



November 9, 2021

Mr. Robert F. Leslie, AICP  
Director of Planning  
Town of Bethlehem  
Department of Economic Development & Planning  
445 Delaware Avenue, 2nd Floor  
Delmar, NY 12054

Via email only: rleslie@townofbethlehem.org

**Re: Albany Port District Commission  
Marmen Welcon LLC Tower Manufacturing Plant Project  
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23  
Town of Bethlehem, Albany Co, New York  
MJ File: 709.26A  
Completeness Review of the Supplemental Draft Environmental Impact Statement (SDEIS)**

Dear Mr. Leslie:

MJ Engineering and Land Surveying (MJ) has conducted a completeness review for the above referenced project. The intent of this review is to determine if the SDEIS and associated documents are complete for the purpose of public review in accordance with 6 NYCRR § 617.9 (a) (2). The completeness review has compared the required elements outlined in the Final Scoping Document dated July 1, 2021 to the contents of the SDEIS and its appendices. Once the Planning Board, as the Lead Agency has determined the SDEIS is complete, the document can be made available for public view.

In our completeness review of the SDEIS, MJ also referred to The SEQR Handbook, Fourth Edition 2019. This reference document offers guidance on the review of a Draft EIS and specifically the determination of completeness and adequacy of a draft EIS for public review. The following includes specific guidance as identified in Chapter 5: Environmental Impact Statements, Section D.

- Section D-1: "The lead agency must decide whether a draft EIS is complete and adequate for public review and comment, in terms of both its scope and content. Adequacy of the EIS for public review should be based on reasonable expectations, keeping in mind that the purpose of the public comment period is to allow all involved agencies and the public to review the draft EIS and comment on its merits. The regulations do not demand that the draft EIS be perfect—that would be an unreasonable expectation."
- Section D-2: "...Under the amended regulation at 6 NYCRR § 617.9 (a) (2), a draft EIS is adequate with respect to scope and content for the purpose of commencing public review if it meets the requirements of the final written scope (see 6 NYCRR § 617.8)...and 617.9 (b) (the regulatory requirements for the contents of a draft EIS), and provides the public and involved agencies with the necessary information to evaluate project impacts, alternatives, and mitigation measures...Additionally, a written scope, if one was prepared, provides a detailed catalogue of the materials which the lead agency identified as necessary for inclusion in the EIS. The lead agency should ensure that all relevant information has been presented and analyzed but should neither expect nor require a "perfect" or exhaustive document."
- Section D-2: "A draft EIS that is adequate to be accepted for public review should describe the proposed action, alternatives to the action, and various means of mitigating impacts of the action. The draft EIS should identify and discuss all significant environmental issues related to the action, however, the draft EIS will not necessarily provide a final resolution of any issues."



Documents received for our review included the following:

- Supplemental Draft Environmental Impact Statement (SDEIS) and Appendices dated October 27, 2021

Based upon the review of the October 27, 2021 SDEIS submission, MJ recommends that the Planning Board may determine the SDEIS complete for the purpose of public review. Additional technical and correctness comments will be forthcoming.

Should you have any questions, please do not hesitate to contact myself or Mr. Joel Bianchi at (518) 371-0799.

Sincerely,

Jaclyn Hakes, AICP  
Associate / Director of Planning Services

ecc: Joel Bianchi, PE, Principal and Director of Municipal Engineering  
Chad Schneider, PE, Traffic Engineer  
Robert Leslie, Town of Bethlehem, Director of Economic Development and Planning  
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