TOWN OF BETHLEHEM
PLANNING BOARD

SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT STATEMENT

For
ALBANY PORT DISTRICT COMMISSION PORT OF ALBANY EXPANSION PROJECT

Project Name:	Albany Port District Commission (APDC) Port of Albany Expansion Project – Marmen/Welcon Tower Manufacturing Plant
Project Location:	Beacon Island and 700 Smith Boulevard Town of Bethlehem, Albany County, NY
SEQRA Classification:	Type I
Lead Agency:	Planning Board, Town of Bethlehem Bethlehem Town Hall 445 Delaware Avenue Delmar, NY 12054 (518) 439-4955
Lead Agency Contact:	Robert Leslie, AICP Director of Planning Town of Bethlehem 445 Delaware Avenue Delmar, NY 12054 (518) 439-4955 X 1157 rleslie@townofbethlehem.org
Applicant:	Albany Port District Commission 106 Smith Boulevard Albany, NY 12202
Date:	October 2021

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SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT STATEMENT

The information and analysis discussed in the following sections have been prepared by including the text from the 2020 Final Generic Environmental Impact Statement (FGEIS) that has been updated to reflect latest project specific information and details. The FGEIS was accepted by the Town of Bethlehem (Lead Agency) on May 05, 2020. The formatting and numbering of main sections have remained similar to the FGEIS for ease of information location. This Supplemental Draft Environmental Impact Statement (SDEIS) has been prepared in accordance with 6 NYCRR Part 617.10(a) of New York's State Environmental Quality Review Act (SEQRA) regulations.

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1. EXECUTIVE SUMMARY

Albany Port District Commission (APDC) has identified the need to expand their current land holdings to continue to accommodate future growth and help New York State in achieving its renewable energy goals by providing additional port infrastructure, manufacturing space for the offshore wind industry, cargo and wharf capacity necessary for the manufacturing and distribution of offshore wind components. In order to continue fulfilling their mission to generate economic development for the region and to accommodate future growth, the APDC proposed the development of an 81.6-acre industrial site, to expand and provide additional port infrastructure, manufacturing space, cargo and wharf capacity ("the Expansion Project").

A Generic Environmental Impact Statement (GEIS) was prepared by the APDC and excepted by the Town of Bethlehem (Lead Agency) on May 05, 2020, which analyzed and evaluated potential environmental impacts equally with social and economic factors associated to the conceptual development of the Expansion Project. The Project evaluated in the 2020 Final GEIS (FGEIS) included the following elements:

- +/- 1.13 million square feet of industrial space located on the APDC 81.6-acre expansion property, located in the Town of Bethlehem, with maximum building height of 85 feet
- Site infrastructure and utilities associated to the proposed development (e.g., stormwater, electric, sanitary, communications, etc.)
- +/- 1,200 linear foot (LF) wharf and associated dredging
- bridge over the Normans Kill
- offsite road improvements for site access

The FGEIS Findings Statement established thresholds pursuant to the State Environmental Quality Review Act (SEQRA) to be followed during the design phase of a future specific Project. However, if the Project exceeds the establish thresholds or includes additional elements that were not contemplated as part of the FGEIS, a Supplemental EIS is necessary to update or evaluate additional potential environmental impacts not previously evaluated. Now that a specific Project has been further defined, this Draft Supplemental Environmental Impact Statement (DSEIS) has been prepared by the APDC to identify, evaluate or update foreseeable potential environmental impacts, of the specific project that was not previously contemplated, as applicable.

1.1. Summary Description of Project Area

The original Project Area included the 81.6-acre property known as Beacon Island that was the focus of the 2020 FGEIS. The Project Area has been expanded and now includes 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. Despite the fact that the Project Area has been expanded, some elements of the Project have been reduced. For impacts that do not exceed the thresholds established in the 2020 FGEIS, these are not required to be re-evaluated in this DSEIS.

1.2. Proposed 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 tower components for the offshore wind (OSW) industry. The Project will facilitate the marine-based import and export of materials and manufactured components to be used in the development of OSW facilities.

From the date that the FGEIS was accepted by the Town of Bethlehem, a specific Project has been defined. Currently and instead of the +/- 1.13 million square feet of industrial space, the proposed designed is now approximately 589,000 +/- square foot of OSW tower manufacturing facility operated by Marmen-Welcon 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 thru D) located on the Port Expansion property located in the Town of Bethlehem. The fifth 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 secure access for Marmen-Welcon owned delivery vehicles to and from the main production facility, where Buildings A thru D are proposed. This bridge will connect Beacon Island with the 14.7-acre offsite parcel at 700 Smith Boulevard where Building E (material receiving) is proposed. As shown on the site plan, employee parking will be situated on the adjoining land owned by National Grid with access from existing River Road (NYS Rt. 144). The proposed wharf and associated dredging along the western bank of the Hudson River is now reduced to approximately 500 linear feet. The wharf will be used to ship completed tower component sections.

The Project facility is expected to employ up to 550 full time workers.

Project Components Subject to DSEIS

Below are the following Project components that either exceed the thresholds established in the FGEIS or were not previously contemplated:

Thresholds exceed:

- Increased maximum building height from 85 feet to approximately 110 feet

Project elements that were not contemplated during the preparation of the 2020 FGEIS; therefore, are now included as part of the proposed action:

- Development of 19,600 SF at 700 Smith Boulevard
- Disturbance of 4.4 acres on National Grid Parcel for 2.5-acre employee parking lot
- Impacts to submerged aquatic vegetation (SAV)

Furthermore, the DSEIS provides an update to wetland impacts previous discussed in the 2020 FGEIS.

The purpose of this DSEIS is to identify and describe the changes in the potential areas of environmental impact from the 2020 FGEIS prepared by the APDC in connection to the Project and continue serving as a guide to demonstrate that the proposed action is in compliance with SEQRA regulations, and it can be used as the basis for preparing a findings statement and establishing a SEQRA determination.

1.3. Potential Significant Beneficial and Adverse Impacts

Table 1.3-1: Potential Impacts and Proposed Mitigation Measures

DSEIS Section	Potential Impact	Proposed Mitigation
3.1 Soils, Geology, and Topography	Terrestrial Lands – Supplemental Project Area will change surface coverage, increasing imperviousness which create a water quality impact due to stormwater runoff.	A Stormwater Pollution Prevention Plan (SWPPP) will be prepared that will implement erosion, turbidity, and sediment Control while bioretention ponds and stormwater filtration structures will improve the quality of stormwater run-off.
3.2 Vegetation and Wildlife	Degrade water quality, increase turbidity, increase sedimentation, or alter flows, temperature, or water depths in Normans Kill would impair habitat for Significant Coastal Fish and Wildlife Habitat. Removal of trees that could be Northern Long-eared Bat roosting habitat. Dredging could result in direct impacts to of submerged aquatic vegetation (SAV) and freshwater mussels.	A SWPPP will be prepared that will outline the erosion, turbidity and sediment control measures to be implemented to mitigate potential water quality impacts, maintain river and Normans Kill bank cover, soil stabilization, and providing adequate riparian buffer areas for fish and wildlife habitat. Removal of trees will only be performed between November 1 and March 31 to mitigate the Northern Long-Wared Bat. SAV located within the proposed area of dredging will be transplanted to neighboring SAV beds to avoid impacts. Freshwater mussel (*Leptodea fragilis*) found within the proposed dredging area will be relocated outside the Project. An AMMP will be developed if necessary.
3.3 Regulated Wetlands and Surface Waters	The supplemental project results in approximately 0.88 acre of permanent impacts	Proposed bridge over Normans Kill has been re-designed and proposed to be

DSEIS Section	Potential Impact	Proposed Mitigation
	and 0.33 acre of temporary impacts to USACE regulated wetlands	constructed outside the Mean Higher-High Water Line (MHHWL). Wetland credits will be purchase at mitigation bank within services area. Temporary impacts will be restored to pre-construction conditions. Surface waters – All NYSDEC and ACOE permits will be requested for activities in the Hudson River and Normans Kill. Wetlands –USACE Section 404/ Section 10 Individual Permit or Section 404 Nationwide Permit will be obtained as required.
3.4 Floodplains and Floodways	The building at 700 Smith Boulevard and parking lot on National Grid property will be within the 100-year floodplain.	Building and bridges lowest floor and roadway elevation respectively will be at elevation 20.3 feet above sea level. Which is 2 feet above the 100 yr. flood elevation and 1.3 feet above the projected sea level rise for year 2100.
3.5 Groundwater	Potential impacts from chemicals, toxins, or other pollutants released during construction and post construction activities.	A SWPPP will be prepared per NYSDEC regulations that will outline appropriate erosion and sediment controls, stormwater management. Fuel/chemical storage will be stored in compliance with NYSDEC SPDES or EPA SPCC regulations as required.
3.6 Climate and Air Quality	The Project will reduce vehicular traffic compared to what was evaluated in the FGEIS. Construction and traffic will result in air emissions and odor impacts. Increased transportation will impact emissions.	Construction impacts will be mitigated with dust suppression and air monitoring by the NYSDEC at the perimeter of the property. A hydrogen sulfide limit of 0.01ppm for one hour period will be used as an odor threshold. Air emissions for Ezra Prentice community will be mitigated by the establishment and enforcement of truck routes through existing City of Albany Streets through the Port District and State Routes to eliminate new trucks traveling on South Pearl Street. See **Section 3.7** for further details on the required truck route. See **Section**

DSEIS Section	Potential Impact	Proposed Mitigation
		3.20 for additional mitigation measures relating to truck route.
3.7 Traffic and Transportation	Data received from the tenant indicates that the project will generate 324 trips during the morning peak hour and 324 trips during the evening peak hour for all five buildings combined. Maritime – No significant impact on existing Hudson River maritime commercial or recreational traffic. No added maritime traffic to Normans Kill, therefore no impact Rail – No noticeable impact Public Transportation – No impacts Pedestrian and Bicycle - No noticeable impacts	Vehicle – New proposed employee entrance with construction of a southbound left turn lane on River Road to enter the site. Proposed access drive is stop sign controlled and requires clearing of existing vegetation and signage/lighting installation. New Traffic Signal at the Route 32 & NYS Route 144 (River Road) Intersection, pending NYSDOT approval. See Proposed Threshold / Mitigation Table in **Section 3.7.6** for further details on mitigation proposed as well as the updated traffic analysis will be provided as an appendix to the Study.
3.8 Drainage	Project will change the surface coverage of the site, increasing impervious cover to 15.5 acres	A SPDES permit will be required. A SWPPP will be developed that will implement water quality retention basins, underground stormwater filtration structures and erosion and Sediment Control measures. All measures will be designed per the NYSDEC requirements and enforced during construction activities. A SMP has been prepared to include a HASP, CAMP, and EWP.
3.9 Water Service (Potable and Fire Protection)	700 Smith Blvd will result in approximately 1,100 gpd demand and connect via existing utilities. A total of 4 buildings are in the process of being demolished on the project site and the proposed building will have a similar water demand as those	None, as adequate capacity exists.

DSEIS Section	Potential Impact	Proposed Mitigation
	previous 4 buildings combined. An existing 8" water main traverses through the site as well as an existing 12" sanitary main. A request for a formal statement from the City of Albany has been submitted and will be provided for the site plan and building permit approvals.	
3.10 Sanitary Sewer	700 Smith Blvd will result in approximately 1,100 gpd and connect via existing utilities. A total of 4 buildings are in the process of being demolished on the project site and the proposed building will have a similar demand as those previous 4 buildings combined. A request for a formal statement from the City of Albany has been submitted and will be provided for the site plan and building permit approvals.	None, as adequate capacity exists
3.11 Historic, Cultural, and Archeological Resources	No impact	None
3.12 Aesthetic and Visual Resources	110' tall building can be seen or partially seen from 5 locations.	Variance for height of building will be pursued as needed. Height is the minimum necessary for the anticipated use. Building Architectural design is being designed in keeping with the aesthetic nature of the surrounding buildings in the area. Justification for variance has been provided. Building colors will blend in with existing surroundings. Lighting will be designed to minimize glare and light pollution.

DSEIS Section	Potential Impact	Proposed Mitigation
3.13 Land Use and Zoning	Maximum building height of 110' exceeds the 60' maximum allowed per town code.	Variance for height of building will be pursued as needed. Justification for variance has been provided.
3.14 Community Character and Compatibility with Comprehensive Plan	No impact since the Project Area will be developed in accordance with Town's Comprehensive Plan and LWRP.	None
3.15 Emergency Services	No Impact	None
3.16 School District	No impact	None
3.17 Fiscal and Economic Impact	No Impact	None
3.18 Recreation and Open Space	No impacts. Project is consistent with Town's Comprehensive Plan and Zoning Ordinances.	None
3.19 Solid Waste Disposal	No Impact, existing facilities have capacity for solid waste during construction and operation.	None
3.20 Environmental Justice	Increased truck and rail traffic near the Ezra Prentice neighborhood and potential air emissions from increased truck traffic.	All truck traffic will be routed through the existing Port District and will avoid the Ezra Prentice neighborhood. Additional Environmental justice review and public outreach process will be followed at time of site plan application by implementing the NYSDEC CP-29 at time of NYSDEC permit application concurrently with the Town of Bethlehem Site Plan application.

1.3.1. Potential Significant Beneficial Impacts

The Project presents a unique opportunity for redevelopment of a former waterfront landfill site and implement environmental controls. The Project site (a former fly ash landfill) is better suited

for operations for maritime industries that can support production of large-scale renewable energy projects via sustainable initiatives from public and private partnerships. The Project will include the removal and or containing (capping) of impacted soil or sediments (e.g., contaminants) within the footprint of the Project. Lastly, the Project will result in build-smart cross sector solutions to maintain and maximize employment and support local small business and families. Additionally, 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 approximately 550 full time new jobs. Additionally, the Project is expected to help reduce the U.S. carbon footprint and reliance on imported OSW components.

1.3.2. Potential Significant Adverse Impacts

Adverse environmental impacts that have been identified that cannot be minimized, avoided or mitigated include the following:

1. Removal of existing vegetation within the Project footprint
2. Consumption of energy used for construction

1.4. Proposed Mitigation Measures

The Project has been outlined such that adverse temporary and permanent environmental impacts will be avoided, minimized, or mitigated to degree possible in accordance with local, state and federal guidelines and regulations. A summary of the mitigation measures to be employed by this Project are provided above in **Table 1.3-1** and further detailed in the following subsections.

1.4.1. Soils, Geology, and Topography

During construction a Soil Management Plan and SWPPP will be implemented for controlling the movement of fly ash, erosion, turbidity, dust and sediment controls while bioretention ponds and stormwater filtration structures will improve the quality of stormwater run-off. Additional mitigation measures are summarized below in **Section 1.4.8.**

1.4.2. Vegetation and Wildlife

Appropriate erosion and sediment controls measures will be implemented to mitigate potential water quality impacts to the Normans Kill and the Hudson River. All trees within the Project impact area will be cut between November 1 to March 31 in accordance with NYSDEC and United States Fish and Wildlife Service (USFWS) recommended conservation measures designed to minimize the likelihood of adverse impacts to northern long-eared bats (NLEB).

An environmental mitigation plan will be developed in close coordination with the NYSDEC to offset dredging and wharf construction impacts. Prior to dredging activities, protected freshwater mussels and submerged aquatic vegetation (SAV), within the Project footprint, would be relocated per the NYSDEC letter dated August 29, 2020 (DEC # 0122-00322/00001). The APDC is committed to maintaining a collaborative approach with NYSDEC in identifying a mutually agreed upon potential mitigation plan in accordance with The Hudson River Comprehensive Restoration Plan.

1.4.3. Regulated Wetlands and Surface Waters

Prior to impacts to wetlands and surface waters, the ADPC will obtain a permit from the USACE and NYSDEC to satisfy requirements from Section 404 of the Clean Water Act (CWA) and Article 15 – Protection of Waters Program, respectively. Wetland mitigation would be satisfied through a federally approved In-Lieu Fee Mitigation Program or off-site mitigation bank. Permit applications have been submitted to these agencies and are under review under USACE case numbers AN-2021-00948-UDA, and NYSDEC case number 4-0122-00322/00002.

In order to further avoid or minimize the possibility of incidental impacts during construction (e.g., erosion and sedimentation), a site specific SWPPP will be implemented and BMPs will be followed.

1.4.4. Floodplains and Floodways

All building structures will be constructed at a finished floor of at least elevation 21.0 feet (NAVD 88). This elevation places the buildings 3.0 feet above the current FEMA 100-year Base Flood Elevation (BFE), and 2.0 feet above the FEMA 100-year BFE modified and above the projected sea level rise (19 inches).

Given the definitions in the Draft NYS Flood Risk Management Guidance for Implementation of the CRRA, the Project is considered a non-critical facility; it is located within a tidal area of the Hudson River; and the Project's anticipated useful life is 50 years. This would make the medium projection of sea level rise 25 inches, or 2.1 feet over the life of the Project. Assuming a BFE of 18, the resulting Finished Floor Elevation (FFE) of the building would be 22.1 feet (18 feet + medium sea level rise of the Project life + 2 feet). The Project's current FFE is 21.0 feet, which was established to keep the Project safely above the BFE, account for sea level rise, and balance the earthwork of the Project Site to the greatest extent practicable.

Additionally, the proposed bridge has a vertical curve that allows for the low chord elevation at the floodway limits to meet or exceed the hydraulic requirements of the 100-year storm. The elevation of the proposed bridge low chord will be not lower than the 100-year storm plus 19-inches of sea level rise per CRRA and applicable design scenario. The 100-year regulatory flood is at elevation 18.6 feet plus 19-inches that equals an elevation of 20.2 feet. In order to then minimize site impacts, the adjacent spans outside the floodway have a low chord at the bridge abutment that would be lower than the Q50 storm. The proposed layout has two (2) piers comprised of reinforced concrete drilled shafts to avoid and minimize environmental impacts. The piers would be constructed outside of the mean higher high-water line (MHHWL) and the floodway, avoiding impacts to the Normans Kill. The construction of the bridge abutment on the north side of the waterway is anticipated to result in only 0.04-acre of wetland impacts.

1.4.5. Groundwater

The NYSDEC Pollutant Discharge Elimination System (SPDES) program controls point source discharges to groundwater, as well as surface waters, during and post construction. Compliance with the SPDES design and permitting requirements, as well other applicable local, state, and federal rules and regulations such as a Spill Prevention, Control, and Countermeasure (SPCC) Plan

for petroleum-based products and chemical storage, will be required for this Project and will effectively prevent potential groundwater impacts.

1.4.6. Climate and Air Quality

The Project is not anticipated to result in a significate increase in greenhouse gas (GHG) emissions. The Project does not meet the definition of a major facility since potential emissions will remain below the major facility thresholds as per 6 NYCRR 231-13.1. This will be accomplished by constructing the facility as proposed operating and maintaining emission sources and related air pollution control equipment in accordance with good air pollution control practices at all times.

Air quality impacts associated with construction will be mitigated by dust suppression techniques including spray of water on dry materials and soils and air monitoring at the perimeter of the property. Potential impacts associated with operations of facilities at the Project Area would be mitigated through compliance with the conditions of all required air pollution control permits and registrations under 6 NYCRR Part 201. As mentioned above, truck traffic in connection to the Project will be routed along the approved truck routes through existing City streets through the existing Port District or via South Port Road; however, prohibiting right hand turns to eliminate adding new truck traffic to South Pearl Street adjacent to Ezra Prentice community.

1.4.7. Traffic and Transportation

An updated Traffic Impact Study was completed for the Project. Based on the study, existing roadway infrastructure within the study area has adequate capacity to accommodate the traffic anticipated with the following recommendations:

- Supplementary turn lanes were reviewed at the Project access driveway along River Road and a dedicated left turn lane is recommended in order to separate through traffic from vehicles turning left to enter the site.
- Additional recommended improvements to the surrounding roadway network include the consideration of a coordinated signal at the NYS Route 144 (River Road) / NYS Route 32 intersection, in accordance with the guidelines set in the FGEIS. Coordination with NYSDOT is required to review a signal installation at this intersection.
- A post development speed study completed be NYSDOT is recommended at the proposed site driveway on NYS Route 144 to determine if the regulatory speed limits of 55-mph should be reduced to match the advisory speed limit of 45-mph.
- All truck deliveries will be routed through the approved truck routes to avoid the Ezra Prentice community.

1.4.8. Drainage

The Project will have land disturbance of more than one acre and will require a full SWPPP that conforms to Part III A through C of the General Permit. A full SWPPP will be developed in accordance with permit GP-0-20-001, or the active latest edition, regulations. The SWPPP will be reviewed and approved by the Town of Bethlehem and City of Albany as an MS4. The SWPPP

will be prepared in compliance accordance with the NYSDEC Manual and meet the following criteria as the principal objectives contained in an approved SWPPP.

- Reduction or elimination of erosion and sediment loading to waterbodies during construction activities. Controls will be designed in accordance with the NYSDEC's New York State Standards and Specifications for Erosion and Sediment Control.
- Mitigate the impact of stormwater runoff on the water quality of the receiving waters.
- Mitigate the increased peak runoff rate of runoff during and after construction.
- Maintenance of stormwater controls during and after completion of construction.

1.4.9. Aesthetic and Visual Resources

The building colors have been chosen to blend into the existing surroundings. All lighting on the Project will be full cut off, dark sky compliant and will not spill onto neighboring properties. In addition, the proposed uses and visibility (110 feet high) are compatible with the surrounding heavy industrial businesses in the area that exceed 110 feet and therefore will blend with the existing industrial community.

1.4.10. Land Use and Zoning

The Project follows the Town of Bethlehem and City of Albany's Zoning and 0Comprehensive Plans and will be developed with permitted uses in accordance with the zoning codes. As proposed, the industrial development will comply with the area, yard and bulk regulations with one exception. The Project includes a maximum building height threshold of 110 feet which exceeds the maximum allowable height of 60 feet; however, as stated in the Visual Impact Assessment (**Section 3.12**) the adjacent buildings to the south and north are higher than the proposed 110-foot height.

1.4.11. Emergency Services

New York State Uniform Fire Prevention and Building Code (Uniform Code) provides minimum requirements to safeguard the public safety, health, and general welfare. The Uniform Code has requirements for many aspects of built environments, such as: structural strength, means of egress, stability, adequate light and ventilation, stability, and safety to life and property from fire, and other hazards associated with building. All buildings will be built in accordance the current standards of the Uniform Code.

Construction considerations to mitigate emergency services will include items to follow the Uniform Code and subsequent regulations. All commercially occupied buildings will be sprinklered in accordance with the most current National Fire Prevention Association (NFPA) Code 13: Standard for the Installation of Sprinkler Systems requirements. All buildings will have standpipes in accordance with the most current NFPA Code 14: Standard for the Installation of Standpipe and Hose Systems. All buildings will be provided with an Underwriters Laboratories (UL) listed backflow prevention device, and a UL listed fire pump will be provided if needed to ensure necessary pressure and flow at the buildings.

All roads constructed in the development will be designed and built to meet local codes and Town requirements, including the ability to accommodate the emergency service vehicles.

Landscaping will be completed to not inhibit access to the buildings where necessary for emergency services.

Fire code compliance and uses of private security and monitoring systems will be determined and finalized during the site plan review and approval process, as well as the building permit process.

The local Fire Department, Police Department and EMS Ambulance Service providers have been contacted and they have indicated that they have the capability to service this Project.

1.4.12. Solid Waste Disposal

The County landfill has the capacity to handle waste from this Project. The City of Albany has a mandatory residential and commercial recycling policy in place for certain streams of paper, cardboard, plastic, glass, metal, electronics, rechargeable batteries, household hazardous wastes, mercury thermostats, fluorescent bulbs, and yard wastes. The APDC will encourage future tenant(s) compliance with the Town's recycling policy to reduce landfilled solid wastes.

1.4.13. Environmental Justice

The Ezra Prentice community is located approximately 0.4 mile to the north from the parcel boundary of 700 Smith Boulevard (Building E – Material Receiving Building) and 1.7 miles from the main site (Buildings A – D). The Ezra Prentice community is identified as an Environmental Justice area. Residents of Ezra Prentice community have expressed concerns over air quality, public health, and quality-of-life impacts from existing local businesses. Specifically, concerns are focused on traffic related to the trucks that pass through the neighborhood along South Pearl Street and trains in the adjacent CXS railroad yard to the east.

The APDC will complete the environmental justice review and public outreach process pursuant to the NYSDEC CP 29 Policy at the time of site plan application. Since the application and site plan approval reside within the Town of Bethlehem and City of Albany Planning Board jurisdiction, and the CP 29 Policy is under the NYSDEC jurisdiction, both the State and the local municipality will ensure that public participation within the Ezra Prentice community neighborhood is provided.

1.5. Considered Alternatives

The 2020 FGEIS evaluated several different concepts including a no build alternative, and five (5) different build out scenarios ranging from a 160,000 SF facility to a 1,130,000 SF facility. The FGEIS evaluated impacts under "Concept A", the 1.13 million square foot warehouse scenario. This DSEIS focuses on the specific additional Project Areas at 700 Smith Boulevard and the 4.4-acre parking lot on the National Grid property, along with the building height and submerged aquatic vegetation (SAV) impacts. See Chapter 4 or more information regarding reasonable alternatives considered.

1.6. Matters To Be Decided

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 Final Supplemental Environmental Impact Statement (FSEIS). 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.

1.6.1. Involved Agencies

Federal Agencies

United States Army Corps of Engineers (USACE)

State Agencies

New 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)

Local Agencies

Town of Bethlehem Planning Board

Town of Bethlehem Town Board

Albany County Health Department

Board of Commissioners of the Albany County Water Purification District

Town of Bethlehem Department of Public Works

Town of Bethlehem Zoning Board of Appeals

City of Albany Planning Commission

City of Albany Board of Trustees

1.6.2. Interested Agencies

Federal Agencies

Federal Emergency Management Agency (FEMA)

National Marine Fisheries Service (NMFS)

National Oceanic and Atmospheric and Administration (NOAA)

United State Environmental Protection Agency (USEPA)

United States Fish and Wildlife Service (USFWS)

United States Coast Guard

State Agencies

New York State Office of Historic Preservation (SHPO)

New York State Thruway Authority (NYSTA)

State of New York Office of the Attorney General

Local Agencies

Albany County Planning Board

Bethlehem Central School District

Bethlehem Police Department

Selkirk Fire District

Delmar-Bethlehem EMS

Town of East Greenbush

1.6.3. Lists of Required Permits and Approvals

The project will require federal, state, and local agency permits and board actions. Implementation of the project involves several approvals including the following:

1. Coordinated SEQRA review by the Town of Bethlehem Planning Board (Lead Agency) & issuance of findings statement. See Supplemental and Generic EIS for list of involved and interested agencies
2. Albany County Planning, 239 site plan review recommendation
3. Town of Bethlehem Planning Board Site Plan Approval
4. City of Albany Planning Commission, Site Plan approval
5. Town of Bethlehem Zoning Board of Appeals for height and floodplain development area variances
6. Bethlehem Town Board approval for the extension of the existing water district
7. New York State Department of Transportation review and approval of the Traffic Impact Study.
8. Town of Bethlehem work permits for connection to the Town water main.
9. Town of Bethlehem (MS4) approval and acceptance of the Stormwater Pollution Prevention Plan (SWPPP), which is to be prepared in compliance with the NYSDEC General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002), as well as approval for disturbing more than five (5) acres of land at one time.

The following review agencies may be included in the necessary project review process:

1. Town of Bethlehem Planning Board
    a. SEQRA Review - Lead Agency
    b. Site Plan review/approval

2. Town of Bethlehem Town Board
    a. SEQRA Review - Involved Agency

3. Town of Bethlehem Floodplain Administrator
    a. Development Permit for construction within a FEMA regulated floodplain per Town Code 69 – Flood Damage Prevention

4. Town of Bethlehem Zoning Board of Appeals
    a. Review and grant building height variance

5. Albany County Planning Board
    a. SEQRA review – Involved Agency
        i. Albany County Planning Board will review this project pursuant to the NYS General Municipal Law Section 239 that requires all proposed projects that are within 500 feet of a State highway be reviewed by the local County Planning Board. The County Planning Board review the project and render a decision to approve, deny or make recommendations for the Lead Agency to consider.

6. New York State Department of Environmental Conservation
    a. SEQRA Review - Involved Agency
    b. General Permit for Stormwater Discharges
    c. Approval of the cap over the remediations area/site
    d. 401 Water Quality Certification and Article 15 – Protection of Waters Permit
    e. Part 182 Incidental Take Permit
    f. NYSDEC Air State Facility Permit
    g. SAV transplant and relocation of Mussels

7. New York State Department of Transportation
    a. SEQRA Review - Involved Agency
    b. Approval of Traffic Impact Study
    c. Off-site Highway Work Permit

8. New York State Office of Parks, Recreation and Historic Preservation
    a. SEQRA Review - Involved Agency
    b. Sign-off on Archaeological and Historic Impacts
    c. Purpose and Process of SEQRA

9. US Army Corps of Engineers
    a. Dredge and Fill Permit
        i. Section 404 of Clean Water Act
        ii. Section 10 of River and Harbor Act

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2. DESCRIPTION OF PROPOSED ACTION

The original Project Area was evaluated and covered under the 2020 FGEIS, accepted by the Town of Bethlehem, included the 81.6-acre property known as Beacon Island. The Project Area has been expanded and now includes an additional 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 ("supplemental Project Area"). The information presented and discussed in the following sections is mainly focused in the supplemental Project Area and recent updates to the proposed action originally presented in the 2020 FGEIS.

The information and analysis discussed in the following sections have been prepared by including the text (as applicable) from the 2020 FGEIS with the required updates to reflect latest project information and details. Overall, the formatting and numbering of main sections remain similar from the 2020 FGEIS for ease of information location.

2.1. Project Location – Supplemental Project Area

The supplemental Project Area subject to the DSEIS includes a material receiving building and yard located at 700 Smith Boulevard in the City of Albany. The parcel (Tax Map No. 87.10-4-1) is approximately 14.7 acres and is bound by the following:

- To the North: storage lot, warehouse, and industrial facilities
- To the South: vacant, paved lots and garage buildings, Raft Street
- To the East: Tank storage
- To the West: Railroad/rail yard

There will also be an employee parking lot on the National Grid property in the Town of Bethlehem (Tax Map No. 98.00-2-10.21), which abuts the western boundary of the Beacon Island parcel previously evaluated in the FGEIS. This parcel is bound by the following:

- To the North: Normans Kill
- To the South: Public Service Enterprise Group Power New York Power Plant (PSEG)
- To the East: Beacon Island Parcel – Proposed development site
- To the West: abandoned railroad and various small commercial and residential buildings

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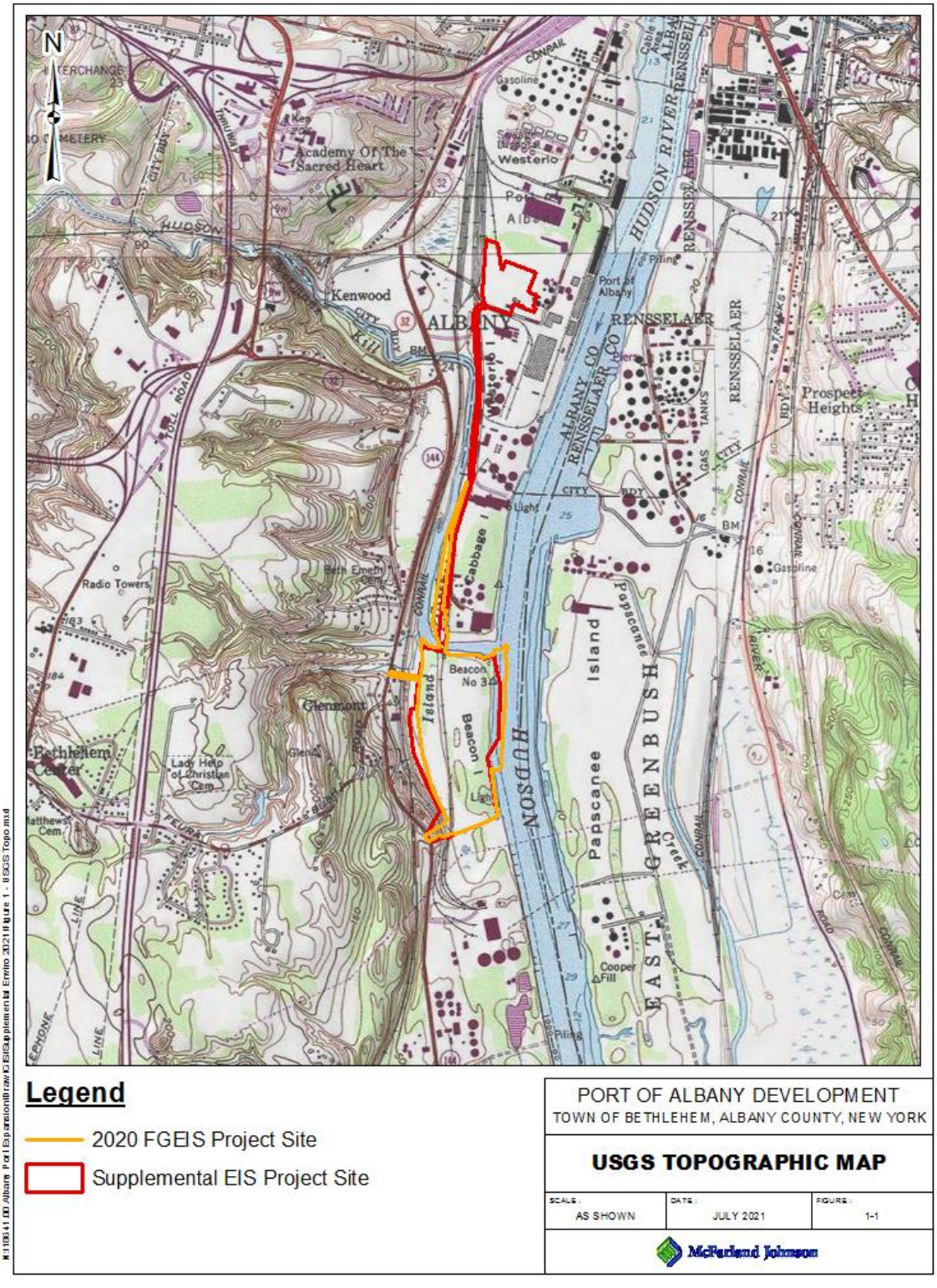
Figure 2.1-1: Site Location Map



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2.2. Site Description

The supplemental Project Area consists of the 14.7-acre parcel at 700 Smith Boulevard in the City of Albany and is owned by the APDC since approximately 1925 and has had various usage. This currently vacant parcel is in the city's General Industrial zone. According to records from the NYSDEC, was used by Atlantic Steel Corporation as a rail yard from 1937 to 1951, after which it was used for metal recycling from 1964 to 2013.

The supplemental Project Area also includes approximately 4.4 acres of disturbance to the National Grid parcel abutting Beacon Island. The land is currently utilized as an energy corridor, with two (2) buried gas lines and overhead electrical transmission power lines. The area receives periodic mowing to maintain access to the gas lines.

2.3. Description of Proposed 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 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.

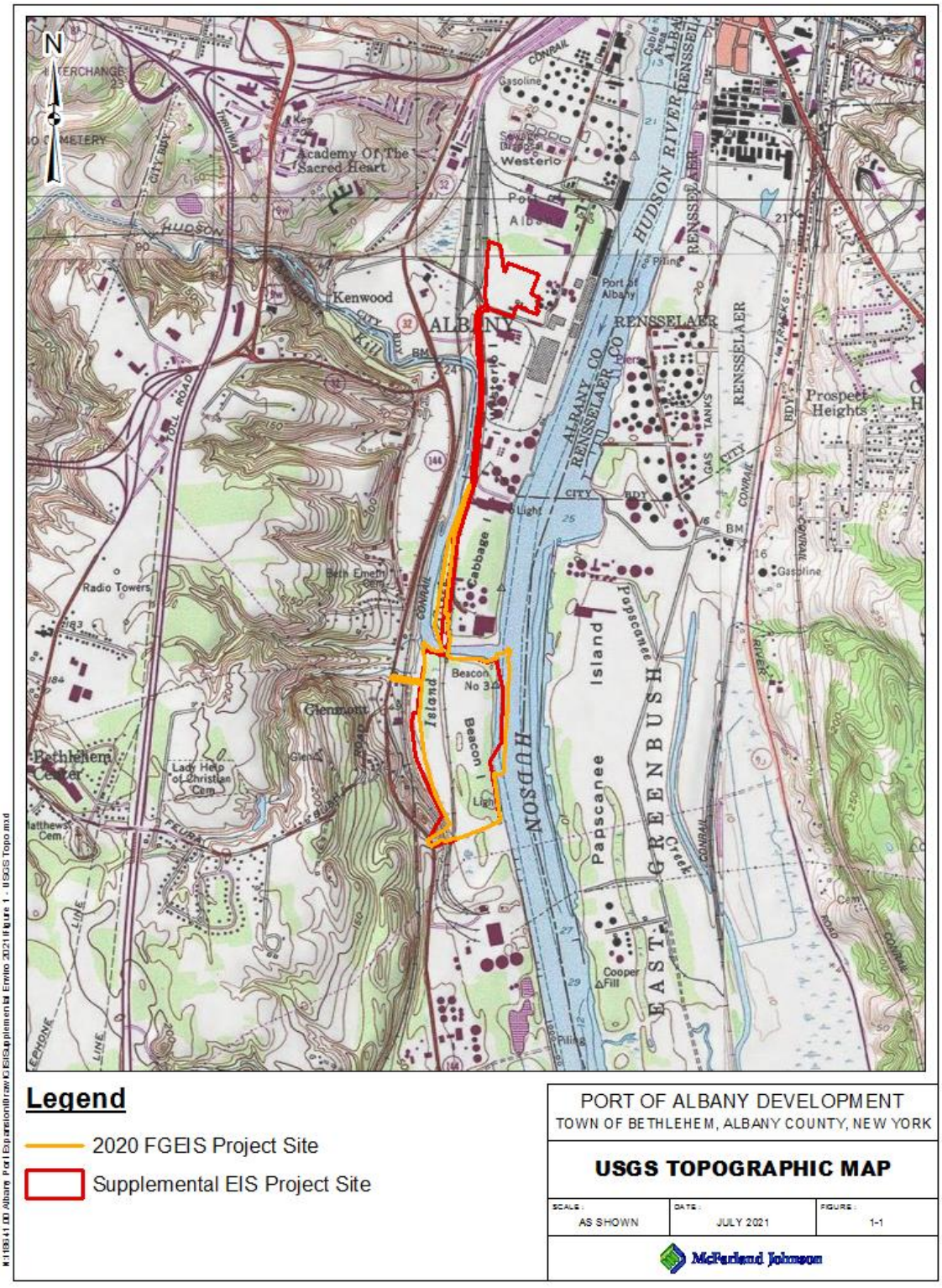
From the date that the FGEIS was approved, the concept of the Project has been further defined. Currently and instead of the +/- 1.13 million square feet of industrial space, the proposed project is now approximately 589,000 +/- square foot of OSW tower manufacturing plant owned by the Port of Albany and operated by Marmen-Welcon spread out over five (5) separate buildings. The following is a breakdown of the function and approximate 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 thru D) located on the previously evaluated Port Expansion property located in the Town of Bethlehem. The proposed gated bridge over the Normans Kill will provide access for all deliveries in and out of the main production plant, by connecting Beacon Island and 14.7-acre offsite parcel at 700 Smith Boulevard. The fifth building (Building E) is located at 700 Smith Boulevard within the existing Port District in the City of Albany. As shown on the site plan, employee parking will be situated on the adjoining land owned by National Grid with access from River Road. The proposed wharf along the Hudson River is now approximately 500 linear feet. The wharf will be used to ship completed tower sections and components.

The Project facility is expected to employ up to 550 full time workers.

Figure 2.3-1:


N
Legend
2020 FGEIS Project Site
Supplemental EIS Project Site
PORT OF ALBANY DEVELOPMENT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
USGS TOPOGRAPHIC MAP
SCALE: AS SHOWN
DATE: JULY 2021
FIGURE: 1-1
McFarland Johnson
Academy Of The Sacred Heart
Kenwood
ALBANY
RENSSELAER
Prospect Heights
Radio Towers
Glenmont
Bethlehem Center
Cabbage Island
Beacon No 3
Beacon Island
Papscanee Island
HUDSON
GREENBUSH EAST
Cooper Fill

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2.4. Purpose and Need for the Proposed Action

2.4.1. Purpose

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 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 Project would be the first OSW tower manufacturing facility in the United States and is forecasted to create upwards of 500 construction jobs and 550 full time new jobs. The project will also reduce U.S. reliance on imported OSW components and help reduce the US carbon footprint.

The Port of Albany is a significant contributor to the economic activity and trades for the region, playing a key role in the multi-modal transportation and supporting production, distribution, and consumption of goods and services. Currently, the Port of Albany is upstate New York's busiest port, responsible for $800 million in state economic output annually and for 1,400 jobs locally, according to the Port's most recent annual report.

2.4.2. Need

APDC has the need to expand their current land holdings in order to accommodate demand and support New York State in achieving its renewable energy goals by providing additional port infrastructure, building space, cargo and wharf capacity necessary for the manufacturing, distribution and operation of offshore wind components.

The APDC continuously invests in infrastructure upgrades to ensure they provide the maximum value for customers and tenants who chose to continue and promote their business at the Port of Albany. Currently, the APDC footprint is centrally located and strategically operates on both sides of the Hudson River, integrating:

- Connectivity of various transportation modes such as ocean vessels and barges
- Accessibility of CP/CSX railroads and interstate highways
- Approximately 4,400 feet of wharf length on the Albany side of the Hudson River
- Approximately 1,200 feet of wharf length on the Rensselaer side of the Hudson River
- Approximately 350,000 SF of covered storage and warehouses
- On-site U.S. Customs and Border facility

The APDC has exhausted almost all its available land to accommodate additional port infrastructure, warehouse space, cargo and wharf capacity; therefore, the proposed expansion is needed. According to the most recent market analysis performed for their business operations and assets inventory, over 90 percent of the APDC facilities are currently occupied. This situation creates losses in economic development opportunities due to the limited land availability for waterfront and maritime dependent businesses.

The Project is essential for port dependent users and will address immediate and future needs, with the ability to provide and locally support renewable energy developments proposed in the New York State and other regions in the U.S. The Project Area is owned or controlled by the

APDC. The acquisition of the Project Area by APDC was a strategic investment to support New York State commitment of providing additional port terminal capacity for the offshore wind industry.

Based on current needs from APDC, the Project Area is the ideal location for the Proposed Action due to the following characteristics:

- Site historically disturbed with limited ecological and no recreational value due to previous uses
    - 81.62-acre parcel is waterfront property owned by the APDC and previously used as landfill for stockpiling coal ashes
    - 4.4-acre National Grid parcel used for installation and operation of above and underground power infrastructure
    - 14-.7-acre parcel is owned by APDC previously used as rail yard and metal recycling facility
- Available infrastructure and adjacent to existing and secured port facilities
- Ability to provide adequate depth for marine vessels and barges
- Proximity to areas with export and import demands
- Shelter from waves and storm surge
- Existing good logistical access (e.g., navigation, rail, and roads network) that can handle industrial traffic

Moreover, the Project Area is near the existing Port of Albany with the adequate capacity and space to provide the needed industrial uses. Also, the Project would result in direct and indirect benefits, such as:

- Better suited operations for waterfront property that can support production of large-scale renewable energy projects via sustainable initiatives from New York State and private partnerships
- Unique opportunity for redevelopment of a former waterfront landfill site and implement environmental controls
- Removal of coal ashes within the footprint of the Project during the construction phase
- Potential compensatory mitigation of potential wetland impacts in off-site areas that provides greater long-term ecological value than the jurisdictional areas to be affected
- Build-smart cross sector solutions to maintain and maximize employment, and support local small business and families
- Provide additional needed port capacity to continue serving the U.S. Northeast, Midwest and Canadian regions

2.5. Construction Activities

Construction areas will be phased in order to break down disturbance of work into smaller, manageable sections. Cut and fill from each phase would be managed and maintained on-site. Construction sequencing, along with stormwater management and erosion and sediment control plans would be developed for each phase and submitted to the Town and City respectively for

final approval. During phasing, the existing vegetation to remain would be protected with construction fencing, and staging areas would be stabilized and maintained with wood chips, stone, or an approved alternative.

The Project will be constructed as a single full build project with four (4) erosion and sediment control phases as shown in the site plans.

Site ingress and egress during construction, for emergency response, and for the parking lot would be via the proposed southern project driveway, connecting the Project Area to River Road, and via South Port Road via a new bridge, as described in the 2020 FGEIS. Access to 700 Smith Boulevard will be from existing Smith Boulevard. All truck traffic will follow the truck route outlined in the 2020 FGEIS. As described in the 2020 FGEIS, prior to construction, the applicant will need to apply for a permit from the NYSDOT to allow the southern driveway to operate as a temporary full access ingress/egress driveway to be used for construction and emergency access. The construction access permit will include a detailed Maintenance and Protection of Traffic Plan (MP&T) that will include work zone speed limit (reduction) signage, truck entrance signage, traffic calming barriers (cones, barrels), and advance traffic control warning features (signage with beacons, etc.). The approximate duration of site/roadway construction is anticipated to take 18-24 months.

Construction of paved areas, stormwater facilities, lawn areas, and buildings will result in an alteration of the existing ground and site characteristics. Approximately 15.2 acres will be disturbed during construction for the supplemental areas, in addition to the original 67 acres that was assumed in the GEIS. The development of the Project Area will require that fill material (e.g., suitable earth fill to raise the site, crushed stone aggregate for building slabs, driveway and parking lot as well as final surface materials including concrete slabs, asphalt pavement, stone subbase areas) to be imported to the Project Area to achieve structural integrity and proposed grades.

During construction, erosion control measures such as silt fence, diversion swales/berms, and sediment traps/basins will be installed to mitigate the potential for erosion of soils and downstream siltation. All erosion and sediment control measures will be constructed in accordance with the latest edition of the New York State Standards and Specifications for Erosion and Sediment Controls. Particular attention and additional measures such as double lined silt fence, and installation of turbidity curtains will be used to protect the waters of the Normans Kill and Hudson River where Bridge and Wharf construction may impact embankment slopes.

Common industry practices, such as the spraying of water to control dust, and confining construction work periods to those permitted by the Town, will further mitigate the normal unavoidable short-term impacts associated with construction such as dust and noise.

Construction activities will abide by the Town of Bethlehem's Town Code § 81-5 and City of Albany regarding construction noise and time. Construction hours will be limited to 6:00 am to 10:00 pm. Construction activities that may cause temporary noise impacts include earthwork, paving, structure construction, and land clearing. Exact noise levels due to construction cannot be determined at specific sites since the number and types of construction equipment that would be used cannot be predicted, but the equipment will not be allowed to operate during the restricted times set forth by the Town and City, respectively.

Best Management Practices (BMPs) will be incorporated into the specific building and site plan contract documents to reduce construction noise and perceived disturbances in the Project Area. This Project will be required to comply with the SPDES Phase II General Permit for Stormwater Discharges from Construction Activities (GP-0-20-001). As part of these requirements a SWPPP has been prepared describing erosion and sedimentation control measures. In accordance with 6 NYCRR Part 608.8, it is understood that the basis for the issuance of an Article 15 permit will be based on the determination that the proposal is in the public interest, in that:

(a) the proposal is reasonable and necessary;

(b) the proposal will not endanger the health, safety or welfare of the people of the State of New York;

(c) the proposal will not cause unreasonable, uncontrolled or unnecessary damage to the natural resources of the State, including soil, forests, water, fish, shellfish, crustaceans and aquatic and land-related environment;

(d) the Project will comply with all required seasonal restrictions incorporated into future permits; and

(e) offset dredging impacts by relocation of SAV and protected mussel species within the project footprint, or by implementing an alternate mitigation strategy in coordination with NYSDEC and the US Army Corps of Engineers.

The Town of Bethlehem and City of Albany are MS4 communities and therefore this Project will comply with the NYSDEC Phase II stormwater regulations and will incorporate BMPs to ensure that water quality on site will be protected. As applicable, BMPs to be employed will include:

- Silt fencing placed around construction areas prior to grading activities
- Diversion Channels to prevent runoff from leaving the Project Area
- Land clearing activities shall be done only in areas where earthwork will be performed and shall progress as earthwork is needed
- Permanent seeding and planting of all unpaved areas using the hydro-mulching grass seeding technique
- Mulching exposed areas, where specified
- Temporary seeding and planting of all unpaved areas using the hydro-mulching grass seeding technique within 14 days of disturbance
- Frequent watering to minimize wind erosion during construction
- Rock check dams
- Maintain vegetation buffer along the Hudson River frontage

A request to disturb more than five (5) acres at a time will be submitted to the Town of Bethlehem and City of Albany for review and approval. To obtain the five (5) acre waiver, at least two (2) site inspections be required to be performed during construction by a qualified professional, every seven days, for as long as the disturbed area exceeds five (5) acres. This increased frequency of inspection will ensure that the erosion and sediment control facilities are functioning as designed

and that there are no additional impacts to wetlands or the waters of the U.S. during construction activities.

2.6. Required Approvals

The project will require federal, state, and local agency permits and board actions. Implementation of the project involves several approvals including the following:

1. Coordinated SEQRA review by the Town of Bethlehem Planning Board (Lead Agency) & issuance of findings statement. See Supplemental and Generic EIS for list of involved and interested agencies
2. Albany County Planning, 239 site plan review recommendation
3. Town of Bethlehem Planning Board Site Plan Approval
4. City of Albany Planning Commission, Site Plan approval
5. Town of Bethlehem Zoning Board of Appeals for height and floodplain development area variances
6. Bethlehem Town Board approval for the extension of the existing water district
7. New York State Department of Transportation review and approval of the Traffic Impact Study.
8. Town of Bethlehem work permits for connection to the Town water main.
9. Town of Bethlehem (MS4) approval and acceptance of the Stormwater Pollution Prevention Plan (SWPPP), which is to be prepared in compliance with the NYSDEC General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002), as well as approval for disturbing more than five (5) acres of land at one time.

The following review agencies may be included in the necessary project review process:

1. Town of Bethlehem Planning Board
    a. SEQRA Review - Lead Agency
    b. Site Plan review/approval

2. Town of Bethlehem Town Board
    a. SEQRA Review - Involved Agency

3. Town of Bethlehem Floodplain Administrator
    a. Development Permit for construction within a FEMA regulated floodplain per Town Code 69 – Flood Damage Prevention

4. Town of Bethlehem Zoning Board of Appeals
    a. Review and grant building height variance

5. Albany County Planning Board
    a. SEQRA review – Involved Agency
        i. Albany County Planning Board will review this project pursuant to the NYS General Municipal Law Section 239 that requires all proposed projects that are within 500 feet of a State highway be reviewed by the local County Planning Board. The County Planning Board review the project and render a decision to approve, deny or make recommendations for the Lead Agency to consider.

6. New York State Department of Environmental Conservation
    a. SEQRA Review - Involved Agency
    b. General Permit for Stormwater Discharges
    c. Approval of the cap over the remediations area/site
    d. 401 Water Quality Certification and Article 15 – Protection of Waters Permit
    e. Part 182 Incidental Take Permit
    f. NYSDEC Air State Facility Permit
    a. SAV transplant and relocation of Mussels

7. New York State Department of Transportation
    a. SEQRA Review - Involved Agency
    b. Approval of Traffic Impact Study
    c. Off-site Highway Work Permit

8. New York State Office of Parks, Recreation and Historic Preservation
    a. SEQRA Review - Involved Agency
    b. Sign-off on Archaeological and Historic Impacts
    a. Purpose and Process of SEQRA

9. US Army Corps of Engineers
    b. Dredge and Fill Permit
        i. Section 404 of Clean Water Act
        ii. Section 10 of River and Harbor Act

2.7. Purpose and Process of SEQRA

This SDEIS has been prepared in compliance with Article 7 of the SEQRA, and the implementing regulations of the New York State Department of Conservation (6NYCRR Part 61 7) on behalf of the APDC.

Article 8 of the New York State Environmental Conservation Law (ECL) requires that an Environmental Review is conducted for any action that may have a significant impact on the environment. This statute and the NYSDEC implementing regulations provide the procedures for compliance with SEQRA. They are intended to incorporate the considerations of the environmental factors into the planning, review, and decision-making processes of agencies at the earliest feasible time.

The proposed action is a Type I Action as it exceeds the following thresholds listed at 6 NYCRR 617.4(b)(6) for the construction of a non-residential facility that includes the:

1. Physical alteration of 10 acres (i);
2. Parking for 1,000 vehicles (iii); and,
3. More than 100,000 SF of gross floor area in a town having a population of 150,000 persons or less (iv).

The purpose of this DSEIS is to identify and describe the changes in the potential areas of environmental impact from the 2020 FGEIS prepared by the APDC in connection to the Port Expansion Project and continue serving as a guide to demonstrate that the Project is in compliance with SEQRA regulations, and it can be used as the basis for preparing a findings statement and establishing a SEQRA determination.

The step-by-step SEQRA process can be found on the NYSEDC web site (https://www.dec.ny.gov/permits/6189.html).

The summary of process steps conducted under the 2020 FGEIS for the Project are as follows:

- Preparation of EAF: October 22, 2018
- Establish Lead Agency: December 4, 2018
- Determine Significance: January 15, 2019
- Public Scoping Session: March 19, 2019
- End of Comment Period for Scoping: March 26, 2019
- Scoping Adopted: April 2, 2019
- Completion and Acceptance of DGEIS: August 6, 2019
- Public Hearing on DGEIS: September 3, 2019
- Public Review and Comment Period End: September 14, 2019
- Completion and Acceptance of Supplemental DGEIS: December 17, 2019
- Public Information Meeting for Ezra Prentice Community on Supplemental DGEIS: January 6, 2020
- Public Review and Comment Period for SDGEIS End: January 17, 2020
- Completion and Acceptance of FGEIS: May 5, 2020

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3. ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

This section describes the environmental conditions of the supplemental Project Area, in addition to the proposed development at the 81.6-acre property evaluated in the 2020 FGEIS. The environmental setting takes into consideration information presented in the 2020 FGEIS, and additional information gathered from technical studies.

The supplemental Project Area includes approximately 4.4 acres of disturbance on the adjoining parcel owned by National Grid for the proposed employee parking, and the approximately 14.7 acres parcel at 700 Smith Boulevard in the City of Albany for the receiving building and yard.

The primary focus of this DSEIS is to evaluate resources, potential impacts, and applicable mitigation measures within the supplemental Project Area. For impacts that do not exceed the thresholds established in the 2020 FGEIS, these are not required to be further evaluated as part of the DSEIS.

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3.1. Soils, Geology, & Topography

3.1.1. Environmental Setting

Terrestrial Lands

The site at 700 Smith Boulevard entails approximately 14.7 acres and is owned by the APDC since approximately 1925 and has had various usage. According to records from NYSDEC, the site was used by Atlantic Steel Corporation as a rail yard from 1937 to 1951, after which it was used for metal recycling from 1964 to 2013.

The adjoining land on National Grid property and where employee parking is proposed, is utilized as an energy corridor with two (2) buried gas lines and overhead electrical power. The area receives periodic mowing to maintain access to the gas lines.

According to the NRCS web soil survey, accessed June 21, 2021, the entirety of the parcel at 700 Smith Boulevard is mapped as Urban land (Ur) and the area on National Grid property is mapped as Wayland Soil Complex. Wayland series soils consist of very deep, poorly drained and very poorly drained, nearly level soils formed in recent alluvium within floodplains. Ur soils consist of nearly level to moderately steep areas where the soils have been altered or obscured by more than 85% with urban works and structures. Soil mapping of the supplemental Project Area has been provided as **Figure 3.1-1**. According to the web soil survey, there are no prime farmlands, unique farmlands, or farmlands of statewide or local importance mapped within the Project Area.

Plumley Engineering performed a Phase II Environmental Site Assessment (ESA) for 12.14 acres of the 14.7 acres at 700 Smith Boulevard in August 2014. However, the results were never summarized in a report so CHA Consulting, Inc. (CHA) subsequently summarized them in a supplemental Phase II Investigation Report in April 2015. Total PCBs were detected in soils exceeding Title 6 of the New York Codes, Rules and Regulations (NYCRR), Part 375 – Soil Cleanup Objectives (SCOs) – Restricted Industrial Use limits and Toxic Substance Control Act (TSCA) Cleanup Levels for Low-Occupancy Cleanup levels. Additional site characterization sampling and groundwater sampling took place in 2015 and 2015. The primary contaminant of concern at the site is PCBs in soil. A PCB Risk-Based Cleanup and Disposal Application was prepared by CHA in May 2020 and is included in **Appendix A1**.

The soils at the Beacon Island parcel were addressed in the FGEIS. Since completion of the FGEIS, a Soil Management Plan (SMP) has been developed by Atlantic Testing Laboratories and details the procedures for excavation, disposal, and remediation of the coal fly ash impacted soils. A copy of the SMP has been included in **Appendix A2**.

A full SWPPP has been developed that outlines the erosion, turbidity and sediment control measures to be implemented to mitigate potential water quality impacts, maintain river and Normans Kill bank cover, soil stabilization, and providing adequate riparian buffer area (i.e., existing vegetation in natural state) for fish and wildlife habitat. A copy of the SWPPP has been included in **Appendix A3**.

Also, SMP has been developed by CHA for the 700 Smith Boulevard parcel and is included as **Appendix A4**.

Lands Under Water

The supplemental Project Areas and components do not include any lands under water.

3.1.2. Potential Impacts

Terrestrial Lands

The Project will change the surface coverage of the Project Area by increasing the amount of imperviousness. This change will increase the peak discharge rate of stormwater runoff. In addition, the increased imperviousness will create a need for water quality features. The construction of the Project requires Erosion and Sediment Control measures to mitigate potential short-term water quality impacts including the exposure of bare soil and the mobilization of sediment.

Construction activities may cause noise impacts including earthwork, paving, structure construction, land clearing, and blasting related to bedrock and shale. Construction activities will abide by the Town of Bethlehem's Town Code § 81-5 regarding construction noise and hours of operation. Additional construction considerations are discussed in **Section 2.5.**

Lands Under Water

Potential impacts to lands under water were discussed in the FGEIS, no additional dredging is included as part of the supplemental Project Area.

3.1.3. Mitigation Measures

Terrestrial Lands

There are no natural or unique geographical features located at the Project Area, and therefore no mitigation is required. However, BMPs will be implemented to avoid or minimize impacts outside the Project Area.

Traffic noise within the Project Area is expected from heavy trucks traveling through the Project Area and yard areas. Noise levels from the typical heavy trucks that are expected to operate at the Project Area may produce maximum noise levels of up to 75 dBA at the reference distance of 50 feet (according to the USDOT Federal Highway Administration Construction Noise Handbook).

According to the fundamentals of noise propagation, sound pressures from stationary or slow-moving objects will decrease (attenuate) at a rate of 6 dB each time the distance away is doubled. At a distance of 150 feet, the noise will attenuate to approximately 65 dBA. The preliminary site plans show the roadway used by trucks will bring deliveries from the 700 Smith Boulevard material receiving site will traverse down Normanskill Street and the proposed bridge over the Normans Kill to the site. The primary truck deliver route to each building on the yard side is more

than from 150 feet, at its closest, to the property line. As a result, the Project will comply with the Town noise ordinance.

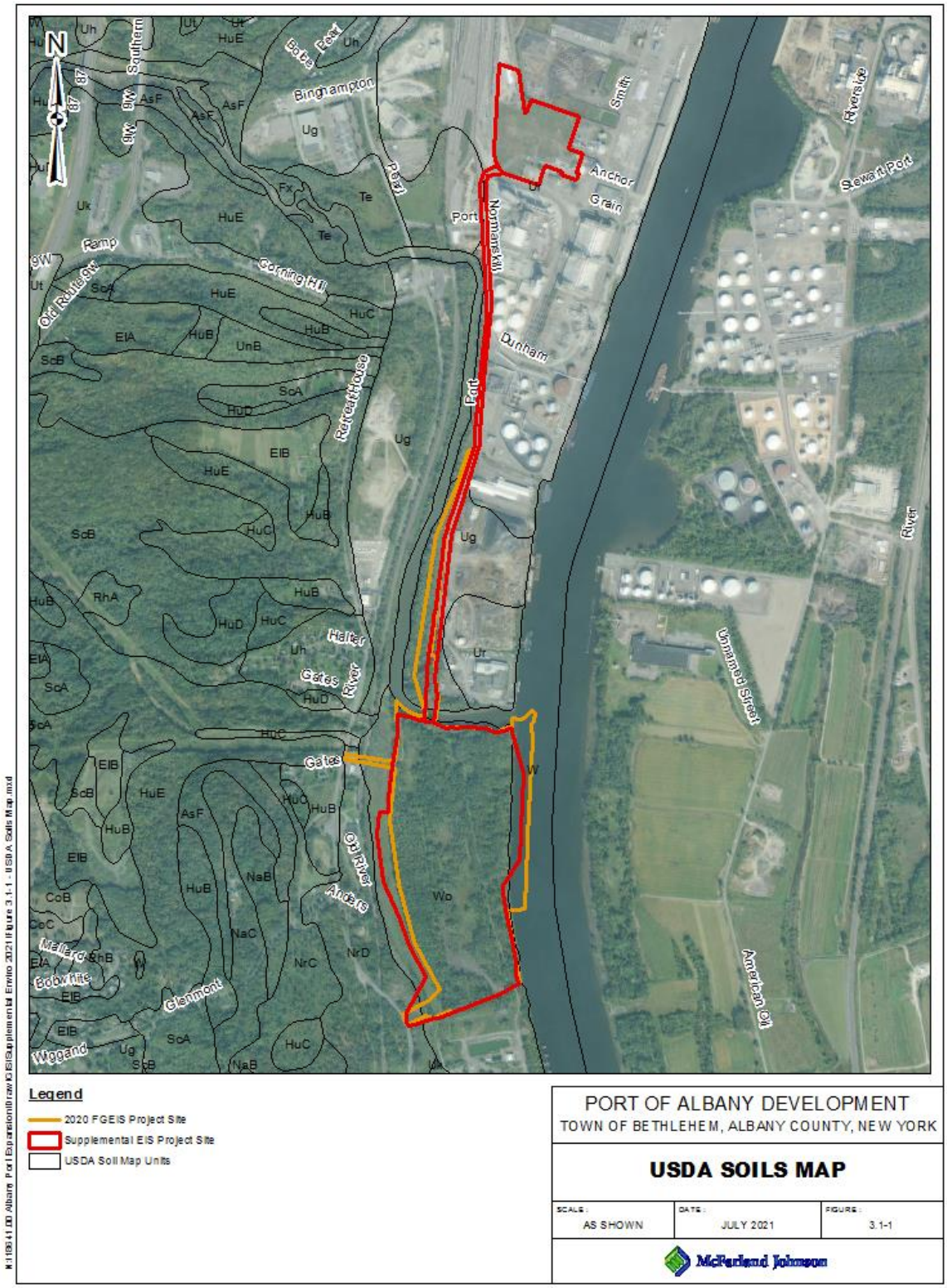
There are no sensitive receptors (e.g., residential land uses) immediately adjacent to the property boundary. The Project Area is bordered by the Hudson River to the east, PSEG Power Plant to the south, National Grid high transmission power lines and railroad tracks to the west, and the Port of Albany to the North. Therefore, there is adequate distance to attenuate site noise from the sensitive residential land uses. In addition, the site sits at a lower elevation than Route 144 creating a sound attenuator on the western site boundary.

Construction related impacts, including soil erosion and sedimentation will be mitigated through appropriate Erosion and Sediment Control as designed and enforced in accordance with the NYSDEC New York State Standards and Specifications for Erosion and Sediment Control. See **Section 3.8** for additional detail of the proposed stormwater management system that will mitigate any potential impacts.

Lands Under Water

The supplemental Project Area and components will not result in additional impacts to lands under water contemplated as part of the 2020 FGEIS, therefore, no specific mitigation for the supplemental is required.

Figure 3.1-1: USDA Soils Map



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3.2. Vegetation and Wildlife

3.2.1. Environmental Setting

Ecological Communities

The supplemental Project Area included in the DSEIS is comprised of an urban vacant lot at 700 Smith Boulevard and adjoining land to Beacon Island. The adjoining land is owned by National Grid, is used as a utility corridor and consists of an intermediate between a mowed roadside/pathway and successional old field community, with an inclusion of common reed marsh. The vacant lot at 700 Smith Boulevard has been undergoing remediation efforts due to previous use for metal recycling.

Vacant Land

Both areas have been previously disturbed or developed. Existing vegetation is limited and generally sparse, with large areas of exposed soil and often with debris.

Successional Old Field

This meadow-type community is generally dominated by forbs and grasses on sites that have been cleared or plowed (Edinger et al, 2014). This community is represented by those areas of the Project Area that have been more recently disturbed but have become extensively revegetated with herbaceous vegetation. Unless maintained, this community type has a relatively short duration on the landscape, and will over time transition into a successional shrubland, and subsequently to a successional woodland.

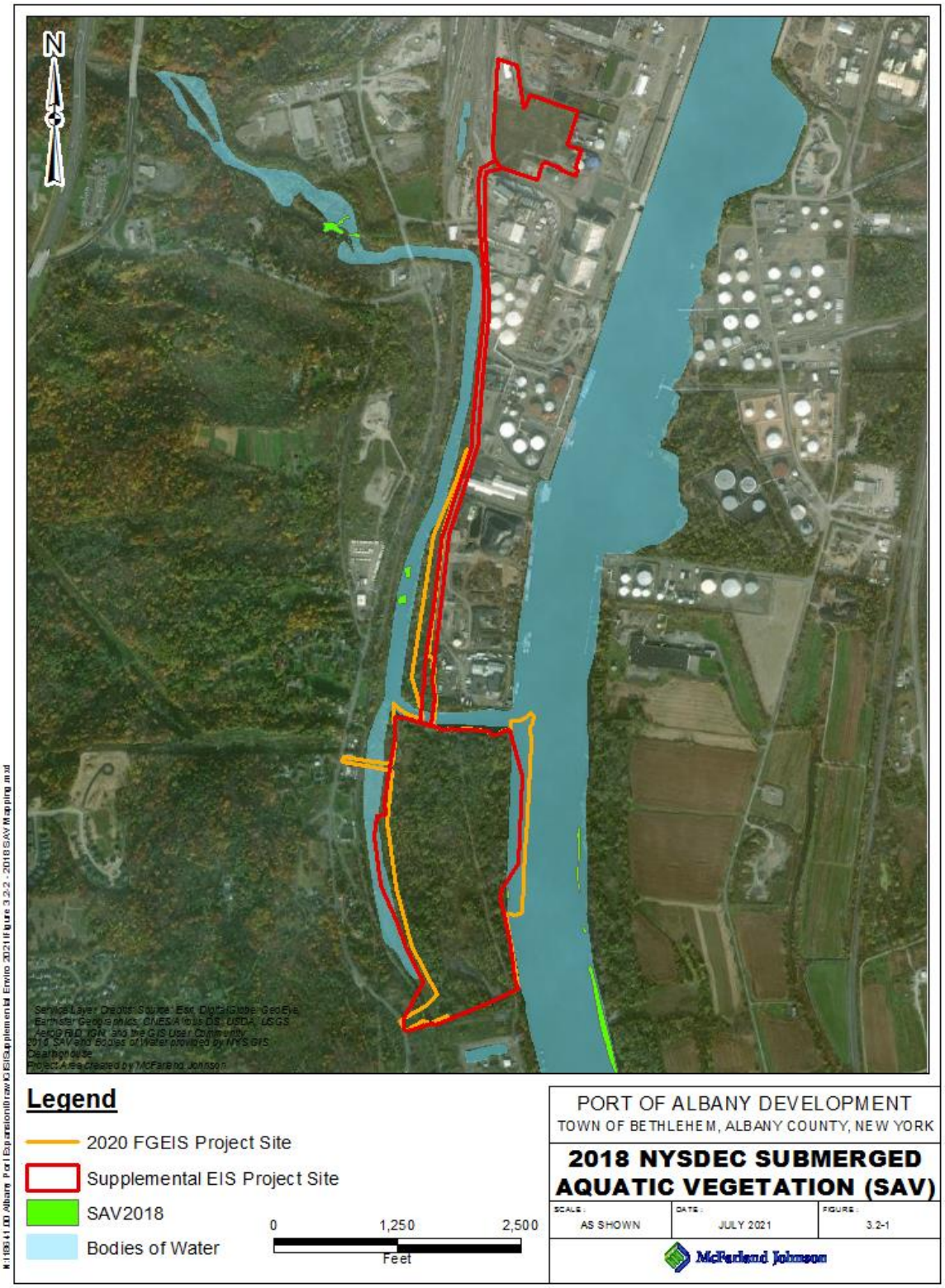
This community is present in a few small patches within the Project Area, and as a result no community specific wildlife observations were made during site visits conducted by a McFarland Johnson wildlife biologist in March, April, and May of 2019. Wildlife observations associated with the more prevalent successional northern hardwoods ecological community are discussed in the following section.

Freshwater Subtidal Aquatic Bed

Freshwater subtidal aquatic bed does not occur within the supplemental Project Area. This community type is characterized by continuously flooded substrates with rooted aquatic vegetation. The water is typically fresh (<0.5‰ salinity) and is usually less than 2 m (6 ft) deep at low tide (Edinger et al, 2014). Freshwater subtidal aquatic bed communities are present within portions of the Hudson River and Normans Kill Creek in the vicinity of the Project.

Based on the most recent mapping event conducted in 2018, there is one small documented SAV bed within the potential project disturbance limits (**Figure 3.2-2**). Since the FGEIS, a SAV survey was performed by Biodrawversity in June 2020 and identified three (3) patches of SAV along the western riverbank of Hudson River and within the boundaries of the original Project Area. Two (2) of the patches are very low density, consisting primarily of *Vallisneria americana,* and one (1) patch of moderate to high density of *Vallisneria americana* and strands of *Trapa natans* and *Potamogeton crispus*.

Figure 3.2-1: 2018 NYSDEC Submerged Aquatic Vegetation (SAV)



Most of the SAV occurred in depths up to 3.5 feet, with some growing no farther than approximately 15 feet from the mean low water (MLW) line. A copy of the SAV report is included in **Appendix B**.

Essential Fish Habitat, Significant Coastal Fish and Wildlife Habitat

Essential fish habitat and coastal fish and wildlife habitat were reviewed in the 2020 FGEIS. There is no essential fish habitat identified within supplemental Project Area. However, the section of the Normans Kill within the original Project Area is significant fish and Wildlife habitat (19 NYCRR Part 600.5(b)(1)).

Threatened and Endangered Species

According to the Endangered Species Act (ESA) Section 7 Mapper[1] from the National Oceanic and Atmospheric Administration (NOAA) Fisheries Greater Atlantic Region, the Hudson River is identified as spawning and foraging grounds for the Atlantic Sturgeon (*Acipenser oxyriynchus oxyriynchus*) and Shortnose sturgeon (*Acipenser brevirostrum*). The supplemental Project Area is not located within or adjacent to the Hudson River, however, specific project related impacts and mitigation measures will be addressed in consultation with the NYSDEC as part of the 401 Water Quality Certification and Article 15 permit to be issued by the NYSDEC. The applicant's latest response to NYSDEC comments is included in **Appendix F2**.

The supplemental Project Area includes a previously developed, currently vacant parcel at 700 Smith Boulevard. The site is previously disturbed and has been undergoing remediation efforts. Given the history of parcel, it is not anticipated listed or protected species at the site. Additionally, this parcel does not support habitat for listed species.

There will be approximately 4.4 acres of impacts to the National Grid property. The property is maintained as a power or utilities corridor with two (2) underground gas lines and overhead electrical wires, the gas line receives periodic mowing and woody vegetation management. A field investigation was completed by McFarland Johnson, Inc., on April 28 and 29, 2021, to survey the additional 18.22 acres of land west of the initial study area for the potential presence of three (3) state-listed plant species: side-oats grama (*Bouteloua curtipendula var. curtipendula*) and violet wood sorrel (*Oxalis violacea*), and the NYS threatened Small's knotweed (*Polygonum buxiforme*). The subject study area is generally bounded by the Normans Kill to the north, the Bethlehem Energy Center to the south, a rail corridor to the west, and a forested area and portions of the original studied Project Area to the east. Based on the investigation, there was no potential for violet wood sorrel or side-oats grama on the site due to lack of habitat as the site was largely dominated by emergent wetland and invasive weed species. No polygonum species were identified within the supplemental review area. A copy of the technical memo has been included as **Appendix C**.

Since the FGEIS, a Freshwater Mussel Survey was completed by Biodrawversity in June 2020 in the Hudson River and Normans Kill creek, specifically within the boundaries of the original Project

[1] https://noaa.maps.arcgis.com/apps/webappviewer/index.html?id=1bc332edc5204e03b250ac11f9914a27

Area. According to the survey, live mussels of only two (2) native species were found in the Hudson (*E. complanata* and *Leptodea fragilis*). *L. fragilis* has a state-rank of S3 and has rarely been observed in the tidal Hudson River where it is not native. In addition to these two (2) species, several old relic shells of *Anodonta implicata* (alewife floater) were found, and one (1) shell of *Lampsilis radiata* (eastern lampmussel) was found. No mussel shells were found on the shoreline, and few were found in the intertidal zone. No live mussels were found in the Normans Kill. Zebra mussels were present in both waterbodies. A copy of the survey report is included in **Appendix D**.

3.2.2. Potential Impacts

Ecological Communities

Upland Communities

All upland ecological communities within the supplemental Project Area consist of previously disturbed lands that are common and demonstratable secure within the region and New York State. As a result, the impact to these ecological communities is not considered to be a significant environmental impact.

Aquatic Communities

Impacts to freshwater wetlands and surface waters are regulated by the USACE under Section 404 of the CWA, Section 10 of the RHA and the NYSDEC under Article 15-Protection of Waters. Further descriptions of these potential impacts and mitigation are detailed in **Section 3.3**.

As previously mentioned, based on the SAV survey performed in 2020, there were three (3) patches of SAV located along the shore of the Hudson River along Beacon Island. As shown in the preliminary site plans, only one (1) patch of approximately 0.21 acre in size, is located within the footprint of the proposed dredging. Also, eight (8) *Leptodea fragilis were detected* within the proposed dredging area and required relocation.

Essential Fish Habitat

There are no designated EFHs are located in the vicinity of the Project and no impacts will occur.

Significant Coastal Fish and Wildlife Habitat

According to the New York Department of State (NYSDOS), 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 may also affect the habitat.

Threatened and Endangered Species

The dredging and wharf construction will take place in the Hudson River, which is listed as spawning and foraging grounds for Atlantic sturgeon and Shortnose sturgeon.

The proposed wharf consists of a deep foundation-supported concrete-framed open-type wharf structure that provides overall dimensions of 500 feet in length by 93 feet in width. The wharf includes a heavy stone slope revetment, high-modulus steel sheet pile cutoff wall, and drilled shaft supported open wharf and relieving platform. This maritime infrastructure includes all dredging, foundations, marine structural components, and ancillary items that accommodate vessels at berth, and support equipment and products that are transferred to and from vessels and the site. Construction duration for proposed wharf is approximately 18 months.

The total area of the wharf is 45,500 square feet (SF). The area of the wharf provided over water (outboard of the sheet pile cutoff wall) is approximately 27,500 SF. The entire ballasted wharf deck is located above the mean higher high water (MHHW) elevation (MHHW is approximate elevation +4.56 NAVD29; elevation +3.78 NGVD88); hence, the structures below MHHW are limited to the 136 - 48" diameter drilled shaft foundations with permanent steel casing. The design also takes into consideration sea level rise. The 136 in-water drilled shaft foundations have an equivalent area of coverage of approximately 1,710 SF.

The wharf construction is proposed along 500 linear feet of western riverbank of the Hudson River. Approximately, 105,000 cubic yards in 4.4 acres of the Hudson River would be dredged. There are various conditions that the aforementioned listed species may be subject during the Project's in-water work activities (i.e., wharf construction and dredging). These are mainly an increase in turbidity during the maintenance dredge operation, underwater noise, the risk of an incidental involuntary strikes (unlikely) with dredging equipment to an individual of a protected species during in-water work activities. However, this is a short-term / temporary in-water work construction within a well define and limited area.

Concerning habitat modification and effects on critical habitat, the habitat to be affected is small compared to available habitat within and outside the area to be occupied by the Project. The following table summarizes the effects analysis for each species that may be present at the site.

Species	Potential Effects	Summary of BMPs and Key Conservation Measures
• Shortnose sturgeon • Atlantic sturgeon	• Vessels movements and involuntary Vessel strikes • Involuntary pinning between dredging bucket and riverbed; capture in mechanical dredging • Turbidity and resuspension of sediments • Underwater noise due to pile driving • Habitat modification • Effects on critical habitat	• Implement slow speed approach for project vessels • No dredging between March 15th to September 30st as per NMFS guidelines • NYSDEC Dredging work window between September 1st to November 30th, as per 2020 FGEIS • Closed clamshell environmental bucket would be lifted slowly through the water, at a rate of approximately two (2) feet per second • Turbidity control with floating turbidity barriers, SWPPP and utilization of clamshell bucket in dredging • Mitigation of SAV bed within dredging area • Implementation of noise attenuation tools, as needed • Monitoring and installation of signs and educational material

In addition, potential impacts to cobra clubtail, umber shadowdragon, and alewive floater were evaluated in the FGEIS.

Northern Long-eared Bat

Based on publicly available data from the NYSDEC, as of June 28, 2018, there has been a reported known winter occurrence of northern long-eared bat in the Town of Bethlehem, Albany County (http://www.dec.ny.gov/animals/106090.html). Potential suitable foraging and suitable roosting habitat for northern long-eared bats is present within the Project Area. The Project will result in the removal of trees that could provide potential suitable roosting habitat. All trees within the Project 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. Based on this information, the Project may affect, however is not likely to adversely affect northern long-eared bat.

Bald Eagle

Based on correspondence with NYSDEC, there was one (1) nest within the original Project Area; however, the nest fell in 2017. Although the nest is no longer present, the tree the nest was constructed in is no longer standing as documented in the FGEIS. There are multiple Bald Eagle nests in the vicinity of the Project Area, at a distance greater than 0.25 miles. NYSDEC staff, as discussed during the FGEIS process, do not believe the project will result in impacts to these nests given the boundary. A copy of the email correspondence has been included in **Appendix C.**

Side-oats Grama

The Supplemental Rare Plant Survey conducted in April 2021 by McFarland Johnson, Inc., indicated that the area of railroad ballast adjacent to the site was unsuitable for this species due to lack of soils. The toe of slope did not exhibit open areas or sandy soils necessary for the propagation of this species. No grass species were identified within the supplemental study area that demonstrated the distinctive growth form, vegetative characteristics, or semi-persistent stalks of side-oats grama. The majority of the site is dominated by common reed, which has been identified one of the largest threats to this species in New York State. Therefore, the project is not expected to result in impacts to side-oats grama.

Violet Wood Sorrel

The Terrestrial Environmental Specialists, Inc. (TES) plant survey conducted in 2019 indicated that there was no suitable violet wood sorrel habitat within the Project limits. No impacts to this species are expected to occur as a result of this Project. The Supplemental Rare Plant Survey indicated that there was no suitable habitat within the supplemental Project Area, therefore the project is not expected to result in impacts to violet wood sorrel.

Small's Knotweed

TES observed one patch of *Polygonum sp*. in the disturbed roadside community immediately adjacent and west of South Port Street at the northern limits of the Project Area. TES indicated that the plants observed where most likely the common doorweed (*Polygonum aviculare*), however Small's knotweed can only be reliably identified from other closely related Polygonum species when in flower. Small's knotweed begins in July and the fruits will persist until the first frost. McFarland-Johnson, Inc., revisited the area where TES previously observed *Polygonum sp.* And verified the presence of a polygonum species in an active growth state but was unable to confirm species level identification. Based on the site conditions, McFarland-Johnson, Inc. concurs with TES's opinion that this species is likely the more common and widespread common doorweed (*Polygonum aviculare*).

As shown on the grading plan in **Appendix Q** of the FGEIS, the Project will avoid this area, and therefore there is no anticipated impact to this species. The implementation of the SWPPP which will require the installation of a protective silt fence shall serve as mitigation against potential impacts to Small's knotweed.

3.2.3. Mitigation Measures

Ecological Communities

Upland Communities

All upland ecological communities within the supplemental Project Area consist of previously disturbed lands that are common and demonstratable secure within the region and New York State, and as a result no mitigation is required.

Aquatic Communities

Impacts to freshwater wetlands and surface waters would be regulated by USACE under Section 404 of the CWA or Section 10 of the RHA and/ or NYSDEC under Article 15- Protection of Waters. Further descriptions of these potential impacts and mitigation to are detailed in **Section 3.3**.

The Project will result in approximately 0.21 acre of impacts to SAV. Based on correspondence from NYSDEC dated August 29, 2020, SAV (*V. americana*) is recommended to be transplanted and added to the other adjacent SAV bed to remain. Additionally, eight (8) individuals of *Leptodea fragilis* (freshwater mussel) were detected within the dredging limits and recommended for relocation as per NYDEC. If needed, alternate mitigation strategy will be developed in coordination with USACE and NYSDEC.

Essential Fish Habitat

No EFHs are present within the supplemental Project Area; therefore, no mitigation measures are required.

Significant Coastal Fish and Wildlife Habitat

All proposed impacts to and mitigation for significant coastal fish and wildlife habitat were addressed in the FGEIS. The proposed supplemental Project Area and components will not result in changes to anticipated impacts previously evaluated.

Threatened and Endangered Species

Northern Long-eared Bat

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 follow the following applicable AMMs:

- The project, to the extent practicable, will be designed to avoid tree removal in excess of what is required to implement the project safely.
- The project will be constructed to ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field.
- Temporary lighting during construction will be directed away from suitable NLEB habitat during the active season.
- Permanent outdoor lighting will use downward-facing, full cut-off lens lights, or otherwise direct lighting away from suitable NLEB habitat.

Bald Eagle

Since there is not impacts to bald eagles, no mitigation measures are required.

Atlantic Sturgeon and Shortnose Sturgeon

Avoidance and minimization efforts implemented as part of the overall project design include:

- Wharf was relocated and size reduced to avoid dredging in submerged aquatic vegetation (SAV) bed with moderate to high density of water celery (*Vallisneria americana*).
    - *Water celery* (sparse, low density) detected within the proposed dredging area would be transplanted and added to the other SAV beds outside the project limits and to remain.
- General layout of the proposed wharf places the riverside face of structure coincident with the face of the existing timber revetment.
- Proposed bridge over Normans Kill was redesigned and to be constructed outside MHHW (no "in water work" construction).
- Reconfiguration of proposed surface parking to avoid wetland impacts and construction of a fill type retaining wall to minimize the need of fill in wetland area.
- Proposed site grading or fill above and avoiding current MHHW line.

In addition, the following is proposed as BMPs and mitigation measures to further avoid and minimize potential impacts for species under NMFS jurisdiction (i.e., Atlantic sturgeon and Shortnose sturgeon).

- All in-water work areas for both dredging and wharf construction will be completed within the confines of a weighted turbidity curtain, which will isolate work areas from other areas of the river. The turbidity curtain is also anticipated to serve as a barrier that excludes potential entry of fish and other marine species into the work area during the time it is deployed.
    - Turbidity curtains are proposed to avoid and minimize potential impacts to Atlantic sturgeon and Shortnose sturgeon. Additionally, floating turbidity curtains, staked turbidity barriers and/or silt-fence would be installed to protect SAV beds to remain.
    - Large portion of the channel will remain open for aquatic organism passage.
- The Project intends to avoid dredging during spawning periods of the Atlantic sturgeon and Shortnose sturgeon. Timing restrictions (March 15th to September 30th) for dredging would be implemented as per guidelines from the NOAA National Marine Fisheries Services
- Use of a clamshell (closed) bucket to minimize resuspended sediments and dredged material will be placed in barges in a manner that minimizes high turbidity levels.
    - Dredged material will be placed deliberately in the barge to prevent spillage of material overboard.
    - The closed clamshell environmental bucket would be lifted slowly through the water, at a rate of approximately two (2) feet per second.

  - No dragging of the dredge bucket along the sediment surface, nor use of drag beam for profiling the dredge surface.

- For the wharf construction, the permanent steel casing for the drilled shaft foundations and the sheet pile wall components would be vibrated in, rather than utilizing an impact hammer. An impact hammer would be used only to seat the steel casing within the first few inches in the top of rock. The overall construction is somewhat similar to the previous dock reinforcement project recently undertaken by the APDC for improvements to the docks at Sheds No. 4 and 5, and more recently the Cargill/Ardent Mills Grain Wharf Reconstruction. Other BMPs considered include:
  - Use of pre-drilling prior to vibratory hammering
  - Implement soft start (i.e., pile tapping) prior to full energy impact hammering
  - If necessary, cushion blocks, air bubbles curtain or other noise attenuating tools would be implemented when impact hammering to avoid reaching noise levels that could cause injury or behavioral disturbance to these species.
- Dredged sediments would be placed in a scow, dewatered, and transported offsite for upland disposal
- Use of nets, tarps, and/or pans during construction of the bridge deck over the Normans Kill and removal of any debris that falls into the water.
- A SWPPP has been prepared and presented in the Joint Permit Application outlining the Erosion and sediment control measures to be implemented and address potential water quality impacts. A copy of the SWPPP has been included in **Appendix A3**.

Side-oats Grama

Due to lack of presence within the supplemental Project Area, no specific mitigation measures are proposed for this species.

Violet Wood Sorrel

Based on a lack of habitat and species presence within the supplemental Project Area, no specific mitigation measures are proposed for violet wood sorrel.

Small's Knotweed

Due to lack of presence within the supplemental Project Area, no specific mitigation measures are proposed for this species.

Cobra Clubtail

Due to lack of presence within the supplemental Project Area, no specific mitigation measures are proposed for this species.

Umber Shadowdragon

Due to lack of presence within the supplemental Project Area, no specific mitigation measures are proposed for this species.

Freshwater Mussels

Based on results from the freshwater mussel survey performed in June 2020, *L. fragilis*, a state ranked S3 species, was detected within the limits of the proposed dredging, with only relic shells of alewive floater. According to correspondence with NYSDEC, this species is ranked as S2/S3 freshwater mussel and required relocation. A copy of the correspondence has been provided in **Appendix E**.

Section References:

Edinger, G. J., D. J. Evans, S. Gebauer, T. G. Howard, D. M. Hunt, and A. M. Olivero (editors). 2014. Ecological Communities of New York State. Second Edition. A revised and expanded edition of Carol Reschke's Ecological Communities of New York State. New York Natural Heritage Program, New York State Department of Environmental Conservation, Albany, New York.

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USFWS, 1997. Significant Habitats and Habitat Complexes of the New York Bight Watershed. U.S. Fish and Wildlife Service. Southern New England- New York Bight Coastal Ecosystems Program, Charleston Rhode Island.

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3.3. Regulated Wetlands and Surface Waters

3.3.1. Environmental Setting

Surface Waters

Previously Evaluated in FGEIS

Surface waters within the Project Area include the Hudson River and Normans Kill. Both riverine systems are subject to tidal influence and are considered tidal freshwater reaches, having salinities of <0.5%. Jurisdiction of these surface waters was evaluated in the FGIES.

Supplemental Project Area

Proposed action under this DSEIS will not result in additional impacts to surface waters.

Wetlands

Previously Evaluated in FGEIS

A wetland delineation was conducted in April 2019 by McFarland Johnson, Inc., for the FGEIS. The results of the delineation indicated that there are 8 freshwater wetlands located within the project limits. These wetlands are hereafter referred to as Wetlands 1, 3, 4, 5, 6, 7, 8, and 9. Wetlands within the original study are totaled approximately 2.33 acres. The USACE field reviewed the wetland boundaries and provided verbal acceptance of the boundaries on May 13, 2019. A Preliminary Jurisdictional Determination is pending.

Supplemental Project Area

The New York State Freshwater Wetland and Tidal Wetlands mapping indicates there are no NYSDEC jurisdictional wetlands within or adjacent to the supplemental Project Area (**See Figures 3.3-1 and 3.3-2**). Review of USFWS National Wetlands Inventory (NWI) mapping indicates that the majority of the supplemental Project Area on National Grid property is mapped as palustrine emergent wetlands (PEM) and partially with palustrine forested wetlands (PFO) (**See Figure 3.3-3**). It should be noted that NWI mapping does not have any regulatory consequence, but rather indicates areas that may meet federal wetland criteria as identified by the USFWS using aerial photography.

A Supplemental Wetland Delineation was performed by McFarland-Johnson, Inc., in April 2021 for the 18.22 acres on the National Grid parcel. The wetland delineation was conducted through field investigations of vegetation, soils and hydrology in accordance with the USACE protocols outlined in the 1987 Corps of Engineers Wetlands Delineation Manual (1987 USACE Manual), and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Regional Supplement), dated January 2012. The wetland boundaries were recorded using a hand-held Trimble Geo7X GPS unit with decimeter (10 cm/ 4 inch) post processing accuracy. USACE Wetland Determination Data Forms were recorded to document the wetland.

One contiguous wetland, comprising a total of approximately 7.13 acres, was delineated within the 18.22-acre area under the supplemental Project Area. The delineated wetland represents an extension of the 2019 wetland delineation and previously identified as Wetland 1. The 7.13-acre portion of Wetland 1 located within the National Grid parcel is considered predominately a PEM wetland. Dominant vegetative species included eastern cottonwood (*Populus deltoides*), common reed (*Phragmites australis*), purple loosestrife (*Lythrum salicaria*), and spike rush (*Eleocharis palustris*). Wetland 1 drains in a northerly direction into 40-inch corrugated metal pipe (CMP) which discharges directly to the Normans Kill.

Wetland 1 has a direct surficial hydrological connection to the Normans Kill, which is considered a TNW under Section 10 of the Rivers and Harbors Act and Section 404 of the CWA, and therefore should be regulated under Section 404 of the CWA.

A copy of the Supplemental Wetland Delineation Report and figures prepared in May 2021 have been included in **Appendix F1**.

Figure 3.3-1: NYSDEC Freshwater Wetlands Map

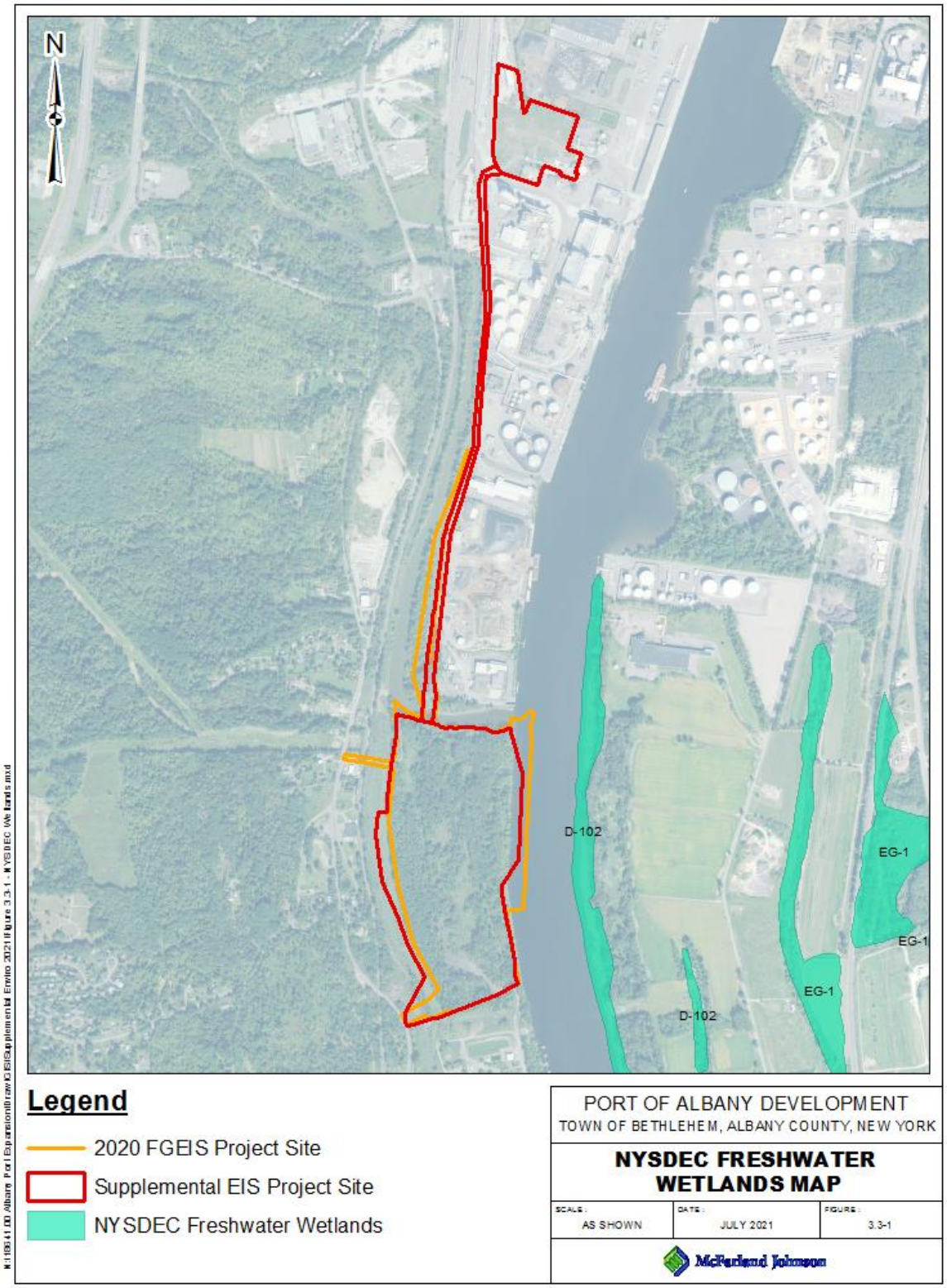


Figure 3.3-2: NYSDEC Tidal Wetlands Map

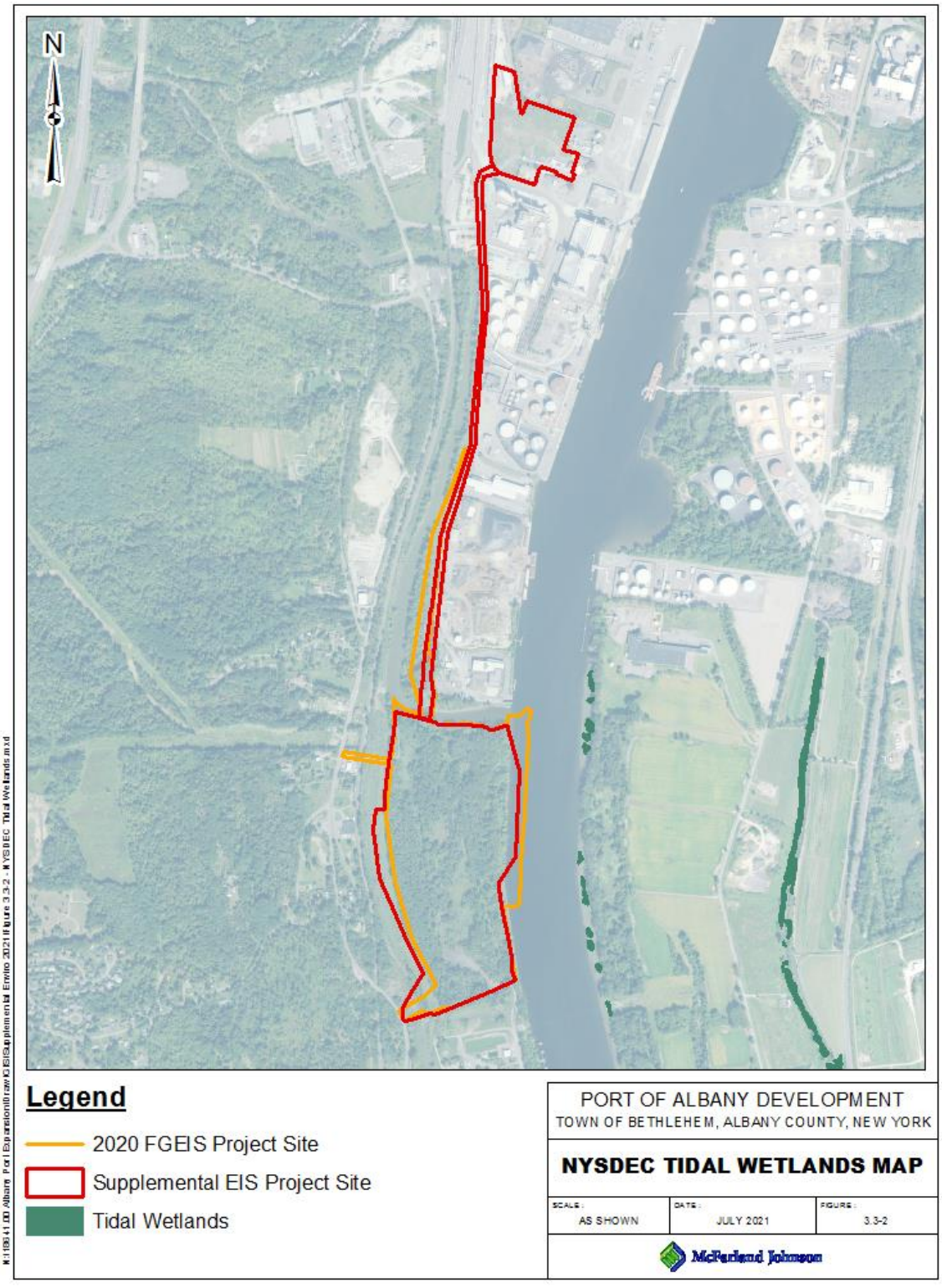
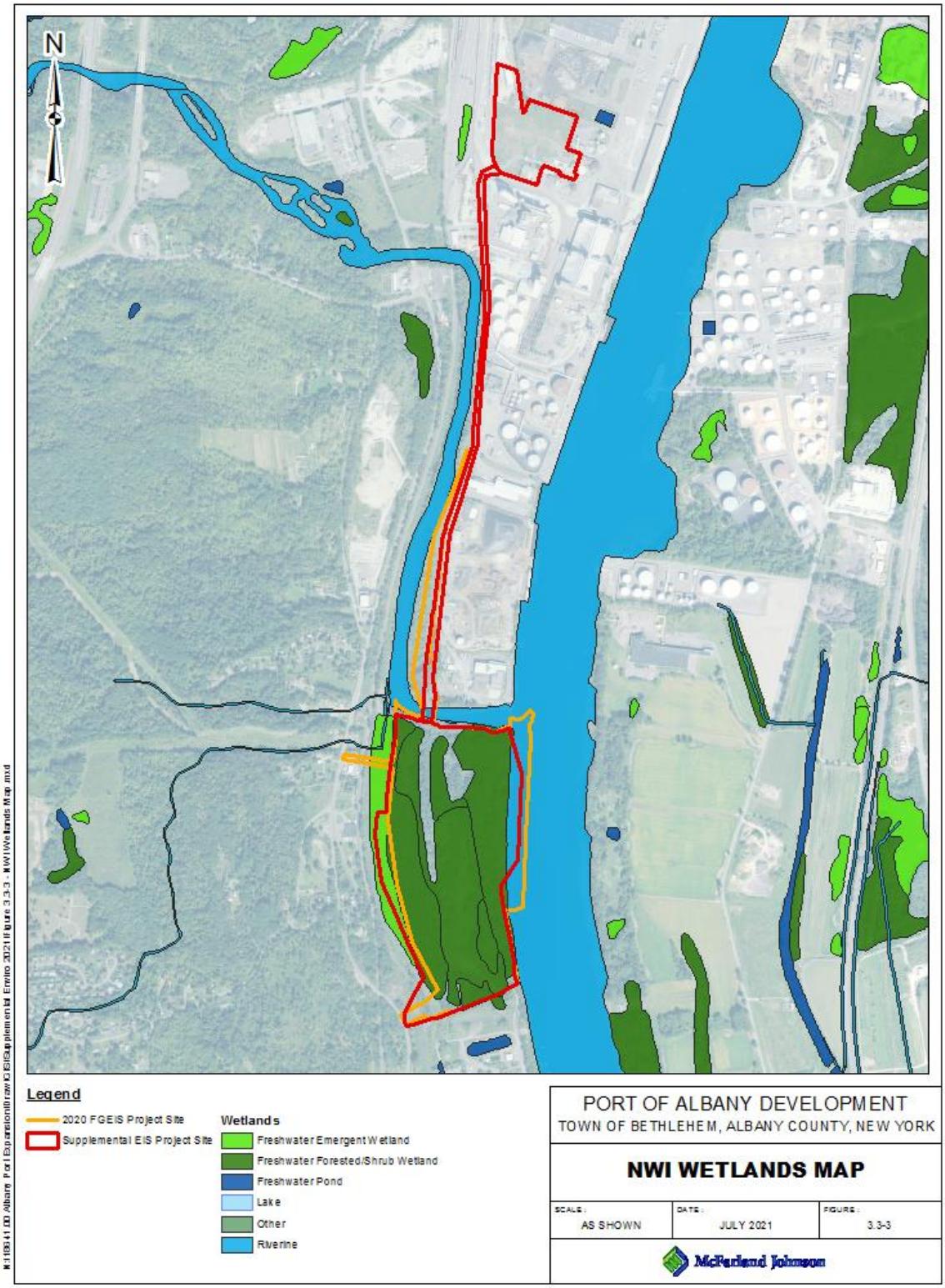


Figure 3.3-3: NWI Wetlands Map



3.3.2. Potential Impacts

Surface Waters

The work associated with the supplemental Project Area will not result in impacts to surface waters.

Wetlands

In addition to the 0.04 impacts to Wetland 9 for the bridge over the Normanskill, the Project will also result in direct impacts to 0.81 acres over Wetland 1 located in Beacon Island (original Project Area) and 0.01 acres of direct impact to Wetland 1 on National Grid property for the construction of a retaining wall, and 0.02 impacts to Wetland 7 for roadway improvements. There will be approximately 0.33 acres of temporary impacts to wetlands during construction. Total permanent wetland impacts are estimated in approximately 0.86 acre.

Permit applications have been submitted and are under review under USACE case numbers AN-2021-00948-UDA, and NYSDEC case number 4-0122-00322/00002. See **Appendix F2** for Agency Correspondence.

3.3.3. Mitigation Measures

Surface Waters

Mitigation for impacts to surfaces waters associated with the project as a whole was discussed in the FGEIS. The work associated with the supplemental Project Area will not result in additional impacts to surface waters therefore no specific mitigation measures are addressed in the SEIS.

Wetlands

As discussed in the FGEIS, compensatory wetland mitigation may be required as a permit condition by the USACE depending on the final specific details of the project. Wetland mitigation can come in the form of restoration, establishment, enhancement, and/or preservation of wetlands. Typical mitigation ratios recommended by the USACE are shown in **Table 3.3-1**.

Table 3.3-1: Typical USACE Recommended Wetland Mitigation Ratios

Wetland Type	Restoration (Re-Establishment)	Creation (Establishment)	Enhancement (Rehabilitation)	Preservation (Protection/ Management)
Open Water (PUB)	1:1	1:1	Project Specific	Project Specific
Emergent (PEM)	2:1	2:1 to 3:1	3:1 to 10:1	15:1
Scrub-Shrub (PSS)	2:1	2:1 to 3:1	3:1 to 10:1	15:1
Forested (PFO)	2:1 to 3:1	3:1 to 4:1	5:1 to 10:1	15:1

Source: Excerpted from USACE's "New England District Compensation Mitigation Guidance" dated July 20, 2010

Based on regulations promulgated by the Department of Defense and Environmental Protection Agency in *Mitigation for Losses of Aquatic Resources; Final Rule* (Fed. Reg. Vol. 73, No. 70, April 10, 2008) the hierarchy graphic of the preferred wetland mitigation options for impacts to federally regulated wetlands are presented in the following graphic.

The Project anticipates impacting a total 0.86 acres of wetlands associated with the construction of the bridge over the Normans Kill and site development.

Compensatory wetland mitigation would be satisfied through a federally approved In-Lieu Fee Mitigation Program or off-site mitigation bank (The Wetland Trust). Mitigation in accordance with USACE rules and regulations will ensure no net loss of wetlands.

3.4. Floodplains and Floodways

3.4.1. Environmental Setting

Previously Evaluated in FGEIS

Based on the most current Federal Emergency Management Agency (FEMA) map of Project Area the majority of the Project Area is mapped within the 100-year floodplain of the Hudson River (**Figure 3.4-1**). The floodplain area is mapped as "Zone AE",

Supplemental Project Area

The majority of the supplemental Project Area is located within the same FIRM panel (Map No. 36001C0307D, Effective March 16, 2015), except for the northern portion of 700 Smith Boulevard, which is located within FIRM panel 36001C0194D, also effective March 16, 2015. The majority of the supplemental Project Area is located within the 100-year floodplain, mapped as "Zone AE", meaning the area inundated by 1% annual chance flooding, for which base flood elevations (BFEs) have been determined. The BFE line has been established at approximately 18 feet within the area of the Project Area as referenced to North American Vertical Datum of 1988 (NAVD 88).

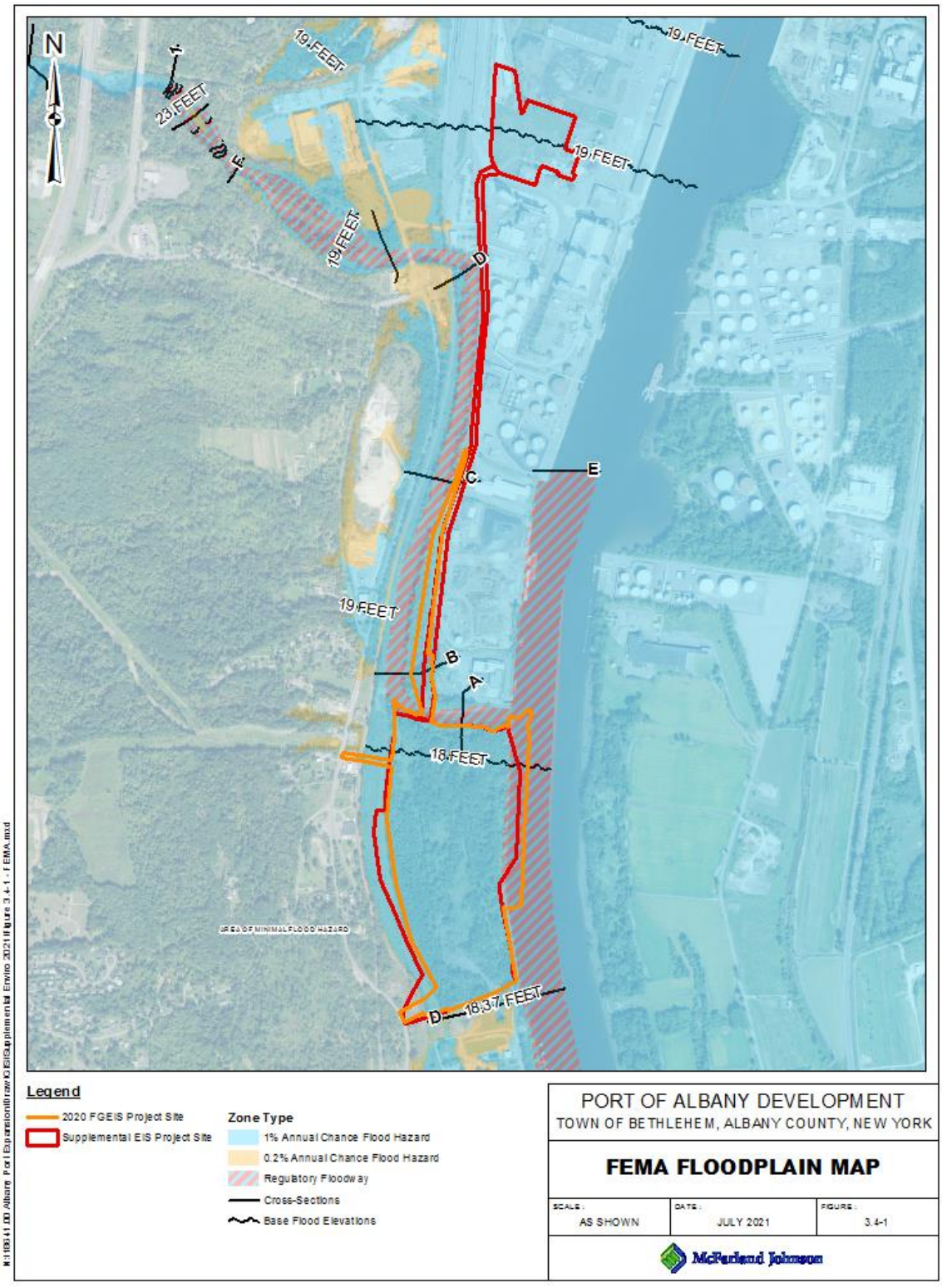
Historical data of the Hudson River show that crest heights of the river below 18 feet. The gauge on the Hudson River at Albany, NY managed by the NY Water Science Center Troy (USGS gauge number 01359139), approximately three miles upstream of the Project Area and three miles downstream of the Troy Lock and Dam, show only four recorded event greater than 18 feet; one of which was the result of an ice dam. During Irene in August of 2011 the Hudson crested at approximately 14.6 feet in this location.

Below is a table of results showing predicted sea level rise in the Mid-Hudson Region for different time horizons at different confidence levels. These results were generated from the NYSDEC's ClimAID model. Storm surge is applicable as storm surges relate to coastal locations and the Site Location is not considered a coastal location, as defined by FEMA.

Time Interval	*Low Projection*	*Low-Medium Projection*	*Medium Projection*	*High- Medium Projection*	*High Projection*
2020s	*1 inch*	*3 inches*	*5 inches*	*7 inches*	*9 inches*
2050s	*5 inches*	*9 inches*	*14 inches*	*19 inches*	*27 inches*
2080s	*10 inches*	*14 inches*	*25 inches*	*36 inches*	*54 inches*
2100	*11 inches*	*18 inches*	*32 inches*	*46 inches*	*71 inches*

Source: 6 CRR-NY 490.4(a)

Figure 3.4-1: FEMA Floodplain Map



3.4.2. Potential Impacts

The project also involves fill and placement of structure(s) within the 100-year floodplain. The building at 700 Smith Boulevard will meet the FEMA NHIP and NYS CRRA recommendations and standards specified in the FGEIS.

3.4.3. Mitigation Measures

The building at 700 Smith Boulevard is not anticipated to significantly affect the flood plain BFE in this area. The building finished floor is set at elevation 21.0, which is 3.0 feet above the floodplain and of above the projected sea level rise (19 inches); therefore, no further mitigation measures are recommended.

The final project design will involve coordination with FEMA and the City of Albany. The project will use floodplain design standards that meet or exceed floodplain development requirements and building codes, and as a result no further mitigation is being proposed. As part of the Site Plan approval process, the owner will be required to obtain a Floodplain Development Permit pursuant to Bethlehem Town Code Chapter 69-Flood Damage Prevention.

3.5. Groundwater

3.5.1. Environmental Setting

The Environmental Protection Agency (EPA) Sole Source Aquifer (SSA) program was established under the Safe Drinking Water Act (SDWA). According to the EPA, a SSA is defined as one that supplies at least 50 percent of the drinking water for its service area, and wherein which there is no reasonably available alternative drinking water sources should the aquifer become contaminated. The SSA program allows for EPA review of federally funded projects that have the potential to affect designated SSAs and their source areas.

New York has several programs designed to protect groundwater, most notably the Water Quality Standards Program (6 NYCRR Parts 700-706) and the Aquifer Vulnerability Assessment requirement under SEQR. In addition, the NYSDEC protects designated Primary and Principal Aquifers as defined under Section 2.1.3 of the Division of Water Technical & Operational Guidance Series. A Primary Aquifer is one that is highly productive and is currently being utilized as a source of water supply by a major municipal water supply system. A Principal Aquifer is defined as an aquifer that is or could potentially be highly productive but is not currently intensely used as a source of water for a major municipal water system.

The supplemental Project Area is not located over an EPA designated sole source aquifer, or a NYSDEC designated primary aquifer. However, the Project Area is located over a NYSDEC mapped principal aquifer area (See **Figure 3.5-1**).

Based on recent subsurface and geotechnical investigations prepared by CME Associates, Inc. and Dente Group respectively, shallow groundwater was observed at depths ranging from approximately 1.5 to 13.7 feet below existing grade. However, due to the subsurface conditions, the shallower observations could be representative of perched groundwater zones due to discontinuous impermeable layers. Shallow groundwater fluctuations should be expected to

occur at the Project Area depending on several factors such as rainfall, seasonal changes, prevailing climate, ambient weather conditions, and the tidal influences of the Hudson River. Geotechnical reports have been included in **Appendix E1** of the FGEIS.

3.5.2. Potential Impacts

Based on the estimated potable water demand of 1,000 gallons per day (gpd) (as discussed in **Section 3.9**) for the 700 Smith Blvd site and the City has adequate capacity to serve the site, the project will have no significant adverse impact on the capacity of the Town or City of Albany water supply, or infrastructure.

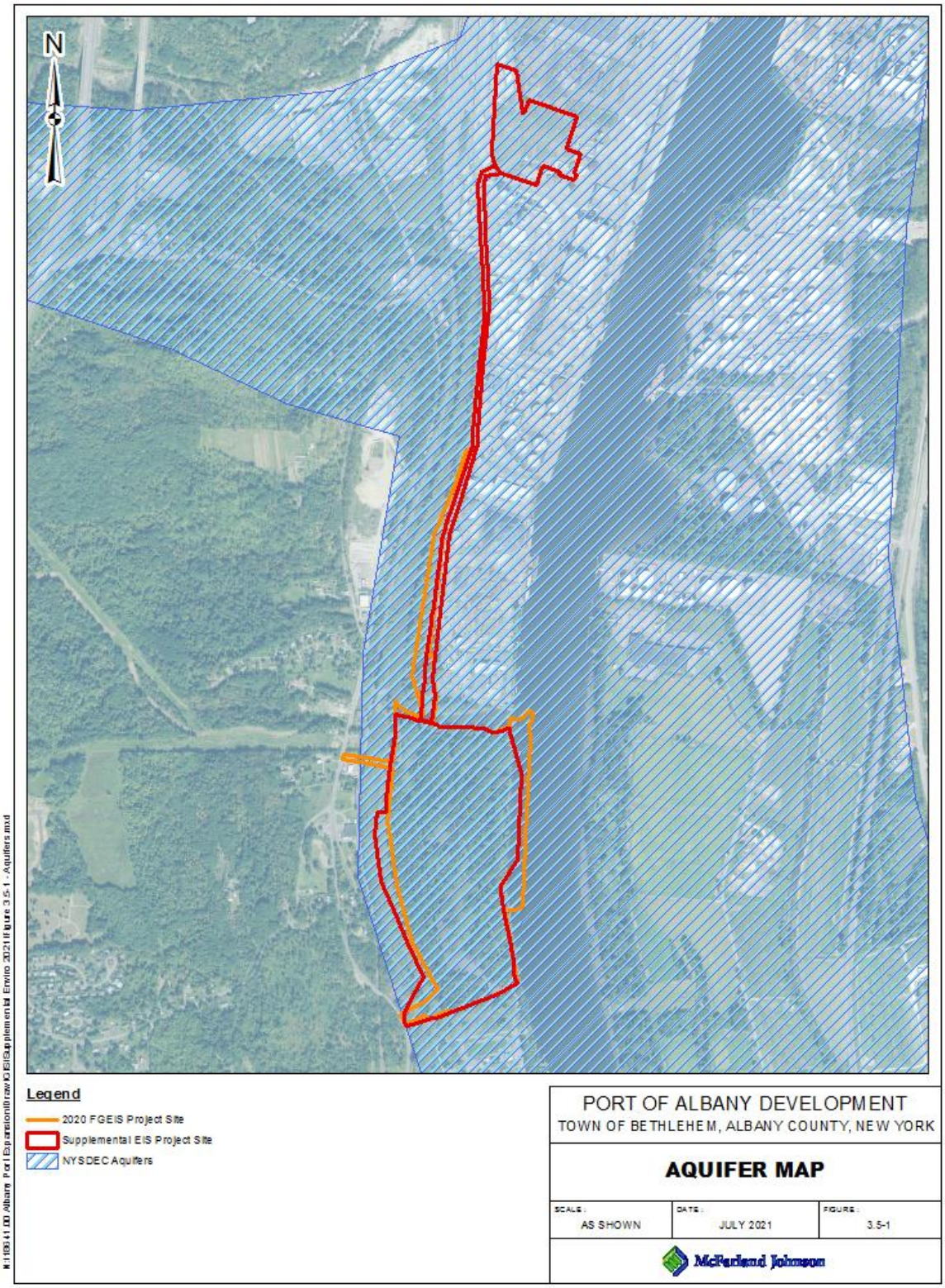
The Project does not include installation of water wells or injection wells.

3.5.3. Mitigation Measures

Potential pollution sources during construction will be effectively mitigated through the incorporation of appropriate erosion and sediment controls, stormwater management, and fuel/ chemical storage and handling best management practices during and post construction of the project. A SPCC Plan will be developed for the Project Area.

The State Pollutant Discharge Elimination System (SPDES) program controls point source discharges to groundwaters as well as surface waters during and post construction. Compliance with the SPDES design and permitting requirements, as well as other applicable local, State, and federal rules and regulations regarding petroleum and chemical storage during and after construction, will be required for this project and will effectively mitigate potential groundwater impacts. See **Section 3.8** for further information specific to the SPDES requirements.

Figure 3.5-1: Aquifer Map



3.6. Climate and Air Quality

The overall Project is not anticipated to result in a significate increase in greenhouse gas (GHG) emissions. The Project does not meet the definition of a major facility since potential emissions will remain below the major facility thresholds as per 6 NYCRR 231-13.1. This will be accomplished by constructing the facility as proposed, and operating and maintaining emission sources and related air pollution control equipment in accordance with good air pollution control practices at all times. See **Appendix E2** for Air Emission Analysis conducted by Proactive Environmental Solutions.

3.6.1. Environmental Setting

The Project is designed to produce approximately 150 Towers per year or a combination of 100 Towers and 100 Transition Pieces. Emission sources and anticipated air pollution control systems are summarized as follows:

- Oxy cutting is conducted indoors and utilizes natural gas as a fuel source. Emissions associated with this activity will be released inside the building.
- Descaling and abrasive blasting activities will each be equipped with integral dust collectors to control particulate emissions, with minimum overall design particulate removal efficiencies of 99.9 percent.
- Various welding stations will be utilized to weld together sections of the towers. Air emissions from all welding activities will be released inside the facility (indoor fugitive emissions).
- The metallizing system is equipped with an emission capture and control system which will recirculate all exhaust indoors. It will be equipped with a state-of-the-art staged HEPA filtration and ventilation system.
- One “large” paint booth and one “small” paint booth will each be equipped with staged booth ventilation and filtration to capture and control particulate emissions. VOC emissions will be minimized by use of add-on control system(s) (e.g., recuperative thermal oxidizer(s)). The VOC control system(s) will be designed to achieve a minimum overall VOC control efficiency of 90 percent. In addition, each booth’s filtration system will be designed to achieve a minimum overall design particulate removal efficiency of 99.9 percent.
- Each of the paint booths will be equipped with natural gas-fired air make-up units (AMUs).
- There will be three (3) natural gas-fired emergency backup generators with electrical power output ratings ranging between 40 and 125 kilowatts (kW) each.

Potential emissions of VOC and certain HAP, as well as particulates (PM_{10}, $PM_{2.5}$) from process manufacturing related operations are anticipated. In addition, there will be emissions (NO_x, CO, VOC, SO_2, Pb, PM_{10}, $PM_{2.5}$, GHG, and HAP) associated with miscellaneous site operations that involve fuel combustion.

3.6.2. Potential Impacts

Potential emissions for each applicable pollutant are calculated based on the maximum design capacity of the equipment, assuming the unit operates every hour of every day of the year. Potential emissions are conservative estimates of emissions, used to identify which air quality permit and control requirements are potentially applicable to the project. As a result, project-related actual emissions for each pollutant are expected to be significantly lower than the potential emissions presented below.

The Following table summarizes facility-wide uncontrolled potential emissions from the project. It is important to note that applicability of major source permitting requirements is not determined based upon uncontrolled potential emissions. Permit program applicability is determined based upon potential emissions after consideration of air pollution controls (in accordance with US EPA's definition of potential to emit).

Table 3.6.2-1: Facility-wide Uncontrolled Potential Emissions

Pollutant	Pollutant CAS No.	6 NYCRR 201-2.1 Major Source Thresholds (tpy)	Project Uncontrolled Potential Emissions (tpy)					
			Facility Potential to Emit	Paint Spray Booths	Metal Spray Booths	Abrasive Blast	Welding Activities	Natural Gas Combustion Sources
NO_X	NY210-00-0	100	28.9	--	--	--	--	28.9
CO	630-08-0	100	25.5	--	--	--	--	25.5
PM_{10}	NY075-00-5	100	636	175	12.9	445	1.54	2.06
$PM_{2.5}$	NY750-02-5	100	205	169	12.4	20.1	1.54	2.06
SO_2	7446-09-5	100	0.163	--	--	--	--	0.163
VOC	NY998-00-0	50	116	114	0.000	--	--	1.51
Pb	7439-92-1	-	6.10E-04	2.87E-04	1.88E-04	--	--	1.35E-04
CO_2	124-38-9	-	32,562	--	--	--	--	32,562
N_2O	10024-97-2	-	0.173	--	--	--	--	0.173
CH_4	74-82-8	-	0.624	--	--	--	--	0.624
CO_2e	NY750-00-0	100,000	32,629	--	--	--	--	32,629
NH_3	7664-41-7	-	0.866	--	--	--	--	0.866
Total HAPs	NY100-00-0	25	67.4	64.1	6.70E-04	2.67	8.21E-02	0.537
Any Single HAP	--	10	51.7	51.7	1.88E-04	2.67	8.13E-02	0.503

Table 1.4.6-1 Notes:

1. 6 NYCRR 231-13.9 Table 9 Global warming potential values for calculating CO_2 equivalents. CO_2 = 1; CH_4 = 21; N_2O = 310.
2. tpy = tons per year.

The following table summarizes facility-wide potential emissions after consideration of air pollution control.

Table 3.6.2-2: Facility-wide Potential Emissions After Control

Pollutant	Pollutant CAS No.	6 NYCRR 201-2.1 Major Source Thresholds (tpy)	Project Potential Emissions After Control (tpy)					
			Facility Potential to Emit	Paint Spray Booths (Including RTOs)	Metal Spray Booths	Abrasive Blast	Welding Activities	Natural Gas Combustion Sources
NO_X	NY210-00-0	100	29.7	0.770	--	--	--	28.9
CO	630-08-0	100	26.2	0.647	--	--	--	25.5
PM_{10}	NY075-00-5	100	6.99	0.175	1.29E-02	3.20	1.54	2.06
$PM_{2.5}$	NY750-02-5	100	6.99	0.169	1.24E-02	3.20	1.54	2.06
SO_2	7446-09-5	100	0.167	4.62E-03	--	--	--	0.163
VOC	NY998-00-0	50	12.9	11.4	0.000	--	--	1.51
Pb	7439-92-1	-	1.40E-04	4.14E-06	1.88E-07	--	--	1.35E-04
CO_2	124-38-9	-	33,486	924	--	--	--	32,562
N_2O	10024-97-2	-	0.178	4.93E-03	--	--	--	0.173
CH_4	74-82-8	-	0.642	1.77E-02	--	--	--	0.624
CO_2e	NY750-00-0	100,000	33,555	926	--	--	--	32,629
NH_3	7664-41-7	-	0.890	2.46E-02	--	--	--	0.866
Total HAPs	NY100-00-0	25	7.09	6.45	2.01E-07	2.40E-02	8.21E-02	0.537
Any Single HAP	--	10	5.17	5.17	1.88E-07	2.40E-02	8.13E-02	0.503

Table 1.4.6-2 Notes:

1. 6 NYCRR 231-13.9 Table 9 Global warming potential values for calculating CO_2 equivalents. CO_2 = 1; CH_4 = 21; N_2O = 310.
2. tpy = tons per year.

In any event, project-related potential air quality impacts on the nearby EJ Area (Ezra Prentice community) from transient activities and mobile sources (construction activities and truck traffic), along with potential impacts from the project's permanent (stationary) sources have been reviewed and are discussed more fully below.

Potential transient air quality impacts associated with project construction activities will be mitigated by dust suppression techniques including spray of water on dry materials and soils. Dust suppression effectiveness will be measured with a community air monitoring program (CAMP), following procedures in Appendices 1A and 1B of NYSDEC's DER-10 guidance for CAMP. Project-related truck traffic will be routed through existing City streets through the Port or via South Port Road; however, prohibiting right hand turns to eliminate adding new truck traffic to South Pearl Street (adjacent to Ezra Prentice community). Level of Service at project impacted intersections will be maintained at Level of Service "C" or better. This will assure that traffic related impacts of the project on air quality will be acceptable.

As detailed in earlier in the Climate and Air Quality Section of this SDEIS, the project will consist of several stationary sources of air emissions, releasing pollutants related to natural gas combustion (i.e., NO_X, CO, SO_2, VOC, PM_{10}, $PM_{2.5}$, GHG) as well as pollutants related to abrasive blasting and surface coating (i.e., PM_{10}, $PM_{2.5}$, VOC, HAP).

To evaluate whether project-related GHG emissions and co-pollutants have the potential to disproportionately burden disadvantaged communities, potential air quality impacts from project emission sources on the nearby EJ Area are compared to other off-property locations surrounding the project. Air dispersion modeling was performed using AERMOD.

Table 1.4.6-5 identifies project emission sources and modeled pollutants selected for inclusion in the EJ Area air quality impact analysis. The location of the EJ Area relative to the project location is shown on **Appendix E2**.

Table 3.6.2-3: Modeled Project Emission Sources and Pollutants

Source Description	Modeled Source Type	Model ID	Modeled Pollutants
Large Spray Booth	Point Source	STCK1	NO_2, PM_{10}, $PM_{2.5}$, SO_2, NC Pollutants
Large Spray Booth	Point Source	STCK2	NO_2, PM_{10}, $PM_{2.5}$, SO_2, NC Pollutants
Small Spray Booth	Point Source	STCK3	NO_2, PM_{10}, $PM_{2.5}$, SO_2, NC Pollutants
Small Spray Booth	Point Source	STCK4	NO_2, PM_{10}, $PM_{2.5}$, SO_2, NC Pollutants
Building C Blast Booth	Point Source	STCK5	PM_{10}, $PM_{2.5}$, NC Pollutants
Building C Blast Booth	Point Source	STCK6	PM_{10}, $PM_{2.5}$, NC Pollutants
Building C Blast Booth	Point Source	STCK7	PM_{10}, $PM_{2.5}$, NC Pollutants
Building A Plate Blast Booth	Point Source	STCK8	PM_{10}, $PM_{2.5}$, NC Pollutants
Large Spray Booth AMU	Point Source	STCK9	NO_2, PM_{10}, $PM_{2.5}$, SO_2
Small Spray Booth AMU	Point Source	STCK10	NO_2, PM_{10}, $PM_{2.5}$, SO_2
Building A Natural Gas Combustion Equipment	Volume Sources	BLDGA_GAS1-5	NO_2, PM_{10}, $PM_{2.5}$, SO_2
Building B Natural Gas Combustion Equipment	Volume Sources	BLDGB_GAS1-2	NO_2, PM_{10}, $PM_{2.5}$, SO_2

3.6.3. Mitigation Measures

The Project is committed to doing its part to minimize its environmental footprint on neighboring communities, especially nearby disadvantaged communities. The Project will institute as needed mitigation strategies and procedures, and utilizes high precision, state-of-the-art manufacturing equipment and technologies at its facilities. During the operational phase, the employees will receive on the job, site specific training, with emphasis on worker safety, pollution prevention and environmental compliance.

The project will perform metallizing activities completely indoors with a state-of-the-art capture and staged filtration and ventilation system, which recirculates purified air indoors. The project will also institute state-of-the-art VOC control on its paint booths using recuperative thermal oxidizers. Use of the VOC control equipment will result in a significant decrease in the project's potential to emit VOC (overall decrease of more than 100 tpy in potential VOC emissions) and HAP (overall decrease of more than 60 tpy in potential HAP emissions). Likewise, with the project utilizing state-of-the-art dust suppression (particulate control) on its abrasive blast equipment and its paint booths, particulate ($PM_{2.5}$). The combined effect of implementing these mitigation measures leads to significant reductions in the project's potential emissions. Implementation of these mitigation measures will lead to:

- An overall decrease of more than 100 tpy in potential VOC emissions
- An overall decrease of more than 60 tpy in potential HAP emissions
- An overall decrease of at least 200 tpy in potential $PM_{2.5}$ emissions

With the project maintaining status as a minor facility and utilizing state-of-the-art air pollution control technologies to mitigate impacts from potential VOC, particulates and HAP sources, and based on results from the Part 212 review and supporting air quality impact assessment, it is concluded that the project's potential impacts to air quality will be minimal and acceptable.

After consideration of all air pollution controls to be operated and maintained as part of the facility, the project's potential emissions for each regulated air pollutant are well below major facility (Title V) thresholds (see Table 1.4.6-2 above). The facility is therefore eligible to apply for a NYSDEC Air State Facility Permit as a minor facility of regulated air pollutants after taking federally enforceable restrictions (e.g., limiting VOC emissions to less than 50 tons per year, limiting HAP emissions to less than 25 tons per year, limiting particulate (PM10, PM2.5) emissions to less than 100 tons per, etc.).

3.7. Traffic and Transportation

A traffic impact study was prepared in June 2019 (revised November 2019) which analyzed the potential traffic impact of a worst-case scenario, 1,130,000 SF distribution center/warehouse building with associated internal driveways, parking areas, landscaped areas, and storm water infrastructure. The Findings Statement for the FGEIS outlined transportation improvements to the surrounding roadway network based upon trips generated during the peak hours of adjacent

street traffic corresponding to the three phases of development as summarized in the following table.

Table 3.7-1: Peak Hour of Adjacent Street Traffic Trip Generation Summary

PHASE I	PHASE II	PHASE III
0 - 300,000 SQUARE FEET	301,000 - 600,000 SQUARE FEET	601,000 - 1,130,000 SQUARE FEET
0 - 124 MORNING PEAK HOUR TRIPS	125 - 247 MORNING PEAK HOUR TRIPS	248 - 465 MORNING PEAK HOUR TRIPS
0 - 141 EVENING PEAK HOUR TRIPS	142 - 281 EVENING PEAK HOUR TRIPS	282 - 529 TOTAL SITE-GENERATED TRIPS

Based on the 589,000 s.f. proposed for the Project and the estimated 324 max trips generated during shift changes, the proposed project is within the Phase II threshold for square footage and the Phase III threshold for the proposed peak hour trips based on the FGEIS established thresholds. Intersection improvements associated with Phase III peak hour volumes stated in the FGEIS included:

NYS Route 32 (S. Pearl Street) at South Port Road:

- Construction of a 200 ft southbound left-turn lane
- Construction of a 200 ft westbound right-turn lane
- Installation of new traffic signal equipment for additional lanes

NYS Route 144 (River Road) at NYS Route 32 (Corning Hill Road):

- Installation of a traffic signal to be coordinated with the existing traffic signal at South Port Road

NYS Route 144 (River Road) at Proposed South Driveway:

- Restrict driveway to passenger vehicles only
- Reduce speed limit along NYS Route 144 (River Road) in the vicinity of the intersection to 45 mph, which, in the event the NYSDOT does not approve a speed reduction, the driveway will become a right in, right out driveway only.

The previous 2019 FGEIS traffic impact study assumed the future site would utilize a shared driveway for car and trucks to enter and exit the site via the bridge over the Normans Kill, with the southern driveway restricted to passenger vehicles only as a secondary access point to the site. Due to operational and safety requirements of the Marmen Welcon Manufacturing Plant, employee traffic and truck traffic must utilize separate driveways, with truck traffic restricted to access from Normanskills Street and employee and passenger vehicle access restricted to the southern driveway off of NYS Route 144 (River Road). No employee or public vehicles are allowed within the secured manufacturing plant.

Due to the proposed site's vehicular access and operational patterns, different trip distributions will result as employees will not be able to enter the site via the bridge crossing Normans Kill. A greater volume of employee traffic will pass through the three intersections requiring improvements with the proposed development. The remaining intersections within the FGEIS study area were analyzed in the 2019 GEIS with Phase III threshold and found that no mitigation

was necessary. The three intersections requiring improvements in the FGEIS were reanalyzed in order to determine if the mitigation outlined in the FGEIS was still necessary, or if greater changes were required to increase capacity at these intersections. For the remaining intersections in the study area, the proposed project's trip distribution and trip generation was found to have equal or less traffic when compared to the Phase III build volumes in the GEIS.

2019 Existing Traffic Volumes

Existing traffic volumes for the study area intersections were established based on the turn movement counts (TMC's) used in the previously mentioned traffic impact study completed in 2019 as part of the FGEIS. Due to the pandemic, the traffic volumes counted in 2019 remain the most accurate current data available to conservatively analyze the post-pandemic traffic operations and follows the guidelines in the NYSDOT Memo "Traffic Data Collection Guidance During COVID-19 Pandemic" dated August 11, 2020. The 2019 Traffic Impact Study used to establish the 2019 traffic volumes is included in the list of referenced material and the existing 2019 volumes are shown on Figure 3 of the Traffic Impact Study.

2029 Background Traffic Volumes

The FGEIS traffic study completed in 2019 was used to establish the 2029 Background year, background growth rate and volumes. The 2029 Background traffic volumes shown in Figure 4 of the Traffic Impact Study include the 2019 existing traffic volumes and annual background traffic growth. The proposed development is targeting to go into operations prior to 2029; however, these background traffic volumes are used as a conservative base upon which to add the proposed development's traffic.

Trip Distribution

Compared to the traffic study completed in 2019, the restriction of employee/public site access to only the proposed southern driveway on NYS Route 144 (River Road) decreases the number of vehicles turning onto South Port Road and increases through traffic traveling north and south through this intersection. A small number of passenger vehicles will still enter and exit South Port Road in order to staff the proposed Building E at 700 Smith Boulevard, roughly 10% of the overall development traffic. Traffic Impact Letter, Figure 5 – Trip Distribution shows the calculated trip distribution percentages for the proposed development during weekday morning and evening peak hours. These trip distribution percentages were used to assign the trips generated by the project to the study roadway network, shown in the Traffic Impact Letter, Figure 6 – Trip Assignment.

Trip Generation

The proposed facility will employ approximately 350 full time workers split between three shifts. A production forecast-based traffic assessment received from Marmen Welcon indicates that the project will generate 324 trips during their largest shift change. To be conservative, the analysis assumes 324 trips during the morning peak hour and 324 trips during the evening peak hour will be added to the roadway network. This is a worst-case scenario, as it is more likely that the shift changes will not line up with the adjacent roadway traffic peaks.

Truck traffic generated by the proposed development is expected to be limited to 4 trucks during the peak hours and truck receiving hours are restricted to between 8:00 AM and 5:00 PM. The bulk of the proposed deliveries to the site will come through ship vessels delivering materials to the existing port as well as rail delivery to a proposed rail spur into the 700 Smith Boulevard site. All material deliveries associated with the Marmen Welcon Manufacturing plant, regardless of their means of transportation will be delivered to the 700 Smith Blvd site and then transported to the Beacon Island site for on-time production delivery via private Marmen Welcon owned vehicles and flatbed tractor trailer trucks via Normanskill Street through the gated access over the Normans Kill bridge.

As shown in the table below these trip generation volumes are lower than what was proposed in the Phase II mitigation thresholds as part of the FGEIS report. The traffic forecast provided by the future tenant is included as an attachment to this letter of findings.

	FGEIS PHASE III THRESHOLDS		PROPOSED	
	AM	PM	AM	PM
Vehicles	465	529	324	324

2029 Build Traffic Volumes

The build volumes shown in Figure 7 – 2029 Build Volumes represent the 2029 Background volumes combined with the site generated trips from the proposed development.

Study Intersections Level of Service and Delay Analysis

An intersection level of service (LOS) and delay analysis was performed using Synchro® 10.0 traffic modeling software and the procedures defined in the Highway Capacity Manual, 6th Edition, to determine operating conditions for the 2019 Base, 2029 Background, and 2029 Build scenarios. The LOS and Delay Summary Table below shows the results of the analysis. Synchro® analysis printouts are attached to this letter.

Study Intersection	Approach and Movement		MORNING PEAK HOUR 2019 EXISTING Delay	LOS	2029 BACKGROUND Delay	LOS	2029 BUILD Delay	LOS	2029 BUILD MITIGATION Delay	LOS
NYS Route 32 at South Port Road *(Signalized)*	Westbound	L-R	22.1	C	22.3	C	22.8	C		
	Northbound	T-R	5.7	A	6.3	A	10.4	B		
	Southbound	L-T	3.7	A	4.0	A	6.1	A		
	OVERALL		**6.0**	**A**	**6.5**	**A**	**9.8**	**A**		
NYS Route 144 at NYS Route 32 *(Un-Signalized/Signalized)*	Northbound	T-L	8.2	A	8.3	A	8.8	A	27.9	C
	Eastbound	L	41.0	E	54.3	F	200.6	F	18.7	B
		R	10.3	B	10.6	B	11.9	B	6.5	A
	Southbound	T-R							6.9	A
	OVERALL		**4.6**	**A**	**5.8**	**A**	**17.2**	**C**	**20.4**	**C**
NYS Route 144 at Proposed Site Driveway *(Un-Signalized)*	Southbound	L					9.6	A	9.6	A
	OVERALL						**3.4**	**A**	**3.4**	**A**

Study Intersection	Approach and Movement		EVENING PEAK HOUR 2019 EXISTING Delay	LOS	2029 BACKGROUND Delay	LOS	2029 BUILD Delay	LOS	2029 BUILD MITIGATION Delay	LOS
NYS Route 32 at South Port Road *(Signalized)*	Westbound	L-R	28.6	C	28.8	C	27.6	C		
	Northbound	T-R	4.0	A	4.2	A	5.5	A		
	Southbound	L-T	9.5	A	11.1	B	15.1	B		
	OVERALL		**9.5**	**A**	**10.6**	**B**	**13.0**	**B**		
NYS Route 144 at NYS Route 32 *(Un-Signalized/Signalized)*	Northbound	T-L	11.1	B	11.5	B	12.8	B	6.4	A
	Eastbound	L	32.3	D	37.2	E	87.0	F	50.4	D
		R	18.7	C	20.1	C	24.8	C	16.6	B
	Southbound	T-R							11.9	B
	OVERALL		**2.0**	**A**	**2.1**	**A**	**3.9**	**A**	**11.5**	**B**
NYS Route 144 at Proposed Site Driveway *(Un-Signalized)*	Southbound	L					8.2	A	8.2	A
	OVERALL						**2.9**	**A**	**2.9**	**A**

<u>NYS Route 32 at South Port Road</u>

As shown in the table, the existing intersection of NYS Route 32 at South Port Road is operating at an acceptable LOS for the 2029 Background scenario and will continue to operate with an overall LOS 'A' during the morning peak hour and LOS 'B' during the evening peak hour. All approaches will maintain background LOS with only minor increases in delay. Due to the low volume of vehicles generated by the site performing turning movements at this intersection, the mitigation recommended in the 2019 traffic study is not warranted for the proposed development.

<u>NYS Route 144 (River Road) at NYS Route 32</u>

This intersection is projected to operate at an overall LOS 'B' during the morning peak hour and LOS 'A' during the evening peak hour for the 2029 Background scenario. During the background and build scenarios, the eastbound left turn approach is at a LOS 'F' during both peak hours. To mitigate the delay for this movement and to improve traffic operations at this intersection, it is

recommended that a signal be considered by NYSDOT. Should a signal be installed, it is recommended to be coordinated with the NYS Route 32/South Port Road intersection. Signalizing the intersection will decrease the delay the eastbound approach experiences from LOS 'F' to LOS 'B' during the morning peak hour and LOS 'F' to LOS 'D' during the evening peak hour. It should be noted that the mitigation outlined in the GEIS recommended the consideration for signalization of this intersection prior to any development of Beacon Island, see the signal warrant analysis section of this study. Coordination with NYSDOT is recommended to determine if and when a signal should be installed at this intersection.

NYS Route 144 (River Road) at Proposed Site Driveway

The proposed site access driveway was modeled as a two-lane road with single entering and exiting lanes, under stop sign control for the exiting traffic. The driveway will be restricted to passenger vehicle traffic only as all truck traffic will be directed to South Port Road and Church Street as all deliveries will be received at the 700 Smith Blvd site. As outlined in the 2019 traffic study, this will be accomplished by including signage prohibiting trucks from using this entrance as well as enforcement by the Port, the Port's tenants, and local law enforcement. The driveway geometry also does not accommodate large delivery truck turn movements. The LOS summary table shows that this intersection will operate efficiently during the 2029 Build scenario, with no movement operating below LOS 'C'.

Due to sight distance restrictions, vehicles exiting the proposed site will be limited to right turn movements only with the use of a channelized turn island and signage. It is recommended that NYS Route 144 (River Road) be widened to accommodate a left turn lane into the proposed site to increase safety by separating through traffic on NYS Route 144 (River Road) from vehicles slowing to turn into the site, discussed further in the Left Turn Lane Analysis section of this report. In addition to the construction of a dedicated left turn lane, it is recommended that NYSDOT conduct a speed study in the vicinity of the proposed driveway Post Construction to determine if the current regulatory posted speed limit of 55 mph is appropriate after the intersection installation, or if the advisory speed limit of 45 mph in this section become the regulatory posted speed limit, further improving safety along NYS Route 144 (River Road). As noted in the FGEIS traffic analysis mitigation, advanced guidance signage, intersection lighting and driveway warning advisory signage will be proposed as part of the NYSDOT highway work permit plans to increase visibility of the proposed driveway.

Signal Warrant Analysis

Signal warrants were reviewed for the study area un-signalized intersections of NYS Route 144 (River Road) at NYS Route 32 (Corning Hill Road) and at the proposed driveway on NYS Route 144 (River Road) in accordance with the Federal Highway Administrations; Manual of Uniform Traffic Control Devices, 2009 edition. The NYS Route 144 (River Road) at NYS Route 32 (Corning Hill Road) intersection was reviewed using 2019 existing volumes due to the volumes and operating conditions which have the potential to warrant a traffic signal. Both intersections were also reviewed using the 2029 Build volumes to determine if the proposed development's additional traffic generation warranted a traffic signal.

The detailed signal warrant analysis worksheets for the existing and proposed conditions for both intersections are attached to this letter.

The NYS Route 144 (River Road)/NYS Route 32 (Corning Hill Road) intersection met three warrants based on the existing traffic volumes, and three warrants when applying the projected Full Build volumes as noted below:

- Warrant 1B – Eight Hour Vehicle Volume Warrant, Interruption of Continuous Traffic (Existing & Full Build)
- Warrant 2 – Four Hour Vehicle Volume Warrant (Existing & Full Build)
- Warrant 3B - Peak Hour Vehicle Volume Warrant (Existing & Full Build)

Based on these warrants being met, a traffic signal was assessed for this intersection to determine what impacts it would have both positive and negative. The warrants were met based on the 85th percentile speed exceeding 40 mph and utilized the MUTCD 70% Factor for the volume-based warrants. River Road (NYS Route 144) at the intersection has a 55-mph posted speed limit; however, the intersection is just south of the city's 30 mph zone. At this intersection, southbound traffic is accelerating, while northbound traffic is slowing down. Speed data north of this intersection showed a 40 mph 85th percentile speed in both directions; therefore, it was concluded that the 85th percentile speed through the intersection is greater than 40 mph. From a capacity standpoint, the signal will alleviate the anticipated future failing operations of the NYS Route 144 and NYS Route 32 stop sign controlled intersection and provide adequate levels of operations with minor increases in delay over the 2029 Background levels of operation. Installation of a traffic signal is not recommended based on the current volumes; however, due to the additional traffic generated by the development this intersection should be considered for a traffic signal installation and coordination with NYSDOT is recommended.

The NYS Route 144 (River Road)/Proposed Access Driveway intersection met one warrant based on the Full Build volumes as noted below:

- Warrant 3B - Peak Hour Vehicle Volume Warrant

Despite a warrant being met due to the volume of traffic exiting the site during the peak hour, the intersection is projected to have adequate operations during the peak hours and shift changes. This is partially due to limiting vehicles to right turns out of the site onto NYS Route 144 (River Road) which serves to improve traffic operations and improve safety without the need for a traffic signal.

Sight Distance Analysis

The sight distance at the proposed site access driveway was measured to determine if the available intersection sight distances met the American Association of State Highway and Transportation Officials (AASHTO) recommended values for both the existing regulatory speed limit of 55 mph and the advisory speed limit of 45 mph. As shown on TIS Figure 7A – Stopping Sight Distance Plan, Figure 7B – Stopping Sight Distance Profile, Figure 7C – Intersection Sight Distance Plan, and the table below, adequate site distance is available at the proposed driveway along NYS Route 144 (River Road) looking left to perform a right turn out of the site, and left

south for left turns in. Left turns out of the site will not be allowed due to the lack of available sight distance. It is recommended that vegetation along both sides of NYS Route 144 (River Road) be removed in order to maximize sight distance for vehicles turning right out of the proposed driveway. The proposed widening will be completed with grading to allow proper maintenance to keep these areas mowed annually and free of large vegetation.

SIGHT DISTANCE CALCULATIONS							
Location	Speed Limit	Direction	AASHTO/NYSDOT Recommended Intersection Sight Distance	Available Intersection Sight Distance *	AASHTO/NYSDOT Recommended Stopping Sight Distance	Available Stopping Sight Distance *	Visual Restriction
Access Drive at NYS Route 144	45 mph	Case B2: Looking Left / Right Turn From Stop	430 feet	495' / 590'	360 feet	410' / 500'	Vegetation & Horizontal Curve
Access Drive at NYS Route 144	55 mph	Case B2: Looking Left / Right Turn From Stop	530 feet	495' / 590'	495 feet	410' / 500'	Vegetation & Horizontal Curve

Note:

* = Sight distance was measured based on the current conditions with vegetation restricting the sight lines and also projected based on removal of this vegetation.

Left Turn Lane Analysis

An analysis of the proposed site driveway was performed in accordance with AASHTO guidelines to determine the need for a left-turn lane on NYS Route 144 (River Road). As shown in the table below, the proposed driveway meets the threshold for the addition of a left turn lane during the peak hours, due to the volume of traffic traveling on NYS Route 144 (River Road) during the peak hours. This was conservatively completed using a 45-mph operating speed, if the 55-mph regulatory speed limit was used, the volume threshold would still be exceeded to warrant the left turn lane. It should be noted that while the left turn movement LOS for vehicles turning into the proposed site driveway is projected to be acceptable with delays less than ten (10) seconds for during the peak hours, the installation of the left turn lane is recommended in order to increase safety and separate through traffic from vehicles slowing to turn into the site.

Warrants for Left Turn Lanes					
Location	Operating Speed	V.P.H. Per Lane Major Road Volume	Left-Turn Warrant Threshold	Site-Generated Left-Turns	Turn lane Warranted
NYS Route 144 (River Road) at Proposed Site Driveway	45 mph	395	5	87	Yes

Warrants for Left Turn Lanes Saturday Midday Peak Hour					
Location	Operating Speed	V.P.H. Per Lane Major Road Volume	Left-Turn Warrant Threshold	Site-Generated Left-Turns	Turn lane Warranted
NYS Route 144 (River Road) at Proposed Site Driveway	45 mph	369	5	87	Yes

Impact on Ezra Prentice Community

As shown in the table below, when compared to the thresholds set in the FGEIS, the future tenant of the Port of Albany Expansion is expected to generate less traffic for vehicles traveling north/south on South Pearl Street, passing the Ezra Prentice Community. The recommended truck route outlined in the FGEIS included a restriction on right turns for trucks exiting the site via South Port Road and traveling north, in order to limit any impact on the environmentally sensitive areas along South Pearl Street, including the Ezra Prentice community. Trucks entering and exiting the future development will follow this recommended truck route, as outlined in the FGEIS.

VEHICLE TRAFFIC PASSING SOUTH PEARL STREET / EZRA PRENTICE COMMUNITY

	FGEIS PHASE III THRESHOLDS		PROPOSED	
	AM	PM	AM	PM
Cars	204	231	199	201
Trucks	0	0	0	0

Impact on Recreational/Open Areas

Based on the development of Building E at 700 Smith Blvd., the volume of site generated traffic on Island Creek Park was compared to the volumes outlined in the FGEIS. As shown in the table below, the proposed tenant will generate less car and truck traffic passing Island Creek Park.

VEHICLE TRAFFIC PASSING ISLAND CREEK PARK

	FGEIS PHASE III THRESHOLDS		PROPOSED	
	AM	PM	AM	PM
Cars	94	106	0	0
Trucks	66	34	4	4

Rail Analysis

As described in the FGEIS, an existing railroad track owned by CSX runs north/south from the Port of Albany along the east side of NYS Route 32/144 and terminates at the Albany Port Railroad, a separate, short-line entity co-owned and operated by CSX and Canadian Pacific. The proposed tenant's traffic assessment is estimating a weekly rail traffic rate of approximately 25-40 rail cars for the delivery of raw materials utilizing this line. As shown in the table below, the proposed tenant's rail traffic is estimated to be greater than the projected rail traffic outlined in the FGEIS. However, no additional trains will be added to the line as a result of the proposed development

and the additional 5-8 rail cars per day represents a negligible increase in rail operations in the area and will not add noise or diesel emissions to the Ezra Prentice neighborhood.

RAIL ANALYSIS

	FGEIS	PROPOSED
Rail Cars	20-25 Rail Cars per Week	25-40 Rail Cars per Week
Trains (Engines)	1-2 Trains per Week	0

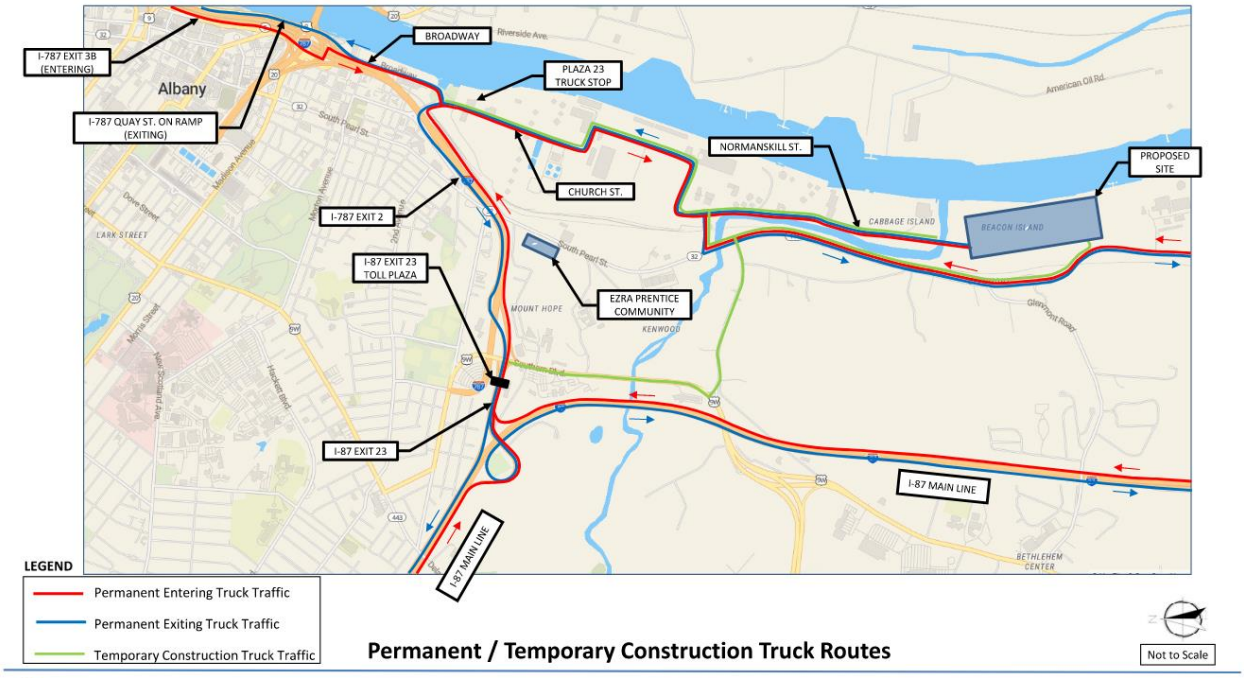
Maritime Analysis

The FGEIS estimated an approximate 10% increase in maritime traffic, equating to roughly 21 vessels/barges per year, as a result of a Port of Albany Expansion. The proposed tenant's maritime traffic assessment estimates approximately 2-3 barges per week for the transport of outbound products, and 1 vessel per month for the delivery of inbound materials. This increase in maritime traffic is not projected to have a significant impact on the existing Hudson River maritime commercial or recreational traffic, and the use of barges and vessels for the delivery and shipping of materials/products reduces the need for trucks, further minimizing the impact on the surrounding roadway network.

MARITIME ANALYSIS

	FGEIS	PROPOSED
Vessels/Barges	>1 Vessel/Barge per Week	1 Vessel per Month 2-3 Barges per Week

Figure 3.2-1



Permanent / Temporary Construction Truck Routes

McFarland Johnson

FIGURE 3.7-2

Conclusion

The follow general conclusions were determined based on the updated traffic analysis associated with the proposed development:

- The proposed development will generate traffic volumes within the Phase 3 threshold range established in the FGEIS finding statement.
- The development will have a different trip distribution from the assumptions in the FGEIS, with more traffic utilizing the proposed southern River Road driveway; however, the remaining intersections will see similar or improved levels of service than those anticipated for the Phase 3 FGEIS analysis.
- The study area intersections LOS and delay analysis revealed that the additional traffic generated by the proposed Port of Albany expansion along River Road will have a negligible impact on the operations of the NYS Route 144 (River Road) corridor, as well as South Port Road.
- Supplementary turn lanes were reviewed at the developments access driveway and a dedicated left turn lane is recommended in order to separate through traffic from vehicles slowing to enter the proposed site.
- Additional recommended improvements to the surrounding roadway network include the consideration of a coordinated signal at the NYS Route 144 (River Road) / NYS Route 32 intersection, in accordance with the guidelines set in the FGEIS. Coordination with NYSDOT is recommended to review a signal installation at this intersection.
- A speed study completed by the NYSDOT is recommended at the proposed southern site driveway on NYS Route 144 to determine if the regulatory speed limits of 55-mph should be reduced to match the advisory speed limit of 45-mph.
- All delivery trucks will utilize the approved truck routes.

The complete Traffic Impact Study has been provided in **Appendix G**.

3.8. Drainage

3.8.1. Environmental Setting

The supplemental Project Area consists of approximately 14.7 acres located at 700 Smith Boulevard in the City of Albany, and 4.4 acres of the National Grid property adjacent to Beacon Island. The area located at 700 Smith Boulevard is part of a proposed remediation project to be completed prior to the commencement of the Port of Albany Expansion Project. The 700 Smith Boulevard site will be capped with milled asphalt, making the entirety of the 14.7 acres impervious surface. The portion of the project located on the National Grid Property adjacent to Beacon Island consists primarily of brush and trees, making the entirety of the 4.4 acres pervious surface.

There is one (1) delineated wetland within the supplemental drainage area on the National Grid property. Wetland 1 (7.13 acres) is a freshwater emergent and forested wetland and functions as storage during flooding events. The supplemental project will temporarily impact 0.33 acre and permanently impact 0.01 acres of Wetland 1 (see **Section 3.3 Wetlands** for a more detailed

description). There are no wetland impacts associated with the 700 Smith Boulevard portion of the project.

The Project Area's topography is largely comprised of flood plain and contains very little elevation change.

The parcel at 700 Smith Boulevard is at or near elevation 14 feet and contains very little elevation change. This site was previously developed and has some existing closed drainage that outlets to the Smith Boulevard corridor.

The Project Area on National Grid property ranges from 12-14 feet in elevation and is largely comprised of flood plain. The existing area drains to Wetland 1 via overland flow. In large storm events Wetland 1 drains to the Normans Kill through an existing 40" culvert.

3.8.2. Potential Impacts

Runoff from the proposed impervious area at the 700 Smith Blvd. parcel will travel via sheet flow to a new closed drainage system. The proposed drainage system will have a single outlet pipe connecting to the existing storm system trunkline owned by the APDC which runs directly to the Hudson River. The proposed system will have a stormwater management filter structure (anticipated to be a hydrodynamic separator) at the outlet to the existing system to provide water quality treatment.

Runoff from the proposed impervious area at the National Grid property adjacent to Beacon Island will travel via sheet flow to through a grass filter strip into the adjacent wetlands. New proposed closed drainage systems will outlet to a retention pond to project water quality volumes prior to being outlet to the adjacent wetlands. During larger storm events (greater than a water quality storm, the proposed stormwater management practices will have overflows to convey stormwater into the existing wetlands to maintain the wetland's function as storage during following storm events.

3.8.3. Mitigation Measures

The Project Area will consist of approximately 15.5 acres of impervious cover and approximately one (1) acre of pervious cover. Since the Project Area will have land disturbance of more than one (1) acre, a SPDES permit (General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001) will be required for the project. In accordance with the SPDES permit, the project will not be required to provide water quantity controls as it will discharge directly to a tidal water

Two separate SWPPPs will be developed in accordance with the permit regulations. The SWPPPs will be reviewed and approved by the respective agency having jurisdiction as the MS4, the Town of Bethlehem or the City of Albany. The SWPPPs will be prepared in accordance with the NYSDEC Manual and meet the following criteria as the principal objectives contained in an approved SWPPP.

- Reduction or elimination of erosion and sediment loading to waterbodies during construction activities. Controls will be designed in accordance with the NYSDEC's New

York State Standards and Specifications for Erosion and Sediment Control.

- Mitigate the impact of stormwater runoff on the water quality of the receiving waters.
- Mitigate the increased peak runoff rate of runoff during and after construction.
- Maintenance of stormwater controls during and after completion of construction.

These objectives will be accomplished by incorporating design criteria outlined within the Technical Guidelines provided by The Manual.

3.9. Water Service (Potable and Fire Protection)

3.9.1. Environmental Setting

The APDC proposes to service the 700 Smith Blvd Project Area with water by connecting to the existing water infrastructure owned by the City of Albany within the Smith Boulevard corridor. Existing water supply capability within the vicinity of the beacon island Project Area was outlined in the FGEIS and is applicable to the supplemental Project Areas.

3.9.2. Potential Impacts

The Project Area is within the port districts water service area and the previous buildings on site had water services; therefore, adequate water capacity is anticipated to service the proposed buildings with is anticipated to require roughly 1,100 gpd.

3.9.3. Mitigation Measures

The water service demand associated with the Project does not exceed the threshold established in the FGEIS and will not put a significant demand on existing water service supplies in the region, therefore no specific mitigation is proposed.

3.10. Sanitary Sewer

3.10.1. Environmental Setting

Applicant proposes to service the 700 Smith Boulevard Project Area with sanitary sewer by connecting to the existing sewer infrastructure owned and maintained by the Albany County Water Purification District.

3.10.2. Potential Impacts

The site is calculated to produce roughly 1,100 gpd of liquid waste. The site was previously developed with buildings and the proposed development will connect to the same sewer main that the previous developments tied into.

3.10.3. Mitigation Measures

The building at 700 Smith Boulevard will not produce a significant amount of sanitary sewer waste beyond the capabilities of the Albany County Water Purification District, therefore, no specific mitigation is proposed. The sewer service demand associated with the proposed Beason

Island parcel with the parking expansion onto the National Grid property does not exceed the demand thresholds established in the FGEIS and mitigation from the FGEIS is still applicable.

3.11. Historic, Cultural, and Archeological Resources

3.11.1. Environmental Setting

Previously Evaluated in FGEIS

Based on previous investigations in the vicinity of the original Project Area conducted in 2002 and 2003, detailed in the FGEIS, it was determined by the New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) that the Project would have "No Effect" upon cultural resources in or eligible for inclusion in the National Registers of Historic Places on September 25, 2003.

In November 2018 the NYSOPRHP was consulted in order to provide current an effect determination for the currently Project. The NYSOPRHP requested that the north entry road, the western utility corridor, and the south entry road areas be evaluation of prior disturbance and archeological sensitivity. An additional Archaeological Evaluation was completed and based on NYSOPRHP's review, it was determined that a National Register eligible site, Papscanee Island Historic District, was located across the Hudson River from the Project Area. Papscanee Island Historic District is comprised of agricultural fields which make the area visually unique and would have been recognizable to the historically prominent Mohican Sachem (Chief) Papsickene.

Based on all previously submitted project information to the NYSOPRHP for review, the NYSOPRHP indicated in a letter, dated March 14, 2019, no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be adversely affected by the Project as currently designed. A follow up letter and visual simulation was issued to the NYSOPRHP on August 6, 2019, with the increase in potential building height from 60 feet to 85 feet. NYSOPRHP issued a response on September 13, 2019, maintaining that the Project with increase in building height would have No Adverse Effect.

All previous correspondence and reports provided to or received from the NYSOPRHP to date have been provided in the FGEIS Appendix L.

Supplemental Project Area

The supplemental Project Area lies within a natural, industrial, and rural/suburban context. The site at 700 Smith Boulevard in the City of Albany consists of a vacant urban lot, and the site on National Grid property consists of mowed successional old field. The neighboring land uses to the north and south are industrial. The parcel at 700 Smith Boulevard was at one point used as a rail yard then a metal recycling facility, and the National Grid property has been developed with buried gas lines and overhead electrical lines. Further away from the Project Area, west of River Road, the area is rural in character with sparse minor roads and low-density residential housing throughout. Given the previous disturbance and industrial and commercial uses of the supplemental Project Area(s), it is not anticipated that there will be impacts to archaeological resources.

The Project now includes a building (Building A) with a maximum height of 100 feet and Building C that will have a roof height of 83 feet with exhaust stacks for a maximum height of 110 feet.

3.11.2. Potential Impacts

A supplemental letter and supporting photo simulations were submitted to NYSOPRHP on July 27, 2021, describing the increased maximum height of the proposed development from 85 feet to 100 feet. During a meeting with NYSOPRHP on September 13, 2021, an additional photo simulation was requested to show the project from the vantage point of the eastern shoreline of the Hudson River. A video showing the current 3D model of the project (110 feet stack height) has been prepared and will be issued to NYSOPRHP for review.

It is not anticipated that the increase in building height will adversely affect properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places.

3.11.3. Mitigation Measures

Based on current consultations with the NYSOPRHP, refer to the mitigation measures described in the Visual Impact section 3.12 of this SDEIS.

3.12. Aesthetic and Visual Resources

3.12.1. Environmental Setting

The supplemental Project Area is located on flat land west of the Hudson River. The area is in a 100-year floodplain, within the Town of Bethlehem. The land beyond the Project Area rises to the west of NYS Route 144, up toward Bethlehem Center. Consistent with the Hudson River's industrial past, most of the land on this stretch of the river, up to and including the existing Port of Albany and the City of Rensselaer either has an industrial character or was once used for industry.

The Normans Kill, a tributary to the Hudson River, runs through the northern portion of the Project Area. Across the Normans Kill to the north is the Agway Industrial Park including Port Welding Services, Dawson's Towing, and Scarano Boats; existing buildings include warehouses and silos. Beyond the Industrial Park is the existing Port of Albany with various industrial and maritime buildings. To the immediate south of the Project Area is the Bethlehem Energy Center, a natural gas power plant owned and operated by PSEG New York (once operated by Niagara Mohawk Power Company), formerly the Albany Steam Station, and before that the coal fired plant that generated the fly ash that now covers a portion of the site. The power plant is a mix of the old coal fired brick buildings and newer gas burning facilities. It creates a strong presence on the river, especially looking toward the Project Area from the opposite (east) bank of the Hudson River in the Town of East Greenbush.

Several residences lie to the west of the transmission lines but have limited views of the Project Area. See **Appendix H** for an aerial of the site and surrounding area.

3.12.2. Potential Impacts

The Project includes a 100 feet high building as well as exhaust stacks estimated to be 110 feet high, which will exceed the allowable 60-foot height permissible by local zoning. McFarland Johnson, Inc., completed a Visual Impact Assessment in June of 2021 to assess potential impacts to the Area of Visual Effect (AVE).

Based upon the AVE a Qualitative and Quantitative Assessment of the Project was conducted. Georeferenced photographs were taken at eye level from the five locations identified as the AVE. The camera locations, heights, and angles were placed into a three-dimensional rendered model of the Project.

The Project includes the 4 on-site buildings as described in Section I and as generally represented in Concept A of the DSEIS. The height of the buildings are as follows:

- Building A – 100 feet
- Building B – 72 feet
- Building C – 83 feet with a stack height of 110 feet
- Building D – 93 feet
- Building E – 43 feet. Note: this building is in the City of Albany

As indicated above, buildings A-D will exceed the allowable height by local zoning (60'). A zoning variance for the height of each building is being pursued.

Photo-simulations of the project from the locations defined in the AVE were created. See **Appendix H**, Figure 3 for the locations of the photo-simulations. The results of the photo-simulations are presented in **Appendix H** and summarized below:

Location 1: Location 1 is at the end of South Port Street looking south into the site. A portion of the Project can be seen from this location. The northern portion of the project is visible from the road as one approaches the project.

Location 2: Location 2 is the at northwest property line of the Project looking east into the site. The project is partially visible from this location. The upper portion of some of the buildings can be seen above the existing vegetation.

Location 3: Location 3 is on NYS Route 144 at the proposed southwest entrance to the Project looking east into the Project Area. A portion of the Project can be seen from this location through the cut in the berm for the entrance to the site.

Location 4: Location 4 is from Glenmont Road at the location of cleared vegetation allowing a view of the Hudson valley looking east toward the project. The Project is somewhat visible from this location. The very tops of the buildings can be seen above the existing vegetation.

Location 5: Location 5 is from the Hudson River looking west into the site. The photo simulation was replaced with a video of the 3D model of the project traversing along the eastern shoreline of the Hudson River. The video is located here: **https://youtu.be/5LjicLkD2YQ.** As shown, only a small portion of the Project is visible from the east side of the river. The existing vegetation to

remain along the project shoreline will provide a substantial visual barrier between the Hudson River and the Project.

Location 6: Location 6 is directly across the street from 23 Old River Road looking east into the site. The project is not visible and is completely screened due to the dense existing vegetation and the topography given the site sits approximately 30 feet below Old River Road.

3.12.3. Mitigation Measures

As mentioned above the buildings will exceed the allowable height and thus will pursue a variance for the height of the building. Although the building will exceed the allowable height, it is still in keeping with the surrounding area; there are buildings on the adjacent properties to both the north (Agway Industrial Park) and the south (PSEG) that are industrial in nature and contain structures that exceed the allowable 60 feet in height and have stacks that extend approximately 200 feet.

Based upon the visualizations created and summarized above the following mitigations are proposed.

Location 1: This viewshed is from the approaching access road through an existing industrial area. The access road is not a heavily trafficked thoroughfare and is only anticipated to be used by people accessing the site; furthermore, it is not practical to screen the project from the access road. No additional mitigation is recommended at this location.

Location 2: This viewshed is within the access easement to the northern portion of the property. The project has chosen not to use this access easement instead leaving the existing vegetation in place to screen the project from both NYS Route 144 and the residence to the northwest. At this location the project is viewed through the high voltage transmission lines originating at the PSEG plant and the existing railroad bed. The existing vegetation does screen the majority of the project and no further mitigation is recommended at this location.

Location 3: This viewshed is within the right of way of NYS Route 144. The existing berm, screening the project from NYS Route 144, has been retained to the greatest extent possible. While the project can be seen from this location, it is anticipated that a viewer in a moving vehicle would only be able to see the project for the briefest of moments. No additional mitigation is recommended at this location.

Location 4: This viewshed is from Glenmont Road at a higher elevation and west of the project. The project is only slightly visible from this location. The vast majority of the project is screened by existing vegetation with only the very tops of the buildings visible. No additional mitigation is recommended at this location.

Location 5: This viewshed is from the Hudson River. The eastern side of the project is substantially screened by the existing vegetation to remain as part of the project. In addition, the color of the buildings along this view will be of a light grey, natural color to blend into the surrounding visual landscape. Also, along this stretch of the Hudson, many of the uses with direct river frontage are industrial, and views from the Hudson are already significantly impacted by the presence of these uses, particularly the PSEG to the south. Directly north is a boat marine repair shop, multiple bulk

storage facilities and the existing Port of Albany. No additional mitigation is recommended at this location.

Location 6: This viewshed is from Old River Road at a higher elevation and west of the project. The project is not visible from this location as it is screened by dense existing vegetation. No additional mitigation is recommended at this location.

Additional mitigation undertaken to minimize the effects of this project on the surrounding visual landscape are as follows. The northern access easement to NYS Route 144 will not be utilized, so as not to create a visual opening in this area. The building colors will be chosen to blend into the existing surroundings. All lighting on the project will be full cut off, dark sky compliant and will not spill onto neighboring properties.

Based on existing barriers including buildings and retaining existing vegetation on areas along the property boundaries, existing vegetation and buildings within the 0.4 miles between Ezra Prentice community and the supplemental Project Area, it is not anticipated that the Project Area will be visible from the Ezra Prentice community. As such, no impacts to the aesthetic and visual resources of the Ezra Prentice community are expected and no mitigation measures are proposed.

3.13. Land Use and Zoning

3.13.1. Environmental Setting

The supplemental Project Area includes approximately 14.7 acres of vacant land located at 700 Smith Boulevard in the City of Albany's general industrial district. The parcel is currently primarily vacant but was previously fully developed. The supplemental Project Area also includes approximately 2.5 acres on National Grid property in the Town of Bethlehem's heavy industrial district, adjacent to the Beacon Island parcel. The National Grid property has two underground gas lines and overhead electrical lines and is a vegetated area that receives periodic mowing.

The neighboring land uses to the north (Boat storage and repair shop) and south (PSEG Power Plant) are industrial, to the west are abandoned railroad tracks, with rural light industrial and residential uses along River Road. Immediately to the east is the Hudson River. Additional land uses within the area include vacant, residential, industrial, and public services as shown in **Figure 3.13-2.** The nearest residential land use is located approximately 270 feet from the supplemental Project Area's property line. The neighboring land by 700 Smith Boulevard consists of industrial use and a rail yard.

Further away from the Project Area, west of River Road, the area is rural in character with sparse minor roads and low-density housing throughout. See **Figure 3.13-1** for the "Town of Bethlehem Zoning Map (2016)" and **Figure 3.13-2** for the "Town of Bethlehem Existing Land Use Map (2017)" which further describe the surrounding zoning and land uses.

- **Table 3.13-1** is an analysis of the heavy industrial lot features required by the Town of Bethlehem's code compared to the proposed development at the Beacon Island parcel.

Table 3.13-1: Town of Bethlehem Heavy Industrial Requirements

Feature	Required	Proposed
Minimum lot size, nonresidential	5 acres	81.62 acres
Minimum front yard, from right-of-way	100 feet	840 feet
Minimum side yard	25 feet	25 feet
Minimum rear yard	50 feet	50 feet
Minimum highway frontage	150 feet	N/A
Maximum height	Four stories or 60’	1-story, 110 feet (1)
Minimum lot depth	200 feet	2850 feet
Minimum lot width	150 feet	757 feet
Maximum lot coverage	30%	17.0%

- **Table 3.13-2** is an analysis of the general industrial lot features required by the City of Albany’s code compared to the proposed development at 700 Smith Boulevard.

Table 3.13-2: City of Albany General Industrial Requirements

Feature	Required	Proposed
Minimum lot size, nonresidential	N/A	14.98 acres
Minimum front yard, from right-of-way	10 feet	25 feet
Minimum side yard	15 feet	79 feet / 112 feet
Minimum rear yard	40 feet	508 feet
Maximum height	Six stories	1-story, 40 feet
Minimum lot depth	200 feet	> 600 feet
Minimum lot width	50 feet	> 700 feet
Maximum lot coverage	N/A	3.2%

The proposed employee parking on the National Grid property falls within the permitted uses and lot requirements specified for the Town of Bethlehem in the FGEIS.

The Project proposes a maximum building height threshold of 110 feet, which exceeds the 85 feet previously proposed in the FGEIS. This maximum height dimension is in character with the building and structure height of the adjacent properties surrounding the Project Area. The Port of Albany to the north has silos that are approximately 90 feet tall, and the PSE&G property immediately to the south has buildings ranging in height from approximately 85 feet to 145 feet and stacks that are approximately 230 feet tall. Additional analysis of the impact of the proposed 110-foot maximum height is provided in Visual Impact Assessment in **Section 3.12**.

3.13.2. Potential Impacts

The supplemental Project is proposed to include fabrication, manufacturing, storage, and distribution of products, materials, and cargo to be transported by rail, truck, and/or maritime methods. According to the Town Zoning Code and the Town of Bethlehem's Comprehensive plan, all proposed activities are allowed and are in compliance with Town goals and zoning regulations. Specifically, Section 4.7 of the Comprehensive Plan identifies this Project Area as a Heavy Industrial District with "*The purpose of this district is to encourage the development of heavy industrial uses that require trucking or rail transportation to move goods and materials*". The proposed employee parking on National Grid property is associated with the manufacturing facility are in line with the purpose and permitted uses of the district. According to the City of Albany Zoning Code, the proposed activities that would be performed at 700 Smith Boulevard are allowed and in compliance with zoning regulations.

The Project will develop the land with uses permitted by site plan and special use permit pursuant to the Town's heavy industrial zoning regulations. The areas adjacent to the Project Area are currently zoned heavy industrial and are occupied with heavy industrial uses. Therefore, the Project Area will have no impact on and will be compatible with the surrounding land uses and is unlikely to influence future development.

The proposed maximum building height is 110 feet based on building requirements for facility. As stated in **Section 3.13.1**, this would still be in character with the surrounding properties in the area, including the PSE&G Property, located in the Town of Bethlehem adjacent to the north of the Project Area.

The Project will not create any significant adverse impacts to residential land uses within the area.

3.13.3. Mitigation Measures

The Project Area will be developed with permitted uses in accordance with the Town's zoning code and will comply with the area, yard and bulk regulations with one exception. The Project proposes a maximum building height threshold of 110 feet which exceeds the maximum allowable height of 60 feet. However, the proposed building height will be compatible with the adjacent properties which have buildings or accessory buildings that range in height from 85 feet to 230 feet tall. As such the Project will not pose an adverse environmental impact to the surrounding uses and will comply with the existing Heavy Industrial Zoning District. The applicant will request a variance from the Zoning Board of Appeals during the Site Plan Review process.

Additional proposed mitigation measures to the proposed maximum height are provided in the Visual Impact Assessment found in **Section 3.12**.

Based on existing barriers including buildings and vegetation within the 0.4 miles between Ezra Prentice community and the supplemental Project Area, it is not anticipated that the Project Area will be visible from the Ezra Prentice community, as such, no mitigation measures are proposed.

3.14. Community Character and Compatibility with Comprehensive Plan

3.14.1. Environmental Setting

The FGEIS evaluated the surrounding community of the original Project Area of Beacon Island. Generally, the land surrounding the supplemental Project Area is the same, consisting of a variety of uses including light industrial, residential, industrial, public services, and vacant land.

Land located across the Hudson River in the town of East Greenbush is characterized as a mix of industrial and agriculture. Additional land uses within the area include vacant, residential, industrial, and public services.

The Town of Bethlehem's Comprehensive Plan was initially published in 2005 and is currently being reviewed to be updated. The intent of the Comprehensive Plan is to provide a plan and vision for the future development of the town over a 10 to 15-year timespan.

City of Albany's Comprehensive Plan for 2030 goal of "Encourage investment and reinvestment throughout Albany that supports economic development and placemaking." With port of Albany business development listed as one of the action items to accomplish said goal.

Another goal identified in the City's Comprehensive Plan is to "improve capacity and service at the Port of Albany and increase resilience to future climate change impacts." Strategies and Actions: FMP-1 Leverage port assets and integrate with freight rail. FMP-2 Modernize the port to accommodate increased demand.

The Project will help achieve the goals in the City's Comprehensive plan listed above by creating jobs and will help New York State in achieving its renewable energy goals by providing additional port infrastructure, warehouse space, cargo and wharf capacity necessary for the manufacturing and distribution of wind turbine components. The Project will leave a vegetative buffer along the Hudson River, which will aid in resilience to climate change impacts, and has been designed to account for potential sea level rise per NYSDEC standards.

As part of the New York Coastal Management Program (NYCMP), local governments are encouraged to voluntarily develop local waterfront revitalization plans (LWRP) under the state's Waterfront Revitalization of Coastal Areas and Inland Waterways law (Article 42 of the Executive Law), which in turn provide benefits, such as, financial assistance for implementation of the LWRP, a plan for appropriate protection and future development of the Hudson riverfront, and partnerships between local and state agencies. On March 24, 2021, the Town of Bethlehem adopted their LWRP.

3.14.2. Potential Impacts

Town Law §272-a states that the Town's land use regulations must be in compliance with its Comprehensive Plan. In section 4.7 of the Comprehensive Plan, the Project Area is detailed as "located along the Hudson River, just south of the Port of Albany" and mentions that "development within the industrial areas provides much-needed tax base for the Town".

It is the intention of the Town of Bethlehem that the preservation, enhancement, and utilization of the unique waterfront revitalization area of the Town occur in a coordinated and comprehensive manner to ensure a proper balance between protection of natural resources and the need to accommodate growth. The Project meets various policies of the Town's LWRP including the following:

> 3: Further develop the State's port of Albany as center of commerce and industry and encourage the siting of land use and development which is essential to, or in support of, the waterborne transportation of cargo and people.
> 18: Safeguard economic, social and environmental interests in the waterfront revitalization area when major actions are undertaken
> 21: Protect surface and groundwater from direct and indirect discharge of pollutants and from overuse
> 22: Ensure that dredging and dredge spoil disposal is undertaken in a manner protective of natural resources

A copy of the Town of Bethlehem Waterfront Assessment form has been included in **Appendix I**.

The Project will require a federal permit (USACE Section 404 Permit and/ or Section 10 Permit) and therefore, coastal consistency review by the NYSDOS will be required to determine the consistency of the Project with the 44 NYCMP policies. Coastal consistency review consists of submitting a Federal Consistency Assessment Form and the USACE Individual Permit application simultaneously to the USACE and NYSDOS. The NYSDOS has six months to complete its review of the application and make a determination. Depending on the scope of the project, the consistency review and determination can take between one and six (6) months to complete. Based on the scope of the Project, consistency review will most likely take six months.

3.14.3. Mitigation Measures

The Project Area will be developed in accordance with the Town's comprehensive plan and the LWRP, and therefore will not require any mitigation measures.

A portion of the supplemental Project Area is located within the City of Albany, approximately 0.4 miles southeast of the Ezra Prentice community. The City of Albany has a different Comprehensive Plan than the Town of Bethlehem. The Project will have no significant adverse impacts to the Ezra Prentice community, and therefore will not require any mitigation measures.

3.15. Emergency Services

In addition to the emergency service providers within the Town of Bethlehem identified in the FGEIS, the portion of the supplemental project located at 700 Smith Boulevard falls within the City of Albany Police Department and city of Albany Fire Department (South End House) and will therefore notify these organizations of the Project. The supplemental Project Areas and components do not alter access points into the Project Area. The Project will not result in potential impacts to emergency services and therefore will not require mitigation.

3.16. School District

The property is zoned for Heavy Industrial, and the Port of Albany is pursuing industrial developers and tenants for the Project Area. No residential development is anticipated. Therefore, the Bethlehem Central School District is not anticipated to incur any increased enrollment of students as a direct result of future industrial development on the property. However, Bethlehem Central School District has capacity to absorb new students with nominal cost impacts, based on the following information provided by Camion Associates:

- The Bethlehem Central School District's current enrollment of 4,336 (according to the NYSED Student Information Repository System), is significantly below recent and historic enrollment figures.
- In the 2006-07 School Year, the district had student enrollment of 5,182 (846 more students than at present day).
- Enrollment has been steadily declining since the 2006-07 including decreased enrollment in consecutive years from 2016-17 through the 2019-20 school year.
- Any increase in costs associated with new children living in the District as a result of the Project are expected to be nominal and insignificant relative to the projected increase in property tax revenues received by the district as a result of the development.

The Project will not significantly alter the potential tax benefit to the Town of Bethlehem school district which was evaluated in the FGEIS. No mitigation measures are necessary due to the finding of no significant adverse impacts on the School District.

3.17. Fiscal and Economic Impact

The supplemental Project will not significantly alter the fiscal and economic impacts evaluated in the 2020 FGEIS. An Economic and Fiscal Impact Report of all the considered concepts was prepared for and included in **Appendix J** of the FGEIS.

Updated economic impact analysis (Appendix J) modeling based on the proposed wind tower manufacturing use indicates that 52% of the Countywide economic impact of the project will occur in the Town of Bethlehem based on jobs. Assuming 320 on-site jobs, the total job impact to the Town of Bethlehem would be 358 jobs compared to 684 jobs to Albany County. A total of 38 indirect jobs will be created in the Town of Bethlehem compared to 364 indirect jobs created in Albany County. The economic impact to the town is realized at existing businesses within the Town of Bethlehem and does not include any businesses that may relocate to the Town in the

future. Indirectly impacted businesses within the Town are primarily within the following industries according to Emsi:

- Professional, Scientific, and Technical Services (7 jobs)
- Transportation and Warehousing (5 jobs)
- Government (5 jobs)
- Other Services (3 jobs)
- Finance and Insurance (4 jobs)
- Real Estate and Rental and Leasing (3 Jobs)
- The aforementioned impacts will occur at already existing businesses in the Town of Bethlehem and therefore do not impact the need for infrastructure and zoning.

Section Reference:

Economic & Fiscal Impact - Port of Albany Project. Camion Associates Economic Development

3.18. Recreation and Open Space

3.18.1. Environmental Setting

The 2020 FGEIS identified recreation and open spaced in the Town of Bethlehem and City of Albany within one (1) mile of the Project Area. Recreation and open spaces were reviewed within one (1) mile of the supplemental Project Area(s) which identified Island Creek Park on the corner of Church Street and Broadway, approximately 4,200 feet northeast of 700 Smith Boulevard. Hoffman Park is located on Hoffman Avenue, approximately 4,500 northwest of 700 Smith Boulevard.

The supplemental Project Area is located approximately 0.4 miles from the Ezra Prentice community. The Ezra Prentice community has a playground within the community, meaning the playground is also approximately 0.4 miles from the supplemental Project Area.

3.18.2. Potential Impacts

The Hudson River Valley Greenway Act authorized the development of an interconnected trail. Titled “Hudson River Greenway Trail”. The act includes goals including increase public access to the Hudson River through creation of parks and development of the Greenway Trail as well as economic growth compatible with the preservation of natural and cultural resources along the Hudson River.

The Project would not increase public access to the Hudson River through parks or the Greenway Trail, but it would allow for economic development of lands previously disturbed. Recreational boat activities, including kayaks, are discussed in FGEIS **Section 3.7.2 Maritime**. The FGEIS estimated an approximate 10% increase in maritime traffic, equating to roughly 21 vessels/barges per year, as a result of a Port of Albany Expansion. The proposed tenant’s maritime traffic assessment estimates approximately 2-3 barges per week for the transport of outbound products, and 1 vessel per month for the delivery of inbound materials. This increase

in maritime traffic is not projected to have a significant impact on the existing Hudson River maritime commercial or recreational traffic, and the use of barges and vessels for the delivery and shipping of materials/products reduces the need for trucks, further minimizing the impact on the surrounding roadway network.

As shown in **Section 3.7**, when compared to the thresholds set in the FGEIS, the future tenant of the Port of Albany Expansion is expected to generate less traffic for vehicles traveling north/south on South Pearl Street, passing the Ezra Prentice Community. The recommended truck route outlined in the FGEIS included a restriction on right turns for trucks exiting the site via South Port Road and traveling north, in order to limit any impact on the environmentally sensitive areas along South Pearl Street, including the Ezra Prentice community. Trucks entering and exiting the future development will follow this recommended truck route, as outlined in the previous FGEIS.

Based on the development of Building E at 700 Smith Blvd., the volume of site generated traffic on Island Creek Park was compared to the volumes outlined in the FGEIS, and the proposed tenant will generate less car and truck traffic passing Island Creek Park.

3.18.3. Mitigation Measures

The Project will not alter current recreation activities access including the bike trail or boat launches, as it will not alter access to these points, add to additional users, or hinder those activities. The Project is consistent with the Town's Comprehensive Plan and Zoning Ordinances, no mitigation measures are required for the project.

The Project will not impact recreation and open space for Ezra Prentice community, including the Ezra Prentice community playground, as such no mitigation measures are required for the project.

3.19. Solid Waste Disposal

3.19.1. Environmental Setting

Commercial solid waste, including municipal solid waste (MSW) and construction and demolition debris (C&D), handling services in the City of Albany are provided by permitted private sector waste haulers. The following private sector haulers have permits to recycle and pick up trash in the City of Albany:

- Waste Management – Albany, NY
- County Waste and Recycling Service, Inc.
- Casella Waste Systems

Depending on the nature of the solid waste and the service provider, locally generated solid wastes are disposed at one of the following facilities:

- City of Albany Rapp Road Landfill
- Town of Colonie Landfill

According NYSDEC MSW landfill capacities, the Rapp Road Landfill is permitted for 275,100 tons/year, while the Town of Colonie Landfill is permitted for 255,840 tons/year. Based on 2018

NYSDEC Active Landfill Annual Report for the Rapp Road Landfill, the landfill has an estimated 87,733 tons of remaining existing and entitled capacity. Based on 2018 NYSDEC Active Landfill Annual Report for the Town of Colonie Landfill, the landfill has an estimated 421,000 tons remaining of existing and entitled capacity, and an estimated 10,090,295 tons of permitted capacity still to be constructed.

During construction it is estimated that approximately 1 ton/ week of solid wastes, primarily C&D, will be generated. Construction activities will be phased and are anticipated to have a duration of approximately 12 to 14 months per phase. Full buildout (all three phases) is anticipated to take up to 10 years. It is estimated that during operations, the project will generate approximately 0.5 ton/ week of solid waste, including C&D and MSW.

3.19.2. Potential Impacts

The generation of substantial additional solid wastes above existing generation rates during construction and operation of a project has the potential to exceed capacities of local existing disposal facilities.

Based on the capacities and estimated life spans of the Rapp Road Landfill and the Town of Colonie Landfill, adequate space for the disposal of solid waste attributable to during construction and operation of the project is available at this time and into the near future. Should waste go to another facility, such as the Dunn C&D site, no waste would be sent there without prior approval and with all required permits and practices. All C& D waste will be disposed of in a legal manor and an approved and permitted disposal location. As outlined in the Capital Region Solid Waste Management Partnership Planning Unit's Solid Waste Management Plan (2014), future disposal of post-recyclable wastes within the region will need to be exported to commercially available disposal facilities.

3.19.3. Mitigation Measures

The City of Albany has a mandatory residential and commercial recycling policy in place for certain streams of paper, cardboard, plastic, glass, metal, electronics, rechargeable batteries, household hazardous wastes, mercury thermostats, fluorescent bulbs, and yard wastes. The APDC will encourage future tenant(s) compliance with the City's recycling policy to reduce landfilled solid wastes.

In addition, during construction, individual contractors reserve the right to transport their generated solids wastes directly to commercially available disposal facilities. Since both, the Rapp Road and Town of Colonie landfills have adequate capacities to accept the solid waste from this project, there is no impact of this Project, and no mitigation is necessary.

3.20. Environmental Justice

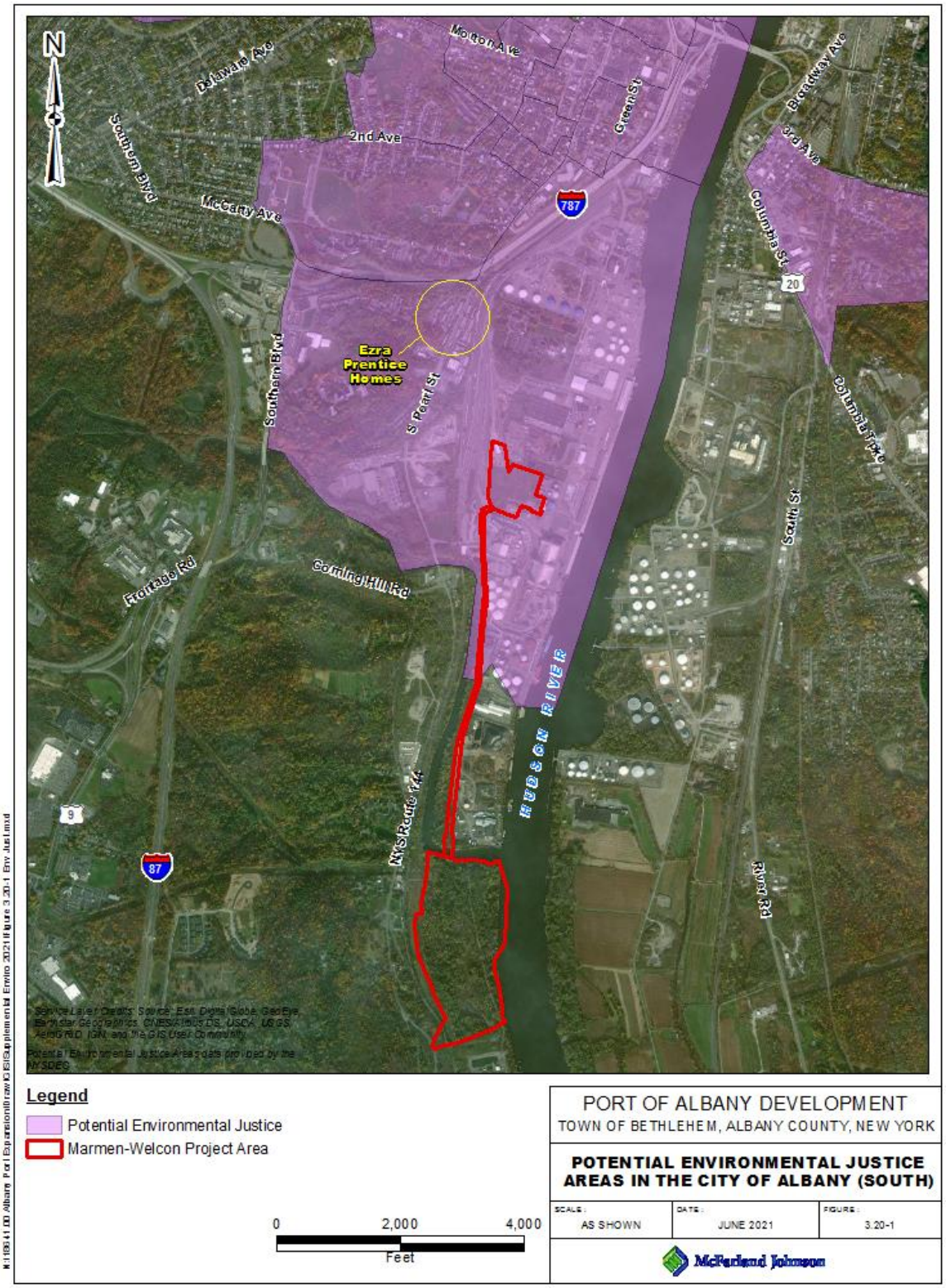
3.20.1. Environmental Setting

The portion of the supplemental Project Area at 700 Smith Boulevard is located within a NYSDEC mapped Potential Environmental Justice (EJ) Area, see **Figure 3.20-1.** The supplemental Project Area is also located approximately 0.4 miles southeast of the Ezra Prentice Homes, located within

the mapped potential EJ area, which has been designated an Environmental Justice Community by the NYSDEC.

Ezra Prentice residences is a nearby community occupied by low-income predominately minority public housing. Some residents of Ezra Prentice Homes Community have expressed concerns over air quality, public health, and quality-of-life impacts from existing local commercial operations and traffic related to the trucks that pass through the neighborhood along South Pearl Street and trains in the adjacent CSX railroad yard to the east.

Figure 3.20-1 Potential Environmental Justice Areas in the City of Albany (South)



3.20.2. Potential Impacts

If the permit applicant did not plan to mitigate the potential environmental concerns, then the Project would have a potential to impact air quality due to the projected additional truck and rail car traffic. See the **Section 3.6 Climate and Air Quality and Section 3.7 Traffic and Transportation** for a detailed analysis. Where truck traffic is anticipated, all truck traffic will be routed through the existing Port District, utilizing the Church Street entrance, and as such would not be traveling through the Ezra Prentice Homes community.

3.20.3. Mitigation Measures

To date, the APDC has regularly worked with the adjacent communities, including outreach to the Ezra Prentice community and community stakeholders. Specifically, when community concern rose in 2016 due to a neighboring business seeking a DEC permit. At that point the Port undertook an independent traffic assessment and made numerous outreach and engagement efforts. The Port Communication and outreach with South End Stakeholders efforts to date which have been outlined in the FGEIS.

NYSDEC is the governing agency responsible for administering the environmental justice process within SEQR with the Planning Board, as Lead Agency, responsible for complying with SEQR. Environmental Justice is meant to allow the fair treatment of all people regardless of race, income, national origin, or color with development, implementation, and enforcement of environmental laws, regulations, and policies. Under the Commissioner Policy 29 (CP 29), Environmental Justice and Permitting provides guidance for incorporating environmental justice concerns into the NYSDEC permit review process. The policy identifies potential environmental justice areas, provides information on environmental justice to applicants with Projects in those communities, enhances public participation requirements for Projects in those communities, establishes requirements for projects in potential environmental justice areas with the potential for at least one significant adverse environmental impact, and provides alternative dispute resolution opportunities to help resolve issues or concerns at the community.

CP 29 is initiated when a permit application is made to the NYSDEC. The Albany Port Expansion Project will require at a minimum the following DEC permits: SWPPP permit; Article 15 and Water Quality Certification. Additionally, once a specific project is identified the APDC will proactively complete the environmental justice review and public outreach process pursuant to the NYSDEC CP 29 policy at the time of a site plan application to the Town of Bethlehem.

Upon application submittal for a permit(s), the APDC or the applicant will include a copy of the CP-29 policy, methodology for identifying potential environmental justice areas, guidance to implement policy, information on the dispute resolution process, and other information as applicable.

The NYSDEC would then ensure public participation by requiring the applicant to actively seek public participation throughout the permit review process. This would be completed by following a written Public Participation Plan prepared by the applicant. An updated Public Participation Plan has been developed in conjunction with this DSEIS and is included in **Appendix K**. The plan will include stakeholders to the Project, including local elected officials, community-based organizations, and residents located in the potential environmental justice area; distribution of

information on the Project and permit process; public information meetings; and easily accessible document repositories near the potential environmental justice area. Part of the Public Participation Plan submission shall include a report that details progress updates of implementing the Plan, concerns raised, resolved and outstanding issues, components of the Plan yet to be completed, and an expected timeline for completion of the Plan. Once the Public Participation Plan is completed, the applicant shall complete and submit written verification that the Plan was completed as detailed. The applicant shall submit a revised report detailing all activity that occurred since the initial submission of the report. A certification shall be signed by the applicant of all completed activities and submitted to the NYSDEC prior to a final decision being made on the permit application. Upon completion of all activities a permit would be issued by the NYSDEC.

Since the application and site plan approval resides within the Town of Bethlehem Planning Board jurisdiction, and the CP 29 policy is under the NYSDEC jurisdiction, both the State and the local municipality will ensure that public participation within the Ezra Prentice neighborhood is provided.

Therefore, the CP 29 procedures will occur during the Town of Bethlehem Site Plan approval process concurrently with the NYSDEC permitting process. This will give ample and redundant public education and comment periods on the Project. When the public participation process is complete, the Port will submit written certification that all requirements have been completed. The certification will include a report detailing the activities which occurred during the process. This certification will be considered by the NYSDEC and the Town of Bethlehem Planning Board in making their final decision on the application.

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4. REASONABLE ALTERNATIVES TO BE CONSIDERED

4.1. No Build

The "No Build" alternative would consist of the continued use of the property in its current vacant condition. The site would remain zoned as Heavy Industrial, and if remained undeveloped it would not be compatible with the Town of Bethlehem Comprehensive Plan. The Town of Bethlehem's Comprehensive Plan states the specific goals which include a balanced tax base, creation of a business-friendly environment, and the promotion of commercial and industrial growth in specifically designated locations. The plan identifies this Project Area (Beacon Island) as an area to be developed for industrial uses to provide a much-needed raise in tax base for the Town.

4.2. Site Development as Allowed by Existing Zoning

The Project conforms to existing zoning. The proposed OSW tower manufacturing facility will only be approximately 589,000 SF compared to the 1,130,000 SF evaluated in the FGEIS, and will not exceed the thresholds established except for the additional Project Areas at 700 Smith Boulevard for the receiving building employee parking on National Grid property, transplant of SAV, relocation of mussels, and an increase in building height from 85 feet to 110 feet.

700 Smith Boulevard

For the receiving building, the APDC considered expanding onto the adjacent national grid property, however, existing infrastructure, wetlands, and topography prohibited using this land for the receiving yard. No other property along Normanskill Street / South Port Road or nearby on River Road is available and therefore, the 14 acres at 700 Smith Boulevard is the closest property to the manufacturing facility that is available and controlled / owned by the APDC.

Parking on National Grid Property

The amount of land area needed for employee parking is not available on the original 80-acre expansion property where the towers will be manufactured. As shown on the site plan the manufacturing plant occupies 4 buildings with the balance of the property being used for storage and the wharf. Therefore, an off-site solution is necessary. Due to the need that the employee parking is located as close to the buildings as possible, the alternative considered included the surrounding adjacent parcels. Properties along Normanskill Street /South Port Road were considered but none were available, and the property to the south owned by PS&G was also not available. The parking on the adjoining National Grid property is situated to avoid impacts to wetlands.

Building Heights

Building C will have a building height of approximately 80 feet with 30-foot exhaust stacks. A height of 100 feet is needed for Building A because that is the minimum height required to allow for the manufacturing of the 30 feet (10 meter) diameter x 150 feet (50 meter) long tower sections. The height of the overhead cranes within the building and the building roof structure are at the minimum height required for safety, operations and building code requirements. The project eliminated the 70-meter tower production line.

SAV Impacts

Various wharf lengths were considered for the Project ranging from an 800 - 1,300 linear foot wharf. Additionally, a recessed wharf was considered, which would have required increased dredging in the Hudson River. The original location of the wharf was further south, however, an SAV survey was completed by Biodrawversity in 2020 identified three (3) SAV beds within the wharf location, which would have impacted more SAV's. Therefore, the proposed wharf location and size was selected to meet the minimum needs of the Project while reducing impacts to the Hudson River and SAV.

5. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

The Project will result in the development of currently vacant, and partially previously disturbed lands for industrial use. Once constructed, the lands would be unavailable for other potential uses for as far in the future as can be determined, based on what is currently known.

During construction natural and human resources will be consumed, converted, or made unavailable for future use. This would include building materials, fossil fuels, natural gas, and manpower. At this time, such resources are considered to be readily available and should not present a burden upon scarce materials or resources. Future manpower commitments would include required emergency personnel services (police, fire, and medical services) in the event of an emergency. However, significant additional tax revenue would go to the Town of Bethlehem and Albany County after completion of the Project, as is discussed in **Section 3.17.** The project sponsor has received notice from the police, fire, and ambulance service that they have the resources to serve the Project.

The Project will not cause any irreversible and irretrievable commitment of resources as it relates to the Ezra Prentice community.

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6. GROWTH-INDUCING ASPECTS OF THE PROJECT

The project is not anticipated to create a significant increase in the populations of local communities such that additional private or public services are required, as discussed in 2020 FGEIS.

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7. CUMULATIVE IMPACTS

The overall Project is approximately 589,000 SF of new buildings within approximately 82 acres of development area and will provide approximately 550 full time jobs. The number of proposed employees and the overall building area are slightly less than that projected in the 2020 FGEIS; therefore, taking into consideration of past, present, and reasonably foreseeable future actions in the vicinity of the Project Area, should not result in significant cumulative impacts to the same resource(s).

8. ADVERSE ENVIRONMENTAL IMPACTS WHICH CANNOT BE AVOIDED

The Project has been outlined such that adverse temporary and permanent environmental impacts will be minimized, avoided or mitigated to degree possible in accordance with local, state and federal guidelines and regulations.

Temporary, normal, unavoidable short-term impacts from construction will be mitigated using common industry practices. Dust will be mitigated utilizing methods such as spraying water. Noise will be mitigated by confining construction to work periods permitted by the Town and that all equipment is has operational exhaust and muffler systems. All truck traffic, including construction vehicles, will be routed through the existing City Streets through the Port District to avoid traveling on South Pearl Street through the Ezra Prentice community.

Environmental impacts that have been identified that cannot be minimized, avoided or mitigated include the following:

1. Removal of existing vegetation (low quality) and habitat modification within the project limits

The Project will result in unavoidable impacts that can be mitigated, all of which are summarized in **Table 1.3-1:** Potential Impacts and Proposed Mitigation Measures. All impacts have proposed mitigation measures that would reduce or eliminate the impacts within each discussion area. If the identified mitigation measures are implemented, the Project is expected to result in a positive, long-term impact that will offset the adverse effects that cannot be avoided.

Overall, the use of a previously heavily disturbed vacant site, with existing infrastructure (roads and rail) and utilities (water, sewer, natural gas, and electric) already in place, is considered to be far more less likely to result in adverse environmental impacts as compared to the development of potentially less disturbed, more natural lands along the Hudson River.