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

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

Utica, NY 13502

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

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February 17, 2016

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

4 | Final Generic Environmental Impact Statement / Utica Harbor Point Redevelopment Project

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 review¹.

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.

¹ 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 Agencies² 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

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² 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.

<u>Draft Generic Environmental Impact Statement DGEIS</u>

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.³ 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.

³ 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).

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.

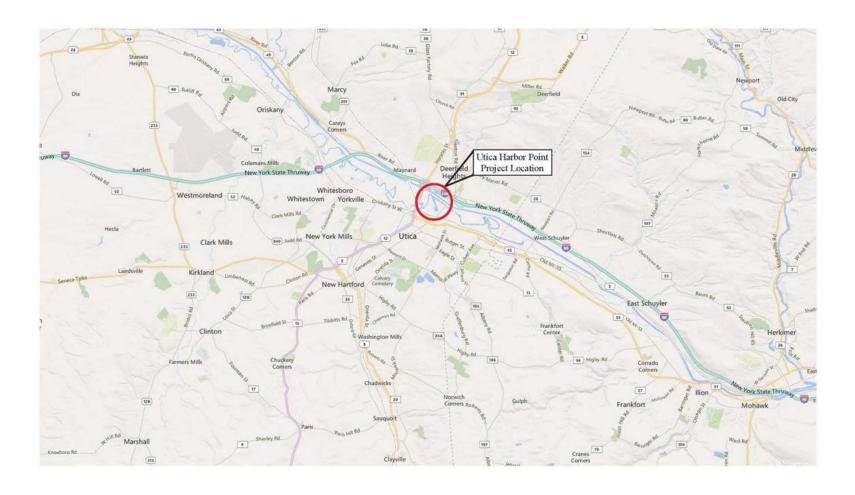
1.4 FUTURE ACTIONS

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



Figure 1-2 Master Plan Alternative A





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CITY OF UTICA, NY HARBOR POINT REDEVELOPMENT GEIS







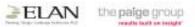
	BUILDING USE		ARE FOOTAGE BUILDING	BUILDING STORIES	PARKING SPACES NEED PER BUILDING	
A1	RESIDENTIAL/ BUSINESS	43,2	200 SF	3	83	
A2	RESIDENTIAL/ BUSINESS	22,4	400 SF	2	54	
A3	RESIDENTIAL/ BUSINESS	42,5	900 SF	3	82	
A4	RESIDENTIAL/ BUSINESS	36,3	300 SF	3	89	
A5	RESIDENTIAL	46,8	300 SF	2	87	
A6	RESIDENTIAL	33,6	500 SF	2	36	
A7	RESIDENTIAL	32,0	000 SF	2	38	
A8	RESIDENTIAL	59,4	400 SF	2	96	
A9	RESIDENTIAL	32,2	250 SF	2	42	
В	HARBOR OPERATIONS/ INTERPRETIVE CENTER	7,00	00 SF	1	23	
C	RETAIL/BUSINESS	104	,000 SF	4	150	
D1	UPSCALE FOOD COURT	14/	000 SF	1.5	154	
D2	RESTAURANT		000 SF	1.3	80	
	AREA USE	PARKING SPACES NEED PER AREA				
E	WATERFRONT RECREATION PARK/ COFFEE SHOP	N	30			
F	PERFORMANCE AMPHITHE	ATER	261			
G	RECREATION AREA		465			













2 SUBSTANTIVE CHANGES TO THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

2.1 REVISED PERMIT TABLE

	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	 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). National Wetland Inventory mapping illustrates potential federal wetlands. Potential use of Nationwide Permits (NWPs) and submission of Pre-Construction Notification (PCN). Joint Application Form — http://www.dec.ny.gov/docs/permits ej operations pdf/jointapp.pdf 	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	■ Same as above.	Same as above.

	Permit Activity		Agency	Comments	SEQRA Involved Agency Contact		
	State & Local						
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	 Potential use of NYSDEC's "Blanket" Water Quality Certification of the USACE's NWP Program. http://www.dec.ny.gov/docs/permits ej operati ons pdf/wqcnationwide.pdf 	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	 Required for work within the canal/inner harbor (e.g., construction within waterbody, repair of harbor walls, dredging, etc.). 	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	 Required if activities require construction within State-designated wetlands and/or check zones mapped within Harbor Point area. 	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	Required if National Grid's Harbor Point Lands are transferred to the City or other entity for redevelopment consistent with the Master Plan.	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	 Potential fueling station for marina and/or bulk petroleum storage tanks for emergency generators. 	Mr. Larry Ambeau Regional Permit Administrator NYSDEC, Region 6 317 Washington St. Watertown, NY 13601		

	Permit	Permit Activity		Comments	SEQRA Involved Agency Contact
8	Canal Work and Occupancy Permit	Work within the canal/inner harbor.	NYS Canal Corporation NYS Thruway Authority	 Work activities within canal/inner harbor. Planning activities and impact on canal system. Relocation of NYS Canal Corporation facilities (including dredged spoil area). 	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	 NOI submitted at least 5-days before construction start-up. NOT submitted after site restoration completed. Up to 60-day review of SWPPP by NYSDEC if SWPPP not in conformance with General Permit. Review of SWPPP by City of Utica as a Municipal Separate Storm Sewer System (MS4). 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). 	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	 NYSDOT – Road improvements or utility extensions within right-of-way of N. Genesee Street. City of Utica – Road improvements or utility extensions within rights-of-way of Wurz Avenue, Wells Avenue, Lee Street, etc. 	Mr. Brian Hoffmann, P.E. Regional Design Engineer NYSDOT 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	 Preparation of Generic Environmental Impact Statement (GEIS). Environmental Justice issues – http://www.dec.ny.gov/docs/permits ej operati ons pdf/oneidaej.pdf 	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)	 Consultation with SHPO regarding sites/facilities listed or eligible for listing on the State and National Registers of Historic Places. Potential impacts on areas deemed by SHPO as sensitive for the presence of archaeological resources. 	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	 Proposed activities within and potential impacts on the 100-year floodplain. 	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	■ Potentially proposed by land owners & developers.	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	 May be triggered by future parcel-specific development. 	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	• May be triggered by future parcel-specific development.	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	 May be triggered by future parcel-specific development. 	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	 May be triggered by future parcel-specific development. 	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 & Gero

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 Routel-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	Comment (s)	Response	Relevant DGEIS Sections
8/26/2015	E-mail to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	John	Wimbush		NYS DOS	As per the contract this report requires funding attribution to the Environmental Protection Fund with the following text: "This report was prepared with funding provided by the New York State Department of State under Title 11 of the Environmental Protection Fund." The Department logo must also be included. All material bearing the logo must now be pre-approved by the Department. To accomplish this, please resend the document to me with the text attribution on the front cover page and the logo on each of the pages within the document that have images and or maps (P14 Figure 1-1, P15 Figure 1-2, P16 Figure 1-3, P17 Figure 1-4 etc.) that carry logos for "Utica", "Elan", "Paige", "O'Brien and Gere."	As requested, the Draft GEIS was revised to include the funding attribution, as well as the Department logo. A revised document was submitted to the Department on October 27, 2015.	DGEIS (and FGEIS) cover and figures.
9/15/2015	Public hearing transcript (page 40) and written comment submitted at public hearing	Doug	Joslin		Resident	 My first concern is the fill materials. I want to make sure that the fill material is not junk that we get from demolishing old buildings, that the fill material is clean, hard fill, like top soil. I also want to look toward sustainability. We have all kind of trash receptacles, no recycling. Recycling is mandatory. I want this area to be eco-friendly and sustainable. I want there to be recycling, mandatory recycling. I want it to be easy for people to recycle, not to mix it with the garbage. My other concern is safety. There has to be something so that it's safe for not only pedestrians, but for bicycling. I see in the plans that you have plans for pedestrians and bicycling to Bagg's Square. We need a plan for bicycling in North Utica. We need good signage and we need safety. 	 As stated in DGEIS Section 2.3.3, importation of structural fill will be necessary on portions of the site to establish required grades and finished floor elevations (FFEs), with the greatest need associated with filling Dredged Spoil Area 1 (DSA-1). Construction documents and specifications will require that this fill meet certain requirements related to engineering and environmental qualities. Appropriate due diligence including required documentation regarding the source of the material will be required. In addition, DGEIS Section 2.3.3 also summarizes the potential to encounter and the need to manage impacted subsurface materials, which may be encountered during construction phase activities. These materials will be managed in accordance with regulatory requirements. As stated in Section 2.2 of the DGEIS, the Master Plan embraces components of prior planning efforts including the Mohawk Valley Regional Economic Development Council 2012 Action Plan, which states, in part, to "make key investments that improve critical infrastructure and promote sustainability."	DGEIS 1. Geology, Soils and Topography Mitigation Section 2.3.3 and Geotechnical Evaluation Appendix E 2. Community Services Section 2.2 and Solid Waste Management Mitigation Section 2.15.3 3. Community Services Section 2.2

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							requirements regarding the handling, disposal and/or management of waste streams and recyclables including on-site storage and transportation of materials to facilities permitted to handle the specific waste or recyclable stream. At a minimum project will comply with local and state waste management practices. As the project advances additional sustainable practices will be including operated.	
							3. Safety is of the utmost importance to project sponsors and planners. The master plan considers safe and efficient bicycle, pedestrian, vehicular and transit access both internally and externally linking to North Genesee Street, with future connectivity to other areas. North Genesee Street is a New York State owned and maintained highway; NYSDOT-sponsored improvements to North Genesee Street have been proposed and it is the intent of the City to continue to coordinate access issues with the NYSDOT as both projects move forward.	
9/15/2015	Written comment submitted at public hearing	Richard	Mas	North Utica	Resident	Is it possible to get more NYS Thruway signage about Harbor Point for drivers to see near the exit 31 sign?	The NYS Thruway Authority controls signage on the NYS Thruway. It may be possible to request that the destination be added to "Tourist Info" panels proximal to the Utica exit.	
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 to make sure we have dockage for our fellow kayakers and canoeists and rowers because that requires some special dockage different from a twenty-six foot boat.	While the Master Plan illustrates a marina, there are various locations along the shoreline of the harbor and/or the Mohawk River to locate a launch point for smaller water craft. A location will become more defined as the project advances.	DGEIS Project History Section 1.4.1
						High end boutiques, shops, totally different than what is currently here. Shops with all handmade one-of-a-kind items; things made		DGEIS Evacutiva Summary
9/15/2015	Written comment submitted at public hearing	Lucille Vincent	Vincent	477 Roseclair Ave., Utica, NY	Resident	here by artisans in our area. All different kinds! Eateries - totally New York City style, Vegas style; different than what we currently have in Utica, but to include Utica greens, hand-tossed pizza, etc.	The comments are consistent with the objectives of the Master Plan.	DGEIS Executive Summary and Project Description Section 1.3
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 been discussing bringing agriculture into the Utica Tourism plan. Some local elected officials have been reading the commentary and wondered aloud if Harbor Point could be an opportunity in the waiting. After some quick brainstorming, there is a line of thinking I would like you to consider. As you are aware from previous communications, I have been critical of locating a baseball stadium at Harbor Point. My objections stem from two key issues. First, we already have a County Baseball Stadium. There is nothing in the Harbor Point agreement which indicates that the County would take over the new stadium or cease operating the old one. Until this "ownership and maintenance" conundrum is figured out, the stadium at Harbor Point does not make a lot of sense. The other problem with a baseball stadium at Harbor Point is the direction of runoff which is away from where the	With regards to the need of stadium refer to DGEIS Section 2.2.5. This component of the overall master plan is being designed for active recreation as described in 1.3 project description component parts. A baseball field as part of the recreational elements being envisioned on the west side of the harbor. There is potential to develop that concept into a larger venue such as a baseball stadium if it is economically viable. This would require additional planning and analysis to supplement the GEIS. With regard to stormwater impacts refer to DGEIS Sections 2.5.3 and 2.5.5. Development phase will include design of stormwater maintenance. Terms and conditions of stadium operation and maintenance will be discussed at such time the stadium comes to fruition.	DGEIS Groundwater and Surface Water Resources Mitigation Section 2.5.3 and Community Services Recreation Section 2.2.5

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						hotels are located. That means on days after rainstorms, deep casual water will be a baseball stadium staple. That is a dangerous situation for any player.		
						Having lived on the coast most of my life, I am somewhat familiar with this set of circumstances. There are ways to remediate the area so the runoff does not become a problem. However, after doing so, there is no way that section of land will support the weight of a stadium.		
						There are two things it will support. There first is a marsh. I would love to engage in the "green hacks" to make it a saltwater marsh since they are so much more interesting than their freshwater counterparts. If done correctly, you could set up a section of the marsh to freeze over and create both indoor and outdoor skating opportunities.		
						The other thing tourists love to do is walk around. Tourists hate cars and really want to park them at the beginning of the vacation and not touch them until the end of the vacation. While downtown Utica is on the upswing, it does not have that tourist friendly walk around vibe yet. You can make the same comment about Varick Street – everyone is very well aware how I feel about that one.		
						Imagine if next to the marsh, there was a petting zoo. However, not just any kind of petting zoo is deserving of such a spot. In 2015, Utica can feature a literal farm to table petting zoo.		
						So the tourists stay at a local hotel. They make their way over to Harbor Point. The kids explore the marsh and then head to the petting zoo. While the kids are getting all handy with sheep and the like, the adults are at the cheese making factory watching Ricotta get made.		
						Now here is the cool part. The parents can buy some Ricotta cheese on the way out which had its origin in the sheep the kids became friends with. They can take the Ricotta cheese to certain restaurants willing to take part in the literal farm to table program. The restaurants then use the Ricotta cheese, obviously the amounts and pricing alternates are worked out ahead of time as part of a marketing initiative, on the entrees the family eat that evening. From playing to watching to buying to eating together as a family – what families really want. Who will forget making that memory??		

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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		Dear Mr Thomas: With respect to the link below from WKTV on the Utica Harbor: http://www.wktv.com/news/Harbor Point Happenings.html The city needs commercial development at the harbor not more parks Best use, if permitted environmentally, would be retail, (high tech) office, and residential to enhance the tax base. The description of an amphitheater, fields, and trails sounds like the once unique and beautiful Proctor and Conkling Parks which are already unaffordable and a bit neglected by the city, yet so deserving of restoration and preservation here and now. Additionally, with Faxton Hospital soon to close, seems more can be done to enhance Murnane field as a premier minor league ball field, using the (former) Faxton hospital property for parking, overflow, and other fields. We have beautiful and ample park space already in Utica. Get the Harbor Property on the tax rolls (retail, high tech office, and residential and maybe pubic trails for walking and biking); we don't need another baseball and soccer field there as a gift from planners who don't know the city very well, reflecting only on 1940s Blue Jays nostalgia. Bring taxes in the city further down, so that it can sustain and build on Nano growth. More industry will not come and/or it will bypass Utica if city taxes remain high. The city must be equally as focused on reducing taxes and connecting to commerce if it wishes to attract related cluster industries. Companies don't locate where taxes are high and in Utica they remain high. Keep negotiating tough with public sector unions, streamline city costs, and do more to fill the tax base, especially with corporate enterprises. Thank you very much. Mark Harf, 805 VanBuren St. Utica and NYC	Bringing in more retail and residential to increase the tax rolls is consistent with the objectives of the Master Plan. Potential tax and job increases are related to DGEIS Socioeconomic Conditions Potential Impacts Section 2.11.2. With regard to the proposed position impact of the action playing fields refer to DGEIS Secion 2.2.5 Recreation, Positive Impact.	DGEIS Executive Summary Section 1.3; Recreation Section 2.2.5 and Socioeconomic Conditions Potential Impacts Section 2.11.2

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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	NYSDOT - Region 2	 Page 18 (Figure 1-4, Preferred Master Plan) - The plan appears to not provide driveway access to Wells Ave for Delmonico's restaurant. At least one access point should be provided. Page 20 - Component 7.e. (Washington Street connectivity to Bagg's Square and the Aud.) is not reflected in Figure 1-4. A pedestrian bridge is mentioned in Section 1.4.2. Page 27, Table 1.1 - The NYSDOT contact person for any applicable Highway Work Permit is Ken Andela, Regional Permit Coordinator. Page 105, Existing Conditions and Intersection Characteristics - The existing conditions should be revised to reflect the reduction of lanes between Wells Ave and the John St./Broad St. Ramp as this section of Genesee Street was reduced to two southbound lanes as a result of the Fairfield Hotel traffic mitigation plan. Page 115, Future Conditions - A signal warrant analysis should be completed for the Genesee Street & 790/Thruway Ramp intersection as part of this project given the Level of Service drops. Page 116, Table 2.13 - The future No-Build conditions should be shown. This would provide a clearer picture of traffic impacts due to development versus impacts due to background growth. Page 124, Mitigation - The Wells Ave signalized intersecting approaches reach the warranting values. This should be defined in some detail in the DGEIS. 	Preferred Master Plan Figure 1-4, Traffic and Transportation Section 2.8
9/17/2015	Blog post submitted via e- mail to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Frank	Montecalvo		Blogger		DGEIS Socioeconomic Conditions Section 2.11 and Master Plan Market Analysis Appendix I

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						1. We now know that projects such as Utica's Urban Renewal project failed, at least in part, because they were inconsistent with and destroyed the "walkability" of the neighborhoods they were placed in, isolating people from amenities they want. Cities, such as Greenville, SC, learned this lesson and have recreated downtown vibrancy by making them pedestrian friendly. Successful private developers, even locally (e.g. Landmark, New Hartford Shopping Center), have learned the lesson, too, and are designing projects that are "walkable" in the sense that occupants will not have to walk far to find things they want. Now compare the proposed Harbor Point Plan with Utica's failed '60s Urban Renewal area. Both plan(ned) a few key "trophy" buildings with uses pre-designated by local leaders (which may not be what "the market" would be interested in), in a low-density environment (which reduces "walkability"), with no requirement to "fit in" with each other or their surroundings, and with public "amenities" which require taxpayer maintenance. Waterfront acreage should be the most valuable property in the city. Why is it being wasted on ball fields, an "interpretive center," a farmers' market, trails, and an outdoor amphitheater which will (1) not generate any tax revenue, but also (2) burden the taxpayer with additional things to maintain, and (3) duplicate amenities the City already has? (We commented on the ball fields back in 2010.) 2. Nicky Doodles at Harbor Point, which offers first rate products in a first rate facility, now seems overshadowed and oddly placed with the hulking Fairfield rising next door. If both are being touted as part of the Harbor Point "project," why do their designs detract from rather than enhance each other? Wouldn't a good master plan for the project, why do their designs detract from rather than enhance each other? The plan talks about all the possible things that could go into Harbor Point, and even locates specific activities in specific places, but is there a market for these things?	1. This project is intended to be pedestrian friendly. See response to previous question. The mixed-used development on the south and east side of the harbor, as envisioned in the Master Plan, does not meet the definition of "low-density development" which is generally associated with urban sprawl. There are limitations on the west side of harbor (generally encompassing the National Grid Harbor Point cleanup site) including soil caps, a mapped floodway, use restrictions, etc. that represent some of the reasons why this area is being planned for recreational and passive uses. 2. Design Guidelines are being developed with purpose of shaping private development in a way that is consistent with the project's design intent. 3. Proposed development on DSA-1 is elevated and will offer views of the surrounding area. The recreational uses on the west side of the harbor should allow a clear viewshed of the city skyline from the mixed-use development area. 4. Refer to DGEIS Socioeconomic Conditions Section 2.11 and Master Plan Market Analysis Appendix I. Public infrastructure is being improved and created to support major private development. Ultimately a private developer will be chosen via a Request for Proposal (RPP) process. A completed GEIS allows the Developer to advance development that is consistent with the Master Plan in an expedited manner.	DGEIS Executive Summary Section 1.3; DGEIS Socioeconomic Conditions Section 2.11; and Master Plan Market Analysis Appendix I

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						Renewal? Shouldn't it be up to the developer to decide what goes into the project? And where? The City's interest should be limited to providing the regulatory and infrastructure framework calculated necessary to ensure development of sufficient density to increase net revenue to the city. If this is not possible, perhaps Harbor Point's time has not yet arrived. Regardless The Harbor Point Plan does not seem to reflect the site's potential.		
9/15/2015	Public hearing transcript (page 30)	Howard	Bushinger		Resident	I'm curious. The two large bodies of water, ponds let's call them adjacent to the harbor, what's the purpose of those? Do they have something to do with the decontamination?	The two water bodies are referred to as Dredged Spoil Areas or DSAs. They function as temporary collection basins for soil and water dredged from the harbor and canal; either by National Grid or the NYS Canal Corporation. As part of the Master Plan, the DSAs will be dewatered and filled to facilitate future development. In addition, National Grid created several wetland areas on the Harbor Point Site as part of the on-going remediation program. The created wetlands will remain.	DGEIS Geology, Soils and Topography Section 2.3.1, Socioeconomic Conditions Section 2.11 and Cultural Resource Section 2.12
9/15/2015	Public hearing transcript (page 31)	Jack	LoMedico		Resident	Just a quick question on the mitigation portion, being that it is a flood plain. Is there going to be like flood gates in there and ponds and things of that nature, so if it does if we do have a wet area where the water is going to go, or are they going to build it so many feet above the flood plain? What's the plan on that?	As stated in DGEIS Section 2.1.1, most of the project area is located within the 100-year floodplain. Section 2.1.1 provides a summary of the City's zoning requirements as it pertains to building within the floodplain (Chapter 2-10 of the City Code). DGEIS Section 2.6 provides a more detailed evaluation of potential impacts of flooding on the project and proposed mitigation, which include raising finished floor elevations and flood proofing. As indicated in the DGEIS, developers proposing structures within the 100-year floodplain will be required to obtain City-issued floodplain development permits. No development is proposed or allowed within the floodway.	DGEIS Baseline Conditions Section 2.1.1, Flooding Section 2.6 and Utica Harbor Grading Analysis Appendix F
9/15/2015	Public hearing transcript (page 35)	Ron	Vincent		Resident	With all the plans that are proposed for the entire project, what would be the most first step to be taken? What can we expect to see next as the first thing that's going to happen in this development?	The goal is to begin to engage private development interests in 2016Wurz Avenue entrance improvements and activities associated with the closure of DSA-1 are being planned for 2016. The public road network will be expanded throughout the area in segments in conjunction with the DSA-1 closure work. This overall phasing plan for public improvements is partly dependent on the timing of property transfers from the Canal Corporation to the Utica Harbor Point Development Corporation.	
9/15/2015	Public hearing transcript (page 37)	Emil	Hrycan		Resident	Some of the uses included in the Master Plan already exist elsewhere in Utica (shopping center, soccer and baseball fields).	As stated in DGEIS Section 1.5, the goal of redeveloping Utica's inner harbor is to create a mixed-use environment, which can be used for a variety of purposes such as recreation, entertainment, residential and commercial development. DGEIS Section 1.3 provides additional detail regarding the proposed cumulative impact and benefits to the region from the co-located land uses suggested in the Master Plan. Section 1.3, states that the Harbor Point Redevelopment Plan establishes a new vision for this underutilized area in the City of Utica by revitalizing the harbor area to create an economically sustainable mixed-	DGEIS Project Description Section 1.3 and Purpose and Need Section 1.5

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							used development project that will become a new major destination within the Mohawk Valley.	
							The Harbor Point Redevelopment Plan outlines a framework of guidelines for new public and private-sector construction; identifies areas for public activities and recreation spaces; enhances connections to Baggs Square East and West and downtown Utica; outlines required infrastructure improvements for development; promotes the reuse of industrially vacated properties; and, improves access to the Mohawk River, Barge Canal and the Utica Marsh. The aim is to promote innovation in waterfront and urban planning in the Mohawk Valley while reflecting present day concerns for a built environment that is socially and environmentally responsible and an improved standard for living, working and recreating within Utica.	
9/15/2015	Public hearing transcript (page 38)	Emil	Hrycan		Resident	Is a boat launch included in the plan?	While the Master Plan illustrates a marina, there are various locations along the shoreline of the harbor and/or the Mohawk River to locate a launch point for smaller water craft. A location will become more defined as the project advances.	DGEIS Project History, Utica Harbor Overview Section 1.4.1
9/15/2015	Public hearing transcript (page 38)	Emil	Hrycan		Resident	The building that's sitting there right now, the maintenance shop says 1933 on top of it. We're supposed to be historic Utica. That would be nice to leave that building there as a maintenance building for boats that come in that have a problem, and they look at the thing and it's built in 1933. Have pictures of the harbor and Utica just laying around the area in the buildings. There's a short building, a wooden structure that's sitting there. That's been there since the early 1900s. If that can be lifted up and moved over somewhere's, and have that a little time capsule, a museum of some sort that, you know, here's the history of Utica. Seeing houses being built down there, seeing businesses being built down there, I don't see that.	The comments are consistent with one of the goals of the project. As stated in the DGEIS Executive Summary, the project would be designed to emphasize Utica Harbor's history and connection to the Canal and waterfront through the construction elements celebrating and maximizing the character and vibrancy of the historic canals. Narrative in DGEIS Section 1.3 states that, through the implementation of the Harbor Point Redevelopment Project, Utica Harbor will both celebrate its past and assist in driving a new economic engine of private investments - commercial, retail, and mixed uses, food/restaurant establishments, and entertainment/ recreational venues. As stated in DGEIS Section 2.12, the Barge Canal System is listed on the State and National Registers of Historic Places. Project sponsors are coordinating harbor redevelopment efforts with the State Historic Preservation Office (SHPO) to manage the cultural and historical objectives.	DGEIS Executive Summary, Project History Section 1.3 and Cultural Resources Section 2.12
9/15/2015	Public hearing transcript (page 39)	Emil	Hrycan		Resident	The amphitheater, maybe it will draw a crowd down there to have concerts. That would be beautiful to have like an amphitheater down there, but then you've got to take into consideration again the flooding. That floods down there. Water rises up there. It goes over the harbor walls, the marina walls, and it's got to be thought over better.	As stated in DGEIS Section 2.1.1, most of the project area is located within the 100-year floodplain. The small amphitheater shown in the Master Plan incorporates an open space (i.e. lawn area) behind stage area set at the harbor edge. The lawn area will be able to pass flood waters. This would be a seasonal venue that would hold events that are dependent on weather conditions. Section 2.1.1 provides a summary of the City's zoning requirements as it pertains to building within the floodplain (Chapter 2-10 of the City Code). DGEIS Section 2.6 provides a more detailed evaluation of potential impacts of flooding on the project and proposed mitigation, which include raising finished floor elevations and flood proofing. As indicated in the DGEIS, developers proposing structures within the 100-year floodplain will be required to obtain City-issued	Baseline Conditions Section 2.1.1, Flooding Section 2.6 and Utica Harbor Grading Analysis Appendix F

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							floodplain development permits.	
9/15/2015	Public hearing transcript (page 42)	Howard	Bushinger		Resident	There was a large building that was formally the Department of Public Works, I believe, a big brick building, took up maybe an acre or two there. I wonder if that piece of property that's on Wurz Ave. on the corner of North Genesee, is that being broken up, or is that being sold as a separate piece or	The parcel is owned and the building was demolished by the City. Removal of the building facilitates the construction of a landscaped "gateway" entry point to the harbor area with appropriate turn lanes (see DGEIS Sections 2.8 and 2.13.2.	DGEIS Traffic and Transportation Sections 2.8 and Visual Resources Section 2.13.2
9/15/2015	Public hearing transcript (page 44)	Samantha	Testa		Resident	Do you have an image of what the entrance will look like?	http://uticaharborpoint.org	Preferred Master Plan Figure 1-4
9/15/2015	Public hearing transcript (page 47)	Butch	Waskiewicz		Resident	There is currently a large canopy over there that's been used for the soil remediation. That could be enclosed as an indoor sports facility for year round use.	The structure is currently owned by National Grid and utilized for their Harbor Point remediation activities. The Master Plan alternatives identify potential reuse of the structure as a field house/ice rink.	DGEIS Project Background Section 1.2 and Figures 1-2 through 1-4
9/15/2015	Public hearing transcript (page 47)	Beth	Irons		Resident & Bagg's Square Association	I see on here that you have trails. Are those multi-use, like walking, bicycling, and that kind of thing? So with this plan, is there potential at some point in the future, to join with the trail system into the Utica Marsh?	Yes. As stated in DGEIS Section 1.3 and 2.1, the Master Plan incorporates trail loops and pedestrian walkways to promote multi-modal access within the harbor area, and facilitate future access to adjacent areas including the Utica Marsh.	DGEIS Project Description Sections 1.3 and zoning Land Use Section 2.1
9/15/2005	Public hearing transcript (page 48)	Tim	Trent		Resident	What is there about this project in particular that is designed or intended to pull those vehicles traveling along the NYS Thruway and those people with those dollars from outside our area into our area?	The Utica Harbor is envisioned to be a vibrant mixed-use, close-knit district that includes commercial, retail, food/restaurant establishments, entertainment venues, and attractions that will celebrate its past. In support of the DGEIS, a market analysis was prepared (DGEIS Appendix I). The market analysis identifies the economic impact that the proposed redevelopment of the harbor is anticipated to have on the region. In addition, the market analysis reiterates the project objective to develop a niche destination attraction that leverages the natural appeal of the waterfront, the charm of an industrial-era harbor along the historic Barge Canal, its high visibility, and short distance from the Thruway, Utica train station, and other regional attractions. As indicated in the market analysis, redevelopment of the harbor is part of an overall City, County, and State initiative to revitalize the Mohawk Valley Region, which includes development of the Marcy Nanocenter and the City's urban center. Based on comparables in other regions, the project supports the type of retail, housing and office development that, together with the other initiatives, attracts the visitors, residents and workforce that meets the objectives of the master plan and assists with creating a revitalized harbor front that supports the overall Utica downtown revitalization.	DGEIS Master Plan Market Analysis Appendix I
9/15/2015	Public hearing transcript (page 54)	Mark	Mojave		Resident	What efforts are being undertaken to promote connectivity and encourage walking between the Inner Harbor and Bagg's Square?	The Harbor Point Redevelopment Plan outlines a framework of guidelines for new public and private-sector construction; identifies areas for public activities and recreation spaces; enhances connections to Baggs Square East and West and downtown Utica. Section 1.3 of the DGEIS highlights connections to downtown, Baggs Square East and West, and the train station via enhanced pedestrian link on the John St. Bridge exit ramp. The improved pedestrian connectivity to Bagg's Square via North Genesee Bridge (John Street Exit Ramp) will be accomplished by the NYSDOT widening of existing sidewalks at safety barriers. These efforts are not directly	DGEIS Project Description Section 1.3

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9/15/2015	Public hearing transcript (page 56)	Ron	Vincent		Resident	Just another suggestion. Where you're talking about the sports fields and things over there. If I'm reading this right, on the other side of the tracks is all that open property, some of it owned by the city. Maybe that could eventually be turned into a parking area. And another thing, in that sports field, you ought to think about a bocce area. You could be in competition with Rome. Have the bocce tournaments in Utica.	affiliated with the inner harbor project. The identified area is outside of the project area and is targeted by the City for future economic development initiatives. In regard to the inner harbor redevelopment project, the Master Plan illustrates several areas for surface and structured parking. In regards to a bocce area, additional recreational opportunities can be considered as the project advances.	DGEIS Project Description Section 1.3 and Figures 1-2 through 1-4
9/15/2015	Public hearing transcript (page 57)	Doug	Joslin		Resident	Have you abandoned the plans for the amphitheater? I don't see it on here.	The amphitheater is illustrated at various locations on DGEIS Figures 1-2 through 1-4	DGEIS Project Description Section 1.3 and Figures 1-2 through 1-4
						One of the major points of developing this particular area, and the way we're going to develop it, is that we want it to be a four seasons type of development, not just a summer, where you can walk and bicycle and utilize this, and then eight months out of the year it becomes a ghost town, because nobody wants to traverse the North Utica bridge, and/or there's no other mechanism to get to downtown or some of the other hotels that are downtown.		
						So connecting this harbor to downtown was a major point that the Mayor had made when we first discussed and had our first very first meeting. And I commend him for that, because again, if we can connect downtown, and we can connect the auditorium, and we can create a triangle of venues that people will come off the Thruway to participate in, this just being one of them.		
9/15/2015	Public hearing transcript (page 58)	Ed	Bucciero		Common Council Member	And to go to Mark's thought and some of the other comments that were kind-of I don't know if anybody could hear them, but they were talking about a trolley, there were talking about a pedestrian bridge. One of the things we've got to make sure of is whatever the mode of transportation is that are going to get people from this development to downtown, it has to accommodate that we're a four seasons community. So we have to keep people in shelters when they're going to be making that transition from the harbor to downtown or to the auditorium.	No response necessary. Comments made for clarification purposes.	
						So there are a number of thoughts, and every one of them is on the table, believe it or not. I'll make sure every one of them is on the table, and that's from a gondola to a trolley to a bridge to bus transportation to anything that we can and then we'll analyze each and every one of them from its productivity, its practicality, its financial feasibility, and making sure that we pick one or possibly two of those particular transportation modes so that we can accomplish the overall goal of making this a four-season venue, not just a summer venue.		
						I hear a lot of talk about what we're going to do during the summer. That's why we want to have residential. That's why we want to have light industrial. That's why we want to have retail. So we want to be able to utilize this area all year long.		

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						So when the Comets are playing they play in the wintertime - and they're going to be drawing people off the Thruway. This is a place that they're going to want to stay, eat, and enjoy. We're going to have outdoor venues for winter skating rinks, things of that nature.		
						So that this is going to be utilized continuously to bring commerce to the City of Utica and to this area. So we are going to be considering each and every one of those transportation modes, and the best ones will win out. And we'll do our best to make sure of that.		
9/15/2015	Public hearing transcript (page 62)	Frank	Dragotto		Resident	Is this working in conjunction with the MV-500 program project?	Yes. The redevelopment of the inner harbor is highlighted in the region's Upstate Revitalization Initiative (URI) Plan (also known as MV-500). The project is recognized by the Mohawk Valley Regional Economic Development Council (MWREDC) an important element of the public and private investment that would shape Utica's downtown as a desired place to live, work, play and learn. Specifically, the MVREDC URI Plan mentions the Utica Harbor project under the <i>Vibrant Communities</i> section including Key Finding #3 (investments in physical assets and public spaces are key to attracting residents, new capital, and innovation to our population centers); Key Finding #5 (attracting stem intensive industries and building a workforce development pipeline is strongly linked to successful efforts to create vibrant communities); and Strategy #3 (implement the Mighty Waters Action Agenda).	
9/15/2015	Public hearing transcript (page 65)	Tim	Trent		Resident	Has there been any input solicited from other communities in the region, especially those along the waterway like Marcy, Whitesboro, Oriskany, Frankfort, Ilion, assuming that this would emerge eventually as a regional irresistible, regional destination? The impressions, the concerns, interests, desires of people in communities around the region might inform the thinking and decision making about what we do here.	During the master planning process the team met with various stakeholders to address regional concerns. The outreach process was summarized in the Harbor Point Master Plan Stakeholder / Public Outreach Program Status Report (June 2015) included as Appendix C to the DGEIS.	DGEIS Harbor Point Master Plan, City of Utica, NY Stakeholder / Public Outreach Program Status Report, June 2015, Appendix C
9/15/2015	Public hearing transcript (page 68)	Emil	Hrycan		Resident	When this does become a reality and work starts to come forward on this, where is the funding coming from? Who is going to be paying for this, the taxpayers, all us taxpayers, or is this going to be state money?	The project is being funded by a combination of resources including State grants totaling more than \$6 million. National Grid and the City of Utica have also contributed funds and in-kind resources to the project. In regards to future development, a public-private partnership is envisioned. The idea plan is to utilize State grant dollars for much of the public infrastructure improvements and rely significantly on private investment to complete site.	
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 Plain - The project area regularly floods. An evacuation plan should be developed and implemented for all residential development areas.	It is understood that portions of the project area are subject to flooding. Flood mitigation will be accounted for in the design process (i.e., structures, access/egress, etc.). In addition, development within the floodplain will require a floodplain development permit from the City. In terms of emergency preparedness, Oneida County has implemented a Comprehensive Emergency Management Plan (2012), which includes, in part, a description of the County's (and City's) comprehensive emergency	DGEIS Baseline Conditions Section 2.1.1 and Flooding Section 2.6

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							management process based on three interrelated phases, where each step interacts in an ongoing cycle, one leading naturally into another. The phases of comprehensive emergency management, as summarized in the Plan, include: » Risk Reduction (Prevention and Mitigation) – Prevention refers to those activities which eliminate a hazard or	
							reduce the number of occurrences of disasters. Mitigation refers to actions that lessen the impact of hazards when they do occur.	
							» Response – Response is the actions taken to provide protection and essential public safety services when an emergency occurs, or response is sometimes initiated in advance of an imminent hazard. Response actions generally address the immediate life safety, health, community protection and essential public service demands created by the emergency.	
							» Recovery – Recovery activities are those taken following a disaster to restore the community to its pre-emergency state, which includes repairs and rebuilding and restoration of public services.	
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Туое	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC	Flood Plain - Critical structures and utilities should be located outside of the 0.02% (500-year) floodplain. If such development must occur within the 0.02% floodplain, it should be elevated or flood proofed to at least 0.02% flood elevation, preferably higher.	Agreed. Developers will be required to obtain a floodplain development permit from the City for structures located within flood areas; a process that requires the incorporation of design-related flood mitigation and attenuation	DGEIS Baseline Conditions Section 2.1.1 and Flooding Section 2.6
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Туое	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC	Flood Plain -New construction and substantial improvements to structures shall be constructed with methods, materials and utility equipment resistant to flood damage below the elevation equal to the base flood elevation plus 2 feet.	See response above.	DGEIS Baseline Conditions Section 2.1.1 and Flooding Section 2.6
	Letter to Brian Thomas,			NYSDEC - Utica,		Hazardous Waste Remediation - The Harbor Point Site was remediated with a one-foot thick soil cover. Passive recreational fields require a one-foot thick soil cover. Active recreational fields require a two-foot thick soil cover, artificial turf or paving, due to anticipated increased soil contact. Therefore, the proposed ball fields and presumably the multi-use fields, which are an active recreational use, will require an enhancement to be acceptable.	The City appreciates the comments and guidance on this issue and will continue to coordinate redevelopment efforts within the harbor area with the Department as the project advances. The City acknowledges that additional work (addition cover or cover protection material) may be required in the areas of active recreation where soil covers have been established under the Harbor Point remediation program. The project team has been in periodic communications with NYSDEC Division of Environmental	DGEIS Hazardous Materials
10/16/2015	Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Туое	Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC	The DGEIS should acknowledge that additional work (addition of cover) will be required in the areas of active recreation. Addition of a statement, such as " artificial turf, or a two-foot thick cover of acceptable soil quality will be provided on the ball fields" would satisfy our concerns.	Remediation (Main office) with regard to use designations and areas of soil cover and caps. By reference, the City is incorporating the following mitigation measure into the Final GEIS to satisfy the DEC's requirements for use of portions of the remediated Harbor Point Site for active	Section 2.14
						Details are provided in the attached guidance, DER-10 / Technical Guidance for Site Investigation and Remediation. Future review will be required to demonstrate that the proposed uses satisfy the Department's surface requirements identified in the guidance.	recreational fields: "Artificial turf, or a two-foot thick cover of acceptable soil quality, will be provided on the ball fields and other active recreational areas, where necessary, in accordance with DER-10 Section 4.1(f)(2)."	
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Туое	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY	NYS DEC	Natural Resources -DEC has expressed interest in creating an additional access point to the Utica Marsh Wildlife Management Area (Marsh) by utilizing a portion of National Grid property near the South West comer of the ball fields.	[While outside the project limits, the Master Plan envisions connectivity between trails at Harbor Point (on the west side of the harbor) with a trail that leads into the Utica Marsh. A trial following the Adirondack railroad corridor has been	DGEIS Project Description Section 1.3, Zoning, Land Use 2.1, and Community Services Section 2.2

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				13501-2885		The basic concept would be to have public parking where people could use the Adirondack Scenic Railroad as a rail trail into the Marsh. DEC has discussed this concept with National Grid and Adirondack Rail staff multiple times. We have even met on-site to discuss challenges and issues to creating such access. Wildlife Biologist, Steven Heerkens, has also shared the idea with Utica Mayor, Robert Palmieri. Currently, the only access that exists for the Marsh is via the Canal Trail from North Genesee Street.	identified by stakeholders as the most likely path because of the existing railroad bridge and arterial overpass.	
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Туое	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC	Natural Resources - A New York State Jurisdictional wetland exists post clean up. Creating a trail along with appropriate signage and kiosks at the edge of this area could provide a wonderful educational opportunity for wetlands information, historical information and the history of the cleanup itself.	The City and its planning team will continue to evaluate enhanced multi-modal access to the harbor and adjacent areas as the design advances. Opportunities for natural and historical education have been one of the central tenets in the concept design presented in the DGEIS. The City and its planners would welcome a dialogue with the Department and National Grid on this issue.	DGEIS Natural Resources Section 2.4 and Groundwater and Surface Water Resources Section 2.5
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Туое	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC	Natural Resources - There does not appear to be a public boat launch. DEC has suggested this previously.	While the Master Plan illustrates a marina, there are various locations along the shoreline of the harbor and/or Mohawk River to locate a launch point for smaller water craft. A location will become more defined as the project advances. Construction of the launch would require reviews and approvals by and from the Department, United States Army Corps of Engineers, and NYS Canal Corporation. City Planners will coordinate such efforts (location, construction and operation) with the Department as the design progresses.	DGEIS Utica Inner Harbor Overview Section 1.4.1
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Туое	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC	Natural Resources -Repairs to existing walls would be appropriate. If additional bank stabilization is required in the area no further hardening of the shoreline should occur. Instead, "Soft" methods of stabilization should be pursued including planting native, deep-rooting vegetation, as well as bioengineering. Proposed stabilization methods should always follow the natural contour of the shoreline.	The Master Plan does not call for creation of additional bulkheads. Rehabilitation or replacement of the harbor walls will match existing lengths and locations. "Soft" methods of stabilization are also supported by the City, wherever feasible, along the remaining shoreline.	DGEIS Groundwater and Surface Water Resources Section 2.5 and CME Report Appendix K
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	Petroleum Bulk Storage - If the Marina will include a fueling station, Petroleum Bulk Storage permits/registrations will be required. This program is not presently included in Section 1.6 "Permits and Approvals" of the DGEIS.	The tabular summary of permits and approvals has been updated to include the programs identified by the DEC. The revised table is provided as Section 2.1.	DGEIS Permits and Approvals Section 1.6
10/16/2015	Letter to Brian Thomas, Commissioner, City of Utica, Department of Urban & Economic Development	Terry	Туое	NYSDEC - Utica, Division of Permits, Region 6, 207 Genesee Street, Utica, NY 13501-2885	NYS DEC	Agency Permitting - During the build out of the area, individual project permitting will be required at various points.	See response to above.	DGEIS Permits and Approvals Section 1.6
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. Thank you for providing the additional information as requested by the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have received the electronic copy of the City of Utica's SEQRA Draft Environmental Impact Statement and are in the process of reviewing the materials in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.	 Comment noted . See response below regarding obtaining a Letter of Resolution (LOR). All information will be uploaded accordingly to the CRIS system 	DGEIS Cultural Resoures Section 2.12

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					This new information provided negates our previous letter of November 9, 2015. We note on page 147 of the DEIS document, it is stated: "The UHLDC and the City of Utica are coordinating development activities with SHPO. These efforts are focused on the development of a LOR between the New York State and the City of Utica, which will guide Master Plan Activities within the APE to minimize and mitigate potential impacts to the Historic District." 2. We look forward to continuing to consult with you regarding the specifics of this project. When available we would appreciate additional correspondence be provided via our Cultural Resource Information System (CRIS) at www.nysparks.com/shpo/online-tools/. Once on the CRIS site, you can log in as a guest and choose "submit" at the very top menu. Next choose "submit new information for an existing project." You will need this project number and your e-mail address. If you have any questions, I can be reached at (518) 268-2180.		
12/1/15	Via E- Mail Letter to Lisa Nagle Elan Planning and Design 18 Division Street Saratoga Springs, NY 12866 and Birchwood Archaeological Svcs	Laurie Klenkel	NYS OPRHP P.O. Box 189, Waterford, New 12188- 0189Laurie.Kler arks.ny.gov	NYS OPRHP	Hello Everyone— 1.I just prepared this letter, attached, to update you on the technical review of the DEIS (CD sent November 12, 2015). But now that you've updated me with this email before sending this letter, I'll give you a briefing here: On page 147 of the DEIS document, it is stated: "The UHLDC and the City of Utica are coordinating development activities with SHPO. These efforts are focused on the development of a LOR between the New York State and the City of Utica, which will guide Master Plan Activities within the APE to minimize and mitigate potential impacts to the Historic District." And stated in Change Order 12.1.15: "Birchwood Archaeological Services will prepare a historic structure report for two structures located within the Utica Harbor a warehouse constructed in 1917 and a machine shop dating to 1933. This work has been conducted at the request of the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP)." I am not aware that the preparation of a LOR has been initiated, or that SHPO has requested the preparation of an HSR for these resources. Please provide clarification on this if available, otherwise the next step should be the preparation of a LOR to mitigate project impacts. A sample LOR is attached for your reference. 2. Please note that our archeology staff has not reviewed this project yet and a determination of impact cannot be provided until after their review. Archeological comments will be sent in a separate letter. I'm happy to help with the preparation of the LOR, or answer any questions you may have.	1. The consultant team is beginning to complete the historic structures report in anticipation of initiating the preparation of a Letter of Resolution (LOR). Given the historic nature of the 1917 and 1933 buildings it was anticipated that SHPO would request an Historic Structures Report (HSR) therefore the consultant team was proactively initiating this work. The next steps will be to work with SHPO through the CRIS system to upload information needed for a LOR. 2. So noted.	DGEIS Cultural Resoures Section 2.12