

**City of Utica Common Council**

---

**State Environmental Quality Review Act (SEQRA)  
Final Generic Environmental Impact Statement (FGEIS)**

**CITY OF UTICA – HARBOR POINT REDEVELOPMENT**

**Utica, New York**

**Lead Agency**

City of Utica

1 Kennedy Plaza

Utica, NY 13502

Contact: Mr. Brian Thomas, Commissioner  
Department of Urban & Economic Development

Date of Acceptance of the Draft GEIS by the Lead Agency: July 8, 2015

Public Hearing Held: September 15, 2015

Public Comment Period Closed: September 28, 2015

Date of Acceptance of the Final GEIS by the Lead Agency:

February 17, 2016

*This document was prepared for the New York State Department of State  
with funds provided under Title 11 of the Environmental Protection Fund Act.*

DOS Contract # C1000459

## **FIRMS INVOLVED IN PREPARATION OF THE FGEIS**

### **LEAD AGENCY:**

City of Utica

1 Kennedy Plaza

Utica, NY 13502

Contact Person:

**Mr. Brian Thomas, Commissioner**

Department of Urban & Economic Development

(315) 792-0181

### **PREPARED BY:**

#### **Elan Planning, Design & Landscape Architecture**

Lisa C. Nagle, Principal

Elan Planning, Design & Landscape Architecture

18 Division Street, Room 304

Saratoga Springs, NY 12866

[www.elanpd.com](http://www.elanpd.com)

#### **Nagle, Tatich, Cranston LLC d/b/a Elan.3 Consulting (NYS WBE)**

Lisa C. Nagle, Principal

18 Division Street, Room 304

Saratoga Springs, NY 12866

#### **O'Brien & Gere**

Paul D. Romano, P.E.

Steven M. Eckler

101 First Street, 4th floor

Utica, NY 13501

[www.obg.com](http://www.obg.com)

#### **The Paige Group**

Allison Damiano-DeTraglia, VP

258 Genesee Street, Suite 204

Utica, NY 13502

[www.paigegroup.com](http://www.paigegroup.com)

**ASSISTED BY:**

**Birchwood Archaeological Services**

131 Marion Avenue, PO Box 333  
Gilbertsville, NY 13776

**CME Associates Inc.**

6035 Corporate Drive  
East Syracuse, NY 13057

**Gomez and Sullivan**

288 Genesee Street  
Utica, NY 13502

**Lochner**

181 Genesee Street  
Utica, NY 13501

---

## Table of Contents

<b>EXECUTIVE SUMMARY</b>	5
<b>1. INTRODUCTION</b>	
1.1 Document Organization	7
1.2 Project Background	7
1.3 SEQRA Process	8
1.4 Future Actions	11
<b>2. SUBSTANTIVE CHANGES TO THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT(DGEIS)</b>	
2.1 Revised Permit Table	16
2.2 Summary of Traffic Impact Study Addendum	21
<b>3. RESPONSES TO SUBSTANTIVE COMMENTS</b>	23
<b>4. APPENDICES</b>	
A. Written Comments	
B. Public Hearing Transcript	
C. Traffic Impact Study Addendum	
D. Notice of Completion of the DGEIS & Notice of Hearing	
<b>FIGURES</b>	
Figure 1-1 Harbor Point Redevelopment Project Location Map	12
Figure 1-2 Master Plan Alternative A	13
Figure 1-3 Master Plan Alternative B	14
Figure 1-4 Preferred Master Plan	15

# **CITY OF UTICA – HARBOR POINT REDEVELOPMENT FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT**

---

## **EXECUTIVE SUMMARY**

This Final Generic Environmental Impact Statement (FGEIS) is issued for “The City of Utica Harbor Point Redevelopment Project” (the Project) by The City of Utica Common Council as Lead Agency. This FGEIS has been prepared pursuant to, and in compliance with, the New York State Environmental Quality Review Act (SEQRA) process outlined in Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Part 617, with statutory authority and enabling legislation under Article 8 of the NYS Environmental Conservation Law (ECL).

The project area encompasses approximately 148 acres of land located within the City of Utica and proximal to the Erie Canal (Canal) and Mohawk River (see Figure 1-1). The Project would consist of approximately 490,000 square feet of building used for commercial (retail, lodging, office), cultural and residential development. The project would be designed to emphasize Utica Harbor’s history and connection to the Canal and waterfront through the construction of elements celebrating and maximizing the character and vibrancy of the historic canal. The Project would provide various year-round offerings and experiences, including restaurants, entertainment venues, retail stores, cultural attractions, public spaces, and increased access to the Harbor, appealing to a wide demographic of visitors and residents.

The FGEIS, incorporating by reference the Draft Generic Environmental Impact Statement (DGEIS), provides a suitable balance of socio-economic and environmental factors that are to be incorporated into the future Project-related planning and decision-making processes of state, regional and local agencies.

SEQRA implementing regulations at 6 NYCRR 617.9(b)(8), require the FGEIS incorporate the DGEIS, including any revision or supplements to it; copies or a summary of the substantive comments received and their sources; and the Lead Agency’s response to all substantive comments.

All DGEIS documents (including appendices), which were accepted by the Utica Common Council on July 8, 2015 as complete, are incorporated herein by reference.

Comments on the DGEIS were solicited during a public comment period from July 8, 2015 through September 28, 2015. A public hearing to solicit oral and written comments was held on September 15, 2015. A table summarizing substantive comments and the Lead Agency's responses to those comments is included in Chapter 3. Written comments received during the comment period are included as Appendix A. A transcript of the public hearing is included as Appendix B.

The FGEIS incorporates changes, revisions and clarifications to information contained in the DGEIS, which resulted from the public and agency substantive comments on the DGEIS. Chapter 2 addresses revisions or supplements to the DGEIS, which include updates to the Project's tabular summary of permits and approvals, as well as a summary of an addendum to the Traffic Impact Study.

After issuance of this FGEIS, the public and involved agencies will be afforded a reasonable time period, not less than ten calendar days, in which to consider the FGEIS. After this reasonable time period has passed, the Utica Common Council, as Lead Agency, will issue a findings statement (Findings) pursuant to 6 NYCRR 617.11.

Findings must:

1. Consider the relevant environmental impacts, facts and conclusions disclosed in the FGEIS;
2. Weigh and balance relevant environmental impacts with social, economic and other considerations;
3. Provide a rationale for the agency's decision;
4. Certify that SEQRA requirements have been met; and
5. Certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

As an FGEIS, the Lead Agency's Findings must also set forth specific conditions or criteria under which future actions will be undertaken or approved, including requirements for any subsequent SEQRA compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site specific impacts, that were not adequately addressed or analyzed in the FGEIS. No further SEQRA compliance is required if a subsequent proposed action will be carried out in conformance with the conditions and thresholds established for such actions in the FGEIS or its Findings.

# **1 INTRODUCTION**

This document represents a Final Generic Environmental Impact Statement (FGEIS) for “The City of Utica Harbor Point Redevelopment Project” (the Project), which has been prepared pursuant to the State Environmental Quality Review Act (SEQRA) and its implementing regulations (6 NYCRR Part 617).

## **1.1 DOCUMENT ORGANIZATION**

The FGEIS is divided into four major sections: an introduction, substantive changes to the Draft GEIS (DGEIS), a matrix of substantive comments raised during the comment period along with the Lead Agency’s responses to those comments, and Appendices that include copies of written comments and the public hearing transcript.

## **1.2 PROJECT BACKGROUND**

In 2008, New York State created legislation that requires the NYS Canal Corporation to transfer all or a portion of their 33 acres of property at the Inner Harbor to the Utica Harbor Point Development Corporation (UHPDC) under the condition that it is done “at no cost to the Thruway Authority or its toll payers.”

As a result of the enacted legislation, the City of Utica began a master planning and design process aimed at redeveloping the City’s Inner Harbor inclusive of the NYS Canal Corporation lands and adjacent National Grid and privately owned lands. (See Figure 1-1, Harbor Point Redevelopment Project Location Map). Led by the UHPDC, in collaboration with city staff, private property owners, state agencies, and city residents, two alternative Harbor Point Redevelopment Concept Plans were prepared to create a mixed-use destination attraction for Utica that enhances the existing waters’ edge with public and private investment (See Master Plan Alternative A, Figure 1-2 and Master Plan Alternative B, Figure 1-3). The resultant conceptual master plans help realize the goals defined in the City’s Master Plan (2011), as well as those identified in the Local Waterfront Access Plan (2011) and the Brownfield Opportunity Area (BOA) Study (2014). Using input from the UHPDC and stakeholders, a preferred master plan was prepared reflecting the carrying capacity of the site. The carrying capacity is the maximum amount of building and parking that the site can hold.

(See Figure 1-4, Harbor Point Redevelopment Preferred Master Plan).

As a next step in the process, the City of Utica prepared a DGEIS to evaluate potential environmental and socio-economic impacts that may result from implementation of a preferred

Harbor Point Master Plan. Many projects or activities in New York State that might have significant environmental impacts require an environmental review in accordance with 6 NYCRR Part 617 of SEQRA implementing regulations. SEQRA requires state and local government agencies to consider environmental impacts equally with social and economic factors early in the planning process and prior to discretionary decision-making.

A “Generic” Environmental Impact Statement is used to evaluate “an entire program or plan having wide application or restricting the range of future alternative policies or projects, including new or significant changes to existing land use plans, development plans, zoning regulations or agency comprehensive resource management plans” (6 NYCRR § 617.10(a) (4)).

Impacts of individual actions proposed to be carried out in conformance with the adopted plan and the threshold or conditions identified in the FGEIS and SEQRA Findings may require no or limited future SEQRA review<sup>1</sup>.

### **1.3 SEQRA PROCESS**

This document, which incorporates the DGEIS by reference pursuant to 6 NYCRR 617.9(b)(8), is the FGEIS for the Project. The redevelopment project consists of:

- Redevelopment of lands owned by the NYS Canal Corporation (including Section 4 office and maintenance facilities and Dredge Spoils Area-1 [DSA-1])
- Infrastructure and Road Improvements
- Replacement of Harbor Walls
- Public/Private Buildout of the Harbor Point Redevelopment Plan

This FGEIS has been prepared in compliance with Section 8-0109 of the New York State Environmental Conservation Law (the State Environmental Quality Review Act [SEQRA]) and the implementing regulations of SEQRA at 6 NYCRR Part 617, including the specific provisions which relate to the content of final environmental impact statements contained in 6 NYCRR 617.9 (b)(8) and generic environmental impact statements in 6 NYCRR 617.10.

This FGEIS is being released for agency and public consideration. Before issuing its SEQRA Findings and decision on whether or not to adopt the Plan, the Common Council of the City of Utica, as SEQRA Lead Agency, will provide a minimum period of ten days for agencies and the public to consider the FGEIS.

---

<sup>1</sup> 6 NYCRR § 617.10(d)



SEQRA requires that an EIS must be completed for projects that could result in a significant adverse environmental impact so that these impacts can be identified and mitigated. Components of the SEQRA process and details of the City's compliance with the SEQRA process are summarized below.

### Lead Agency

In a coordinated SEQRA review process, the Lead Agency is typically the "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. Type I actions, as defined in the SEQRA implementing regulations, must undergo a coordinated review process with other involved agencies. On August 13, 2014, the City of Utica Common Council, by resolution, classified implementation of the Master Plan as a Type I action and declared its intent to act as Lead Agency to initiate a coordinated SEQRA review of potential environmental and socioeconomic impacts, which could occur from implementation of the Utica Harbor Point Master Plan.

The following agencies were identified as Involved Agencies<sup>2</sup> pursuant to SEQRA:

- New York State Canal Corporation
- New York State Department of Environmental Conservation (NYS DEC)
- New York State Department of State (NYS DOS)
- New York State Department of Transportation (NYS DOT)
- New York State Empire State Development (NYS ESD)
- New York State Parks, Recreation and Historic Preservation Office (NYS SHPO)
- Mohawk Valley Water Authority (MVWA)
- Oneida County Department of Health (DOH)
- Oneida County Department of Planning
- Oneida County Department of Water Quality and Water Pollution Control (WQWPC)
- Oneida County Soil & Water Conservation District

Based on concurrence expressed in written responses from involved agencies, the City of Utica Common Council, by resolution dated September 17, 2014, declared itself Lead Agency and issued a Positive Declaration for this action. The "Positive Declaration" stated the City's intent to prepare a DGEIS to identify, evaluate and mitigate potential significant adverse

---

<sup>2</sup> Involved agency means an agency that has jurisdiction by law to fund, approve or directly undertake an action. If an agency will ultimately make a discretionary decision to fund, approve or undertake an action, then it is an "involved agency" notwithstanding that it has not received an application for funding or approval at the time the SEQR process is commenced. The lead agency is also an "involved agency" (6 NYCRR 617.2(s)).

environmental and socio-economic impacts that could arise from implementation of the Project.

### Scoping

Scoping is a process that identifies potential environmental impacts of an action or actions, which should be addressed in the DGEIS. The purpose of scoping is to narrow issues to be addressed in the DGEIS to facilitate the preparation of a concise, accurate and complete document that is adequate for public review. The scoping process is intended to:

- create consensus among involved agencies;
- provide additional opportunities for public participation by seeking input from the public regarding the content of the DGEIS; and
- minimize the inclusion and review of unnecessary issues.

On September 17, 2014 the City released a Draft DGEIS Scoping Document, which was distributed to Involved Agencies for comment. On October 21, 2014, a public scoping meeting was held to receive agency and public comments on the Scoping Document. On November 19, 2014 a Final DGEIS Scoping Document was issued, which incorporated the compiled public and agency input.

### Draft Generic Environmental Impact Statement DGEIS

A DGEIS was subsequently prepared, which was consistent with the Final Scoping Document. On July 8, 2015, the Utica Common Council, as SEQRA Lead Agency, approved a resolution, which accepted the DGEIS as adequate for public review and released the document for comment.<sup>3</sup> A public hearing was held on September 15, 2015 at the North Utica Senior Community Center to solicit oral and written comments on the DGEIS. Written comments were accepted by the City until September 28, 2015. Additional substantive comments received from the NYSDEC and State Historic Preservation Office (SHPO) after the deadline were also included in this FGEIS. Copies of the written comments and Public Hearing transcript are included as Appendix A and B, respectively.

### Final Generic Impact Statement (FGEIS)

This FGEIS incorporates the DGEIS by reference, as well as the Lead Agency's responses to substantive comments including any changes, revisions and clarifications to information contained in the DGEIS, which resulted from the public and agency substantive comments.

---

<sup>3</sup> The DGEIS was distributed to Involved Agencies, made available for review at the City of Utica's Department of Urban and Economic Development, and posted on the Project's website ([www.uticaharborpoint.org](http://www.uticaharborpoint.org)).

### Findings Statement (Findings)

Each Involved Agency will be responsible for issuing Findings relative to their Project-specific jurisdictions. Findings are a written statement prepared by each involved agency, in accordance with 6 NYCRR 617.11, after a final EIS has been filed, that considers the relevant environmental impacts presented in the EIS; weighs and balances them with social, economic and other essential considerations; provides a rationale for the agency's decision; and certifies that the SEQRA requirements have been met.

Prior to the lead agency's decision on an action that has been the subject of a Final EIS, it shall afford agencies and the public a reasonable time period (not less than 10 calendar days) in which to consider the Final EIS before issuing its written findings statement.

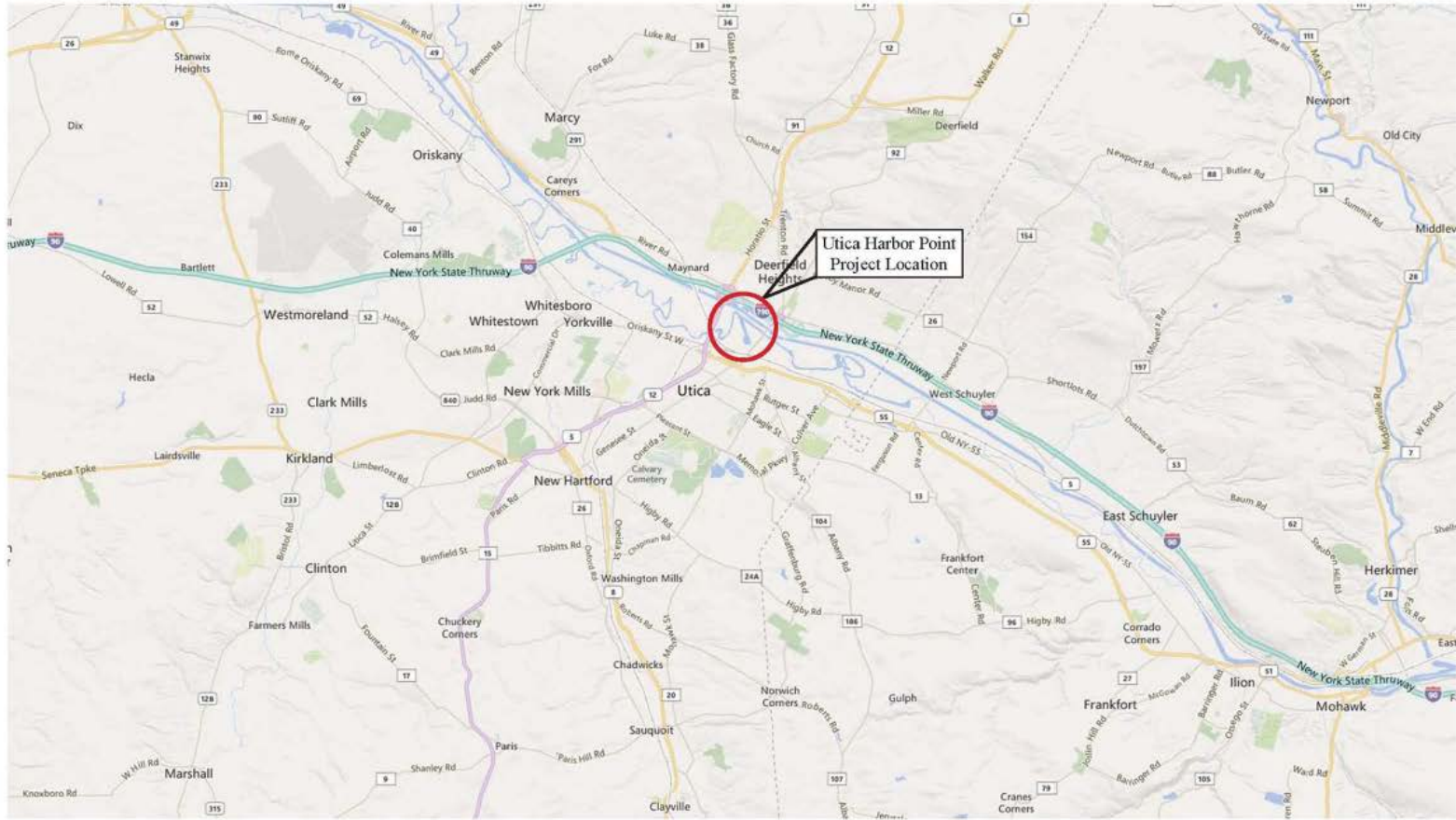
## **1.4 FUTURE ACTIONS**

Future implementation of the City of Utica Harbor Point Redevelopment Project will be reviewed by the City to identify if any additional review pursuant to SEQRA is necessary.

Pursuant to 6 NYCRR 617.10(d), no further SEQRA compliance is required if subsequent proposed actions will be carried out in conformance with the conditions and thresholds established for such actions in the FGEIS and Findings. If future actions involve elements not specifically evaluated in the FGEIS process or exceed thresholds identified in the City's Findings, the following options for supplemental evaluation will be considered:

- An amended findings must be prepared if a subsequent proposed action was adequately addressed in the FGEIS, but was not addressed or was not adequately addressed in the Findings for the FGEIS.
- A Negative Declaration must be prepared if a subsequent proposed action was not adequately addressed in the FGEIS and the subsequent action will not result in any significant environmental impacts.
- A supplement to the FGEIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the FGEIS and the subsequent action may have one or more significant adverse environmental impacts.

Adoption of the Findings by the City will constitute adoption of the mitigation guidelines to be applied to review and approval of future development proposals within the Project Area.



"This report was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund."

**CITY OF UTICA, NY  
HARBOR POINT REDEVELOPMENT  
GEIS**



Figure 1-1 Harbor Point Redevelopment Project Location Map

**Figure 1-1 Harbor Point Redevelopment Project Location Map**












\*This report was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund.

**CITY OF UTICA, NY  
HARBOR POINT REDEVELOPMENT  
GEIS**





Figure 1-2 Master Plan Alternative A



Figure 1-3 Master Plan Alternative B

**PARKING EVALUATION KEY:**

	BUILDING USE	SQUARE FOOTAGE PER BUILDING	BUILDING STORIES	PARKING SPACES NEED PER BUILDING
A1	RESIDENTIAL/ BUSINESS	43,200 SF	3	83
A2	RESIDENTIAL/ BUSINESS	22,400 SF	2	54
A3	RESIDENTIAL/ BUSINESS	42,900 SF	3	82
A4	RESIDENTIAL/ BUSINESS	36,300 SF	3	89
A5	RESIDENTIAL	46,800 SF	2	87
A6	RESIDENTIAL	33,600 SF	2	36
A7	RESIDENTIAL	32,000 SF	2	38
A8	RESIDENTIAL	59,400 SF	2	96
A9	RESIDENTIAL	32,250 SF	2	42

B	HARBOR OPERATIONS/ INTERPRETIVE CENTER	7,000 SF	1	23
C	RETAIL/BUSINESS	104,000 SF	4	150

D1	UPSCALE FOOD COURT	14,000 SF	1.5	154
D2	RESTAURANT	16,000 SF	1	80

	AREA USE	PARKING SPACES NEED PER AREA
E	WATERFRONT RECREATION PARK/ COFFEE SHOP	30
F	PERFORMANCE AMPHITHEATER	261
G	RECREATION AREA	465

- A** NYS CANAL LANDS ALONG HARBOR
- B** NYS CANAL LANDS DREDGE SPOILS AREA



Figure 1-4 Preferred Master Plan

## 2 SUBSTANTIVE CHANGES TO THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

### 2.1 REVISED PERMIT TABLE

**Table 1 Potential Permits, Approvals & Reviews.**

	Permit	Activity	Agency	Comments	SEQRA Involved Agency Contact
	<u>Federal</u>				
1	Section 404 of the Clean Water Act  (Joint Application)	Dredging or discharges in waters of the United States (including non-isolated wetlands).	USACE	<ul style="list-style-type: none"> <li>▪ Required for work within the canal/inner harbor (e.g., construction within waterbody, repair of harbor walls, dredging, etc.); or work within federal wetlands on inner harbor lands (based on federal wetland delineation).</li> <li>▪ National Wetland Inventory mapping illustrates potential federal wetlands.</li> <li>▪ Potential use of Nationwide Permits (NWPs) and submission of Pre-Construction Notification (PCN).</li> <li>▪ Joint Application Form – <a href="http://www.dec.ny.gov/docs/permits_ej_operations_pdf/jointapp.pdf">http://www.dec.ny.gov/docs/permits_ej_operations_pdf/jointapp.pdf</a></li> </ul>	Federal agencies are not SEQRA Involved Agencies.
2	Section 10 of the Rivers & Harbors Act of 1899  (Joint Application)	Work within federally-designated navigable waters of the United States, which include the canal/inner harbor.	USACE	<ul style="list-style-type: none"> <li>▪ Same as above.</li> </ul>	Same as above.



	Permit	Activity	Agency	Comments	SEQRA Involved Agency Contact
	<b><u>State &amp; Local</u></b>				
3	Section 401 of the Clean Water Act (401 Water Quality Certification)  (Joint Application)	Certification is used to ensure that conditions posed by federal agencies issuing permits or carrying out direct actions, which may result in discharges to waters of the United States, do not violate New York State's water quality standards or impair designated uses.	NYSDEC	<ul style="list-style-type: none"> <li>Potential use of NYSDEC's "Blanket" Water Quality Certification of the USACE's NWP Program.</li> <li><a href="http://www.dec.ny.gov/docs/permits_ej_operations_pdf/wqcnationwide.pdf">http://www.dec.ny.gov/docs/permits_ej_operations_pdf/wqcnationwide.pdf</a></li> </ul>	Mr. Larry Ambeau Regional Permit Administrator NYSDEC, Region 6 317 Washington St. Watertown, NY 13601
4	Protection of Waters (6 NYCRR Part 608; Article 15 of the ECL)  (Joint Application)	Work within protected and/or State-designated navigable water bodies (bed and banks), which include the canal/inner harbor.	NYSDEC	<ul style="list-style-type: none"> <li>Required for work within the canal/inner harbor (e.g., construction within waterbody, repair of harbor walls, dredging, etc.).</li> </ul>	Mr. Larry Ambeau Regional Permit Administrator NYSDEC, Region 6 317 Washington St. Watertown, NY 13601
5	Freshwater Wetlands (6 NYCRR Parts 663 – 664; Article 24 of the ECL)  (Joint Application)	Activities within State-regulated wetlands and check zones (100-foot buffer areas) as mapped by NYSDEC.	NYSDEC	<ul style="list-style-type: none"> <li>Required if activities require construction within State-designated wetlands and/or check zones mapped within Harbor Point area.</li> </ul>	Mr. Larry Ambeau Regional Permit Administrator NYSDEC, Region 6 317 Washington St. Watertown, NY 13601
6	Change of Use Notification  (6 NYCRR Part 375-1.11(d))	60-day advance notification for change in site use, change in site ownership, change in responsibility for the proposed on-going or completed remedial program, and transfer of Certification of Completion.	NYSDEC	<ul style="list-style-type: none"> <li>Required if National Grid's Harbor Point Lands are transferred to the City or other entity for redevelopment consistent with the Master Plan.</li> </ul>	Mr. Larry Ambeau Regional Permit Administrator NYSDEC, Region 6 317 Washington St. Watertown, NY 13601
7	Petroleum Bulk Storage (6 NYCRR Parts 610, and 612-614)	Tank registrations (including construction-related).  (Spill Prevention, Control & Countermeasure Plan [SPCC] Plan may be necessary depending upon quantities.)	NYSDEC	<ul style="list-style-type: none"> <li>Potential fueling station for marina and/or bulk petroleum storage tanks for emergency generators.</li> </ul>	Mr. Larry Ambeau Regional Permit Administrator NYSDEC, Region 6 317 Washington St. Watertown, NY 13601

	Permit	Activity	Agency	Comments	SEQRA Involved Agency Contact
8	Canal Work and Occupancy Permit	Work within the canal/inner harbor.	NYS Canal Corporation NYS Thruway Authority	<ul style="list-style-type: none"> <li>Work activities within canal/inner harbor.</li> <li>Planning activities and impact on canal system.</li> <li>Relocation of NYS Canal Corporation facilities (including dredged spoil area).</li> </ul>	Mr. Joseph Savoie Acting Director, Canal Design Bureau NYS Canal Corporation Exit 23 and Rt. 9W Albany, NY 12201
9	SPDES General Permit for Storm Water Discharges from Construction Activity  (GP-0-15-002)	Storm water discharges from construction phase activities disturbing one-acre or greater. Includes preparation and implementation of SWPPP.	NYSDEC City of Utica	<ul style="list-style-type: none"> <li>NOI submitted at least 5-days before construction start-up. NOT submitted after site restoration completed.</li> <li>Up to 60-day review of SWPPP by NYSDEC if SWPPP not in conformance with General Permit.</li> <li>Review of SWPPP by City of Utica as a Municipal Separate Storm Sewer System (MS4).</li> <li>Coverage under the SPDES General Permit for projects located in areas deemed “archaeologically sensitive” for cultural resources (as mapped by the State Historic Preservation Office; SHPO) also “triggers” consultation with SHPO. The project site is located in such an area (see below).</li> </ul>	Michael Mahoney, Deputy City Engineer City of Utica Department of Engineering 1 Kennedy Plaza Utica, NY 13502
10	Highway Work Permit	Work within highway rights-of-way (highway and utility improvements).	NYSDOT City of Utica	<ul style="list-style-type: none"> <li>NYSDOT – Road improvements or utility extensions within right-of-way of N. Genesee Street.</li> <li>City of Utica – Road improvements or utility extensions within rights-of-way of Wurz Avenue, Wells Avenue, Lee Street, etc.</li> </ul>	Mr. Brian Hoffmann, P.E. Regional Design Engineer NYS DOT Region 2 Utica State Office Building 207 Genesee Street Utica, NY 13501  Michael Mahoney, Deputy City Engineer City of Utica Department of Engineering 1 Kennedy Plaza Utica, NY 13502
11	SEQRA (Article 8 of the ECL; 6 NYCRR Part 617)	Environmental impact assessment of project components.	City of Utica Involved Agencies	<ul style="list-style-type: none"> <li>Preparation of Generic Environmental Impact Statement (GEIS).</li> <li>Environmental Justice issues – <a href="http://www.dec.ny.gov/docs/permits_ej_operations_pdf/oneidaej.pdf">http://www.dec.ny.gov/docs/permits_ej_operations_pdf/oneidaej.pdf</a></li> </ul>	Lead Agency City of Utica Common Council Mr. Michael P. President Department of Legislation 1 Kennedy Plaza Utica, NY 13502

	Permit	Activity	Agency	Comments	SEQRA Involved Agency Contact
12	Federal & State Preservation Laws (36 CFR 800; 9 NYCRR Part 428; Sections 3.09 and 14.09 of the NYS Parks, Recreation and Historic Preservation Law)	Completion of Project Review Form (project description and location, photographs, and documentation of prior disturbance) and/or cultural resource investigation. Goal is to obtain "No Effect" letter from SHPO or Letter of Resolution (LOR) agreeing to appropriate mitigation for potential impacts.	NYSOPRHP – Field Services Bureau (SHPO)	<ul style="list-style-type: none"> <li>▪ Consultation with SHPO regarding sites/facilities listed or eligible for listing on the State and National Registers of Historic Places.</li> <li>▪ Potential impacts on areas deemed by SHPO as sensitive for the presence of archaeological resources.</li> </ul>	Ms. Ruth Pierpont Deputy Commissioner New York State Division for Historic Preservation New York State Office of Parks, Recreation & Historic Preservation Peebles Island State Park P.O. Box 189 Waterford, NY 12188-0189
13	Floodplain Development Permit	Work within 100-year floodplain.	City of Utica	<ul style="list-style-type: none"> <li>▪ Proposed activities within and potential impacts on the 100-year floodplain.</li> </ul>	Mr. Dave Farina Code Enforcement Administrator City of Utica Codes Department 1 Kennedy Plaza Utica, NY 13502
14	Rezoning	Potential rezone of parcels or creation of overlay districts to manage proposed land uses within inner harbor project area.	City of Utica	<ul style="list-style-type: none"> <li>▪ Potentially proposed by land owners &amp; developers.</li> </ul>	City of Utica Common Council Mr. Michael P. Galime, President Department of Legislation 1 Kennedy Plaza Utica, NY 13502
15	Site Plan Approval	Approval of future site modifications by land owners & developers.	City of Utica	<ul style="list-style-type: none"> <li>▪ May be triggered by future parcel-specific development.</li> </ul>	Mr. Fred Matrulli, Chairperson City of Utica Planning Board c/o Department of Urban & Economic Development 1 Kennedy Plaza Utica, NY 13502
16	Subdivision Approval	Potential consolidation or breakout of parcels within inner harbor project area.	City of Utica	<ul style="list-style-type: none"> <li>▪ May be triggered by future parcel-specific development.</li> </ul>	Mr. Fred Matrulli, Chairperson City of Utica Planning Board c/o Department of Urban & Economic Development 1 Kennedy Plaza Utica, NY 13502
17	Variances (or Special Use Permits)	Approval of area and/or use variances.	City of Utica	<ul style="list-style-type: none"> <li>▪ May be triggered by future parcel-specific development.</li> </ul>	City of Utica Zoning Board of Appeals c/o Department of Urban & Economic Development 1 Kennedy Plaza Utica, NY 13502

	Permit	Activity	Agency	Comments	SEQRA Involved Agency Contact
18	General Municipal Law (GML) § 239-m	County Planning review of activities located within 500-feet of State or County highway, municipal boundary or park.	County Planning	<ul style="list-style-type: none"> <li>May be triggered by future parcel-specific development.</li> </ul>	Mr. John R. Kent, Jr. Commissioner Oneida County Department of Planning 321 Main Street Utica, NY 13501
19	Water and Wastewater System Improvements Approval of Plans	Approval of water and wastewater infrastructure improvements and connections.	Mohawk Valley Water Authority (MVWA)  City of Utica	MVWA – Water connections.  City of Utica – Sewer connections.	Mr. Richard Goodney, P.E. Mohawk Valley Water Authority 1 Kennedy Plaza Utica, NY 13502  Michael Mahoney, Deputy City Engineer Department of Engineering 1 Kennedy Plaza Utica, NY 13502
20	Building & Demolition Permits	Building code compliance.	City of Utica		Mr. Dave Farina Code Enforcement Administrator City of Utica Codes Department 1 Kennedy Plaza Utica, NY 13502
21	Certificate of Occupancy	Approval to occupy building.	City of Utica		Mr. Dave Farina Code Enforcement Administrator City of Utica Codes Department 1 Kennedy Plaza Utica, NY 13502

Source: O'Brien & Gere

## **2.2 SUMMARY OF TRAFFIC IMPACT STUDY ADDENDUM**

In response to the New York State Department of Transportation (NYSDOT) comments dated September 25, 2015 on the DGEIS (see Appendix A), additional studies have been undertaken. The traffic analyses included in the DGEIS were updated to reflect the reduction in southbound Genesee Street lanes between Wells Avenue and the John Street / Broad Street ramp. An analysis of the future No-Build scenario was also performed. As requested by the NYSDOT, a traffic signal warrant analysis for the Genesee Street/I-790/Thruway Ramp intersection was also performed. A summary of the study findings is presented below. The full report and supporting documentation is attached as Appendix C.

### Signal Warrant Study

A signal warrant study was performed for the Genesee Street intersection with the eastbound I-790/Thruway ramp. Traffic data was collected for the time period from November 30, 2015 to December 3, 2015. An evaluation of the traffic signal warrants outlined in the Manual of Uniform Traffic Control Devices (MUTCD) and the NYSDOT supplement was performed. The study concluded that Signal Warrants 1,2,3 and 8 are met, and that the installation of a signal at the Genesee Street intersection with the eastbound I-790/Thruway ramp is warranted. The updated traffic analysis summarized below includes an evaluation of traffic conditions at this intersection under signal control.

### Traffic Analysis Update

The traffic analysis for the Genesee Street corridor from Lee Street to the intersection with the eastbound Route I-790/Thruway ramp has been updated to reflect the reduction in the number of southbound lanes between the John Street/Broad Street ramp and Wells Avenue. The lane reduction resulted from traffic mitigation measures implemented with the recent construction of the Fairfield Hotel.

The analysis shows that Genesee Street will continue to operate at acceptable levels of service. The signalized intersections of Genesee Street/Wurz Avenue and Genesee Street/Wells Avenue will operate at a level of C or better under the build-out scenario.

Under stop sign control, the eastbound I-790/Thruway ramp approach to Genesee Street will operate at Levels D and E under full build-out. Converting this intersection to signal control will result in an overall intersection level of service of B or better and the ramp approach operating at Level B or better.

An analysis was also performed for the future no-build condition. This analysis evaluated year 2020 conditions with background growth only and no site development. The analysis documented that there is only a minimal decrease in levels of service between the existing and no build conditions.

### 3 RESPONSES TO SUBSTANTIVE COMMENTS

The following table summarizes substantive comments received on the DGEIS and the Lead Agency's responses to those comments. A complete record of the written and oral comments is provided in Appendices A and B, respectively.

Date Received	Format	First Name	Last Name	Address	Affiliation
8/26/2015	E-mail to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	John	Wimbush		NYS DOS
9/15/2015	Public hearing transcript (page 40) and written comment submitted at public hearing	Doug	Joslin		Resident

Date Received	Format	First Name	Last Name	Address	Affiliation	
9/15/2015	Written comment submitted at public hearing	Richard	Mas	North Utica	Resident	Is it po Point
9/15/2015	Public hearing transcript (page 35) and written comment submitted at public hearing	Butch	Waskiewicz	1612 Harrison Ave., Utica, NY 13502	Resident	I want canoe differ
9/15/2015	Written comment submitted at public hearing	Lucille	Vincent	477 Roseclair Ave., Utica, NY	Resident	High e here. Shops by art Eateri what hand-
9/21/2015	Blog post submitted via email to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Robert T.	Oliveira	763 Mary Street, Utica, NY	Resident	I have plan. S comm oppor is a lin  As you critica object  First, nothin Count old or figure sense  The or direct locate will be any pl  Havin with t



Date Received	Format	First Name	Last Name	Address	Affiliation
					area s doing weigh
					<p>There love to since count marsh opport</p> <p>The o cars a vacati down friend about about</p> <p>Imagi not ju 2015,</p> <p>So the Harbo pettin the lik Ricott</p> <p>Now h chees becan restau progra the ar as par that e togeth making</p>

Date Received	Format	First Name	Last Name	Address	Affiliation
9/11/2015	E-mail to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Mark	Harf	805 VanBuren St. Utica and NYC	<p>Dear [redacted]</p> <p>With [redacted]</p> <p><a href="http://[redacted]">http://[redacted]</a></p> <p>The ci [redacted]</p> <p>parks. [redacted]</p> <p>(high [redacted]</p> <p>descri [redacted]</p> <p>once [redacted]</p> <p>alread [redacted]</p> <p>deser [redacted]</p> <p>Additi [redacted]</p> <p>be do [redacted]</p> <p>field, [redacted]</p> <p>overfl [redacted]</p> <p>We ha [redacted]</p> <p>Harbo [redacted]</p> <p>reside [redacted]</p> <p>don't [redacted]</p> <p>plann [redacted]</p> <p>1940s [redacted]</p> <p>Bring [redacted]</p> <p>build [redacted]</p> <p>bypas [redacted]</p> <p>focus [redacted]</p> <p>wishe [redacted]</p> <p>locate [redacted]</p> <p>negot [redacted]</p> <p>and d [redacted]</p> <p>enter [redacted]</p> <p>Mark [redacted]</p>

Date Received	Format	First Name	Last Name	Address	Affiliation
9/25/2015	E-mail to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Beth	Watts	207 Genesee Street, Utica, NY 13501	1. P a D P 2. P t A 3. P a P 4. P C r J v F 5. P s R S 6. P b i b 7. P p c r c
9/17/2015	Blog post submitted via e-mail to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Frank	Montecalvo		Blogger

Date Received	Format	First Name	Last Name	Address	Affiliation
					<p>1. We project with a were such a down Succes Hartfo design occup Now o '60s U buildi not be densit requir with p Water city. V center which the ta amen back i</p> <p>2. Nicl in a fir with t toutec detrac maste value ensur code?</p> <p>3. Har dollar Point devel</p> <p>4. Doe functi thing activit Mayb farme locally some</p>

Date Received	Format	First Name	Last Name	Address	Affiliation
					<p>Renew into th The C and in devel city. If yet ar The H poten</p>
9/15/2015	Public hearing transcript (page 30)	Howard	Bushinger		<p>Resident</p> <p>I'm cu adjace have s</p>
9/15/2015	Public hearing transcript (page 31)	Jack	LoMedico		<p>Resident</p> <p>Just a flood ponds wet a build that?</p>
9/15/2015	Public hearing transcript (page 35)	Ron	Vincent		<p>Resident</p> <p>With a woul to see devel</p>
9/15/2015	Public hearing transcript (page 37)	Emil	Hrycan		<p>Resident</p> <p>Some elsew</p>

Date Received	Format	First Name	Last Name	Address	Affiliation
9/15/2015	Public hearing transcript (page 38)	Emil	Hrycan		Resident Is a bo
9/15/2015	Public hearing transcript (page 38)	Emil	Hrycan		Resident The br says 1 woulc buildi look a and U short been move muse Seeing built c
9/15/2015	Public hearing transcript (page 39)	Emil	Hrycan		Resident The ar have c amph consid rises u it's go
9/15/2015	Public hearing transcript (page 42)	Howard	Bushinger		Resident There Public acre o

Date Received	Format	First Name	Last Name	Address	Affiliation	
						Wurz up, or
9/15/2015	Public hearing transcript (page 44)	Samantha	Testa		Resident	Do yo
9/15/2015	Public hearing transcript (page 47)	Butch	Waskiewicz		Resident	There the so facility
9/15/2015	Public hearing transcript (page 47)	Beth	Irons		Resident & Bagg's Square Association	I see o walkin there system
9/15/2005	Public hearing transcript (page 48)	Tim	Trent		Resident	What intenc and th our ar
9/15/2015	Public hearing transcript (page 54)	Mark	Mojave		Resident	What encou
9/15/2015	Public hearing transcript (page 56)	Ron	Vincent		Resident	Just a fields side o the ci area. about the bo
9/15/2015	Public hearing transcript	Doug	Joslin		Resident	Have

Date Received	Format	First Name	Last Name	Address	Affiliation
	(page 57)				it on h One o way w season walk a year it the Ne down
					So com Mayo first m conne can cr Thruw
					And to were were bridge mode devel four s when down
9/15/2015	Public hearing transcript (page 58)	Ed	Bucciero		Common Council Member
					So the table, table, transp each a financ two o accom just a
					I hear That's light i able t
					So wh they'r that t have
					So tha to the consid the be that.



Date Received	Format	First Name	Last Name	Address	Affiliation	
9/15/2015	Public hearing transcript (page 62)	Frank	Dragotto		Resident	Is this
9/15/2015	Public hearing transcript (page 65)	Tim	Trent		Resident	Has th region White emerg destin peopl thinki what
9/15/2015	Public hearing transcript (page 68)	Emil	Hrycan		Resident	When forwa to be going
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Tyoe	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC	Flood shoul devel

Date Received	Format	First Name	Last Name	Address	Affiliation	
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Tyoe	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC	Flood outside must flood
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Tyoe	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC	Flood structure utility equal
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Tyoe	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC	Hazard remediation fields require anticipatory fields recreation. The Department covers of a street of account would Detail Guidance will be the Department guidance
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Tyoe	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC	Natural addition Area (the Scenic Area) be to Scenic Area this continues to create also the on from
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Tyoe	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC	Natural post construction educational inform

Date Received	Format	First Name	Last Name	Address	Affiliation
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Tyoe	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC Natur launch
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Tyoe	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC Natur appro no fur "Soft" planti bioen follow
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Tyoe	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC Petrol statio requir "Perm
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Tyoe	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC Agenc project
11/30/2015	Via E- Mail Letter to Lisa Nagle Elan Planning and Design 18 Division Street Saratoga Springs, NY 12866	Laurie	Klenkel	NYS OPRHP P.O. Box 189, Waterford, New York 12188- 0189Laurie.Klenkel@p arks.ny.gov	NYS OPRHP 1. Tha by the Recre receiv Enviro review State York P comm and re This n Nover statec develo develo Utica, the AF Distric 2. We specif additi Inform tools/ you ca Next c will ne If you

Date Received	Format	First Name	Last Name	Address	Affiliation
12/1/15	Via E- Mail Letter to Lisa Nagle Elan Planning and Design 18 Division Street Saratoga Springs, NY 12866 and Birchwood Archaeological Svc	Laurie Klenkel		NYS OPRHP P.O. Box 189, Waterford, New York 12188- 0189Laurie.Klenkel@p arks.ny.gov	NYS OPRHP

Hello  
1. I just  
techn  
that y  
I'll giv  
statec  
develo  
develo  
Utica,  
minim  
And st  
Servic  
locate  
and a  
at the  
Histor  
I am n  
that S  
resour  
the ne  
impac  
2. Plea  
projec  
after t  
separa  
or ans