

State Environmental Quality Review  
**Notice of Completion of Draft / Final EIS**

**Project Number** \_\_\_\_\_

**Date:** February 17, 2016

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.

A ☐ Draft or ☒ Final (check one) Environmental Impact Statement has been completed and accepted by the The City of Utica, New York as lead agency, for the proposed action described below.

If a Draft EIS: Comments on the Draft EIS are requested and will be accepted by the contact person until N/A

**Name of Action:**

City of Utica - Harbor Point Redevelopment

**Description of Action:**

The total project size encompasses approximately 148 acres on the Erie Canal and Mohawk River. The implementation of the Utica Harbor Point Master Plan consists of:

- Relocation of NYS Canal Corporation Operations (including closure of Dredge Spoils Area-1 [DSA-1])
- Infrastructure and Road Improvements
- Replacement of Harbor Walls
- Public/Private Build-out of the Harbor Point Redevelopment Plan

**Location:** (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

City of Utica, NY Harbor. See attached location map.

**Potential Environmental Impacts:**

The Lead Agency has compared the potential impacts that may be reasonably expected to result from the Proposed Project against the criteria contained in Section 617.7(c) of the SEQR regulations. Potential impacts and associated mitigation addressed in the Final GEIS are summarized in the attached table.

**A copy of the Draft / Final EIS may be obtained from:**

Copies of SEQRA documents can be accessed at <http://uticaharborpoint.org/>

Contact Person: Brian Thomas, Commissioner of Urban & Economic Development

Address: 1 Kennedy Plaza, Utica NY 13502

Telephone Number: (315) 792-0185

**A copy of this notice must be sent to:**

Department of Environmental Conservation, 625 Broadway, Albany, New York 12233-1750

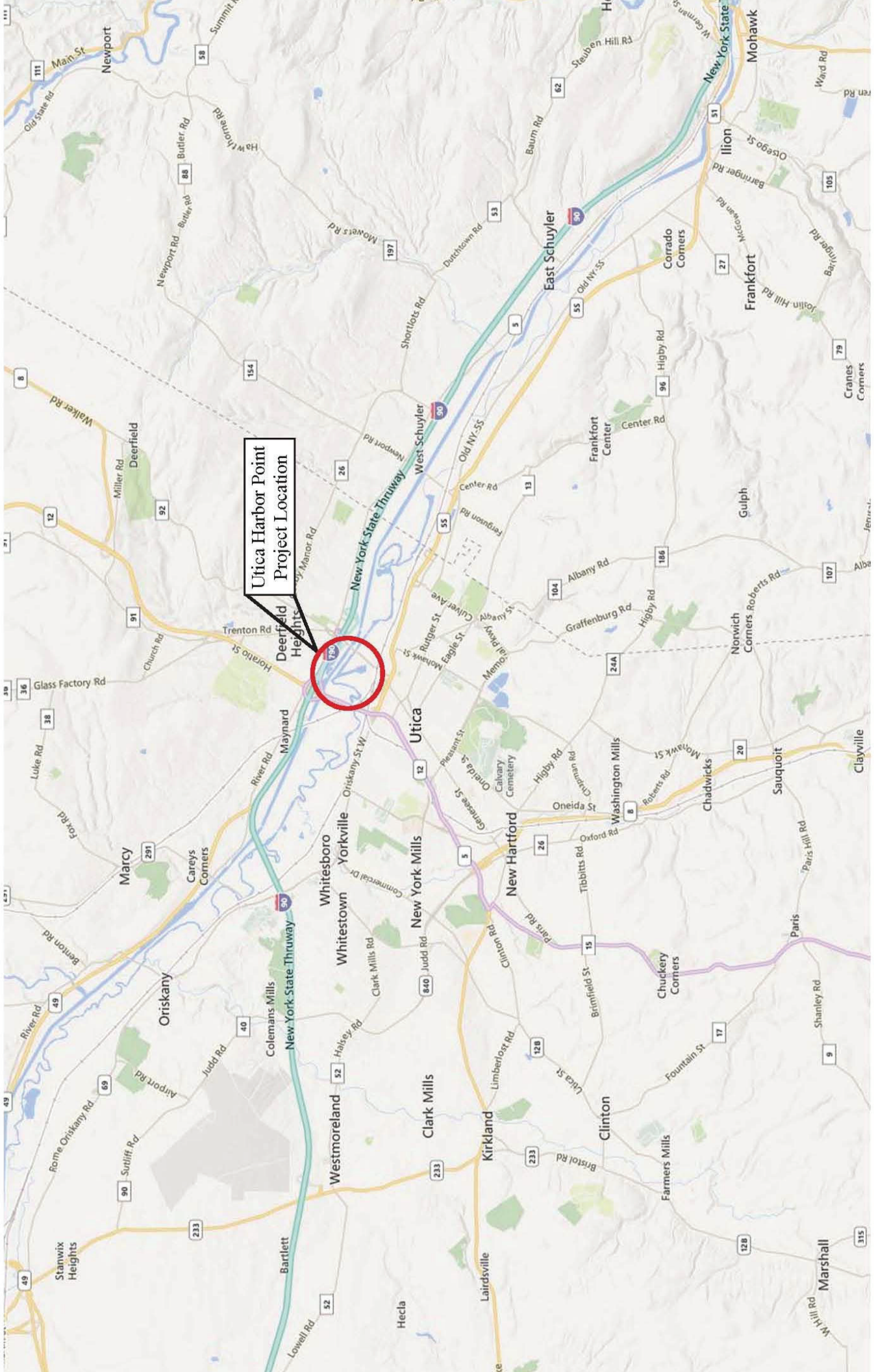
Chief Executive Officer, Town/**City**/Village of Utica

Any person who has requested a copy of the Draft / Final EIS

Any other involved agencies See attached list.

Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750

**Copies of the Draft/Final EIS must be distributed according to 6NYCRR 617.12(b).**



Topic	Potential Impacts	Mitigation
1. Zoning, Land Use, Public Policy & Community Character	<ul style="list-style-type: none"> <li>▪ Additional City tax revenue</li> <li>▪ Repurposing of former industrial lands</li> <li>▪ Increased public awareness of and access to the harbor</li> <li>▪ Creation of a local and regional destination, which will attract tourism and bolster the economy</li> </ul>	<ul style="list-style-type: none"> <li>▪ Adherence to zoning regulations</li> <li>▪ Acquisition of special permits for recreational land uses</li> <li>▪ Consideration of architectural/design standards</li> <li>▪ Coordination with the NYS Canal Corporation, National Grid and other property owners to acquire property rights</li> </ul>
2. Community Services	<ul style="list-style-type: none"> <li>▪ Minimal impact on school system</li> <li>▪ Increased need for police, fire and emergency services</li> <li>▪ Minimal impact on existing health care systems</li> <li>▪ Beneficial impacts on recreational opportunities (expanded and enhanced opportunities including softball, baseball, soccer, multi-purpose trails, amphitheater)</li> </ul>	<ul style="list-style-type: none"> <li>▪ Expanded police, fire and emergency service coverage including use of Mutual Aid</li> <li>▪ Potential need to increase emergency first responder staff</li> </ul>
3. Geology, Soils & Topography	<ul style="list-style-type: none"> <li>▪ Temporary disruption of soil profiles and exposure of bare soils; potential sediment transport to surface waters</li> <li>▪ Modifications of existing topography</li> <li>▪ Construction of facilities on unstable soils</li> <li>▪ Disturbance and exposure of industrial-impacted soils (including use restrictions associated with on-going remediation or restrictive covenants and/or deed restrictions placed on remediated lands)</li> <li>▪ Minor alteration of the bathymetric profile of the harbor due to limited dredging</li> <li>▪ Secondary impacts associated with importation of structural</li> </ul>	<ul style="list-style-type: none"> <li>▪ Installation and maintenance of Erosion &amp; Sedimentation Controls (E&amp;SCs)</li> <li>▪ Coverage (for disturbances 1 acre and &gt;) under the NYSDEC's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002) including preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP)</li> <li>▪ Weekly SWPPP inspections</li> <li>▪ Management of spoils in accordance with applicable regulations</li> <li>▪ Avoiding steep slope areas to the extent practicable</li> <li>▪ Minimizing the amount of bare soil exposed at one time</li> <li>▪ Using trench plugs and dewatering equipment to direct sediment laden water from dewatering operations to temporary sediment traps or other approved devices prior to discharge</li> <li>▪ Restoration of construction sites</li> <li>▪ Preloading (surcharging) of areas requiring importation of structural fill; rest and settlement monitoring in areas that require fills &gt; 2 feet</li> <li>▪ Design of foundations consistent with subsurface conditions; use of deep foundation and structural grade-level slab systems, which utilize driven piles; use of conventional shallow foundations consisting</li> </ul>



Topic	Potential Impacts	Mitigation
	fill and exportation of spoils	<p>of footings and mats should not be planned for new building and structures</p> <ul style="list-style-type: none"> <li>Design of structures and associated infrastructure will be planned in conjunction with a geotechnical investigation evaluation tailored to the specific project and in compliance with Building Code requirements</li> <li>Projects should anticipate encountering and the need to manage impacted subsurface materials; means and methods to evaluate and manage soil and groundwater conditions should be available and alternative fill sources should be considered</li> <li>Compliance with NYSDEC-required use restrictions and institutional controls (<i>i.e.</i>, DSA-1 and Harbor Point)</li> <li>Coordination with NYSDEC to modify commercial use restriction at DSA-1 to facilitate “restricted residential” before mixed use development can proceed</li> <li>Use of a cofferdam to perform work within the Barge Canal in dry conditions (<i>i.e.</i>, rehabilitation or replacement of harbor walls)</li> <li>Use of floating booms and barriers within the canal to contain displaced silt, turbidity, sediment and debris</li> </ul>
4. Plants & Animals	<ul style="list-style-type: none"> <li>Short-term (construction phase), temporary impacts on common species and habitats</li> <li>Long-term habitat modifications due to redevelopment activities</li> <li>Short-term impacts on aquatic species during dredging and/or rehabilitation/replacement of harbor bulkheads</li> </ul>	<ul style="list-style-type: none"> <li>Implementation and maintenance of E&amp;SCs</li> <li>Acquisition of applicable permits for work within the Barge Canal</li> <li>Restoration of disturbed areas, which are not converted to buildings and other impervious surfaces</li> <li>Inclusion of landscaping features to provide habitat for common species; landscape design should promote use of non-invasive species</li> <li>Adherence to USFWS tree-cutting restrictions for the Indiana and Northern Long-Eared Bats (cutting allowed from October 1<sup>st</sup> through March 31<sup>st</sup>); cutting outside of that time range requires further consultation with USFWS</li> </ul>
5. Groundwater & Surface Water Resources	<ul style="list-style-type: none"> <li>Increased potential for sediment migration via stormwater runoff during construction (grading, excavations)</li> <li>Temporary sedimentation within the Barge Canal related to dredging and repair of the harbor wall bulkheads</li> </ul>	<ul style="list-style-type: none"> <li>Contractors will develop and implement a dewatering program, which accounts for potential contaminants; waters will be managed in accordance with State and federal requirements</li> <li>Work within protected waterbodies will require State and federal permits</li> <li>Encroachments on federal wetlands will require authorization from the USACE</li> <li>Implementation and maintenance of E&amp;SCs</li> </ul>

Topic	Potential Impacts	Mitigation
	<ul style="list-style-type: none"> <li>▪ Need to manage dewatering of DSA-1</li> <li>▪ Potential to encounter, and need to manage, groundwater during excavations</li> <li>▪ Potential to encounter impacted ground water due to former industrial uses</li> <li>▪ Increase in stormwater runoff due to increase in impervious surfaces after development</li> <li>▪ Generation of additional sanitary flows from development, which require treatment at the local wastewater treatment plant</li> <li>▪ Potential increase in pollutants in the Inner Harbor due to increased use of the harbor by leisure boats</li> <li>▪ Potential encroachment on federal wetlands</li> </ul>	<ul style="list-style-type: none"> <li>▪ Coverage (for disturbances 1 acre and &gt;) under the NYSDEC's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002) including preparation and implementation of a SWPPP</li> <li>▪ Design and construction of a stormwater management system to manage water quality and quantity in accordance with the New York State Stormwater Design Manual</li> <li>▪ Stormwater runoff will meet the City and NYSDEC stormwater management requirements</li> <li>▪ Sanitary wastewater flows will be discharged to the City's municipal sewer system</li> <li>▪ Stationary fuel tanks and unloading areas will be designed with secondary containment specifications in accordance with federal and State regulations, including the preparation of a Spill Prevention, Control &amp; Countermeasure (SPCC) Plan, if regulatory quantity thresholds are met</li> <li>▪ Solid waste will be stored, handled, and disposed in accordance with applicable federal, State and local regulations to mitigate potential migration of leachate to surface waters</li> <li>▪ Use of pesticides and herbicides will be conducted in accordance with applicable regulations</li> <li>▪ Flagging and signage (and use of temporary fencing, if necessary) to protect sensitive waterbodies (including federal wetlands)</li> </ul>
6. Flooding	<ul style="list-style-type: none"> <li>▪ Development plans are within the floodplain fringe portion of the 100-year floodplain</li> </ul>	<ul style="list-style-type: none"> <li>▪ Acquisition of Floodplain Development Permits from the City for work within the 100-year floodplain</li> <li>▪ Redevelopment of DSA-1 will not include residential uses on the first floor pursuant to floodplain regulations and NYSDEC use restrictions</li> <li>▪ Consideration of flood proofing or the use of fill to raise elevations for development work and utilities located within the 100-year floodplain (in conjunction with the acquisition of floodplain development permits)</li> <li>▪ Potential need (on a development-by-development basis) for supplemental hydraulic studies to demonstrate that projects will have no adverse effects on neighboring properties by altering the floodplain</li> <li>▪ Continued use of NYS Canal Corporation's taintor gate dam located at the harbor's confluence with the Mohawk River (to control harbor levels)</li> <li>▪ Coordination with Oneida County regarding implementation, if necessary, of procedures outlined in the County's Comprehensive Emergency</li> </ul>

Topic	Potential Impacts	Mitigation
		Management Plan (to facilitate emergency egress during site operations and special events)
7. Infrastructure	<ul style="list-style-type: none"> <li>Increased demands on infrastructure from new development</li> <li>Increased fire flow demands (water)</li> <li>Temporary, short-term construction related impacts from extension of existing or installation of new service connections</li> </ul>	<ul style="list-style-type: none"> <li>Extension of water distribution lines along Lee Street, Wurz Avenue, and Wells Avenue into the redevelopment area to facilitate services connections to proposed land uses</li> <li>Increasing the 6-inch water service line along Wells Avenue to 8-inches and extending into the redevelopment area (to provide for adequate fire flow demands)</li> <li>Use of automatic sprinkler systems and fire rated materials per International Building Code Council and New York State Uniform Fire Prevention &amp; Building Code</li> <li>Installation of a new (replacement) 8-inch sewer line at a depth adequate to allow for extension of service into the redevelopment area</li> <li>Extension of sanitary mains into the site to facilitate service connections to proposed land uses</li> <li>Implementation and maintenance of E&amp;SCs during construction activities</li> </ul>
8. Traffic & Transportation	<ul style="list-style-type: none"> <li>Increased traffic accessing and egressing the redevelopment area</li> <li>Changes to traffic signal and patterns</li> <li>Potential increases in accidents due to increased traffic</li> </ul>	<ul style="list-style-type: none"> <li>Adding signal at the Genesee Street/Wells Avenue/Hess Drive intersection by full build out year (2020)</li> <li>Widening of Wells Avenue to provide a through/left turn lane and a right turn lane</li> <li>Preparation of a signal warrant study as full build-out of the redevelopment area nears completion</li> <li>Potential accident mitigation includes: minimizing stop-and-go conditions by improving traffic flow and access management strategies to reduce the number of driveways; and speed reductions through enforcement or the introduction of traffic calming measures</li> <li>Promoting transit use including the addition of stops within the redevelopment area</li> </ul>
9. Air Quality	<ul style="list-style-type: none"> <li>Short-term, temporary construction phase dust and exhaust impacts from construction vehicles and equipment</li> <li>Emission from new HVAC systems, sanitary vents and other regulatory-defined exempt and trivial sources associated with new buildings</li> <li>Additional mobile source emissions from increased</li> </ul>	<ul style="list-style-type: none"> <li>Implementation of dust suppression measures during construction</li> <li>Proper maintenance of construction vehicles and equipment</li> <li>Prohibiting unnecessary idling of construction equipment</li> <li>Construction of stabilized entrances to minimize migration of dirt (and dust) onto local roads</li> <li>Building code reviews of proposed HVAC systems, sanitary vents, and other exempt and trivial emission points for compliance with local and State codes</li> </ul>

Topic	Potential Impacts	Mitigation
	traffic accessing and egressing the redevelopment area	
10. Noise, Odor & Light	<ul style="list-style-type: none"> <li>Temporary noise impacts during construction activities within the redevelopment area, as well as by increased construction traffic accessing and egressing the site</li> <li>Noise from additional traffic accessing and egressing the site during the operations (including watercraft in the harbor)</li> <li>Noise from site operations (including passive and active recreational uses and special events)</li> <li>Use of temporary lighting (for safety and security) during construction</li> </ul>	<ul style="list-style-type: none"> <li>Proper muffling and maintenance of construction vehicles and equipment</li> <li>Adherence to established construction and operational hours</li> <li>Compliance with City code requirements</li> <li>Use of landscaped buffers, grading and other design elements to attenuate noise and light</li> <li>Good housekeeping and best management practices including proper storage, transport and off-site management of waste materials (to mitigate potential odor and nuisance sources)</li> <li>Adherence to City glare standards (§ 2-29-526 of the City Code) including review and approval of lighting designs by the City Code's Department</li> <li>Use of dark sky compliant lighting through the use of shielded (reflective cutoffs) light fixtures and wall packs, as well as timers, if applicable</li> </ul>
11. Socio-economic Issues	<ul style="list-style-type: none"> <li>Positive impacts including the creation of jobs and spending (construction &amp; operations), increases in State and county sales tax revenues, and increases in assessed property values and City property tax revenue</li> </ul>	
12. Cultural Resources	<ul style="list-style-type: none"> <li>Impacts on contributing elements within the New York State Historic Barge Canal District including transfer of NYS Canal Corporation lands to the Utica Harbor Local Development Corporation (as mandated by State legislation), restoration and subsequent use of the Main Shop (1933 Building), relocation or removal of the Freight House (1917 Building), removal of the Oil House, and</li> </ul>	<ul style="list-style-type: none"> <li>Coordination with the State Historic Preservation Office (SHPO)</li> <li>Incorporation of the "historic feel and association of the canal harbor" into the proposed design</li> <li>Completion of an historic structures report (HSR) to support acquisition of a Letter of Resolution (LOR) from SHPO</li> </ul>



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	<ul style="list-style-type: none"> <li>rehabilitation or reconstruction of the harbor wall bulkheads</li> <li>▪ Demolition of non-contributing elements and facilities including the 10-bay garage and pole barn</li> </ul>	
13. Visual Resources	<ul style="list-style-type: none"> <li>▪ Introduction of new structural and landscape features, as well as modification and/or removal of some existing features</li> </ul>	<ul style="list-style-type: none"> <li>▪ Preparation of a visual resource analysis consistent with the NYSDEC's Visual Impact Assessment Methodology (DEP-00-2)</li> <li>▪ Enhancement of redevelopment area entranceways to provide an "inviting gateway to the Harbor"</li> </ul>
14. Hazardous Materials	<ul style="list-style-type: none"> <li>▪ Potential to encounter impacted soils and groundwater during construction phase activities (see list of recognized environmental conditions (RECs) identified in the Phase I Environmental Site Assessment (ESA) report (summary provided in Section 2.14 of the DGEIS)</li> <li>▪ Construction and operational constraints pursuant to use restrictions associated with on-going remediation or restrictive covenants and/or deed restrictions placed on remediated lands</li> <li>▪ Impacts from on-going remedial activities by National Grid and other parties on lands within the Harbor Point portion of the redevelopment area</li> <li>▪ On-going remediation may impact the redevelopment schedule; with minimal redevelopment efforts initiated on National Grid lands until completion of remediation/restoration efforts in 2018; additional time may also be</li> </ul>	<ul style="list-style-type: none"> <li>▪ Compliance with use restrictions associated with on-going remediation or restrictive covenants and/or deed restrictions placed on remediated lands; existing restrictions include: <b>1)</b> DSA-1 – "...there will be a deed restriction placed to ensure that redevelopment is limited to nonresidential uses. Further, deed restrictions on groundwater usage on and in the vicinity of the DSAs will be placed, as well as notices to future developers of the site regarding the need for worker protection and proper handling and disposal of any materials encountered during future development. Groundwater contaminant levels will be monitored. The deed restrictions will also require present and future owners to annually certify to the NYSDEC that the institutional controls have been maintained and that the conditions at the site are fully protective of public health and the environment in accordance with this ROD"; additional mitigation and coordination will be required to support a request to the NYSDEC to modify existing deed restrictions, which limit future redevelopment uses on DSA-1 (based on initial NYSDEC coordination efforts, infilling DSA-1, which will raise the site and associated building finished floor elevations (FFE)s, will facilitate mitigation of both the residential deed restriction and requirements for residential development within the 100-year floodplain); <b>2)</b> Harbor Point (National Grid) Lands – The ROD issued by the NYSDEC requires National Grid to remediate portions of the site to varying depths depending upon the type and quantity of constituents; depths to which remediation occurs could vary from 0 feet to 20 feet across the site; future easements or deed restrictions may impact future redevelopment efforts</li> </ul>

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	<p>necessary for dredged spoils to dewater and settle within the former MVO site, prior to use for passive recreational activities</p> <ul style="list-style-type: none"> <li>Impacts from past land uses on private lands along North Genesee Street, which would need to be assessed by future land developers</li> </ul>	<ul style="list-style-type: none"> <li>Coordination with National Grid, NYSDEC and private landowners to identify use and schedule restrictions</li> <li>Phase I and II ESAs performed by future site owners and developers for privately-owned parcels along North Genesee Street</li> </ul>
15. Solid Waste Management	<ul style="list-style-type: none"> <li>Generation of construction and operational phase wastes requiring off-site management</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with local and State requirements regarding the handling and disposal of waste streams</li> <li>Implementation of recycling in accordance with local and State requirements</li> <li>Diversion of C&amp;D wastes from landfill disposal (<i>i.e.</i>, potential reuse)</li> </ul>

## INVOLVED & INTERESTED AGENCY LIST

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### NEW YORK STATE

Mr. Larry Ambeau, Regional Permit Administrator  
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Watertown, NY 13601

Mr. Joseph Savoie, Acting Director  
Canal Design Bureau  
NYS Canal Corporation  
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Albany, NY 12201

Mr. Brian Hoffmann, P.E., Regional Design Engineer  
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Ms. Ruth Pierpont, Deputy Commissioner  
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### ONEIDA COUNTY

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**CITY OF UTICA**

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