community benefits.</p> <p>The negotiated tax agreement is designed specifically to avoid the situations referenced in Newburgh and Marlboro. CVE proposes a tax agreement that would provide steady, escalating payments over a 30-year period which provides revenue certainty to the Town of Dover and the Dover Union Free School District.</p> <p>Regarding the cost of electricity, CVE will bid its power into the NYISO power pool. As one of the most efficient power generation facilities in the region, it will be able to</p>	1.4.3 6.3.7

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
	<p>Counties suffered the same re-evaluation and reassessment based on the reduced income from the Dynegy plants, Danskammer and Roseton, and their property taxes drastically increased totally out of the blue, totally unexpectedly, so whatever is promised today may not be materialized even if it's been in effect for a short period of time.</p> <p>...Your electricity prices may actually go up... there's an auction system and, in effect, lower prices are accepted to supply a certain amount and a series of bids are accepted to satisfy the entire demand;... the highest price, the last bid offered, is paid to all the previous bidders, so it's the highest price that controls, not lower prices.</p> <p>...You may end up with the expectation of all kinds of income, all kinds of benefits, that may never materialize...</p>		<p>bid lower prices in the wholesale market which should contribute to lower overall electric prices. The Dispatch Analysis projects annual reductions in load-weighted costs to serve in the New York Pool of up to \$275 million. While the retail price of electricity is dependent on a number of factors, the Project will have a positive effect on controlling costs to taxpayers.</p> <p>The Project will provide local and regional economic and environmental benefits by adding temporary and permanent jobs and by reusing a dilapidated industrial site in a productive and environmentally sensitive manner. The Project will also provide a long-term revenue source for the Dover schools, the Town of Dover and Dutchess County through contributions to the tax base and community benefits.</p> <p>The negotiated tax agreement is designed specifically to avoid the situations referenced in Newburgh and Marlboro. CVE proposes a tax agreement that would provide steady, escalating payments over a 30-year period which provides revenue certainty to the Town of Dover and the Dover Union Free School District.</p>	

**Final Environmental
Impact Statement**

Cricket Valley Energy Project – Dover, NY

Responses to Comments from Transcript 3 – Public Hearing Session July 9, 2011, 9:00 a.m.				
Author	Summary	Comment Number	Response	FEIS Section Reference
Jurgen Wekerle, Sierra Club	You're not gonna be able to mitigate the air quality issues, not on this region, not on the structure, and definitely not on Connecticut downwind.	T3-93	Air impact analyses conducted for the Project have included consideration of impact potential throughout the airshed, including Connecticut. The analyses demonstrated that the proposed Project, taking existing air quality levels and the contributions of other sources into account, will neither cause nor significantly contribute to any violation of the NAAQS or NYAAQS.	4.3