City of Utica Common Council

State Environmental Quality Review Act (SEQRA)

Draft Generic Environmental Impact Statement

CITY OF UTICA – HARBOR POINT REDEVELOPMENT

Utica, New York

July 8, 2015

Lead Agency

City of Utica
1 Kennedy Plaza
Utica, NY 13502
315-792-0181
Contact: Mr. Brian Thomas, Commissioner

Public Hearing Held: September 15, 2015
Public Comment Period Closed: September 28, 2015

Date of Acceptance of the DGEIS by the Lead Agency July 8, 2015

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 DGEIS

Elan Planning
Lisa C. Nagle, Principal
Elan Planning, Design & Landscape Architecture
18 Division Street, Room 304
Saratoga Springs, NY 12866
www.elanpd.com

O'Brien & Gere
Paul D. Romano, P.E.
Steven M. Eckler
101 First Street, 4th floor
Utica, NY 13501
www.obg.com

The Paige Group
Allison Damiano-DeTraglia, VP
258 Genesee Street, Suite 204
Utica, NY 13502
www.paigegroup.com

JULY, 2015

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CITY OF UTICA – HARBOR POINT REDEVELOPMENT
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT
MARCH, 2015

EXECUTIVE SUMMARY

The City of Utica, as Lead Agency, has prepared this Draft Generic Environmental Impact Statement (DGEIS) pursuant to the New York State Environmental Quality Review Act (SEQR) 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). It was determined that the project would be appropriate for the preparation of a GEIS (Part 617.10 (a). This DGEIS assesses the environmental, economic and social effects of undertaking the proposed "City of Utica Harbor Point Redevelopment Project", a mixed-use real estate development on the waterfront of Utica, New York.

In 2013, the City of Utica began a planning and design process to redevelop the city's inner harbor. Led by the Utica Harbor Point Development Corporation (UHPDC), in collaboration with city staff, private property owners, State agencies, and city residents, two alternative Harbor Point Redevelopment Concept Plans have been prepared. These plans aim to create a mixed-use destination attraction for Utica that enhances the existing waters' edge with public and private investments. The resulting conceptual master plans help realize the goals defined in the Utica Master Plan (2011), as well as those identified in the Brownfield Opportunity Area (BOA) Study (2014) and the Local Waterfront Access Plan (2011).

The total project size encompasses approximately 148 acres on the Erie Canal and Mohawk River. The Project would consist of 489,850 square feet of building used for commercial (retail, lodging, office), cultural and residential development[1]. 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.

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.

[1] Numbers are approximate. See Preferred Master Plan, Figure 1-4.

1 INTRODUCTION

1.1 PURPOSE AND SCOPE OF DOCUMENT

This document presents the Draft Generic Environmental Impact Statement (DGEIS) for the City of Utica Harbor Point Redevelopment Project (The Project). The redevelopment project consists of:

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

This DGEIS has been prepared to satisfy the requirements of the New York State Environmental Quality Review Act (SEQR) and its implementing regulations (6 NYCRR Part 617; hereafter Part 617) for the Project. SEQR was enacted in 1975 by the New York State Legislature to provide a process for consideration of environmental factors during the early stages of planning for projects that are directly undertaken, funded or approved by local, regional or state agencies. A copy of the Environmental Assessment Form (Parts 1, 2 and 3) is attached as Appendix A.

On September 17, 2014, the City Council of the City of Utica declared themselves Lead Agency for the implementation of the Utica Harbor Point Master Plan and issued a Positive Declaration for this action, which was classified as a Type I action. The "Positive Declaration" stated the City's intent to prepare a DGEIS to identify, evaluate and mitigate potential for significant adverse environmental and socio-economic impacts that could arise from implementation of the Project. (Attached as Appendix A are the list of Involved Agencies and Positive Declaration. See Appendix B for Final Scoping Document).

Upon acceptance of this DGEIS by the City Council, a public participation process will be initiated. The DGEIS will be posted through a public notice process, during which the public will have the opportunity to comment on the document and regulations and attend a SEQR Public Hearing.

The Final Generic Impact Statement (FGEIS) will incorporate public comments from this process, which will include responses to substantive public comments received during the public review process.

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 Local Development Corporation (UHLDC) under the condition that it is done "at no cost to the Thruway Authority or its toll payers."

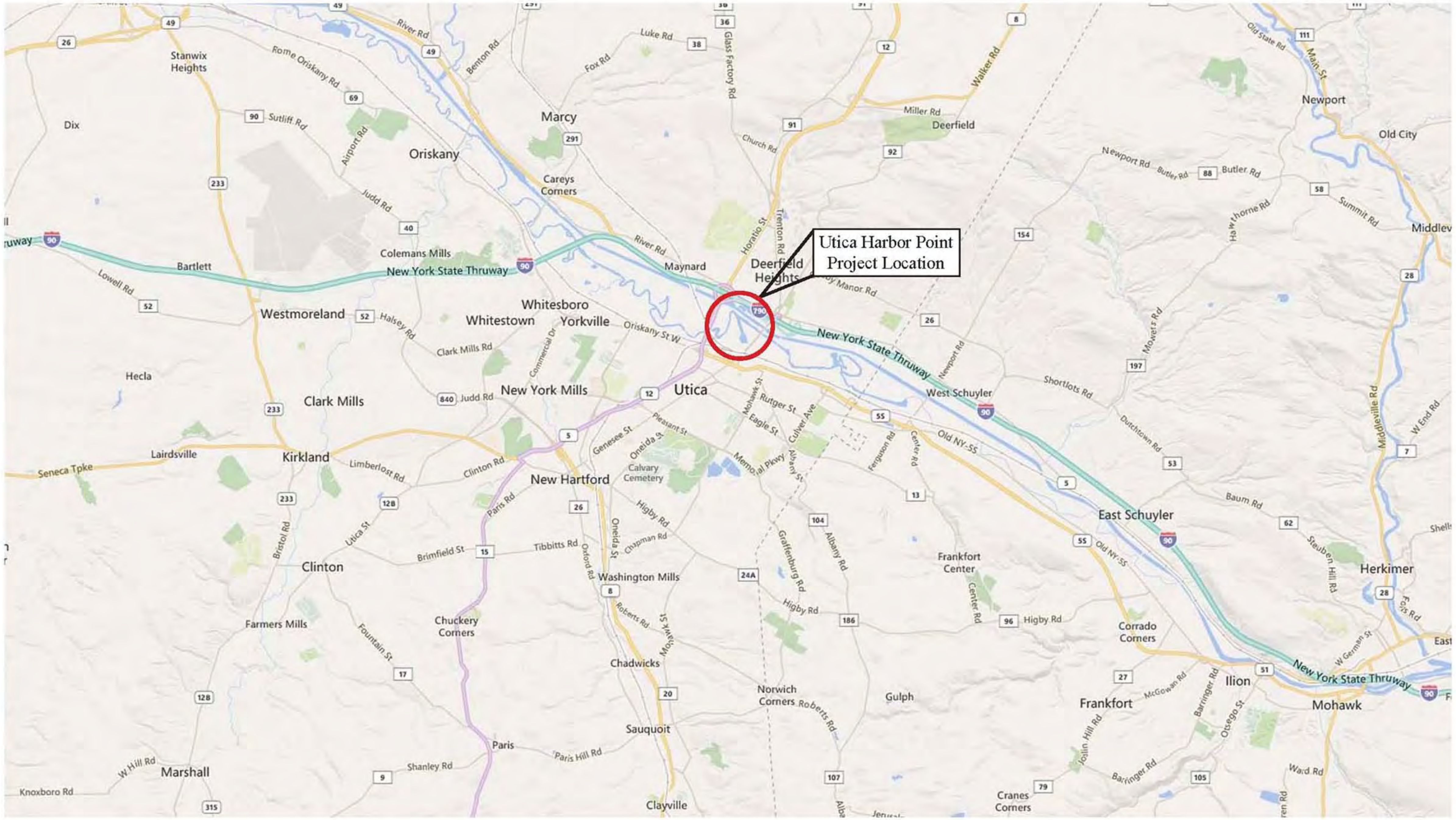
As a result of the enacted legislation, the City of Utica began a master planning and design process aimed at redeveloping the City's Inner Harbor inclusive of the NYS Canal Corporation lands and adjacent National Grid and privately owned lands. (See Figure 1-1, Harbor Point Redevelopment Project Location Map). Led by the UHLDC, 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 Brownfield Opportunity Area (BOA) Study (2014) and the Local Waterfront Access Plan (2011). Using input from the UHLDC and stakeholders, a preferred master plan was prepared reflecting the carrying capacity (maximum development and population that the site can support) of the site. (See Figure 1-4, Harbor Point Redevelopment Preferred Master Plan).

As a next step in the process, the City of Utica is preparing this Draft Generic Environmental Impact Statement (DGEIS) to evaluate potential environmental and socio-economic impacts that may result from implementation of a preferred Harbor Point Master Plan. Most projects or activities in New York State proposed by a state agency or local government that might have significant environmental impacts require an environmental review in accordance with 6 NYCRR Part 617 of SEQR implementing regulations. SEQR requires state and local government agencies to consider environmental impacts equally with social and economic factors during 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 DGEIS may require no or limited future SEQR review[2].

[2] 6 NYCRR § 617.10(d)



CITY OF UTICA, NY
HARBOR POINT REDEVELOPMENT
GEIS

Figure 1-1 Harbor Point Redevelopment Project Location Map

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	FARMERS MARKET	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

CITY OF UTICA, NY
HARBOR POINT REDEVELOPMENT
GEIS

Figure 1-4 Preferred Master Plan

1.3 PROJECT DESCRIPTION: COMPONENT PARTS

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-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.

Working with the UHLDC, two alternative Harbor Redevelopment Master Plans were prepared. Although both options contain the same components, the internal configuration of certain elements is adjusted to reflect various circulation options. From these two alternatives a preferred plan was developed based on UHLDC and stakeholder input. Stakeholders ranged from students to state agencies. Information gathering techniques included surveys and interviews. A comprehensive Public Outreach Summary can be found in Appendix C.

Figure 1-5 Harbor Point Redevelopment Component Area Map illustrates the relationship between the various uses. The text below discusses the desired uses and activities by focus area.

Overall Activities:

The following items can be found throughout the project area.

- Internal street configuration inclusive of sidewalks, bike lanes, street trees, and period lighting
- Surface and structured parking
- Utilities (electricity, natural gas, water, sanitary, stormwater, and telecommunications)
- Pedestrian walkways
- Repair of bulkhead walls

Component Areas (Approximately 147.90 acres):

1. **Water-Based Development and Gateway Entries (Approximately 20.90 acres)**
    a. Area located on NYS Canal Corporation lands immediately surrounding the harbor and Wurz and Wells Avenue entry points.
    b. Area intended for water enhanced and water dependent mixed-uses such as:
        i. Harbor promenade with pedestrian amenities including benches, period lighting, interpretive signage, and trash receptacles
        ii. Public plazas and water features designed to attract attention to the harbor
        iii. Marina
        iv. Marina services
        v. 1933 Canal Building re-use as a year-round commercial destination with ethnic restaurants, local beer, wine and spirits, local crafts, outdoor seating , boating supplies
        vi. Restored 1917 Canal Building as a marina and barge canal history center (Redevelopment Concept A; building proposed to be moved or demolished in Concept B)
        vii. Performance/amphitheater (also mentioned in Component Area 5)
        viii. One story restaurant building

2. **Mixed Use Development (Approximately 20.06 acres)**
    a. Redevelopment area with multi-story mixed-use buildings containing residential units on the upper floors and supporting commercial uses on the ground floor.
    b. Greenspace, sidewalks, walking paths, parks and plazas
    c. Pedestrian walkways with connections to the Harbor Promenade and the Erie Canal Trail
    d. Associated surface parking

3. **Corridor Commercial Development (North) (Approximately 3.57 acres)**
    a. Private redevelopment area along the west side of North Genesee Street
    b. Proposed commercial buildings with potential for retail, lodging, and restaurants

4. **Corridor Commercial Development (South) (Approximately 16.8 acres)**
    a. Private redevelopment area along the west side of North Genesee Street adjacent to the John St. Bridge exit ramp
    b. Existing restaurant and parking
    c. 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

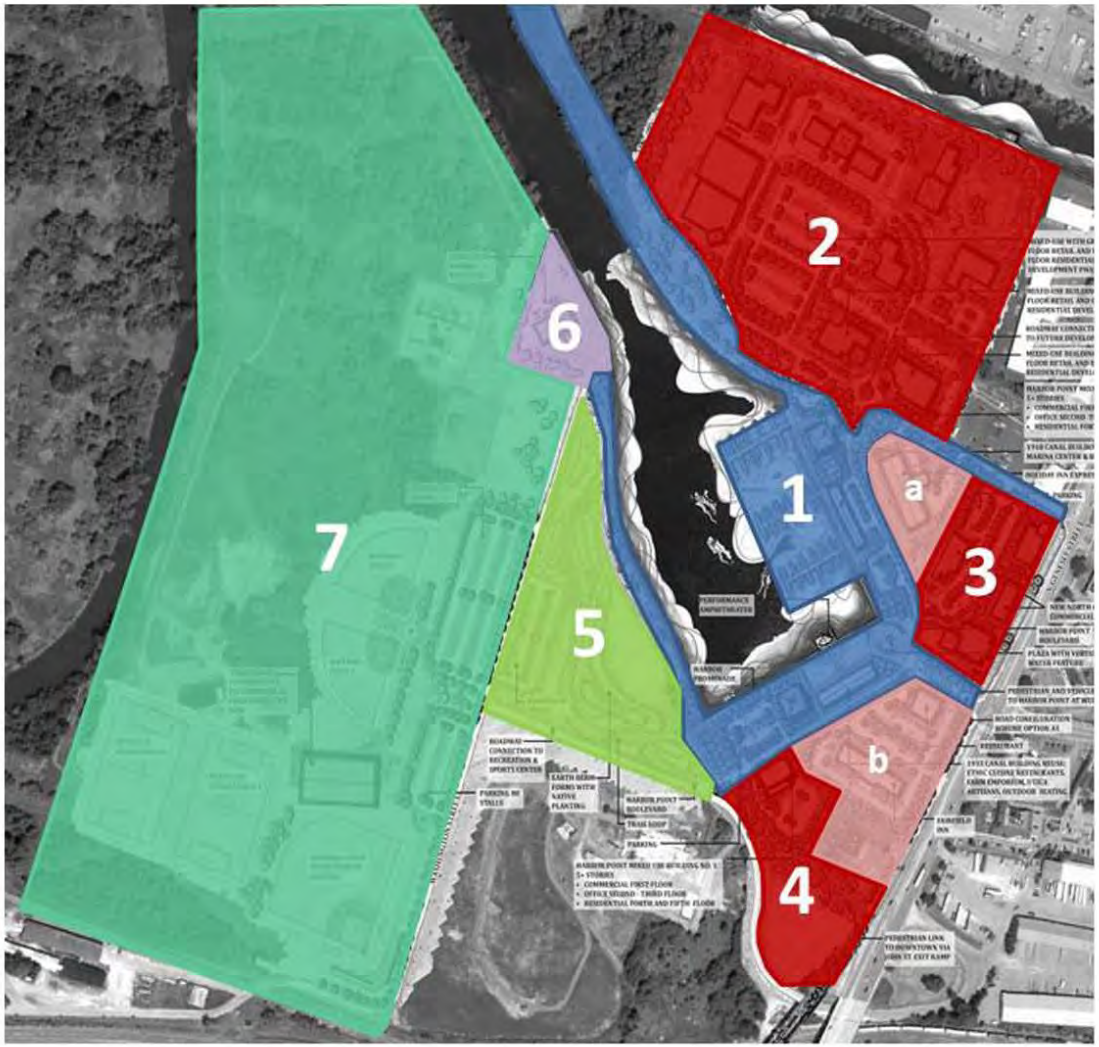
pedestrian connectivity to Bagg's Square via North Genesee Bridge (John Street Exit Ramp) will be accomplished by using widened sidewalks at safety barriers

5. **Passive Recreation/Amphitheater Development (Approximately 5.109 acres)**
    a. Earthen berm forms with native plantings on the former Mohawk Valley Oil (MVO) site which is currently owned by National Grid and being used to deposit dredge spoils from National Grid's clean-up of the Mohawk River
    b. Trail loop linking to the Harbor Promenade and recreation area to the west
    c. In-water amphitheater with associated on-land seating
    d. Associated surface parking

6. **Marine-Based Development (Approximately 2.45 acres)**
    a. Proposed commercial use associated with canal shipping and/or boating

7. **Active Recreation Development (Approximately 73.3 acres)**
    a. Proposed active recreation fields including baseball, softball, and soccer
    b. Re-purposed building as a multi-use recreational facility/ice arena
    c. Associated parking
    d. Pedestrian walkways with connections to Harbor Promenade, Utica Marsh, and the Erie Canal Trail
    e. Using Washington St as a connectivity point to Bagg's Square and Utica Memorial Auditorium campus and parking lots

Utica Harbor is a historical landmark on the Erie Canal. It is a vestige of the great NYS Canal System during the "Barge Canal" industrial period and boasts a proud history. 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.



HARBOR POINT REDEVELOPMENT

City of Utica, NY

Component Area Map

1. Water-Based Development
   Interpretive, commercial, residential, recreational, boardwalk, marina
2. Commercial-Based Development
   Retail, professional, residential
3. Corridor Commercial Development
   Retail, restaurants
4. Corridor Commercial Development
   Retail, restaurants, greenspace, trail connection to Genesee Street
5. Passive Recreation Development
   Open Space, gardens, picnicking
6. Marine-Based Development
   Future canal shipping
7. Active Recreation Development
   Baseball fields, baseball stadium area, soccer fields, multi-use recreational facility/ice arena

a. Current Redevelopment Underway
b. not a component of Harbor Point Redevelopment Strategy

Figure 1-5 Component Area Map

1.4 PROJECT HISTORY

This document discusses the Utica Inner Harbor and Utica Harbor Point. What follows is an historical discussion of each. In general, the Utica Inner Harbor is situated to the north and east of the harbor waters and Harbor Point, which is predominantly National Grid-owned lands, is situated to the west of the harbor waters.

1.4.1 Utica Inner Harbor Overview

The State Legislation[3] that was passed in 2008 stated that the reestablishment of "economic vitality of upstate communities like Utica requires rediscovering and investing in the historic, but often dilapidated infrastructure like the Utica Inner Harbor. Once the center of commercial and economic activity in Utica and Oneida County, the Inner Harbor, part of the great Erie Canal has been consigned a fate so many traditional heavy industry sites that have been removed from productive use and divorced from the community at large."[4] Projects identified in the Preferred Harbor Point Master Plan (Figure 1-4) would provide boaters access to the Inner Harbor and provide public infrastructure, including a marina, to spur private investments. Economic activity would return via commercial development that is anticipated to provide overnight accommodations, dining, and entertainment.

Local Waterfront Access Plan 2011

The Local Waterfront Access Plan (LWAP) states that the redevelopment of the Inner Harbor will "take on a stronger urban form and perhaps with aesthetically pleasing architectural details reflective of the areas industrial past." The LWAP envisioned the integration of the working waterfront areas of the NYS Canal Corporation with new commercial/light industrial uses. The LWAP speculated that a "working harbor" would serve as an attraction and heighten the level of activity and interest in the area. However, after investigating this option it has been determined that this use is not compatible.

Brownfield Opportunity Area (BOA) Pre-Nomination (Step 1) Study 2011

Utica's Step 1 BOA Study is part of the City's Central Industrial Corridor ReVITALization Plan. The Central Industrial Corridor includes the Broad Street Corridor, East and West Baggs Square, the Oriskany Street Corridor, and the Harbor District. These areas once made up the industrial hub of Utica stretching along the old Erie Canal and main rail lines.

[3] Laws of New York, 2008 Chapter 371.

[4] Full text of document can be found at http://image.iarchives.nysed.gov/images/images/141288.pdf

One of the key recommendations of the study, with regard to the Harbor District, is to advance planning at the Inner Harbor to include "re-programming of Canal Corporation facilities, rehabilitation of harbor walls, capping of an on-site dredge spoils area, enhancement of access roads, construction of a public marina, and the establishment of dedicated areas for private investment."

1.4.2 Harbor Point Overview

Over the past 20 years, the remediation of contamination on the Harbor Point peninsula and the Mohawk River has been undertaken primarily by National Grid (formerly Niagara Mohawk). A site that was formerly owned by Mohawk Valley Oil (MVO), on the immediate west side of the harbor, which has more recently come under the control of National Grid, was used as dewatering structure and disposal area for Utica Harbor sediment. An additional site embedded within the peninsula is the New York Tar Emulsion Products Site which has been cleaned up by Beazer East, Inc. and Suit-Kote Corporation. The remediation of these sites is being directed by the New York State Department of Environmental Conservation (NYSDEC).

The work remaining at Harbor Point is limited to the placement of a final soil cover (cap) on the sediment placed at the former MVO site, installation of a groundwater treatment system, and the formulation of a clean-up plan for the Mohawk River.

With the exception of the southern reaches of the site, the Harbor Point properties are restrictive to commercial development due to access, the regulatory floodway, wetlands, and gas and electrical utility stations and will likely be reserved for green space uses and linkages. However, a number of ideas for development along the southern extent of the property include recreational/public uses such as repurposing the existing building into a multi-purpose indoor recreation complex, baseball field with small stadium seating area, soccer fields, and regulation softball fields. Long term thinking envisions a pedestrian bridge connection along the Washington Street alignment to tie these public entertainment venues to the Gateway District area and indoor entertainment activities associated with the Utica Auditorium.

1.5 PURPOSE AND NEED

The intent of the Harbor Point Redevelopment Project is to create a mixed-use environment which can be used for a variety of purposes such as recreation, entertainment, residential and commercial development.

The DGEIS will evaluate potential environmental and socio-economic impacts of elements of the Harbor Point Redevelopment Plan, as well as provide information to support informed decision-making by potential inner harbor developers. Information compiled in the DGEIS will provide insights into potential impacts and mitigation; reasonable alternatives; stakeholder, decision-maker and public interests; baseline environmental conditions; constructability considerations; regulatory issues; and future actions.

The need for the project is evidenced by the deteriorated condition of the former industrial area. It is imperative that Utica reestablish itself as the regional hub it had been by maximizing its resources and creatively reinventing itself. As stated in the City of Utica Master Plan (2011): ”Economic development is a cornerstone of growth. Today’s new and growing businesses are built on the creativity and innovation of entrepreneurs, business people, and skilled workers. These people can choose to live anywhere in the world. Utica must seek ways to attract them to this city – to set up enterprises and put down roots.”

1.6 PERMITS AND APPROVALS

It is anticipated that to implement the Proposed Project, the applicant would be required to obtain permits and approvals from a variety of state and local agencies. A summary of currently anticipated actions is presented in Table 1.1 Potential Permits, Approvals, and Reviews.

Table 1.1 ***Potential Permits, Approvals & Reviews.***

	Permit	Activity	Agency	Comments	SEQR Involved Agency Contact
	Federal				
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 SEQR 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.
	State & Local				
3	Section 401 of the Clean Water Act (401 Water Quality Certification) (Joint Application)	Certification is used to ensure that federal agencies issuing permits or carrying out direct actions, which may result in a discharge 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_operations_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. (No work is proposed in NYS Freshwater Wetlands or check zones.)	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 advanced 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	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 Moloughney, P.E. NYS Canal Corporation Exit 23 and Rt. 9W Albany, NY 12201
8	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).	Ms. Deborah St. John-Day, P.E. City of Utica Department of Engineering 1 Kennedy Plaza Utica, NY 13502

9	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 Ms. Deborah St. John-Day, P.E. City of Utica Department of Engineering 1 Kennedy Plaza Utica, NY 13502
10	SEQR (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_operations_pdf/oneidaej.pdf.	Anticipated Lead Agency City of Utica Common Council Mr. Frank Meola, President Department of Legislation 1 Kennedy Plaza Utica, NY 13502
11	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.	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
12	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
13	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. Frank Meola, President Department of Legislation 1 Kennedy Plaza Utica, NY 13502

14	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
15	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
16	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
17	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
18	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 Ms. Deborah St. John-Day, P.E. City of Utica Department of Engineering 1 Kennedy Plaza Utica, NY 13502
19	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

20	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

2 ENVIRONMENTAL SETTING, IMPACTS & MITIGATION

2.1 ZONING, LAND USE, PUBLIC POLICY, AND COMMUNITY CHARACTER

2.1.1 Baseline Conditions

The City of Utica is located in Mohawk Valley Region along the famed Erie Barge Canal and Mohawk River and is the county seat of Oneida County. It is approximately 50 miles east of the City of Syracuse and 90 miles west of Albany. (See Figure 1-1, Project Location)

The New York State Thruway (I-90) runs north of and parallel to the Erie Canal and Mohawk River through Utica in an east-west direction. Slightly south of the Erie Canal and Mohawk River is New York State Route 5S. New York State Route 5/8/12 follows a north-south orientation through the City and is an important gateway to the Adirondack Region.

Much of the project area is located within the 100-year floodplain (see Section 2.6), which requires specialized construction for new or re-use of existing developments. A significant part of the area is also within the floodway, which precludes development of permanent structures.

ZONING

The Project Area is made up of two primary zoning districts: Planned Development Extraordinary (PD-E), and Land Conservation. (See Figure 2-1, Zoning Map)

As described in the City of Utica Zoning Code: Chapter 2-29, PD-E Planned Development — Extraordinary (Section 2-29-272), PD-E is defined as a development not otherwise distinguishable under any previous classification, occupying a district consisting of any quantity of land area and containing less than the stated minimum proportions of any single or dominant use or function, and in which the proposed uses of interior and exterior spaces, although diverse or mixed, bear extraordinary design qualities resulting in a completely logical and complementary conjunction of uses and functions not ordinarily encountered in normal development.

LC Land Conservation District: (Section 2-29-251) the land conservation district is identified as the 100-year floodplain. Land Conservation District is established for the following purposes:

(1) To protect the public health, safety and welfare.
(2) To minimize public and private property damage.
(3) To minimize public expenditure for costly flood control projects.
(4) To minimize the need for rescue and relied efforts at public expense.

(5) To protect the ecosystem of the floodplain.
(6) To preserve and protect artifacts of archaeological significance.
(7) To minimize prolonged interruption of business and governmental services.
(8) To put potential home buyers, property owners, and tenants on notice that a particular piece of property is in a flood-prone area.
(9) To protect the public and private water supply from contamination.

City of Utica Code Chapter 2-29, Article IV District Regulations Division 6 Land Conservation Permitted uses in the LC district:

"(a) Principal permitted uses. The following uses which have low flood damage potential and which do not obstruct flood flows may be permitted within the Land Conservation District to the extent that these uses do not constitute development within the floodplain and are not otherwise prohibited by other provisions of this chapter or any other rules, regulations or ordinances: agricultural uses such as pasture or grazing as long as they do not require development within the floodplain. No uses shall diminish or constrict the capacity of the channel or floodway or any watercourse, or any tributary to the mainstream, or any other watercourse, drainage ditch or any other facility or system to discharge the waters from the base flood or cause significant adverse impacts to the ecosystem of the floodplain. This exemption does not include agricultural structures.

(b) Special permit uses.
(1) The following development and uses may be allowed within the designated floodplain only after review and approval of the proposal by the Planning Board and the issuance of a special permit as provided for by this chapter. Note: The floodplain permit administrator is the Codes Commissioner.
a. Private and public recreational areas as long as they do not require development within the floodplain.
b. Boathouses and docks are regulated under the local law for flood prevention. They must meet elevation and floodproofing and floodway standards (i.e. no structures of any kind in the floodway).
*c. Essential services as defined in Article **I** certified by a professional engineer or an architect. Anything in the floodplain must be certified as floodproofed or elevated above the one-hundred-year flood elevation.*

LAND USE

The total project area encompasses approximately 148 acres on the Erie Canal and Mohawk River and features a variety of existing land uses, from vacant/underutilized to commercial and public services.

The project area has traditionally been used for industrial and transportation purposes. Future land use will be governed in part by the area's proximity to water. Since a large portion of the area is within the 100-year floodplain, specialized construction for new or re-use of existing structures will be required. Also, development is precluded within the floodway. Of the approximately 148 acres, 8.3 acres are currently not being utilized. National Grid (formerly Niagara Mohawk) is the largest property owner with 63.9 acres. The NYS Canal Corporation is the second largest property owner with 33.7 acres. Conservation and open space is the smallest portion of the site at .1 acres. A breakdown of the number of parcels, number of acres, and percentage of total land area by land use type can be seen below. (See Figure 2-3– Land Use Map)

Table 2.1 – Study Area Land Use by Category

Land Use Category			
Land Use Category	**Number of parcels**	**Acreage**	**Percent of Acreage**
Vacant/Underutilized Land	12	8.3	5
Commercial/Retail/Business	14	19.5	13
Industrial	1	0.0	0
Public Services	11	120.1	81
Wild, Forested, Conservation Lands	1	0.1	0.0%
Total	39	148	100.0%

SOURCE: City of Utica /Oneida County GIS Mapping

The following table identifies parcels and parcel ownership as of March, 2015 as derived by the City of Utica using data from Oneida County GIS Mapping.

Table 2.2
Existing Conditions – Parcel Identification and Property Owner

Total Project Area			
ID	**Tax Parcel**	**Acres**	**Owner**
A	**306.020-1-12**	**17.3**	**New York State Canal Corp./LDC**
B	**306.020-1-11**	**16.4**	**New York State Canal Corp./LDC**
1	306.020-1-1	63.9	Niagara Mohawk
2	318.008-1-1	2.8	New York Emulsions Inc
3	306.020-1-1	0.5	Niagara Mohawk
4	318.008-1-2	1.4	Niagara Mohawk Power Corp
5	318.008-1-3	0.9	Niagara Mohawk Power Corp
6	318.008-1-4	2.3	Niagara Mohawk Power Corp
7	306.020-1-1	1.1	Niagara Mohawk
8	318.008-1-5	5.8	Niagara Mohawk
9	318.008-1-6.2	3.7	Niagara Mohawk (Need to verify)
10	318.008-1-6.1	4.1	Jones Chemical
11	318.008-1-7.1	3.3	City Of Utica
12	318.008-1-7.2	0.5	Empire Recycling Operations Inc.
13	318.008-1-8	0.1	N Y C & H R R R Co
14	318.008-1-9	0.1	Empire Recycling Corporation
15	318.008-1-10	0.3	Empire Recycling Corporation
24	318.008-1-18	0.5	City Of Utica
25	318.008-1-19	0.9	Dominick Paternoster
26	318.008-1-20	0.3	Dominick Paternoster
27	318.008-1-21	0.9	GRE Tri-State Property, LLC
28	318.008-1-23	0.2	GRE Tri-State Property, LLC
29	318.008-1-22	0.2	GRE Tri-State Property, LLC
30	318.008-1-24	0.7	House Of The Good Shepherd
32	306.020-1-8	1.5	26 Wells Avenue, LLC
33	306.020-1-9	1.2	26 Wells Avenue, LLC
36	306.020-1-7	1.0	Arctic Glacier Rochester Inc.
44	306.020-1-2	3.7	Niagara Mohawk

SOURCE: City of Utica /Oneida County GIS Mapping

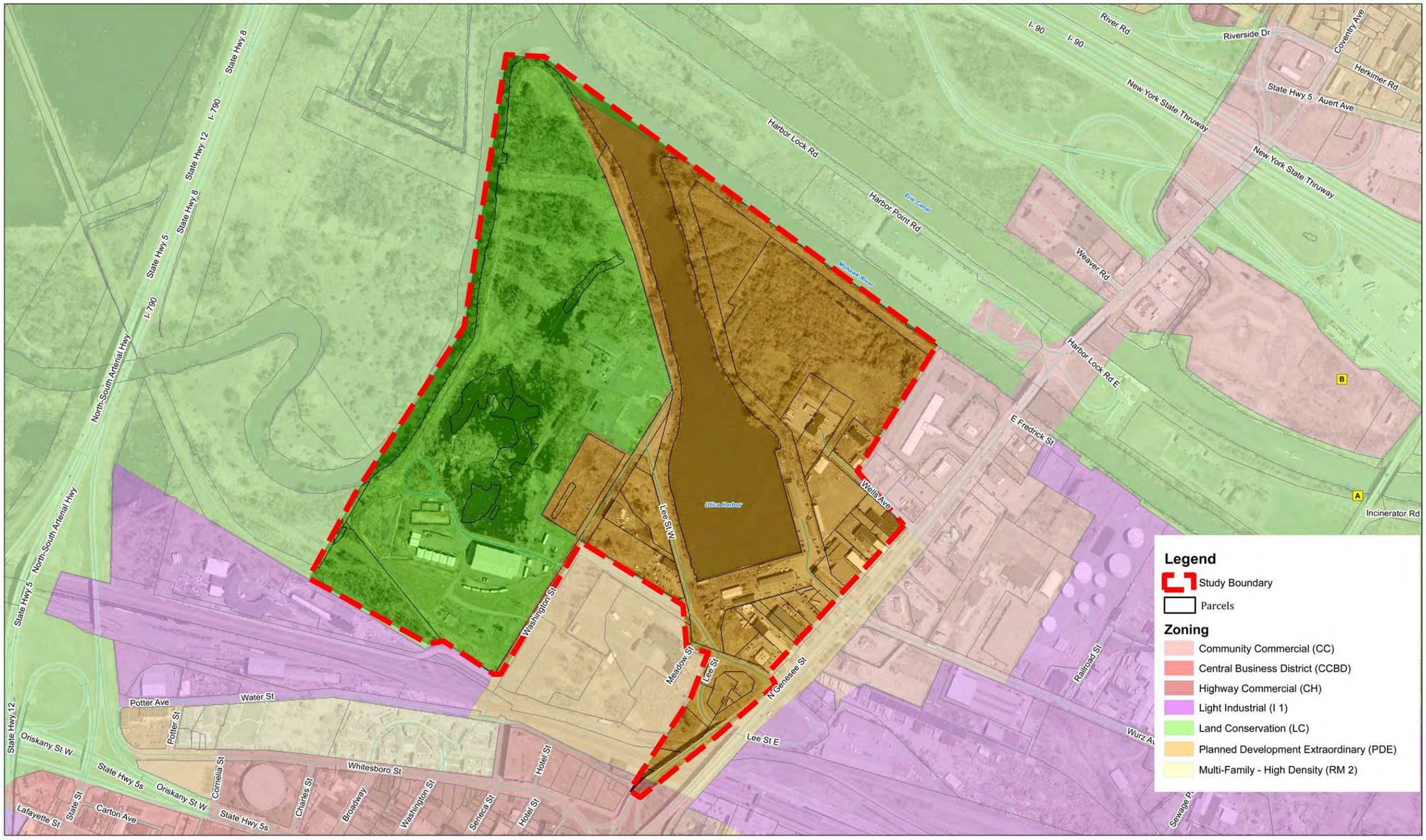


Figure 2-1 Zoning Map

Utica Harbor Property Owners

ID	Tax Parcel	Acres	Owner
A	306.020-1-12	17.3	New York State Canal Corp.,/LDC
B	306.020-1-11	16.4	New York State Canal Corp.,/LDC
1	306.020-1-1	63.9	Niagara Mohawk,
2	318.008-1-1	2.8	New York Emulsions Inc,
3	306.020-1-1	0.5	Niagara Mohawk,
4	318.008-1-2	1.4	Niagara Mohawk Power Corp,
5	318.008-1-3	0.9	Niagara Mohawk Power Corp,
6	318.008-1-4	2.3	Niagara Mohawk Power Corp,
7	306.020-1-1	1.1	Niagara Mohawk,
8	318.008-1-5	5.8	Niagara Mohawk,
9	318.008-1-6.2	3.7	Niagara Mohawk (Need to verify)
10	318.008-1-6.1	4.1	Jones Chemical
11	318.008-1-7.1	3.3	City Of Utica
12	318.008-1-7.2	0.5	Empire Recycl'g Operations Inc,
13	318.008-1-8	0.1	N Y C & H R R R Co,
14	318.008-1-9	0.1	Empire Recycling Corporation,
15	318.008-1-10	0.3	Empire Recycling Corporation,
16	318.008-1-11.1	0.8	Twomey, Tim
17	318.008-1-11.2	0.8	Nicky Doodles, Inc,
18	318.008-1-13	0.8	ISYH I, LLC,
19	318.008-1-14	0.4	ISYH II, LLC,
20	318.008-1-15	0.7	ISYH II, LLC,
21	318.008-1-16	0.6	ISYH III, LLC,
22	318.008-1-17	0.1	Pavia, Dominic
23	318.008-1-17	0.2	Pavia, Dominic
24	318.008-1-18	0.5	City Of Utica
25	318.008-1-19	0.9	Dominick Paternoster
26	318.008-1-20	0.3	Dominick Paternoster
27	318.008-1-21	0.9	GRE Tri-State Property, LLC,
28	318.008-1-23	0.2	GRE Tri-State Property, LLC,
29	318.008-1-22	0.2	GRE Tri-State Propertyer, LLC,
30	318.008-1-24	0.7	House Of The Good Shepherd,
31	318.008-1-25	2.1	Lodging Associates, LLC, North Utica
32	306.020-1-8	1.5	26 Wells Avenue, LLC,
33	306.020-1-9	1.2	26 Wells Avenue, LLC,
34	318.008-1-29	0.6	Mayco Enterprises Of Utica Inc,
35	318-08-1-26	0.7	Mayco Enterprises Of Utica Inc,
36	306.020-1-7	1.0	Arctic Glacier Rochester Inc.,
37	318.008-1-28.1	0.4	Mayco Enterprises Of Utica Inc,
38	318.008-1-28.2	0.1	Mayco Enterprises Of Utica Inc,
39	318.008-1-27	0.3	9021 River Rd Marcy Inc,
40	306.020-1-5	0.6	McDonald's USA, LLC,
41	306.020-1-4.3	0.3	BW Gateway LP,
42	306.020-1-4.2	5.2	New Penn Hospitality Assoc LP,
43	306.020-1-4.1	1.1	The Greeley Group Capital, LLC,
44	306.020-1-2	3.7	Niagara Mohawk,

CITY OF UTICA, NY
HARBOR POINT REDEVELOPMENT
GEIS

Figure 2-2 Land Ownership Map

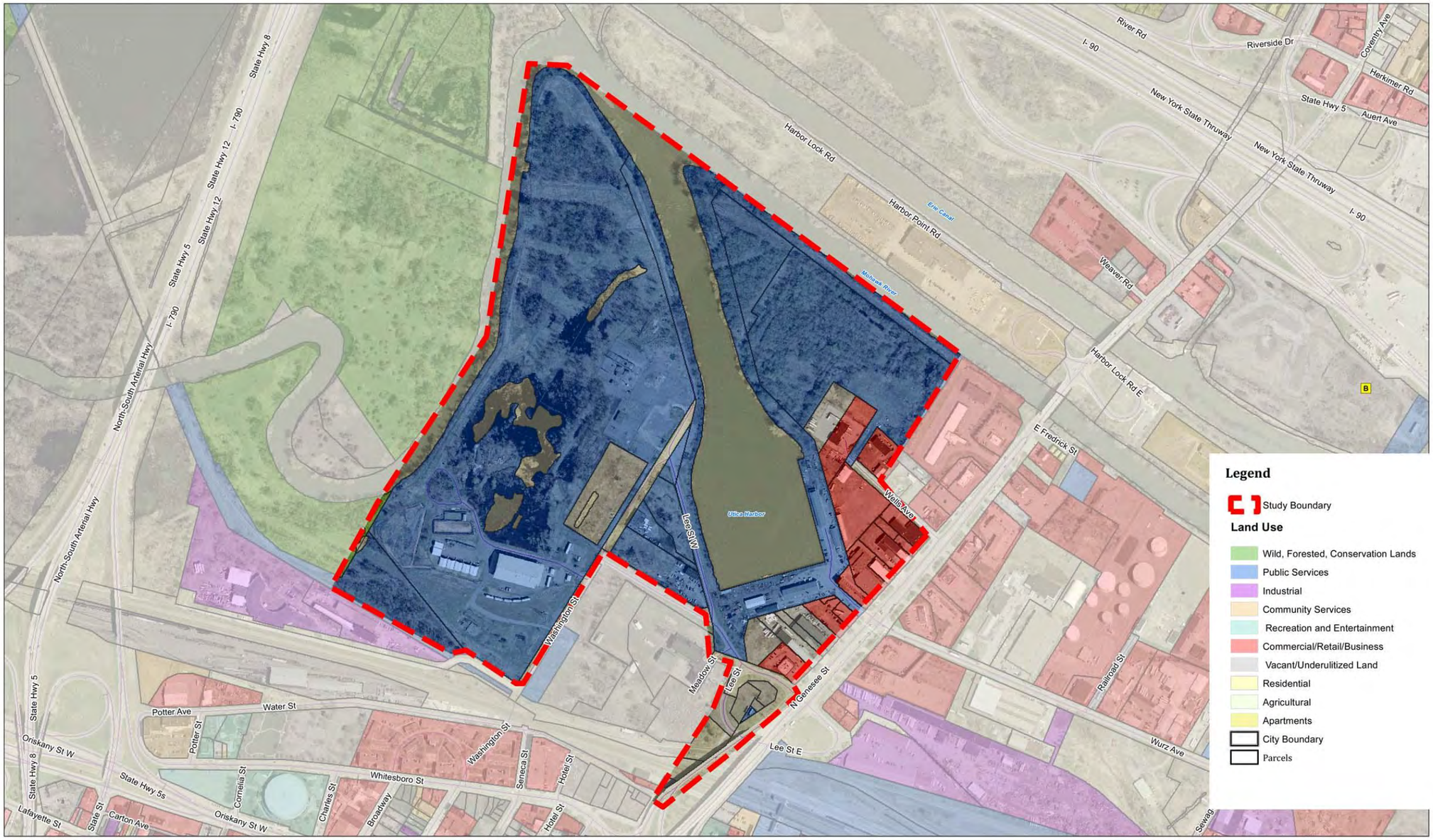


Figure 2-3 Study Area Land Use Map

CONSISTENCY WITH COMMUNITY PLANS

The following plans were reviewed to identify consistencies. Below are excerpts from the various plans.

CITY OF UTICA MASTER PLAN

The City of Utica Master Plan, "Utica New York: A Sustainable Neighborhood-based Master Plan"[5], completed in October 2011, was based on extensive involvement of citizens, business leaders, public officials and planners. The plan describes a vision for Utica's growing and revitalized future as a bustling economic center amidst the beauty of Central New York , a renaissance city leading the transition of the region from an industrial center to one seeking to attract the creative class.

The purpose of the Master Plan is to provide policy direction and recommendations to guide the City and its partners in the formulation of development strategies, economic incentives, and land use controls that collectively will foster development supportive of, and complementary to, reestablishing Utica as a regional hub, while simultaneously strengthening the economic and social fabric of the City's neighborhoods. Below is text from the Plan.

<u>Utica Master Plan Vision Statement (p. 4)</u>

- Utica is the place for people seeking a culturally rich, economically successful, and environmentally friendly place to live, visit, and conduct business.
- Our homes, our neighborhoods, our schools, our places of work and play allow for opportunities for an even exchange between people and place; Utica is a community that invites all the people to utilize their unique qualities to emerge and define our City.
- Utica is the hub of regional collaboration, social diversity, and economic progress.
- Our City is ripe with potential, which we will maximize with extensive community input, emphasizing high-performance, sustainable economic redevelopment, and a healthy network of neighborhoods, parks, and waterfront renewal.

This Master Plan recognizes that Utica's waterfront is a significant natural and historic resource. As a destination, the waterfront will provide improved public open space along the water's edge, just minutes from downtown. The Master Plan suggests improvements to pedestrian and cyclist connections. Improvements are also proposed for water-based recreational amenities.

[5] http://www.uticamasterplan.org/mp_downloads.htm.

Following are specific recommendations that relate to the redevelopment of the Utica Harbor:

PARKS, RECREATION, ARTS/CULTURE & HISTORIC PRESERVATION GOALS (P.54)

GOAL 3: Develop use of the Erie Canal and the Mohawk River around Historic, Recreational, and Regional objectives to stimulate Economic Development. (p.54)

Implementation Strategies:

- Change the perception of safety and accessibility by making entrance points more inviting, clearly marked and signed, increasing use for family activity.
- Work with National Grid to develop the establishment of a multi-use, multi-seasonal recreational facility at the southwest portion of the Harbor Point area.
- Enhance the northeast area of the Harbor Point for passive recreational uses.
- Explore the relocation of Murnane Field facilities as part of the multi-use, multi-seasonal facility located in the Harbor Point area.

BUSINESS & TECHNOLOGY (p. 65)

The challenge to City of Utica leaders today is to create an environment that is appealing to new business and industry, as well as to new and returning residents. This means renewing the City's image in the region, revitalizing Utica's more challenged neighborhoods (while protecting those that work), and establishing an attractive environment for business development efforts. To be successful, Utica's municipal leaders, residents, institutions and business owners alike must be willing to commit to a common direction, take simple coordinated steps to reinvestment, and attract new partners. Finally, and most importantly, the community must be prepared to maintain a long-term commitment to reestablishing itself.

GOAL 3: CREATE MORE SITES FOR BUSINESS DEVELOPMENT OPPORTUNITIES. (p.65)

Implementation Strategies:

- Develop site/zone/corridor specific plans and marketing strategies to maximize the use and/or redevelopment of the Inner Harbor (among other identified areas.)

INFRASTRUCTURE & WATERFRONT DEVELOPMENT (p. 69)

GOAL 9: INCREASE PUBLIC AWARENESS, PUBLIC ACCESS AND CONNECTIVITY TO THE HISTORIC DISTRICTS AND ERIE CANAL/MOHAWK RIVER. (p.79)

Implementation Strategies:

- Create better access to the following districts and subdistricts: Harbor Point and Inner Harbor (among other areas)

GOAL 10: DEVELOP APPROPRIATE PORTIONS OF THE WATERFRONT AND INNER HARBOR AS A MIXED USE DESTINATION ATTRACTION FOR UTICA THAT ENHANCES THE EXISTING WATERS EDGE WITH PUBLIC AND PRIVATE INVESTMENT. (p.80)

Implementation Strategies:

- Implement consistent portions of National Grid's Harbor Point Plan.
- Create public (or mixed public and commercial) uses at Harbor Point and Inner Harbor.
- Preserve environmentally sensitive areas of the waterfront as protected open space.

CITY OF UTICA LOCAL WATERFRONT ACCESS PLAN

Completed in December 2011, the Local Waterfront Access Plan (LWAP) was developed to establish a coordinated framework for public access and circulation along the Mohawk River and Erie Canal and for the City of Utica to develop waterfront access improvements that would complement land use investments made within its boundary. The plan is used to work collaboratively with developers, regional and local interests to incorporate enhanced waterfront access and connectivity into all future development projects.

The LWAP outlines a clear set of actions necessary for improved connectivity and enhanced access along the 21 miles of waterfront in the City of Utica. The LWAP is an implementation element of the City's 2011 Master Plan, which recognized the need for enhanced connectivity along the waterfront and to the surrounding neighborhoods.

<u>The LWAP Vision for Enhancing Accessibility to the Utica Waterfront</u>

Utica's waterfront is and should continue to be a citywide resource to be enjoyed by all of Utica's residents and visitors, providing a variety of themes, activities and experiences. The

waterfront should be a destination that attracts all residents as well as visitors and should be an integral ingredient to the high quality of life offered in Utica. With this as a foundation, Utica recognizes its waterfront as a vital economic development and recreational opportunity; and access to the waterfront should be increased and improved. Utica is committed to investing resources that promotes accessibility to and creates continuous connectivity along the waterfront, offering the Mohawk Valley a unique recreational, cultural and commercial development experience alongside the Erie Canal, one of Americas most treasured and historic waterways, and the Mohawk River.

LWAP Goals for Enhanced Accessibility to the Utica Waterfront:

- Improved physical and visual access to the Erie Canal and the Mohawk River
- The Waterfront's vehicular and pedestrian circulation and parking should be improved
- Enhanced connectivity of recreational activities
- Recommend new trail links
- Strengthen opportunities for regional bicycle opportunities along the Canalway Trail
- Establish a circulation plan that Facilitates Economic Growth
- Identify Gateway & Interpretive Signage and Amenity Opportunities
- Advance Catalytic Projects by Developing Improved Access & Circulation

The LWAP identifies enhanced public access opportunities on the Mohawk River and Erie Canal through circulation improvements for pedestrians, bicycles, and vehicles. Also included are project and action item recommendations coupled with potential partnering and funding opportunities for their realization. The LWAP divided Utica's waterfront into three distinct and separate areas based on existing land use patterns: Western Portion, Central Portion and Eastern Portion. The proposed uses and initiatives outlined the potential to stimulate reinvestment in the waterfront areas for a variety of uses. The Central Portion (Utica Harbor Area) was suggested to be an area of higher intensity commercial mixed-use activities and was noted as the area most likely to experience redevelopment. The Western and Eastern Portion were noted as having significant opportunities for passive recreational uses or environmental/ heritage interpretation, while safeguarding and enriching the right of the public to access the waterfront.

The LWAP states that the City's waterfront is and should continue to be a City-wide resource to be enjoyed by all of Utica's residents and visitors, providing a variety of themes, activities and experiences. The waterfront should be a destination that attracts all residents as well as visitors and should be an integral ingredient to the high quality of life offered in Utica. With this as a foundation, Utica recognizes its waterfront as a vital economic development opportunity and

access to the waterfront should be increased and improved. Utica is committed to investing resources that promote accessibility to and create continuous connectivity along the waterfront, offering the Mohawk Valley a unique recreational, cultural and commercial development experience along the Erie Canal, one of Americas most treasured and historic waterways, and the Mohawk River.

THE UTICA INDUSTRIAL CORRIDOR REVITALIZATION PLAN, CENTRAL INDUSTRIAL CORRIDOR BROWNFIELD OPPORTUNITY AREA PROJECT COMMUNITY PARTICIPATION AND VISIONING PLAN, 2011

The City of Utica Industrial Corridor ReVITALization Plan, Central Industrial Corridor Brownfield Opportunity Area Project Community Participation and Visioning Plan is a grant funded report under the NYS Brownfield Opportunity Area (BOA) Program to complete a Pre-Nomination Study for an approximate 1,100 acre study area. The study area/proposed BOA is characterized by over 50 potential brownfield sites located along the old Erie Canal and main railroad corridor in Utica and is referred to in this report as the "Central Industrial Corridor" or CIC. In accordance with the requirements of the BOA program, the Pre-Nomination Study provides a preliminary description and analysis of the proposed BOA and key project objectives including:

> **GOAL 9: Develop the Waterfront and Inner Harbor as a mixed-use destination attraction for Utica that enhances the existing water's edge with public and private investment.**
>
> **Implementation Strategies:**
>
> - Implement consistent portions of Niagara Mohawk's Harbor Point Plan.
> - Create public (or mixed public and commercial) uses at Harbor Point and Inner Harbor.
> - One concept developed for Harbor Point is the relocation of Murnane Field facilities. This will allow the City to create a cluster of ball fields and host softball and baseball tournaments and open Murnane Fields for new future economic development opportunities.
> - The concept at Harbor Point calls for the relocation of Donovan Stadium and creates an opportunity to attract an "A" baseball organization, develop a waterfront promenade, and include concession space, commercial/ retail space and the potential for a new hotel. The concept also improves the connection between the waterfront and Gateway District with a possible connection between Washington Street to Seneca Street.

UTICA MARSH MANAGEMENT PLAN OF JULY 1980

While not part of the project, the Harbor Point Redevelopment Project has the potential to connect to the Utica Marsh Trails. The Utica Marsh Management Plan encompasses over 200 acres of wetlands associated with the floodplain of the Mohawk River in the City of Utica and the Town of Marcy. The Utica Marsh Management Plan was developed by the NYSDEC with guidance and support of many organizations which were organized under the Utica Marsh Advisory Committee. The Management Plan discussed goals and objectives; implementation through security, beautification and access; wildlife habitat management and public use along with additional studies required and implementation responsibilities. The plan provided descriptions of the development techniques and maintenance that would be utilized by the NYSDEC. The Utica Marsh Management Plan has a number of goals and objectives to improve waterfront accessibility. Below is the one most compatible with this project:

- "To provide connection points to the Natural Trail System (extensive in the western part of the marsh) to the lands east of the Route 12 Arterial or connections into the Harbor Point project area. The only connection would be via the Barge Canal Bikeway and the Harbor Lock gate."

MOHAWK VALLEY REGIONAL ECONOMIC DEVELOPMENT COUNCIL 2012 ACTION PLAN

The Harbor Point Redevelopment Plan speaks to Strategy 4 (Increase Spatial Efficiency) of the MVREDC 2011 Regional Plan[6]. The project embraces these components of the Strategy 4:

- Make key investments that improve critical infrastructure assets and promote sustainability
- Use of the region's natural resources in an environmentally sound manner
- Leverage unique historic character and assets within the region including canal corridor and waterfront development initiatives to promote its tourism potential
- Promote investment in regional cores, municipal centers, central business districts and Main Street districts to foster community development and community revitalization
- Promote brownfield development, and reuse and rationalization of vacant building stock. Utica Harbor redevelopment was also identified as a priority project in the 2011 plan

[6] http://regionalcouncils.ny.gov/themes/nyopenrc/rc-files/mohawkvalley/MVREDC StrategicPlanFinal11142011.pdf

The Mohawk Valley Regional Development Council (MVREDC) is composed of Fulton, Herkimer, Montgomery, Oneida, Otsego and Schoharie counties and serves as a single point of contact for economic activity in the region.

The Regional Economic Development Council initiative (REDC) is a key component of Governor Andrew M. Cuomo's transformative approach to State investment and economic development. In 2011, Governor Cuomo established 10 Regional Councils to develop long-term strategic plans for economic growth for their regions. The Councils are public-private partnerships made up of local experts and stakeholders from business, academia, local government, and non-governmental organizations.

In discussion of the City of Utica's Harbor Point redevelopment, the MVREDC states:

> *"The Harbor Point Development Plan represents significant potential for the City of Utica and the Mohawk Valley Region. When fully implemented, the Plan will maximize commercial and residential development along the city's waterfront, and include significant recreational assets in environmentally appropriate areas. Full implementation will result in short-term construction jobs, long-term permanent jobs and increased property tax and sales tax revenue."*

The MVREDC 2013 Progress Report[7] and the 2014 Action Plan: Sustaining Momentum[8] continue to highlight the development of Utica's harbor as a priority project.

OTHER RELATED PLANNING DOCUMENTS

Public access and connectivity to the Mohawk River and Erie Canal is referenced in several existing documents. These plans include:

- North Genesee Street Corridor Management Plan
- Gateway Historic Canal District Revitalization Plan
- Harbor Point Redevelopment Framework Plan
- NYS Canal Recreationway Plan
- Canal Plan for the Mohawk Valley
- 2008 Greenway Plan for the Mohawk River Corridor

[7] http://regionalcouncils.ny.gov/themes/nyopenrc/rc-files/mohawkvalley/mohawkvalley_2012progressreport.PDF
[8] http://regionalcouncils.ny.gov/themes/nyopenrc/rc files/mohawkvalley/MVREDC-2014PR.pdf

2.1.2 Potential Impacts

The envisioned redevelopment of Utica Harbor is consistent with recommendations set forth in the Utica Harbor Master Plan, Local Waterfront Access Plan, the Utica Industrial Corridor ReVITALization Plan, and other plans as listed above.

This redevelopment of Harbor Point will result in additional tax revenue for the City and will also have a beneficial impact on the environment as former industrial and vacant lands are put into residential and commercial uses. Development will increase public awareness and access of the harbor and make the area a local and regional destination that will attract tourism and bolster the local economy.

2.1.3 Mitigation

Because of the potential impacts of future growth and development of the Utica Harbor, the City will aggressively implement all zoning regulations and mechanisms in place to forestall negative impacts associated with rampant growth.

The recreational uses in the plan will require a special permit from the Zoning Board of Appeals and review and approval by the Planning Board.

In addition, some change to the existing zoning will be necessary in order to institute any architectural/design standards.

2.2 COMMUNITY SERVICES

2.2.1 Education

BASELINE CONDITIONS

The following information was derived from multiple City sources including the City of Utica School District website[9]. The Utica Public School System is comprised of 13 public schools that serve students in grades kindergarten through 12. There are ten elementary, two middle and one high school. The stated mission of the Utica Public School District is to "provide a quality education for a diverse student population in a safe and orderly environment. Students will develop essential academic and responsible citizenship skills and graduate ready to pursue continuing education, become gainfully employed or enlist in military service. This district will provide quality and equity in the distribution of resources including well-maintained facilities and emerging technology. Fiscal and administrative accountability and continuous improvement in the education of our students is the goal of the Utica City School District".

The Utica School District Schools (and their 2013-14 enrollments) are: the Christopher Columbus Elementary School (719); Kernan Elementary School (615); General Herkimer Elementary School (606); Watson Williams Elementary School (568); Albany Elementary School (526); Thomas Jefferson Elementary School (476); Roscoe Conkling Elementary (545); John F. Hughes Magnet School (462), Hugh R. Jones Elementary (469); Martin Luther King Jr. Elementary (302); John F. Kennedy Middle School (1124); Senator Donovan Middle School (1008) and the Thomas R. Proctor High School (2663).

There is also a Charter School – Utica Academy of Science Charter School and a Catholic School – Notre Dame Elementary school which has a Junior/Senior High School, Elementary School, Universal Pre-K, and Montessori Pre-K with approximately 400 students.

The schools closest to the project site are the Thomas Jefferson and Kernan Elementary Schools.

POTENTIAL IMPACTS

The development of the Harbor Point Redevelopment Plan calls for one and two bedroom residential units. The proposed housing is likely to attract young professionals without children and empty nesters. Therefore, it is unlikely that there will be any impact on the Utica School System.

[9] http://www.uticaschools.org

Mitigation

As indicated in the economic market analysis it is suggested that the residential development is primarily one and two bedroom apartments marketed to young professionals and retirees that typically do not have children that attend school. Therefore it is expected that there will be minimal, if any impact on the school system, and no mitigation is required.

2.2.2 Police Services

BASELINE CONDITIONS

The following information is from the Utica Police Department. The Utica Police Department provides 24 hour police coverage seven days a week via three divisions: the Uniform Patrol Division, Criminal Investigation Division and Administrative Division. The Uniform Patrol Division is comprised of three platoons per eight hour shift. Usual patrol coverage includes a minimum of eight officers assigned to eight zone cars, with at least one patrol sergeant on the street during any given time. Most assignments are one man units. On a few occasions, if staffing permits, there are two-officer patrol units. They currently do not have foot or bicycle patrols.

The Utica Police Department has a total of eight patrol zones. There is only one patrol zone covering the entire North Utica region.

The Uniform Patrol Division provides 24 hour police protection through three eight-hour shifts. Calls for police service are dispatched from Oneida County 911. All calls are dispatched on a priority basis.

The City of Utica Police Department has excellent working relationships with both the New York State Police (NYSP) and the Oneida County Sheriff's Office (OCSO). The City of Utica also has regular working relationships with the FBI, US Marshal's Office, ATF, DEA and New Hartford Police Department.

POTENTIAL IMPACTS

According to Utica Police Department, retail and residential growth in the harbor area will increase the need for police services. Also, due to the potential for increased motor vehicle traffic, they may also see traffic signal and patterns changes. Additionally, more motor vehicle traffic could result in more accidents (see Section 2.8).

MITIGATION MEASURES

To accommodate the development of the Utica Harbor Point Project, the City of Utica Police Department may need to expand the zone coverage area (Car 51) for their downtown patrol

cars to increase police visibility in to the Harbor area. If necessary, mutual aid may be implemented.

2.2.3 Fire and Emergency Medical Services

BASELINE CONDITIONS

According to information from Utica Director of Emergency Medical Services (EMS) Operations, the City of Utica Fire Department is dispatched by Oneida county 911 as the primary EMS provider for the city of Utica. The number and type of trucks as of February, 2015 were:

- 4 front line pumps (1E, 3E, 5E, 7E)
- 3 reserve pumps (2E, 4E/Tac1, 6E)
- 2 front line trucks (truck 1. Tower 2)
- 1 reserve truck (truck 3)
- 1 reserve truck with aerial out of service (truck 4)
- 1 light rescue (Tactical unit 2)
- 3 ambulances
- 1 bariatric ambulance
- 1 special rescue (set up for Ebola transport)

Advanced Life Support (ALS) and Basic Life Support (BLS) transport EMS is provided by the City Fire Department. Kunkel (Priority) Ambulance also responds to EMS calls within city limits and is available by request or direct call. Kunkel and the county have a mutual aid plan in place to in the event the Utica City fire is unavailable.

As of February 2015 there were 123 firefighters. There is a minimum manning of 23 personnel on duty a day.

In the event of a fire, the response is:

- Detail – 1 piece of apparatus - usually closest pump in service (Engine 5)
- Automatic Alarm – 2 pumps, 1 truck, tac 2
- Telephone Alarm – 3 pumps, 1 truck, tac 2, car 204, (and ambulance if a working fire)

POTENTIAL IMPACTS

The closest station to the project site is Station 5 located at 415 Van Rensselaer Rd. There are 3 personnel assigned there.

In the event of a fire at the Harbor Point Area the response would be:

- Detail- Engine 5 out of Station 5; Automatic Alarm – Engine 5 out of station 5
- Tower 2 out of Station 2
- Tactical Unit 2 out of Station 2
- Engine 1 out of Station 1

MITIGATION MEASURES

According to information from Utica Director of Emergency Medical Services (EMS) Operations, it is anticipated that as demand increases more staff may be assigned to Station 5.

2.2.4 Hospitals and Health Care

BASELINE CONDITIONS

In March 2014, Faxton St. Luke's Healthcare (FSLH) and St. Elizabeth Medical Center (SEMC) affiliated with one another under the aegis of Mohawk Valley Health System (MVHS) to enhance services for the residents of the Mohawk Valley through greater collaboration and improved clinical quality for patient and resident care.

MVHS primarily serves the geographic area of Oneida, Herkimer and Madison Counties and operates an integrated healthcare delivery system with approximately 4,200 full-time equivalent employees and a combined annual operating budget of approximately $523 million.

Faxton St. Luke's Healthcare (FSLH) and St. Elizabeth Medical Center (SEMC) affiliated as the Mohawk Valley Health System (MVHS) in March 2014. MVHS is governed by a single, 18-member board of directors, with nine members from FSLH's board and nine from SEMC's board. MVHS operates under a single management team.

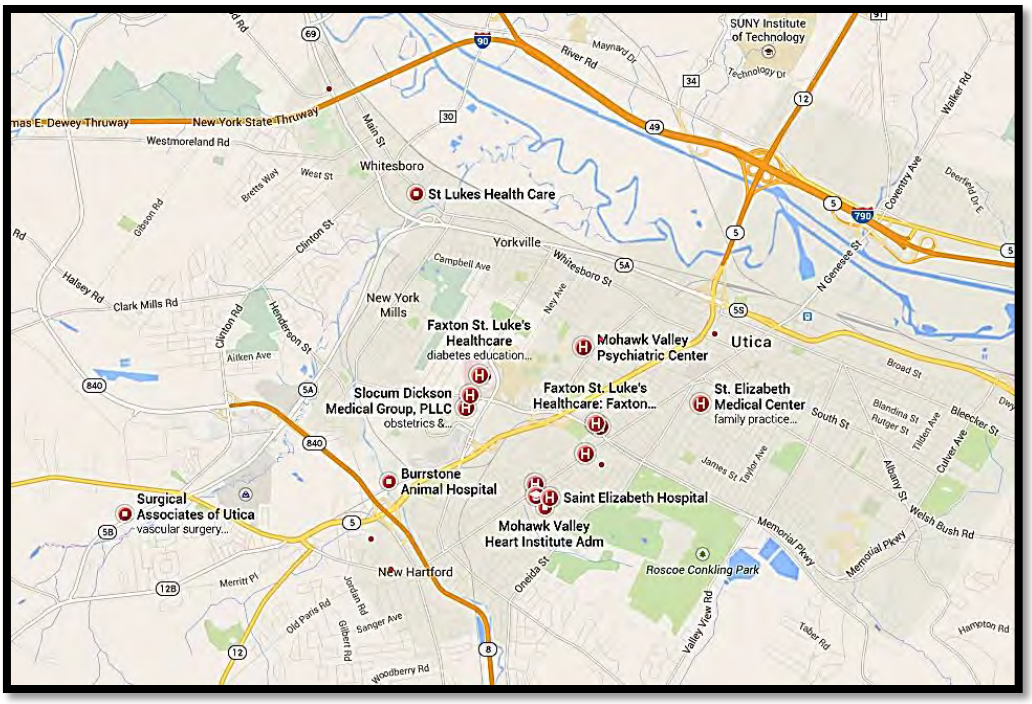
Scott H. Perra, FACHE, is president/CEO of Mohawk Valley Health System. He joined St. Luke's-Memorial Hospital Center in 1985, becoming executive vice president/chief operating officer in 1989 and remaining in the position through the Faxton Hospital and St. Luke's-Memorial Hospital Center consolidation beginning in November 1998. He was appointed president/CEO in January 2009.

The hospitals' roles collaborating in the Mohawk Valley Heart Institute and the Central New York Diabetes Education Program exemplify their ongoing commitment to providing accessible, quality healthcare to the community.

A not-for-profit healthcare organization, FSLH includes St. Luke's Home, Senior Network Health, Mohawk Valley Home Care and Visiting Nurse Association of Utica and Oneida County. The Adirondack Community Physicians medical group offers eight primary care offices located throughout Oneida and Herkimer counties and multi-specialty providers including general surgery, orthopedic surgery and neurosurgery. The organization has 372 acute care beds and 202 long-term care beds.

SEMC includes one inpatient campus - 2209 Genesee Street, Utica, NY (Main) and
St. Elizabeth Medical Arts (outpatient) - 4401 Middle Settlement Road, New Hartford
Also a not-for-profit healthcare organization, SEMC offers inpatient services in general medicine and surgery, intensive care, intermediate care, cardiology, orthopedics, psychiatry, pediatrics, oncology, urology, ENT and gynecology. In addition, the Medical Center operates a network of 15 primary and rehabilitation care sites in Oneida and Herkimer counties that includes the St. Elizabeth Medical Group. The Sister Rose Vincent Elizabeth Family Medicine Center provides patient care services for the whole family and is also a teaching facility for new physicians. SEMC also manages the School-Based Health Center located at Kernan Elementary School. St. Elizabeth Home Care serves patients in their homes and St. Elizabeth Health Support Services offers respiratory services and durable medical equipment to patients in their homes. SEMC has 201 acute care beds.

Figure 2-4 Utica NY Health Care System



Source: Mohawk Valley Health Care System Web Site

POTENTIAL IMPACTS

The facility nearest to the project site is the Faxton Campus. It is anticipated that the effect on the health care system will be minimal.

MITIGATION MEASURES

There currently exists a very robust health care system. Since there will be minimal to no effect on the health care system, no mitigation measures are necessary.

2.2.5 Recreation

EXISTING CONDITIONS

Utica offers numerous recreational, cultural and historic opportunities. Utica's parks and recreational network is one of the City's major assets and adds substantially to Utica's quality of life. Recreation includes a variety of activities, from passive to active.

The City is home to a segment of the New York State Canal System which is a network comprised of more than 260 miles of multi-use recreational trails.

The City of Utica's park and parkway system was designed between 1908 and 1914 by the firm of Olmsted Brothers Landscape Associates, headed by Frederick Law Olmsted, Jr. The two Olmstead designed parks are the F.T. Proctor Park (52 acres) and the T.R. Proctor Park (500 acres). Roscoe Conkling Park is an 80 acre recreational complex which includes the Utica Zoo, Val Bialas Ski Center, Parkway Recreation Center, Southwoods Trail and John Mott Tennis Courts.

Historical Park assets include Rutger Park, the centerpiece of the area in Utica known as the Rutger-Steuben Park Historic District, which includes the Park and properties around Steuben Park. The Historic Park and Parkway also includes seven contributing buildings, three contributing sites, 26 contributing structures, and five contributing objects. Mansions of Rutger Park are listed on the National Register of Historic Places[10].

Additional district parks include Addison Miller Park, Chancellor Park, Seymour Park and Wankell Playground. There are also seven neighborhood playgrounds, two passive parks and three public swimming pools. Green spaces are also found at Utica's numerous monuments.

The Utica Marsh is a 213 acre urban wetland situated partially in the City of Utica and partially in the Town of Marcy. The Mohawk River is on the south and the New York State Barge Canal on the north. Wetlands, wet meadows, and open water create a diverse marsh habitat that harbors an abundant amount of wildlife.

POTENTIAL IMPACTS

The proposed project will have a positive benefit because it will expand, link and enhance open space and Utica's recreational amenities.

The expanded and enhanced opportunities would include softball; baseball; soccer, indoor multi-purpose trails, and the creation of an amphitheater.

MITIGATION MEASURES

Given the positive impacts of the project on recreational facilities, no mitigation measures are necessary.

[10] http://nrhp.focus.nps.gov/natreg/docs/All_Data.html.

2.3 GEOLOGY, SOILS, AND TOPOGRAPHY

2.3.1 Baseline Conditions

GEOLOGY

Geologic conditions (i.e., type of and depth to bedrock, seismic conditions, soils) have the potential to impact engineering design and construction means and methods, as well as erosion potential and the need for dewatering of excavations during construction. Baseline (existing) geologic (subsurface) conditions within the Project Area were identified through compilation of data and information derived from a combination of desk-top, field, and laboratory evaluations. The following issues were evaluated during the field/laboratory evaluation, which included the installation of on-site test borings (CME 2014 Appendix D and CME 2015 Appendix E).

- A generalized characterization of subsurface deposits and their effect and limitations with respect to the planned development's building and infrastructure improvements.
- Identification of potential design or construction problems, which may warrant further study.
- Identification of solutions for identified major foundation design and construction problems.
- Identification of preliminary criteria for planning of the building foundations.
- Recommendations which may aid in the selection of an optimum arrangement for facilities based on the limitations of the subsurface conditions identified in the field.
- Recommendations of additional exploration and testing, which may be warranted to further reduce the risks and uncertainties present in work involving subsurface conditions.
- Recommendation of a Seismic Site Classification based on testing results and the requirements of the New York State Uniform Fire Prevention and Building Code (Building Code).

In addition to the field and lab program, subsurface information and data was collected through available sources including:

- New York State Department of Environmental Conservation databases
- United States Department of Agriculture Soil Survey (Web Soil Survey)
- National Grid – Utica Harbor Point Manufactured Gas Plant Operable Unit 3 Clean-up Project records and websites

The findings of the evaluations are summarized in the following sections.

SUBSURFACE CONDITIONS

Based on the information compiled in CME's evaluation (see Appendix D and Appendix E) it is understood that the site's subsurface profile is not uniform or consistent horizontally or vertically. The conditions of the upper 20 feet of the site are extremely random and varied.

The subsurface boring program conducted by CME revealed an overall profile of surfacing, underlain by Random Miscellaneous Fill, underlain by glacial lakebed sediments, underlain by dense Glacial Till, which is known to overly Shale Bedrock. The general subsurface profile consists of (based on CME Boring B-3):

- ***Surfacings*** – The site exhibits a variety of surfacing including water, cinders, asphalt, gravel, concrete, barren land, grass, scrub, brush, trees, roads, hard stands, and parking lots. Grade elevation varies from about elevation 400 to about elevation 419 (see **Topography** below).
- ***Random Miscellaneous Fill*** – Existing Random Miscellaneous Fill (ERM Fill) varies from about 2 feet to approximately 20 feet in thickness. ERM Fill may consist of earth, inert materials, contaminated soil (see Section 2.14) wood, building rubble, coal, slag, roots, decomposed organic matter, and putrescible waste, among other things.
- ***Clay*** – An upper glacial lakebed (lacustrine) deposit was encountered below 4 feet. From 4 to 10 feet, Clay with minor sand and silt components was encountered. This layer is known to be discontinuous across the Project Area.
- ***Organic Silty Clay*** – Organic Silty Clay was found between 10 to 20 feet, but is commonly encountered directly below the ERM Fill and typically contains Peat lenses or layers intermixed with roots, plant litter and organic detritus.
- ***Lower Glacial Lakebed Deposits*** – Below a depth of about 20 feet and to a depth of 98 feet, low plasticity Silts and Clays with variable Sand and Gravel content, or mixtures thereof, were encountered.
- ***Glacial Till*** – Till was encountered at about 98 feet depth, but is known to vary across the Project Area from about 50 feet to over 130 feet deep. Till is a heterogeneous, unsorted mixture of Gravel, Sand, Silt and Clay, which was overridden by a glacier and compressed into a dense mass lying on Bedrock.
- ***Shale Bedrock*** – The site is likely underlain by black, soft, thinly bedded, easily eroded Utica Shale Bedrock.

SEISMIC CONDITIONS

The International Building Code (IBC) classifies structures into *Seismic Design Categories*. This is different from the Uniform Building Code (UBC), which classifies them into *Seismic Zones*. Seismic Design Categories are a classification assigned to a structure based on its Seismic Use Group and the severity of the design earthquake ground motion at the site.

In support of this DGEIS, CME calculated the Seismic Design Category; a Site Class "D" representative of a "stiff soil profile" resulted from the analysis (CME 2014). It is important to note that soils vulnerable to potential failure or collapse do exist within the Project Area, and a more comprehensive exploration and laboratory testing program may show that individual parcels on site are representative of a "soft soil profile," Site Class "E." Consequently, a Seismic Design Category of "E" is utilized for planning purposes (CME 2014).

SOILS

The Project Area has undergone significant changes over time; from relocation of the Mohawk River and construction of the Inner Harbor to construction, operation and subsequent remediation activities associated with industrial and commercial land uses. As indicated in CME's report (see Appendix D and Appendix E). the Project Area was previously a low-land marsh area and swamp prior to the construction of the Barge Canal and Utica Harbor. Dredged materials and imported fill were used to make dry, useable land to support the industrialization of the area. Consequently, soils within the Project Area have been significantly impacted and large amounts of fill material introduced to the area. These soils are described below.

SOIL SURVEY

Based on review of the United States Department of Agriculture (USDS) Natural Resources Conservation Services (NRCS) Web Soil Survey[11], the predominant soil type is "Udorthents, smoothed," which encompasses 99% of the Project Area (See Figure 2 -5). Review of the USDA NRCS's *Soil Survey of Oneida County* (2008) indicates that, in most areas, the "Udorthents, smoothed" soil type is the result of cutting and filling during canal construction or other post-canal construction activities. Table 2-3 summarizes general soil properties associated with the "Udorthents."

[11] http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm

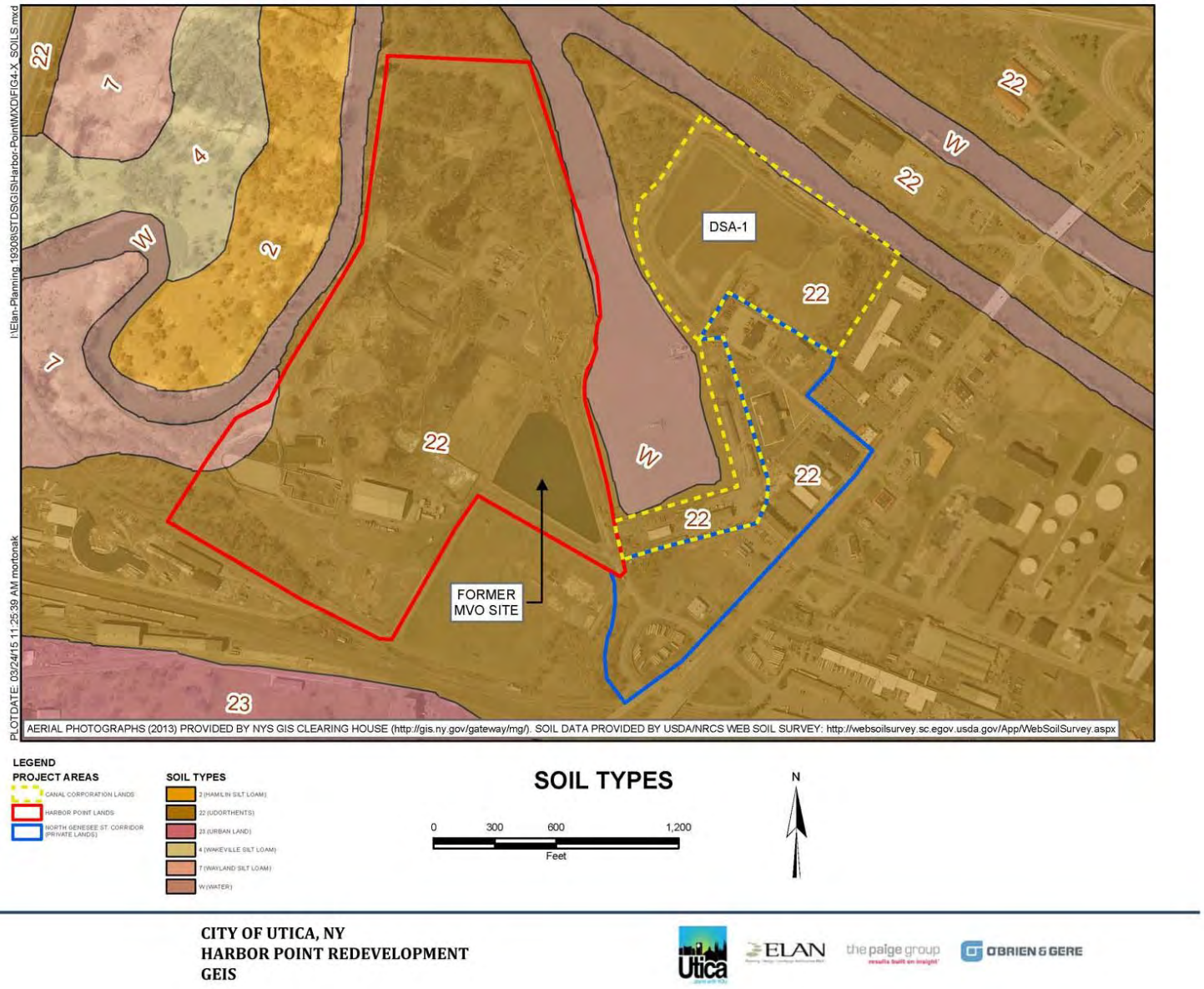


Figure 2-5 Soil Types

Table 2.3 Generalized Soil Properties – Udorthents, Smoothed

Generalized Soil Properties					
Slope	Permeability	Available water capacity	Erosion hazard	Depth to water table	Depth to Bedrock
0 -15%	Moderately well drained	Variable but typically very low through moderate	Slight	36-72 inches	> 60 inches
Source: USDA NRCS Web Soil Survey and USDA NRCS's Soil Survey of Oneida County (2008).					

NYSDEC Record of Decision (NIMO – Harbor Point Property, March 2002)

According to the NYSDEC's Record of Decision (ROD) for the Harbor Point Site[12], the Harbor Point peninsula is covered by a fill layer ranging from less than two feet to 15 feet thick. Among the materials within the fill are cinders, ash, coarse sand, gravel, brick and wood. The fill layer is underlain by glacial-era river (fluvial) sediments, which can be divided into upper and lower units that vary laterally and vertically in composition across the site.

Portions of the site continue to be modified by dredging and remediation activities. DSA-1 is utilized by the NYS Canal Corporation to receive uncontaminated, unconsolidated spoils dredged from the canal and harbor. Proposed redevelopment activities would require the relocation of these activities to an alternate location. In addition, National Grid continues to utilize the former MVO site as a dredge containment cell for contaminated, unconsolidated spoils dredged from the harbor; use of the site for five additional years is estimated.

TOPOGRAPHY

A topographic survey of the Project Area was performed by LaFave, White & McGivern (2014) (see Figure 2-6) .The survey indicates that the site is relatively flat with elevations ranging from ±400 around the harbor walls to about elevation ±419 on top of DSA-1. Generally, slopes across the Project Area are less than 10%, with the exception of the area around DSA-1 where the impoundments side slopes are greater than 15%.

[12] Record of Decision, NIMO – Harbor Point Property, Operable Unit No. 1 – Peninsula, Site No. 6-33-021, New York Tar Emulsion Products Site, Site No. 6-33-031, Mohawk Valley Oil Site, Site No. 6-33-032, March 2002.

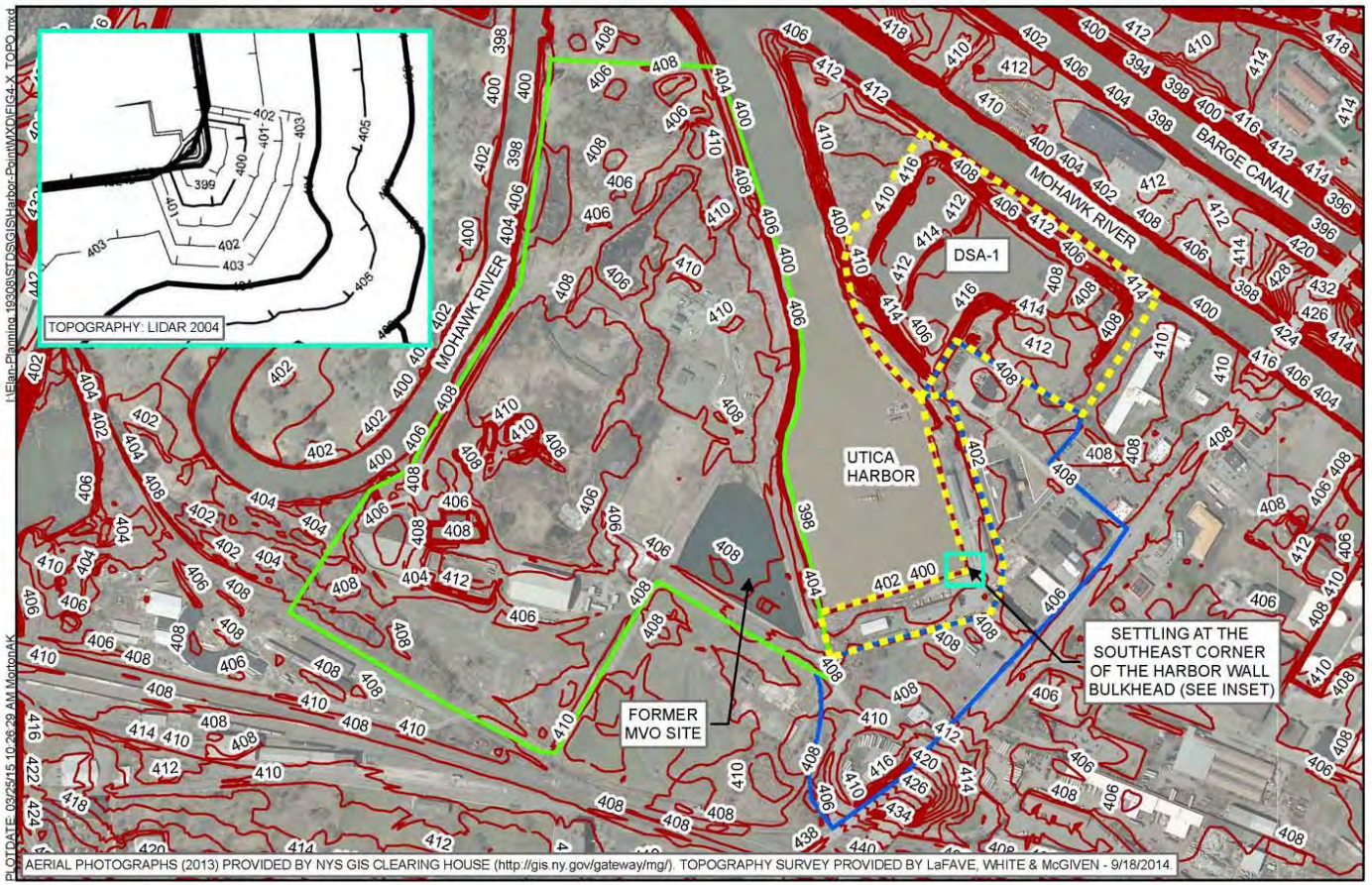


Figure 2-6 Existing Topography

As illustrated on Figure 2-7, it is also noted (based on LIDAR data) that significant settling has occurred at the southeast corner of the harbor wall bulkhead on lands currently owned by the NYS Canal Corporation (see Section 2.12 – Cultural Resources).

2.3.2 Potential Impacts

Implementation of the Utica Harbor Point Master Plan may result in the following types of impacts on geologic resources:

- Temporary disruption of soil profiles and exposure of bare soils during construction, which could, if left unmitigated, trigger soil erosion and transport of sediments in stormwater runoff to adjacent surface water bodies resulting in potential degradation of existing water quality. The potential for erosion impacts increases in steep sloped areas such as the side slopes of DSA-1
- Modifications to existing topography (grades), which could impact stormwater runoff and flood potential
- Construction of facilities on unstable soils vulnerable to potential failure or collapse
- Disturbance and exposure of soils impacted by former industrial land uses (including use restrictions associated with on-going remediation or restrictive covenants/deed restrictions/institutional controls placed on remediated lands
- Minor alteration of the bathymetric profile of the harbor due to limited dredging, which may be necessary to replace the harbor walls
- Secondary impacts (*i.e.*, construction-related traffic impacts) associated with:
    - the importation of structural fill to the site to stabilize areas for future construction (*e.g.*, DSA-1)
    - the exportation of spoils from the site necessary to achieved proposed grades

The potential for these impacts to occur is considered short-term and can be mitigated using industry-specific measures (see below). The potential for long-term impacts will be minimized upon completion of construction and site restoration activities.

2.3.3 Mitigation

The following mitigation measures will be implemented to eliminate or reduce impacts on geologic resources:

DISRUPTION OF SOIL PROFILES

Project activities requiring site clearing and/or excavation will include stabilization practices to minimize soil erosion. Contractors will be required to install Erosion and Sedimentation Controls (E&SCs) prior to the initiation of site disturbance activities and maintain the controls through site restoration and stabilization phases.

Projects within the Project Area, which disturb one acre or greater of land will also be required to obtain coverage under the NYSDEC's State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002). Coverage under the General Permit requires preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) to instruct personnel on mitigation measures to prevent pollutants in stormwater runoff from entering surface waters. SWPPPs and associated E&SCs will be prepared in accordance with the General Permit and the following documents:

- NYSDEC Standards and Specifications for Erosion and Sediment Control (2005)
- New York State Stormwater Management Design Manual (2015)

Mitigation measures that may be employed to limit erosion and sedimentation include:

- restricting the limits of construction to the minimum practicable area required to complete the work
- restoring/stabilizing temporarily disturbed areas as soon as practicable
- avoiding steep slope areas to the extent practicable
- minimizing the amount of bare soil exposed at one time
- stockpiling material away from steep slopes and flowing water to minimize erosion
- managing excess spoils off-site in accordance with applicable regulations (reuse alternatives should be considered by the contractor)
- installing silt fencing around stockpiled material
- using trench plugs and dewatering equipment (*i.e.,* pumps and hoses) to direct sediment laden water from dewatering operations to temporary sediment traps or other approved devices to allow for sedimentation prior to discharge
- weekly SWPPP and E&SC inspections (as required by the General Permit) through site stabilization/restoration activities

In addition, after construction activities are completed, the following restoration measures will be implemented:

- subsoil will be properly graded and scarified before topsoil is added (loosening the soil surface where heavy equipment has been used by contour furrowing, imprinting with dozer, or scarification to facilitate subsequent vegetative growth or plantings)
- seeding and mulching (site restoration will occur earlier in areas where no further disturbance is anticipated)
- temporary erosion control devices will be removed from the site upon final site stabilization

The extent (magnitude) to which soils are disturbed will also depend upon the specific construction activities and project element under construction. Developers and contractors should consider "green" alternatives such as the use of pervious surfaces to minimize potential sedimentation impacts (See Section 2.16).

MODIFICATIONS TO EXISTING TOPOGRAPHY

Due to remediation-based subsurface restrictions, proposed finished floor elevations (FFE) and/or flood mitigation considerations, implementation of the project will require modifications to the existing topography. As indicated in the CME report (Appendix D) where one or more feet of new fill is to be placed on site or in travelled ways, a temporary preload/surcharge may be appropriate to reduce impacts from settling including abrupt elevation changes from pile-supported structures (see below) to on-grade pavements, aprons and walkways.

Importation of structural fill will be necessary on portions of the site to establish required grades and FFEs, with the greatest need associated with filling DSA-1. Preloading (surcharging) of these areas (10-12 months) in advance of development will be necessary to allow for settling (see secondary impacts below). Long periods of rest and settlement monitoring will be necessary in areas, which require fills in excess of approximatly two feet.

The effect of proposed grading was evaluated with respect to its impact on the existing 100-year flood elevation, which traverses the Project Area. (See Figure 2-15). The findings of the 2015 analysis, prepared by Gomez and Sullivan Engineers (Gomez and Sullivan), are summarized in Section 2.6 . The complete report is included as Appendix F.

CONSTRUCTION OF FACILITIES ON UNSTABLE SOILS

Taking into account subsurface conditions, conventional shallow foundations consisting of footings and mats should not be planned for new building and structures within the Project Area. Conventional foundation systems should be considered only in combination with a prerequisite form of ground improvement or preload (temporary surcharge) of the site.

As indicated in the CME report (Appendix D), it is likely that buildings proposed within the Project Area will utilize deep foundation and structural grade-level slab systems, which utilize driven piles. Pile construction is consistent with recent hotel construction design proximal to the site. Piles are a type of deep foundation construction, which consists of piles of timber, steel or concrete, which are driven into the ground[13] to support a structure. Piles are typically used for development on unstable soils and for buildings with large structural loads. The use of piles should adequately mitigate for the presence of unstable soils within the project area.

As individual projects develop, it is recommended that each new phase, structure, and associated infrastructure be planned in conjunction with a geotechnical investigation and engineering evaluation tailored to the specific project or phase and in compliance with Building Code requirements.

DISTURBANCE AND EXPOSURE OF IMPACTED SOILS

The potential to encounter and the need to manage impacted subsurface materials should be anticipated during construction phase activities. For example, soils excavated from a trench for a new underground pipeline may be satisfactory geotechnically for reuse as backfill of the pipe trench, but fail the reuse criteria given in the NYSDEC's Spill Technology and Remediation Series #1 (STARS 1 – Petroleum-Contaminated Soil Guidance Policy). Means and methods to evaluate and manage soil and groundwater (see Section 2.5) conditions should be available and alternative fill sources should be considered.

In support of a Phase I Environmental Site Assessment (ESA) of the NYS Canal Corporation[14] lands, an environmental liens search was obtained from EDR for the site. This document, indicates that neither environmental liens nor activity and use limitations were identified for the two tax parcels comprising the NYS Canal Corporation lands.

[13] Piles are driven into the ground by pile drivers; machines consisting usually of a high frame with appliances for raising and dropping a pile hammer or for supporting and guiding a stream or air hammer. Pile driving can result in secondary impacts such as noise (see Section 2.10)

[14] Phase I Environmental Site Assessment, 105 North Genesee Street, Utica, New York, O'Brien & Gere, 2015

Review of the ROD for DSA-1[15] and recorded Environmental Notice issued by NYSDEC on August 8, 2013, both discussed in the Phase I ESA, reveals that the DSA-1 is subject to future use restrictions including:

- No disturbance or excavation is allowed that may threaten the integrity of engineering controls in place to manage remaining contamination
- Any use for purpose other than commercial and industrial is not allowed
- Groundwater underlying the property shall not be used without treatment rendering it safe for drinking water or industrial purposes.

There is also a commercial use restriction at DSA-1 that will have to be modified to "restricted residential" before mixed use development can proceed.

The ROD for National Grid's Harbor Point Property (March 2002) also has institutional controls, which restrict excavations. A further discussion of HazMat issues is provided in Section 2.14.

ALTERATION OF THE BATHYMETRIC PROFILE

Minor dredging adjacent to the harbor bulkheads may be necessary to repair or replace the walls. The contractor will be responsible for utilizing means and methods to minimize potential sedimentation during construction activities. Mitigation may include:

- Use of a cofferdam to perform the work in dry conditions
- Use of floating booms and barriers to contain displaced silt, turbidity, sediment and debris

Mitigation of potential water quality impacts are further discussed in Section 2.5.

[15] Record of Decision, Niagara Mohawk Harbor Point Site, Operable Unit 3, Utica Harbor Sediments and Dredge Disposal Areas, Utica, Oneida County, Site Number 6-33-021, March 2001 (http://www.dec.ny.gov/docs/remediation_hudson_pdf/633021_3.pdf)

2.4 NATURAL RESOURCES - IMPACT ON PLANTS AND ANIMALS

2.4.1 Baseline Conditions

To identify existing flora and fauna, which could be present in the Project Area, a combination of site reconnaissance and desk-top review of web-based information was performed. Compiled information is summarized below.

SITE RECONNAISSANCE

A visual reconnaissance of the site was performed on December 4, 2014 by a biologist to identify common types of flora and fauna, as well as habitat types present within the Project Area. Vegetative community designations (covertypes) are based on the ecological community descriptions presented in the New York Natural Heritage Program (NYNHP) document *Ecological Communities of New York State, Second Edition* (Draft) (Edinger *et al.* 2002), as well as professional judgment when the community did not fully correspond with the community descriptions provided in the guidance document (Edinger *et al*. 2002).

To facilitate the review, the Project Area was divided into three land areas based on existing ownership:

- Harbor Point Lands (owned predominately by National Grid)
- Canal Corporation Lands (including DSA-1)
- North Genesee Street (private land ownership)

The majority of the upland ecological communities within these areas are considered *terrestrial cultural* covertypes, as described in Edinger *et al.* (2002). Past and current industrial and commercial development has eliminated much of the natural habitat in the area, which is now characterized by urban wildlife habitats consisting primarily of urban structure exteriors, paved roads, parking lots, and mowed areas. The *urban structure exterior* covertype is characterized by the exterior surfaces of structures such as industrial/commercial buildings, houses, apartment buildings, barns, and bridges in an urban or densely and sparsely populated suburban area (Edinger *et al.* 2002). This covertype is associated with sub-communities typical of the *paved* and *unpaved road/path*, and *mowed lawn* covertypes. Included in this covertype are paved parking lots. These areas are considered *cultural* cover types (Edinger *et al.* 2002) since they provide habitat for urban wildlife. The covertypes observed during the site reconnaissance and review of aerial photographs are described below and presented on Figure 2-7.

NYS CANAL CORPORATION LANDS

The NYS Canal Corporation lands are located along the southern and eastern perimeter of the harbor terminus; lands currently occupied by NYS Canal Corporation maintenance facilities, as well as DSA-1, which is used to store and dewater dredged spoils removed from the canal. Lands within this sector consist of the following habitats (as defined in Edinger *et al.* 2002):

- Urban structure exterior
- Artificial shoreline/successional old field
- Dredge spoils

A description of the inner harbor water body habitat is also included within the NYS Canal Corporation area, as it is owned and maintained by New York State.

Urban Structure Exterior

The landward portion of the NYS Canal Corporation lands are predominantly characterized by the *urban structure exterior* cover type (paved roads, parking lots, and buildings). Waterfowl and gulls were observed on the harbor at the time of the site visit.

Artificial shoreline/successional old field – The *artificial shoreline/successional old field* cover type extends along the eastern shore of the harbor. This area has previously been disturbed during dredging activities and a mixture of gravel, sand, and soil substrate remains along the harbor shoreline. The banks of this artificial shoreline have developed into a marginal *successional old field* cover type displaying some of the characteristics observed in a typical *successional old field* community as described in Edinger *et al.* (2002) such as forbs and grasses. A more detailed description of this cover type is provided below.

Dredge spoils – DSA-1 is located on the northeastern side of the NYS Canal Corporation lands and east of the Utica Harbor. DSA-1 predominantly consists of a double basin *dredge spoils* impoundment. According to Edinger *et al*. (2002), a *dredge spoils* area is considered generally an upland area where dredged materials from the harbor have been deposited. In this case, the spoils area remains wet for prolonged periods of time. The water present within the spoils area evaporates and dewaters the spoils over time.

Additional cover types within the DSA include *successional old field* on the southwestern portion of the DSA; *forested floodplain* on the southeastern portion of the DSA, along the eastern bank of the harbor, and along the western bank of the Mohawk River; and two areas of unpaved road/path on the eastern and western portions of the DSA.

Canal – The Utica Harbor is classified as a *canal* cover type. A *canal* covertype is an artificial waterway or modified stream channel constructed for inland navigation or irrigation (Edinger *et al*. 2002). The harbor is a part of the NYS Barge Canal System and attached to the Mohawk River. Based on available mapping, at its widest point, Utica Harbor is approximately 620 ft. wide and narrows to approximately 195 ft. wide in the project area. The harbor was historically used for commerce and industry.

NATIONAL GRID HARBOR POINT LANDS

The National Grid-owned Harbor Point Lands are located along the western perimeter of the harbor. As illustrated in Figure 2-7 this land area is divided into 7 existing habitat types[16]:

- Urban structure exterior
- Dredge spoils
- Landfill
- Floodplain forest
- Successional old field
- Wetlands
- Miscellaneous cover types

Urban exterior structure (make changes similar to above)– This covertype is a mix of cultural and natural communities. Roughly 30% of the National Grid lands are designated as the *urban structure exterior* cover type, which includes paved and unpaved roads, parking areas, various commercial/industrial buildings, an electrical substation primarily on the southern end and eastern side of the project area.

Dredge Spoils – Similar to DSA-1 located on the NYS Canal Corporation lands, a *dredge spoils* impoundment (former Mohawk Valley Oil [MVO] site; referred to as Dredge Containment Cell) is also located on the southeastern portion of the Harbor Point lands (along Lee Street West) and received dredge material from the Utica Harbor. Cover type characteristics of this dredged spoil area are similar to the conditions previously described for DSA-1.

Landfill – A grass covered/capped *landfill* area is located on the eastern portion of the National Grid Harbor Point lands. Edinger *et al.* (2002) describes this covertype as an area that has been previously cleared or excavated. This *landfill* area is presently enclosed by a chain-link fence.

Floodplain Forest – Areas of *floodplain forest* are located on the western bank of the Utica Harbor on the eastern, northern, and southwestern portions of the National Grid Harbor Point

[16] Edinger *et al.* 2002

lands. Additional areas of *floodplain forest* are located along the Mohawk River adjacent to the western boundary of the National Grid Harbor Point lands.

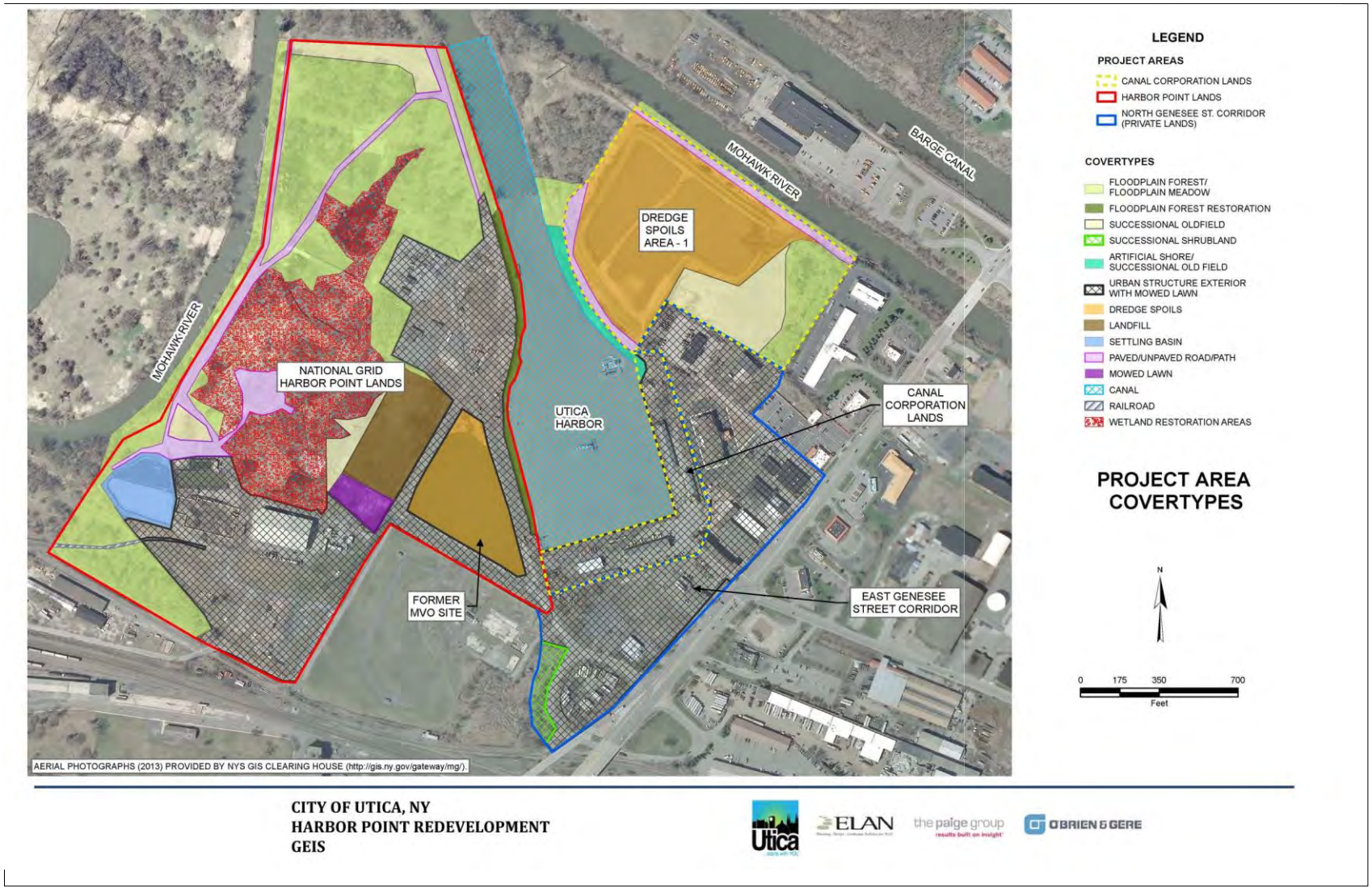


Figure 2-7 Project Area Covertypes

According to Edinger *et al*. (2002), a *floodplain forest* community is generally a hardwood forest that occurs on low terraces of river floodplains. Common tree species observed in this community include red maple, silver maple (*Acer saccharinum*), ash (*Fraxinus* sp.), American elm (*Ulmus americana*), slippery elm (*Ulmus rubra*), eastern cottonwood (*Populus deltoides*), American sycamore (*Platanus occidentalis*), river birch (*Betula nigra*), and box-elder (*Acer negundo*) (Edinger *et al*. 2002).

Successional Old Field – A small area of *successional old field* was designated along the northern portion of the National Grid Harbor Point lands. A *successional old field* community is typically a meadow dominated by forbs and grasses that had been cleared and/or plowed at one time and then left unattended (Edinger *et al.* 2002). Common herbaceous species observed in the *successional old field* include goldenrods (*Solidago altissima, S. nemoralis, S. canadensis, S. rugosa, S. juncea*, and *Euthamia graminifolia*), bluegrasses (*Poa pratensis, P. compressa*), timothy (*Phleum pretense*), Queen Anne's-lace (*Daucus carota*), ragweed (*Ambrosia artemisiifolia*), hawkweeds (*Hieracium spp*.), and asters (*Symphyotrichum spp*.) (Edinger *et al.* 2002). Characteristic shrubs that may occur include dogwoods (*Cornus spp*.), arrowwood (*Viburnum recognitum*), raspberries (*Rubus spp*.), sumac (*Rhus spp*.), and eastern red cedar (*Juniperus virginiana)* (Edinger *et al*)*.*

Wetlands – Wetlands (also see Section 2.5) occupy a majority of the central portion of the National Grid Harbor Point lands. Wetland boundaries within the National Grid portion of the Project Area were delineated in August 1996 and revised in June 2008. Enhancement and restoration of wetlands is on-going as part of National Grid's *Site-Wide Vegetative Restoration Plan* (O'Brien & Gere 2014). Wetlands impacted during National Grid's remediation activities have been restored to pre-disturbance conditions as designated in the Restoration Plan and represent a mixture of palustrine habitats (shallow emergent, wet meadow, scrub shrub, and floodplain forest) as indicated in the U.S. Army Corps of Engineers permit issuance letter dated December 5, 2012. Also, in accordance with the National Grid Restoration Plan, non-wetland natural habitat areas impacted by remedial activities are being restored to pre-disturbance conditions. Restoration efforts for the National Grid portion of the project area are expected to be complete by fall 2015. Further discussion of these restoration efforts are presented in National Grid's *Site-Wide Vegetative Restoration Plan* (O'Brien & Gere 2014).

Miscellaneous Cover Types – Additional cultural community types within the National Grid Harbor Point lands include a *paved/unpaved road/path* present throughout the project area, a small section of apparent inactive *railroad* track on the southwestern portion of the project area, a *mowed lawn* area south of the *landfill* area, and a man-made *settling basin* area on the southwestern portion of the project area. *Mowed lawn* communities are considered by Edinger *et al*. (2002) as residential, recreational, or commercial land where groundcover is dominated

by maintained/clipped grass with less than 30% cover of trees. The *settling basin* area was constructed as part of National Grid's recent clean-up and restoration efforts within the Harbor Point area.

NORTH GENESEE STREET CORRIDOR (PRIVATE LANDS)

As illustrated on Figure 2-7 the North Genesee Street Corridor (Corridor) within the Project Area is located south and east of the Utica Harbor and consists primarily of paved roads, parking areas, and commercial and retail business structures categorizing the area as an *urban structure exterior* covertype. A small area of *successional shrubland* is present along the southwestern edge of the Corridor's approximate boundary.

A *successional shrubland* community typically occurs in areas that have been cleared or disturbed at one time and has a minimum of 50% shrub coverage (Edinger *et al.* 2002). Shrub species commonly found in successional shrubland include dogwoods (*Cornus* sp.), eastern red cedar (*Juniperus virginiana*), sumacs (*Rhus* sp.), arrowwood (*Viburnum lentago*), raspberries (*Rubus* sp.), and multiflora rose (*Rosa multiflora*) (Edinger *et al.* 2002). This area also includes some successional deciduous trees such as box-elder and quaking aspen.

Observed Wildlife

Wildlife species observed during the December 4, 2014 site reconnaissance are listed in Table 2.4.1 below.

Table 2.4. Observed Wildlife

Species	Species (Latin)
American goldfinch	Spinus tristis
Canada goose	Branta canadensis
Common merganser	Mergus merganser
Gull species	Various
House sparrow	Passer domesticus
Mallard	Anas platyrhynchos
Northern cardinal	Cardinalis cardinalis
Northern mockingbird	Mimus polyglottos
Rock pigeon	Columba livia
Raccoon tracks	Procyon lotor
Feral cat tracks	Felis catus

Source: Obrien & Gere

WEB-BASED SOURCES

Web-based sources were also reviewed to ascertain the potential presence of state and/or federally listed threatened or endangered species and critical habitats within the Project Area. Findings are presented below.

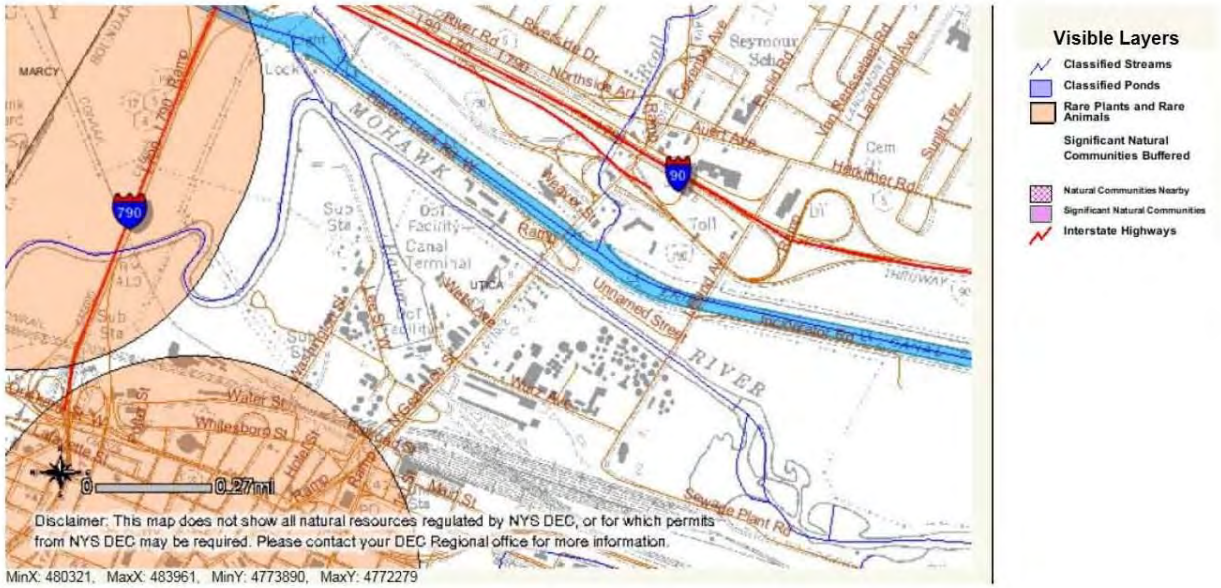
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION NATURAL HERITAGE PROGRAM

The NYSDEC Natural Heritage Program (NHP)'s Environmental Resource Mapper was accessed to ascertain the potential presence of natural resources and environmental features that are state protected or of concern[17]. The interactive application includes maps identifying the generalized locations of:

- Animal and plants that are rare in New York, including those listed by New York State as Endangered or Threatened (updated May 2008)
- Significant natural communities, such as rare or high-quality forests, wetlands, and other habitat types (updated May 2008)

An illustration of the web-based search results is presented in Figure 2-8.

[17] http://www.dec.ny.gov/animals/38801.html



NYSDEC ENVIRONMENTAL RESOURCE MAPPER

Figure 2-8 NYS DEC Environmental Resource Mapper

Based on the NYSDEC NHP information, no State rare plant or animal species, or significant natural communities were identified within the Project Area. The information is consistent with observations made during the on-site reconnaissance.

CRITICAL ENVIRONMENTAL AREAS

Local agencies may designate specific geographic regions within their boundaries as Critical Environmental Areas (CEAs). State agencies may also designate geographic areas they own, manage or regulate. CEAs represent areas that have an exceptional or unique character respect to specific criteria identified by the NYSDEC[18]. The NYSDEC provides links to maps of CEAs identified within each County. Based on a review of the NYSDEC information, there are presently no CEAs in Oneida County.

UNITED STATES FISH & WILDLIFE SERVICE (USFWS)

The USFWS is responsible for maintaining a federal list of endangered or threatened species under the Endangered Species Act (ESA). In addition, when a species is proposed for listing, the USFWS must consider whether there are areas of habitat believed to be essential to the species' conservation; these areas may be designated as "critical habitat." The USFWS maintains web-based resources to identify general locations of these resources. These online resources were reviewed and the findings are summarized below.

Threatened and Endangered Species

The USFWS' list of potential threatened and endangered species occurrences for areas of Oneida County inclusive of the project area was reviewed. The following species were identified:

- Indiana bat (*Myotis sodalist*) – Endangered
- Northern long-eared bat (*Myotis septentrionalis*) – Proposed Endangered

Both the Indiana bat and Northern long-eared bat hibernate in caves/mines in the winter and roost under bark or in tree crevices in the spring, summer, and fall. Suitable potential summer roosting habitat is characterized by trees (dead, dying, or alive) or snags with exfoliating bark, or containing cracks or crevices that could potentially be used by the bats as a roost. The minimum size roost tree observed to date is 2.5 inches diameter at breast height (dbh) for males and 4.3 inches dbh for females.[19]

[18] http://www.dec.ny.gov/permits/6184.html
[19] http://www.fws.gov/northeast/nyfo/es/Ibat%20fact%20sheet2012.pdf

While trees of the targeted dbh are sporadically located within the Project Area, a majority of the remaining densely wooded area within the harbor area is limited to the floodway portion of the northeastern perimeter of the harbor channel (see Section 2.5) no development (or clearing) is proposed within the floodway.

Critical Habitats

The USFWS maintains an online mapping application that displays designated spatial information regarding critical habitats[20]. No critical habitats were identified within the Project Area.

2.4.2 Potential Impacts

Impacts on rare, endangered, or threatened species; species of Special Concern; Critical Environmental Areas; or critical habitats are not anticipated as a result of this project. The project will temporarily affect resident species (native, transplanted or transient) and existing common habitats present within the project area. Potential impacts consist of:

- Habitat modifications due to redevelopment activities (i.e., grading, construction of buildings and other project elements)
- Loss of wildlife food and cover, as well as disruption of normal nutrient cycling during construction activities
- Short- and long-term displacement of common species during construction and operation phases
- Potential short-term impacts on aquatic species from sedimentation caused by dredging and/or construction activities required for replacement/rehabilitation of the harbor bulkheads

Impacts have the potential to recur or be elongated as a result of project phasing.

2.4.3 Mitigation

To minimize impacts and mitigate for unavoidable impacts on ecological resources within the project area, work will be performed in accordance with the following standards of care:

- Proper E&SCs will be implemented and maintained through site restoration efforts associated with each construction phase to prevent migration of sediments or debris

[20] http://crithab.fws.gov/crithab/

from entering adjacent water bodies or wetlands. Proper federal and state permits will be obtained for work within regulated water bodies and wetlands.

- Contractors will limit site clearing activities to the area required for site access and safe execution of work; private-sector sponsored site development plans will be reviewed by the City's Planning Board for consistency with the City's Code.
- Areas disturbed during construction activities, which are not converted to buildings or other impervious surfaces will be stabilized and seeded. Permanent features will include grassed areas and landscaping, which will provide replacement habitat for existing common species. Landscape design should promote the use of non-invasive plant species.
- Clearing of potential roost trees for the Indiana and Northern Long-Eared Bats may require further consultation with the USFWS. Generally, the clearing of potential roost trees (i.e., ≥4 inches) should occur from October 1 through March 31[21] .

[21] http://www.fws.gov/northeast/nyfo/es/Ibat%20fact%20sheet2012.pdf

2.5 GROUNDWATER AND SURFACE WATER RESOURCES

2.5.1 Baseline Conditions

GROUNDWATER RESOURCES

As indicated in Section 2.3 (Geology, Soils, and Topography), CME performed a planning-level geotechnical engineering investigation and testing (CME 2014). A copy of the report is included as Appendix D and the information is relied upon to provide the following summary.

One soil boring was advanced on the NYS Canal Corporation lands to a depth of 130 feet below ground surface (bgs). Groundwater was encountered at 8 feet bgs (Elevation 396.5), which is reportedly reflective of the normal stage water level (Elevation ±400) of Utica Harbor (CME 2014). The water table on National Grid's Harbor Point site varies from ground surface to 12 feet bgs. The Project Area is not located over a sole-source aquifer.[22]

Based on the CME compiled data, the site exhibits both perched and static water tables. A perched water table may occur where surface and groundwater is suspended within more pervious soils (such as sand) overlying a less pervious, unsaturated soils (such as clay). The DSA-1 ponds are an example of perched water bodies. Perched groundwater was present on the site during CME's December 2014 field work.

Lands within the Project Area include both public and private lands, which have been predominantly utilized for industrial and commercial use. Remediation on National Grid's Harbor Point properties is on-going. In addition, as previously identified, a Phase I ESA was performed for the project area to identify potential recognized environmental conditions resulting from past or current land uses. A summary of potential HazMat issues is provided in Section 2.14.. For purposes of this section, it should be recognized that the potential to encounter impacted groundwater exists throughout the Project Area and considerations to manage that potential should be included in future public and private sponsored development proposals.

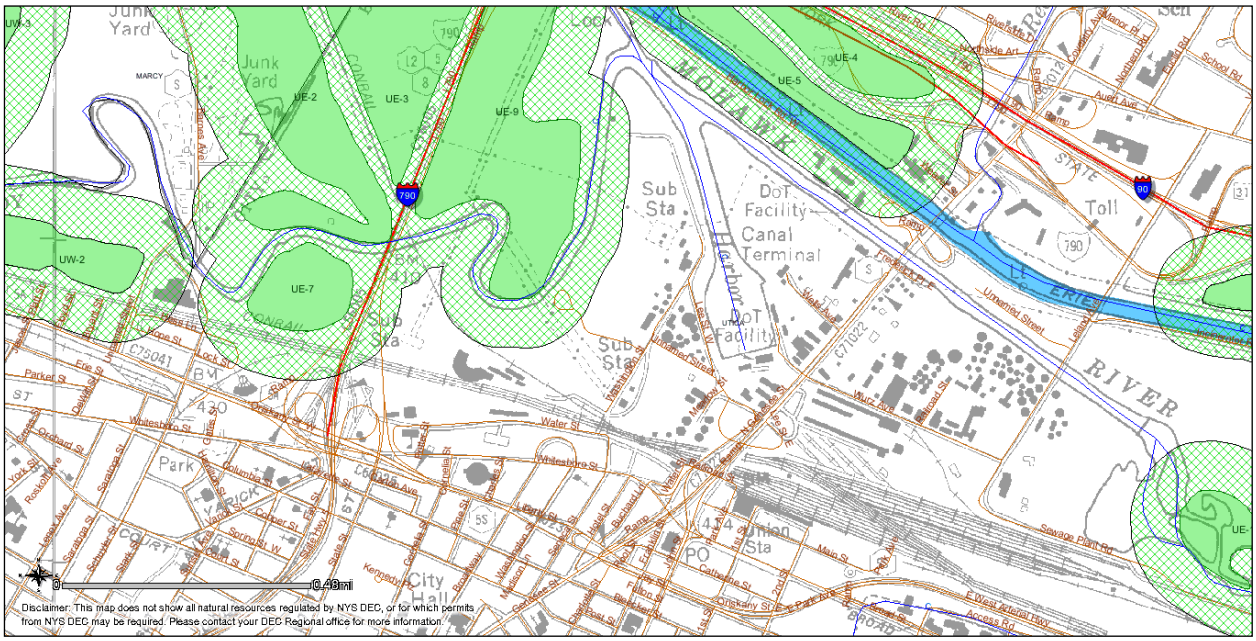
NYSDEC has imposed deed restrictions on groundwater usage on and in the vicinity of the DSA-1 site and at National Grid's Harbor Point site (NYSDEC March 2001 and March 2002).

[22] http://www.epa.gov/region2/water/aquifer/

SURFACE WATER RESOURCES

As indicated on Figure 2-9 below, the Project Area is located adjacent to the Mohawk River with the Utica Harbor as the centerpiece of the area. The Barge Canal is located north of the Mohawk River[23]. Work within the harbor water body (including replacement/repair of the harbor walls) is regulated by both the NYSDEC and USACE (see Permits & Approvals, Table1.1).

Figure 2-9 Surface Water Map



Source: O'Brien & Gere

As previously described, DSA-1, a double basin surface water impoundment utilized for dewatering and storage of sediments dredged by the NYS Canal Corporation from the canal and harbor, is located on the eastern portion of the project area between the harbor and Mohawk River. In addition, the former MVO site on the southeastern portion of National Grid's Harbor Point site continues to be utilized by National Grid for storage of dredged materials. Under current conditions, the spoil areas remain wet for prolonged periods of time. The water present within the spoil areas evaporates and dewaters the spoils over time.

No other surface water features are present within the Project Area. State and potential federal wetlands are discussed below.

[23] http://www.dec.ny.gov/imsmaps/ERM/viewer.htm

WETLANDS

At the state level, a regulated wetland is defined by lands and submerged lands commonly known as swamps, sloughs, bogs and flats, which support aquatic or semi-aquatic vegetation (*i.e.,* wetland vegetation) (Browne *et al*. 1995)[24]. State regulated wetlands are mapped and are greater than 12.4 acres in size. A 100-foot buffer zone around the wetland is also regulated.

At the federal level, a wetland is defined as "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstance to support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include swamps, marshes, bogs and similar areas" (Environmental Laboratory 1987). The USACE has jurisdiction governing federally-defined wetlands.

The presence of wetlands within the Project Area was identified through review of the following sources:

- New York State Freshwater Wetlands Mapping published by the NYSDEC, which illustrate the "approximate location of the actual wetland boundary" (Article 24 of the Environmental Conservation Law). The NYSDEC's Environmental Resource Mapper[25] was utilized to identify approximate boundaries of wetlands and buffers (Figure 2-12).

- National Wetland Inventory (NWI) maps produced by the U.S. Fish & Wildlife Service (USFWS), which provide an indication of potential federal wetland boundaries. The USFWS' Wetland Mapper was utilized to identify NWI boundaries[26] Actual federal wetland boundaries, which are regulated by the U.S. Army Corps of Engineers (USACE), are identified through field delineation methods outlined in the USACE' Wetland Delineation Manual.

- Field reconnaissance of the NYS Canal Corporation lands by a wetland biologist to identify potential wetland areas.

- Wetland delineation reports previously prepared for National Grid's Harbor Point portion of the Project Area.

Field reconnaissance and a review of NYSDEC Freshwater Wetland and NWI mapping did not identify any state (including buffer) or potential federal wetlands on the NYS Canal Corporation

[24] Browne, Steve, and Scott Crocoll, Diane Goetke, Nancy Heaslip, Ted Kerpez, Ken Kogut, Steve Sanford and Dan Spada. 1995. *New York State Freshwater Wetland Delineation Manual*. July.
[25] http://www.dec.ny.gov/imsmaps/ERM/viewer.htm
[26] http://www.fws.gov/wetlands/data/mapper.html

property or adjacent private property located along North Genesee Street within the Project Area.

Review of the NYSDEC Freshwater Wetland map[27] indicates that a portion of a Class 2 NYSDEC-regulated wetland (UE-9) "check zone" exists within the western boundary of the Project Area within National Grid's Harbor Point property (see Figure 2-12). The mapped wetland area is illustrated on the north side of the Mohawk River outside of the Project Area boundary. New York's freshwater wetland maps show the approximate location of the wetland boundary. The "check zone" is an area around the mapped wetland in which the actual wetland may occur. A wetland delineation would be necessary to identify field-specific boundaries.

A field-specific wetland delineation was conducted on National Grid's Harbor Point site. In support of National Grid's *Site-Wide Vegetative Restoration Plan* (O'Brien & Gere 2014), wetland delineations were conducted in August 1996 and June 2008. As indicated on Figure 2-11, federal jurisdictional wetlands were identified within the central portion of the National Grid site; some of which were impacted by ensuing remedial activities. Mitigation for the loss of these wetlands due to site remediation efforts and restoration of areas surrounding the wetlands are presently underway in support of the *Site-Wide Vegetative Restoration Plan* (O'Brien & Gere 2014). Impacted wetlands have been restored to pre-disturbance conditions as designated in the Restoration Plan. According to the USACE permit issuance letter dated December 5, 2012, existing wetlands consist of a mixture of palustrine habitats (shallow emergent, wet meadow, scrub shrub, and floodplain forest). In accordance with the Restoration Plan, National Grid is also restoring non-wetland national habitat areas impacted by remedial activities to pre-disturbance conditions. Restoration efforts for the National Grid portion of the project area are expected to be complete by Fall 2015.

2.5.2 Potential Impacts

GROUND AND SURFACE WATER RESOURCES

Implementation of the project is not anticipated to adversely impact surface water bodies. Construction activities may result in the following impacts if not mitigated:

- Grading, excavation and other activities that result in soil disturbances increase the potential for erosion and migration of sediments in stormwater runoff, which may discharge to the Mohawk River or Inner Harbor.

[27] http://www.dec.ny.gov/imsmaps/ERM/viewer.htm

- Rehabilitation or replacement of the harbor walls or other work conducted in the Inner Harbor (*i.e.*, dredging) may result in temporary sedimentation and discharges to the water body.

- Preparing DSA-1 for future development will require dewatering of the two settling ponds. Management of the waters will be required to prevent adverse impacts to adjacent water bodies (*i.e.*, Mohawk River and Inner Harbor).

- E&SCs and other mitigation, as described below, will be implemented to minimize or eliminate the potential for such impacts to occur.
- Construction activities within the Project Area also have the potential to result in the following impacts to or from groundwater conditions:

    - Excavations made below the water table will require advance planning for dewatering, sheeted cofferdams, or cutoff walls, and special provisions for discharge of water, which may be impacted by past land use or fill sources.

    - A full compilation, organization and geotechnical evaluation of all the subsurface exploration associated with the environmental contamination and HazMat remediation (see Section 2.14 - Hazardous Materials) at the Utica Harbor may be beneficial prior to starting any specific site work activities. Phase II Environmental Site Assessments may be necessary to further define subsurface conditions, appropriate construction means and methods, spoil and groundwater management, and health and safety considerations.

Potential post-construction impacts on ground and surface waters consist of:

- Increases in impervious areas, which will generate stormwater runoff.

- Parking areas, which will generate potential contaminants to surface waters.

- Commercial and residential development, which will generate additional sanitary flows (*i.e.*, sewage, oil/grease, *etc.*) requiring treatment at the County's wastewater treatment plant.

- Potential impacts to surface and groundwater from petroleum spills, leachate from solid waste storage facilities (i.e., dumpsters), and application of pesticides/herbicides.

- Increase in pollutants to the Inner Harbor waters from an increase in leisure boats accessing/egressing the redeveloped harbor.

WETLANDS

No encroachments on State and Federal wetlands are anticpated on the National Grid lands (see aerial photo Figure 2-10). Redevelopment of DSA-1 may encroach upon potential Federal wetlands which would need to be delineated in support of a Section 404 application to the USACE.

Left unmitigated, potential indirect impacts on wetlands could occur from the following activities:

- Temporary disturbances of soil adjacent to wetland areas during construction and migration of sediments or sediment-laden stormwater runoff to wetland areas.
- Migration of pollutants within stormwater runoff from impervious surfaces (i.e., rooftops, parking areas, sidewalks).

2.5.3 Mitigation

GROUNDWATER, SURFACE WATER, AND WETLAND RESOURCES

To minimize potential significant adverse impacts on these resources, the following mitigation measures will be implemented:

- Contractors will be required to develop a dewatering program, which accounts for potential contaminants. Waters will be management in accordance with applicable State and federal regulations.
- Work within protected water bodies (i.e., the harbor) will require permits from the USACE and NYSDEC (see Section 2.6). Contractors will be required to adhere to permit conditions, which will be imposed to minimize temporary impacts from sedimentation during construction.
- Coordination with USACE in support of the Section 404 permitting process to identify appropriate mitigation measures based on encroachments on potential Federal wetlands within or adjacent to DSA-1, which are yet to be determined.
- Implementation of measures outlined in project-specific SWPPPs including the installation and maintenance of E&SCs consistent with the New York Standards and Specifications for Erosion and Sediment Control (NYSDEC 2005) (See Section 2.3)

- The stormwater management system will be designed to manage the water quality and quantity volumes in accordance with the New York State Stormwater Design Manual (2010).

- Storm water runoff will meet the City of Utica and NYSDEC storm water management requirements.

- Sanitary wastewater will be discharged to the City of Utica municipal sewer system and conveyed to the County's wastewater treatment plant. The conveyance and treatment systems have adequate capacities to manage anticipated flows from the project (see Section 2.7 – Infrastructure).

- Stationary fuel tanks and unloading areas will be designed with secondary containment specifications in accordance with federal and State regulations to minimize the potential for release, including the preparation of a Spill Prevention, Control & Countermeasure (SPCC) Plan, if regulatory quantity thresholds are met.

- Solid waste generated from occupants will be stored, handled and disposed off-site in accordance with applicable federal, State and local regulations to minimize the migration of leachate to surface waters. Covered dumpsters will be required. No hazardous waste generation is anticipated.

- Use of pesticides and herbicides to maintain landscaping will adhere to local, State and federal requirements including the acquisition of appropriate licenses, if applicable.

- Flagging and signage (and use of temporary fencing, if necessary) and identifying protected wetland areas. The area of potential effect (limits of construction) will remain outside of wetland boundaries (including State Freshwater Wetland 100-foot buffer areas).

Based on the mitigation measures identified above, significant adverse impacts to localized groundwater or surface waters (including wetlands) are not anticipated.

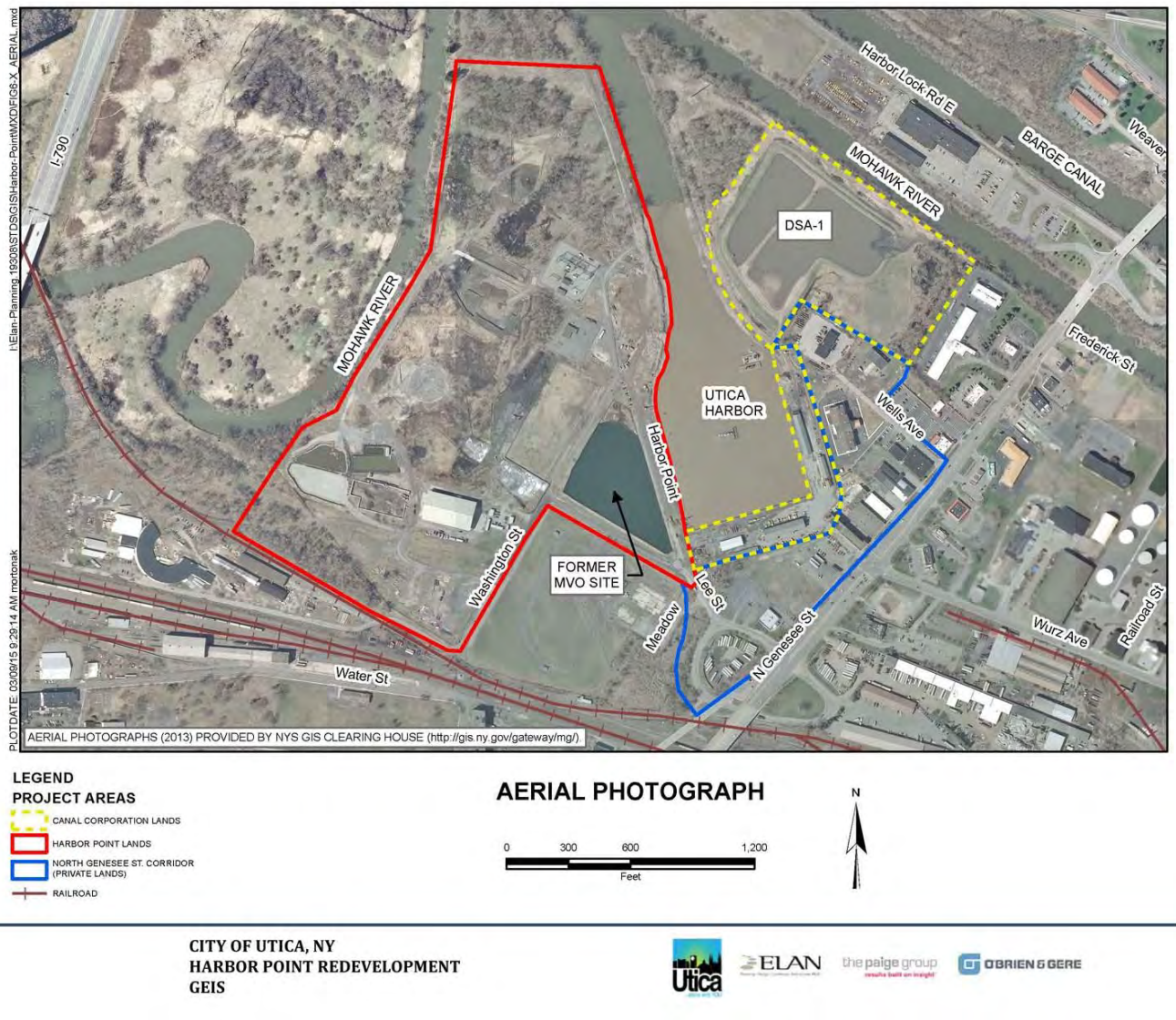


Figure 2-10 Aerial Photograph

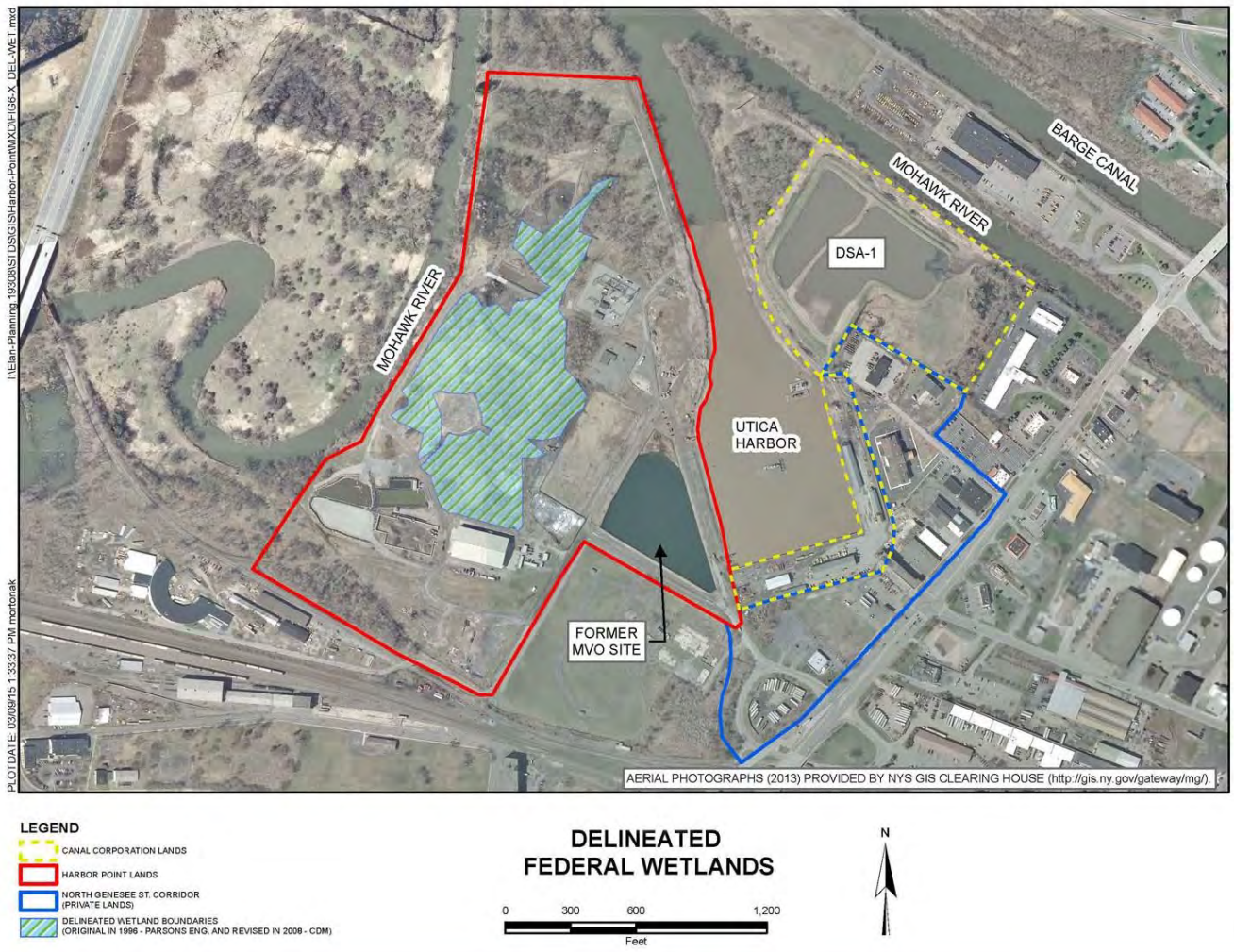


Figure 2-11 Delineated Federal Wetlands Map

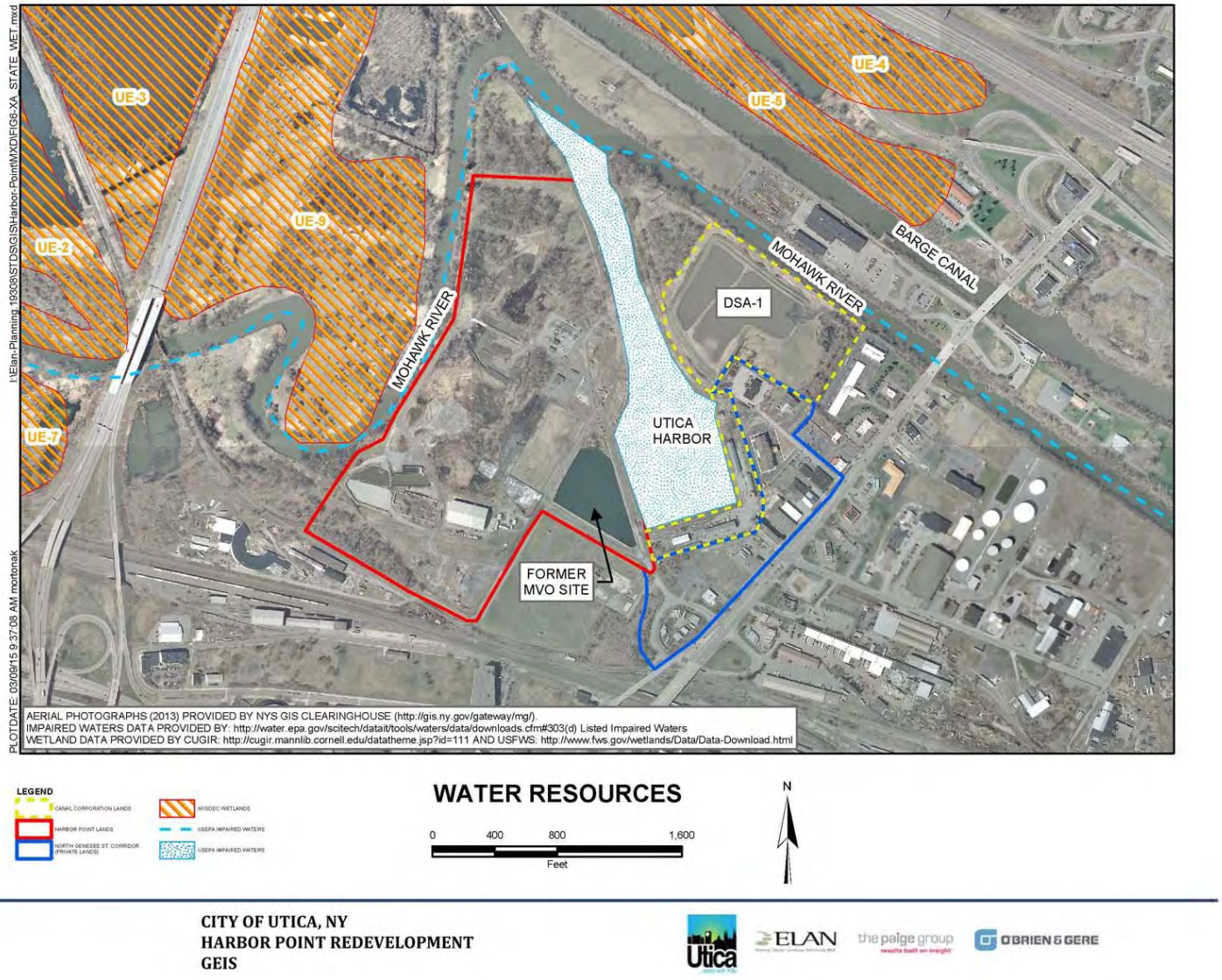
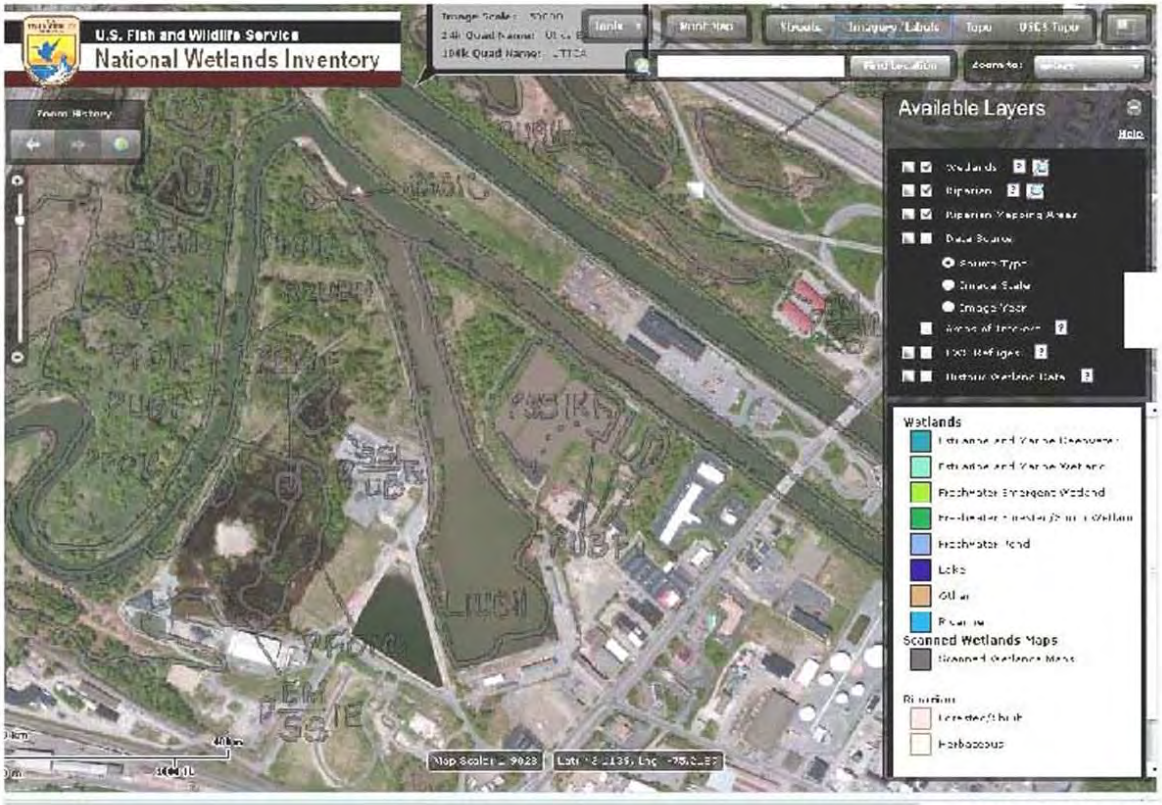


Figure 2-12 NYS DEC Freshwater Wetlands Map



WATER RESOURCES - NWI WETLAND HABITATS

Figure 2-13 NWI Wetland Habitats

2.6 FLOODING

2.6.1 Baseline Conditions

Portions of the Project Area are prone to flooding. The Federal Emergency Management Agency (FEMA) produces Flood Insurance Rate Maps (FIRMs), which illustrate flood hazard areas.[28] Flood hazard mapping is an important part of the National Flood Insurance Program (NFIP), as it is the basis of the NFIP regulations and flood insurance requirements. FEMA maintains and updates data through FIRMs and risk assessments. FIRMs include statistical information such as data for river flow, storm tides, hydrologic/hydraulic analyses and rainfall and topographic surveys. FEMA uses the best available technical data to create the flood hazard maps that outline the community's flood risk areas.

For a community to participate in the NFIP, it must adopt and enforce floodplain management regulations (44 CFR) that meet or exceed the minimum NFIP standards and requirements, which are intended to prevent loss of life and property, as well as economic and social hardships that result from flooding.

Figure 2-14 illustrates the flood hazard areas located within the Project Area, which consist of:

Special Flood Hazard Area (SFHA). SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30.

- Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood.
- The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (unshaded).
- Based on a review of FEMA's FIRM Map for the area (Community Panel No. 360558 0751F, Panel 751 of 926, 2013), the following observations regarding baseline conditions were identified (see Figure 2-11).
- the Project Area is located within a SFHA (Zone A5, 100-year floodplain).

[28] https://msc.fema.gov/portal

- a portion of the adjacent area (i.e., outside of the Project Area boundaries) is located within the regulatory Floodway[29].

A preliminary screening-level assessment was conducted by Gomez and Sullivan Engineers, P.C. (Gomez and Sullivan) (see Appendix F). The assessment resulted in the following conclusions regarding 100-year flood depth contours across the Project Area (depths are relative to the existing topographic contours at the site):

- Northeast side of the Harbor – Depths range from approximately 8 feet at the bank and dock area to around 6 feet at a distance of about 100 feet northeast from the bank; beyond 100 feet from the bank and up to the next street (Wells Ave.) depths range between 3 to 6 feet.
- North of the Harbor – At the dredged spoil site (DSA-1) between the Harbor and the Mohawk River the 100-year flood depths are mostly less than 4 feet with a portion of the site above the 100-year flood elevation.
- Southeast side of the Harbor – The depth relative to the 100-year water surface is between 8 feet at the Harbor to 4 feet near North Genesee Street, and is 4 feet to as much as 6 feet across North Genesee Street along Wurz Ave. Flood depths decrease to the southeast along North Genesee Street toward the approach ramps near Lee Street which are above the 100-year flood level.
- Southwest side of the Harbor – The 100-year flood depths are 8 feet at the Harbor and decrease to approximately 4 feet at the triangular-shaped former MVO property, further decreasing to 3 feet to the west and increasing back to 5 feet farther west and approaching the bank of the Mohawk River and the regulatory Floodway; Also flood depths decrease towards the south along Washington Street and south of Charles S Donnelly Drive to depths of between 1 and 3 feet at the present buildings on the Charles S Donnelly Drive.

[29] A "Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Communities must regulate development in these floodways to ensure that there are no increases in upstream flood elevations.

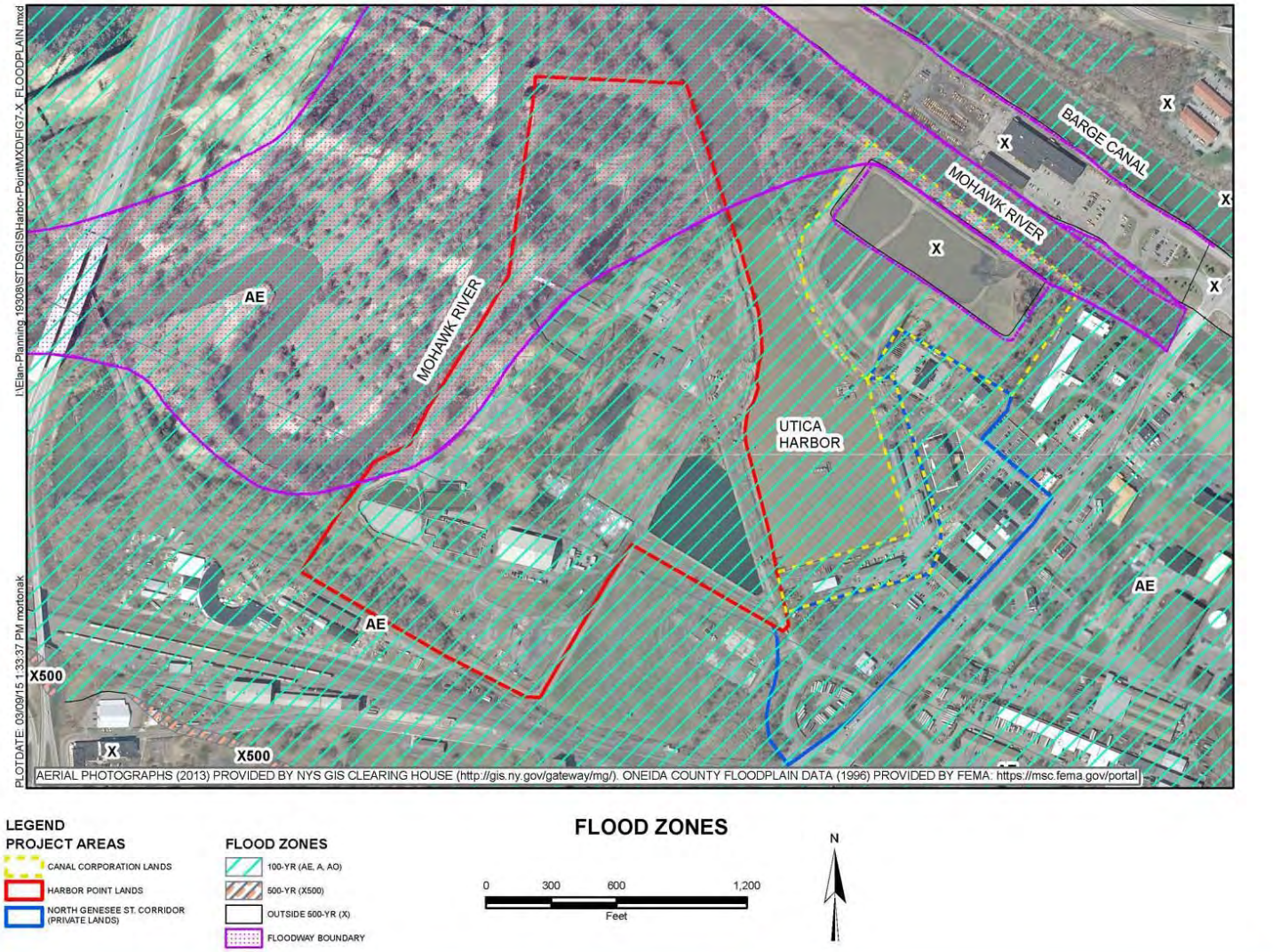
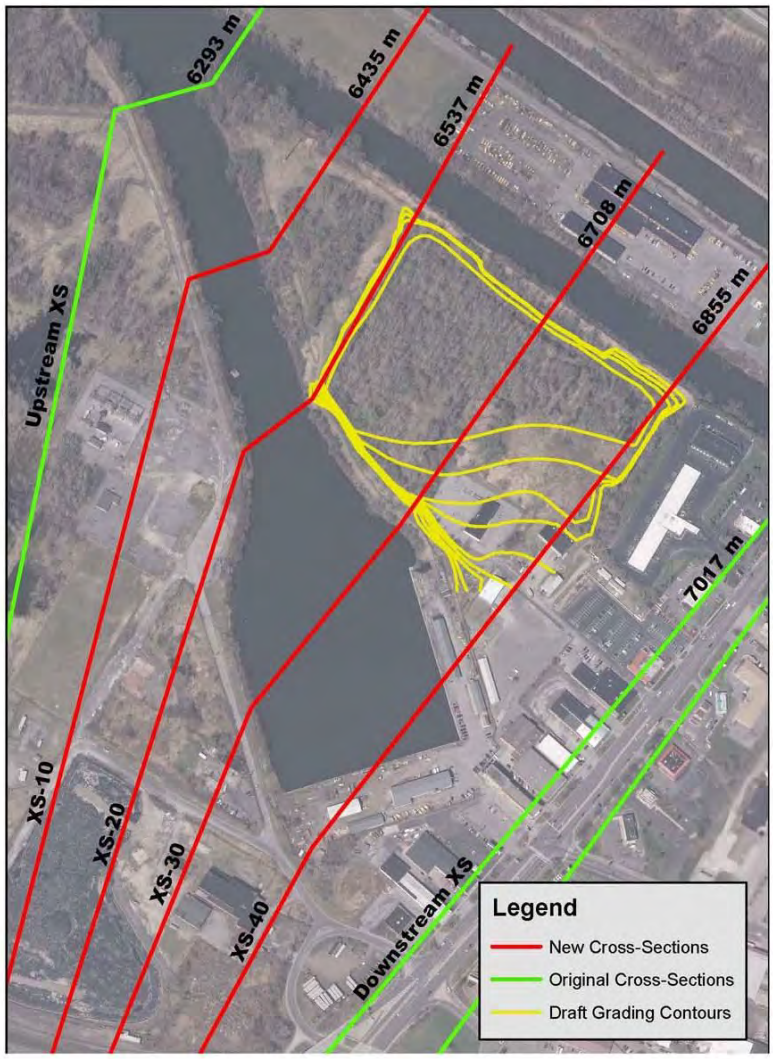


Figure 2-14 Flood Zones

UTICA HARBOR – CONTOURS OF DEPTH RELATIVE TO BASE FLOOD ELEVATION

CITY OF UTICA, NY
HARBOR POINT REDEVELOPMENT
GEIS

Figure 2-15 Contours of Depth Relative to Base Flood Elevation



CROSS SECTIONS OF UTICA HARBOR ANALYSIS
OF PROPOSED GRADING

CITY OF UTICA, NY
HARBOR POINT REDEVELOPMENT
GEIS

Figure 2-16 Cross Sections of Utica Harbor Analysis of Proposed Grading

2.6.2 Potential Impacts

- The preliminary screening-level assessment performed by Gomez and Sullivan (Appendix F) resulted in the following conclusions: Development plans for Utica Harbor are within the Floodplain Fringe portion of the 100-year floodplain and avoid the restricted Regulatory Floodway portion. In general, development is allowed within the Flood Fringe, if it follows certain FEMA and local requirements, and is not allowed in the Floodway (see Mitigation below).
- Potential impacts on adjacent properties due to alterations of the floodplain from the importation and placement of significant amounts of fill.

As follow-up to the preliminary assessment, Gomez and Sullivan performed a hydraulic analysis to demonstrate that the project will produce "no adverse effects" on adjacent properties by altering the floodplain through the importation and placement of significant amounts of fill along the eastern portion of the Project Area. The Gomez and Sullivan report, included as Appendix F describes the hydraulic analysis comparing the base flood elevations for the before- and after-development cases, and is based on the modeling used to determine the currently effective FEMA base flood elevations. The after-development case accounts for the anticipated re-grading contours proposed within the Project Area. The Gomez and Sullivan report indicates that proposed grading within the Project Area would have a negligible effect on the floodplain water surface for the 100-year flood. The Gomez and Sullivan report was reviewed by the NYSDEC, which concurred with the conclusion (see Appendix F).

2.6.3 Mitigation

No development will occur within the regulated Floodway. To reduce impacts from development activities within the SFHA (100-year Floodplain), the following mitigation measures are proposed:

- Development within the 100-year floodplain will require adherence to floodplain management regulations (44 CFR) that meet or exceed the minimum NFIP standards and requirements. The City's floodplain development requirements are codified in Chapter 2-10 of the City Code (Flood Damage Prevention.) Issuance of the permit indicates that the project has been designed to minimize or eliminate impacts from flooding (i.e., raising finished floor elevations and/or flood proofing) and impacts on the flood elevation.

- New non-residential structures in the floodplain are required to be protected from flood damage to a flood protection elevation of two feet above the Base Flood Elevation. To provide this protection, non-residential buildings can either be elevated or flood proofed to this flood protection elevation. Elevation is the preferred method and requires that the lowest floor of the building is at or above the flood protection level. Elevation can be on compacted fill; on piers, piles, columns, or similar construction; or on walls such as would produce an enclosed space. The enclosed space cannot be occupied, but could be used for parking, storage, or building access. The enclosed space should also be vented to relieve hydraulic and hydrostatic forces during flooding. For non-residential buildings, the permitted alternative to elevation is flood proofing. Flood proofing requires that the building and all utilities be made watertight up to the flood protection elevation. For this method the building must also be able to withstand all hydrostatic and hydraulic loading including buoyancy that would be experienced during flood conditions. Flood proofing is generally not appropriate where flood depths are greater than three feet. Residential structures cannot be flood proofed and must be elevated at least two feet above the Base Flood Elevation.

- Considering locations to the north of the Harbor in the vicinity of DSA-1, many of the proposed building sites are in areas of shallower flooding, three feet or less below the 100-year flood elevation. In these areas flood protection could be achieved with fill. Closer to the banks of the Harbor the flood depths are much greater, in some locations as deep as eight feet below the 100-year flood elevation. The proposed buildings within the Master Plan include at least one indicated as having residential spaces. It may be appropriate to consider the various elevation techniques to provide flood protection for this building. Locations to the east of the Harbor and along Genesee Street also are indicated for deeper flooding, between three and six feet below the 100-year flood elevation. Elevation may also be appropriate for new buildings in these locations. Consideration should also be given to utilities in these areas. Sanitary sewers, water lines and other utilities should be flood proofed or sealed, and protected from hydraulic loads and displacement by buoyancy or erosion during flooding.

- As stated above, development, including fill can be carried out in the floodplain fringe; although the preferred approach is to minimize the need for fill by locating buildings on existing higher ground. For larger developments, or those where a considerable amount of fill is needed, a developer may be required to demonstrate that the project will produce “no adverse effects” on neighboring properties by altering the floodplain. A hydraulic study comparing the base flood elevation for the before- and after-

development cases may be required to demonstrate that the development would produce no adverse effects on the floodplain. The need for such a study would be determined by the Floodplain Manager.

Operation phase flooding impacts will be minimized through the continued implementation of emergency measures and procedures, which include:

- NYS Canal Corporation control of harbor levels. Based on information provided by the NYS Canal Corporation, the harbor levels are controlled by a taintor gate dam located downstream of the harbor at its confluence with the Mohawk River. The dam is currently being rehabilitated to install upstream and downstream electronic gauges to control the gates and maintain a consistent water level in the harbor. The data from these gauges will also be forwarded into the State's flood warning system to facilitate flooding forecasts.

- Coordination with Oneida County regarding the implementation (if necessary) of procedures outlined in the County's Comprehensive Emergency Management Plan (CEMP). Coordination with the County would focus on procedures to facilitate emergency egress from the site during site operations and special events.

2.7 INFRASTRUCTURE

2.7.1 Baseline Conditions

WATER SUPPLY

Potable water is supplied to the City of Utica by the Mohawk Valley Water Authority (MVWA). Based on information provided by the MVWA, the following water-related infrastructure is located within the Project Area. Locations of water mains are illustrated on Figure 2-17.

EASTSIDE OF HARBOR

- 10-inch and 20-inch diameter high pressure, potable water mains exist along North Genesee Street near the intersection of Wells Avenue. The 10-inch main located along the western side of North Genesee Street has an approximate working pressure of 112 pounds per square inch (psi), according to hydrant testing completed by the MVWA in 2004. Calculations based on the fire flow testing indicate the 10-inch diameter main can supply approximately 4,800 gallons per minute (gpm) of domestic flow at 35 psi and 5,300 gpm of fire flow at 20 psi.

- A 6-inch diameter water service extension from the North Genesee Street 10-inch main exists along Wells Avenue. This service line runs approximately 600 feet northwest along Wells Avenue into the Project Area to a point adjacent to the Arctic Ice property (Tax Map No. 306.20-1-7).

WESTSIDE OF HARBOR

- 10-inch water line, which extends from the 10-inch line along North Genesee Street, then northwesterly along Lee Street to points of connection at the following intersections:
    - Washington Street and Donnelly Avenue
    - Lee Street and Meadow Street.
    - A third connection point is also available approximately 400 feet west of the Washington Street/Donnelly Avenue intersection.

SANITARY SEWER

The project site is served by a municipally-owned sanitary sewer system. The sewer pipe network is owned and maintained by the City of Utica. Sewage is collected via a network of underground piping and conveyed to the County's Water Pollution Control Plant (WPCP) located on Leland Avenue. Discharges from the WPCP are regulated under a NYSDEC-issued State Pollutant Discharge Elimination System (SPDES) permit for Combined Sewer Overflows (CSOs). The permit requires the City to control wet weather discharges into its combined sewer system. Sanitary sewers servicing the project area are illustrated on Figure 2-18 and summarized below:

- An 8-inch diameter sanitary sewer line along Wells Avenue, which services the area in the vicinity of the Project Area. This 8-inch service line connects and discharges flow to the City of Utica's 18-inch diameter sanitary sewer main located along the western side of North Genesee Street.

- The North Genesee Street sewer main runs approximately 2,000 feet southwesterly from Wells Avenue and increases in size to a 24-inch sewer line before connecting to the City's Railroad Interceptor sewer line. At this point of connection, the City's Railroad Interceptor sewer line runs easterly toward and into the County's WPCP.

LEGEND

- CANAL CORPORATION LANDS
- HARBOR POINT LANDS
- NORTH GENESEE ST. CORRIDOR (PRIVATE LANDS)
- WATER MAINS ADAPTED FROM MOHAWK VALLEY WATER AUTHORITY
- 10" PIPE DIAMETER

UTILITIES - WATER

0 175 350 700
Feet

N

CITY OF UTICA, NY
HARBOR POINT REDEVELOPMENT
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Figure 2-17 Utilities-Water

UTILITIES – SEWERS

Figure 2-18 Utilities-Sewer

ELECTRICITY

Electricity is provided by National Grid. Primary electric lines existing along the east side of North Genesee Street, between Lee Street and Wells Avenue. The system includes both overhead and underground lines.

An underground lateral from an electric manhole located at the Lee Street intersection extends service from the east side of North Genesee Street to the west side. This extension provides electrical service to the Project Area including the existing NYS Canal Corporation site. Distribution of electricity throughout the Project Area primarily exists via 3-phase overhead electric lines/poles. In addition, National Grid owns and maintains an electric substation on their Harbor Point site.

NATURAL GAS

Natural gas lines are located along North Genesee Street and can be exended the Project Area to provide service to future development projects.

TELECOMMUNICATIONS & FIBER OPTICS

Existing telecommunications and fiber optic services (phone, cable TV, and internet) are located along North Genesee Street and can be exended the Project Area to provide service to future development projects. .

2.7.2 Potential Impacts

WATER SUPPLY

Future land uses within the Project Area will increase the demand for water. Table 2.5 summarizes reasonable water demand estimates (potable and fire flow demands) based on the conceptual land use elements proposed in the Master Plan (see Figure 1-5).

Table 2.5
CITY OF UTICA, NEW YORK
HARBOR POINT REDEVELOPMENT
PRELIMINARY ESTIMATE OF DOMESTIC POTABLE WATER USE

AREA ID	BUILDING USE 1	BUILDING USE 2	USE 1 SIZE (Square Foot)	USE 2 SIZE (Square Foot)	WATER USE RATE 1 (GPD/SF)	WATER USE RATE 2 (GPD/SF)	WATER USE 1 (GPD)	WATER USE 2 (GPD)	TOTAL WATER USE (GPD)
A1	Residential	Business	28800	14400	0.28	0.1	8064	1440	9504
A2	Residential	Business	11200	11200	0.28	0.1	3136	1120	4256
A3	Residential	Business	28600	14300	0.28	0.1	8008	1430	9438
A4	Residential	Business	24200	12100	0.28	0.1	6776	1210	7986
A5	Residential		46800		0.28		13104		13104
A6	Residential		33600		0.28		9408		9408
A7	Residential		32000		0.28		8960		8960
A8	Residential		59400		0.28		16632		16632
A9	Residential		32250		0.28		9030		9030
B1	Operations Center		7200		0.1		720		720
B2	Hotel		80000		0.18		14400		14400
C	Retail	Business	14000	14000	0.1	0.1	1400	1400	2800
D1	Upscale Food Market		21000		0.05		1050		1050
D2	Restaurant		16000		0.53		8480		8480
ESTIMATED AVERAGE DAILY WATER USE								**115,768**	gpd
								0.12	mgd

1. ***Water Use Rates Based On Guidance from the New York State Design Standards For Intermediate Sized Wastewater Treatment Systems manual , March 5, 2014***
2. ***Residential Unit Size Assumed at 1200 Sq. Ft per Unit***
3. ***Residential Occupancy at 3 persons per unit***
4. ***Per Capita Water Use at 110 GPD/Person***
5. ***Hotel Units at 600 s.f. each and Use at 110 GPD/Unit (Unit Size includes Estimated Dead Space)***
6. ***Restaurant Use at 35 GPD/Seat; 30% Floor Area Dedicated to Dining; 20 s.f. Dedicated per Seating***

Source: O'Brien & Gere

As summarized in Table 2.5 above, the results indicate the Harbor Point Redevelopment would have an Average Daily Flow demand of approximately 0.12 million gallons per day (mgd) or 80 gpm. The peak hourly domestic water demand for site was also estimated at 300 gpm. Additional increases in water demand may occur due to redevelopment or repurposing of private-sector lands located along North Genesee Street, located within the Project Area; such increases would be partially off-set by current water demands on those properties.

In accordance with the International Code Council and New York State Uniform Fire Prevention and Building Code, the use of automatic sprinkler systems and fire rated materials will reduce the required fire flow demand to 1,500 gpm for each building within the proposed Harbor Point Redevelopment area.

Based upon evaluations of water supply and discussions with MWVA representatives, it is anticipated that the existing MVWA water mains have sufficient capacity and pressure to provide domestic and fire flow service to the redevelopment with the following limitations or need for improvements:

- The 6-inch service line along Wells Avenue would not have sufficient capacity to supply the projected fire flows to the new uses. An increase in the service line size from 6-inch to 8-inch along Wells Avenue and into the redevelopment area would be needed to provide adequate water supply for fire protection.

- Existing distributions lines along Lee Street, Wurz Avenue, and Wells Avenue would need to be extended within the site to facilitate service connections to proposed land uses.

SANITARY SEWER

For purposes of this evaluation, wastewater flows from full build-out of the project are considered to be equal to water demands (0.12 mgd). The average daily domestic wastewater flow from the project has been estimated at 72 gallons per minute (gpm). Based on information provided by the City of Utica, the 18-inch to 24-inch diameter North Genesee Street sanitary sewer main has the available capacity to accept the projected flows.

In addition, SPDES CSO permit restrictions are not expected to impact development of this site. Some sewer extensions and/or improvements are anticipated at the site including upsizing a portion of the North Genesee Street sewer line. Based on information available through the Oneida County Sewer District, the Railroad Interceptor is currently subject to high flow rates during large wet-weather events. This condition will not limit sewage discharge from the Master Plan redevelopment into the sewage collection line. Planned improvements within tributary sewer-sheds of the Railroad Interceptor and at the County's WPCP will effectively reduce wet-weather flows within the Railroad Interceptor. This reduction will provide additional future sewer capacity to support continued growth within this portion of the City with the following limitations or need for improvements:

- Due to the shallow depth of the existing 8-inch diameter sewer line along Wells Avenue, it cannot be extended further north into the proposed redevelopment area. For this reason, the existing sewer line along Wells Avenue will need to be replaced with a new sewer line at a depth adequate to allow for extension into the proposed redevelopment area. It has been confirmed that the 18-inch sewer main along North Genesee Street is deep enough to allow for the lowering of the 8-inch service line along Wells Avenue.

- Existing and new sanitary mains would need to be extended within the site to facilitate service connections to proposed land uses.

ELECTRIC AND NATURAL GAS

Full build-out of the Harbor Point Redevelopment Area as depicted in the Preferred Master Plan (Figure 1-4) will result in additional demand for electric and natural gas services. Based on conversations with National Grid representatives, it is expected that the existing electric and natural gas service infrastructure supporting the east and west sides of the harbor, as well as infrastructure along North Genesee Street, will be adequate to support the project. No capacity related impacts are anticipated. Potential impacts will be limited to construction related impacts associated with extending service connections to proposed land uses; these short-term impacts are not considered significant and can be mitigated (see Section 2.16 Construction Impacts).

TELECOMMUNICATIONS & FIBER OPTICS

Full build-out of the Master Plan redevelopment area will result in additional demand for telecommunications and fiber optic services. The proposed improvements would increase the demand for phone, cable, and internet services on the site. It is anticipated that new connections from adjacent utility networks would be required. Where new connections are required, end-users will coordinate with the telecommunications and fiber optic providers to ensure needed service is provided. No capacity related impacts are anticipated. Potential impacts will be limited to construction related impacts associated with extending service connections to proposed land uses; these short-term impacts are not considered significant and can be mitigated (see Section 2.16 Construction Impacts).

2.7.3 Mitigation

No capacity related impacts are anticipated. Potential impacts will be limited to on- and off-site construction related impacts associated with extending or upsizing distribution pipes and installing service connections to proposed land uses; these short-term impacts are not considered significant and can be mitigated (see Section 2.16 Construction Impacts).

2.8 TRAFFIC AND TRANSPORTATION

This section evaluates potential impacts on the local transportation system due to implementation of the Project. In support of the DGEIS, a traffic impact study was conducted to identify impacts that the proposed development may have on traffic operations along Genesee Street. For the purposes of this study, the following intersections were evaluated:

- Genesee/Lee Street
- Genesee Street/Wurz Avenue
- Genesee Street/Harbor Lock Road
- Genesee Street/I-790 Eastbound Ramp (NYS Thruway)

A copy of the Traffic Impact Study, prepared by Lochner Engineering (Lochner), is included as Appendix G. The ensuing summary identifies existing (baseline) conditions, as well as future conditions resulting from full build-out. Improvements, if required, to mitigate potential impacts are also identified.

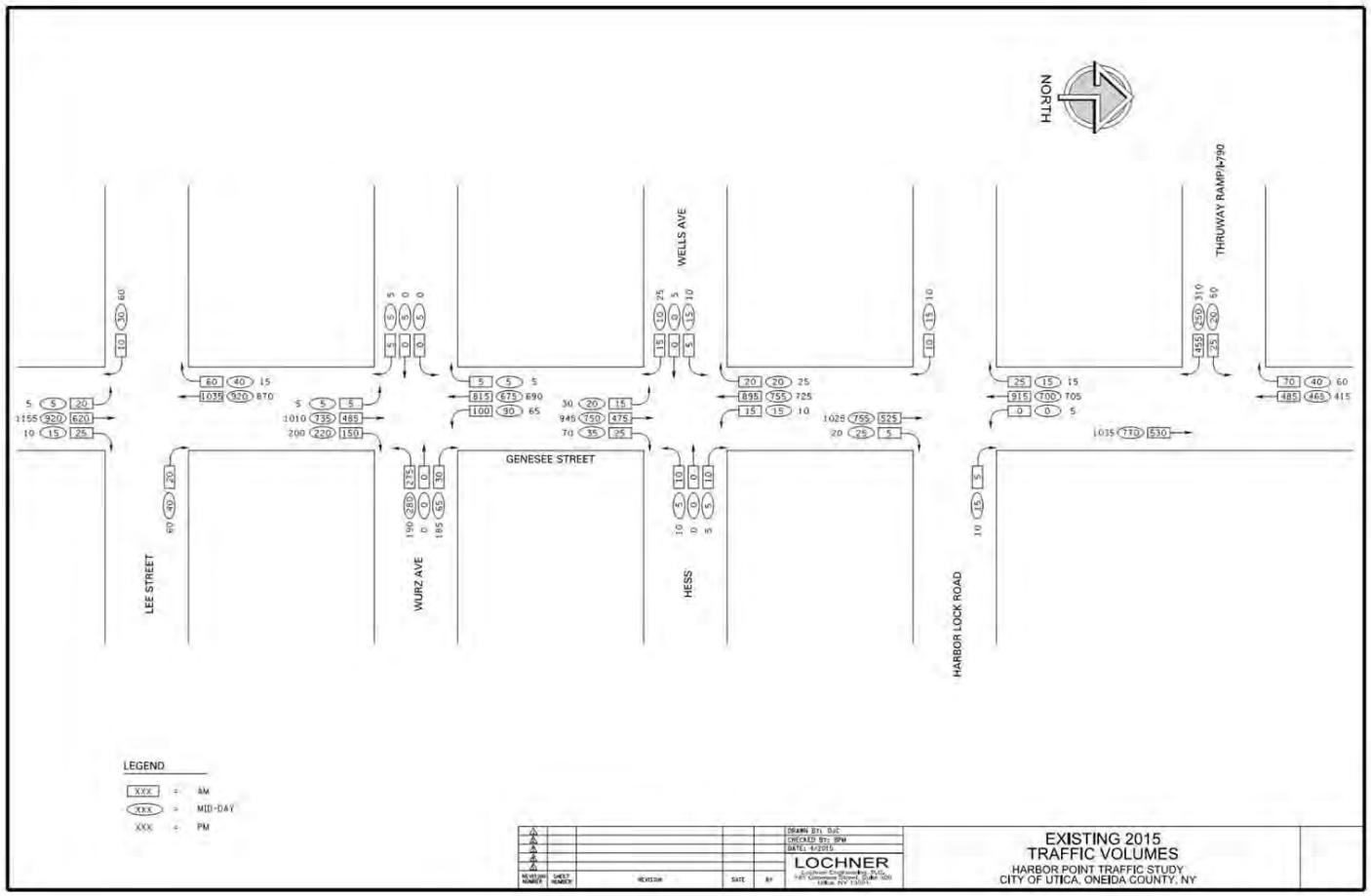
The New York State Department of Transportation (NYSDOT) has identified this section of Genesee Street as a high accident location. A separate accident study was also prepared by Lochner to identify accident patterns and to identify potential accident mitigation measures. The accident study is also included in Appendix H.

2.8.1 Baseline Conditions

TRAFFIC VOLUMES

Existing traffic data was collected in February 2015 for the morning, midday, and evening peak periods. Existing traffic volumes are shown in Figure 2-19 for each of the key intersections within the study area.

Genesee Street is an undivided North-South commercial drive with five lanes from Lee Street to the Mohawk River Bridge, with two lanes in each direction plus a median/left turn lane, and four lanes from the Mohawk River Bridge to the Thruway. There are turning lanes at select intersections along much of the study area. The study area of Genesee Street connects the New York State Thruway (Interstate 90, I-90) with the downtown of Utica. Genesee Street has commercial businesses lining both sides of the road.



CITY OF UTICA, NY
HARBOR POINT REDEVELOPMENT
GEIS

Figure 2-19 Existing Traffic Volumes

Average daily traffic information along the study corridor was obtained from the NYSDOT Traffic Data Viewer website and is compiled in the tables below:

Table 2.6 Average Daily Traffic Volume

Section	Section (miles)	Length	Two-Way Average Daily Traffic (vpd)*
Lee St - Wurz Ave	0.12		27,700
Wurz Ave – I 90 Off Ramp	0.51		30,766

**vehicles per day; existing traffic volumes traffic count performed by Lochner Engineering*

Intersection	Two-Way Average Daily Traffic (vpd)
Lee St – Genesee St	26,661
Wurz Ave – Genesee St	28,304
I 90 Off Ramp – Genesee St	22,444
Wells Ave – Genesee St	22,313
Harbor Lock Rd – Genesee St	21,774

Source: Lochner 2015

EXISTING CORRIDOR AND INTERSECTION CHARACTERISTICS

Of the five intersections, only the Wurz Avenue intersection is controlled by a traffic signal. Each of the other four intersections operate under stop sign control on the minor approaches.

From Lee Street to north of Wells Avenue, Genesee Street is generally a five lane section with a center left turn lane or two-way left turn median and two through lanes in each direction. Genesee Street reduces to only two through lanes only in each direction between Wells Avenue and the Mohawk River Bridge and remains a four lane section for the remainder of the study area.

With the exception of a northbound Genesee Street left turn movement into Lee Street, the Lee Street intersection functions as a right in/right out only intersection. Wurz Avenue is a four-legged signalized intersection. Wells Avenue intersects Genesee Street opposite a driveway to the Hess gas station. This intersection operates as a four-legged stop sign controlled intersection. Harbor Lock Road is similar to Lee Street in that it functions with right turns in and right turns out only. Left turn prohibition signs are posted at this intersection. Despite the posting, a very small number of vehicles were seen making a southbound Genesee Street left

turn onto Harbor Lock Road during the PM peak hour. The I-790/Thruway ramp intersection is a stop sign controlled three-legged intersection. Separate left and right turn lanes are provided on the ramp approach.

EXISTING LEVELS OF SERVICE

A SYNCHRO model was created to analyze existing traffic conditions along Genesee Street. The following narrative discusses the conditions at each study intersection

1. Genesee Street/Lee Street: This intersection currently operates at a high level of service. As shown in Table 2.13 both Lee Street approaches operate at level of service B except for the westbound right turn during the PM peak hour. During the PM, the existing level of service is a high level C. The northbound Genesee Street left turn movement operates at level A during each peak period.
2. Genesee Street/Wurz Avenue: This intersection currently operates at level of service B during each of the study periods.
3. Genesee Street/Wells Avenue/Hess Drive: The northbound and southbound Genesee Street left turn movements operate near the border of levels A and B during each of the peak periods. Wells Avenue operates at level C during the AM period and D during the mid-day and PM periods. The Hess Drive operates at levels C, D, and F during the AM, mid-day, and PM peak hours, respectively. Table 7 (Appendix G) identifies the specific delays in seconds for each approach.
4. Genesee Street/Harbor Lock Road: Harbor Lock Road operates at a high level of service B for each study period.
5. Genesee Street/I-790 Ramp/Thruway: As shown in Table 2.13, the eastbound ramp right turn operates at level C or better for each of the three periods. The left-turn operates at level C during the AM and mid-day peak periods and level D during the PM peak.

2.8.2 Potential Impacts

Implementation of the Project will result in a change in traffic patterns including an increase in traffic accessing and egressing the Inner Harbor area. The project includes road improvements within the project area to facilitate the additional traffic onto the site. In addition, a traffic impact study was conducted to identify potential impacts on roads and traffic flow at intersections along Genesee Street, which is the main thoroughfare conveying visitors and residents to and from the site. Existing traffic volumes from NYS Canal Corporation operations are minimal and are not likely to have a significant adverse impact on roads proximal to the relocation site, which is yet to be determined.

FUTURE CONDITION – TRIP GENERATION

Future trips generated by implementation of the Project are based on trip generation rates obtained from the Institute of Transportation Engineers "Trip Generation Manual, 9th Edition." The proposed future land uses are as described in Table 2-7.

Table 2.7
Proposed Land Use Summary

Land Use Area	**Land Use Type**	
A1-A4	Residential - Apartments	93 units
	Business	52,000 SF
A5-A9	Residential/Mid-Rise	172 units
B	Marina	72 berths
C	Hotel	100 rooms
	Business	26,000 SF
D	Restaurant	16,000 SF
	Farmers Market	20 vendors
E	Waterfront Park	N/A
F	Amphitheater	1,000 seats
G	Sports Fields	5 fields
	Multi-Season Indoor Facility	2 acres

Source: Lochner, 2015

Based on the proposed land uses and trip generation rates, the number of future trips generated by the Project Area were estimated. Table 2-8 summarizes the number of trips estimated to be generated during each of three peak periods. Appendix A of the Traffic Impact Study (DGEIS Appendix G) provides trip generation calculations.

Table 2.8
Harbor Point Trip Generation Summary

Land Use Area	**Type**	**AM Peak**		**Mid-Day Peak**		**PM Peak**	
		In	**Out**	**In**	**Out**	**In**	**Out**
A1-A4	Residential - Apartments	8	17	8	21	20	14
	Business	0	0	178	193	64	82
A5-A9	Residential/Mid-Rise	18	40	19	46	42	30
B	Marina	2	4	8	4	9	5
C	Hotel	28	20	36	30	30	30
	Business	0	0	117	127	37	47
D	Restaurant	95	77	93	82	95	63
	Farmers Market	0	0	50	50	0	0
E	Waterfront Park	0	0	10	10	10	10
F	Amphitheater	0	0	0	0	60	5
G	Sports Fields	4	2	6	5	59	29
	Multi-Season Indoor Facility	0	0	2	2	6	6
TOTALS		155	160	527	570	432	321

Source: Lochner, 2015

FUTURE CONDITION – TRIP DISTRIBUTION

Trips generated by the Harbor Point site were distributed to each of the three streets which serve the site and are connected to Genesee Street. Trips from each of the land use areas were distributed to each street based on an estimated likelihood that the trips would utilize a particular street. Tables 2-8, 2-9 and 2-10, summarize the distribution of the trips to each roadway for each of the peak hours.

Table 2.9
Harbor Point Trip Distribution Summary – AM Peak

							AM Peak by Entrance					
Land Use Area	Type	Traffic Distribution			AM Peak Trips		Lee St		Wurz Ave		Wells Ave	
		Lee St	Wurz Ave	Wells Ave	In	Out	In	Out	In	Out	In	Out
A1-A4	Residential		20%	80%	8	17	0	0	2	3	6	14
	Business		20%	80%	0	0	0	0	0	0	0	0
A5-A9	Residential		20%	80%	18	40	0	0	4	8	14	32
B	Marina		60%	40%	2	4	0	0	1	2	1	2
C	Hotel		10%	90%	28	20	0	0	3	2	25	18
	Business		10%	90%	0	0	0	0	0	0	0	0
D	Restaurant	20%	70%	10%	95	77	19	15	67	54	10	8
	Farmers Market	20%	70%	10%	0	0	0	0	0	0	0	0
E	Waterfront Park		10%	90%	0	0	0	0	0	0	0	0
F	Amphitheater	60%	40%		0	0	0	0	0	0	0	0
	Sports Field	60%	40%		4	2	2	1	2	1	0	0
G	Multi-Season Indoor	60%	40%		0	0	0	0	0	0	0	0
					155	160	21	17	77	71	56	73

Source: Lochner, 2015

Table 2.10
Harbor Point Trip Distribution Summary – Mid-Day Peak

							Mid-Day Peak by Entrance					
Land Use Area	Type	Traffic Distribution			Mid-Day Peak Trips		Lee St		Wurz Ave		Wells Ave	
		Lee St	Wurz Ave	Wells Ave	In	Out	In	Out	In	Out	In	Out
A1-A4	Residential		20%	80%	8	21	0	0	2	4	6	17
	Business		20%	80%	178	193	0	0	36	39	142	154
A5-A9	Residential		20%	80%	19	46	0	0	4	9	15	37
B	Marina		60%	40%	8	4	0	0	5	2	3	2
C	Hotel		10%	90%	36	30	0	0	4	3	32	27
	Business		10%	90%	117	127	0	0	12	13	105	114
D	Restaurant	20%	70%	10%	93	82	19	16	65	57	9	8
	Farmers Market	20%	70%	10%	50	50	10	10	35	35	5	5
E	Waterfront Park		10%	90%	10	10	0	0	1	1	9	9
F	Amphitheater	60%	40%		0	0	0	0	0	0	0	0
G	Sports Field	60%	40%		6	5	4	3	2	2	0	0
	Multi-Season Indoor	60%	40%		2	2	1	1	1	1	0	0
					527	570	33	31	165	166	328	373

Source: Lochner, 2015

Table 2.11
Harbor Point Trip Distribution Summary – PM Peak

							PM Peak by Entrance					
Land Use Area	Type	Traffic Distribution			PM Peak Trips		Lee St		Wurz Ave		Wells Ave	
		Lee St	Wurz Ave	Wells Ave	In	Out	In	Out	In	Out	In	Out
A1-A4	Residential		20%	80%	20	14	0	0	4	3	16	11
	Business		20%	80%	64	82	0	0	13	16	51	66
A5-A9	Residential		20%	80%	42	30	0	0	8	6	34	24
B	Marina		60%	40%	9	5	0	0	5	3	4	2
C	Hotel		10%	90%	30	30	0	0	3	3	27	27
	Business		10%	90%	37	47	0	0	4	5	33	42
D	Restaurant	20%	70%	10%	95	63	19	13	67	44	10	6
	Farmers Market	20%	70%	10%	0	0	0	0	0	0	0	0
E	Waterfront Park		10%	90%	10	10	0	0	1	1	9	9
F	Amphitheater	60%	40%		60	5	36	3	24	2	0	0
G	Sports Field	60%	40%		59	29	35	17	24	12	0	0
	Multi-Season Indoor	60%	40%		6	6	4	4	2	2	0	0
					432	321	94	37	155	97	183	187

The directional distribution of existing Genesee Street traffic for each peak period was assumed to represent the origins of and destinations of trips generated by the Harbor Point Development. This resulted in the following assignments of trips to Genesee Street.

Time Period	Destined to		Originating From	
	North	South	North	South
AM	38%	62%	62%	38%
Mid-Day	53%	47%	47%	53%
PM	60%	40%	40%	60%

Utilizing the distribution on Genesee Street, the volumes of traffic entering and exiting the site via each of the driveways were established. Table 2.12 summarizes the distribution of future site generated traffic at each intersection with Genesee Street. Figure 2-20 depicts future site generated traffic volumes distributed throughout the Genesee Street corridor.

Table 2.12

Summary of Trip Distribution To and From Genesee Street

	Total Trips						Destined to		Originating from		Lee St				Wurz Ave				Wells Ave			
	Lee St		Wurz Ave		Wells Ave						In		Out		In		Out		In		Out	
Time Period	In	Out	In	Out	In	Out	North	South	North	South	from North	from South	to North	to South	from North	from South	to North	to South	from North	from South	to North	to South
AM	21	17	77	71	56	73	38%	62%	62%	38%	13	8	6	11	48	29	27	44	35	21	28	45
Mid-Day	33	31	165	166	328	373	53%	47%	47%	53%	16	17	16	15	78	87	88	78	154	174	198	175
PM	94	37	155	97	183	187	60%	40%	40%	60%	38	56	22	15	62	93	58	39	73	110	112	75

Source: Lochner, 2015

FUTURE CONDITION – FUTURE TRAFFIC VOLUMES

In addition to site generated trips, Genesee Street will see a general growth in traffic volumes. Background growth is estimated to be one percent per year. For analysis purpose, it is assumed that the site will experience full build-out by the year 2020. Existing 2015 traffic volumes were escalated by the background growth factor to obtain year 2020 volumes. Figure 2-21 illustrates future 2020 traffic volumes without the site generated traffic (No Build). Combining the future No Build volumes with the site generated traffic results in the 2020 future traffic volumes

shown in Figure 2-22. These volumes were used to assess the impacts of the Harbor Point Development traffic on the future traffic operations along Genesee Street.

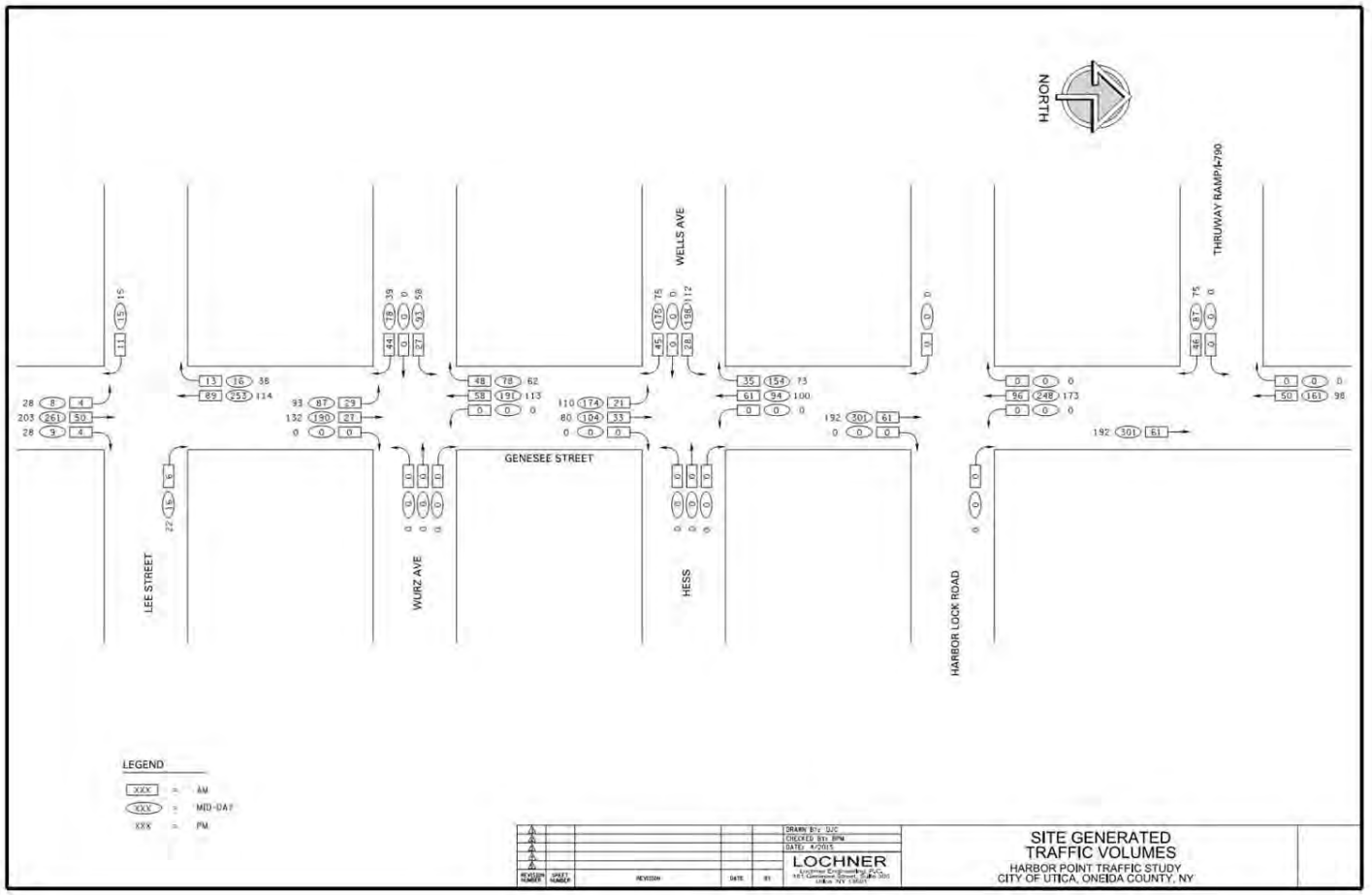


Figure 2-20 Site Generated Traffic Volumes

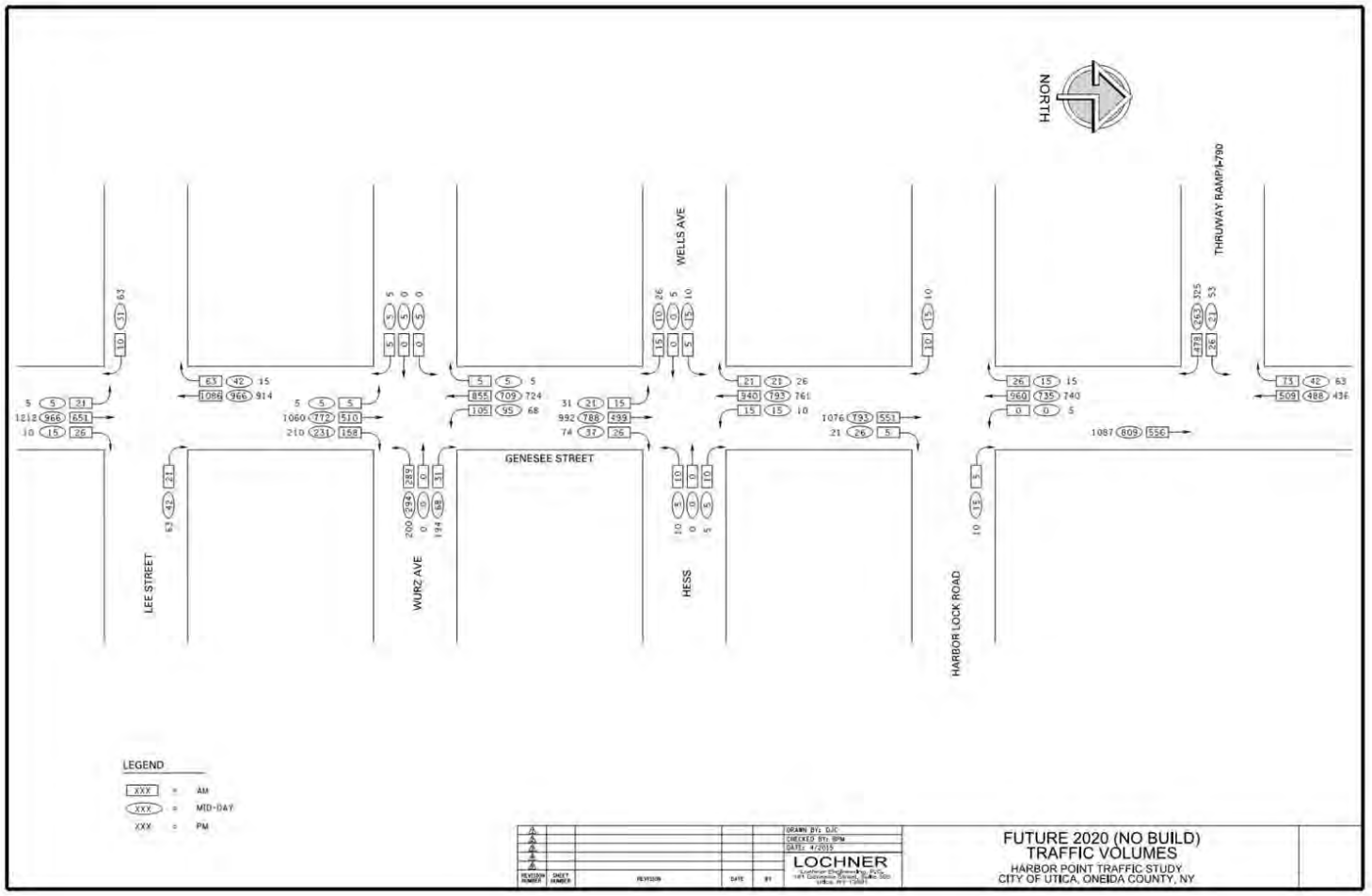


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Figure 2-21 Future 2020 (No Build) Traffic Volumes

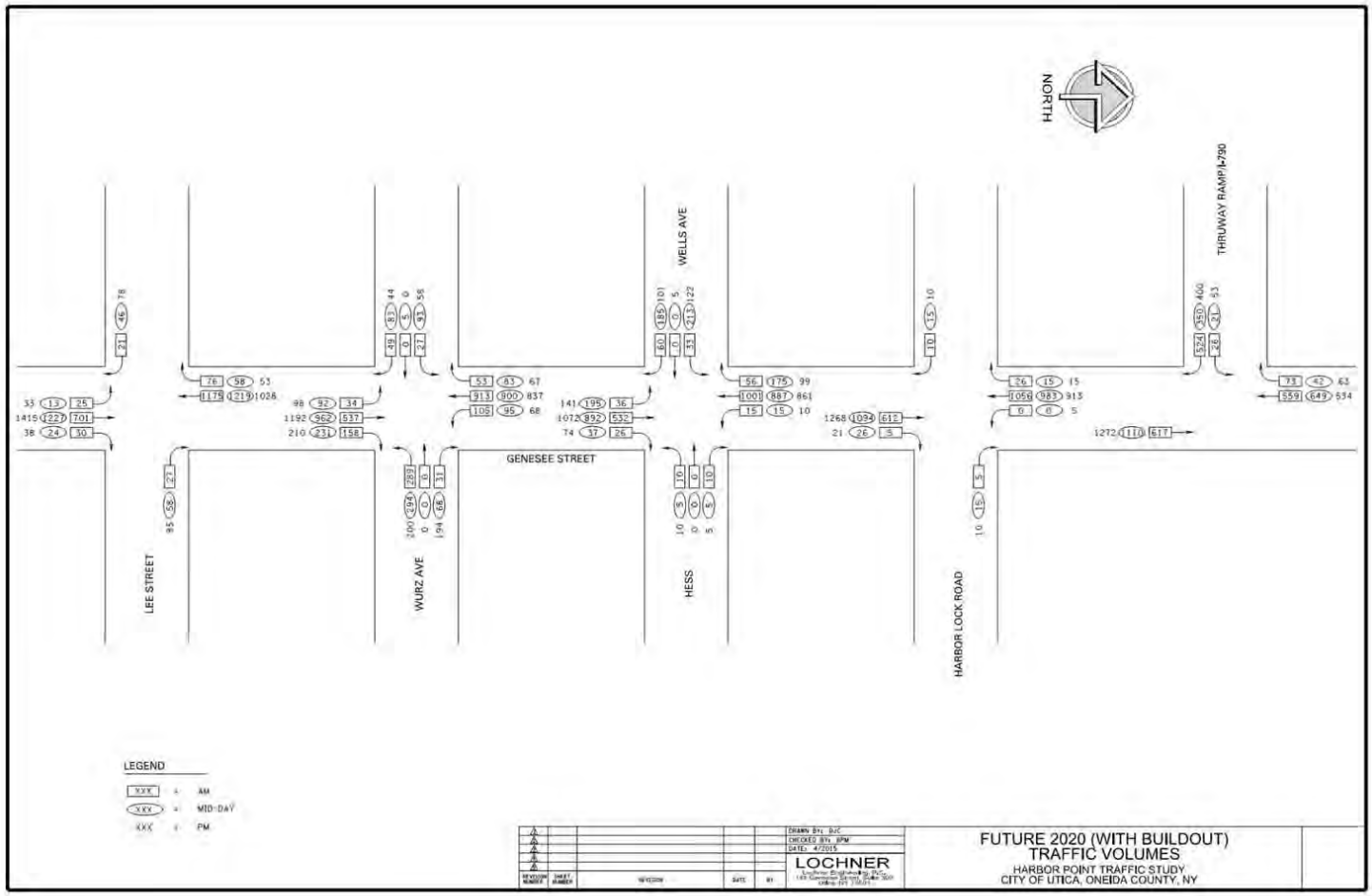


Figure 2-22 Future 2020 (With Buildout) Traffic Volumes

FUTURE CONDITION – FUTURE TRAFFIC CONDITIONS

Future traffic volumes, which combined site generated traffic with existing traffic volumes escalated to account for background growth were used to determine future traffic conditions. The analyses assumed that the Wells Avenue intersection, which will become a major entry way into the site would be signalized. Wells Avenue would be widened to provide a through/left turn lane and right turn lane. No other intersection geometric improvements or control type changes were proposed within the study area. The SYNCHRO model used to analyze existing conditions was modified to include those changes and future traffic volumes. The results of the analysis are included in Table 2.13. The following summarizes the results for each intersection.

1. Genesee Street/Lee Street: The northbound Genesee Street left turn movement will see its level of service drop from A under the existing condition to C in the future. This will happen for all three time periods. Lee Street movements will typically see levels of service drop from B to C with delay increases of under 6 seconds.
2. Genesee Street/Wurz Avenue: This intersection, which operates at level of service B for all existing peak periods will see the mid-day peak level of service drop to level C with a 5.7 second increase in overall delay. The morning and evening peak periods will continue to operate at level of service B.
3. Genesee Street/Wells Avenue/Hess Drive: Under traffic signal control and the separate lanes on the Wells Avenue approach, this intersection will operate at level of service B or better during each peak period. As shown in Table 2.13 each minor street approach will experience a significant improvement in level of service.
4. Genesee Street/Harbor Lock Road: Levels of service at this intersection will remain at level B. Increases in delays for Harbor Lock Road traffic will increase by less than 2 seconds.
5. Genesee Street/I-790 Ramp/Thruway: The right turn movement from the ramp will drop from B in the mid-day and PM peaks to C during both peak hours. The morning peak will remain at level C. The ramp left turn movement levels of service will drop to levels D and E. The morning and mid-day levels will be on the border between D and E while the evening peak hours level of service will be E. Following build-out of the Harbor Point site and should the Marcy Nanocenter site be developed, the undertaking of a signal warrant study for this intersection should be considered.

Table 2.13
Harbor Point – Level of Service Summary

Intersection/Approach	Control	Existing			Future		
		AM	Midday	PM	AM	Midday	PM
Genesee St / Wurz Ave	Signal	B (13.6*)	B (15.7)	B (12.4)	B (17.9)	C (21.4)	B (14.4)
Genesee St / Lee St	Stop Sign						
EB Lee St Right Turn		B (14.7)	B (14.1)	B (14.3)	C (16.5)	C (17.8)	C (16.9)
WB Lee St Right Turn		B (11.7)	B (14.0)	C (17.0)	B (12.2)	C (17.8)	C (22.7)
NB Genesee St Left Turn		A (0.5)	A (0.1)	A (0.1)	C (20.4)	C (20.1)	C (17.6)
Genesee St / Wells Ave / HESS Station	Stop Sign/Signal**				A (8.7)	B (16.7)	B (13.7)
EB Wells Ave		C (19.4)	D (31.3)	D (33.3)	A (9.7)	C (23.1)	B (19.0)
WB HESS Drive		C (19.8)	D (25.9)	F (51.8)	A (0.2)	A (0.1)	A (0.2)
NB Genesee St Left Turn		B (10.4)	A (9.7)	A (9.6)	A (1.5)	B (11.3)	A (10.0)
SB Genesee St Left Turn		A (8.6)	A (9.7)	B (10.8)	B (12.7)	C (20.2)	B (17.6)
Genesee St / Harbor Lock Rd	Stop Sign						
EB Harbor Lock Rd Right Turn		B (12.2)	B (11.1)	B (11.0)	B (13.2)	B (12.7)	B (12.2)
WB Harbor Lock Rd Right Turn		B (10.1)	B (11.4)	B (12.9)	B (10.5)	B (13.5)	B (14.7)
Genesee St / Thruway / I-790 Ramp	Stop Sign						
EB Ramp Left Turn		C (18.3)	C (20.1)	D (26.1)	E (36.4)	D (34.2)	E (42.8)
EB Ramp Right Turn		C (22.0)	B (12.9)	B (13.8)	C (21.5)	C (19.5)	C (19.6)

***Average delay in seconds.**
****Future condition will be signal control.**

Source: Lochner, 2015

ACCIDENT STUDY SUMMARY

The study area along Genesee Street is 1.13 km (0.7 miles) long and is located in its entirety within the City of Utica. The study period involves traffic accidents occurring between April 1, 2011 and March 11, 2014.

The study corridor consists of five intersections and multiple commercial driveways on either side of the road. The speed limit throughout the study segment is 35 mph. According to the NYSDOT Speed Count Average Weekday Report, the 50th% speed is 38.4 mph in the northbound direction and 35.6 mph in the southbound direction, the 85th% speed is 43.7 mph and 42.3 mph, respectively. This indicates that there are a large number of vehicles exceeding the speed limits.

During the study period, there were 256 accidents, of which 46 were intersection accidents at the identified intersections; 57 were non-intersection accidents at the identified sections; 30 were classified as unrelated to the roadway; and 123 were outside of the limits of the study area. Overall, the leading accident type was rear-end accidents at 48 percent, followed by overtakes at 11 percent, right angle accidents at 10 percent, left turn accidents at 9 percent, pedestrian accidents at 6 percent, right turn accidents and bicycle accidents at 3 percent and side-swipes at 1 percent and other uncategorized accidents at 9 percent. The following table breaks down the number of accidents per year at each intersection.

Table 2.14 Accidents by Year

	Number of Accidents by Year			
Intersecting Street	**2011**	**2012**	**2013**	**2014***
Lee Street	2	3	3	0
Wurz Ave	10	8	11	1
I 90 Off Ramp	1	2	5	0
Wells Ave	0	0	0	0
Harbor Lock Road	0	0	0	0

	Number of Accidents by Year			
Thru Section	**2011**	**2012**	**2013**	**2014***
Wurz Ave to the Mohawk River Bridge	9	9	12	4
Mohawk River Bridge to the I-90 Off Ramp	7	3	12	1

*Accidents only include records from January 1 to March 11, 2014.

The rear-end accidents that occurred on Genesee Street, had the predominant contributing factors being driver inattention, following too closely, and slippery pavement. Side-swipe accidents took place mainly at intersection approaches, with passing/improper lane use as the main contributing factor. Pedestrian accidents were more common among three intersections as a result of driver inattention and pedestrian error. Left turn and right angle accidents were mainly the result of failures to yield the right of way. The majority (85 percent) of all accidents occurred during the daytime hours of 6 AM to 7 PM. Overall, 63 percent of the accidents occurred on dry pavement conditions. None of the accidents during the study period resulted in any fatalities. As noted above the 85th percentile speed on Genesee Street is approximately 43 mph, compared to the posted speed of 35 mph. While not noted in any of the accident reports, speed could be a contributing factor in many of the accidents.

Tables 2.15 through 2.17 compare the accident and injury rates for each intersection during the study period to statewide averages for similar highway intersections. Generally, the accident rates for the intersections within the study area are higher than the statewide averages.

Table 2.15: Intersection Accident/Injury Rates
(Accidents per Million Entering Vehicles, MEV)

Intersecting Street	# Legs	Traffic Control	Study Area All Types		Wet Road		Left Turn		Rear End		Over-taking		Right Angle		Right Turn		Side-swipe		Injury Rate		No. of Accidents Resulting in Injury
			Study	Avg	Study	Avg	Study	Avg	Study	Avg	Study	Avg	Study	Avg	Study	Avg	Study	Avg	Study	Avg	Study
Lee Street	4	Stop Signs	0.027	0.1	0.000	0.02	0.000	0.01	0.014	0.03	0.010	0.01	0.003	0.01	0.000	0.00	0.000	0.00	50%	29.58%	4
Wurz Ave	4	Signal	0.097	0.21	0.045	0.04	0.000	0.02	0.074	0.09	0.003	0.03	0.003	0.03	0.006	0.01	0.003	0.00	10%	30.16%	3
I-90 Off Ramp	3	Stop Signs	0.033	0.1	0.004	0.02	0.008	0.01	0.012	0.03	0.000	0.01	0.008	0.01	0.000	0.00	0.000	0.00	12.5%	29.58%	1
Wells Ave	3	Stop Signs	0.000	0.14	0.000	0.03	0.000	0.01	0.000	0.09	0.000	0.01	0.000	0.03	0.000	0.00	0.000	0.00	0%	30.16%	0
Harbor Lock Rd	4	Stop Signs	0.000	0.1	0.000	0.02	0.000	0.01	0.000	0.03	0.000	0.01	0.000	0.01	0.000	0.00	0.000	0.00	0%	29.58%	0

Source of Statewide Averages: NYSDOT office of safety and security services highway repository for state wide accident averages 2011 – 2013[1]

Table 2.16: Highway Segment Accident/Injury Rates
(Accidents per Million Vehicle Miles, MVM)

Thru Section Limits	Study Area All Types	Wet Road	Fixed Object	Injury Rate	Number of Accidents Resulting in Injury
Wurz Ave – Bridge over the Mohawk River	0.360	0.106	0.042	20.6%	7
Bridge over the Mohawk River – I 90 Off Ramp	0.816	0.297	0.074	34.8%	8

Source of Statewide Averages: NYSDOT office of safety and security services highway repository for state wide accident averages 2011 – 2013[1]

Table 2.17 NYS Average Segment Accident/Injury Rate 1
(Accidents per Million Vehicle Miles, MVM)

Urban Function Class	Statewide All Types	Wet Road	Fixed Object	Injury Rate
Undivided 4 Lanes	5.08	1.01	0.41	25.17%

Source of Statewide Averages: NYSDOT office of safety and security services highway repository for state wide accident averages 2011 – 2013

The following paragraphs identify and discuss data trends at the major intersections along Genesee Street in the study location in more detail.

LEE STREET AT NORTH GENESEE STREET

This is a two-way stop sign controlled intersection with only right turns allowed into and out of Lee Street. Traffic traveling northbound on North Genesee Street can turn left onto Lee Street, while a southbound left turn is prohibited. Northbound Genesee Street is on a down-grade as it approaches Lee Street.

During this study period, there were eight accidents reported at or near the intersection. These included rear end accidents (4), overtake (3), and one accident where a vehicle struck a cyclist. The accident involving a cyclist was caused by the cyclist not traveling in the correct direction and utilizing a crosswalk and sidewalk and not the roadway.

Driver inattention and following too closely were the most common contributing factors cited for the rear-end accidents at this intersection

WURZ AVENUE AT NORTH GENESEE STREET

This is a four-way signalized intersection with Wurz Avenue. This portion of Genesee Street is divided with a median between northbound and southbound traffic. Traffic volumes in either direction along Genesee Street are relatively the same. The southbound approach consists of two through travel lanes and a left turn lane. Northbound traffic on Genesee Street consists of a left-turn lane, two through travel lanes, and a right-turn lane onto Wurz Avenue. Eastbound traffic volumes on Wurz Avenue are minimal compared to the volumes on the westbound Wurz Avenue approach.

The majority of accidents that occurred at this intersection were rear-ending accidents (23). This represents 76 percent of the accidents at this intersection. This was caused by drivers following too close and inattentive drivers. Twelve of the rear-end accidents occurred on the northbound approach to the intersection. Other accidents at this intersection include overtake (1), right angle collisions (2) right turn (1), side-swipe (1), pedestrian (1), and other (1, a large rock was in the road). Minimizing “stop-and-go traffic” conditions at the light would improve traffic flow and could reduce the number or rear-end accidents at this intersection. There were also a substantial amount of accidents that occurred with wet pavement conditions (47 percent), this may be indicative of drainage issues at this intersection.

WELLS AVENUE AT NORTH GENESEE STREET

This is a three-legged intersection controlled by a stop sign on Wells Avenue. Wells Avenue is a low volume road to the west of Genesee Street. There were no accidents associated with this intersection at Genesee Street. There were several accidents around the area caused by other factors such as vehicles turning into driveways along Genesee Street or rear ends due to traffic associated with driveways, but none influenced by the intersection of Wells Avenue at North Genesee Street.

HARBOR LOCK ROAD AT NORTH GENESEE STREET

Harbor Lock Road creates a four-legged intersection at North Genesee Street controlled by stop signs on Harbor Lock Road. Harbor Lock Road loops under North Genesee Street and does not outlet to any other road making it a very low volume road. There were no accidents reported at this intersection or an accident adjacent to the intersection which may have been caused by this intersection.

NORTH GENESEE STREET FROM WURZ AVENUE TO THE BRIDGE OVER THE MOHAWK RIVER

This segment is on Genesee Street from Wurz Avenue to the bridge over the Mohawk River. The length of this segment is 0.28 miles. This segment of Genesee Street is lined on either side with commercial properties consisting of restaurants, gas stations, hotels, etc. Due to the nature of the businesses on either side of the road, there is a lot of traffic entering and exiting Genesee Street throughout this segment.

The majority of accidents along this thru section were rear-end accidents (10), followed by overtake (6), right angle collisions(6), fixed object (4), left turn (2) right turn (2), pedestrian (1), bicycle (1), and other (2). The accidents classified as other include debris that fell off of a vehicle causing the vehicle behind to swerve and the other case where a motorcyclist lost control and fell off of the bike.

Due to the commercial land use and the numerous driveways on either side of the road, vehicles often slow down behind vehicles entering a driveway or behind a vehicle which just entered Genesee Street from a driveway, thereby possibly resulting in many of the rear-end accidents. Vehicles attempting to bypass a vehicle slowing to a turn into a driveway may also be leading to the large number of side-swipe accidents. There were also a substantial amount of accidents that occurred with wet pavement conditions (30 percent), this may be indicative of drainage issues along this segment.

NORTH GENESEE STREET FROM THE BRIDGE OVER THE MOHAWK RIVER THRU THE I-790/I-90 OFF-RAMP

This segment includes Genesee Street from the bridge over the Mohawk River to the I-790/I-90 off-ramp. The length of this segment is 0.08 miles. This segment of Genesee Street includes several hotels and commercial businesses on both sides of the road. Because of the commercial land use adjacent to Genesee Street in this section, there are a lot of vehicles making turns in and out of driveways. The lack of gaps in the opposing stream of Genesee Street traffic can delay motorist who are turning left across the opposing traffic. The lack of a separate left turn lane leads to rear ends and overtaking collisions involving the turning vehicles and overtaking vehicles.

Along this section of Genesee Street there were a total of 22 accidents. The majority of accidents were rear ends (10), followed by left turn (5), pedestrian (3), fixed object (2), right angle (1), and bicycle (1). The fixed object collisions included a vehicle trying to avoid collision and losing control and hitting a fixed object. The other was due to wet conditions where the vehicle ran into a snowbank. The pedestrian accidents are caused by driver and pedestrians not paying attention and pedestrians walking out in the road getting struck. One of the pedestrian accidents involved the pedestrian being intoxicated. The majority of the accidents were associated with vehicles entering and exiting North Genesee Street.

I-90 OFF-RAMP AT NORTH GENESEE STREET

This is a three-legged intersection with the off-ramp of I-90 (Thruway) and Route I-790 sharing the same approach to Genesee Street. The ramp approach is stop sign controlled and includes separate right and left turn lanes.

The majority of accidents at this intersection are rear end accidents (3) caused by inattentive drivers looking at approaching Genesee Street traffic and rear-ending the vehicle in front of them that had not entered onto Genesee Street. Two of the right angle accidents involved vehicles making a left turn from the off-ramp onto northbound North Genesee Street. There are also two right-angle accidents involving vehicles turning right from the I-90 off-ramp onto southbound North Genesee Street. Intersection sight distance may have been a contributing factor to these accidents as turning vehicles had difficulty seeing the approach southbound vehicles. Guiderail and bridge rail associated with the structure carrying Genesee Street over Reall Creek impacts the sight distance to the left.

Improving intersection sight distance for vehicles entering Genesee Street could improve the conditions at this intersection.

2.8.3 Mitigation

Under existing conditions, Genesee Street typically operates at high levels of service. Because of high Genesee Street traffic volumes, some intersecting roadways under stop sign control experience lower levels of service.

For the future conditions which represent the build out of the Harbor Point site by the year 2020, it is proposed that the Genesee Street/Wells Avenue/Hess Drive intersection be brought under signal control. No other improvements were proposed for the future conditions. The results of the analyses show that Genesee Street will continue to operate at high levels of service. The Genesee Street/Wurz Avenue intersection will operate at levels B or C during the peak periods. All future movements, except for the Route I-790 ramp left turn, will operate at level C or better. The Route I-790 ramp left turn will operate at levels D and E in the future. Based on these findings, no improvements beyond the signalization of the Wells Avenue intersection and the widening of Wells Avenue to provide a through/left turn lane and a right turn lane are proposed.

Because of the accident history at the Route I-790 ramp intersection, limited sight distance caused by the bridge rail on the structure carrying Genesee Street over Reall Creek and the potential for increasing traffic volumes, it is recommended that a signal warrant study be performed as the Harbor Point development nears completion. The need for this study could be accelerated should development at the Marcy Nanocenter site occur.

ACCIDENT MITIGATION

After reviewing the accident reports for Genesee Street and the intersecting streets within the study area, a few trends became apparent. There is a trend of pedestrian accidents occurring where driveway and sidewalk crossings intersect. Accidents involving pedestrians were usually caused by drivers not seeing a pedestrian or not paying attention as a pedestrian walks out into the road and is struck. Pedestrian intoxication was also a factor in several of the pedestrian accidents. All cycling accidents occurred where the cyclist was not cycling in the direction of traffic. There is a trend of rear-end accidents which occurred during periods of heavy traffic at both intersection and driveway locations. Minimizing “stop-and-go” conditions by improving traffic flow and improving access management strategies to reduce the number of driveways could reduce the number of rear end accidents.

While not noted in the accident reports, speed may be a contributing factor to many of the accidents as the 85th percentile speed is approximately 8 mph above the posted speed limit of 35 mph. Speed reductions through enforcement or the introduction of traffic calming measures may reduce the potential for accidents.

ROUNDABOUT ALTERNATIVE

A separate accident study (Appendix H) for the Genesee Street corridor revealed that operating speeds on Genesee Street typically exceeded the posted speed limit of 35 mph. In addition, some locations such as the Genesee Street-Wurz Avenue intersection experienced a large number of rear end accidents. As noted in the accident study, sufficient information was not available to determine if speed played any role in the accidents at Wurz Avenue. As a measure to reduce speeds and possibly lessen the rear end accident potential, the introduction of a roundabout at the Genesee Street-Wurz Avenue intersection was studied. For study purposes, the roundabout was a two-lane roundabout with two lanes in each of the Genesee Street directions. The Wurz Avenue approaches were assumed to be single lane approaches.

The results showed that during the AM peak hour, the roundabout would function at a level of service B. The northbound and southbound Genesee Street approaches would operate at levels A and C, respectively. Both Wurz Avenue approaches would operate at level B.

During the mid-day peak, the roundabout would operate at level of service D. The westbound Wurz Avenue approach would operate at level of service F. The southbound Genesee Street approach would operate at level C while the northbound approach would operate at the border between levels C and D.

The PM peak hour would see the roundabout at an overall level of service F. The westbound Wurz Avenue approach would operate at F and the northbound Genesee Street approach would operate at level of service E.

These low levels of service can be attributed to the heavy Genesee Street traffic, which limits the gaps which Wurz Avenue traffic has to enter the roundabout and to the proximity of queuing generated by the Genesee Street/Wells Avenue intersection.

As the analysis indicated, the roundabout would operate at low levels of service during the mid-day and PM peak periods. As a result, it is not being proposed for implementation.

A second roundabout for the Genesee Street/Wells Avenue/Hess Drive intersection was also considered. The footprint of the roundabout would have likely impacted both the Hess site and Delmonico's Restaurant without a significant realignment of Wells Avenue to the south. For this reason, it was not studied.

TRANSIT SERVICE

Centro operates four bus routes along Genesee Street. The routes originate at Centro's Transit Hub on Elizabeth Street. The following routes provide service to and along the section of Genesee Street adjacent to the Harbor Point site.

Route No.	Destination
28	Herkimer Road
29	Riverside Center
129	Riverside Center / SUNY POLY
229	Riverside Center / SUNY POLY

Figure 2-23 depicts the existing transit route bus service typically starts around 5:40 AM and continues on Routes 28, 29, and 129 until 7 PM. Route 229 which provides service to Riverside Center and SUNY POLY continues services until 10:55 PM. Buses typically run their entire route in 40 minutes. Future bus stops within the Harbor Point site, which could attract transit riders, such as the sports fields and indoor athletic facility, should be considered in the future.

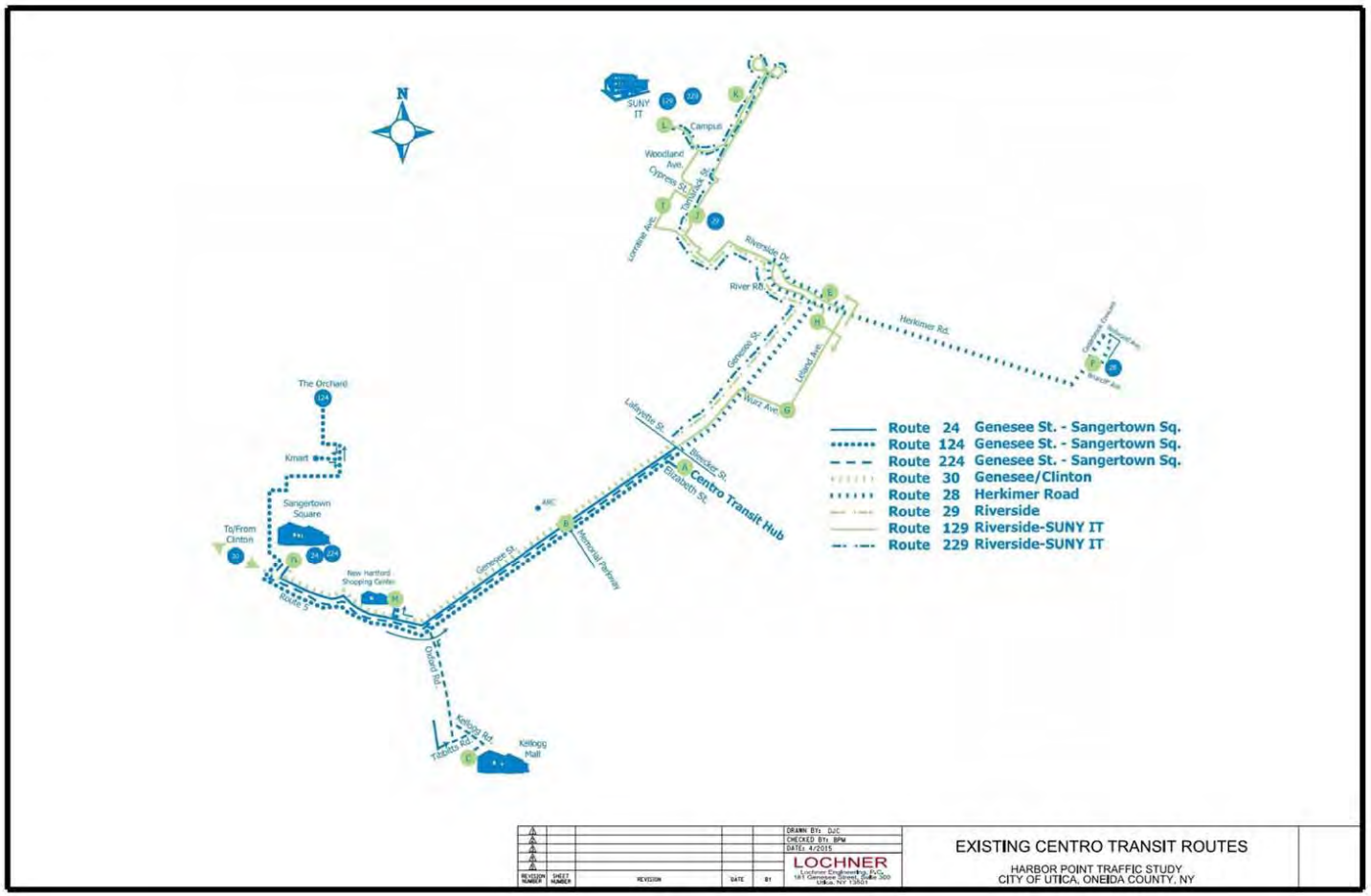


Figure 2-23 Existing Centro Transit Routes

2.9 AIR QUALITY

2.9.1 Baseline Conditions

AMBIENT AIR QUALITY STANDARDS

The NYSDEC (2014) provides summary tables of regional annual ambient air quality, as well as real-time air quality data for criteria pollutants[30] collected at several monitoring stations[31] located within the Western Adirondacks/Eastern Lake Ontario Air Quality Control Region, which includes Herkimer, Jefferson, Lewis, Oneida and St. Lawrence Counties. Impairment of air quality is based on comparison with State and primary National Ambient Air Quality Standards (NAAQS). Based on a review of the data, there were no exceedances of these standards at the monitoring stations within the specified period, indicating that existing air quality in the region is not currently impaired for the monitored constituents. Regional data is summarized in Table 2.18.

Based on available data summarized in Table 2.18, ambient air monitoring conducted by the NYSDEC indicates that there were no violations (exceedances) of the State or National Ambient Air Quality Standards (NYSDEC 2014) for the 2013 monitoring year.[32]

In addition, the area is considered an Ozone Transport Region (OTR)/Moderate Non-Attainment Region for NOx and volatile organic compounds (VOC). These pollutants are considered near surface ozone precursors. Revisions to the Clean Air Act (1990) recognize the importance of regulating upwind from non-attainment areas within an ozone transport region (OTR). In New York State, emissions of NOx and VOC within OTR/ Moderate Non-Attainment Region are limited to 100 tons per year (tpy) NOx and 50 tpy VOC.

[30] The USEPA uses six "criteria pollutants" as indicators of air quality, which have established maximum concentration above which adverse effects on human health may occur. These threshold concentrations are called National Ambient Air Quality Standards (NAAQS). The six criteria pollutants are Ozone (O_3), Carbon Monoxide (CO), Nitrogen Dioxide (NO_2), Sulfur Dioxide (SO_2), Particulate Matter (PM, 10 and 2.5 micrometers), and Lead. The NYSDEC has established corresponding State Ambient Air Quality Standards (6 NYCRR Part 257).

[31] Monitoring stations are located in Nick's Lake (Ozone, SO_2), Perch River (Ozone), Camden (Ozone), and Utica ($PM_{2.5}$).

[32] As of the date of this evaluation, 2014 annual data was not available.

Table 2.18 Existing Air Quality Data

Constituent	Averaging time	New York State Ambient Air Quality Standard	National Ambient Air Quality Standard	2013 Observations
Particulate Matter ($PM_{2.5}$)	Annual	-------	12 µg/m^3	7.3 µg/m^3
	24-hour	--------	35 ug/m^3	19.4 ug/m^3
Ozone	8-hour	--------	0.075 ppm	0.061 to 0.070 ppm
Sulfur Dioxides	1-hour	30 ppb	75 ppb	3.8 ppb
	3-hour	0.25 ppm / 0.5 ppm[33]	---------	No data
	24- hour	0.10 ppm/0.14 ppm/0.03 ppm[3]	---------	No data
Carbon Monoxide (CO)	8-hour	9 ppm	9 ppm	No data
	1-hour	35 ppm	35 ppm	No data
Lead	Quarterly	--------	0.15 µg/m3	No data
Nitrogen Dioxide	1-hour	--------	100 ppb	No data
	Annual	--------	53 ppb	No data
	24-Hour	0.05 ppm	---------	No data
Particulate Matter (PM_{10})	24-hour	-------	150 µg/m3	No data

Source: NYSDEC 2014 (http://www.dec.ny.gov/docs/air_pdf/2013airqualrpt.pdf).

[33] The 3-hour and 24-hour NYS standards for sulfur dioxide have multiple levels/forms.

SENSITIVE RECEPTORS

Sensitive receptors include religious places of worship, hospitals, schools, daycare facilities, elderly housing and convalescent facilities. No sensitive receptors were identified proximal to the Project Area.

2.9.2 Potential Impacts

Development of the Project Area could result in the following air-related impacts:

- Short-term, temporary construction-phase dust generated from earth moving equipment and other construction activities
- Short-term, temporary exhaust emissions from construction vehicles and equipment
- Emissions from new HVAC systems, sanitary vents and other regulatory-defined exempt and trivial sources associated with new buildings[34]
- Additional mobile source emissions from increased vehicular traffic accessing and egressing uses proposed within the Project Area.

Short-term, temporary impacts during the construction phase(s) will be mitigated (see below). In addition, no significant adverse air emission impacts from anticipated commercial, residential and recreational end uses are anticipated; emissions from these types of activities are considered by the NYSDEC as exempt or trivial.

2.9.3 Mitigation

The following measures are proposed to mitigate potential impacts:

- Implementation of dust suppression measures by contractors during construction phases
- Proper maintenance of construction vehicles and equipment
- Prohibiting unnecessary idling of construction equipment
- Construction of stabilized construction entrances to minimize migration of dirt onto local roads
- Building code reviews of proposed HVAC systems, sanitary vents and other exempt and trivial emission points for compliance with local and state codes.

[34] http://www.dec.ny.gov/regs/4303.html

2.10 NOISE, ODOR AND LIGHT

2.10.1 Baseline Conditions

NOISE

For the purposes of this assessment, noise is defined as unwanted sound. As illustrated below, noise emanates from many different sources including traffic, businesses, residences, construction, people and animals. Existing noise sources in the Project Area include all of the above, as well as activities associated with NYS Canal Corporation maintenance facilities and National Grid managed Harbor Point remediation. Existing ambient sound levels in the vicinity of the Project Area may be expected to range from 50 dBA[35] (wooded residential) to 80 dBA (downtown with some construction activity) (USEPA 1979.)[36] A significant portion of the Project Area is located adjacent to North Genesee Street, which is influenced by noise generated from vehicular traffic. Additional noise sources include the railroad located to the south and activities from neighboring commercial properties to the east. No sensitive receptors (*i.e.,* residences, churches/synagogues/mosques, schools, senior homes, schools, etc.) were identified proximal to the Project Area.

The City of Utica has enacted a municipal noise ordinance (§ 2-15-63 of the City Code, Permissible Noise Levels in Zoning Districts). An excerpt from the ordinance, which summarizes City noise limits, is provided below.

A noise measured or registered as provided in this division from any source other than as provided in Section 2-15-67 at a level which is equal to or in excess of the db(A) established for the time period and zones listed in this section is declared to be excessive and unusually loud and is unlawful.

Zone	7:00 a.m. to 10:00 p.m. (db(A), L_{max})	10:00 p.m. to 7:00 a.m. (db(A), L_{max})
Residential	55	50
Commercial	60	55
Light industrial	70	65
Industrial	80	75

When a noise source can be measured from more than one zone, the permissible sound level of the more restrictive zone shall govern.

Between the hours from 7:00 a.m. to 10:00 p.m., the noise levels permitted in Subsection **(b)** may be increased by 10 db(A) for a period of not to exceed 15 minutes in any one-hour period.

Where noise is periodic, impulsive or shrill, the permitted sound level for these noises shall be five db (A) less than those listed in Subsection **(b)** of this section.

[35] A-weighted decibels are an expression of the relative loudness of sounds in air as perceived by the human ear.
[36] United States Environmental Protection Agency (USEPA). 1979. Protective Noise Levels – Condensed Version of EPA Levels Document. Available at: http://nonoise.org/library/levels/levels.htm.

ODOR

No significant or long-term sources of unpleasant odor currently exist on the NYS Canal Corporation properties including the remediated DSA-1 or associated with existing businesses along North Genesee Street within the project area. The City's zoning code indicates that "no emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detectable without instruments at the property line of the zone lot from which they are emitted" (§ 2-29-529 of the Utica City Code).

On-going remediation efforts on National Grid's Harbor Point site have the potential to create odors. However, a significant portion of the remedial activities have been completed, and remaining projects include odor suppression and monitoring programs to mitigate such occurrences. As noted on the project's website,[37] odors are controlled to the extent practicable by limiting the size of excavated area, using foam to cover exposed waste materials, and by occasionally stopping work until wind and weather conditions improve. National Grid has also implemented a community air monitoring plan.

LIGHT

Exterior lighting is currently used for safety and security along streets, parking areas and buildings on lands located within and adjacent to the Project Area.

The City of Utica has enacted a municipal glare standards (§ 2-29-526 of the City Code). An excerpt from the ordinance, which summarizes the glare standards by zoning districts, is provided below.

[37] http://harborpointsite.com/proj_descr_health.html

Sec. 2-29-526 **Glare standards.**

[Ord. No. 313, §§ 17-601—17-604, 12-7-1994; Ord. No. 326, § 13, 9-4-1996]

(a) Required performance level. All uses, operations and activities shall be conducted so as to comply with the performance standards governing glare prescribed below.

(b) Method of measurement. Illumination levels shall be measured with a photoelectric photometer having a special response similar to that of the human eye, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination.

(c) General requirements. Uses subject to Group I and Group II standards shall not produce glare so as to cause illumination in any R District in excess of 0.5 footcandle. Flickering or bright sources of illumination shall be controlled so as not to be a nuisance in any R District.

(d) Group I and Group II glare standards. Uses subject to Group I and Group II standards shall limit the use of light sources and illuminated surfaces which are located in or are within 500 feet of any R district so as to comply with the light intensities indicated in Table III below.

Table III

Maximum Intensity of Light Sources

Source	Group I	Group II
Bare incandescent bulbs	150 watts	400 watts
Illuminated buildings	15 footcandles	30 footcandles
Backlighted or luminous background signs	150 footcandles	250 footcandles
Outdoor illuminated signs and poster panels	25 footcandles	50 footcandles

Table IV

Required Performance Standards

(Group I or Group II)

	Zoning District				
Topic	All R Districts	C-N, C-C	C-H, C-CBD	I-1	I-2
Vibration	I	I	I	II	II
Glare	I	I	II	II	II

Note: Required performance standards for uses in a PUD District shall equate to those standards for uses in the most similar R, C, I District, as determined by the Zoning Administrator.

2.10.2 Potential Impacts

NOISE

Noise will be generated during demolition and construction activities associated with redeveloping the project area in accordance with the Master Plan. Construction-related noise will be short-term and limited to the construction phase. Common construction equipment sound levels may be expected to range from 70 to 90 dBA at a distance of 50 feet (NYSDEC 2001). Off-site noise will be generated by construction-related traffic accessing and egressing the site, and traveling on local roads.

Short-term noise levels are not anticipated to be significant, and will be buffered by existing distances from North Genesee Street and surrounding land uses.

Operation phase activities associated with proposed Master Plan land uses are not anticipated to result in noise levels substantially different than existing noise sources and levels generated from existing operations. The primary sources of noise will be vehicular traffic entering and egressing the site (including watercraft in the harbor), and visitors to and residents of the Harbor Point community including passive and active recreational use. Normal operations (including facility mechanical equipment) will be required to comply with the City's noise ordinance; no significant adverse noise impacts are anticipated. Special events (concerts, sporting events, *etc.*) held within the Project Area may produce additional noise; these impacts would be considered short-term and limited to the area surrounding the event.

ODOR

Unpleasant odors are not anticipated from construction of the project. National Grid's Harbor Point remediation activities are projected to be completed in 2018 during which time odor suppression and monitoring activities will continue. Future Master Plan related activities, which include commercial, residential and recreational uses, are not anticipated to generate unpleasant odors.

LIGHT

Construction and post-construction operations will require the use of exterior lighting to meet safety and security requirements. Proposed lighting will be consistent with existing lighting utilized in existing developed areas within and adjacent to the Project Area. Cumulatively, the project will result in an increase in lighting use within the confines of the Project Area. However, no significant adverse impacts from lighting are anticipated. Lighting design will meet City code requirements including review and approval of lighting designs by the City's Codes Department. Future land uses within the Project Area will minimize potential light spillage (trespass) and glare beyond property boundaries through the use of shielded (reflective cutoffs) light fixtures and wall packs, as well as timers, if applicable.

2.10.3 Mitigation

No significant adverse impacts related to noise, odor and lighting are anticipated during construction and operation of the project. The following mitigation will be implemented to further reduce the potential for impacts:

Noise

- Proper muffling and maintenance of construction vehicles and equipment
- Adherence to established construction and operational hours
- Compliance with City Code requirements (including HVAC and other mechanical equipment)
- Use of landscaped buffers, grading and other design elements to attenuate noise

Odor

- Proper muffling and maintenance of construction vehicles and equipment
- Compliance with city code requirements
- Good housekeeping and best management practices including proper storage (i.e., covered receptacles, bins, and dumpsters), transport and off-site management of waste materials

Light

- Compliance with city code requirements
- Integrate dark sky compliant lighting through the use of shielded (reflective cutoffs) light fixtures and wall packs, as well as timers, as applicable
- Use of vegetative screening and other buffers, as applicable

2.11 SOCIOECONOMIC CONDITIONS

2.11.1 Baseline Conditions

The City of Utica is the tenth most populous city in New York and is located in the Utica- Rome Metropolitan Statistical Area. According to the 2010 census, the population of the city was 62,235 with a population density of 3,713.5 persons per square mile This was an increase of 2.6% from the 2000 census. Additionally, according to 2010 data there were 28,166 housing units at an average density of 1,696.7 per square mile (655.0/km²).

Similar to trends elsewhere in New York State, the local unemployment rates in the City of Utica continue to drop at a very high rate. July 2014 unemployment in Utica was recorded at 6.3% from a high of 8.1% in 2014 January. Total non-farm jobs increased by 4,000 since January 2014, which is very strong for the region[38]

One key to the success of the region is due to the Mohawk Valley Regional Economic Development Council, which was established in 2011. According to the 2014 Action Plan, Mohawk Valley Regional Economic Development Council, Sustaining Momentum they have helped communities and businesses attract over $200 Million in state funding. Significant achievements include:

- Growing the foundation for Nano-science, engineering and manufacturing in the Mohawk Valley through the support of the Center of Computer Chip Commercialization, a cleanroom facility as well as support for the Marcy Nanocenter, a 400 acres greenfield site that is being prepared to host high tech manufacturing in the region
- Supporting opportunities of the thriving agri-business sector through Mohawk Valley agricultural producer with local farms and local food manufacturers.

Currently, the top Mohawk Valley employers are:

- Oneida Indian Nation casino, 4600
- Mohawk Valley Health System, 4200
- Wal-Mart Store, 3200
- Upstate Cerebral Palsy, 2150
- Mary Imogen Bassett Hospital, 2150
- Resource Center for independent Living, 1690

[38] http://quickfacts.census.gov/qfd/states/36/3676540.html and http://www.city-data.com/city/Utica-New-York.html

- Utica National Insurance Group, 1325
- St. Mary Health Care, 1300
- MetLife Inc., 1100
- SUNY Oneonta, 1100
- Remington Arms Company

These employers cover a broad variety of industries, including the following key industries:

- Computer and electric manufacturing
- Agriculture and food manufacturing
- Computer design and scientific research
- Advanced manufacturing
- Government
- Retail
- Art, entertainment
- Tourism
- Finance and insurance
- Transportation and warehousing
- Construction
- Wholesale trade

Per the Economic Modeling Specialists International (EMSI) Strategic Advantage Model, the fastest growing industries in the Mohawk Valley are:

- Leather and allied product manufacturing
- Warehouse and storage
- Wood product manufacturing
- Fabricated metal
- Nursing and residential care facilities and
- Food manufacturing

Key recent strategic investments in programs include the construction of the Nano Utica Quad-C that will create up to 1,500 jobs focusing on packaging and 3d interconnect technologies. The Marcy Nanocenter campus will support semiconductor manufacturing and create up to 5,000 tech jobs.

As the economy shifts from old line manufacturing to more advanced manufacturing, high tech and more sustainable businesses, education is, and will remain, critical. The educated and skilled workforce is improving and should be in synch with the needs of the most dominant businesses.

Mohawk Valley Economic Development Growth Enterprises Corporation (EDGE) and their positive efforts to create jobs, attract advanced and high tech manufacturing and support educational efforts to retool the local labor base is essential to making the Utica area thrive.

Demographic Overview

Based on the Harbor Point Phase II Master Plan Market Analysis Update prepared by The Williams Group (see Appendix I), the demographics of the 0.5-mile, 1 mile and 5 miles radii around the Harbor Point Redevelopment Project site, which would be the market area, have not changed significantly since a similar analysis was completed in 2013. However a few data points are worth discussing. The changes and trends noted are all related to the half-mile radius around the Project Area.

While in early 2013, the population was growing at a very slight rate, 0.44%, it is now on the decline at a rate of -0.86%. The average age has risen to 45.6 years from 41.5 years. This could indicate that young people are leaving the downtown area near the site.

The average household income has dropped from $28,000 to just under $24,000.

Given these trends, the following opportunities were identified:

- A demand to meet the housing needs of "empty nesters" and the younger population
- Creating a link betwenn education, graduate retention and cluster development
- Real estate demands related to growing ethnic populations and associated food/retail/dining

The data supports the urgency of implementing a Master Plan in order to secure the downtown and waterfront and provide real estate opportunities to stem the outflow of the population.

In the following demographic chart, the data highlighted in yellow are outliers in the four categorie: half-mile, one mile, five miles and the USA as a whole. For example, in the five mile radius, the population growth is 3.3% as compared to -0.86% for the USA, the dominant ethnicity is Italian, and 7.3% have professional degrees. In education, at 0.5-mile radius only 6% of adults had a bachelor degree compared to 18% in the USA. These findings support the importance of the Harbor Point Redevelopment Plan as it relates to revitalizing the city's waterfront and the importance and suggested build-out to meet identified opportunities.

Table 2.19 Utica, NY Demographic Chart

Population		0.5 miles radius	1 mile radius	5 mile radius	USA	year 2014 0.5 Miles
	2013	1601	11683	99727	308,000,000	560
	2018	1608	11604	99407	314,000,000	564
Growth from 2013 to 2018		0.44%	-0.68%	-0.32%	3.30%	-0.86%
Speak Spanish only at home					10%	
Speak English only at home					80%	
% female population					51%	
Average age		41.5	34	39	38.5	45.6
Race and Ethnicity						
White alone		60%	40%	44%	71%	
Italian		13%	11%	20%	15.6%	
East European		4.50%	3.50%	10%	10%	
Speak English at Home		59%	59.0%	80.0%	NAV	61%
Speak another Indo European Language at home		24.0%	17.0%	9.0%	NAV	
Speak Spanish at home		13.0%	13.0%	5.0%	NAV	
Age--empty nesters						
Young graduates 21 to 34 years		17%	260.0	2,300	7,900	
Aging boomers		12%	205	1,169	2,259	
Older boomers		8%	168	689	8,271	
Education						
Bachelors or higher		6%	6%	13%	18%	
Some college		18%	19%	20%	NAV	
High school graduate		27%	32%	21%	NAV	
Less than high school		17%	17%	8%	NAV	
Masters degree		5%	3%	6%	7.30%	
Professional or doctorate degree		0.70%	0.50%	2.7%	3.20%	
Income		0.5 miles	1 Mile	5 Miles	USA	
Average HHI		$27,668.00	$30,234.00	$55,805	$69,637	$23,731
HH < $15k per year--poverty		41%	36%	17%	NAV	
Household Families						
Average HH size		1.7	2.3	2.3	2.2	
Vehicles						
	2	8%	15%	31%	NAV	
	3	1.6%	4%	9.00%	NAV	
Workers				9		
blue collar		22%	27%	18%	20%	
White collar		38%	42%	61%	60%	
Occupation						
architect/engineer		0.6%	0.7%	1.3%	1.8%	
arts/sports		0.9%	1.0%	1.0%	1.9%	
building maintenance		11%	6%	3%	2%	
business and financial operations		1%	2%	5%	5%	
community and social services		50%	1%	2%	2%	
Computer and math		1%	1%	2%	3%	
construction		2%	3%	4%	4%	
education		3%	3%	7%	6%	
farm and related		0%	0%	1%	1%	
healthcare		7%	9%	10%	8%	
life and physical sciences		2%	3%	7%	1%	
Management		2%	2%	7%	10%	
office and admin support		18%	18%	16%	15%	
food preparation		12%	10%	6%	6%	
Legal		0%	0%	1%	12%	
protective services		5%	2%	3%	2%	
Sales		7%	9%	10%	11%	
personal care services		5%	6%	4%	4%	
Maintenance and production		10%	14%	7%	9%	
Transportation		8%	7%	5%	6%	
Housing						
owner occupied housing		9%	25%	57%	65%	
1 Unit detached		9%	16%	51%	62%	
year built		1950	1939	1950	1970	
Housing Value		$71,000	$69,000	$110,000	$270,000	
Apartment 50 or more		24%	13%	4%	NAP	

Source: Nielsen Clarita's updated demographic data for Utica and Harbor Pointe Market Area, August 2014

2.11.2 Potential Impacts

It is expected that the redevelopment of the Project Area will positively impact the City by creating full-time jobs, increasing state and county sales tax revenues, and increasing the assessed value of properties resulting in an increase in annual property taxes to the City. There will also be short-term impacts resulting from the construction of the facilities.

2.11.3 Mitigation Measures

Implementation of the Harbor Point Redevelopment Plan is a mitigation measure in and of itself in that it will result in the revitalization of the City's waterfront, provide new housing options for empty nesters as they look to downsize from their homes, and young professionals that are necessary for the workforce associated with MarcyNano. The completed project will also help reverse trends of population and household income decline and provide retail and recreational opportunities that will serve the changing demographic make-up of the City.

2.12 CULTURAL RESOURCES

2.12.1 Baseline Conditions

The New York State Historic Preservation Act of 1980 (SHPA) was established as a counterpart to the National Historic Preservation Act (NHPA). The SHPA created the NYS Register of Historic Places, the official list of sites, buildings, structures, areas or objects significant in the history, architecture, archaeology, or culture of the state, its communities, or the nation. The Act requires state agencies to consult with the NYS Office of Parks, Recreation and Historic Preservation – Field Services Bureau (NYSOPRHP) if it appears that the project may or will cause any change (beneficial or adverse) in the quality of any historic, archaeological, or cultural property that is listed on the National or State Registers of Historic Places, or that is eligible for listing on these registers.

STATE AND NATIONAL REGISTERS OF HISTORIC PLACES

NEW YORK STATE BARGE CANAL SYSTEM

On October 22, 2014, the National Park Service (NPS) announced the listing of the New York State Barge Canal (New York State Barge Canal Historic District) on the National Register of Historic Places.[39] In listing the system, the NPS indicated that the designation recognizes the New York State Canal System *"as a nationally significant work of early twentieth century engineering and construction that affected transportation and maritime commerce for nearly*

[39] http://www.canals.ny.gov/national-historic-places.pdf

half a century." Constructed between 1905 and 1917, the Barge Canal is the direct descendent of the Erie Canal and a network of connecting waterways that have been in continuous operation since 1825. The listing includes the Utica Harbor, Terminal and Shops, which are lands currently occupied by the NYS Canal Corporation, which operates and maintains the New York State Canal System.

As part of the nomination process, "contributing resources" or "elements" were identified, which add to the historical integrity or architectural qualities that make the historic district significant. Two contributing structures and four contributing buildings were identified on the Utica Harbor site.[40]:

- 587-foot long terminal wall
- 614- foot long dockwall
- 32-foot by 200-foot wood-frame Utica Freighthouse (1917 Building)
- Oil House
- 50-foot by 200-foot Main Shop (1933 Building)
- Carpenter's Shop (1958 Building)

Other elements and facilities located on the NYS Canal Corporation property were identified as non-contributing to the historic significance nomination process. These elements consist of:

- 10-bay garage (recent construction)
- Pole-barn (recent construction).

SURROUNDING AREA

Based on a review of the National Register Information System (NRIS), 15 sites and structures located within a mile of the project area were identified as being listed or eligible for listing on the State and National Registers of Historic Places (Birchwood 2015, Appendix J). The sites (and distances from the project area) consist of:

- Lower Genesee Historic District – Listed (1,246 ft. southwest)
- John C. Hieber Building – Listed (1,228 ft. south)
- Utica Union Station – Listed (1,152 ft. south)
- Utica Daily Press – Listed (1,444 ft. south)
- Byington Mill – Listed (1,807 ft. south)

[40] http://www.eriecanalway.org/documents/02b_Features-ErieCanal_final.pdf

- Doyle Hardware – Listed (1,566 ft. south)
- Grace Church – Listed (2,925 ft. southwest)
- St. Joseph's Church – Listed (4,462 ft. southwest)
- Fort Schuyler Club – Listed (3,977 ft. southwest)
- New Century Club – Listed (4,066 ft. southwest)
- Stanley Theater – Listed (4,267 ft. southwest)
- Tabernacle Baptist Church – Listed (4,209 ft. southwest)
- Rutger-Steuben Park Historic District – Listed (3,858 ft. south)
- Conkling Roscoe House – Listed (4,261 ft. south)
- Memorial Church of the Holy Cross – Listed (4,282 ft. southeast)

Locations and descriptions of these sites are presented in Appendix J. None of these sites are located within the limits of construction or would be directly affected by future activities within the Project Area.

ARCHAEOLOGICAL SENSITIVITY

The Archaeological Sensitivity Maps for New York State define areas within the state where the discovery of archaeological resources is predicted.[41] These areas contain locations of known sites that are included in the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) Archaeological Site files and the New York State Museum Archaeological Site files. Exact locations of sites are not disclosed by the state. Based on a review of NYSOPRHP's on-line resource databases, the project's area of potential effect is located within an area identified as sensitive for the potential presence of archaeological resources (see Figure 2-24).

SOILS

Although the Project Area designated as archaeologically sensitive, an on-site assessment conducted by Birchwood Archaeological Services (see below) verified that "significant portions of the project area appear to have been subjected to ground disturbances of varying extents" (Birchwood 2015). As noted in Section 2.3 (Geology, Soils and Topography), the project site is underlain by Udorthents (USDA 2008). Udorthents are soils typical in areas previously disturbed by cut and fill activities, which included:

[41] https://cris.parks.ny.gov/Login.aspx?ReturnUrl=%2fDefault.aspx

- realignment of the Mohawk River and subsequent construction of the Barge Canal and harbor area
- construction and use of the dredged spoil area
- build up of the area for subsequent urban development
- construction of manufacturing operations within the Harbor Point area, as well as subsequent remediation activities

PHASE IA: CULTURAL RESOURCE INVESTIGATION

Since the location of the Project Area is within an area designated as "archaeologically sensitive" and inclusive of lands and facilities included in the New York State Barge Canal Historic District, a Phase IA/IB Cultural Resource Investigation was conducted by Birchwood Archaeological Services (Birchwood 2015). A Phase IA investigation represents a literature search and sensitivity study to evaluate the overall sensitivity of the project area for the presence of cultural resources, as well as to guide the field investigation that follows (Phase IB). The Phase IB is a field investigation to identify the presence or absence of cultural resources in the probable impact areas. The areas to be tested are selected on the basis of the data gathered in the Phase IA evaluation and the probable locations of ground disturbing activities. A copy of the combined Phase IA/IB report is included as Appendix J and its findings summarized in the impact section below.

ARCHEOLOGICALLY SENSITIVE AREAS

Figure 2-24 Archeologically Sensitive Sites

2.12.2 Potential Impacts

ARCHAEOLOGICAL SENSITIVITY

The Phase IA literature review indicated that Project Area is considered highly sensitive for precontact archaeological resources due to its position formerly adjacent to the Mohawk River and because of the presence of two known precontact sites within one mile of the project. The area is also considered highly sensitive for historic resources due to the presence of 20 known historic Archaeological sites and 15 National Register of Historic Places (NRHP) listed properties located within one mile of the proposed redevelopment. A portion of the current project area is listed as part of the New York State Historic Barge Canal District.

As part of the Phase IA sensitivity assessment, the entire area of potential effects (APE) was subjected to a surface inspection designed to look for evidence of artifacts or cultural features; no evidence of precontact habitation was identified. In addition, the presence of Udorthents and historical knowledge of site development activities suggests that finding buried historic and prehistoric resources unlikely throughout the entirety of the project area (Birchwood 2015). Because Udorthents are comprised of fill materials, any artifacts that were found would have no archaeological (temporal) context (Birchwood 2015).

NEW YORK STATE BARGE CANAL HISTORIC DISTRICT

The Master Plan proposes the following changes within the inner harbor portion of the historic district (NYS Canal Corporation lands):

- Transfer of NYS Canal Corporation lands inclusive of historic district lands to the Utica Harbor Local Development Corporation as mandated by State legislation (2008)
- Demolition of non-contributing elements and facilities including the 10-bay garage and pole barn
- Restoration and subsequent use of the Main Shop (1933 Building)
- Rehabilitation of the deteriorating terminal and dock walls (see Section 1 and Appendix K)
- Relocation or removal of the Freighthouse (1917 Building)
- Removal of the Oil House.

The State Historic Preservation Act (SHPA) outlines consultation requirements (14.09 State Regulations, Part 428.10) to assist in identifying potential impacts and mitigation associated with resources listed on that State and National Registers of Historic Places. The UHLDC will consult with the New York State Office of Parks, Recreation & Historic Preservation – Field Services Bureau[42] to obtain a Letter of Resolution (LOR) regarding historic assets within the Master Plan APE. The consultation procedure is outlined below:

- After reviewing all information regarding the proposed undertaking and after any on-site inspection or public hearings, the agency and the commissioner shall determine if there are feasible and prudent alternatives which would avoid or mitigate any adverse impact of the undertaking on eligible or registered property.
- If the commissioner and the agency agree on a course of action which would avoid or satisfactorily mitigate an adverse impact, their agreement shall be embodied in a LOR, executed by both parties, and specifying how the undertaking will proceed.
- At the conclusion of the undertaking the agency shall certify in writing that the undertaking has been completed in accordance with the LOR. The commissioner may request drawings, photographs or other materials to document satisfactory completion of the undertaking.
- If the agency determines that there are no feasible and prudent alternatives which would avoid or satisfactorily mitigate adverse impacts and also determines that it is nevertheless in the public interest to proceed with the undertaking, it may unilaterally terminate consultation by declaring that no feasible and prudent alternative exists. The agency must give the commissioner written notice of this determination which shall include the reasons for the agency's decision and the facts supporting it.
- The agency and the commissioner may agree that there are no feasible and prudent alternatives which would avoid or mitigate adverse impacts but that it is nonetheless in the public interest to proceed with the undertaking. In such event, the agency and the commissioner shall make a joint written declaration to this effect which shall include the factual basis for their decision.

[42] Also referred to as the State Historic Preservation Office or SHPO.

2.12.3 Mitigation

ARCHAEOLOGICAL SENSITIVITY

Due to the extent of prior subsurface disturbance throughout the project site, no significant adverse impacts on archaeological resources were identified. If artifacts are uncovered during construction activities, contractors will be required to contact SHPO for guidance.

NEW YORK STATE BARGE CANAL HISTORIC DISTRICT

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.

The proposed revitalization of the Project Area will maintain the historic feel and association of the canal harbor as part of the proposed design. While the project is currently still early in the design phase, the developers and design team will work with SHPO to develop a plan that adequately addresses potential impacts to any historic properties in the vicinity.

2.13 VISUAL RESOURCES

The proposed project includes the potential introduction of new structural and landscape features, as well as the modification and/or removal of some existing features. Therefore, a visual resources analysis will be conducted to determine the potential for the proposed project to impact visual character and aesthetic conditions of the project site and its immediate vicinity.

The assessment will be written in accordance with the New York State Department of Environmental Conservation (NYSDEC) Visual Impact Assessment Methodology, "Assessing and Mitigating Visual Impacts," (DEP-00-2) (July 2000).

2.13.1 Baseline Conditions

As described in the Phse IA/IB Cultural Resources Survey by Birchwood Archaeological Services (Appendix J), the Project Area is situated on a mostly paved area bordering the south and east sections of Utica Harbor, in the City of Utica. The majority of the project area is paved with asphalt or gravel, and the vegetation that does occur consists of shrubs, sparse grasses, and some trees mostly found in the northeastern and southwestern extents of the project boundaries. As a result, the Project Area provides wide views of the surrounding area, including the harbor and the city skyline. (See Appendix J for photographs).

2.13.2 Potential Impacts

Redevelopment of the Project Area will take a blighted site and turn it into a vibrant waterfront development with positive visual attributes both of and from the water. Views from the mixed-use/residential proposed on the top of DSA-1 south will provide excellent vistas of the City skyline. The entry ways into the Project Area will also be enhanced providing an inviting gateway to the Harbor.

2.13.3 Mitigation

The existing conditions analysis will provide an overview of applicable legislation relating to the visual resources analysis, including a summary of the NYSDEC guidelines. The Project Area for the visual resources analysis will be delineated to include areas from which new project

elements would be visible and there is the potential for impacts to visual resources. Existing visual resources will be identified and described. Visual resources may include landscape elements such as water bodies, designated historic structures and other cultural resources, parks, unique topographic or geologic features, and critical environmental areas, where applicable. Photographs will be used to document important visual resources. A descriptive narrative and photography will be used to illustrate the existing visual conditions of the Project Area as well as the visibility of project components from vantage points within the study area during leaf-off condition.

2.14 HAZARDOUS MATERIALS

2.14.1 Baseline Conditions

The Project Area is divided into the following lands:

- Lands currently owned by the NYS Canal Corporation (and operated as a canal maintenance facility and dredge spoils area)
- Lands currently owned by National Grid and others (see Figure 2-25), who are coordinating a site-wide remediation effort of the former MGP site
- Mixed land uses under private ownership along North Genesee Street

Past and current land uses may have impacted subsurface conditions (ground water and soils), which may require management prior to or in support of redevelopment activities. To assess baseline conditions, the following evaluations were conducted:

- Review of prior due diligence efforts associated with DSA-1 and performance of a Phase I Environmental Site Assessment (ESA) on remaining NYS Canal Corporation lands
- Review of available information regarding on-going National Grid remediation efforts on the Harbor Point site
- Review of regulatory databases to identify potential recognized environmental conditions on privately-owned lands along North Genesee Street

Results of the review are summarized below.

NYS CANAL CORPORATION LANDS

NYSDEC RECORD OF DECISION (DSA-1)

DSA-1 was historically used to store and dewater spoils dredged from the Barge Canal and harbor. Investigations coordinated by the NYSDEC resulted in the implementation of remedial activities to mitigate potential impacts on human health and the environment resulting from the presence of contaminants in the source material. A ROD was issued by the NYSDEC in March 2001, which described the selected remedy and is summarized below.

The selected remedy for DSA-1 identified in the NYSDEC's ROD was to remove soils greater than 1,000 parts per million (ppm) of Polycyclic Aromatic Hydrocarbons (PAHs) or greater than 0.2 ppm of benzene to an elevation 398 feet above mean sea level (amsl). The ROD states that contaminated soils and groundwater would remain since excavation below 398 feet amsl was not feasible due to the hydrologic conditions of the site. Approximately 20,000 cy of

contaminated soil was estimated to require excavation and remediation. The ROD states that "Soils containing a concentration of less than 1,000 ppm PAHs and less than 0.2 ppm benzene, but excavated to remove deeper, contaminated soils could be used as grading material." The remedy indicated that future use of the site for dredge spoils would be allowed for sediments containing less than 35 ppm PAHs.

The ROD stated that a deed restriction would be required as follows:

> *"…there will be a deed restriction placed to ensure that redevelopment is limited to nonresidential uses. Further, deed restrictions on groundwater usage on and in the vicinity of the DSAs will be placed, as well as notices to future developers of the site regarding the need for worker protection and proper handling and disposal of any materials encountered during future development. Groundwater contaminant levels will be monitored. The deed restrictions will also require present and future owners to annually certify to the NYSDEC that the institutional controls have been maintained and that the conditions at the site are fully protective of public health and the environment in accordance with this ROD. "*

PHASE I ESA

The NYS Canal Corporation lands comprise approximately 33.7 acres on two adjacent parcels (Tax Parcels 306.020-1.12 and 306.020-1.11). Parcel 306.020-1.12 (Parcel A) houses the maintenance facilities and currently contains seven registered aboveground storage tanks (ASTs), no underground storage tanks (USTs), five buildings, two sheds, and outdoor equipment storage areas. Parcel 306.020-1.11 (Parcel B) currently contains DSA-1 and vacant land.

The Phase I ESA was performed to evaluate the potential existence of recognized environmental conditions, including controlled recognized environmental conditions, and historical recognized environmental conditions, associated with the property as a result of past and/or present site activities and current site conditions. The Phase I ESA was conducted in accordance with the American Society for Testing and Materials (ASTM) "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, designation E-1527-13" (ASTM E-1527-13).

In support of the Phase I ESA, a site inspection of Parcel B was conducted by O'Brien & Gere personnel on November 4, 2014. Site inspections of Parcel A were conducted by O'Brien & Gere personnel on January 20 and 27, 2015. The assessment revealed the following recognized environmental conditions (as defined in ASTM E-1527-13) in connection with the parcels:

Recognized Environmental Condition

- Petroleum contaminated soil on Parcel A, resulting from leaking USTs removed in 1992, remains open as Spill Number 91-12347; and, therefore, represents a recognized environmental condition.
- Spill Number 13-11025, associated with oil release from a sunken barge at the harbor bulkhead, does not have a reported close date; and, therefore, represents a recognized environmental condition.
- Given the number of properties surrounding the property that are identified in the Inactive Hazardous Waste Disposal Sites in New York State (SHWS), Spills Information (SPILLS), Leaking Petroleum Storage Tanks (LTANKS), and Vapor Intrusion Legacy Site List (VAPOR REOPENED) databases, the potential for vapor migration beneath the site represents a recognized environmental condition.
- The unknown nature of the fill material used to create the harbor terminal is considered a recognized environmental condition.

Controlled Recognized Environmental Condition

- Contaminated soil and groundwater remaining in DSA-1 area and engineering and institutional controls in place, as allowed under the NYSDEC issued ROD, represent a controlled recognized environmental condition.
- The adjoining Niagara Mohawk/Harbor Point location is subject to remedial investigation and corrective action under consent decree with NYSDEC; therefore, this represents a controlled recognized environmental condition.
- The adjoining former Mohawk Valley Oil (MVO) location is subject to NY State Superfund Cleanup action; therefore, this represents a controlled recognized environmental condition.
- The adjoining Monarch Chemicals location is subject to NY State Superfund Cleanup action; therefore, this represents a controlled recognized environmental condition.

Historical Recognized Environmental Condition

- Spills and leaking tanks closed by the NYSDEC (indicating NYSDEC requires no further action), but located upgradient of the NYS Canal Corporation lands, are identified as historical recognized environmental conditions.
- The closed spill events that occurred on the NYS Canal Corporation lands represent historical recognized environmental conditions.

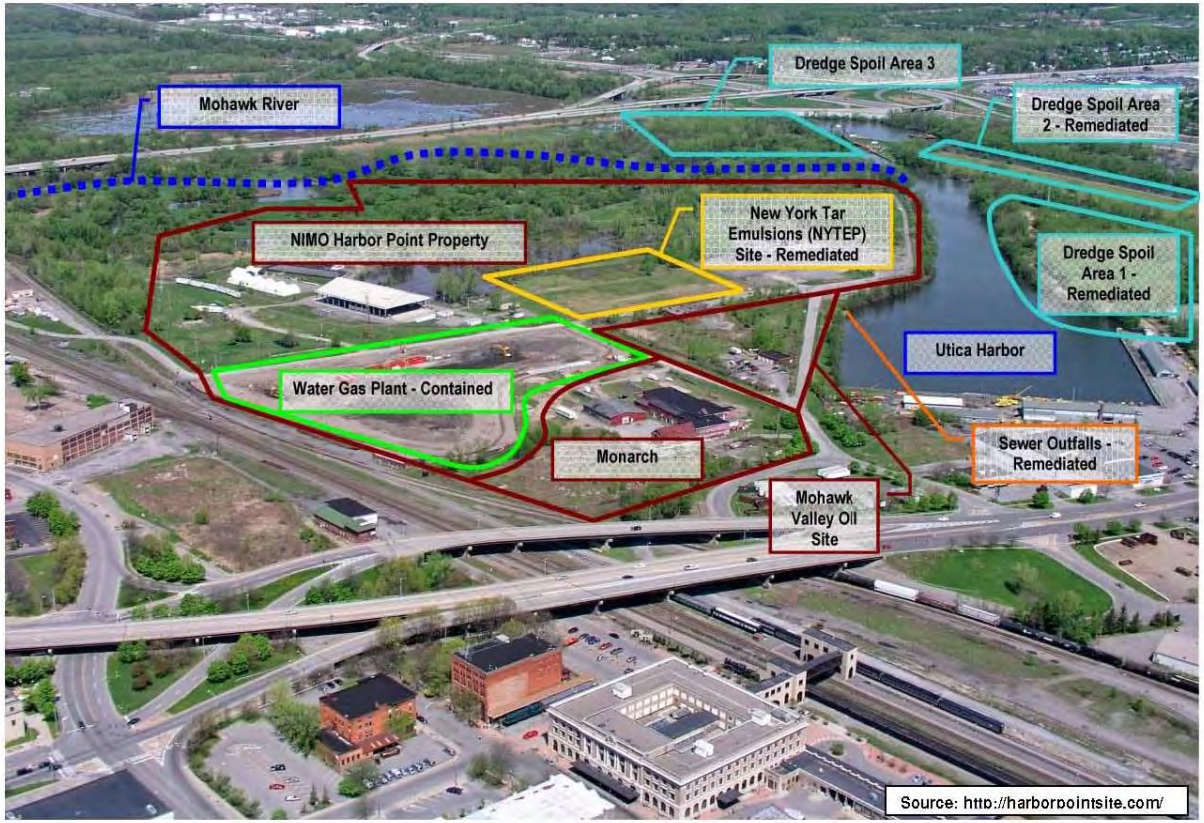
HARBOR POINT (NATIONAL GRID) LANDS

Information regarding existing conditions on Harbor Point lands was compiled from the following sources:

- Web-based information published by National Grid to provide updates on the status of remedial activities (http://harborpointsite.com/)
- Web-based information published by the NYSDEC regarding MGP clean-ups around the State[43]

Figure 2-25 illustrates the areas of remediation.

[43] http://www.dec.ny.gov/chemical/24913.html



AREAS OF REMEDIATION – UTICA HARBOR POINT

Figure 2-25 Areas of Remediation

The following excerpts are taken from the Site Description page of www.harborpointsite.com :

"Harbor Point is approximately 140 acres of land located between Utica Barge Canal Harbor and the Mohawk River. The area was developed for industrial purposes in the mid 1800's and has been the site of two manufactured gas plants (MGPs), a coal-fired steam plant, a petroleum storage and distribution facility (Mohawk Valley Oil) and a tar products plant (New York Tar Emulsions Products (NYTEP)). In the 1920s, the Harbor Point peninsula was the location of the largest energy-producing complex in North America.

Adjacent to the Harbor Point property is the former Monarch Chemical property which is being addressed by another party under a separate cleanup order. Currently, a gas regulator station, electric substation and National Grid's remediation research facilities occupy Harbor Point. The remainder of the site is largely undeveloped land."

"Two major types of waste materials are present on the peninsula: coal tars and purifier waste. Coal tars are reddish brown, oily liquids which do not readily dissolve in water. Materials such as this are commonly referred to as a non-aqueous phase liquid, or NAPL. Although most tars are slightly more dense than water, the difference in density is slight. Consequently, they can either float or sink when in contact with water. Tars were disposed, or spilled or leaked from tanks, gas holders, and other structures at several locations throughout the peninsula, and have moved laterally away from these locations through the subsurface. Near the ground surface, some of the tars have weathered and partially solidified. In these areas tar is found in thin crusts on the ground surface, and fresh seeps of tar can be seen breaking through the crust when the weather is warm enough to allow the tar to liquefy. Elsewhere, the tars retain their original, oily fluid properties and may still be capable of moving slowly through the subsurface.

Purifier waste is a mixture of wood chips and iron filings which was used to remove sulfur and other compounds from the manufactured gas before the gas was distributed to the public. Purifier waste which was no longer capable of removing the impurities was often disposed on site. It contains high concentrations of sulfur and cyanide and has a characteristic blue color.

The main categories of contaminants which exceed their New York State standards, criteria or guidance values (SCGs) are volatile organic compounds and semivolatile organic compounds. The main volatile organic compound of concern in soil and groundwater is benzene. Specific semi-volatile organic compounds of concern in soil and groundwater are polycyclic aromatic hydrocarbons, referred to as PAHs. These are the compounds that make up tars and asphalt."

National Grid provides a Clean-Up Program Update on the home page of the harborpointsite.com website and periodically publishes community fact sheets to provide updates to the status of remedial activities. The information provided in the Clean-Up Program Update page of the website (as of April 2, 2015) is summarized below.

SITE REMEDIATION PROGRAM

Cleanup (Remediation) of environmental impacts at the Harbor Point site is being addressed by National Grid and overseen by the NYSDEC and New York State Department of Health (NYSDOH). The site has been divided into three "Operable Units" for which remediation decisions will be made. Operable Unit 1 is the land portion of the Harbor Point Site. Operable Unit 2 is the Mohawk River. Operable Unit 3 is Utica Harbor, the dredge spoils areas adjacent to the Harbor and storm drains on the Harbor Point site that lead to the Harbor. RODs stipulating the required remedial actions have been issued for Operable Units 1 and 3 (the land and the Harbor). A draft feasibility study has been submitted to NYSDEC for Operable Unit 2 (the Mohawk River), evaluating possible options for cleaning up the river[44].

<u>Key Elements of the Clean-up Program</u>

The remediation is overseen by the NYSDEC and NYSDOH. The cleanup includes the following major components:

- Installation of Washington Street Storm Sewer liner and sealing of storm sewer outfalls. This project was completed in 2004.
- Excavation and thermal treatment of hot-spot contaminated soil across the peninsula, followed by placement of a soil cover. Contaminated soil was excavated at the New York

[44]http://harborpointsite.com/pdfs/Community%20Fact%20Sheet%20for%20Harbor%20Point%20fomer%20MGP%20Site%20-%20September%202012.pdf

Tar Emulsion Products Site in 2005 and disposed of off-site, and the soil cover has been placed there.

- Excavation of contaminated soil from DSA-1, and construction of a soil cover at DSA-2. The soil cover was installed at DSA-2 in 2006.
- Containment of purifier waste on the National Grid property, by means of a barrier wall and low permeability cap. The barrier wall was installed in 2006.
- Soil vapor extraction of contaminated soil at the Monarch Chemical Site.
- Rehabilitation of Utica Harbor Lock. Completed.
- Lee Street Extension Outfall project. Completed.
- Groundwater extraction and treatment system at the Monarch Chemical Site was installed in 2010.
- Dredging of Utica Harbor to return it to the appropriate navigational depth was completed in 2011.
- Capping of Utica Harbor Sediments was completed in 2012.
- PAH Soil Removal Project for the central portion of the site. This project to stabilize, excavate and disposed off-site 126,000 tons of soil was completed in 2014.
- Peninsula Excavation and Restoration. Approximately 14,000 tons of soil were excavated from the banks of the Mohawk River and Canal and disposed off-site. The banks were backfilled with clean fill and restored to pre-remediation conditions. This project was completed in 2014.
- Excavation and thermal treatment of contaminated soil is scheduled for 2015.
- Placement of Peninsula soil cover is schedules for 2015.
- Mohawk River Remediation project is awaiting NYSDEC ROD and is tentatively scheduled for 2017.
- Completion of Site restoration is scheduled for 2018.

NORTH GENESEE STREET (PRIVATE LANDS)

Private lands were not investigated for past environmental impacts as part of this DGEIS. Impacts on the land from past land uses may be assessed by private land owners and/or future developers.

2.14.2 Potential Impacts

On-going remediation activities will impact redevelopment efforts in the following ways:

DSA-1

- Additonal mitigation and coordination will be required to support a request to the NYSDEC to modify existing deed restrictions, which limit future redevelopment uses on DSA-1.

Harbor Point (National Grid) Lands

- The ROD issued by the NYSDEC requires National Grid to remediate portions of the site to varying depths dependent upon the type and quantity of constituents. Depths to which remediation occurs could vary from 0 feet to 20 feet across the site.
- Upon completion of remedial efforts, an environmental easement and/or deed restrictions will be issued by the NYSDEC, which may include use restrictions guiding future redevelopment efforts.
- On-going remediation efforts will impact the redevelopment schedule, with minimal redevelopment efforts initiated on National Grid Harbor Point lands until completion of remediation/restoration efforts in 2018. Additional time may also be necessary for dredged spoils to dewater and settle within the former MVO site, prior to use for passive recreation activities illustrated on the Master Plans.

North Genesee Street (Private Lands)

- Due diligence assessments (*i.e.*, Phase I and II Environmental Site Assessments, ESAs) by future landowners and developers to identify whether or not privately-owned parcels within the Project Area have been environmentally impacted by past land uses.

2.14.3 Mitigation

The following activities are proposed to mitigate potential impacts:

- Coordination with National Grid and the NYSDEC to identify use and schedule restrictions on Harbor Point lands.
- Coordination with National Grid to acquire property rights to existing National Grid-owned lands within the Project Area.
- Coordination with the NYSDEC to identify additional mitigation on DSA-1 to eliminate existing residential use deed restrictions. Based on initial NYSDEC coordination efforts, infilling DSA-1, which will raise the site and associated building finished floor elevations (FFEs), will facilitate mitigation of both the residential deed restriction and requirements for residential development within the 100-year floodplain (see Section 2.6).
- Phase I and II ESAs performed by future site owners and developers for privately-owned parcels along North Genesee Street.

2.15 SOLID WASTE MANAGEMENT

2.15.1 Baseline Conditions

Solid waste management within the City of Utica is controlled by the Oneida-Herkimer Solid Waste Management Authority (OHSWMA). The OHSWMA owns and operates:

- Three transfer stations located in Webb, Utica, and Rome
- Two land clearing debris landfills located in Utica and Rome
- A brush processing facility in Rome, NY
- A regional landfill in Ava, NY

The facilities receive municipal solid waste, industrial/commercial waste and construction and demolition debris (C&D) from Oneida and Herkimer Counties. The NYSDEC-permitted landfill opened in 2006. Oneida County operates under Local Law No. 1 of 1990, which mandates the separation of residential and commercial/industrial recyclable material from the waste stream.

The OHSWMA also operates the Oneida-Herkimer Household Hazardous Waste (HHW) Collection Facility, which accepts and/or recycles paint, computers and other electronics, and a full-range of HHW.

The OHSWMA operates on a fee for service system. A system tip fee is charged for all non-recyclable waste delivered to the OHSWMA, while there is no tip fee for recyclables received at the Authority's Recycling Center. According to the OHSWMA "Local Solid Waste Management Plan" (Final; August 2010), any non-recoverable costs associated with recycling, composting, household hazardous waste management, public education and reuse/reduction are built into the system tip fee since these programs are not self-sufficient. The fee structure provides an economic incentive to recycle for all waste streams regardless of collection means.

Based on data identified in the "Local Solid Waste Management Plan," there are approximately 20,000 businesses, industrial enterprises and commercial entities operating in the two-county region. The Authority estimates that these enterprises collectively generate approximately 50% of the region's waste. Businesses typically pay a hauler on an as needed or contract basis for waste and recyclables transportation to an OHSWMA facility or private recycling center.

As with residential generators, recycling is also mandatory for local businesses and industries within the OHSWMA service area. The local plan states that local industries and commercial establishments have been recycling their discards and benefiting financially from it for years;

these entities are free to market their own materials, with the Authority acting as the market of last resort for these generators during market down turns.

To promote recycling and waste reduction from local businesses, the Authority established a no charge, comprehensive on-site waste characterization, reduction, and recycling evaluation program. Upon request, the Authority performs waste assessment/audits, which evaluates current solid waste and recycling practices, identifies waste generator points, assesses participation and compliance rates, and identifies potential opportunities for increasing recyclable material recovery. The Authority recognizes exemplary recycling and solid waste reduction programs through an annual Recycling Champion Award program.

Authority projections indicate a continued decrease in solid waste generation through 2020. Estimates are based on census data, which indicates decreases in the region's population; as well as success through Authority's waste reduction and recycling programs. These programs have also decreased the rate at which landfill capacity is consumed at the Ava Landfill, which current has a NYSDEC permit to receive solid waste into March 2019; as well as land to develop and permit additional landfill cells beyond.

2.15.2 Potential Impacts

The proposed Harbor Point Redevelopment Master Plan identifies several types of future land uses within the Area of Potential Effect (APE). The APE generally includes:

- Lands surrounding the south and east side of the harbor and currently owned by the NYS Canal Corporation
- Lands surrounding the west side of the harbor and currently owned by National Grid
- Lands along North Genesee Street currently owned by various private property owners.

Development of these lands including construction activities and future operations will result in the generation of wastes and recyclables requiring management at OHSWMA facilities or alternative disposal or management sites permitted to handle the specific waste stream. The following material streams are anticipated:

- Land clearing debris
- Construction and demolition debris
- Solid waste (as defined in 6 NYCRR § 360-1.2(a)(1))
- Recyclables
- Food processing waste
- Household hazardous wastes

Figure 2-3 illustrates the projected geographic distribution of land uses within the APE, as well as an estimate of use-related spatial requirements (square footage). Table 2.19 presents a summary of waste generation amounts based on estimated end-uses and building square footages under full build conditions.

Table 2.19. Solid Waste Projections (Full Build Condition)

Figure 1-4 ID	Building Use	Size	Waste Type	Waste Generation (Estimate)[1]
A1	Residential/Business	43,200 sf	Solid Waste	20 tons/year[2]
A2	Residential/Business	22,400 sf	Solid Waste	10 tons/year[2]
A3	Residential/Business	42,900 sf	Solid Waste	20 tons/year[2]
A4	Residential/Business	36,300 sf	Solid Waste	16 tons/year[2]
A5 – A9	Residential	470 units	Solid Waste	343 tons/year[3]
B	Harbor Operations / Interpretive Center	7,000 sf	Solid Waste	3 tons/year[2]
C	Retail/Business	28,000 sf	Solid Waste	13 tons/year[2]
D1	Upscale Food Hall	14,000 sf	Solid Waste (including food waste)	6 tons/year[2]
D2	Restaurant	16,000 sf	Solid Waste (including food waste)	7 tons/year[2]
E	Waterfront Park	N/A	N/A	N/A
F and G	Recreational	Amphitheater (1000 seats) Sports Fields (5 fields) Multi-Season Indoor Facility (2 acres)	Solid Waste	18 tons/year[4]
TOTAL				**456 tons/year**

Sources:
1. **California Integrated Waste Management Board Website (www.ciwmb.ca.gov/WasteChar/WasteGenRates/default.htm)**
2. **Based on 2.5 lbs/1000 sf/day for 365 days/year**
3. **Based on 4 lbs/unit/day for 365 days/year**
4. **Based on 1 lb/user/day (100 users per day for 365 days/year)**

No significant adverse impacts related to solid waste management were identified. Sufficient waste management infrastructure and capacity are in place to receive and manage project-related waste streams and recyclables.

2.15.3 Mitigation

Contractors, developers, business owners, and residents will be required to comply with local and State 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.

During the construction phase, contractors may identify performance criteria related to construction methods and materials, which may include:

- An evaluation of material selection for interior and exterior building materials for recycled content and local material
- An evaluation of interior material selection for indoor air quality impacts
- Diversion of construction and land clearing debris from landfill disposal
- Redirecting recyclable-recovered resources back to the manufacturing process
- Redirecting reusable materials to appropriate sites

2.16 CONSTRUCTION

As described in Chapter 1 (Project Description), the Proposed Project is a multi-year redevelopment project that includes both public and private sector sponsored elements. Construction of project elements is anticipated to occur over a five year period based on the availability of capital improvement funding, dynamic market and planning factors and private investment.

Consequently, the Proposed Project will result in construction activities being completed in phases, which occur over an extended period of time. Both construction and operational phase impacts and associated mitigation have been identified in preceding resource chapters. This chapter compiles and summarizes potential environmental impacts generated by construction activities and establishes thresholds and guidelines that will minimize and mitigate construction phase impacts.

2.16.1 Potential Construction Related Impacts and Mitigation

This section assesses the potential for the overall implementation of the proposed project to generate adverse construction-related impacts in the key analysis areas outlined in the DGEIS; additional detail regarding impacts and mitigation is provided in the respective subject chapters.

LAND USE, COMMUNITY CHARACTER, ZONING AND PUBLIC POLICY

As described in Section 2.1, due to potential impacts of future growth and development of the Utica Harbor, the City will aggressively implement all zoning regulations and mechanisms in place to forestall negative impacts associated with rampant growth.

The recreational uses that are in the plan will require a special permit from the Zoning Board of Appeals and review and approval by the Planning Board.

In addition, some change to the existing zoning will be necessary in order to institute any architectural/design standards.

Community Services Construction phase impacts on Community Services would be minimal. However, there will be a need for police and traffic directing personnel.

GEOLOGY, SOILS AND TOPOGRAPHY

As described in Section 2.3 construction phase impacts on existing geologic conditions consist of:

- Site grading, which will result in changes to site topography and temporary disruptions of the soil profile (*i.e.*, exposure of bare soil).
- Temporary disruptions of the soil profile associated with excavations (*i.e.*, utility extensions, stormwater management facilities, etc.)
- Changes to topography associated with the in-filling of DSA-1 to facilitate future site development.

As summarized in Section 2.3 construction phase impacts will be mitigated through the implementation and maintenance of E&SCs, as well as a Stormwater Pollution Prevention Plan (SWPPP), which will be developed in accordance with local and State requirements. Best management practices will be maintained through site stabilization and restoration efforts.

NATURAL RESOURCES (PLANTS AND ANIMALS)

As described in Section 2.4 construction phase impacts on existing plant and animal species consist of:

- Temporary disruptions to wildlife and habitats (including disruption of normal nutrient cycling) due to construction activities and equipment.
- Sedimentation within the Inner Harbor (and associated impacts on aquatic resources) due to dredging and/or construction activities required by replacement/rehabilitation of the harbor bulkheads.

As summarized in Section 2.4 potential adverse construction phase impacts will be mitigated through the implementation of best management practices, which include:

- Proper E&SCs to prevent migration of sediments or debris from entering adjacent water bodies or wetlands. Proper federal and state permits will be obtained for work within regulated water bodies and wetlands.
- Limiting site clearing activities to the area required for site access and safe execution of work; private-sector sponsored site development plans will be reviewed by the City's Planning Board for consistency with the City's Code.

- Stabilization and restoration of areas disturbed during construction activities, which are not converted to buildings or other impervious surfaces. Permanent features will include grassed areas and landscaping, which will provide replacement habitat for existing common species. Landscape design should promote the use of non-invasive plant species.

- Scheduling tree clearing activities in accordance with USFWS requirements to avoid potential impacts on the Indiana and Northern Long-Eared Bats.

GROUNDWATER AND SURFACE WATER RESOURCES

As described in Section 2.5 construction phase impacts on groundwater and surface water resources consist of:

- Grading, excavation and other activities that result in soil disturbances, which increase the potential for erosion and migration of sediments in stormwater runoff discharge to the Inner Harbor, Barge Canal or Mohawk River.

- Rehabilitation or replacement of the harbor walls or other work conducted in the Inner Harbor (*i.e.*, dredging) may result in temporary sedimentation and discharges to the water body.

- Preparing DSA-1 for future development will require dewatering of the two settling ponds. Management of the waters will be required to prevent adverse impacts to adjacent water bodies (*i.e.*, Mohawk River and Inner Harbor).

- Excavations made below the water table will require advance planning for dewatering, sheeted cofferdams, or cutoff walls, and special provisions for discharge of water, which may be impacted by past land use or fill sources.

- A full compilation, organization and geotechnical evaluation of all the subsurface exploration associated with the environmental contamination and HazMat remediation (see Section 2.14 – Hazardous Materials) at the Utica Harbor may be beneficial prior to starting any specific site work activities. Phase II Environmental Site Assessments may be necessary to further define subsurface conditions, appropriate construction means and methods, spoil and groundwater management, and health and safety considerations.

- Temporary disturbances of soil adjacent to wetland areas during construction and migration of sediments or sediment-laden stormwater runoff to wetland areas.

- Encroachments upon federal wetlands associated with construction within the footprint of DSA-1 or federally-regulated wetlands delineated on National Grid's Harbor Point lands.

As summarized in Section 2.5 potential adverse construction phase impacts will be mitigated through the following measures:

- Implementation of a dewatering program for excavations, which accounts for potential contaminants. Waters will be management in accordance with applicable State and federal regulations.

- Acquisition of permits from the USACE and NYSDEC for work within protected water bodies (*i.e.*, the harbor). Contractors will be required to adhere to permit conditions, which will be imposed to minimize temporary impacts from sedimentation during construction.

- Implementation of measures outlined in project-specific SWPPPs including the installation and maintenance of E&SCs consistent with the New York Standards and Specifications for Erosion and Sediment Control (NYSDEC 2005).

- Design and construction of stormwater management systems to manage the water quality and quantity volumes in accordance with the New York State Stormwater Design Manual (2010) and City of Utica and NYSDEC storm water management requirements.

- Design, installation and use of stationary fuel tanks with secondary containment specifications in accordance with federal and State regulations to minimize the potential for release, including the preparation of a SPCC Plan, if regulatory quantity thresholds are met.

- Flagging and signage (and use of temporary fencing, if necessary) and identifying protected wetland areas. The area of potential effect (limits of construction) will remain outside of wetland boundaries (including State Freshwater Wetland 100-foot buffer areas).

FLOODING

As described in Section 2.6, construction phase impacts on flooding consist of:

- Potential diversion of floodwaters due to changes in topography from site grading activities, as well as the placement of fill material.

As summarized in Section 2.6 potential adverse construction phase impacts on flooding will be mitigated through the following measures:

- Adherence to floodplain management regulations (44 CFR) that meet or exceed the minimum NFIP standards and requirements. The City's floodplain development requirements are codified in Chapter 2-10 of the City Code (Flood Damage Prevention).

INFRASTRUCTURE

As described in Section 2.7, construction phase impacts on infrastructure consist of:

- Short-term use of water and sanitary services (or Port-A –Johns) by construction workers and activities.
- Short-term use of electric and natural gas services, as well as fuel for construction vehicles and equipment)
- Short-term use of fiber optics and telecommunications in project-related construction trailers.

No significant adverse construction phase impacts on infrastructure are anticipated. Adequate infrastructure and capacity is available for construction phase activities. Potential impacts from construction activities associated with extending infrastructure for post-construction phase development will be mitigated through implementation of previously identified E&SC measures.

TRAFFIC AND TRANSPORTATION

As described in Section 2.8, construction phase impacts on traffic consist of:

- Short-term disruptions to traffic flow due to road system modifications associated with improving access to and egress from the Project Area
- Short-term disruptions to traffic flow due to infrastructure improvements (*i.e.*, water and sewer extensions) within the road rights-of-way
- Increased traffic associated with site workers and construction equipment accessing and egressing the Project Area
- Increased truck traffic associated with the importation of fill required for construction of roads, buildings, structures and the infilling of DSA-1

As summarized in Section 2.8, potential adverse construction phase impacts on traffic and transportation will be mitigated through the Contractor's adherence to and maintenance of a "Maintenance and Protection of Traffic Plan," which will be coordinated through respective highway and emergency services jurisdictions.

AIR QUALITY

As described in Section 2.9, construction phase impacts on air quality consist of:

- Short-term, temporary construction-phase dust generated from earth-moving equipment and other construction activities
- Short-term, temporary exhaust emissions from construction vehicles and equipment

As summarized in Section 2.9 potential adverse construction phase impacts on air quality will be mitigated through the following measures:

- Implementation of dust suppression measures
- Proper maintenance of construction vehicles and equipment
- Prohibiting unnecessary idling of construction equipment
- Construction of stabilized construction entrances to minimize migration of dirt onto local roads

NOISE, ODOR AND LIGHT

As described in Section 2.10, construction phase impacts associated with noise, odor and light consist of:

- Temporary noise associated with the use of construction equipment and vehicles and equipment access and egressing the Project Area
- The use of exterior lighting to meet safety and security requirements during construction phases

No significant adverse impacts related to noise, odor and lighting are anticipated during construction and of the project. The following mitigation will be implemented to further reduce the potential for impacts:

NOISE

- Proper muffling and maintenance of construction vehicles and equipment
- Adherence to established construction hours

ODOR

- Proper muffling and maintenance of construction vehicles and equipment
- Compliance with City code requirements
- Good housekeeping and best management practices including proper storage (*i.e.*, covered receptacles, bins, and dumpsters), transport and off-site management of waste materials

LIGHT

- Compliance with City code requirements

SOCIO-ECONOMIC CONDITIONS

The construction phase would have a positive impact on socioeconomic conditions.

- Construction and support services jobs would be created
- Food service and hotel industry around site and region would benefit from increased patronage

CULTURAL RESOURCES

As described in Section 2.12, construction phase impacts on potential cultural resources consist of:

- Disruption of the soil profiles within areas designated as "archaeologically sensitive" for cultural resources
- Construction activities including potential demolition, relocation or rehabilitation of structures located on NYS Canal Corporation lands, which have been listed with system-wide Barge Canal Assets on the National Register of Historic Places (New York State Barge Canal Historic District)

Due to the extent of prior subsurface disturbance throughout the project site, no significant adverse impacts on archaeological resources were identified. If artifacts are uncovered during construction activities, contractors will be required to contact SHPO for guidance. In addition, 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 State and City, which will guide Master Plan activities within the APE to minimize and mitigate potential impacts to the Historic District.

VISUAL RESOURCES

The area is currently an industrial, underutilized and blighted site. Construction phase would mean an increase in activity at the location.

HAZARDOUS MATERIALS

As described in Section 2.14, construction phase impacts related to the potential presence of hazardous materials consist of:

- Disruption of the soil profile and potential increased exposure to "recognized environmental conditions" resulting from past land use activities within the Project Area.
- Potential generation of hazardous materials requiring off-site management due to construction and site demolition activities (*i.e.*, USTs, asbestos-containing materials, lead paint, etc.).

As summarized in Section 2.14, the potential to encounter and the need to manage impacted subsurface materials and C&D should be anticipated during construction phase activities. For example, soils excavated from a trench for a new underground pipeline may be satisfactory geotechnically for reuse as backfill of the pipe trench, but fail the reuse criteria given in the NYSDEC's Spill Technology and Remediation Series #1 (STARS 1 – Petroleum-Contaminated Soil Guidance Policy). Means and methods to evaluate and manage soil and groundwater conditions should be available and alternative fill sources should be considered. In addition, contractors will be required to prepare and implement Health & Safety Plans, which account for potential site conditions (including NYSDEC issued use restrictions and covenants).

SOLID WASTE MANAGEMENT

As described in Section 2.15, construction phase impacts related to the solid waste management consist of:

- Generation of waste materials from construction and demolition activities, which include:
    - land clearing debris (including organic material and excess soils [spoils])
    - construction and demolition debris (C&D)
    - solid waste (as defined in 6 NYCRR § 360-1.2(a)(1))
    - recyclables (including construction and demolition materials, which could be reused or repurposed on other construction sites)

Contractors will be required to comply with local and State 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. In addition, developers and contractors may implement the following additional measures:

- C&D – During the construction phase, contractors may identify performance criteria related to construction methods and materials, which may include:
    - an evaluation of material selection for interior and exterior building materials for recycled content and local material
    - an evaluation of interior material selection for indoor air quality impacts
    - diversion of construction and land clearing debris from landfill disposal
    - redirecting recyclable-recovered resources back to the manufacturing process
    - redirecting reusable materials to appropriate sites

With implementation of the measures identified above, construction activities in the Project Area are not expected to result in significant adverse impacts.

3 ALTERNATIVES

A primary goal of the DGEIS is to explore and determine suitable land uses for the project area. A comprehensive examination of site development cannot be finalized at this time since the site specific development proposals are conceptual.

Therefore the SEQR required alternatives considered here are an alternate development approach and the No Action Alternative.

The No Action Alternative studies the environmental implications of maintaining the Project Area in in its present situation with no development.

3.1 No Action Alternative

The No Action Alternative would mean that no development would take place in the Project Area. None of the beneficial or adverse project impacts would be realized and would lead to the sustained deterioration of the underutilized areas on the City's centrally located developable waterfront.

3.2 Alternative Master Plans

Two alternative master plans were developed for consideration by the UHLDC (see Master Plan Alternative A, Figure 1-2 and Master Plan Alternative B, and Figure 1-3) Each option is described further below.

Differences:

- Internal road circulation in Alt A; removed in Alt B
- 1917 Building remains in A; removed in B
- Marina is located along north east harbor wall in A; south harbor wall in B
- Slight reconfiguration of building and parking locations

3.3 Alternative Magnitude

The Harbor Point lands are currently owned and maintained by National Grid. The Alternative Master Plans are predicated on the successful integration of these lands which will be used primarily for recreational purposes. Should these lands not become available, the overall footprint of the Master Plan would be reduced by147 acres and would result in the loss of the recreational uses and its associated benefits.

3.4 Alternative Phasing / Timing

If the project is extended beyond the projected 5-year build out it is anticipated that the magnitude and type of impacts will not change. The type and magnitude of impacts assessed within this DGEIS will be extended over a longer period of time.

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GLOSSARY

The terminology defined below is used throughout the document. The glossary is provided to assist the reader in understanding the meaning of these key words and the overall context of the document.

Alternatives - The evaluation of the range of reasonable options to the proposed project that are feasible, considering the objectives and capabilities of the City of Utica.

Aquifer - An underground bed or layer of earth, gravel, or porous stone that yields water.

Avoidance - Avoiding the impacts altogether by not taking a certain action or parts of an action.

Combined Sewer - A sewer system by which both storm water and sanitary wastes are transported by the same pipe to a sewage treatment plant.

Cumulative Impact - The impact on the environment which results from the incremental impact of a proposed action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such actions.

DSA - Dredged Soils Area

Environmental Impact Statement (EIS) - means a written "draft" or "final" document prepared in accordance with SEQR. An EIS provides a means for agencies, project sponsors and the public to systematically consider significant adverse environmental impacts, alternatives and mitigation. An EIS facilitates the weighing of social, economic and environmental factors early in the planning and decision-making process. A draft EIS is the initial statement prepared by either the project sponsor or the lead agency and circulated for review and comment.

Environmental Protection Agency (EPA) - The EPA leads the nation's environmental science, research, education, assessment, and regulation efforts.

Floodplain - A floodplain is an area that is adjacent to a body of water such as a stream or river that may be submerged by floodwater. A 100-year floodplain is an area which can be expected to flood once every 100 years.

Groundwater - Subsurface water that fills available openings in rock or soil materials.

Involved Agency - 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".

Interested Agency - An agency that lacks the jurisdiction to fund, approve or directly undertake an action but wishes to participate in the review process because of its specific expertise or concern about the proposed action. An "interested agency" has the same ability to participate in the review process as a member of the public.

Lead Agency - An involved agency principally responsible for undertaking, funding or approving an action, and therefore responsible for determining whether an environmental impact statement is required in connection with the action, and for the preparation and filing of the statement if one is required.

Minimization - Reducing impacts by limiting the degree or magnitude of the action and its implementation.

Mitigation - Mitigation includes: (a) rectifying the impacts by repairing, rehabilitating, or restoring the affected environment; (b) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and (c) compensating for the impact by replacing or providing substitute resources or environments.

No-Build Alternative - The option of taking no action. The No-Build serves as a baseline for assessing the relative effects of the preferred alternative.

NOI - Notice of Intent

Peak Hour - One hour period of the day when traffic volumes are at their highest level.

Runoff - The portion of the rainfall that is not absorbed by the ground, vegetation, or lost by evaporation, or that may find its way into receiving water bodies by surface flow.

Scoping - The process by which the lead agency identifies the potentially significant adverse impacts related to the proposed action that are to be addressed in the draft EIS including the content and level of detail of the analysis, the range of alternatives, the mitigation measures needed and the identification of non-relevant issues. Scoping provides a project sponsor with

guidance on matters which must be considered and provides an opportunity for early participation by involved agencies and the public in the review of the proposal.

Scoping Document - This document clarifies and focuses the potentially significant environmental issues which will be analyzed in the EIS.

Surface Water - Water present above the substrate or soil surface.

Traffic Impact Study - Is a study to assess the potential impacts and transportation needs related to each development project. The study includes the evaluation of current conditions and the traffic levels that would be expected