**Town of Bethlehem**

**Waterfront Assessment Form**

1. **INSTRUCTIONS**
2. Applicants, or, in the case of direct actions, Town agencies shall complete this Waterfront Assessment Form WAF for proposed actions which are subject to the LWRP Consistency Review Law. This assessment is intended to supplement other information used by a Town agency in making a determination of consistency with the policy standards set forth in the LWRP Consistency Review Law.
3. Before answering the questions in Section C, the preparer of this form should review the policies and policy explanations contained in the Town of Bethlehem Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the offices of the Town Clerk. A proposed action should be evaluated as to its beneficial and adverse effects upon the waterfront revitalization area and its consistency with the policy standards.
4. If any question in Section C on this form is answered "yes", the proposed action may affect the achievement of the LWRP policy standards contained in the LWRP Consistency Review Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that is consistent with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.
5. **DESCRIPTION OF SITE AND PROPOSED ACTION**
	1. Describe the nature and extent of action:

The Project will transform an undeveloped industrially zoned property into an active port terminal with specialized infrastructure capable of supporting a new manufacturing operation that would produce the tower components for offshore wind (OSW) developments. The Project will facilitate the marine-based import and export of materials and manufactured components to be used in the development of OSW facilities.

The proposed designed is now limited to 589,000 +/- square foot (SF) of OSW tower manufacturing (Marmen-Welcon) facility spread out over five (5) separate buildings. The following is a breakdown of the function and size of each building:

1. Building A Plate Preparation & Welding 289,931 SF
2. Building B Welding Finishing 99,936 SF
3. Building C Blast Metallization Plant 121,593 SF
4. Building D Internal Assembly finishing 57,898 SF
5. Building E Material receiving 19,600 SF

Tower production will occur within four (4) buildings (Buildings A-D) located on the Port Expansion property located in the Town of Bethlehem. The 5th building (Building E) is located at 700 Smith Boulevard within the existing Port District in the City of Albany. The proposed gated bridge over the Normans Kill will provide trucking transportation in and out of the main facility, by connecting Beacon Island and 14.7-acre offsite parcel at 700 Smith Boulevard. As shown on the concept plan, employee parking will be situated on the adjoining land owned by National Grid with access from River Road. The proposed wharf and associated dredging along the Hudson River is now limited to approximately 500 linear feet. The wharf will be used to ship completed tower sections.

The Project facility is expected to employ up to 350 full time workers.

1. Type of Town agency action (check appropriate response):
2. Directly undertaken (e.g. construction, planning activity, agency regulation, land transaction)

As Lead Agency, the Town of Bethlehem Planning Board needs to provide SEQRA “Statement of Findings”. The Town of Bethlehem Planning Board will issue a Statement of Findings in accordance with SEQRA upon completion of the FGEIS. Once SEQRA has been completed, the Town of Bethlehem and City of Albany Planning Board’s will conduct a site plan review for the portion of the project that resides in each respective jurisdiction.

1. Financial assistance (e.g. grant, loan, subsidy)

N/A

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1. Permit, approval, license, certification
2. Coordinated SEQRA review by the Town of Bethlehem Planning Board (Lead Agency), as the action is considered to be a “Type I” action.
3. Site Plan review and approval by the Town of Bethlehem Planning Board and City of Albany Planning Commission.
4. Town of Bethlehem Zoning Board building height variance.
5. New York State Department of Transportation review and approval of the Updated Traffic Impact Analysis and a Highway Work permit for any off-site roadway improvements within the NYSDOT Right-of-Way.
6. New York State Department of Environmental Conservation (NYSDEC) submerged aquatic vegetation mitigation.
7. NYSDEC Article 24 Freshwater Wetlands Permit and Art 15 Protection of Wetland Impacts
8. U.S. Army Corps of Engineers Department of the Army Permit (Section 10 / Section 404)
9. Agency undertaking action:

Town of Bethlehem

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1. If an application for the proposed action has been filed with a Town, the following information shall be provided:
	1. Name of applicant

Albany Port District Commission

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* 1. Mailing address:

106 Smith Boulevard

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| Albany, NY 12202 |
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* 1. Telephone number:

(518) 463-8763

* 1. Property tax number:
	2. Application number, if any:
1. Will the action be directly undertaken, require funding, or approval by a State or federal agency?

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| --- | --- | --- | --- |
| Yes | X | No |  |
|  |  |  |  |
| If yes, which State or federal agency? Federal AgenciesUnited States Army Corps of Engineers (USACE)State AgenciesNew York State Department of Environmental Conservation (NYSDEC)New York Department of Office of General Services (NYSOGS)New York Department of State (NYSDOS)New York State Department of Transportation (NYSDOT) |

1. Location of action (Street or Site Description and nearest intersection):

The Project Area includes the 81.6-acre property known as Beacon, approximately 4.4 acres on the adjoining parcel owned by National Grid, and the approximate 14.7 acre parcel located at 700 Smith Boulevard in the City of Albany.

1. Size of site (acres):

See above

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1. Amount (acres) of site to be disturbed:

The project limit of disturbance encompasses an overall area of approximately 100.8 acres

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1. Present land use:

Vacant land

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1. Present zoning classification:

 Heavy industrial

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1. Describe any unique or unusual landforms on the project site (i.e. bluffs, wetlands, other geological formations):

There are wetlands within the project area. There are no unique geophysical features.

1. Percentage of site that contains slopes of 15% or greater:

n/a

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1. Streams, lakes, ponds or wetlands existing within or continuous to the project area?
	1. Husdon River, Normans Kill Creek and freshwater wetlands

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| (b) Size (in acres) 0.86 acres of freshwater wetlands and 0.21 acre of SAV bed, within project area. |

1. Is the property serviced by public water? Yes No x
2. Is the property serviced by public sewer? Yes No x
3. **WATERFRONT ASSESSMENT** (Check either "Yes" or "No" for each of the following questions). If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

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| * 1. Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas found within the waterfront revitalization area as identified in the LWRP?
 | YES | NO |
| 1. Significant fish or wildlife habitats?
 | \_\_X\_\_ | \_\_\_\_ |
| 1. Scenic resources of local or State‐wide significance?
 | \_\_\_\_\_ | \_\_x\_\_ |
| 1. Important agricultural lands?
 | \_\_\_\_ | \_\_x\_\_ |
| 1. Natural protective features in a coastal erosion hazard area?
 | \_\_\_\_ | \_\_x\_\_ |

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| * 1. Will the proposed action have a significant effect upon
 | YES | NO |
| 1. Scenic quality of the waterfront environment?
 | \_\_\_\_ | \_\_x\_\_ |
| 1. Development of future or existing water‐dependent uses?
 | \_\_\_\_\_ | \_\_x\_\_ |
| 1. Operation of the State’s major ports?
 | \_\_X\_\_ | \_\_\_\_ |
| 1. Land or water uses within a small harbor area?
 | \_\_\_\_ | \_\_x\_\_ |
| 1. Designated State or federal freshwater wetlands?
 | \_\_\_\_ | \_\_x\_\_ |
| 1. Commercial or recreational use of fish and wildlife resources?
 | ­­­­\_\_\_\_ | \_\_x\_\_ |
| 1. Existing or potential public recreation opportunities
 | \_\_\_\_ | \_\_x\_\_ |
| 1. Structures, sites or districts of historic, archaeological or cultural significance to the Town, State or nation?
 | \_\_\_\_ | \_\_x\_\_ |
| 1. Stability of the shoreline?
 | \_\_\_\_ | \_\_x\_\_ |
| 1. Surface or groundwater quality?
 | \_\_\_\_ | \_\_x\_\_ |

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| * 1. Will the proposed action involve or result in any of the following
 | YES | NO |
| 1. Physical alteration of land along the shoreline, underwater land or surface waters?
 | \_\_x\_\_ | \_\_\_\_ |
| 1. Physical alteration of two (2) acres or more of land located elsewhere in the waterfront area?
 | \_\_\_x\_\_ | \_\_\_\_ |
| 1. Expansion of existing public services or infrastructure in undeveloped or low-density areas of the WRA?
 | \_\_x\_\_ | \_\_\_\_ |
| 1. Siting or construction of an energy generation facility not subject to Article VII or VIII of the Public Service Law?
 | \_\_\_\_ | \_\_x\_\_ |
| 1. Mining, excavation, filling or dredging in surface waters?
 | \_\_x\_\_ | \_\_\_\_ |
| 1. Reduction of existing or potential public access to, or along the shoreline?
 | ­­­­\_\_\_\_ | \_\_x\_\_ |
| 1. Sale or change in use of publicly‐owned lands located on the shoreline or underwater?
 | \_\_\_\_ | \_\_x\_\_ |
| 1. Development within a designated flood or erosion hazard area?
 | \_\_x\_\_ | \_\_\_\_ |
| 1. Development on a beach, dune, bluff or other natural feature that provides protection against flooding or erosion?
 | \_\_\_\_ | \_\_x\_\_ |
| 1. Construction or reconstruction of erosion protective structures?
 | \_\_\_\_ | \_\_x\_\_ |
| 1. Diminished or degraded surface or groundwater quantity and/or quality
 | \_\_\_\_ | \_\_x\_\_ |
| 1. Removal of ground cover from the site?
 | \_\_x\_\_ | \_\_\_\_ |

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| * 1. Project
 | YES | NO |
| 1. If a project is to be located adjacent to shore:
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| (1) Does the project require a waterfront location | \_x\_ | \_\_\_ |
| (2) Will water‐related recreation be provided | \_\_\_ | \_x\_ |
| (3) Will public access to the foreshore be provided | \_\_\_ | \_x\_ |
| (4) Will it eliminate or replace a water‐dependent use | \_\_\_ | \_x\_ |
| (5) Will it eliminate or replace a recreational or maritime use or resource | \_\_\_ | \_x\_ |
| 1. Is the project site presently used by the community neighborhood as an open space or recreation area?
 | \_\_\_\_ | \_x\_ |
| 1. Will the project protect, maintain and/or increase the level and types or public access to water‐related recreation resources or facilities?
 | \_\_\_ | \_x\_ |
| 1. Does the project presently offer or include scenic views or vistas that are known to be important to the community?
 | \_\_\_ | \_x\_ |
| 1. Is the project site presently used for commercial or recreational fishing or fish processing?
 | \_\_\_ | \_x\_ |
| 1. Will the surface area of any local creek corridors or wetland areas be modified by the proposal?
 | \_x\_ | \_\_\_ |
| 1. Is the project located in a flood prone area?
 | \_x\_ | \_\_\_ |
| 1. Is the project located in an area of high coastal erosion?
 | \_\_\_\_ | \_x\_ |
| 1. Will any mature forest (over 100 years old) or other locally important vegetation be removed by the project?
 | \_\_\_ | \_x\_ |
| 1. Do essential public services or facilities presently exist at or near the site?
 | \_\_\_ | \_x\_ |
| 1. Will the project involve surface or subsurface liquid waste disposal?
 | \_x\_ | \_\_\_ |
| 1. Will the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?
 | \_x\_ | \_\_\_ |
| 1. Will the project involve shipment or storage of petroleum products?
 | \_x\_ | \_\_\_ |
| 1. Will the project involve the discharge of toxic, hazardous substances or other wastes or pollutants into coastal waters?
 | \_\_\_\_ | \_x\_ |
| 1. Will the project involve or change existing ice management practices?
 | \_\_\_ | \_x\_ |
| 1. Will the project alter drainage floe, patterns or surface water runoff on or from the site?
 | \_x\_ | \_\_\_ |
| 1. Will best management practices be utilized to control storm water runoff into waterfront waters?
 | \_x\_ | \_\_\_ |
| 1. Will the project affect any area designated as a tidal or freshwater wetland?
 | \_x\_ | \_\_\_ |
| 1. Will the project utilize or affect the quality or quantity of sole source or surface water supplies?
 | \_x\_ | \_\_\_ |

1. **REMARKS OR ADDITIONAL INFORMATION TO SUPPORT OR DESCRIBE ANY ITEM(S) CHECKED “YES”** (Add any additional sheets necessary)

The project will result in the development of shoreline, however, the entirety of the project area is zoned for industrial and is therefore consistent with planned uses for the site.

The Project Site is located within a New York Department of State (NYSDOS) Division of Coastal Resources designated State Coastal Area Boundary under the authority of Coastal Zone Management Act (CMZA) and Waterfront Revitalization of Coastal Areas and Inland Waterways Act. As part of the designation, the NYSDOS has identified an approximately 2-mile portion of the Normans Kill from its confluence with the Hudson River and upstream as Significant Coastal Fish and Wildlife Habitat (SCFWH) based on the significance of coastal fish and wildlife habitat found within the area.

According to the DOS, any activities that would degrade water quality, increase turbidity, increase sedimentation, or alter flows, temperature, or water depths in the Normans Kill or its tributaries would result in significant impairment to the habitat. Further, the elimination or disturbance of adjacent wetland and forested habitats could also adversely affect the habitat.

Appropriate erosion and sediment controls measures will be implemented to mitigate potential water quality impacts to the Normans Kill. No alterations to the stream bed will be performed as part of the Proposed Project.

The project is located within a FEMA Special Flood Hazard Area, Zone AE. The building finished floor will be set at or above elevation 21.3, which is 2 feet above the floodplain and 1.3 feet above the projected raise in sea level. The project does include approximately 500 linear feet of new wharf and dredging activities along the western bank of the Hudson River.

Ground cover will be removed from the site, including removal of trees. Rare plant surveys were conducted in 2019 and 2021 and determined that there were no rare plants within the project area therefore no mitigation is required. All trees within the Project impact area will be cut between November 1 to March 31 in accordance with NYSDEC and USFWS recommended conservation measures designed to minimize the likelihood of significant adverse impacts to northern long-eared bats. The Project will result in approximately 0.21 acre of impacts to SAV. Based on correspondence with NYSDEC dated August 29, 2020, SAV (*V. americana*) will be transplanted and added to the other adjacent SAV bed to remain, as per NYSDEC letter from August 2020.

The project does require a waterfront location as a marine wharf is needed for the manufacturing and distribution of wind turbine components. Dredging within the Hudson River is required for the construction of the wharf.

The facility will result in the production of sanitary waste which will be connected to public utilities. Surface water will be mitigated on site via bioretention ponds.

The development may store paints, and other chemicals are petroleum based products. Transformers, emergency power generators also qualify as petroleum products. A SWPPP and SPCC are being created for the project to avoid and mitigate any potential hazards associated with petroleum based products on site.

The project will likely result in a significant positive impact on the operation of the State’s major ports. The Project will be the first OSW tower manufacturing facility in the United States and is forecasted to create upwards of 500 construction jobs and 350 full time new jobs. The Project is expected to help in reducing U.S. reliance on imported OSW components.

A Generic Environmental Impact Statement (GEIS) was prepared by the APDC and approved on May 05, 2020, which analyzed and evaluated potential environmental impacts equally with social and economic factors associated to the conceptual development of the Project. A Draft Supplemental EIS is currently being prepared to identify and describe the changes in the potential areas of environmental impact from the 2020 FGEIS.

If you require assistance or further information in order to complete this form, please contact the Town of Bethlehem Planning Department

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Please submit completed form, along with one copy of a site plan and any other supporting documentation to the Town of Bethlehem Planning Department

Preparer's Name (Please print): Jordan Tate

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| Affiliation: McFarland Johnson, Inc. |
| Telephone Number: 207 869 5419 |
| Date: July, 27, 2021 |