Legal Counsel Approval

RL15-114

Introductory No. R15-60

Permanent No. R15-62

THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: June 17, 2015

Sponsored by Council Members: Motsavage, Mihalko, Webb, Matzo, Berg, Papastrat

Introduced by Committee: Planning and Community Development

RESOLUTION
entitled
A RESOLUTION DECLARING CITY COUNCIL AS LEAD AGENCY UNDER SEQR FOR THE BAF RESTORATION AND REHABILITATION AND A NEGATIVE DECLARATION

WHEREAS, the City of Binghamton proposes to undertake the following action as part of the City of Binghamton Wastewater Restoration and Rehabilitation Project located at the existing Binghamton-Johnson Joint Sewage Treatment Plant (BJCJSTP) in the Town of Vestal:

- Demolition of the inoperable BAF structures, tanks and equipment
- Demolition of a compost building and other buildings on-site
- Installation of a new Biological Aerated Filter (BAF) system
- Installation of ancillary wastewater equipment including a new headworks, primary clarification and new solids handling processes
- Site restoration including bank repair and stabilization of an impacted stream channel

(hereinafter referred to as "said Actions"), and

WHEREAS said Actions require review under the New York State Environmental Quality Review Act (SEQRA), per 6NYCRR Part 617, and

WHEREAS said Actions are classified as Unlisted Actions as they do not exceed the Type I thresholds included in 6NYCRR Part 617, Section 617.4(b), and

WHEREAS a Short or Full Environmental Assessment Form may be prepared for an Unlisted Action, and

WHEREAS a Full Environmental Assessment Form was prepared for this project to satisfy the requirement of the New York State Environmental Facilities Corporation (EFC) that EFC funded projects include a review of a Full Environmental Assessment Form, and

WHEREAS multiple agencies have approval or funding authority over said Actions, and

WHEREAS 6NYCRR Part 617.2(u) defines "Lead Agency" as, "an involved agency principally responsible for undertaking funding or approving an action, and therefore responsible for determining whether an environmental impact statement is required in connection with the action, and for the preparation and filing of the statement if one is required", and

I hereby certify the above to be a true copy of the legislation adopted by the Council of the City of Binghamton at a meeting held on 6/17/15. Approved by the Mayor on 6/18/15.

THE COUNCIL OF THE CITY OF BINGHAMTON
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WHEREAS the City of Binghamton intends to act as Lead Agency in the coordinated review of said Actions under SEQRA and further intends to implement and complete all responsibilities of that office, and

WHEREAS, other involved agencies were notified of the Board's intent to act as Lead Agency on May 6, 2015 and were provided with a copy of part one of the Environmental Assessment Form (EAF) and supporting documentation, and

WHEREAS the City of Binghamton received no written objections from the Involved Agencies, and

WHEREAS the State Historic Preservation Office (SHPO) has stated, in a letter dated May 11, 2015, that no historic properties would be affect by said Actions, and

WHEREAS the City of Binghamton and their consultants have prepared and filed a Full EAF which identifies the potential environmental impacts which may result from said Actions, and

WHEREAS, the potential impacts as enumerated below were reviewed and given a hard look by the City Council, with consultation from Council consultants, and determined to have "no or small impacts" (see Attached Parts 2 of the EAF):

- Impact on Geological Features;
- Impact on Groundwater;
- Impact on Plants and Animals;
- Impact on Agricultural Resources;
- Impact on Aesthetic Resources;
- Impact on Historic and Archeological Resources;
- Impact on Open Space/Recreation;
- Impact on Critical Environmental Areas;
- Impact on Transportation;
- Impact on Energy;
- Impact on Noise, Odor and Light;
- Impact on Human Health;
- Consistency with Community Plans;
- Consistency with Community Character; and

WHEREAS, the potential impacts as enumerated below were reviewed and given a hard look by the City Council, with consultation from Council consultants, and determined to have a "moderate or large impact" and were further evaluated as outlined in Part 3 of the EAF:

- Impact on Land;
- Impact on Surface Water;
- Impact on Flooding;
- Impacts on Air; and

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WHEREAS, the completed Part 3 of the EAF indicated how moderate to large impacts have been minimized and/or mitigated to the extent practicable, and

WHEREAS, said Actions will repair and restore known defects and limitations at the existing BJCJSTP, and

WHEREAS, said Actions will result in improved water quality within the adjacent Susquehanna River and regional surface water resources.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE, that the City of Binghamton declares itself Lead Agency, as defined in 6NYCRR Part 617.2(u), for the coordinated review of said Actions under SEQRA, and be it further

RESOLVED, that the City of Binghamton declares that, based on the Environmental Record which has been prepared, the project will result in no significant adverse environmental impacts. A Negative Declaration under SEQRA is therefore issued for this project.

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Sponsored by City Council Members:
Motsavage, Mihalko, Webb, Matzo, Berg, Papastrat

A RESOLUTION DECLARING CITY COUNCIL AS LEAD AGENCY UNDER SEQR FOR THE BAF RESTORATION AND REHABILITATION

	Ayes	Nays	Abstain	Absent
Motsavage	✓			
Mihalko	✓			
Rennia	✓			
Webb	✓			
Papastrat	✓			
Matzo	✓			
Berg	✓			
Total	7	0	0	0

☐ Code of the City of Binghamton

☒ Adopted ☐ Defeated

7 Ayes 0 Nays 0 Abstain 0 Absent

The within Resolution was adopted by the Council of the City of Binghamton.

June 17, 2015
Date

City Clerk

June 18, 2015
Date Presented to Mayor

6/18/15
Date Approved

Mayor

Project Impact Summary

To assist the City of Binghamton in their review of the proposed Binghamton-Johnsons City Joint Sewage Treatment Plant (BJCJSTP) Restoration and Improvements Project in accordance with the State Environmental Quality Review Act (SEQRA), the following summary of predicted environmental impacts is provided. This information builds upon, and is provided as a supplement to, Part 2 of the Full Environmental Assessment Form (FEAF) and serves as Part 3 of the FEAF in accordance with SEQRA.

In response to the requirements of SEQRA the Lead Agency (City of Binghamton) must complete a statement containing rationale in support of their determination of significance (Part 3 of the FEAF). As documented in the FEAF, the majority of the Part 2 questions/answers indicate there will be no impact, or a small impact may occur. However, there are five questions for which the impact has been identified as potentially "moderate to large". These five questions, with expanded impact summaries for each, are provided below.

1. **Impact on Land**

e. The proposed action may involve construction that continues for more than one year or in multiple phases.

Construction of the Project is anticipated to extend beyond one year and is anticipated to be complete by April, 2017 (up to 22 months) in accordance with the New York State Department of Environmental Conservation (NYSDEC) Order on Consent. However, specific land disturbance activities (e.g., excavation, grading, and pipe/culvert installation) are not anticipated to last the entire 22 month period. This work, including the demolition of the C-BAF structures and on-site infrastructure are anticipated to be completed within the initial construction season (i.e., less than one year). The "finished" construction associated with equipment installation, testing, finished grading and start-up will likely occur toward the end of the construction schedule. Therefore, the period of heavy construction resulting in soil disturbances (earthwork, excavation, etc.) is not planned to exceed one year. Adverse impacts resulting from a lengthy construction schedule will thus be avoided.

3. **Impact on Surface Water**

d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.

The Project will result in minor unavoidable impacts to Fuller Hollow Creek as a result of the BAF construction which is located within the original C-BAF footprint between existing on-site wastewater structures and Fuller Hollow Creek. Temporary disturbances (i.e., dewatering, potential soil disturbance) will result from demolition of the existing inoperable C-BAF structures as well as the construction of the new BAF facility. Permanent impacts (i.e., filling and stream contour redesign) to the bed of Fuller Hollow Creek will be avoided, however the existing east stream bank will be enhanced with new stone and plantings to stabilize the area and provide continued protection from scour and erosion. There is no work proposed on or adjacent to the Susquehanna River, which bounds the BJCJSTP to the north, as part of this project.

Although minor mitigatable impacts to Fuller Hollow Creek may result from this Project, the intent of this project is to restore treatment capacity at the BJCJSTP. Upon Project completion, the effluent from the BJCJSTP will be of a significantly higher quality than current conditions, resulting in substantial improvements to local and regional surface water quality. For these reasons, the potential benefits to the environment which will result from these improvements appear to exceed the potentially limited, and generally, temporary impacts to Fuller Hollow Creek.

5. **Impact on Flooding**

b. The proposed action may result in development within a 100 year floodplain.
c. The proposed action may result in development within a 500 year floodplain.

Within the Project there are FEMA-designated floodplain classifications surrounding the Susquehanna River and Fuller Hollow Creek. As a result, both the 100- and 500-year designated floodplains extend into the area of the BJCJSTP. However, specific work associated with the Project to be completed within the 100-year floodplain area will not result in any additional restrictions or obstructions because the work is primarily located within the previously developed footprint.

Construction is planned to avoid or minimize direct impacts to on-site streams and areas within the 100-year and 500-year floodplain to the maximum extent practicable. This has been accomplished by locating the majority of the Project in upland areas and away from streams and riparian areas. Specifically, the new BAF will be constructed further from the top of the bank of Fuller Hollow Creek than the previous C-BAF systems.

While the proposed improvement will be located within the 100- or 500-year floodplain, these are considered to be unavoidable impacts due to the following:

- Need to restore functions and operations to the existing BJCJSTP, which is already established within the floodplain, in accordance with the NYSDEC Order on Consent.
- Lack of suitable alternative sites. Providing the required BAF improvements, which are needed to meet the required water quality goals, at another location is not feasible due to the substantial quantity of existing infrastructure already present at the BJCJSTP.

While this is an unavoidable impact, several measures have been incorporated into the design to minimize and/or mitigate impacts to flooding. These include:

- Locating the BAF structures further east of Fuller Hollow Creek.
- Restoring and stabilizing the east bank of Fuller Hollow Creek to near original grade and profile.
- A flood contingency plan for construction phase activities, which includes measures to reinforce erosion and sediment controls in advance of large storm events and the removal of construction equipment from the floodplain areas in advance of large storm events.
- Coordination of this Project with other on-going flood mitigation efforts at the BJCJSTP.

For these reasons, environmental impacts associated with the development within the 100-year and 500-year floodplain have been minimized and mitigated to maximum extent practicable and significant adverse impacts are not anticipated.

6. Impact on Air

a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:

vi. 43 tons/year or more of methane

It is estimated that the BJCJSTP will generate up to 2,000 tons of methane per year. Methane generation is a common ancillary outcome associated with the treatment of wastewater and is primarily a function of organic content in the wastewater and the treatment methodology. At wastewater treatment facilities, methane generation is often mitigated through flaring, or other methods, such as methane recovery and co-generation. The level of methane generation resulting from the proposed Project is similar to the levels of methane generation at the BJCJSTP prior to the C-BAF failure and flooding in 2011. Also, the proposed method mitigation (flaring) will be implemented to avoid long-term adverse environmental impacts

associated with methane generation. The possibility of co-generation and methane recovery is being evaluated and may be implemented in the future.

No Impacts or Small Impacts Which Can Be Mitigated

As previously indicated, all other items, including Impacts on Geological Features, Groundwater, Plants and Animals, Agricultural Land Resources, Aesthetic Resources, Historic and Archaeological Resources (see Letter of No Effect from the State Historic Preservation Office dated May 11, 2015), Open Space and Recreation, Critical Environmental Areas, Transportation, Energy, Odor Impact, Public Health, and Growth and Character of Community or Neighborhood result in no (or small) impacts.

Conclusion

The proposed project is anticipated to result in long-term surface water quality improvements. The design was established to meet federal and state requirements in accordance with the agreed upon Order on Consent. Project alternatives were evaluated, but due to existing BJCJSTP operation and available space, the proposed BAF design is considered the preferred alternative. Upon review of the information recorded in this FEAF as well as information presented in the design drawings and considering both the magnitude and importance of each identified potential impact, it is determined that this project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. As such, a determination of non-significance (Negative Declaration) may be undertaken by the Lead Agency.

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
Project :
Date :

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes**" to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No**" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☐ NO ☑ YES
If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☑	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☑	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☑	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☑	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☑
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☑	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☑	☐
h. Other impacts: _____		☐	☐

2. **Impact on Geological Features** The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) *If "Yes", answer questions a - c. If "No", move on to Section 3.*	☑ NO	☐ YES
	Relevant Part I Question(s)	**No, or small impact may occur**	**Moderate to large impact may occur**
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. **Impacts on Surface Water** The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) *If "Yes", answer questions a - l. If "No", move on to Section 4.*	☐ NO	☑ YES
	Relevant Part I Question(s)	**No, or small impact may occur**	**Moderate to large impact may occur**
a. The proposed action may create a new water body.	D2b, D1h	☑	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☑	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☑	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☑
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☑	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☑	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☑	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☑	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☑	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☑	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☑	☐

l. Other impacts: _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) ☐ NO ☑ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☑	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☑
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☑
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☑	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☑	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☑	☐

g. Other impacts: _____		☑	☐

6. **Impacts on Air** The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D,2,h, D.2.g) *If "Yes", answer questions a - f. If "No", move on to Section 7.*		☐ NO	☑ YES
	Relevant Part I Question(s)	**No, or small impact may occur**	**Moderate to large impact may occur**
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☑	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☑	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☑	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☑	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☑	☐
vi. 43 tons/year or more of methane	D2h	☐	☑
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☑	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☑	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☑	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☑	☐
f. Other impacts: _____		☑	☐

7. **Impact on Plants and Animals** The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) *If "Yes", answer questions a - j. If "No", move on to Section 8.*		☐ NO	☑ YES
	Relevant Part I Question(s)	**No, or small impact may occur**	**Moderate to large impact may occur**
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☑	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☑	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☑	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☑	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☑	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☑	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☑	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☑	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☑	☐
j. Other impacts: _____		☑	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☐ NO ☑ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, 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.	E3e	☑	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☑	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☑	☐

d. Other impacts: _____		☐	☐
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☑	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☑	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☑	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation
The proposed action may result in a change to existing transportation systems. (See Part 1. D.2.j) ☑ NO ☐ YES
If "Yes", answer questions a - g. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy
The proposed action may cause an increase in the use of any form of energy. (See Part 1. D.2.k) ☑ NO ☐ YES
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light
The proposed action may result in an increase in noise, odors, or outdoor lighting. (See Part 1. D.2.m., n., and o.) ☐ NO ☑ YES
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☑	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☑	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☑	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☑	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☑	☐
f. Other impacts: _____		☑	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☐ NO ☑ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☑	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☑	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☑	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☑	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☑	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☑	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☑	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☑	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☑	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☑	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☑	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☑	☐
m. Other impacts: _____		☑	☐

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, Elb	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____		☐	☐

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