DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

FOR THE

ALBANY PORT DISTRICT COMMISSION PORT OF ALBANY EXPANSION PROJECT

TOWN OF BETHLEHEM, NEW YORK

PREPARED FOR:

Albany Port District Commission
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MJ Project No. 18437.00

Lead Agency Completeness Declaration: August 6, 2019
Date of Public Hearing: September 3, 2019
Due Date for Comments on DGEIS: September 14, 2019

TOWN OF BETHLEHEM
PLANNING BOARD

DRAFT GENERIC 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
Project Location:	East of River Road (NYS Rt. 144) south of Normans Kill and north of PSEG property 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

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Port of Albany Expansion Project

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iii. DGEIS Acronyms and Abbreviations

Acronyms and Abbreviations used within DGEIS are as follows:

ALTA: American Land Title Association

AMMP: Avoidance, Minimization, and Mitigation Plan

APDC: Albany Port District Commission

AVE: Area of Visual Effect

BFE: Base Flood Elevations

BMPs: Best Management Practices

C&D: Construction and Demolition Debris

CAA: Clean Air Act

CAMP: Community Air Monitoring Plan

CDTA: Capital District Transportation Authority

CP: Canadian Pacific

CWA: Clean Water Act

CY: Cubic Yard

CZMA: Coastal Zone Management Act

DGEIS: Draft Generic Impact Statement

DPW: Town of Bethlehem Department of Public Works

EFH: Essential Fish Habitat

EFHA: Essential Fish Habitat Area

ETS: Endangered and Threatened Species

FEMA: Federal Emergency Management Agency

FGEIS: Final Generic Impact Statement

FMC: Fishery Management Councils

FMP: Fishery Management Plans

GEIS: Generic Impact Statement

GHG: Greenhouse Gas

GPD: Gallons Per Day

GPM: Gallons Per Minute

HAPC: Habitat Areas of Particular Concern

HSG: Hydrologic Soil Group

HVAC: Heating, ventilation, and air conditioning

ITE: Institute of Transportation Engineer

LCP: License to Collect and Possess

LEED: Leadership in Energy and Environmental Design

LWRP: Local Waterfront Revitalization Plans

MHLC: Mohawk Hudson Land Conservancy

MHT: High Tide Line

MHW: Mean High Water

MSA: Magnuson-Stevens Fishery Conservation and Management Act

MSW: Municipal Solid Waste

NAAQS: National Ambient Air Quality Standards

NFCS: Natural Resources Conservation Service

NFIP: National Flood Insurance Program

NFPA: National Fire Prevention Association

NIMS: National Incident Management System

NMFS: National Marine Fisheries Service

NOAA: National Oceanic and Atmospheric Administration

NYCMP: New York State Coastal Management Program

NYSDEC: New York State Department of Environmental Conservation

NYSDOS: New York State Department of State

NYSDOT: New York State Department of Transportation

NYSOGS: New York State Office of General Services

NYSOPRHP: New York State Office of Parks, Recreation, and Historic Preservation

NYSTA: New York State Thruway Authority

NWI: National Wetlands Inventory

OHW: Ordinary High Water

PEM: Palustrine Emergent Wetlands

PFO: Palustrine Forested Wetlands

PSEG: Public Service Enterprise Group Power New York Power Plant

PTP: Package Treatment Plant

RHA: Rivers and Harbors Act

RRv: Runoff Reduction Volume

S: Specific Reduction Factor

SAV: Submerged Aquatic Vegetation

SCFWH: Significant Coastal Fish and Wildlife Habitat

SDWA: Safe Drinking Water Act

SEQRA: State Environmental Quality Review Act

SF: Square Feet

SFA: Sustainable Fisheries Act

SFHA: Special Flood Hazard Areas

SHPO: New York State Office of Historic Preservation

SMP: Stormwater Management Practices

SPDES: State Pollutant Discharge Elimination System

SSA: Sole Source Aquifer

SWPPP: Stormwater Pollution Prevention Plan

SWTP: South Wastewater Treatment Plant

TIS: Traffic Impact Study

TMC: Turning Movement Counts

UL: Underwriters Laboratories

USACE: United States Army Corps of Engineers

USEPA: United State Environmental Protection Agency

USFWS: United States Fish and Wildlife Service

USGS: United States Geological Survey

WOUS: Water of the US

WRA: Waterfront Revitalization Area

WQv: Water Quality Volume

iv. Firms/Organizations Involved in the Preparation of the DGEIS

The list of firms and organizations involved in the DGEIS are as follows:

- McFarland Johnson, Inc.
- Atlantic Testing Laboratories (ATL)
- Bergmann Associates
- Camoin Associates, Inc.
- CME Associates, Inc.
- Curtin Archaeological Consulting, Inc.
- Dente Group
- Maser Consulting P.A.
- Terrestrial Environmental Specialists, Inc. (TES)

1. EXECUTIVE SUMMARY

1.1. SUMMARY DESCRIPTION OF PROJECT

The Albany Port District Commission (APDC) is proposing to develop the property formerly known as Beacon Island located just east of River Road along the Hudson River. APDC has identified the need to expand their current land holdings in order to accommodate future growth. The project is known as the Port Expansion Project and would develop the site with uses permitted by right pursuant to the Town's heavy industrial zoning regulations. In accordance with existing zoning, several hypothetical concept plans have been developed for the Project Site. It should be noted that no specific project(s) have been identified and for the purpose of this DGEIS, only the full build out is being evaluated. This concept is hereafter referred to as "Concept A". Concept A represents the maximum amount of development permitted under current zoning, and therefore will represent the greatest potential for ecological and environmental impacts. Concept A includes an approximately 1.13 million SF two-story Industrial use facility, with the associated access roads, employee parking, trailer parking, refurbished rail access from the north over Normans Kill, and a bulkhead/wharf along the Hudson River. The two-level warehouse maximizes the development potential of the site and provides the basis for the SEQRA approval process along with the identified site improvements. The expansion will be developed with tenants with uses that are permitted by right as listed in the Town Zoning code which include the following:

- Warehouse
- Manufacturing
- Assembly
- Industrial Park
- Distribution centers
- Packaging facilities
- Business office
- Commercial storage

Proposed private improvements include:

- All structures and buildings on the site
- Sanitary sewer service line extension
- Potable water supply extension
- Railway bridge over Normans Kill

Proposed public improvements include:

- Motor vehicle bridge over Normans Kill
- Off – Site Traffic improvements on the surrounding transportation system

This DGEIS includes a conceptual site plan detailing the layout of all the elements of the proposed project, including the access roadways, buildings, parking, stormwater facilities, open space areas, etc. A map showing this concept plan (Concept A) for the project is attached hereto as Appendix O.

1.2. PROPOSED ACTION

The proposed action involves a site plan approval for an industrial development on 81.62 acres of land at the Beacon Island site, located at the confluence of the Normans Kill and Hudson River. The applicant (Project Sponsor), Albany Port District Commission (APDC), is proposing to develop a vacant parcel of land (tax parcels 98.00-2-10.23 and 98.01-2-1.0) to expand the existing Port of Albany that will contain a maximum of 1.13 million square feet of industrial uses in the Town of Bethlehem, Albany County, New York, collectively to be known as the Albany Port District Commission Port of Albany Expansion.

The proposed project is a Type 1 Action, as it exceeds the following Type I 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 square feet of gross floor area in a town having a population of 150,000 persons or less (iv).

The Town of Bethlehem Planning Board established itself as "Lead Agency" by resolution on January 15, 2019 pursuant to the requirements of 6 NYCRR Part 617 State Environmental Quality Review (SEQR). The Town of Bethlehem Planning Board adopted a Positive Declaration on January 15, 2019 requiring that the APDC prepare a Draft Generic Environmental Impact Statement (DGEIS) for the action. This document and attachments serve as the DGEIS for the project.

1.3. POTENTIAL SIGNIFICANT BENEFICIAL AND ADVERSE IMPACTS

1.3.1. Potential Significant Beneficial Impacts

The economic and fiscal impact analysis study has been prepared for the project. The analysis examined the local fiscal benefits that will be generated by the Project, including new property and sales tax revenue. The total annual fiscal benefits of the Project are estimated to range from between $4.65 million to $14.2 million, depending on the concept plans. The most significant portion of these benefits will be realized by Albany County through new sales tax revenues and property tax revenues (directly from the project itself and new tax revenues generated off-site as a result of the economic impact of the project). The Project is estimated to generate between $800,000 and $4.2 million for the Town of Bethlehem and other local property tax revenue.

The Port of Albany Expansion Project has the potential to generate approximately 1,670 new jobs in Albany County with $102 million in new annual earnings for workers in the county from future operations on the property. The total annual potential impact of the Project to Albany County is approximately $295 million based on the maximum build out of the property of a 1.13 million square-foot industrial facility. The total economic impact includes "spinoff" economic activity that occurs in the County. Approximately one-out-of-three permanent jobs generated in the County as a result of annual operations will exist off-site at other businesses in Albany County.

The Project will also have a significant one-time construction impact, with the potential to generate a one-time boost of between $48.1 million and $113 million to the local economy.

The development of the property will result in new taxable valuation that will be subject to the Bethlehem Central School District property tax. As of the 2019-2020 School Year, the property tax rate for the school district is $21.25. Based on this rate, future industrial port development of the property will result in between approximately $303,000 and $1.6 million in annual property tax revenue for the School District. Over ten years, beginning with the first year of full taxation, the Project is estimated to generate between $3.1 million and $16.1 million for the School District, depending on the development concept.

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 limits; and

2. Reduction of vacant land available for future development.

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 in the following subsections.

1.4.1. Soils, Geology, and Topography

During construction, particle velocities will be monitored, and techniques modified as required to achieve the desired densification and maintain particle velocities below the residential threshold at the project's property limits or sensitive facilities within the site.

Engineering and institutional controls developed in coordination with the NYSDEC to mitigate handling of the coal ash will be sufficient to avoid potential effects to the environment and human health. It is anticipated that the engineering controls may include a cover system consisting of 1 to 2 feet of soil or engineered fill to be placed over a demarcation maker overlying the coal ash. The cover system (cap), may consist of impervious pavement, concrete building slab or a 1'-2' thick earthen berm.

A closed bucket or similar method of sediment removal will be utilized to reduce suspended solids and translocation of materials during dredging operations. In addition, a turbidity curtain will be utilized to minimize potential downstream impacts associated with suspended solids during dredging and shoreline disturbances to the Hudson River. The suspended solids within the work area will be allowed to settle prior to turbidity curtain removal.

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 Hudson River. All trees within the project impact area will be cut between November 1 to March 31 in accordance with New York State Department of Environmental Conservation (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. Dredging activities associated with the proposed project will be conducted September 1 to November 30 to minimize potential impacts to Atlantic sturgeon and shortnose sturgeon. Prior to any disturbances to the beds of the Hudson River or Normans Kill a freshwater mussel survey will be conducted to confirm the presence or absence of rare, threatened, or endangered freshwater mussels. If rare, threatened, or endangered freshwater mussels are discovered, an Avoidance, Minimization, and Mitigation Plan (AMMP) will be developed in close coordination with the NYSDEC.

1.4.3. Regulated Wetlands and Surface Waters

Mitigation for impacts to regulated wetlands and surfaces waters, will be conducted in accordance with NYSDEC and United States Corps of Engineers (USACE) requirements during future permitting efforts for the project. Mitigation will be conducted such that there is a net benefit to the local watershed.

1.4.4. Floodplains and Floodways

The project will be designed such that all building lowest floor elevations are at the lowest possible engineered elevation of 20.3 feet (NAVD 88). This will provide for a minimum elevation of 1.3-feet above the NYSDEC “Low Projection” of climate related sea-level rise to year 2100. The “Low Projection” amount of sea-level rise is that is likely (the 10th percentile of ClimAID model outputs) to be exceeded by the specified time interval, and is based upon historical data.

1.4.5. Groundwater

The State Department of Conservation 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 regarding petroleum and chemical storage, will be required for this project and will effectively mitigate 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. However, in an effort to reduce the potential effects of the project, future tenant(s) will be encouraged to promote green vehicle purchases and not allow truck idling to prevent over exhaust. In addition, future tenant(s) will be encouraged to use the following mitigation measures on-site:

- High efficiency heating, a ventilation, and an air-conditioning (HVAC) systems
- Leadership in Energy and Environmental Design (LEED) Certification
- Local building materials, if available
- Recycling program
- Insulation to minimize heat loss
- Use of public transportation, including rail and river access
- Conservation of natural areas, including shoreline and wetlands

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, including a Community Air Monitoring Plan (CAMP) to be completed during construction. Potential impacts associated with operations of facilities at the site would be mitigated through compliance with the conditions of all required air pollution control permits and registrations under 6 NYCRR Part 201.

1.4.7. Traffic and Transportation

A traffic study has been completed as part of this DGEIS. Based on the study, existing roadway infrastructure within the study area has adequate capacity to accommodate the proposed traffic anticipated under the full build-out of the proposed development with the following improvements and mitigation measures:

- NYS Route 32 at US Route 9W:
  - Traffic signal timing changes (Monitor for all Phases, timing changes assumed for Phase III)
- NYS Route 32 at 1st Ave/I-787 Exit 2 Ramp:
  - Traffic signal timing changes (Monitor for all Phases, timing changes assumed for Phase III)
- NYS Route 32 at South Port Road:
  - Monitor signal timings (During Phase I)
  - Follow up traffic study to assess signal operations (Prior to Phase II)
  - Construct a dedicated 200’ long southbound left-turn lane (Prior to Phase III)
  - Construction a dedicated 200’ long westbound right turn lane (Prior to Phase III)
  - Install new traffic signal equipment to provide a permissive/protected southbound left turn phase and a westbound right turn lane overlap phase. Potentially coordinate the controller should a traffic signal be installed at NYS Route 144/NYS Route 32 intersection. (Prior to Phase III)

- NYS Route 144 at NYS Route 32:
  - Consider installation of a traffic signal based on site the proposed site plan (Initial project approval)
  - Signal should be installed and be coordinated with the traffic signal at South Port Road. (Prior to Phase II)

1.4.8. Drainage

The project will have land disturbance of more than 1-acre, and a full State Pollutant Discharge Elimination System (SPDES) permit will be required as part of the project. A Stormwater Pollution Prevention Plan (SWPPP) will be developed in accordance with the permit regulations. The SWPPP will be reviewed and approved by the Town of Bethlehem as an MS4.The SWPPP will be prepared in compliance accordance with the NYSDEC Manual and meet the following criteria as the principle objectives contained in an approved SWPPP.

- Reduction or elimination of erosion and sediment loading to water-bodies 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

A buffer of existing vegetation is being maintained along the western edge of the project with a minimum width of 25 feet. The northern access easement to NYS Route 144 was not be expanded to be utilized for vehicle access, so as not to create a larger visual opening in this area. 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 are compatible with the surrounding heavy industrial businesses in the area and therefore will blend with the existing industrial community.

1.4.10. Land Use and Zoning

The proposed project is in compliance with the Town's Comprehensive Plan and will be developed with permitted uses in accordance with the Town's zoning code. As proposed the industrial development will comply with the area, yard and bulk regulations with one exception. The Project proposes a maximum building height threshold of 85 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 85 height.

1.4.11. Emergency Services

New York State Uniform Fire Prevention and Building Code (Uniform Coded) 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 contracted 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. Town of Bethlehem 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.

1.5. CONSIDERED ALTERNATIVES

1.5.1. 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 site (Beacon Island) as an area to be developed for industrial uses to provide a much-needed raise in tax base for the Town.

1.5.2. Site Development as Allowed by Existing Zoning

The project would develop the site with uses permitted by right pursuant to the Town's heavy industrial zoning regulations. In accordance with existing zoning, several concept plans have been developed for the site.

Concept Plan A – Largest, Two-Level Warehouse

The description for this concept is as previously provided in Section 1.1.

Concept Plan B – One Large Single Level Warehouse

This option maximizes single story development gross floor and laydown area by pushing the railroad as far westward as turning radii allow. The industrial building front with staff parking faces the north primary access way with trailer parking on the back towards the south of the site. The warehouse has a double-story administration area on the front of the building and has a docking length of 1,300 feet with rail on the west side and trucks on the east side facing the laydown and bulkhead area. The building total gross floor area is 900,800 SF.

Concept Plan C – Multiple Warehouses

This option houses multiple tenants and provides an entry plaza amenity connecting all four industrial buildings. The entry plaza is connected to staff parking east and west with access to all buildings. The rail serves all buildings on one side, and a loop road with perimeter trailer parking circles the building cluster. All buildings have a double story administration area facing the entry plaza. The railway is realigned towards the center of the site, in order to make space for buildings, circulation and parking on both sides of the rail, and crosses Normans Kill inside the site property. The two buildings west of the rail have a gross floor area of 160,000 SF each, and the two buildings east of the rail are 245,000 SF, amounting to a total of 810,000 SF.

Concept Plan D – Offshore Wind

This option develops the site in support of light fabrication and staging for the supply chain businesses associated with the offshore wind industry, such as steel foundation structures (jackets) and miscellaneous steel or concrete platforms. It maximizes open space for outside bulk storage of both components and finished products. It is served by a 160,000 SF storage building for equipment and light fabrication and finishing such as spray on coatings, which must be stored in a protected environment. The rail spur is re-aligned to service the west side of the building for delivery of offloading of components. A roadway is also provided through the site to permit truck delivery of components, as well as staff access. Truck access is provided on the east side of the building. Employee parking is provided to the north of the building.

Concept Plan D1 – Offshore Wind with Manufacturing

This option develops the site in support of manufacturing of offshore wind components, such as wind blades or tower structures. It provides a 508,000 SF building for manufacturing. The building features railroad unloading of raw materials and components on the west side by a re-

aligned railroad spur. It features truck loading docks on the south side, and staff parking on the north side. A roadway is also provided through the site to permit truck delivery of components, as well as staff access. The design features a large storage yard and laydown area for completed components, which is critical for efficient loading onto ships.

1.6. MATTERS TO BE DECIDED

As Lead Agency, the Town of Bethlehem needs to provide SEQRA "Statement of Findings", as well as preliminary site plan approval.

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 Engineering Department

Town of Bethlehem Zoning Board of Appeals

1.6.2. Interested Agencies

Federal Agencies

Federal Emergency Management Agency (FEMA)

National Marine Fisheries Service (NMFS)

United State Environmental Protection Agency (EPA)

United States Fish and Wildlife Service (USFWS)

State Agencies

New York State Office of Historic Preservation (SHPO)

New York State Thruway Authority (NYSTA)

Local Agencies

Albany County Planning Board

Bethlehem Central School District

City of Albany

Bethlehem Police Department

Selkirk Fire District

Delmar-Bethlehem EMS

Town of East Greenbush

1.6.3. Lists of Required Permits and Approvals

The proposed project will require numerous approvals and permits from local, state and federal involved agencies. The following permits and approvals are anticipated for this project:

USACE- Section 404/ Section 10 Individual Permit

NYSDEC- Article 15 Permit, Section 401 Water Quality Certification, Stormwater MS4 Permit, Individual Wastewater Permit, Sediment Sampling and Analysis Plan Approval, and Site Management Plan Approval.

NYSOGS- State Owned Lands Under Water Permit

NYSDOS- Coastal Management Consistency Review

NYSDOT- Highway Work Permit

Albany County Health Department- Potable Water Service Approval

Board of Commissioners of the Albany County Water Purification District- Wastewater Service Approval

Town of Bethlehem Building Department- Building Permits

Town of Bethlehem Engineering- Stormwater MS4 Permit

Town of Bethlehem Planning Board- SEQR Statement of Finding and Preliminary Site Plan Approval

Town of Bethlehem Department of Public Works- Potable Water Service Approval

Town of Bethlehem Zoning Board of Appeals- Zoning Variance Approval

2. DESCRIPTION OF PROPOSED ACTION

2.1. Project Location

The Project Site is located on the east side of River Road/Route 144 along the Hudson River and consist of 81.62 acres. The Project Site is located immediately north and south of the Hudson River's confluence with the Normans Kill within the Town of Bethlehem, Albany County, New York. The Project Site includes a 4.794 acre parcel of land (Tax Map No. 98.01-2-10) along the west side of South Port Road , and a 76.825 acre parcel (Tax Map No. 98.00-2-10.23) south of the Normans Kill. The site has three easements, two existing and one proposed. One existing easement approximately 1.3 acres, located at the south west corner of the property provided by National Grid for crossing rights to connect the property to River Road/NYS Route 144. The second existing easement is approximately 0.4 acres and is located along the west side of the property and is provided by National Grid and connects the property to River Road/NYS Route 144 for utility crossings. One proposed easement is approximately 0.05 acres of land located north of the Normans Kill, along the west side of the property line. This easement would be provided by National Grid and would provide area available to build the north access road. The property is located along the Hudson River at approximately Hudson River Mile 142 (HRM 142).

The main parcel (Tax Map No. 98.00-2-10.23), known as geographically as "Beacon Island", is bound by the following properties:

- To the North: various industrial and warehouse facilities
- To the South: Public Service Enterprise Group Power New York Power Plant (PSEG)
- To the East: Hudson River
- To the West: National Grid overhead electric and natural gas line transmission corridor

2.2. Site Description

The site lies within a natural, industrial, and rural/suburban context with limited access. The site's natural features are generally forested coverage throughout. The neighboring land uses to the north and south are industrial. The site at one time was used for fly ash and bottom ash disposal. Further to the west of River Road, the area is generally rural in character with sparse minor roads and with low-density residential housing. In terms of access, although River Road/Rt. 144 and Port Road South are the closest to the site, neither have a direct connection to the site. A potential new access road to River Road is proposed via an existing National Grid easement. Roadway and rail access from the north would require a bridge over the Normans Kill connecting to Port Road South. To provide adequate roadway and rail access, a small area (0.04 acres) to be acquired from National Grid. The main truck access route to I-787 and I-90 would go through the APDC property. An additional access road for employees would be provided from the south via the proposed connection to River Road/Rt. 144. See **Section 3.7** for detailed information on traffic and transportation impacts.

The site is currently vacant and consists primarily of successional forest. The history of property was such that at one time a rail line that was operated by Canadian Pacific Railroad transported coal to the power plant currently owned by PSEG. The rail line operated under an easement and was abandoned in the 1980's. In 2009, the bridge over the Normans Kill collapsed causing the entire local service rail line to be abandoned and the bridge to be removed. Remnants of the track, ballast and bridge abutments exist on the property. In addition, several vintage locomotives railcars remain on a small portion of track near the center of the site. Also, a City of Albany watermain traversed the site to supply water to PSEG, the watermain and accompanied easement has since been abandoned.

A detailed American Land Title Association (ALTA) boundary and topographic survey has been prepared and is provided in Appendix D and Appendix O. As shown on the survey, both the watermain and rail easements has been abandoned and no longer exist. Crossing rights easements from National Grid have been granted that provide access from the south and west.

Various aerial images and site photographs are provided in the various technical studies that address the ecological and environmental resources of the site resources of the site.

2.3. Description of Proposed Action

The proposed action consists of site plan approval for a 1.13 million square feet (SF) industrial development to be built in 1 to 3 phases, see Figure 2.3-1. However, the project sponsor has not identified a specific tenant, nor is a specific building or project being proposed, and instead 5 different concept plans are being provided in a generic nature for evaluation. The proposed concepts range in size from a 160,000 SF to 1.13 million SF of industrial space.

For SEQRA purposes, the proposed APDC Port of Albany Expansion Project that represents full build out is being evaluated. This full build out represents the maximum amount of development permitted under current zoning, and therefore will represent the greatest potential for ecological and environmental impacts. This full build out is estimated to be 1.13 million SF two-story Industrial use facility, with the associated access roads, employee parking, trailer parking, refurbished rail access from the north over Normans Kill, and a bulkhead/wharf along the Hudson River. The two-level warehouse maximizes the development potential of the site and provides the basis for the SEQRA approval process along with the identified site improvements. The expansion will be developed with tenants with uses that are permitted by right as listed in the Town Zoning code which include the following:

- Warehouse
- Manufacturing
- Assembly
- Industrial Park
- Distribution centers
- Packaging facilities
- Business office
- Commercial storage

This DGEIS includes a conceptual site plan detailing the layout of all the elements of the proposed project, including the access roadways, buildings, parking, stormwater facilities, open space areas, etc. A map showing this concept plan for the project is attached hereto as Appendix O.

The Project Sponsor, APDC, owns and operates the Port of Albany (Port). The Port is a year-round, 24-hour facility that spans over 400 acres on the Albany and Rensselaer sides of the Hudson River. The Port is a significant contributor to the economy of the region. Port operations include tenant functions supported by multi-modal transportation resources. The APDC invests in infrastructure upgrades to ensure their resources provide the maximum value for customers and tenants who chose to grow their business at the Port. The APDC management team currently oversees the maintenance of six marine warehouses and 300,000 SF of covered storage facilities. They service all maritime equipment and terminal needs and maintain over 40 pieces of heavy equipment. This management team has the experience and ability to undertake and oversee the Port of Albany Expansion Project.

The APDC intends on owning the land and enter into long-term ground leases with companies wishing to grow their respective businesses. APDC intends on extending the required infrastructure (road, bridge, and utility services) to the property, however all buildings would be privately constructed and owned to meet their specific requirements.

2.4. Purpose and Need for the Proposed Action

The APDC commissioned a market analysis of their business operations, completed in 2016 and updated in 2018. The updated report validates and confirms that the market conditions continue to be positive for additional Port facilities. The analysis identifies market opportunities with power generation equipment, passenger rail cars, and grid repair equipment. These potential new markets would be in addition to their traditional grain handling, scrap metal, wood pulp, and paper product markets. This region, and specifically the Port, is a transportation hub offering multi-modal services to the growing need for warehouse and storage space. The strong market demand for services that the Port offers coupled with the fact that the Port occupies or leases 92 percent of their current property holdings, generates the purpose and need for this project. In order for the Port to continue servicing the region and providing opportunities to business owners who need access to space and transportation options, the Port of Albany acquired the project site formerly known geographically as “Beacon Island”.

The APDC mission is to generate economic development for the region. The specific benefits to the socio-economic condition of the Town of Bethlehem can be found in the Section 3.17.

The Town of Bethlehem holds the taxation jurisdiction for the Project Site. As mentioned, it is intended that APDC will retain ownership of the property and enter into long-term ground leases with each tenant who will own their respective building(s). As such, the Town of Bethlehem would collect taxes on each building and tax revenue activities.

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 grown in specifically designated locations. The plan identifies this project site (Beacon

Island) as an area to be developed for industrial uses to provide a much-needed raise in tax base for the Town.

The purposes of the project align with the Town of Bethlehem's desire to raise their tax base without burdening its school system. The proposed development meets the goals and desires of the Town's Comprehensive Plan and Zoning Ordinances.

The Project Site is substantially sized, previously disturbed, undeveloped waterfront property that is close proximity to the existing Port of Albany property. The APDC Port of Albany Expansion Project will provide existing industrial users within the Port of Albany or new users opportunities to have space for their businesses. The expansion project will allow for growth and expansion of waterfront industrial users and would be consistent with the current industrial uses located on the Port property and the lands along Port Road South, immediately north of the project site. Similarly, the PSEG Power Plant is located immediately south of the Project Site. The Project Site allows users to benefit from maritime access as well as rail and vehicle access to the site.

2.5. Construction Activities

At this time there is not a specific user identified for this Project Site. All construction, regardless of users, 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 for final approval. During phasing, the existing vegetation would be protected with construction fencing, and staging areas would be stabilized and maintained with wood chips, stone, or an approved alternative.

The project could be constructed in one phase (the entire 1.1.3 million SF) or up to three phases. When broken into phases, the project is assumed to be completed at 300,000 SF, 600,000 SF, and full build at 1,130,000 SF. Phase one is anticipated to include both access roadways, the vehicle bridge over Normans Kill, and the off-site water and sewer infrastructure extensions. Phase one on-site construction is anticipated to include all mass grading and stormwater improvement facilities for the overall site, as well as the parking, utility services associated with the 300,000 SF building.

Site ingress and egress during construction and for emergency response would be via the proposed southern project driveway, connecting the Project Site to River Road, and South Port Road for the bridge construction. The southern access point will be established at the beginning of construction and designed to accommodate construction and emergency vehicles. The duration of construction for phase one is anticipated to take 12-14 months. The balance of the phases could take 6-9 months each.

Construction of paved areas, stormwater facilities, lawn areas, and buildings will result in an alteration of the existing ground and site characteristics. Approximately 67 acres will be disturbed during construction. The development of the site will require that some fill material (e.g. driveway and parking crushed stone sub-base) to be imported to the Project Site to achieve structural integrity and proposed grades.

It is estimated that approximately 316,000 cubic yards (CY) of soil will need to be cut for site construction. Cut soils will be used as on-site fill to build the grade up to proposed subgrade in areas of building(s), driveways, parking, and stormwater management facilities in order that no off-site disposal of soils is required. Approximately 5,600 CY of clean, suitable fill will be brought to the site to provide a 1-2 foot cap over existing soils in proposed areas of pervious green spaces, including stormwater management areas.

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.

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.

This project will be required to comply with the State Pollutant Discharge Elimination System (SPDES) Phase II General Permit for Stormwater Discharges from Construction Activities (GP-0-15-002). As part of these requirements a Stormwater Pollution Prevention Plan (SWPPP) will be prepared describing erosion and sedimentation control measures.

The Town of Bethlehem is an MS4 community and therefore this project will comply with the NYSDEC Phase II stormwater regulations and will incorporate Best Management Practices (BMP's) to ensure that water quality on site will be protected. BMP's to be employed will, at a minimum, include:

- Silt fencing placed around construction areas prior to grading activities;
- Diversion Channels to prevent runoff from leaving the site
- 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; and
- Rock check dams

Approval to disturb more than five (5) acres at a time will be required. To obtain the five acres waiver, at least two 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 acres. This increased frequency of inspection will ensure that the erosion and sediment control facilities are functioning as designed and that there are no impacts to the waters of the U.S.

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), as the action is considered to be a "Type I" action.
2. Site Plan review and approval by the Town of Bethlehem Planning Board.
3. Bethlehem Town Board approval for the extension of the existing water and sewer districts to cover the project site.
4. New York State Department of Environmental Conservation and Albany County Department of Health approvals for extension of the water and sewer mains to the project site.
5. New York State Department of Transportation review and approval of the Traffic Impact Study.
6. Town of Bethlehem work permits for connection to the Town sanitary sewer system.
7. Town of Bethlehem work permits for connection to the Town water main.
8. 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
    c. Acceptance of dedication of new water and sewer mains (as necessary)
    d. SWPPP and 5-acre Waiver approval
2. Town of Bethlehem Town Board
    a. SEQRA Review - Involved Agency
    b. Extension of water and sewer districts to the proposed project.
    c. Acceptance of dedication of new water and sewer mains, as necessary.
3. Town of Bethlehem Department of Public Works
    a. Permits for water and sewer service connections
4. Town of Bethlehem Floodplain Administrator
    a. Development Permit for construction within a FEMA regulated floodplain per Town Code
5. Town of Bethlehem Zoning Board of Appeals
    a. Review and grant building height variance
6. Albany County Planning Board
    a. SEQRA review - Interested Agency
    b. Site Plan Review Recommendation
7. Albany County Health Department
    a. SEQRA review - Involved Agency

   b. Approval of water and sewer main extensions
8. New York State Department of Environmental Conservation
   a. SEQRA Review - Involved Agency
   b. Protection of Waters permit approval for proposed shoreline features
   c. General Permit for Stormwater Discharges
   d. Approval of sewer main extension
   e. Approval of water and sewer district extensions
   f. Article 15 Protection of Waters Permit
   g. Section 401 Water Quality Certification
9. New York State Department of Transportation
   a. SEQRA Review - Involved Agency
   b. Approval of Traffic Impact Study
10. New York State Office of Parks, Recreation and Historic Preservation
   a. SEQRA Review - Involved Agency
   b. Sign-off on Archaeological and Historic Impacts
      i. Received "Letter of No Adverse Effect" – Dated March 14, 2019
11. U. S. Army Corps of Engineers
   a. Section 404 Permit
   b. Section 10 Permit

2.7. Purpose and Process of SEQRA

This Generic Draft Environmental Impact Statement was prepared in compliance with Article 7 of the New York Environmental Conservation law, the State Environmental Quality Review Act (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 requires that an Environmental Review is conducted for any action that may have a significant impact on the environment. This statute and the New York State Department of Environmental Conservation 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:

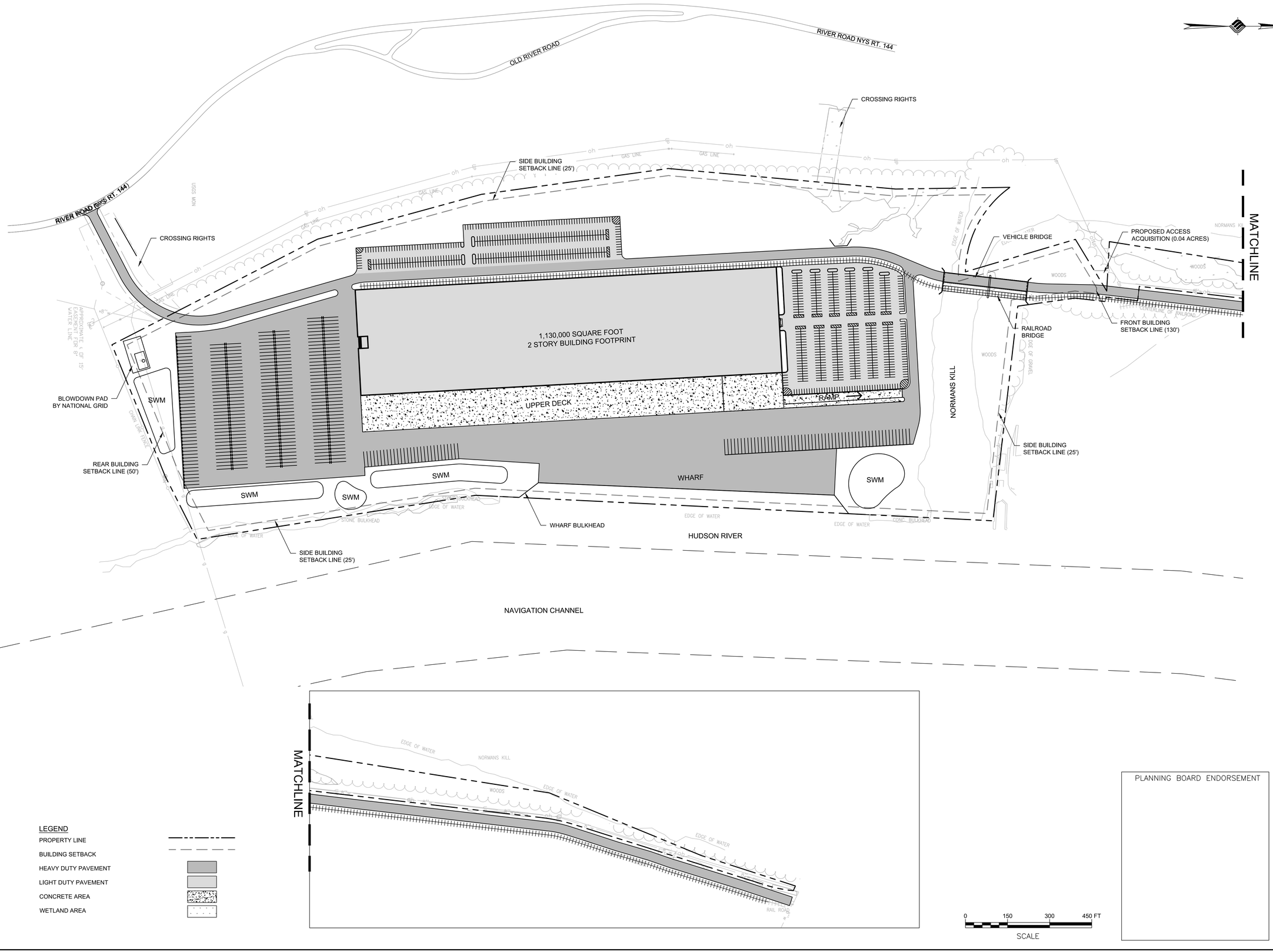
1. Physical alteration of 10 acres (i);
2. Parking for 1,000 vehicles (iii); and,
3. More than 100,000 SF of gross floor area in a town having a population of 150,000 persons or less (iv).

According to SEQRA, a DGEIS can be used to assess the environmental effects of a sequence of actions, contemplated by a single agency or project sponsor. As mentioned this project has no specific building or project being proposed. Therefore, this Generic Environmental Impact Statement will address the generic impacts of the project in more general and conceptual terms,

the cumulative effects on the environment for all phases of the total project. As a result, subsequent site plan review for each specific proposed project will be required by the lead agent, to ensure that the specific project complies with the environmental thresholds and mitigation measures identified by this Generic Environmental Impact Statement.

The purpose of this DGEIS is to serve as a guide to demonstrate that the project is in compliance with SEQRA regulations and 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 total timeframe to complete the process is anticipated to be approximately 6 to 8 months.



PLANNING BOARD ENDORSEMENT

McFarland Johnson
60 RAILROAD PLACE
SUITE 402
SARATOGA SPRINGS, NEW YORK 12866
P:518-580-9380 F:518-580-9383
mjinc.com

PROJECT MILESTONE
CONCEPT DESIGN

NO.	DATE	DESCRIPTION

CLIENT: ALBANY PORT DISTRICT COMMISSION

PROJECT: PORT OF ALBANY EXPANSION
BETHLEHEM, NEW YORK

DRAWN	NSO
DESIGNED	NSO
CHECKED	TCB
SCALE	NOT TO SCALE
DATE	MAY 2019
PROJECT	18437.00

DRAWING TITLE
CONCEPT A

DRAWING NUMBER
FIGURE 2.3-1

1 OF 1

3. ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

3.1. Soils, Geology, and Topography

3.1.1. Environmental Setting

Terrestrial Lands

Historically the area was composed of small islands and river channels subject to natural shifts due to flows associated with the Hudson River and the former Island Creek, a side channel of the Hudson River. Island Creek historically flowed along the western side of the site through the current power line corridor and discharged to the Hudson River at the southern end of the site. Based on available mapping, sometime between 1936 and 1961, Island Creek channel was diverted at the north end of the site directly to the Hudson River, whereupon it was referred to solely as Normans Kill, the main tributary to this former channel. Refer to Section 3.11 for additional historical site information and documentation.

The site has been subject to historic fills to create lands and a portion of the site was operated as a coal ash disposal site by Niagara Mohawk from approximately 1952 to 1970.

Currently, most of the site is relatively flat with a slight slope towards the Hudson River, with an abandoned elevated railway bed that traverses the site in a north-south direction. A portion of the southwestern access easement (west of the utility corridor) is a ridge. Bedrock outcrops were noted at the side and top of this ridge. A site topographical survey was completed and is provided in Appendix O.

Based on soils information provided by the USDA-NRCS (Figure 3.1-2), most of the project area is mapped as Wayland Soils Complex (Wo) and Udorthents- loamy (Ug) soils. A small portion of the northern project limits is mapped as Urban land (Ur), and the western portions of access easements from River Road/NYS Route 144 are mapped as Nassau very channery silt loam (NrD). Wayland series soils consist of very deep, poorly drained and very poorly drained, nearly level soils formed in recent alluvium within floodplains. Ug soils consists of nearly level and gently sloping areas where the original soils have been cut away or covered with a loamy fill material and can be found in almost every landscape position. Ur soils of nearly level to moderately steep areas where the soils have been altered or obscured by more than 85% with urban works and structures. Nassau series soils consist of shallow, somewhat excessively drained soils formed in channery till derived from acid shale and slate that are nearly level to very steep soils and that are found on summits, shoulders, and backslopes of ridges and hills on glaciated uplands. Soil mapping of the project area has been provided as Figure 3.1-1.

Geotechnical studies have been undertaken to evaluate the subsurface conditions of the site. These investigations have been summarized in the following reports:

- *Preliminary Geotechnical Evaluation and Interpretive Report*, CME Associates, Inc., April 5, 2017
- *Supplemental Geotechnical Report*, Dente Group, July 20, 2017

Copies of these reports have been included in Appendix E.

Based on these previous investigations, the subsurface conditions of the site are generally characterized by historic fills of various depths overlying, in sequence with depth; river sediments, alluvial sands, glaciolacustrine silt/ clay, glacial till, and shale bedrock.

The fill was noted at specific boring locations ranging from 6 to 23 feet below existing grade. The fill material is characterized as a random landfill deposit containing natural and solid waste deposits such as, but not limited to, foundry sand waste, sand, silt, coal ash, gravel, and organic matter. A predominant component of the fill was reported as coal ash.

Shale bedrock was found beneath the glacial till soils at select boring locations. The depth to rock ranged from approximately 61 feet below grade near the northwest portion of the site, to greater than 148 feet at the southeast portion of the site. The rock depths appear shallowest on the north and west sides of the site and increase to the east towards the Hudson River and in a south direction across the site. Based on the New York State Museum and Science Service's Geologic Map of New York: State Hudson-Mohawk Sheet, and the geotechnical rock core samples, the bedrock appears to be consistent with the Normans kill Shale Formation.

According to the geotechnical reports, 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 this site depending on several factors such as rainfall, seasonal changes, prevailing climate, ambient weather conditions, and the tidal influences of the Hudson River.

Lands Under Water

Portions of the site are bounded by the Hudson River and Normans Kill. The beds of these two tidally influenced surface waters are generally characterized by sediments comprised primarily of silt and sands.

A preliminary assessment of the sediment within the area of proposed dredging for the proposed wharf was conducted. A copy of this report, which includes the limits of dredging, is included in Appendix F.

A total of 5 sediment cores, C-1 through C-5, were collected to approximately 10 feet below the sediment surface. The core logs indicate the sediments consisted primarily of fine, medium and coarse sands with none to some silt.

Composite samples collected from the 5 sediment cores were analyzed for the following parameters:

- Arsenic, cadmium, copper, lead, and mercury- EPA Methods 3050B and 7474
- Benzene, toluene, ethylbenzene, and xylenes - EPA Method 8260C
- Polynuclear aromatic hydrocarbons (PAHs) – EPA Method 8270D
- Dieldrin, mirex, and chlordane- EPA Method 8081A

- Dichlorodiphenyltrichloroethane (DDT), dichlorodiphenyldichloroethane (DDD), and dichlorodiphenyldichloroethylene (DDE)- EPA Method 8081A
- Total polychlorinated biphenyls (PCB)- EPA Method 8082A
- Cyanide – EPA Method 9010C

The results of the sampling indicated that the detected concentrations of pesticides and PCBs in 1 of the 5 selected core locations (core C-2) would warrant dredging management option "Class B" pursuant to the NYSDEC Division of Water Technical & Operational Guidance Document Series (TOGS) 5.1.9.

3.1.2. Potential Impacts

Terrestrial Lands

Based on the geotechnical investigation, the existing subsurface conditions are not considered suitable as is, for support of conventional shallow building foundations and slab-on-grade construction, and subsurface improvements will be required.

The fly ash and bottom ash at the site has the potential to contain high levels of metals and other contaminants that may require entering into a NYSDEC remedial program under 6 NYCRR Part 375. Further subsurface investigations are required to adequately assess the limits of any potential for contaminants across the site. However, as described in Section 2.0 the project will be designed to balance earthwork, and therefore no on-site soil will be removed from the project site.

The project will change the surface coverage of the site 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.

Lands Under Water

Class B management options for dredged materials suggests the use of a closed bucket or other method to meet environmental objectives during dredging activity. Additionally, disposal criteria for removed Class B sediments will require further evaluation.

3.1.3. Mitigation Measures

Terrestrial Lands

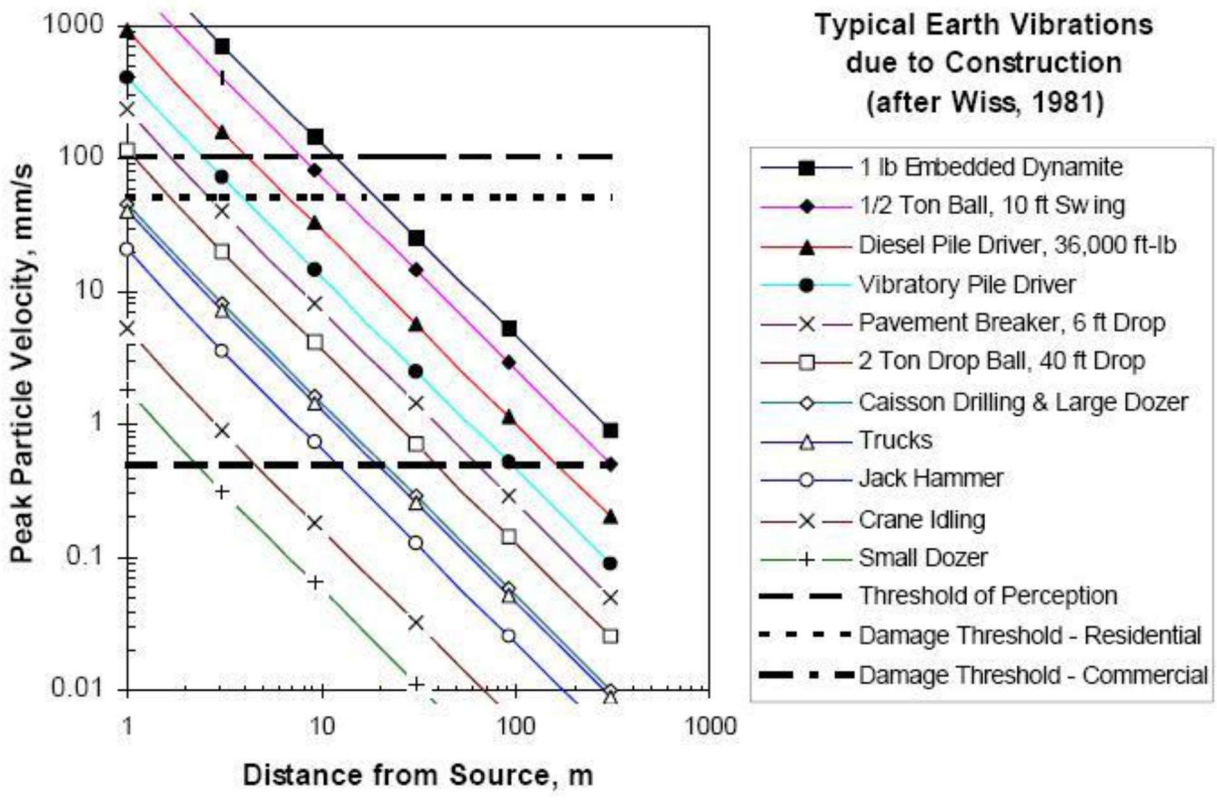
There are no natural or unique geographical features located at the site, and therefore no mitigation measures are proposed to reduce impacts to natural or unique geographical features .

Based on the existing subsurface conditions, deep dynamic compaction, rigid inclusions, surcharges, and/or partial undercuts with surface stabilization, will be utilized to improve the fills and sediments in-situ to provide support of lightly loaded structures, pavements, and open areas

which are not usually highly sensitive to post construction settlement. These improvement methods may be used solely or in combination based on the location and type of structure.

Dynamic compaction techniques are completed using a crane and dropping a weight in an engineered pattern across the ground surface in order to densify the subsoils. The energy introduced into the subsoils while large, dissipates as it emanates out and downward from the impact area. The operation includes monitoring of the peak particle velocity of the soil at the property limits or sensitive facilities within the project area. Figure 3.1-2 below was adapted from the New York State Department of Transportation (NYSDOT) Highway Design Manual which shows earth vibrations caused by common construction activities with the threshold values where they become noticeable or would be expected to be of concern to typical residential or commercial buildings. The figure shows that all typical activities generate particle velocities below the damage threshold of any typical construction even at a modest and conservative setback distance of 200 feet from the densification activity. As the use of this technique across this development will be 675 feet from the closest existing building (226 River Road) its use should be without consequence. Regardless, during construction particle velocities will be monitored, and techniques modified as required to achieve the desired densification and maintain particle velocities below the residential threshold at the project's property limits or sensitive facilities within the site.

Figure 3.1-2: Generic Model of Construction Vibrations as a Function of Distance



Source: NYSDOT Highway Design Manual, Chapter 9- Soils, Walls, and Foundations, Figure 9.6-2, September 15, 2013

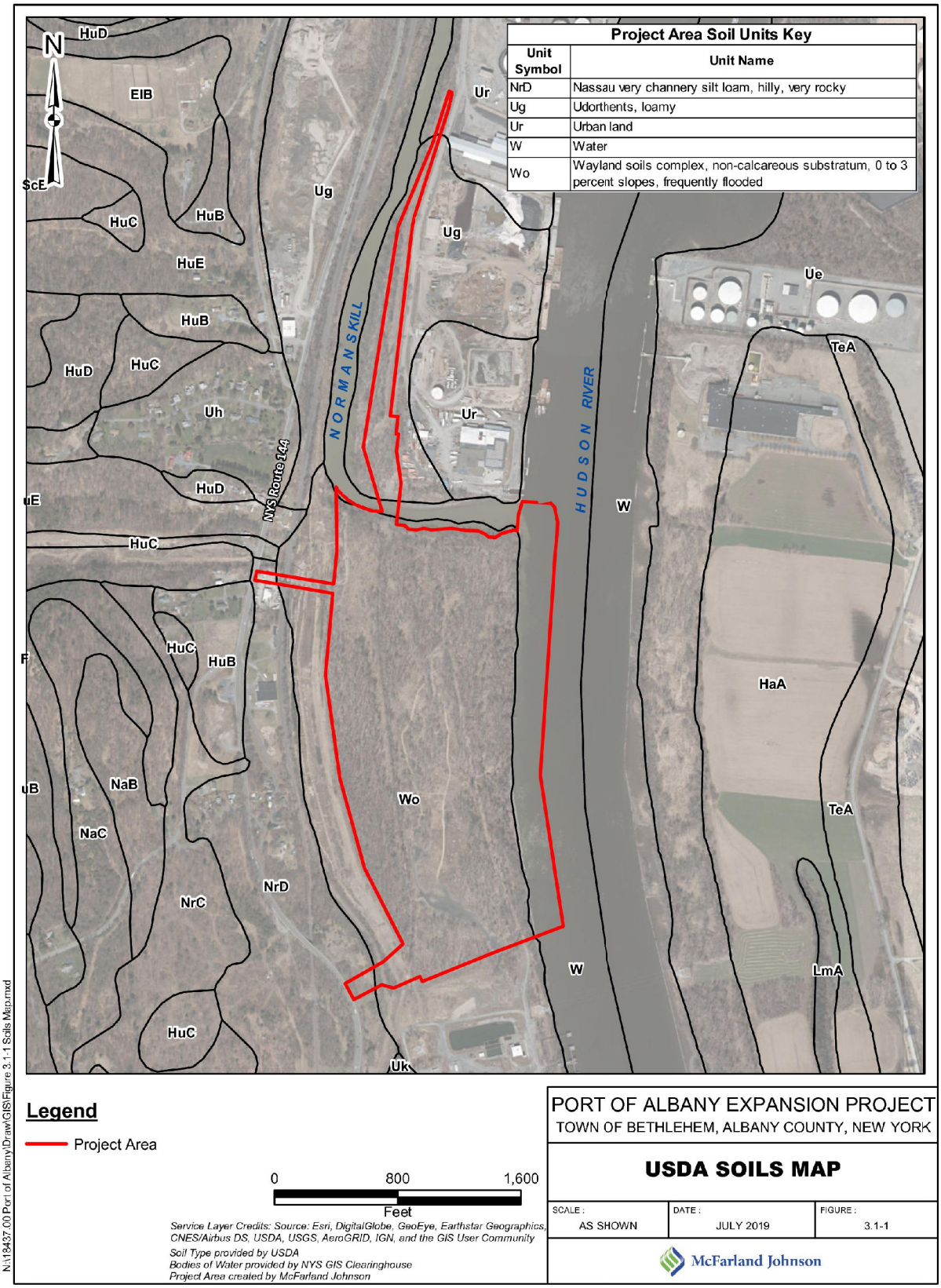
Construction related impacts, including soil erosion and sedimentation will be mitigated through appropriate Erosion and Sediment Control as designed and enforced in accordance with the NYSDEC New York State Standards and Specifications for Erosion and Sediment Control. See Section 3.8 for additional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

Due to the presence of coal fly ash and bottom ash, further subsurface investigations are required to adequately assess the potential for contaminants across the site. Engineering and institutional controls developed in coordination with the NYSDEC will mitigate any potential effects to the environment and human health. It is anticipated that the engineering controls may include a cover system consisting of 1 to 2 feet of soil or engineered fill to be placed over a demarcation maker overlying the coal ash. The cover system (cap), may consist of impervious pavement, concrete building slab or a 1'-2' thick earthen berm. A soil management plan (SMP) prepared in accordance with the NYSDEC regulations will be required prior to construction for management of the coal ash soils and this plan will also address procedures for constructing underground utilities and the future maintenance of the below grade infrastructure. It is possible that some coal ash may need to be transported off-site to a permitted disposal site due to elevated levels of heavy metals, and a long-term ground water monitoring program may be required, all of which will be regulated by the NYSDEC.

Lands Under Water

Based on the final design of the wharf and associated dredging, a Sediment Sampling and Analysis Plan will need to be prepared in accordance with TOGS 5.1.9 guidelines or other site-specific requirements under a NYSDEC remedial program. The results of the sediment sampling will dictate the methodologies of sediment removal, handling and disposal to minimize potential effects to the environment and human health. However, based on the preliminary results, it is anticipated that the dredged material could be granted a Beneficial Use Determination (BUD) by the NYSDEC. This determination would allow for the dredged material to be properly dewatered on site and used as fill prior to, or as part of the implementation of the aforementioned engineering controls for the site.

A closed bucket or similar method of sediment removal will be utilized to reduce suspended solids and translocation of materials during dredging operations. In addition, a turbidity curtain will be utilized to minimize potential downstream impacts associated with suspended solids during dredging and shoreline disturbances to the Hudson River. The suspended solids within the work area will be allowed to settle prior to turbidity curtain removal.


Project Area Soil Units Key
Unit Symbol | Unit Name
NrD | Nassau very channery silt loam, hilly, very rocky
Ug | Udorthents, loamy
Ur | Urban land
W | Water
Wo | Wayland soils complex, non-calcareous substratum, 0 to 3 percent slopes, frequently flooded
N
HuD
EIB
ScE
HuC
HuB
HuE
Ug
Ur
Ue
TeA
HaA
LmA
Uh
NaB
NaC
NrC
NrD
Wo
Uk
W
NORMANSKILL
HUDSON RIVER
NYS Route 144
Legend
Project Area
0
800
1,600
Feet
Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
Soil Type provided by USDA
Bodies of Water provided by NYS GIS Clearinghouse
Project Area created by McFarland Johnson
PORT OF ALBANY EXPANSION PROJECT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
USDA SOILS MAP
SCALE : AS SHOWN
DATE : JULY 2019
FIGURE : 3.1-1
McFarland Johnson
N:\18437.00 Port of Albany\Draw\GIS\Figure 3.1-1 Soils Map.mxd

3.2. Vegetation and Wildlife

3.2.1. Environmental Setting

Ecological Communities

Based on the New York Natural Heritage Program (NYNHP) publication "*Ecological Communities of New York State – Second Edition*" (Edinger et al, 2014), the site is comprised of several different ecological community cover types. The approximate boundaries of the primary ecological communities are shown in Figure 3.2-1.

The primary ecological communities include:

- Land Fill/ Dump
- Successional Old Field
- Successional Northern Hardwoods
- Freshwater Tidal Marsh
- Freshwater Subtidal Aquatic Bed
- Freshwater Tidal Creek
- Tidal River

Further information regarding each ecological community is provided hereafter.

Landfill/ Dump

This ecological community is described as an area that has been cleared or excavated waste materials have been placed (Edinger et al, 2014). This community best describes those areas of the site subjected to more recent fly ash and bottom ash deposition. These areas range from devoid of any vegetation to dominated by common reed (*Phragmites australis*).

These areas provide little wildlife habitat value and occupation is limited to transient individuals utilizing adjacent ecological communities.

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 site 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.

Successional Northern Hardwoods

According to the NYNHP, this hardwood or mixed forest community develops on sites that have been cleared or otherwise disturbed. At the site, this forest community generally grades from younger successional growth along the western portion of the site grading to older successional growth along the Hudson River. The younger successional growth area is generally dominated by quacking aspen (*Populus tremuloides*), gray birch (*Betula populifolia*), and eastern cottonwood (*Populus deltoides*), while the older growth area is dominated by eastern cottonwood, silver maple (*Acer saccharinum*), and black willow (*Salix nigra*). The understory species are dominated by invasive and non-native species including European buckthorn (*Rhamnus cathartica*), Morrow's honeysuckle (*Lonicera morrowii*), common reed, garlic mustard (*Alliaria petiolata*), and oriental bittersweet (*Celastrus orbiculatus*).

Wildlife observations (visual, vocal, tracks, scat, etc.) during site visits conducted by a McFarland Johnson wildlife biologist in March, April, and May of 2019 included eastern cottontail (*Sylvilagus floridanus*), red fox (*Vulpes vulpes*), coyote (*Canis latrans*), white-tailed deer (*Odocoileus virginianus*), black-capped chickadee (*Poecile atricapillus*), dark-eyed junco (*Junco hyemalis*), song sparrow (*Melospiza melodia*), hairy woodpecker (*Leuconotopicus villosus*), American robin (*Turdus migratorius*), red-winged black bird (*Agelaius phoeniceus)*, wild turkey (*Meleagris gallopavo*), northern spring peeper (*Pseudacris crucifer*), green frog (*Lithobates clamitans*), and eastern garter snake (*Thamnophis sirtalis*).

Freshwater Tidal Marsh

This ecological community occurs where the water is usually fresh (<0.5‰ salinity), and less than 2 m (6 ft) deep at high tide. The vegetation is dominated by aquatic vegetation that are emergent at high tide (Edinger et al, 2014). This ecological community is associated with more broadly defined freshwater tidal creek and tidal river ecological communities. This ecological community was limited to two small wetland areas identified along the Hudson River along the south eastern portion of the site. These communities were generally dominated by common reed, narrow-leaf cattail (*Typha angustifolia*), and purple loosestrife (*Lythrum salicaria*).

Wildlife observations during site visits conducted by a McFarland Johnson wildlife biologist in March, April, and May of 2019 within the more broadly defined tidal river ecological community are discussed in subsequent section.

Further descriptions of regulated aquatic environments are detailed in Section 3.3.

Freshwater Subtidal Aquatic Bed

This aquatic community 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 area. This ecological community is associated with more broadly defined freshwater tidal creek and tidal river ecological communities.

Within this ecological community vegetation is typically characterized by the presence of wild celery (*Vallisneria americana*). Additional characteristic species may include clasping-leaved pondweed (*Potamogeton perfoliatus*), Nuttall's waterweed (*Elodea nuttallii*), coontail (*Ceratophyllum demersum*), and naiads (*Najas guadalupensis, Najas minor*). Two non-native weeds, Eurasian milfoil (*Myriophyllum spicatum*) and water chestnut (*Trapa natans*), are also common in the Hudson River aquatic beds (Edinger et al, 2014).

The NYSDEC also considers this ecological community as inclusive of supporting submerged aquatic vegetation (SAV). According to the NYSDEC, the most common native species of SAV in the Hudson River watershed is water celery, while other native and non-native species may include clasping leaved pondweed, curly pondweed (*Potamogeton crispus*), and Eurasian water milfoil (NYSDEC, 2014). Historical mapping of SAV beds within the Hudson River estuary has been conducted by the NYSDEC based on interpretation aerial imagery from Hastings-on-Hudson to Troy for the years 1997, 2002, 2007, 2014 and 2016. Based on the most recent mapping event conducted in 2016, there is one small documented SAV bed within the potential project disturbance limits (Figure 3.2-2).

This ecological community has the potential to provide foraging habitat for a variety of waterfowl including, Canada geese (*Branta canadensis*) and a variety of dabbling and diving ducks. Wildlife observations during site visits conducted by a McFarland Johnson wildlife biologist in March, April, and May of 2019 within the more broadly defined freshwater tidal creek and tidal river ecological communities are discussed in subsequent sections.

Further descriptions of regulated aquatic environments are detailed in Section 3.3.

Freshwater Tidal Creek

This ecological community aquatic community is described as a shallow, continuously semidiurnally tidally flooded creek with submerged areas averaging less than 2 m (6 ft) deep at low tide. The water is typically fresh (<0.5‰ salinity). Inclusions within this community may include freshwater subtidal aquatic beds and freshwater tidal marsh. This ecological community type is exclusive to the portion of Normans Kill within the project area. Characteristic fish species include banded killifish (*Fundulus diaphanus*), pumpkinseed sunfish (*Lepomis gibbosus*), and smallmouth bass (*Micropterus dolomieui*) (Edinger et al, 2014).

According to the USFWS, the Normans Kill is an important anadromous fish spawning and nursery habitat for fish species such as alewife (*Alosa pseudoharengus*), blueback herring (*Alosa aestivalis*), and white perch (*Morone americana*), and supports a large population of smallmouth bass throughout the year (USFWS, 1997).

Wildlife observations (visual) during site visits conducted by a McFarland Johnson wildlife biologist in March, April, and May of 2019 included Canada geese, wood duck (*Aix sponsa*), mallard (*Anas platyrhynchos*), common merganser (*Mergus merganser*), and muskrat *(Ondatra zibethicus*).

Further descriptions of regulated aquatic environments are detailed in Section 3.3.

Tidal River

According to the NYNHP, this aquatic community consists of continuously flooded substrates that support no emergent vegetation. Within the river there are two ecological zones; the "deepwater zone" includes areas where substrates are usually over 2 m (6 ft) deep at low tide, and a "shallow zone", which includes submerged areas less than 2 m (6 ft) deep at low tide that lack rooted aquatic vegetation. Tidal river communities are present within the Hudson River. Inclusions within this community may include freshwater subtidal aquatic beds and freshwater tidal marsh.

Characteristic fishes of the deepwater include Atlantic tomcod (*Microgadus tomcod*), hogchoker (*Trinectes maculatus*), and rainbow smelt (*Osmerus mordax*). Rare deepwater species of the Hudson River include sturgeon (*Acipenser brevirostrum* and *Acipenser oxyrinchus oxyrinchus*). Characteristic fishes of the shallows include striped bass (*Morone saxatilis*), American shad (*Alosa sapidissima*), banded killifish, spottail shiner (*Notropis hudsonius*), tesselated darter (*Etheostoma olmstedi*), and pumpkinseed. Fishes that occur in both deepwater and shallows include blueback herring, white perch, and alewife (Edinger et al, 2014).

Wildlife observations (visual) within this ecological community during site visits conducted by a McFarland Johnson wildlife biologist in March, April, and May of 2019 included Canada geese, mallard, common merganser, common goldeneye (*Bucephala clangula*), and ring-billed gull (*Larus delawarensis*).

Further descriptions of regulated aquatic environments are detailed in Section 3.3.

Essential Fish Habitat

The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act (SFA) of 1996 and the MSA Reauthorization Act, was created to prevent overfishing, rebuild overfished stocks, increase long-term economic and social benefits, and ensure a safe and sustainable supply of seafood. Under the MSA, Essential Fish Habitat (EFH) is defined as "those waters and substrates necessary to fish for spawning, breeding, feeding or growth to maturity." EFH applies to each life stage, egg, larvae, juvenile, and adult, for over 1,000 species managed by eight regional Fishery Management Councils (FMCs).

EFHs are described and identified in Fishery Management Plans (FMPs) developed by the FMCs and managed by National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS).

The NMFS Essential Fish Habitat Mapper is a mapping tool used to view and access supporting data for EFH, habitat areas of particular concern (HAPC), and EFH areas protected from fishing (EFHA). The EFH Mapper was accessed on April 12, 2019 to determine the potential presence of EFH in the vicinity of the proposed project. The EFH Mapper indicated HAPC or EFHA were not identified in the vicinity of the site. The EFH Mapper indicated that the following species and their life stages have been designated within the Hudson River/ Raritan Bay estuary near the project site.

Table 3.2-1 : Potential NOAA Essential Fish Habitat in Vicinity of Site

Species	Lifestages	Management Council	FMP
Summer Flounder	Larvae	Mid-Atlantic	Summer Flounder, Scup, Black Sea Bass
Winter Flounder	Eggs, Juvenile, Larvae, Adult	New England	Amendment 14 to the Northeast Multispecies FMP
Little Skate	Juvenile, Adult	New England	Amendment 2 to the Northeast Skate Complex FMP
Atlantic Herring	Juvenile, Larvae, Adult	New England	Amendment 14 to the Northeast Multispecies FMP
Red Hake	Eggs, Larvae, Juvenile, Adult	New England	Amendment 14 to the Northeast Multispecies FMP
Windowpane Flounder	Eggs, Juvenile, Larvae, Adult	New England	Amendment 14 to the Northeast Multispecies FMP
Winter Skate	Juvenile, Adult	New England	Amendment 14 to the Northeast Multispecies FMP
Clearnose Skate	Juvenile, Adult	New England	Amendment 14 to the Northeast Multispecies FMP

Source: NOAA NMFS EFH Mapper, accessed on April 12, 2019.

However, a detailed review of the FMPs for each designated species indicates that their designated EFHs are limited to the seawater salinity (salinity > 25.0‰) and mixing water / brackish salinity (0.5 < salinity < 25.0‰) zones within the Hudson River/ Raritan Bay estuary.

Significant Coastal Fish and Wildlife Habitat

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

Threatened and Endangered Species

The NYNHP, NOAA, and United States Fish and Wildlife Service (USFWS) were contacted regarding potential state or federally-listed rare, threatened or endangered species to occur in the vicinity of the project area. A summary of listed species is provided in Table 3.2-1. Copies of agency coordination documentation are included in Appendix G.

Table 3.2-2 : Threatened and Endangered Species

Common Name	Scientific Name	State Listing	Federal Listing
Northern Long-eared Bat	*Myotis septentrionalis*	Threatened	Threatened
Bald Eagle	*Haliaeetus leucocephalus*	Threatened	Not Listed
Atlantic Sturgeon	*Acipenser oxyrinchus oxyrinchus*	Not Listed	Endangered
Shortnose Sturgeon	*Acipenser brevirostrum*	Endangered	Endangered
Side-oats Grama	*Bouteloua curtipendula var. curtipendula*	Endangered	Not Listed
Violet Wood Sorrel	*Oxalis violacea*	Threatened	Not Listed
Small's Knotweed	*Polygonum buxiforme*	Endangered	Not Listed
Cobra Clubtail	*Gomphus vastus*	Conservation Concern	Not Listed
Umber Shadowdragon	*Neurocordulia obsoleta*	Conservation Concern	Not Listed
Alewife Floater	*Anodonta implicata*	Conservation Concern	Not Listed

Source: NYNHP, USFWS and NOAA consultations (See **Appendix G**).

3.2.2. Potential Impacts

Ecological Communities

Upland Communities

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

Aquatic Communities

Impacts freshwater wetlands and surface waters would be regulated by the United States Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act (CWA) or Section 10 of the Rivers and Harbors Act (RHA) and/ or 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 most recent mapping event conducted in 2016, there is one small SAV bed identified within the project limits (**Figure 3.2-2**). As shown on the grading plan in **Appendix Q**, the project will avoid the SAV bed, and therefore there is no anticipated impact.

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

Threatened and Endangered Species

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 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 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

There are no bald eagle nests (active or alternate) located within 660 feet of the project site. Based on current USFWS bald eagle management guidelines, the project will not “disturb" or otherwise agitate or bother a bald eagle to a degree that it causes or is likely to cause injury to a bald eagle, a decrease in its productivity, or nest abandonment, based on the best scientific information available.

Atlantic Sturgeon

According to the NYSDEC, Atlantic sturgeon can be found in the freshwater and brackish/salt water regions of the Hudson River north to Albany, but the species is usually confined to the deeper, lower reaches of the river, and is a rare occurrence in the vicinity of the project reach of the Hudson River (NYNHP, 2019a). Dredging activities associated with the proposed wharf has the potential result in direct mortality to Atlantic sturgeon and alteration of the existing benthic environment of the Hudson River within the work limits.

Shortnose Sturgeon

Shortnose sturgeon can be found throughout the Hudson River estuary at various time of the year. Their preferred habitat is deep pools with soft substrates and vegetated bottoms (NYNHP, 2019b). Dredging activities associated with the proposed wharf has the potential result in direct mortality to shortnose sturgeon and alteration of the existing benthic environment of the Hudson River within the work limits.

Side-oats Grama

A plant survey was conducted by Terrestrial Environmental Specialists, Inc. (TES) on May 10, 2019. The survey indicated only one area within the project limits will the potential to support side-oats grama. Review of this area did not result in location of any individuals. As a result, no impacts to this species are expected to occur. A copy of the report has been included in Appendix G.

Violet Wood Sorrel

The TES plant survey 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.

Small's Knotweed

TES observed one small 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. As shown on the grading plan in Appendix Q, the project will avoid this area, and therefore there is no anticipated impact to this species.

Cobra Clubtail

Cobra clubtails can be found on large sandy-bottom rivers and wind-swept lakes (MA NHESP, 2015a). Available habitat for this species is considered abundant in the vicinity of the project area and potential impacts to cobra clubtail are considered to be insignificant.

Umber Shadowdragon

Umber shadowdragon can be found on medium to large ponds, lakes and rivers and seem to do well in artificially created artificially created habits including reservoirs and dammed sections of rivers (MA NHESP, 2015b). Available habitat for this species is considered abundant in the vicinity of the project area and potential impacts to this species are considered to be insignificant.

Alewife Floater

Dredging activities associated with the proposed wharf has the potential result in direct mortality of alewife floater and alteration of the existing benthic environment of the Hudson River within the work limits.

3.2.3. Mitigation Measures

Ecological Communities

Upland Communities

All upland ecological communities within the 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 proposed.

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.

All proposed work will avoid the SAV bed shown on the 2016 survey, therefore no mitigation is proposed at this time.

Essential Fish Habitat

No EFHs are located in the vicinity of the project and therefore no mitigation measures are proposed.

Significant Coastal Fish and Wildlife Habitat

Appropriate erosion and sediment controls measures will be implemented to mitigate potential water quality impacts to the Normans Kill. No alterations to the stream bed will be performed as part of the project. The project will likely require federal permit(s) (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 proposed project with the New York State Coastal Management Program (NYCMP). Potential mitigation options may include maintaining bank cover, soil stabilization, and providing adequate riparian buffer areas. Additional information regarding the coastal consistency process is provided in Section 3.14.

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 adverse impacts to northern long-eared bats.

Bald Eagle

No specific mitigation measures are proposed for bald eagles.

Atlantic Sturgeon

Dredging activities associated with the proposed project will be conducted September 1 to November 30 to minimize potential impacts to Atlantic sturgeon. A turbidity curtain will be utilized to minimize potential downstream impacts associated with suspended solids during dredging and shoreline disturbances to the Hudson River. The suspended solids within the work area will be allowed to settle prior to turbidity curtain removal.

Shortnose Sturgeon

The mitigation measures implemented to avoid and minimize potential impacts to Atlantic sturgeon will equally serve as mitigation to avoid and minimize potential impacts to shortnose sturgeon.

Side-oats Grama

Due to lack of presence within the project area, no specific mitigation measures are proposed for this species.

Violet Wood Sorrel

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

Small's Knotweed

All proposed work will avoid the potential location of Small's knotweed, therefore no mitigation is proposed at this time.

Cobra Clubtail

Cobra clubtail is an understudied, cryptic species and exact management needs are unknown. As a result, no specific mitigation measures are proposed for cobra clubtail beyond those measures being already proposed for sensitive habitats, and other rare, threatened and endangered species known to occur in the vicinity of the project area.

Umber Shadowdragon

Similar to cobra clubtail, exact management needs for this species are unknown. As a result, no specific mitigation measures are proposed for umber shadow dragon beyond those measures being already proposed for sensitive habitats, and other rare, threatened and endangered species known to occur in the vicinity of the project area.

Alewife Floater

Based on consultation with the NYSDEC during an on-site meeting on May 13, 2019, prior to any disturbances to the beds of the Hudson River or Normans Kill a freshwater mussel survey will be conducted to confirm the presence or absence of rare, threatened, or endangered freshwater mussels. A mussel contractor will be selected from among those individuals or entities pre-qualified by the NYSDEC for freshwater mussel studies in New York. Prior to the survey, the

contractor will acquire a License to Collect and Possess (LCP) and Endangered and Threatened Species (ETS) permits from NYSDEC Special Licenses.

If rare, threatened, or endangered freshwater mussels are discovered, an Avoidance, Minimization, and Mitigation Plan (AMMP) will be developed in close coordination with the NYSDEC. Generally, if impacts to these species cannot be avoided via avoidance measures, such as limiting the extent of disturbance and utilization of best management practices, it is common practice to relocate target species prior to construction and monitor relocated mussels for up to a year after relocation.

Section References:

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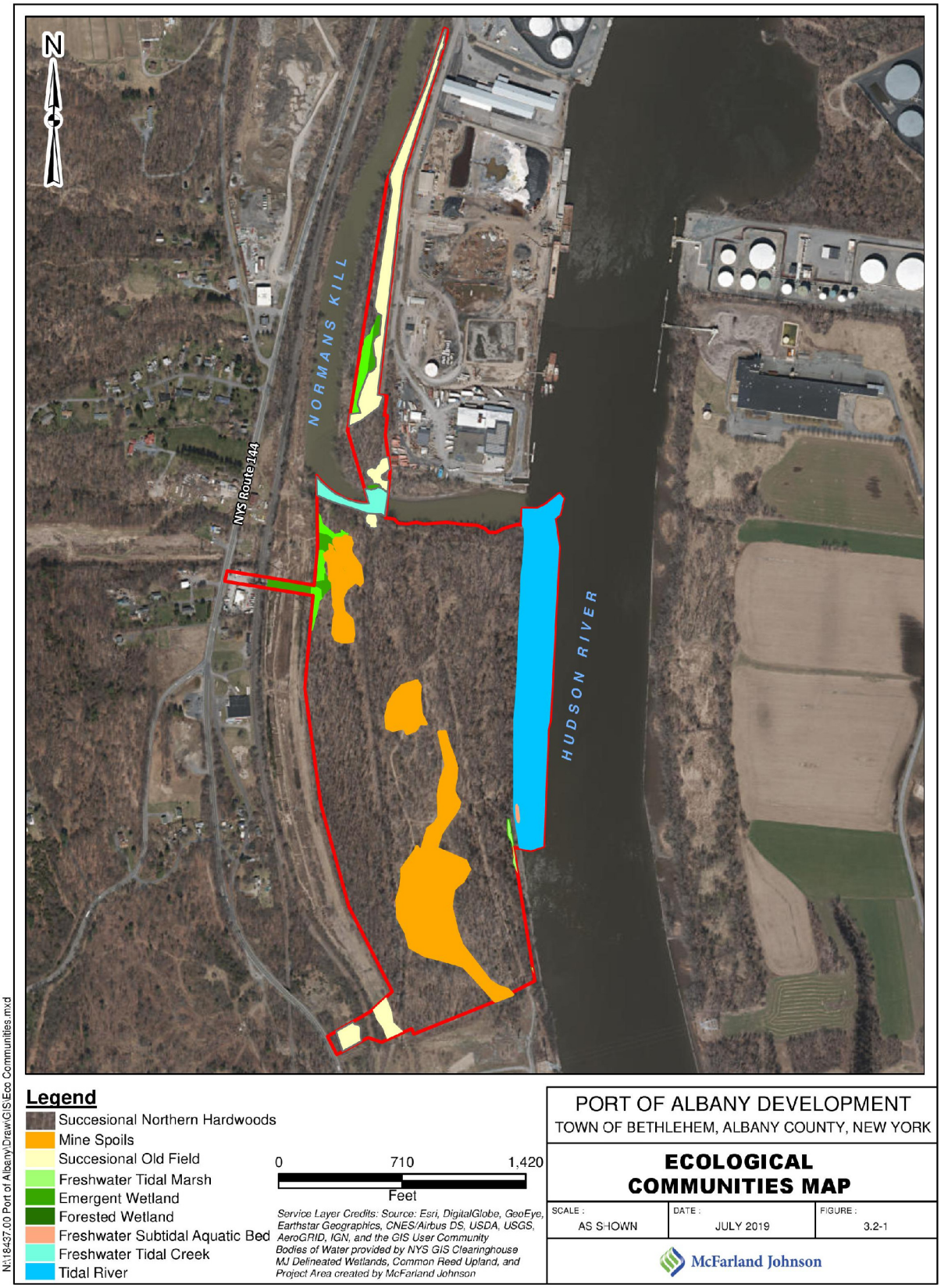
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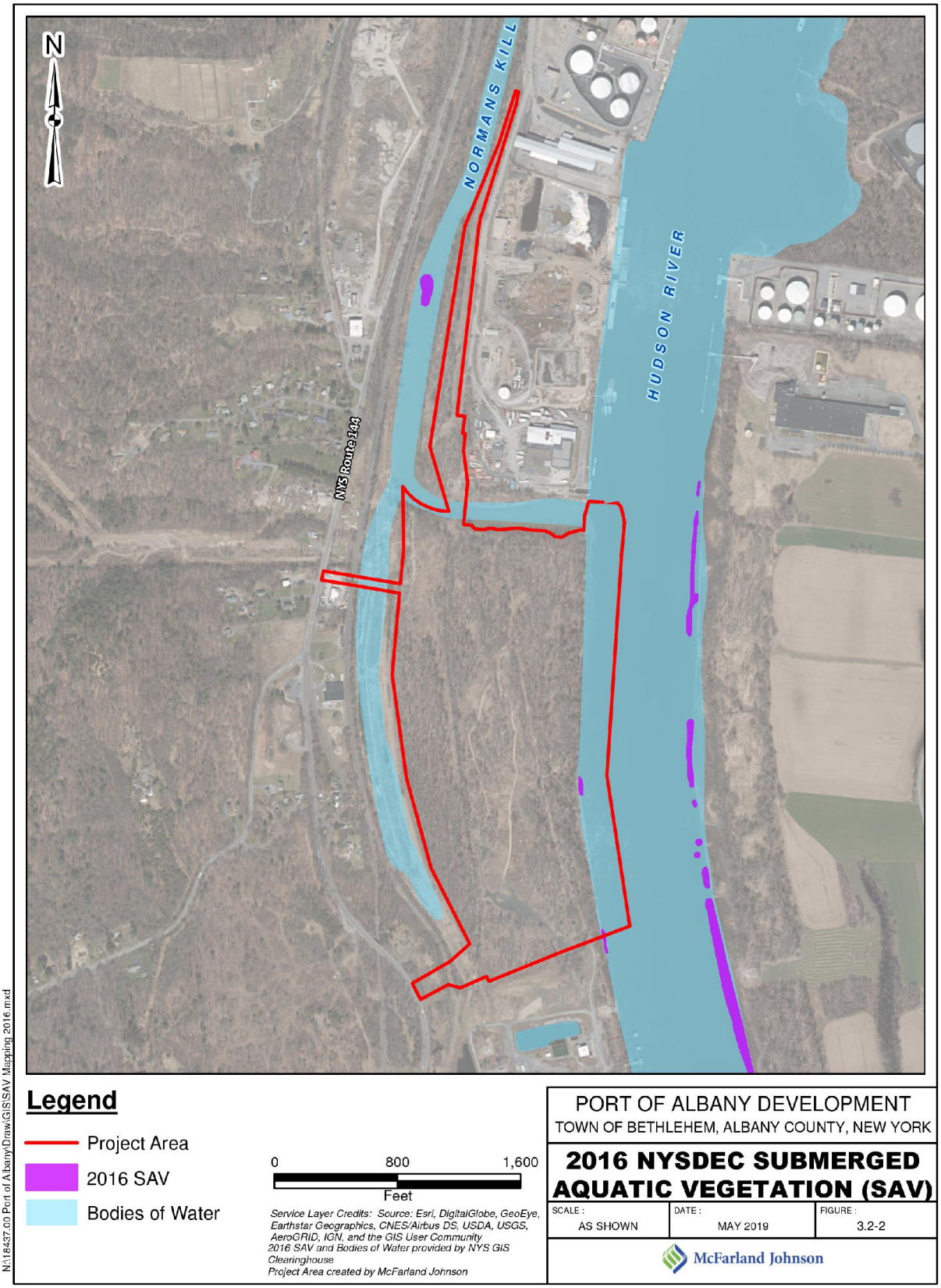
NORMANS KILL
NYS Route 144
HUDSON RIVER
Legend
Succesional Northern Hardwoods
Mine Spoils
Succesional Old Field
Freshwater Tidal Marsh
Emergent Wetland
Forested Wetland
Freshwater Subtidal Aquatic Bed
Freshwater Tidal Creek
Tidal River
0
710
1,420
Feet
Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
Bodies of Water provided by NYS GIS Clearinghouse
MJ Delineated Wetlands, Common Reed Upland, and Project Area created by McFarland Johnson
N:\18437.00 Port of Albany\Draw\GIS\Eco Communities.mxd
PORT OF ALBANY DEVELOPMENT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
ECOLOGICAL COMMUNITIES MAP
SCALE : AS SHOWN
DATE : JULY 2019
FIGURE : 3.2-1
McFarland Johnson


N
NORMANS KILL
HUDSON RIVER
NYS Route 144
Legend
Project Area
2016 SAV
Bodies of Water
0
800
1,600
Feet
Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
2016 SAV and Bodies of Water provided by NYS GIS Clearinghouse
Project Area created by McFarland Johnson
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PORT OF ALBANY DEVELOPMENT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
2016 NYSDEC SUBMERGED AQUATIC VEGETATION (SAV)
SCALE : AS SHOWN
DATE : MAY 2019
FIGURE : 3.2-2
McFarland Johnson

3.3. Regulated Wetlands and Surface Waters

3.3.1. Environmental Setting

Surface Waters

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‰.

The portions of the Hudson River and Normans Kill within the project area have NYSDEC water classifications of Class C. Based on this information, these sections of waterbodies are not considered to be "Protected Streams" under Article 15 of the Environmental Conservation Law. However, the sections of the Hudson River and Normans Kill within the project area are considered to be "Navigable Waters of the State" under Article 15 of the Environmental Conservation Law, and therefore any proposed work below the mean high water elevation is subject to permit review.

The sections of the Hudson River and Normans Kill within the project area are considered to be Navigable Waters of the US under Section 10 of the Rivers and Harbors Act and are considered a Water of the US (WOUS) under Section 404 of the Clean Water Act.

Further information regarding the jurisdictional limits of the NYSDEC and USACE are described hereafter.

NYSDEC Article 15 Jurisdictional Limits

NYSDEC Article 15 jurisdictional limits for “Protected Waters” and "Navigable Waters of the State" are defined by the “mean high water” (MHW). The MHW is defined as the approximate average high water level for a given body of water at a given location, that distinguishes between predominantly aquatic and predominantly terrestrial habitat as determined, in order of use, by the following:

(l) available hydrologic data, calculations, and other relevant information concerning water levels (e.g. discharge, storage, tidal, and other recurrent water elevation data)

(2) vegetative characteristics (e.g., location, presence, absence or destruction of terrestrial or aquatic vegetation);

(3) physical characteristics (e.g., clear natural line impressed on a bank, scouring, shelving, or the presence of sediments, litter or debris); and

(4) other appropriate means that consider the characteristics of the surrounding area.”

The calculated NYSDEC MHW based on data from NOAA Station 8518995- Albany Hudson River, located at latitude 42°39.0' and longitude 73°44.8’, for the most current NOAA National Tidal Datum Epoch (1983-2001), is 4.16 feet (NGVD29).

USACE Section 404 Jurisdictional Limits

USACE Section 404 jurisdictional limits are defined by the “high tide line" (MHT) elevation. The "high tide line" is defined as the line of intersection of the land with the water's surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm. USACE guidelines allow for use of available hydrologic data, calculations, and other relevant information concerning water levels (e.g. discharge, storage, tidal, and other recurrent water elevation data) in defining the MHT elevations.

Based on publicly available data from United States Geological Survey (USGS) Station 01359139-Hudson River at Albany, located at latitude 42°38'46" and longitude 73°44'51", and the average of the highest recorded water elevations per day from April 1 to May 31 for years 2013 to 2017, the calculated USACE MHT is 4.26 feet (NGVD29). The USACE reserves the right to request field interpretations and inspections to define site specific MHT elevations.

USACE Section 10 Jurisdictional Limits

USACE Section 10 jurisdictional limits are defined by the "ordinary high water" (OHW). The OHW is defined as the line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas. USACE guidelines allow for use of available hydrologic data, calculations, and other relevant information concerning water levels (e.g. discharge, storage, tidal, and other recurrent water elevation data) in defining the OHW elevations.

The previously discussed MHT elevation is considered to be the more restrictive (higher) regulative elevation limit in regards to USACE regulated activities, and due to similarities in definition and overlapping regulations, the USACE takes this precedence when defining regulatory limits under Section 10 of the CWA. As such, the OHW is also considered to be 4.26 feet (NGVD29). Like the MHT determination, the USACE reserves the right to request field interpretations and inspections to define site specific OHW elevations.

Wetlands

The New York State Freshwater Wetland and Tidal Wetlands mapping of the project site indicates there are no NYSDEC jurisdictional wetlands within or adjacent the project area (See Figures 3.3-1 and 3.3-2). Review of USFWS National Wetlands Inventory (NWI) mapping of the project site indicates that the majority of the project area is mapped as palustrine emergent wetlands (PEM) and 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 wetland delineation was conducted in April 2019 by McFarland Johnson. The wetland delineation was determined through field investigations of vegetation, soils and hydrology performed in accordance with the 1987 USACE 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 surveyed using a hand-held Trimble GPS Geo7X unit with decimeter (10 cm/ 4 inch) post processing accuracy.

The results of this 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 3, 4, 5, 6, 7, and 9 are predominately PEM wetlands, while Wetlands 1 and 8, consist of PEM and PFO wetland cover types. Furthermore, Wetlands 3 and 4 are directly subject to tidal cyclic tidal inundation. Further details regarding the delineation are provided in the Wetlands and Waterways Delineation Report prepared by McFarland Johnson which has been included in Appendix H.

The location of mapped NYSDEC wetlands and NWI wetlands within the vicinity of the project area, along with the limits of the field delineated wetlands by McFarland Johnson are shown on Figure 3.3-4.

3.3.2. Potential Impacts

Surface Waters

The construction of the proposed wharf will require the dredging of approximately 128,000 cubic yards of sediment along the shore of the Hudson River. This work be performed below the NYSDEC MHW and USACE MHT and. A NYSDEC Article 15 Protection of Water Permit will be required. The project would be considered a “Major Project” under the Uniform Procedures Act requirements (6 NYCRR Part 621). Due to the amount of dredging quantity involved, an USACE Section 404/ Section 10 Individual Permit will be required for the project.

Wetlands

The construction of the bridge crossing of the Normans Kill will result in the impact 0.04 acres of emergent freshwater wetland. Impacts to federally regulated wetlands will require a USACE Section 404 Permit. If the impacts to federally regulated wetlands are done in conjunction with the dredging impacts, the impacts would be permitted under the same USACE Section 404/ Section 10 Individual Permit. Should the wharf construction portion of the project be abandoned, the wetlands impacts could be permitted solely under a Section 404 Nationwide Permit No. 39-*Commercial and Institutional Developments* (NWP-39).

3.3.3. Mitigation Measures

Surface Waters

Mitigation for impacts to surfaces waters, will be conducted in accordance with NYSDEC and USACE requirements during future permitting efforts for the project. Potential mitigation options include water quality improvement projects and enhancement and/or preservation of riparian areas within the Hudson River and Normans Kill watersheds. Mitigation will be conducted such that there is a net benefit to the local watershed.

Wetlands

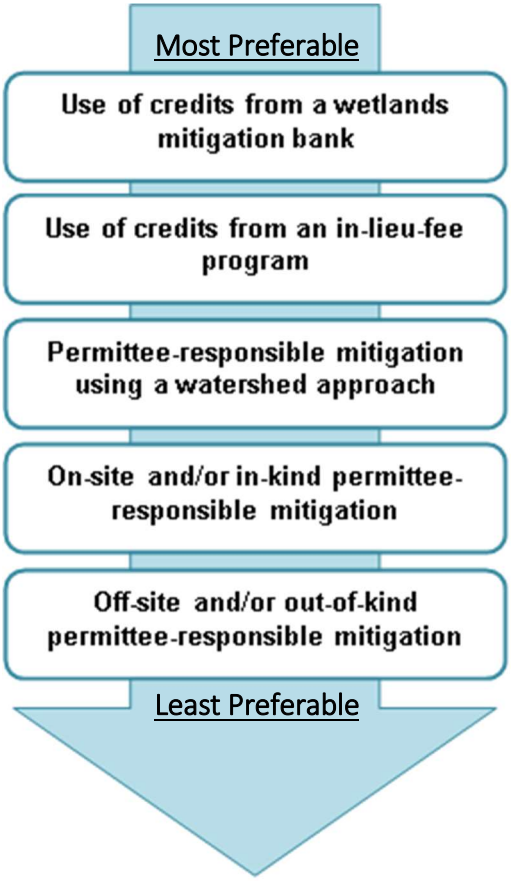
Compensatory wetland mitigation may be required as a permit condition by the USACE depending on the final specific details of the project. Wetland mitigation can come in the form of restoration, establishment, enhancement, and/or preservation of wetlands. Typical mitigation ratios recommended by the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

Table 3.3-1: Typical USACE Recommended Wetland Mitigation Ratios

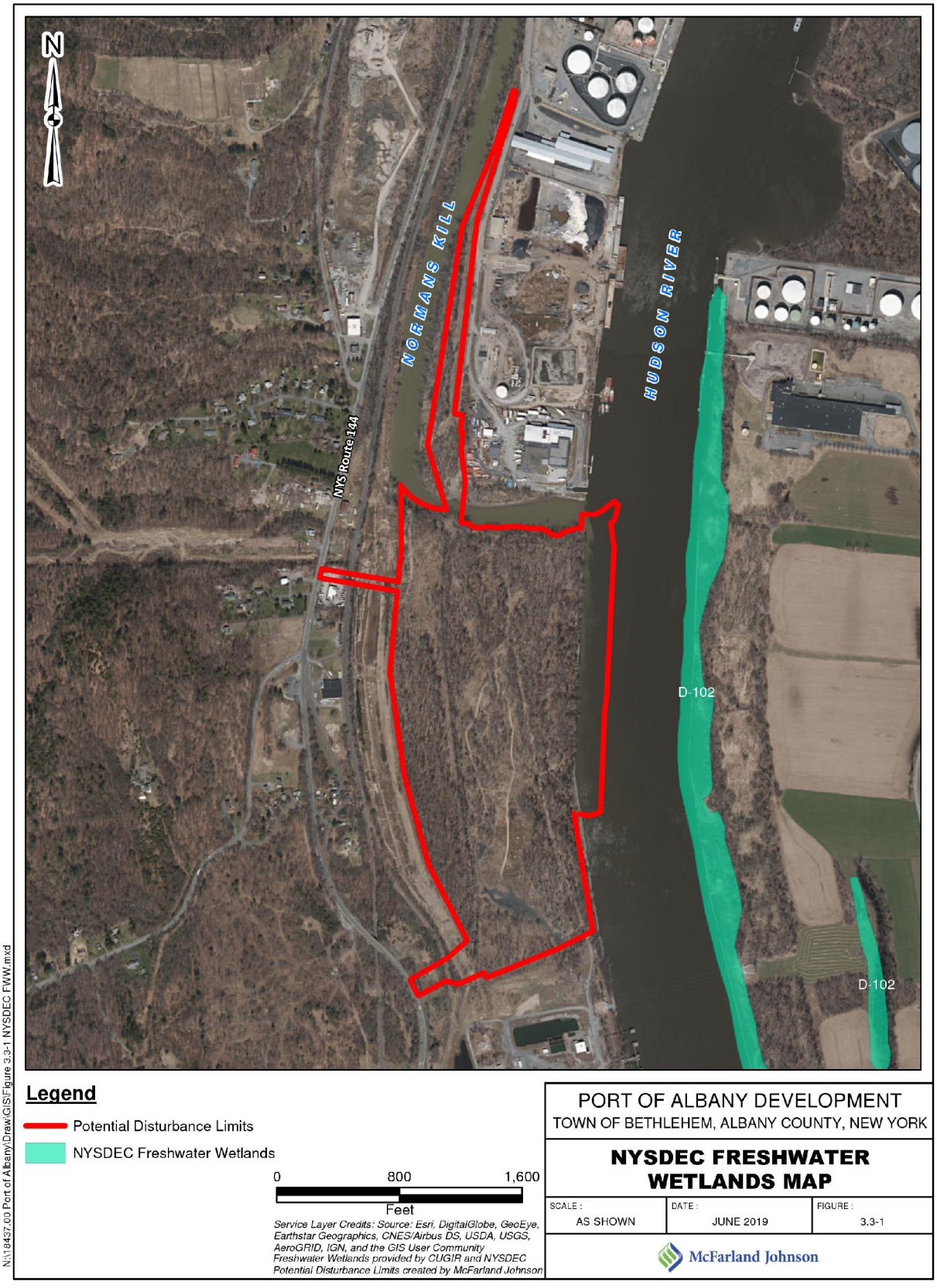
Wetland Type	Restoration (Re-Establishment)	Creation (Establishment)	Enhancement (Rehabilitation)	Preservation (Protection/ Management)
Open Water (PUB)	1:1	1:1	Project Specific	Project Specific
Emergent (PEM)	2:1	2:1 to 3:1	3:1 to 10:1	15:1
Scrub-Shrub (PSS)	2:1	2:1 to 3:1	3:1 to 10:1	15:1
Forested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

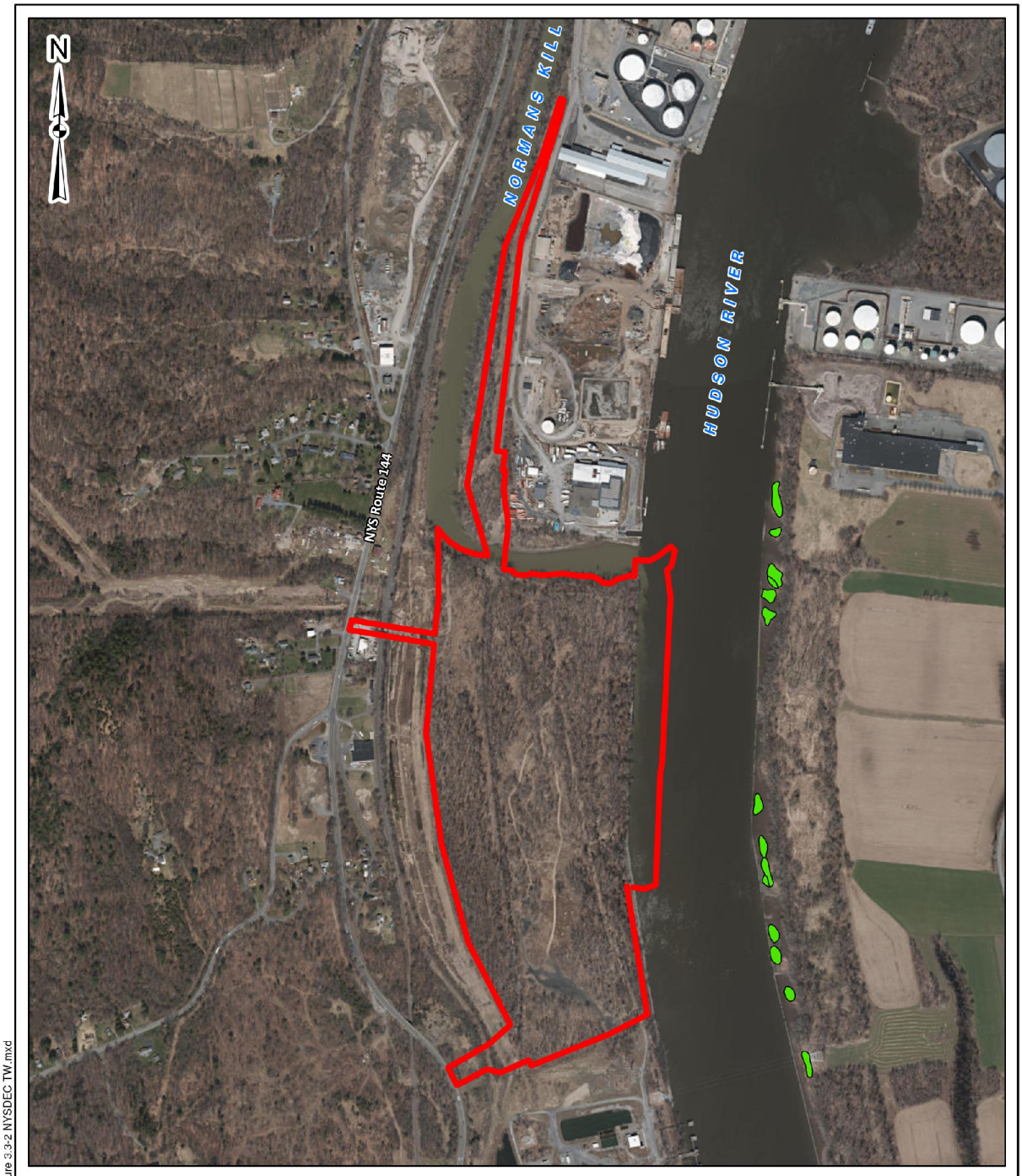
Source: Excerpted from USACE's "New England District Compensation Mitigation Guidance" dated July 20, 2010

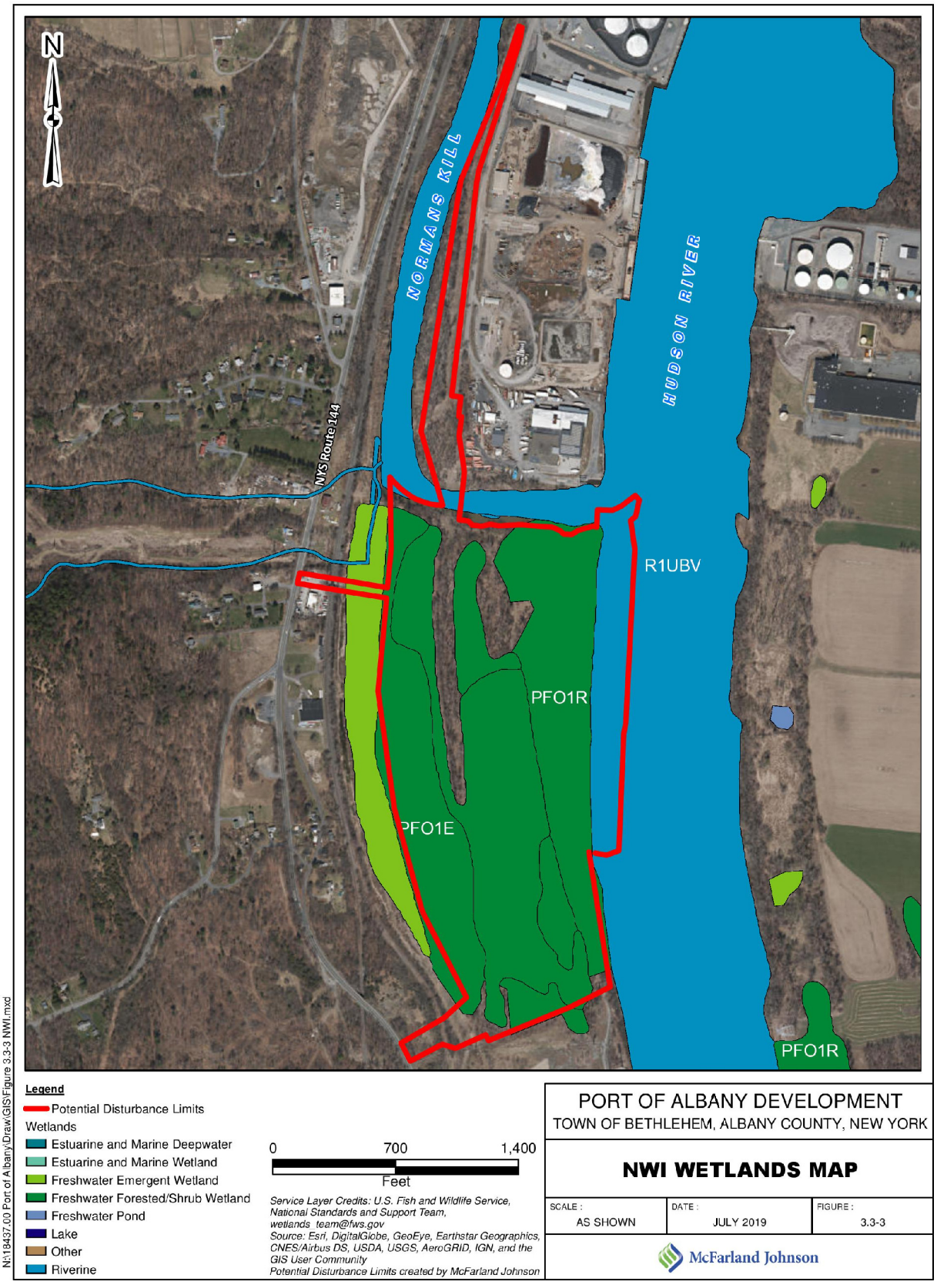
Based on regulations promulgated by the Department of Defense and Environmental Protection Agency in *Mitigation for Losses of Aquatic Resources; Final Rule* (Fed. Reg. Vol. 73, No. 70, April 10, 2008) the hierarchy graphic of the preferred wetland mitigation options for impacts to federally regulated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

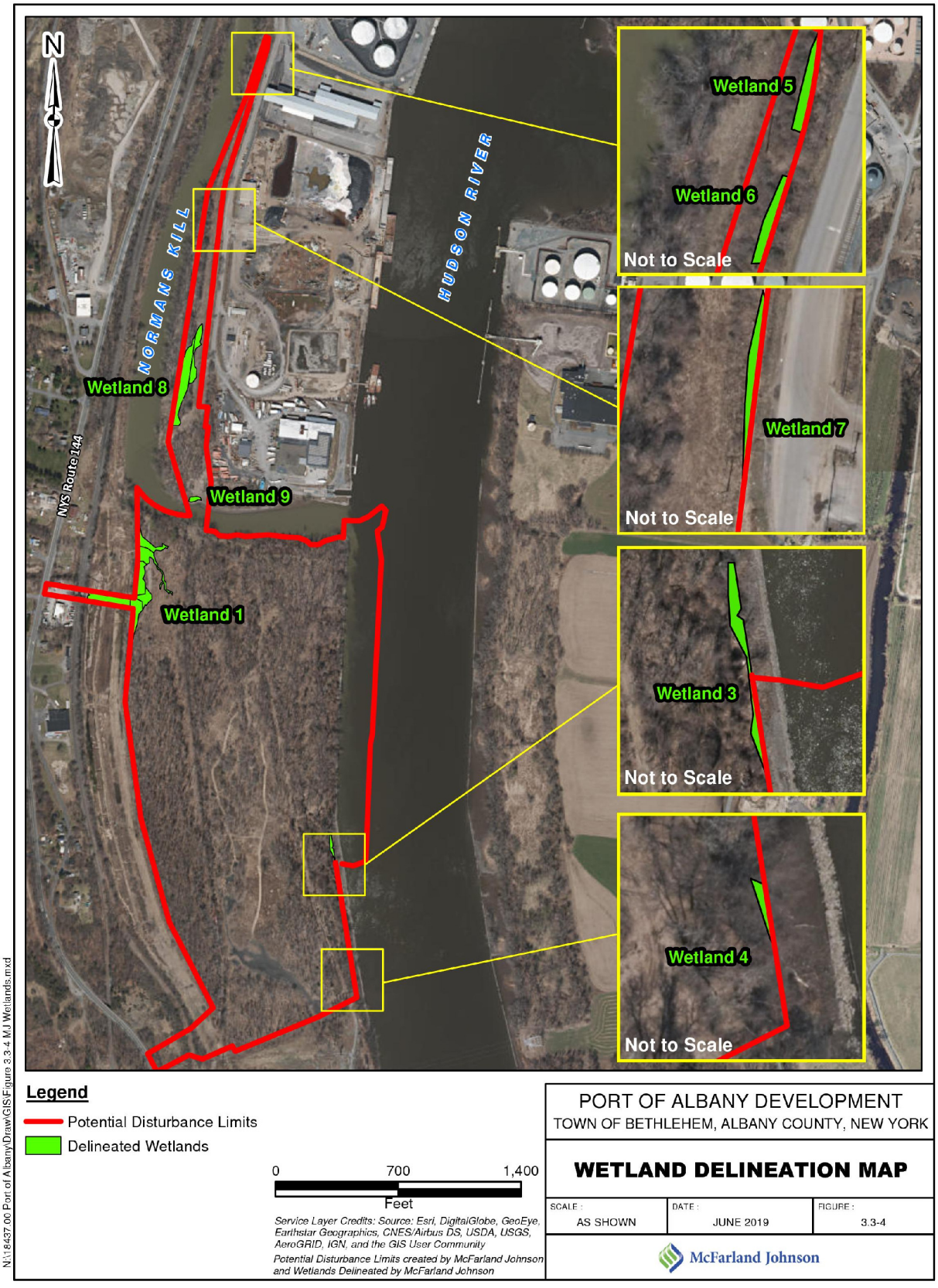


Based on the hierarchy of the preferred wetland mitigation options for impacts to federally regulated wetlands, and the available mitigation options in the region, the preferred mitigation option would be to utilize in-lieu-fee program which has a service area within the same 8-digit Hydrologic Unit Code (HUC), or adjacent 8-digit HUC within the same drainage basin (HUC-6). Mitigation in accordance with USACE rules and regulations will ensure no net loss of wetlands.


N
NORMANS KILL
HUDSON RIVER
NYS Route 144
D-102
D-102
Legend
Potential Disturbance Limits
NYSDEC Freshwater Wetlands
0
800
1,600
Feet
Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
Freshwater Wetlands provided by CUGIR and NYSDEC
Potential Disturbance Limits created by McFarland Johnson
PORT OF ALBANY DEVELOPMENT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
NYSDEC FRESHWATER WETLANDS MAP
SCALE : AS SHOWN
DATE : JUNE 2019
FIGURE : 3.3-1
McFarland Johnson
N:\18437.00 Port of Albany\Draw\GIS\Figure 3.3-1 NYSDEC FWW.mxd
Document Path: N:\18437.00 Port of Albany\Draw\GIS\Figure 3.3-1 NYSDEC FWW 3-26.mxd


N
NORMANS KILL
HUDSON RIVER
NYS Route 144
Legend
Potential Disturbance Limits
NYSDEC Tidal Wetlands
0
800
1,600
Feet
Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
NYSDEC Tidal Wetlands provided by NYS GIS Clearinghouse
Potential Disturbance Limits created by McFarland Johnson
PORT OF ALBANY DEVELOPMENT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
NYSDEC TIDAL WETLANDS MAP
SCALE : AS SHOWN
DATE : JUNE 2019
FIGURE : 3.3-2
McFarland Johnson
N:\18437.00 Port of Albany\Draw\GIS\Figure 3.3-2 NYSDEC TW.mxd


N
NORMANS KILL
HUDSON RIVER
NYS Route 144
R1UBV
PFO1R
PFO1E
PFO1R
Legend
Potential Disturbance Limits
Wetlands
Estuarine and Marine Deepwater
Estuarine and Marine Wetland
Freshwater Emergent Wetland
Freshwater Forested/Shrub Wetland
Freshwater Pond
Lake
Other
Riverine
0
700
1,400
Feet
Service Layer Credits: U.S. Fish and Wildlife Service, National Standards and Support Team, wetlands_team@fws.gov
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
Potential Disturbance Limits created by McFarland Johnson
PORT OF ALBANY DEVELOPMENT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
NWI WETLANDS MAP
SCALE : AS SHOWN
DATE : JULY 2019
FIGURE : 3.3-3
McFarland Johnson
N:\18437.00 Port of Albany\Draw\GIS\Figure 3.3-3 NWI.mxd
Document Path: N:\18437.00 Port of Albany\Draw\GIS\Figure 3.3-3 NWI Wetlands 3-28.mxd


N
NORMANS KILL
HUDSON RIVER
NYS Route 144
Wetland 1
Wetland 3
Wetland 4
Wetland 5
Wetland 6
Wetland 7
Wetland 8
Wetland 9
Not to Scale
Not to Scale
Not to Scale
Not to Scale
Legend
Potential Disturbance Limits
Delineated Wetlands
0
700
1,400
Feet
Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
Potential Disturbance Limits created by McFarland Johnson and Wetlands Delineated by McFarland Johnson
PORT OF ALBANY DEVELOPMENT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
WETLAND DELINEATION MAP
SCALE : AS SHOWN
DATE : JUNE 2019
FIGURE : 3.3-4
McFarland Johnson
N:\16437.00 Port of Albany\Draw\GIS\Figure 3.3-4 MJ Wetlands.mxd

3.4. Floodplains and Floodways

3.4.1. Environmental Setting

Based on the most current Federal Emergency Management Agency (FEMA) map of project area (Map No. 36001C0307D, Effective March 16, 2015) 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", 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 site as referenced to North American Vertical Datum of 1988 (NAVD 88).

Floodway zones have been established for the Hudson River and Normans Kill. These areas are also mapped as Zone AE and closely follow the banks of the rivers.

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 site 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.

3.4.2. Potential Impacts

The placement of fill or other encroachments into floodways and floodplains has the potential to raise BFEs or displace floodwaters to adjacent areas. In addition, the placement of buildings and other structures within floodplains subjects them to potential damages or loss during flooding events. Furthermore, is expected that, as a result of climate change, sea levels will rise over time making peak flood elevations higher than they currently are. The NYSDEC "Low Projection" (as NYSDEC reports is based on historical data) of climate related sea-level rise by the year 2100 is 11 inches for the Mid-Hudson Region (The "Low Projection" amount of sea-level rise that is likely to be exceeded by the 10th percentile of ClimAID model outputs).

The project includes the construction of a wharf which will require work within the floodway. Removal of material from the navigational channel of the river will required be to provide adequate draft for ships to access the wharf.

The project also involves fill and placement of structure(s) within the 100-year floodplain. All building structures will be placed at a finished floor of at least elevation 20.3 feet (NAVD 88). This elevation places the buildings 2.3 feet above the current FEMA 100-year BFE, and 1.3 feet above the FEMA 100-year BFE modified for the Low-Projection of sea level rise for the year 2100.

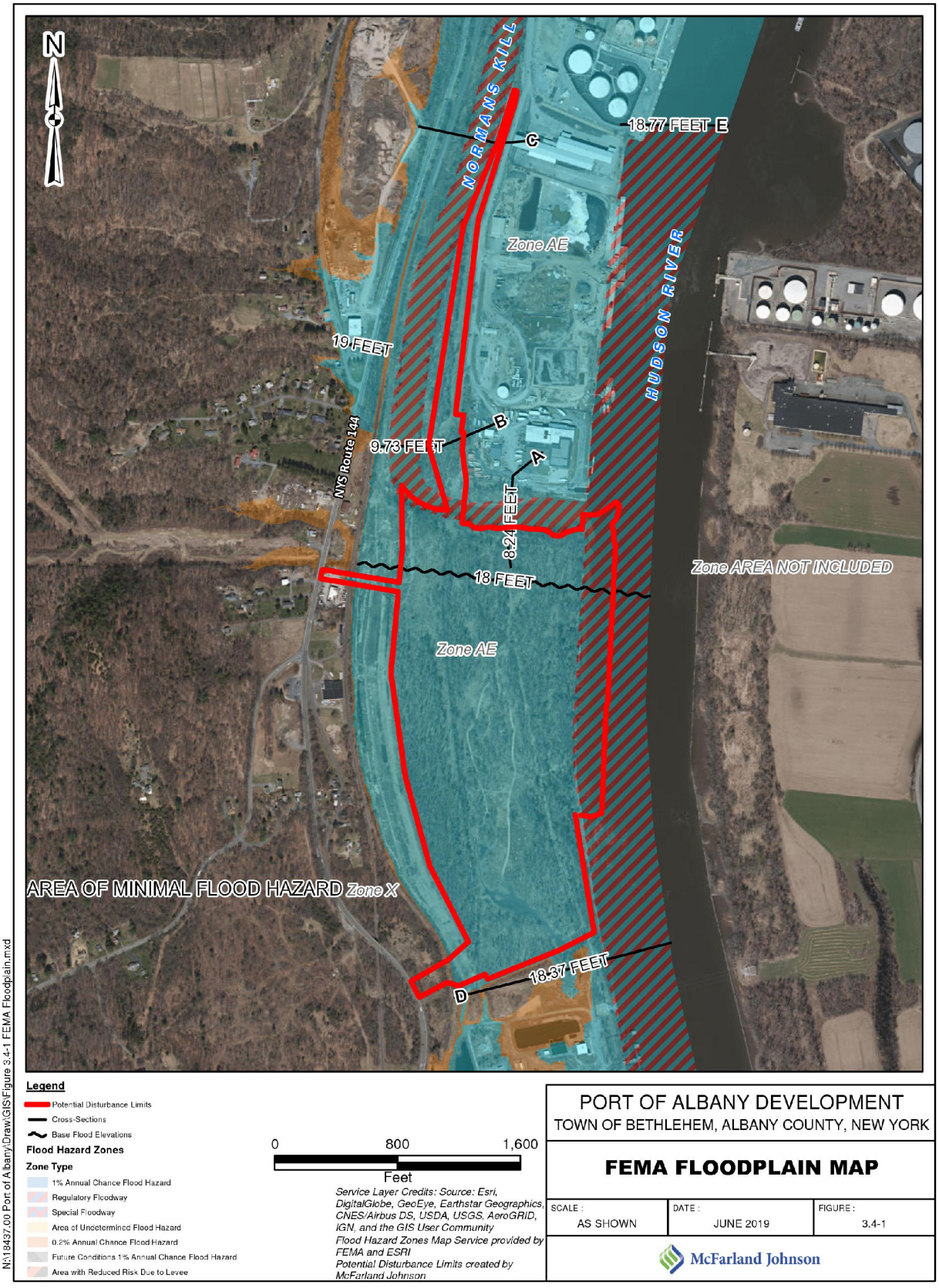
3.4.3. Mitigation Measures

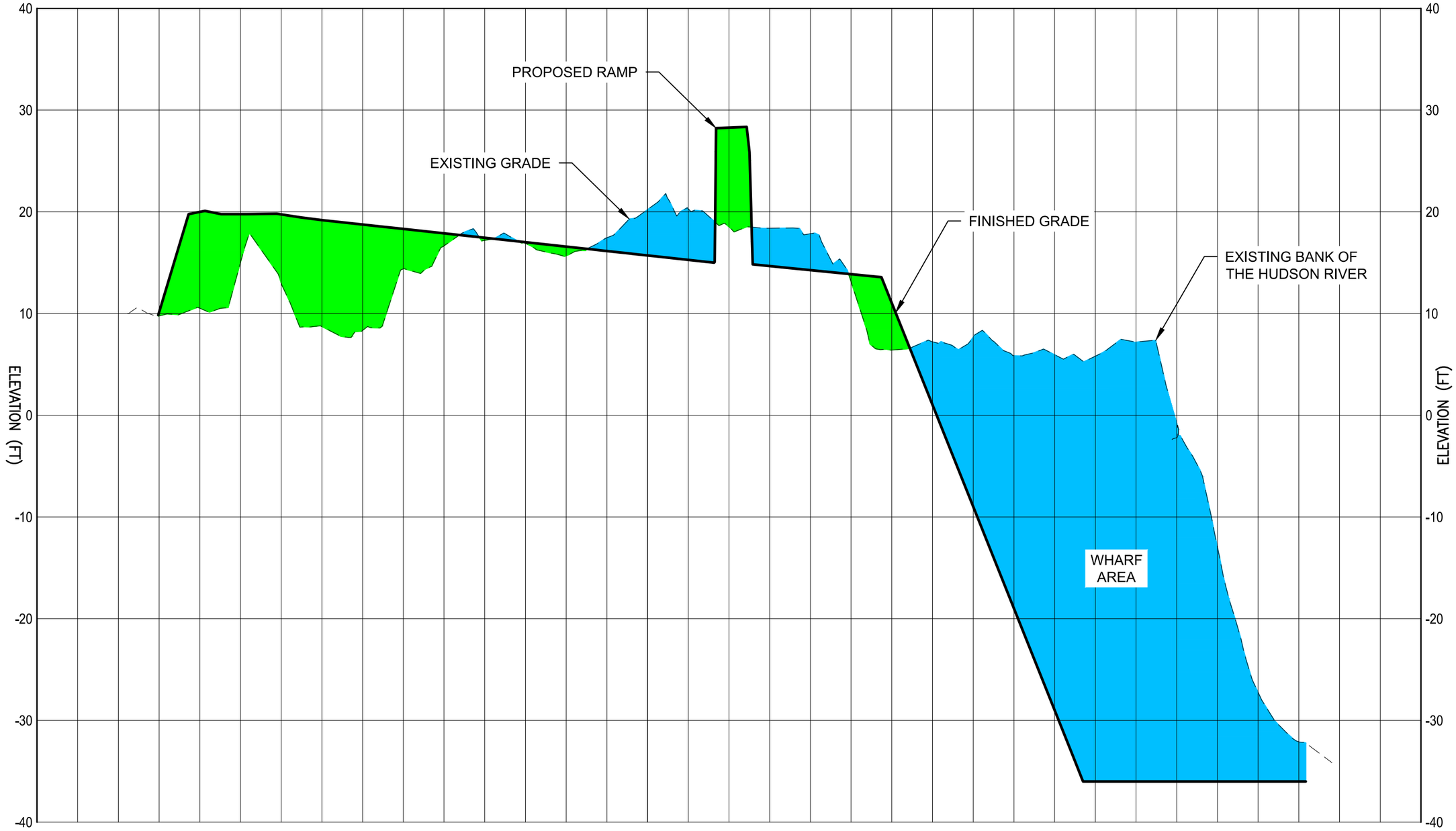
In accordance with FEMA's National Flood Insurance Program (NFIP) the lowest floor of structures built in Special Flood Hazard Areas (SFHAs), including Zone AE, shall will be greater than 1 foot above the BFE. The project will be designed such that all building lowest floor elevations are a minimum elevation of 20.3 feet (NAVD 88). This will provide for a minimum elevation of 1.3-feet

above the NYSDEC "Low Projection" of climate related sea-level rise to year 2100. The "Low Projection" amount of sea-level rise is that is likely (the 10th percentile of ClimAID model outputs) to be exceeded by the specified time interval. A section of the site was taken as part of an engineering analysis at the location of the FEMA 18-foot BFE and is represented in Figure 3.4-2. The cross section shows the material removed for the wharf as well as the material being moved to bring the site up to grade. As shown in the section there is more material being removed than added. Therefore, the project is not anticipated to significantly affect the flood plain BFE in this area.

The project involves activities within the Hudson River floodway; however, the only work proposed within the floodway is the removal of material to create a wharf and the required channel depths for proper access. Any actions by this project will not result in a deleterious effect of the floodway's capacity to convey storm events.

The final project design will involve coordination with FEMA and the Town of Bethlehem. 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.


N
NORMANS KILL
18.77 FEET
C
Zone AE
HUDSON RIVER
19 FEET
B
9.73 FEET
NYS Route 144
A
824 FEET
18 FEET
Zone AREA NOT INCLUDED
Zone AE
AREA OF MINIMAL FLOOD HAZARD Zone X
D
18.37 FEET
Legend
Potential Disturbance Limits
Cross-Sections
Base Flood Elevations
Flood Hazard Zones
Zone Type
1% Annual Chance Flood Hazard
Regulatory Floodway
Special Floodway
Area of Undetermined Flood Hazard
0.2% Annual Chance Flood Hazard
Future Conditions 1% Annual Chance Flood Hazard
Area with Reduced Risk Due to Levee
0
800
1,600
Feet
Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
Flood Hazard Zones Map Service provided by FEMA and ESRI
Potential Disturbance Limits created by McFarland Johnson
N:\18437.00 Port of Albany\Draw\GIS\Figure 3.4-1 FEMA Floodplain.mxd
PORT OF ALBANY DEVELOPMENT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
FEMA FLOODPLAIN MAP
SCALE : AS SHOWN
DATE : JUNE 2019
FIGURE : 3.4-1
McFarland Johnson



LEGEND

CUT

FILL

CUT	10,150 SF
FILL	2,700 SF

PORT OF ALBANY DEVELOPMENT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK

FLOODPLAIN ANALYSIS

SCALE:	DATE:	FIGURE:
NOT TO SCALE	JUNE 2019	3.4–2

McFarland Johnson

3.5. Groundwater

3.5.1. Environmental Setting

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 this site 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 E.

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

3.5.2. Potential Impacts

Groundwater serves as an important potable water supply for many individual households, small communities, and larger municipalities. Potential impacts from development projects can include potential groundwater contamination through chemical, toxin, or other pollutant releases during and post-construction. In particular, improper handling and storage of bulk petroleum and hazardous substances can result in significant groundwater contamination.

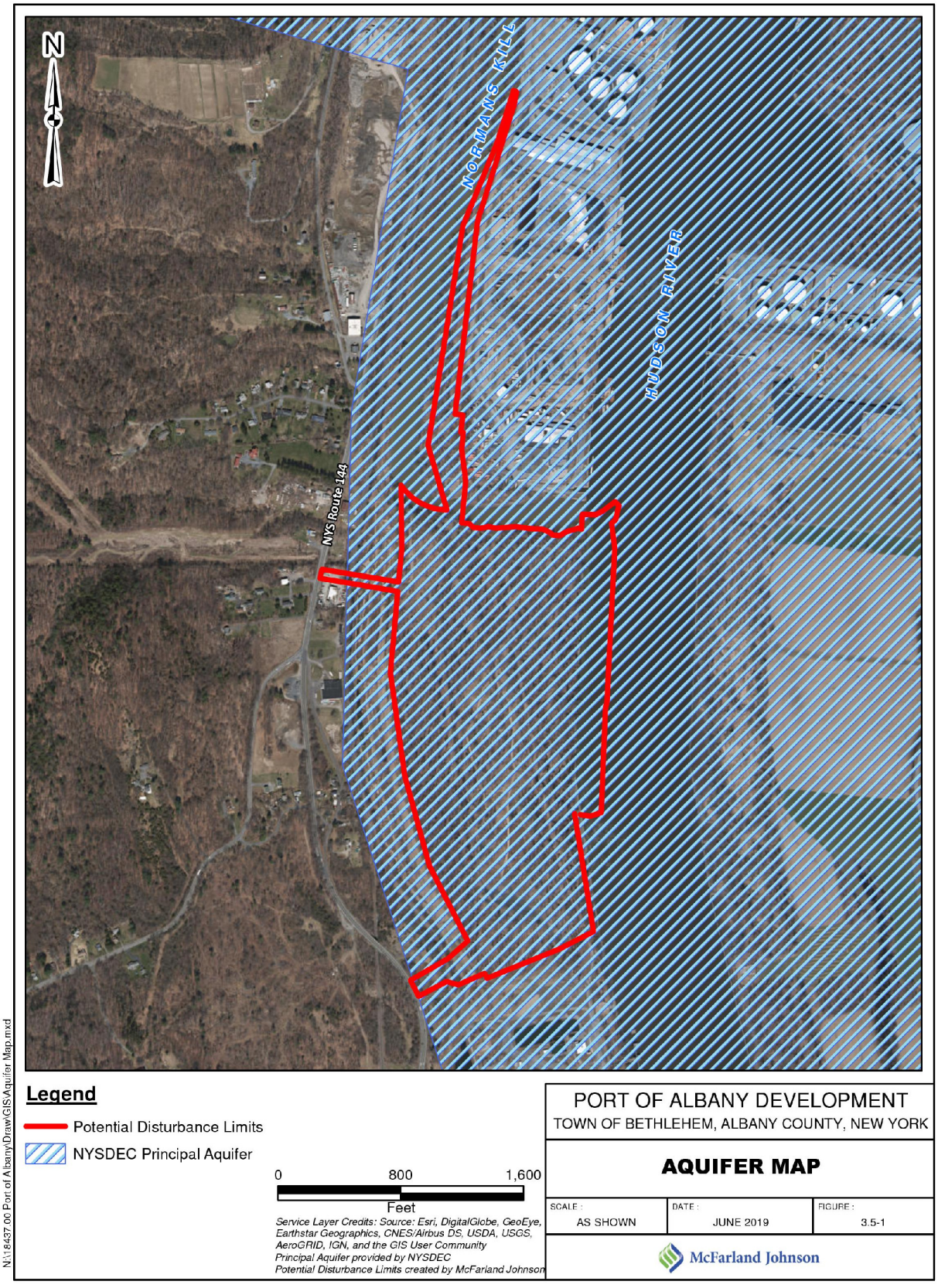
The majority of the area surrounding the project area is served by municipal potable water supply systems, including the Town of Bethlehem and City of Albany. The Town of Bethlehem water supply comes from the Vly Creek Reservoir, New Scotland Wellfield, Selkirk Wellfield, and the City of Albany via the Albany Aqueduct. The City of Albany comes from the Alcove Reservoir in the Town of Coeymans and is treated prior to delivery via the Albany Aqueduct. Based on the estimated potable water supply demand for the project and the availability of municipal potable water supplies from both surface and groundwater sources, the project will not have a significant

effect on potable water groundwater supply capacities, source locations, or infrastructure. See Section 3.9 for further details regarding water service for the project.

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.

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 other applicable local, State, and federal rules and regulations regarding petroleum and chemical storage, 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.


N
NORMANS KILL
HUDSON RIVER
NYS Route 144
Legend
Potential Disturbance Limits
NYSDEC Principal Aquifer
0
800
1,600
Feet
Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
Principal Aquifer provided by NYSDEC
Potential Disturbance Limits created by McFarland Johnson
N:\16437.00 Port of Albany\Draw\GIS\Aquifer Map.mxd
PORT OF ALBANY DEVELOPMENT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
AQUIFER MAP
SCALE : AS SHOWN
DATE : JUNE 2019
FIGURE : 3.5-1
McFarland Johnson

3.6. Climate and Air Quality

3.6.1. Environmental Setting

The Project Site is vacant land located in the northeastern portion of the Town of Bethlehem along the Hudson River, currently zoned as heavy industrial. The neighboring land uses to the north and south are also industrial with the existing Port of Albany facility including multiple warehouses, wharf, and other industrial uses to the north and the Public Service Enterprise Group Power New York Power Plant (PSEG) site to the south.

Climate

Climate change is a global phenomenon that has been attributed to increasing concentrations of greenhouse gases (GHGs) in the atmosphere. GHGs include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). Under 6 NYCRR §617.9(b)(5)(iii)(i), the NYSDEC SEQR rules, a DGEIS should specify and discuss "measures to avoid or reduce both an action's environmental impacts and vulnerability from the effects of climate change such as sea level rise and flooding." Sea level rise is discussed in Section 3.4- Floodplains and Floodways.

GHG emissions have both direct and indirect sources. Direct emissions sources are those from sources that are owned or controlled by the agency. Indirect emissions are often consequence of activities of the agency but occur at sources owned or controlled by another entity. Examples of direct GHG emission sources that could occur at the Project Site includes on-site company/fleet vehicles (locomotives, maritime tug boats, ships, etc.) and equipment (i.e. fork lifts), heaters, furnaces, machinery. Indirect GHG emissions include emissions generated by energy plants that supply the Project Site with power, off-site vehicle operations including employees and deliveries, and waste generation.

Air Quality

Under the Clean Air Act Amendments of 1990 (CAA), the United States Environmental Protection Agency (EPA) monitors the nation's ambient air quality parameters as detailed in the National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment. The EPA specify NAAQS for six "criteria" air pollutants, which include ozone (O_3), nitrogen dioxide (NO_2), lead (Pb), particulate matter ($PM_{2.5}$ and PM_{10}), and sulfur dioxide (SO_2). Ambient air monitoring stations located throughout New York State, monitor certain pollutants as part of the EPA monitoring network. Areas that do not exceed the NAAQS air quality standards are designated attainment and areas that do exceed are designated nonattainment.

As required by the EPA, the NYSDEC operates an ambient air monitoring network for numerous pollutants throughout the state overseen by the Bureau of Air Quality Surveillance. The data from each monitoring station is recorded and summarized in the *New York State Air Quality Report, Air Monitoring System*. The EPA establishes what pollutants are required to be monitored at different locations based on the characteristics of each region. A monitoring station located approximately 10 miles from the site, in Loudonville, Albany County, monitors carbon monoxide, inhalable particulates ($PM_{2.5}$), ozone, and sulfur dioxide. The last five years

of data (2013-2017) were reviewed. According to the NYSDEC *New York State Ambient Air Quality Report for 2017*, the Loudonville station was in compliance with the New York State and NAAQS for all four pollutants monitored for the following: carbon monoxide one-hour and eight-hour averages, the ozone eight-hour averages, the $PM_{2.5}$ 3-year average of the 98th percentile and average annual means, and the sulfur dioxide 3-year average of the 99th percentile of the yearly distribution of 1-hour daily maximum concentrations. The Loudonville monitoring station did not have any noncompliance over the past five years. The next closest station is at the Albany County Health Department where inhalable particulates are measured.

In addition, an Albany South End Neighborhood Air Quality Initiative was initiated by the NYSDEC after residents expressed concern about air quality in their neighborhood. The South End neighborhood and study area is immediately north of the Project Site, with the nearest fixed monitoring station located on 3rd Avenue near Hawk Street. The area's air is impacted by trucks, trains, marine vessels, cargo handling equipment, oil and gas storage, and industrial activities including petroleum product handling. In August of 2017, the NYSDEC started monitoring the air quality to determine what is effected by normal motor vehicles compared to what comes from the Port of Albany activities. The program includes measuring particulate matter (PM), black carbon (BC), ultrafine particles (UFP), NO_2, air toxics, and wind direction and speed. More information on the initiative can be found at https://www.dec.ny.gov/chemical/108978.html. The current AQI determines the air has a good index value at 41. Air toxics monitoring showed that average concentrations in Albany South End are similar to averages found at other monitors throughout the State's network in 2017. Based on the levels measured and evaluated, the health effects related to the eight air toxics known to effect human health in Albany South End in 2017 is low to moderate.

3.6.2. Potential Impacts

Climate

Using the NYSDEC's *Guide for Assessing Energy Use and Greenhouse Gas Emissions in Environmental Impact Statements* standards there will be direct GHG emissions including construction equipment, fleet vehicles, heaters, and other construction machinery during construction. Indirect GHG emissions during construction will include manufacture and transport of construction materials, employee vehicle commutes, energy generated for the project work, and waste generation from construction activities. Indirect emissions for deliveries would potentially include rail cars, marine vessels and maritime uses, and vehicular emissions. All these emissions would be temporary for the duration of construction and would desist upon project construction completion.

The future use of the property is unknown, as a specific tenant has not been identified. The future use of the Project Site will have both direct and indirect GHG emissions, but the specifics are still not finalized. Operation of the Site will likely include the use of fleet vehicles, fleet equipment (such as fork lifts), employee, supplier, and user vehicles, and generators.

The site will have rail cars and marine vessels for deliveries, shipments, and overall movement to and from the site including product deliveries. These activities are not anticipated to effect

the air quality by adding significant direct or indirect GHG emissions. As discussed in **Section 3.7- Traffic and Transportation**, the Project Site will not add any railroad locomotives, but only cars. Therefore, the rail activities will not add GHG emissions since they will be included on existing rail shipments and deliveries. Maritime uses are going to increase maritime traffic by 10% or 21 ships/barges a year. Therefore, the Project Site would have no significant impact on the existing indirect GHG emissions from maritime traffic on the Hudson River. Since neither rail or maritime activities will add any significant impact to the Project Site relative to GHG emissions.

Air Quality

Short-term impacts to air quality would occur within and in the vicinity of the Project Site during construction. The site construction would potentially result in temporary odors associated with construction activities. The Site is currently undeveloped land, zoned as and surrounded by heavy industrial uses. Construction odors could include exhaust fumes from construction vehicles and equipment. All odors associated with construction would cease upon completion of construction of the Project Site.

It is not anticipated that the future use of the property would release odors, as the current Port of Albany property and operations do not. The NYSDEC's Albany South End Neighborhood Air Quality Initiative completed a screening assessment to look for sources of odors in the existing Port of Albany property. The NYSDEC states a variety of odorous chemicals can be released from industrial sources. During the study, of 80,000 ten-minute observations, only 172 observations (0.22%) were above instrument detection limits. The Project Site will always have vehicles on-site for employees, deliveries, and potentially fleet vehicles and equipment that could release odors from vehicle emissions. It is unlikely that the facility would release odors besides those from vehicles and mobile equipment.

The effect of automobile traffic operations on air quality was assessed using NYSDEC publication Air Guide-23, "Indirect Sources of Air Contamination," dated June 29, 1989. This publication contains a three-level process for evaluating air quality impacts. If the criteria set forth in the first level (Level I) are violated, then a second level (Level II) is required. If the criteria set forth in the second level are violated, then a third level is required. Each air quality evaluation level is more detailed and sophisticated than the previous level. The results of the air quality evaluation demonstrate if the proposed development may cause violation of State or Federal AAQS.

The Air Guide-23 Level I analysis guidelines state that all major intersections located within a distance of up to one mile from the project and influenced by at least 50 peak-hour vehicles of site-generated traffic should be considered for analysis, and that Level I analysis on Air Guide-23 requires no further air quality evaluation if overall levels of service (LOS) at major intersections within one mile of the proposed development are C or better. As stated in the Traffic Impact Study, all intersections analyzed for this project will operate at an overall levels of service (LOS) of C or better after this project is fully operational. Therefore, the impact on air is insignificant and no further analysis is required. See **Section 3.7- Traffic and Transportation** for further discussion on traffic impacts and mitigation measures.

3.6.3. Mitigation Measures

Climate

The Project Site will not increase rail traffic or maritime traffic significantly and therefore will have no significant impacts associated with those movements. The vehicular traffic will increase both direct and indirect GHG emissions from vehicles both for employees and deliveries as well as fleet vehicles. These increases are considered to be low and will not result in a significant increase the GHG emissions. Tenants will be encouraged to promote green vehicle purchases and not allow truck idling to prevent over exhaust.

The tenant(s) will be encouraged to use the following mitigation measures on-site:

- High efficiency HVAC
- LEED Certification
- Local building materials if available
- Recycling program
- Insulation to minimize heat loss
- Window glazing
- Use of public transportation, including rail and river access
- Conservation of natural areas, including shoreline and wetlands

Air Quality

Construction activities will result in air emissions, GHG emission, and odor impacts at the Project Site. All construction impacts are short-term and would only occur during the extent of construction, estimated to be a maximum of 12-14 months at any time. Construction impacts 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, including a Community Air Monitoring Plan (CAMP) to be completed during construction.

Potential manufacturing uses of the Project Site have not been determined at this point, but there is a potential the Project Site would have an indoor spray paint booth. The Spray paint booth would have an exhaust that could release some odors and would require an air permit in accordance with 6 NYCRR Part 201. The Tenant would complete and maintain the proper air permit during operations of the spray booth.

Odor releases from the site are unlikely. The only known odors from the site would result from vehicle and/or equipment exhaust. Potential odor mitigation could include vegetative buffers between the property and adjacent properties.

As discussed in Section 3.7, major intersections within one mile of the proposed development will operate at C or better after this project is fully operational and all traffic mitigation measures are implemented. As such, the impact on air quality based on traffic operations is insignificant related to vehicle traffic and no further analysis or mitigation measures are required.

3.7. Traffic and Transportation

A Traffic Impact Study (TIS) was performed for the Project and is included in Appendix I. The TIS reviewed potential traffic impacts resulting from a single 1,130,000 SF, two-level warehouse with associated internal driveways, and parking areas. For the purposes of this study, the project's vehicular traffic will be analyzed in three-phases of development, with Phase I consisting of a 300,000 SF of building space, Phase II consisting of a 600,000 SF and Phase III representing the Full Build scenario of 1,130,000 SF. Two access points to the site were considered in the assessment. A 2-lane entrance driveway to the site from River Road for employees and car traffic, as well as a car /truck and rail access from the north via Port Road South with two proposed bridges (one vehicle and one rail) crossing Normans Kill.

Scope of the Traffic and Transportation Study

The purpose of this study is to evaluate existing and worst-case scenario future traffic and transportation operations within the study area. The analysis completed by MJ evaluated traffic operations within the Study Area during weekday morning and evening peak hours for 2019 Existing Conditions as well as the 2029 Build and Background Conditions.

Build Conditions were analyzed to determine the impacts, if any, associated with the proposed development. Based on project scoping process completed with the Town of Bethlehem Planning Board, the New York State Department of Transportation and input from the public. The traffic study area includes the following intersections:

- NYS Route 32 at First Avenue/I-787 Exit 2 Ramp (Signalized)
- NYS Route 32 at US Route 9W (Signalized)
- NYS Route 32 at South Port Road (Signalized)
- NYS Route 144 at I-87 Exit 22 Ramp (Un-Signalized)
- NYS Route 144 at Glenmont Road (Un-Signalized)
- NYS Route 144 at NYS Route 32 (Un-Signalized)
- Church Street at Broadway (Un-signalized)
- Glenmont/Feura Bush Road at US Route 9W (Signalized)
- Clapper Road at NYS Route 144 (Un-signalized)
- I-787/I-87 Exit 23 Interchange at US Route 9W (Signalized)

3.7.1. Vehicle

Traffic Data Collection

Existing traffic volumes for the study area intersections were established for this project by performing manual turning movement counts (TMC). Traffic counts were video recorded from 7:00 to 9:00 AM and 4:00 to 6:00 PM on Tuesday, February 5, 2019. Additional data was recorded during the same time frames on Tuesday, February 26, 2019. In addition to this data, an automatic traffic recorder was placed on NYS Route 144 (River Road) near the proposed project site for a week from Monday June 17, 2019 to Friday June 21, 2019 to continuously collect directional traffic volumes, vehicle classifications, and vehicle speed data. This information was used to verify the peak hours recorded from the TMC data and is included in Appendix A. Because of the varied

distance between study intersections, the peak hour of traffic was taken from the TMC data for each individual intersection that was counted to ensure the peak volumes were analyzed at each intersection. TMC summary data sheets are included in Appendix A of the TIS.

2019 Existing Traffic Volumes

The 2019 traffic volumes in the study area were established, verified for accuracy, and were seasonally adjusted. The study area for this proposed development is classified as urban and a factor of 0.944 was used to adjust the collected data to represent an average day for both the AM and PM peak hours, resulting in a 6% increase in the counted traffic. Available historic count data from NYSDOT and previously completed traffic studies in the area were reviewed to confirm this seasonal adjustment was appropriate.

No Build Conditions

The 2019 existing traffic volumes were grown by an annual background growth rate of 0.5% per year for a total growth of 5.0% to create the 2029 Background traffic volumes. The growth rate was established by regression analysis and comparing average annual daily traffic data published by NYSDOT for various years within the project study area. This analysis showed that the area's traffic volumes have been relatively flat with 0-0.5% annual growth over the past 10-15 years; therefore, a 0.5% annual growth rate was applied that will accurately model future traffic in the area.

The Town of Bethlehem and NYSDOT were contacted to determine if additional background traffic from any other developments and/or roadway projects within the study area currently under review or approved should be included in the study. The town noted the following potential future developments in the area: the Gateway Commerce Center, the Beacon Heights Senior Community, a convenience store/gas station to be built at 194 River Road, the Wiggand/Grady Conservation Subdivision, Kenwood Commons along Route 9W, and a commercial shopping plaza across from the NYSTA Building. Of these, only the Gateway Commerce Center has had a traffic study competed and received site plan approval from the town.

The 2029 Background traffic volumes include existing traffic data, the proposed traffic volumes from the Gateway Commerce Center and annual background traffic growth. These Background traffic volumes are used as a base upon which to add the proposed development's traffic.

Trip Distribution

The projected trip distribution model for this proposed project was established for all vehicles based on distributions from the existing Port of Albany site and taking into consideration the proposed new southern driveway onto NYS Route 144. This distribution was reviewed by the Town's Consultant Engineer, MJ Engineering and Land Surveying, P.C., and reviewed with the previous study completed for the site (Beacon Harbor TIS 2009) to compare the proposed traffic distributions, which were relatively consistent. These trip distribution percentages were used to assign the trips generated by the proposed project.

Trip Generation

The proposed development is scheduled to be completed by 2029 over three phases. For analysis purposes, site generated traffic was based on the current Port of Albany's traffic generation. A traffic generation rate was calculated for the existing port on a peak hour trip per building square foot basis. That site-specific rate was applied to the proposed build-out of the site for Phase I, II and III scenarios. The proposed trip generation volumes are comparable to the Institute of Transportation Engineer's (ITE) Trip Generation Manual, 10th Edition established rates for an Industrial Park land use, at 463 morning and 452 evening trips, higher than the Warehousing land use, at 249 morning and 271 evening trips, and less than the Manufacturing land use, at 915 morning and 893 evening trips. Utilizing the current traffic generation for the Port of Albany is the most accurate representation of proposed land use and tenants likely for the new development site. Based on the nature of the development no multi-use trips or pass-by trips were assumed in this study.

For all three redevelopment phases, the 2029 Background traffic volumes were used as the base volume for consistency and to be conservative.

Shown in the table below are the resulting trip generation volumes calculated for the proposed project.

Trip Generation Table

Type of Land Use	ITE Code*	Unit	Weekday Morning Peak			Weekday Evening Peak		
			Enter	Exit	Total	Enter	Exit	Total
2029 Build - Phase I	NA	300 1000 SF	Generation Rate =		0.41	Generation Rate =		0.47
			62%	38%	100%	33%	67%	100%
			77	46	124	46	95	141
Total Projected Trips			**77**	**46**	**124**	**46**	**95**	**141**
Type of Land Use	ITE Code*	Unit	Weekday Morning Peak			Weekday Evening Peak		
			Enter	Exit	Total	Enter	Exit	Total
2029 Build - Phase II	NA	600 1000 SF	Generation Rate =		0.41	Generation Rate =		0.47
			62%	38%	100%	33%	67%	100%
			154	93	247	92	189	281
Total Projected Trips			**154**	**93**	**247**	**92**	**189**	**281**
Type of Land Use	ITE Code*	Unit	Weekday Morning Peak			Weekday Evening Peak		
			Enter	Exit	Total	Enter	Exit	Total
2029 Build - Phase III	NA	1,130 1000 SF	Generation Rate =		0.41	Generation Rate =		0.47
			62%	38%	100%	33%	67%	100%
			291	175	465	173	355	529
Total Projected Trips			**291**	**175**	**465**	**173**	**355**	**529**

2029 Build Traffic Volumes

Proposed weekday morning and evening peak hour traffic volumes associated with the 2029 Build conditions for build Phases I, II and III were developed in the TIS. These volumes represent the 2019 Existing volumes combined with the 2029 Background annual traffic growth and the addition of the estimated trips generated by the proposed project for each respective build phase.

Traffic Operations Analysis – Intersection Capacity Analysis

Presented in the table below are the results of the analysis for the 2019 Existing, 2029 Background and 2029 Build Phases I, II, and III scenarios for the intersections located within the study area. The traffic modeling software Synchro (Version 10.0), which utilizes the methodologies of the 2010 Highway Capacity Manual for unsignalized and signalized intersection, was used for the analysis portion of this study. The full analysis results printouts from the Synchro software are available in Appendix C of the TIS.

INTERSECTION LEVEL OF SERVICE TABLE - MORNING PEAK HOUR

Study Intersection	Approach and Movement		2019 Existing	2029 Background	2029 Build Phase I	2029 Build Phase II	2029 Build Phase III	2029 Build Phase III w/ Mitigation
			LOS	LOS	LOS	LOS	LOS	LOS
NYS Route 32 at First Avenue/I-787 Exit 2 Ramp (*Signalized*)	Eastbound	L-T-R	A	A	A	A	A	A
	Westbound	L	A	A	B	B	B	B
		T-R	A	A	A	A	A	A
	Northbound	L-T	D	D	D	D	D	C
	Southbound	T-R	D	D	D	D	D	D
	OVERALL		**B**	**B**	**B**	**B**	**C**	**B**
NYS Route 32 at US Route 9W (*Signalized*)	Westbound	L	E	E	E	E	E	E
		R	B	B	B	B	B	B
	Northbound	T	D	D	D	D	E	D
		R	A	A	A	A	A	A
	Southbound	L	C	D	D	D	D	D
		T	A	A	A	A	A	A
	OVERALL		**C**	**C**	**D**	**D**	**D**	**C**
NYS Route 32 at South Port Road (*Un-Signalized*)	Westbound	L	C	C	C	C	C	D
		R						B
	Northbound	T-R	A	A	A	B	B	B
	Southbound	L	A	A	A	B	F	B
		T						A
	OVERALL		**A**	**A**	**A**	**B**	**E**	**B**
NYS Route 144 at I-87 Exit 22 Ramp (*Un-Signalized*)	Northbound	T-L	A	A	A	A	A	
	Eastbound	L	B	C	C	C	C	
	OVERALL		**A**	**A**	**A**	**A**	**A**	
NYS Route 144 at Glenmont Road (*Un-Signalized*)	Eastbound	L-R	E	F	F	F	F	
	Northbound	T-L	A	A	A	A	A	
	OVERALL		**A**	**B**	**B**	**B**	**F**	
NYS Route 144 at NYS Route 32 (*Un-Signalized/Signalized*)	Northbound	T-L	A	A	A	A	A	B
	Eastbound	L	E	F	F	F	F	C
		R	B	B	B	B	B	A
	Southbound	T-R						A
	OVERALL		**A**	**A**	**A**	**A**	**C**	**B**
Church Street at Broadway (*Un-Signalized*)	Westbound	L	B	B	B	B	C	
		R	A	A	A	A	A	
	Southbound	L	A	A	A	A	A	
	OVERALL		**A**	**A**	**A**	**A**	**A**	
Clapper Road at NYS Route 144 (River Road) (*Un-Signalized*)	Northbound	L	A	A	A	A	A	
	Eastbound	L	B	B	B	B	C	
	OVERALL		**A**	**A**	**A**	**A**	**A**	
NYS Route 144 at Proposed Site Driveway (*Un-Signalized*)	Westbound	L			B	B	C	
	Southbound	L			A	A	A	
	OVERALL				**A**	**A**	**A**	

INTERSECTION LEVEL OF SERVICE TABLE - EVENING PEAK HOUR

Study Intersection	Approach and Movement		2019 Existing LOS	2029 Background LOS	2029 Build Phase I LOS	2029 Build Phase II LOS	2029 Build Phase III LOS	2029 Build Phase III w/ Mitigation LOS
NYS Route 32 at First Avenue/I-787 Exit 2 Ramp (*Signalized*)	Eastbound	L-T-R	B	B	B	B	B	C
	Westbound	L	C	C	C	D	D	C
		T-R	A	A	A	A	A	A
	Northbound	L-T	D	D	D	D	D	D
	Southbound	T-R	D	D	D	D	D	D
	OVERALL		**C**	**C**	**C**	**D**	**D**	**C**
NYS Route 32 at US Route 9W (*Signalized*)	Westbound	L	C	D	D	D	D	
		R	B	B	B	B	B	
	Northbound	T	C	C	C	C	C	
		R	A	A	A	A	A	
	Southbound	L	B	B	B	C	C	
		T	B	B	B	B	B	
	OVERALL		**C**	**C**	**C**	**C**	**C**	
NYS Route 32 at South Port Road (*Signalized*)	Westbound	L	C	C	C	C	C	C
		R						A
	Northbound	T-R	A	A	A	A	A	A
	Southbound	L	A	B	B	C	E	A
		T						B
	OVERALL		**A**	**B**	**B**	**C**	**D**	**B**
NYS Route 144 at I-87 Exit 22 Ramp (*Un-Signalized*)	Northbound	T-L	A	A	A	A	A	
	Eastbound	L	B	B	B	B	B	
	OVERALL		**A**	**A**	**A**	**A**	**A**	
NYS Route 144 at Glenmont Road (*Un-Signalized*)	Eastbound	L-R	C	C	C	C	D	
	Northbound	T-L	A	A	A	A	A	
	OVERALL		**A**	**A**	**A**	**A**	**A**	
NYS Route 144 at NYS Route 32 (*Un-Signalized/Signalized*)	Northbound	T-L	B	B	B	B	B	A
	Eastbound	L	D	E	E	E	F	C
		R	C	C	C	C	C	B
	Southbound	T-R						B
	OVERALL		**A**	**A**	**A**	**A**	**A**	**B**
Church Street at Broadway (*Un-Signalized*)	Westbound	L	B	B	B	B	B	
		R	A	A	A	A	A	
	Southbound	L	A	A	A	A	A	
	OVERALL		**A**	**A**	**A**	**A**	**A**	
Clapper Road at NYS Route 144 (River Road) (*Un-Signalized*)	Northbound	L	A	A	A	A	A	
	Eastbound	L	B	B	B	B	C	
	OVERALL		**A**	**A**	**A**	**A**	**A**	
NYS Route 144 at Proposed Site Driveway (*Un-Signalized*)	Westbound	L			B	B	B	
	Southbound	L			A	A	A	
	OVERALL				**A**	**A**	**A**	

The proposed development will not have any noticeable effects on the traffic operations within the study area when the recommended mitigation is implemented. Described below is a detailed breakdown of the impacts, if any, on the study area intersections' operations as a result of traffic from the proposed development.

No. 1 – NYS Route 32 at 1st Avenue/I-787 Exit 2 Ramp

This signalized intersection is operating at an overall Level of Service (LOS) 'B' for the morning peak hour and an overall LOS 'C' for the evening peak hour. During the Phase III Build scenario, the intersection will see an increase in delay resulting in the overall LOS to degrade to 'C' during the morning peak hour and 'D' during the evening peak hour. With minor signal timing modifications, the background LOS can be maintained for the Phase III full build scenario. These timing modifications include shifting time to the Off-ramp phase in the morning peak hour and shifting time to the NYS Route 32 phase during the evening peak hour. The traffic signal cycle length was changed from 105 seconds to 75 seconds in the morning and 95 seconds in the evening to optimize the LOS for the intersection. It is recommended that the signal timings at this intersection be monitored as development occurs in the area to ensure the timings are optimized for the current traffic volumes.

No. 2 – NYS Route 32 at US Route 9W

This 3-legged actuated signalized intersection operates with an overall LOS 'C' during both the weekday morning and evening peak hours. It will continue to operate at the same overall LOS with the proposed development during the evening peak hour, while some individual movement LOS will see negligible increases and decreases in delay. During the morning peak hour, the overall LOS will drop from a 'C' to a 'D'; however signal timing changes by shifting 2 seconds from the NYS Route 32 phase to the US Route 9W phase approach will maintain existing levels of service for the all build conditions. It should be noted that the northbound thru movement has a volume to capacity (v/c) ratio greater than 1.0 for both the background and build scenarios. It is recommended that NYSDOT continue to monitor the intersection to optimize the signal timings to the current traffic volumes.

No. 3 – NYS Route 32 at South Port Road

This 3-way signalized intersection operates efficiently today with an overall LOS 'A' during the morning and evening peak hour. However, the southbound left operation for the morning peak hour will start to degrade from a LOS 'B' during the Phase II Build scenario to LOS 'F' for Phase III and degrade from a LOS 'B' during the Phase I build scenario to LOS 'C' and 'E' for Phases II and III, respectively for the evening peak hour. This movement will be a point of entry for a high volume of traffic entering the proposed development including proposed truck traffic; therefore, it is recommended that a dedicated left turn lane for the southbound approach be installed. A new right turn lane pocket for the westbound approach is also recommended to split the traffic exiting the port to allow better use of the westbound green time from the signal. These roadway improvements along with upgrading the existing traffic signal system to provide a protected southbound left turn movement with a right turn overlap phase for the new travel lanes will allow the intersection to maintain adequate levels of service through the Phase III (Full Build) conditions. With the recommended improvements, the westbound South Port Road approach will have a LOS 'D' during the morning peak hour and a LOS 'C' for the evening peak hour from the 2029 Background to 2029 Phase III conditions. The overall intersection operations indicate that these improvements will spread delay to all approaches in order to maximize intersection efficiency and

improve the overall delay during both peak hours. It is recommended that a follow up traffic study be completed prior to the start of the Phase II construction to determine if the proposed mitigation improvements are warranted as this intersection will serve as a primary access point from NYS Route 32 for both truck and vehicle traffic.

No. 4 – NYS Route 144 at I-87 Exit 22 Ramp

This 3-legged unsignalized intersection is operating at an overall LOS 'A' for both the morning and evening peak hour currently and will continue to do so for all three build scenarios. Despite the addition of the proposed development's traffic, all intersection movements will continue to operate at the same LOS as the 2029 Background scenario for both the morning and evening peak hours. No proposed mitigation is recommended at this intersection as a result of the proposed development.

No. 5 – NYS Route 144 at Glenmont Road

This unsignalized intersection is currently operating well today during the evening peak hour. During the morning peak hour, the eastbound left-turn movement is operating with a LOS of 'F' for the background conditions due to the high number of left turn vehicles combined with the heavy northbound traffic on NYS Route 144. This existing condition will continue to operate at similar levels of service for the Build scenarios as well. These vehicles will continue to have some delay as they wait for an acceptable gap in the NYS Route 144 traffic flow (see the Gap Analysis section for additional details). Despite this, the overall LOS for the intersection for the build scenario is a LOS 'B' and LOS 'A' during the morning and evening peak hour, respectively for the high volume of free-flow traffic. The traffic volumes at this intersection will see minor increases from the proposed development in comparison to the Background volumes. No mitigation is recommended at this intersection as the proposed development will not noticeably impact the operations at this intersection. This is further justified later in the signal warrant analysis and gap analysis report sections.

No. 6 – NYS Route 144 at NYS Route 32

This intersection is currently operating with an overall LOS 'A' during the morning and evening peak hour. The eastbound left movement will be exceeding/approaching capacity under the 2029 background condition, where it is projected to operate at a LOS 'F' for the morning peak hour and a LOS 'E' for the evening peak hour. Through Phase I of the development there will be a negligible impact on the operating conditions; however, to maintain adequate levels of service from Phase II through the full build scenario, it is recommended that a traffic signal be installed at this intersection (see the Signal Warrant section of this report for additional details). After installation of a new signal, under the Phase III conditions the eastbound left operation is raised from a LOS 'F' to LOS 'C' for both morning and evening peak hours.

The installation of the traffic signal should be considered for the initial phase of construction for the development since this intersection is experiencing poor operating conditions without additional traffic from the proposed project site. It is recommended that the traffic signal should be installed prior to initiating Phase II.

No. 7 – Church Street at Broadway

This stop sign controlled 'T' intersection operates well today with an overall LOS 'A' in the morning and evening peak hour. The intersection will continue to operate well with the additional proposed development traffic, with no individual movement falling below LOS 'C'. No mitigation is recommended at this intersection.

No. 8 – Glenmont/Feura Bush Road at US Route 9W

This current signalized intersection is in the design stage to be converted to a roundabout by Spring 2021. After correspondence with the engineering firm designing the roundabout, CME Associates, Inc., it was found that the minimal amount of site generated traffic entering this intersection has already been incorporated into the background traffic analysis during the analysis and design of the new roundabout. A detailed traffic analysis of the existing intersection is not warranted, given the conversion to a roundabout.

No. 9 – Clapper Road at NYS Route 144

This unsignalized intersection is currently operating at an overall LOS 'A' for both morning and evening peak hour and will continue to do so for all three build scenarios. The eastbound left movement will see an increase in delay from Phase II to Phase III, changing from a LOS 'B' to LOS 'C' for both morning and evening peak hours; however, this is considered an acceptable level of service. Because of the low volume of existing and site-generated traffic anticipated to use Clapper Road, the remaining intersection movements will continue to operate at the same LOS as the existing conditions for both morning and evening peak hours. No proposed mitigation is recommended at this intersection as a result of the proposed development.

No. 10 – I-787/I-87 Exit 23 Interchange at US Route 9W

The latest directional traffic count data available from NYSDOT was obtained and used to evaluate this interchange. The existing intersection volumes were compared with the proposed traffic generated by the development during the morning and evening peak hours. The project's proposed traffic generation at the interchange intersections represents an increase in traffic of 2.2% in the morning and evening. This is below the typical daily fluctuation at this type of urban high-volume intersection which will typically be around ±10%. The available NYSDOT count data showed that the fluctuation at this interchange varies as much as 5.3% to 13.3% for weekday peak hour volumes. The proposed development will have a negligible impact on this interchange, and no proposed mitigation is recommended.

No. 11 – NYS Route 144 at Proposed Site Driveway

The proposed site access drive was modeled as two-lane road with single entering and exiting lanes, under stop sign control for the exiting traffic. The driveway will be restricted to car traffic only as all truck traffic will be directed to South Port Road and Church Street. The proposed driveway will have a negligible impact to the traveling public on NYS Route 144 as this will be a free movement. The level of service summary shows that this intersection will operate efficiently for all three phases of development, with an overall LOS 'A' for both morning and evening peak

hours. In addition, no movement at this intersection will operate below a LOS 'C' for the morning and evening peak hour. A signal was not warranted for build phase I, II, or III, which is detailed later in the signal warrant report section. Due to the nature of the proposed development, a separate review of the proposed truck traffic was assessed. Truck traffic in the area was analyzed separately from the total traffic volumes as the truck peak period in the study area is relatively

Truck Impact Analysis

Due to the nature of the proposed development, a separate review of the proposed truck traffic was assessed. Truck traffic in the area was analyzed separately from the total traffic volumes as the truck peak period in the study area is relatively consistent between the hours of 9:00 AM and 1:00 PM which do not coincide with the overall peak hour volumes on the roadway network.

Truck access to the site will be restricted to the northern truck/rail entrance via a bridge crossing Normans Kill and connecting to the existing Normanskill St before turning onto NYS Route 32 at South Port Road. This restriction was proposed by the Town of Bethlehem as it would allow all trucks that require access onto NYS Route 32 to have a signalized entrance for safety reasons and to further discourage trucks from utilizing Glenmont Road and other primarily residential side roads to the south and west.

An alternative truck distribution scenario was analyzed to assess the possibility of allowing trucks to utilize the southern driveway. This alternative analysis assumed that 15% of trucks would enter and exit the southern driveway from the south, while 5% would enter and exit from the north. As shown in Figure 14a and 15a, included in Appendix B, allowing trucks to use the southern driveway reduces truck traffic on NYS Route 144 between the north and south driveways by roughly 3 trucks during the AM peak hour, 2 trucks during the PM peak hour, and 4 trucks during the Midday peak hour, while increasing truck traffic on NYS Route 32 by approximately 3 trucks during the AM peak hour, as many as 3 trucks during the PM peak hour, and as many as 5 trucks during the Midday peak hour. There is no change in truck traffic on Glenmont Road, as both distribution scenarios assumed no site-generated trucks would use this route.

Because of the small variations in truck volumes between the two distribution scenarios, there would be a negligible difference in impact on the existing roadway network, from an intersection capacity standpoint. Other factors besides intersection capacity play a role in determining if a full access southern driveway is feasible. Because of the 55-mph posted speed limit along NYS Route 144, a sight distance of 930 ft is required for a truck to perform a left-turn out of the driveway. The required is sight distance exceeds the available sight distance of 900 ft that which is restricted by a horizontal curve of NYS Route 144 to the south. Without enough available sight distance, trucks exiting the site do not have enough time to safely perform the left turn.

Truck Volume Assessment

The projected truck trip distribution was established based on distributions from the existing Port of Albany site and given the proposed new southern driveway onto NYS Route 144 will have a truck restriction. This distribution was compared with other truck studies recently completed in the area to ensure the proposed traffic distributions were consistent with the results of these studies. These trip distribution percentages were used to assign the trips generated by the

proposed project. Data from other traffic studies provided by the town including the Albany South End Community Air Quality Screening, completed by the New York State Department of Environmental Conservation (NYSDEC), dated August 14, 2014, and the Albany South End Study Progress Update, also completed by NYSDEC dating January 10, 2018 were not used as the information presented was either not relevant to this study, or was too old to be useful.

As with the total traffic, the number of site-generated trucks was based on the current Port of Albany's truck generation. A truck generation rate was calculated for the existing port on a peak hour trip per building square foot basis and was analyzed for the Phase III (Full Build) scenario to assess the overall projects impact on truck traffic volumes.

The midday peak was established using the truck peak hour data from the previously referenced South Albany Truck Traffic report. The peak truck traffic will be on the road during the midday hours where overall traffic volumes are significantly less than the morning and evening commuter peak hours. As a result, a capacity analysis for the truck peak hours is not useful as the roadway network has the capacity during the midday. The table below shows from a qualitative standpoint, the anticipated impact from the proposed development related to the volume of trucks during the midday peak timeframe.

MID-DAY PEAK HOUR

ROAD SEGMENT	Existing Truck Volume		Proposed Truck Volume		% Increase	
NYS Route 32 from NYS Route 144 to US Route 9W (East/West)	34	32	42	39	21.1%	19.7%
Glenmont Rd. from NYS Route 144 to US Route 9W (East/West)	3	6	3	6	0.0%	0.0%
NYS Route 32 from 1st Ave. to South Port Rd. (North/South)	83	86	109	111	27.1%	25.4%
NYS Route 144 from NYS Route 32 to Glenmont Rd. (North/South)	68	79	76	86	11.1%	8.5%
NYS Route 144 from Glenmont Rd. to Clapper Rd. (North/South)	67	75	75	82	11.3%	8.9%
NYS Route 144 from Clapper Rd. to I-87 Exit 22 (North/South)	67	75	75	82	11.3%	8.9%

Based on this information the proposed development will increase the number of trucks on the surrounding roadway network from 8% to 27% during the peak truck timeframe (Midday), while no increase in trucks is anticipated on Glenmont Road.

It is estimated that 40% of trucks entering and exiting the proposed development will utilize the Broadway/Church Street intersection to the north. This route provides free access to and from I-787 with minimal disturbance to the surrounding area, as it is fronted by several industrial and commercial businesses. The remaining 40% of trucks entering and exiting from the north, as well as the 10% of trucks entering and exiting from the west and south, respectively, will pass through residential areas. In order to minimize truck noise along these routes, it is recommended that signage be installed restricting the use of compression braking within these residential areas. Other signage clarifying the intended truck routes should be installed to prevent heavy vehicles from accidentally or intentionally using neighborhood streets to access the site, as outlined in the Albany County Commercial Transportation Access Study, completed by Creighton Manning dated April 5, 2002. To further reduce truck impacts on the traveling public, oversized load transports

should follow the procedures outlined in the Traffic Control Plan for Superload Transport, prepared by CHA, Inc. Any oversized loads destined for the Port of Albany will require a separate traffic control plan for the intended route, coordinated with and approved by both NYSDOT and the Town.

Truck Sensitivity Analysis

To assess the impact of the increased truck traffic on the surrounding roadway network to an extreme scenario assuming a single tenant with a single shipping/receiving location, a sensitivity analysis was performed assuming 100% of the trucks entering and exiting the site would take one of three routes. A north/eastbound route via I-787 at Broadway, a westbound route via I-87 Interchange 23, and a southbound route, traveling via NYS Route 144 to I-87 Interchange 22. These routes were modeled in the traffic software Synchro Ver. 10.0, and their LOS compared against the 2029 Phase III LOS, assuming all recommended mitigation efforts were in place. The results table and the synchro printouts of this analysis are included in Appendix B of the TIS.

When assuming 100% of the site-generated trucks traveling to/from the north/east via I-787 at Broadway, there is only a slight degradation of service during the morning peak hour, dropping from a LOS 'A' to LOS 'B', while all other approaches will experience negligible increases in delay. This is the recommended truck route, should the tenant utilize a single trucking route.

For the southbound route, 100% of trucks travel to/from South Port Road along NYS Route 32/144 to the I-87 Interchange 22. Along this route the unsignalized intersection approaches onto NYS Route 144 would have an increase in delay as the available gaps in traffic would decrease do the increase in volume. Should this unlikely scenario develop in the future, the only additional recommendation would be for an updated signal warrant analysis to be completed at the Glenmont Road/NYS Route 144 and I-87 Interchange 22 intersection with NYS Route 144 for further consideration of traffic signals at these locations.

The westbound route is assuming the worst-case scenario that all truck travel to the I-87 Interchange via NYS Route 32 and US Route 9W; however, access to this interchange is also available via Church Street to the Green Street slip ramp onto I-787. Nevertheless, as an extreme scenario, when all trucks utilize this route, additional recommended mitigation includes a follow up review of the US Route 9W intersection with NYS Route 32 as the intersection is projected to degrade from a LOS 'C' to a LOS 'D' in the morning peak hour with the analysis showing failing operations for the southbound left turn movement. With 10 of the 75-total site-generated trucks making this turn, the movement can maintain the same level of service as the Build Phase III-Mitigation scenario. When 50 of the 75-total site-generated trucks make this turn, the movement reaches failing levels of service, degrading from a LOS 'E' to a LOS 'F' for the morning peak hour. With this extreme situation, the potential recommended mitigation to consider would be to extend the existing southbound left turn lane to ensure the additional trucks making the left turn do not queue back into the southbound through lanes.

Gap Analysis

A gap analysis was completed to determine if there were sufficient gaps in traffic to accommodate the existing and projected traffic volumes at the Glenmont Road approach to NYS Route 144

during the critical morning peak hour. The number of gaps from 7:00 AM to 8:15 AM were recorded in conjunction with the traffic volumes and are included under Appendix B in the TIS. Critical Gaps and Follow Up Times for the left and right turn movements were calculated in Synchro based on intersection geometry, heavy vehicle percentages and speed limit. This critical gap represents the minimum amount of time between vehicles traveling on the NYS Route 144 corridor for a car from Glenmont Road to enter the traffic flow. Follow Up Times indicate the time span between the departure of one vehicle from Glenmont Road and the following vehicle pulling up to the intersection. There are sufficient available gaps for all the traffic movements at the intersection. The eastbound left-turn vehicles will experience delay as they wait for an acceptable gap.

Signal Warrant Analysis

Signal warrants were reviewed for the study area un-signalized intersections in accordance with the Federal Highway Administrations; Manual of Uniform Traffic Control Devices, 2009 edition. The un-signalized intersections of NYS Route 144 at Glenmont Road as well as NYS Route 144 at NYS Route 32 were reviewed using 2019 existing volumes due to the operating conditions at both intersections during the morning peak hour. These intersections were also reviewed using the 2029 Build Phase III volumes to see if the proposed developments traffic distribution would result in a signal to be warranted.

The detailed signal warrant analysis worksheets for the existing and proposed conditions for both intersections are provided in Appendix D of the TIS. This analysis showed that the NYS Route 144 and Glenmont Road intersection meets one of the MUTCD signal warrants for the existing condition and two of the MUTCD signal warrants for the proposed Build conditions. Warrant 3B, the peak hour warrant is met for the existing morning peak hour while Warrant 2, the four-hour warrant and warrant 3B, the peak hour warrant is met for the morning peak hour for the Build scenario. Despite meeting a signal warrant using existing traffic volumes, the gap analysis that was performed (see previous section of this report for more details) showed that there are gaps available for vehicles to turn onto NYS Route 144 during the morning peak hour.

The NYS Route 144/NYS Route 32 intersection met warrant 1B using the existing traffic volumes, and met both warrant 2, the four-hour warrant and warrants 3A and B, the peak hour warrants using the Full Build volumes. 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.

From a capacity standpoint, the signal will elevate the 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. As a result of this assessment, a traffic signal is recommended at this intersection as a mitigation measure for the development project.

Site Distance Analysis

The sight distance at the proposed site entrance was measured to determine if the available intersection sight distances meet the AASHTO recommended values. Adequate sight distance is available at the proposed site driveway onto NYS Route 144. Despite the available sight distance,

it is recommended that the vegetation along NYS Route 144 in the vicinity of the proposed drive be cleared at least 15-feet back from the edge of the travel way to maximize intersection sight distance. No additional intersection sight distance mitigation is necessary at the proposed access drive.

3.7.2. Maritime

The Port of Albany consists of multiple deep-water facilities located on both the Albany (west) and Rensselaer (east) side of the Hudson River, which has a navigable width in the project area of approximately 400 FT. The river is utilized for recreational boating traffic with locations for ingress/egress/docking operations along the river, which are provided in the TIS. Based on previous Annual Reports for the Port of Albany and historic growth trends, it is estimated that the Port currently receives approximately 100 ships/barges per year, projected to reach 210 by 2029, equating to approximately 4 ships per week. In a worst-case scenario, the end-user would require the construction of an additional wharf, increasing maritime traffic at the Port by approximately 10%, or 21 ships/barges per year. These additional ships/barges are not projected to have a significant impact on the existing Hudson River maritime commercial or recreational traffic.

Within the project area, Normans Kill is currently used by law enforcement and emergency services for training purposes, and by the public, in a recreational capacity. The proposed development will not add any additional maritime traffic to this waterway, regardless of the end user. The proposed bridge over Normans Kill will be designed with adequate freeboard to accommodate the existing usage.

3.7.3. Rail

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. As noted in the previous DGEIS from 2010, a railroad track and bridge had run through the proposed site, over and across the Normans Kill, connecting the proposed site with the Port of Albany Railroad. The track and bridge were used to transport coal through the Port but have not been in operation since 1975, with the bridge being removed, as it had collapsed and was in a state of disrepair. The track has been abandoned and any rights, easements, or ownership have been abandoned with it. A new rail bridge will be constructed to again connect the proposed site to the existing rail line.

The bulk of the daily rail activity at the existing Port of Albany site occurs within the confines of the Port on private property, thus limiting its impact on the general public. Over the last 5 years, approximately 11,000 railroad cars annually pass through the Albany Port Railroad, with 80 % continuing past the Town of Bethlehem to CSX's Selkirk Yard, located approximately 8 miles south of the City of Albany. Currently, the only impact to the public is through CSX trains that run to and from the Port on a secondary line connected to Selkirk Yard. The CSX operations to the Port conservatively consist of one train per day that arrives at the Port sometime between midnight and 6:00 AM and leaves between 6:00 AM and noon. The Port also gets unit trains on a random, as needed basis about 4 times a month. usually consisting of approximately one-unit train per week, that run on the same schedule. When a unit train is scheduled to come to the Port, that day could include two trains traveling to the Port from Selkirk. When the unit train is unloaded, two trains could be leaving the Port back to Selkirk that day. These unit trains follow the same

time schedule as the daily trains, arriving sometime between midnight and 6:00 AM and leaving between 6:00 AM and noon. The proposed developments impact on rail operation will be dependent on the tenant/end user. Regardless of the tenant, the only impact to the public will continue to be through the CSX train running on the secondary line to the Selkirk Rail Yard. The projected worst-case scenario operations consist of the current one train-per-day arriving at the Port with an additional 4-5 cars, assuming a multi-tenant makeup of the proposed additional 1.3 million SF and/or the number of unit trains could potentially increase to 6 times per month should a single large material-producing tenant occupy the new developable area. These worst-case scenarios will not result in an increase in idling trains in the study area.

Noticeable impacts to the public from increased rail operation are not anticipated as a result of the proposed development.

3.7.4. Public Transportation

Transit service available in the study area is provided by the Capital District Transportation Authority (CDTA). One CDTA line currently travels past the project site on NYS Route 144 and stops at the NYS Route 144/NYS Route 32 intersection. The Glenmont Line (#7) starts from Broadway in the City of Albany and travels past the site on NYS Route 144 to the Walmart located on US Route 9W. No impacts on the public transportation are expected as a result of the proposed development. The available public transit service in the immediate project area is shown on Figure 16 within the TIS. . The Port estimates that roughly 5-7% of their employees commute to work via transportation methods other than passenger cars. As a result, there is not expected to be any noticeable changes to the public transportation operations in the study area as a similar high utilization of passenger cars is anticipated for the employees of the proposed expansion project.

3.7.5. Pedestrian and Bicycle

A review of the existing road network in the study area shows crosswalks with pedestrian push buttons and countdown timers provided at the NY Route 32/1st Avenue/I-787 Exit 2 Ramp intersection and that a crosswalk is provided on Broadway approximately 265-feet east of Church Street. Sidewalks are also provided in the vicinity of the NY Route 32 /1st Avenue/I-787 Exit 2 Ramp intersection and the Broadway/Church Street intersection which are located within the City of Albany. The existing signalized Glenmont/Feura Bush Road/US Route 9W intersection currently provides sidewalks, crosswalks, pushbuttons and countdown timers and will make accommodations for pedestrians when it is converted to a roundabout design. There are no pedestrian accommodations provided at the remaining intersections in the study area. There are no State Bike Routes posted in the project area; however, the northern portion of the existing Port of Albany starting at Dunham Street is located within a Tier 2 Pedestrian district of the Bike Pedestrian Priority Network. Based on the number of pedestrians counted during the peak hours, the traffic generated by the proposed project will have a negligible impact on the Bike Pedestrian Priority Network.

A summary of the peak hour pedestrian and bicycle activity observed during the traffic data collection is provided in the TIS. The NY Route 32/1st Avenue/I-787 Exit 2 Ramp intersection located in the City of Albany currently has pedestrian accommodations and experiences the most pedestrian traffic. Minimal pedestrian activity was observed at the Glenmont/Feura Bush Road/US Route 9W and NYS Route 32/1st Avenue/I-787 Exit 2 Ramp intersections with pedestrian facilities.

The remaining study area intersections experience no pedestrian and bicycle activity with the exception of one pedestrian observation at the I-87 interchange ramps.

Based on the number of pedestrians and bicycles recorded during the peak hour at the NYS Route 32 /South Port Road and Church Street/Broadway intersections during the AM and PM peak hours, it can be assumed that few if any Albany Port employees currently walk and/or ride a bicycle to get to work. The Port estimates that roughly 5-7% of their employees commute to work via transportation methods other than passenger cars. As a result, there is not expected to be any noticeable changes to pedestrian and bicycle activity in the study area as a similar high utilization of passenger cars is anticipated for the employees of the proposed expansion project and no additional pedestrian accommodations are planned.

3.7.6. Conclusions and Recommendations

Results from the 2029 Build conditions indicate that the proposed project will have negligible impacts with no noticeable increase in delay to the traveling public within the existing study area intersections for the proposed build phases once the recommended mitigation measures are implemented. Access into and out of the proposed development can be provided in a safe and efficient manner with the existing two points of access along with the proposed new driveway configuration and the proposed signal mitigation outlined in this report.

Based on the traffic analysis results, MJ offers the following conclusion and recommendations:

- The development's detailed site plan is not finalized; however, the most traffic intensive alternative was analyzed in this Traffic Impact Study to review the worst-case scenario. This alternative consists of the development of a 1,130,000 SF, two-level warehouse on approximately 69 acres with full build-out of the project estimated by 2029.

- Access to the site is proposed via one new access drive restricted to car traffic only, located on NYS Route 144 and via a new vehicular bridge that will span Normans Kill which will provide access to Normanskill Street and the existing intersections of NYS Route 32/South Port Road and Church Street/Broadway.

- It is anticipated that the proposed project as outlined will generate a maximum of 465 trips during the AM peak hour and 529 trips during the PM peak hour.

- The capacity analysis indicates that the following study area intersections will operate adequately with the improvements outlined for the full build-out of the proposed development.

    - NYS Route 32 at US Route 9W:
        - Traffic signal timing changes (Monitor for all Phases, timing changes assumed for Phase III)
    - NYS Route 32 at 1st Ave/I-787 Exit 2 Ramp:
        - Traffic signal timing changes (Monitor for all Phases, timing changes assumed for Phase III)
    - NYS Route 32 at South Port Road:

        - Monitor signal timings (During Phase I)
        - Follow up traffic study to assess signal operations (Prior to Phase II)
        - Construct a dedicated 200' long southbound left-turn lane (Prior to Phase III)
        - Construction a dedicated 200' long westbound right turn lane (Prior to Phase III)
        - Install new traffic signal equipment to provide a permissive/protected southbound left turn phase and a westbound right turn lane overlap phase. Potentially coordinate the controller should a traffic signal be installed at NYS Route 144/NYS Route 32 intersection. (Prior to Phase III)
    - NYS Route 144 at NYS Route 32:
        - Consider installation of a traffic signal based on site the proposed site plan (Initial project approval)
        - Signal should be installed and be coordinated with the traffic signal at South Port Road. (Prior to Phase II)

- It is recommended that the proposed access drive operate under stop sign control and provide a single approach lane onto NYS Route 144 for left and right turn movement as a single entrance lane.

- A sight distance evaluation indicates that adequate intersection and stopping sight distance will be provided at the proposed access drive on NYS Route 144 for passenger cars with the clearing of existing vegetation located to the north of the intersection. No additional sight distance improvements are necessary.

- The proposed truck traffic will not have a noticeable impact on the traveling public as the increase in truck traffic is only a fraction of the existing truck traffic within the study area. Based on the results of the sensitivity analysis, should the end tenant require a single shipping and receiving route for all truck activities, it is recommended that this route be via Church Street to the North to minimize impacts to the traveling public.

- The proposed impacts to the rail operations will have a negligible, if any, impact to the general public.

- The proposed project will not have any noticeable impacts to the existing pedestrian and bicycle activities in the study area.

- In general, the existing roadway infrastructure within the study area has adequate capacity to accommodate the proposed traffic anticipated by the development after implementing the recommended mitigation improvements.

3.8. Drainage

3.8.1. Environmental Setting

The existing drainage area is comprised of approximately 81.62 acres, bordered by the Normans Kill to the north, and the Hudson River to the east. At the south boundary there is a Public Service Energy Group (PSEG) power plant, and to the west a parcel owned by Niagara Mohawk Power Corporation that conveys overhead electric transmission lines, as well as an underground gas main. The site consists primarily of brush and trees with a small gravel area as well as abandoned railroad tracks. The existing pervious area is approximately 78.02 acres, and the existing impervious area is approximately 3.60 acres.

There are four delineated wetlands within the affected drainage area (see Section 3.3 Wetlands for a more detailed description). Wetland 1 (1.26 acres) is a freshwater emergent and forested wetland located in the northwest portion of the property and functions as storage during flooding events. Wetland 3 (0.07 acres) and Wetland 4 (0.003 acres) are both located on the bank of the Hudson River and are freshwater tidal wetlands. Wetland 9 (0.04 acres) is located on the north side of the Normans Kill and is a freshwater emergent wetland.

The existing site falls within the Normans Kill watershed of the Middle Hudson Sub-Basin for the Lower Hudson River Basin (HUC10: 0202000602, Water Index No H-221-4) which is listed as a Class C water. Neither the Normans Kill nor the Hudson River are listed in the NYSDEC Stormwater Management Design Manual (Manual) Appendix C as a watershed where enhanced phosphorus removal standards are required. Additionally, neither are listed in the Manual's Appendix E as a watershed impaired by pollutants related to construction activity. The project site is located within the Town of Bethlehem, Albany County, New York, which is an MS4 community, requiring this report and project to receive approval from the Town of Bethlehem.

According to the Natural Resources Conservation Service (NRCS) web soil survey, there are four (4) soil unit types (see Section 3.1 Soil, Geography and Topography for a more detailed description). The majority of the soil falls within the hydrologic soil group B/D with a soil group of Wayland. The first letter corresponds to drained soil's properties under drained conditions and the second to saturated conditions. Group B soils have moderate infiltration and runoff rates while group D have a low infiltration rate and a high runoff rate. Runoff from the site travels via sheet and shallow concentrated flow directly to the Normans Kill and Hudson River.

The site' s topography is largely comprised of flood plain and contains very little elevation change. Most of the site is at or near elevation 16 feet; the site rises slightly to the west and south as it moves away from the Hudson River. The land beyond the site rises more steeply to the west beyond the site boundary. There are four district drainage areas within the site where runoff either collects on-site or drains directly into the Hudson River or Normans Kill.

McFarland Johnson, Inc. prepared a detailed analysis and report entitled "Drainage Design Report" dated May 2019, see Appendix J. The report is the study of the project pre and post construction stormwater impacts. As described in the report, the existing hydrology of the four drainage areas were analyzed in accordance with the NYSDEC Stormwater Management Design Manual using HydroCAD™. The results are as follows:

Existing Hydrology			
Drainage Area	1-yr Peak Discharge (cfs)	10-yr Peak Discharge (cfs)	100-yr Peak Discharge (cfs)
1	3.53	**10.23**	**23.56**
2	7.21	**21.02**	**48.31**
3	5.76	**17.27**	**40.08**
4	3.70	**11.19**	**26.06**

3.8.2. Potential Impacts

The proposed development is a 1,130,000 square foot industrial building that will contain industrial uses permitted by right per the Town Code. The ancillary impervious areas including parking for automobiles and trucks, a roadway, railroad, and a maritime wharf. There will also be pervious areas of grass and unaltered brush and trees. The site will consist of approximately 49.63 acres of impervious cover and approximately 31.99 acres of pervious cover. Since the subject site will have land disturbance of more than 1-acre, a full State Pollutant Discharge Elimination System (SPDES) permit (General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002) will be required for the project.

Runoff from the proposed impervious areas will travel via sheet and shallow concentrated flow to one of five closed drainage systems with an outlet into either a bioretention facility or a water quality pond. The bioretention/water quality ponds will provide runoff reduction and water quality volume to treat the water prior to being discharged into the Normans Kill and/or Hudson River. The overall drainage plan incorporates multiple separate systems with outlets to the Normans Kill and/or Hudson River to avoid a more concentrated larger outlet for the site (See Appendix B, Proposed Condition of the Drainage Design Report, Appendix J to the DGEIS)

The NYSDEC's Stormwater Management Design Manual requires that water quality controls must be implemented so that stormwater from the proposed development does not increase the total suspended solids and pollutants of the receiving waters. By detaining the Water Quality Volume (WQv) to allow sufficient settling time for suspended solids and pollutants to settle out, Stormwater Management Practices (SMP) will be implemented to achieve the necessary protection. Pretreatment will be provided by means of using grass swales and or forebays.

The NYSDEC's Stormwater Management Design Manual requires further that the peak discharge rates of stormwater be controlled to the pre-development rate. This is typically achieved through detention areas to hold back the excess runoff created by the new development. However, the Manual states that all projects with runoff discharging directly into tidal waters are exempt from the quantity control requirements. This project proposes that stormwater runoff to be released to the Normans Kill and Hudson River, which are both tidal in the project's vicinity, thus eliminating the detention requirement. None the less, as reported in the "Drainage and Design Report" the

proposed hydrology of the four drainage areas were analyzed in accordance with the NYSDEC Stormwater Management Design Manual using HydroCAD™. The results are as follows:

Proposed Hydrology			
Drainage Area	1-yr Peak Discharge (cfs)	10-yr Peak Discharge (cfs)	100-yr Peak Discharge (cfs)
1	2.10	5.70	12.55
2	5.00	13.92	30.95
3	103.22	195.21	350.59
4	73.54	135.45	239.90

The project will change the surface coverage of the site 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.

3.8.3. Mitigation Measures

Since the subject site will have land disturbance of more than 1-acre, a full SPDES permit will be required as part of the project. A Stormwater Pollution Prevention Plan (SWPPP) will be developed in accordance with the permit regulations. The SWPPP will be reviewed and approved by the Town of Bethlehem as an MS4.The SWPPP will be prepared in accordance with the NYSDEC Manual and meet the following criteria as the principle objectives contained in an approved SWPPP.

- Reduction or elimination of erosion and sediment loading to water-bodies 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 and summarized below.

Section 4.2 of the Manual states that WQv is intended to improve the water quality by capturing and treating runoff from small, frequent storm events that contain higher pollutant levels created through the increase of impervious surfaces. Impervious surfaces accumulate pollutants that

quickly wash off and rapidly enter downstream waters as well as prevent natural groundwater recharge.

The WQv required for the proposed site is based upon the 90% rainfall event number, percent of impervious cover, and the total site area. Calculations were done using the Green Infrastructure worksheets and can be found within the Drainage Design Report (Appendix J). The total WQv required is 208,176 cubic feet.

Runoff Reduction Volume (RRv) is the reduction of the total WQv by application of green infrastructure techniques and stormwater management practices to more closely replicate pre-development hydrology. The intent of RRv is to recognize the water quality benefits of certain site design practices to address flow as a pollutant of concern.

According to Section 4.3 of the Manual, RRv may be calculated based on three methods:

1. Reduction of the practice contributing area in WQv
2. Reduction of runoff volume by storage capacity of the practice
3. Reduction using standard SMPs with runoff reduction capacity

The minimum RRv required by the proposed site is based on the total area of new impervious cover and the Hydrologic Soil Group (HSG) Specific Reduction Factor (S). The specific reduction factor is based on the HSGs present at the existing site. Calculations were done using the Green Infrastructure worksheets and can be found in Appendix J. The minimum RRv was determined to be 41,076 cubic feet.

To best suit the stormwater requirements of the proposed site, three bioretention basins and two stormwater ponds were designed. The bioretention basin was sized in accordance with Section 6.4, Stormwater Filtering Systems of the Manual; because the majority of the native soils of the site are of NRCS soil group D, an underdrain has been included in the design. The ponds were designed in accordance with Section 6.1, Stormwater Ponds, of the Manual. The ponds were sized to provide WQv. However, the ponds do not provide any storm event flow mitigation A summary of the required and provided RRv and WQv are as follws:

	Required	Provided
RRv	**41,076**	**41,220**
WQv	**208,176**	**215,943**

As mentioned above the project will discharging directly into the Normans Kill and Hudson River, which are both tidal waters, making it exempt from the runoff quantity control requirements of the Manual.

All elements of the closed drainage system will be designed to be non-erosive during a 2-year storm event and capable of conveying a 10-year storm event. After construction, a maintenance and operation report program and agreement will be made between the site operator and the

Town to ensure all stormwater management practices are maintained over the life of the site's operations.

Based upon the analysis provided in this report, the proposed development can meet all of the requirements of the Manual and the SPDES Permit. During construction activities Erosion and Sediment Control will be designed and enforced in accordance with the NYSDEC New York State Standards and Specifications for Erosion and Sediment Control. Standard stormwater management practices can provide the required RRv and WQv for the proposed conditions. The elements of the Manual and the Permit that relate to stormwater quantity controls, specifically CPv, Qp, and Qf, are not required at this site as the site discharges directly to a tidal water. All elements of the closed drainage system will be designed to be non-erosive during a 2-year storm event and capable of conveying a 10-year storm event. After construction, a maintenance and operation report program and agreement will be made between the site operator and the Town to ensure all stormwater management practices are maintained over the life of the site's operations.

3.9. Water Service (Potable and Fire Protection)

3.9.1. *Environmental Setting*

The Applicant proposes to service the Project with water by connecting to the existing water infrastructure owned by the Town of Bethlehem and maintained Department of Public Works (DPW) Water District No. 1 within Route 144/River Road.

On April 1st, 2019, McFarland Johnson met with the Town of Bethlehem to identify and assess the provision of water service to the Project by connecting to the existing water line infrastructure owned by the Town of Bethlehem and maintained by the Department of Public Works. It was determined that there is an active 16-inch water main located on the west side of Route 144/River Road adjacent to the access easement in the southwest corner of the Site, labeled as the Glenmont/River Road Pressure Zone. There is also an active 8-inch water main located on the northwest side of Route 144/River Road adjacent to the northern access easement, labeled as Corning Hill Pressure Zone.

On July 23rd, 2019, McFarland Johnson received an Evaluation of Water Distribution Hydraulics from the Town of Bethlehem, attached in Appendix K. The Town of Bethlehem's town wide computer-generated water quantity and quality model of their distribution system was used to evaluate the capacity of the existing system at both the Glenmont/River Road Pressure Zone and the Corning Hill Pressure Zone while maintain a minimum system-wide pressure above 20 psi. It was determined that the Corning Hill Pressure Zone can provide 1,000 gpm while the Glenmont/River Road Pressure Zone can provide 1,300 gpm.

3.9.2. *Potential Impacts*

Based on 1,130,000 square feet (sf) of warehouse/industrial use; the Site is anticipated to have 1,130 employees. In accordance with NYSDEC Standards, the domestic water demand is 15 gallons per day per employee. Therefore, the Project is expected to generate 16,950 gallons per day of domestic water demand. This leads to a domestic demand with an average daily demand of 12 gallons per minute (gpm), max daily demand of 22 gpm, and peak hour demand of 47 gpm. The domestic demand would be evenly distributed over a 24-hour period and would consist of typical "domestic" use by employee (no industrial use is anticipated). There is no anticipated seasonal variation in the domestic demand. The fire flow demand has been estimated to be 2,300 gpm at 20 pounds per square inch (psi) based on a typical fire suppression system for the size and utilization of the building.

The Town has run its computer-generated water model to assess the impacts of the above Project demands. The model showed that a combined domestic and fire flow demand could not be met solely from either the Corning Hill Pressure Zone, at 1,000 gpm nor the Glenmont/River Road Pressure Zone, at 1,300 gpm. The model showed that connections to both pressure zones could provide sufficient pressure and flow for both the domestic and fire flows. Based upon these results three alternatives have been considered.

Alternative one is a single connection to the existing 16-inch watermain along River Road in the Glenmont/River Road Pressure Zone into the southwest corner of the site. A private waterline would be extended approximately 1,250 feet through the southwest access easement along the

access road through the Site and, connect to both the building's domestic feed as well as a fire protection loop around the perimeter of the building. This connection can provide 1,300 gpm, sufficient to satisfy the domestic water demand. In order to meet the project's fire demand an on-site water storage tank would be installed in the southwest corner of the site. This tank would be designed to supply the building's fire suppression system with sufficient pressure and flow.

The second alternative is two connections looped through the project site: one connection to the existing Corning Hill Pressure Zone in the north; and one to the Glenmont/River Road Pressure Zone in the south. The two connections would be looped through the site with an approximately 3,550 foot waterline: from the existing 16-inch main in River Road on the Glenmont/River Road Pressure Zone in the south a watermain would run north into the site through the southwest access easement, it would proceed up the internal access road to the northern access easement, where it would connect back out to the existing 8-inch main in River Road on the Corning Hill Pressure Zone. The new waterline loop would be owned and maintained by the Town of Bethlehem within a dedicated easement. The Project would connect off of the waterline loop and service both the building's domestic feed as well as a fire protection loop around the perimeter of the building. Pressure control and check valves on the two Pressure Zones would ensure proper functioning of the systems. Where the internal loop passes through the northern access easement out to the existing 8-inch main on the Corning Hill Pressure Zone, it would pass through existing wetlands. In this location it would be either directionally drilled/bored to avoid any wetland impacts, or a Nationwide Permit would be obtained to address any temporary impacts to the wetlands.

The third alternative is to extend the Glenmont/River Road Pressure Zone with approximately 1,200 feet of 12" waterline to the north within the River Road right-of-way up to the existing 8" Corning Hill Pressure Zone. This waterline would be owned and maintained by the Town of Bethlehem. A private site connection would tap into both pressure zones and extend into the site through the northern access easement. This connection would service both the building's domestic feed as well as a fire protection loop around the perimeter of the building. Pressure control and check valves on the two Pressure Zones would ensure proper functioning of the systems. Where the site's connection passes through the northern access easement, it would pass through existing wetlands. In this location it would be either directionally drilled/bored to avoid any wetland impacts or a Nationwide Permit would be obtained to address any temporary impacts to the wetlands.

All potential water service options can be seen in **Appendix Q** for "Concept A" Utility Plan.

Since the Project may be developed in phases, two interim building sizes were considered, one at 300,000 sf and another at 600,000 sf. All infrastructure will be constructed at the start of the Project; however, two interim water demands were calculated. At 300,000 sf a water flow of 5,650 gallons per; and at 600,000 sf a flow of 11,300 gallons per day.

Based upon the anticipated demands and the Town's computer-generated model, the Town has sufficient capacity within their existing system to service the project.

3.9.3. *Mitigation Measures*

Improvements to the existing water supply involve either a connection to or an extension of the water main located in proximity to the southwestern project boundary, with alternatives to include a second connection to the water main located in proximity to the northwestern project boundary. Once on the project site, the waterline will be constructed to service the development, including a fire protection loop around the perimeter of the building. Hydrants will be installed throughout the project site. Final design of the water supply and distribution system will be completed with any specific project in conformance with AWWA standard C600, the Town of Bethlehem Water District No. 1, Albany County Department of Health, and NYSDOH requirements.

3.10. Sanitary Sewer

3.10.1. Environmental Setting

Applicant proposes to service the project with sanitary sewer by connecting to the existing sewer infrastructure owned and maintained by the Albany County Water Purification District just north of the project as set forth below. See Appendix Q for "Concept A" utility plan details.

The South Wastewater Treatment Plant (hereinafter the SWTP), owned and operated by the Albany County Water Purification District, is located at the Port of Albany, at a point approximately 9,500 linear feet north of the project site. The project site is outside the jurisdiction of the Albany County Sewer District, and authorization to treat waste from this project will require approval of the Albany County Legislature. The Port of Albany has coordinated with the Albany County Sewer District to determine the capacity to treat waste from the project.

There are currently no connection points to the City of Albany sewer system in the vicinity of the project. Existing sewer lines located north of the project boundary line are privately owned and convey waste to the SWTP. Therefore, the sewer line connection from the project site to the SWTP, to be constructed by the developer, will be privately owned.

As an alternative to connection through the Albany County SWTP, a tie-in can be made to the Town of Bethlehem sewer service. On April 1st, 2019, McFarland Johnson met with the Town of Bethlehem to identify and assess the provision of sewer service to the project by connecting to existing sewer line infrastructure owned by the Town of Bethlehem Department of Public Works. An existing Town of Bethlehem 8-inch gravity sewer line is located along Glenmont Road, approximately 1,800 feet west of the intersection of Glenmont Road and Route 144. The Port of Albany could run a force main approximately 4,000 feet from an onsite pump station to the existing 8-inch gravity line on Glenmont road, west of the project site. Further analysis would be needed to determine the capacity of the existing facilities downstream of the intended connection point, including the Glenmont pump station and an 8-inch force main over I-87.

The second potential tie-in point to the Town of Bethlehem sanitary sewer system is located on Route 144, approximately 6,000 feet south of the southern access point of the project site. This point is the farthest of the potential tie-in points from the project site and would require installation through rock. It is the Port of Albany's understanding that if Town of Bethlehem sewer facilities are used to service the project, the Town will extend its sewer district, as needed.

As a second alternative, wastewater could be treated onsite through a septic system or package wastewater treatment plant.

A raised mound system was analyzed for site suitability. A condition of a mound system is separation distance between the trench bottom and groundwater. Soil boring logs indicate groundwater is 18-inches below grade, which meets the 12-inch minimum requirement required by the New York State Department of Health. However, the existing underlying fly ash fill material is not considered favorable with this system and would likely affect the longevity of the system.

The size of the raised mound basal area would need to be 16,950 SF, which would require 100 trenches at 100 linear feet lengths, a 20,000-gallon septic tank and a pump rated for over 2,000

gallons per minute (GPM) in order to properly dose the system. Based on the soil condition and size of the required system, it is not our recommendation to use this type of wastewater treatment facility on this site.

To treat the demands of the proposed building, an onsite package treatment plant (PTP) of approximately 70,000 SF is required. Due to the location of the project near the Hudson River a tertiary filter is required following the secondary treatment inside the PTP. A certified operator to inspect and monitor the system and send samples to the Environmental Protection Agency is also required. Of the two onsite wastewater treatment options, the PTP is more feasible for this project.

3.10.2. Potential Impacts

Based upon 1,113,000 square feet of warehouse/industrial use; the site is anticipated to have 1,130 employees. In accordance with the NYSDEC Design Standards for Intermediate Sized Wastewater Treatment Systems, the hydraulic loading rate is 15 gallons per day (GPD) per employee. Therefore, the project is expected to generate 16,950 GPD of sanitary flow.

The wastewater collection system for the site will consist of an on-site gravity system that will flow to an on-site pump station. The pump station will run a private force main connection to the Albany County SWTP for treatment. The sanitary sewer line will cross over the Normans Kill, and be hung from the roadway bridge. Because the project will connect directly to the SWTP, and will be constructing a private force main, no existing downstream infrastructure will be affected.

Since the project may be developed in phases, two interim building sizes were considered, one at 300,000 SF and another at 600,000 SF. All infrastructure will be constructed at the start of the project; however, two interim sewer demands were calculated. At 300,000 SF a sanitary flow of 5,650 GPD will be utilized and at 600,000 SF a flow of 11,300 GPD will be used.

The applicant has provided the project's sanitary demand to Albany County to discuss its ability to serve the project at the SWTP. Currently, the SWTP is permitted for 29 million GPD and operated at an average treatment volume of 23.3 million GPD in 2018. Therefore, there is sufficient capacity for the SWTP to accept the project's estimated 16,950 GPD of additional sanitary flow.

3.10.3. Mitigation Measures

It is anticipated that the County of Albany's SWTP has the capacity to handle the project's sanitary flow. Therefore, no upgrades or improvements to the Town of Bethlehem's sanitary sewer system is projected.

Because all of the properties between the project site and the SWTP are already served by public sewer, and the project's force main will be a private connection, there is no future demand. As a result, no mitigation measures are proposed.

3.11. Historic, Cultural, and Archeological Resources

3.11.1. Environmental Setting

The Town of Bethlehem was incorporated in 1793 and has documented cultural, historic, and natural resources. The Town has multiple historic resources including ten sites listed on the National Register of Historic Places, however none of these listed sites are located on or adjacent to the Site. The Town's natural resources include farm land, forest land, and mineral deposits, none of which are on or adjacent to the Site.

The property includes two parcels of land, 4.79 acre parcel at the south end of South Port Road (Tax Map No. 98.01-2-1.00) and an adjacent parcel of land of 76.83 acres (Tax Map No. 98.00-2-10.23). The large parcel, 76.83 acres, lies south of the Normans Kill on lands formerly known as Beacon Island. 8 acres of that parcel are comprised of the Normans Kill creek itself, where the former Canadian Pacific (CP) Railroad bridge crossed the Normans Kill and connected Beacon Island with the Albany Port rail yard.

The site has three easements, two existing and one proposed. One existing easement approximately 1.3 acres, located at the south west corner of the property provided by National Grid for crossing rights to connect the property to River Road/NYS Route 144. The second existing easement is approximately 0.4 acres and is located along the west side of the property, and is provided by National Grid and connects the property to River Road/NYS Route 144 for utility crossings. One proposed easement is approximately 0.05 acres of land located north of the Normans Kill, along the west side of the property line. This easement would be provided by National Grid and would provide area available to build the north access road.

The Site lies within a natural, industrial, and rural/suburban context with limited access. The Site's natural features are forested coverage throughout. The neighboring land uses to the north and south are industrial. The site at one time was used for fly ash and bottom ash disposal. Further away from the site, west of River Road, the area is rural in character with sparse minor roads and low-density residential housing throughout.

A Phase 1A Cultural Resource Survey was completed to meet the requirements of all federal, state, and local regulations in August 2002. The report content and format followed the standards used by the New York Archaeological Council and recommended by the New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP). The purpose of the Phase 1A was to identify the presence or absence of reported cultural resources within the Project Site and determine the sensitivity of the Site to contain archaeological sites.

Through site inspections, file research, and map research, it was determined that several prehistoric and historic archaeological sites were within a two-mile radius of the Project Site, and one prehistoric site was located within the project area. The Site was determined to be highly sensitive for prehistoric and historic archaeological sites. Due to the Phase 1A survey findings, a Phase 1B archaeological survey was recommended due to the possible presence of a prehistoric and historic archaeological sites.

The Phase 1B Study was completed in November 2002 to document the presence or absence of archaeological deposits and sites within the Project Site. The study focused on determining

whether the soil had potential for archaeological sites below the fill. Backhoe testing was completed to cut through the fill, where possible, and determine whether soils beneath indicated potential for archaeological sites to occur, or coarse or unsorted sand and/or gravel, or buried wetlands or tidal flats. Coarse sand and gravel deposits, filled in streams, or former tidal flats would indicate low to negligible archaeological sensitivity.

Multiple test pits were excavated on-site using a backhoe and hand shoveling. Test pits showed no evidence of archaeological sites or intact soil strata likely to contain archaeological sites. Test pits showed the Project Site is covered with fill, often coal ash. Beneath fill soils were water laid sand deposits or clay/sandy clay often associated with stream beds or tidal flats. The Phase 1B study concluded that there was a very low likelihood of archaeological sites within the Project Site.

The Phase 1A and Phase 1B were submitted to the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP), who subsequently requested additional information to determine if intact soils were present deeper than the original test pit depths. An Additional Phase 1B Survey was completed to fulfill the NYSOPRHP request in September 2003.

The Additional Phase 1B Survey included review of historic data supplemented by soil borings. The review of soil borings showed that upper soils were easily interpreted as fill and lower soils appeared to have formed below water based on their gray color. The review concluded that the Project Site was composed of fill underlain by soils without archaeological sensitivity. Two anomalies were identified during the boring review, and additional excavations were completed around these locations. It was determined that the anomalies were variation in the fill capping the project area. Overall the sub-fill soil appeared to have formed below water, and thus were not stable land surfaces, proving the Site soils were not archaeological sensitivity.

The results of the Additional Phase 1B Survey were submitted to the NYSOPRHP for review, at which time the NYSOPRHP determined the proposed 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 proposed 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 in December 2018. where historic and soil survey maps and documented conditions were reviewed and photos to provide evidence of prior disturbance within the three access areas were compiled. Multiple areas showing prior disturbance or where fill cover old river or stream bottoms and slopped terrain were identified. These findings showed there were no archaeological sensitive areas identified within in the investigated areas.

Upon review of the Additional Archaeological Evaluation and previous archeological studies, the NYSOPRHP determined that a National Register eligible site, Papscanee Island Historic District, was located across the Hudson River from the Project Site. Papscanee Island Historic District is comprised of agricultural fields which make the area visually unique and would have be recognizable to the historically prominent Mohican Sachem (Chief) Papsickene.

NYSOPRHP requested additional information, including a summary table detailing proposed elevations for construction work, a map showing depth of fill for each boring and trench, and review of visibility of the Site from the nearest public right-of-way to Papscanee Island Historic District. All information requested was to aid in Tribal consultation with the Stockbridge-Munsee Mohican Nation, federally-recognized American Indian tribe.

A summary table detailing elevation for construction aspects, a figure detailing depths of fill around the Project Site, and photographs from American Oil Road in Rensselaer, New York, the nearest right-of-way to Papscanee Island Historic District, were collected to determine visibility of the Site from the Historic District. It was determined, from American Oil Road, from multiple photographs collected, that the west side of the Hudson River was not visible from the public right-of-way.

Based on all previously submitted 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 proposed project as currently designed.

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

3.11.2. Potential Impacts

As previously stated, 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 proposed project as currently designed.

3.11.3. Mitigation Measures

Based on current consultations with the NYSOPRHP, no mitigation measures are being proposed.

3.12. Aesthetic and Visual Resources

3.12.1. Environmental Setting

The purpose of this section is to assess the qualitative and quantitative visual impacts of the proposed development in accordance SEQR. To that end a Visual Impact Assessment Report was conducted using the NYSDEC Program Policy - Assessing and Mitigating Visual Impacts (Issued 7/31/200, latest date revised: draft 10/30/2018) and the Federal Highway Administration's, Guidelines for the Visual Impact Assessment of the Highway Projects (January 2015), specifically Chapters 4 through 7. The report identified the project site's existing visual characteristics; identified any changes that may occur due to the project; identified the visual resources and receptors (particularly sensitive receptor) of any changes; assessed the impacts of the changes on those receptors; and finally recommended mitigation, if necessary, to minimize or eliminate the impact of the changes on the receptors. The report is included as Appendix M to the DGEIS.

The Visual Impact Assessment Report includes the following sections and assessments: Description of Existing Visual Character; Identification of Viewshed, area of visual affect (AVE); Identification of Viewer Groups and Scenic Resources (Sensitive Receptors); Assessment of Viewer Sensitivity; Qualitative and Quantitative Assessment of Visual Impacts; and Proposed Mitigation. The report stepped through the process identified in the Federal Highway Administration's, Guidelines for the Visual Impact Assessment of the Highway Projects, specifically Chapters 4 through 7 to identify the AVE. Based upon the AVE, a Qualitative and Quantitative Assessment of the potential project was conducted. Georeferenced photographs were taken at eye level from the locations identified as the AVE. The camera locations, heights, and angles were placed into a three-dimensional rendered model of the proposed project and realistic photo-simulations were created.

3.12.2. Potential Impacts

The rendered project includes an 85' high 1.13 million SF warehouse/industrial use building, associated truck and employee parking, and a wharf as represented in Concept A within this DGEIS. The 85-foot building will exceed the allowable 60-foot height permissible by local zoning.

Photo-simulations of the project from the locations defined as the AVE were created. The AVE analysis included both a static and dynamic viewshed analysis, as well an analysis of sensitive receptors. Six sensitive receptors were identified within a 1-mile radius of the site; however, based upon site visits, no sensitive receptors were included within the AVE. See Appendix A, Figure 3 within Appendix M for the locations of the photo-simulations. The results of the photo-simulations are summarized below:

- Location 1: Location 1 is at the end of South Port Street looking south into the site. 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 the building 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 site. 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 top of the building can be seen above the existing vegetation.
- Location 5: Location 5 is from the Hudson River looking west into the site. The project is visible from this location. There is no visual barrier between the Hudson River and the project.

3.12.3. Mitigation Measures

As mentioned above, the building will exceed the allowable zoning 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 85 feet in height.

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 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 top of the building 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 completely visible from this location. Along this stretch of the Hudson River, many of the uses with direct river frontage are industrial, and views from the Hudson River are already significantly impacted by the presence of these uses, particularly the PSEG to the south.

Directly across to the Hudson River on the east bank are multiple bulk oil storage facilities. Directly to the north is the existing Port of Albany. 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. A buffer of existing vegetation is being maintained along the western edge of the project with a minimum width of 25 feet. The northern access easement to NYS Route 144 was not utilized, so as not to create a visual opening in this area. 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.

3.13. Land Use and Zoning

3.13.1. Environmental Setting

The site lies within a natural, industrial, and rural/suburban context with limited access. The site is undeveloped with scrub and forested vegetation throughout. A portion of the site at one time was used for fly ash disposal. The Site is currently zoned as Heavy Industrial (I). The proposed project will alter the current vacant land use to heavy industrial uses permitted by right per the Town Code.

The neighboring land uses to the north (Boat storage and repair shop) and south (PSEG Power Plant) are industrial, to the west are the NYSEG high voltage transmission lines, with rural light industrial uses along River Road. Immediately to the east is the Hudson River.

Further away from the site, 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 "Zoning Map of the Town of Bethlehem, New York" and **Figure 3.13-2** for the "Town of Bethlehem Land Use Map" which further describe the surrounding zoning and land uses.

As reported by the Town Planning Department recent development trends include projects submitted to the Bethlehem Planning Board for review and approval which consist of a warehouse development; an assisted living facility; convenience store; and single-family homes and condominium subdivisions. A description of these projects are as follows:

- Gateway Commerce Center – 169,050 sf of space within three buildings for light industrial use
- Beacon Heights Senior Community – construction includes a two-story 89,000 sf and 72 unit assisted living facility with parking. The project also includes a 20,000 sf two-story building for commercial use
- 194 River Road Convenience Store/Gas Station – 2,358 sf convenience store on first floor and 2,212 sf office on second floor. 4 gas pumps (8 dispensers)
- Wiggand/Grady Conservation Subdivision – 99 units including 79 single family homes and 20 condominium units

The APDC Port of Albany Expansion Project will not affect the future land use in the project vicinity since no off-site infrastructure adjacent to vacant lands is being proposed. The sanitary sewer service will either extend north through the existing Port property and connect to the Albany County treatment plant or an on-site disposal system will be built. The water supply will tie into the existing line along River Road will only be extended to the Project Site and no further. The project will not alter adjacent lands or accessibility from its current setting.

As mentioned in **Section 2.0**, the proposed project consists of up to 1.13 million square feet of heavy industrial uses as permitted by right pursuant to the Town Code. **Table 3.13-1** is an analysis of the bulk lot requirements required by Town code compared to the proposed development.

Table 3.13-1: Town of Bethlehem Schedule of Area, Yard, and Bulk Requirements

Feature	Required	Proposed
Minimum lot size, nonresidential	5 acres	81.62 acres
Minimum front yard, from right-of-way	100 feet	1284 feet
Minimum front yard, from center line	125 feet	N/A
Minimum side yard	25 feet	308 feet
Minimum rear yard	50 feet	753 feet
Minimum highway frontage	150 feet	2140 feet
Maximum height	The lesser of four stories or 60 feet	85 feet(1)
Minimum lot depth	200 feet	2850 feet
Minimum lot width	150 feet	757 feet
Maximum lot coverage	30%	15.9% (2)

(1)Will request a variance
(2)1,130,000 sf two-story building has a footprint of 565,000 sf

As shown and on Concept Site Plan A (the generic proposed project **Figure 2.3-1**) all area, yard, and bulk requirements will be met except the maximum building height. The project proposes a maximum building height threshold of 85 feet. This maximum height dimension is in character with the building and structure height of the adjacent properties surrounding the project site. 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 85-foot maximum height is provided in Visual Impact Assessment in **Section 3.12**.

Although the intent is not to subdivide the property, as market conditions and future tenant demands change, subdividing the property may become necessary. This DGEIS contemplates such a scenario with the proposed Concept C site plan, as shown in **Appendix O**, which depicts a scenario with two separate lots with individual buildings on each lot. If the Project Site were to be subdivided, the on-site roadway would become a public roadway through the property owned by the Town or County. Thereby allowing for all area, yard and bulk regulations to be met.

The Town's Schedule of Area, Yard, and Bulk Requirements states that land division is prohibited, however the Town Zoning Code states that a land division may qualify for administrative review by the Department of Economic Development and Planning Subdivision. All future subdivision activities would be completed through the Town of Bethlehem's subdivision approval process.

This project may be constructed in a single phase or in multiple phases over an approximate 10-year period. As stated in Section 2.0, at this time, no specific building or project is being proposed. Therefore, this Draft Generic Environmental Impact Statement addresses the generic impacts of the project described in Section 2.0 , as well as, in more general and conceptual terms, the cumulative effects on the environment for all phases of the total project. As a result, subsequent site plan review for each specific proposed project will be required by the lead agent, to ensure that each specific project complies with the environmental thresholds and mitigation measures identified by this Draft Generic Environmental Impact Statement. Such future site plan review will include a SEQRA compliance report that addresses how the specific project complies with each of the sections of this Draft Generic Environmental Impact Statement.

3.13.2. Potential Impacts

The 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 site 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".

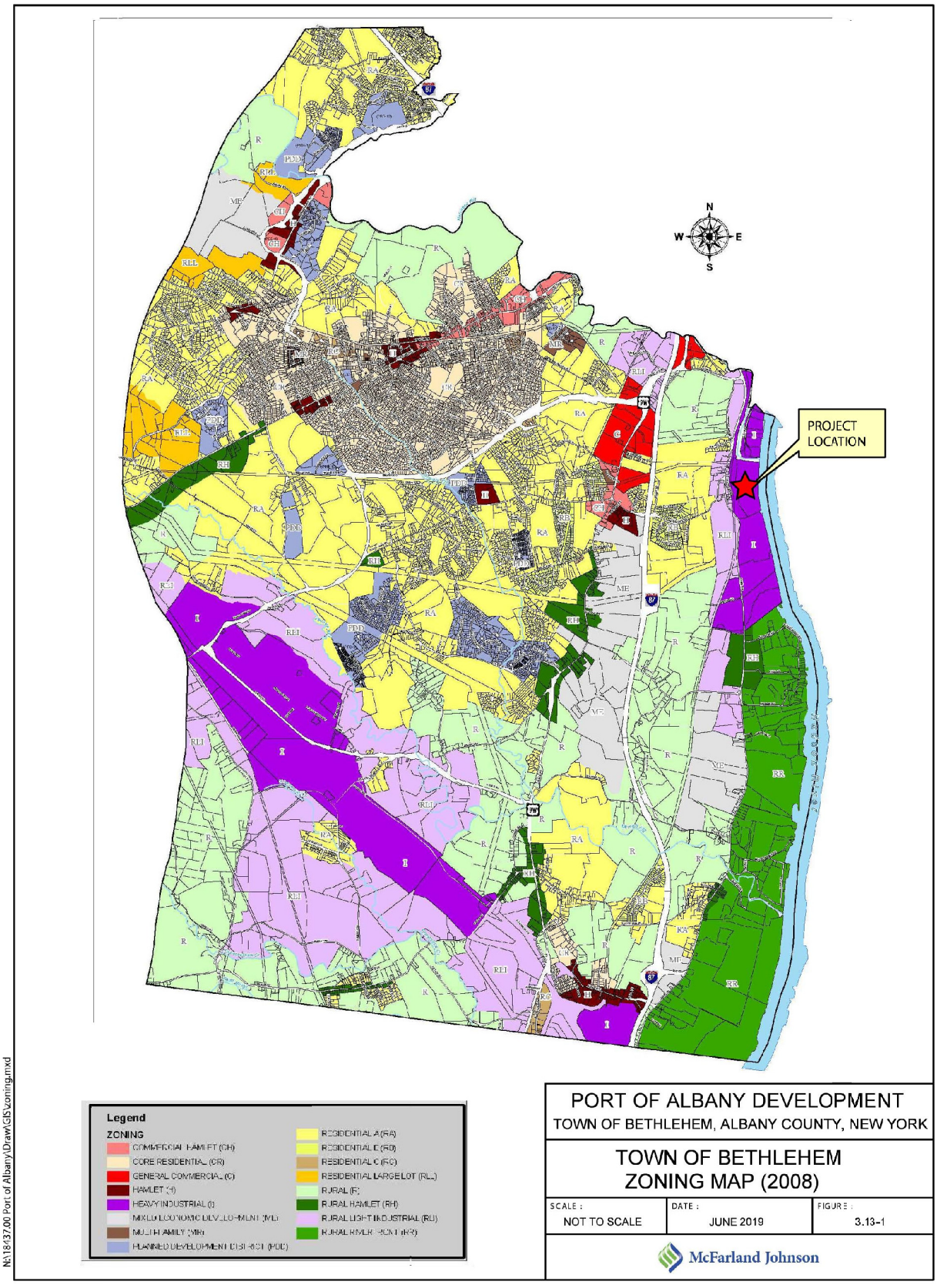
The Project will develop the land with uses permitted by right pursuant to the Town's heavy industrial zoning regulations. The areas adjacent to the project site are currently zoned heavy industrial and are occupied with heavy industrial uses. Therefore, the project site will have no impact on and will be compatible with the surrounding land uses.

Based on the project development, it is unlikely to influence future development. The project does not include extension of utilities or expansion of access except for the purpose of providing service to the Project Site. As proposed, the utility infrastructure, rail access, and maritime access would only be available to the Project Site and would not be available to surrounding properties.

3.13.3. Mitigation Measures

The site 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 85 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 proposed project will not pose an adverse environmental impact to the surrounding uses and will comply with the existing Heavy Industrial Zoning District.

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


PROJECT LOCATION
N
W
E
S
Legend
ZONING
COMMERCIAL HAMLET (CH)
CORE RESIDENTIAL (CR)
GENERAL COMMERCIAL (C)
HAMLET (H)
HEAVY INDUSTRIAL (I)
MIXED ECONOMIC DEVELOPMENT (MED)
MULTI FAMILY (MR)
PLANNED DEVELOPMENT DISTRICT (PDD)
RESIDENTIAL A (RA)
RESIDENTIAL E (RE)
RESIDENTIAL C (RC)
RESIDENTIAL LARGE LOT (RLL)
RURAL (R)
RURAL HAMLET (RH)
RURAL LIGHT INDUSTRIAL (RLI)
RURAL MIXED USE (RMU)
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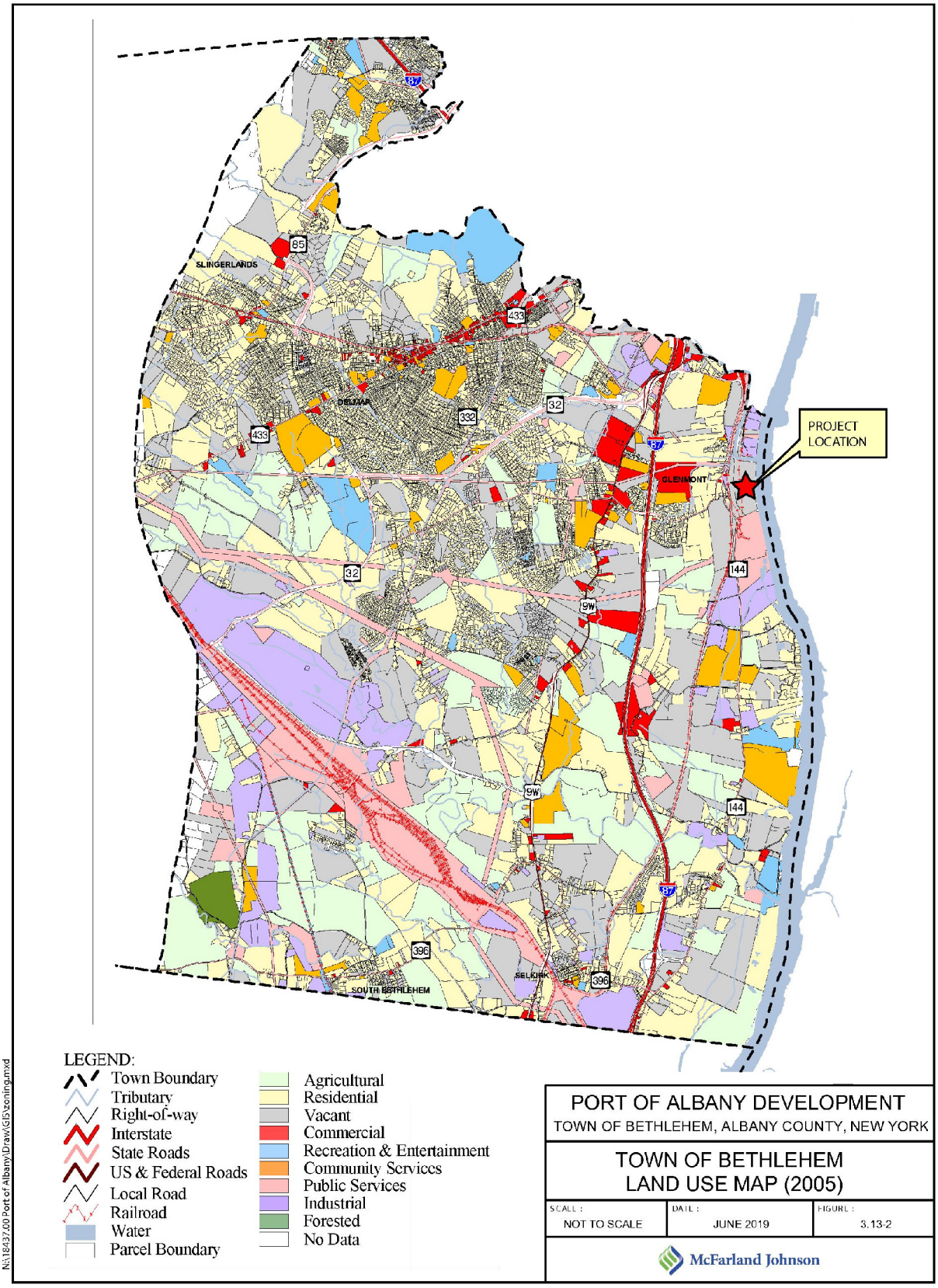
PORT OF ALBANY DEVELOPMENT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
TOWN OF BETHLEHEM
ZONING MAP (2008)
SCALE : NOT TO SCALE
DATE : JUNE 2019
FIGURE : 3.13-1
McFarland Johnson


SLINGERLANDS
DELMAR
CLENMONT
SELKIRK
SOUTH BETHLEHEM
PROJECT LOCATION
LEGEND:
Town Boundary
Tributary
Right-of-way
Interstate
State Roads
US & Federal Roads
Local Road
Railroad
Water
Parcel Boundary
Agricultural
Residential
Vacant
Commercial
Recreation & Entertainment
Community Services
Public Services
Industrial
Forested
No Data
PORT OF ALBANY DEVELOPMENT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
TOWN OF BETHLEHEM
LAND USE MAP (2005)
SCALE : NOT TO SCALE
DATE : JUNE 2019
FIGURE : 3.13-2
McFarland Johnson
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3.14. Community Character and Compatibility with Comprehensive Plan

3.14.1. Environmental Setting

The Town of Bethlehem is comprised of suburban residential neighborhoods, historic hamlets, mixed-use commercial centers, industrial facilities, and rural land. The site is vacant land located in the northeastern portion of the town along the Hudson River and zoned as heavy industrial. The neighboring land uses to the north and south are also industrial. The area west of the site and west of River Road is zoned as rural light industrial and further west as residential. The area west of the site is also characterized as being a mix of forested areas with sparse minor roads and low-density housing, and light industrial businesses. See **Figure 3.13-2** for the "Land Use" from The Town of Bethlehem Comprehensive Plan and Generic Environmental Impact Statement (Comprehensive Plan). Land located across the Hudson River in the town of East Greenbush is characterized as a mix of industrial and agriculture.

The Town'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.

The Town of Bethlehem and the site are located along the Hudson River which is considered a coastal resource by New York State. In 1982, New York State established the New York Coastal Management Program (NYCMP) to manage and protect coastal resources. The NYCMP, which is administered by the New York Department of State (NYSDOS), was developed in compliance with the federal Coastal Zone Management Act (CZMA), which provides assistance and encouragement to coastal states to develop and implement coastal management programs. The NYCMP includes 44 coastal policies, with which all state agencies actions must be consistent. The policies generally fall into three categories: promotion of beneficial use of coastal resources; prevention of impairment of resources; and management of major activities substantially affecting numerous resources. As part of the 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.

The Town of Bethlehem recently completed a revised Draft LWRP (September 2018), which is currently being reviewed by the NYSDOS. The site is located within the coastal area boundary and the proposed Waterfront Revitalization Area (WRA) as outlined in the Town's Draft LWRP. The proposed project is analyzed for consistency with the draft LWRP.

3.14.2. Potential Impacts

Bethlehem's 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 site 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".

The Town's Draft LWRP discusses the project site and the benefits and consistency of development of the site. It states that the northern portion of the WRA, an area containing the site, is mainly

industrial and commercial services and a significant component of the town's tax base. The Draft LWRP discusses the expansion of existing industrial and commercial services near and along the riverfront and includes the potential expansion at the project site as identified by the Albany Port District Commission (APDC). In addition, the Draft LWRP discusses the project as being able to improve and expand the town's commercial and industrial tax base by attracting private tenants to the currently vacant land, and that the property was determined to be an opportunity area for the town in their economic development strategy.

The proposed project will likely require 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 proposed 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 months to complete. Based on the scope of the proposed project, consistency review will most likely take six months.

The APDC will encourage the tenant(s) of the facility to use alternative and or renewable energy sources for the final buildings. The APDC will recommend the project follow Leadership in Energy and Environmental Design (LEED) standards as applicable such as bicycle facilities, protection or restoration of habitats on-site, water metering, optimizing energy performance, renewable energy production (solar energy), daylight and other applicable options outlined by LEED. The APDC will recommend the tenant use green infrastructure and other applicable options outlined by the NYSDEC Stormwater Design Manual.

The Hudson River Valley Greenway Act of 1991 created the Hudson River Valley Greenway, which is comprised of 13 counties that boarder the Hudson River to voluntarily cooperate to establish a Greenway area that travels along the Hudson River. The Act includes criteria such as public access to create riverside parks and develop the Hudson River Valley Greenway Trail System as well as an economic development portion that would encourage economic development compatible with preservation and enhancement of natural and cultural resources within the area. The Site doe not offer access to the river or trails. The Site will help with the economic development of the Act but would not add to access or the Greenway Trail.

3.14.3. Mitigation Measures

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

3.15. Emergency Services

3.15.1. Environmental Setting

This section will discuss emergency services around the proposed APDC Port of Albany Expansion Project. Emergency services shall include police, fire protection, and emergency health care services.

The Site has two proposed access points, one to the north and one to the south. The access point to the north would go over the Normans Kill, connect to Port Street, to South Port Road, and then connect to River Road/NYS Route 144. The connection over the Normans Kill would require a new vehicular bridge to be constructed. The access point to the South would utilize an existing permanent easement from National Grid to connect to River Road/NYS Route 144. All roads proposed would be designed and built to meet local codes and Town standards.

This DGEIS will assume that access to the Site for emergency vehicles will be via South Port Road, or the access road to the North, with secondary access point to the South from River Road/NYS Route 144.

Police

The proposed Project Site is within the jurisdiction of the Town of Bethlehem Police Department, Albany County Sheriff's Department, and the New York State Police.

The Town of Bethlehem Police Department is located on Delaware Avenue in Delmar. The department supplies safety services to the Town of Bethlehem on a 24-hour, seven-day-a-week basis. The department has been notified of the project and has supplied a "Will Serve" letter, confirming that they will serve the Project Site.

The Albany County Sheriff's Department is located in the City of Albany. The Sheriff's Department has been notified of the project and has been supplied with a project description and concept site sketch. The New York State Police Department has a local Troop in New Scotland and has been supplied with a project description and concept site sketch.

Fire Protection

The Site is located within the Selkirk Fire District service area. The Selkirk Fire District is the largest of the five districts serving the Town of Bethlehem, covering 29.8 square miles, or 60% of the Town's area. The Selkirk Fire District has administrative offices in Selkirk, with fire stations in Selkirk, Glenmont, and South Bethlehem. The Glenmont station, located at 30 Glenmont Road, Glenmont, NY, is the closest station to the Site, but in the event of a call all three stations would respond. The District has been notified of the project and has been supplied with a project description and concept site sketch.

Emergency Health Care Services

The Delmar-Bethlehem EMS provides emergency medical service and basic life support transport to those in the communities of Delmar, Elsmere, Glenmont, Selkirk, Slingerlands, and South Bethlehem. The Delmar-Bethlehem EMS has full time EMTs staffing three ambulances during the

day and predominantly volunteer efforts overnight. There are four (4) hospitals with emergency services located within a ten-mile radius of the project site: Albany Medical Center Hospital, South Clinical Campus, Albany Memorial Hospital, and St. Peter's Hospital. Delmar-Bethlehem EMS has been notified of the project and has been supplied with a project description and concept site sketch.

3.15.2. Potential Impacts

The potential impacts of a 1,130,000-sf building classified under industrial use at the site will have a potential impact of police, fire, and emergency services, but the scope of that impact will vary depending on the final use of the facility.

The Town's Emergency Management Plan has procedures outlined regarding emergencies at a facility. There is general information regarding procedures for dealing with emergencies and does not directly address emergencies at industrial facilities, nor any other specific emergency. The Town of Bethlehem uses the FEMA National Incident Management System (NIMS) as a guide to coordinate the response to emergencies. NIMS addresses aspects of emergencies at industrial facilities. In the event of any emergency at the site or could affect the site, the Town of Bethlehem would follow the procedures within their Comprehensive Emergency Management Plan and NIMS standards.

3.15.3. Mitigation Measures

New York State Uniform Fire Prevention and Building Code (Uniform Coded) 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.

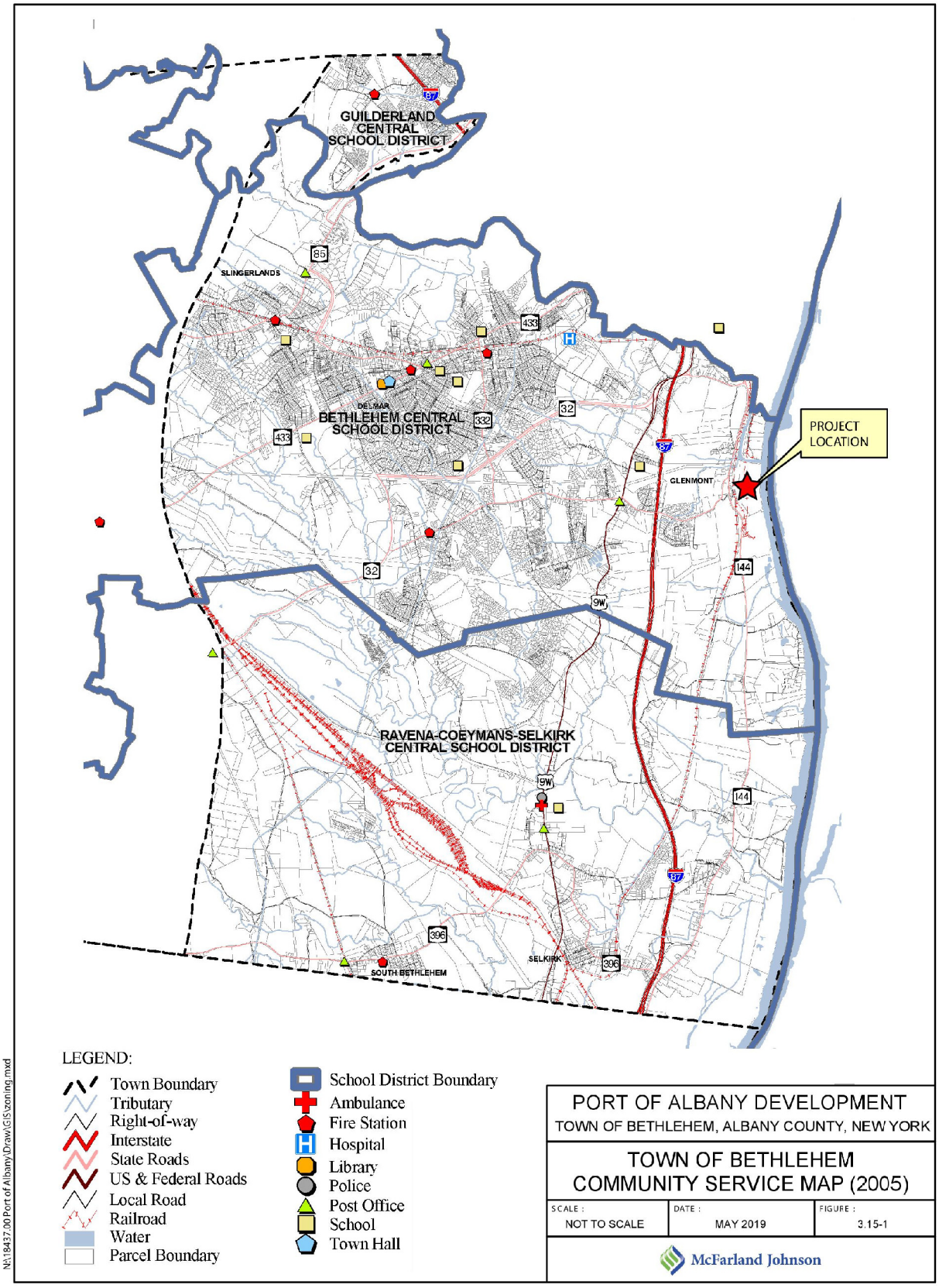
Construction considerations to mitigate emergency services will include items to follow the Uniform Code and subsequent regulations. All commercially occupied buildings will be sprinklered in accordance with the most current National Fire Prevention Association (NFPA) Code 13: *Standard for the Installation 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.

Significant additional tax revenue would go to the Town of Bethlehem and Albany County after completion of the proposed project, as is discussed in Section 3.17 Fiscal and Economic Impact.

This additional revenue would likely offset any costs associated with additional efforts for local emergency services from the proposed project.


GUILDERLAND CENTRAL SCHOOL DISTRICT
SLINGERLANDS
BETHLEHEM CENTRAL SCHOOL DISTRICT
DELMAR
PROJECT LOCATION
GLENMONT
RAVENA-COEYMANS-SELKIRK CENTRAL SCHOOL DISTRICT
SELKIRK
SOUTH BETHLEHEM
LEGEND:
Town Boundary
Tributary
Right-of-way
Interstate
State Roads
US & Federal Roads
Local Road
Railroad
Water
Parcel Boundary
School District Boundary
Ambulance
Fire Station
Hospital
Library
Police
Post Office
School
Town Hall
N:\18437.00 Port of Albany\Draw\GIS\zoning.mxd
PORT OF ALBANY DEVELOPMENT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
TOWN OF BETHLEHEM COMMUNITY SERVICE MAP (2005)
SCALE : NOT TO SCALE
DATE : MAY 2019
FIGURE : 3.15-1
McFarland Johnson

3.16. School District

3.16.1. Environmental Setting

The development of the property will result in new taxable valuation that will be subject to the Bethlehem Central School District property tax. As of the 2019-2020 School Year, the property tax rate for the school district is $21.25. Based on this rate, future industrial port development of the property will result in between approximately $303,000 and $1.6 million in annual property tax revenue for the School District. Over ten years, beginning with the first year of full taxation, the Project is estimated to generate between $3.1 million and $16.1 million for the School District, depending on the development concept.

Estimated School District Tax Revenues (10-Years)

Year	Est. Tax Rate*	Concept A	Concept B	Concept C	Concept D	Concept D.1
1	21.25	$ 1,574,625	$ 1,332,375	$ 1,312,188	$ 302,813	$ 807,500
2	21.36	$ 1,582,515	$ 1,339,052	$ 1,318,763	$ 304,330	$ 811,546
3	21.46	$ 1,590,445	$ 1,345,762	$ 1,325,371	$ 305,855	$ 815,613
4	21.57	$ 1,598,415	$ 1,352,505	$ 1,332,013	$ 307,388	$ 819,700
5	21.68	$ 1,606,425	$ 1,359,283	$ 1,338,687	$ 308,928	$ 823,808
6	21.79	$ 1,614,475	$ 1,366,094	$ 1,345,396	$ 310,476	$ 827,936
7	21.90	$ 1,622,565	$ 1,372,940	$ 1,352,137	$ 312,032	$ 832,085
8	22.01	$ 1,630,696	$ 1,379,819	$ 1,358,913	$ 313,595	$ 836,254
9	22.12	$ 1,638,867	$ 1,386,734	$ 1,365,722	$ 315,167	$ 840,445
10	22.23	$ 1,647,079	$ 1,393,683	$ 1,372,566	$ 316,746	$ 844,656
10-Year Total		**$ 16,106,108**	**$ 13,628,245**	**$ 13,421,756**	**$ 3,097,328**	**$ 8,259,542**
10-Year Average		**$ 1,610,611**	**$ 1,362,824**	**$ 1,342,176**	**$ 309,733**	**$ 825,954**

**Year 1 Tax Rate based on 2019-2020 tax rate. Assumes an average tax rate increase of 0.5% based on most recent 5-year annual average.*

Source: Camoin 310

The property is zoned for Heavy Industrial and the Port of Albany is pursuing industrial developers and tenants for the site. 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.

3.16.2. Potential Impacts

Major development projects can potentially result in increased costs to local school districts associated with an increase in school aged children; however, the future development of Beacon Island will be entirely industrial in nature. As stated in Section 3.16.1 the Port of Albany is pursuing industrial developers and tenants for the site, with no residential development anticipated. Therefore, the Bethlehem Central School District is not anticipated to incur any increased costs associated with increased enrollment of students as a direct result of future industrial development on the property. No potential significant adverse impacts on the School District are found.

3.16.3. Mitigation Measures

No mitigation measures are necessary due to the finding of no potential significant adverse impacts on the School District.

3.17. Fiscal and Economic Impact

3.17.1. Environmental Setting

Potential Fiscal Impacts and Taxation Implications

The analysis examined the local fiscal benefits that will be generated by the Project, including new property and sales tax revenue. The total annual fiscal benefits of the Project are estimated to range from between $4.65 million to $14.2 million, depending on the development concept. The most significant portion of these benefits will be realized by Albany County through new sales tax revenues and property tax revenues (directly from the project itself and new tax revenues generated off-site as a result of the economic impact of the project).

Summary of Annual Fiscal Benefits					
	Concept A	Concept B	Concept C	Concept D	Concept D.1
County Sales Tax Revenue	$ 711,000	$ 566,000	$ 509,000	$ 337,000	$ 1,070,000
County Property Tax Revenue	$ 6,540,000	$ 5,210,000	$ 4,690,000	$ 3,210,000	$ 10,200,000
Bethlehem Central School District Property Tax Revenue	$ 1,570,000	$ 1,330,000	$ 1,310,000	$ 303,000	$ 808,000
Town of Bethlehem and Other Local Property Tax Revenue	$ 4,190,000	$ 3,540,000	$ 3,490,000	$ 806,000	$ 2,150,000
Total Tax Revenues	**$ 13,000,000**	**$ 10,700,000**	**$ 10,000,000**	**$ 4,650,000**	**$ 14,200,000**

Source: Camoin 310

Ongoing Economic Output

The Port of Albany Expansion Project has the potential to generate approximately 1,670 new permanent (ongoing) jobs in Albany County with $102 million in new annual (ongoing) wages (earnings) for workers in the county from future operations (tenants) on the property. The total annual (ongoing) potential impact of the Project to Albany County is approximately $295 million in sales based on the maximum build out of the property of a 1.13 million square-foot industrial facility. The total economic impact includes "spinoff" economic activity that occurs in the County. Approximately one-out-of-three permanent (ongoing) jobs generated in the County as a result of annual (ongoing) operations will exist off-site at other businesses in Albany County.

One-Time Economic Output

The Project will also have a significant one-time construction impact, with the potential to generate a one-time boost of between $48.1 million and $113 million to the local economy. The total job impact from construction of the project is estimated to range from approximately 470 up to 1,100, including construction jobs and others generated in the local economy during the construction phase.

Summary: Annual (Ongoing) and One-Time Economic Output

The following table details the annual (ongoing) and one-time economic output, including new jobs, earnings (wages), and sales.

Port of Albany Expansion Project Economic Impact to Albany County					
	Concept A	Concept B	Concept C	Concept D	Concept D.1
Total One-Time Economic Impact from Construction					
Jobs	1,100	770	715	468	605
Earnings (Wages)	$ 40,800,000	$ 28,600,000	$ 26,600,000	$ 17,400,000	$ 22,500,000
Sales	$ 113,000,000	$ 79,200,000	$ 73,500,000	$ 48,100,000	$ 62,200,000
Total Annual Economic Impact From Operations					
Jobs	1,670	1,330	1,200	522	1,660
Earnings (Wages)	$102,000,000	$80,900,000	$72,800,000	$48,100,000	$153,000,000
Sales	$295,000,000	$235,000,000	$211,000,000	$145,000,000	$459,000,000

Source: Camoin 310

3.17.2. Potential Impacts

The potential increase in fiscal costs were examined, including potential cost increases for municipal service providers. Representatives of the Bethlehem Police Department, the Selkirk Fire Department, and Delmar-Bethlehem EMS were interviewed. Based on the input provided, minor new costs are expected for the Bethlehem Police Department and Delmar-Bethlehem EMS, as follows:

Summary: Annual Municipal Service Cost Impacts (Concept A)		
Service Provider	Type of Impact	Estimated Annual Cost Increase
Bethlehem Police Department	Increased overtime expenditures associated with incremental call volume	$ 15,743
Delmar-Bethlehem EMS	Incremental net increase in staffing costs associated with incremental call volume	$ 2,558
Total		**$ 18,302**

Source: EMSI; Camoin 310

3.17.3. Mitigation Measures

No mitigation measures are found to be required as a result of the economic and fiscal impacts of the Project.

3.18. Recreation and Open Space

3.18.1. Environmental Setting

The Hudson River has been identified as a vital recreational resource in the region, being named an American Heritage River in 1998. The Town of Bethlehem is located along the west bank of the Hudson River, with the entire Town within the boundaries of the Hudson River Estuary. The Hudson River is a freshwater river with tidal flows, which creates a unique estuary habitat for aquatic life.

The Town of Bethlehem currently has eight (8) Town owned public parks and recreation facilities, totaling 326 acres. All eight parks are detailed in Table 3-18-1.

The Bethlehem Soccerplex is a privately-owned recreation facility located at the junction of Wemple Road and I-87 in Bethlehem.

The City of Albany has multiple recreational facilities within an accessible distance from the Site. All of these facilities are located within the City of Albany limits.

The Mohawk Hudson Land Conservancy's (MHLC) mission is to preserve the distinct natural, scenic, agricultural and historic landscapes of the Mohawk Hudson region. The MHLC maintains five (5) preserves located within in the Town of Bethlehem, the Phillipinkill Reserve, the Swift Wetland, the Normans Kill Preserve, the Schiffendecker Farm Preserve, and the Van Dyke Spinney Preserve. The preserves are summarized in Table 3-18-2.

The NYSDEC's Five Rivers State Environmental Education Center is located in the Town of Bethlehem, in Delmar. The center is a living museum with over 450 acres of fields, forests and wetlands. The center provides a variety of programs and services accessible to individuals, families, and groups. The NYSDEC has parks in the vicinity of the Site including Schodack Island State Park, Thacher State Park, and Thomson's Lake State Park. In addition to parks, the NYSDEC has wildlife management areas in the area including Louise E. Keir Wildlife Management Area, Margaret Burke Wildlife Management Area, and Patridge Run Wildlife Management 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 Site 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.

The project would have no other impacts on recreation and open spaces in the vicinity of the Site.

3.18.3. Mitigation Measures

The proposed project is consistent with the Town's Comprehensive Plan and Zoning Ordinances, no mitigation measures are required for the project.

Table 3-18-1: Existing Town Owned Parks

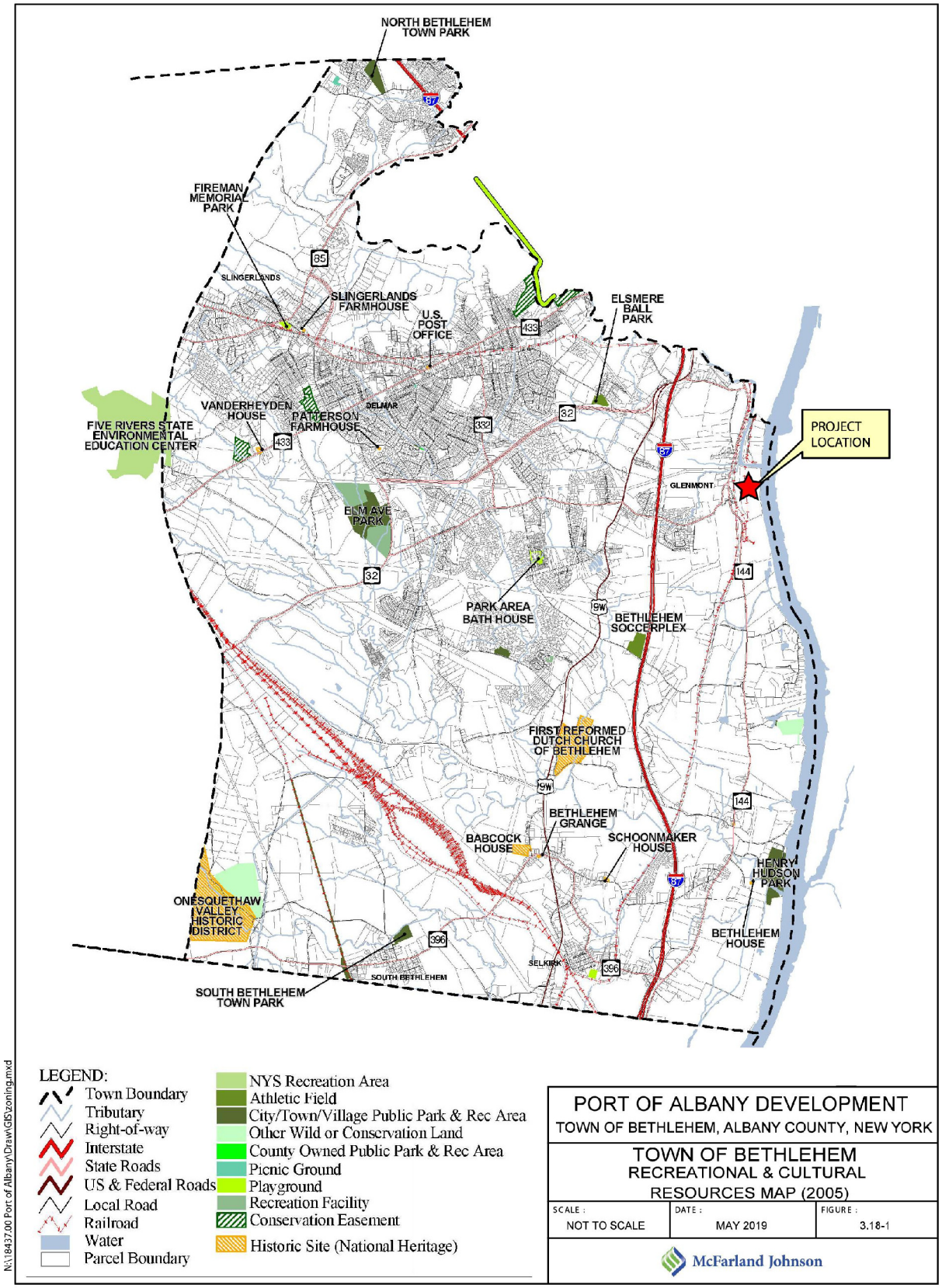
Recreational Facility	Location	Acres	Description
Elm Avenue Park	Elm Avenue, ¼ mile south of Delmar Bypass	160 ac	Pool complex, tennis and basketball courts, pavilions, fitness trail, playing fields, volleyball courts, shuffleboard, dog park, and playground
Henry Hudson Park	Off Route 144 in Cedar Hill along Hudson River	56 ac	Boat launch, picnic areas, softball field, playground, volleyball court, horseshoes, gazebo, pavilion, and fishing area
Moh-He-Con-Nuck Nature Preserve	Between Simmons Road and the Glenmont Job Corps	55 ac	Walking trails
Maple Ridge Park	Elm Avenue East	7 ac	Large grass areas, playground, basketball court, walking path, picnic areas, and sledding hill
North Bethlehem Park	Near North Bethlehem Fire House off Russell Road	22 ac	Playground, basketball court, picnic area, walking trails, and mountain bike trails.
Selkirk Park	Off Thatcher Street	4 ac	Playground, youth-sized softball field, tennis court, and basketball court
South Bethlehem Park	On shores of the Onesquethaw Creek, off South Albany Road at Wylie Lane	11 ac	Playground, softball field, volleyball court, basketball court, picnic area, and fishing access
Firefighters Memorial Park	Next to Slingerlands Fire House on New Scotland Road	3 ac	Pocket park

Source: Town of Bethlehem Parks and Recreation Department and Bethlehem's Parks and Recreation Comprehensive Master Plan, November 2015.

Table 3-18-2: Mohawk Hudson Land Conservancy Recreation Space

Recreational Facility	Location	Acres	Description
Normans Kill Preserves	Delaware Avenue, eastern parcel before Normans Kill Bridge, western at end of the Normans Kill Boulevard	46 ac	Named East and West, composed of 4 parcels. Combined trails through preserves
Phillipin Kill Preserve	One mile from Bethlehem Central High School, with frontage on Delaware Avenue and Fisher Boulevard	20 ac	Offset impacts of Mansions apartment development. Forested wetland and a marsh
Schiffendecker Farm Preserved	Between Bender Land and Old Kenwood Avenue along Route 32 Bypass	39.8 ac	Wooded land with approx. 1 mi of trails over mixed terrain
Swift Wetland	Across Delaware Avenue from Bethlehem Central High School sports field	21.6 ac	Protection of wetlands from development. Multiple trails within preserve
Van Dyke Preserve	Van Dyke Road, before Meads Lane intersection	33 ac	Forested lands and floodplain along Phillipin Kill stream

Source: Mohawk Hudson Land Conservancy.


NORTH BETHLEHEM TOWN PARK
FIREMAN MEMORIAL PARK
SLINGERLANDS
SLINGERLANDS FARMHOUSE
U.S. POST OFFICE
ELSMERE BALL PARK
VANDERHEYDEN HOUSE
PATTERSON FARMHOUSE
DELMAR
FIVE RIVERS STATE ENVIRONMENTAL EDUCATION CENTER
PROJECT LOCATION
GLENMONT
ELM AVE PARK
PARK AREA BATH HOUSE
BETHLEHEM SOCCERPLEX
FIRST REFORMED DUTCH CHURCH OF BETHLEHEM
BETHLEHEM GRANGE
BABCOCK HOUSE
SCHOONMAKER HOUSE
HENRY HUDSON PARK
ONESQUETHAW VALLEY HISTORIC DISTRICT
BETHLEHEM HOUSE
SELKIRK
SOUTH BETHLEHEM
SOUTH BETHLEHEM TOWN PARK
LEGEND:
Town Boundary
Tributary
Right-of-way
Interstate
State Roads
US & Federal Roads
Local Road
Railroad
Water
Parcel Boundary
NYS Recreation Area
Athletic Field
City/Town/Village Public Park & Rec Area
Other Wild or Conservation Land
County Owned Public Park & Rec Area
Picnic Ground
Playground
Recreation Facility
Conservation Easement
Historic Site (National Heritage)
N:\18437.00 Port of Albany\Draw\GIS\zoning.mxd
PORT OF ALBANY DEVELOPMENT
TOWN OF BETHLEHEM, ALBANY COUNTY, NEW YORK
TOWN OF BETHLEHEM
RECREATIONAL & CULTURAL
RESOURCES MAP (2005)
SCALE : NOT TO SCALE
DATE : MAY 2019
FIGURE : 3.18-1
McFarland Johnson

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 Town of Bethlehem are provided by permitted private sector waste haulers. The following private sector haulers have permits to recycle and pick up trash in the Town of Bethlehem:

- Allied Waste/Republic Services
- County Waste and Recycling Service, Inc.
- Robert Wright Disposal, Inc.

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 is anticipated to take approximately 12 to 14 months. 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. 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 Town of Bethlehem 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.

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.

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 site (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 would develop the site with uses permitted by right pursuant to the Town's heavy industrial zoning regulations. In accordance with existing zoning, several alternative concept plans have been developed for the Project Site. It should be noted that no specific project has been identified and for the purpose of this DGEIS, only the full build out and corresponding phases of Concept A is being evaluated. As described in detail in Section 2.3, Concept A represents the maximum amount of development permitted under current zoning, and therefore represents the concept plan that has the greatest potential for ecological and environmental impacts.

However, the project could be built in phases with various building layouts and site configurations. For the purposes of this DGEIS, Phase 1 consist of all site, utility, roadway infrastructure along with up to 300,000 square foot of building space. Phase 2 consist an additional 300,000 square feet of building for a total of 600,000 square feet, and Phase 3 is an additional 530,000 square feet for a total full buildout of 1,130,000 square feet of Industrial space. The impacts associated with each Phase has been provided in each applicable section of this DGEIS. It should be noted that since Phase 1 includes all site, utility and roadway infrastructure, these impacts are evaluated throughout all sections.

Descriptions of the each of the concepts allowed by existing zoning follow:

Concept Plan A – Largest, Two-Level Warehouse

The detailed description for this concept and the corresponding phasing plan is provided in Section 2.3.

Since this concept is a single building, this worst-case alternative will be built in one phase and represents the full buildout equivalent of Phase 3. As a result, all impacts associated this concept has been provided within all sections of this DGEIS.

Concept Plan B – One Large Single Level Warehouse

This option maximizes single story development gross floor and laydown area by pushing the railroad as far westward as turning radii allow. The industrial building front with staff parking faces the north primary access way with trailer parking on the back towards the south of the site. The warehouse has a double-story administration area on the front of the building and has a docking length of 1,300 feet with rail on the west side and trucks on the east side facing the laydown and bulkhead area. The building total gross floor area is 900,800 SF.

Similar to concept A, this is a single building that will be built in one phase. Since the total building size is smaller than the worst-case scenario (concept A) all impacts are less than the impacts associated with concept A, and therefore do not represent a greater impact on the environment.

Concept Plan C – Multiple Warehouses

This option houses multiple tenants and provides an entry plaza amenity connecting all four industrial buildings. The entry plaza is connected to staff parking east and west with access to all buildings. The rail serves all buildings on one side, and a loop road with perimeter trailer parking circles the building cluster. All buildings have a double story administration area facing the entry plaza. The railway is realigned towards the center of the site, in order to make space for buildings, circulation and parking on both sides of the rail, and crosses Normans Kill inside the site property. The two buildings west of the rail have a gross floor area of 160,000 SF each, and the two buildings east of the rail are 245,000 SF, amounting to a total of 810,000 SF.

This alternative could be built in three phases as outlined above. However, since each phase and the total size of the project is less than the worst-case scenario (concept A), this alternative does not represent a greater impact on environment.

Concept Plan D – Offshore Wind

This option develops the site in support of light fabrication and staging for the supply chain businesses associated with the offshore wind industry, such as steel foundation structures (jackets) and miscellaneous steel or concrete platforms. It maximizes open space for outside bulk storage of both components and finished products. It is served by a 160,000 SF storage building for equipment and light fabrication and finishing such as spray on coatings, which must be stored in a protected environment. The rail spur is re-aligned to service the west side of the building for delivery of offloading of components. A roadway is also provided through the site to permit truck delivery of components, as well as staff access. Truck access is provided on the east side of the building. Employee parking is provided to the north of the building.

Similar to concept A, this is a single building that will be built in one phase. Since the total building size is smaller than the worst-case scenario (concept A) all impacts are less than the impacts associated with concept A, and therefore do not represent a greater impact on the environment.

Concept Plan D1 – Offshore Wind with Manufacturing

This option develops the site in support of manufacturing of offshore wind components, such as wind blades or tower structures. It provides a 508,000 SF building for manufacturing. The building features railroad unloading of raw materials and components on the west side by a re-aligned railroad spur. It features truck loading docks on the south side, and staff parking on the north side. A roadway is also provided through the site to permit truck delivery of components, as well as staff access. The design features a large storage yard and laydown area for completed components, which is critical for efficient loading onto ships.

Similar to concept A, this is a single building that will be built in one phase. Since the total building size is smaller than the worst-case scenario (concept A) all impacts are less than the impacts associated with concept A, and therefore do not represent a greater impact on the environment.

5. 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.

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

1. Removal of existing vegetation within the project limits; and
2. Reduction of vacant land available for future development.

Additional minimization, avoidance and mitigation measures will likely be implemented based on the final design project and in coordination with local, state and federal regulatory agencies.

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.

6. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

The proposed 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 known now.

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 proposed project, as is discussed in Section 3.17. The project sponsor has received notice from the police and ambulance service that they have the resources to serve the project. Communication from the Fire department is pending.

7. GROWTH-INDUCING ASPECTS OF THE PROPOSED 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. The project will connect to existing utilities (water, sewer, natural gas, and electric) already in place. As a result, the project should not preempt additional development due to more readily available access to these private or public services or utilities.

The project will provide significant additional tax revenue to the Town of Bethlehem and Albany County upon completion of the proposed project, as is discussed in Section 3.17. This additional tax revenue provided to these governmental agencies could be utilized to provide new, or improve or expand on existing public services. How these additional tax revenues would be specifically utilized would be determined by each respective agency,

8. CUMULATIVE IMPACTS

As reported by the Town Planning Department, recent development trends include projects submitted to the Bethlehem Planning Board for review and approval which consist of a warehouse development; an assisted living facility; convenience store; and single-family homes and condominium subdivisions. A description of these projects are as follows:

- Gateway Commerce Center – 169,050 SF of space within three buildings for light industrial use
- Beacon Heights Senior Community – construction includes a two-story 89,000 SF, 72 unit assisted living facility with parking. The project also includes a 20,000 SF two-story building for commercial use
- 194 River Road Convenience Store/Gas Station – 2,358 sf convenience store on first floor and 2,212 SF office on second floor. 4 gas pumps (8 dispensers)
- Wiggand/Grady Conservation Subdivision – 99 units including 79 single family homes and 20 condominium units

The APDC Port of Albany Expansion Project will not affect the future land use in the project vicinity since no off-site infrastructure adjacent to vacant lands is being proposed. The project will connect to existing utilities (water, sewer, natural gas, and electric) already in place. As a result, the project should not preempt additional development do to more readily available access to these utilities. In addition, the project will not alter adjacent lands or accessibility from its current setting.

The Port of Albany Expansion Project, when 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).

APPENDIX A

FULL ENVIRONMENTAL ASSESSMENT FORM (EAF)

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Albany Port District Commission (APDC) Port of Albany Expansion Project		
Project Location (describe, and attach a general location map): Tax Map ID #98.01-2-1.0 and #98.00-2-10.23		
Brief Description of Proposed Action (include purpose or need): The project involves development of an 81.62 acre parcel referred to as Beacon Island. The project is generic in nature with no specific tenants identified, therefore we have analyzed the environmental impacts of a 1,130,000 square foot industrial facility consisting of warehouse, distribution center, access road north connecting to the Port Street, access road south connecting to River Road/Route 144, railroad extension and modification, bridge over Normans Kill for access road and rail, and wharf for maritime use.		
Name of Applicant/Sponsor: Albany Port District Commission C/O Richard Hendrick	Telephone: (518)463-8763 E-Mail: rhendrick@portofalbany.us	
Address: 106 Smith Boulevard		
City/PO: Albany	State: NY	Zip Code: 12202
Project Contact (if not same as sponsor; give name and title/role): McFarland Johnson C/O Ashley Erdmann (Agent for Applicant)	Telephone: (518)580-9380 E-Mail: aerdmann@mjinc.com	
Address: 60 Railroad Place, Suite 402		
City/PO: Saratoga Springs	State: NY	Zip Code: 12866
Property Owner (if not same as sponsor): Albany Port District Commission C/O Richard Hendrick	Telephone: (518)463-8763 E-Mail: rhendrick@portofalbany.us	
Address: 106 Smith Boulevard		
City/PO: Albany	State: NY	Zip Code: 12202

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees ☑Yes ☐No	Extension of water districts	December 2019
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Town of Bethlehem Planning Board - Site Plan, and SEQR review	October 2018, December 2019
c. City Council, Town or Village Zoning Board of Appeals ☑Yes ☐No	Town of Bethlehem Zoning Board - Building Height variance	December 2019
d. Other local agencies ☑Yes ☐No	Town of Bethlehem Department of Public Works	December 2019
e. County agencies ☑Yes ☐No	Albany Co Dept of Health - Water Extension, Albany Co Planning Board, Albany Co Sewer	December 2019
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	NYSDEC - Stormwater, sewer, Art. 15. NYSDOT. NYS OGS. NYS Department of State. SHPO.	December 2019
h. Federal agencies ☑Yes ☐No	Army Corps of Engineers	December 2019

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☑Yes ☐No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes ☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes ☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes ☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes ☐No

If Yes, identify the plan(s):

Remediation Sites: 546031, NYS Heritage Areas: Mohawk Valley Heritage Corridor, Hudson River Greenway area

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
I = Heavy Industrial

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Bethlehem Central School District

b. What police or other public protection forces serve the project site?
Town of Bethlehem Police Department

c. Which fire protection and emergency medical services serve the project site?
Selkirk Fire Company #2 (Glenmont)

d. What parks serve the project site?
Elm Avenue Park, Henry Hudson Park, Moh-He-Con-Nuck Nature Preserve, Maple Ridge Park, North Bethlehem, Selkirk Park, South Bethlehem Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Industrial

b. a. Total acreage of the site of the proposed action? 81.62 acres
b. Total acreage to be physically disturbed? 62.47 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 81.62 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? ☑ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated 3
- Anticipated commencement date of phase 1 (including demolition) 4 month 2020 year
- Anticipated completion date of final phase 10 month 2029 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:
Market driven

f. Does the project include new residential uses? ☐ Yes ☑ No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑ Yes ☐ No

If Yes,

i. Total number of structures 1 to 4

ii. Dimensions (in feet) of largest proposed structure: 85 ft height; 535 width; and 1505 length

iii. Approximate extent of building space to be heated or cooled: 1,130,000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☑ Yes ☐ No

If Yes,

i. Purpose of the impoundment: Stormwater Detention

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☑ Other specify: Surface water runoff

iii. If other than water, identify the type of impounded/contained liquids and their source.

N/A

iv. Approximate size of the proposed impoundment. Volume: 0.94 million gallons; surface area: 0.83 acres

v. Dimensions of the proposed dam or impounding structure: 3.9' height; 215'+115 length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

Earth stormwater retention pond.

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☑ Yes ☐ No

If Yes:

i .What is the purpose of the excavation or dredging? Dredging in Hudson for maritime use.

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): 0
- Over what duration of time? 18 months

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

Dredged material shall be re-used or disposed of by licensed and certified hauler in a legal manner

iv. Will there be onsite dewatering or processing of excavated materials? ☑ Yes ☐ No

If yes, describe. TBD

v. What is the total area to be dredged or excavated? 5.8 acres

vi. What is the maximum area to be worked at any one time? 5.8 acres

vii. What would be the maximum depth of excavation or dredging? 48 feet

viii. Will the excavation require blasting? ☐ Yes ☑ No

ix. Summarize site reclamation goals and plan:

Re-use if possible.

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☑ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Refer to wetland report to see wetlands. No wetlands will be effected.

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

No effect.

iii. Will proposed action cause or result in disturbance to bottom sediments? ☑ Yes ☐ No

If Yes, describe: Dredging activities

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☑ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☑ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: 16,950 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☑ Yes ☐ No

If Yes:

- Name of district or service area: Town of Bethlehem Water District Extension
- Does the existing public water supply have capacity to serve the proposal? ☑ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☑ No
- Is expansion of the district needed? ☑ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☑ No

iii. Will line extension within an existing district be necessary to supply the project? ☑ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project:

  Water lines need to be extended across Route 144 to connect to. Extension of water main assumed to be approximately 650 feet.
- Source(s) of supply for the district: Vly Creek Reservoir, interconnected facility with City of Albany and Town of Guilderland.

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☑ Yes ☐ No

If, Yes:

- Applicant/sponsor for new district: Albany Port District Commission
- Date application submitted or anticipated: December 2019
- Proposed source(s) of supply for new district: Town of Bethlehem

v. If a public water supply will not be used, describe plans to provide water supply for the project:

N/A

vi. If water supply will be from wells (public or private), maximum pumping capacity: N/A gallons/minute.

d. Will the proposed action generate liquid wastes? ☑ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: 16,950 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):

Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☑ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: South wastewater treatment plant
- Name of district: Albany County Water Purification District
- Does the existing wastewater treatment plant have capacity to serve the project? ☑ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☑ No
- Is expansion of the district needed? ☑ Yes ☐ No

- Do existing sewer lines serve the project site? ☐Yes ☑No
- Will line extension within an existing district be necessary to serve the project? ☑Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project:

Sewer lines need to be extended approx. 9,500 ft +/- to connect from the project site to the South Wastewater Treatment Plant.

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☑Yes ☐No

If Yes:

- Applicant/sponsor for new district: Albany Port District Commission
- Date application submitted or anticipated: December 2019
- What is the receiving water for the wastewater discharge? Albany County Water Purification District

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

Potential for on-site treatment system including a raised mounded system.

vi. Describe any plans or designs to capture, recycle or reuse liquid waste:

N/A

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 47 +/- acres (impervious surface)

_____ Square feet or 82 +/- acres (parcel size)

ii. Describe types of new point sources. Impervious Surfaces, roof leaders, stormwater management detention pond outlet

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

On-site stormwater management facilities and structures and Hudson River

- If to surface waters, identify receiving water bodies or wetlands:

Hudson River, Normans Kill

- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☑Yes ☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Emissions from heavy equipment and delivery vehicles

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

Emissions from temporary power generation, delivery trucks, heavy equipment

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

Potentially a natural gas back up electric generator and natural gas roof top HVAC units and a potential spray booth.

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☑Yes ☐No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☑No

ii. In addition to emissions as calculated in the application, the project will generate:

- TBD Tons/year (short tons) of Carbon Dioxide (CO_2)
- TBD Tons/year (short tons) of Nitrous Oxide (N_2O)
- TBD Tons/year (short tons) of Perfluorocarbons (PFCs)
- TBD Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- TBD Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- TBD Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☑Yes ☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☑ Morning ☑ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: 373

iii. Parking spaces: Existing 0 Proposed 1145 Net increase/decrease +1145

iv. Does the proposed action include any shared use parking? ☐Yes ☑No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

Refer to concept plan for new north and south access points.

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☑Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☑No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☑No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☑Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action:

Electrical demand is estimated to be 28,400 kW annually

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

Via grid/local utility - National Grid

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐Yes ☑No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: Day Light
- Saturday: Day Light
- Sunday: none
- Holidays: none

ii. During Operations:

- Monday - Friday: 24 hours
- Saturday: 24 hours
- Sunday: 24 hours
- Holidays: 24 hours

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Noise levels will increase during construction due to heavy equipment during day light hours

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: _____

n.. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

TBD

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☑ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: TBD tons per TBD (unit of time)
- Operation : TBD tons per TBD (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: Recycling wood, paper, and cardboard
- Operation: Recycling paper and cardboard

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: To be hauled off-site by a private hauler in a legal manner
- Operation: To be hauled off-site by a private hauler in a legal manner

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

_____

_____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

_____

_____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

_____

_____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

_____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

_____

_____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☑ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

_____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0 AC	50 AC	(+50 AC)
• Forested	76 AC	13 AC	(-63 AC)
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0 AC	0 AC	0 AC
• Agricultural (includes active orchards, field, greenhouse etc.)	0 AC	0 AC	0 AC
• Surface water features (lakes, ponds, streams, rivers, etc.)	4 AC	4 AC	0 AC
• Wetlands (freshwater or tidal)	2.33 AC	2.29 AC	(-0.04 AC)
• Non-vegetated (bare rock, earth or fill)	0 AC	0 AC	0 AC
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☑ No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☑ Yes ☐ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☑ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

The site was used for fly ash disposal from previous generating activities. Based on the fly ash disposal on-site, the site classifies as a solid waste landfill, as per NYSDEC DER-10 definition

iii. Describe any development constraints due to the prior solid waste activities: _____

Must compact fly ash prior to any structural work or development to ensure proper backfill stability and keep all soils on-site with a 2 foot cap.

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☑ Yes ☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☑ Yes ☐ No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☑ Yes – Environmental Site Remediation database — Provide DEC ID number(s): 546031 - See attached

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑ Yes ☐ No

If yes, provide DEC ID number(s): 546031

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

Environmental Site Remediation database ID relates to PCB issues along Hudson River from Hudson Falls to NYC Battery. This environmental site remediation does not require any current action for the property.

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☑ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 50-140 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site:

Varved silt and clay	75 %
Sand with lesser silt and gravel	15 %
Man made Fill	10 %

d. What is the average depth to the water table on the project site? Average: 8 feet

e. Drainage status of project site soils:
☐ Well Drained: _____% of site
☐ Moderately Well Drained: _____% of site
☑ Poorly Drained 100 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 100 % of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☑ Yes ☐ No
If Yes, describe: Allochthonous Mt. Merino Cherts - NYSDEC denoted as South Glenmont - Rt. 144

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Normans Kill, Hudson River Classification C, C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☑ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☑ Yes ☐ No

j. Is the project site in the 100 year Floodplain? ☑ Yes ☐ No

k. Is the project site in the 500 year Floodplain? ☐ Yes ☑ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☑ No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:
See Section 3.2 Vegetation and Wildlife

n. Does the project site contain a designated significant natural community? ☑ Yes ☐ No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation):
See Section 3.2 Vegetation and Wildlife of DGEIS
ii. Source(s) of description or evaluation:
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐ No

See Section 3.2 Vegetation and Wildlife of DGEIS

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

See Section 3.2 Vegetation and Wildlife of DGEIS

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☑ No
If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☑ No
If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☑ No
i. If Yes: acreage(s) on project site?
ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No
If Yes:
i. CEA name:
ii. Basis for designation:
iii. Designating agency and date:

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? ☐ Yes ☑ No
See Attached SHPO Letter

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☑ No
Attached SHPO Letter

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Hudson River (denoted as scenic or aesthetic resource, however not within 5 miles of our project site)

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Hudson River

iii. Distance between project and resource: 0 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation:

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name McFarland Johnson Ashley Erdmann as Agent Date 7/3/2019

Signature  Title Civil Engineer

PRINT FORM

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

Environmental Site Remediation Database Search Details

Site Record

Administrative Information

Site Name: Hudson River PCB Sediments
Site Code: 546031
Program: State Superfund Program
Classification: 02
EPA ID Number:

Location

DEC Region: 5
Address: Hudson River, Hudson Falls-NYC Battery
City: Zip: 12180
County: Saratoga
Latitude: 43.286475666
Longitude: -73.595363441
Site Type:
Estimated Size: 0 Acres

Site Owner(s) and Operator(s)

Current Owner Name: New York State
Current Owner(s) Address:
,ZZ,
Current Owner Name: STATE OF NEW YORK
Current Owner(s) Address:
,ZZ,
Owner(s) during disposal: STATE OF NEW YORK
Current On-Site Operator: NYS Department of Transportation
Stated Operator(s) Address: State Campus - Building 5
Albany,NY 12233

Hazardous Waste Disposal Period

From: 1946 **To:** present

Site Description

Site Location: This site includes the nearly 200-mile stretch of the Hudson River that extends from Hudson Falls in Washington County to the Battery in New York City. The river is part of the Champlain Canal between Fort Edward and Waterford. Site Features: The site includes the main stem of the

Hudson River, as well as the associated flood plains, river banks, riverene fringing wetlands, and backwater areas. Current zoning / uses: The river is currently used for recreation, transportation, and as a source of water for drinking and other purposes. The river floodplain areas include all types of land uses, from passive / recreational to residential to commenrcial / industrial. Historical uses: The General Electric Company (GE) discharged PCBs into the river from two capacitor manufacturing plants located in Hudson Falls and Fort Edward starting sometime in 1946. Previous investigations identified 40 areas or 'hot spots' in the upper Hudson that had sediments contaminated with greater than 50 ppm of PCBs. Also included in the definition of this site are five Remnant Deposits or river sediment areas that were exposed when the level of the river was lowered when the Fort Edward Dam was removed in 1973. EPA issued a Record of Decision (ROD) for this National Priorities List site on September 25, 1984 which included: in-place containment of the Remnant Deposits; evaluation of downstream domestic water quality at Waterford, New York; and interim ¿No Action¿ as to the PCB-contaminated river sediment. The 1984 ROD indicated that both the No Action decision for the river sediments and the containment remedy for the Remnant Deposits might be reexamined by EPA in the future. The containment remedy for the Remnant Deposits was performed by GE under a 1990 Consent Decree with EPA. In addition, in 1990, NYSDEC completed the evaluation of downstream domestic water quality at Waterford, New York, which concluded that PCB concentrations were below analytical detection limits after treatment and met standards applicable to public water supplies. In December 1989, EPA announced its decision to initiate a detailed Reassessment Remedial Investigation/Feasibility Study (RI/FS) of the September 1984 decision concerning the PCB contaminated Hudson River sediments. The Reassessment culminated with EPA¿s issuance of a second ROD for the site in February 2002 which included the dredging of an estimated 2.65 million cubic yards of PCB contaminated sediments from the Upper Hudson River (between Fort Edward and Troy), which was estimated in the ROD to contain about 66,300 kilograms of total PCBs (approximately 65% of the total PCB mass estimated to be present within the Upper Hudson River). The ROD also identified further evaluation of PCB contamination in the flood plains concurrent with the design phase of the project. EPA issued a series of Orders to GE for performance of the engineering design for the project. Project design has been completed for Phase 1 (the first year) of the dredging program, and is ongoing for the remainder of the project. Phase 1 dredging commenced in May 2009, and was completed in October 2009. After completion of Phase 1, EPA reviewed the environmental monitoring and operational data to determine the changes to the project standards and to project design specifications for Phase 2. The changes to the project for Phase 2 were provided to GE in December 2010. GE, in accordance with the Consent Decree for the site, opted to implement Phase 2 of the remedy on 12/31/10. Construction work for Phase 2 of the remedial project started in 2011, and was completed in 2016. Dredging was completed in fall 2015; habitat reconstruction was completed in 2016. Facility decommissioning was performed in 2016. For more information on the Hudson River Fish advisory, copy and paste this link into a web browser: https://www.health.ny.gov/environmental/outdoors/fish/hudson_river/advisory_outreach_project/

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type

polychlorinated biphenyls (PCB)
PCB aroclor 1254
cadmium
lead
PCB aroclor 1242
PCB aroclor 1016

Site Environmental Assessment

Nature and extent of contamination: Contaminants: The primary constituent of concern is PCBs, discharged from two GE capacitor plants in Hudson Falls and Fort Edward. The upstream extent of contamination is the portion of the river immediately above the Bakers Falls Dam at the GE Hudson Falls plant site. The downstream extent of contamination is the Atlantic Ocean. The commercial mixtures of PCBs discharged from the two GE plant sites changed over time; intially aroclor 1254, changing to aroclor 1242 and then to aroclor 1016. Contaminant Concentrations: PCBs have been found in excess of standards, criteria and guidance concentrations (SCGs) in sediments, surface water, biota, air, and soils at the Hudson River PCBs site. The primary sources at the plant sites have been almost completely abated through remedial work at the plant sites; as a result, the primary source of PCB to the surface water and biota of the river are the contaminated sediments in the river south of the plant sites. Prior to remediation from 2009 to 2016, PCB concentrations in sediment range from non-detect to greater than one percent PCB (> 10,000 parts per million). In surface water typically concenrtations range from 2 nanograms per liter (ng/l or parts per trillion) to 100 ng/l, except at times of high flow when scour-driven remobilization of contaminated sediments can cause much higher concentrations in excess of 1 microgram per liter (1 ug/l or part per billion). Investigations are underway to determine the extent of floodplain impacts. To date, PCB concentrations in excess of 500 milligrams per kilogram (mg/kg or part per million) have been found in limited areas. The nature and extent of floodplain soil contamination has not yet been established. Significant threat: PCB contamination in the Hudson River sediments continue to pose a significant threat to human health and/or the environment. Concentrations in PCBs in biota directly attributable to the waste disposal at the site have led the Department of Health to recommend that human consumption of biota be limited over a substantial portion of the Hudson River between Hudson Falls and the Battery in New York City. In the upper Hudson, the fishery is catch and release only, and the NYSDOH advisory is to eat none. To see the fish consumption advisories, go to: https://www.health.ny.gov/publications/2794.pdf and https://www.health.ny.gov/environmental/outdoors/fish/hudson_river/advisory_outreach_project/ The dispoal of PCB into the Hudson River has also led to significant environmental damage as defined in 6 NYCRR Part 375. This site has been included in the Federal National Priorities List (NPL).

Site Health Assessment

Consumption of fish is the major potential route of human exposure to PCBs from this site. Because of site impacts, most fish from the Hudson River downstream of Hudson Falls have elevated PCB levels, particularly near the GE Fort Edward Plant site and the GE Hudson Falls site. Fishing is restricted to catch and release from Hudson Falls to Troy. In addition, there are advisories ("eat none" or "eat no more than 1 meal per month") on consumption of several fish species caught from the Hudson River below the Troy Dam to New York Harbor. There are two downstream public drinking water supply intakes within the Upper Hudson River located in Halfmoon and in Waterford. Plans to protect these public water supplies during dredging are under development. In addition, GE under USEPA oversight will take actions at several properties along the Hudson River in 2007 to address PCB contaminated floodplain soils. These actions vary from deploying signs to installing various covers and are intended to reduce exposures to PCBs in floodplain soils until a permanent remedy is developed. Additionally, plans for further floodplain soil investigations in the Upper Hudson River Floodplain are under development.

For more Information: E-mail Us

Refine This Search

APPENDIX B

SEQRA CORRESPONDENCE

PLANNING BOARD
TOWN OF BETHLEHEM
ALBANY COUNTY, NEW YORK

SEQR RESOLUTION
PRELIMINARY CLASSIFICATION OF ACTION AND LEAD AGENCY COORDINATION

SITE PLAN APPLICATION – HTE # 18-00100012
ALBANY PORT DISTRICT COMMISSION INDUSTRIAL PARK PROJECT AT BEACON ISLAND

WHEREAS, the Planning Board of the Town of Bethlehem has received a site plan application from Albany Port District Commission, prepared by McFarland Johnson, for approval of an industrial park; and,

WHEREAS, the development parcel consists of 81.57+/- acres of land located on the east side of Route 144 (River Road) between the Normanskill and PSEG with the Hudson River located to the west. The parcel is zoned Heavy Industrial; and,

WHEREAS, the application is proposing to construct an industrial park with 5 conceptual layouts that range from 1.3 million square feet to 160,000 square feet of industrial use facilities (warehouse space and laydown area). Each concept would include associated access roads, employee parking, trailer parking, rail access from the north over Normans Kill and south through the PSEG site, and a bulkhead along Hudson River for on and offloading of equipment and materials; and,

WHEREAS, Chapter 128 of the Code of the Town of Bethlehem provides the Planning Board with the authority to approve site plan; and,

WHEREAS, the State Environmental Quality Review Act regulations found at 6 NYCRR Part 617.3(a) require that no agency shall undertake, fund or approve an action until it has complied with the provisions of SEQR; and,

WHEREAS, the SEQR regulations found at 6 NYCRR 617.6(a) require that as soon as an agency receives an application for approval of an action it shall determine: (1) whether the action is subject to SEQR; (2) whether the action involves a federal agency; (3) whether other agencies are involved; (4) the appropriate preliminary classification of the action; (5) whether a full or short Environmental Assessment Form is necessary; and (6) whether the action is located in an agricultural district and subject to applicable provisions of the Agriculture and Markets Law; and,

WHEREAS, 6 NYCRR 617.6(b) establishes procedures for establishment of lead agency and coordinated review of Type I actions.

NOW, THEREFORE, BE IT RESOLVED,

that the Planning Board of the Town of Bethlehem hereby determines that the application of the Albany Port District Commission for site plan approval for an Industrial Park constitutes an action that is subject to SEQR; and,

BE IT FURTHER RESOLVED,

that the Planning Board hereby determines that the preliminary SEQR classification of the action shall be designated as “Type I” since the project meets thresholds on the SEQR Type I list at NYCRR 617.4(b)(6)(i), (iii) and (iv),; and,

BE IT FURTHER RESOLVED,

that the Planning Board hereby determines that a full EAF is necessary to determine the significance of the action; and,

BE IT FURTHER RESOLVED,

that the Planning Board hereby determines that a federal agency, specifically the U.S. Army Corps of Engineers, may have jurisdiction in this matter in as much as federal regulatory wetland is located on the site and the site is located along the Hudson River and may be impacted by development; and,

BE IT FURTHER RESOLVED,

that the Planning Board hereby determines that other involved agencies with respect to this action may include: (1) New York State Department of State; (2) New York State Department of Environmental Conservation; (3) New York State Department of Transportation; (4) Albany County Health Department; and (5) New York State Office of General Services; (6) Bethlehem Town Board; (7) Town of Bethlehem Department of Public Works; and,

BE IT FURTHER RESOLVED,

that the Planning Board hereby determines that interested agencies with respect to this action may include: (1) New York State Office of Parks, Recreation and Historic Preservation; (2) Town of Bethlehem Highway Department, (3) Albany County Planning Board; (4) City of Albany; and (5) Town of East Greenbush, and,

BE IT FURTHER RESOLVED,

that the Planning Board hereby determines that coordinated SEQR review of this action will be undertaken in accordance with 6 NYCRR Part 617.6; and,

BE IT FURTHER RESOLVED,

that the Planning Board hereby authorizes and directs the Town Department of Economic Development and Planning (DEDP) to initiate coordinated review by filing a copy of the application, full EAF - Part 1 and appropriate notice with involved agencies, and notifying said agencies that a Lead Agency must be agreed upon within thirty (30) calendar days of the date of mailing said notice; and,

BE IT FURTHER RESOLVED,

that the Planning Board hereby authorizes and directs the Town DEDP to notify involved and interested agencies of the proposed action; and,

BE IT FURTHER RESOLVED,

that the Planning Board as an involved agency with the broadest governmental powers for investigation of the environmental impacts of the proposed action, hereby declares its desire to assume Lead Agency status for the purpose of SEQR review; and,

BE IT FURTHER RESOLVED,

that having notified the involved agencies of the Planning Board's desire to be Lead Agency, the Planning Board hereby declares it shall be Lead Agency for SEQR review of the proposed action unless objection to such designation is received from any involved agency within the above specified thirty day (30) time period.

On a motion by Margaret Sherman, seconded by Scott Lewendon, and a vote of five (5) for, zero (0) against, zero (0) abstained, and zero (0) absent, this RESOLUTION was adopted on December 4, 2018.

PLANNING BOARD
TOWN OF BETHLEHEM
ALBANY COUNTY, NEW YORK

SEQR RESOLUTION
DETERMINATION OF SIGNIFICANCE - POSITIVE DECLARATION

SITE PLAN APPLICATION - HTE # 18-00100012
ALBANY PORT DISTRICT COMMISSION INDUSTRIAL PARK PROJECT

WHEREAS, the Planning Board of the Town of Bethlehem has received a site plan application from the Albany Port District Commission, for the Albany Port District Industrial Park Project for 81.57 +/- acres of land located on the east side of Route 144 (River Road) between the Normans Kill and PSEG with the Hudson River located to the east; and,

WHEREAS, the application is proposing to construct an industrial park with 5 conceptual layouts that range from 160,000 square feet to 1.3 million square feet of industrial use facilities (warehouse space and laydown area). Each concept would include associated access roads, employee parking, trailer parking, rail access from the north over Normans Kill and south through the PSEG site, and a bulkhead along Hudson River for on and offloading of equipment and materials; and,

WHEREAS, pursuant to 6 NYCRR 617.6(a), the Planning Board by Resolution adopted December 4, 2018, has: (1) determined the action is subject to SEQR; (2) made a preliminary classification of the action as a Type I; (3) identified other Involved Agencies including potential federal agency involvement; (4) required and submission of a full Environmental Assessment Form (EAF); and, (5) indicated its desire to be Lead Agency for SEQR review; and,

WHEREAS, pursuant to 6 NYCRR 617.6(b)(3), the Planning Board, by letters dated December 6, 2018, has undertaken coordinated review of the project by e-mailing notice, copies of the EAF and site plan application to other involved agencies indicating that it intends to act as Lead Agency for SEQR review unless objection is received from another Involved Agency within 30 days; and,

WHEREAS, the 30 day time period for establishing Lead Agency has expired, and the Planning Board has not received any objection to its assumption of Lead Agency for SEQR review; and,

WHEREAS, the Planning Board has independently reviewed and considered the site plan, full Environmental Assessment Form, supporting materials and the Criteria for Determining Significance found at 6 NYCRR 617.7; and,

WHEREAS, the identified areas of environmental concern associated with the project may include, but are not limited to, land, geological features, surface water, groundwater, flooding, air, plants and animals, aesthetic resources, transportation, energy, noise, odor and light, human health, and community character: and,

WHEREAS, the proposed action has potential to create at least one significant adverse environmental impact and preparation of a draft Environmental Impact Statement will enable the Planning Board to comprehensively consider the potential environmental effects;

NOW, THEREFORE, BE IT RESOLVED,

that the Planning Board hereby declares it is Lead Agency for SEQR review of the site plan application known as rezoning petition known as Albany Port District Industrial Park and the proposed action shall be classified as Type I;

BE IT FURTHER RESOLVED,

that based upon its review of the site plan application and supporting materials, including the full EAF Parts 1 and 2, and its own independent analysis of the application and comparison with the Criteria for Determining Significance found at 6 NYCRR 617.7, the Planning Board hereby finds that the site plan application for the Albany Port District Commission Industrial Park constitutes an action which may have a significant effect on the environment and therefore requires preparation of a draft Environmental Impact Statement; and,

BE IT FURTHER RESOLVED,

that this Determination of Significance shall be considered a Positive Declaration made pursuant to Article 8 of the Environmental Conservation Law; and,

BE IT FURTHER RESOLVED,

that the Planning Board hereby authorizes and directs the Department of Economic Development and Planning to prepare, file and publish notice of this Determination as prescribed at 6 NYCRR 617.12.

On a motion by Scott Lewendon, seconded by Brian Gyory, and a vote of five (5) for, zero (0) against, zero (0) abstained, and zero (0) absent, this RESOLUTION was adopted on January 15, 2019.

The ENB SEQRA Notice Publication Form - *Please check all that apply*

Reset Form

Deadline: Notices must be received by **6 p.m. Wednesday** to appear in the following Wednesday's ENB

- [ ] Negative Declaration - Type I
- [ ] Conditioned Negative Declaration
- [x] Positive Declaration
- [ ] Draft Scope
- [ ] with Public Scoping Session (optional)
- [ ] Final Scope
- [ ] Draft EIS
- [ ] with Public Hearing
- [ ] Generic
- [ ] Supplemental
- [ ] Final EIS
- [ ] Generic
- [ ] Supplemental

DEC Region # 4 County: Albany County Lead Agency: Town of Bethlehem Planning Board

Project Title: Albany Port District Industrial Park Expansion

Brief Project Description: The action involves . . .

Albany Port District Commission (Port) is proposing to construct an industrial park with 5 conceptual layouts that range from 1.3 million square feet to 160,000 square feet of industrial use facilities (warehouse space and laydown area). Each concept would include associated access roads, employee parking, trailer parking, utility extensions, rail access from the north over Normans Kill and south through the PSEG site, and a bulkhead along Hudson River for on and offloading of equipment and materials (wharf).

Project Location (include street address/municipality):

Contact Person: Mr. Robert Leslie, AICP, Director of Planning-Town of Bethlehem

Address: 445 Delaware Avenue City: Delmar State: ny Zip: 12054

Phone: 5184394955 Fax: 5184395808 E-mail: rleslie@townofbethlehem.org

For Conditioned Negative Declaration / Draft Scope / Draft EIS: Public Comment Period ends: ___ / ___ /____

For Public Hearing or Scoping Session: Date: ____ / ____ / _____ Time: _____:_____ am/pm

Location: Date/time/location to be determined. In order to ensure public participation in the EIS methodology and development process, a public scoping meeting will be scheduled at a later date.

A hard copy of the Draft Scope/Final Scope/DEIS/FEIS is available at the following locations:

The online version of the Draft Scope/Final Scope/DEIS/FEIS is available at the following publically accessible web site:

For Conditioned Negative Declaration: In summary, conditions include:

14-12-8 (3/99)-9c

SEQR

State Environmental Quality Review
POSITIVE DECLARATION
Notice of Intent to Prepare a Draft EIS
Determination of Significance

Project Number **Date** 1/18/2019

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Bethlehem Planning Board as lead agency, has determined that the proposed action described below may have a significant impact on the environment and that a Draft Environmental Impact Statement will be prepared.

Name of Action:

Albany Port District Industrial Park Expansion

SEQR Status: Type 1 ☑
Unlisted ☐

Scoping: No ☐ Yes ☑ If yes, indicate how scoping will be conducted:

In order to ensure public participation in the Environmental Impact Statement methodology and development process, a public scoping meeting will be held at a to be determined Planning Board meeting. Proper public notice process will be followed pursuant to 6 CRR-NY 617.12

Description of Action:

Albany Port District Commission (Port) is proposing to construct an industrial park with 5 conceptual layouts that range from 1.3 million square feet to 160,000 square feet of industrial use facilities (warehouse space and laydown area). Each concept would include associated access roads, employee parking, trailer parking, utility extensions, rail access from the north over Normans Kill and south through the PSEG site, and a bulkhead along Hudson River for on and offloading of equipment and materials (wharf).

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Port Road South, Bethlehem New York
Tax Map Numbers: 98.01-2-1.0 and 98.00-2-10.23

Reasons Supporting This Determination:

Please see attached memo and resolution.

For Further Information:

Contact Person: Rob Leslie, AICP, Director of Planning-Town of Bethlehem

Address: 445 Delaware Avenue, Delmar NY 12054

Telephone Number: 518-439-4955 ext 1157

A copy of this notice must be sent to:

Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-1750

Chief Executive Officer, Town/City/Village of Bethlehem

Any person requesting a copy

All Involved agencies

Applicant (If any)

Environmental Notice Bulletin, Room 538, 50 Wolf Road, Albany, NY 12233-1750

David VanLuven
Town Supervisor

Robert Leslie, AICP
Director of Planning

TOWN OF BETHLEHEM

Albany County - New York
ECONOMIC DEVELOPMENT AND PLANNING
445 DELAWARE AVENUE
DELMAR, NEW YORK 12054
(518) 439-4955 x1157
Fax: (518) 439-5808
Email: rleslie@townofbethlehem.org

MEMORANDUM

TO: John Smolinsky, Chairman
& Town Planning Board

FROM: Robert Leslie, AICP

DATE: January 11, 2019

SUBJ: Albany Port District Commission Industrial Park
Site Plan Application for an Industrial Park – *Possible Action on SEQR Determination of Significance (*18-00100012*)*

At the November 20th 2018 Planning Board meeting, the Albany Port District Commission (Port) presented their proposal for an industrial park at the Beacon Island site. The Port is proposing to construct an industrial park with 5 conceptual layouts that range from 1.3 million square feet to 160,000 square feet of industrial use facilities (warehouse space and laydown area). Each concept would include associated access roads, employee parking, trailer parking, utility extensions, rail access from the north over Normans Kill and south through the PSEG site, and a bulkhead along Hudson River for on and offloading of equipment and materials (wharf). Due to the site's location along the Hudson River and potential intensity of development the Planning Department has recommended to the Port the need for an Generic Environmental Impact Statement (EIS). The Port's application materials have acknowledged the need for a GEIS.

At the December 4th, 2018 Planning Board meeting, the Planning Board approved the SEQR Resolution for Preliminary Classification of Action (Type I) and Lead Agency Coordination for the Albany Port District Expansion Project. On December 6, 2018, Town staff initiated coordinated review of the project by e-mailing notices, copies of the EAF and site plan application to other involved agencies indicating that it intends to act as Lead Agency for SEQR review unless objection is received from another involved Agency within 30 days. The 30 day time period for establishing Lead Agency has expired, and the Planning Board has not received any objection to its assumption of Lead Agency for SEQR review. Copies of the agencies response letters/emails are attached for the Board's reference.

Planning staff has reviewed the full EAF, supporting materials and identified the following potential areas of environmental concern associated with the project such as land, geological features, surface water/drainage, groundwater, stormwater/erosion, flooding, air, plants and animals, aesthetic resources, transportation/traffic, energy, noise, odor and light, human health and community character. Planning Staff completed SEQR EAF Part 2 and 3, with the information provided in the applicant's submitted materials and the assistance of the NYSDEC EAF Workbook. Provided below are some environmental issues that necessitate the need for a GEIS.

Environmental Issues

- Transportation/traffic – Adequacy of the current highway network to accommodate project generated traffic (motor vehicle, heavy trucks). The EAF identifies parking for 1,100 vehicles on site needed for the higher end of project development intensity (1.3 million square feet of industrial use space). The primary access road is River Road (NYS Route 144), as state highway, and Port Road South, a Town roadway requiring improvements and extension. Further, marine transportation will serve the site. Impacts to the Hudson River should be reviewed. The project will also include improvements and expansion of a rail line located on the site; use easements are required from CSX.

- Drainage/Water quality – The project site is located within the 100-year and 500-year flood plain of the Hudson River, and includes the Hudson River shoreline and Normans Kill. Impacts and control of runoff from impervious surfaces, including appropriate design and sizing of the stormwater management system for collection, storage and treatment of stormwater runoff. The project lies in a designated MS4 area, and will disturb 73.3 acres of land, and is therefore subject to compliance with Phase II stormwater regulations and green infrastructure requirements.

- Soil Erosion/Water Quality – Control of soil erosion and impacts on adjacent water courses during both the construction and post construction periods. Site development may entail significant earth moving activity proximate to the Normans Kill and Hudson River.

- Plants and Animals – Impact of development and construction activity on plants and animals.

- Surface water – Impact to the Hudson River related to dredging for maritime use. Impact to Normans Kill associated with the construction of new bridge related to the extension of Port Road South over the Normans Kill.

- Wetlands – The project site contains four wetland areas (Wetland 1 - 4), comprising 1.35 acres of the site. Wetland 1 includes another 4.25 acres extending off the site. Wetland 3 is a freshwater tidal wetland associated with the Hudson River. The site also includes two perennial waters of the U.S. Project development will impact wetland areas and require mitigation.

- Air Quality – Potential impacts from increased traffic volumes, intersection queuing and construction activity.

- Noise – Potential impacts from increased traffic volumes and construction activity. Due to the presence of coal ash deposits on the site methods to stabilize the site for foundations may include dynamic compaction methods. Depending on the final compaction technique, concerns of vibration impacts to surrounding properties may result.

- Public Water – Adequacy of public water supply and distribution system in the project area. The project site is located outside of the municipal water district and will require a water district extension.

- Public Sanitary Sewer – Adequacy of public sanitary sewer facilities to accommodate the project. The project site is located outside of the Bethlehem sewer district and will require a sewer district extension.

- Coastal Consistency – The project site lies within the coastal management area of the Hudson River and NYS DOS will need to conduct a coastal consistency assessment. The project site also lies within the boundaries of the Town's Draft Local Waterfront Revitalization area.

- Aesthetic Resources – Impact to Hudson River, which is a publicly accessible, federal, state or local, scenic or aesthetic resource.

- Cumulative Impacts – The DGEIS will need to address any potential cumulative impacts with nearby projects, particularly with respect to traffic and other public utility infrastructure expansion.

Action Items

At the January 15th Planning Board meeting, the Planning Board should ***approve the SEQR Resolution for Determination of Significance and Positive Declaration.***

Next Steps

The Town has engaged our Town Designated Engineer, MJ Engineering, and has established a scope of services and fee to assist the Town in reviewing the Environmental Impact Statement to includes the following services:

- Scoping Session
- DEIS Completeness Review
- DEIS Technical Review
- FEIS Preparation Assistance
- SEQRA Findings Statement

The Town and the Port will finalize an escrow agreement to provide for the Port's payment towards the TDE's review fee. The Town, TDE and Port will meet to discuss the scope of the EIS and will seek public input on the scope at an upcoming Planning Board Meeting.

Cc: D. Kitchen, M. Sweeney

PLANNING BOARD
TOWN OF BETHLEHEM

SEQR RESOLUTION

DETERMINATION OF SIGNIFICANCE
POSITIVE DECLARATION

APPLICATION FOR SITE PLAN:
ALBANY PORT DISTRICT COMMISSION INDUSTRIAL PARK PROJECT

WHEREAS, the Planning Board of the Town of Bethlehem has received a site plan application from the Albany Port District Commission, for the Albany Port District Industrial Park Project for 81.57 +/- acres of land located on the east side of Route 144 (River Road) between the Normans Kill and PSEG with the Hudson River located to the east; and,

WHEREAS, the application is proposing to construct an industrial park with 5 conceptual layouts that range from 160,000 square feet to 1.3 million square feet of industrial use facilities (warehouse space and laydown area). Each concept would include associated access roads, employee parking, trailer parking, rail access from the north over Normans Kill and south through the PSEG site, and a bulkhead along Hudson River for on and offloading of equipment and materials; and,

WHEREAS, pursuant to 6 NYCRR 617.6(a), the Planning Board by Resolution adopted December 4, 2018, has: (1) determined the action is subject to SEQR; (2) made a preliminary classification of the action as a Type I; (3) identified other Involved Agencies including potential federal agency involvement; (4) required and submission of a full Environmental Assessment Form (EAF); and, (5) indicated its desire to be Lead Agency for SEQR review; and,

WHEREAS, pursuant to 6 NYCRR 617.6(b)(3), the Planning Board, by letters dated December 6, 2018, has undertaken coordinated review of the project by e-mailing notice, copies of the EAF and site plan application to other involved agencies indicating that it intends to act as Lead Agency for SEQR review unless objection is received from another Involved Agency within 30 days; and,

WHEREAS, the 30 day time period for establishing Lead Agency has expired, and the Planning Board has not received any objection to its assumption of Lead Agency for SEQR review; and,

WHEREAS, the Planning Board has independently reviewed and considered the site plan, full Environmental Assessment Form, supporting materials and the Criteria for Determining Significance found at 6 NYCRR 617.7; and,

WHEREAS, the identified areas of environmental concern associated with the project may include, but are not limited to, land, geological features, surface water, groundwater, flooding, air, plants and animals, aesthetic resources, transportation, energy, noise, odor and light, human health, and community character: and,

WHEREAS, the proposed action has potential to create at least one significant adverse environmental impact and preparation of a draft Environmental Impact Statement will enable the Planning Board to comprehensively consider the potential environmental effects;

NOW, THEREFORE, BE IT RESOLVED,

that the Planning Board hereby declares it is Lead Agency for SEQR review of the site plan application known as rezoning petition known as Albany Port District Industrial Park and the proposed action shall be classified as Type I;

BE IT FURTHER RESOLVED,

that based upon its review of the site plan application and supporting materials, including the full EAF Parts 1 and 2, and its own independent analysis of the application and comparison with the Criteria for Determining Significance found at 6 NYCRR 617.7, the Planning Board hereby finds that the site plan application for the Albany Port District Commission Industrial Park constitutes an action which may have a significant effect on the environment and therefore requires preparation of a draft Environmental Impact Statement; and,

BE IT FURTHER RESOLVED,

that this Determination of Significance shall be considered a Positive Declaration made pursuant to Article 8 of the Environmental Conservation Law; and,

BE IT FURTHER RESOLVED,

that the Planning Board hereby authorizes and directs the Department of Economic Development and Planning to prepare, file and publish notice of this Determination as prescribed at 6 NYCRR 617.12.

On a motion by Scott Lewendon, seconded by Brian Gyory and a vote of five (5) for ,zero (0) against,

zero (0) abstention and zero (0) absent, this RESOLUTION was adopted on January 15, 2019.

February 15, 2019

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

Via email only: rleslie@townofbethlehem.org

Re: Albany Port District Commission
Port of Albany Expansion Project
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23
Town of Bethlehem, Albany Co, New York
MJ File: 709.26

Dear Mr. Leslie:

At the request of the Town of Bethlehem, MJ Engineering and Land Surveying (MJ) has completed our initial review of the Draft Scoping Document prepared by McFarland Johnson, on behalf of the Albany Port District Commission for the proposed Port of Albany Expansion Project.

Scoping is intended to (1) focus the draft EIS on potentially significant adverse environmental impacts (2) eliminate non-significant and non-relevant issues, (3) identify the extent and quality of information needed, (4) identify the range of reasonable alternatives to be discussed, (5) provide an initial identification of mitigation measures and (6) identify how the public may participate in the public scoping process.

The Draft Scoping Document provided generally meets the requirements of Part 617.8(e)(1) through (5) of Environmental Conservation Law (ECL). We do however recommend that there be format changes and reorganization of sections within the Draft Scoping Document. Some general observations:

- The section numbers should be modified to match the section numbers of the DGEIS to be prepared. This will preserve consistence between the two documents.

- There are sections within the Scoping Document that are redundant, may be better serviced elsewhere in the document or should be combined to make the document more user friendly for the Planning Board and general public in their review during public scoping.

- Some of the Sections under "Environmental Setting, Impacts and Mitigation Measures" discuss technical data that will also be within the DGEIS. There should be more of a focus on and discussion of the extent and quality of information needed for the preparer to adequately address each impact. It is suggested that this technical information be removed and saved for inclusion in the DGEIS.

Below are comments that speak to the above observations.

1. All of Section 1.0 and subsections should delete the numbers in the heading as they serve as a preamble to the project and scoping. This will also then preserve Scoping Document number sections to match what the DGEIS sections will be.

2. Page 1 should be deleted as it is redundant information. and "Description of the Project" on Pg 1 and Section 3.1 should be combined replace "Summary of Action" text in its entirety on Pg 2.

3. Section 1.1 (will have no number prior to section title) should be modified. This may include portions of Section 3.1 or Pg 1 which is being suggested for deletion.

4. Section 1.2 (will have no number prior to section title) should be expanded to identify all aspects of the project that may elevate the action to a Type 1, identify the date of initial application and date in which the Planning Board issued a Positive Declaration, requiring the preparation of a DGEIS.

5. Change the Title of Section 1.3 (will have no number prior to section title) to "Purpose of the Draft Scoping Document in SEQRA"

6. Section 1.3 and Section 1.4 should be combined (will have no number prior to section title).

7. Section 1.4 needs to include specific details about any public scoping meeting, how the public may submit written comments and where the Draft Scoping Document may be found. A suggested rewrite of this section is as follows:

   A public scoping meeting will be held on March__, 2019, a regular meeting of the Town Planning Board. Written comments from the public may also be submitted to the Town of Bethlehem, Attention: Robert Leslie, [insert address] or via email to [insert email] on or before [date of close of public comment period]. Notice of the public scoping meeting has also been included in a legal notice to be posted in the official newspaper of the Town, on the Town of Bethlehem website web site (http://www.[insert web link]/), and in a notice sent to all interested/involved agencies. The final scoping document will consider comments or input received during the comment period and at the various scoping meetings.

8. Under Section 1.5, it is suggested to not differentiating between which agencies are involved agency and which are interested agencies. This will avoid the potential for an agency changing status for whatever circumstances. The balance of Section 1.5 may be deleted as it would be covered in the suggested rewrite of Section 1.4.

9. Delete the 2.0 in front of "Contents of the DGEIS".

10. Change 2.1 in front of Cover Sheet to "i."

11. Move and renumber Section "2.3 Table of Contents" to "ii. Table of Contents" after Section "i. Cover Sheet".

12. Add "iii. DGEIS Acronyms and Abbreviations" if commonly used acronyms or abbreviations are to be utilized within the DGEIS.

13. Add "iv – Firms / Organizations Involved in the Preparation of the DGEIS". This shall identify all consultants that contributed in the preparation of the DGEIS, listing each firm's point of contact information.

14. Change Section "2.4 Project Overview" to Section "2.0 Description of the Proposed Action".

15. Section 2.4.1 through 2.4.5 should be renumbered, edited or reorganized as follows:
    a. Section 2.4.3 title suggests three subsections, however only two are provided. Delete the section heading 2.4.3 and renumber Section 2.4.3.1 to Section 2.1, renumber Section 2.4.3.2 to Section 2.2

and add Section "2.3 Description pf Proposed Action". Section 2.3 should be populated with the information provided in Section 3.1.

b. Section 2.4.3.2 (renumbered to Section 2.2) should be retitled "Site Description". Further, it includes relevant information; however the Scoping Document should focus more on what this section will discuss rather the detailed description provided.
c. New Section "2.3 Description of Proposed Action" should describe the purpose, size, and layout of the proposed Project. A general description of the anticipated site improvements that are proposed shall be included. Much of Section 3.1 would be moved to this new section.
d. Section "2.4.2 Purpose and Need for the Proposed Action" should be renumbered to Section "2.4. Purpose and Need for the Proposed Action"
e. Section "3.2 Construction Activities" should be moved to a new "Section 2.5 Construction Activities"
e. Section "2.4.4 Project Sponsor" should be combined with new Section "2.3 Description of Proposed Action".
f. Section "2.4.1 Purpose and Process of the Draft Generic Environmental Impact Statement" should be renumbered and retitled to Section "2.7 Purpose and Process of SEQRA".
g. Section "2.4.5 Required Approvals" should be renumbered and retitled to Section "2.6 Reviews, Approvals and Oher Compliance Determinations".

16. Move Sections 3.1 and 3.2 to Section 2.0 as noted above.

17. Section "4.0 Environmental Setting…" should be renumbered to Section 3.0, with all subsection renumbered from 4.1 to 3.1 and so on.

18. Section 4.1 (renumbered to Section 3.1) should be retitled, "Soils, Geology and Topography".

19. Section 4.2.1 (renumbered to 3.2.1) should reference the New York Natural Heritage Program (NYNHP) as one of the data sources.

20. Add a section 3.4 that will describe existing conditions of floodplains and floodways in the vicinity of the Project area based on publicly available data and provide an assessment of potential Project-related impacts to floodplains or floodways (if any). Potential impacts associated with the proposed Project will be identified and evaluated relative to the characterization of existing conditions provided in the sources reviewed.

21. Add section 3.5 that will describe existing conditions of groundwater in the vicinity of the Project area based on publicly available data as well as any site-specific soil investigation completed. Potential impacts associated with the proposed Project will be identified and evaluated relative to the characterization of existing conditions provided in the sources reviewed and groundwater data collected from field studies

22. Add a section 3.6 that will describe existing conditions of climate and air quality in the vicinity of the Project site based on publicly available data. Further, it will discuss the potential impacts that could occur during Project construction and operation. Mitigation measures designed to minimize these impacts will be described in this section of the DEIS.

23. Section 4.4 (renumbered to Section 3.7) should be retitled to "Traffic and Transportation"

24. Section 4.4 (renumbered to Section 3.7) need to also discuss rail and maritime traffic, whether or not there are impacts or changes since they too are transportation options available at the site.

25. Sections 4.5 (renumbered to Section 3.8) shall also reference the Town of Bethlehem standards and should also note the Town has being a regulated land use MS4.

26. Section 4.6 (renumbered to Section 3.9) should be retitled to "Water Supply" since it will be utilized for both potable and fire protection needs.

27. Section 4.6.1 (renumbered to Section 3.9.1) need to note that the consultant will, through the Town engage their water modeling consultant to develop and assess impacts and potential needed mitigation measures.

28. Section 4.6.1 (renumbered to Section 3.9.1) and Section 4.6.3 (renumbered to Section 3.9.3) within the Scoping Document should limit technical discussions and focus more on what the section will discuss and cover.

29. Section 4.7 (renumbered to Section 3.10) should be retitled, "Sanitary Sewer". This covers the potential of evaluation of both public sewer or on-site management of wastewater.

30. Section 4.7.1 (renumbered to Section 3.10.1), second sentence, delete the phrase "most cost effective off-site".

31. Section 4.8 (renumbered to Section 3.11) should be retitled to "Historic, Cultural and Archeological Resources" as all shall be evaluated.

32. Section 4.9 (renumbered to Section 3.12) should be retitled to "Aesthetic and Visual Resources".

33. Section 4.9.1 (renumbered to Section 3.12.1) should indicate the angle of the viewshed analysis. It is presumed it will be sight line at eye level from the locations noted and not elevated or "birds' eye" views.

34. Section 4.9.1 (renumbered to Section 3.12.1) is there a need to evaluate visual impacts from any newly create access points to the site?

35. Section 4.10.1 (renumbered to Section 3.13.1) within the Scoping Document should limit technical discussions and focus more on what the section will discuss and cover. It should also mention future land use decisions of the Town, analysis of bulk lot requirements that may be associated with those future actions.

36. Section 4.11.2 (renumbered to 3.14.3) should also reference the Town's Draft Local Waterfront Revitalization Plan).

37. Section 4.12.1 (renumbered to Section 3.15.1) within the Scoping Document should limit technical discussions and focus more on what the section will discuss and cover.

38. Section 4.14.1 (renumbered to Section 3.17.1) should identify the time span that the economic analysis will cover.
39. Section 4.15.1 (renumbered to Section 3.18) should be specific to the opportunities near the site, with attention to the Hudson River.

40. Section 5.0 should be renumbered to Section 4.0.

41. Renumber and retitle Section “5.1 Null” to “4.1 No-Build”

42. As we understand it, there is the potential of a scenarios where the site is developed at a smaller scale than the maximum building scenario that the DGEIS will analyze. It may be beneficial to include this as an alternative so that the DGEIS identifies impacts that may be diminished or different. The Scoping Document should identify this as an additional alternative, if planned for analysis.

43. Section 6.0 should be renumbered to Section 5.0.

44. Section 7.0 should be renumbered to Section 6.0.

45. The last numbered section of the DGEIS should be References in the event the DGEIS will list sources of information cited directly within the narrative text.

46. The appendices shall include all technical studies that are envisions to be completed supporting the Environmental Setting analysis. Such examples would be the SWPPP, traffic study and so on. Note that if during the completion of the analysis, should more, less or a different study be necessary, it is not a fatal flaw that the scoping document did not identify it.

47. Attached is a summary of the suggested formatting and section heading changes discussed in the above comments.

Should the Town of applicant have any questions, please do not hesitate to contact this office at (518) 371-0799.

Sincerely,

Joel Bianchi, P.E.
Municipal Engineering
Group Manager

JMB/ enc Scoping Document Outline

ecc: Jackie Hakes, AICP, Planning Group Manager
Elizabeth Staubach, Town Planner
File

INTRODUCTION
- Summary of Action
- Procedural Status
- Purpose of the Draft Scoping Document in SEQRA
- General Guidelines for the DGEIS
- Final Scoping Distribution

CONTENT OF THE DGEIS
- i. Cover Page
- ii. Table of Contents
- iii. DGEIS Acronyms and Abbreviations
- iv. Firms / Organizations Involved in the Preparation of the DGEIS

1.0 EXECUTIVE SUMMARY

2.0 DESCRIPTION OF PROPOSED ACTION
- 2.1 Project Location
- 2.2 Site Description
- 2.3 Description of Proposed Action
- 2.4 Purpose and Need for the Proposed Action
- 2.5 Construction Activities
- 2.6 Required Approvals
- 2.7 Purpose and Process of SEQRA

3.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES
- 3.1 Soils, Geology and Topography
  - 3.2.1 Environmental Setting
  - 3.2.2 Potential Impacts
  - 3.2.3 Mitigation Measures
- 3.2 Vegetation and Wildlife
  - 3.2.1 Environmental Setting
  - 3.2.2 Potential Impacts
  - 3.2.3 Mitigation Measures
- 3.3 Wetlands
  - 3.3.1 Environmental Setting
  - 3.3.2 Potential Impacts
  - 3.3.3 Mitigation Measures
- 3.4 Floodplains and Floodways
  - 3.4.1 Environmental Setting
  - 3.4.2 Potential Impacts
  - 3.4.3 Mitigation Measures
- 3.5 Groundwater
  - 3.4.1 Environmental Setting
  - 3.4.2 Potential Impacts
  - 3.4.3 Mitigation Measures
- 3.6 Climate and Air
  - 3.6.1 Environmental Setting

PLANNING BOARD
TOWN OF BETHLEHEM
ALBANY COUNTY, NEW YORK

SEQR RESOLUTION
CIRCULATING DRAFT SCOPE AND SETTING PUBLIC SCOPING SESSION
AND WRITTEN COMMENT PERIOD
FOR A DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

SITE PLAN APPLICATION #19-00100001, FORMERLY 18-00100012
ALBANY PORT DISTRICT COMMISSION INDUSTRIAL PARK PROJECT

WHEREAS, the Planning Board of the Town of Bethlehem has received a site plan application from the Albany Port District Commission, for the Albany Port District Industrial Park Project for the industrial development of 81.57 +/- acres of land located on the east side of Route 144 (River Road) between the Normans Kill and PSEG with the Hudson River located to the east; and,

WHEREAS, the Planning Board has (1) classified the application as a Type 1 action, (2) established itself as lead agency, (3) issued a positive declaration, (4) determined a Generic Environmental Impact Statement (GEIS) is appropriate for the project, and (4) provided notice of said positive declaration; and,

WHEREAS, the Planning Board has received a draft Scope for the Draft GEIS prepared by the applicant and said Board wishes to initiate the Scoping process in accordance with the procedures described in 6 NYCRR 617.8; and,

WHEREAS, the Planning Board wishes to provide reasonable opportunity for public participation in the Scoping process by providing for a public Scoping Session and a written comment period for receipt of public comments on the draft Scope,

NOW, THEREFORE, BE IT RESOLVED,

that the Planning Board hereby accepts the draft Scope prepared by the applicant for the purpose of initiating the Scoping process and the 60 day time frame for preparation of the final Scope as described in 6 NYCRR 617.8; and,

BE IT FURTHER RESOLVED,

that the Planning Board hereby establishes a public Scoping Session for the DGEIS to be held on **March 19, 2019 at 6:00 p.m**., at Bethlehem Town Hall, for the purpose of receiving public comment on the draft Scope; and,

BE IT FURTHER RESOLVED,

that the Planning Board hereby establishes a written comment period for the purpose of receiving written public comments on draft Scope and said comment period shall run from **March 6, 2019** through the close of business at Bethlehem Town Hall on **March 26, 2019**; and,

BE IT FURTHER RESOLVED,

that the Planning Board hereby authorizes and directs the Town Department of Economic Development and Planning to circulate the draft Scope to Involved and Interested agencies, and to others who may have requested a copy of the draft Scope, and to prepare, file and publish notice of the Scoping session and comment period as may be required at 6 NYCRR 617.8 and 6 NYCRR 617. 12.

On a motion by Scott Lewendon, seconded by Gianna Aiezza, and a vote of Five (5) for, Zero (0) against, Zero (0) abstained and Zero (0) absent, this RESOLUTION was adopted on March 5, 2019.

The ENB SEQRA Notice Publication Form - *Please check all that apply*

Reset Form

Deadline: Notices must be received by **6 p.m. Wednesday** to appear in the following Wednesday's ENB

- ☐ Negative Declaration - Type I
- ☐ Conditioned Negative Declaration
- ☐ Positive Declaration
- ☐ Draft EIS
  - ☐ with Public Hearing
  - ☐ Generic
  - ☐ Supplemental
- ☑ Draft Scope
  - ☑ with Public Scoping Session (optional)
- ☐ Final Scope
- ☐ Final EIS
  - ☐ Generic
  - ☐ Supplemental

DEC Region # 4 County: Albany County Lead Agency: Town of Bethlehem Planning Board

Project Title: Albany Port District Industrial Park Expansion

Brief Project Description: The action involves . . .

A Positive Declaration was previously issued on this project on January 15, 2019 and notice published in the ENB. Albany Port District Commission (Port) is proposing to construct an industrial park with 5 conceptual layouts that range from 1.3 million square feet to 160,000 square feet of industrial use facilities (warehouse space and laydown area). Each concept would include associated access roads, employee parking, trailer parking, utility extensions, rail access from the north over Normans Kill and south through the PSEG site, and a bulkhead along Hudson River for on and offloading of equipment and materials (wharf).

Project Location (include street address/municipality):

Contact Person: Mr. Robert Leslie, AICP, Director of Planning-Town of Bethlehem

Address: 445 Delaware Avenue City: Delmar State: ny Zip: 12054

Phone: 5184394955 Fax: 5184395808 E-mail: rleslie@townofbethlehem.org

For Conditioned Negative Declaration / Draft Scope / Draft EIS: Public Comment Period ends: 3 / 26 / 19

For Public Hearing or Scoping Session: Date: 3 / 19 / 2019 Time: 6 : 00 am/pm

Location: 445 Delaware Avenue Delmar, New York 12054

A hard copy of the Draft Scope/Final Scope/DEIS/FEIS is available at the following locations:

Bethlehem Town Clerk's Office, Bethlehem Public Library

The online version of the Draft Scope/Final Scope/DEIS/FEIS is available at the following publically accessible web site:

www.townofbethlehem.org

For Conditioned Negative Declaration: In summary, conditions include:

PLANNING BOARD
TOWN OF BETHLEHEM
ALBANY COUNTY, NEW YORK

SEQR RESOLUTION
ADOPTING SCOPE FOR DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

SITE PLAN APPLICATION #19-00100001, FORMERLY 18-00100012
ALBANY PORT DISTRICT COMMISSION INDUSTRIAL PARK PROJECT

WHEREAS, the Planning Board of the Town of Bethlehem has received a site plan application from the Albany Port District Commission, for the Albany Port District Industrial Park Project for the industrial development of 81.57 +/- acres of land located on the east side of Route 144 (River Road) between the Normans Kill and PSEG with the Hudson River located to the east; and,

WHEREAS, the Planning Board has (1) classified the application as a Type 1 action, (2) established itself as Lead Agency, (3) issued a positive declaration, (4) determined a Generic Environmental Impact Statement (GEIS) is appropriate for the project, and (4) provided notice of said positive declaration; and,

WHEREAS, the Planning Board pursuant to 6 NYCRR 617.8: (1) received and accepted a draft DGEIS Scope on March 5, 2019; (2) filed appropriate notice and conducted a DGEIS scoping session on March 19, 2019; (3) allowed for a 20 day public comment period on the Draft Scope, which expired on March 26, 2019; (4) considered the comments received on the Draft Scope; and (5) developed a Final Scope for the DGEIS in consultation with its consultant engineer, the Planning Board, and the Department of Economic Development and Planning; and,

WHEREAS, the Planning Board has independently reviewed and considered the content of the final scope,

NOW, THEREFORE, BE IT RESOLVED,

that pursuant to the SEQR Regulations, the Planning Board hereby adopts the final Scope for the Albany Port District Commission Industrial Park Project, revision date March 27, 2019, as the Final Scope for preparation of the DGEIS ; and,

BE IT FURTHER RESOLVED,

that the Planning Board hereby authorizes and directs the Department of Economic Development and Planning to file copies of the Final Scope with all involved agencies, interested agencies, the applicant and other parties as identified in said Scope.

On a motion by Scott Lewendon, seconded by Gianna Aiezza, and a vote of Five (5) for, Zero (0) against, Zero (0) abstained and Zero (0) absent, this RESOLUTION was adopted on April 2, 2019.

May 8, 2019

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

Via email only: rleslie@townofbethlehem.org

Re: Albany Port District Commission
Port of Albany Expansion Project
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23
Town of Bethlehem, Albany Co, New York
MJ File: 709.26

Dear Mr. Leslie:

At the request of the Town of Bethlehem, MJ Engineering and Land Surveying (MJ) has completed a review of the transportation study methodology and approach as submitted by McFarland Johnson in emails dated March 19, 2019, March 25, 2019 and April 5, 2019, on behalf of the Albany Port District Commission for the proposed Port of Albany Expansion Project.

Generally, we agree with the approach and methodology outlined. Our specific comments are as follows:

1. Truck Access at Southern Driveway:
    a. Present pros and cons of truck restrictions at the southern driveway, i.e. physical limitations, etc.
    b. Explain why the restriction is proposed
    c. Identify the differences in truck traffic distribution (River Road between north and south driveway, Glenmont Road and Corning Hill Road) and impacts with and without the southern driveway truck reestriction

2. Sensitivity Analysis for Truck Volume Distribution:
    a. The sensitivity analysis as discussed shall be quantitative for all study intersections
    b. Provide volume thresholds when mitigation is required

3. I-87 / I-787 / Route 9W Intersection:
    a. The analysis of this intersection shall be quantitative

4. Existing AM Peak Volumes at South Port Road: No additional comments

5. Phase I and II Trip Generation: No additional comments.

6. Glenmont / Feura Bush / Route 9W Intersection: No additional comments. Please see email from CME addressed to Robert Leslie dated April 10, 2019 indicating that "…the Beacon project could be accounted for by general growth in the area since it will only generate about 20 peak hour trips at the intersection…" and "…the intersection can accommodate the Beacon traffic even if it is not part of the general background growth."

7. Future Developments:
    a. Place a request with the Town of Bethlehem for traffic data related to future developments planned for the area that will contribute traffic to the study intersections for inclusion in the volumes used for the traffic impact study. Future developments include but are not limited to the Gateway Commerce Center near NYS Thruway Exit 22 and a proposed memory care facility on Glenmont Road.

8. Clapper Road:
    a. The traffic impact study shall include a quantitative analysis for Clapper Road

Additional comments may be forthcoming upon review of the complete traffic impact study.

Should the Town or applicant have any questions, please do not hesitate to contact this office at (518) 371-0799.

Sincerely,

Joel Bianchi, P.E.
Municipal Engineering
Group Manager

Enclosure: Email from CME dated April 15, 2019

ecc: Jaclyn Hakes, AICP, Planning Group Manager
Chad Schneider, PE, Traffic Engineer
Elizabeth Staubach, Town of Bethlehem Economic Development Coordinator
File

May 20, 2019

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

Via email only: rleslie@townofbethlehem.org

Re: Albany Port District Commission
Port of Albany Expansion Project
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23
Town of Bethlehem, Albany Co, New York
MJ File: 709.26
Process for Review of Submissions

Dear Mr. Leslie:

Based on previous discussions with the Town Planning staff and the applicant, MJ Engineering and Land Surveying (MJ) would like to confirm the following approach and process for the SEQRA review of the Albany Port District Commission proposed Port of Albany Expansion Project.

1. ***Applicant to submit materials for review:*** It is anticipated that individual components of the Draft Generic Environmental Impact Statement (DGEIS) will be submitted for review as they are completed by the applicant. The purpose of interim submissions is to keep the process moving forward and keep the Planning Board informed of the progress.

2. ***MJ Review:*** As the TDE assisting the Town in evaluating this application under SEQRA, MJ will conduct two separate reviews for each item submitted: (1) completeness and (2) correctness. This approach will ensure transparency in the review process and maintain the integrity of the SEQRA process. **Concurrence of component completeness will not satisfy the SEQRA requirement for the Planning Board to consider deeming the full DGEIS as complete and ready for public review and comment. Additionally, the components submitted for review will not be made available for formal public review under SEQRA until the DGEIS has been deemed complete by the Planning Board.** When the full DGEIS is submitted, MJ will combine all previous reviews into one review to be included in the project record.

3. ***Completeness Review:*** This review will be based on the Final Scoping Document approved by the Planning Board, dated March 27, 2019.

4. ***Correctness Review:*** This review will provide the technical evaluation of the accuracy and correctness of the information provided. MJ's correctness review will become part of the DGEIS public comment.

5. ***Procedural Timing:*** The required SEQRA timeframes related to a determination of completeness by the Planning Board serving as Lead Agency, for the public comment period, and public hearing will not be initiated until submission of the full DGEIS document to the Planning Board.

Should the Town or applicant have any questions, please do not hesitate to contact this office at (518) 371-0799.

Sincerely,

Joel Bianchi, P.E.
Municipal Engineering
Group Manager

ecc: Jaclyn Hakes, AICP, Planning Group Manager
Elizabeth Staubach, Town of Bethlehem Economic Development Coordinator
File

May 22, 2019

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

Via email only: rleslie@townofbethlehem.org

Re: Albany Port District Commission
Port of Albany Expansion Project
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23
Town of Bethlehem, Albany Co, New York
MJ File: 709.26
Initial SEQR Completeness Review

Dear Mr. Leslie:

MJ Engineering and Land Surveying (MJ) has completed a review of sections of the DGEIS as submitted by McFarland Johnson in an email dated May 15, 2019, on behalf of the Albany Port District Commission for the proposed Port of Albany Expansion Project.

The following items were reviewed for completeness in accordance with the Final Scoping Document dated March 27, 2019 as per 6 NYCRR § 617.9 (a) (2):

- DGEIS Sections
  - 3.11 – Historical, Cultural, and Archeological
  - 3.14 – Community Character and Compatibility with Comprehensive Plan
  - 3.15 – Emergency Services
  - 3.18 – Recreation and Open Space
- Appendix I - Traffic Study (document 18437.00-Port of Albany TIS)
- Appendix L – Cultural Resources (Archaeological Reports)

Based on review of the above items we offer the following comments about completeness:

1. Section 3.11 – Historical, Cultural, and Archeological as submitted appears to address the items identified in Section 3.11 on page 17 of the Scoping Document, including appropriate supporting documentation in Appendix L – Cultural Resources.

2. Section 3.14 – Community Character and Compatibility with Comprehensive Plan as submitted appears to address the items identified in Section 3.14 on page 19 of the Scoping Document.

3. Section 3.15 – Emergency Services as submitted appears to address the items identified in Section 3.15 on page 20 of the Scoping Document.

4. Section 3.18 – Recreation and Open Space as submitted appears to address the items identified in Section 3.18 on page 21 of the Scoping Document.

5. Appendix I – Traffic Study was reviewed in reference to the Scoping Document and the following items are recommended to be addressed:

    a. Discussion regarding the modification of Glenmont Road/9W roundabout TIS to include the development of Beacon Island.
    b. The following traffic related studies were not mentioned in the TIS. Were these reviewed and what is their relevance?
        i. Albany County Commercial Transportation Access Study – 2002
        ii. Albany South End Community Air Quality Screening – 2014
        iii. Albany South End Study Progress Update – 2018
        iv. Traffic Control Plan for Superload Transport, High Transit, LLC – 2018
    c. An automatic traffic recorder placed on NY Route 144 near the Project Site for a period of several days to continuously collect directional traffic volumes, vehicle classifications, and vehicle speed data.
    d. Existing roadway information for pavement width and shoulder width.
    e. Discussion that growth rates were calculated based on a regression analysis and approved by the NYSDOT.
    f. Discussion of potential truck delivery schedules and any potential mitigation alternatives to minimize truck noise along the anticipated truck routes including oversized load transports.
    g. Maritime information for the width of the navigation channel, and the approximate level of recreational boat traffic along this section of the Hudson River and Normans Kill.
    h. Discussion of the historical rail traffic that once traversed the project site and the existing condition of the abandoned rail line.
    i. Descriptions of the current operations policy and procedures of the Albany Port Railroad, who operates the existing rail yard.
    j. Discussion of the past rail traffic compared to any potential increase due to the development.
    k. Address any potential impact due to an increase in idling trains.
    l. Discussion covering the public transportation use by Albany Port employees and the potential increase in ridership nor any potential impact due to an increase in public transportation and any mitigation required.
    m. Discussion of the project's impact to the Town's existing Bike Pedestrian Priority Network.
    n. Discussion of current pedestrian and bicycle use by Albany Port employees and the potential increase due to the proposed project nor any potential impact due to an increase in pedestrian and bicycle use and any mitigation required.

6. Appendix I – Traffic Study was also reviewed in reference subsequent correspondence with the applicant to confirm methodology and approach, specifically the comment letter dated May 8, 2019. The following items are recommended to be addressed:

    a. Truck Access at Southern Driveway
        i. Present pros and cons of truck restrictions at the southern driveway, i.e. physical limitations, etc.
        ii. Explain why the restriction is proposed

iii. Identify the differences in truck traffic distribution (River Road between north and south driveway, Glenmont Road and Corning Hill Road) and impacts with and without the southern driveway truck restriction

b. Quantitative analysis of the I-87 / I-787 / Route 9W intersections

Additional comments may be forthcoming upon review of the full DGEIS.

Should the Town or applicant have any questions, please do not hesitate to contact this office at (518) 371-0799.

Sincerely,

Joel Bianchi, P.E.
Municipal Engineering
Group Manager

ecc: Jaclyn Hakes, AICP, Planning Group Manager
Chad Schneider, PE, Traffic Engineer
Elizabeth Staubach, Town of Bethlehem Economic Development Coordinator
File

McFarland Johnson
Innovative Solutions / Sustainable Results

60 Railroad Place • Suite 402 • Saratoga Springs, NY 12866
Phone: 518-580-9380 • Fax: 518-580-9383
www.mjinc.com

June 28, 2019

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

Re: Albany Port District Commission
Port of Albany Expansion Project
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23
Town of Bethlehem, Albany Co, New York

Dear Mr. Leslie:

We are in receipt of the initial DGEIS completeness review comment letter sent via email dated May 15, 2019 prepared by MJ Engineering and Land Surveying, P.C. We respectfully submit the following responses to the comments related to Appendix I – Traffic Study.

5. Appendix I – Traffic Study was reviewed in reference to the Scoping Document and the following items are recommended to be addressed:

a. Discussion regarding the modification of Glenmont Road/9W roundabout TIS to include the development of Beacon Island.
Detail has been added mentioning McFarland Johnson's correspondence with CME Associates, Inc. to intersection No. 8, under the intersection capacity analysis on page 26 of the TIS report.

b. The following traffic related studies were not mentioned in the TIS. Were these reviewed and what is their relevance?
   i. Albany County Commercial Transportation Access Study – 2002
   ii. Albany South End Community Air Quality Screening – 2014
   iii. Albany South End Study Progress Update – 2018
   iv. Traffic Control Plan for Superload Transport, High Transit, LLC - 2018

   All studies have been referenced on page 44 of the TIS, and details regarding their relevance added to pages 29 and 30.

c. An automatic traffic recorder placed on NY Route 144 near the Project Site for a period of several days to continuously collect directional traffic volumes, vehicle classifications, and vehicle speed data.
Data has been collected and included in Appendix A and referenced in the Traffic Data Collection section on Page 8.

d. Existing roadway information for pavement width and shoulder width.

This information has been added to the intersection descriptions under the Existing Conditions section of the report, starting on page 4.

e. Discussion that growth rates were calculated based on a regression analysis and approved by the NYSDOT.
Detail has been added to the No-Build conditions on page 11 of the TIS report. A regression analysis was performed and is included in Appendix B.

f. Discussion of potential truck delivery schedules and any potential mitigation alternatives to minimize truck noise along the anticipated truck routes including oversized load transports.
Detail has been added to the Truck Impact Analysis on page 30 of the TIS report.

g. Maritime information for the width of the navigation channel, and the approximate level of recreational boat traffic along this section of the Hudson River and Normans Kill.
This information has been added to the Maritime Analysis section of the TIS report on page 37 and 38.

h. Discussion of the historical rail traffic that once traversed the project site and the existing condition of the abandoned rail line.
Detail has been added to the Rail Analysis section of the TIS report on pages 38 and 39.

i. Descriptions of the current operations policy and procedures of the Albany Port Railroad, who operates the existing rail yard.
Detail has been added to the Rail Analysis section of the TIS report on pages 38 and 39.

j. Discussion of the past rail traffic compared to any potential increase due to the development.
Detail has been added to the Rail Analysis section of the TIS report on pages 38 and 39.

k. Address any potential impact due to an increase in idling trains.
Detail has been added to the Rail Analysis section of the TIS report on pages 38 and 39.

l. Discussion covering the public transportation use by Albany Port employees and the potential increase in ridership nor any potential impact due to an increase in public transportation and any mitigation required.
Detail has been added to the Public Transportation section of the TIS report on pages 38 and 39.

m. Discussion of the project's impact to the Town's existing Bike Pedestrian Priority Network.
Detail has been added to the Pedestrian and Bicycle Analysis on page 41 of the TIS report.

n. Discussion of current pedestrian and bicycle use by Albany Port employees and the potential increase due to the proposed project nor any potential impact due to an increase in pedestrian and bicycle use and any mitigation required.
Detail has been added to the Pedestrian and Bicycle Analysis on page 41 of the TIS report.

6. Appendix I – Traffic Study was also reviewed in reference subsequent correspondence with the applicant to confirm methodology and approach, specifically the comment letter dated May 8, 2019. The following items are recommended to be addressed:

a. Truck Access at Southern Driveway
   i. Present pros and cons of truck restrictions at the southern driveway, i.e. physical limitations, etc.
   ii. Explain why the restriction is proposed
   iii. Identify the differences in truck traffic distribution (River Road between north and south driveway, Glenmont Road and Corning Hill Road) and impacts with and without the southern driveway truck restriction.

   Detail has been added to the Truck Analysis section on page 29 of the TIS report.

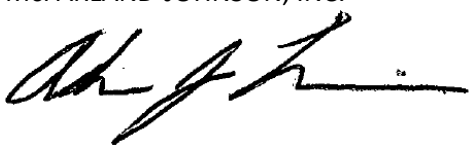
b. Quantitative analysis of the I-87 / I-787 / Route 9W intersections

   A quantitative analysis was completed based on the traffic volumes entering the intersection during the peak hours with the results shown on page 26. Given that the amount of development-based traffic was less than the daily fluctuation of traffic through this intersection, the development will have a negligible effect on traffic operations at these ramps.

The TIS will be submitted to your office in conjunction with this response letter to these scoping items. We intend to review any future comments we receive on the TIS from your office, NYSDOT and your consultant engineer.

Please do not hesitate to call should you require additional information or have any questions.

Sincerely yours,
McFARLAND-JOHNSON, INC.



Adam J. Frosino, PE, PTOE
Project Manager

May 31, 2019

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

Via email only: rleslie@townofbethlehem.org

Re: Albany Port District Commission
Port of Albany Expansion Project
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23
Town of Bethlehem, Albany Co, New York
MJ File: 709.26
Initial SEQR Completeness Review of Submittal #2

Dear Mr. Leslie:

MJ Engineering and Land Surveying (MJ) has completed a review of sections of the DGEIS as submitted by McFarland Johnson in an email dated May 23, 2019, on behalf of the Albany Port District Commission for the proposed Port of Albany Expansion Project.

The following items were reviewed for completeness in accordance with the Final Scoping Document dated March 27, 2019 as per 6 NYCRR § 617.9 (a) (2):

- DGEIS Section
  - 3.8 – Drainage
- Appendix J – Stormwater Report

Based on review of the above items we offer the following comments about completeness:

1. Section 3.8 as submitted is dependent on and should reference other applicable DGEIS sections, including but not limited to Section 3.1 – Soils, Geology and Topography, Section 3.3 Wetlands and Section 3.4 Floodplains and Floodways. To date, those sections have not been submitted for review. Therefore, it is difficult to deem this section complete without review of those other sections.

2. Section 3.8.1 - Environmental Setting as submitted does not include a discussion of topography and soil conditions as required in Section 3.8.1 on page 14 of the Final Scoping Document.

3. Section 3.8.1 - Environmental Setting as submitted does not include an evaluation of the pre-development peak discharge rate for the 1-yr, 10-yr and 100-yr storm events using methodologies consistent with industry standards, NYSDEC regulations and Town of Bethlehem standards including regulations relating to the Town being an MS4 as required in Section 3.8.1 on page 14 of the Final Scoping Document.

4. Section 3.8.2 – Potential Impacts as submitted does not include a detailed analysis of the post development peak discharges for the 1-yr, 10-yr and 100-yr storm events using methodologies consistent with industry

standards, NYSDEC regulations and Town of Bethlehem standards as required in Section 3.8.2 on page 14 of the Final Scoping Document. Detailed analysis included in the corresponding Appendix J – Stormwater Report should be included in the DGEIS document.

5. Section 3.8.2 – Potential Impacts as submitted does not detail the results of the pre and post construction drainage conditions as required in Section 3.8.2 on page 14 of the Final Scoping Document.

6. General – If information in an accompanying appendix satisfies the scoping requirements, that data and information should be directly included in the DGEIS section as well as a reference made to the source (i.e. the appendix).

Additional comments may be forthcoming upon review of the full DGEIS.

Should the Town or applicant have any questions, please do not hesitate to contact this office at (518) 371-0799.

Sincerely,

Joel Bianchi, P.E.
Municipal Engineering
Group Manager

ecc: Jaclyn Hakes, AICP, Planning Group Manager
Chad Schneider, PE, Traffic Engineer
Elizabeth Staubach, Town of Bethlehem Economic Development Coordinator
File

McFarland Johnson
Innovative Solutions / Sustainable Results

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www.mjinc.com

July 3, 2019

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

Re: Albany Port District Commission
Port of Albany Expansion Project
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23
Town of Bethlehem, Albany Co, New York

Dear Mr. Leslie:

We are in receipt of the initial DGEIS completeness review comment letter sent via email dated May 31, 2019 prepared by MJ Engineering and Land Surveying, P.C. We respectfully submit the following responses to the comments related to DGEIS Section 3.8 – Drainage and Appendix J – Stormwater Report.

1. Section 3.8 as submitted is dependent on and should reference other applicable DGEIS sections, including but not limited to Section 3.1 – Soils, Geology and Topography, Section 3.3 Wetlands and Section 3.4 Floodplains and Floodways. To date, those sections have not been submitted for review. Therefore, it is difficult to deem this section complete without review of those other sections.
Section 3.8 has been coordinated with all of the other sections of the DGEIS. References to other sections are made where appropriate. Sections 3.3 and 3.4 have been submitted for review. A complete DGEIS will be submitted including all sections required by the Final Scoping Document.

2. Section 3.8.1 – Environmental Setting as submitted does not include a discussion of topography and soil conditions as required in Section 3.8.1 on page 14 of the Final Scoping Document.
Section 3.8.1 has been revised to include a description of the topography and soil conditions.

3. Section 3.8.1 – Environmental Setting as submitted does not include an evaluation of the pre-development peak discharge rate for the 1-yr, 10-yr and 100-yr storm events using methodologies consistent with industry standards, NYSDEC regulations and Town of Bethlehem standards including regulations relating to the Town being an MS4 as required in Section 3.8.1 on page 14 of the Final Scoping Document.
Section 3.8.1 has been revised to include a summary of the pre-development peak discharge rate(s) for the 1-yr, 10-yr and 100yr storms consistent with the above referenced methodologies.
The Stormwater Report, Appendix J has been revised to include a detailed analysis of the pre-development 1-yr hydrology consistent with the above referenced methodologies.

4. Section 3.8.2 – Potential Impacts as submitted does not include a detailed analysis of the post

development peak discharges for the 1-yr, 10-yr and 100-yr storm events using methodologies consistent with industry standards, NYSDEC regulations and Town of Bethlehem standards as required in Section 3.8.2 on page 14 of the Final Scoping Document. Detailed analysis included in the corresponding Appendix J – Stormwater Report should be included in the DGEIS document.
Section 3.8.2 has been revised to include the evaluation of the post-development peak discharge rate(s) for the 1-yr, 10-yr and 100yr storms consistent with the above referenced methodologies. The Stormwater Report, Appendix J has been revised to include a detailed analysis of the post-development 1-yr hydrology consistent with the above referenced methodologies.

5. Section 3.8.2 – Potential Impacts as submitted does not detail the results of the pre and post construction drainage conditions as required in Section 3.8.2 on page 14 of the Final Scoping Document.
Section 3.8.2 has been revised to include a discussion of the pre to post drainage conditions as a result of the project.

6. General – If information in an accompanying appendix satisfies the scoping requirements, that data and information should be directly included in the DGEIS section as well as a reference made to the source (i.e. the appendix).
Section 3.8. has been revised to include the technical results of the Stormwater Report, Appendix J, directly within the DGEIS.

DGEIS Section 3.8 – Drainage and Appendix J – Stormwater Report will be submitted to your office in conjunction with this response letter to these scoping items.

Please do not hesitate to call should you require additional information or have any questions.

Sincerely yours,
McFARLAND-JOHNSON, INC.

Turner Bradford, PE
Project Engineer

June 24, 2019

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

Via email only: rleslie@townofbethlehem.org

Re: Albany Port District Commission
Port of Albany Expansion Project
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23
Town of Bethlehem, Albany Co, New York
MJ File: 709.26
Initial SEQR Completeness Review of Submittal #3

Dear Mr. Leslie:

MJ Engineering and Land Surveying (MJ) has completed a review of sections of the DGEIS as submitted by McFarland Johnson in an email dated June 19, 2019, on behalf of the Albany Port District Commission for the proposed Port of Albany Expansion Project.

The following items were reviewed for completeness in accordance with the Final Scoping Document dated March 27, 2019 as per 6 NYCRR § 617.9 (a) (2):

- DGEIS Sections
  - 2.0 Description of Proposed Action
  - 3.3 Wetlands and Waterways
  - 3.5 Groundwater
  - 3.13 Land Use and Zoning
  - 5.0 Adverse Environmental Impacts Which Cannot be Avoided
  - 6.0 Irreversible and Irretrievable Commitment of Resources
  - 7.0 Growth-Inducing Aspects of the Proposed Project
- Appendix D – Site Survey
- Appendix E – Geotech Report
- Appendix G – Endangered Species Reports
- Appendix H – Wetland Delineation Report

Based on review of the above items we offer the following comments about completeness:

1. No comments on completeness at this time for the above reviewed sections.

Additional comments may be forthcoming upon review of the full DGEIS.

Should the Town or applicant have any questions, please do not hesitate to contact this office at (518) 371-0799.

Sincerely,

Joel Bianchi, P.E.
Municipal Engineering
Group Manager

ecc: Jaclyn Hakes, AICP, Planning Group Manager
Chad Schneider, PE, Traffic Engineer
Elizabeth Staubach, Town of Bethlehem Economic Development Coordinator
File

June 25, 2019

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

Via email only: rleslie@townofbethlehem.org

Re: Albany Port District Commission
Port of Albany Expansion Project
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23
Town of Bethlehem, Albany Co, New York
MJ File: 709.26
Initial SEQR Completeness Review of Submittal #4

Dear Mr. Leslie:

MJ Engineering and Land Surveying (MJ) has completed a review of sections of the DGEIS as submitted by McFarland Johnson in an email dated June 21, 2019, on behalf of the Albany Port District Commission for the proposed Port of Albany Expansion Project.

The following items were reviewed for completeness in accordance with the Final Scoping Document dated March 27, 2019 as per 6 NYCRR § 617.9 (a) (2):

- DGEIS Sections
  - 3.2 Vegetation and Wildlife
  - 3.4 Floodplains and Floodways
  - 3.6 Climate and Air
  - 3.10 Sanitary Sewer
  - 3.12 Aesthetic and Visual Resources
  - 3.19 Solid Waste Disposal
  - 4.0 Reasonable Alternatives to be Considered
  - 8.0 Cumulative Impacts
- Appendix C – Final Scoping Document
- Appendix M – Visual Impact Assessment Report
- Appendix O – Alternatives Concept Site Plans

Based on review of the above items we offer the following comments about completeness:

1. Section 3.10.2 in the submittal indicates the applicant has provided the project's sanitary demand to Albany County to determine the County's capacity to serve the project. The capacity of the existing SWTP will need to be included for this section.

2. Section 3.12.2 – The locations selected for the photo-simulations are identified as being within the AVE. Please clarify if the locations of the photo-simulations reflect sensitive visual resources and receptors. The Scoping Document (page 18) specifically identifies impacts to sensitive visual resources and receptors be discussed. If there are no sensitive visual resource and receptors within the AVE, that must be stated and explained within the DGEIS, not just within Appendix M – Visual Assessment report.

3. Section 4.0 in the Scoping Document (page 22) identifies a no-build and three Phases to be alternatives for evaluation. The format in the submittal is not consistent with the Scoping Document. Further explanation connecting Concept Plan A, B, C, D and D1 to the phases identified in the Scoping Document is needed. Additionally, potential impacts and mitigation measures identified in previous sections (such as Section 3.10 – Sanitary Sewer) are directly tied to the phases identified in the Scoping Document. Please clarify how/if the various concept plans included in Section 4.0 are related to the identified phases.

Additional comments may be forthcoming upon review of the full DGEIS.

Should the Town or applicant have any questions, please do not hesitate to contact this office at (518) 371-0799.

Sincerely,

Joel Bianchi, P.E.
Municipal Engineering
Group Manager

ecc: Jaclyn Hakes, AICP, Planning Group Manager
Chad Schneider, PE, Traffic Engineer
Elizabeth Staubach, Town of Bethlehem Economic Development Coordinator
File

McFarland Johnson
Innovative Solutions / Sustainable Results

60 Railroad Place • Suite 402 • Saratoga Springs, NY 12866
Phone: 518-580-9380 • Fax: 518-580-9383
www.mjinc.com

July 3, 2019

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

Re: Albany Port District Commission
Port of Albany Expansion Project
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23
Town of Bethlehem, Albany Co, New York

Dear Mr. Leslie:

We are in receipt of the initial DGEIS completeness review comment letter sent via email dated June 25, 2019 prepared by MJ Engineering and Land Surveying, P.C. We respectfully submit the following responses to the comments related to DGEIS Section 3.12 – Aesthetic and Visual Resources.

1. Section 3.12.2 – The locations selected for the photo-simulations are identified as being within the AVE. Please clarify if the locations of the photo-simulations reflect sensitive visual resources and receptors. The Scoping Document (page 18) specifically identifies impacts to sensitive visual resources and receptors be discussed. If there are no sensitive visual resource and receptors within the AVE, that must be stated and explained within the DGEIS, not just within Appendix M – Visual Assessment Report.
   Section 3.12.2 has been revised to include a statement summarizing the identification and assessment of sensitive visual receptors and stating that no sensitive visual receptors were included within the AVE.

DGEIS Section 3.12 – Aesthetic and Visual Resources will be submitted to your office in conjunction with this response letter to this scoping item.

Please do not hesitate to call should you require additional information or have any questions.

Sincerely yours,
McFARLAND-JOHNSON, INC.

Turner Bradford, PE
Project Engineer

July 9, 2019

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

Via email only: rleslie@townofbethlehem.org

Re: Albany Port District Commission
Port of Albany Expansion Project
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23
Town of Bethlehem, Albany Co, New York
MJ File: 709.26
Initial SEQR Completeness Review of Submittal #5

Dear Mr. Leslie:

MJ Engineering and Land Surveying (MJ) has completed a review of sections of the DGEIS as submitted by McFarland Johnson in an email dated June 28, 2019, on behalf of the Albany Port District Commission for the proposed Port of Albany Expansion Project.

The following items were reviewed for completeness in accordance with the Final Scoping Document dated March 27, 2019 as per 6 NYCRR § 617.9 (a) (2):

- DGEIS Sections
  - 3.16 School District
  - 3.17 Fiscal and Economic Impact
- Appendix N – Economic and Fiscal Impact Analysis
- Appendix Q – Concept Plan A

Based on review of the above items we offer the following comments about completeness:

1. No comments on completeness at this time for the above reviewed sections.

Additional comments may be forthcoming upon review of the full DGEIS.

Should the Town or applicant have any questions, please do not hesitate to contact this office at (518) 371-0799.

Sincerely,

Joel Bianchi, P.E.

Municipal Engineering
Group Manager

ecc: Jaclyn Hakes, AICP, Planning Group Manager
Chad Schneider, PE, Traffic Engineer
Elizabeth Staubach, Town of Bethlehem Economic Development Coordinator
File

July 10, 2019

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

Via email only: rleslie@townofbethlehem.org

Re: Albany Port District Commission
Port of Albany Expansion Project
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23
Town of Bethlehem, Albany Co, New York
MJ File: 709.26
Initial SEQR Completeness Review of Submittal #6

Dear Mr. Leslie:

MJ Engineering and Land Surveying (MJ) has completed a review of sections of the DGEIS as submitted by McFarland Johnson in an email dated July 3, 2019, on behalf of the Albany Port District Commission for the proposed Port of Albany Expansion Project.

The following items were reviewed for completeness in accordance with the Final Scoping Document dated March 27, 2019 as per 6 NYCRR § 617.9 (a) (2):

- Appendix A – Full Environmental Assessment Form (EAF)

Based on review of the above items we offer the following comments about completeness:

1. No comments on completeness at this time for the above reviewed sections.

Additional comments may be forthcoming upon review of the full DGEIS.

Should the Town or applicant have any questions, please do not hesitate to contact this office at (518) 371-0799.

Sincerely,

Joel Bianchi, P.E.
Municipal Engineering
Group Manager

ecc: Jaclyn Hakes, AICP, Planning Group Manager

Chad Schneider, PE, Traffic Engineer
Elizabeth Staubach, Town of Bethlehem Economic Development Coordinator
File

McFarland Johnson
Innovative Solutions / Sustainable Results

60 Railroad Place • Suite 402 • Saratoga Springs, NY 12866
Phone: 518-580-9380 • Fax: 518-580-9383
www.mjinc.com

July 22, 2019

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

Re: Albany Port District Commission
Port of Albany Expansion Project
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23
Town of Bethlehem, Albany Co, New York

Dear Mr. Leslie:

We are in receipt of the initial DGEIS completeness review comment letter sent via email dated June 25, 2019 prepared by MJ Engineering and Land Surveying, P.C. We respectfully submit the following response to the comment related to DGEIS Section 3.10 – Sanitary Sewer.

1. Section 3.10.2 in the submittal indicates the applicant has provided the project's sanitary demand to Albany County to determine the County's capacity to serve the project. The capacity of the existing SWTP will need to be included for this section.
Section 3.10.2 has been revised to include the capacity of the existing SWTP.

DGEIS Section 3.10 – Sanitary Sewer will be submitted to your office in conjunction with this response letter to this scoping item.

Please do not hesitate to call should you require additional information or have any questions.

Sincerely yours,
McFARLAND-JOHNSON, INC.

Turner Bradford, PE
Project Engineer

McFarland Johnson
Innovative Solutions / Sustainable Results

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July 25, 2019

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

Re: Albany Port District Commission
Port of Albany Expansion Project
Beacon Island, Tax ID 98.01-2-1.0 / 98.00-2-10.23
Town of Bethlehem, Albany Co, New York

Dear Mr. Leslie:

We are in receipt of the initial DGEIS completeness review comment letter sent via email dated June 25, 2019 prepared by MJ Engineering and Land Surveying, P.C. We respectfully submit the following responses to the comments related to DGEIS Section 4.0 – Reasonable Alternatives to be Considered.

1. Section 4.0 in the Scoping Document (page 22) identifies a no-build and three Phase to be alternatives for evaluation. The format in the submittal is not consistent with the Scoping Document. Further explanation connecting Concept Plan A, B, C, D and D1 to the phases identified in the Scoping Document is needed. Additionally, potential impacts and mitigation measures identified in previous sections (such as Section 3.10 – Sanitary Sewer) are directly tied to the phases identified in the Scoping Document. Please clarify how/if the various concept plans included in Section 4.0 are related to the identified phases.
   Section 4.0 has been revised to discuss the other concept plans and how they relate to the phasing of the project.

DGEIS Section 4.0 – Reasonable Alternatives to be Considered will be submitted to your office in conjunction with this response letter to this scoping item.

Please do not hesitate to call should you require additional information or have any questions.

Sincerely yours,
McFarland-Johnson, Inc.

Ashley Erdmann

Ashley Erdmann, P.E.
Civil Engineer

APPENDIX C

FINAL SCOPING DOCUMENT

TOWN OF BETHLEHEM
PLANNING BOARD

FINAL SCOPING DOCUMENT
For Preparation of a Draft Generic Environmental Impact Statement

For
ALBANY PORT DISTRICT COMMISSION (APDC) PORT OF ALBANY EXPANSION PROJECT

Project Name:	Albany Port District Commission (APDC) Port of Albany Expansion Project
Project Location:	East of River Road (NYS Rt. 144) south of Normans Kill and north of PSEG property 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
Positive Declaration Issued:	January 15, 2019
Public Scoping Session Date:	March 19, 2019
End of Comment Period:	March 26, 2019
Revision Dates:	March 5, 2019, March 6, 2019, March 27, 2019

TABLE OF CONTENTS

INTRODUCTION

Summary of Action

The proposed action involves a site plan approval for an industrial park on 81.62 acres of land at the Beacon Island site, located at the confluence of the Normans Kill and Hudson River. The applicant (Project Sponsor), Albany Port District Commission (APDC), is proposing to develop a vacant parcel of land (tax parcels 98.00-2-10.23 and 98.01-2-1.0) to expand the existing Port of Albany that will contain a maximum of 1.13 million square feet of industrial uses in the Town of Bethlehem, Albany County, New York, collectively to be known as the Albany Port District Commission Port of Albany Expansion.

Procedural Status

The proposed project is a Type 1 Action, as it exceeds the following Type I 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 square feet of gross floor area in a town having a population of 150,000 persons or less (iv).

The Town of Bethlehem Planning Board established itself as "Lead Agency" by resolution on January 15, 2019 pursuant to the requirements to SEQRA, and on January 15, 2019 adopted a Positive Declaration requiring that the applicant prepare a Draft Generic Environmental Impact Statement (DGEIS) for the action.

Reasons supporting the issuance of a positive declaration are potential environmental impacts including, but not limited to land, geological features, surface water/drainage, groundwater, stormwater/erosion, flooding, air, plants and animals, aesthetic resources, transportation/traffic, energy, noise, odor and light, and community character.

Purpose of Scoping Documents in SEQRA

The purpose of this Scoping Document is to determine environmental issues that will be addressed by the APDC during the preparation of the DGEIS. The document is intended to act as a means of identification of all potentially significant adverse impacts as they relate to the proposed action, and the necessary and appropriate mitigation measures. The document is also intended to eliminate consideration of any impacts that are irrelevant or determined to be not significant.

This Scoping Document has been prepared by the Town of Bethlehem Planning Board as lead agency for SEQRA review of the proposed project.

General Guidelines for the DGEIS

The applicant will prepare a DGEIS that addresses all items in this Scoping Document. In addition:

(1) The DGEIS text should be accompanied to the extent practical by illustrative plans, maps, and graphics. All plans and maps should be clear and legible at the scale included in the DGEIS. Sets of full-scale plans and maps will be provided separately to the Town upon request, in such quantities and at a scale acceptable to the Town.

(2) Where mitigation is proposed, the DGEIS will clearly indicate:
   (a) Whether the applicant proposes to assume financial responsibility for implementing the mitigation measure,
   (b) Whether participation by a public agency or third party would be necessary, or
   (c) Whether a third party or public agency would be solely responsible.

In addition, the DGEIS will indicate whether implementation would require authorization from a third party or public agency, as well as the nature of such authorization. Where off-site mitigation is proposed, a preliminary timetable for implementation will also be provided. Where no mitigation is necessary, the DGEIS will so indicate and provide the reasons for this conclusion.

(3) Sections of the DGEIS will be tabbed and separated for the readers convenience.

The DGEIS will discuss potential significant adverse impacts associated with the action and its reasonable alternatives; identify and consider mitigation measures to reduce or eliminate potential adverse impacts; and develop and analyze alternatives if there are potential unmitigated effects. After its publication, the DGEIS will be available for public and involved and interested agency review and comment for a minimum 30-day period. Comments may be provided to the Lead Agency in writing during the DGEIS comment period, and a public hearing will also be held to receive comments on the DGEIS.

A public scoping meeting will be held on March 19, 2019, a regular meeting of the Town Planning Board. Written comments from the public may also be submitted to the Town of Bethlehem, Attention: Robert Leslie, 445 Delaware Avenue, Delmar, NY or via email to rleslie@townofbethlehem.org on or before March 26, 2019. Notice of the public scoping meeting has also been included in a legal notice to be posted in the official newspaper of the Town, on the Town of Bethlehem's website, and in a notice sent to all interested/involved

agencies. The final scoping document will consider comments or input received during the comment period and at the scoping meeting held.

For further information on this process, please contact the Lead Agency as follows:

Robert Leslie, AICP; Director of Planning
Bethlehem Town Hall
445 Delaware Avenue
Delmar, NY 12054
(518) 439-4955

Final Scope Distribution

Copies of the Final Scope will be made available to the following agencies:

US Army Corps of Engineers
New York State Department of State
New York State Department of Environmental Conservation
New York State Department of Transportation
Albany County Health Department
New York State Office of General Services
Town of Bethlehem Department of Public Works
Town of Bethlehem Town Board
New York State Office of Parks, Recreation and Historic Preservation
Town of Bethlehem Highway Department
Albany County Planning Board
The City of Albany
The Town of East Greenbush
Selkirk Fire District
New York State Department of State
New York State Thruway Authority

Copies of the Final Scope will be available for public review at the following locations:

Bethlehem Town Clerk's Office
Bethlehem Town Web Site (www.townofbethlehem.org)
Bethlehem Public Library

Copies of the Final Scope will also be available to persons who have expressed interest in writing to the Lead Agency, the Town of Bethlehem Planning Board

CONTENTS OF THE DGEIS

i. Cover Sheet

The DGEIS will contain a cover sheet that will include the title of the action, the project location, the name and address of the SEQRA lead agency, the names of the contributors to the DGEIS, the date of the declaration of completion by the Lead Agency, and the due date by which comments on the DGEIS must be submitted.

ii. Table of Contents

A Table of Contents will list all document sections, figures, tables, maps, charts, and appendices. All required technical reports and SEQRA documentation will be included in the appendices of the DGEIS, which shall include but not be limited to the Full EAF, Circulation Notice, Positive Declaration, Final Scoping Document, and letters from all Involved and Interested Agencies. Any correspondence related to issues covered in the DGEIS shall be included in the appendices, such as technical studies and reports.

iii. DGEIS Acronyms and Abbreviations

The DGEIS will define acronyms and abbreviations within this section.

iv. Firms / Organizations Involved in the Preparation of the DGEIS

The list of firms and organizations involved in the DGEIS will be discussed in this section, and will include but not limited to:

- McFarland Johnson, Inc.
- Atlantic Testing Laboratories
- Bergmann Associates
- Camoin Associates, Inc.
- CME Associates, Inc.
- Curtin Archaeological Consulting, Inc.
- Dente Group
- Maser Consulting P.A.

1.0 EXECUTIVE SUMMARY

The executive summary will provide a synopsis of the DGEIS. The executive summary will include:

(1) Summary description of the project, including any public and private improvements;
(2) Proposed actions;
(3) Potential significant beneficial and adverse impacts;
(4) Proposed mitigation measures;
(5) Considered alternatives to the proposed action;
(6) Matters to be decided, including a list of involved and interested agencies as well as a description of permits and approvals required for completion of the project.

2.0 DESCRIPTION OF PROPOSED ACTION

2.1 Project Location

The project is located on the east side of River Road/Route 144 along the Hudson River and consist of 81.62 acres. The proposed development includes the following tax ID parcels: 98.00-2-10.23 and 98.01-2-1.0 (the Project Site).

The Project Site is bounded by the following properties:

- To the North: various industrial and warehouse facilities
- To the South: PSEG Power Plant
- To the East: Hudson River
- To the West: Niagara Mohawk overhead Electric Transmission Lines

2.2 Site Description

The site is currently vacant and is heavily vegetated. The DGEIS will provide a detailed site description based upon gathering the following information:

- The history of any previous land uses and site disturbance
- Conducting an ALTA boundary and topographic survey.
- Aerial images
- Conducting a site walk

2.3 Description of Proposed Action

The proposed action consists of site plan approval for a 1.13 million square feet Industrial development to be built in 1 to 4 phases. However, the project sponsor has

not identified a specific tenant, nor is a specific building or project being proposed, and instead 5 different concept plans are being provided in a generic nature for evaluation. The proposed concepts range in size from a 160,000 sq. ft. to 1.13 million sq. ft. of industrial space.

For SEQRA purposes, the proposed APDC Port of Albany Expansion Development Plan that represents full build out is being evaluated. This full build out represents the maximum amount of development permitted under current zoning and therefore will represent the greatest potential for environmental impacts. This full build out is estimated to be 1.13 million sq. ft. two-story Industrial use facility, with the associated access roads, employee parking, trailer parking, refurbished rail access from the north over Normans Kill and south through the PSEG or National Grid site, and a bulkhead/wharf along the Hudson River. The two-level warehouse maximizes the development potential of the site and provides the basis for the SEQRA approval process along with the identified site improvements. The expansion will be developed with tenants with uses that are permitted by right as listed in the Town Zoning code such as:

- Warehouse
- Manufacturing
- Assembly
- Industrial Park
- Distribution centers
- Packaging facilities
- Business office
- Commercial storage

The DGEIS will include a conceptual site plan detailing the layout of all the elements of the proposed project, including the access roadways, buildings, parking, stormwater facilities, open space areas, etc. A map showing this concept plan for the project is attached hereto as Appendix B.

This section will discuss the Project Sponsor, the Albany Port District Commission, and their ability to undertake and oversee the APDC Port of Albany Expansion Project. The section will describe whether the APDC will develop and build the project components or market the project for development by others.

2.4 Purpose and Need for the Proposed Action

This section will discuss the history and background of the APDC Port of Albany Expansion Project. It will discuss the APDC's objectives, benefits to the Town of

Bethlehem and taxing jurisdictions, and the Town of Bethlehem's need for the expansion project based on the Town's current policies and socio-economic condition.

2.5 Construction Activities

All proposed construction processes will be presented. Site ingress/egress for construction vehicles, routing of construction traffic, and emergency response will be discussed. Approximate limits of site disturbance will be displayed and discussed. Conceptual phasing and estimated construction activity durations will be described for the project.

Any special concerns, including noise, vibration impacts, on-site stockpiling of soils and materials, and grading will be discussed. The section will present a general description of the types of site grading and construction activities anticipated. General discussions relating to scheduling of construction sanitary wastewater, water, and stormwater systems, including construction of any off-site infrastructure. Additionally, the section will include a discussion relating to protection of significant environmental features during construction.

2.6 Required Approvals

This section will discuss required approvals for the project including Federal, State, and local agency permits or board actions. It will discuss the permitting process with Federal, State, and local agencies and the SEQRA process. Current approval status for SEQRA and other permits will be summarized and detailed.

2.7 Purpose and Process of SEQRA

This section will be a general overview of the SEQRA process and will further discuss the SEQRA process as it relates to the APDC Port of Albany Expansion Project. The section will discuss the anticipated timeline as well as specific purposes of the DGEIS.

3.0 ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

This section of the DGEIS will describe the existing environmental setting and those components that may be adversely or beneficially impacted by the Project. Where potential impacts are determined, this section will describe mitigation measures to reduce or avoid the environmental impact. Where applicable, potential impacts due to construction activities will be analyzed in

addition to those from the completed project. Off-site impacts, including those during construction, from extension of utilities or other activities will be reviewed.

This section will be organized by describing the existing conditions, then potential impacts for the project, and then mitigation measures as required for each environmental subject area. All impacts and mitigation measures discussed below are preliminary and shall be expanded or refined based on review and analysis of each subject area.

3.1 Soils, Geology, and Topography

3.1.1 Environmental Setting

The DGEIS will list major soil types on the site with a discussion of soil characteristics (including the presence of Fly Ash), including depth to groundwater, depth to bedrock, erodibility potential, and other factors that would affect development potential of the site. The potential limits of dredging and the anticipated types of soils encountered for the potential wharf installation will be discussed. This section will also discuss the potential need for sediment testing.

A Geotechnical Investigation report has been prepared and will be included in the DGEIS. The Soil Survey of Albany County, New York publish by the United States Department of Agriculture Soil Conservation Service will also be used to obtain the soil information.

A complete topographic survey has been completed for the site and will be included in the DGEIS. The elevation ranged from 5 +/- feet to 20 +/- feet above sea level.

3.1.2 Potential Impacts

The APDC Port of Albany Expansion Project may result in impacts as a result of grading of existing soils, possible erosion of soils, and changes to the permeability of ground cover. The DGEIS will discuss any potential impacts associated with the relocation and disturbance of the Fly Ash, dredged sediment material, and the need to comply with 6 NYCRR Part 375. This section will also discuss any need to enter into a remedial program with the NYSDEC as well as the use of the on-site soils for construction. Further, potential impacts associated from on-site drainage as it may relate to Fly Ash reaching the Hudson River and Normans Kill will be addressed.

The Geotechnical Investigation recommended using a soil compaction technique known as dynamic compaction. The DGEIS will include a discussion regarding the potential impacts on using this technique as well as using alternative methods for compacting the onsite soils.

3.1.3 Mitigation Measures

The DGEIS will discuss mitigation measures proposed to minimize potential impacts from the relocation and disturbance of the Fly Ash and dredged sediment, soil compaction and grading operations. These measures include: disposal options, work methods, and details relating to the potential of dredging activities, and will state that dredging operations will be completed according to the NYSDEC's Technical and Operational Guidance series 5.1.9. This section will also address the development of an Erosion and Sediment Control Plan; preparation of a Stormwater Pollution Prevention Plan (SWPPP); limitations of grading in areas with excessive slopes; dynamic compaction limitations and creation of buffers to aquatic resources.

3.2 Vegetation and Wildlife

3.2.1 Environmental Setting

The APDC Expansion Project will be reviewed for the potential presence of threatened and endangered species, as well as unique and rare plant and animal species or rare or significant communities or habitats on or in close proximity to the site by contacting representatives of the U.S. Fish and Wildlife Service and NYSDEC including reviewing data from New York Natural Heritage Program (NNHP). A map and description of site vegetative communities and corresponding habitat values will be provided.

Specific inquiries will be made to these agencies. Should species be identified, a site review for potential habitat will be completed.

3.2.2 Potential Impacts

This section of the DGEIS will discuss any adverse impacts associated with the project that cannot be avoided or fully mitigated if the project is completed.

Impacts during and after construction on vegetation and wildlife from dredging activities such as submerged aquatic vegetation (SAVs) and water habitat will be discussed.

3.2.3 Mitigation Measures

Potential mitigation measures will be discussed within the DGEIS, which could include preservation of habitat areas, if present; or restriction and limitations on clearing activities.

3.3 Wetlands

3.3.1 Environmental Setting

State and/or Federal wetland areas within the project boundary have been fully delineated, mapped, and described in accordance with the applicable USACOE and NYSDEC criteria. A qualitative description of each wetland area will be presented. Delineations more than two years old will be field checked and any changes described. The delineation report will be included in the DGEIS as an Appendix.

3.3.2 Potential Impacts

The DGEIS will discuss any proposed impacts to wetland areas and/or buffers and will quantify areas of impact and impacts to wetland functions and benefits.

3.3.3 Mitigation Measures

Potential mitigation measures, if required, will be identified and quantified. A discussion of avoiding wetland impacts as well as the applicable review and permitting procedures will be included.

3.4 Floodplains and Floodways

3.4.1 Environmental Setting

The property for the APDC expansion project is predominantly located in the 100-year floodplain and Floodway. The DGEIS will provide the Federal Emergency Management Agency Floodplain rate map and will describe both

in a narrative and with a map of the 100-year flood elevation as it relates to the area of the site impacted by the floodplain.

3.4.2 Potential Impacts

The DGEIS will discuss any proposed impacts building in the floodplain and or floodway will have on the surrounding and downstream properties. The necessary engineering analysis will be conducted to study the potential impacts that may result from the project's location in the floodplain and/or floodway. The effects on the project due to climate change relating to the projected rise in sea level over time will be discussed in this section. The NYSDEC rise in sea level data will be utilized as the basis of this evaluation.

3.4.3 Mitigation Measures

Potential mitigation measures, if required, will be identified and quantified. A discussion of avoiding impacts as well as the applicable review and permitting procedures will be included.

3.5 Groundwater

3.5.1 Environmental Setting

A Geotechnical Investigation report has been prepared and will be included in the DGEIS. The Geotechnical Investigation describes the depth to groundwater at the various boring locations. Along with a narrative a map showing the locations of all borings and depth to groundwater will be provided.

The DGEIS will provide a discussion of any potential factors that could affect development of the site.

3.5.2 Potential Impacts

The DGEIS will discuss any potential impacts that construction operations and post construction will have on groundwater.

3.5.3 Mitigation Measures

Potential mitigation measures, if required, will be identified and quantified. A discussion of avoiding and or minimizing impacts will be included.

3.6 Climate and Air

3.6.1 Environmental Setting

Existing air quality at the site will be summarized based upon the NYSDEC monitoring data from the nearest monitoring station for the most recent 5- year period.

3.6.2 Potential Impacts

The DGEIS will discuss any potential impacts based on the NYSDEC Guide for Assessing Energy Use and Greenhouse Gas Emissions from construction activities as well as potential impacts from rail cars, maritime uses and operations of the potential tenants within the development, including the potential release of odors, in a qualitative narrative.

Any potential impacts from traffic operations will be described based upon the level of service analysis criteria using NYSDEC publication Air Guide-23

3.6.3 Mitigation Measures

Measures to reduce construction impacts such as dust suppression will be described as well as the potential for other mitigation measures as required such as a Community Air Monitoring Plan (CAMP).

3.7 Traffic and Transportation

This section of the DGEIS will evaluate the transportation network in the vicinity of the project site including the potential impact of vehicles, maritime traffic and potential increase in rail traffic. The DGEIS will include a detailed Traffic Impact Study (TIS) as an appendix that will analyze the following:

- Summary of the existing vehicle (car and truck), maritime and rail traffic volumes
- Summary of trip generation of the proposed land uses
- Written text and appropriate graphics to present the existing and future traffic volumes
- Results of the traffic analyses conducted for build-out of the site
- Summary of potential traffic impacts and recommended improvements, if any, to accommodate the increase in site traffic.

This section will also discuss the new proposed access roadways, refurbished rail line and new vehicle and rail bridges over the Normans Kill. Adequate access for Emergency vehicles will be discussed as well as the potential widening of Port Road South.

3.7.1 Vehicle

3.7.1.1 Environmental Setting

The TIS will describe the existing conditions including the type of intersection, number of approach lanes, lane widths etc. for the following total of ten (10) intersections:

- Broadway/Church Street - Unsignalized
- NY32/I-787 Exit 2 Ramp/1st Avenue – Signalized
- I-87 Exit 23 at I-787 ramp
- NY32/ South Port Road - Signalized
- 144/ NY32 (Corning Hill Road) - Unsignalized
- NY32/9W - Signalized
- 144/Glenmont Road/Old River Road - Unsignalized
- NY Route 144/ new project access roadway
- Glenmont Road/9W – New proposed roundabout
- Clapper Road/144-River Road - Unsignalized
- 144/I-87 Exit 22 Ramp – Unsignalized

The following existing traffic related studies within the proposed study area will be used as a reference when developing the TIS:

- At the Glenmont Road/9W roundabout, the TIS will modify the analysis that the Town prepared to include the proposed 1,130,000 sf into the existing roundabout analysis.
- Albany County Commercial Transportation Access Study – 2002
- Albany South End Community Air Quality Screening – 2014
- Albany South End Study Progress Update – 2018
- Beacon Harbor Traffic Impact Study – 2010
- Traffic Control Plan for Superload Transport, High Transit, LLC – 2018
- South Albany Truck Traffic City of Albany prepared for Port of Albany – 2017
- City of Albany S. Pearl St. Heavy Vehicle Travel Pattern Study – 2018

Data Collection

Traffic Counts: The previous traffic impact study completed for this site was based on traffic counts collected in 2009, which may not reflect current traffic conditions in the study area. Updated turning movement counts will be collected for this study. Turning movement counts will be completed at the study area intersections listed above (with exception of the proposed driveway) during the weekday morning peak period from 7:30 to 9:00 a.m. and during the afternoon peak period from 4:30 to 6:00 p.m. During the data collection vehicle classification and pedestrian and bicycle travel will be documented. An automatic traffic recorder will be placed on NY Route 144 near the Project Site for a period of several days to continuously collect directional traffic volumes, vehicle classifications, and vehicle speed data. Traffic count data provided in the previous studies listed above will be used to supplement and confirm the accuracy of count data collected. At no time shall data older than 1 year be utilized.

Existing Roadway Conditions: Existing roadway and traffic control conditions will be verified in the study area. Information such as lane use, pedestrian accommodations, pavement width, shoulder width, transit accommodations, and speed limits will be documented. Sight distances will be measured at up to two proposed site driveways for both passenger vehicles and commercial trucks.

Traffic Analysis

Background Traffic Volumes: Background traffic volumes will be estimated for a single full build out design year estimated to be 2029. The 2029 background traffic will be calculated based on historical traffic growth trends approved by the NYSDOT and a regression analysis. Traffic from other proposed and or approved, however not built, development projects located in the area, as provided by the Town Planning Department, will be included. Background traffic volumes represent future traffic conditions without including the project generated traffic, commonly referred to as the No-Build conditions.

Trip Generation: The peak hour trip generation for the AM an PM peaks will be calculated based on the current trip generation rates calculated from the traffic count data collected at the existing Port of Albany driveways adjacent to the proposed development site. These calculated rates will be compared with published rates by the Institute of

Transportation Engineers in the Trip Generation Manual, 10th Edition. The trip generation will be based on the size and type of land uses anticipated on the Project Site.

Trip Distribution/Traffic Assignment: The origins and destinations of traffic generated by the potential land uses on the site will be estimated and distributed onto the roadway network at the study area intersections. The site generated traffic will be added to the background traffic volumes to develop future Build traffic volumes with the development of the site.

3.7.1.2 Potential Impacts

Traffic analyses will be conducted at the study area intersections according to the procedures set forth in the Highway Capacity Manual. The analysis will result in a level of service for the study area intersections for the Existing, No-Build, and the full Build condition (1,130,000 s.f.). Since the project may be developed in phases, the analysis will include the results for 2 interim development phases, one at 300,000 s.f. and another at 600,000 s.f. of development.

The relative impact of the proposed project will be determined by comparing the No-Build and against the Build levels of services for all 3 phases of the build scenarios.

3.7.1.3 Mitigation measures

The need for various roadway, circulation, or traffic control improvements, if any, will be analyzed to mitigate poor operating conditions and provide adequate access to and from the site.

Oversize Load Transports

This section will also discuss potential truck delivery schedules and any potential mitigation alternatives to minimize truck noise along the anticipated truck routes including oversized load transports.

3.7.2 Maritime

3.7.2.1 Environmental Setting

This section will discuss the existing maritime barge traffic, the width of the navigation channel, and the approximate level of recreational boat traffic along this section of the Hudson River and Normans Kill.

3.7.2.2 Potential Impacts

This section will also discuss the existing and potential increase in maritime traffic due to the development of the proposed project.

3.7.2.3 Mitigation Measures

Measures to reduce any potential maritime impacts will be described as well as other mitigation measures as required.

3.7.3 Rail

3.7.3.1 Environmental Setting

This section will discuss the existing rail lines and the historical rail traffic that once traversed the project site. The existing condition of the abandoned rail line will also be discussed

Existing rail car traffic count generated from the current Port operations will be described, as well as the current operations policy and procedures of the Albany Port Railroad, who operates the existing rail yard.

3.7.3.2 Potential Impacts

This section will also discuss the existing and past rail traffic compared to any potential increase in rail traffic due to the development of the proposed project. The proposed new rail bridge and track alignment will be discussed as well as any potential impacts at the point where cars leave the existing Port rail yard. Any potential impact due to an increase in idling trains will be addressed.

3.7.3.3 Mitigation Measures

Measures to reduce any potential rail impacts will be described as well as other mitigation measures as required.

3.7.4 Public Transportation

3.7.4.1 Environmental Setting

This section will discuss the public transportation system operated by CDTA surrounding the project site and the closest public transportation shelter.

3.7.4.2 Potential Impacts

This section will discuss the current use by Albany Port employees and the potential increase in ridership. Any potential impact due to an increase in public transportation will be addressed.

3.7.4.3 Mitigation Measures

Measures to reduce any potential impacts will be described as well as other mitigation measures as required.

3.7.5 Pedestrian & Bicycle Transportation

3.7.5.1 Environmental Setting

This section will discuss the existing pedestrian and bicycle infrastructure surrounding the project site. The existing condition of the system will be discussed, as well as the Town's existing Bike Pedestrian Priority Network.

3.7.5.2 Potential Impacts

This section will discuss the current pedestrian and bicycle use by Albany Port employees and the potential increase due to the proposed project. Any potential impact due to an increase in pedestrian and bicycle use will be addressed.

3.7.5.3 Mitigation Measures

Measures to reduce any potential impacts will be described as well as other mitigation measures as required.

3.8 Drainage

3.8.1 Environmental Setting

The DGEIS will address the existing drainage conditions that will take into account the existing topography, ground cover, and soil conditions found on site. The NYSDEC water classification will be provided for all tributary waters. The existing conditions will be evaluated to determine the pre-development peak discharge rate for the 1-yr, 10-yr, and 100-yr storm events using methodologies that are consistent with industry standards; NYSDEC regulations; and Town of Bethlehem standards, including those regulations relating to the Town being a regulated land use MS4.

3.8.2 Potential Impacts

The DGEIS will describe impacts to surface water resources and proposed drainage conditions by providing a detailed analysis of the post development peak discharges for the 1-yr, 10-yr, and 100-yr storm events using methodologies that are consistent with industry standards and NYSDEC and Town regulations. This section will also address how the project will comply with applicable NYS State Pollutant Discharge Elimination System (SPDES) general permit for stormwater discharges from construction activities.

The DGEIS will detail the results of the pre and post construction drainage conditions for the Project Site. It is recognized that the project will increase the amount of impervious surface area, as a result onsite stormwater management facilities are included as part of the project to address the increase in peak run-off.

3.8.3 Mitigation measures

The project will include on-site stormwater management facilities that will include water quality protection measures to mitigate impacts on the quality of stormwater runoff.

The DGEIS will discuss the need for a Stormwater Pollution Prevention Plan (SWPPP) in accordance with NYSDEC requirements to mitigate potential impacts both during construction and as a result of increased impervious surfaces associated with the project. This SWPPP will also incorporate erosion control methods as required by the "New York Guidelines for Urban Erosion and Sediment Control".

3.9 Water Service (Potable and Fire Protection)

3.9.1 Environmental Setting

The DGEIS will discuss the locations and capacity of the existing water mains in the vicinity of the Project Site. The Town of Bethlehem has a town wide computer-generated water quantity and quality model of their distribution system which will be used to evaluate any potential system impact from this project.

The Town of Bethlehem Water District No. 1 has a large water main supply along Route 144 / River Road to service the proposed APDC Port of Albany Expansion project. A summary of existing pressures and flow rates will be presented.

Domestic Water service will be provided by the Town of Bethlehem Water District No. 1. Water mains exist along River Road with two connection points just to the west of the site, one near the south entrance and the other is north near the River Road and Glenmont Road intersection. A looped system is proposed to service the site.

3.9.2 Potential Impacts

An extension of the existing water district and water mains will be required to serve the proposed project area. The estimated domestic and fire flow demand will be projected and discussed in this section of the DGEIS.

Since the project may be developed in phases, the analysis will include the results for 2 interim development phases, one at 300,000 s.f. and another at 600,000 s.f. of development.

3.9.3 Mitigation Measures

Improvements to the water supply will include extensions of the existing water mains from the north and south along Route 144/River Road in order to serve this project. All water mains will be in conformance with AWWA standard C600. Hydrants will be installed throughout the Project Site. The water supply and distribution system will be in accordance with the Town of Bethlehem Water District No. 1, Albany County Department of Health, and NYSDOH requirements.

3.10 Sanitary Sewer

3.10.1 Environmental Setting

The DGEIS will discuss the locations and capacity of the existing sanitary sewers surrounding the Project Site. Since the project area is outside of the current sewer district, the district must be extended to serve this location.

Sanitary sewer services will potentially be provided by the Town of Bethlehem with connection opportunities either along Glenmont Road or south along River Road. Both connection opportunities will be analyzed as well as the potential connection to the City of Albany Department of Water and Water Supply system or an on-site treatment and disposal system.

3.10.2 Potential Impacts

The projected sanitary flow from the project will be included in this section of the DGEIS. Any existing pump stations that would be impacted will be analyzed with respect to capacity to handle the proposed development.

Since the project may be developed in phases, the analysis will include the results for 2 interim development phases, one at 300,000 s.f. and another at 600,000 s.f. of development.

3.10.3 Mitigation Measures

Appropriately-sized sanitary sewer facilities will be constructed for the project to allow connection to the municipal system. Based on design analysis of the downstream conditions, any upgrades or improvements will be made as part of the project in order to convey projected flows.

3.11 Historic, Cultural, and Archeological Resources

3.11.1 Environmental Setting

Land use history will be discussed in this section. The DGEIS will include the findings of all Archeological Investigations conducted for the project in accordance with the NYS OPRHP regulations.

3.11.2 Potential Impacts

All findings from the previously completed Archeological Investigations will be included within the DGEIS.

3.11.3 Mitigation Measures

Any mitigation measures determined from NYS OPRHP regulations and investigation will be presented.

3.12 Aesthetic and Visual Resources

3.12.1 Environmental Setting

The DGEIS will address any potential visual impacts for the full development of the proposed project pursuant to the NYSDEC Policy on Assessing and Mitigating Visual Impacts (DEP-00-2). A Visual Impact Assessment (VIA) will be prepared and shall be guided by the relevant techniques in Chapter 4 through 7 of the 2015 FHWA *Guidelines for the Visual Impact Assessment of Highway Projects*.

Angle of viewshed analysis shall be sight line at eye level from required locations. Site photos will be presented, illustrating the views from any registered historic places, and Town parks within a 1-mile radius of the site.

The VIA Report will include the following:

1. Identification of the viewshed
2. Identification of viewer groups and scenic resources
3. Assessment of viewer sensitivity
4. Description of existing visual character
5. Qualitative and quantitative assessment of visual impacts
6. Proposed mitigation

Computer-generated photo-simulations of the proposed project will be presented from any sensitive visual resources and receptors identified in steps 1-3 above.

3.12.2 Potential Impacts

Computer-generated photo-simulations will be overlaid with the existing conditions of the viewsheds. Based on these illustrations, a description of changes to the landscape and a discussion of visual impacts will be provided. Impacts to sensitive visual resources and receptors, if any, along with any mitigation measures, will be discussed.

3.12.3 Mitigation Measures

If any visual impacts are identified, mitigation measures will be proposed. Examples may include alternative building locations, designs, heights, screening, materials and standards for lighting and landscaping.

3.13 Land Use and Zoning

3.13.1 Environmental Setting

This section will describe the existing land uses and zoning for the APDC Port of Albany Expansion Project Site. Existing land uses on and around the site will be mapped and described. Recent development trends in the project vicinity will also be discussed. Additionally, this section will discuss how the APDC Port of Albany Expansion Project may affect future land use in the vicinity, analysis of bulk lot requirements associated with the project, and how the project will alter the land use of the site.

The site is currently zoned as Heavy Industrial. The site will be developed as an industrial park with uses permitted by right per the Town Code.

This section will describe how future reviews under the Bethlehem land use code will be conducted. Further, this section will describe the area, yard, and bulk requirements as it may relate to future subdivision of the property and meeting all lot frontage and setback requirements of the Zoning Law for the Heavy Industrial zoning district.

3.13.2 Potential Impacts

This section will discuss how the Project, including handling cargo buy rail, truck and maritime transportation methods meets the current requirements and policies of the Town of Bethlehem Zoning Code. Additionally, it will discuss the Project's compatibility with surrounding land uses and discuss the possibility that the Project will influence future development patterns.

3.13.3 Mitigation Measures

Any required mitigation measures will be discussed.

3.14 Community Character and Compatibility with Comprehensive Plan

3.14.1 Environmental Setting

This section will describe the community character of the Project Site with respect to the Town of Bethlehem.

3.14.2 Potential Impacts

The DGEIS will identify potential impacts to the community character. This section will discuss the Town of Bethlehem's Comprehensive Plan and the Draft Local Waterfront Revitalization Plan (LWRP) and demonstrate the project's compatibility with concepts and ideals presented in the plans. Specifically, this section will address the potential use of alternative, and or renewable energy sources for the proposed buildings. It will also address Leadership in Energy and Environmental Design (LEED) standards for the development of this project.

3.14.3 Mitigation Measures

This section will discuss how significant impacts may be avoided and mitigated to ensure that the project is compatible with the existing community character and will discuss the Town's Draft Local Waterfront Revitalization Plan.

3.15 Emergency Services

3.15.1 Environmental Setting

The proposed Project Site is within the jurisdiction of the Town of Bethlehem Police Department, Albany County Sheriff's Department, and the New York State Police. Each of these agencies will be informed of the proposed project.

The proposed Project Site is located within the Selkirk Fire District and the Delmar Bethlehem EMS area, both of these agencies will be informed of the proposed project.

This section will include a description of police, fire protection, and emergency services.

3.15.2 Potential Impacts

Potential significant adverse impacts for the proposed project on these services will be discussed.

3.15.3 Mitigation Measures

All mitigation measures will be presented as needed.

3.16 School District

3.16.1 Environmental Setting

The APDC Port of Albany Expansion Project Site is located within the Bethlehem Central School District. A projection of new students residing at the project will be made and potential impacts to the school district will be assessed.

This section will discuss the taxation implications of the project, including any fiscal benefits the school district will receive.

3.16.2 Potential Impacts

Potential significant adverse impacts for the proposed project on these services will be discussed.

3.16.3 Mitigation Measures

All mitigation measures will be presented as needed.

3.17 Fiscal and Economic Impact

3.17.1 Environmental Setting

This section will describe the potential fiscal and economic impacts with respect to the APDC Port of Albany Expansion project at full buildout. This section will discuss the taxation implications based upon revenues and expenses the project will have on the Town of Bethlehem, and Albany County taxing jurisdictions, including any fiscal benefits. The section will discuss one-time funds used for the construction of the Project as well as on-going economic output resulting from the operations of the project including jobs, wages, and sales occurring from the potential tenants.

3.17.2 Potential Impacts

Potential impacts for the proposed project on these services will be discussed.

3.17.3 Mitigation Measures

Required mitigation measures will be discussed.

3.18 Recreation and Open Space

3.18.1 Environmental Setting

The DGEIS will document the current public recreation and open space opportunities within the Town, including along the Hudson River, near the Site.

3.18.2 Potential Impacts

The DGEIS will summarize the potential impacts the proposed project may have to these recreation and open spaces.

3.18.3 Mitigation Measures

The DGEIS will discuss mitigation measures.

3.19 Solid Waste Disposal

3.19.1 Environmental Setting

The DGEIS will summarize the projected solid waste generation from the project and will include a discussion of off-site disposal methods.

3.19.2 Potential Impacts

Potential impacts for the proposed project on these services will be discussed.

3.19.3 Mitigation Measures

Required mitigation measures will be discussed.

4.0 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 condition.

4.2 Development as allowed by Existing Zoning

The existing zoning for the Project Site is zoned as Heavy Industrial. This section will present development concepts as allowed under the existing zoning. Since the project could be built in phases, this section will describe each phase and any potential impact that correspond to each phase. The following phases will be evaluated: Phase 1, 300,000 sf of building, and all on site infrastructure; Phase 2, a total of 600,000 sf of building space; and Phase 3, will be the full build of 1,130,000 s.f.

5.0 ADVERSE ENVIRONMENTAL IMPACTS WHICH CANNOT BE AVOIDED

The DGEIS will discuss any adverse impacts related to the proposed APDC Port of Albany Expansion project which cannot be avoided or fully mitigated if the action is implemented.

6.0 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

This section will identify natural and human resources that will be consumed, converted, or made unavailable for future use if the project is implemented.

7.0 GROWTH-INDUCING ASPECTS OF THE PROPOSED PROJECT

This section of the DGEIS will discuss any developing economic growth or form of secondary impact in the vicinity of the project. Possible migration to offset impacts will be discussed in the section as well.

8.0 CUMULATIVE IMPACTS

This section of the DGEIS will discuss any potential form of cumulative impacts in the vicinity of the project site. A discussion of the Town approval process required for any future proposed development will also be discussed, which may offset any impacts.

REFERENCES

APPENDICES

Anticipated appendices include, but are not limited to:

- Full Environmental Assessment Form (EAF)
- SEQRA Correspondence/Positive Declaration
- Final Scoping Document and Public Comments
- Correspondence with Involved and Interested Agencies
- Site Survey
- Cultural Resources/Phase 1A and Phase 1B
- Traffic Impact Study
- Wetland Delineation Report
- Geotechnical Engineering Reports
- Endangered Species and Flora and Fauna Report
- Hudson River Dredging Report
- Water Main Computer-Generated Model
- Stormwater Management Report
- Visual Photo Simulations
- Alternative Concept Site Plans
- Economic and Fiscal Impact Analysis

APPENDIX A

BETHLEHEM CODE AS TO USE PERMITTED SUBJECT TO SITE PLAN APPROVAL

128 Attachment 1

Town of Bethlehem

Schedule of Uses
[Amended 10-8-2008 by L.L. No. 3-2008; 2-8-2012 by L.L. No. 1-2012; 2-24-2016 by L.L. No. 1-2016; 12-14-2016 by L.L. No. 5-2016]

	Rural[1]	Residential Large Lot	Residential "A"	Residential "B"	Residential "C"	Core Residential	Multi-family	Rural Riverfront	Hamlet	Commercial Hamlet	Rural Hamlet	General Commercial	Mixed Economic Development[11]	Heavy Industrial	Rural Light Industrial
	(R)	(RLL)	(RA)	(RB)	(RC)	(CR)	(MR)	(RR)	(H)	(CH)	(RH)	(C)	(MED)	(I)	(RLI)
Residential Uses															BR[19]
One-family dwelling	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR[14]	BR[14]	BR[14]	BR
Single-family attached dwelling[15]					SP[16]		SP[16]		SP[16]	SP[16]	SP[16]		SP[16]		BR[19]
Two-family dwelling	BR				BR		BR	SP	SP	SP	BR				BR
Three- or four-family dwelling	BR				BR		SP	SP	SP	SP	SP				
Multifamily dwelling	SP						SP		SP	SP	SP		SP[2b]		
Senior citizen housing							SP		SP	SP	SP				
Accessory apartment[6]	BR	SUP	SUP	SUP	SUP	SUP		SUP	SUP	SUP	SUP				BR
Nonresidential Uses															
Adult business use[9]														SUP	
Agriculture, agricultural use	BR	SP[3]	SP[3]	SP[3]	SP[3]	SP[3]	SP[3]	BR	SP[3]	SP[3]	BR	SP[3]	SP[3]	BR	BR
Airport														SUP	SUP
Animal hospital, animal clinic	SP								SP	SP	SP	SP			SP
Appliance repair	SP									SP	SP			SP	SP
Automobile salvage and reclamation yards and facilities														SUP	
Banks and financial institutions									SP	SP	SP	SP	SP[2b]		
Bed-and-breakfast	SP	SP	SP[12]	SP	SP	SP[12]	SP	SP	SP	SP	SP				
Beverage bottling, distribution and warehousing														SP	SP
Broadcasting facilities, FCC licensed	BR									SP		SP			BR
Bulk storage of materials														SUP	
Business office	BR		SP[12]			SP[12]			SP	SP	SP	SP	SP[2b]	SP	BR
Car wash										SUP	SUP	SUP		SUP	SUP
Cemetery, public	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP		SUP	SUP
Club, fraternity, lodge	SP		SP[12]			SP[12]	SP	SP	SP	SP	SP				SP
Cold storage facilities	SP													SP	SP
Commercial bakery, no retail sales	SP														SP
Commercial recreation	SUP							SUP			SUP	SUP			SUP
Concrete and asphalt plants														SUP	
Conference center								SP					SP[2b]		
Conservancy	SP	SUP	SUP	SUP	SUP	SUP	SUP	SP	SP	SP	SP	SP	SP[2b]	SP	SP

	Rural[1] (R)	Residential Large Lot (RLL)	Residential "A" (RA)	Residential "B" (RB)	Residential "C" (RC)	Core Residential (CR)	Multi-family (MR)	Rural Riverfront (RR)	Hamlet (H)	Commercial Hamlet (CH)	Rural Hamlet (RH)	General Commercial (C)	Mixed Economic Development[11] (MED)	Heavy Industrial (I)	Rural Light Industrial (RLI)
Contractors' yards, offices and storage buildings, including general contractors, landscape contractors, plumbers, electricians, heating, ventilating and air-conditioning contractors, masons, painters, refrigeration contractors, excavators, roofing contractors, and other such construction occupations	SP													SP	SP
Convenience store, mini mart	SP								SP	SP	SP	SP	SP[2b]		SP
Day camp, vacation campground[4]	SP							SP							SP
Day-care center	SP	SP	SP[12]	SP	SP	SP[12]	SP	SP	SP	SP	SP		SP[2b]		SP
Distribution centers														SP	SP
Educational institution	SP	SP	SP[12]	SP	SP	SP[12]		SP	SP	SP	SP		SP[2b]		SP
Fabrication shop	SP													SP	SP
Farm equipment rentals, sales and repair	SP													SP	SP
Fitness clubs	SP								SP	SP	SP	SP	SP[2b]		SP
Food processing establishment														SP	SP
Garage, commercial	SP									SP		SP			
Garage, commercial storage	SP									SP		SP		SP	SP
Grain storage, processing and distribution														SUP	SUP
Heavy equipment sales, rental and service														SP	SP
Home occupations[5]	BR	SP	SP	SP		SP		SP	SP	SP	SP				BR
Hospital									SP	SP	SP				
Hotel, motel										SP	SP	SP	SP[2b]		SP
House of worship	SP	SP	SUP	SUP	SUP	SUP	SUP	SP	SP	SP	SP	SP	SP[2b]	SP	SP
Ice production, storage, sales and distribution														SP	SP
Indoor theater									SP	SP	SP	SP			
Industrial park													SP[2a]	SP	SP
Inn	SP							SP	SP	SP	SP		SP[2b]		SP
Junkyard														SUP	
Kennel[8]	SUP										SUP	SUP			SUP
Laboratories for research, testing and experimental purposes, including offices for research and development													SP[2a]	SUP	SUP
Laboratories, medical										SP	SP		SP[2a]	SP	SP
Laundry, dry-cleaning service									SP	SP	SP	SP	SP[2b]	SP	SP

	Rural[1] (R)	Residential Large Lot (RLL)	Residential "A" (RA)	Residential "B" (RB)	Residential "C" (RC)	Core Residential (CR)	Multi-family (MR)	Rural Riverfront (RR)	Hamlet (H)	Commercial Hamlet (CH)	Rural Hamlet (RH)	General Commercial (C)	Mixed Economic Development[11] (MED)	Heavy Industrial (I)	Rural Light Industrial (RLI)
Library, museum or art gallery									SP	SP		SP			
Lumberyard, mill	SP													SP	SP
Manufacturing of computers, computer peripherals, electrical appliances, electronic equipment, medical instruments, and other similar products from previously manufactured components; manufacturing of precision instruments and equipment, such as watches, electronics equipment, photographic equipment, optical goods and similar products													SP[2a]	SP	SP
Manufacturing of products and merchandise involving the use of chemicals, processes or materials that might constitute a potential explosive or environmental hazard														SP	
Manufacturing of articles or merchandise from previously prepared or natural materials such as cardboard, cement, cloth, cork, fiber, glass, leather, paper, plastics, wood, metals, stones and other such prepared materials; printing and publishing														SP	SP
Marina								SUP					SP[2b]	SUP	
Mining, mineral extraction[7]	SUP													SUP	SUP
Mortuary, undertaker, no cremation									SP	SP	SP				SP
Motor vehicle repair shop	SP									SUP	SUP	SUP		SP	SP
Motor vehicle sales	SP									SUP	SUP	SP			SP
Motor vehicle service station	SUP									SUP	SUP	SUP		SUP	SUP
Nursery	BR								SUP	SUP	SUP	SUP			BR
Nursery school	SP		SP[12]	SP	SP	SP[12]	SP	SP	SP	SP	SP		SP[2b]		SP
Nursing home, convalescent home							SP			SP					
Office park													SP[2a]		
Outdoor drive-in theater	SP										SUP				SP
Outdoor theater									SUP						
Packaging facilities														SP	SP
Processing or production of oil, natural gas, geothermal resources or other hydrocarbons														SUP	
Professional office	BR		SP[12]	SP	SP	SP[12]			SP	SP	SP	SP	SP[2a]		BR

	Rural[1]	Residential Large Lot	Residential "A"	Residential "B"	Residential "C"	Core Residential	Multi-family	Rural Riverfront	Hamlet	Commercial Hamlet	Rural Hamlet	General Commercial	Mixed Economic Development[11]	Heavy Industrial	Rural Light Industrial
	(R)	(RLL)	(RA)	(RB)	(RC)	(CR)	(MR)	(RR)	(H)	(CH)	(RH)	(C)	(MED)	(I)	(RLI)
Public transportation terminal									SUP	SUP	SUP	SUP		SUP	SUP
Public utilities													SP[2b]	SP	SP
Religious camp or retreat	SP							SP							SP
Residential care facility	SP						SP	SP	SP	SP	SP				SP
Restaurant, no drive-through	SP							SP	SP	SP	SP	SP	SP[2b]		SP
Restaurant, with drive-through										SUP	SUP	SUP	SP[2b]		
Retail business	BR								SP	SP	SP	SP	SP[2b]		BR
Riding academy	BR							SUP							BR
Service business	SP								SP	SP	SP	SP	SP[2b]		SP
Shopping center, shopping mall										SP	SP	SP	SP[2b]		
Slaughter plants, packing houses, animal by-products rendering, and other such animal processing activities														SUP	
Solar PV systems, principal use[17]	SUP												SUP[2a]	SUP	SUP
Solar PV systems, accessory use[18]	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Taxi service	SP									SP	SP	SP		SP	SP
Telecommunication facilities, collocated facilities[10]	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR	BR
Telecommunication facilities, noncollocated facilities[10]	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP		SUP	SUP	SUP	SP[2b]	SUP	SUP
Trucking business, fuel delivery, no bulk storage	SP													SP	SP
Transportation terminal, delivery service, moving and storage facilities, truck maintenance														SUP	
Wellness center	SP		SP[12]	SP	SP	SP[12]			SP	SP	SP	SP	SP[2b]		SP
Wholesaling, warehouse, self-storage facilities														SP	SP

KEY:
BR -- Designates a use allowed by right, subject to building permit and certificate of occupancy for certain improvements.
SP -- Designates a use allowed subject to site plan approval.
SUP -- Designates a use permitted subject to special use permit and site plan approvals and the special permit criteria of § 128-69F in addition to the criteria of Article VIII for certain designated uses.
Any use which is not designated BR, SP or SUP is prohibited.

NOTES:
[1] Rural District: structures for nonagricultural and nonresidential uses limited to 4,000 square feet or less. Agricultural uses are exempt from this size limitation.
[2a] Permitted as a primary use.
[2b] Permitted as a secondary use. See § 128-37 for special rules regarding limitations on secondary uses in a Mixed Economic Development District.
[3] In the RLL, RA, RB, RC, CR, MR, H, CH, C and MED Districts agricultural uses in existence as of the effective date of this chapter and agricultural uses located in a county agricultural district are permitted by right. For new agricultural uses, the seasonal planting of crops will be exempt from site plan review. For instances where site plan review is required, the Planning Board shall refer to Site Plan Process Guidelines as set forth by the Commissioner of Agriculture and Markets.
[4] Subject to criteria in § 128-64.
[5] Subject to criteria in § 128-50.

[6] Subject to criteria in § 128-73.
[7] Subject to criteria in § 128-77.
[8] Subject to criteria in § 128-76.
[9] Subject to criteria in § 128-74.
[10] See special rules for telecommunication facilities in § 128-61.
[11] See § 128-37 for special requirements regarding approval of a development master plan prior to site plan review and limitations on the amount of permitted floor area for permitted secondary uses.
[12] Adaptive reuse of existing residential structure only as defined in §§ 128-27 and 128-30. Expansion of the existing building footprint is permitted up to 15% of the total lot area.
[13] Allowed as accessory use to a motor vehicle service station.
[14] One-family dwellings that were in existence as of the effective date of this chapter shall be considered a use permitted by right. All other one-family dwellings shall be prohibited.
[15] See § 128-100C for special requirements applying to single-family attached dwellings.
[16] In the Residential C District single-family attached dwellings shall be permitted only in buildings containing four or less dwelling units.
[17] This requirement applies to solar PV systems that generate electricity for off-site consumption, regardless of system size and regardless of whether the off-site consumption represents only a portion of the electricity generated. See § 128-67.2E for details.
[18] This requirement applies to solar PV systems that constitute an accessory use and that have a system capacity greater than 12kW or generate more than 110% of the kWh of electricity consumed by on-site users over the most recent twelve-month period. The requirement also applies to solar PV systems mounted on canopy structures covering parking spaces, regardless of system size. See § 128-67.2E for details. The SUP/SP requirement does not apply to by-right solar PV systems as defined at § 128-67.2D.
[19] All one- and two-family dwellings existing on the effective date of this amendment shall be considered a use permitted by right. In addition, each parcel existing on the effective date of this amendment, hereinafter referred to as the original parcel, shall be permitted additional one- and two-family dwellings, provided that no more than one new residential lot may be created from the original parcel in any calendar year through the land division or subdivision process, any new lot so created cannot be further subdivided for residential purposes and no more than one structure containing such dwellings shall be constructed on any new lot so created.

APPENDIX B

CONCEPT SITE PLAN

PROJECT DATA

1. APPLICANT:
ALBANY PORT DISTRICT COMMISSION
106 SMITH BOULEVARDS
ALBANY, NEW YORK 12205

2. CURRENT LAND OWNER:
BEACON HARBOR, LLC, C/O JAMES G. HORVATH
PO BOX 932
LATHAM, NEW YORK 12110

2. EXISTING ZONING: HEAVY INDUSTRIAL

3. LOT AREA: 81.62 ACRES (3,555,289 SF)

INDUSTRIAL BUILDING PARKING:

1 SPACE FOR EACH 1,0000 SQUARE FEET OF GROSS FLOOR AREA

TOTAL SQUARE FEET PROPOSED = 1,130,000

REQUIRED:
1100 TOTAL SPACES REQUIRED

PROVDED:
CAR PARKING 600 TOTAL SPACES PROVIDED
TRUCK PARKING 500 TOTAL SPACES PROVIDED

1100 TOTAL SPACES PROVIDED

ADA SPACES REQUIRED:
PER 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN

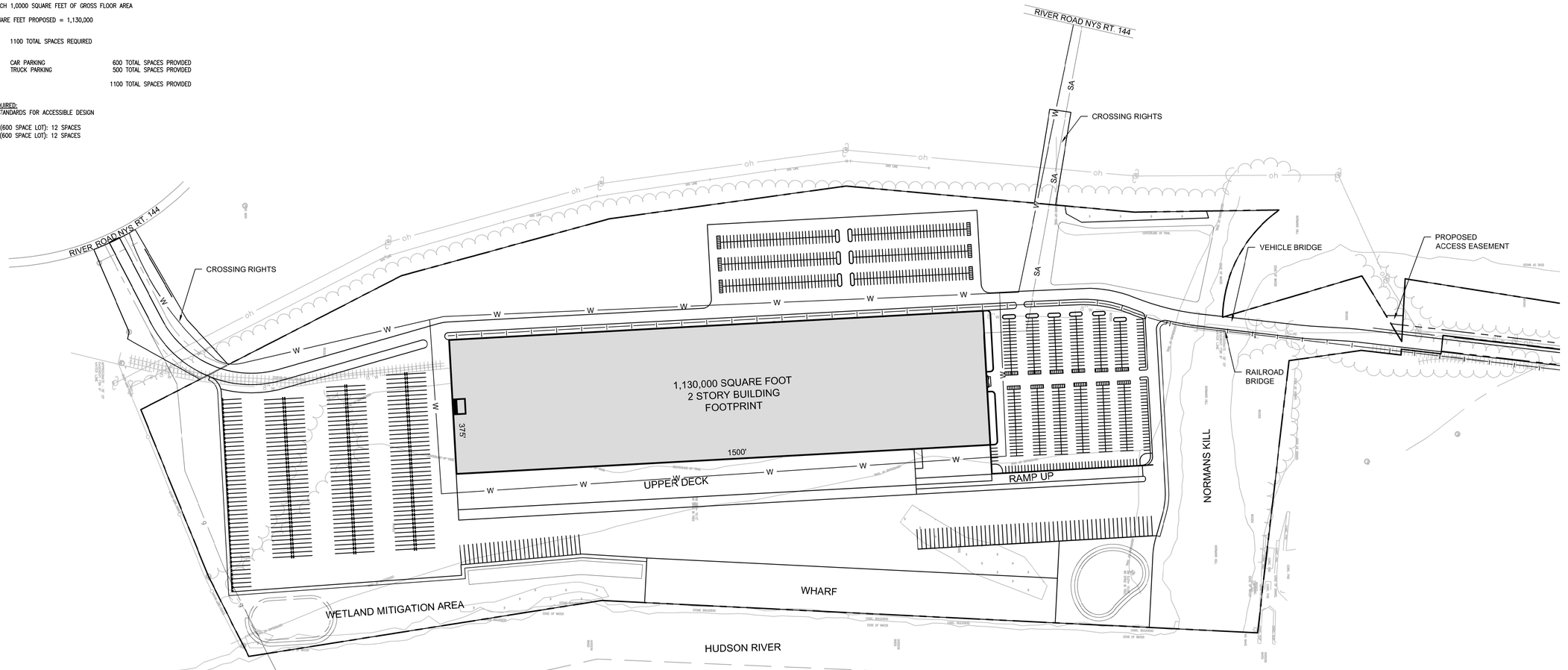
REQUIRED (600 SPACE LOT): 12 SPACES
PROVDED (600 SPACE LOT): 12 SPACES

ZONING:

EXISTING: ±81.62 ACRES HEAVY INDUSTRIAL

PROPOSED: ±81.62 ACRES HEAVY INDUSTRIAL

TAX ACCOUNT NUMBERS: 98.00-2-10.23
98.01-2-1



IN ASSOCIATION WITH:
LOUIS BERGER GROUP, INC.

0 150 300 450 FT
SCALE

PLANNING BOARD ENDORSEMENT

McFarland Johnson
60 RAILROAD PLACE
SUITE 402
SARATOGA SPRINGS, NEW YORK 12866
P:518-580-9380 F:518-580-9383
mjinc.com

PROJECT MILESTONE
CONCEPT SITE PLAN

NO.	DATE	DESCRIPTION

CLIENT:
ALBANY PORT DISTRICT COMMISSION
BETHLEHEM, NEW YORK

PROJECT:
PORT OF ALBANY EXPANSION
BEACON ISLAND, SOUTH PORT ROAD

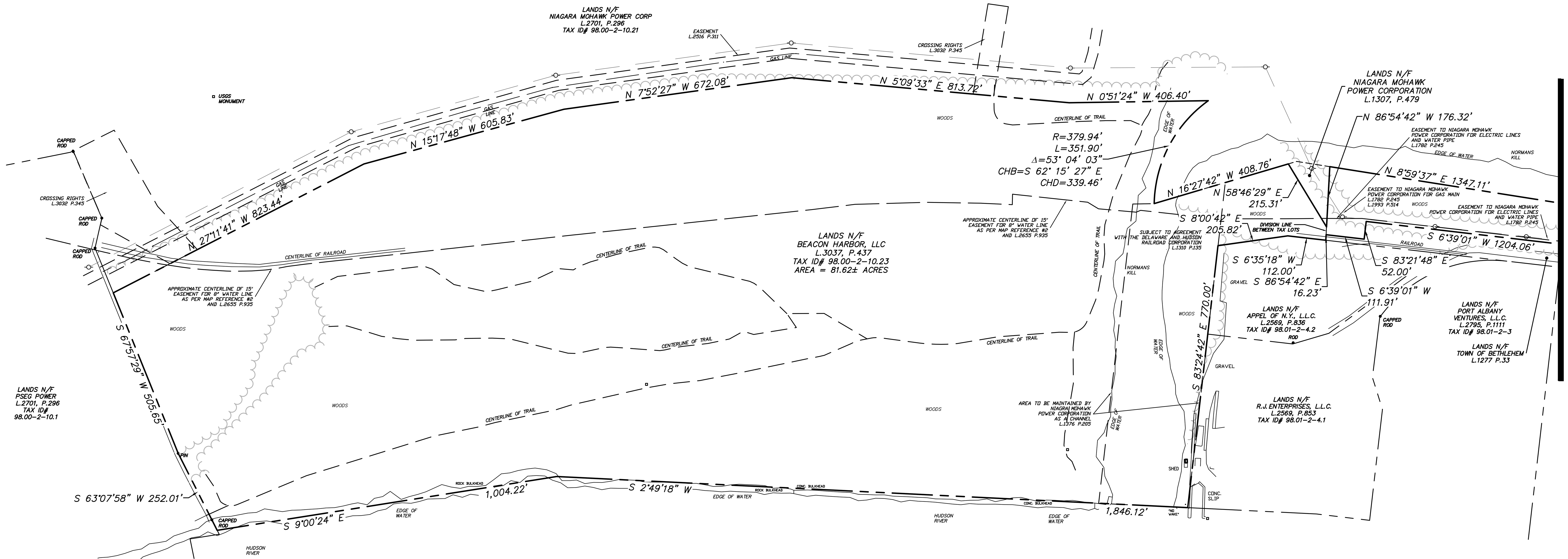
DRAWN	NSO
DESIGNED	NSO
CHECKED	SMB
SCALE	1"=150'
DATE	OCTOBER 2018
PROJECT	18437.00

DRAWING TITLE
CONCEPT A

DRAWING NUMBER
G-03

APPENDIX D

SITE SURVEY


LANDS N/F
NIAGARA MOHAWK POWER CORP
L.2701, P.296
TAX ID# 98.00-2-10.21
N 27°11'41" W 823.44'
N 15°17'48" W 605.83'
N 7°52'27" W 672.08'
N 5°09'33" E 813.72'
N 0°51'24" W 406.40'
R=379.94'
L=351.90'
Δ=53° 04' 03"
CHB=S 62° 15' 27" E
CHD=339.46'
LANDS N/F
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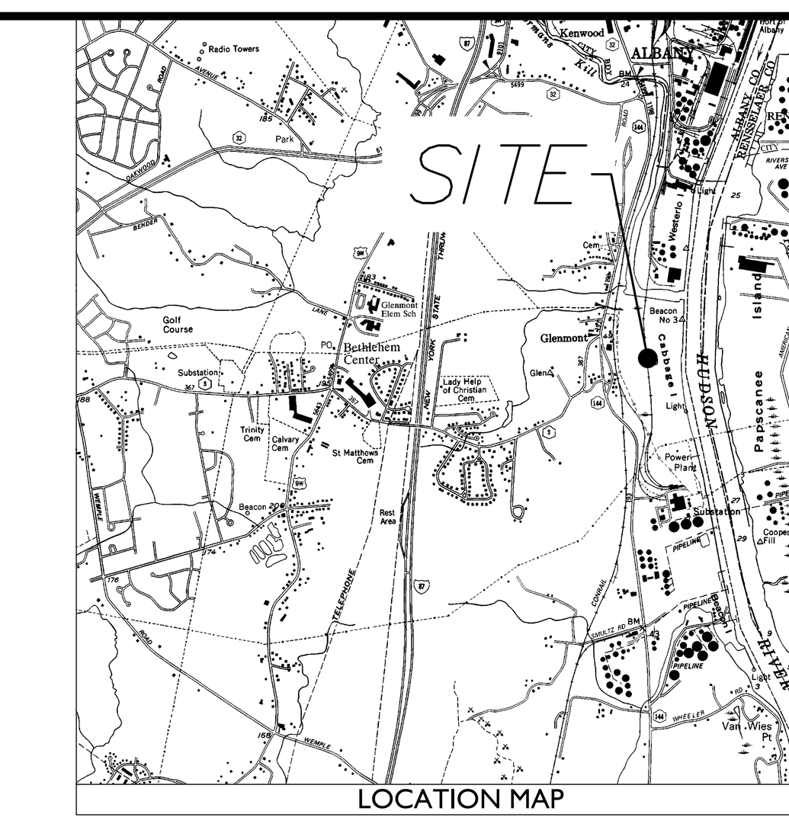
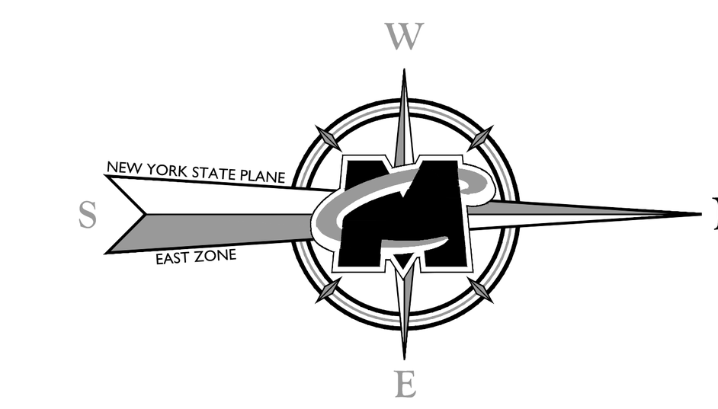
POWER CORPORATION
L.1307, P.479
N 86°54'42" W 176.32'
N 16°27'42" W 408.76'
N 58°46'29" E
215.31'
N 8°59'37" E 1347.11'
S 8°00'42" E
205.82'
S 6°39'01" W 1204.06'
S 6°35'18" W
112.00'
S 83°21'48" E
52.00'
S 86°54'42" E
16.23'
S 6°39'01" W
111.91'
LANDS N/F
BEACON HARBOR, LLC
L.3037, P.437
TAX ID# 98.00-2-10.23
AREA = 81.62± ACRES
LANDS N/F
APPEL OF N.Y., L.L.C.
L.2569, P.836
TAX ID# 98.01-2-4.2
LANDS N/F
PORT ALBANY
VENTURES, L.L.C.
L.2795, P.1111
TAX ID# 98.01-2-3
LANDS N/F
TOWN OF BETHLEHEM
L.1277 P.33
LANDS N/F
R.J. ENTERPRISES, L.L.C.
L.2569, P.853
TAX ID# 98.01-2-4.1
S 83°24'42" E 770.00'
LANDS N/F
PSEG POWER
L.2701, P.296
TAX ID#
98.00-2-10.1
S 67°57'29" W 505.65'
S 63°07'58" W 252.01'
S 9°00'24" E
1,004.22'
S 2°49'18" W
1,846.12'
HUDSON
RIVER
MATCH LINE(SHEET 2)





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REV	DATE	DRAWN BY	DESCRIPTION
1	9/26/18	BAS	UPDATE AS PER TITLE INFORMATION

RECORD DESCRIPTION

Commencing at a Point at the southwesterly property corner of lands now or formerly of OG Real Estate Development, LLC (Bk.2703, Pg. 757) at its intersection with the division line between lands now or formerly of Niagara Mohawk Power Corp. (Bk.1265 Pg.75) on the west and lands now or formerly of PSEG Power New York, Inc. (Bk. 2655, Pg. 935) on the south; thence along said division line between the aforementioned OG Real Estate Development, LLC on the east and the aforementioned Niagara Mohawk Power Corp. on the west the following five (5) courses and distances:

1. North 27°13'40" West, 823.44 feet to a point; thence
2. North15°19'47"West, 605.83feettoapoint; thence
3. North 07°54'26" West, 672.08 feet to a point; thence
4. North 05°07'34" East, 813.72 feet to a point; thence
5. North 00°53'23" West, 406.40 feet to a point in the division line between lands of the State of New York (Normans Kill) and lands of the aforementioned OG Real Estate Development, LLC; thence along said division line the following two (2) courses and distances:

1. along an arc to the left having a central angle of 53°03'33", a radius of 380.00 feet and an arc length of 351.90 feet, chord bearing South 62°17'26" East, 339.46 feet to a point; thence
2. North 16°29'41" West, 408.76 feet to a point in the common division line between other lands now or formerly of Niagara Mohawk Power Corp. on the west and lands of the aforementioned OG Real Estate Development, LLC on the east; thence along said division line the following two (2) courses and distances:

1. North 58°44'30" East, 215.31 feet to a point; thence
2. North 86°56'41" West, 176.32 feet to a point in the common division line between lands of the aforementioned State of New York (Normans Kill) on the west and other lands now or formerly of OG Real Estate Development, LLC (Bk. 2905, Pg. 204) on the east; thence along said common division line the following three (3) courses and distances:

1. North 08°57'38" East, 1347.11 feet to a point; thence
2. North 22°21'38" East, 586.00 feet to a point; thence
3. North 17°53'38" East, 352.00 feet to a point; thence

South 66°41'22" East, 18.13 feet to a point in the westerly road boundary of South Port Road; thence along said westerly and also southerly road boundary the following five (5) courses and distances:

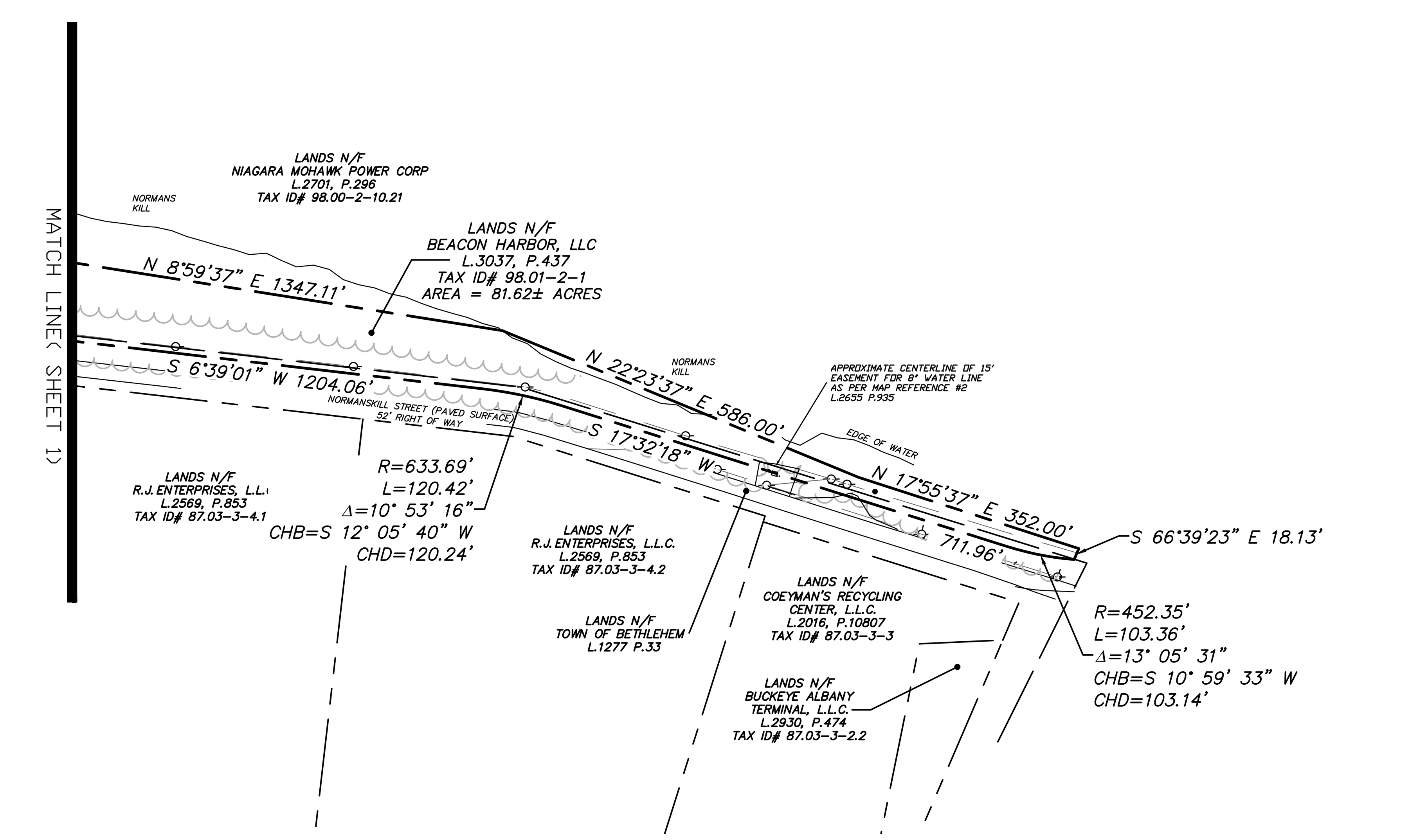
1. along an arc to the right having a central angle of 13°05'31", a radius of 452.35 feet and an arc length of 103.36 feet to a point; thence
2. South 17°30'19" West, 711.96 feet to a point of curvature; thence
3. along an arc to the left having a central angle of 10°53'17", a radius of 633.69 feet and an arc length of 120.42 feet to a point; thence
4. South 06°37'02" West, 1204.06 feet to a point; thence
5. South 83°23'47" East, 52.00 feet to a point in the westerly boundary of the D & H Railroad; thence along said westerly boundary and also the southerly boundary of said D & H Railroad the following two (2) courses and distances:

1. South 06°37'02" West, 111.91 feet to a point; thence
2. South 86°56'41" East, 16.23 feet to a point in the easterly boundary line of lands of the aforementioned OG Real Estate Development, LLC (Bk. 2703, Pg. 757); thence along said easterly boundary line the following three (3) courses and distances:

1. South 06°33'19" West, 112.00 feet to a point; thence
2. South 08°02'41" East, 205.82 feet to a point; thence
3. South 83°26'41" East, 770.00 feet to a point along the Hudson River; thence along said Hudson River the following two (2) courses and distances:

1. South 02°47'19" West, 1846.12 feet to a point; thence
2. South 09°02'23" East, 1004.22 feet to a point in the common division line between lands of the aforementioned PSEG Power New York, Inc. on the south and lands of the aforementioned OG Real Estate Development, LLC on the north; thence along said common division line the following two (2) courses and distances:

1. South 63°05'59" West, 252.01 feet to a point; thence
2. South 67°55'30" West, 505.65 feet to the Point or Place of Beginning.


MATCH LINE(SHEET 1)
LANDS N/F
NIAGARA MOHAWK POWER CORP
L.2701, P.296
TAX ID# 98.00-2-10.21
LANDS N/F
BEACON HARBOR, LLC
L.3037, P.437
TAX ID# 98.01-2-1
AREA = 81.62± ACRES
N 8°59'37" E 1347.11'
S 6°39'01" W 1204.06'
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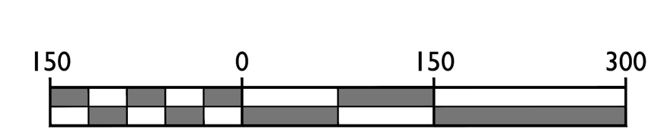
S 17°32'18" W
N 17°55'37" E 352.00'
S 66°39'23" E 18.13'
711.96'
R=633.69'
L=120.42'
Δ=10° 53' 16"
CHB=S 12° 05' 40" W
CHD=120.24'
R=452.35'
L=103.36'
Δ=13° 05' 31"
CHB=S 10° 59' 33" W
CHD=103.14'
LANDS N/F
R.J. ENTERPRISES, L.L.C.
L.2569, P.853
TAX ID# 87.03-3-4.1
LANDS N/F
R.J. ENTERPRISES, L.L.C.
L.2569, P.853
TAX ID# 87.03-3-4.2
LANDS N/F
TOWN OF BETHLEHEM
L.1277 P.33
LANDS N/F
COEYMAN'S RECYCLING
CENTER, L.L.C.
L.2016, P.10807
TAX ID# 87.03-3-3
LANDS N/F
BUCKEYE ALBANY
TERMINAL, L.L.C.
L.2930, P.474
TAX ID# 87.03-3-2.2

MAP REFERENCES:

1. MAP ENTITLED "ALTA/ACSM LAND TITLE SUREY (URBAN CLASS) FOR ALBANY STEAM STATION, LANDS TO BE CONVEED TO PSEG POWER NEW YORK INC." PREPARED BY NIAGARA MOHAWK POWER CORPORATION, DATED DECEMBER 06, 1999, LAST REVISED MARCH 13, 2000.
2. MAP ENTITLED "ALBANY STEAM STATION SERVICE WATER LINE GENERAL PLAN AND PROFILE" BY PREPARED BY NIAGARA MOHAWK POWER CORPORATION, DATED MAY 15, 1952 AND LAST REVISED JUNE 27, 1989.
3. MAP ENTITLED "BOUNDARY SURVEY SHOWING LANDS N/F OF OG REAL ESTATE DEVELOPMENT, LLC" BY WSP SELLS, DATED SEPTEMBER 16, 2009.

GENERAL NOTES:

1. UNDERGROUND UTILITIES SHOWN HEREON BASED ON UTILITY EVIDENCE VISIBLE AT GROUND SURFACE AND RECORD DRAWINGS AND ARE SUBJECT TO FIELD VERIFICATION BY EXCAVATION. UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES LOCATED UPON OR ADJACENT TO THE SURVEYED PREMISES.
2. THE OFFSETS OR DIMENSIONS SHOWN HEREON, FROM THE PROPERTY LINES TO THE STRUCTURES, ARE FOR A SPECIFIC PURPOSE AND USE; THEREFORE, THEY ARE NOT INTENDED TO MONUMENT THE PROPERTY LINES OR TO GUIDE THE ERECTION OF FENCES, ADDITIONAL STRUCTURES OR ANY OTHER IMPROVEMENTS.
3. EASEMENTS AND/OR SUBSURFACE STRUCTURES RECORDED OR UNRECORDED ARE NOT GUARANTEED UNLESS PHYSICALLY EVIDENT ON THE PREMISES AT THE TIME OF THE SURVEY.
4. SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.
5. BASIS OF BEARING IS NEW YORK STATE PLANE COORDINATE SYSTEM EAST ZONE. CONTROL WAS ESTABLISHED USING NYSNET VRS SYSTEM. THE HORIZONTAL DATUM IS RELATIVE TO NAD83
6. THE VERTICAL POSITION OF THE HEREIN SURVEY IS BASED ON THE STATIC GPS OBSERVATIONS AND IS SUBJECT TO FURTHER ADJUSTMENT TO ANY LOCAL NGS BENCHMARKS. THE VERTICAL DATUM IS RELATIVE TO NAVD 1988 VIA THE APPLICATION OF GEOID MODEL 12B.
7. NO EVIDENCE OF RECENT EARTH MOVING WORK BUILDING CONSTRUCTION, OR BUILDING ADDITIONS WERE OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
8. NO WETLAND DELINEATION OBSERVED IN THE PROCESS OF CONDUCTING FIELDWORK.



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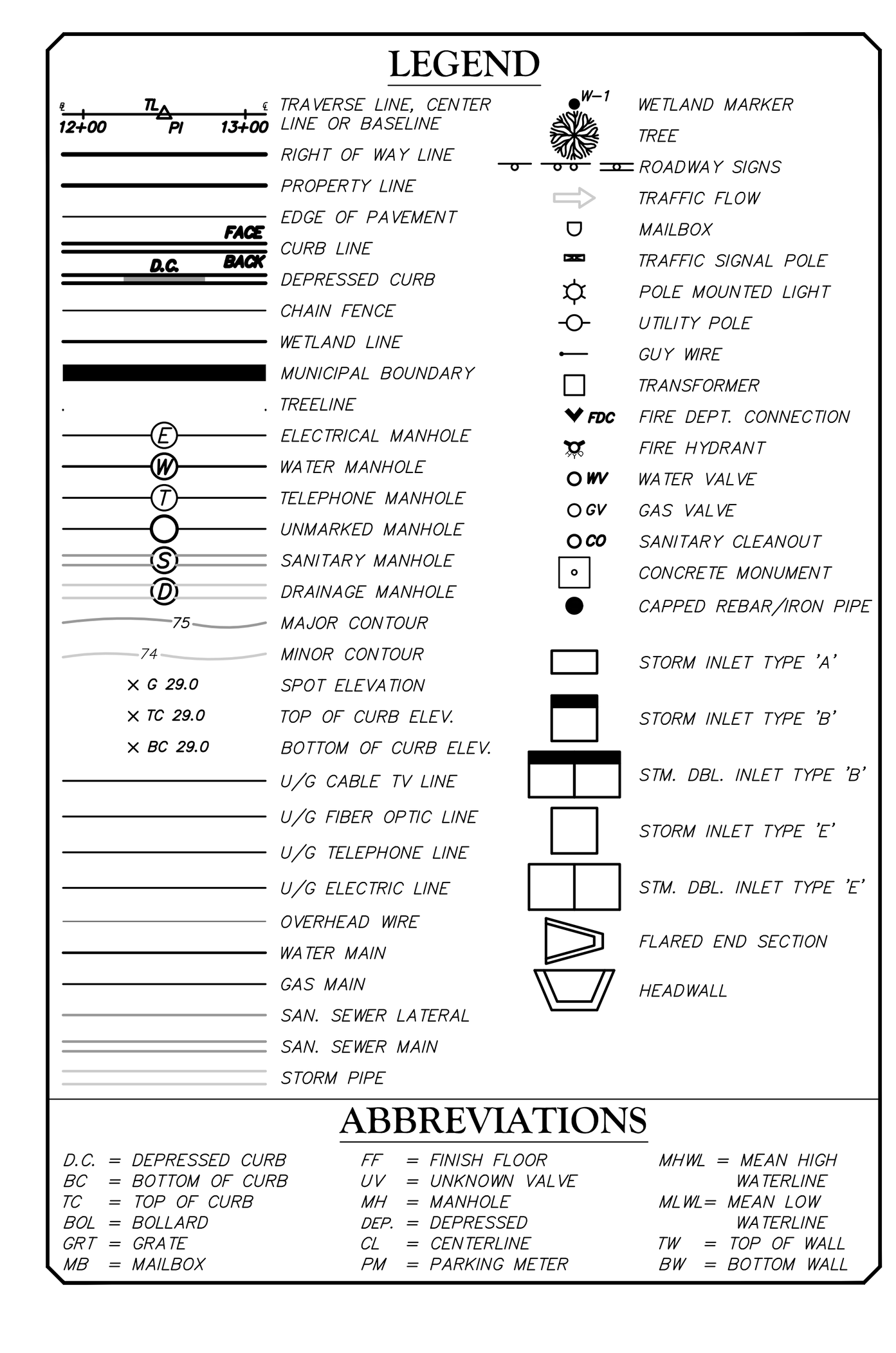

PAT T. VANHAVERBEKE
NEW YORK LICENSED
LAND SURVEYOR - LICENSE NUMBER: #050931

BOUNDARY SURVEY OF LANDS NOW OR FORMERLY OF

BEACON HARBOR, LLC

TAX ID # 98.00-2-10.23
TAX ID# 98.01-2-1

TOWN OF BETHLEHEM
ALBANY COUNTY
STATE OF NEW YORK

ALBANY OFFICE
18 Computer Drive East
Suite 203
Albany, NY 12205
Phone: 518.459.3252
Fax: 518.459.3284

SCALE:	DATE:	DRAWN BY:	CHECKED BY:
AS SHOWN	07/10/18	BEB	PTV
PROJECT NUMBER: 18001376A	DRAWING NAME: V-SURV-MASR		

SHEET TITLE: BOUNDARY SURVEY

APPENDIX E

GEOTECHNICAL REPORTS

CME Associates, Inc.

6035 Corporate Drive
East Syracuse, New York 13057
(315) 701-0522
(315) 701-0526 (Fax)

www.cmeassociates.com

Transmittal

April 05, 2017

Bergmann Associates, P.C.
10B Madison Avenue Extension
Albany, New York 12203

Attn: Mr. Steven M. Boisvert, P.E., Principal

Re: Port of Albany Expansion Feasibility Project
Beacon Island Parcel
Town of Bethlehem, New York
CME Project No.: 27211-05

Gentlepeople:

Enclosed you will find….

Number of Copies	Report Number/Description
3	27211B-01-0417/Preliminary Geotechnical Evaluation and Interpretive Report

This report was emailed to Mr. Steven M. Boisvert at sboisvert@bergmannpc.com on 04/05/17.

Respectfully submitted,
CME Associates, Inc.

Anas N. Anasthas, P.E.
Geotechnical Engineer

AA.bmf

A New York State Certified Woman-Owned Business Enterprise (WBE)

Preliminary Geotechnical Evaluation and Interpretive Report

Port of Albany Expansion Feasibility Project
Beacon Island Parcel
Town of Bethlehem, New York

Prepared For: (Client)

Bergmann Associates, P.C.
Attn: Mr. Steven M. Boisvert, P.E., Principal
10B Madison Avenue Extension
Albany, New York 12203
Phone: 518.556.3623
Fax: 518.862.0326
Email: sboisvert@bergmannpc.com

Prepared By: (Geotechnical Engineer)

CME Associates, Inc.
Attn: Anas N. Anasthas, P.E.
6035 Corporate Drive
East Syracuse, New York 13057
Phone: 315.701.0522
Fax: 315.701.0526
Email: an@cmeassociates.com

CME Report No.: 27211B-01-0417
April 05, 2017

Table of Contents

Attachment Listing:

Preliminary Geotechnical Evaluation and Interpretive Report
Port of Albany Expansion Feasibility Project
Beacon Island Parcel
Town of Bethlehem, New York

1.0 INTRODUCTION

The Beacon Island Parcel in the Town of Bethlehem, Albany County, New York, is being considered for purchase and development by the Port of Albany for a future Port Expansion. Bergmann Associates, P.C. (Bergmann-Client) retained CME Associates, Inc. (CME) to provide a planning-level geotechnical investigation to assist them in their Site Evaluation and Feasibility Study. CME's Scope of Basic Services for this project has been provided pursuant to the written authorization of CME Proposal/Agreement Number: 05.5039R(1) by Client.

CME conducted a limited field exploration consisting of eight Test Borings spread across the 80± acre parcel, as directed by Bergmann. At the request of and as a courtesy to Client, three Groundwater Observation Wells were installed near three of the Test Borings for Client to collect water samples. A limited laboratory testing consisting of soil index testing was performed by CME on select soil samples retrieved from the Test Borings.

In addition to the field and laboratory test programs, CME reviewed the USDA Web Soil Survey, and the Phase I Environmental Site Assessment and Environmental Due Diligence – Port of Albany Memorandum, prepared by Bergmann.

This report presents the results of CME's evaluation of the above noted data and includes addressing the following items:

- A generalized characterization of the deposits and their affect and limitations with respect to the planned development of the parcel.
- Identify or outline the potential design or construction problems which may warrant further study.
- Present one or more potential satisfactory solutions for the major foundation design and construction problems identified.
- Present preliminary criteria for planning of the project foundations.
- Present general recommendations which may aid in the selection of an optimum arrangement for facilities on the site vis-à-vis the limitations of the subsurface conditions identified in the field program.
- Recommend additional exploration and testing which may be warranted to further reduce the risks and uncertainties present in work involving subsurface conditions.
- Recommend a Seismic Site Classification using the SPT results and the requirements of the 2015 (IBC) Building Code of New York State.

This report is not intended to address any of the myriad hazardous materials (HazMat) problems and conditions associated with the site's "solid waste landfill" classification by NYSDEC, any and all Recognized Environmental Conditions (REC) and/or any Unrecognized Environmental or HazMat Conditions, all of which conditions are specifically excluded from CME's scope for this preliminary geotechnical evaluation.

2.0 EXPLORATION METHODOLOGY

The exploration locations (Borings B-1 through B-8) were selected and staked in the field by Client, who provided the attached Exploration Location Plan, along with GPS Coordinates and Elevation at Grade for the exploration locations. Borings B-1, B-2, B-5 and B-7 were re-located in the field by CME due to access issues. GPS Coordinates and Elevations for these borings were obtained by CME, and are attached to this report. CME contacted Dig Safely New York (DSNY) at least three business days in advance of the exploration program.

Test Borings were advanced using a Central Mining Equipment Model 550x, ATV-mounted, rotary exploration drill rig, equipped with 3-¼" I.D. hollow stem augers and drive sampling tools. Soil Sampling and Standard Penetration Testing (SPT) were conducted using a 140-pound automatic hammer dropping through a distance of 30 inches to drive a 2" O.D. split barrel sampler in general conformance with ASTM Standard Practice D1586. Bedrock cores were obtained in general conformance with ASTM Standard Practice D2113. Upon completion, each borehole was backfilled with auger cuttings to grade to closely match existing grade.

The boring samples were logged and visually classified in the field by a CME Staff Geologist and/or the CME Drillers, and a portion of each soil sample was placed and sealed in a glass jar. Bedrock cores were placed and secured in a wooden box. Bedrock core photos are attached.

The field soil classifications were later reviewed by the undersigned engineer using a modified Burmister Soil Classification System, as practiced by CME and as described in the attached document entitled, *General Information & Key to Test Boring Logs*.

The Groundwater Observations Wells were installed within about 5 feet of Test Borings B-3, B-5 and B-4, and were labeled MW-1, MW-2 and MW-3, respectively. Depths of wells and screen details were given by Client. The Groundwater Observation Well Reports, labeled MW-1, MW-2 and MW-3 are attached.

After completion of the explorations, the drilling equipment and tools were decontaminated. The decontamination was done on grade using a pressure washer and Alconox detergent.

The undersigned engineer selected soil samples for laboratory testing in CME's AMRL[1] accredited East Syracuse Laboratory. The standard methods used and the test results are presented in the attached *Laboratory Test Summary Report*.

[1] **AMRL** – American Association of State Highway & Transportation Officials (AASHTO) Materials Reference Laboratory, a Federal Agency having jurisdiction to assess laboratory competency according to the Standards of the United States of America. CME East Syracuse accreditation includes testing of Portland Cement Concrete, Aggregate and Soil Materials. www.amrl.net.

3.0 SITE HISTORY & LOCAL GEOLOGY

3.1 History

The Beacon Island Parcel is located south of the existing Port of Albany facility, between Hudson River and an active railroad line east of and parallel to River Road (Route 144) in the Town of Bethlehem, New York. Please refer to the attached Historical Aerial Photographs and Historical Topographic Maps and the Boundary Survey for location of the Beacon Island Parcel and Site History. Normans Kill, an inlet to the Hudson River, borders the parcel to the north. A PSEG Power Facility borders the parcel to the south.

The original Beacon Island (natural island) used to be a strip of land completely surrounded by Hudson River. A branch of the Hudson River (i.e. Island Creek or Normans Kill) that once flowed west of this Island was completely filled in between the early 1890's and 1950's to make land by connecting the natural Island to surrounding man-made Lands. A second landfilling is reported to have occurred over historical landfills from approximately 1953 through the 1970's. The second landfill is reported to consist chiefly of coal ash, disposed by Albany Power and Niagara Mohawk. The site is classified by the NYSDEC as a "Solid Waste Landfill", as reported in Environmental Due Diligence Memorandum by Bergmann, dated 03/20/17.

3.2 Local Geology

The Beacon Island Site was once covered by Glacial Lake Albany which was a northward expanding proglacial lake that extended from Glens Falls to Long Island, NY and included Glacial Lake Hudson in the lower Hudson Valley. Lake Albany is recorded by sand and silt terraces, beaches, and deltas throughout the Hudson Lowlands. The lower lake stages are locally recorded by glaciofluvial[2] deposits or eroded terraces underlain by lacustrine[3] clay sediments overlying till[4] or striated bedrock. The Hudson Lowlands are underlain by Lower Paleozoic Shale and Sandstone. [condensed from the Field Trip Guidebook, AMQUA 1988, edited by Julie Brigham-Grette, Dept. of Geology and Geography at University of Massachusetts]

The Beacon Island site was once completely surrounded by water and exhibits more recent natural, near-surface deposits of alluvium, shoreline, and river bank or bottom type deposits associated with the Normans Kill Creek, the Hudson River and pre-existing frequently flooded areas of the Island.

4.0 SURFACE & SUBSURFACE CONDITIONS

The subsurface conditions presented herein have been generalized for simplicity and brevity by the undersigned CME Engineer from the actual data obtained from the limited Subsurface Exploration conducted for a feasibility study. Please refer to the CME Test Boring Logs for actual conditions encountered at the time, location and elevation of each sampling. Please note, only 8 Test Borings were advanced at this 80+ acre site for this feasibility study. Subsurface conditions between exploration locations and in or near current or formerly existing riparian and shoreline areas will vary from those expressed in this Report.

---

[2] Glaciofluvial – of, relating to, or coming from streams deriving much or all of their water from the melting of a glacier.
[3] Lacustrine deposits are those sediments laid down in the relatively quiet waters of glacial lakes and typically show a high degree of uniformity.
[4] Glacial Till is an Unsorted Material deposited directly by glacial ice and showing no stratification.

4.1 Surface Conditions

The subject site is currently vacant and is partially forested. During CME's exploration the site was snow-covered. A Utility Corridor with overhead power lines exists along the western edge of the site. This corridor appears to be located within the footprint of the former Normans Kill Creek, which was filled in. A portion of the site near the southwest corner (west of the utility corridor) is a hill, which is over about 50 feet higher in elevation than the rest of the site. Bedrock outcrops were noted at the side and top of this hill. Woods, consisting of tall trees were noted primarily along and east of the power lines and along and west of the Hudson River. Occasional tall trees and brush were noted along the mid-section of the parcel. An abandoned railroad line traverses the site along the mid-section of the site, in the north-south direction. Also, abandoned railroad cars were noted in the central portion of the site.

4.2 Subsurface Profile

The limited number of Test Borings advanced across this relatively large site is insufficient to adequately describe the subsurface conditions. A brief summary of subsurface conditions identified in the 8 Test Borings advanced at this site are given herein to give a general idea of subsurface conditions expected at this site, for this feasibility study. A more detailed exploration program is warranted after a decision has been made to develop this parcel to better characterize the subsurface conditions.

The Test Borings penetrated a subsurface profile consisting of Existing Fill, underlain by Silt/Organic Silt, underlain by Sand, underlain by Clay, underlain by Glacial Till, underlain by Bedrock. Please refer to the attached Generalized Subsurface Profiles SP-1 and SP-2 for generalized subsurface conditions based on the interpretation of Test Boring Logs by the undersigned engineer. A brief description of each Stratum is given below.

Existing Fill: Existing Fill was present at grade at all Test Borings to depths ranging from 6 to 23 feet below existing grade. The Fill is characterized as a random landfill deposit containing natural and solid waste deposits such as, but not limited to, Foundry Sand waste, Sand, Silt, Coal Ash, Gravel, Organic Matter, etc.

A predominant component of the Fill in a majority of the CME Borings is Coal Ash, reported to have resulted from combustion of coal-fired power generation. Since CME's borings were not advanced within the utility corridor or the riparian (shoreline) areas which were filled to join the island to the mainland, the Existing Fill described here is not considered representative of the materials used to make land in the first mass fill event, described previously.

It is important to note that Existing Fills were likely deposited over unprepared pre-existing grades and vegetation present on-grade at that time. Therefore, it is likely that the interface between existing fill and the buried pre-existing natural grade is characterized by rotting or decomposed trees, brush, vegetation and organic-rich soils.

Silt/Organic Silt: Below Existing Fill, a Silt Stratum was penetrated to about 14 to 31 feet below grade. The upper several feet of this Stratum contains Organic Silt, Organic Clay and Organic Matter, indicative of possible former river bottom, flood zones and pre-existing natural grades. CME's Test Borings sampled materials represented by USCS symbols ML (Silt), CL-ML (Silty Clay), OH (Organic Silt) and OL (Organic Clay), which are slightly plastic to plastic. Based on SPT,[5] these deposits are very soft to medium stiff, in general.

Laboratory index testing conducted on samples retrieved indicates Organic Contents of 5.2% and 5.8%, and Natural Moisture Contents of 47.5% and 50.1%. It is expected that defined layers of Peaty and Mucky deposits are present, but were not sampled.

Glaciofluvial Sand: Below the Silt/Organic Silt Stratum, glaciofluvial Sand with minor Silt and/or Gravel content was sampled to about 28 to 45 feet below grade. The Sands are represented by USCS symbols SM (Silty Sands), SP (poorly graded Sand) and SP-SM (poorly graded Sand with Silt), which are non-plastic granular soils. Based on SPT, this Stratum has a relative density ranging from very loose to medium compact.

Lacustrine Clay: Below the Sand Stratum, Lacustrine Clay with variable Silt fraction was sampled to about 131, 82 and 48 feet below grade in Borings B-1, B-3 and B-4, respectively. In all other Borings, Clay was sampled to boring termination depth (50 feet). Soils in this Stratum are represented by USCS symbols CL (Lean Clay), CH (Fat Clay) and CL-ML (Silty Clay), which are slightly plastic to plastic. Based on SPT, this Stratum is very soft to medium stiff in consistency.

Based on laboratory testing, these glacial lakebed clay sediments exhibit Natural Moisture Content close to its Liquid Limit, indicative of a normally loaded[6] deposit, thus this clay deposit is subject to long-term consolidation behavior.

Glacial Till: Below Clay in Borings B-1, B-3 and B-4, a dense Stratum consisting of a heterogeneous mixture of Silt, Clay, Sand and Gravel was penetrated to about 149, 93 and 61 feet below existing grade, respectively, where sampler refusal was noted. This Stratum appears to have been compressed (preloaded) by pre-historic glacier, and is referred to as Glacial Till.

Bedrock: CME Test Borings B-3 and B-4 sampled Bedrock. Photographs, of Bedrock Cores extracted from these two borings, are attached to this report. Please refer to the Test Boring Logs B-3 and B-4 for Bedrock Classifications and the attached Key for nomenclature used to describe bedrock classifications.

A 5-foot rock core sample was obtained in Boring B-3 from 93.5 to 98.5 feet below grade. The core revealed Grey/Black Shale Bedrock of good quality, based on an RQD[7] value of 75%. This bedrock core is classified as weathered, medium hard, thinly bedded with high angle (up to about 60 degrees from horizontal) bedding and mechanical breaks. Also, calcite fillings and veins were noted.

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[5] SPT – Standard Penetration Testing
[6] A Stratum is said to be *normally loaded* if it has never been acted on by vertical pressures greater than those existing at present. [Foundation Engineering – Peck, Hanson & Thornburn, 1973]
[7] RQD – Rock Quality Designation

An attempt was made to obtain a 5-foot rock core in Boring B-4 from 63.5 feet below grade. However, core blockage was noted at 66 feet and 67.8 feet below grade, which reduced the length of the core and recovery. The rock cores indicate highly weathered to weathered, medium hard, thinly bedded Shale Bedrock with high angle (up to about 45 degrees with horizontal) bedding and mechanical breaks. An approximately 2" thick mud seam was noted at 66 feet below grade. The bedrock mass is rated to be of very poor to poor quality, based on RQD values of 0% and 27%.

Based on the New York State Geologic Mapping for the Hudson Valley, and CME's rock core samples, the Bedrock appears to be Normanskill Shale Formation.

Bedrock outcropping was noted on the sides and top of the existing hill near the southwest corner of the site. The top of that hill is approximately Elevation 70, and the bottom of Boring B-1 is approximately Elevation -130. There is over about a 200 feet drop from bedrock surface at top of the hill to top of bedrock surface (not confirmed) in Boring B-1 within about a 900-foot horizontal distance.

Based on a review of the attached Op-Tech Report excerpts, the Hudson River Bank slopes down from the existing stone retaining wall at approximately 2.5H:1V (approximately 22 degrees with horizontal) and the bottom of River is approximately elevation -37. It is possible that a bedrock cliff (with steep or near-vertical bedrock surface) exists between the River Bank and a line represented by Borings B-1, B-6 and B-3. The high angle bedding planes noted in the bedrock cores may possibly represent approximate bedrock surface angle, and support the possibility of a buried bedrock cliff. Additional exploration is warranted to further investigate this possibility.

4.3 Groundwater Observations

Groundwater level observations and measurements are made by the CME Drillers when groundwater accumulates in the borehole. The CME Drillers note water levels inside the boreholes during advancement and following casing removal. If the hole caves-in after casing removal, the depth of cave-in is noted on the CME Boring logs. The drillers also note whether samples retrieved are dry, moist, wet or saturated. The conditions and times of groundwater level observations are noted on the individual Test Boring Logs.

Groundwater was observed in the Borings at depths ranging from 1.5 to 13.7 feet below existing grade, corresponding to about elevation 14 to 3. Mean High Water Level of Hudson River is about elevation 5, as reported in the attached Op-Tech Report excerpt.

Groundwater fluctuations should be expected to occur at this site depending on several factors such as rainfall, seasonal changes, prevailing climate, ambient weather conditions, adjacent construction operations, and Hudson River Level, among other factors.

5.0 CHARACTERIZATION OF DEPOSITS

While this report and engineer do not address any of the myriad environmental contamination and potential HazMat issues with respect to this current development project, it is important for the reader to understand that typically existing HazMat conditions cannot be considered separately and/or distinctly from the structural and geotechnical characteristics of the site's subsurface materials.

For example, petroleum contaminated soils excavated from a trench for a new underground pipeline may be satisfactory geotechnically for re-use as backfill of the pipe trench, but may fail the re-use criteria given in NYSDEC STARS 1.

This section characterizes the soil deposits in terms of their importance, effect and limitations on the proposed development of the parcel as a heavy industrial port facility.

Existing Fill (Landfill): The existing Landfill is variable in composition, extent and depth. Unimproved Existing Fill has no bearing capacity and cannot reliably support any buildings, structures or pavements. Existing Fill is not trafficable in some areas and is not a suitable bearing Stratum for any new construction.

New York State has beneficial use laws and rules for allowing limited use of coal combustion products in certain construction materials, such as flowable fill, concrete, and mineral filler in asphalt pavements. Coal Ash is also used as soil stabilization additive and in structural fills. A specific study and analysis is required to ascertain the possible beneficial uses of the Existing Landfill Material.

The characterization of the first filling event to "make land" where water previously existed was not investigated by CME, as no test borings were located in these areas.

Silt/Organic Silt/Buried Organics: As mentioned previously, the two Filling Events likely deposited the fill materials over pre-existing natural grades either above or below then-existing creek and river water levels and in areas subject to frequent flooding. The Organic-rich soils and existing topsoil horizon were likely buried. Buried organic deposits have no bearing capacity and can settle and/or compress excessively when loaded by new improvements. Therefore, Buried Organic Layers are not a suitable bearing stratum for any new construction or improvements. Depending on depth and groundwater levels, buried organic-rich layers may be removed and replaced with controlled engineered structural fills. This procedure is refed to as a "Subgrade Replacement". Alternatively, the materials can sometimes be pre-loaded with a temporary surcharge to achieve desired compression; then, after surcharge removal, new construction can occur. Depending on thickness and makeup of the organic deposits, surcharging can take many months. Also, where buried organics are located near and above the groundwater table, there is an ongoing future risk of continued decomposition manifested in compression causing settlement and distress to the new permanent structures.

Glaciofluvial Sand: The glaciofluvial sand deposits are not uniform in composition, thickness, relative density or extent and were encountered below observed river and groundwater levels. The sands do not represent a reliable bearing stratum, except for lightly loaded structures supported by friction piles, deriving their capacity from skin friction and improvement of the sand stratum by driving displacement piles such as timber piles.

Lacustrine Clay: The Lacustrine clay sediments appear to be normally loaded based on Atterberg Limits testing. The clay varies from about 25 feet thick at CME Boring B-4 to over 90 feet thick at CME Boring B-1. The clay may be considered to contribute capacity to friction piles of low to moderate capacity. Long-term settlements of structural fills due to consolidation of the clay must be evaluated on a case-by-case basis.

Glacial Till: A relatively thin mantle of Till overlies bedrock based on two out of eight borings which were advanced completely through Till. Till may be absent from the soil profile in areas of the parcel. Till may represent a competent bearing stratum for end-bearing piles.

Shale Bedrock: Shale bedrock was contacted at CME Boring B-4 at about elevation -51 and at CME Boring B-3 at about elevation -75. Bedrock outcropping is noted in the hill located near the southwest corner of the parcel. Rock core samples indicate high angle bedding planes of 60 to 45 degrees. CME's exploration program is inconclusive as to the direction(s) of bedding and dip or slope of the rock surface; however, the rock surface appears to dip severely easterly toward the Hudson River. It is possible that this site is on the edge or margin of a buried valley exhibiting near-vertical or reverse slope subsurface cliffs. It is also possible that the bedrock bedding dips severely east. Specific project exploration and testing is warranted to define these in-situ bedrock conditions.

Shale bedrock represents competent bearing for heavily loaded structures and high capacity deep foundation elements such as piles and drilled shafts.

Water Table: The site exhibits shallow perched and fluctuating water table conditions. Excavations made below the water table will require advance planning for dewatering, sheeted cofferdams or cutoff walls, and special provisions for discharge of water which may be contaminated with hazardous materials or substances and/or which is sediment-laden.

6.0 ENGINEERING EVALUATION

6.1 Geotechnical Summary

The Beacon Island Parcel site occupies a position near a margin within a floodplain and floodway where prehistoric glacial waters cut and filled the pre-existing soft glacial lakebed sediments, within a deep buried valley. Relatively soft sedimentary bedrock was gouged out or eroded by glaciers, leaving undefined, erratic bedrock surfaces forming the valley walls. Add to that 100 years of landfilling, industrial and commercial activity including man-made land formation, and the result is a site where prudence dictates there are no rules of thumb and where few, if any, presumptions should be made with respect to what is buried there and its effect on any planned development and improvements.

CME recommends that as individual projects develop, each new phase, structure and associated infrastructure be planned in concert with a geotechnical investigation and engineering evaluation tailored to the specific project or phase. A broad brush approach is not applicable to the Beacon Island Parcel Site.

6.2 Planning Foundations

Conventional shallow foundations consisting of footings and mats should not be planned for new buildings and structures. Conventional foundation systems should be considered only in combination with a prerequisite form of ground improvement, subgrade replacement and/or preload (temporary surcharge) of the site.

Deep foundation and structural grade-level slab systems which utilize driven piles represent an economical and time efficient solution for lightly to moderately loaded structures planned for this site. Friction piles may provide up to about 40 tons and end-bearing piles on Till or Bedrock over 40 tons axial capacity each.

Where one or more feet of new fill is to be placed on site near or in travelled ways, a temporary preload/surcharge may be appropriate to reduce abrupt elevation changes from pile-supported structures to on-grade pavements, aprons and walkways.

Foundations subject to frost action should be provided with 4'-6" of cover measured from final exterior grade to bottom of foundation element.

6.3 General Recommendations

In light of the subsurface conditions and limiting conditions thereof, CME recommends the following recommendations be considered:

A. Locate and designate a permanent spoil area for unsuitable and unusable excavated materials.
B. Plan on deep foundation and structural grade-level slab systems combined with temporary surcharge/preloading procedures.
C. Minimize footprints – go vertical.
D. Consider on-grade parking underneath structures to eliminate the structural grade-level floor and associated piles needed to support floor.
E. Minimize Fills above existing grade.
F. Plan on long periods of rest and settlement monitoring for areas which will require fills in excess of a couple of feet.
G. Implement an investigation and testing program for determining best beneficial use of the coal ash landfill material. Consider using the coal ash waste as controlled fills that may be needed on-site.
H. Consider using premium cost Lightweight Aggregate Products (e.g. Solite, Norlite, expanded shale and pumice products) for structural backfills to mitigate post-construction settlements.
I. Install roadway embankments, stormwater facilities, and handstands early, with temporary surcharges to allow for settlement and consolidation of the subsoils.
J. Consider centrally located sanitary sewer pump station(s) with short gravity sewer services to buildings, or individual building sanitary pump station and force main to public system.
K. Locate stormwater collection and management ponds in areas where existing grade is already low.

7.0 SEISMIC SITE CLASS

Based on a computational analysis using CME Test Borings and the 2015 New York Amended International Building Code (IBC), Section 1613, which references Chapter 20 of ASCE 7-10, the subject project site in the Town of Bethlehem, New York is defined as a "Soft Soil Profile," representative of a Seismic Site Class "E." The Test Borings did not sample soils which, in CME's professional opinion, are vulnerable to liquefaction, sudden collapse or failure under seismic loading conditions, such as liquefiable soils, quick or highly sensitive clays and weakly cemented soils. However, CME notes that such soils may exist at this site.

8.0 CLOSING COMMENTS

CME has endeavored to conduct the services identified herein in a manner consistent with that level of care and skill ordinarily exercised by members of the geotechnical engineering profession currently practicing in the same locality and under similar conditions as this project. No warranty, either express or implied, is made or intended by CME's proposal, contract, and written and oral reports, all of which warranties are hereby expressly disclaimed. CME shall not be responsible for the acts or omissions of Client, its contractors, agents and consultants. CME has relied upon information supplied by Client, its contractors, agents and consultants, or information available from generally accepted reputable sources, without independent verification, and CME assumes no responsibility for the accuracy thereof.

No other representations, expressed or implied, are intended or made with respect to the information provided herein, and including but not limited to, its suitability for use by others.

In accordance with CME's Terms and Conditions for Geotechnical Services, CME will dispose of all unconsumed samples thirty (30) days after submission of this report. All consumed samples were disposed of immediately after test completion. If you would like to keep the unconsumed samples, please email a request to do so, within five (5) business days from the date of this report to Brianna Fraone, bfraone@cmeassociates.com.

Please do not hesitate to contact our office if you have any questions regarding this report, its conclusions, its recommendations, or its application to actual field conditions revealed during construction.

Respectfully Submitted,
CME Associates, Inc.

Anas N. Anasthas, P.E.
Geotechnical Engineer

Reviewed By,
CME Associates, Inc.

Marcus A. Rotundo, P.E.
Senior Principal Engineer

Attachment Listing:

Historical Aerial Photographs (9 of 9)
Historical Topographical Maps (5 of 5)
Excerpts from Sediment Characterization Report by Op-Tech (8 of 8)
Boundary Survey (1 of 1)
CME Exploration Location Plan, EX-1 (1 of 1)
Generalized Subsurface Profiles, SP-1 and SP-2 (2 of 2)
GPS Coordinates and Elevations (2 of 2)
Bedrock Core Photographs (2 of 2)
Laboratory Test Summary Report (4 of 4)
CME Subsurface Exploration – Test Boring Logs, B-1 through B-8 (23 of 23)
Groundwater Observation Well Logs, MW-1 through MW-3 (3 of 3)
General Information & Key to Test Boring Logs (4 of 4)


Subject Property
INQUIRY #: 4818228.12
YEAR: 2011
= 500'
N
EDR


Subject Property
INQUIRY #: 4818228.12
YEAR: 2009
= 500'
N
EDR