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Memorandum

To: Town of Southeast Town Board
From: Ashley Ley, AICP
Date: November 12, 2013
Re: Crossroads 312
cc: Tom LaPerch, Will Stephens, Victoria Desidero

CHAPTER 1: PROJECT DESCRIPTION

1. The description of the proposed project should clarify the visibility and appearance of the project from Route 312. The applicant states that the proposed project will maintain a 75 foot “environmental conservation buffer” along Route 312. This buffer should be further described, as it appears that the majority of the buffer will be clear cut during the construction of the proposed project and then replanted. Understanding that the details of the site plan will be further developed through the process, to the extent that the applicant can, the grading, types of plantings, stormwater features, project signage, etc. that are proposed within the buffer should be described.
2. Page 1-7 describes the development within the ridgeline area. In addition to maintaining the peak of the ridgeline above the development, measures should be taken to minimize any light spillover from the development. Such measures could include a planted berm at the edge of the parking lot, full-cut off fixtures with shields to reduce spillover off the parking area, and zoned lighting with timers so that only the minimum amount of light for health and safety is used after normal business hours.

CHAPTER 2: LAND USE, ZONING, AND PUBLIC POLICY

1. As part of the proposed project, the Applicant proposes to amend the Town of Southeast Zoning Code and Map. The Town Board has the ability to grant, deny, or modify the Local Law proposed by the Applicant.
2. If approved as proposed, the project site would be re-zoned from RC to HC-1. HC-1 is an existing Zoning District within the Town, and is currently mapped to the Highlands Shopping Center on the west side of I-84. If the Project Site is re-zoned to HC-1, it would form a contiguous HC-1 Zoning District.
3. The Applicant’s Zoning Petition, if approved as proposed, would also transfer the Site Plan approval authority for Large Retail Establishments from the Planning Board to the Town Board. The proposed

Local Law does not address which board would be responsible for approving Town of Southeast Wetland Permits, which may be required for this project and are currently under the Planning Board's jurisdiction. Nor does the Local Law address which board would be responsible for any subdivision approvals, which is also the Planning Board's jurisdiction that could be undertaken as part of the development of a large retail establishment (although not currently proposed for this project). The proposed Local Law does not propose any changes to the ARB's jurisdiction, which is limited to a positive or negative referral to the Town Board for Major Projects such as this. The Town Board should consider whether or not the proposed zoning change should be applicable to just Large Retail Establishments, or Special Permits as a whole. In addition, if the purpose of this provision within the local law is to streamline the approvals process, then it may be appropriate to transfer other aspects of the approval as well (in particular, the Wetland Permit). The transferring of site plan approval authority to the Town Board for Special Permit projects, which have the potential for major impacts within a community, is not uncommon in the Hudson Valley region. Generally, this transfer of site plan approval authority to the Town Board is best reserved for projects that are of such a scale, or involve such a prominent piece of property, that the development will be transformative to the community as a whole. Under the current Zoning Code the Town Board has Special Permit authority over a wide range of uses within the Town, many of which are small and unlikely to have a substantial impact. The draft Comprehensive Plan Update recommends converting many of these Special Permit Uses to Conditional Use Permits. This recommendation, if undertaken, would maintain the current performance standards within the Code, but would transfer the approval authority to the Planning Board. The Town Board would maintain Special Permit approval authority for the larger projects (e.g. Large Retail Establishments). The draft Comprehensive Plan Update also recommends, as part of this shift, to transfer Site Plan approval authority for all Special Permit Uses from the Planning Board to the Town Board. While the draft Comprehensive Plan Update has not been approved by the Town Board, it is important to keep these preliminary recommendations in mind when considering approval of any Zoning Petitions. The Town Board should consider how this project, and the proposed Local Law, will fit within the overall context of the Town's Zoning Code and Comprehensive Plan.

4. The applicant proposes to add a new section to the Zoning Code, §63.4.F "Adjustment of Regulations" (see Section 2 of the "Local Law Amending the Town Code" in Appendix A). This new section, which would be a part of the Special Permit Criteria for a Large Retail Establishment, would allow the Town Board to "permit minor modifications or waivers" of any of the Town's performance standards identified in "§138-12" for the development of a Large Retail Center. The performance standards identified in §138-12 are currently applicable to all uses of land and buildings and other structures in the Town, and regulate the following areas: dust, dirt, fly ash and smoke; odors; gases and fumes; noise; vibration; wastes; glare and heat; danger; ridgeline protection; stone wall, stone chamber, and root cellar protection; and stormwater. It appears, based on the DEIS text which only describes waivers of ridgeline protection and manufactured slopes (138-15.1), that this reference should be to "138-12.I" specifically, as such, the Zoning Petition should be corrected. In addition, the second reference in Section 2 to 138-15.1 should also be corrected.
5. The FEIS should further describe the proposed changes to the ridgeline protection ordinance, and what permit conditions would be implemented to protect ridgelines and viewsheds. The language that is included in the Zoning Petition (see Appendix A) does not include any specific performance requirements, and therefore could be too vague to provide adequate ridgeline protection or mitigation. The draft Comprehensive Plan Update recommends the establishment of a Ridgeline Protection Permit with specific performance criteria that should be met for development to be permitted within a ridgeline area. The recommended performance criterion includes night lighting restrictions, tree preservation, and similar measures to minimize the visual impact of development within a ridgeline area. The Town Board may consider pursuing the development of this zoning in lieu of the applicant's recommendation.

6. The Zoning Petition recommends allowing the Town Board to modify or waive the provisions of 138-15.1. The section of the Code regulates manufactured slopes and retaining walls. The Zoning Petition, if granted, would allow the Town Board to grant a waiver of up to 10% of the requirements of 138-15.1. The FEIS should provide an analysis, including site sections, calculations, and renderings, of what a 10% waiver of these requirements would look like on the Project Site.
7. The Zoning Petition requests that hotel/motel/conference facility be added to the list of special permit uses in the HC-1 Zoning District. It also proposes to increase the maximum allowable height of a hotel to four stories, or 50 feet. The FEIS should include a visual simulation of a hotel at this height from Route 312 and a representative location from the Brewster Hill neighborhood.

CHAPTER 3: COMMUNITY SERVICES

1. A number of commenters at the Public Hearing expressed concern that the Proposed Project would be a burden on community services. The FEIS should provide additional information as to the anticipated call volume that would be generated by the Proposed Project. It should also further explain the procedures and systems (e.g. fire suppression) that would be put into place to minimize any effects on local service providers.

CHAPTER 4: ECONOMIC CONDITIONS

GENERAL COMMENTS

1. **C. Operation Period:** This section of the scope states that using available Census and Department of Labor data on employment, the anticipated residence for the employees will be identified. The scope also requires the EIS to “indicate whether employees would be likely to relocate to the Town of Southeast or surrounding communities to fill jobs.” The chapter does not state the anticipated residence for the employees; however, it is noted that on page 4-11 it states that “the applicant expects to see no secondary growth inducing impacts such as demand for new housing.” The chapter also states that “the applicant believes that this proposal and the other approved retail centers have the potential to reduce the unemployment rate in the market area. If most future employees are market area residents, their commute will be less than 30 minutes and this matches the present average commute of area residents.” The FEIS should respond more directly to the scope and state where the employees would come from based on average commuting times or Journey to Work data available from the U.S. Census Bureau. Supporting evidence should be provided to support the notion that this type of project would not induce growth.
2. **C. Operation Period:** The DEIS does not indicate that any coordination with the Town of Southeast tax assessor has taken place. However, it is noted that the DEIS does indicate that “tax rates were taken from the 2012 Town of Southeast Tax Rate Schedule.” Coordination with the local tax assessor may be appropriate to determine the most appropriate method for property valuation, for instance.
3. **D. Economic Impact Analysis:** The FEIS should provide more detail on the profile of the most potentially competitive stores within the Town of Southeast and surrounding towns (i.e., Patterson and Danbury) in terms of variety of goods and services offered should be provided. The DEIS states that “The applicant has observed the shopping at nearby centers address a range of shopping needs.” The FEIS should provide more detail on the types of stores, goods, and services provided at these nearby shopping centers, and in particular a description of the major anchors should be provided.
4. **D. Economic Impact Analysis:** The FEIS should more specifically “identify any significant neighborhood character impacts, based on how the proposed project would affect businesses that define or substantially contribute to the defining character of the Town of Southeast, or if a substantial number of businesses or employees would be displaced that collectively define the character of the Town of Southeast.” The DEIS chapter does not specifically address potential neighborhood character impacts or displacement. The chapter does however make broad statements

about how, for example, “The applicant believes that there will be no harmful impact upon other business operations in the Town of Southeast or the market area by the development of the Crossroads 312 project.” Also, on page 4-10, there is a discussion about the “applicant believes that governmental bodies, through the SEQRA or other process, have no regulatory authority over determining economic winners or losers.” While competition among retailers is an economic issue, it can become an environmental issue if it results in displacement of businesses that contribute to neighborhood character. In fact, according to the SEQR Handbook (page 87), community character impacts are considered environmental. Also, agencies are required to balance environmental harm against social and economic benefits in order to approve an action (SEQR Handbook, page 152).¹ It could be stated that since the retail gap/leakage data indicates there is significant retail expenditure potential in the trade area to support additional retail without saturating the market, and without displacing existing businesses that define or substantially contribute to the defining character of the Town of Southeast, the proposed project is not expected to result in significant adverse impacts on neighborhood character.

SECTION B: CONSTRUCTION PERIOD

5. **Construction Employment, Page 4-1:** The “independent construction advisor” noted on page 4-1 should be specified and more information should be provided as to how the employment estimates were arrived at (e.g. whether an impact analysis model was used).
6. **Construction Employment, Page 4-1:** The text is unclear in defining the construction jobs as full-versus part-time, leading to a potentially incorrect and over-stated estimate of the number of full-time direct and indirect construction jobs associated with the proposed project. Construction jobs should be reported in person-years, which are the equivalent of one person working full time for one year, so as not to overestimate the number of construction jobs and since often construction workers work part-time and for only a certain period in a given year. It should be clarified whether the 250 direct construction jobs that are reported are in person-years; if not, the reported direct income from the project during construction (\$7,500,000), based on an average salary of \$30,000 per year, is likely overstated.
7. **Construction Employment, Page 4-1:** A source should be provided for the average salary for construction workers of \$30,000 per year.
8. **Construction Employment, Page 4-2:** IMPLAN was used to check the estimated direct and indirect construction jobs based on construction costs (\$25,480,000). The result was 114 direct, 29 indirect, and 52 induced person-years of employment from construction of the proposed project (a “person-year” is the equivalent of one person working full-time for one year). Therefore, the direct employment figures reported in the chapter appear to be substantially overstated.
9. **Construction Costs, Page 4-2:** Please reword the statement that “materials usually consume 40% to 50% of a construction budget” to indicate that this assertion is based on applicant’s estimates of project construction or some other source that is more factual.
10. **Construction Costs, Page 4-3:** The Metro Commuter Transportation District rate appears to be 0.375 percent, rather than 0.25 percent. (<http://ny.rand.org/stats/govtfin/salestax.html>). Please confirm that this rate should be applied to the County sales only and not to sales in all of the state.

SECTION C: OPERATION PERIOD

11. **Employment Projections, Page 4-4:** IMPLAN was used to check the anticipated employee compensation based on number of employees (since IMPLAN reports full- and part-time employees, the 262 FTEs reported in the chapter were converted to 310 full- and part-time employees for input into the model). The results were very similar (IMPLAN calculates approximately \$8,762,070 in direct employee compensation or \$7,294,110 income alone, compared to \$8,330,552 in direct payroll

¹ New York State Department of Environmental Conservation, Division of Permits, The SEQR Handbook, 3rd Edition – 2010.

monies/salaries reported in the chapter). NYSDOL Quarterly Census of Employment and Wages could be used to present the typical/average wage for different types of industries.

12. **Sales Tax, Page 4-5:** The “retail and restaurant sources” used to estimate annual sales from the proposed project (\$108,000,000) should be supplemented with a known source such as the Urban Land Institute’s *Dollars & Cents of Shopping Centers/The Score*.
13. **Sales Tax, Page 4-5:** If the County sales tax rate is 4.12 percent of the annual sales generated in NYS, then the amount of County sales tax reported is correct but is defined incorrectly. If the County sales tax should in fact be equal to “4.12 cents per dollar of sales tax collected by NYS” then the County sales tax should be \$331,248. In other words, please clarify whether the 4.12 percent would be applied to the state sales or the state sales *tax*.
14. **Tax Summary, page 4-6:** The total sales tax figure during construction should be \$621,090 (page 4-3) instead of \$150,179. Please confirm that the figure reported for the State of New York is correct. It is unclear whether this figure should include the County and MCTD sales taxes.

SECTION D. ECONOMIC IMPACT ANALYSIS

15. **Page 4-6:** The text states “The primary trade area for the property is believed by retail sources respected by the applicant to include...” The retail sources should be supplemented with a reasonable second source such as the Urban Land Institute’s *Shopping Center Development Handbook*, which describes the nature and typical geography for a primary trade area. Also, on page 4-6 it is noted that the primary trade area is the same trade area as defined for the Highlands Retail Project in the year 2000. Since the retail mix/locations may have changed since 2000 additional support for the delineation of the primary trade area should be provided.
16. **Page 4-7:** It should be considered whether the proposed un-built shopping centers approved in the Primary Market Area may influence the determination of whether to include the Towns of Southeast, Carmel, and Patterson in the trade area. To that point, the text states that “the Patterson Crossing Center could also accommodate a “club” type store,” which may imply that this shopping center could be directly competitive with the proposed project.
17. **Table on Page 4-9.**
 - a. The figure for Health and Personal Care is off by \$1 and should be \$20,050,471 (from the ESRI Market Profile in Appendix K)
 - b. Correspondingly, the Total should be \$283,690,476
18. **Page 4-9:** the sales figure should be \$242,352,000 (816,000 SF x \$297 per SF)
19. **Page 4-10:** The text states that “the proposed Crossroads project and all already approved retail could expand an additional 200,000 SF before the market gaps are filled. However, after potential sales from the approved retail and the proposed Crossroads project is accounted for, the retail gap would be \$41,337,475 (based on the figures reported for potential sales and existing retail gap on page 4-9). If one divides this new retail gap figure by \$297 (the average dollar value of sales at larger stores in shopping stores as per page 4-9), the result is 139,000 SF of additional retail space that could be built, compared with ±200,000 SF noted on page 4-10 Therefore, this ±200,000 figure appears to be overestimated.
20. **Page 4-11:** The text states that the “Latest employment numbers, indicate an unemployment rate in the market area of about 4% of the potential labor force over 16 years of age.” Please source the “latest employment numbers.”
21. **Page 4-11:** The text states that “there are approximately 3,900 unemployed persons within the market area.” It appears that this number was calculated by applying the 4% unemployment rate (although as noted above it is not clear where this percentage comes from and it appears that the unemployment rate is actually 6.4 percent) to the total 2010 population figure (97,700). More accurately, the unemployment rate should be applied to the 2010 potential labor force over 16 years of age.
22. **Page 4-11:** The text states “In the year 2000, the unemployment rate was 2.2% or 1,400 people.” Please provide the source for the 2.2 percent unemployment rate and explain how that gets to 1,400 people.

23. **Page 4-11:** There is no source data to support the assertion that 30 minutes is the present average commute of area residents. Please provide a source such as the U.S. Census Bureau.

CHAPTER 5: VISUAL RESOURCES AND COMMUNITY CHARACTER

1. Based on the topography, site sections, and balloon test, portions of the proposed project will be visible from the Brewster Hill neighborhood. Within this neighborhood, the proposed project would likely be most visible to the public while traveling west (towards the project site) on Tulip Drive, Lakeview Drive, Locust, and Hickory Drives between Brewster Road and Sunset Drive. Views of the proposed project from the rear yards and upper floors of residences in this area can also be expected.
2. The project site sits at a slightly lower elevation than Brewster Highlands and Terravest. As such, this will minimize some of the views of the proposed project from the Brewster Hill neighborhood. The views from the portions of the Brewster Hill neighborhood identified in comment 1 above can be expected to look similar to DEIS Illustration 31, which has more of a bird's-eye view of the project site. As shown in DEIS Illustration 31, the project site sits at a lower elevation than some of the surrounding hills, as such views of the hills beyond the project site would be maintained.
3. During the public hearing, many residents from the Brewster Hill neighborhood commented on their existing views of the Brewster Highlands shopping center and how they do not want the proposed project to be as visible, particularly at night. The proposed project involves significant grading of an existing hill, as well as extensive use of manufactured slopes, to construct the parking area. This will also require tree removal in an existing forested area that faces the Brewster Hill neighborhood. The proposed Landscaping Plan shows a mixed border of white spruce and oak trees along the edge of the parking area to minimize views of the proposed project from the Brewster Hill neighborhood. However, a greater variety of trees along the edge of the parking lot may provide a more natural buffer and could lessen the potential visual impact on the Brewster Hill neighborhood. The quantity, size, and species of trees will need to be carefully reviewed during the site plan approvals process.
4. The FEIS should include additional site sections through the Project Site (similar to sheet L8 of the Site Plan drawing set) that demonstrates the proposed change in grade from the parking area to the wetlands at the southern edge of the site. The sections should include light poles and plantings scaled to their height at the time of planting. A section through the alternative hotel should also be included.
5. The DEIS states that "all lights will be dark sky compliant and lights will likely be LED." As part of the FEIS, the applicant should provide more information on the proposed lighting, and should consider the use of cut-off fixtures and light shields to further minimize spillover outside the parking lot. The FEIS should include a visual simulation of the proposed project at night from the Brewster Hill neighborhood. The intersection of Sunset and Locust, which was used in DEIS Illustration 31, could provide a representative view.
6. The DEIS visual simulations seem to exaggerate the size of the proposed plantings. The FEIS should include views of the proposed project at the time of planting.
7. A greater variety of trees within the environmental conservation buffer should be considered to provide a more natural look to the re-vegetated areas. The landscaping in the immediate vicinity of the entrance to the project site could utilize a more formal planting arrangement to signalize the entrance to the shopping center.

CHAPTER 6: CULTURAL RESOURCES

We have reviewed this material and have no substantive comments on the analysis.

CHAPTER 7: NATURAL RESOURCES

Review of this chapter has been deferred to the Town's Wetland Consultant, Stephen Coleman.

CHAPTER 8: GEOLOGY

Review of this chapter has been deferred to the Town's Engineering Consultant, Tom Fenton.

CHAPTER 9: WETLAND AND WATER RESOURCES

Review of this chapter has been deferred to the Town's Wetland Consultant, Stephen Coleman.

CHAPTER 10: SANITARY SEWAGE AND STORMWATER MANAGEMENT

Review of this chapter has been deferred to the Town's Engineering Consultant, Tom Fenton. However, we offer the following comment:

1. The FEIS should include the annual Discharge Monitoring Report for the Terravest waste water treatment plant to demonstrate the existing usage level and capacity.

CHAPTER 11: TRAFFIC AND TRANSPORTATION*Synchro**Existing Conditions*

1. The turning movement counts at the intersection of Route 312/Pugsley Road are identical for both the Existing AM and Saturday peak hours (turning into and out of Pugsley Road). Please verify.
2. The westbound left-turn lane at the intersection of Route 312/Office Building Drive appears to be coded longer compared to what was observed in the field and through aerial photography. Please verify.
3. At the intersection of Route 312/Park and Ride the eastbound approach is not a full two lanes (it would be a pocket through lane).
4. At the intersection of Route 312/Independent Way/I-84 EB Ramps the southbound approach should have a through/right-turn lane as a pocket and not a left-turn lane. The eastbound left-turn lanes, should only code one left-turn lane as a pocket and the other as a full lane. The eastbound right-turn lane is controlled by the light, it is not a channelized yield sign. Also, in the signal timing window for the eastbound right turn, it would not be a free movement.
5. At the intersection of Independent Way/Home Depot Access Drive the northbound approach should not have a right-turn lane (it is a free movement so it is likely that vehicles would not need to bypass the queue to make a right-turn).
6. At the intersection of Route 312/I-84 WB Ramps the eastbound right-turn has an arrow. Does the signal operate with an overlap phase? If so, and if the arrow is red, are right turns on red allowed?
7. As stated above, the official signal timings from NYSDOT should be provided in order to verify the Synchro coding utilized in the analysis (e.g., confirm Fixed Force Off should be checked).

Build Conditions

8. There appears to be volume imbalances that were not present in the Existing Conditions and should not be there for the future scenario (e.g., 2015 AM Build with improvements on Route 312 between I-84 and International Boulevard).
9. At the intersection of Route 312/I-84 WB Ramps the protected left-turn movements have no red clearance times. Please verify.

SimTraffic

10. The videos on the CD submitted are not for this project.
11. When running SimTraffic there is only a three (3) minute seeding time. Ten minutes is recommended.
12. The simulation setup is for one 60 minute interval. Typically four 15-minute intervals with PHF and Anti-PHF would be selected.
13. Please confirm that multiple SimTraffic runs were used.

CHAPTER 12: INFRASTRUCTURE AND ENERGY

Review of this chapter has been deferred to the Town's Engineering Consultant, Tom Fenton.

CHAPTER 13: AIR QUALITY

1. Please correct and supplement the discussion of NAAQS, including a table with the pollutants, averaging periods and corresponding standards. For example, HC and TSP are incorrectly listed as having NAAQS, while PM_{2.5} for which NAAQS have been established is not mentioned. This should be revised in the FEIS.
2. The section discussing the attainment status for the county should be corrected (the CO status and the ozone non-attainment classification). This section should also be supplemented to provide the attainment status for each criteria pollutant, including new 1-hour NO₂ and SO₂ standards.
3. In the discussion of the lack of modeling guidance or methods for NO_x, please clarify that the text pertains to mobile sources only. Given the modeling constraints, provide instead a statement on the likelihood of potential impacts of the project on the 1-hour NO₂ NAAQS.
4. Consider using multiple years of monitored values in developing the background for CO, per EPA modeling guidance.
5. Please note that the air quality section of the NYSDOT Environmental Procedures Manual (now The Environmental Manual) was updated in December 2012.
6. It is noted that the EPA MOVES model is required for microscale analyses conducted after December 20, 2012. It is also noted that the analysis conducted for the proposed project was completed prior to this date and that a re-evaluation may therefore not be necessary. However, any additional air quality analyses for the project, or revisions to analyses already performed should use the MOVES model.
7. The air quality chapter should discuss the PM_{2.5} Hot-Spot guidance and conduct an analysis, if applicable.
8. The chapter should describe the parking proposed as part of the project and indicate whether there is a potential for impact on air quality from parking uses, supporting the conclusions with analyses, if needed.

9. The Town Board may wish to consider requesting a broader discussion of the proposed project's energy use and greenhouse gas (GHG) emissions, as well as measures mentioned in the project description (including LEED design) that would be aimed at reducing energy use and GHG emissions.

CHAPTER 14: NOISE

1. On page 14-2, it states that, "Receptor noise levels were measured during the midday traffic period between 2-4PM to determine representative noise levels affecting the residences along Route 312." However, measurements should have been taken during a peak traffic period, specifically the PM peak traffic period used for the noise analysis.
2. The Noise analysis should be adjusted for the 2015 Build Year, and should be updated to reflect any changes presented in the traffic study.
3. The FEIS should clarify how mid-afternoon existing noise measurements represent the PM peak period.
4. The DEIS indicates a >4 dBA increase in noise level at Site 2 in the Future without the Proposed Project. However, this is a relatively large increase since the No Build analysis also states that the traffic will not double. This increase should be further explained. One possible reason is that the TNM lookup method used traffic levels from the PM peak hour, whereas the measured noise levels are from an afternoon off-peak hour.
5. In the "Vehicle Percentages from EPM Classifications for use in TNM Model" table in Appendix P (page 17), the existing traffic levels should be shown as well to account for predicted changes in noise levels between existing and No Build conditions.

CHAPTER 15: CONSTRUCTION

Review of this chapter has been deferred to the Town's Engineering Consultant, Tom Fenton.

CHAPTER 16: ALTERNATIVES

1. The FEIS should clarify the sewer/water generation rates between the three alternatives. The HC-1 Zone Alternative with Hotel provides a more detailed analysis that should be applied to the other alternatives as well.
2. The sample water bill provided for the Hilton Garden Inn on page 16-15 does not include the total number of rooms. This should be provided for reference.

CHAPTER 17: MITIGATION

1. The Proposed Project would likely involve disturbance to the wetland buffer for the construction of the stormwater management facilities; as such, the FEIS should include potential mitigation measures for this disturbance.

CHAPTER 18: UNAVOIDABLE ADVERSE IMPACTS

We have reviewed this material and have no substantive comments on the analysis.

CHAPTER 19: IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

1. The chapter identifies the use of existing wells and waste water treatment plant capacity at Terravest. The FEIS should further disclose what caps on development would need to be placed on Terravest as a result of capacity that would be committed to this project.

CHAPTER 20: GROWTH INDUCEMENT AND CUMULATIVE IMPACTS

We have reviewed this material and have no substantive comments on the analysis.

CHAPTER 21: ENERGY CONSUMPTION AND CONSERVATION

We have reviewed this material and have no substantive comments on the analysis.