Draft—Environmental Assesment Land Release for Redevelopment of Former Oneida County Airport

Oneida County, NY

May 2016

Prepared by

C&S COMPANIES®

Draft Report

Environmental Assessment
Land Release for Redevelopment
of Former Oneida County Airport

Prepared for
Oneida County
Utica, New York

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This Environmental Assessment becomes a Federal document when evaluated, signed, and dated by the Responsible FAA Official.

Responsible FAA Official: _____ **Date**: _____

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CHAPTER 1 - PURPOSE AND NEED

1.1 Introduction

This Environmental Assessment (EA) examines the potential impacts to the environment that may result from the release and reuse of the former Oneida County Airport property. This document has been prepared to meet the requirements of the National Environmental Policy Act (NEPA) of 1969. The purpose of the act is to ensure that environmental, social, and economic factors have been taken into consideration during the development decision. This EA follows the guidelines and organizational structure recommended in Federal Aviation Administration (FAA) Order 5050.4B, *National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions*, for preparation of an Environmental Assessment, FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*, and FAA's *1050.1F Desk Reference (Desk Reference)*, for the analysis of impacts.

1.2 Project Background

Until 2007, the former Oneida County Airport operated as a general aviation facility serving the cities of Utica and Rome, New York and surrounding communities. At that time, the airport was closed and all operations were transferred to Griffiss International Airport (formerly Griffiss Air Force Base), which is located approximately five miles to the north, and is also owned and operated by Oneida County. **Figure 1** (see **Appendix A**) shows the location of the former Oneida County Airport and Griffiss International Airport. Oneida County (project sponsor) and the FAA, have established via the Airport Master Plan for Griffiss International Airport that the Oneida County Airport has no existing or future aeronautical use.

In **August 2009,** a portion of the former airport land totaling approximately 723 acres was approved for release by the FAA for long term lease, with the option to buy, to the New York State (NYS) Office of Homeland Security (OHS) for the long term goal of developing the property into the State Preparedness Training Center (SPTC). The Finding of No Significant Impact (FONSI) for the 2009 release is included in **Appendix D.**

In **October 2009,** the *Oneida County Business Park (OCBP) Redevelopment Plan and Design Guidelines Report* was completed for the Mohawk Valley (MV) Economic Development Growth Enterprises Corporation (EDGE). The purpose of the report was to "set forth a vision and an action plan for redevelopment of the former Oneida County Airport site and Oneida County Business Park into a thriving commercial and industrial center for Oneida County and the Mohawk Valley".

The MV EDGE Plan was created based on an extensive analysis of the real estate market, the regional economy, and existing conditions of the Oneida County Business Park (OCBP) which is located adjacent to the former airport property. The plan consisted of three phases of development "to cater to expected market conditions and the availability of land" for development.

- Phase 1 focused on infrastructure improvements, promoting occupancy of vacant buildings, and development of infill sites in the existing OCBP.

- Phase 2 focused on building out the perimeter around the airport site that is leased to the Department of Homeland Security.

- Phase 3 assumed that once the ten year lease ended, the Department of Homeland Security parcel would be reduced to 152 acres from the original 723 acres and the remaining land could be redeveloped as part of the Business Park.

In **2010**, Oneida County, submitted a written request to the FAA for the release of the remaining 1,210 acres of the former airport property to further develop the land for other uses. The FAA responded to that request by stating:

> "*in order for the FAA to consider releasing the remaining former airport property, the environmental impacts that will result from the federal action of releasing the property must be addressed. This requires, at a minimum, a detailed environmental assessment based on a specific proposal prepared pursuant to the National Environmental Policy Act. Having a completed assessment of the environmental impacts of the proposed reuse of the Oneida County Airport property is a specific requirement of the Record of Decision (ROD) issued by the FAA in December 2003 for the "Approval of Surplus Property Transferred for Aeronautical Use and Related Actions for the Former Griffiss Air Force Base. While we understand the proposed reuse of the airport property may not yet be known, the impacts of any reuse must be assessed and the appropriate processes followed. FAA cannot proceed with any authorizations/approvals until the requirements of the ROD are met.*"

In **2011**, the reuse of the former Airport property and development of the Oneida County Business Park were included in the Mohawk Valley Regional Economic Development Council (REDC) Strategic Plan, acknowledging its consistency with regional planning. The Strategic Plan identified proposed improvements that included

> *"Reconstruction of 5.28 miles of Judd and Halsey roads from State Route 233 to the I-90/NYS Thruway overpass. Reconstruction of Judd Road would enable it to be conveyed as a state road and would dramatically improve access to the Business Park. Other improvements would include collector road upgrades; construction of a roundabout at the intersection of Airport Road and Judd and Halsey Roads; storm water, sewer, and water pressure improvements, street lighting, wayfinding/signage,and engineering."*

In **2012** the County hired C&S Engineers, Inc. to prepare the land release documentation package and the Environmental Assessment required by the FAA to comply with the requirements of the ROD. Phase II of the MV EDGE Plan (see **Figure 2**, **Appendix A**) that focused on building out the perimeter around the airport site served as the "specific proposal" to be evaluated for impacts. However, as the project progressed this plan was revised based on input received from the County, MV EDGE, the FAA, and the Town of Whitestown (see Chapter 2 for details). This revised plan is hereinafter referred to as the "Reuse Plan".

Most recently, in **September 2015**, NYS announced its desire to purchase the original 723 acres of land previously approved for release by the FAA in 2009 as well as an additional 403 acres of

land located within the former airport property. The option to buy these two parcels was included in the 2007 Land Release Application. Appendix A of the application included a Memorandum of Understanding (MOU) executed between the County and the NYS OHS giving the NYS OHS the option to buy the two parcels (see **Appendix D**) and Appendix B of the application included property appraisals for the two parcels totally approximately 1,126 acres. Based on communications with the NYS OHS (see **Appendix C**) the State "*has no intended or planned future use that differs from its current use. No capital development is currently planned on the parcel, and no additional parking or impervious surfaces are planned."* The additional acreage is within the former airport fence line and will serve as a buffer between NYS OHS and adjacent properties.

1.3 Proposed Action

Oneida County is proposing to release for sale or long-term lease the remaining 1,210 acres of the former Oneida County Airport property (hereinafter referred to as the former Airport property) in Oneida County, NY. The 1,210 acres is intended for redevelopment in order to provide a thriving commercial and industrial center for Oneida County and the Mohawk Valley.

As shown on **Figure 3 (**see **Appendix A)** the 1,210 acre project site is broken down into the following three parcels:

- *Parcel 1* consists of approximately 227 acres of vacant undeveloped land. Parcel 1 has frontage on County Seat Road and is identified as tax map number 290.000-2-2 by the Town of Whitestown. A small portion of this parcel also falls in the Town of Westmoreland.

- *Parcel 2* consists of approximately 944 acres of vacant undeveloped land. The majority of this land lies to the south of the NYS OHS lease area and is contiguous, but divided by local roads. Parcel 2 has frontage on Carter Road, Cider Street, Postal Road, Judd Road, and Second Street and is identified as tax map numbers 290.000-2-46 and 303.000-2-39 by the Town of Whitestown and tax map number 290.000-1-1 by the Town of Westmoreland.

- *Parcel 3* consists of approximately 39 acres that is mostly developed comprising of three buildings, paved parking lots and mowed lawn. The three buildings contain a total of 210,340 square feet and consist of an office/warehouse building (formerly a hangar building) that is approximately 162,649 square feet, a small warehouse building that is approximately 7,691 square feet, and an office building that is approximately 40,000 square feet. Parcel 3 is located in the Town of Whitestown and is identified as a portion of tax map number 290.000-2.2.1 and tax map number 290.000-2-2.2. Parcel 3 has frontage on Hangar Road, Airline Street, Base Road, and Airport Road.

The NYS Office of Homeland Security (OHS)/Business Park Plan consists of mixed use development of the 1,210 acres of former Airport property. As part of this plan, approximately 403 acres would be sold to NYS Office of Homeland Security, and the remaining 807 acres would be available for sale or long-term lease for expansion of the current Oneida County Business Park

with a mixture of industrial, research and development, commercial, and conservation uses, and residential uses on the outskirts of the former airport property (see **Figure 5, Appendix A**). A more detailed description of potential mixed use development of the former Airport property is included within the Build Alternative sections of Chapter 2.

1.4 Purpose and Need

The purpose of the Proposed Action is to release and redevelop the former airport property in order to expand local business opportunity. This redevelopment fulfills the County's objectives of becoming more financially independent and promoting orderly growth of areas under its ownership for the benefit of the Mohawk Valley region. The need for the project is to

- provide a source of revenue to the County where none currently exists
- provide employment opportunities
- provide for orderly land use planning so development is compatible with surrounding land uses
- meet the demand for economic development in the region

1.5 Timeframe

The following time frames are anticipated for completing the Proposed Project, once the FAA approves the release of the 1,210 acres of former airport property. These time frames may vary depending on the NYS acquisition process and market demand for development:

- NYS acquisition of the 723 acre OHS site and an additional 403 acres of former Airport property within 6 to 12 months
- Development of the Business Park based on market demand over a 20-year period

CHAPTER 2 ALTERNATIVES

2.1 Introduction

In accordance with 40 CFR 1502.14, from the Council on Environmental Quality (CEQ), the environmental review process requires that all reasonable alternatives that meet the project's purpose and need be considered and analyzed. If an alternative is considered and found not to meet the purpose and need, it would not be advanced for further analysis. Pursuant to 40 CFR 1502.14(d) and paragraph 6-2.1(d) of FAA Order 1050.1F and paragraph 706(d) of FAA Order 5050.4B, analysis of the No Action alternative is required and should be advanced through the alternatives analysis as a basis of comparison against which the impacts of the other alternatives can be evaluated.

2.2 Alternative 1: No Action Alternative

Under this alternative, the existing FAA obligations and assurances, would remain in place over Parcels 1, 2, and 3 which make up the 1,210 acres of former Airport property proposed for release (see **Figure 3** in **Appendix A**). Those parcels would therefore remain and continue to be maintained as:

- Parcel 1: Vacant land
- Parcel 2: Vacant land
- Parcel 3: Improved land that contains three buildings, paved parking lots, and mowed lawn.

Although there would be no environmental impacts associated with this alternative, development would not be permitted and the facility would continue to require public funds for maintenance while providing little public benefit. Therefore, this alternative does not meet the purpose and need for the project.

2.3 Proposed Reuse Alternatives

Two reasonable alternatives were developed to provide analysis of a range of potential reuses of the former Airport property. Each reuse plan is conceptual in nature and represents generalized designations of potential future land uses based on development opportunities identified in the *OCBP Redevelopment Plan and Design Guidelines Report.* As explained in Chapter 1, the MV EDGE Plan (see **Figure 2**) that focused on building out the perimeter around the airport site was used as a starting point for the development of alternatives in this chapter with modifications made as the project progressed. The modifications to the MV EDGE Plan are discussed below for each alternative.

2.3.1 Alternative 2: Develop OCBP (Maximum Build Out)

Based on meetings held with the County and MV EDGE, communications with the FAA, and input received from the Town of Whitestown, the MV EDGE Plan was modified based on the following:

- In order to implement the MV EDGE Plan, zoning changes would be required in the Town of Westmoreland and the Town of Whitestown. It was not considered feasible to implement zoning changes in the Town of Westmoreland within the timeframe of this EA. As a result, the MV EDGE Plan was modified to match existing residential zoning within the Town of Westmorland.

- The Town of Whitestown zoning ordinance was amended and a resolution passed on June 17, 2015 to rezone the "Airport District". The Town Planning Board recommended the "Airport District" be rezoned to "R-200 residential" and/or "Planned Development" (see **Appendix G**). This resulted in the "Opportunity Site" being changed to a residential land use southeast of Cider Street and a portion of the "Mega Site" being changed to residential land use southwest of Cider Street.

- The FAA required a maximum build out plan be developed that identifies the acres of impervious surfaces (i.e., pavements such as roads, sidewalks, driveways, parking lots) anticipated for each land use in order to quantify impacts (see **Appendix C**). This plan was developed using maximum coverage percentages allowed by the municipal zoning ordinances (see **Appendix G**) and census growth rates provided by the Town of Westmoreland. The assumptions used for the maximum build out plan are contained in **Appendix H**. Total property acreage versus maximum build out acreage is included on **Figure 4** (i.e. - the 201 acre property included within Parcel 2 has a maximum build out (developable) acreage of 40 acres based its zoning ordinance).

Alternative 2 (Maximum Build Out - see **Figure 4** in **Appendix A**) expands on the existing Business Park adjacent to the former airport property and includes the following:

- Light Industrial Area comprised of three areas totaling 144 acres (12% of the total project site). Uses to be permitted in these areas include office and light manufacturing, building materials storage and sales, self-storage, contractors, and construction yards. The three areas are located along the western (78 acres), northern (15 acres), and northeastern (51acres) edges of the former airport and adjacent to the existing Oneida County Business Park that is located between Hangar and Sutliff Roads.

- Research and Development / Office Area comprised of two areas totaling 13 acres (1% of the total project site) and are located along the northern portion of the former airport lands. Permitted uses in this area include general office space.

- Warehouse and Distribution Area comprised of one area totaling 124 acres (10% of the total project site) and is located along the eastern portion of the former airport lands. Permitted uses in this area include trucking and warehousing.

- Mega Site Area comprised of one area totaling 201 acres (17% of the total project site) and is located along the southeastern portion of the former airport lands. This area is a reserved parcel for a larger 200 acre + "mega" development (e.g., Marcy Nanocenter at SUNYIT, Family Dollar distribution facility at Griffiss Business Park, or Walmart distribution center at Marcy, NY). Permitted uses include heavy to light industrial, hi-tech manufacturing, large scale distribution and warehousing, and job producing development that would require a vast amount of acreage to accommodate.

- Residential Area comprised of two areas totaling 542 acres (45% of the total project site). The two areas are located along the southern (320 acres) and eastern (222 acres) edges of the former airport lands. Permitted uses in this area include single-family residential.

- Town Center / Business Park Center Area comprised of one area totaling 3 acres (.2% of the total project site) and is located along the northern portion of the former airport lands. Permitted uses in the Business Park Center include pedestrian-scale retail, restaurants, and public spaces that will provide a gathering place for the Business Park community.

- Wetlands, Natural Landscape, and Parks Area comprised of one area totaling 143 acres (12% of the total project site). This area is reserved for an open space network that includes the extensive wetland area in the northwest portion of the former airport lands and a multi-purpose trail for biking and walking.

- Roads are located throughout the site and comprise 38 acres (3% of the total project site). These areas contain existing roads such as Cider Street, Postal Road, Airport Road and County Seat Road and two proposed roadways located in the light industrial areas and/or warehouse and distribution areas on the northwestern and northeastern portions of the former airport property.

- Utilities to serve the proposed developments, including gas, water, electricity, telecommunications, and stormwater drainage, detention, and treatment sufficient to meet requirements of local and state governments.

Table 1 provides a summary of the proposed land uses and acres of impervious surfaces at maximum build-out associated with Alternative 2.

TABLE 1
ALTERNATIVE 2: MAXIMUM BUILD OUT SUMMARY

Land Uses	Acres by Land Use	Acres of Impervious Surfaces
Light Industrial	144	72
R&D / Office	13	3
Warehouse & Distribution	124	62
Mega Site	201	40
Residential	542	28
Town Center	3	1
Wetlands, Natural Landscape, & Parks	143	0
Roads (Existing/Proposed)	23/17	23/17
TOTAL	**1210**	**246**

Source: C&S Engineers, Inc.

2.3.2 Alternative 3: NYS Office of Homeland Security / Develop OCBP (Proposed Action)

Development of this alternative was based on recent events that have taken place between Oneida County and NYS. As discussed in Chapter 1 (1.02 Project Background), in September 2015, NYS announced its desire to purchase the original 723 acres of land previously approved for release by FAA and an additional 403 acres of land (see **Appendix C**) currently proposed for release. As a result, this alternative identifies the 403 acres as proposed government / non-profit land use and, based on communication with NYS Office of Homeland Security (OHS), assumes no development will take place within this area. All other land uses (i.e. remaining 807 acres) outside the limits of the government / non-profit use remain the same as Alternative 2.

Alternative 3 (i.e. Proposed Action - see **Figure 5** in **Appendix A**) includes the following:

- Government / Non-Profit Area comprised of two areas totaling 403 acres (33% of the total project site). The Government / Non-Profit Area is comprised of one area totaling 15 acres that is located along the northern portion of the former airport lands. Currently this area is developed and contains the Orion storage building and paved parking. NYS OHS plans to continue using this area for storage purposes, no further development is planned. The second area totaling 388 acres is located along the eastern edge of the current NYS OHS parcel. This area is currently undeveloped and is expected to remain undeveloped.

- Light Industrial Area comprised of one area totaling 78 acres (12% of the total project site). Uses to be permitted in these areas include offices and light manufacturing, building materials storage and sales, self-storage, contractors, and construction yards. The area is located along the western edge of the former airport property.

- Research and Development / Office Area comprised of one area totaling 13 acres (1% of the total project site) and is located along the northern portion of the former airport lands. Permitted uses in this area include general office space.

- Town Center / Business Park Center Area comprised of one area totaling 3 acres (.2% of the total project site) and is located along the northern portion of the former airport lands. Permitted uses in the Business Park Center include pedestrian-scale retail, restaurants, and public spaces that will provide a gathering place for the Business Park community.

- Residential Area comprised of two areas totaling 542 acres (45% of the total project site). The two areas are located along the southern (320 acres) and eastern (222 acres) edges of the former airport lands. Permitted uses in this area include single-family residential.

- Wetlands, Natural Landscape, and Parks Area comprised of one area totaling 143 acres (12% of the total project site). This area is reserved for an open space network that includes the extensive wetland area in the northwest portion of the PDD and a multi-purpose trail for biking and walking.

- Roads are located throughout the site and comprise 28 acres (2% of the total project site). These areas contain existing roads such as Cider Street, Postal Road, Airport Road and County Seat Road and one proposed roadway located in the light industrial area on the northwestern portion of the former airport property.

- Utilities to serve the proposed developments, including gas, water, electricity, telecommunications, and stormwater drainage, detention, and treatment sufficient to meet requirements of local and state governments.

Table 2 provides a summary of the proposed land uses and acres of impervious surfaces associated with Alternative 3.

TABLE 2
ALTERNATIVE 3: PROPOSED ACTION SUMMARY

Land Uses	Acres by Land Use	Acres of Impervious Surfaces
Government/Non-Profit (NYS Homeland Security)	403	0
Light Industrial	78	39
R&D / Office	13	3
Town Center	3	1
Residential	542	28
Wetlands, Natural Landscape, & Parks	143	0
Roads (Existing/Proposed)	23/5	23/5
TOTAL	**1210**	**99**

Source: C&S Engineers, Inc.

2.4 Conclusion

Alternative 3 is the sponsors (Oneida County) preferred alternative. The reasons supporting this alternative are discussed below:

- Meets the purpose and need for the County to become more financially independent and promote orderly growth of areas under its ownership for the benefit of the Mohawk Valley region
- A current offer for the sale of 403 acres of former airport land in conjunction with the 723 acres currently leased by the NYS OHS is in place ($10 million) versus no offer's in place for Alternative 2
- Impacts to the environment (i.e., wetlands, biotic resources, traffic,) are less since 403 acres that would have been developed in Alternative 2 will remain undeveloped

Alternatives 1 and 2 will also be carried forward for detailed evaluation in the remaining sections of this EA to comply with CEQ regulations and address the FAA's request that a maximum build-out plan be assessed.

CHAPTER 3- AFFECTED ENVIRONMENT

3.1 Introduction/Project Setting

As required by FAA Order 1050.1F and FAA Order 5050.4B, this section describes the existing environmental conditions within the study area to establish the baseline condition from which the impacts of the Proposed Action and the Maximum Build-Out will be determined. In addition, FAA's 1050.1F Desk Reference (*Desk Reference)* was used as a guide to applicable special purpose laws and assisted in the integration of these laws and NEPA to the fullest extent possible.

3.1.1 Project Location

The Mohawk Valley is located between Albany and Syracuse along the Erie Canal and spans six New York counties--Oneida, Herkimer, Otsego, Fulton, Montgomery and Schoharie. The former Oneida County Airport (Airport) is located within the Mohawk Valley region, specifically within Oneida County. Oneida County encompasses approximately 1,213 square miles and is composed of 27 townships, the Cities of Utica and Rome, and several villages and hamlets.

The former Airport is located in the Town of Whitestown and the Town of Westmoreland and is situated approximately two miles west of the Village of Oriskany, five miles south of the City of Rome, and eight miles northwest of the city of Utica. **Figure 1** (see **Appendix A)** provides the location of the former Airport. Originally, the former Airport consisted of approximately 1,933 acres of land. As previously discussed, 723 acres of the former Airport property was previously released by the FAA and is currently leased by the NYS OHS for use as their State Preparedness Training Center. Therefore, for purposes of this report, the study area is defined as 1,210 acres of former Airport property currently proposed for release. The project area is defined as the total area available for maximum build out based on maximum coverage percentages allowed by municipal zoning ordinances.

As previously described in Chapter 1 (Section 1.3) and as shown on **Figure 3 (**see **Appendix A),** the study area is broken down into three parcels: Parcel 1 (~227 acres of vacant undeveloped land), Parcel 2 (~944 acres of vacant undeveloped land) and Parcel 3 (~39 acres of mostly developed land).

3.1.2 Land Use and Zoning

Land use describes the current designated use of a parcel of land (e.g., agricultural use, commercial use, residential use). Land use determinations are reserved for local governments and are used in a planning context to identify on a neighborhood to regional basis what they are surrounded by. Local governments commonly control the use of specific parcels of land by zoning. Zoning refers to an ordinance that allows or restricts the location and development of buildings or structures in a specific area.

3.1.2-1 Existing Land Use

The former airport property and surrounding area land uses are shown on **Figure 6** (see **Appendix A)**. The former airport property is categorized as public services. Existing land uses surrounding the former airport property to the south, east, and west mainly include a mixture of residential, agricultural, and vacant land. Existing land use north of the former airport property is generally associated with the Oneida County Business Park (OCBP) and is best described as mixed-use (commercial, industrial, community services, vacant parcels).

3.1.2-2 Future Land Use

Proposed land use within the 1,210 acre study area generally includes a mixture of government/non-profit, residential, light industrial, R&D/office, Town Center, roads, utilities, and conservation uses. As shown on **Figure 5** (see **Appendix A**), proposed land uses within respective parcels include:

- *Parcel 1 (~227 acres)*: Proposed land uses within this portion of the study area includes a mixture of wetlands & natural landscape, park, and light industrial.

- *Parcel 2 (~944 acres):* Proposed land uses within this portion of the study area includes government / non-profit land use and residential land use.

- *Parcel 3 (~39 acres):* Proposed land uses within this portion of the study include a mixture of light industrial, R&D/office, and Town Center. Proposed land use within Parcel 3 is generally consistent with its current land use.

As shown on **Figure 4**, (see **Appendix A**) proposed land use set forth in the Maximum Build-Out, remains the same as identified above with regard to Parcels 1 and 3. However, proposed land use within Parcel 2 of the study area changes from a mixture of government/nonprofit and residential land use to a mixture of residential, mega site, warehouse & distribution, and light industrial land use.

3.1.2-3 Zoning

The former Airport property has been incorporated into the zoning ordinances of the Town of Whitestown and the Town of Westmoreland. Existing zoning is shown on **Figure 7** (see **Appendix A**). In 2015, the Town of Whitestown amended the zoning for the former airport property **(see Appendix G)**. A breakdown of existing zoning by parcel is shown below.

- Parcel 1 is located in the Town of Whitestown and was changed from Airport District (A) to Planned Development (PD)

- Parcel 2 is located in the Town of Whitestown and the Town of Westmoreland. The portions of Parcel 2 located in the Town of Whitestown were changed from Airport District (A) to Planned Development (PD) on the west of Cider Street, and Residential (R-200) east of Cider Street. The remaining portion of Parcel 2 located within the Town of Westmoreland remained Residential (R-200).
- Parcel 3 is located in the Town of Whitestown and was changed from Airport District (A) to Planned Development (PD).

The Proposed Action and the Maximum Build-Out will not require additional zoning changes within the Town of Whitestown or the Town of Westmoreland.

3.1.3 Soils

A review of the soil survey prepared by the United States Department of Agriculture (USDA) Soil Conservation Service indicated that soil types within the study area and adjacent areas vary. As shown on **Figure 8 (**see **Appendix A)**, the study area, broken down by parcel, is primarily located within the following soil types:

- Parcel 1: Kendaia silt loam, Lyons silt loam, Palms muck, and Conesus silt loam
- Parcel 2: Honeoye silt loam; Chadakoin silt loam, Lima silt loam, Kendaia silt loam, Lyons silt loam, and Conesus silt loam
- Parcel 3: Udorthents, smoothed and Lyons silt loam

Soils and their characteristics may be important in identifying concerns related to future development. The following aspects of the soils found on or adjacent to the study area will be reviewed in further detail in Chapter 4.

3.1.3-1 Hydric Soils

The U.S. Army Corps of Engineers *Wetland Delineation Manual* states that the presence of hydric soils is one of three essential characteristics of wetlands. “Hydric soils are soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part” (USDA Soil Conservation Service, 1987). As summarized above, the following soil types are identified within the Soil Survey as being present in the study area according to the NRCS *National Hydric Soils List for New York State*: Palms muck is considered a hydric soil and Lyons silt loam is considered to be a *predominately* hydric soil. Chadakoin silt loam (8 to 15% slope) is considered to be nonhydric soil while, Udorthents (smoothed), Honeoye silt loam (15 to 25% slope), Lima silt loam (3 to 8% slope), Kendaia silt loam (0 to 3% slope), Kendaia silt loam (3 to 8% slope), and Conesus silt loam (3 to 8% slope) are considered to be *predominately* nonhydric soils.

3.1.3-2 Prime Farmland Soils

According to the United States Department of Agriculture, prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is also available for these uses[2]. It has the soil quantity, growing season and moisture supply needed to economically produce sustained high yields of crops when treated and managed according to acceptable farming methods. The following soil types are identified as being present in the study area and are considered prime farmland: Chadakoin silt loam (3 to 8% slopes), Lima gravelly silt loam (3 to 8% slope), and Conesus silt loam (3 to 8% slopes). Kendaia silt loam (0 to 3% slope and 3 to 8% slope) is also present within the study area and is considered to be a prime farmland soil if drained.

3.1.3-3 Statewide and Locally Important Farmland Soils

Statewide and locally important farmland is land that has been designated as "important" by either a state government or by county commissioners or an equivalent elected body. In order to be a designated statewide and locally important farmland, the State Conservationist representing the Natural Resource Conservation Service (NRCS) must agree with the designation. Chadakoin silt loam (8 to 15%) and Conesus silt loam (8 to 15 % slopes) are present within the study area and are considered to be "Farmland of Statewide Importance."

3.1.4 Socioeconomic Conditions and Environmental Justice Communities

According to FAA Order 5050.4B and FAA Order 1050.1F, the FAA must evaluate proposed airport development actions to determine if they would cause social impacts, including effects on transportation/traffic, health and safety risks to children, socioeconomic impacts, and assessment of the potential to cause disproportionate and adverse effects on low-income or minority populations. The study area for socioeconomic and environmental justice communities includes portions of Oneida County, Town of Westmoreland, and the Town of Whitestown. This section provides an overview of the existing socioeconomic conditions in and near the project area and identifies low-income and minority populations.

3.1.4-1 Socioeconomic Conditions

The socioeconomic character of an area includes its population, housing, and economic activities. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although some socioeconomic changes may not result in impacts under NEPA, they are still discussed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area. In some cases, these changes may be substantial but not adverse (e.g., positive

[2]http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/technical/nra/nri/?&cid=nrcs143_014052

economic impacts). The objective of the NEPA analysis is to disclose whether any changes created by the action would have a significant adverse impact compared to what would happen in the future without the action.

Demographics

The US Census Bureau has compiled the following data for Oneida County, New York. Census data for the Town of Westmoreland and the Town of Whitestown was obtained from Wikipedia and was based on data from the 2000 Census. As shown in **Table 3**, the Town of Whitestown's total population of 18,667 is significantly larger than the Town of Westmoreland's population of 6,138. The racial makeup within both Towns is predominately white (greater than 97%) with less than a 3 percent minority population.

TABLE 3 DEMOGRAPHIC AND ECONOMIC CHARACTERISTICS OF STUDY AREA

Area	Total Population	White Population	Minority Population	Median Household Income	Population Below Poverty Level
Whitestown, N.Y.	18,667	97.3%	2.7%	$55,334	10.5%
Westmoreland, N.Y.	6,138	99.2%	0.8%	$78,947	8.4%
Oneida County	234,876	89.1%	12.9%	$48,931	16.5%
New York State	19,378,102	65.7%	34.3%	$58,687	15.6%

Source: U.S. Census Bureau, 2010 Demographic Profile and 2010-2-14 American Community Survey 5-Year Estimates

Housing

According to the Oneida County website[3], recent (2010-2012) Census data indicates that there are approximately 90,538 households within Oneida County and that the majority of the housing in the County is owner occupied (67%) versus renter occupied (33%). The Census data also indicates that within Oneida County there are approximately 104,094 housing units of which approximately 87.0% are occupied and 13.0% are vacant.

Economic and Employment Status

As shown in **Table 3**, the percentage of populations below the poverty level for both the Town of Whitestown and the Town of Westmoreland was significantly below both the County and State percentages while the median household income identified for the County was lower than those identified for both Towns. According to the Oneida County website, recent (2010-2012) Census data indicates that there are approximately 113,178 people within the civilian labor force of which approximately 8.6% are unemployed. According to the New York State Department of Labor, the state's unemployment rate decreased from 7.0% to 6.8% in January 2014, its lowest level since December 2008. The unemployment rate within Oneida County is slightly higher than the current New York State unemployment rate.

[3] http://www.ocgov.net/planning/RecentCensusData

3.1.4-2 Environmental Justice Communities

The USEPA[4] and the NYSDEC[5] defines environmental justice (EJ) as: "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies." The *Desk Reference* incorporates the USEPA definition of environmental justice (EJ). According to the USEPA, fair treatment means that no group of people, including a racial, ethnic, or a socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies." EJ considers the potential of Federal actions to cause disproportionate and adverse effects on low-income or minority populations and ensures no low-income or minority population bears a disproportionate burden of effects resulting from Federal actions. **Table 3** above presents information on EJ populations within the study area.

As established in NYSDEC Commissioner Policy 29 on Environmental Justice and Permitting (CP-29)[6], potential EJ Areas, as defined by the NYSDEC, had populations that met or exceeded at least one of the following statistical thresholds:

- At least 51.1% of the population in an urban area reported themselves to be members of minority groups; or
- At least 33.8% of the population in a rural area reported themselves to be members of minority groups; or
- At least 23.59% of the population in an urban or rural area had household incomes below the federal poverty level.

As previously mentioned, the study area is located entirely within the Towns of Whitestown and Westmoreland. As shown in **Table 3**, those Towns do not meet the NYSDEC definition of an environmental justice area. In addition, according to the NYSDEC Office of Environmental Justice website[7] the study area is not located within a potential environmental justice area

3.2 Environmental Impact Categories

During the scoping process for the Proposed Action and Maximum Build-Out, federal and state agencies were sent letters requesting information about environmental resources in or near the study area. Information provided by these agencies was used to supplement review of available environmental data from online resources and field surveys that have been previously conducted by the airport sponsor or for the study area.

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[4] USEPA. *Environmental Justice*. Last Updated on November 26, 2015. Accessed on December 9, 2015. Available at: http://www.epa.gov/environmentaljustice/

[5] NYSDEC. *Environmental Justice*. Accessed on: December 9, 2015. Available at: http://www.dec.ny.gov/public/333.html

[6] NYSDEC. *DEC Environmental Justice Policy CP-29*. Accessed on: December 9, 2015. Available at: http://www.dec.ny.gov/public/36929.html

[7] http://www.dec.ny.gov/docs/permits_ej_operations_pdf/oneidaej.pdf

Appendix B includes a list of each of the involved agencies and/or individuals that were sent letters during the scoping process. **Appendix C** includes a copy of the scoping letters that were sent and agency responses that were received. Information provided by the agencies will be discussed in more detail in the appropriate sections within this Chapter and in Chapter 4 – Environmental Consequences. This section examines the natural environment in or near the study area and **Figure 9 (**see **Appendix A)** identifies those environmental resources that are located within the study area. The environmental impact categories listed in Chapter 4 of FAA Order 1050.1F were reviewed in order to determine what impact categories will not be affected and those that have the potential to be affected by future development.

3.2.1 Air Quality and Climate Change

3.2.1-1 Air Quality

As discussed in Chapter 1 of the *Desk Reference,* air quality is the measure of the condition of the air expressed in terms of ambient pollutant concentrations and their temporal and spatial distribution. Air quality regulations in the United States are based on concerns that high concentrations of air pollutants can harm human health, especially for children, the elderly, and people with compromised health conditions; as well as adversely affect public welfare by damage to crops, vegetation, buildings, and other property.

The United States Environmental Protection Agency (USEPA), through the federal Clean Air Act (CAA), has established National Ambient Air Quality Standards (NAAQS) for six criteria pollutants: carbon monoxide (CO), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter (PM_{10} and $PM_{2.5}$), ozone, and lead. An area that violates a national primary or secondary NAAQS for one or more of the USEPA designated criteria pollutants is referred to as non-attainment. A maintenance area is one that has previously been in violation of the NAAQS but has since implemented an avoidance plan and has had no additional violations over an extended period of time.

The study area is located in Oneida County. According to the USEPA Green Book[8] (current as of October 1, 2015), Oneida County currently meets the NAAQS for all six criteria pollutants (i.e. Oneida County is an attainment area for criteria pollutants).

3.2.1-2 Climate Change

Climate change is attributed to greenhouse gases (GHGs), which are pollutants such as carbon dioxide (CO_2), methane, nitrous oxide and refrigerants that trap heat and radiation in the earth's atmosphere. Unlike criteria pollutants, GHG emissions do not directly affect the regional air quality and there are no standards or thresholds of significance impacts.

There is a direct correlation between fuel combustion and GHG emissions. In terms of U.S. contributions, the General Accounting Office (GAO) reports that "domestic aviation contributes

[8] http://www3.epa.gov/airquality/greenbook/anayo_ny.html

about 3 percent of total carbon dioxide emissions, according to EPA data," compared with other industrial sources including the remainder of the transportation sector (20 percent) and power generation (41 percent) (GAO, 2009). In addition, the USEPA reports that in 2011, transportation represented approximately 27 percent of total U.S. GHG emissions (USEPA September 2013). Climate change due to GHG emissions is a global phenomenon, so the affected environment is the global climate. The scientific community is continuing efforts to better understand the impact of GHG emissions on the global atmosphere.

The Mohawk Valley Regional Sustainability Plan (MV Regional Sustainability Plan)[9] identifies goals and specific strategies to achieve a more sustainable future for the people of the Mohawk Valley region. The MV Regional Sustainability Plan was developed by the Mohawk Valley Planning Consortium, the Planning Team, and regional agency and public stakeholders throughout the region. The Consortium was composed of planning professionals and representatives from the Mohawk Valley's six county government agencies and the communities of Utica, Rome, Cooperstown, Oneida, and Oneonta. Part of the focus of the Plan was to identify goals and actions that would allow the Mohawk Valley to continue to grow its regional economy, improve its communities, and support local industry while reducing the overall GHG emissions totals for the region. The MV Regional Sustainability Plan identified sustainability goals with regard to: Economic Development, Transportation, Land Use and Livable Communities, Water Management, Materials Management, Energy, and Agriculture and Forestry.

According to the MV Regional Sustainability Plan ("Plan"), the total GHG emissions in 2010 for the Mohawk Valley region were estimated at 6.2 million metric tons of carbon dioxide equivalents (million MT CO_2e) with transportation (44%), residential energy consumption (23%) and commercial energy consumption (15%) being the largest sectors contributing to that emissions total. According to the Plan, GHG emissions for the whole region were divided by the population to develop this measure of per capita emissions. GHGs include CO_2e and other heat-trapping gases, including water vapor and methane. However, to simplify reporting, all emissions were converted to the heat-trapping capability of CO_2e. Based on this conversion, in 2010 the Mohawk Valley region emitted 2.7 million metric tons of CO_2e, which represents 5.4 tons CO_2e for every person, while Oneida County's GHG emissions per capita equaled 5.5 tons of CO_2e for every person.

As previously mentioned, the lands proposed for release and reuse are located within the Mohawk Valley region and are currently owned by Oneida County – one of the counties responsible for developing the MV Regional Sustainability Plan. Although future development associated with the Proposed Action and/or the Maximum Build-out alternative may result in an increase in GHG emissions; future development is expected to be consistent with the sustainable action items identified in the MV Regional Sustainability Plan.

[9] http://www.sustainablemohawkvalley.com/documents/home/Mohawk%20Valley%20Sustainability%20Plan.pdf

Construction activities related to the Poposed Action and Maximum Build-Out may affect air quality and greenhouse gases. As a result, an air quality analysis will be required and potential impacts to air quality and climate will be assessed in Chapter 4-Environmental Consequences.

3.2.2 Biological Resources

According to Chapter 2 of the *Desk Reference*, Biological Resources are valued for their intrinsic, aesthetic, economic, and recreational qualities and include fish, wildlife, plants, and their respective habitats. Typical categories of biological resources include:

- Terrestrial and aquatic plant and animal species
- Game and non-game species
- Special status species (state or federally-listed threatened or endangered species, marine mammals, or species of concern, such as species proposed for listing or migratory birds; and environmental sensitive critical habitats.

As part of this EA, a Habitat Assessment report was prepared by DIEHLUX, LLC in November 2015 (see **Appendix J**). The Habitat Assessment consisted of a desktop review of Parcels 1, 2, and 3 and site reconnaissance to field verify the results of the desktop review. The existing habitats and ecological communities observed within each parcel were based on the 2014 NYSDEC report entitled Ecological Communities of New York State, Second Edition (Ecological Communities). The report is a revised and expanded version of the original 1990 version that lists and describes ecological systems, subsystems, and communities within New York State. The classification was developed to help assess and protect biological diversity of the state. An assessment of the biotic communities for this project was conducted consistent with the representative characteristics presented in Ecological Communities. This section discusses existing biological communities, wildlife, migratory birds, and Federal and state-listed threatened and endangered species within the study area.

Existing Biological Communities

As previously stated, the 1,210 acre project study area consists of three parcels (see **Figure 2** in **Appendix A**). Based on the Habitat Assessment prepared by DIEHLUX, LLC, the ecological community types present within each parcel (see **Figure 13**) generally includes:

- *Parcel 1* (~227 acres) is predominately forested. Minor depressions within the forested areas typically showed signs of scrub/shrub wetlands.

    - ❖ Palustrine System (shallow emergent swamp, scrub/shrub swamp, hemlock hardwood swamp)

    - ❖ Terrestrial System (successional old field, successional shrubland, hemlock northern hardwoods, successional northern hardwoods, unpaved road/path)

- *Parcel 2 (~ 944 acres)* consists of a large tract of undeveloped land with a mix of successional old field, shrubland and forest with low areas consisting of red maple swamp and emergent marshland south of the existing airport.

    - ❖ Palustrine System (shallow emergent marsh, scrub/shrub swamp, red maple hardwood swamp)

    - ❖ Terrestrial System (successional old field, successional shrubland, successional northern hardwoods, cropland/field crops, mowed lawn with trees, mowed lawn, mowed roadside/pathway, herbicide-sprayed roadside pathway, unpaved road/path, paved road pathway, urban structure exterior, rural structure exterior)

- *Parcel 3* (*~39 acres*) is predominately a developed portion of land immediately adjacent to the airport.

    - ❖ Terrestrial System (mowed lawn with trees, mowed lawn, mowed roadside/pathway, herbicide-sprayed roadside pathway, paved road pathway, urban structure exterior).

Wildlife

During the community inventory conducted as part of the Habitat Assessment various wildlife were observed in the project area that included red-tailed hawks, crows, various songbirds along with white-tailed deer, an eastern cottontail, a flock of turkeys, woodchucks and numerous squirrels and chipmunks.

Migratory Birds

The USFWS Official Species list obtained from the IPaC system for the study area (see **Appendix C**, USFWS Official Species List dated December 3, 2015 from IPaC, USFWS) identified a number of migratory birds of conservation concern within or near the study area. The migratory birds identified included the following:

- American bittern
- Bald eagle
- Black-billed cuckoo
- Blue-winged warbler
- Canada warbler
- Golden-winged warbler
- Olive-sided flycatcher
- Peregrine falcon
- Pied-billed grebe
- Prairie warbler
- Short-eared owl
- Upland sandpiper
- Willow flycatcher
- Wood thrush
- Red-headed woodpecker

According to the IPaC system, there are no National Wildlife Refuges within the study area.

Threatened and Endangered Species

Federal Species

According to Chapter 2 of the *Desk Reference*, in accordance with the Endangered Species Act of 1973, the FAA "*must determine if a Proposed Action under its purview would affect a federally-listed species or habitat critical to that species*". As shown in **Table 4** and based on information supplied by the USFWS Information, Planning and Conservation (IPaC) system there are two federally-listed wildlife species (Indiana bat, Northern Long-eared Bat) that have the potential to occur within the study area (see **Appendix C**, USFWS Official Species List dated December 3, 2015 from IPaC, USFWS).

TABLE 4 FEDERALLY-LISTED ENDANGERED AND THREATENED SPECIES[1]

Common Name	Scientific Name	Species Status	Habitat Assessment Findings
Indiana bat	Myotis sodalist	Endangered	Study area contains potential habitat
Northern long-eared bat	Myotis septentrionalis	Threatened	Study area contains potential habitat

[1] – Based on USFWS IPaC System dated December 3, 2015

According to the USFWS website, the **Indiana bat** hibernates in caves and mines during the winter. After hibernation, Indiana bats migrate to their summer habitat. Suitable summer habitat for Indiana bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats18 such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥5 inches dbh19 (12.7 centimeter) that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of other forested/wooded habitat.

Similar to the Indiana bat, the **Northern long-eared bat** also hibernates in caves and mines during the winter. After hibernation, Northern long-eared bats migrate to their summer habitat. Suitable summer habitat for NLEB consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥3 inches dbh that have exfoliating bark, cracks, crevices, and/or cavities), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit characteristics of suitable roost trees and are within 1000 feet of other forested/wooded habitat. NLEB has also been observed roosting in human-made

structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat

According to the *IPaC system official species list* (see **Appendix C**), there are no critical habitats located within the study area and no other federally threatened or endangered species, or environmentally-sensitive habitat areas were identified.

State Species

The NYSDEC Region 6 Division of Environmental Permits and the NYSDEC Division of Fish, Wildlife, and Marine Resources, New York Natural Heritage Program (NYNHP) was contacted in regards to the potential for known occurrences of state significant habitats, endangered, threatened, or rare species, or species of special concern within the vicinity of the study area. The NYSDEC Region 6 Division of Environmental Permits stated in their scoping response that "*The NY Natural Heritage Program element occurrence database indicates there are two Listed Species on or in close proximity to the project site. Both species have been identified inside the footprint of the former airport. An Article 11 Incidental Take Permit may be required by the DEC for any proposed action that could result in a "take", which includes but is not limited to direct mortality, adverse modification, degradation or destruction of occupied habitat of any Listed Species. It is recommended that a professional familiar with the identification of the species (Upland sandpiper and Northern harrier) undertake a survey and determine if the proposed project contains habitats which would favor these species*" (see **Appendix C**, correspondence dated February 24, 2014 from Ms. Rosa Howard, NYSDEC Division of Environmental Permits, Region 6).

As shown in **Table 5**, consistent with the NYDEC Division of Environmental Permits response, the NYNHP response identified the same two state listed bird species (Northern harrier, Upland sandpiper) as having the potential occur within or near the study area (see **Appendix C**, correspondence dated November 1, 2013 from Ms. Andrea Chaloux, NYNHP). The NYNHP also Identified the Schweinitz's sedge as having the potential to occur within or near the study area. According to NYNHP, the Schweinitz sedge was documented in the vicinity of the study area, but has not been documented there since 1979 or earlier, and there is uncertainty regarding their continued presence.

TABLE 5 STATE-LISTED ENDANGERED AND THREATENED SPECIES[1]

Common Name	Scientific Name	Species Status	Habitat Assessment Findings
Upland sandpiper	Bartramia longicauda	Threatened	Study area does not contain potential habitat
Northern harrier	Ciccus cyaneus	Threatened	Study area contains potential habitat
Schweinitz's sedge	Carex schweinitzii	Threatened	Study area does not contain potential habitat

[1] – Based on NYSDEC NYNHP correspondence dated November 20, 2015

As discussed previously, a Habitat Assessment was prepared by DIEHLUX, LLC (see **Appendix J**). Since initial correspondence with NYNHP extended beyond one year, Diehlux submitted a follow-up request to NYNHP on October 29, 2015; and received their response on November 20, 2015. In their response, the NYNHP identified the same three species (Upland sandpiper, Northern harrier, Schweinitz's sedge) that they had previously identified in their initial November 2013 correspondence. A copy of NYNHP's November 20th letter is attached to the Habitat Assessment Report included in **Appendix J**.

According to the NYSDEC Upland sandpiper Fact Sheet[10], the **Upland sandpiper** is referred to as the shorebird of the prairies and spends little time near water. The Upland sandpiper is an obligate grassland species that returns to its breeding grounds in early spring. Nest preparation begins approximately 2 weeks after arrival and nests are constructed on the ground, using clumps of grass or other vegetation for cover.

According to NYSDEC Northern harrier Fact Sheet[11], the **Northern harrier**, formerly known as the marsh hawk, hunts primarily on the wing and may cover up to 100 miles per day. Their nest is a flimsy structure built of sticks and grass on the ground. It can be found in dense vegetation or situated in a slightly elevated position. Communal flocks roost on the ground during winter and migratory periods in agricultural fields, abandoned fields and salt marshes. Breeding occurs in both freshwater and brackish marshes, tundra, fallow grasslands, meadows and cultivated fields. According to the NYNHP website[12], the **Schweinitz's sedge** grows in strongly calcareous (chalky), perennially wet, seepy habitats often in association with rich fens. It is commonly found on edges of fens and also occurs in calcareous marshes, swamps, and shores. It does particularly well in and on the margins of small streams and small drainage channels that have strongly calcareous water.

No other state significant habitats, endangered, threatened, or rare species; or species of special concern were noted within the vicinity of the proposed project area.

Based on discussions with the NYSDEC and USFWS (see **Appendix C**) field surveys to determine the presence or absence of T&E species would not be required at this time since the EA is assessing impacts associated with a conceptual plan and no specific proposal is in place at this time. The NYSDEC and USFWS requested a screening level review be conducted for the purposes of this EA in order to identify potential areas of concern related to T&E species. When an actual development proposal from an industry or entity is prepared, future development of these lands would be subject to additional environmental review under the New York State Environmental Quality Review Act (SEQRA). State and federal field surveys and/or approvals necessary for specific development projects would be completed under the SEQR process.

[10] http://www.dec.ny.gov/animals/59582.html
[11] http://www.dec.ny.gov/animals/7090.html
[12] http://www.acris.nynhp.org/guide.php?id=9514

The Habitat Assessment (see **Appendix J**) determined that the study area does not contain potential habitat for the state-listed Upland sandpiper and Schweintitz's sedge. However, the assessment did determine that the study area does contain potential habitat for the federally-listed Indiana bat and Northern long-eared bat and the state-listed Northern harrier (see **Figure 14**).

In addition, although the bog turtle is no longer identified within the study area by the USFWS IPaC system (current as of December 3, 2015 – see **Appendix C**), Diehlux did provide an assessment for the bog turtle. According to the Habitat Assessment report, the bog turtle is generally found in calcareous boggy areas typically dominated by sphagnum moss and sedges; DIEHLUX did not identify such habitat to be located within the study area.

The Proposed Action and Maximum Build-Out have the potential to impact threatened and endangered species (Indiana bat, Northern long-eared bat, and Northern harrier) and vegetative cover types. As a result, potential impacts to biological resources will be assessed further in Chapter 4 - Environmental Consequences.

3.2.3 Coastal Resources

According to Chapter 4 of the *Desk Reference*, coastal resources include all natural resources occurring within coastal waters and their adjacent shorelands. Coastal resources include islands, transitional and intertidal areas, salt marshes, wetlands, floodplains, estuaries, beaches, dunes, barrier islands, and coral reefs, as well as fish and wildlife and their respective habitats within these areas. Coastal resources include the coastlines of the Atlantic and Pacific oceans, the Great Lakes, and the Gulf of Mexico.

Based on a review of the New York State (NYS) DOS, Office of Planning and Development's NYS Coastal Boundary Map[13] and the USFWS Coastal Barrier Resources System Mapper[14] there are no coastal resources located on the Airport or within the proposed project area. As a result, no impact on coastal resources is anticipated as a result of the Proposed Action or Maximum Build-Out.

3.2.4 Department of Transportation Act, Section 4(f)

According to Chapter 5 of the *Desk Reference*, Section 4(f) properties include significant

- parks and recreational areas of national, state, or local significance that are both publicly owned and open to the public
- publicly owned wildlife and waterfowl refuges of national, state, or local significance that are open to the public; and
- historic sites of national, state, or local significance in public or private ownership regardless of whether they are open to the public

[13] NYS DOS, NYS Coastal Boundary Map. Accessed on July 30, 2014. Available at: http://appext20.dos.ny.gov/coastal_map_public/map.aspx
[14] http://107.20.228.18/CBRAMapper/CBRAMapper.html

All of the lands that would be dedicated to future development have been maintained as part of the former Oneida County Airport. None of the lands proposed to be utilized for future development are, or have been, part of a publicly-owned park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance and therefore do not meet the definition of Section 4(f) resources.

Although there are no Section 4(f) resources within the study area, as shown on the Existing Land Use Map (see **Figure 6** in **Appendix A**), there is a designated conservation land use area adjacent to the northwest corner of Parcel 1. Under both the Proposed Action and the Maximum Build-Out, approximately 143 acres or 63% of Parcel 1 (see **Figures 4 and 5** in **Appendix A**) would remain undeveloped and dedicated to wetland/natural landscape and park land uses. The 143 acres of Parcel 1 that would remain undeveloped is located adjacent to the existing conservation land use area and will serve to enhance and increase the footprint to natural landscape and park use areas.

Given the information included above, no impacts to Section 4(f) resources are anticipated as a result of the Proposed Action or Maximum Build-Out.

3.2.5 Farmlands

As explained in Chapter 6 of the *Desk Reference*, Farmlands are defined as those agricultural areas considered important and protected by federal, state, and local regulations. Important farmlands include all pasturelands, croplands, and forests considered to be prime, unique, or of statewide or local importance. The Farmland Protection Policy Act (FPPA) regulates Federal actions with the potential to convert farmland to non-agricultural uses. Specifically, the Act regulates farmland identified as prime, unique, or of statewide or local importance. The Natural Resources Conservation Service (NRCS) has the final authority for designating important farmlands and keeps lists of important farmlands for each state.

There are areas of active farmlands surrounding the study area, primarily to the west, south and east. According to the agricultural district properties mapping for the Town of Whitestown[15], there is one tract of land designated within an agricultural district and located within the study area. A portion of this agricultural district designated land is actively farmed and contains transmission towers with overheard lines. As shown on **Figure 9**, this 69-acre site is located south of Postal Road within the portion of the study area identified as Parcel 2. Under both the Proposed Action and Maximum Build-Out, future land use on this parcel is designated as residential use (see **Figures 4 and 5** in **Appendix A)** of which only 2 acres of the entire 69 acre parcel could be developed based on local zoning ordinances. Due to the large size of the parcel (69 acres), and the fact that only two one-acre residential lots would be developed, the actively farmed land can be avoided.

15 http://www.ocgov.net/oneida/sites/default/files/planning/AgDistrictMaps/2013/OC/AG5_WHITESTOWN_LETTER.pdf

Since the future development does not involve the conversion of FPPA regulated farmlands (i.e. actively farmed lands) to non-agricultural land uses, no significant impact to farmlands are anticipated as a result of the Proposed Action or the Maximum Build-Out.

3.2.6 Hazardous Materials, Solid Waste and Pollution Prevention

According to Chapter 7 of the D*esk Reference*, Hazardous materials, solid waste, and pollution prevention as an impact category includes an evaluation of the following:

Solid Waste is defined by the implementing regulations of RCRA. Solid waste is generally any discarded material that meets specific regulatory requirements, and can include such items as refuse and scrap metal, spent materials, chemical by-product and sludge from industrial and municipal waste water and water treatment plants.

Hazardous Waste is a type of solid waste defined under the implementing regulations of RCRA. A hazardous waste (see 40 CFR 261.3) is a solid waste that possesses at least one of the following four characteristics: *ignitability, corrosively, reactivity, or toxicity* as defined in 40 CFR part 261 subpart C, or is listed in one of four lists in 40 CFR part 261 subpart D, which contains a list of specific types of solid waste that the USEPA has deemed hazardous. RCRA imposes stringent requirements on the handling, management, and disposal of hazardous waste, especially in comparison to requirements for non-hazardous waste.

Hazardous Substance is defined under CERCLA. These substances can be any element, compound, mixture, solution, or substance designated as hazardous under Section 102 of CERCLA; any hazardous substance designated under Section 311(b)(2)(A) or any toxic pollutant listed under Section 307(a) of the Clean Water Act; any hazardous waste under Section 3001 of RCRA; any hazardous air pollutant listed under Section 112 of the Clean Air Act; and any imminently hazardous chemical substance or mixture for which the EPA Administrator has "taken action under" Section 7 of the Toxic Substances Control Act (TSCA). The definition of hazardous substances under CERCLA excludes petroleum products, unless specifically listed or designated there under.

Hazardous Materials is any substance or material that has been determined to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce. The term hazardous materials includes both hazardous wastes and hazardous substances, as well as petroleum and natural gas substances and materials.

Pollution Prevention describes methods used to avoid, prevent, or reduce pollutant discharges or emissions through strategies such as using fewer toxic inputs, redesigning products, altering manufacturing and maintenance processes, and conserving energy.

Identification of Contaminated Sites

In order to document the absence or presence of existing contaminated sites within the study area or in the immediate vicinity of the study area, the following databases were reviewed:

- **EPA's Superfund Site Information website -** provides Superfund site information through EPA's Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database including proposed, current, and deleted NPL sites.
- **EPA's Cleanups in My Community website –** provides information on RCRA Corrective Action sites, NPL sites, and some Brownfields sites for a specific geographic area.
- **EPA's Hazardous Waste Corrective Action website –** provides information about RCRA corrective action facilities.

Review of the database's identified above did not identify any contaminated sites within or near the study area.

Solid Waste Disposal Capacity
Solid waste and recyclables currently generated within the study area (i.e. at the facilities located within Parcel 3) are delivered to various facilities of the Oneida-Herkimer Solid Waste Management Authority. It is anticipated that while there could be an increase in the amount of solid waste generated as a result of future development, the waste and recyclables generated would be expected to continue to be delivered to facilities of the Oneida-Herkimer Solid Waste Management Authority and those facilities are anticipated to have the capacity to handle the increased solid waste generated.

Given the information included above, no significant impact on hazardous materials, solid waste, or pollution prevention are anticipated as a result of the Proposed Action or Maximum Build-Out.

3.2.7 Historical, Architectural, Archeological, and Cultural Resources

According to Chapter 8 of the *Desk Reference*, historical, architectural, archeological, and cultural resources encompass a range of sites, properties, and physical resources relating to human activities, society, and cultural institutions. Such resources include past and present expressions of human culture and history in the physical environment, such as prehistoric and historic archaeological sites, structures, objects, districts, which are considered important to a culture or community.

Historic Resources
Based on a review of the National Register of Historic Places Research website[16] and consultation with the OPRHP (see **Appendix C**, correspondence dated March 18, 2014 from Ms. Nancy Herter, NYS OPRHP) there are no historic properties on or adjacent to the study area.

[16] http://www.nps.gov/nr/research/

Archeological Resources

Review of the New York State Historic Preservation Office Cultural Resource Information System (CRIS) website[17] revealed archeologically sensitive areas northwest and south of the former Airport property. The NYS OPRHP was contacted in regards to the potential of the proposed project to impact historic and/or prehistoric cultural resources. The NYS OPRHP response (see **Appendix C**, correspondence dated March 18, 2014 from Ms. Nancy Herter, NYS OPRHP) stated that "*based upon this review, it is the SHPO's opinion that your project is sensitive for archaeological sites given the presence of wetlands and drainages. Therefore, we recommend a Phase IA Literature Search & Sensitivity Assessment that includes an archaeological sensitivity model*."

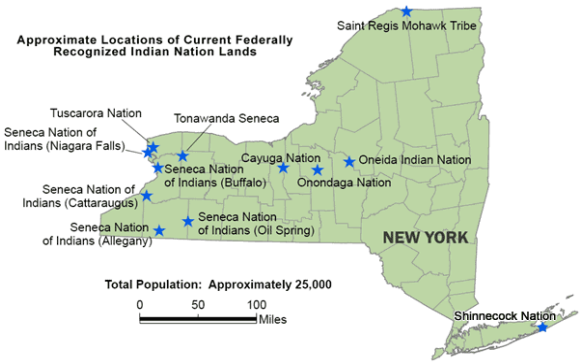
In response to NYS OPRHP's opinion, a Phase 1A Archeological Investigation (Phase IA Investigation) was completed by Hartgen Archeological Associates, Inc. in December 2015 (see **Appendix I**). Based on the results of that survey there are 21 map documented structures within the study area (see **Appendix I**). The Phase IA Investigation stated that "*the structures lie mostly within Parcel 2 along the major roadways with a few additional structures located within the northeastern corner of Parcel 1. The structures are probably associated with small farmsteads that began to appear during the early to mid-19th century. The sections of the project areas in the vicinity of the 21 map documented structures are considered as having a high sensitivity for historic cultural resources.*" In addition, the Phase 1A Investigation identified "*the level to moderately sloping and dry sections of Parcels 1 and 2, especially those areas overlooking nearby wetlands and seasonal drainages are considered as having a moderate to high potential for precontact cultural resources."*

Based on communications with the NYS OPRHP (see **Appendix C**), a Phase 1B survey would not be required at this time since the EA is assessing impacts associated with a conceptual plan and no specific proposal is in place at this time. When an actual development proposal from an industry or entity is prepared, future development of these lands would be subject to additional environmental review under the New York State Environmental Quality Review Act (SEQRA). Phase 1B surveys and/or approvals necessary for specific development projects would be completed under the SEQR process.

[17] https://cris.parks.ny.gov/

Tribal Resources

There are eight federally-recognized Indian nation tribes located in New York[18]. One of those tribes is the Oneida Indian Nation which is located in the southwest corner of Oneida County. Based on correspondence received from NYS OPRHP (see **Appendix C,** correspondence dated March 18, 2014 from Ms. Nancy Herter, NYS OPRHP) "if federal permits or funds are involved, Native Am*erican consultation … required under Section 106 of the National Historic Preservation Act of 1966 and its implementing regulations 36 CFR 800*". In addition, correspondence with the USEPA (see **Appendix C,** correspondence dated November 14, 2013 from Grace Musumeci, USEPA) indicated that "*coordination with Indian Nations*" should take place. As a result, the FAA initiated government to government consultation with the Oneida Indian Nation in a letter dated February 2, 2016 (see **Appendix C**). To date no response has been received.



National Historic Landmarks

Based on a review of the National Park Service online database there are no National Historic Landmarks located within the vicinity of the study area.[19]

Given the above information, the Proposed Action or Maximum Build-Out are not expected to impact historic resources, tribal resources, or national historic landmarks. The Proposed Action and Maximum Build-Out have the potential to impact historic structures and archeologically sensitive areas. As a result, archeological resources will be assessed further in Chapter 4 – Environmental Consequences.

3.2.8 Natural Resources and Energy Supply

According to Chapter 10 of the *Desk Reference*, natural resources and energy supply provides an evaluation of a project's consumption of natural resources (such as water, asphalt, aggregate, wood, etc.) and use of energy supplies (such as coal for electricity; natural gas for heating; and fuel for aircraft, commercial space launch vehicles, or other ground vehicles).

Presently, energy requirements within the study area are minimal as the majority of this area, with the exception of Parcel 3, is undeveloped. Likewise, minimal quantities of natural or consumable resources are used at the facilities that are currently leased and located upon Parcel 3.

Electricity and natural gas at the airport are supplied by Niagara Mohawk (National Grid). The former airport industrial park and the airport buildings are presently served by sanitary sewer and public water. The undeveloped portions of the study area are not connected to or supplied by any

[18] http://www.epa.gov/tribal/whereyoulive/region2.htm#ny
[19] http://tps.cr.nps.gov/nhl/

of the resources previously identified. Since there are no obvious local shortages of any of the resources in question, it can be assumed that the Proposed Action and the Maximum Build-Out alternative's benefits to the economy would increasingly compensate for the incremental increases in energy and resource consumption, and that adverse impacts to the availability and use of these resources would be avoided.

It should be noted that while there are no obvious shortages of resources, water and sewer infrastructure improvements would be necessary, according to the MV EDGE Plan, should future development consist of large process intensive industrial uses. However, according to the MV EDGE Plan, less intensive uses (i.e. office, R&D) could be supported by existing infrastructure.

The future development would result in increased use of electricity, natural gas, and water resources as well as increased discharge of wastewater into the existing sanitary sewer system. However, any specific industry or entity that might inhabit the former airport site in the future would be required to contact local utility providers to request connection and/or use of their service and to determine that any proposed development would not result in a measureable impact on natural resources and energy supply. In addition, the use of these resources as a result of future development, should be increasingly efficient since current construction practices tend to optimize efficient use of resources and energy and current building standards tend to encourage and reward (via associated cost savings and increased desirability) such efficiency.

Any future development would also likely result in the addition of employee and/or delivery cars and/or trucks. While this would likely be an increase in vehicles to the area and site on a daily basis, it would not be expected to result in unusual fuel consumption.

Given the information included above, significant impacts to energy supplies and natural resources as a result of the Proposed Action and the Maximum Build-Out are not expected.

3.2.9 Noise

According to Chapter 11 of the *Desk Reference*, noise is considered unwanted sound that can disturb routine activities (e.g., sleep, conversation, student learning) and can cause annoyance. Aviation noise primarily results from the operation of fixed and rotary wing aircraft, such as departures, arrivals, overflights, taxiing, and engine run-ups.

Aircraft Noise

Since the Proposed Action and the Maximum Build-Out do not include any aviation operations within the study area, a noise analysis is not required. The Proposed Action and the Maximum Build-Out would not cause an increase in aviation related noise.

Facility/Operational Noise and Construction Noise

None of the proposed uses of the former airport property (i.e., industrial, research & development, commercial, conservation uses, and residential uses) are anticipated to be associated with significant noise impacts. Future development will require compliance with state and local laws and ordinances that apply to noise. Noise impacts associated with construction would be

temporary in nature and can be maintained below threshold levels by requiring construction contractors to limit construction to daylight hours and weekday time periods and to require industry standard noise abatement controls for all construction machinery. With those restrictions in place and compliance with local noise ordinances, no significant noise impacts associated with the Proposed Action or the Maximum Build-Out are expected.

3.2.10 Compatible Land Use

The compatibility of existing and planned uses in the vicinity of an airport is usually associated with the extent of the airport's noise impacts, as described in Chapter 11 of the *Desk Reference*. However, the compatibility of land uses in the vicinity of an airport may also need to be assessed to ensure those uses do not adversely affect safe aircraft operations. Examples of such land uses that may adversely affect those operations include municipal landfills, wildlife refuges, wetland mitigation that may attract wildlife species hazardous to aviation, and unrestricted height zoning.

Noise Related Compatibility
The airport is no longer used for aviation purposes and the former airport property has been incorporated into the zoning ordinances of the Town of Whitestown and the Town of Westmoreland. Existing zoning is shown on **Figure 7** (see **Appendix A**). Since these local entities would determine what land uses are compatible, no incompatible land use issues would be anticipated under the Proposed Action or the Maximum Build-Out.

Wildlife Hazards & Compatible Land Use
In August 2007, the FAA released Advisory Circular No. 150/5200-33B, Hazardous Wildlife Attractants on or Near Airports. The advisory provides guidance on locating certain land uses, including wetlands creation, that have the potential to attract wildlife considered hazardous to airport operations on or within the vicinity of public-use airports. Since the airport is no longer used for aviation purposes, wildlife attractants are no longer considered an area of concern to aircraft operations.

Given the above information, no significant impacts to compatible land use are anticipated as a result of the Proposed Action or Maximum Build-Out.

3.2.11 Socioeconomics, Environmental Justice, and Children's Environmental Health and Safety Risks

Socioeconomics

As discussed in Chapter 12 of the *Desk Reference*, socioeconomics is an umbrella term used to describe aspects of a project that are either social or economic in nature. A socioeconomic analysis evaluates how elements of the human environment such as population, employment, housing, and public services might be affected by the Proposed Action and the Maximum Build-Out. The principal social impacts to be considered are those associated with business or residential

relocation or other community disruption, which may be caused by the operation of a facility or by development. The types of social impacts that potentially arise are:

- Extensive resident relocation (and whether sufficient replacement housing is available)
- Extensive community business relocation (and whether that would create severe economic hardship for the affected communities)
- Disruption of planned development
- Disruptions of local traffic patterns that would substantially reduce the level of service of the roads serving the airport and its surrounding communities
- Substantial loss in the community tax base
- EJ issues
- Children's environmental health and safety risks

Relocation of Residences or Businesses

Future development would occur within the former Airport property and would not cause the relocation of residences or businesses.

Disruption of Local Traffic Patterns

The major traffic arterial through Oneida County is the New York State Thruway (Interstate 90), which is the main east-west traffic route across New York State. An interchange for Interstate 90 is located two miles south of the former Airport and provides access to the site via County Route 23 (Cider Street). NYS Route 233 is a principal arterial that provides a north-south traffic route just west of the site. These main arterials are supported by a system of County and town maintained roads, providing easy access to all areas of Oneida County and to surrounding cities.

As shown in **Figure 6 (**see **Appendix A)**, the adjacent access roads that provide connections within the former Airport property, the interstate, and the surrounding community include the following:

- County Route 23 (Cider Street) – major collector
- Postal Road
- East Carter Road
- County Seat Road
- County Route 79 (Airport Road) – minor arterial
- County Route 840 (Judd Road) – major collector
- County Route 840 (Sutliff Road) – major collector

Evaluation of existing roadway conditions focuses on capacity, which measures the ability of the network to serve the traffic demand and volume. The capacity of a roadway depends on its width, number of lanes, intersection control, and other factors. Traffic volumes typically are reported, depending on the project and data base available, as the daily number of vehicles traveling in both directions on a segment of roadway, averaged over a full calendar year (average annual daily traffic [AADT]) and/or the number of vehicular movements on a road segment during the average peak hour. These values are useful indicators in determining the extent to which a roadway segment is used, and in assessing the potential for congestion and other problems.

In order to evaluate existing traffic volumes available traffic data for the roadways directly adjacent to the study area was gathered from the New York State Department of Transportation's Traffic Data Viewer (http://gis3.dot.ny.gov/html5viewer/?viewer=tdv). The average annual daily traffic and AM and PM peak hour traffic volumes are shown in **Table 6**. These existing volumes will be used as a basis for comparison to future estimated trips based on the proposed development.

TABLE 6 EXISTING TRAFFIC VOLUMES

Road	Count Year	Total AADT	AM Peak Hour Volume	PM Peak Hour Volume
Sutliff Rd	2011	4,358	416	514
NYS RT 233 (just north of City of Rome limit)	2011	8,594	824	908
NYS RT 233 (between City of Rome limit & NYS Thruway)	2009	5,312	494	521
NYS RT 233 (south of NYS Thruway)	2009	8,957	626	865
Cider St	2011	1,647	181	174
Cider St (south of Humphrey)	2011	4,419	354	441
Judd Rd (between Valley & Airport Rd)	2013	6,614	636	771
Airport Rd	2011	2,164	238	262

Source: NYSDOT Traffic Data Viewer

Loss in Community Tax Base

There would be no loss in the community tax base from the Proposed Action or the Maximum Build-Out. Rather, future development would have an overall benefit to the local community by returning lands of the airport to the local tax base and by providing lands for economic development. The Proposed Action and the Maximum Build-Out would also benefit the local economy by bringing new jobs associated with future development. Employment, including temporary construction employment, related to future development would most likely come from local workers and trades and would not cause local population growth or a shift in population movement. Overall, the temporary and permanent changes to the local employment and economic activity expected as a result of the Proposed Action or the Maximum Build-Out would be positive.

Environmental Justice

Executive Order (E.O.) 12898: *Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations and DOT Order 5610.2: Environmental Justice Minority and Low-Income Populations*, requires federal agencies to identify if a proposed project may have a disproportionate impact to low-income or minority populations. To determine if there were higher concentrations of low-income and minority populations within and in the vicinity of the former Airport property, the percentages of low-income and minority populations within thestudy area were evaluated (see Chapter 3.1.4-2, Environmental Justice Communities). According to the NYSDEC Office of Environmental Justice website[20] the study area is not located within a potential environmental justice area.

[20] http://www.dec.ny.gov/docs/permits_ej_operations_pdf/oneidaej.pdf

Census data documents that the Town of Whitestown and the Town of Westmoreland minority populations are significantly lower than both county and state levels. In addition, the percentage of populations below the poverty level for both the Town of Whitestown and the Town of Westmoreland is significantly below the County and State percentages. No discrimination based on minority status or low income will result with implementation of the Proposed Action or the Maximum Build-Out. Rather, the Proposed Action and the Maximum Build-Out are intended to benefit the entire community by returning lands of the former airport to the local tax base and by providing lands for economic development (commercial and industrial), residential development, and for educational (R&D), conservation and recreational use.

Given the information included above, the Proposed Action and the Maximum Build-Out would not adversely affect low income or minority populations and no discrimination based on minority status or low income will result. Therefore, there are no anticipated adverse impacts with regard to Environmental Justice.

Children's Environmental Health and Safety Risks

None of the proposed uses of the former airport property (i.e., industrial, research & development, commercial, conservation uses, and residential uses) are anticipated to create or make more readily available products or substances that contact or ingestions through air, food, drinking water, recreational waters, or soil could harm children. As a result, no significant impacts to children's health or safety are anticipated.

3.2.12 Visual Effects

According to Chapter 13 of the *Desk Reference*, visual effects deal broadly with the extent to which the proposed project or alternative(s) would either: 1) produce light emissions that create annoyance or interfere with activities; or 2) contrast with, or detract from, the visual resources and/or the visual character of the existing environment. Visual effects can be difficult to define and assess because they involve subjectivity. The *Desk Reference* defines the following visual effects:

- *Light emissions* include any light that emanates from a light source into the surrounding environment. Examples of sources of light emissions include airfield and apron flood lighting, navigational aids, terminal lighting, parking facility lighting, and roadway lighting
- *Visual resources* include buildings, sites, traditional cultural properties, and other natural or manmade landscape features that are visually important or have unique characteristics. Visual resources may include structures or objects that obscure or block other landscape features.
- *Visual character* refers to the overall visual makeup of the existing environment where the proposed project and alternative(s) would be located. For example, areas in close proximity to densely populated areas generally have a visual character that could be defined as urban, whereas less developed areas could have a visual character defined by the surrounding landscape features, such as open grass fields, forests, mountains, or deserts, etc.

Light Emissions:
As previously stated, the majority of the study area, with the exception of Parcel 3, is undeveloped and surrounded primarily by agricultural and vacant lands to the south, east, and west. The facilities located within Parcel 3 are currently the only source of light originating within the study area. Other light in the vicinity of the study area comes primarily from parcels within the Oneida County Business Park, located north of the former airport. As previously stated, proposed future development includes multi-use areas and would involve construction of residences and various types of facilities (commercial, light industrial, research and development, etc.). Construction, including parking lots and roadways, would include new external and internal lighting. Since any new construction would be completed in compliance with local zoning ordinances and building codes, no significant lighting impacts are expected.

Visual Resources and Character:
As described above, the study area is mainly undeveloped except for the facilities located on Parcel 3 which consist of three buildings, paved parking areas, and mowed lawn. Existing land uses surrounding the study area to the south, east, and west mainly include a mixture of residential, agricultural, and vacant land. Existing land use north of the study area are generally associated with the Oneida County Business Park.

Future development within the study area would result in a change to the existing visual character of the site. However, one goal of the redevelopment/reuse of the former Airport property is to enhance the visual aesthetics of the area by designing streets and sidewalks to provide attractive entries to the site, improving lighting, signage, and landscaping, and creating biking and walking trails for future park tenants. In addition, any future development would be completed in areas where that type of land use is permitted by current zoning ordinances (i.e. residential development would occur in those areas zoned residential) and therefore no incompatible land uses would be anticipated.

Compliance with local zoning codes and site plan review, would ensure that future development is constructed in a way that would not result in changes to critical viewsheds and would complies with local zoning regulations. As a result, no significant visual resource impacts are expected.

3.2.13 Water Resources

Water resources generally include surface water, groundwater, floodplains, wetlands, and wild and scenic rivers. As discussed in Chapter 14 of the *Desk Reference*, water resources are important in providing drinking water and in supporting, recreation, transportation and commerce, industry, agriculture, and aquatic ecosystems.

Surface Water Resources

Federal Surface Water Resources
Based on field surveys, a review of United States Geological Survey (USGS) mapping and interpretation of available aerial photography, there are multiple streams and multiple artificial

intermittent streams/ditches within the study area that flow into and/or drain United States Army Corps of Engineers (USACE) regulated wetlands. All of these streams and streams/ditches are protected by the USACE under Section 404 of the Clean Water Act. The streams and streams/ditches are classified under three different types; perennial, intermittent or ephemeral.

- *Perennial streams* are bodies of water that flow for most of the year.
- *Intermittent streams* are bodies of water that flow only part of the year.
- *Ephemeral streams* are bodies of water that flow during or immediately following heavy precipitation events.

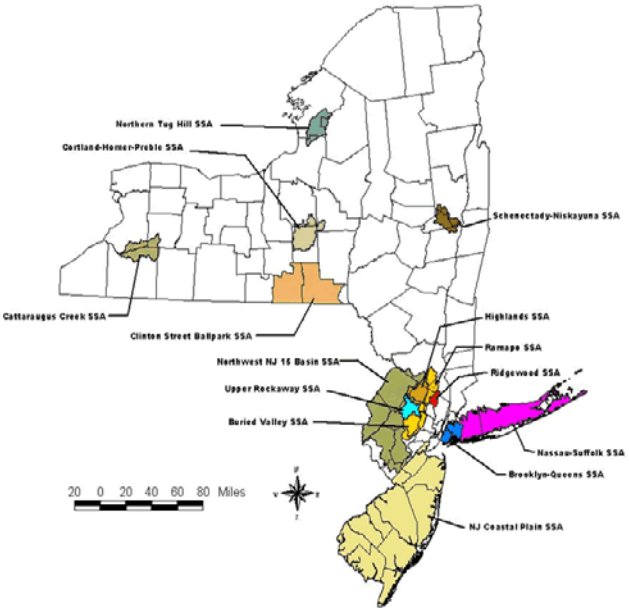
Based on a review of USGS mapping, interpretation of available aerial photography, and a review of USACE's list of navigable waters[21], there are no navigable waters within the study area.

State Surface Water Resources

Based on field observations, the NYSDEC Environmental Mapper[22], and interpretation of Article 15 of the Environmental Conservation Law, none of the perennial streams, intermittent or ephemeral streams/ditches within the study area are considered protected water of the State under jurisdiction by the NYSDEC. Nor are these resources navigable waters of the state.

Groundwater Resources

According to the United States Environmental Protection Agency's (USEPA) map of Sole Source Aquifers within Region 2[23], the study area is not located within a Sole Source Aquifer region. In addition, according to the USGS publication Unconsolidated Aquifers in Upstate New York, the project is not located in a State designated Primary Aquifer or Principal Aquifer region.



Floodplains

According to Chapter 14 of the *Desk Reference*, floodplains are lowland areas adjoining inland and coastal waters which are periodically inundated by flood waters, including flood-prone areas of offshore islands. Floodplains are often discussed in terms of the 100-year flood. The 100-year flood is a flood having a 1 percent chance of occurring in any given year. The 100-year flood is

[21] http://www.lrb.usace.army.mil/Portals/45/docs/regulatory/Section10NavigableWaterways/waterwayNY.pdf
[22] http://www.dec.ny.gov/imsmaps/ERM/viewer.htm
[23] http://pubweb.epa.gov/region02/water/aquifer/

also known as the base flood. Floodplains are valued for their natural flood and erosion control, enhancement of biological productivity, and socioeconomic benefits and functions.
The Federal Emergency Management Agency (FEMA) is responsible for mapping known floodplains and publishing these maps as Flood Insurance Rate Maps (FIRMs). Any proposed project taking place in a FEMA-mapped floodplain must follow the participating community's FEMA approved floodplain management plan, if such a plan exists. Based on review of the FEMA website[24], the study area is not located within a hazardous flood area. As a result, no impacts to floodplains are anticipated as a result of the Proposed Action or the Maximum Build-Out.

Wetlands

A wetland screening was conducted by C&S Engineers, Inc., (C&S) utilizing USFWS NWI Wetland Mapping and NYSDEC Environmental Mapper. Based on a review of state and federal wetlands mapping, it was determined that there are potential federal and state jurisdictional wetlands located within and adjacent to the study area (see **Figure 10**).

Federal Wetlands
Figure 11 (see **Appendix A**) identifies federal wetlands within the study area that are potentially regulated by the USACE and are subject to a jurisdictional determination from the USACE. The USACE's preferred guidelines for classification of wetlands is the USFWS's *Classification of Wetlands and Deep Water Habitats in the United States*[25]. According to Cowardin, et al., the wetlands within the study area consist of the following wetland types:

- Palustrine emergent (PEM)
- Palustrine scrub-shrub (PSS)
- Palustrine forested (PFO)
- Palustrine unconsolidated bottom (PUB)

The US Army Corps of Engineers (USACE) was also contacted (see **Appendix C**, correspondence dated October 28, 2013 from Justin Strong, C&S Engineers, Inc.) in regard to the potential of the proposed project to impact federal jurisdictional wetlands and/or waterways. To date, no response and/or comments have been received from the USACE.

State Wetlands
Figure 12 (see **Appendix A**) identifies two NYSDEC Freshwater Wetlands (RO-33 and RO-36) located within and adjacent to the study area. According to Ecological Communities, the NYSDEC wetlands identified are generally comprised of mixed northern hardwoods, forested wetlands, and hemlock forest. The NYSDEC wetland buffer areas for RO-33 and RO-36 are located within the study area and are a combination of successional northern hardwoods forest, and successional shrubland.

[24] FEMA Flood Map Service Center. Accessed on December 9, 2015. Available at: https://msc.fema.gov/portal
[25] Cowardin, Lewis M., et al., Classification of Wetlands and Deepwater Habitats of The United States, U.S. Department of the Interior, Fish and Wildlife Service, Office of Biological Services, Washington, D.C. 20240, FWS/OBS-79/31, December 1979.

The NYSDEC Division of Environmental Permits, Region 6 was contacted in regards to the potential of the proposed project to impact state jurisdictional wetlands and/or waterways. The NYSDEC response (see **Appendix C**, correspondence dated February 24, 2014 from Ms. Rosa Howard, NYSDEC, Region 6 - Utica) stated that "both State and Federal regulated wetlands are present in the project area and must be identified and delineated as part of any project proposal." Since future development of sites within the study area will be conceptualized, designed, and implemented by an entity yet to be determined, future development of these lands would be subject to additional environmental review under the New York State Environmental Quality Review Act (SEQRA). Delineation, permitting, and/or approvals necessary for specific development projects will be completed under the SEQR process

Wild and Scenic Rivers

According to Chapter 14 of the *Desk Reference*, wild and scenic rivers are those rivers having remarkable scenic, recreational, geologic, fish, wildlife, historic, or cultural values as defined by the Wild and Scenic Rivers Act. Based on a review of the National Park Service Wild and Scenic Rivers Program website[26] there are no federally-designated wild and scenic rivers on or adjacent to the former Airport property. In addition, based on a review of the NYSDEC website[27] there are no state-designated wild, scenic, or recreational rivers on or adjacent to the former Airport property.

Given the above information, future development would not impact groundwater resources, floodplains, or wild and scenic rivers. The Proposed Project and Maximum Build-Out do have the potential to impact surface water resources and wetlands. The potential significance of environmental impacts to surface water resources and wetlands will be discussed in Chapter 4-Environmental Consequences.

3.2.14 Construction Impacts

Construction impacts from future development could include air quality impacts with regard to emissions from construction equipment and fugitive dust from exposed soil, soil erosion, water quality impacts due to erosion and subsequent sedimentation, and temporary noise increases resulting from the operation of construction equipment. As a result, the potential significance of construction impacts will be discussed in Chapter 4 – Environmental Consequences.

[26] National Wild and Scenic Rivers System. Accessed on: December 9, 2015. Available at: http://www.rivers.gov/new-york.php
[27] NYSDEC. *Wild, Scenic, and Recreational Rivers*. Accessed on: December 9, 2015. Available at: http://www.dec.ny.gov/permits/32739.html

CHAPTER 4 – ENVIRONMENTAL CONSEQUENCES

4.1 Introduction

This chapter presents an assessment of the environmental impacts in the categories outlined in FAA Order 1050.1F, *Environmental Impacts: Policies and Procedures*, as they relate to the development of the Proposed Action and Maximum Build-Out. An examination of each environmental impact category is provided to determine if impacts caused by the Proposed Action and Maximum Build-Out are significant under NEPA and special purpose laws. Each environmental impact category has a corresponding threshold level beyond which the impact is determined to be significant and an Environmental Impact Statement (EIS) is required. However, in some circumstances, if sufficient mitigation measures are included as part of the Proposed and Maximum Build-Out Actions to reduce the impacts below the threshold levels, an EIS might not be required.

Based on the review presented in Chapter 3, it was determined that the Proposed Action and Maximum Build-Out will not affect the following impact categories. No further discussion in regards to these environmental impact categories will be included in this EA.

- Coastal Resources
- Department of Transportation Act, Section 4(f)
- Farmlands
- Hazardous Materials, Pollution Prevention, and Solid Waste
- Noise
- Compatible Land Use
- Natural Resources and Energy Supply
- Visual Effects

The Proposed Action and Maximum Build-Out have the potential to affect the following environmental resources categories, as described in FAA Order 1050.1F:

- Air Quality and Climate Change
- Biological Resources (Fish, Wildlife, and Plants)
- Water Resources (Surface Water, Groundwater, Floodplains, Wetlands, and Wild and Scenic Rivers)
- Socioeconomics, Environmental Justice, and Children's Environmental Health and Safety Risks
- Historical, Architectural, Archaeological, and Cultural Resources
- Construction Impacts
- Cumulative

It should be noted that since redevelopment of the facility will be conceptualized, designed, and implemented by an entity yet to be determined, the purpose of this EA is to provide a means for the FAA to generally access the potential significance of environmental impacts associated with

non-aeronautical uses of the facility. After the former airport lands are released from existing FAA obligations and assurances, future development of these lands would be subject to additional environmental review under the New York State Environmental Quality Review Act (SEQRA).

To analyze potential environmental impacts, various assumptions were made for each reuse plan for the purpose of analysis in this EA including:

- Layout and acreage totals for proposed land use
- Acreage of impervious surfaces was determined based on the maximum acres to be developed for each parcel (refer to **Tables 1 and 2**)
- Traffic generation and daily trip projections
- Warehouse and distribution, light industrial, and mega site development would occur along existing or future roads, as close as possible to existing infrastructure, and forested areas, archeologically sensitive areas, and wetlands would be avoided to the greatest extent possible
- Residential development would occur within 200 feet of existing roads in the Town of Westmoreland and 245 feet in the Town of Whitestown based on allowable lot sizes in their respective zoning ordinances and forested areas, archeologically sensitive areas, and wetlands would be avoided to the greatest extent possible
- Impacts were quantified based on a screening level review of environmental categories (i.e., online mapping for wetlands, Phase 1A cultural resource survey, habitat survey). Further detailed studies and surveys would likely be required when an actual development proposal from an industry or entity is prepared.

4.2 Air Quality and Climate Change

REGULATORY SETTING

In accordance with FAA requirements, air quality requires consideration under both the Clean Air Act (CAA) and the National Environmental Policy Act (NEPA).

Clean Air Act
Under the CAA (42 U.S.C. § 7401-7671q) the U.S. Environmental Protection Agency (EPA) developed the National Ambient Air Quality Standards (NAAQS) for six common air pollutants. These criteria air pollutants are carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO_2), ozone (O_3), particulate matter (PM_{10}, $PM_{2.5}$), and sulfur dioxide (SO_2). The EPA determined that these criteria air pollutants may harm human health and the environment, and cause property damage.

According to the CAA, the NAAQS are applicable to all areas of the United States and associated territories. For the poor air quality regions that have ambient concentrations of criteria pollutants above the NAAQS, the EPA has designated these areas as not being in attainment of the NAAQS, or "nonattainment areas." Each nonattainment area is required to have an applicable State Implementation Plan (SIP) that prescribes mitigation measures and timelines necessary to bring ambient concentrations of criteria pollutants below the NAAQS. When a nonattainment area attains the NAAQS, EPA designates the area as a "maintenance area" because the applicable SIP

ensures that the ambient concentrations of criteria pollutants do not increase above the NAAQS again. For federal actions planned to occur in a nonattainment or maintenance area, the proposed impacts to air quality must conform to the conditions of the applicable SIP, also known as *General Conformity*.

NEPA

In 1970, the National Environmental Policy Act (NEPA) and its amendments, established a broad national policy to protect the quality of the human environment and provide for the establishment of a Council on Environmental Quality (CEQ). The act provides policies and goals to ensure that environmental considerations are given careful attention and appropriate weight in all decisions of the federal government. The NEPA environmental review process discloses these impacts on the human environment. As part of the NEPA process, the proposed action's impact on air quality is assessed by evaluating the impact of the proposed action on the NAAQS. In addition, the Council on Environmental Quality (CEQ) has indicated that climate should be considered in NEPA analyses.

SIGNIFICANCE THRESHOLD

Air Quality

Potentially significant air quality impacts would occur if the action would cause pollutant concentrations to exceed one or more of the National Ambient Air Quality Standards (NAAQS), as established by the Environmental Protection Agency under the Clean Air Act, for any of the time periods analyzed, or to increase the frequency or severity of any such existing violations.

Climate

FAA Order 1050.1F (July 2015) established Climate as a new Environmental Impact category. While no significance thresholds have been determined for Climate, the Order requires an evaluation of climate impacts from Proposed Actions.

METHODOLOGY

Climate Methodology

There are no federal or state regulations for greenhouse gas (GHG) emissions. The Council on Environmental Quality (CEQ) has indicated that climate should be considered in NEPA analyses. As noted by CEQ, however, "it is not currently useful for NEPA analysis to link specific climatological changes, or the environmental impacts thereof, to the particular action or emissions; as such direct linkage is difficult to isolate and to understand" (CEQ February 18, 2010).

Air Quality Methodology

Conformity

The General Conformity Rule ensures that federal actions comply with the NAAQS. In order to meet this Clean Air Act requirement, a federal agency must demonstrate that every action that it undertakes, approves, permits or supports will conform to the appropriate state implementation plan (SIP). The USEPA promulgated the initial conformity regulations in 1993[20] to assist federal agencies in complying with the SIP by specifying rules for two categories of federal actions: transportation actions and general actions. The two rules have separate and distinct applicability and evaluation requirements. Transportation conformity applies to highway and transit projects, and general conformity regulations apply to all other federal actions that are not transportation projects, such as land release and future development. The General Conformity Rule, published under 40 CFR Part 93, applies only to an action that is federally-funded or federally-approved, which is the case for the proposed project at the former Oneida County Airport.

Only pollutants causing the area to be designated as nonattainment or maintenance are relevant and evaluated under the Rule. The net increase in emissions of the pollutants are compared against the threshold levels established in the Rule, known as the *de minimis* thresholds, published at 40 CFR 93.153(b)(1)-(b), Applicability Analysis. Under the General Conformity Rule, if the net increase in emissions due to a federal action equals or exceeds USEPA established *de minimis* thresholds, a General Conformity Determination would be required.

Based on a review of the United States Environmental Protection Agency (USEPA) Greenbook[21] (current as of October 1, 2015), Oneida County is not located within a non-attainment or maintenance area. General conformity regulations do not apply to a federal action located in an area that is designated attainment.

NEPA

Under NEPA, federal agencies are required to assess the impacts federal actions may have on air quality and the human environment. As part of the NEPA process, the proposed action's impact on air quality is assessed by evaluating the impact of the proposed action on the NAAQS. The methodology for evaluating the need to conduct an air quality analysis is provided in the FAA document, *Aviation Emissions and Air Quality Handbook Version 3, July 2014*. In accordance with procedures outlined in that document, the airport and the proposed projects impacts to air quality were evaluated based on the following:

Indirect Source Review

New York State regulations for indirect sources apply only to the County of New York south of 60th Street. The proposed project is taking place in Oneida County, New York. Therefore, the Proposed Action and Maximum Build-Out do not require an indirect source review.

[20] 40 CFR Part 51 and Part 93

[21] USEPA Green Book *New York Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutant.* Current as of July 2, 2014. Accessed on: October 1, 2015. Available at: http://www.epa.gov/airquality/greenbook/anayo_ny.html

General Conformity with SIP
As mentioned previously, according to the USEPA Green Book (current as of October 1, 2105), the proposed project is located within an attainment area for all six criteria pollutants. Therefore, general conformity regulations do not apply.

NAAQS Assessment
The study area is located within an attainment area. Depending on the type of future development, there is the potential for an increase in emissions from current conditions. It should be noted that prior to 2007, the study area was utilized as a general aviation facility. The Proposed Action and the Maximum Build-Out would not involve emissions associated with the type and quantity of aircraft, ground support vehicles (GSE), and ground access vehicles. Therefore, there may be a decrease in emissions from levels before 2007.

The following are some of the categories of emissions which may be associated with emissions in the future:

- Operational Emissions (Industrial Processes)
- Stationary sources (i.e. boilers, heaters, generators, incinerators, fuel storage tanks, cooling towers)
- Vehicle Emissions
- Construction Emissions

IMPACTS

Alternative 1 (No-Action)
Under this alternative, the former airport property would not be released by the FAA and future mixed use development of the study area would not occur. Therefore, this alternative would not cause an increase in air emissions from current levels.

Alternative 2: Maximum Build-Out
The Maximum Build-Out includes mixed use development consisting of the following land uses: warehouse and distribution, light industrial, research and development / office, town center, residential, and mega-site. Although the specific types of future operations, building sizes and traffic quantities are not currently known, the potential emissions associated with Maximum Build-Out were estimated in an effort to assess air quality impacts associated with proposed future development.

Table 1 (see **Appendix L**), includes potential estimated emissions associated with stationary sources, traffic, and construction broken down by proposed land use categories. Although future development is demand-driven and Maximum Build-Out would most likely occur over many years, for purposes of estimating emissions, it was assumed that maximum development would be completed in one year with the exception of the mega-site. In addition, it was assumed that construction of the largest development area (i.e. mega-site) would occur after development of the other land uses were complete. Future building sizes (i.e. square footage) were estimated based on the available acreages to be developed. The emissions from stationary sources associated with

heating of the future buildings were calculated based on the estimated square footage of the buildings multiplied by the typical heating value of 60 Btu per square foot, a furnace efficiency of 90%, and the conservative estimate of the combustion sources operating approximately half the year (4,380 hours per year). The projected natural gas usage was multiplied by the emission factors contained in USEPA document AP-42 - Compilation of Air Pollutant Emission Factors.

With regard to construction emissions, it is assumed that the worse-case or highest construction emissions would be associated with the largest potential development which in this case would be a potential mega-site under the Maximum Build-Out alternative. In an effort to estimate potential future emissions associated with construction of a mega-site, a construction emissions inventory was prepared. The construction emission inventory was conducted in accordance with the FAA *Air Quality Handbook* to determine the expected emissions associated with heavy equipment, deliveries, and worker mobilization. The software contained in the ACRP Report 102: *Guidance for Estimating Airport Construction Emissions* was used for the calculations. ACRP Report 102 provides guidance and an interactive modeling tool, called Airport Construction Emissions Inventory Tool (ACEIT), to assist airports and other stakeholders in developing construction emissions inventories.[22]

Construction emissions associated with a 500,000 SF mega site (including site work, access road and parking lot construction) were calculated using the ACEIT software (see **Table 2** in **Appendix L).** The ACEIT software tool uses default emission factors from USEPA approved emission publications and models for non-road equipment and on-road vehicles. The two main emission factor models used to develop the Guidebook and ACEIT are the EPA's non-road equipment emissions model (NONROAD 2008a, July 2009) and the Motor Vehicle Emissions Simulator (MOVES) (EPA2009 and 2012). As the name implies NONROAD provides predictions of emissions inventories from which emission factors can be derived for equipment typically used for non-road (off-road) purposes. In contrast, MOVES is used to develop emission inventories and emission factors for on-road vehicles. Both exhaust and particulate matter fugitive emission factors were developed using these models for non-road construction equipment and on-road vehicles that were incorporated into ACEIT.

Construction emissions associated with the mega-site are temporary emissions and would no longer be present once development of the site was complete. However, in an effort to be conservative, construction emissions were added to emissions associated with stationary sources and traffic and compared with *de minimis* thresholds. As shown in Table 1 (see **Appendix L**, emissions associated with operational and construction emissions would not exceed *de minimis* thresholds.

Following construction of the mega-site, operational emissions were also calculated for the mega site and those emissions were added to the total operational emissions estimated for the other land uses. As shown in Table 1 (see **Appendix L),** total emissions associated with maximum build-out would also not exceed *de minimis* thresholds.

[22] ACRP Report 102: Guidance for Estimating Airport Construction Emissions

There is the potential for an increase in GHG emissions due to increased vehicle movements as well as the heating of future buildings/facilities. Given such small contributions from other GHG equivalents compared to carbon dioxide, for the purposes of this EA, GHG levels were predicted in terms of carbon dioxide levels only for stationary sources and traffic. As shown in Table 1 (see **Appendix L),** carbon dioxide levels associated with maximum build-out for stationary sources was estimated to be 40,436 tons per year; carbon dioxide levels associated with maximum build-out traffic was estimated to be 6,705 tons per year, and carbon dioxide levels associated with construction emissions was estimated to be 6,204 tons per year. There are currently no federal requirements or significance thresholds for reporting greenhouse gases.

It should be noted that future development is expected to be consistent with the action items identified in the MV Regional Sustainability Plan to reduce criteria pollutant and greenhouse gas emissions.

In addition, any specific industry or entity that moves to the former airport site in the future would be required to obtain New York State approval through a Facility Permit or registration from the NYSDEC in accordance with applicable regulations. Similarly, specific projects undertaken by private entities to develop any lands within the study area will require consultation with local planning agencies and will be subject to, at a minimum, additional environmental review under the New York SEQRA provisions.

Alternative 3: Proposed Action

The Proposed Action's air quality impacts and potential emission increases would be 60% less than the Maximum Build-Out (Alternative 2) due to the 403 acre parcel that will remain undeveloped for the NYS OHS. Specifically the Proposed Action will involve developing 99 acres compared with 246 acres for the Maximum Build-Out. Therefore, operational and construction emissions for the Proposed Action would also be below *de minimis* thresholds.

MITIGATION MEASURES

Any combustion of fuel or electricity used will emit criteria pollutants and greenhouse gases. As previously mentioned, incorporation of the action items to reduce criteria pollutant and greenhouse gas emissions as identified in the MV Regional Sustainability Plan, will help to mitigate impacts to air quality as a result of future development.

In addition, the following recommendations should be incorporated into future development as a means to reduce emissions as compared to traditional means or construction or operation:

- Use construction equipment that can operate on alternative fuels or electricity wherever possible to minimize emissions associated with diesel and gasoline powered equipment
- During operation of future facilities, use alternative fuel or electric vehicles instead of petroleum based fuels, where practical
- Promote the use of public transportation or carpooling for both the construction and operation of the facility

- The development of the site should be designed and constructed in accordance with applicable sustainable organizations, such as LEED or ENVISION

Based on the incorporation of the recommended measures to reduce emissions the fact that *de minimis* thresholds are not exceeded, and the requirements of the NYSDEC and SEQRA will be adhered to, no significant impacts to air quality or climate change are anticipated.

4.3 Construction Impacts

REGULATORY SETTING

At the federal level, construction impacts often concern water and air quality effects and, to a lesser extent, noise. The National Pollutant Discharge Elimination System (NPDES) permitting program contained in 40 CFR Part 122 addresses construction disturbances of 1 acre or more. General Conformity regulations in 40 CFR Part 93, Subpart B, address construction effects in nonattainment or maintenance areas.

SIGNIFICANCE THRESHOLD

Construction impacts are typically associated with air quality, noise, water resources and biological resources. Refer to these sections of the report for further guidance in assessing the significance of the potential construction impacts.

METHODOLOGY

Environmental impacts may result due to the use of construction equipment in the proposed project area and include noise, air quality, wildlife and vegetative covertypes, surface waters, and wetlands. Construction impacts were assessed using the same methodologies employed for each respective environmental impact category in Sections 4.2, 4.5, and 4.6.

IMPACTS

Alternative 1 (No-Action)

No construction activities would occur with this alternative. As a result there would be no impacts related to construction activities.

Alternative 2: Maximum Build-Out

Noise

During construction noise would be generated by construction vehicles and machinery. Noise impacts would be restricted to the immediate vicinity of the former airport property. Earthwork, site preparation, and construction of paved surfaces would result in temporary noise generation while these activities are taking place. Noise levels would vary dependent on the nature of construction activities and the type and model of equipment used. There are approximately 14

residential homes located along Carter Road that would be within 800 to 4,700 feet of the proposed residential development and 3,100 feet from the proposed mega site development that could be affected by construction noise. In addition, there are approximately 25 residential homes located along Carter Road that would be 1,800 feet from the proposed mega site development and 400 to 800 feet from the proposed warehouse and distribution development that could be affected by construction noise.

Air Quality

Construction activities may result in short-term impacts on air quality including direct emissions from construction equipment and trucks, fugitive dust emissions from earthwork and site preparation, and increased emissions from motor vehicles and haul trucks on the on-site and off-site roads. These impacts would be temporary, and would affect only the immediate vicinity of the construction site. Fugitive dust, suspended particulates, and emissions could occur during ground excavation, material handling and storage, movement of equipment at the site, and transport of material to and from the site. Fugitive dust could be a problem during periods of intense activity and would be aggravated by windy and/or dry weather conditions.

Surface Water Resources

Construction activities may result in short-term impacts to surface water resources that include the risk of soil erosion and the possible release of silt and sediment into the watercourses as a result of the earthwork and site preparation activities that expose bare soil materials to precipitation events. After construction these impacts typically diminish once the completed site has an established growth of grass and vegetation on the disturbed areas.

Additional impacts could occur from contaminated stormwater runoff due to potential leaks or spills of fuel or hydraulic fluid used in construction equipment; outdoor storage of construction materials; or spills of paints, solvents or other potentially hazardous materials that are commonly used in construction (see Section 4.4 for further details).

Wildlife and Ecological Communities

During construction activities (earthwork, site preparation, and construction of paved surfaces), direct mortality to common wildlife could occur and existing ecological communities (vegetative cover types) will be altered. Wildlife mortalities are anticipated to be relatively minor as construction activities would take place primarily on successional shrubland/old field/field. Of the 1,210 acre project site, 964 acres (80% of site) would remain undeveloped and provide adjacent areas that wildlife can migrate to. As a result, no significant construction related wildlife impacts are anticipated.

Impacts to ecological communities (vegetative covertypes) from construction activities will result in the permanent conversion of vegetated upland habitat (including successional shrubland/old field and forested northern hardwoods) and wetland habitat to non-vegetated areas for the new paved surfaces (i.e., buildings, parking lots, and access roads). These impacts are not anticipated to be significant since 964 acres of the 1,210 acre project site will remain undeveloped thus preserving 80 percent of the existing ecological communities (see Sections 4.4 and 4.5 for further details).

Threatened and Endangered Species

Construction activities may impact the federally-listed Indiana and Northern long-eared bat summer habitat and the state-listed Northern harrier habitat through the alteration or loss of vegetation and wildlife habitat (see Section 4.4 for further details).

Wetlands

Construction activities may impact federal wetlands as a result of earthwork, site preparation, and construction of paved surfaces related to the Maximum Build-Out. Approximately two acres of wetlands could be filled in order to construct a future road extension on Judd Road and filling/grading activities related to the development of one light industrial parcel on of Judd Road. (see Section 4.5 for further details).

Alternative 3: Proposed Action

Noise

Construction related noise impacts would be similar to the Maximum Build-Out (i.e., construction noise would be generated by construction vehicles and machinery, noise impacts would be restricted to the immediate vicinity of the former airport property, and be temporary in nature). However, construction related noise impacts would be less than the Maximum Build-Out. Specifically, no residential homes located along Cider Street of Carter Road would not be affected by construction related noise since the adjacent 403 acre parcel would remain undeveloped as part of the NYS OHS parcel.

Air Quality

Similar to the Maximum Build-Out construction activities may result in short-term impacts on air quality including direct emissions from construction equipment and trucks, fugitive dust emissions from earthwork and site preparation, and increased emissions from motor vehicles and haul trucks on the on-site and off-site roads.

Construction related air quality impacts are expected to be 64% less with this alternative compared to the Maximum Build-Out due to the 403 acre parcel that would remain undeveloped as part of the NYS OHS parcel. Specifically, there would be 44 acres of light industrial development taking place adjacent to County Seat Road and 28 acres of residential development along Cider Street and Carter Road that would generate air quality impacts from construction equipment and construction activities compared with the Maximum Build-Out where there would be an additional 127.5 acres of light industrial/warehouse and distribution/mega site development along Cider Street

Surface Water Resources

Construction related impacts to surface water resources would be similar to the Maximum Build-Out and include risk of soil erosion, release of silt and sediment into water courses, and contaminated stormwater. However, these impacts are expected to be 66% less compared to the Maximum Build-Out. Specifically, 76 acres of new impervious surface would be constructed for the Proposed Project compared with the Maximum Build-Out where there would be 223 acres of new impervious surface.

Wildlife and Ecological Communities
Construction related impacts to wildlife and ecological communities would be similar to the Maximum Build-Out and include direct mortality to common wildlife and alteration of existing ecological communities. However, the wildlife impacts are expected to be 68% less with this alternative compared to the Maximum Build-Out. Specifically, 5 acres of northern hardwoods and 55 acres of successional shrubland/old field/field would be removed for this alternative compared to 25 acres of northern hardwoods and 165 acres of successional shrubland/old field/field for the Maximum Build-Out. Of the 1,210 acre project site, 1,111 acres (92%) would remain undeveloped and provide adjacent areas that wildlife can migrate to. As a result, no significant construction related wildlife impacts are anticipated.

Impacts to ecological communities (vegetative covertypes) from construction activities will result in the permanent conversion of vegetated upland habitat (including successional shrubland/old field and forested northern hardwoods) to non-vegetated areas for the new paved surfaces (i.e., buildings, auto parking, and roads). These impacts are expected to be 66% less than the Maximum Build-Out. Specifically, 76 acres (99 – 23 acres of existing paved surfaces) of ecological communities would be altered compared with 223 acres (246 – 23 acres of existing paved surfaces) for the Maximum Build-Out. These impacts are not anticipated to be significant since 1,111 acres of the 1,210 acre project site will remain undeveloped thus preserving 92 percent of the existing ecological communities (see Sections 4.4 and 4.5 for further details).

Threatened and Endangered Species
Construction activities may impact the federally-listed Indiana and Northern long-eared bat summer habitat and the state-listed Northern harrier habitat through the alteration or loss of vegetation and wildlife habitat (see Section 4.4 for further details).

Wetlands
Construction activities are not expected to impact federal wetlands for this alternative since there would be no light industrial or interior road development on Judd Road.

MITIGATION

Noise
In order to minimize noise impacts the following mitigation measures are recommended:

- Limit construction activities to daytime hours (7 AM to 7 PM weekdays) for any construction within 500 feet of a residence
- Ensure that all engines have proper mufflers
- Minimize or avoid operation of noisy equipment during weekends

Based on the incorporation of the recommended mitigation measures, the fact that noise related construction impacts are temporary and short-term in nature, and there will be vegetative buffers that remain between residential homes and the proposed site development, no significant construction related noise impacts are anticipated.

Air Quality
To minimize air quality impacts, proper and standard construction practices are recommended and include:

- Periodic watering of dusty on-site travel routes during dry conditions
- Construction and utilization of a designated construction entrance that will minimize soil being carried onto adjacent roads by construction vehicles leaving the site
- Cessation of earthwork activities during particularly dry and high wind conditions if the generation of such dust could potentially impact area residences

Based on the incorporation of the recommended mitigation measures and Best Management Practices (BMPs) to minimize fugitive dust impacts and other impacts resulting from construction activities, no significant construction related air quality impacts are anticipated.

Surface Water Resources
Control of soil erosion will occur through the use of appropriate soil erosion and sediment control techniques. A soil erosion and sediment control plan will be developed during design consistent with the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activities and NYS State Pollutant Discharge Elimination System (SPDES) permit. Adherence to design standards, inspection and quality control during construction and periodic cleaning of soil erosion and sediment control features will minimize and mitigate the potential for erosion and sedimentation and ensure that there are no long-term impacts to water quality.

Wildlife and Ecological Communities
No mitigation measures are recommended.

Threatened and Endangered Species
Time of year tree removal restrictions (October 1 - March 31) are recommended during construction to avoid directly impacting the summer-roosting Indiana bats or Northern long-eared bats, and a time of year restriction is recommended during the breeding season for the Northern harrier and/or a walkover by a qualified biologist prior to construction activities taking place to avoid impacting the Northern harrier (see Section 4.4).

Based on the incorporation of the mitigation measure identified above no significant impacts to T&E species are anticipated.

Wetlands
Since mitigation measures are recommended to minimize impacts to wetlands (see Section 5.5), no significant construction related impacts to wetlands are anticipated.

In general, construction impacts will be minimized below significant impact thresholds with the incorporation of the recommended mitigation measures and use of best management practices. As a result, no significant construction impacts are anticipated.

4.4 Biological Resources

REGULATORY SETTING

The following statutes govern the protection of biological resources.

Bald and Golden Eagle Protection Act
The Bald and Golden Eagle Protection Act, administered by the U.S. Fish and Wildlife Service (USFWS), protects bald and golden eagles from the unauthorized capture, purchase, or transportation of the birds, their nests, or their eggs. Any action that might disturb these species requires a permit from the USFWS, which authorizes limited, non-purposeful take of bald and golden eagles.

Endangered Species Act
The USFWS and the National Marine Fisheries Service (NMFS) (collectively known as "the Services") jointly administer the Endangered Species Act of 1973 (ESA), which requires all Federal agencies to seek to conserve threatened and endangered species.

Fish and Wildlife Coordination Act
The Fish and Wildlife Coordination Act of 1958 requires that Federal agencies consult with the USFWS, National Marine Fisheries Service (NMFS) (in some instances), and appropriate state fish and wildlife agencies regarding the conservation of wildlife resources when proposed federal projects may result in control or modification of the water of any stream or other water body.

Migratory Bird Treaty Act
The Migratory Bird Treaty Act of 1918 protects migratory birds by prohibiting private parties (and Federal agencies in certain judicial circuits) from intentionally taking,[8] selling, or conducting other activities that would harm migratory birds, their eggs, or nests (such as removal of an active nest or nest tree), unless the Secretary of the Interior authorizes such activities under a special permit.

SIGNIFICANT IMPACT THRESHOLDS

FAA Order 1050.1F, establishes the thresholds for significant threatened and endangered species impacts as follows: U.S. Fish and Wildlife Service or the National Marine Fisheries Service determines that the action would be likely to jeopardize the continued existence of a federally listed threatened or endangered species, or would result in the destruction or adverse modification of federally designated critical habitat. Based on FAA Order 1050.1F, the FAA has not established a significance threshold for non-listed species. However factors that should be considered in assessing impacts include whether the action would have the potential for:

- A long term or permanent loss of unlisted plant or wildlife species (i.e., extirpation of the species from a large project area)
- Adverse impacts to special status species (i.e., state species of concern, species proposed for listing, migratory birds, bald and golden eagles) or their habitats

- Substantial loss, reduction, degradation, disturbance, or fragmentation of native species' habitats or their populations
- Adverse impacts on a species' reproductive success rates, natural mortality rates, non-natural mortality rates (e.g., road kills and hunting), or ability to sustain the minimum population levels required for population maintenance

METHODOLOGY

As indicated in FAA Order 1050.1F, coordination should take place with the USFWS and other applicable federal, state, or local agencies that administer protection over fish, wildlife, and plant resources in order to determine the potential effect to federal and state listed threatened, endangered, or candidate species, or designated critical habitat areas.

IMPACTS

Alternative 1 (No-Action)

The No-Action Alternative would not change existing site conditions or habitats. As a result, there would be no impacts to biological resources.

Alternative 2 (Maximum Build-Out)

The potential impacts to biotic resources are discussed below:

Habitat Alteration / Loss

Parcel I: Forty four acres of the 227 acre parcel would be developed for light industrial uses. This could involve converting successional shrubland and northern hardwoods to developed areas associated with roads, auto parking areas, infrastructure, and buildings, or landscaped areas. A large portion of this parcel contains federal and state designated wetlands. This 143 acre area would be preserved as wetlands and natural landscape as identified in the *MV EDGE Redevelopment Plan and Guidelines Report*.

Parcel II: Of the 944 acre parcel, 161 acres would be developed for mixed uses including a mega site, warehouse and distribution, light industrial, and residential. This could involve converting upland areas (i.e., successional shrubland, successional old field, successional northern hardwoods, and northern hardwoods) and wetlands (shallow emergent swamp, forested wetlands, red maple hardwood swamp) to developed areas associated with roads, auto parking areas, infrastructure, and buildings, or landscaped areas.
Parcel III: Of the 39 acre parcel, 37 acres are currently developed and 2 acres contain paved roads. This area is already developed so no changes to habitat or uses are expected.

A summary of the approximate acreages of proposed impacts is shown in **Table 7**.

TABLE 7
MAXIMUM BUILD-OUT POTENTIAL COVERTYPE IMPACTS

Covertype	Existing Covertype (acres)	Total Covertype Altered/Lost	Covertype Remaining after Construction (acres)
Mowed Lawn/Landscaped Areas	0	+1	1
Successional Shrubland/Old Field/Field	165	-165	0
Successional Northern Hardwoods (Forested)	25	-25	0
Wetlands and Waterways	2	-2	0
Roads	23	+17	40
Paved Surfaces (buildings, parking, etc.)	31	+174	205
Total	**246 acres**		**246 acres**

Source: C&S Engineers, Inc.

A discussion of the potential impacts is provided below:

Grading Construction in Wetlands: A total of two acres of wetlands could potentially be filled and/or excavated in order to construct a future road extension on Judd Road and filling/grading activities related to the development of one light industrial parcel on Judd Road. This would involve the permanent loss of wetland areas. The wetland areas are protected by federal regulations, but most of these areas are not considered rare or unique from an ecological standpoint. Refer Section 4.5 *Water Resources* for a detailed discussion of wetland impacts and proposed mitigation strategies.

Upland Clearing: Clearing in upland areas could involve clearing 25 acres of woody vegetation and grubbing stumps related to the development of the light industrial uses on County Seat Road and residential uses on Carter Road. This would involve converting successional northern hardwood forest to paved surfaces such as buildings, parking lots, driveways, and access roads or landscaped areas. The northern hardwood communities are not considered rare or unique in New York State.

Upland Grading Construction: Construction activities in 165 acres of upland areas would include excavating, grading/filling, and site preparation related to the development of light industrial uses and interior road construction along County Seat and Judd Roads, residential uses on Carter Road, Cider Street, and Postal Road, and warehousing and distribution and mega site uses on Cider Street. The majority of this construction is expected to take place within successional shrubland/old field/field areas, and the land would be converted to paved surfaces upon completion of construction. None of these cover types are considered rare or unique in New York. Since 964 acres of the of the total 1,210 acre project site (80%) would remain undeveloped, most of the land to be developed is successional/old field/field, and there are no rare or unique covertypes significant impacts are not anticipated.

Wildlife
In addition to altering the vegetative cover types there could potentially be a permanent loss of forested habitat for wildlife (25 acres) related to the light industrial and interior road development on County Seat Road and residential development on Carter Road. In the short-term vegetation clearing would disrupt wildlife populations that use the area. Only 246 acres (20%) of the overall site would be developed, this leaves 964 acres of undeveloped areas on the remaining site that wildlife can use and can migrate to. In addition, there are 433 acres of adjacent forested areas that wildlife can migrate to off site. Since wildlife impacts would be short-term and there are adjacent areas for wildlife to migrate to, no significant impacts to wildlife are not expected.

Migratory Birds
For species protected under the MBTA, the following BMPs should be implemented:

- To the extent practicable, development activities should be undertaken outside the breeding season of listed species
- Prior to undertaking development activities that could adversely affect species protected under the Migratory Bird Treaty Act, further coordination with USFWS Migratory Bird Office should take place

Threatened and Endangered (T&E) Species
Based on the results of the Habitat Assessment (see **Appendix J**) the study area does not contain potential habitat for the state-listed Upland sandpiper and Schweintitz's sedge or the federally-listed Bog turtle. The assessment determined that the study area does contain potential habitat for the federally-listed Indiana bat and Northern long-eared bat, and the state-listed Northern harrier. The Maximum Build-Out could potentially impact up to 25 acres of federally-listed Indiana bat and Northern long-eared bat habitat, and 35 acres of state-listed Northern harrier habitat through the alteration or loss of vegetation and wildlife habitat related to site preparation (i.e., grading and filling) and construction (i.e., buildings, parking, roadways, and other infrastructure) activities. Specifically, Indiana bat and Northern long-eared bat habitat could potentially be impacted by development of light industrial development on County Seat Road, Judd Road, and Cider Street, and residential development on Carter Road. The Northern harrier habitat could potentially be impacted by development of warehouse & distribution, mega site, and residential development on Cider Street and Postal Road. No direct take related to T&E species is anticipated as a part of the Maximum Build-Out.

No other known occurrences of state significant habitats; "endangered", "threatened", or rare species; or species of special concern within the vicinity of the project limits were indicated by the NYSDEC (see **Appendix B**, correspondence dated November 1, 2013 from Andrea Chaloux, Environmental Review Specialist, NY Natural Heritage Program and NYNHP's November 20, 2015 response letter attached to the Habitat Assessment Report included in **Appendix J**). In addition, no other federally listed or proposed "endangered" and "threatened species" under service jurisdiction are known to exist in the vicinity of the study area and no habitat in the study area is currently designated or proposed "critical habitat" in accordance with provisions of the Endangered Species Act (ESA).

Alternative 3 (Proposed Action)
The potential impacts to biotic resources is discussed below:

Habitat Alteration / Loss
Parcel I: Impacts to this parcel remain the same as the Maximum Build-Out, with forty four acres of the 227 acre parcel developed for light industrial uses and 143 acres preserved as wetlands and natural landscapes.

Parcel II: Impacts to habitat are 83% less for this parcel compared with Alternative 2 due to 403 acres remaining undeveloped for use by the NYS OHS. Specifically, only 28 acres would be developed for residential uses on Carter and Cider Streets compared to 161 acres of development for the Maximum Build-Out with a mix of residential, warehouse and distribution, light industrial, and mega site uses. This could involve converting successional shrubland and successional northern hardwoods to developed areas associated with residential homes and driveways. No impacts to wetlands are anticipated since there will be no light industrial uses on Judd Road for this alternative.

Parcel III: Similar to the Maximum Build-Out no changes to habitat or uses are expected to this parcel since it is already developed.

A summary of the approximate acreages of proposed impacts is shown in **Table 8**.

TABLE 8
PROPOSED ACTION POTENTIAL COVERTYPE IMPACTS

Covertype	Existing Covertype (acres)	Total Covertype Altered/Lost	Covertype Remaining after Construction (acres)
Mowed Lawn/Landscaped Areas	0	+0.7	0.7
Successional Shrubland/Old Field/Field	55	-55	0
Successional Northern Hardwoods (Forested)	5	-5	0
Roads	23	+5	28
Paved Surfaces (buildings, parking, etc.)	16	+54.3	70.3
Total	**99 acres**		**99 acres**

Source: C&S Engineers, Inc.

A discussion of the potential impacts is provided below:

Upland Clearing: Clearing in upland areas could involve clearing 5 acres of woody vegetation and grubbing stumps related to the development of the light industrial uses on County Seat Road and residential uses on Carter Road. This would involve converting successional northern hardwood forest to paved surfaces such as buildings, parking lots, driveways, and access roads or landscaped areas. The northern hardwood communities are not considered rare or unique in New York State.

Upland Grading Construction: Construction activities in 55 acres of upland areas could include excavating, grading/filling, and site preparation related to the development of light industrial uses on County Seat and Judd Roads and residential uses on Carter and Cider Streets. The majority of this construction is expected to take place within successional shrubland/old field/field areas, and the land would be converted to paved surfaces or landscaped areas upon the completion of construction. None of these cover types are considered rare or unique in New York.

Since 1,111 acres of the total 1,210 acre project site (92%) would remain undeveloped, most of the land to be developed is successional/old field/field, and there are no rare or unique covertypes significant impacts are not anticipated.

Wildlife
Similar to the Maximum Build-Out Plan there could potentially be a permanent loss of forested habitat for wildlife. However for this alternative the impact would be 80% less than those associated with Alternative 2 since 403 acres would remain undeveloped as part of the NYS OHS parcel. Specifically, 5 acres of tree removal could occur as a result of light industrial development on County Seat Road and residential development on Carter Road compared to 25 acres of tree removal for the Maximum Build-Out. In the short-term vegetation clearing will disrupt wildlife populations that use the area. Only 99 acres (8%) of the overall site would be developed, this leaves 1,111 acres of undeveloped areas on the remaining site that wildlife can use and can migrate to. In addition, there are 433 acres of adjacent forested areas that wildlife can migrate to off site. Since wildlife impacts would be short-term and there are adjacent areas for wildlife to migrate to, no significant impacts to wildlife are not expected.

Migratory Birds
Best management practices identified for the Maximum Build-Out would be the same for the Proposed Action.

Threatened and Endangered Species
Similar to the Maximum Build-Out the Proposed Action could impact T&E species through the alteration or loss of vegetation and wildlife habitat related to site preparation (i.e., grading and filling) and construction (i.e., buildings, parking, roadways, and other infrastructure) activities. However for this alternative the impact would be 64% less than those associated with the Maximum Build-Out as a result of the 403 acre NYS OHS parcel remaining undeveloped. Specifically, the Proposed Action could potentially impact up to 5 acres of federally-listed Indiana bat and Northern long-eared bat habitat associated with the light industrial development on County Seat Road and residential development on Carter Road (compared to 25 acres for Alternative 2).

In addition, the Proposed Action could potentially impact 15 acres of state-listed Northern harrier habitat associated with the residential development on Cider Street and Postal Road (compared to 31 acres for Alternative 2). Similar to the Maximum Build-Out no direct take of T&E species is anticipated with the Proposed Project.

MITIGATION

Potential adverse impacts to biological resources resulting from future development activities can be avoided or minimized through early planning, careful design, and proper construction practices. Where avoidance is not possible, impacts should be minimized to the greatest extent possible.

The following measures are recommended to minimize impacts to biotic resources:

- All practicable means of avoidance by early planning and design control should be taken to minimize impacts
- Staging and other areas temporarily disturbed by construction should take place in previously disturbed areas (i.e., paved or cleared areas) to the maximum extent possible
- Erosions controls to protect bordering biotic resources
- Phasing construction activities to avoid breeding and nesting seasons
- Minimizing grading slopes and maintaining hydrologic links, such as culverts and outlets associated with those areas where construction is proposed within or immediately adjacent to wetlands.
- Maintaining existing drainage patterns as much as possible, and avoid altering hydrology of adjacent wetland resources.
- Culverting or re-aligning ditches to avoid disruption to downstream resources. Adjacent resources will be protected by the appropriate placement of soil erosion and sediment controls.

The following measures are recommended to minimize impacts to threatened and endangered (T&E) species:

- Avoidance of potential T&E species habitat areas to the extent practicable should be taken during planning and design to minimize impacts
- Since suitable habitat occurs within the project site for the federally listed Indiana bat and Northern long-eared bat and trees may be cut, cutting should occur between October 1 through March 31
- If potential habitat for Indiana bats and Northern long-eared bats must be cut during the summer months or the removal of trees greater than 3”dbh would take place, further coordination with the USFWS should be initiated in order to determine if an acoustic survey or mist net survey should be conducted to determine the presence of Indiana bats and Northern long-eared bats.
- Further coordination with the USFWS and state agencies (i.e., NYS DEC, NYNHP) should be initiated when an actual development plan is in place to determine if new information has become available regarding federally or state listed threatened and endangered species,

and species of special concern, or should mitigation be proposed outside of Oneida County, New York to ensure that required actions are taken to comply with all applicable laws and regulations.

- Since suitable habitat occurs within the site for the state-listed Northern harrier, construction activities should take place outside the breeding season or a qualified biologist should conduct a walkover prior to construction activities occurring
- If potential habitat for Northern harrier would be impacted by construction activities further coordination with the NYSDEC would be required and potential mitigation measures would be determined as part of the SEQR/permitting process

Based on incorporation of the recommended mitigation measures and the fact that additional Indiana bat, Northern long-eared bat, and Northern harrier habitat is available nearby, the Proposed Action and Maximum Build-Out may affect but are not likely to adversely affect T&E species. In addition, significant impacts to ecological communities and wildlife resources are not expected since the Proposed Action and Maximum Build-Out areas are predominantly successional shrubland/old field/field and there is additional habitat nearby that non-threatened species can migrate to. As a result, significant impacts to biological resources are not anticipated and no thresholds of significance would be exceeded.

4.5 Water Resources

According to 1050.F Desk Reference "water resources are surface waters and groundwater that are vital to society; they are important in providing drinking water and in supporting recreation, transportation and commerce, industry, agriculture, and aquatic ecosystems. Surface water, groundwater, floodplains, and wetlands do not function as separate and isolated components of the watershed, but rather as a single, integrated natural system. Disruption of any one part of this system can have consequences to the functioning of the entire system… Wild and Scenic Rivers are included because impacts to these rivers can result from obstructing or altering the free-flowing characteristics of a designated river, an impact more closely resembling an impact to a water resource.

4.5.1 Wetlands

REGULATORY SETTING

The primary statutes, executive orders, and orders that govern wetlands are discussed below.

Clean Water Act

The Clean Water Act (CWA) establishes the basic structure for regulating the discharge of pollutants into *waters of the United States*,[13] which include wetlands. The two primary sections of the CWA relating to wetland impacts and permitting are Section 404 and Section 401.

Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act requires federal agencies to consult with the USFWS, National Marine Fisheries Service(NMFS) (in some instances), and appropriate state fish and wildlife agencies regarding the conservation of wildlife resources when proposed Federal projects

may result in control or modification of the water of any stream or other water body (including wetlands).

Executive Order 11990, *Protection of Wetlands*
Executive Order 11990, *Protection of Wetlands*, 42 *Federal Register* 26961, (May 25, 1977) directs all federal agencies to avoid adverse impacts associated with the destruction or modification of wetlands, to the extent practicable. The stated purpose of this Executive Order is to "minimize the destruction, loss or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands."

DOT Order 5660.1A, *Preservation of the Nation's Wetlands*
This DOT Order implements the guidelines set forth in Executive Order 11990. As stated in this DOT Order, transportation facilities should be planned, constructed, and operated in order to assure the protection and enhancement of wetlands.

SIGNIFICANT IMPACT THRESHOLDS

FAA Order 1050.1F provides the FAA's significance threshold for wetlands. A significant impact exists if:

The action would:

- Adversely affect the function of a wetland to protect the quality or quantity of municipal water supplies, including sole source, potable water aquifers
- Substantially alter the hydrology needed to sustain the functions and values of the affected wetland or any wetlands to which it is connected
- Substantially reduce the affected wetland's ability to retain floodwaters or storm-associated runoff, thereby threatening public health, safety or welfare (this includes cultural, recreational, and scientific resources important to the public, or property)
- Adversely affect the maintenance of natural systems that support wildlife and fish habitat or economically-important timber, food, or fiber resources in the affected or surrounding wetlands
- Promote development of secondary activities or services that would affect the resources mentioned above
- Be inconsistent with applicable State wetland strategies

METHODOLOGY

At the federal level the USACE regulates wetlands, regardless of size, that meet the criteria set forth in the *1987 Corps of Engineers Wetlands Delineation Manual* and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region Version 2.0.* The USACE regulates these wetlands under Section 404 of the Clean Water Act. Under this law, a permit is needed from the USACE for discharge of dredged or fill material into wetlands.

At the state level the NYSDEC regulates wetlands that meet the criteria set forth in the *1995 NYSDEC Freshwater Wetlands Delineation Manual*, and are at minimum 12.4 acres in size or are of unusual local significance. The NYSDEC regulates these wetlands, and a 100 foot buffer area that extends from wetland delineation boundaries, under Article 24 of the Environmental Conservation Law. Permits are required for a number of activities that affect wetlands and associated buffers including clear cutting vegetation and placement of fill.

IMPACTS

Alternative 1 (No-Action)

Since no development would occur with the No-Action Alternative there would be no impacts to wetlands.

Alternative 2 (Maximum Build-Out)

Federal Wetland

Based on a screening level review of the EPA My Waters Mapper and the USFWS NWI mapping there are numerous freshwater forested/shrub wetlands and freshwater emergent wetlands located within all three parcels proposed for development (see **Figures 10 and 11** in **Appendix A**). In order to quantify impacts the assumptions identified at the beginning of the chapter were used. Based on the acreage of development allowed on each land use parcel, and the location of wetlands on the various land use parcels, it is anticipated that most wetlands could be avoided. However, there is the potential for two acres of wetlands to be permanently impacted as a result of filling/grading activities related to the light industrial and interior road development on Judd Road. Prior to development taking place a wetland delineation may be required by the USACE, and if specific projects undertaken by private entities to develop lands within the 1,210 acre site impact federal wetlands, a USACE Section 404 Wetland Permit would be required.

State Wetlands

Based on NYSDEC wetlands mapping, there are state wetlands within the Maximum Build-Out limits. In accordance with the Oneida County Business Park Redevelopment Plan and Guidelines Report a 100 foot buffer would be maintained around all state wetlands (see **Figures 10 and 12** in **Appendix A**). As a result, state wetlands would not be disturbed as part of future development and there would be no loss of state wetland resources. Prior to development taking place a wetland delineation may be required by the NYSDEC, and if any specific projects undertaken by private entities to develop lands within the 1,210 acre site impact state wetlands, then a NYSDEC Freshwater Wetland Permit would be required.

Streams

There are streams and artificial intermittent streams/ditches (see **Figure 10** in **Appendix A**) within the Maximum Build-Out limits. In accordance with the Oneida County Business Park Redevelopment Plan and Guidelines Report a 50 foot buffer would be maintained around all streams (see **Figure 15** in **Appendix A**). As a result, streams that flow into and/or drain United States Army Corps of Engineers (USACE) regulated wetlands or NYSDEC regulated wetlands would not be disturbed as part of future development.

All of these streams and streams/ditches are protected by the USACE under Section 404 of the Clean Water Act. Based on the NYSDEC Environmental Mapper [23] and interpretation of Article 15 of the Environmental Conservation Law, none of the perennial streams, intermittent or ephemeral streams/ditches within the project limits are considered protected waters under Article 15. However, based on interpretation of Article 24 of the Environmental Conservation Law, any perennial streams, intermittent or ephemeral streams/ditches within the project limits that is within a NYS Wetland is a protected water of the State under jurisdiction by the NYSDEC. None of the streams are considered navigable waters of the state.

If any specific projects undertaken by private entities to develop any lands within the 1,210 acre site impact streams, then an USACE Section 404 Permit and NYSDEC Freshwater Wetland Permit would be required.

Alternative 3 (Proposed Action)

Federal Wetlands

No impacts to federal wetlands are anticipated for the Proposed Action since the light industrial and interior road development on Judd Road would not take place with this alternative due to 403 acres remaining undeveloped as part of the NYS OHS parcel.

State Wetlands

Similar to the Maximum Build-Out, a 100 foot buffer around state wetlands would be maintained for the Proposed Action in accordance with the OCBP site development guideline buffer areas. As a result, no impacts to state wetlands are anticipated.

Streams

Similar to the Maximum Build-Out, a 50 foot buffer around streams would be maintained for the Proposed Action in accordance with the OCBP site development guideline buffer areas. As a result, no impacts to streams are anticipated.

MITIGATION

Potential adverse impacts to wetlands resulting from future development activities can be avoided or minimized through early planning, careful design, and proper construction practices. Where avoidance is not possible, impacts should be minimized to the greatest extent possible. Whenever unavoidable adverse impacts occur, the use of compensatory mitigation is recommended. The following mitigating measures are proposed to avoid, minimize, and compensate for these impacts.

- Minimizing grading slopes and maintaining hydrologic links, such as culverts and outlets associated with those areas where construction is proposed within or immediately adjacent to wetlands. Efforts should be taken during design of the proposed project to maintain existing drainage patterns as much as possible, and avoid altering hydrology of adjacent wetland resources.
- Best management practices would be followed to avoid accidental spills of fuel oils, chemicals, concrete leachate, and sediments into aquatic habitats. These practices include proper storage, use, and cleanup of all construction-related chemicals. Erosion

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

and sediment control features may include silt fences, straw bales, hydroseeding of exposed soils, and mulching.

- Minimize impacts by clearly identifying wetlands on plan sheets and marking on the ground using orange construction fencing and or silt fencing.
- Limit vegetation clearing to what is necessary for future development activities. Only trees and shrubs within the limits of construction and tree limbs extending into the clearance area should be removed. Using and maintaining vegetative cover appropriately during construction will minimize erosion of excavated soil and sediment loading to surface waters.
- Limit grading, excavation, and filling activities to what is necessary for construction of future development.
- Revegetation of disturbed areas with native trees, shrubs, and herbaceous plants.
- If impacts would result in a loss of federal wetland resources over 1/10th of an acre a Compensatory Wetland Mitigation Plan (Plan) in accordance with *Department of Defense and Environmental Protection Agency Joint Compensatory Mitigation for Losses of Aquatic Resources*; Final Rule (Fed. Reg. Vol. 73, No. 70, April 10, 2008) will be required
- Enhance natural systems and open space in accordance with the MV EDGE Redevelopment Plan and Guidelines Report that would consist of preserving the large wetlands complex located on Parcel 1 and enhancing this area with a multi-purpose trail for biking and walking to provide recreational opportunities for the community
- Further coordination with the USACE and NYS DEC should be initiated when an actual development plan is in place to ensure that required actions are taken to comply with all applicable laws and regulations.

Based on the incorporation of the recommended avoidance and minimization measures, a compensatory wetland mitigation plan would be developed for any loss of wetlands, and all required state and federal permits would be obtained prior to construction, no significant impacts to wetlands are anticipated and no thresholds of significance would be exceeded.

4.5.2 Floodplains

REGULATORY SETTING

Executive Order (EO) 11988 was originally issued on May 24, 1977, and established a national policy requiring federal agencies to avoid, to the extent possible, the long and short term adverse impacts associated with the occupancy and modification of floodplains. On January 30, 2015, the President issued EO 13690 that amends EO 11988, and established the Federal Flood Risk Management Standard ("FFRMS") and a process for public input prior to implementation of the FFRMS. EO 13690 at §1. However, in Guidelines issued on October 8, 2015, federal agencies were directed not to apply the new requirements until after the agencies adopt new or revised regulations governing the proper implementation of EO 13690 and the FFRMS. EO 13690 at §3; Guidelines for Implementing Executive Order 11988, Floodplain Management, and Executive Order 13690, Establishing a Federal Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input, October 8, 2015 ("Guidelines"). The Guidelines state that agencies will continue to comply with the requirements of the 1977 version of E.O. 11988

until they update their regulations and procedures to incorporate the amendments from E.O. 13690. These regulations and procedures will describe an agency's schedule for applying any new requirements as well as how it will apply the new requirements. The new requirements of EO 11988 will not be applied retroactively. The DOT has not issued implementing orders to date.

IMPACTS

No impacts to floodplains are expected (see Chapter 3, Section 3.2.13 Water Resources).

4.5.3 Surface Waters

REGULATORY SETTING

Stormwater Regulations
The U.S. Environmental Protection Agency (EPA) was granted authority under the Clean Water Act of 1977 to establish regulations to restore and maintain the quality of surface waters. The EPA implemented the National Pollutant Discharge Elimination System (NPDES) permit program to regulate point sources of discharge pollutants into surface waters. The EPA authorized New York State to implement the NPDES program. The State's Environmental Conservation Law (ECL) established the State Pollutant Discharge Elimination System (SPDES) program and provides the New York State Department of Environmental Conservation (NYS DEC) with additional legal authority to regulate wastewater to groundwater.

Section 404 of the Clean Water Act
The U.S. Army Corps of Engineers (USACE) regulates Waters of the United States under Section 404 of the Clean Water Act. For a discussion of Waters of the U.S. and wetlands, see Section 3.14. The placement of fill material into Waters of the U.S. (including wetlands) generally requires an individual or nationwide permit from the USACE under Section 404 of the Clean Water Act.

SIGNIFICANT IMPACT THRESHOLDS

FAA Order 1050.1F provides the FAA's significance threshold for surface waters. A significant impact exists if:

The action would:

- Exceed water quality standards established by Federal, state, local, and tribal regulatory agencies; or
- Contaminate public drinking water supply such that public health may be adversely affected.

Additional factors that may be applicable to surface waters include, but are not limited to, situations in which the proposed action or alternative(s) would have the potential to:

- Adversely affect natural and beneficial water resource values to a degree that substantially diminishes or destroys such values

- Adversely affect surface waters such that the beneficial uses and values of such waters are appreciably diminished or can no longer be maintained and such impairment cannot be avoided or satisfactorily mitigated
- Present difficulties based on water quality impacts when obtaining a permit or authorization

METHODOLOGY

The project elements were evaluated for the potential to adversely affect the water quality and natural hydrology of the area.

IMPACTS

Alternative 1 (No-Action)

Since no development would occur with the No-Action Alternative there would be no impacts to surface water resources.

Alternative 2 (Maximum Build Out)

The Maximum Build-Out would impact surface waters (see Wetlands Section 4.5.1 above) and land-disturbing activity associated with site development, including land preparation such as clearing, grading and filling and construction of buildings, roads and walkways would result in increased stormwater runoff and alter the existing drainage system.

Stormwater Runoff: The total impervious area (paved surfaces) associated with the Maximum Build-Out would increase as a result of construction activities. Approximately 46 acres of the 1,210 acre site contains existing impervious surfaces associated with buildings, paved roads, and parking lots on Parcel 3 and existing roads on Parcel 2 (Cider Street and Carter Road). Impervious surfaces would increase from 46 acres to 246 acres for the Maximum Build-Out Plan. Approximately 20% of the entire 1,210 site would be impervious surfaces with the remaining 80% of the site remaining undeveloped. Impacts related to the construction of additional impervious surfaces include decreases in the amount of rainwater that can naturally infiltrate into the soil, and increases in the volume and rate of stormwater runoff because there is less vegetated area to soak up the rainwater. During storm events, the higher and more rapid peak discharge of runoff and stream flow can overload the capacity of wetlands and streams located on site as well as water bodies downstream of the site causing downstream flooding and streambank erosion.

In addition, during construction activities, vegetation is removed and bare earth is exposed, moved and stockpiled, leaving it subject to erosion by wind and rainfall. Stormwater runoff can transport erodible earthen materials offsite and into waterways, contributing to sediment and siltation loads within those waterways which can degrade water quality.

Drainage Systems: Potential impacts to the existing drainage systems include replacing the natural drainage system with underground storm sewers, curb inlets and catch basins, culverts vegetated swales, and detention basins and altering drainage patterns as a result of filling/grading activities and construction of impervious surfaces.

No alteration of streams is anticipated with site development since a 50 foot buffer would be maintained in accordance with the OCBP site development guidelines and any drainage patterns that have been altered on the 1,210 acre site would be tied back into the existing drainage patterns outside the project limits.

Alternative 3 (Proposed Action)

Similar to the Maximum Build-Out land-disturbing activity associated with site development, including land preparation such as clearing, grading and filling and installation of buildings, roads and walkways would result in increased stormwater runoff and alter the existing drainage system.

Stormwater Runoff:
The impacts to stormwater runoff would be 60% less than the Maximum Build-Out. Specifically, there would be 99 acres of impervious surface associated with the Proposed Action compared with 246 acres of impervious surfaces for Alternative 2. For the Proposed Action approximately 8% of the entire 1,210 site would be impervious surfaces with the remaining 92% of the site remaining undeveloped. Similar to the Maximum Build-Out the increase in stormwater runoff can affect wetlands and streams located on site as well as water bodies downstream of the site, as well as runoff during construction activities can transport earthen materials offsite into the waterways, contributing to sediment and siltation loads within those waterways.

Drainage Systems: The impacts to existing drainage systems would be 60% less than the Maximum Build-Out as a result of the reduced amount of impervious surfaces that would be constructed. Similar to the Maximum Build-Out the existing drainage systems would be replaced and natural drainage patterns altered.

No alteration of streams is anticipated with site development since a 50 foot buffer would be maintained in accordance with the OCBP site development guidelines and any drainage patterns that have been altered on the 1,210 acre site would be tied back into the existing drainage patterns outside the project limits.

MITIGATION

Potential adverse impacts to water quality resulting from construction can be avoided or minimized through early planning, careful design, proper construction practices, and maintenance of the stormwater facilities. Based on the identification of environmentally sensitive areas in the study area, efforts have been focused on avoidance of impacts. Where avoidance is not possible, impacts will be minimized to the greatest extent possible. Whenever unavoidable adverse impacts occur, the use of compensatory mitigation is appropriate. Mitigation measures that should be considered to minimize impacts to surface water resources include:

- Limit grading, excavation, and filling activities to what is necessary for construction of future development.
- Protect and establish vegetation.
- Construction activities should comply with municipal guidelines for erosion and sediment control features and procedures to minimize construction impacts.

- Best management practices would be followed to avoid accidental spills of fuel oils, chemicals, concrete leachate, and sediments into aquatic habitats. These practices include proper storage, use, and cleanup of all construction-related chemicals. Erosion and sediment control features may include silt fences, straw bales, hydroseeding of exposed soils, and mulching.
- Sustainable approaches to storm water management including pervious paving materials to allow infiltration and vegetated swale systems to gather and filter rainwater
- Stabilize construction entrances and exits to prevent tracking onto roadways
- Routes would be carefully selected to avoid wetland areas.
- Revegetation of disturbed areas with native trees, shrubs, and herbaceous plants.

With the implementation of the recommended avoidance and minimization measures, use of construction best management practices, and the fact that site plan approval would require that erosion and sediment control practices be consistent with requirements of the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity long-term impairment of surface water resources or significant adverse impacts to surface water quality are not anticipated and no thresholds of significance would be exceeded.

4.5.4 Groundwater

No impacts to groundwater are expected (see Chapter 3, Section 3.2.13 Water Resources).

4.5.5 Wild and Scenic Rivers

No impacts to Wild and Scenic Rivers are expected (see Chapter 3, Section 3.2.13 Water Resources).

4.6 Socioeconomics, Environmental Justice, and Children's Environmental Health and Safety Risks

4.6.1 Socioeconomics

REGULATORY SETTING

The CEQ Regulations require analysis of socioeconomic impacts by stating that "effects" to be considered when preparing a NEPA document include "ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative" (see 40 CFR § 1508.8) and that through NEPA, the Human Environment "shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment" (see 40 CFR § 1508.14).

SIGNIFICANCE THRESHOLD

The FAA has not established a significance threshold for socioeconomics in FAA Order 1050.1F. However, factors that should be considered in assessing impacts include whether the action would have the potential to:

- Induce substantial economic growth in an area, either directly or indirectly (e.g., through establishing projects in an undeveloped area)
- Disrupt or divide the physical arrangement of an established community
- Cause extensive relocation when sufficient replacement housing is unavailable
- Cause extensive relocation of community businesses that would cause severe economic hardship for affected communities
- Disrupt local traffic patterns and substantially reduce the levels of service of roads serving an airport and its surrounding communities
- Produce a substantial change in the community tax base

METHODOLOGY

Social impacts have been assessed to determine the effect, if any, that implementation of the action would have on the social fabric of the surrounding communities. The types of social impacts that potentially arise are:

- Extensive resident relocation (and whether sufficient replacement housing is available)
- Extensive community business relocation (and whether that would create severe economic hardship for the affected communities)
- Disruption of planned development
- Disruptions of local traffic patterns that would substantially reduce the level of service of the roads serving the airport and its surrounding communities
- Substantial loss in the community tax base
- EJ issues
- Children's environmental health and safety risks

In determining whether an action is in compliance with EO 12898, two factors must be considered. The first is whether the action is likely to have adverse effects on minority or low-income populations. The second is to determine whether the adverse impacts are disproportionately high on minority or low-income populations. The DOT Order defines "adverse effects" as "the totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects…" The DOT Order defines "disproportionately high and adverse effects" as those that are "predominately borne by a minority population and/or a low-income population or will be suffered by the minority and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population."

IMPACTS

Alternative 1 (No-Action)

Since no development would occur with the No-Action Alternative there would be no impacts to socioeconomics.

Alternative 2 (Maximum Build-Out)

Relocation of Residences or Businesses

No impacts are expected since there is no relocation of residencies or businesses (see Chapter 3, Section 3.2.11 Socioeconomics, Environmental Justice, and Children's Environmental Health and Safety Risks).

Disruption of Local Traffic Patterns

Roadways: In accordance with the MV EDGE Plan, roadway improvements are included as part of the Maximum Build-Out.

Airport Road is envisioned to be the signature roadway and would include

- 200 foot right-of -way
- four travel lanes
- parallel parking and a bike lane
- tree shaded median
- drainage catch basins on either side of street curbs
- 10 foot sidewalks

For the portion of the road that passes through the Town Center, Airport Road would narrow to

- 150 foot right-of-way
- Four travel lanes
- Bike lanes
- On street parking
- Sidewalks will widen to 12 feet to encourage pedestrian use

Major access roads (i.e., Route 233, Sutliff Road/Judd Road, Cider Street, East Carter Road, Postal Road, and County Seat Road) would include

- 150 foot right-of-way
- Two travel lanes
- Six foot shoulders
- Water drains into vegetated swales along the sides of the road
- Pedestrian sidewalks on at least one side of the road

Local roads provide internal connections within the OCBP and would include one new road that provides access to the light industrial uses in Parcel 1 and one new road that provides access to the warehouse and distribution and light industrial uses in Parcel 2. These roads would feature

- 100 foot right-of-way
- Two travel lanes
- Bike paths and curbs
- Swales and/or vegetated canals along the side of the road
- Pedestrian paths on the opposite site of the swales

Improvements to existing roads include the addition of sidewalks, bike paths, curbs and vegetated swales which can take place within the existing right-of-ways. There would be construction impacts related to the addition of the two new local roads within the OCPB (see Section 4.3 for further details).

Traffic: The estimated trip generation for the two development alternatives are shown in **Tables 9** through **15** below. The trip generation for each type of use was estimated based on the acres to be developed per parcel and the average trip generation rates provided in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition. The ITE land uses noted were as they are described in tables shown on **Figures 4 and 5** (see **Appendix A**) except for a few uses:

- Since the anticipated use for the Mega Site in Alternative 2 is unknown, the use with the highest potential for trip generation, research and development center, was used.
- The 1 acre Town Center was assumed to be ITE land use 820 (Shopping Center) with a 75% internal capture rate, or reduction in estimated trip generation, since it is anticipated this parcel will include retail and/or commercial uses to serve the other uses in the area.
- Since the number of anticipated residential units is assumed to be 28, that number of dwelling units was used as opposed to the expected acres to be developed.

TABLE 9
ALTERNATIVE 2 TRIP GENERATION ESTIMATE

Trip Generating Land Uses	Total Acres	Acres to be Developed	Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
Warehouse & Distribution	124	62	3,547	620	539
Light Industrial	144	72	3,730	541	522
R&D / Office	13	3	239	51	46
Mega Site	201	40	3,184	671	618
Town Center	3	1	320	7	28
Residential	542	28	267	21	28
TOTAL	**1210**	**206**	**11,287**	**1,911**	**1,781**

TABLE 10
ALTERNATIVE 3 TRIP GENERATION ESTIMATE

Trip Generating Land Uses	Total Acres	Acres to be Developed	Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
Light Industrial	78	40	2,020	293	283
R&D / Office	13	3	239	51	46
Town Center	3	1	320	7	28
Residential	542	28	267	21	28
TOTAL	**1210**	**71**	**2,846**	**372**	**385**

TABLE 11
TRIP GENERATION SUMMARY TABLE

	Alt 2	Alt 3
New Daily Trips:	11,287	2,846
New AM Trips:	1,911	372
New PM Trips:	1,781	385

Due the location of the site and the above-mentioned roadways, it is assumed that most vehicles would be traveling to and from the site via NYS RT 233 from the north and the south, Judd Road from the east/southeast, and Cider St from the NYS Thruway. It is assumed that those from points west would travel to NYS RT 33 via local roadways to the site. Based on this assumption, it is assumed that the distribution of new trips associated with the future development of the site would follow the same traffic patterns throughout the day as shown in the table below.

TABLE 12
ESTIMATED TRIP DISTRIBUTION

	Daily	AM Peak Hour	PM Peak Hour
NYS RT 233 (north)	30%	34%	30%
NYS RT 233 (south)	32%	26%	29%
Cider St (NYS Thruway)	15%	14%	15%
Judd Rd (east/southeast)	23%	26%	26%

Using these assumed distributions, the new daily and peak hour trips were allocated to the applicable roadways. The tables below show the existing traffic volume, the trip distribution, and the anticipated additional trips, total trips, and percent increase of trips for an average day, AM peak hour, and PM peak hour for each alternative for each roadway.

TABLE 13
DAILY VOLUME PROJECTION

	Existing	% distribution	Additional Trips		Total Trips		% Increase	
			Alt 2	Alt 3	Alt 2	Alt 3	Alt 2	Alt 3
NYS RT 233	8,594	30%	3,386	854	11,980	9,448	39%	10%
NYS RT 233	8,957	32%	3,612	911	12,569	9,868	40%	10%
Cider St	4,419	15%	1,693	427	6,112	4,846	38%	10%
Judd Rd	6,614	23%	2,596	655	9,210	7,269	39%	10%
Totals	**28,584**	**100%**	**11,287**	**2,847**	**39,871**	**31,431**	**39%**	**10%**

TABLE 14
AM PEAK HOUR VOLUME PROJECTION

	Existing	% distribution	Additional Trips		Total Trips		% Increase	
			Alt 2	Alt 3	Alt 2	Alt 3	Alt 2	Alt 3
NYS RT 233	824	34%	650	126	1,474	950	79%	15%
NYS RT 233	626	26%	497	97	1,123	723	79%	15%
Cider St	354	14%	267	52	621	406	75%	15%
Judd Rd	636	26%	497	97	1,133	733	78%	15%
Totals	**2,440**	**100%**	**1,911**	**372**	**4,351**	**2,812**	**78%**	**15%**

TABLE 15
PM PEAK HOUR VOLUME PROJECTION

	Existing	% distribution	Additional Trips		Total Trips		% Increase	
			Alt 2	Alt 3	Alt 2	Alt 3	Alt 2	Alt 3
NYS RT 233	908	30%	534	116	1,442	1,024	59%	13%
NYS RT 233	865	29%	517	111	1,382	976	60%	13%
Cider St	441	15%	267	58	708	499	61%	13%
Judd Rd	771	26%	463	100	1,234	871	60%	13%
Totals	**2,985**	**100%**	**1,781**	**385**	**4,766**	**3,370**	**60%**	**13%**

Based on the noted trip generation and distribution assumptions, Alternative 2 (Maximum Build-Out) may increase traffic on local roadways 40% daily and up to 80% during the AM peak hour. While volume are generally low on these roadways, increases at these scales may have significant impacts to traffic operations. To support this future development, roadway improvements and/or enhancements to the roadways within the existing business park and former Airport property may be required to manage the projected traffic volumes.

Beyond these general improvements, detailed mitigation of traffic-related impacts will be unknown until specific development plans are considered for any given parcel or area.

Loss in Community Tax Base

There would be no loss in the community tax base related to the Maximum Build-Out. Rather, future development would have an overall benefit to the local community by returning lands of the airport to the local tax base and by providing lands for economic development and by bringing new jobs associated with future development (see Chapter 3, Section 3.2.11 Socioeconomics, Environmental Justice, and Children's Environmental Health and Safety Risks).

Environmental Justice

No impacts to environmental justice are expected (see Chapter 3, Section 3.2.11 Socioeconomics, Environmental Justice, and Children's Environmental Health and Safety Risks).

Children's Environmental Health and Safety Risks

No impacts to Children's Environmental Health and Safety Risks are expected (see Chapter 3, Section 3.2.11 Socioeconomics, Environmental Justice, and Children's Environmental Health and Safety Risks).

Alternative 3 (Proposed Action)

Roadways: Improvements to Airport Road and the portion that passes through the Town Center, as well as improvements to Route 233, Sutliff Road/Judd Road, and County Seat Road will be the same as the Maximum Build-Out. No improvements will be needed for Cider Street, East Carter Road, Postal Road since 403 acres will remain undeveloped as part of the NYS OHS parcel.

One new local road is proposed to provide access to the light industrial uses in Parcel 1 that includes all the features identified above for the Maximum Build-Out.

Similar to the Maximum Build-Out improvements to existing roads will include the addition of sidewalks, bike paths, curbs and vegetated swales which can take place within the existing right-of-ways. There will be construction impacts related to the addition of one new local road within the OCPB (see Section 4.3 for further details).

Traffic: Based on the trip generation and distribution assumptions presented above, the Proposed Action may increase traffic 10% daily and up to 15% during the AM peak hour. This is significantly less than the Maximum Build-Out due to the 403 acres of land that will remain undeveloped as part of the NYS OHS parcel. As a result, impacts to traffic would be less than Alternative 2, however, roadway improvements and/or enhancements may be required to manage the projected traffic volumes.

Similar to the Maximum Build-Out, there would be no impacts to other socioeconomics, environmental justice, and children's environmental health and safety risks

MITIGATION

The following mitigating measures are proposed to minimize potential impacts to local traffic patterns.

- Conducting a traffic study when an actual development plan is in place that includes, but is not limited to, development information, trip generation estimates, existing and future roadway/intersection capacity analysis, and proposed mitigation measures
- Staging development in order to construct any required roadway improvements
- Requiring developer to participate in funding any needed roadway or intersection improvements
- Implementing access controls and site circulation adjustments for on-site circulation
- Compliance with state and local requirements during the site review process

With the implementation of the recommended mitigation measures, significant or adverse impacts are not anticipated.

4.7 Historical, Architectural, Archeological, and Cultural Resources

REGULATORY SETTING

The primary statutes governing the protection of historical, architectural, archeological, and cultural resources are discussed below.

American Indian Religious Freedom Act
The American Indian Religious Freedom Act requires consultation with Native American groups concerning actions on sacred sites or affecting access to sacred sites.

Historic Sites Act
The Historic Sites Act declares as national policy the preservation for public use of historic sites, buildings, objects, and properties of national significance. The Act also establishes the National Historic Landmarks program for designating properties commemorating or illustrating the history of the United States.

National Historic Preservation Act
The National Historic Preservation Act (NHPA) establishes an independent agency, the Advisory Council on Historic Preservation (ACHP). It also establishes the NRHP within the National Park Service (NPS). Section 106 of NHPA requires Federal agencies to consider the effects of their undertaking (or action) and consult with specific parties on properties listed on or eligible for listing on the NRHP. "Eligible" for listing in the NRHP includes all properties that meet the specifications laid out in the DOI regulations at 36 CFR § 60.4.

SIGNIFICANT IMPACT THRESHOLDS

The FAA has not established a significance threshold for the full range of historical, architectural, archeological, and cultural resources in FAA Order 1050.1F; however, the FAA has identified a factor to consider when evaluating the context and intensity of potential environmental impacts for historical, architectural, archeological, and cultural resources. This factor includes, but is not limited to, situations in which the proposed action or alternative(s) would result in a finding of *Adverse Effect* through the Section 106 process.

IMPACTS

Alternative 1 (No-Action)

Since no development would occur with the No-Action Alternative there would be no impacts to historic, architectural, archeological, or cultural resources.

Alternative 2 (Maximum Build-Out)

Historic Resources

No impacts to historic sites are expected (see Chapter 3, Section 3.2.7 Historical, Architectural, Archeological, and Cultural Resources).

Archeological Resources

Based on the results of the Phase 1A Archeological Investigation, the Maximum Build-Out has the potential to impact 21 map documented structures related to site preparation and construction activities associated with the light industrial development on County Seat Road, residential development on Carter Road, and mega site, warehouse and distribution, and residential development on Cider Street.

In addition, there is the potential to impact four acres of archeologically sensitive areas adjacent to wetlands and seasonal drainages (i.e., streams) related to site preparation and construction activities associated with the light industrial development on County Seat Road, mega site development on Cider Street, and light industrial development on Judd Road.

Prior to development taking place a Phase 1B archeological survey may be required by the NYS OPRHP, and if any specific projects undertaken by private entities to develop lands within the 1,210 acre site impact archeological resources further studies/surveys and avoidance plans may be required.

National Historic Landmarks

No impacts to National Historic Landmarks are expected (see Chapter 3, 3.2.7 Historical, Architectural, Archeological, and Cultural Resources).

Tribal Resources

No impacts to tribal resources are expected (see Chapter 3, Section 3.2.7 Historical, Architectural, Archeological, and Cultural Resources).

Alternative 3 (Proposed Action)

Historic Resources

No impacts to historic sites are expected (see Chapter 3, Section 3.2.7 Historical, Architectural, Archeological, and Cultural Resources).

Archeological Resources

Potential impacts related to map documented structures would be 43% less for the Proposed Action compared to the Maximum Build-Out Plan since 12 MDS could potentially be impacted as a result of light industrial development on County Seat Road and residential development on Carter Road compared with 21 MDS for the Maximum Build-Out. In addition, potential impacts related to archeological resources would be 67% less for the Proposed Action since 1.3 acres of archeological sensitive areas could potentially be impacted as a result of light industrial development on County Seat Road compared with 4 acres for the Maximum Build-Out.

Similar to the Maximum Build-Out, a Phase 1B archeological survey may be required by the NYS OPRHP, and if any specific projects undertaken by private entities to develop lands within the 1,210 acre site impact archeological resources further studies/surveys and avoidance plans may be required.

National Historic Landmarks

No impacts to National Historic Landmarks are expected (see Chapter 3, Section 3.2.7 Historical, Architectural, Archeological, and Cultural Resources).

Tribal Resources

No impacts to tribal resources are expected (see Chapter 3, Section 3.2.7 Historical, Architectural, Archeological, and Cultural Resources).

MITIGATION

Potential adverse impacts to archeological resources resulting from future development activities can be avoided or minimized through early planning, careful design, and proper construction practices. Where avoidance is not possible, impacts should be minimized to the greatest extent possible. The following mitigating measures are proposed to avoid and minimize potential impacts.

- Prior to starting ground-disturbing activities, such as site preparation or construction work a Phase 1B cultural resource survey should be done within a 50 foot area of all map documented structures and 100 feet of wetlands and seasonal drainage ways to determine the presence or absence of cultural resources
- Preparation of an “unexpected archeological find” strategy for inclusion in future plans for the airport property (see **Appendix C**, correspondence dated November 14, 2013 from Ms. Grace Musumeci, USEPA)
- Further coordination with the NYS OPRHP should be initiated when an actual development plan is in place to ensure that required actions are taken to comply with all applicable laws and regulations.

Based on the incorporation of the recommended avoidance and minimization measures, all required approvals will be obtained from the NYS OPRHP, and any additional requirements associated with NYS SEQRA process will be adhered to, no significant adverse impacts archeological resources are anticipated and thresholds of significance would not be exceeded.

4.8 Cumulative Impacts

The Council on Environmental Quality (CEQ) Regulations define a cumulative impact as "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions" (see 40 CFR § 1508.7). Cumulative impacts can be viewed as the total combined impacts on the environment of the proposed action or alternative(s) and other known or reasonably foreseeable actions.

As discussed in the EA two reuse plans were considered for the former airport site. One alternative looked at the maximum site development envisioned for the 1,210 acre parcel, and the second looked at site development that included a 403 acre undeveloped parcel that would be part of the NYS OHS State Preparedness Training Center with the remaining 807 acres available for mixed use development. These reuse plans are anticipated to take place over a 20 year period. Based on consultations with local and state and federal agencies **(**provided in **Appendix C)**, along with the additional research conducted in preparation of this EA, no other plans were identified that would take place within the reasonably foreseeable future (five years). As a result, no additional impacts other than those already addressed in the EA are anticipated to occur and there will be no further cumulative impacts.

4.9 List of Anticipated Permits, Licenses, Approvals or Reviews

A number of federal and state permits may be required for site preparation and construction activities related to future development of the former Oneida County Airport site. These permits include the following:

- US Army Corps of Engineers permit pursuant to 33 CFR 320-332 for any excavation or placement of fill below the mean high water level of any federally jurisdictional river, creek, stream, or drainage ditch
- NYS DEC permit pursuant to Articles 15-05 and 24 of the New York State Environmental Conservation Law (ECL) for any excavation or placement of fill within the bed or banks of a river, creak, stream or drainage ditch that has a classification of C(T) or higher or flows through state regulated wetland
- NYS DEC permit pursuant to Article 24 of the ECL for any construction activities in or adjacent to (within 100 feet of) any state regulated wetlands at the site
- US Army Corps of Engineers permit pursuant to 33 CFR 320-332 for any work within a federal jurisdictional wetland

- Water Quality Certification pursuant to Section 401 of the Clean Water Act will also be required
- NYS DEC permit pursuant to Article 17 State Pollutant Discharge Elimination System for storm water discharges related to construction activities
- Site plan approvals and building permits from the local municipalities
- NY State Environmental Quality Review Act (SEQR) review for the approval or direct development of physical projects

Depending on the specific activities of the site developer or individual tenants, other state or local permits or registrations may be required, such as those associated with construction impacts, air emissions, the generation or disposal of solid and hazardous materials, petroleum or chemical bulk storage, and wastewater or storm water discharges.

4.10 Public Participation

A public participation program was included as part of the former Oneida County Airport Land Release EA process (see **Appendix L**). To date the following has occurred:

August 2013 – July 2015	Agency meetings with County representatives, Mohawk Valley EDGE, and the FAA

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