

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

☐ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

FULL EAF PART 3
EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF PROJECT IMPACTS AND
DETERMINATION OF SIGNIFICANCE

BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION
ADVANCED MANUFACTURING PARK INFRASTRUCTURE MASTER PLAN
CITY OF LACKAWANNA, ERIE COUNTY, NEW YORK

The Buffalo and Erie County Industrial Land Development Corporation (ILDC) is preparing an Infrastructure Master Plan for the ILDC Advanced Manufacturing Park to guide the redevelopment of a portion of the former Bethlehem Steel Corporation (BSC) steel plant in Lackawanna, New York (Master Plan or the Project). The project area consists of approximately 240 acres at 2303 Hamburg Turnpike (west side of NYS Route 5), a portion of the larger tax map parcel (approximately 1,100-acres) identified as SBL 141.11-1-48-13 and a portion of SBL 141.11-1-48.11.

Implementation of the Master Plan will include the installation of public streets, water, sewer, and private utility infrastructure. The Master Plan is being prepared to support of future subdivision and redevelopment of the site for a mix of commercial, business, advanced manufacturing, and light and medium density industrial facilities consistent with the land uses allowed in the Bethlehem Redevelopment Area - Light and Medium Industry Districts. The ILDC intends to subdivide and sell individual lots for private development ranging in size from 5.8 acres to 67.3 acres. The lots are arranged along a proposed street layout, approximately 4,025 linear feet, which provides access to one of four new public streets. An additional 4,925 linear feet of streets are identified to accommodate further subdivision and to provide interconnection between the four access points to NYS Route 5. The Master Plan is intended to be flexible in its implementation in order to meet varying market demands in terms of lot size, access and infrastructure and to be capable of being built-out in phases.

After evaluation of Part 1 and 2 of the Full Environmental Assessment Form (FEAF) and Project plans, the ILDC has determined that the following resources will not be significantly impacted by the Project:

- Geological Features;
- Agricultural Resources;
- Historic and Archeological Resources;
- Open Space and Recreation; and
- Critical Environmental Areas

However, after evaluation of Part 1 and 2 of the Full Environmental Assessment Form and Project plans, the ILDC has determined that because certain thresholds are triggered, the Project may result in a moderate to large impact on the following resources, and further assessment may be necessary:

- Land
- Surface Water Resources
- Groundwater Resources
- Flooding
- Air Quality
- Plants and Animal Resources
- Aesthetic Resources
- Transportation
- Energy
- Noise, Odor and Light
- Human Health
- Consistency with Community Plans
- Consistency with Community Character

A detailed evaluation of each resource area on the FEAF Part 2 follows.

1. Impact on Land

Yes, the proposed action may involve construction on, or physical alternation of, the land surface of the proposed site.

The Project is proposed to be constructed in multiple phases over multiple years. It will consist of phased construction of infrastructure as needed to serve new industrial lots as they are sold and developed. Each individual development project will be subject to Site Plan Review and/or Special Use permit review by the Planning Board. Therefore, it is anticipated that potential adverse impacts from redevelopment of the Project Site will be mitigated through land use controls established by the City of Lackawanna zoning procedures and development standards.

Project build-out may involve the excavation of more than 1,000 tons of natural materials for general site preparation, grading and installation of utilities, or building foundations. The Project site is designated for redevelopment under the New York State Brownfield Cleanup Program (BCP). Under this program, the Project Site has an Environmental Easement which enforces a restriction on the new uses to limit human or environmental exposure. All excavations will be conducted in accordance with the Site Management Plan (SMP) and all Institutional Controls (ICs) and Engineering Controls (ECs) as described in the Environmental Easement. Therefore, it is anticipated that any potential adverse impacts related to excavations in within the BCP parcels will be mitigated by adherence to the SMP. However, further assessment and documentation through the SEQOR process is necessary.

2. Impacts on Geological Features

No, the proposed action will not result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves).

It is anticipated that earthwork associated with development of the property will not impact bedrock beneath the property. If any impacts were to occur, it would likely be restricted to the regolith overlying bedrock. No blasting or excavation of large amounts of bedrock is anticipated. Therefore, significant adverse impacts to geological features are not anticipated to occur from the implementation of the Master Plan.

3. Impacts on Surface Water

Yes, the proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes).

There are no significant surface water resources located within the Project Site. As part of infrastructure development within the Project Site, stormwater management techniques will be implemented. During the construction of each phase of project development, the potential exists for silt-laden stormwater drainage from construction areas to enter adjacent surface waters. Also, industrial build-out of the property will result in an increase in stormwater peak flow and volume due to the conversion of pervious land into impervious surfaces such as, buildings, roads and parking lot surfaces.

A Stormwater Pollution Prevention Plan(s) (SWPPP) is required for coverage under the NYSDEC State Pollutant Discharge Elimination System General Permit for the treatment and management of Stormwater Discharges from Construction Activities associated with development of the Project. Future development of the individual lots/projects will comply with applicable state and local regulations regarding stormwater and therefore, no adverse impacts to surface waters are anticipated.

4. Impact on Groundwater

Yes, the proposed action may result in new or additional use of groundwater or may have the potential to introduce contaminants to ground water or an aquifer.

Development of the lots/projects is anticipated to have no adverse impact or only a small impact on existing groundwater quality or quantity. The property site does not overlie any Primary Aquifers or Principal Aquifers. Therefore, groundwater will not be impacted by construction activities. Facilities developed on the property would not use groundwater for potable water purposes or any other purpose. The site will be served by the Erie County Water Authority.

5. Impact on Flooding

Yes, the proposed action may result in development on lands subject to flooding.

The Project is located in the area covered by the FEMA Flood Insurance Rate Map Community Panel 3602470001B, having an effective date of July 2, 1980. The 1980 effective map indicates that the majority of the Project Site is located in Zone C ("areas of minimal flooding"). The southern portion of the Project Site is located in Zone B

("...areas subject to 100-year flooding with average depths less than 1 foot..."), and the area directly along Smokes Creek is located in Zone A ("Areas of 100-year flooding...").

FEMA has preliminary floodplain mapping that is anticipated to go into effect in the near future – prior to redevelopment of the site. The latest mapping indicates the southern portion of the Project Site to be located in the 500-year floodplain (0.2% annual chance flood hazard). Similar to the FIRM map currently in effect, the Smokes Creek corridor is located in the 100-year floodplain (1% Annual chance flood hazard). However, the majority of the Smokes Creek corridor is not located on land that the ILDC owns or will own and is therefore not in the Project Site. In accordance with the IC's and current zoning, new development will not include residential use.

Any future industrial development that may be located in the 100-year floodplain will be subject to applicable building standards as stated in the City of Lackawanna's Town Zoning Code § 230-68 – Flood Development Permits.

For these reasons, significant adverse impacts from flooding are not anticipated to occur from the implementation of the Master Plan.

6. Impacts on Air

Yes, the proposed action may include a state regulated air emission source.

Air emissions are to be determined (TBD) but no adverse impact or only small impacts are anticipated to occur.

7. Impact on Plants and Animals

Yes, the proposed action may result in a loss of flora or fauna.

Wildlife on and in the vicinity of the Project Site is typical of wildlife found in urban areas. The vacant land on the property currently provides feeding, resting and breeding opportunities for several wildlife species. However, previous field investigations of the Project Site determined low densities of bird, mammal, reptile and amphibian species occupy the study area.

It is anticipated that upon completion of buildout of all the development parcels, the remaining area not covered by buildings, parking or roads will be landscaped.

Redevelopment of the Project Site will result in temporary and permanent impacts (displacement) to wildlife resources. Project construction may result in the mortality of less mobile fauna such as small rodents, insectivores, reptiles, and amphibians.

Larger mammals such as deer, raccoon, skunk, and opossum tend to be far-ranging and opportunistic and would be minimally impacted. The majority of the species inhabiting the Project Site are common in the general region and will continue to occupy areas in the vicinity of the property. Some bird species will be displaced by construction. The density of these birds is typically low, and the actual number of birds displaced would also be expected to be low.

Therefore, significant adverse impacts to wildlife are not anticipated to occur from the implementation of the Master Plan.

8. Impact on Agricultural Resources

No, the proposed action would not impact agricultural resources.

The Project Site does not include any agricultural resources and is not zoned for agricultural uses (allowed uses include light and medium industry) the Project Site is not located in a NYS-designated Agricultural District. Therefore, significant adverse impacts to agricultural resources are not anticipated to occur from the implementation of the Master Plan.

9. Impact on Aesthetic Resources-

Yes, the land use of the proposed action is different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource.

Implementation of the Project may result in changes in the visible landscape that are different from the current conditions and surrounding land uses. Development of the property into a multi-tenant industrial business park will be consistent with other industrial land uses in the City and County. The existing vacant, industrial character of the property will transition to light and medium industrial facilities with associated infrastructure, buildings, parking areas, and landscaping. Views of new development on the Project Site will be available from certain vantage points. Some views will be partially or fully screened by existing vegetation, NYS Route 5, and existing buildings. Views to identified natural Register of Historic Places Listed and Eligible Sites are shown on the attached Visual Resources figure. The closest residential neighborhoods to the Project Site are within Lackawanna's First Ward. These residential neighborhoods will be subject to views of industry, rather than vacant lands, however, the Project will not be out of character for the general area. Setbacks and landscaping will be utilized to soften the appearance of the new development. All new development will be consistent with the City's zoning requirements (§ 230-17 – Bethlehem Redevelopment Area). Although it is not anticipated that implementation of the Master Plan will result in significant adverse impacts to aesthetic resources, further assessment is necessary.

10. Impact on Historic and Archeological Resources

No, the proposed action would not occur in or adjacent to a historic or archaeological resource.

A Phase IA Archaeological Survey was completed for the Master Plan in February 2019 and submitted to SHPO. Based on their review of the Phase IA Archaeological Survey, the NY SHPO concurred with the report's conclusions that there is very little to no potential for intact archaeological resources to be located within the Project Site due to previous significant disturbance. In a letter dated March 15, 2019, the SHPO

determined that no historic properties, including archaeological and/or historic resources, will be affected by the Project. Therefore, significant adverse impacts to historic or archeological resources are not anticipated to occur from the implementation of the Master Plan.

11. Impact on Open Space and Recreation

No, the proposed action will not result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.

An extension of a public bicycle trail (Shoreline Trail) from City of Buffalo line south to the Dona Street Extension is located on the western portion of Project Site along NYS Route 5 Hamburg Turnpike. The Master Plan includes a trail head for Shoreline Trail parking. Because there are no existing recreation or open space resources on the Project Site, implementation of the Master Plan will not result in a loss of recreational opportunities or reduction of an open space resource. Therefore, the Project will not result in and significant impacts to recreation or open space opportunities.

12. Impact on Critical Environmental Areas

No, the proposed action is not located within or adjacent to a critical environment area (CEA).

The Project site is not located within a designated CEA and therefore, implementation of the Master Plan will not result in any impact to resources in a CEA.

13. Impact on Transportation

Yes, the proposed action may result in a change to existing transportation systems.

A traffic assessment for the project is being undertaken to establish baseline traffic conditions and to determine the future volume upon full buildout of the project. It is anticipated that the projected traffic may exceed the capacity of the surrounding road network. In addition, implementation of the Master Plan will result in parking for more than 500 vehicles. Although traffic and parking will increase, it is anticipated that the traffic impact study will identify mitigation measures to reduce the impact to the existing road network.

14. Impact on Energy

Yes, the proposed action may cause an increase in the use of any form of energy.

Implementation of the Master Plan will involve construction and operation of light and medium industrial facilities. As such, energy consumption of fossil fuels will be required for construction and operation of those facilities. New construction of facilities within the Project Site will meet or exceed the standards in the Energy Conservation and Construction Code, minimizing the impact on energy resources.

Therefore, it is not anticipated that the Project will result in a significant adverse impact on energy resources.

15. Impact on Noise, Odor, and Light

Yes, the proposed action may result in an increase in noise, odors, or outdoor lighting.

Implementation of the Master Plan will result in construction and operation of new industrial operations, in an area that has been vacant for over 25 years. Noise related to construction (temporary) and operational traffic are anticipated to produce noise levels higher than the existing ambient conditions.

The noise impacts associated with those operations are anticipated to be mitigated by the adherence of the City's zoning and noise regulations. However, further assessment is necessary.

16. Impact on Human Health

Yes, the proposed action may have an impact on human health from exposure to new or existing sources of contaminants.

Given the Project Site's previous use as a steel manufacturing plant and subsequent investigations and remediation activities, the potential for impacts to human health from existing sources of contamination, should be further assessed. The proposed Project build-out may involve excavation of below the existing 1-foot of clean cover for general site preparation, grading and installation of utilities, or building foundations. Potential impacts are anticipated to be temporary and limited to construction activities because post-construction there will be a minimum of 1-foot of clean cover throughout the Project Site.

The Project Site has an Environmental Easement which enforces a restriction on its reuse in order to limit human or environmental exposure, restrict the use of groundwater, and prevent actions that would interfere with the effectiveness of a remedial activities. All excavations will be conducted in accordance with the SMP, ICs and ECs as described in the Environmental Easement. Therefore, it is anticipated that any potential impacts to human health resulting from implementation of the Master Plan will be mitigated. However, further assessment and documentation through the SEQR process is necessary.

17. Consistency with Community Plans

Yes, the proposed action is consistent with adopted land use plans.

Although the Project site is located in an area currently characterized by low density development, implementation of the Master Plan is consistent with the City Comprehensive Plan - adopted June 2017, current zoning - as amended May 2018, Preliminary Draft Local Waterfront Revitalization Program - May 2018. and Step 3 of the Draft Brownfield Opportunity Area Step 3 Implementation Strategy - November 2018. Therefore, it is not anticipated that the implementation of the Master Plan will

result in any significant adverse impacts related to inconsistency with community plans.

18. Consistency with Community Character

Yes, the proposed project is consistent with the existing community character.

Implementation of the Master Plan and the redevelopment of the Project site is intended to facilitate development of advanced manufacturing facilities and other uses allowed under the recently adopted zoning for low and medium industrial development. Total build-out of the site could create 12 new industrial building parcels along up to 8,950 linear feet of new public streets with necessary water, sewer and stormwater infrastructure. The current zoning allows up to approximately 168 acres of land to be developed.

As no residential development will be allowed in the Project Site, there will be no increased demand on schools. However, it is anticipated that any potential adverse impacts related to changes in community character as measured by the increase in demand for community services such as fire, police and emergency services, will be mitigated by the design in accordance with City, County and State standards. Draft documents for the City of Lackawanna Local Waterfront Revitalization Program (LWRP) and the First Ward Brownfield Opportunity Area (BOA) have been completed and, after State review, will be finalized by the City.