

RESOLUTION NO.: 39 - 2016

OF

FEBRUARY 22, 2016

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBURGH  
UNDER STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) FOR THE  
WEST TRUNKLINE SEWER CORRIDOR IMPROVEMENTS PROJECT ACCEPTING  
AS COMPLETE A FULL ENVIRONMENTAL ASSESSMENT FORM AND  
ISSUING A NEGATIVE DECLARATION**

**WHEREAS**, by Resolution No. 118-2014 of May 12, 2014, The City of Newburgh was established as the State Environmental Quality Review Act (SEQRA) Lead Agency for the Quassaick Creek Corridor/West Trunkline Sewer Improvements Project (the "Project"); and

**WHEREAS**, The City of Newburgh has entered into an agreement that establishes Barton & Loguidice, D.P.C. as its engineering consultant for the SEQRA process for the Project; and

**WHEREAS**, the Project is classified as an Unlisted Action under the SEQRA regulations (NYCRR10 Part 97), based upon review by the City's engineering consultant for the project, thereby requiring a determination of significance to be made; and

**WHEREAS**, the City's engineering consultant has provided a Long Environmental Assessment Form (LEAF), based on engineering and environmental studies performed during the conceptual design of the Project; and

**WHEREAS**, the information contained in the LEAF, a copy which is annexed hereto and made part hereof, has been reviewed by the City; and

**WHEREAS**, in consideration of the information provided in the LEAF, it is reasonable to conclude that the Project will not have a significant effect on the environment, and that the preparation of a Draft Environmental Impact Statement will not be required; and

**WHEREAS**, the reasons supporting this determination of no significant effect are set forth in the "Notice of Negative Declaration", which is annexed hereto and made part hereof;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Newburgh, as the SEQRA Lead Agency, hereby determines that the Quassaick Creek Corridor/West Trunkline Sewer Improvements Project will not have a significant effect on the environment and that a Draft Environmental Impact Statement will not be prepared; and

**BE IT FURTHER RESOLVED**, by the City Council that the City Manager be and he is hereby authorized and directed to sign the attached Long Environmental Assessment Form at the bottom of Page One thereof ("Determination of Significance") and is further authorized

to sign and file any/and all other documents that may be necessary in connection with the SEQRA review for the Project; and

**BE IT FURTHER RESOLVED**, by the City Council that the Clerk of the City be and she is hereby directed to establish and maintain a file readily accessible to the public containing the SEQRA documents referred to herein, and the City's resolutions pertaining to the SEQRA aspects of the project.

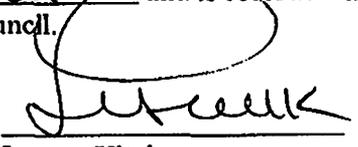
The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows;

Judy Kennedy <u>Yes/No</u>	Mayor	Voted	
Genie Abrams	Council Member	Voted	<u>Yes/No</u>
Regina Angelo	City Council Member	Voted	<u>Yes/No</u>
Torrance Harvey	City Council Member	Voted	<u>Yes/No</u>
Cindy Holmes	City Council Member	Voted	<u>Yes/No</u>
Karen Mejia	City Council Member	Voted	<u>Yes/No</u>
Hillary Rayford	City Council Member	Voted	<u>Yes/No</u>

The foregoing resolution was thereupon declared duly adopted.

Dated: Feb. 23, 2016

I hereby certify that this resolution was adopted on Feb. 22, 2016 and is recorded in the City of Newburgh Minute Book of the Mayor and City Council.

  
\_\_\_\_\_  
Lorene Vitek  
City of Newburgh, City Clerk

The ENB SEQRA Notice Publication Form - Please check all that apply

Reset Form

Deadline: Notices must be received by 6 p.m. Wednesday to appear in the following Wednesday's ENB

- Negative Declaration - Type I
- Conditioned Negative Declaration
- Draft Negative Declaration
- Positive Declaration
- with Public Scoping Session
- Draft EIS
- with Public Hearing
- Generic
- Supplemental
- Final EIS
- Generic
- Supplemental

DEC Region # 3 County: Orange Lead Agency: City of Newburgh City Council

Project Title: West Trunkline Sewer Corridor Improvements Project

Brief Project Description: The action involves . . .

Provided below is a description of the proposed sewer improvements:

- Clearing and grubbing along the West Trunkline Sewer, Southern Interceptor Sewer, and Combined Sewer Overflow (CSO) Corridors paralleling Quassaick Creek.
- Cleaning and Closed Caption Televised Inspection of the 54" West Trunkline sewer, 36" & 42" Southern Interceptor Sewer, 60" Combined Sewer Overflow (CSO) from CSO Regulator #002, 36" Gravity Sewer on Mill St and 36" Gravity Sewer on Robinson Ave.
- Replacement and/or spot repairs of sections of the West Trunkline Sewer, Southern Interceptor Sewer, CSO, Mill St Gravity Sewer and Robinson Ave Gravity Sewer found to be in poor condition and not able to be rehabilitated using Cured-in-place Pipe (CIPP) lining system, CIPP lining will be installed in sections where required.
- Installation of manhole structures to facilitate access and maintenance of West Trunkline, Southern Interceptor, and Combined Overflow Sewers.
- Construction of new access pathway along the West Trunkline Sewer, Southern Interceptor, and CSO to facilitate future maintenance and access to the sewers.

Provided below is a description of the Quassaick Creek stream restoration efforts:

- Partial removal of Holden Dam.
- Rechannelization of approximately 1,000 ft section of the Quassaick Creek starting approximately 550 ft west of Holden Dam.

Project Location (include street address/municipality): Quassaick Creek / City of Newburgh

Contact Person: Jason Morris, City Engineer

Address: 83 Broadway City: Newburgh State: NY Zip: 12550

Phone: (845) 569-7448 Fax: (845) 569-7349 E-mail: jmorris@cityofnewburgh-ny.gov

For Draft Negative Declaration / Draft EIS: Public Comment Period ends: \_\_\_ / \_\_\_ / \_\_\_

For Public Hearing or Scoping Session: Date: \_\_\_ / \_\_\_ / \_\_\_ Time: \_\_\_ : \_\_\_ am/pm

Location: \_\_\_\_\_

A hard copy of the DEIS/FEIS is available at the following locations:

The online version of the DEIS/FEIS is available at the following publically accessible web site: \_\_\_\_\_

For Conditioned Negative Declaration: In summary, conditions include:

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project: West Trunkline Sewer Corridor Improvements Project		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):  Provided below is a description of the proposed sewer improvements: Clearing and grubbing along the 54" West Trunkline Sewer, 36" & 42" Southern Interceptor Sewer, and 60" Combined Sewer Overflow (CSO). Cleaning and Closed Circuit Televised Inspection of these sewer sections, as well as the 36" Gravity Sewers Mill St and Robinson Ave. Rehabilitation to the aforementioned sewer sections may include replacement, spot repairs, and installation of cured-in-place pipe lining. Additionally, proposed manholes and a proposed access pathway will facilitate access and maintenance to the sewers. Provided below is a description of the Quassaick Creek stream restoration efforts: Proposed partial breach of Holden Dam and realignment of approximately 1,200 feet of the stream to facilitate reestablishment of a stable stream channel through the area. The realigned stream would eliminate the impounded waters behind the Dam and relocate the current stream channel away from the West Trunkline sewer. The realigned stream will provide additional protection through reduced streamflow velocities through the corridor. Additional channel and bank stabilization along approximately 1,700 feet the Creek channel downstream of the proposed channel tie-in.		
Name of Applicant/Sponsor: CITY OF NEWBURGH - JAMES SLAUGHTER, INTERIM CITY MANAGER		Telephone: (845) 569-7301
		E-Mail: JSlaughter@cityofnewburgh-ny.gov
Address: 83 BROADWAY		
City/PO: NEWBURGH	State: NY	Zip Code: 12550
Project Contact (if not same as sponsor; give name and title/role): JASON MORRIS - CITY ENGINEER, Primary Contact		Telephone: (845)-569-7447
		E-Mail: JMorris@cityofnewburgh-ny.gov
Address: 83 BROADWAY		
City/PO: NEWBURGH	State: NY	Zip Code: 12550
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	City of Newburgh	October 2012, October 2013
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City Council, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals	City of Newburgh, Town of New Windsor	Spring/Summer 2014 (Sewer), Fall 2014/Winter 2015 (Stream)
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	CSX Transportation, Inc.	November 2013
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDOT, NYSEFC, NYSDEC, NYSDOS	Spring/Summer 2014, Fall 2014/Winter 2015 (Stream)
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Army Corps of Engineers, US Fish and Wildlife	Spring/Summer 2014 (Sewer), Fall 2014/Winter 2015 (Stream)
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>If Yes, complete sections C, F and G.</li> <li>If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s):	
Remediation Sites: 336036 (American Fez and Filter), E336075 (Orange County Parcel)	
Quassaick Creek Watershed Management Plan (DRAFT), Hudson River Valley Greenway, City of Newburgh Future Land Use Plan (2011), Mid-Hudson Regional Sustainability Plan (2013), New York State Open Space Conservation Plan (2009), Statewide Comprehensive Outdoor Recreational Plan (2009)	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s):	
Orange County Open Space Plan (2004)	
_____	
_____	

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
 I-1 (Heavy Commercial, Light Industrial), W-2 (Waterfront Industrial)

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
 If Yes,  
 i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Newburgh Enlarged City School District

b. What police or other public protection forces serve the project site?  
City of Newburgh Police Department

c. Which fire protection and emergency medical services serve the project site?  
City of Newburgh Fire Department, Newburgh Volunteer Ambulance

d. What parks serve the project site?  
Parks contiguous to the project site include Delano-Hitch Park, Aquatic Center, Hasbrouck Street Park, and Xavier Lunan Park

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Utilities Rehabilitation, Public Access, Stream Relocation

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ 48.84 acres  
 b. Total acreage to be physically disturbed? \_\_\_\_\_ 10 acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ 8.03 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? \_\_\_\_\_  
 iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: \_\_\_\_\_ months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_ 2  
 • Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ Aug month \_\_\_\_\_ 2014 year  
 • Anticipated completion date of final phase \_\_\_\_\_ Oct month \_\_\_\_\_ 2015 year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

The project is split into two phases: sewer and stream. The sewer component is anticipated to begin in Summer of 2014 and will be completed independently of the stream phase. The stream phase of work is anticipated to begin in the Spring of 2015

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,  
 i. Total number of structures \_\_\_\_\_  
 ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length  
 iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,  
 i. Purpose of the impoundment: \_\_\_\_\_  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_  
 iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_  
 iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres  
 v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length  
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:  
 i. What is the purpose of the excavation or dredging? Sewer repairs and installation of manholes, relocation and stabilization of Quassaick Creek  
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?  
 • Volume (specify tons or cubic yards): 3,500 CY  
 • Over what duration of time? Two Years, August 2014 thru October 2015, as previously indicated  
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  
Excavated/Dredged materials are proposed to be reused onsite where possible. Materials to be removed and disposed of offsite include suspected contaminated sediment impounded by Holden Dam, as well as existing concrete building foundation along Creek realignment.  
 iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. Dewatering and processing of excavated materials will be necessary during the removal of any contaminated sediments at the foot of Holden Dam.  
 v. What is the total area to be dredged or excavated? \_\_\_\_\_ 1.0 acres  
 vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ 2.25 acres  
 vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ 16 feet  
 viii. Will the excavation require blasting?  Yes  No  
 ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
Rechannelization of the Quassaick Creek will infill the existing channel with the excavated materials for the proposed channel where possible. If sediment sampling confirms the presence of contaminants, the dredged sediment will be legally disposed of offsite. It is anticipated that all excavated materials for the sewer rehabilitation will be reused onsite. Floodplain revegetation, and seeding of disturbed access ways will be implemented during restoration.

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:  
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): As part of the project scope, portions of the Quassaick Creek will be relocated south, away from the West Trunkline Sewer. Holden Pond, which will decrease in size as a consequence of breaching Holden Dam, is identified as Freshwater Pond Wetland by the USFWS National Wetlands Inventory.

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:  
Quassaick Creek and Holden Pond will be altered due to excavation, fill, and alteration of channels, banks, and shorelines. Holden Pond will be partially removed due to the partial breach of Holden Dam. The proposed improvements will marginally change the total water surface area within the project corridor. Natural channel restoration methods will be used to stabilize the realigned portions of the Creek and adjacent floodplain, eliminating the existing channelized nature of the stream.

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: Disturbances are due to dredging and excavation for new channel, as well as stream stabilization and sediment removal.

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

Realignment of Quassaick Creek through new channel

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. Proposed culverts will be used to convey stormwater  
 \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
Stormwater runoff is proposed to be directed to on-site stormwater management facilities  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 • Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
Heavy equipment (e.g., excavators) will be utilized during construction. There will be no mobile sources of air emissions after construction completion  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade to, an existing substation?  Yes  No

l. Hours of operation. Answer all items which apply.

i. During Construction:		ii. During Operations:	
• Monday - Friday:	_____ 6 AM - 8PM _____	• Monday - Friday:	_____ 24 hr/day _____
• Saturday:	_____ 6 AM - 8PM _____	• Saturday:	_____ 24 hr/day _____
• Sunday:	_____ 6 AM - 8PM _____	• Sunday:	_____ 24 hr/day _____
• Holidays:	_____ 6 AM - 8PM _____	• Holidays:	_____ 24 hr/day _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No

If yes:

i. Provide details including sources, time of day and duration:

During planned construction, previously indicated between August 2014 and October 2015, noise levels will increase due to construction activities approximately 5 days per week, 14 hours per day.

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No

Describe: Clearing and grubbing for the sewer easement and new stream channel will remove existing vegetation. However, the project site is densely vegetated making it unlikely that the removal of vegetation will have any deleterious effects on existing noise barriers.

n.. Will the proposed action have outdoor lighting?  Yes  No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No

Describe: \_\_\_\_\_

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:

i. Product(s) to be stored \_\_\_\_\_

ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally describe proposed storage facilities: \_\_\_\_\_

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:

i. Describe proposed treatment(s): \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)
- Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_
- ii. Anticipated rate of disposal/processing:
  - \_\_\_\_\_ Tons/month, if transfer or other non-combustion thermal treatment, or
  - \_\_\_\_\_ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_
- ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_
- iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): Utilities

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.0	0.0	0.0
• Forested	8.7	7.7	-1.0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.0	1.2	+1.2
• Agricultural (includes active orchards, field, greenhouse etc.)	0.0	0.0	0.0
• Surface water features (lakes, ponds, streams, rivers, etc.)	1	1.1	+0.1
• Wetlands (freshwater or tidal)	0.1	0.0	-0.1
• Non-vegetated (bare rock, earth or fill)	0.0	0.0	0.0
• Other Describe: <u>Exstng Concrete Building Foundation</u>	0.2	0.0	-0.2

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes:  
i. Identify Facilities:  
South Junior High School, Nora Cronin Presentation Academy, St. Francis of Assisi Elementary School, Liberty Street School, Healthy Kids Before/After School Program (New Windsor), Greater Hudson Valley Family Health Center, Newburgh Armory

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ 12 feet  
• Dam length: \_\_\_\_\_ 100 feet  
• Surface area: \_\_\_\_\_ 1 acres  
• Volume impounded: \_\_\_\_\_ 3 gallons OR acre-feet  
ii. Dam's existing hazard classification: A  
iii. Provide date and summarize results of last inspection:  
7/20/2010, Data taken from NYSDEC Dam Inventory for Holden Dam (ID: 195-0535B) updated 7/6/2009; Inspection Results: Debris in spillway, voids and cracks in left crest of spillway, and undesirable growth on either side of the abutments. Project scope proposes a partial breach of Holden Dam.

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
The proposed Creek rechannelization transects a parcel (City of New Windsor, Orange County SBL: 9-1-65) which was a paper mill during the late 18th and early 19th centuries. An 1884 Sanborn Map identifies a Bleach House as part of the facility. A 1913 Sanborn Map shows sulfuric acid storage onsite.

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): 1206663 (Sewer Failure 10/12, Closed)  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): 336042, 336031, 1206663, B00127, B00188, 546031, 336077  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
336036 (Remedial Design), E336075 (ERP), 336055 (Remedial Design), 336042 (Remedial Action), 336031 (Site Characterization), 1206663 (Closed), B00127 (Remedial Action), B00188 (Remedial Design), 546031 (Remedial Action), 336077 (Potential Registry)

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 1.5 to >6.6 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

HoB	_____	36.2 %
MoB	_____	33.4 %
W	_____	11.0 %

d. What is the average depth to the water table on the project site? Average: 0 to >6.6 feet

e. Drainage status of project site soils:  Well Drained: 39.3 % of site  
 Moderately Well Drained: 42.4 % of site  
 Poorly Drained: \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: 50.3 % of site  
 10-15%: 0.5 % of site  
 15% or greater: 23.3 % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

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h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No  
 If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Quassaick Creek Classification C. C
- Lakes or Ponds: Name Holden Pond Classification N/A
- Wetlands: Name Holden Pond (Freshwater Pond Wetland) Approximate Size 3 acre-feet
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

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i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100 year Floodplain?  Yes  No

k. Is the project site in the 500 year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____ <u>Northern Water Snake, Pickerel Frog</u> _____</p> <p><u>Common Snapping Turtle, Green Frog</u> _____ <u>White-tailed Deer, Eastern Chipmunk</u> _____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>_____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>According to USFWS Orange County, NY is listed as potentially supporting the following species (not confirmed on project site): Dwarf Wedgemussel (<i>Alasmidonta heterodon</i>), Bog Turtle (<i>Clemmys muhlenburgii</i>), Indiana Bat (<i>Myotis sodalis</i>), Small Whorled Pogonia (<i>Isotria medeoloides</i>) -- All sites within NY State have been extirpated (Small Whorled Pogonia Recovery Plan, 1992), Woodland Agrimony (<i>Agrimonia striata</i>)</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: East End Historic District

iii. Brief description of attributes on which listing is based:  
The site's proximity to the New York State Armory (approx. 1,500 ft) and Washington's Headquarters (approx. 2,500 ft from project site)

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

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g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

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h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: Washington's Headquarters (0.5 miles), Hudson River (0.1 miles)

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Revolutionary War Heritage Trail

iii. Distance between project and resource: \_\_\_\_\_ miles.

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i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name James A. Slaughter Date March 13, 2014

Signature  Title Interim City Manager

## Required Approvals for West Trunkline Sewer Corridor Improvements Project

<b>Agency</b>	<b>Required Approval</b>
City of Newburgh	Council Approval
Newburgh City Council Zoning Board of Appeals	Council Approval
New Windsor Town Zoning Board of Appeals	Board Approval
CSX Transportation, Inc.	Right of Entry/Maintenance Agreement
New York State Department of Transportation	Highway Work Permit (Utility)
New York State Environmental Facilities Corporation	Approval for Wastewater Improvements
New York State Department of Environmental Conservation	Water Quality Permit, Freshwater Wetlands Permit
New York State Department of State	Coordination Letter
Army Corps of Engineers	Nationwide Permit #27
United States Fish and Wildlife Service	Declaration of No Impact

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]  
 Project : \_\_\_\_\_  
 Date : \_\_\_\_\_

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**  
 The proposed action may 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). (See Part 1. E.2.g)  NO  YES  
*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**  
 The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)  NO  YES  
*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

i. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part I. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part I. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input checked="" type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b>			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochlorofluorocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: <u>The proposed action will require the use of Diesel Operated Machinery during construction, leading to temporarily increased air emissions</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>7. Impact on Plants and Animals</b>			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b> The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b> The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**13. Impact on Transportation**  
 The proposed action may result in a change to existing transportation systems.  NO  YES  
 (See Part 1. D.2.j)  
*If "Yes", answer questions a - g. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**  
 The proposed action may cause an increase in the use of any form of energy.  NO  YES  
 (See Part 1. D.2.k)  
*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

**15. Impact on Noise, Odor, and Light**  
 The proposed action may result in an increase in noise, odors, or outdoor lighting.  NO  YES  
 (See Part 1. D.2.m., n., and o.)  
*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: <u>The proposed action will exceed existing ambient noise levels during construction</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

NO

YES

*If "Yes", answer questions a - m. If "No", go to Section 17.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>		
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>		
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>		
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>		
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

**PRINT FULL FORM**

**City of Newburgh**  
**West Trunk Sewer Corridor Improvements Project**  
**SEQR Part III**

**1. Impact on Land**

The proposed project involves clearing and grubbing along the 54" West Trunkline Sewer, 36" and 42" southern interceptor sewer and 60" combined sewer overflow (CSO). These areas were damaged during a significant rain event causing sections of the sewer to break and collapse. Emergency repairs have been completed restoring the functionality of the sewer, but more repairs are necessary to prevent future collapse in damaged areas. Rehabilitation of the sewer may include replacement, spot repairs, and installation of cured-in-place pipe (CIPP) lining. New manhole structures are proposed to facilitate future access and maintenance to the sewers. Additionally, realignment of 1,200 feet of the Quassaick Creek is proposed eliminating the impounded waters behind the Holden Dam and relocating the current stream channel away from the West Trunkline Sewer. The realigned stream would provide additional protection through reduced stream flow velocities through the corridor. The project will also include approximately 1,700 feet of stream bank stabilization downstream of the proposed channel tie in.

**a. The proposed action may involve construction on land where depth to water table is less than 3 feet**

According to the Web Soil Survey, there are soil types in the project area that indicates that the water table is less than 3 feet deep. Where feasible, a CIPP liner will be installed which is a trenchless rehabilitation method. In areas where deterioration of the sewer main is too severe, open cut methods will be the only option for repair. A Stormwater Pollution Prevention Plan (SWPPP) will be prepared for this project and the site will be stabilized in order to control the excavated areas. Proper construction practices will be in place, including onsite construction observation to ensure that the Contract Documents are followed.

Sections of the proposed Quassaick Creek reach rehabilitation will occur on land where depth to water table is less than 3 feet. These sections of shallow ground water table (< 3 feet) are primarily downstream of the proposed improvements; however, stream bank stabilization may occur on these soil types. The soils upstream of Holden Dam, at the location of the proposed Creek realignment, typically have a water table at a depth greater than 80 inches. Geologic borings at this location were performed in <MONTH> of 2014. These borings indicated a depth to water table of approximately <###> feet. While depth to water table exceeds 3 feet in these locations, deeper excavation will be necessary to maintain the gradation of the Creek.

**b. The proposed action may involve construction on slopes of 15% or greater.**

According to the Web Soil Survey and initial site visits, there are areas where the existing trunk sewer possesses slopes greater than 15%. Trenchless rehabilitation methods will be implemented if the initial CCTV investigation, performed in April 2014, indicates the feasibility of installing a CIPP liner. In some cases, however, open trench excavation may be the only rehabilitation method possible and the section of sewer may need to be replaced. If open trench excavation is required, the project will include erosion and sediment control practices, and the utilization of trench boxes during excavation to minimize the open area and implement safe construction practices. This area will be restored after installation of the new sewer and it is not the intent of this

**City of Newburgh**  
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project to change the character of the site other than facilitate access to the sewer main.

Sections of the proposed Quassaick Creek reach rehabilitation will occur on land with slopes greater than 15%. These sections of steep slope (< 15%) are primarily downstream of the proposed improvements; however, stream bank stabilization may occur at these locations. The soils upstream of Holden Dam, at the location of the proposed Creek realignment, typically have slopes less than 15%. Erosion and sediment control measures will be implemented to ensure that the stabilized banks of the Quassaick Creek, particularly at locations of steep slopes, will not erode during and after construction.

- c. **The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.**

N/A- Soil boring depths ranged between 12.2-14 feet.

- d. **The proposed action may involve the excavation and removal of more than 1,000 tons of natural material**

It is estimated that 10 acres will be physically disturbed as part of this project with approximately 3,500 CY of material being removed from the site over two years. However, it is the intent of this project that excavated/dredged materials are to be reused onsite where possible. If sediment sampling confirms the presence of contaminants of excavated/dredged material, the soil will be legally disposed of offsite. Other materials to be removed and disposed of offsite include existing concrete building foundation along the creek realignment. As material is excavated during the rehabilitation of the Quassaick Creek, it will be used to infill the existing channel where possible. It is anticipated that all excavated materials for the sewer rehabilitation will be reused onsite to backfill the trench or stabilize surrounding areas. All disturbed areas including floodplain revegetation and disturbed access ways will be restored following construction to pre-construction condition or better.

- e. **The proposed action may involve construction that continues for more than one year or in multiple phases.**

The construction will be broken into 2 phases. Phase 1 will be to rehabilitate the sewer beginning March 2016 for a construction period of 3 months. The second phase will be the completion of the stream rehabilitation and stabilization work beginning in Spring 2016 until October 2016. It is anticipated that the sewer and stream work will be completed independently from one another.

- f. **The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides)**

Due to portions of the site having greater than 15% slopes, it is possible that if open trench excavation is required to rehabilitate the trunk sewer line, the proposed project

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may result in increased erosion. However, after construction of the sewer, the existing banks will be stabilized with erosion and sediment control measures. The project also involves stabilizing the existing stream bank alongside the trunk sewer to prevent further erosion that may compromise the sewer. Restoration of landscaped surfaces will require the application of fertilizer, but it is not anticipated that any herbicides will be required.

- g. The proposed action is, or may be, located within a Coastal Erosion hazard area.**

N/A – The project is not located within a Coastal Erosion hazard area.

**3. Impacts on Surface Water**

- a. The proposed action may create a new water body.**

This project proposes to realign approximately 1,200 feet of the Quassaick Creek to eliminate the impounded waters behind the Holden Dam and relocate the current stream channel away from the West Trunkline Sewer. The realigned stream would provide additional protection for the sewer by shifting the floodplain south and reducing stream flow velocities through the corridor. The project will also include approximately 1,700 feet of stream bank stabilization downstream of the proposed channel tie in.

- b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.**

Holden Pond will decrease in size as a consequence of breaching Holden Dam. This pond is identified as a Freshwater Pond Wetland by the USFWS National Wetland Survey. The West Trunkline Sewer runs directly adjacent to the Quassaick Creek at Holden Dam. Sometime during the mid-20<sup>th</sup> Century a concrete retaining wall was installed on the northern bank of the Creek, immediately downstream of Holden Dam. The couple feet of void space between the sewer and wall were infilled, but the infill has since been washed out. During high flow events the Quassaick Creek waters flow between the sewer and the concrete wall, further exposing the sewer main. Realignment of the Creek is necessary to protect this highly vulnerable area from further erosion.

Quassaick Creek and Holden Pond will be altered due to excavation, fill and realignment of channels, banks and shorelines. However, it is anticipated that the proposed improvements will marginally change the total water surface area within the project corridor. Natural channel restoration methods will be used to stabilize the realigned portions of the Creek and adjacent floodplain, eliminating the existing channelized nature of the stream.

- c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.**

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Dewatering and dredging of excavated materials may be necessary during realignment of the creek if contaminated sediments are identified at the foot of Holden Dam. Previous environmental studies have indicated the presence of contaminated sediment. If additional sediment sampling confirms the presence of contaminants, the dredged sediment will be legally disposed of offsite. However, if the material is clean, it will be used to infill the existing channel after the proposed channel is constructed where possible.

- d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body**

The realignment of the Quassaick will involve construction within Holden Pond, which is a Freshwater Wetland Pond, according to the USFWS. However, the project proposes to stabilize the existing streambed to prevent further erosion of the creek. Previous toxicological sediment analyses have indicated the presence of contaminated sediments at Holden Pond. If this presence is confirmed, these contaminated sediments will be removed and legally disposed of offsite, leading to improved long-term water quality within the project reach. The realignment will also mitigate future erosion of the northern bank that will continue to compromise the City's trunk sewer.

- e. The proposed action may create turbidity in a water body, either from upland erosion, runoff or by disturbing bottom sediments.**

The project will temporarily create turbidity in the Quassaick Creek and Holden Pond during construction. However, erosion and sediment control methods will be used during construction to mitigate these effects. Additionally, a SWPPP will be in place during the construction period. As necessary, turbidity screens will be installed to help mitigate disturbances.

- f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.**

N/A – The project does not propose the construction of any surface water intakes.

- g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).**

N/A – The project does not propose the construction of any surface water outfalls.

- h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.**

Although this project involves excavation and dredging operations, streambed slope stabilization is included in the project scope in order to repair the banks of the existing Creek, as well as stabilize any steep slopes disturbed while rehabilitating the sanitary sewer. A SWPPP will be in place during the construction period. The post-construction impacts of upland soil erosion will be minimized due to rehabilitation of the West Trunk

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Line sewer and stabilization of surrounding land surfaces. It is not anticipated that post-construction soil erosion will cause long-term degradation of Quassaick Creek water quality.

- i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.**

A SWPPP will be in place during construction to mitigate any water quality issues due to excavation, dredging and general construction operations. The proposed improvements are aimed to help minimize future erosion and lead to increased water quality over time.

- j. The proposed action may involve the application of pesticides or herbicides in or around any water body.**

N/A – The project does not propose the application of pesticides or herbicides.

- k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.**

N/A – The proposed action will not require the construction of new, or expansion of existing, wastewater treatment facilities.

**5. Impacts on Flooding**

- a, b, c. The proposed action may result in development in a designated floodway, 100 year floodplain, and/or a 500 year floodplain.**

Portions of the West Trunkline Sewer exist within a designated floodway, 100 year floodplain, and 500 year floodplain. These sections of the sewer lie within these flood zones when the sewer runs directly adjacent to the Quassaick Creek. The project does not propose any above ground development; however, Chapter V – Resource Management Services (§500.1(n)) of the NYSDEC Regulations defines development as “any human-made change to improved or unimproved real estate, including but not limited to the construction of buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.” Improvements to the sewer within designated flood zones will be limited to excavation, filling, grading, and installation of sewer and manholes. These improvements will fortify the sewer against future flooding events.

Similarly, rehabilitation of the Quassaick Creek reach will take place within these designated flood zones. The rehabilitation activities will primarily consist of excavation, filling, grading, and dredging. These rehabilitation efforts will redefine the floodplain of the project reach, shifting these flood zones south of their existing location. The improvements propose to create an unconfined channel, establishing a gradually graded floodplain. These actions will mitigate many of the deleterious

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impacts of Quassaick Creek flood waters on the West Trunkline Sewer, further promoting the long-term stability of the sewer main.

- d. The proposed action may result in, or require, modification of existing drainage patterns.**

Localized drainage patterns at the location of the Quassaick Creek realignment will be modified due to the proposed improvements. The impacts of the modified draining patterns will be minimal since the Quassaick Creek will still serve as the receiving body for drainage.

- e. The proposed action may change flood water flows that contribute to flooding.**

The Quassaick Creek reach rehabilitation will replace the existing confined channel with an unconfined channel. This rehabilitation will create a more gradual sloping floodplain, longitudinally distributing flood water flows. This action will mitigate the impact of flood waters on vulnerable portions of the West Trunkline Sewer. There are no existing structures on the south side of the Creek that will be negatively impacted by the proposed rehabilitation efforts. The partial breach of Holden Dam will allow flows to travel downstream without the need to pass through a crest and spillway. This action will deregulate stream flows, potentially leading to increased flood flow and frequency. This effect of dam removal may be minimal due to the presence of a comparably sized dam (Walsh Road Dam, 195-0535C) approximately 1,300 feet upstream of Holden Dam. The proposed improvements will create a channel more apt to handle flood water flows due to the wider floodplain.

- f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?**

Holden Dam is located on the project site, which was last inspected in 2010. Data taken from the NYSDEC Dam Inventory for the Holden Dam (ID: 195-0535B) Inspection Results noted that there was debris reported in the spillway, voids and cracks in the left crest of the spillway and undesirable growth on either side of the abutments. At this time the DEC advised that these deficiencies be monitored and addressed as part of the maintenance plan to prevent conditions from worsening. The project proposes a partial breach of the dam and realignment of the creek to help mitigate the continued erosion of the stream bank behind the abutments and spillway.

**6. Impacts on Air**

Impacts on air quality will be limited to short-term construction phase impacts. The proposed improvements will be broken into two separate construction phases. The first of these phases is the sewer rehabilitation activities; the second phase is the restoration of the Quassaick Creek. Both of these phases will require the use of Diesel Operated Machinery during construction leading to temporarily increased air emissions. These emissions will occur in Summer/Fall of 2014 for the sewer rehabilitation and Spring/Summer/Fall of 2015 for the Creek rehabilitation.

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**7. Impacts on Plants and Animals**

The project involves the realignment of the Quassaick Creek. In general the activities will only temporarily disturb native plants and animals in the project site. However, once construction is completed, the project will restore disturbed area with native plants and stabilize all stream banks both in the existing stream and newly constructed stream. This project is a maintenance project and the only impervious surfaces to be installed are new manhole structures for future access into the City's trunk sewer.

- a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.**

N/A- The proposed action will not cause reduction in population or loss of individual threatened or endangered species.

- b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.**

N/A- The proposed project action will not result in degradation of habitat.

- c. The proposed action may cause a reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.**

N/A – The proposed project site does not contain any species of special concern.

- d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal Government.**

N/A – The proposed project site does not contain any species of special concern.

- e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.**

N/A – The proposed action will not diminish any National Natural Landmarks.

- f. The proposed action may result in the removal of, or ground disturbance in, any portion of a significant natural community.**

N/A – The proposed action is not located within a significant natural community.

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- g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.**

N/A- Proposed action will require tree clearing which will occur within the Conservation Cutting Window (October 1<sup>st</sup>-March 31<sup>st</sup>)

- h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally important habitat.**

N/A – The proposed action will not convert more than 10 acres of regionally important habitat.

- i. Proposed action (commercial, industrial or recreational projects, only) involves the use of herbicides or pesticides.**

N/A – The proposed is not classified as commercial, industrial, or recreational.

**15. Impact on Noise, Odor, and Light**

- a. The proposed action may produce sound above noise levels established by a local regulation.**

The City of Newburgh Code §212-5 (G) does not permit construction work between the hours of 8:00 PM and 8:00 AM, Sunday (extended until 10:00 AM on Sunday) through Saturday. Although it is not anticipated that construction activities will occur during these hours §212-12 (C), (E) constitutes public utilities and Department of Public Works operations and activities exempt from regulation.

- b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home/**

N/A- the project will not require blasting.

- c. The proposed action may result in routine odors for more than one hour per day.**

Odors that may result from the proposed improvements include exhaust from diesel operated machinery and the presence of sewer gases. It is not likely that these two sources of odor will exceed existing normal ambient odor levels. The project site possesses two bridges, Robinson Ave (US-9W) and Mill Street, which serve as a source of vehicular exhaust. Excessive odors from the existing sewer will be minor and only occur during the construction activities. The project site is surrounded by at least 100 feet of dense vegetation along most of the project site, further minimizing the impacts of construction phase odors.

- d. The proposed action may result in light shining onto adjoining properties.**

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**AND**

- e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.**

It is anticipated that all of the proposed improvements will occur during the day, and that minimal artificial light will be required. The final post-construction design does not proposed any additional lighting. The project site is surrounded by at least 100 feet of dense vegetation along most of the project site, further minimizing the impacts of any artificial lighting during construction.

- f. Other Impacts:**

Impacts on ambient noise levels will be limited to short-term construction phase impacts. The proposed improvements will be broken into two separate construction phases. The first of these phases is the sewer rehabilitation activities; the second phase is the restoration of the Quassaick Creek. Both of these phases will require the use of Diesel Operated Machinery during construction leading to temporarily increased noise levels. These construction phases will occur in Summer/Fall of 2014 for the sewer rehabilitation and Spring/Summer/Fall of 2015 for the Creek rehabilitation.

**16. Impacts on Human Health**

- a. The proposed action is located within 1,500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.**

The proposed action is located within 1,500 feet of the following schools, hospitals, day care centers, group homes, nursing homes, and retirement communities: South Junior High School, Nora Cronin Presentation Academy, Saint Francis of Assisi Elementary School, Liberty Street School, Healthy Kids Before/After School Program, Greater Hudson Valley Family Health Center, and the Newburgh Armory. The proposed improvement will not detrimentally impact any of these facilities.

- b. The site of the proposed action is currently undergoing remediation.**

None of the parcels which comprise the project site are currently undergoing remediation efforts. One parcel along the southern bank of the Quassaick Creek, owned by Orange County (DEC Site Code: E336075), is currently listed by the DEC under the Environmental Resource Program. This parcel was previously site to paper, candle, and woolen mills and the ERP funded investigation has been halted due to funding issues. The Quassaick Creek rehabilitation proposes to realign portions of the Creek through the northwest corner of this parcel, as well as implement stream bank stabilization along the northern edge of the property.

- c. There is a completed emergency spill remediation, or completed environmental site remediation on, or adjacent to, the site of the proposed action.**

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On October 5, 2012 a sewer failure of the 54-inch West Trunkline Sewer caused 5 million gallons of raw sewage to spill into the Quassaick Creek. This spill, DEC Spill Number: 1206663, occurred under the Mill Street Bridge. The spill was closed by the DEC on October 5, 2012.

- d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).**

N/A – There are no known institutional controls limiting the use of properties along the project corridor.

- e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.**

N/A – The proposed action will not affect any institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.

- f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.**

N/A – There will be no future generation, treatment and/or disposal of hazardous wastes caused by the proposed improvements.

- g. The proposed action involves construction or modification of a solid waste management facility.**

N/A – The proposed action does not involve the construction or modification of a solid waste management facility.

- h. The proposed action may result in the unearthing of solid or hazardous waste.**

Previous analyses of the sediment impounded at the foot of Holden Dam indicated the presence of contaminated sediments. The results of this testing confirmed the presence of the contaminated sediments. In order to control the migration of these sediments downstream, they will need to be strategically removed prior to breaching Holden Dam. These sediments will be legally disposed at an offsite facility certified to handle the material.

- i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.**

The removal, disposal, and treatment of contaminated soils and sediment will be necessary prior to constructing the proposed Quassaick Creek rehabilitation. This

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increase in solid waste disposal will be temporary and not persist past the construction phase.

- j. The proposed action may result in excavation or other disturbance within 2,000 feet of a site used for the disposal of hazardous waste.**

N/A – The proposed project site is not located within 2,000 feet of a site used for the disposal of hazardous waste.

- k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent offsite structures.**

N/A – The proposed action will not result in the migration of explosive gases from a landfill site to adjacent offsite structures.

- l. The proposed action may result in the release of contaminated leachate from the project site.**

All necessary precautions will be exercised to ensure that the migration of contaminated leachate offsite is minimized. Contaminated sediments removed from the impoundment of Holden Dam will be removed, transported offsite, and legally disposed of. Stockpiling of contaminated sediments and soils onsite will not be permitted, reducing the opportunity for the generation of leachate runoff. Erosion and sediment controls will be implemented to further limit offsite migration of contaminated leachate.

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 I  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 City of Newburgh 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.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: Negative Declaration

Name of Lead Agency: City of Newburgh

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer: City Manager

Signature of Responsible Officer in Lead Agency:

Date: 3/1/16

Signature of Preparer (if different from Responsible Officer)

Date: 2/22/16

**For Further Information:**

Contact Person: Corinne Steinmuller, Environmental Scientist, Barton & Loguidice, D.P.C.

Address: 10 Airlina Drive, Albany, NY 12205

Telephone Number: 518-218-1801

E-mail: csteinmuller@bartonandloguidice.com

**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>

**PRINT FULL FORM**