



CITY OF KINGSTON

BROWNFIELD OPPORTUNITY AREA STEP 3

Final Implementation Plan | Appendix A

December 2015

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SUPPLY AND DEMAND FORECASTS

SUPPLY ANALYSIS

Per our analysis, we forecast the total number of housing units in the catchment area

	2000	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
City of Kingston											
Existing Stock (1)	10,637	11,147									
CAGR 2000-2010		0.47%									
Growth (%)			0.47%	0.47%	0.47%	0.47%	0.47%	0.47%	0.47%	0.47%	0.47%
Growth (units)			52	53	53	53	53	54	54	54	54
<i>Subtotal: City of Kingston</i>			11,199	11,252	11,305	11,358	11,411	11,465	11,518	11,573	11,627
Town of Kingston											
Existing Stock (1)	398	432									
CAGR 2000-2010		0.82%									
Growth (%)			0.82%	0.82%	0.82%	0.82%	0.82%	0.82%	0.82%	0.82%	0.82%
Growth (units)			4	4	4	4	4	4	4	4	4
Total Units			436	439	443	446	450	454	458	461	465
Town of Ulster											
Existing Stock (1)	5,239	5,368									
CAGR 2000-2010		0.24%									
Growth (%)			0.24%	0.24%	0.24%	0.24%	0.24%	0.24%	0.24%	0.24%	0.24%
Growth (units)			13	13	13	13	13	13	13	13	13
Total Units			5,381	5,394	5,407	5,420	5,434	5,447	5,460	5,473	5,487
Esopus											
Existing Stock (1)	3,724	3,969									
CAGR 2000-2010		0.64%									
Growth (%)			0.64%	0.64%	0.64%	0.64%	0.64%	0.64%	0.64%	0.64%	0.64%
Growth (units)			25	26	26	26	26	26	26	27	27
Total Units			3,994	4,020	4,046	4,071	4,097	4,124	4,150	4,177	4,203
<i>Subtotal: Natural Growth</i>	19,998	20,916	21,010	21,105	21,200	21,296	21,392	21,489	21,586	21,684	21,782
Retirement of Supply											
Retirement of Supply (%)			0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%
Retirement of Supply (units)			(21)	(21)	(21)	(21)	(21)	(22)	(22)	(22)	(22)
<i>Subtotal: Including Retirement</i>	19,998	20,916	20,989	21,084	21,179	21,275	21,371	21,468	21,565	21,662	21,760
Multi-Family Future Supply(2)											
Hudson Landing: Phase 1b									388		
Hudson Landing: Phase 2											
Hudson Landing: Phase 3											
Hudson Landing: Phase 4											
Hudson Landing: Phase 5											
Sailor's Cove											383
Total	19,998	20,916	20,989	21,084	21,179	21,275	21,371	21,468	21,953	21,662	22,143

2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
0.47%	0.47%	0.47%	0.47%	0.47%	0.47%	0.47%	0.47%	0.47%	0.47%	0.47%	0.47%	0.47%	0.47%
55	55	55	55	56	56	56	56	57	57	57	57	58	58
11,681	11,736	11,791	11,847	11,902	11,958	12,014	12,071	12,127	12,184	12,242	12,299	12,357	12,415
0.82%	0.82%	0.82%	0.82%	0.82%	0.82%	0.82%	0.82%	0.82%	0.82%	0.82%	0.82%	0.82%	0.82%
4	4	4	4	4	4	4	4	4	4	4	4	4	4
469	473	477	481	485	489	493	497	501	505	509	513	517	522
0.24%	0.24%	0.24%	0.24%	0.24%	0.24%	0.24%	0.24%	0.24%	0.24%	0.24%	0.24%	0.24%	0.24%
13	13	13	13	13	14	14	14	14	14	14	14	14	14
5,500	5,514	5,527	5,540	5,554	5,567	5,581	5,595	5,608	5,622	5,636	5,649	5,663	5,677
0.64%	0.64%	0.64%	0.64%	0.64%	0.64%	0.64%	0.64%	0.64%	0.64%	0.64%	0.64%	0.64%	0.64%
27	27	27	27	28	28	28	28	28	28	29	29	29	29
4,230	4,257	4,284	4,312	4,339	4,367	4,395	4,423	4,451	4,480	4,508	4,537	4,566	4,595
21,881	21,980	22,079	22,180	22,280	22,381	22,483	22,585	22,688	22,791	22,895	22,999	23,103	23,209
0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%
(22)	(22)	(22)	(22)	(22)	(22)	(23)	(23)	(23)	(23)	(23)	(23)	(23)	(23)
21,859	21,958	22,057	22,157	22,258	22,359	22,460	22,562	22,665	22,768	22,872	22,976	23,080	23,185
	334					479				244			237
21,859	22,292	22,057	22,157	22,258	22,838	22,460	22,562	22,665	23,012	22,872	22,976	23,080	23,422

DEMAND ANALYSIS

The following table provides the assumptions we used in forecasting demand for the catchment area:

	2000	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
City of Kingston											
Existing Population	23,456	23,893									
CAGR 2000-2010		0.18%									
Population Growth (%)			0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%
Population Growth (no.)			48	48	48	48	48	48	48	48	49
Subtotal: Population - City of Kingston	23,456	23,893	23,941	23,989	24,037	24,085	24,133	24,181	24,230	24,278	24,327
Households	9,871	10,217									
Household Size (Historic)	2.38	2.34									
Household Size (Future)			2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34
Subtotal: Households - City of Kingston	9,871	10,217	10,231	10,252	10,272	10,293	10,313	10,334	10,354	10,375	10,396
Town of Kingston											
Existing Population	908	889									
CAGR 2000-2010		-0.21%									
Population Growth (%)			0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%
Population Growth (no.)			2	2	2	2	2	2	2	2	2
Subtotal: Population - Town of Kingston	908	889	891	893	894	896	898	900	902	903	905
Households	356	380									
Household Size (Historic)	2.55	2.34									
Household Size (Future)			2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34
Subtotal: Households - Town of Kingston	356	380	381	381	382	383	384	384	385	386	387
Town of Ulster											
Existing Population	12,526	12,327									
CAGR 2000-2010		-0.16%									
Population Growth (%)			0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%
Population Growth (no.)			25	25	25	25	25	25	25	25	25
Subtotal: Population - Town of Ulster	12,526	12,327	12,352	12,376	12,401	12,426	12,451	12,476	12,501	12,526	12,551
Households	4,850	4,961									
Household Size (Historic)	2.58	2.48									
Household Size (Future)			2.48	2.48	2.48	2.48	2.48	2.48	2.48	2.48	2.48
Subtotal: Households - Town of Ulster	4,850	4,961	4,981	4,990	5,000	5,010	5,020	5,031	5,041	5,051	5,061
Esopus											
Existing Population	9,333	9,041									
CAGR 2000-2010		-0.32%									
Population Growth (%)			0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%
Population Growth (no.)			18	18	18	18	18	18	18	18	18
Subtotal: Population - Esopus	9,333	9,041	9,059	9,077	9,095	9,114	9,132	9,150	9,168	9,187	9,205
Households	3,439	3,492									
Household Size (Historic)	2.71	2.59									
Household Size (Future)			2.59	2.59	2.59	2.59	2.59	2.59	2.59	2.59	2.59
Subtotal: Households - Town of Ulster	3,439	3,492	3,498	3,505	3,512	3,519	3,526	3,533	3,540	3,547	3,554
Total Population	46,223	46,150	46,242	46,335	46,427	46,520	46,613	46,707	46,800	46,894	46,987
Total Households	18,516	19,050	19,090	19,128	19,166	19,205	19,243	19,282	19,320	19,359	19,398
Average HHS	2.50	2.42	2.42	2.42	2.42	2.42	2.42	2.42	2.42	2.42	2.42

2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%
49	49	49	49	49	49	49	49	49	50	50	50	50	50
24,375	24,424	24,473	24,522	24,571	24,620	24,669	24,718	24,768	24,817	24,867	24,917	24,967	25,017
2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34
10,417	10,438	10,458	10,479	10,500	10,521	10,542	10,563	10,585	10,606	10,627	10,648	10,670	10,691
0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%
2	2	2	2	2	2	2	2	2	2	2	2	2	2
907	909	911	912	914	916	918	920	922	923	925	927	929	931
2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34	2.34
388	388	389	390	391	391	392	393	394	395	395	396	397	398
0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%
25	25	25	25	25	25	25	25	26	26	26	26	26	26
12,576	12,601	12,626	12,651	12,677	12,702	12,727	12,753	12,778	12,804	12,830	12,855	12,881	12,907
2.48	2.48	2.48	2.48	2.48	2.48	2.48	2.48	2.48	2.48	2.48	2.48	2.48	2.48
5,071	5,081	5,091	5,101	5,112	5,122	5,132	5,142	5,153	5,163	5,173	5,184	5,194	5,204
0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%	0.20%
18	18	18	19	19	19	19	19	19	19	19	19	19	19
9,223	9,242	9,260	9,279	9,297	9,316	9,335	9,353	9,372	9,391	9,410	9,428	9,447	9,466
2.59	2.59	2.59	2.59	2.59	2.59	2.59	2.59	2.59	2.59	2.59	2.59	2.59	2.59
3,561	3,568	3,575	3,583	3,590	3,597	3,604	3,611	3,619	3,626	3,633	3,640	3,648	3,655
47,081	47,176	47,270	47,364	47,459	47,554	47,649	47,744	47,840	47,936	48,031	48,128	48,224	48,320
19,436	19,475	19,514	19,553	19,592	19,632	19,671	19,710	19,750	19,789	19,829	19,868	19,908	19,948
2.42	2.42	2.42	2.42	2.42	2.42	2.42	2.42	2.42	2.42	2.42	2.42	2.42	2.42

FOOTNOTES FOR SUPPLY AND DEMAND TABLES

(1): Source: U.S. Census Bureau; (2): Please note that while AVR has submitted a phasing plan to the City of Kingston as part of the Development Agreement, there is no clear timeline on the delivery of the units.

FORECAST METHODOLOGY

SUPPLY

In order to forecast the number of housing units in each of the identified municipalities within the catchment area, the project team:

- 1 Calculated the compound annual growth rate (“CAGR”) of the number of housing units between 2000 and 2010.
- 2 Applied each municipality’s CAGR as the “organic growth rate” for the period from 2011 to 2033.
- 3 Applied 0.1% of supply as the “Retirement of Supply Factor” – an industry metric which accounts for properties that are functionally obsolete or dilapidated.
- 4 Because the “organic growth” only accounts for single family housing growth and small infill multi-family projects, the team added the projected multi-family housing future supply from the large-scale, master planned communities that are under various stages of pre-development.

DEMAND

In order to forecast the demand for housing in each of the identified municipalities within the catchment area, the team:

- 5 Calculated the compound annual growth rate (“CAGR”) of the population between 2000 and 2010.
- 6 With the exception of the City of Kingston, each of the municipalities witnessed a population decline from 2000 to 2010. Over the same period, the City of Kingston’s population grew by 0.2% per annum. Thus, the project team applied this CAGR to each of the municipalities for the period from 2011 to 2033. In order to reverse the population declines and grow the populations by the projected 0.2% per annum, the municipalities and the County of Ulster may want to consider strategies for enhancing economic development, streamlining and reduction taxation policy, and enriching the quality of K-12 public education.
- 7 Divided the population by an average household size, which differs for each municipality, to calculate the total projected households.

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MUNICIPAL PUBLIC AUTHORITIES: LDCS, CDCS, AND IDAS

Introduction

DOS advised that the Local Management Structure alternatives presented are for the consideration and benefit of the City of Kingston and do not need to be vetted or meet the approval of DOS. The options are for the consideration of the City in determining the best way to support the implementation of the plan within local government.

Municipal Public Authorities: LDCs, CDCs and IDAs

Some industrial development agencies (IDAs), some local development corporations (LDCs) and some community development corporations (CDCs) are considered Municipal Public Authorities.

Legislation in 2005 and 2009

The Public Authorities Accountability Act (PAAA, 2005) and the Public Authorities Reform Act (PARA, 2009) were enacted by the New York State Legislature to rationalize and introduce more controls over these entities that function as public authorities. The PARA created an independent Authorities Budget Office (ABO) that is empowered to promulgate regulations, initiate formal investigations and publicly warn and censure non-compliant authorities. It is also charged with establishing a definition of a “public authority” and developing a comprehensive inventory of state and local authorities, among other functions.

LDCs are classified as a local public authorities and/or private not-for-profit corporations depending on how closely they are related to local governments.¹ The ABO

¹ The leading court decision on this issue is *Griffiss Local Development Corporation v. N.Y.S. Authority Budget Office*, which held that the LDC was a local authority based on a number of factors including the county’s sponsorship and funding of the LDC, the county’s redevelopment contract with the LDC, the LDC’s use of certain local tax funds, and the overall close relationship between the LDC and the county and municipal government. [DiNapoli report, 2011]

defines a not-for-profit corporation that is “affiliated with, sponsored by, or created by a local government (county, city, town or village government)” as a “local authority.”¹

The ABO has recommended that LDCs should be considered public authorities when they “manage revolving loan funds or influence the allocation of public grant moneys, act as staff for a public entity or authority, receive most of [their] operating funds from public sources, or have been delegated independent authority to manage public projects or to act as the agent of a municipal government....”

2015 Report by Authorities Budget Office

In the ABO’s 2015 report², the ABO identified 47 state and 526 local authorities that have been determined to be authorities subject to the PAAA (2005), as amended by the PARA (2009). This has increased from 281 authorities in 2007, the first year an annual report was issued. This net increase is mainly attributable to the ABO’s effort to identify and subject to reporting not-for-profit corporations “created, sponsored by, or affiliated with local governments.” At the same time, the ABO has worked with state and local representatives of public authorities to officially dissolve over 160 state and local authorities determined to be inactive, defunct, or otherwise no longer performing the purpose for which they were created.

Of the 526 local authorities identified, 109 are IDAs, 299 are not-for-profit corporations affiliated with, sponsored, or created by a local government (LDCs), and 42 are urban renewal or community development agencies. Another 28 are water and sewerage authorities, 10 are land banks, and 38 are other types of authorities.

Among the examples included in the LMS section of the report, the Buffalo Urban Development Corporation (BUDC), the Kingston Local Development Corporation (KLDC), the Yonkers Downtown Waterfront Development Corporation (YDWDC), the Ulster County Development Corporation (UCDC) and the Wyandanch Community Development Corporation (WCDC) are all classified as Municipal Public Authorities under the PAAA.

Reporting Requirements

The PAAA (as amended) requires these local authorities to submit annual reports to the ABO and post information on their mission, current activities and finances on their websites. The information that must be reported includes:

² Authorities Budget Office (ABO), Annual Report on Public Authorities in New York State, July 1, 2015.

Information on Governance Structure - Among other things, local authorities are required to provide a mission statement, an annual self-evaluation based on stated performance measurements, an assessment of their internal controls, biographical information on all board members, information on any compensation of management with salaries in excess of \$100,000, and their bylaws and codes of ethics.

Financial Information - Local authorities must also provide audited financial reports, information on grant and subsidy programs, current bond ratings and changes in ratings, debt schedules, compensation schedules, and detailed information on all real property transactions and transactions involving the purchase or sale of assets, services or both, without competitive bidding.

Difference Between an IDA and a LDC

The main difference between a LDC and an IDA is that IDAs are created by the State Legislature, while LDCs can be created by any county, city, town, or village without the enactment of special enabling legislation. Under section 1411 of the Not-for-Profit Law, LDCs can be created for the following purposes:

- Relieving and reducing unemployment;
- Promoting and enhancing employment opportunities;
- Instructing or training individuals to improve or develop skills;
- Conducting scientific research to attract or retain industry; and
- Lessening the burdens of government and acting in the public interest.

Concerns Since 2009

The New York State Comptroller issued a report on the municipal use of LDCs in April, 2011³ and one on IDAs in July 2011⁴. Concerns about LDCs have grown in recent years because local governments and IDAs have increasingly turned to LDCs to take debt off the books, provide questionable financing arrangements, and avoid statutory limitations (such as restrictions preventing IDAs from undertaking civic facilities projects). Another concern is the proliferation of LDCs with overlapping jurisdictions and similar purposes.

³ Office of the State Comptroller Thomas P. DiNapoli, April 2011. Municipal Use of Local Development Corporations and other Private Entities: Background, Issues and Recommendations. Albany, Division of Local Government and School Accountability. Available at:

<http://www.osc.state.ny.us/localgov/pubs/research/ldcreport.pdf>

⁴ Office of the State Comptroller Thomas P. DiNapoli, July 2011. Annual Performance Report on New York State's Industrial Development Agencies. Available at: <http://www.osc.state.ny.us/localgov/pubs/research/idaperformance2011.pdf>

Classifying an LDC as a public authority ensures some amount of state oversight under the 2005 PAAA and the 2009 PARA. The Comptroller's report on LDCs calls for a number of reforms, including:

- Expanding the Comptroller's authority to audit LDCs;
- Restricting LDCs' authority to provide financing for local government operations and capital assets;
- Prohibiting the creation of LDCs solely for the generic purpose of "lessening the burdens of government and acting in the public interest;"
- Requiring contracts between local governments and LDCs to be for fair value;
- Prohibiting compensation for LDC board members who already serve as municipal officials;
- Requiring the public notice for transfers of municipally-owned property to LDCs to disclose a description of the property, the price or benefit to be received by the local government, the property's estimated fair market value, and a statement of the LDC's intended use of the property; and
- Clarifying that local government can't guarantee or assume the debts of LDCs.

Current Status at State Level

According to a senior attorney dealing with these issues, the New York State Legislature passed a bill in mid-2015 that responded to the first of these recommendations, in particular the provision expanding the Comptroller's authority to audit LDCs. This will be in force in late 2015. He believes that most of the other recommendations were not adopted.

EXAMPLES OF POTENTIAL MANAGEMENT STRUCTURES

Examples of Potential Management Structures

Public - Local Government

CITY OF KINGSTON (CoK)

Responsibilities and Criteria	Description
1. Type of legal entity	First capital of New York State in 1777; Kingston officially became a city on May 29, 1872, with the merger of the villages of Rondout and Kingston
2. Ability to make loans	
3. Ability to raise money	Can raise revenues through taxes; receives government grants through New York State Department of State (NYSDOS) for BOA plan; other grants from federal, state and county levels; can acquire land via foreclosure and eminent domain
4. Bonding authority	Yes
5. Ability to offer incentives	Yes
6. Relationship with local government	City government with a Mayor and Common Council
7. Relationship with state and federal agencies	Consistent interaction with Albany; positive support from NYSDOS
8. Private sector connections	Yes, authorized to negotiate with stakeholders
9. Ability to market development sites	Can oversee brownfield cleanup and market specific sites
10. Ability to promote capital commitments by public sector	Can provide capital for infrastructure, utilities, streets, and parks
11. Staying power over different political cycles	Yes, although subject to political interests
12. Empowered to negotiate with developers	Yes
13. Authority to acquire land, easements for public spaces	Yes, can acquire land and create easements
14. Ongoing outreach to local communities	Yes
15. Other information	Is not independent of elective cycle

Examples of Potential Management Structures
Public - Local Government
CITY OF KINGSTON: OFFICE OF ECONOMIC DEVELOPMENT
AND STRATEGIC PARTNERSHIPS (KOEDSP)

Responsibilities and Criteria	Description
1. Type of legal entity	Office of the City of Kingston (CoK) government; provides support to existing businesses and new firms wanting to locate CoK. Coordinates projects related to the Rondout waterfront, Midtown Arts Council, Hudson Landing, Greenline and many others. Responsible for coordinating Kingston Waterfront BOA Implementation Plan Step 3
2. Ability to make loans	Does not issue loans, but assists businesses to approach appropriate lenders, such as Ulster County Industrial Development Agency (UCIDA)
3. Ability to raise money	Primary arm of CoK government tasked to identify grants and other funding from county, state, and federal sources and administer grant awards from beginning to end. For example, received New York State Department of State (NYSDOS) BOA funding and applied for US Environmental Protection Agency (USEPA) funding for brownfield assessment
4. Bonding authority	Bonding authority resides with CoK. This office may provide advice and recommendations on projects whose funding would come from bond sales
5. Ability to offer incentives	Facilitates private sector investors in receiving incentives. For example, would participate in administering the 2% bonus tax credit as a result of BOA designation and would be in a priority position for other funding opportunities from organizations such as the Ulster County Development Corporation (UCDC) and UCIDA
6. Relationship with local government	Works with all levels of government, including the Mayor's office, the CoK and Ulster County Planning Departments, the Kingston Local Development Corporation, and others. For the BOA plan, works with NYSDOS, and New York State Department of Environmental Conservation (NYSDEC). Conducts final review and approval before formal submission of BOA plan to NYSDOS
7. Relationship with state and federal agencies	Maintains working relationships with NYSDOS, NYSDEC, UCDC and UCIDA. In grant application and procurement role, has specific grantee legal relationship with grantors
8. Private sector connections	Provides assistance to the local business community and promotes local business development; issues RFPs to private sector to participate in public infrastructure projects and in procuring services, such as for BOA Step 3 implementation grant; can facilitate individual waterfront project proposals through the CoK's three Review Boards' (Planning Board, Heritage Area Commission, and Historic Landmarks Preservation) approval processes
9. Ability to market development sites	Does not offer marketing brochures or website inventory of potential development sites. However, proposed development projects, RFPs, infrastructure projects, and plans and studies in which the office is involved are detailed on the web page

10. Ability to promote capital commitments by public sector	Facilitates access to grants for infrastructure planning and capital improvements; issues RFQs leading to RFPs for private vendor and contractor services
11. Staying power over different political cycles	Staffed by appointment from the Mayor's Office, but mission tends to be sustained through successive administrations
12. Empowered to negotiate with developers	Conducts detailed conversations with developers and drafts agreements on behalf of Mayor's Office. Ushers project proposals through project review and approval
13. Authority to acquire land, easements for public spaces	Not directly, but works with KLDC and Kingston Land Trust, which can acquire, possess, and sell land and can impose easements on property under their control
14. Ongoing outreach to local communities	Meets regularly with prospective businesses, attends public meetings, maintains a robust web page; promotes the COK's Kingston Business Park and the Kingston/Ulster Empire Zone (EZ)
15. Other information	NYSDOS grantee for BOA Step 3 Implementation Strategy

Examples of Potential Management Structures
Public - Local Government
CITY OF KINGSTON: PLANNING DEPARTMENT

Responsibilities and Criteria	Description
1. Type of legal entity	Department of City of Kingston (CoK); all BOA development projects will require approval by Planning Board
2. Ability to make loans	No
3. Ability to raise money	No
4. Bonding authority	No
5. Ability to offer incentives	Yes, via zoning
6. Relationship with local government	Is a city agency; nine members on the Planning Board; could create a waterfront revitalization task force or unit
7. Relationship with state and federal agencies	Insures compliance with state and federal regulations, such as flood, heritage and landmarks
8. Private sector connections	Reviews private development proposals
9. Ability to market development sites	Designs zoning codes and rezoning of districts
10. Ability to promote capital commitments by public sector	Yes
11. Staying power over different political cycles	Yes
12. Empowered to negotiate with developers	Insures compliance with zoning and other CoK standards
13. Authority to acquire land, easements for public spaces	No
14. Ongoing outreach to local communities	Yes
15. Other information	Is responsible for handling payments, bid deposits, transfers, deed filings and follow-up on activity occurring for renovation/rehabilitation/new construction at each site foreclosed by the city; will need to coordinate with Heritage Area Commission and Local Waterfront Revitalization Program (LWRP)

Examples of Potential Management Structures
Public - Economic Development Corporation (EDC)
ULSTER COUNTY DEVELOPMENT CORPORATION (UCDC)

Responsibilities and Criteria	Description
1. Type of legal entity	Ulster County Development Corporation (UCDC) is a not-for-profit 501(c)(3) created under NY Law for business development services; works directly with Ulster County Economic Development Alliance (UCEDA) and Ulster County Capital Resource Corporation (UCCRC); was classified as a municipal public authority by NYS Authorities Budget Office (ABO)
2. Ability to make loans	Revolving loan facility; UCDC can be a bridge for capital funds from banks to private developers; venture capital facilities are also available; Ready2Go program matches public sector funds with private investment
3. Ability to raise money	Receives grants from state, private funding, contracts with Ulster County and Ulster County Industrial Development Agency/Authority (UCIDA)
4. Bonding authority	Taxable and tax-exempt bonding through UCCRC for not-for-profit institutions to promote community investments, including leasebacks
5. Ability to offer incentives	Assists applicants and reviews applications for UCIDA properties or bonds
6. Relationship with local government	UCDC works with City of Kingston Office of Economic Development and Strategic Partnerships; UCCRC has a Board of seven, which exists mainly to issue and sell bonds to not-for-profit institutions
7. Relationship with state and federal agencies	Accountable to NYS ABO
8. Private sector connections	Business development service; business counseling available to minorities, women and small entrepreneurs
9. Ability to market development sites	Can market development sites through brochures and website
10. Ability to promote capital commitments by public sector	Provides information on strategic sites to potential investors; can help market vacant buildings and reclaimed property
11. Staying power over different political cycles	Has staying power over different political cycles; seven board members of UCEDA are representatives of local and county government, as well as the private sector and chamber of commerce
12. Empowered to negotiate with developers	Yes
13. Authority to acquire land, easements for public spaces	Can acquire and sell property at fair market value (FMV) or below FMV under specified conditions.
14. Ongoing outreach to local communities	Works with local chambers of commerce, small business development center; minorities and low income families
15. Other information	UCDC has five staff positions; may not have staff capacity to oversee complex BOA; president of UCDC is CEO of UCIDA; pays county for administrative services

Examples of Potential Management Structures

Public - Economic Development Corporation

SOUTH BRONX:

SOUTH BRONX OVERALL ECONOMIC DEVELOPMENT CORPORATION (SoBRO)

Responsibilities and Criteria	Description
1. Type of legal entity	Registered as a 501(c)(3) not-for-profit organization; is also classified as a public charity under sections 509(a)(1) and 170(b)(1)(A)(vi) of the Internal Revenue Code; founded in 1972 by a group of businessmen and community leaders; was classified as a municipal public authority by NYS Authorities Budget Office (ABO)
2. Ability to make loans	Provides business loans and technical assistance to qualifying small businesses through CREDIT, a certified community development financial institution (CDFI); able to grant loans (SoBRO audited financial statements 2013)
3. Ability to raise money	Receives grants from governmental agencies; unconditional (tax-deductible) contributions such as promises to give cash, commercial rent income from leasing office, manufacturing and warehouse space, and fees from project development services; received five BOA grants from Department of State; as part of BOA implementation, is proposing the use of BID funds for waterfront infrastructure
4. Bonding authority	Entered into an agreement with the New York City (NYC) Industrial Development Agency to issue Civic Facility Revenue Bonds
5. Ability to offer incentives	Provides innovative financial products and services
6. Relationship with local government	Partners with a large number of New York City departments
7. Relationship with state and federal agencies	Works with US Department of Health and Human Services, Department of Housing and Urban Development, Department of Justice, and Department of Labor, as well as a few New York State departments
8. Private sector connections	Partners with many banks, such as Chase and Citigroup, as well as a number of foundations; offers rehabilitated properties for sale on the commercial market
9. Ability to market development sites	Manages affordable and mixed-income residential properties, as well as commercial spaces
10. Ability to promote capital commitments by public sector	Works with NYC agencies (Department of Transportation, Department of Design and Construction) on infrastructure and public space projects, such as Roberto Clemente Plaza
11. Staying power over different political cycles	Has been an active corporation since 1972
12. Empowered to negotiate with developers	Yes
13. Authority to acquire land, easements for public spaces	Develops and manages commercial and residential properties, industrial and office space; properties valued over \$100 million
14. Ongoing outreach to local communities	Hosts community visioning sessions for Port Morris-Harlem River BOA (Session 2, May 5, 2015); collaborates with property owners and community stakeholders in waterfront visioning; provides job training, job placement, counseling and vocational training; addresses a wide range of community development issues
15. Other information	Three current BOA grants include waterfront components; has received many community service awards; four senior staff and 19 Board members

Examples of Potential Management Structures
Public - Economic Development Corporation (EDC)
EMPIRE STATE DEVELOPMENT (ESD)

Responsibilities and Criteria	Description
1. Type of legal entity	Created by the state from several entities (originally founded in 1968, latest reorganizations in 1995 and 2008); Class A Public Benefit Corporation; one subsidiary is Erie Canal Harbor Development Corporation (ECHDC), which oversees Buffalo Outer Harbor BOA
2. Ability to make loans	Funding available for distressed communities and minority/women-owned businesses; can provide financing for public sector infrastructure such as sewer systems; many different grants, loans and incentive programs
3. Ability to raise money	ESD issues grant funds; ECHDC has high budget from state, county and city, can buy land and redevelop it for sale to private sector; invests large amounts along the waterfront
4. Bonding authority	NYS Surety Bond Assistance Program provides technical and financial assistance to help contractors secure bonds
5. Ability to offer incentives	Loans, grants and tax credits; Brownfield cleanup program tax credits
6. Relationship with local government	ECHDC has board of seven voting and two ex-officio (Mayor of Buffalo and Erie County Executive); others appointed by Governor of NY
7. Relationship with state and federal agencies	ESD is a state-sponsored agency; three out of six directors are NYS officials; staff of 12; ECHDC has staff of 10
8. Private sector connections	Provides assistance and support to private business
9. Ability to market development sites	Yes, provides information on strategic sites to potential investors
10. Ability to promote capital commitments by public sector	Can provide financing for public sector infrastructure such as sewer systems
11. Staying power over different political cycles	Has lasted since 1968 through numerous reorganizations
12. Empowered to negotiate with developers	Yes
13. Authority to acquire land, easements for public spaces	Yes
14. Ongoing outreach to local communities	ECHDC has Steering Committee of 20 stakeholders
15. Other information	ECHDC is fully under ESD and is responsible for Buffalo Outer Harbor BOA

Examples of Potential Management Structures
Public - Industrial Development Agency/Authority (IDA)
ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY (UCIDA)

Responsibilities and Criteria	Description
1. Type of legal entity	Article 18-A of the General Municipal Law of the State of New York, created in 1976; was classified as a municipal public authority by NYS Authorities Budget Office (ABO)
2. Ability to make loans	Revolving loan facility, available grants such as federal infrastructure funding
3. Ability to raise money	Collects application fee, project fee (1% of total project cost) and bond issuance fee; IDA legally empowered to buy, sell or lease property
4. Bonding authority	Can issue taxable or tax-exempt bonds for expansion and relocation of Ulster County businesses; low interest bond financing available; by using letter of credit-backed taxable or tax-exempt industrial development revenue bonds, companies can sell their debt in the public market without incurring the cost of registration with the Securities and Exchange Commission, allowing them to obtain affordable long-term, fixed rate financing
5. Ability to offer incentives	Properties owned by IDAs are exempt from sales and mortgage tax; offers tax incentives and Payment in Lieu of Taxes (PILOT) agreements for eligible businesses
6. Relationship with local government	Appointments of seven board members made by Ulster County legislature; pays Ulster County Development Corporation (UCDC) for all administrative services; has CEO and CFO, otherwise no staff; works with UC Office of Planning, UCDC and Chamber of Commerce; would need to work closely with City of Kingston and make commitment of staff and resources
7. Relationship with state and federal agencies	Some contact through federal Department of Transportation and NYS Department of State; accountable to NYS ABO
8. Private sector connections	Assists businesses to apply for projects on strategic sites and vacant properties; works closely with them
9. Ability to market development sites	Yes, provides information on strategic sites to potential investors; can help market vacant buildings and reclaimed property
10. Ability to promote capital commitments by public sector	Can promote investment in public spaces
11. Staying power over different political cycles	Has lasted since 1976 through numerous political cycles
12. Empowered to negotiate with developers	Yes
13. Authority to acquire land, easements for public spaces	Can acquire and sell property at fair market value (FMV) or below FMV under specified conditions
14. Ongoing outreach to local communities	Works with local chambers of commerce, small business development center; minorities and low income families
15. Other information	Shares staff with UCDC; president of UCDC is CEO of UCIDA

Examples of Potential Management Structures
Public - Industrial Development Agency/Authority (IDA)
YONKERS: YONKERS INDUSTRIAL DEVELOPMENT AGENCY (YIDA)

Responsibilities and Criteria	Description
1. Type of legal entity	General Municipal Law Article 854.14; for highly distressed areas; was classified as a municipal public authority by NYS Authorities Budget Office (ABO)
2. Ability to make loans	Can borrow funds for brownfield cleanup; can make loans to facilitate cleanup, but can no longer lend to public utilities or not-for-profits
3. Ability to raise money	Yes; can charge fees for loans it grants; financed agency fees (% of total project costs); can raise funds
4. Bonding authority	Can issue tax-exempt bonds through Yonkers Economic Development Corporation (YEDC)
5. Ability to offer incentives	Mortgage recording tax exemption; state and local sales tax exemption; real property tax abatement program
6. Relationship with local government	Mayor is Chairman of the Board and appoints six directors; IDA works directly with city government (Mayor and Planning Department); staff works closely with lawyers on the Board
7. Relationship with state and federal agencies	State Comptroller wants IDAs to come under NYS control; YIDA is not in favor; important to work closely with NYS authorities and provide accurate reporting; accountable to NYS ABO
8. Private sector connections	Works directly with businesses; attracts and assists new businesses; retains existing businesses and helps them to be competitive
9. Ability to market development sites	Outsources marketing profiles for waterfront entities; helps in attracting new businesses; can help market vacant buildings and reclaimed property
10. Ability to promote capital commitments by public sector	Can promote public sector investment, but no longer able to lend to public utilities or not-for-profits
11. Staying power over different political cycles	Needs to have consistent interaction with local and state government
12. Empowered to negotiate with developers	Yes
13. Authority to acquire land, easements for public spaces	Has used eminent domain to acquire land for parks
14. Ongoing outreach to local communities	Provides assistance to cultural assets, educational institutions and public parks
15. Other information	Staff of four plus legal counsel (general and transaction); shares CFO with YEDC; involved in a wide variety of projects including some related to Alexander Street BOA

Examples of Potential Management Structures Public - Urban Development Corporation

CITY OF BUFFALO: BUFFALO URBAN DEVELOPMENT CORPORATION (BUDC)

Responsibilities and Criteria	Description
1. Type of legal entity	Not-for-profit development agency for City of Buffalo; founded in 1978 (became BUCD in 2004); is a sub-agency of the Erie County Industrial Development Agency (ECIDA); was classified as a municipal public authority by NYS Authorities Budget Office
2. Ability to make loans	Can provide low-interest loans based on state loans and grants
3. Ability to raise money	Received grants for Step 3 Implementation Strategy for South Buffalo BOA from New York State Department of State (NYSDOS); also received grants from the NYS Department of Environmental Conservation and Empire State Development Corporation (ESDC); ESDC and Google have made large investments in SolarCity, located in the South Buffalo BOA area
4. Bonding authority	Does not issue bonds on its own behalf
5. Ability to offer incentives	Offers various kinds of tax credits based on increasing employment within the NYS Empire Zone and remediation and redevelopment in NYS Environmental Zone; Brownfield Cleanup Program offers Liability Relief and tax credits for cleanup and remediation of Brownfield sites; US Department of Treasury, through the New Markets Tax Credit Program (NMTC Program), provides investors with federal tax credits aimed at offsetting the risk of investing in distressed/low-income communities
6. Relationship with local government	City and state representatives are involved in Steering Committee and community meetings
7. Relationship with state and federal agencies	EPA and NYSDEC provide funding and tax incentives for remediation activities which are not eligible for funding through BOA programs
8. Private sector connections	Works with Buffalo Niagra Enterprise (BNE), a not-for-profit business development and regional marketing organization, to promote the region and attract new businesses to the area
9. Ability to market development sites	BNE, BUDC, and the ECIDA use their web presence to support the South Buffalo BOA by promoting the marketing materials designed and developed as part of the Implementation Strategy
10. Ability to promote capital commitments by public sector	Works with the city on infrastructure and community development projects
11. Staying power over different political cycles	19 Board members; 11 ex-officio members based on public offices; eight "citizen members" appointed by Board for three-year staggered terms; has staying power
12. Empowered to negotiate with developers	Yes
13. Authority to acquire land, easements for public spaces	Can acquire and dispose of properties
14. Ongoing outreach to local communities	Group and individual meetings with local land owners to provide outreach and education; open forums and workshops with the general public to hear opinions from the community; engages with local community leaders who provide input and feedback throughout the Implementation Strategy
15. Other information	

Examples of Potential Management Structures

Not-For-Profit - Community Development Corporation (CDC)

TOWN OF BABYLON:

WYANDACH COMMUNITY DEVELOPMENT CORPORATION (WCDC)

Responsibilities and Criteria	Description
1. Type of legal entity	WCDC incorporated as a not-for-profit 501(c)(3) organization in 1971; was reincorporated as a Local Development Corporation in 1981; was classified as a municipal public authority by NYS Authorities Budget Office (ABO)
2. Ability to make loans	Provides affordable housing assistance, not loans
3. Ability to raise money	WCDC received a Community Development Block Grant from the Town of Babylon; receives government grants and fees from rentals
4. Bonding authority	No
5. Ability to offer incentives	Town of Babylon did much of the infrastructure work in advance of developer commitments as an incentive
6. Relationship with local government	Works directly with Town of Babylon and partners with Sustainable Long Island; WCDC is a partner for the BOA Plan implementation, focusing on some of the Plan's local community-based goals
7. Relationship with state and federal agencies	Is a Housing and Urban Development (HUD) approved counseling agency, offering assistance to homeowners on mortgages and foreclosures; works with homeowners and lenders; accountable to NYS ABO
8. Private sector connections	Works with the Master Developer for the Wyandach BOA Plan (Albanese Organization); works with lenders on mortgage and foreclosure assistance
9. Ability to market development sites	Worked with partners to prepare market information on strategic sites; received strong response to RFP including 15 developers
10. Ability to promote capital commitments by public sector	Worked with the Town of Babylon to clean up and rehabilitate the sites and provide infrastructure for community development
11. Staying power over different political cycles	Has survived through political cycles since 1981
12. Empowered to negotiate with developers	Yes
13. Authority to acquire land, easements for public spaces	Acquired and rehabilitated properties for rentals to low to moderate-income families; an affordable ownership program was created for first-time buyers
14. Ongoing outreach to local communities	Focuses on development, services and housing projects; advocated for comprehensive housing needs and overall community development; is a member of the Neighborhood Preservation Coalition of New York State and other community organizations; conducted visioning process for Wyandach BOA - <i>Wyandach Rising Hamlet Plan</i> ; has Community Resource Center located in the project area, which provides services such as green job training programs for local residents and employment opportunities for construction jobs on the project itself
15. Other information	Maintains a diversified Board of Directors; seven members include educators, entrepreneurs, mid-management personnel, bankers, realtors and residents of Wyandach; three full-time staff

Examples of Potential Management Structures
Not-For-Profit - Local Development Corporation (LDC)
CITY OF KINGSTON:
KINGSTON LOCAL DEVELOPMENT CORPORATION (KLDC)

Responsibilities and Criteria	Description
1. Type of legal entity	Kingston Local Development Corporation (KLDC) is under Sections 402 and 1411 of the Not-For-Profit Corporation Law; KLDC is defined in subparagraph (a)(5) of Section 102 of the Not-For-Profit Corporation Law and a local development Corporation pursuant to Section 1411 of said law; it became a Type C corporation under section 201 of the Not-For-Profit Corporation Law in May 1994; was classified as a municipal public authority under the Public Authority Reform Act (2009) by the NYS Authorities Budget Office (ABO)
2. Ability to make loans	Administers Kingston Revolving Loan Fund and Community Development Revolving Loan Fund; has access to other economic development programs; assists businesses with gap financing; can invest and lend
3. Ability to raise money	Raises revenue from leasing and financing income; receives federal subsidy
4. Bonding authority	Does not issue bonds
5. Ability to offer incentives	Tax incentives do not seem to be available; they would come through the city or the county
6. Relationship with local government	Mayor is a member of the Board and appoints the other 10 members; works closely with city and county
7. Relationship with state and federal agencies	Receives grants from NYS and federal agencies; Accountable to NYS ABO
8. Private sector connections	Promotes and assists growth and development of business in Kingston
9. Ability to market development sites	Owens and manages Kingston Business Park
10. Ability to promote capital commitments by public sector	Administers infrastructure improvements aimed at fostering new job creation
11. Staying power over different political cycles	Board members are all appointed by the Mayor in intervals (four three-year terms, three two-year terms, and three one-year terms); KLDC's mission is ongoing despite changes to local administration
12. Empowered to negotiate with developers	Yes, for business-type activities only
13. Authority to acquire land, easements for public spaces	Can acquire land and lease properties
14. Ongoing outreach to local communities	KLDC's activities are conducted out of the city's Community Development Office
15. Other information	KLDC's property area is not along the waterfront; issues annual reports and has monthly meetings; a previous loan recipient went bankrupt and defaulted on KLDC loan

**Examples of Potential Management Structures
Not-For-Profit - Local Development Corporation (LDC)**

CITY OF YONKERS:

DOWNTOWN WATERFRONT DEVELOPMENT CORPORATION (YDWDC)

Responsibilities and Criteria	Description
1. Type of legal entity	Not-for-Profit Local Development Corporation under 501(c)(3) and section 803 of the Not-For-Profit Corporation Law; incorporated in 1997 "to encourage the development and retention of jobs, business and industry, to foster projects for commercial, retail, and residential uses & jobs and to develop the City of Yonkers Downtown Waterfront area"; was classified as a municipal public authority by NYS Authorities Budget Office (ABO)
2. Ability to make loans	Can borrow and lend when authorized by Board of Directors (governing Board); manages governmental loans and grants
3. Ability to raise money	Receives annual allocation (approximately \$400,000) from Community Development Block Grants (CDBG); received a Community Preservation Corporation (CPC) loan for repurposing/renovation of 55 Main Street (owned and used by YDWDC); received loans from Empire State Development
4. Bonding authority	Does not issue bonds
5. Ability to offer incentives	Does not offer tax incentives; provides reduced in-kind services to tenants who contribute to the Yonkers community
6. Relationship with local government	Current Mayor is Chairman of Board and elects six Business/Public Directors; Commissioner of City of Yonkers Department of Planning & Development is current Executive Director
7. Relationship with state and federal agencies	Receives CDBGs from City of Yonkers Office of Community Development (OCD); does not work closely with NYS; accountable to NYS ABO
8. Private sector connections	Works with tenants of 55 Main Street; manages Buena Vista Community Garden (with Groundwork Hudson Valley) at 60 Buena Vista Avenue
9. Ability to market development sites	Yonkers Waterfront Business Improvement District (YWBID) mainly provides marketing assistance to local businesses and other entities
10. Ability to promote capital commitments by public sector	Works with City of Yonkers to obtain funding for infrastructure and support for properties (55 Main Street, 60 Buena Vista Avenue)
11. Staying power over different political cycles	12 member Board of Directors; six Business/Public Directors elected by Mayor for staggered three-year terms; six Municipal Directors based on current public office; Mayor is Chairman of Board; Vice-Chairman elected from Business/Public Directors; Secretary is current Deputy Mayor; other officers elected by Board; staggered terms and two current directors from original Board ensure stability through political cycles
12. Empowered to negotiate with developers	Yes
13. Authority to acquire land, easements for public spaces	Can buy and lease properties
14. Ongoing outreach to local communities	Buena Vista Community Garden was created eight years ago; managed with Groundwork Hudson Valley, it is a community center offering youth programs and other services to the community
15. Other information	Is not directly involved with BOA projects

NEWBURGH LAND BANK

Kingston Brownfield Opportunity Area Step 3 (KBOA3)
City of Kingston, NY, Office of Economic Development & Strategic Partnerships

Appendix 2 - Newburgh Community Land Bank

Prepared by Nautilus International Development Consulting, Inc.
July 10, 2015

During the June 29, 2015 conference call with the City of Kingston, Gregg Swanzey asked Nautilus International to look at the land bank in Newburgh as a potential supporting structure for the BOA local management structure (LMS). The information below summarizes Nautilus International's research on this topic and covers background information about the New York State Land Bank Program; details the activities of the Newburgh Community Land Bank (NCLB); and discusses the relevance of the NCLB to the implementation of the Kingston BOA.

Background

The New York State Land Bank Program permits municipalities to apply for and create land banks in their communities. Under Article 16 of the New York State Not-for-Profit Corporation Law (signed into law by Governor Cuomo in July 2011), certain municipalities are also permitted to create land banks upon approval of Empire State Development (ESD) under specified conditions.

Under laws now in effect in New York State, a land bank can:

- Acquire title to vacant and abandoned properties;
- Eliminate barriers to redevelopment;
- Transfer property to a new owner in a way that supports community needs and priorities.

According to the Land Bank Act, land banks are accountable to state requirements for both not-for-profit corporations and public authorities, which can create some legal redundancy and even uncertainty. The New York Land Bank Association (NYLBA) has expressed their view that they would welcome a chance to discuss possible reforms to the Land Bank Act. The NYLBA wants to ensure that Land Banks can remain flexible, while embracing a regulatory framework that values and ensures transparency and accountability.

Newburgh Community Land Bank

The Newburgh Community Land Bank (NCLB), created by the City of Newburgh, NY, is a not-for-profit organization focused on returning the City of Newburgh's vacant and abandoned properties to productive use. The NCLB is also classified as a public authority by the Authorities Budget Office (ABO). The NCLB acquires properties from owners when they cannot be located or are tax delinquent; properties that are tax foreclosed; or properties that are vacant and/or abandoned by private owners.

Newburgh Community Land Bank (continued)
Appendix 2 - Page 2

The NCLB uses the tools of the state-wide Land Bank Program to remove the harms and liabilities recorded on the title that are attached to these properties, such as eliminating outstanding taxes and other liens. The properties are then offered for public sale through auction at a market or below-market or otherwise reasonable purchase price. In addition to these NCLB development incentives, many Federal, State, and County development incentives at the time of the sale exist. All the various incentives available are listed in the NCLB Development Resource Directory: <http://static1.squarespace.com/static/53aafa95e4b0e6d6b389f14a/t/53d951dbe4b07de7100e6069/1406751195949/NCLB+Development+Incentives.pdf>.

Thus, land banks often provide marketable title to properties previously difficult to develop because of this lack of clear ownership or encumbrances on the title that typically complicate obtaining loans against the property, for example.

Generally, the Newburgh Community Land Bank works in collaboration with community stakeholders, developers and other governmental agencies to improve the quality of life in Newburgh, NY. The initial work of the Newburgh Community Land Bank (NCLB) will focus on the section of the East End Historic District north of Broadway with the highest concentration of vacant and abandoned properties (Liberty, Chambers, Lander, Johnston, South Miller, and Dubois Streets). The Land Bank will expand its footprint over time.

The NCLB is working with the municipality as well as private owners and banks to take title to long-vacant buildings in one small area in order to concentrate real estate assets and financial resources to be leveraged into opportunities for existing residents and to attract new businesses and inhabitants to historic downtown Newburgh. Focusing the strengths of banks, residents, government, and the local business community on this neighborhood will leverage the program for the revitalization of the core of Newburgh, a city goal established in its planning documents. The NCLB acquired 31 properties in 2013-14 (including 5 vacant lots) and 30 properties (including four vacant lots) so far in 2015. Most of the properties acquired this year are single-family or two-family homes that were built between 1880 and 1910. Newburgh received a grant through the Attorney General's Land Bank Community Revitalization Initiative (\$2.5 million in 2013) and had previously generated enough financial support to hire an Executive Director and two staff in 2012.

According to its by-laws, the Newburgh Land Bank established a Resident Advisory Committee to respond to community needs and interests; it meets monthly to discuss all projects and work of the NCLB. All City residents are welcome to attend the meetings of the Resident Advisory Committee. Two of the members of the Resident Advisory Committee sit on the Board of Directors of the NCLB. According to NCLB's charter, the Board of NCLB consists of 11 members, including the Director and one staff member of Newburgh's Planning Department, the City Manager and one City

Newburgh Community Land Bank (continued)
Appendix 2 - Page 3

Council member, four business representatives, two residents and one non-governmental organization.

In some cases clear title is not the challenge to redevelopment, but rather the condition of a structure. The NCLB addresses environmental contamination as a challenge to redevelopment. In Newburgh, the cost of asbestos and lead abatement can exceed \$70,000 for a single small building and total rehabilitation can be upwards of \$200,000. The NCLB has taken a strategic approach to reduce the cost of total rehabilitation by only paying for the average \$70,000 cost of conducting asbestos and lead abatement. It then sells a “clean shell” at a below-market price to developers who then pay for and complete the remaining rehabilitation. Such a strategy can make a greater impact by remediating the environmental issues at once, on a larger number of buildings which the private market seeks to purchase and rehab, thereby having a larger overall impact with the same funding amount rather than conducting a smaller number of complete rehabilitations.

Relevance of a Land Bank to Kingston’s LMS for BOA implementation

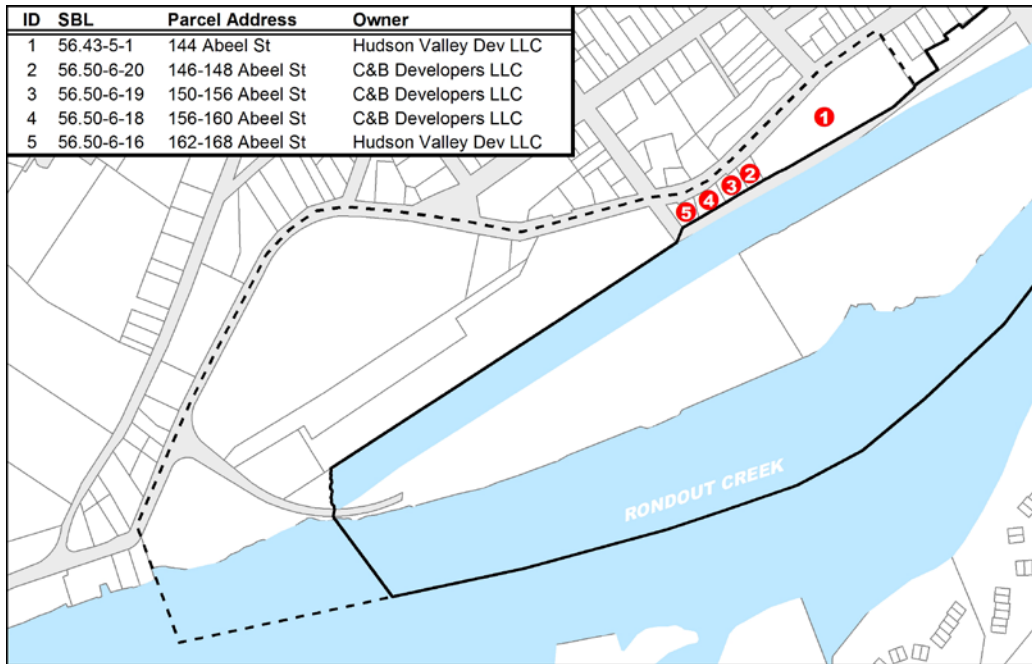
The ability of a municipality to acquire properties through the tool of a land bank, rather than simply owning abandoned properties on a case-by-case basis, allows for:

- strategic land assembly, in cases of vacant land;
- timed release of properties to screened buyers according to a plan;
- peeling off certain encumbrances to title that only governments can easily do; and
- marshaling of individual site rehabilitation or abatement projects together into one project for cost efficiencies or timing.

While the land bank structure may be a useful tool to Kingston for redevelopment of the City as a whole, it may not be a relevant tool for implementing Kingston’s BOA Plan. There have been only ten such land banks created in New York and they mainly apply in areas with large number of abandoned houses that nobody wants, such as in Rochester, Buffalo and Newburgh. The current situation in Kingston’s BOA is considerably different: there are few vacant or abandoned sites within its boundaries and the BOA-designated Strategic Sites are either public parks or already owned by private parties and developers.

SITE PROFILES

Site Profile: HOTEL SITE PROPERTIES



Site Information:

144 Abeel Street
 Owner: Hudson Valley Dev LLC
 SBL: 56.43-5-1

146-168 Abeel Street
 Owner: C&B Developers LLC
 SBL: 56.50-6-20
 56.50-6-19
 56.50-6-18
 56.50-6-16

Acreage: 1.8 total

Location on Extended BOA Boundary Map:

Sites 1, 2, 3, 4, and 5.

Current Zoning:

RF-R Rondout Creek District

Current Land Use:

These parcels are located between Abeel Street and Dock Street. There is a brick abandoned building in poor condition located on the site surrounded by vacant land covered in vegetation.



Some concrete/gravel piles and wood debris are also onsite. The Hideaway Marina is north of the site; residences and small businesses are adjacent to the east and south of the site.

Existing Infrastructure, Utilities, and Site Access Points:

- The properties front on Abeel and also have direct access on Dock Street/West Strand Street
- Sewer service is available on West Strand/Dock Street and Abeel Street.
- Water service is available from Abeel Street.

Proximity to Existing Transportation Networks:

The closest bridge connects Kingston to the east bank of the Hudson River and is approximately four miles to the north; U.S. Highway 9W runs north-south through Kingston; the nearest airport is Kingston –Ulster airport, situated near the Kinston-Rhinecliff Bridge; and there is a water taxi service which operates between Kingston and Rhinecliff.

Rare Plants, Rare Animals Status:

According to New York State Dept. of Environmental Conservation Environmental Resource Mapper the entire BOA Extended Area is within areas having Rare Plants and Rare Animals (<http://www.dec.ny.gov/ismaps/ERM/viewer.htm>).

Significant Natural Communities Status:

Rondout Creek is listed as having Significant Coastal Fish and Wildlife Habitat per NYSDOS rating form, revised August 15, 2012.

Water Features:

Rondout Creek lies on the opposite side of Dock Street along the southern side of these properties.

According to the United States Fish and Wildlife Services Rondout Creek and the Hudson River are designated as a United States Fish and Wildlife Services NWI wetland.

FEMA Floodplain:

The site is located within the 100-year and 500-year FEMA Floodplain.

Existing Land Cover:

A portion of the site near the vacant building has a gravel/asphalt area. The remainder of the site is covered in trees/shrubs.

Cultural Resources:

Based on available information from NYS Office of Parks, Recreation and Historic Preservation – State Historic Preservation Office (SHPO) (<http://parks.ny.gov/shpo/online-tools/disclaimer.aspx?pgm=gis>), the entire Kingston Waterfront BOA study area and extended BOA study area is located within an area designated as sensitive for archeological sites.

Adjacent Land Uses:

North of Site:

- Residential/Vacant Residential
- Downtown Row Type

West of Site:

- Marina

East of Site:

- Residential

South of Site:

- Rondout Creek

Environmental and land use history:

The properties are currently listed as vacant land or other storage, warehouse and distribution facilities. A search of the New York State Department of Environmental Conservation (NYSDEC) Spill Incidents database found that there was one reported spill associated with the above listed parcels. The spill is listed in the NYSDEC Spill Incidents Database as Construction Site/AKA Noah Hotel. The spill is dated as October 28, 2005 and was identified as unknown petroleum. The spill was closed on January 20, 2010 (<http://www.dec.ny.gov/cfm/external/spills/results.cfm?pageid=2>).

Upon research of the NYSDEC Bulk Storage Database, there were two underground storage tanks removed from the associated parcels (<http://www.dec.ny.gov/cfm/external/abs/details.cfm>).

There are no known reported brownfield issues with the NYSDEC ((<http://www.dec.ny.gov/cfm/external/index.cfm?pageid=3>)).

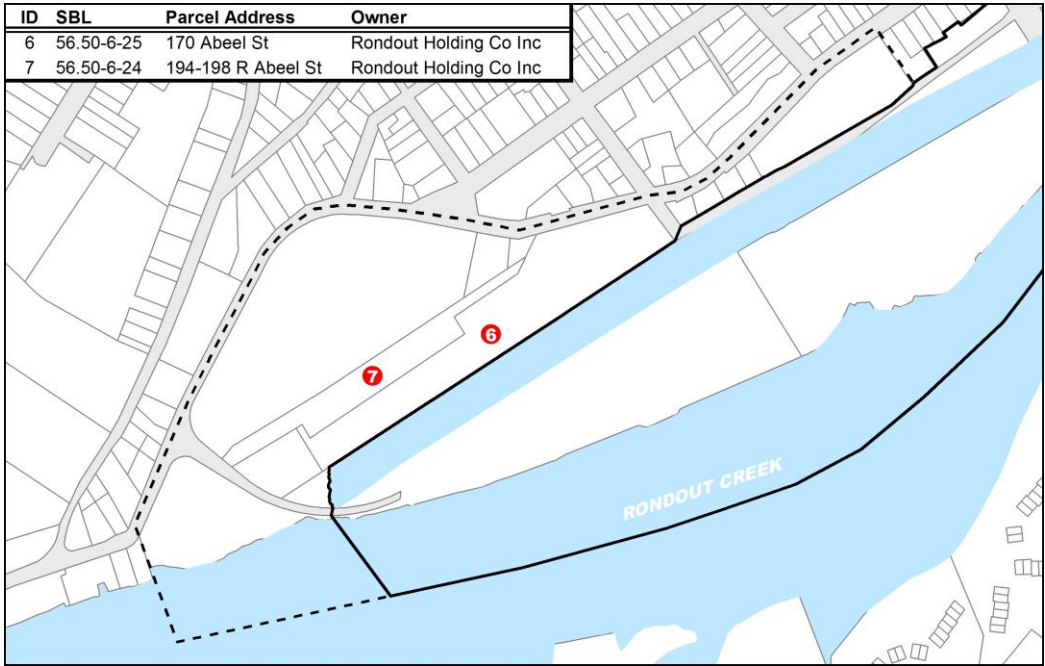
Known or Suspected Contaminants and Media Affected (air, water, soil, etc):

UNKNOWN

Land Use/Redevelopment Potential:

t.b.d

Site Profile: HIDEAWAY MARINA



Site Information:

170 Abeel Street
 194-198 Abeel Street

Owner:
 Rondout Holding Co Inc.
 SBL: 56.50-6-25
 56.50-6-24

Acreage: 4.2 (170 Abeel Street)
 1.6 (194-198 Abeel Street)

Location on Extended BOA Boundary Map:

Sites 6 and 7

Current Zoning:

RF-R Rondout Creek District

Current Land Use:

These parcels are located on Abeel Street. The site is listed as a marina (Hideaway Marina) and vacant commercial land. The marina is located on Rondout Creek (to the south). There are a several buildings of various size and construction situated on the site. Block Park is to the north



of the site; the former Block Plant is located to the west and residences are on the opposite side of Abeel Street.

Existing infrastructure, Utilities, and Site Access Points:

- Access to the marina is via a private driveway on the south side of Abeel Street, just west of Dock Street/West Strand Street.
- At the western end, Site 7 has possible access to the private roadway connecting Island Dock to Abeel Street.
- The property borders Rondout Creek to the south.
- Sewer service is available on West Strand/Dock Street and Abeel Street.
- Water service is available from Abeel Street.

Proximity to Existing Transportation Networks:

The closest bridge connects Kingston to the east bank of the Hudson River and is approximately four miles to the north; U.S. Highway 9W runs north-south through Kingston; the nearest airport is Kingston –Ulster airport, situated near the Kinston-Rhinecliff Bridge; and there is a water taxi service which operates between Kingston and Rhinecliff.

Rare Plants, Rare Animals Status:

According to New York State Dept. of Environmental Conservation Environmental Resource Mapper the entire BOA Extended Area is within areas having Rare Plants and Rare Animals (<http://www.dec.ny.gov/imsmaps/ERM/viewer.htm>).

Significant Natural Communities Status:

Rondout Creek is listed as having Significant Coastal Fish and Wildlife Habitat per NYS DOS rating form, revised August 15, 2012.

Water Features:

According to the United States Fish and Wildlife Services Rondout Creek and the Hudson River are designated as a United States Fish and Wildlife Services NWI wetland.

FEMA Floodplain:

The site is located within the 100-year and 500-year FEMA Floodplain.

Existing Land Cover:

The site is currently a marina with paved roadways and buildings at the eastern end of the site.

Cultural Resources:

Based on available information from NYS Office of Parks, Recreation and Historic Preservation – State Historic Preservation Office (SHPO) (<http://parks.ny.gov/shpo/online-tools/disclaimer.aspx?pgm=gis>), the entire Kingston Waterfront BOA study area and extended

BOA study area is located within an area designated as sensitive for archeological sites (See EAF narrative).

Adjacent Uses:

North of Site:

- Municipal Park (Block Park)
- Storage

West of Site:

- Vacant Commercial (Block Park)
- Manufacturing and Processing

East of Site:

- Vacant Commercial

South of Site:

- Rondout Creek

Environmental and Land Use History:

According to both the City of Kingston, NY Brownfield Opportunity Area Step 2 Nomination, August 19, 2010, and the draft City of Kingston Brownfield Opportunity Area Step 3, October 2014, there may be degraded environmental conditions at the site.

There has been one spill associated with the 170 Abeel Street parcel. According to the NYSDEC Spill Incident Database, on August 11, 2000 there was an unknown petroleum spill, (Spill #0005761, Hide A Way Marine) in the soil. The spill was closed on March 3, 2004 (<http://www.dec.ny.gov/cfmx/extapps/derexternal/spills/details.cfm>).

There are no known brownfield issues per the NYSDEC Environmental Site Remediation Database (<http://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=3>).

Additional information for the 194-198 parcel can be found in the attached Phase I Environmental Site Assessment, which was performed in November 2001.

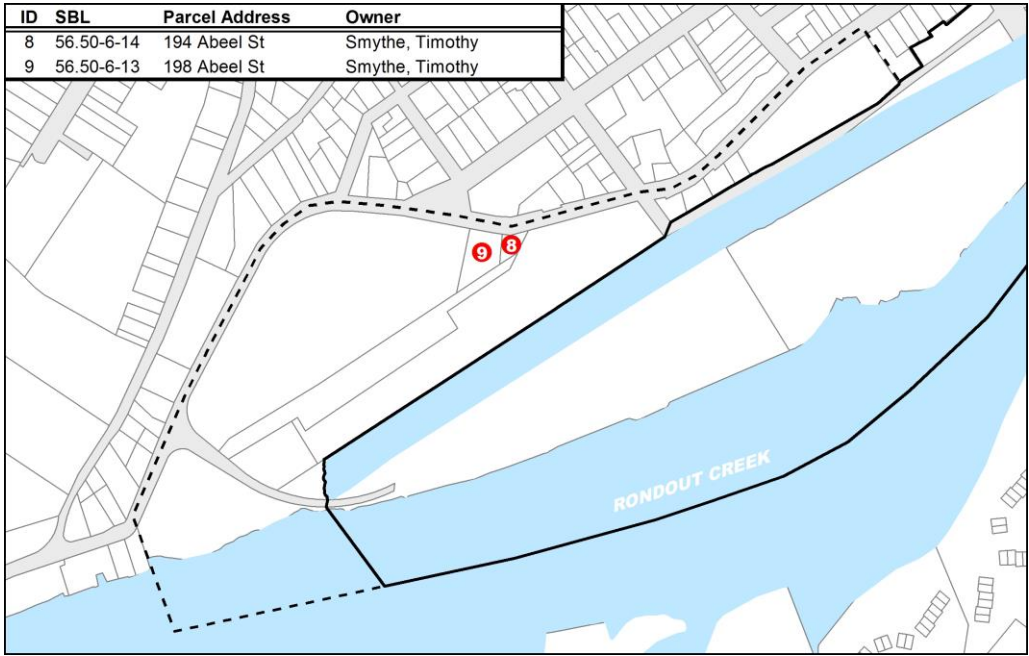
Known or Suspected Contaminants and Media Affected (air, water, soil, etc):

As per the Brownfield Opportunity Area Step 2 Nomination, there may be degraded environmental conditions associated with the subject site. Groundwater beneath the subject site is contaminated and environmental conditions were found in sediments and surface water adjacent to the site (City of Kingston, NY, Waterfront Brownfield Opportunity Area, Step 2 Nomination, August 19, 2010).

Land Use/Redevelopment Potential:

t.b.d.

Site Profile: P&T SURPLUS



Site Information:

194 and 198 Abeel Street

Owner: Smythe, Timothy
 SBL: 56.50-6-14 (194 Abeel Street)
 56.50-6-13 (198 Abeel Street)

Acreage: 0.099 (194 Abeel Street)
 0.34 (198 Abeel Street)

Location on Extended BOA Boundary Map:

Sites 8 and 9

Current Zoning:

RF-R Rondout Creek District

Current Land Use:

The site is listed as storage, warehouse and distribution facilities and vacant commercial land. The site contains a building identified as P&T Surplus. Block Park is adjacent to the site opposite side of Abeel Street; the Hideaway Marina is to the south and residences are located to the north.



Existing Infrastructure, Utilities, and Site Access Points:

- The site is accessed by Abeel Street.
- Sewer service is available on West Strand/Dock Street and Abeel Street.
- Water service is available from Abeel Street.

Proximity to existing transportation networks:

The closest bridge connects Kingston to the east bank of the Hudson River and is approximately four miles to the north; U.S. Highway 9W runs north-south through Kingston; the nearest airport is Kingston–Ulster airport, situated near the Kingston-Rhinecliff Bridge; and there is a water taxi service which operates between Kingston and Rhinecliff.

Rare Plants, Rare Animals Status:

According to New York State Dept. of Environmental Conservation Environmental Resource Mapper the entire BOA Extended Area is within areas having Rare Plants and Rare Animals (<http://www.dec.ny.gov/imsmaps/ERM/viewer.htm>).

Significant Natural Communities status:

Rondout Creek is listed as having Significant Coastal Fish and Wildlife Habitat per NYSDOS rating form, revised August 15, 2012.

Water Features:

According to the United States Fish and Wildlife Services Rondout Creek and the Hudson River are designated as a United States Fish and Wildlife Services NWI wetland.

FEMA Floodplain:

The site is located within the 100-year and 500-year FEMA Floodplain.

Existing Land Cover:

The site is developed with structures and outdoor storage areas.

Cultural Resources:

Based on available information from NYS Office of Parks, Recreation and Historic Preservation – State Historic Preservation Office (SHPO) (<http://parks.ny.gov/shpo/online-tools/disclaimer.aspx?pgm=gis>), the entire Kingston Waterfront BOA study area and extended BOA study area is located within an area designated as sensitive for archeological sites.

Adjacent Land Uses:

North of Site:

- Residential

West of Site:

- Municipal Park (Block Park)

East of Site:

- Vacant Commercial
- Residential

South of Site:

- Vacant Commercial
- Marina (Hideaway Marina)

Environmental and land use history:

The above parcels are listed as vacant commercial land or storage, warehouse and distribution facilities. The subject site contains a single structure identified as P&T Surplus Inc.

According to the City of Kingston, NY Brownfield Opportunity Area Step 2 Nomination, August 19, 2010, there are likely degraded environmental conditions at the P&T Surplus Site.

A Phase I Environmental Site Assessment was completed in November 2001 for 194, 196-198 Abeel Street (See attached). According to the Phase I, the subject site was not identified as a National Priorities List, CERCLIS or New York State Department of Environmental Conservation (NYSDEC) Hazardous Waste site. Also, the subject site was not identified on the NYSDEC spills database (<http://www.dec.ny.gov/cfm/EXTAPPS/DEREXTERNAL/INDEX.CFM?PAGEID=2>).

There are no known brownfield issues per the NYSDEC Environmental Site Remediation Database (<http://www.dec.ny.gov/cfm/EXTAPPS/DEREXTERNAL/INDEX.CFM?PAGEID=3>).

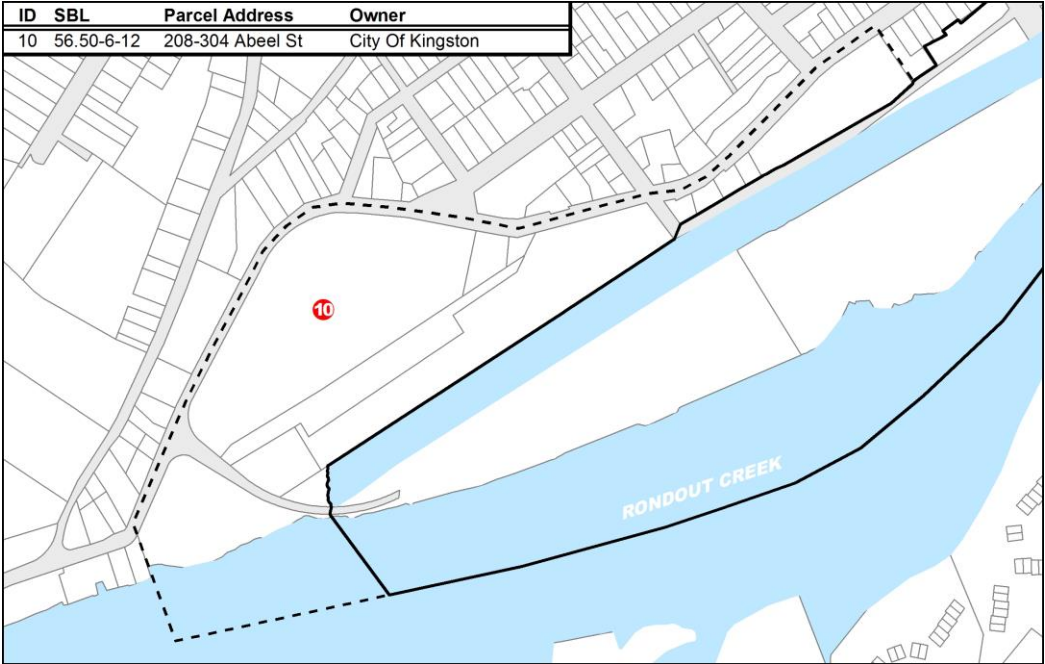
Known or Suspected Contaminants and Media Affected (air, water, soil, etc):

UNKNOWN

Land Use/Redevelopment Potential:

t.b.d.

Site Profile: BLOCK PARK



Site Information:

208-304 Abeel Street

Owner: City of Kingston
SBL: 56.50-6-12

Acreage:

7.1

Location on Extended BOA Boundary Map:

Site 10

Current Zoning:

RF-R Rondout Creek District



Current Land Use:

The site is a City park and recreation area. The Hideaway Marina is to the south of the site; the former Block Plant is located to the west; P&T surplus is located to the east and residences are located on the opposite side of Abeel Street.

Existing Infrastructure, Utilities, and Site Access Points:

Block Park is accessible from Abeel Street. Block Park's amenities include; a softball field, restrooms, basketball courts, playground equipment, a pavilion, and handball courts. Water and sewer services are available in the park.

Proximity to Existing Transportation Networks:

The closest bridge connects Kingston to the east bank of the Hudson River and is approximately four miles to the north; U.S. Highway 9W runs north-south through Kingston; the nearest airport is Kingston –Ulster airport, situated near the Kinston-Rhinecliff Bridge; and there is a water taxi service which operates between Kingston and Rhinecliff.

Rare Plants, Rare Animals Status:

According to New York State Dept. of Environmental Conservation Environmental Resource Mapper the entire BOA Extended Area is within areas having Rare Plants and Rare Animals (<http://www.dec.ny.gov/imsmaps/ERM/viewer.htm>).

Significant Natural Communities Status:

Rondout Creek is listed as having Significant Coastal Fish and Wildlife Habitat per NYSDOS rating form, revised August 15, 2012.

Water Features:

According to the United States Fish and Wildlife Services Rondout Creek and the Hudson River are designated as a United States Fish and Wildlife Services NWI wetland.

FEMA Floodplain:

The site is located within the 100-year and 500-year FEMA Floodplain.

Existing Land Cover:

The site is currently a City park with recreational amenities and structures. The majority of the park is landscaped with some treed areas.

Cultural Resources:

Based on available information from NYS Office of Parks, Recreation and Historic Preservation – State Historic Preservation Office (SHPO) (<http://parks.ny.gov/shpo/online-tools/disclaimer.aspx?pgm=gis>), the entire Kingston Waterfront BOA study area and extended BOA study area is located within an area designated as sensitive for archeological sites.

Adjacent Land Uses:

North of Site:

- Vacant Resident
- Vacant Public Utility
- Residential

West of Site:

- Industrial

East of Site:

- Residential

South of Site:

- Storage

Environmental and Land Use History:

As per the City of Kingston, NY Waterfront Brownfield Opportunity Area, Step 2 Nomination, August 19, 2010, Block Park has some minor cleanup issues. There are some drums and other materials stored onsite.

Upon a search of the NYSDEC Spill Incidents Database, there was one spill listed for the above parcel. Spill #0906182, Block Park, is listed as a raw sewage spill in the soil which occurred on August 8, 2009. The spill was closed on August 8, 2009 (<http://www.dec.ny.gov/cfmx/extapps/derexternal/spills/details.cfm>).

There are no known brownfield issues per the NYSDEC Environmental Site Remediation Database (<http://www.dec.ny.gov/cfmx/extapps/derexternal/index.cfm?pageid=3>).

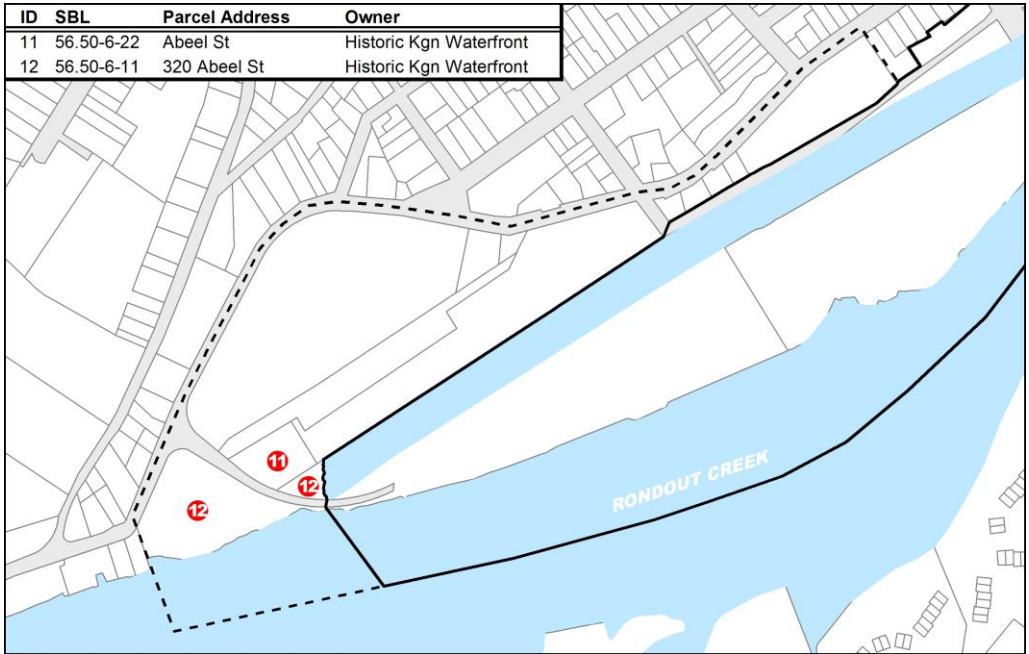
Known or Suspected Contaminants and Media Affected (air, water, soil, etc):

Limited testing may be warranted in the area where the drums and other deleterious material were stored (City of Kingston, NY, Waterfront Brownfield Opportunity Area, Step 2 Nomination August 19, 2010).

Land Use/Redevelopment Potential:

t.b.d.

Site Profile: FORMER BLOCK PLANT AND ISLAND DOCK



Site Information:

308-322 Abeel Street
 “Rear Abeel” Street

Owner:

Historic Kingston Waterfront
 SBL: 56.50-6-22
 56.50-6-11
 56.43-5-44 (within original Step 2 BOA Boundary)
 56.50-6-21 (within original Step 2 BOA Boundary)

Acreage:

2.93 within extended BOA boundary
 19.94 total

Location on Extended BOA Boundary Map:

Sites 11 and 12

Current Zoning:

RF-R Rondout Creek District



Current Land Use:

Sites 11 and 12, comprised of four parcels, are referred to as Island Dock Upper, Island Dock Lower and the former concrete Block Plant. The site is listed vacant commercial and industrial. The former Concrete Block Plant is located on a mainland parcel and currently consists of an abandoned building along with a vacant lot having substantial areas of concrete paving. There are piles of concrete debris and fill on both mainland parcels. Island Dock, located on the south side of Abeel Street, is a man-made island in the Rondout Creek, originally designed for the transfer of coal. The majority of Island Dock is treed. The island has a large building foundation and piles of debris from the former concrete-making process. An unpaved road runs through the island.

The Island Dock portion of this group of parcels is located within the original Step 2 BOA boundary.

Existing infrastructure, utilities, and site access points:

- Rondout Creek Shoreline
- Access to Site 11 mainland portion of Site 12 is Dock Street
- Only land access point for Island Dock is also Dock Street, at the western tip of the island
- Sewer service is available on West Strand/Dock Street and Abeel Street
- Water service is available from Abeel Street.

Proximity to Existing Transportation Networks:

The closest bridge connects Kingston to the east bank of the Hudson River and is approximately four miles to the north; U.S. Highway 9W runs north-south through Kingston; the nearest airport is Kingston –Ulster airport, situated near the Kinston-Rhinecliff Bridge; and there is a water taxi service which operates between Kingston and Rhinecliff.

Rare Plants, Rare Animals Status:

According to New York State Dept. of Environmental Conservation Environmental Resource Mapper the entire BOA Extended Area is within areas having Rare Plants and Rare Animals (<http://www.dec.ny.gov/ismaps/ERM/viewer.htm>).

Significant Natural Communities Status:

Rondout Creek is listed as having Significant Coastal Fish and Wildlife Habitat per NYSDOS rating form, revised August 15, 2012.

Water Features:

According to the United States Fish and Wildlife Services Rondout Creek and the Hudson River are designated as a United States Fish and Wildlife Services NWI wetland.

FEMA Floodplain:

The site is located within the 100-year and 500-year FEMA Floodplain.

Existing Land Cover:

The mainland site contains an abandoned building and the majority of the site is paved with concrete, surrounded by trees, and the adjoining parcel is vacant.

The island site is treed and contains a concrete building foundation and some debris.

Cultural Resources:

Based on available information from NYS Office of Parks, Recreation and Historic Preservation – State Historic Preservation Office (SHPO) (<http://parks.ny.gov/shpo/online-tools/disclaimer.aspx?pgm=gis>), the entire Kingston Waterfront BOA study area and extended BOA study area is located within an area designated as sensitive for archeological.

Adjacent Land Uses:

North of Site:

- Residential
- Vacant Commercial
- Marina

West of Site:

- Marina
- Vacant Commercial

East of Site:

- Vacant Commercial
- Residential

South of Site:

- Rondout Creek

Environmental and Land Use History:

A Phase I and Phase II Environmental Site Assessment was performed at these sites. The results are described in the attached Supplemental Environmental Evaluation for Extended BOA Boundary Plus Island Dock document.

Known or Suspected Contaminants and Media Affected (air, water, soil, etc):

Phase I and Phase II Environmental Assessments were performed for the Block Plant and Island Dock sites. According to the Limited Phase II Environmental Site Assessment, Former Concrete Block, Inc. Facility (Island Dock), Kingston, New York, July 2005, the Phase I revealed environmental conditions which included; historical use of the site as a coal storage yard, electric transformer casings that may have impacted surrounding soil on the Island, scrap metal and wood

debris located onsite, and petroleum releases were noted in nearby areas and upgradient of the site.

The Phase II ESA, conducted by Fuss & O'Neill of New York, P.C., was performed at the former Concrete Block, Inc., and Island Dock site located at 308-322 Abeel Street, Kingston, NY. The Phase II field investigation at the former Block Plant Facility and Island Dock site which consisted of Geoprobe™ borings and test pits to collect surface and subsurface samples. A supplemental round of surface soil sampling was also performed following the initial field work. The analytical results of the field investigation resulted in the detection of volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs) in the surface soils. Metal concentrations along with SVOCs were detected at levels exceeding their respective NYSDEC TAGM 4046 Criteria.

SVOCs were found at both the former Block Plant Factory and the Island Dock site. SVOCs were also detected in the location of a former aboveground petroleum storage tank. Evidence of coal and coal slag were found in borings obtained from the Island Dock site. Low-levels of VOCs were identified in the area of the former Block Plant Factory. The analytical results are provided in the attached Phase II report.

The site has a low to moderate potential of degraded environmental conditions.

Land Use/Redevelopment Potential:

t.b.d.

COASTAL ASSESSMENT FORM

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Coastal Assessment Form

A. INSTRUCTIONS (Please print or type all answers)

1. State agencies shall complete this CAF for proposed actions which are subject to Part 600 of Title 19 of the NYCRR. This assessment is intended to supplement other information used by a state agency in making a determination of significance pursuant to the State Environmental Quality Review Act (see 6 NYCRR, Part 617). If it is determined that a proposed action will not have a significant effect on the environment, this assessment is intended to assist a state agency in complying with the certification requirements of 19 NYCRR Section 600.4.
2. If any question in Section C on this form is answered "yes", then the proposed action may affect the achievement of the coastal policies contained in Article 42 of the Executive Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to either (a) making a certification of consistency pursuant to 19 NYCRR Part 600 or, (b) making the findings required under SEQRA, 6 NYCRR, Section 617.11, if the action is one for which an environmental impact statement is being prepared. If an action cannot be certified as consistent with the coastal policies, it shall not be undertaken.
3. Before answering the questions in Section C, the preparer of this form should review the coastal policies contained in 19 NYCRR Section 600.5. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.

B. DESCRIPTION OF PROPOSED ACTION

1. Type of state agency action (check appropriate response):
 - (a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) _____
 - (b) Financial assistance (e.g. grant, loan, subsidy) _____
 - (c) Permit, license, certification _____
2. Describe nature and extent of action: _____

3. Location of action:

County	City, Town or Village	Street or Site Description
4. If an application for the proposed action has been filed with the state agency, the following information shall be provided:
 - (a) Name of applicant: _____
 - (b) Mailing address: _____
 - (c) Telephone Number: Area Code (____) _____
 - (d) State agency application number: _____
5. Will the action be directly undertaken, require funding, or approval by a federal agency?
 Yes _____ No _____ If yes, which federal agency? _____

C. COASTAL ASSESSMENT (Check either "YES" or "NO" for each of the following questions)

YES NO

1. Will the proposed activity be located in, or contiguous to, or have a significant effect upon any of the resource areas identified on the coastal area map:
 - (a) Significant fish or wildlife habitats? — —
 - (b) Scenic resources of statewide significance? — —
 - (c) Important agricultural lands? — —
2. Will the proposed activity have a significant effect upon:
 - (a) Commercial or recreational use of fish and wildlife resources? X —
 - (b) Scenic quality of the coastal environment? X —
 - (c) Development of future, or existing water dependent uses? X —
 - (d) Operation of the State's major ports? X —
 - (e) Land and water uses within the State's small harbors? X —
 - (f) Existing or potential public recreation opportunities? X —
 - (g) Structures, sites or districts of historic, archeological or cultural significance to the State or nation? X —

UTILITY INFRASTRUCTURE

WATER UTILITY

1. City of Kingston Web Site, Water Department, www.kingston-ny.gov/water
2. Annual Drinking Water Quality Report for 2014, Kingston Water Department, (PWS ID No. 5503374), effective September 25, 2009, updated December 12, 2011.

SEWER UTILITY

3. Odor Reduction Analysis and Study, Kingston Wastewater Treatment Facility, Final Report, City of Kingston, Stearns & Wheeler Co., April 2003.
4. Combined Sewer Overflow Long Term Control Plan, City of Kingston, Malcom Pirnie, October 2010.
5. Rondout Creek Water Quality Assessment, City of Kingston, Arcadis/Malcom Prinie, December 2014.
6. Long-Term Capital Plan, East Strand Street Wastewater Treatment Facility, City of Kingston, Barton & Loguidice DPC, May 2015.
7. System Mapping Composite – Kingston DPW, Electronic Cadd file provided by City of Kingston Engineering Dept., September 2014.

NATURAL RESOURCES AND ENVIRONMENTAL FEATURES

FLOOD RISK

1. Flood Insurance Study (FIS), Ulster County, New York, FIS No. 36111CV001A, (City of Kingston, Community No. 360858), effective September 25, 2009, updated December 12, 2011.
2. Flood Insurance Rate Map (FIRM), Ulster County, New York, City of Kingston, Community No. 360858, Map No. 36111C0490E, effective September 25, 2009.
3. Subchapter 405-26 Flood Hazard Overlay District, City of Kingston, Local Law Chapter 405 Zoning.
4. Planning for Rising Waters: Final Report of the City of Kingston Tidal Waterfront Flooding Task Force, September 18, 2013.
5. East Strand Street Flooding and Stormwater Management Analysis, Milone & MacBroome, Inc., February 19, 2014.

ASSESSMENT AND MITIGATION

TRANSPORTATION SYSTEMS

1. "City of Kingston, NY Waterfront Brownfield Opportunity Area Step 2 Nomination", City of Kingston, NY, August 19, 2010
2. "Reconstruction and Electrification of Trolley Track", HD, May 2008
3. "Kingston Greenline Concept Plan", Alta Planning + Design, March 2014
4. Trip Generation Manual 9th Edition, Institute of Transportation Engineers, 1627 Eye Street, NW, Suite 600, Washington, DC 20006

KINGSTON TIDAL WATERFRONT FLOODING TASK FORCE RECOMMENDATIONS

The Task Force developed 24 general recommendations for the City, listed below. A series of site-specific recommendations for shoreline neighborhoods were also developed. A complete list of both can be found in the full report. The final recommendations of the Task Force were endorsed by 17 members of the Task Force. Some of the recommendations can be implemented immediately; others call for further study to investigate complex policy issues. Both the Planning Team and the Task Force hope that their work will inspire Kingston to consider flood resiliency in all of its decision making and to continue the dialogue on this important issue.

City Operations, Funding and Decision Making

Near-term Actions

1. Adopt the sea-level rise and flood projections recommended by New York State and the Kingston Waterfront Flooding Task Force for planning purposes.
2. Incorporate these 24 findings and recommendations from the Kingston Waterfront Flooding Task Force into other City and regional plans.

Long-term Actions

3. Develop a Kingston Waterfront Long-term Resiliency Plan.
4. Reduce Kingston’s greenhouse gas emissions and contribution to sea level rise and other climate impacts through the implementation of Kingston’s Climate Action Plan, green infrastructure and green architecture.
5. Ensure that all relevant City staff and elected and appointed officials are fully trained in and expected to incorporate impacts of flooding and sea-level rise into their daily work.

Resilient Structures

Near-term Actions

6. Ensure that zoning designations in the Kingston 2025 Comprehensive Plan consider increasing risk and vulnerability from flooding and sea-level rise.
7. Require that proposals for new development of any kind in the Flood Hazard Overlay District take flood risk into account.
8. Reduce stormwater, upland flooding and combined sewer overflows through green infrastructure and best stormwater management practices.

Long-term Actions

9. Research, evaluate and implement changes to City building and zoning codes that will increase resiliency and are cost-effective and socially equitable.
10. Study the feasibility of using policy, zoning and building codes to achieve creative, water-dependent and water-enhanced uses that are resilient, including elevated, amphibious, or floating structures, wharves, berms and elevated rights of way.

11. Evaluate the use of natural buffers and green shoreline infrastructure to reduce flood risk and conserve natural resource functions.

12. Ensure that local street networks, utilities and other infrastructure function and remain connected as the City implements adaptation strategies to sea-level rise.

13. Research and evaluate land-use tools and financing mechanisms or incentives to facilitate flood adaptation in the waterfront.

Promoting a Waterfront Economy and Economic Revitalization

Long-term Actions

14. Ensure opportunities exist for open space and recreation over the long term.

15. Consider future flood hazards in economic development planning.

16. Develop a plan to mitigate both near- and long- term risk to the wastewater treatment facility.

Community Collaboration and Public Outreach

Near-term Actions

17. Host an informational public meeting with FEMA.

18. Conduct public outreach to property owners, tenants and prospective buyers in the Flood Hazard Overlay District.

19. Encourage and assist community-based organizations in their efforts to communicate the risks of flooding and potential adaptation solutions to vulnerable or non-English speaking populations.

20. Collaborate with other waterfront communities and county and state government to plan for coastal hazards like sea-level rise and storm surge.

Emergency Management

Near-term Actions

21. Revise emergency management planning documents.

22. Employ new tools to improve real time emergency management planning.

23. Ensure safe access and evacuation along the waterfront during regular flood events.

Long-term Actions

24. Develop a process to map and track repetitive storm damage.

Final report and other materials from the Task Force available at:

<http://kingstoncac.org/index.php/initiatives/tidal-waterfront-flooding-task-force>

SEQR POSITIVE DECLARATION



City of Kingston Common Council State Environmental Quality Review

POSITIVE DECLARATION

Notice of Intent to Prepare a Draft Generic EIS
Determination of Significance

NOTICE OF PUBLIC SCOPING MEETING

Date: February 12, 2015

Lead Agency: City of Kingston Common Council

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Kingston Common Council, as Lead Agency, has determined that the proposed action described below may have a significant impact on the environment and that a Draft Generic Environmental Impact Statement will be prepared.

Name of Action: Kingston Waterfront Brownfield Opportunity Area Plan
Adoption and Implementation

SEQR Status: Type I Action

Review Type: Coordinated Review

Scoping: A Draft Scoping Document will be circulated to involved and interested agencies for consideration and input. A public scoping meeting will be held to obtain additional input from the public. A final written scope will be prepared based on input from involved agencies, interested parties and the public.

Description of Action: The Action involves the intended adoption and implementation of the Kingston Waterfront Brownfield Opportunity Area Plan (BOA Plan). In 2010 the City of Kingston (the City) completed a BOA Step 2 – Nomination Study and subsequently has been awarded a grant from the New York State Department of State (NYS DOS), C303892, for a BOA Step 3 - Implementation Strategy. The BOA Plan

(inclusive of the Step 2 Nomination Study and Step 3 Implementation Strategy) is being prepared in accordance with the guidelines established by the NYSDOS for the BOA grant program. The BOA includes the waterfront area between Dock St/Abeel St and the confluence of Rondout Creek and the Hudson River at Kingston Point.

The BOA Plan will guide redevelopment of the approximately 185-acre BOA, including possible remediation of several strategic brownfield sites adjacent to parkland, commercial and residential areas, and the Hudson River and Rondout Creek. The BOA Plan will recommend possible development scenarios for vacant and underutilized brownfields, the implementation of which would likely result in new commercial, retail, entertainment, residential and/or public open space land uses. The purpose of the BOA Plan will be to build upon the Local Waterfront Revitalization Program (LWRP) and LWRP Implementation Plan to create redevelopment opportunities on former industrial brownfields.

Location:

Generally bounded by waterfront along Rondout Creek from Island Dock to its confluence with the Hudson River at Kingston Point, generally south of Abeel Street and East Strand Street. The entire project lies within the City of Kingston, Ulster County, New York. (see attached Location Map - Figure 1)

Reasons Supporting This Determination:

Overview. The City of Kingston Common Council completed a Full Environmental Assessment Form Part 1 (EAF-Part 1) which formally commenced the SEQRA process. In accordance with the provisions of SEQRA, the Common Council issued a Lead Agency request letter to potentially involved agencies on January 6, 2015. The resolution indicated that the Common Council had made a determination that the Proposed Action was a Type 1 Action and proposed it to serve as the Lead Agency and conduct a Coordinated Review among the potentially Involved Agencies. There being no objections, the Common Council assumed the Lead Agency role on February 10, 2015.

The Common Council had completed the EAF Part 2 to identify potential impacts as well as their potential magnitude and significance. The Common Council, as SEQRA Lead Agency, has determined that the Proposed Action may generate significant adverse environmental impacts and, as a result, a Draft Generic Environmental Impact Statement (DGEIS) must be prepared. In accordance with SEQRA, the Common Council is initiating a process to define the scope of the *DGEIS*. As a first step in that process, a Draft Scoping Document for the *DGEIS* has been prepared and is being made available to involved and interested agencies and to members of the public for review and comment. A copy of the Draft Scoping

Document is included with this notice. The Lead Agency invites comments on the Draft Scoping Document for the *DGEIS*. A public scoping meeting will be held on February 24, 2015 when public input will be heard, and written comments from the public will be accepted until March 10, 2015.

Based on review of the EAF Part 2, the Project has the potential to result in one or more significant adverse impacts. These include potential impacts to:

Land: Implementation of the BOA Plan may involve construction on, or physical alteration of the land. The BOA Plan is anticipated to recommend land use and zoning that may be different from the existing conditions.

Surface Water: Implementation of the BOA Plan may 1) create turbidity in a water body, either from upland erosion, runoff or by disturbing bottom sediments; 2) cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies; and 3) affect the water quality of any water bodies within or downstream of the site of the proposed action.

Flooding: Implementation of the BOA Plan may 1) result in development within a 100 year or 500 year floodplain, and 2) change flood water flows that could contribute to flooding.

Plants and Animals: Implementation of the BOA Plan may 1) result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, or species of special concern and conservation need, as listed by New York State or the Federal government; and 2) result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Consultation with NYSDEC Natural Heritage Program is required.

Aesthetic Resource: Implementation of the BOA Plan may result in land uses that are obviously different from the current land use patterns between the proposed project and a scenic or aesthetic resource and may 1) affect the viewshed from any officially designated federal, state, or local scenic or aesthetic resource; and 2) be visible (seasonally and/or year-round) from publicly accessible vantage points.

Historic and Archeological Resources: Implementation of the BOA Plan may impact occur historic or archaeological resources, because the BOA is located 1) wholly or partially within, or substantially contiguous to, buildings, archaeological site(s) or district which is listed on the State or National Register of Historic Places; and 2) wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.

Open Space and Recreation: Implementation of the BOA Plan may 1) result in the reduction or loss of a current recreational resource.

Transportation: Implementation of the BOA Plan may result in a change to existing transportation systems involving 1) increase in paved parking areas; and alteration of circulation patterns of people and/or goods.

Noise, Odor and Light: Implementation of the BOA Plan may result in an increase in noise, odors, or outdoor lighting above existing conditions.

Coastal Zone Consistency: The BOA Plan will involve proposed projects or activities within the boundaries of the defined Local Waterfront Revitalization Program (LWRP). The City of Kingston and New York State Department of State will need to make coastal zone consistency determinations regarding the BOA Plan and proposed BOA projects.

Human Health: Implementation of the BOA Plan may have an impact on human health from exposure to new or existing sources of contaminants due to the potential location of future projects on former industrial brownfields.

Public Scoping Meeting: A public scoping session will be held at 6:30 p.m. on Tuesday, February 24, 2015 in Common Council Chambers, City Hall, 420 Broadway, Kingston, New York 12401. The purpose of the scoping portion of the meeting is to allow all members of the public an opportunity to comment on the scope of the *DGEIS*.

A copy of the Draft Scoping Document is included with this notice. Additional copies of the Draft Scoping Document can be obtained via a written request to the contact person or at the public scoping meeting. Written comments on the Draft Scoping Document may be sent to the contact person and will be accepted for a period of ten (10) calendar days following the close of the Public Scoping Meeting but no later than March 10, 2015.

For Further Information, contact:

Contact Person: Gregg Swanzey, Director

Address: Office of Economic Development & Strategic Partnerships
City Hall - 420 Broadway
Kingston, NY 12401

Telephone Number: Phone 845.334.3962

Fax: Fax 845.334.3965

Email: gswanzey@kingston-ny.gov

A copy of this notice must be sent to:

NYS Department of Environmental Conservation

NYS Department of State

Chief Executive Officer (Mayor Shayne R. Gallo)

Any person requesting a copy

All involved agencies

Environmental Notice Bulletin (ENB)

Interested Parties

SEQR NEGATIVE DECLARATION

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

Reset Form

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

<input checked="" type="checkbox"/> Negative Declaration - Type I	<input checked="" type="checkbox"/> Draft EIS
<input type="checkbox"/> Conditioned Negative Declaration	<input type="checkbox"/> with Public Hearing
<input type="checkbox"/> Draft Negative Declaration	<input checked="" type="checkbox"/> Generic
<input type="checkbox"/> Positive Declaration	<input type="checkbox"/> Supplemental
<input type="checkbox"/> with Public Scoping Session	<input type="checkbox"/> Final EIS
	<input type="checkbox"/> Generic
	<input type="checkbox"/> Supplemental

DEC Region # 3 County: Ulster Lead Agency: City of Kingston

Project Title: Kingston Waterfront Brownfield Opportunity Area Plan

Brief Project Description: The action involves . . .

The Kingston Waterfront BOA Plan (inclusive of the Step 2 Nomination Study and Step 3 Implementation Strategy) was prepared in accordance with the guidelines established by the NYSDOS for the BOA grant program. The BOA includes the waterfront area between Dock St/Abeel St and the confluence of Rondout Creek and the Hudson River at Kingston Point. The BOA Plan guides redevelopment of the approximately 190-acre BOA, including possible remediation of several strategic brownfield sites adjacent to parkland, commercial and residential areas, and the Hudson River and Rondout Creek. The BOA Plan recommends possible development scenarios for vacant and underutilized brownfields, the implementation of which would likely result in new commercial, retail, entertainment, residential and/or public open space land uses.

Project Location (include street address/municipality): waterfront on Rondout Creek from Island Dock to its confluence with the Hudson River

Contact Person: Gregg Swanzey, Director Office of Economic Development & Strategic Partnerships

Address: City Hall - 420 Broadway City: Kingston State: NY Zip: 12401

Phone: 845.334.3962 Fax: 845.334.3965 E-mail: gswanzey@kingston-ny.

For Draft Negative Declaration / Draft EIS: Public Comment Period ends: 11 / 23 / 2015

For Public Hearing or Scoping Session: Date: 11 / 12 / 2015 Time: 7:00 PM am/pm

Location: Council Chambers at City Hall, 420 Broadway, Kingston, New York

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

Office of Economic Development & Strategic Partnerships at City Hall, 420 Broadway, Kingston, New York

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

<http://kingston-ny.gov/Hudson-Riverport>

For Conditioned Negative Declaration: In summary, conditions include:

RESOLUTION 262 of 2015

RESOLUTION OF THE CITY OF KINGSTON COMMON COUNCIL TO MAKE A DETERMINATION OF (NON)SIGNIFICANCE AND ISSUE A NEGATIVE DECLARATION FOR THE KINGSTON WATERFRONT BROWNFIELD OPPORTUNITY AREA PLAN, FOR THE ADOPTION AND IMPLEMENTATION OF THE PLAN AND FOR THE ISSUANCE OF A NOTICE OF DETERMINATION OF SIGNIFICANCE.

Sponsored by Laws and Rules Committee: Chairman Schabot, Carcy, Davis, Seche, Brown

WHEREAS, the City of Kingston Common Council declared itself as Lead Agency to undertake an environmental review under NYCRR Part 617, following all regulatory protocol and ultimately render a determination of significance after due consideration of the Kingston Waterfront Brownfield Implementation Plan (BOA Plan); and

WHEREAS, the combined Draft BOA Plan and Draft Generic Environmental Impact Statement, dated September, 2015, was prepared and submitted to the City of Kingston Common Council for its full consideration and approval was found to be complete and ready for public review; and

WHEREAS, the City of Kingston Common Council held a public hearing in the Common Council Chambers at City Hall, 420 Broadway Kingston, New York 12401 on November 12, 2015 at 7:00 pm prior to adoption of the BOA Plan as required by New York State and local law; and

WHEREAS, a public comment period commenced on October 7, 2015 and ended on November 23, 2015. Those comments have been considered in the preparation of the Final BOA Plan.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1: That the City of Kingston Common Council makes a determination of (non)significance and issues a negative declaration for the Kingston Waterfront Brownfield Opportunity Area Plan.


SECTION 2: That the City of Kingston Common Council makes a determination for the adoption and implementation of the Plan.

SECTION 3: That a Notice of Determination of Significance will be issued including publication in the Environmental News Bulletin.

SECTION 4: That this resolution shall take effect immediately.

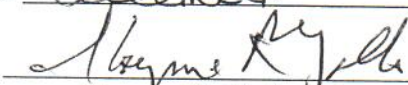
Submitted to the Mayor this 2nd day

of December 2015


Carly Williams, City Clerk

Approved by the Mayor this 3rd day

of December 2015


Shayne R. Gallo, Mayor

Adopted by Council on December 1, 2015



City of Kingston Common Council

**State Environmental Quality Review
Notice of Determination of Significance
NEGATIVE DECLARATION**

Kingston Waterfront Brownfield Opportunity Area Plan

Date: December 1, 2015

Lead Agency: City of Kingston Common Council

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Kingston Common Council, as Lead Agency, has determined that the proposed action described below will not have a significant adverse effect on the environment.

Name of Action: Adoption and Implementation of the Kingston Waterfront Final Brownfield Opportunity Area Plan (BOA Plan or Hudson Riverport Vision Plan or the Action)

SEQR Status: Type I Action

Review Type: Coordinated Review

Location: The BOA includes the waterfront area defined by the waterfront from Island Dock along Rondout Creek to its confluence with the Hudson River at Kingston Point, generally south of Abeel Street and East Strand Street. The entire project lies within the City of Kingston, Ulster County, New York.

Description of Action: The Action involves the adoption and implementation of the Kingston Waterfront BOA Plan.

The BOA Plan will guide redevelopment of the approximately 190-acre BOA, including possible remediation of several strategic brownfield sites adjacent to parkland, commercial and residential areas, and the Hudson River and Rondout Creek. The BOA Plan recommends possible

development scenarios for vacant and underutilized brownfields, the implementation of which would likely result in new commercial, retail, entertainment, residential and/or public open space land uses. The purpose of the BOA Plan is to build upon the Local Waterfront Revitalization Program (LWRP) Implementation Plan to create redevelopment opportunities on former industrial brownfields.

Overview of SEQR Process: In 2010 the City of Kingston (the City) completed the BOA Step 2 – Nomination Study and was subsequently awarded a grant from the New York State Department of State (NYS DOS), for a BOA Step 3 - Implementation Strategy. The Final BOA Plan, dated December 1, 2015 (inclusive of the Step 2 Nomination Study and Step 3 Implementation Strategy) was prepared in accordance with the guidelines established by the NYSDOS for the BOA grant program.

In February 2015, the City of Kingston Common Council completed a Coordinated Review for the BOA Plan. The Common Council had made a preliminary determination that the BOA Plan may generate significant adverse environmental impacts and as a result determined that a Draft Generic Environmental Impact Statement (Draft GEIS) would be prepared. The City subsequently completed Public Scoping to define the content of the Draft GEIS. The Draft GEIS assesses the likelihood that the potential impacts will occur and their significance; identifies possible mitigation measures, if necessary; and establishes thresholds that will trigger additional review of future site-specific projects.

Determination: Based on information in the Final BOA Plan/Draft GEIS the Lead Agency has determined that the proposed Action will not have a significant adverse effect on the environment.

Reasons Supporting This Determination:

The SEQR assessment (in the form of a Draft GEIS) was based on the information developed during the development of the BOA Plan (Hudson Riverport Vision Plan) and was conducted as a generic evaluation of the possible redevelopment scenarios identified for the selected Strategic Sites within the BOA.

The SEQR assessment provided in the BOA Plan presents a generic evaluation of impacts and provide the rationale for this determination. Based on the results of the SEQR assessment and compared to the criteria listed in Section 617.7, all indications are that adoption and implementation of the BOA Plan will not result in significant adverse impacts on the environment, for the following reasons:

1. Implementation of the BOA Plan is not expected to cause a substantial adverse change in existing air quality, ground or surface water quality or quantity, or noise levels; a substantial increase in solid waste production; or a substantial increase in the potential for erosion, flooding, leaching or drainage problems.

Implementation involves redevelopment of the strategic sites which are former industrial properties where prerequisite environmental remediation will result in a reduction of potential long-term impacts to air and water quality. To avoid potential impacts, remediation activities will be designed, approved and implemented that do not adversely impact the physical, chemical or biological parameters for water quality of the Rondout Creek and Hudson River, or violate the water quality standards and effluent limitations established to protect those waters.

Individual implementation projects which involve soil disturbance of one or more acres will be subject to the Federal, State and local requirements for stormwater discharges. Individual Stormwater Pollution Prevention Plans (SWPPP) will be prepared for coverage under the NYSDEC State Pollutant Discharge Elimination System (SPDES) General Permit (GP-0-15-002) for the treatment and management of Stormwater Discharges from Construction Activities.

Given the ambient conditions in the existing urban setting of the BOA, impacts from noise are anticipated to be limited to short-term construction related noise and will not result in significant adverse impact.

Thresholds:

- Future site-specific projects that do have coverage under the current SPDES General Permit will require an individual SPDES permit, as well as other Federal, State and local permits.
 - Project-specific proposals will be designed to meet the following parameters, if not they will be subject to project-specific SEQRA assessment.
 - Development in the floodway fringe will be designed to incorporate appropriate flood proofing measures.
 - Redevelopment activities will adhere to the requirements of Local Law Section 405-26.G – with regard to being elevated above base flood elevation.
 - Individual development proposals will consider the strategies and recommendations of the City of Kingston Tidal Waterfront Flooding Task Force from their final report dated 9/18/2013.
 - Individual development proposals will consider the recommendations and criteria in the East Strand Street Flooding and Stormwater Management Analysis final report dated 2/19/2014.
2. Implementation of the BOA Plan will not result in the removal or destruction of large quantities of vegetation or fauna; or in substantial adverse impacts to fish or wildlife species, threatened or endangered species, their habitats, or other natural resources.

The majority of the Strategic Site have previously been disturbed and utilized for industrial purposes. Redevelopment of the strategic sites under the BOA Plan will result in both cleanup of industrial contamination and be protective of surrounding habitats and natural resources. The BOA Plan's design strategies guide restoration and protection of the existing natural habitat. The BOA Plan guides integration of new habitat corridors throughout the BOA and encourages creation of new wetland buffers. The redevelopment of the Strategic Sites would offer an overall enhancement to natural resources at each of those sites, where most have been utilized as industrial sites and some are currently vacant or abandoned. Enhancements to natural resources include; expanded greenspace, restoration of existing natural habitats, creation of wetland migration buffers, and creation of educational trails.

Project-specific proposals in the BOA will be designed to minimize impact to the NYS-designated Significant Coastal Fish and Wildlife Habitat by minimizing effects on water quality from turbidity or sedimentation; changes in flow, temperature or water depth.

Threshold:

- According the NYSDEC April 27, 2015 response to the City's Lead Agency Coordination letter, any site-specific implementation projects will be required to consult with the NYSDEC with project-specific information on existing habitat and project impacts that may effect the following species: Indiana Bat (endangered), Least Bittern (threatened), Shortnose Sturgeon (endangered), or Northern Long-eared Bat (threatened).
3. Implementation of the BOA Plan is not expected to create any material conflict with the City of Kingston Comprehensive Plan (September 1, 2015). The intent of the BOA Plan is to encourage and support projects that are substantially consistent with the Comprehensive Plan or the Local Waterfront Implementation Plan.

Threshold:

- Future project-specific proposals for the redevelopment of the strategic sites that are substantially inconsistent with the Comprehensive Plan or Local Waterfront Implementation Plan, may not have been adequately considered in this assessment and a new project-specific SEQR assessment should be undertaken.
4. Adoption and implementation of the BOA Plan is not anticipated to result in significant adverse impact to the character or quality of important historical or archeological resources.

Known historic and cultural (archaeological) resources located in the BOA are identified in the BOA Plan. In April 2015, the New York State Office of Parks Recreation and Historic Preservation – Division of Historic Preservation (OPRHP)

was consulted regarding potential effects to those resources from the BOA Plan. In its April 15, 2015 response letter, OPRHP stated:

“Based on our review of the submitted materials, there is a potential for redevelopment in the Study Area to impact archaeological and/or historic architectural resources. Lacking specific plans for redevelopment, we are unable to provide specific comments and recommendations. We would be happy to provide such comments, when we are provided with detailed redevelopment plans.”

Threshold:

- Additional consultation with the OPRHP will be required for future site-specific redevelopment projects that include ground disturbance or are located in Rondout Creek and/or the Hudson River.
5. Implementation of the BOA Plan is not anticipated to impair the character or quality of important architectural resources, aesthetic resources, or existing community or neighborhood character. The redevelopment of the strategic sites will result in an overall aesthetic improvement at each strategic site, considering most have been utilized as industrial sites and some are currently vacant or abandoned.

The development and planning of the BOA strategic sites utilized the City’s Waterfront Design Standards to promote new development which enhances the visual appearance of the City. Measures to avoid or minimize to the extent possible visual impacts were addressed in the development of the BOA Plan’s design strategies. These strategies consider placement and height of buildings, spacing between buildings, surrounding residences, waterfront view, and “green buffers.” The BOA Plan’s landscape strategy is to create continuous public access with expansive views from the Rondout to the Hudson. Major view corridors along streets will be kept open and building heights and plantings will be kept lower at the water’s edge to maintain views. At the sites where there will be buildings greater than two stories high, greater distances will be kept between the buildings to maintain connections and provide more scenic opportunity. By meeting those standards as well as the height limitations provided by the BOA Plan’s design strategies, it is not anticipated that significant adverse visual impacts to the existing scenic waterfront will result from the redevelop of the strategy sites.

Threshold:

- Site-specific redevelopment projects that propose structures over two stories will be assessed for their visual impacts to as part of the site plan and SEQRA reviews.
6. Implementation of the BOA may cause a change in the use and the quantity of energy with the implementation of various redevelopment projects. However, that change is not anticipated to be significant or adverse because future redevelopment

projects in the BOA will be constructed utilizing the current applicable energy code and because the existing utility network is capable of supporting the anticipated additional demand.

7. Implementation of the BOA Plan will not create a hazard to human health.

Environmental conditions at the strategic sites can be mitigated and will not cause a significant impediment to redevelopment. Redevelopment of all the strategic sites must be preceded by investigation and remediation of known environmental conditions. The level of remediation will be dictated by the proposed future land use(s) in order to minimize exposure to human health risk.

Thresholds: Where necessary, environmental cleanup will be designed and conducted in accordance with applicable NYSDEC guidance under the Environmental Remediation Program and precede development activities at the strategic sites as follows:

- Before soil disturbance associated with the redevelopment activities at the KOSCO Assemblage is undertaken, a Phase II Site Assessment will be necessary.
- If mixed use development is proposed at the Landing, a Phase II Site Assessment will be necessary to better identify areas of contamination prior to proceeding with redevelopment.
- Remediation activities at the Millens & Son Scrap Metal Recycling site will be completed in accordance with NYSDEC requirements; the result of which will reduce the potential hazards to human health.
- Per the Phase II investigation, to minimize risk to human health, limited testing is warranted to determine the extent of any VOC contamination at Island Dock in order to select a remediation plan.

8. Implementation of the BOA Plan will change the intensity of land use at the strategic sites. Build-out will attract more people than currently utilize those sites under their current vacant, abandoned or otherwise underutilized condition. The change in intensity of land use from redevelopment of the strategic sites is not anticipated to result in significant adverse impact because:

- Implementation of the BOA Plan represents a positive land use change that is consistent with the proposed Comprehensive Plan, including but not limited to: Goal 10 - Encourage vibrant mixed-use land use patterns in the Rondout neighborhood centered on waterfront access, restaurants, tourist attractions, and active recreation.
- The preferred development scenarios do not call for significantly different land uses or at greater densities than would be allowed under existing zoning if the area were to build out without the benefit of the BOA Plan.

- The implementation strategies outlined in the BOA Plan will help to control and better direct growth within the waterfront area.

Potential positive impacts from change in land use will include; increased job opportunities, secondary economic benefits to local businesses, and increased City and County property taxes.

9. Implementation of the BOA will increase the number of people using the site over its existing level. This increase in use is not anticipated to result in significant adverse impact because the existing infrastructure systems have sufficient capacity to accommodate redevelopment of the strategic sites. It is anticipated that secondary growth resulting from redevelopment of the strategic sites will not result in significant adverse impacts for the following reasons:
 - Implementation of the BOA Plan is not likely to result in significantly different land uses or at greater densities than would be allowed under existing zoning if the area were to build out without the benefit of the BOA Plan.
 - The implementation strategies outlined in this BOA Plan will help to control and better direct growth within the waterfront area.
 - The design strategies include flood resilient designs and sustainability.

Thresholds:

- Individual projects that require public improvements to deliver adequate water supply to the site to support the project.
- Individual projects that generate wastewater of a volume, rate, or composition that exceeds the capabilities of the local Municipal sanitary sewer system and/or Publicly Owned Treatment Works.

10. Implementation of the BOA Plan is not expected to result in significant negative traffic impacts because as project-specific redevelopment proposals are developed beyond the conceptual level a more complete assessment of the transportation systems will required. And necessary improvements implemented as needed.

Threshold:

- If future project-specific developments add more than 100 vehicles in the adjacent roadways' peak hour traffic generation or the development's peak hour traffic generation, then a transportation impact study will be required as part the SEQR assessment for that project.

11. Two or more of the identified elements of the BOA Plan if implemented individually would not cumulatively result in significant adverse impact on the environment. The BOA Plan and Generic DEIS considered implementation of all the strategic sites with the intent that those projects will serve as catalysts to spur secondary development in the BOA. Implementation of the BOA Plan will be incremental. The anticipated phasing of the long-term vision will allow markets to be established to absorb later and larger developments.

12. The Draft GEIS did not identify any significant environmental issues that were not addressed or indicate that the Action will have a significantly adverse impact on the environment. For those impacts not completely assessed due to the generic nature of the assessment or lack of detailed project information, thresholds have been established that will trigger further assessment under SEQRA as project-specific proposals are reviewed.

For Further Information, contact:

Contact Person: Gregg Swanzey, Director

Address: Office of Economic Development & Strategic Partnerships
City Hall - 420 Broadway
Kingston, NY 12401

Telephone Number: Phone 845.334.3962

Fax: Fax 845.334.3965

Email: gswanzey@kingston-ny.gov

A copy of this notice must be sent to:

NYS Department of Environmental Conservation

NYS Department of State

Chief Executive Officer (Mayor Shayne R. Gallo)

Any person requesting a copy

All involved agencies

Environmental Notice Bulletin (ENB)

Interested Parties

RESOLUTION OF THE CITY TO SEEK LEAD AGENCY

RESOLUTION # 18 of 2015

RESOLUTION OF THE CITY OF KINGSTON COMMON COUNCIL TO SEEK LEAD AGENCY STATUS UNDER A COORDINATED ENVIRONMENTAL REVIEW AND ADOPTION OF A GENERIC ENVIRONMENTAL IMPACT STATEMENT (GEIS) IN THE MATTER OF KINGSTON WATERFRONT BROWNFIELD OPPORTUNITY AREA IMPLEMENTATION PLAN.

SPONSORED BY: Alderman Carey, Chair, Public Safety/General Government Committee
Aldermen Seche, Will, Schabot, Brown

WHEREAS, the City of Kingston has secured a grant from the New York Department of State under Contract #C303892 for a Brownfield Opportunity Area (BOA) Step 3 Brownfield Implementation Plan the "Action"; and

WHEREAS, the City has prepared the following documentation to initiate an environmental review:

- Memo regarding Concurrence with Lead Agency Designation
- Listing of Involved Agencies and Interested Parties
- Environmental Assessment Form

WHEREAS, review of the project, coordinated through the City Office of Economic Development and Strategic Partnerships, will develop a Draft Generic Environmental Impact Statement (DGEIS) for 190 acres of waterfront from Kingston Point to Island Dock on the Rondout Creek side of East Strand and Abeel Street with assistance from hired consultants, Perkins + Will; and

WHEREAS, the project should be categorized as a Type I Action under SEQR and therefore, must undergo a Coordinated Review; and

WHEREAS, pursuant to the Notice annexed hereto, in accordance with the provisions of 6 NYCRR Part 617, the Common Council of the City of Kingston desires to seek lead agency designation for the SEQR review for this project; and

NOW THEREFORE, BE IT RESOLVED by the City of Kingston Common Council as follows:

Section 1: That the City of Kingston Common Council affirms that the Action is a Type I Action under 6 NYCRR Part 617.

Section 2: That the City of Kingston Common Council will seek lead agency status and the Office of Economic Development and Strategic Partnerships is directed to circulate the appropriate notification to all Involved Agencies and Interested Parties for concurrence within thirty (30) days.

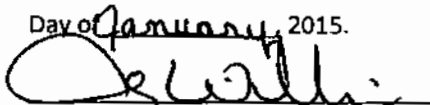
Section 3: That the City of Kingston Common Council intends to issue a positive declaration stating that a DGEIS will be prepared.

Section 4: That the City of Kingston Common Council will conduct a public scoping meeting on February 24, 2015 to discuss and receive comment on the DGEIS content and study methodology.

Section 5: That this resolution shall take effect immediately.

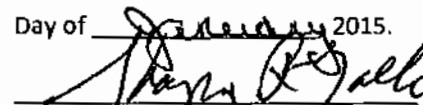
Submitted to the Mayor this 7th

Day of January, 2015.


CARLY WILLIAMS, CITY CLERK

Approved by the Mayor this 9th

Day of January, 2015.


MAYOR SHAYNE R. GALLO

Adopted by Council on January 6, 2015

**CITY OF KINGSTON
420 BROADWAY
KINGSTON, NEW YORK 12401**



DATE: January 6, 2015

TO: The INDIVIDUALS LISTED ON THE ATTACHED SCHEDULE A

RE: DESIGNATION OF CITY OF KINGSTON COMMON COUNCIL AS LEAD AGENCY

Please find enclosed the Full Environmental Assessment Form Part I, prepared for the City of Kingston Waterfront Brownfield Opportunity Area (BOA) Plan. The action subject to the New York State Environmental Quality Review (SEQR) Act includes the intended adoption and implementation of the BOA Plan (the Action). You have received this correspondence because your agency has been identified as having permitting or funding authority (Involved Agency) or other direct interest in the project (Interested Agency).

The BOA generally includes the waterfront area between Dock St/Abeel St and the confluence of Rondout Creek and the Hudson River. The BOA Plan will guide redevelopment of the approximately 190-acre study area, including possible remediation of several strategic brownfield sites.

In 2010 the City completed the BOA Step 2 – Nomination Study and has been subsequently awarded a grant from the New York State Department of State (NYS DOS) to complete the BOA Step 3 – Implementation Strategy. The BOA Plan (inclusive of the Nomination Study, Implementation Strategy and Generic Environmental Impact Statement) is being prepared in accordance with the guidelines established by the NYSDOS for the BOA program. The BOA Step 2 Nomination Study is available at: http://www.kingston-ny.gov/filestorage/76/78/82/6765/BOA_Step_2_Final_Narrative.pdf.

The Action has been classified as an Unlisted Action. A Coordinated Review is being undertaken, which requires the designation of a “Lead Agency”. The Lead Agency must make a determination of the significance of the Action’s potential impact on the environment in order to comply with SEQRA and its regulations (6NYCRR Part 617) promulgated by the Department of Environmental Conservation.

Upon consideration of the criteria set forth in 6NYCRR Part 617.6, the Kingston Common Council believes that it should be designated Lead Agency. Please indicate your concurrence by returning the enclosed response form with such designation within thirty (30) days of this notice. To the extent you have any questions with respect to the Action or designation of this agency as Lead Agency please contact:

Gregg Swanzey, Director
Office of Economic Development & Strategic Partnerships
City Hall - 420 Broadway
Kingston, NY 12401
845-334-3962
gswanzey@kingston-ny.gov

Office of Planning, City Hall, 420 Broadway, Kingston, New York 12401
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www.kingston-ny.gov

CITY OF KINGSTON
420 BROADWAY
KINGSTON, NEW YORK 12401



Following the designation as Lead Agency, a Determination of Significance shall be made in accordance with the Regulations. At this time, the City anticipates issuing a Positive Declaration and preparing a Draft Generic Environmental Impact Statement in conjunction with the BOA Plan. It is also anticipated that public scoping will be conducted. You will be notified of said determination immediately thereafter in accordance with Section 617.12 of the Regulations. Your agency cannot take any action or render any decision on the project until after the Lead Agency makes a determination and the SEQR process is concluded in accordance with 6NYCRR Part 617.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. G. M.', is written over a faint horizontal line.

Director
Economic Development & Strategic Partnerships

Office of Planning, City Hall, 420 Broadway, Kingston, New York 12401
Phone 845.334.3955 Fax 845.334.3958 e-mail planning@kingston-ny.gov
www.kingston-ny.gov

**CITY OF KINGSTON
420 BROADWAY
KINGSTON, NEW YORK 12401**



SCHEDULE A

INVOLVED AGENCIES:

City of Kingston – Common Council
City Hall - 420 Broadway
Kingston, NY 12401
Attn: James L. Noble, Jr., President

David Ashton
New York State Department of State
One Commerce Plaza
99 Washington Ave, Suite 1010
Albany, NY 12231-0001

Martin Brand, Regional Director
New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561-1696

United States Army Corps of Engineers
New York District Public Affairs
26 Federal Plaza, Rm 2113
New York, NY 10278

Heritage Area Commission
City Hall - 420 Broadway
Kingston, NY 12401
Attn: Hayes Clement

INTERESTED PARTIES:

City of Kingston – Planning Board
City Hall - 420 Broadway
Kingston, NY 12401

City of Kingston – Zoning Board of Appeals
City Hall - 420 Broadway
Kingston, NY 12401

Office of Planning, City Hall, 420 Broadway, Kingston, New York 12401
Phone 845.334.3955 Fax 845.334.3958 e-mail planning@kingston-ny.gov
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CITY OF KINGSTON
420 BROADWAY
KINGSTON, NEW YORK 12401



Historic Landmarks Preservation
City Hall - 420 Broadway
Kingston, NY 12401
Attn: George Donskoj

Kingston Local Development Corporation
City Hall - 420 Broadway
Kingston, NY 12401
Attn: Amanda Bruck-Little

Ulster County Planning Board
County Office Building
244 Fair Street
P.O. Box 1800
Kingston, NY 12402
Attn: Dennis Doyle

Hudson River Valley Greenway
625 Broadway, 4th Floor
Albany, NY 12207
Attn: Mark Castiglione

New York State Department of Transportation
Region 8 - Regional Planning and Program Manager
Eleanor Roosevelt State Office Building
4 Burnett Boulevard
Poughkeepsie, NY 12603

New York State Division for Historic Preservation
New York State Office of Parks, Recreation & Historic Preservation
Peebles Island State Park
P.O. Box 189
Waterford, NY 12188-0189
Attn: Jennifer Betsworth

Office of Planning, City Hall, 420 Broadway, Kingston, New York 12401
Phone 845.334.3955 Fax 845.334.3958 e-mail planning@kingston-ny.gov
www.kingston-ny.gov

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FULL ENVIRONMENTAL ASSESSMENT FORM PART 1

Full Environmental Assessment Form Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Sponsor Information.

Name of Action or Project: City of Kingston Waterfront Brownfield Opportunity Area Plan (BOA Plan)		
Project Location (describe, and attach a general location map): Waterfront along Rondout Creek from Island Dock to its confluence with the Hudson River at Kingston Point, generally south of Abeel St and Strand St.		
Brief Description of Proposed Action (include purpose or need): The Action involves the intended adoption and implementation of the Kingston Waterfront Brownfield Opportunity Area Plan. The City of Kingston has been awarded a grant from the New York State Department of State (NYS DOS), C303892, for a BOA Step 3 - Implementation Strategy. The BOA Plan (inclusive of the Step 2 Nomination Study and Step 3 Implementation Strategy) will be prepared in accordance with the guidelines established by the NYS DOS for the BOA grant program. The BOA includes the area between Dock St./Abeel St. and the confluence of Rondout Creek/Hudson River. The BOA Plan will guide redevelopment of the approximately 185-acre BOA, including possible remediation of several strategic brownfield sites adjacent to parkland, commercial and residential areas, and the Hudson River and Rondout Creek. The purpose of the BOA Plan will be to build upon the Local Waterfront Revitalization Program (1992) to create redevelopment opportunities on former industrial brownfields. The City anticipates preparing a Generic Environmental Impact Statement for the BOA Plan. See Figure 1 - Location Map.		
Name of Applicant/Sponsor: City of Kingston c/o Office of Economic Development & Strategic Partnerships	Telephone: (845) 334-3962	E-Mail: gswanzey@kingston-ny.gov
Address: 420 Broadway		
City/PO: Kingston	State: New York	Zip Code: 12401
Project Contact (if not same as sponsor; give name and title/role): Gregg Swanzey, Director of Office of Economic Development & Strategic Partnerships	Telephone: (845) 334-3962	E-Mail: gswanzey@kingston-ny.gov
Address: 420 Broadway		
City/PO: Kingston	State: New York	Zip Code: 12401
Property Owner (if not same as sponsor): Multiple owners on the Rondout and Hudson waterfront. See attached list.	Telephone: (845) 334-3962	E-Mail: gswanzey@kingston-ny.gov (City representative)
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Common Council - final adoption	
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Planning Board - review	
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Heritage Area Commission - Coastal Consistency Review, Heritage Area Consistency	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Ulster County Planning Board - 239 Referral	
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDOS - grant funding, Coastal Consistency	
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USACE- Section 10 Rivers & Harbors Act	
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

The BOA is within part of the Hudson River Valley Greenway, Hudson River Heritage Area, and is currently the focus of a Tidal Rondout Watershed Study to develop a management plan.

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

A Draft Open Space Management Plan is currently being prepared by the Kingston Conservation Advisory Council for eventual consideration by the Common Council. Available findings will be incorporated into the Generic EIS.

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
RF-R Rondout Creek District, R-T Rondout District, M-2 General Manufacturing, C-2 Central Commercial, RF-H Hudson Riverfront, Rondout Historic District

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

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

C.4. Existing community services.

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

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

c. Which fire protection and emergency medical services serve the project site?
Kingston Fire Department

d. What parks serve the project site?
Hasbrouck Park, Kingston Point Park, Block Park, Cornell Park, TR Gallo Waterfront Park

D. Project Details

D.1. Proposed and Potential Development See Attached Project Narrative

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Redevelopment of vacant, under utilized former commercial and industrial properties with mixed business, commercial (retail/restaurant/entertainment), residential, and public open space/park uses along waterfront.

b. a. Total acreage of the site of the proposed action? 185 acres
 b. Total acreage to be physically disturbed? t.b.d. acres See attached Project Narrative.
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 106 (City) acres

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

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

e. Will proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: t.b.d. months
 ii. If Yes:
 • Total number of phases anticipated t.b.d.
 • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:
The BOA Plan establishes redevelopment scenario for strategic sites, each of which will be constructed independently by private separate landowners consistent with overall BOA redevelopment strategy.

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

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>	
Initial Phase	0	0	0	potentially	See attached Project Narrative.
At completion of all phases	0	0	0	potentially	

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes, To be determined with development of conceptual land use plans in BOA Step 3

i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: storm water management will be designed in accordance with applicable regulations appropriate future conditions
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? BOA Plan may recommend replacement of bulkheads.
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____
 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Implementation projects in BOA Plan will be designed to avoid impacts to wetlands and waterbodies.

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

If BOA Plan recommends replacement of bulkheads as part of implementation projects, the GEIS will describe and assess potential impacts; identify permitting; and propose appropriate mitigation.

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

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

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

v. Describe any proposed reclamation/mitigation following disturbance: _____

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

i. Total anticipated water usage/demand per day: t.b.d. with site specific projects gallons/day

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

- Name of district or service area: Kingston Water Department, Board of Water Commissioners
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

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

- Describe extensions or capacity expansions proposed to serve this project: _____
It is not anticipated that water extensions or capacity expansions will be required. Capacity will be assessed as part of the BOA Plan/GEIS.
- Source(s) of supply for the district: City of Kingston reservoirs via Edmund T. Cloonan Water Treatment Plant

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

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

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

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

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

i. Total anticipated liquid waste generation per day: t.b.d at concept plan gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
Sanitary wastewater associated with redevelopment of mixed business, commercial (retail/restaurant/entertainment), residential, and public uses. Details to be confirmed with project-specific designs subject to review and approval of City in conformance with City, County and State Standards.

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

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

- Do existing sewer lines serve the project site? Yes No
- Will line extension within an existing district be necessary to serve the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

Capacity will be assessed as part of the BOA Plan/GEIS.

- iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

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

- vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

- e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No

If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

- ii. Describe types of new point sources. t.b.d. - anticipated redevelopment will be urban in density and mixed-use in nature with focus on waterfront access.

- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

storm water management will be designed in accordance with applicable regulations appropriate to specific each redevelopment projects.

- If to surface waters, identify receiving water bodies or wetlands: _____
ultimately to Rondout Creek and Hudson River

- Will stormwater runoff flow to adjacent properties? Yes No

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

- f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No

If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

- g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No <http://www.epa.gov/oaqps001/greenbk/anc1.html>

If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No

- ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No
 If Yes:
 i. Estimate methane generation in tons/year (metric): _____
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No
 If Yes:
 i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____, peaks vary with special events
 ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____
 iii. Parking spaces: Existing 471 Proposed +1,656 - 1,956 Net increase/decrease _____ Parking Study* _____
 iv. Does the proposed action include any shared use parking? Yes No
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: t.b.d. as individual projects are proposed and project-specific traffic and/or parking studies determine if improvements or mitigation will be required
 *See Parking Study at: http://www.kingston-ny.gov/filestorage/76/78/82/6765/BOA_Step_2_Final_Appendix.pdf

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? CitiBus Yes No
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No
The proposed Kingston Greenline (Rondout Section)

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No
 If Yes:
 i. Estimate annual electricity demand during operation of the proposed action: _____
Mix of commercial development (and therefore electric demand) is to be determined
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): Electric service is provided via Central Hudson Gas & Electric

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No
TO be confirmed by Central Hudson Gas & Electric on a project-specific basis

l. Hours of operation. Answer all items which apply. See attached Project Narrative.
 i. During Construction:
 • Monday - Friday: _____ t.b.d. _____
 • Saturday: _____ t.b.d. _____
 • Sunday: _____ t.b.d. _____
 • Holidays: _____ t.b.d. _____
 ii. During Operations:
 • Monday - Friday: _____ t.b.d. _____
 • Saturday: _____ t.b.d. _____
 • Sunday: _____ t.b.d. _____
 • Holidays: _____ t.b.d. _____

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration: <u>Typical construction noise during is anticipated. Operation noise likely not to exceed typical ambient conditions.</u> <u>Construction and operations of future redevelopment projects must conform with City noise ordinance.</u></p> <p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Describe: <u>Removal of existing natural barriers will be minimized through design of individual redevelopment projects.</u></p>	
<p>n. Will the proposed action have outdoor lighting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: <u>t.b.d. during design of individual redevelopment projects. BOA Plan will include updated design guidelines for new development which take into consideration lighting, screening and signage.</u></p> <p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Describe: <u>removal of existing natural barriers will be minimized through design of individual redevelopment projects</u></p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: <u>Potential sources of odors will be typical of residential, commercial entertainment and restaurant uses, but not from new industrial uses.</u></p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): <u>As independent redevelopment projects are proposed, landscape designs will be subject to review by City during site plan and SEQR reviews.</u></p> <p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ t.b.d. tons per _____ t.b.d. (unit of time) • Operation : _____ t.b.d. tons per _____ t.b.d. (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: <u>t.b.d. during planning, design and permitting of project-specific implementation projects.</u> • Operation: <u>t.b.d. during planning, design and permitting of project-specific implementation projects. To extent possible the BOA Plan will encourage LEED design for individual redevelopment projects.</u> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: <u>Solid waste from construction will be disposed of in licensed solid waste management facilities by regulated haulers. Solid wastes are not disposed of within the BOA boundary</u> • Operation: <u>Solid waste from operation of new business will be disposed of in licensed solid waste management facilities and by regulated haulers.</u> 	

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____
 Future projects may be remediated in accordance with approved NYSDEC work plans.
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

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

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): nodes of residential
 ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site. SEE ATTACHED PROJECT NARRATIVE

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: Hasbrouck Park (adj), Kingston Point Park and Kingston Beach, Block Park, Cornell Park (near), Rondout Creek, Hudson River,

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities:
Rondout Neighborhood Youth Center

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

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

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:
Intent of BOA Plan is to shift from vacant, under-utilized former industrial sites to mixed use development and remediated as necessary. See BOA Step 2 Appendix 4 - Phase One ESAs http://www.kingston-ny.gov/filestorage/76/78/82/6765/BOA_Step_2_Final_Appendix.pdf

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes: See attached Project Narrative
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): See BOA Step 2 Appendix 4 - Phase One
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): See: http://www.kingston-ny.gov/filestorage/76/78/82/6765/BOA_Step_2_Final_Appendix.pdf
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____
See: http://www.kingston-ny.gov/filestorage/76/78/82/6765/BOA_Step_2_Final_Appendix.pdf

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

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

See BOA Step 2 Appendix 4 - Phase One Environmental Site Assessments:
http://www.kingston-ny.gov/filestorage/76/78/82/6765/BOA_Step_2_Final_Appendix.pdf

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ varies from 0' feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ <10% %

c. Predominant soil type(s) present on project site: _____ %
 See attached Project Narrative _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ 0-5' feet

e. Drainage status of project site soils: Well Drained: _____ 56.4 % of site
 Moderately Well Drained: _____ 1.8 % of site 28.5% water surface
 Poorly Drained _____ 13.3 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 58.4 % of site
 10-15%: _____ 9.2 % of site 28.5% water surface
 15% or greater: _____ 4.2 % of site

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

h. Surface water features.

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

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either i or ii, continue. If No, skip to E.2.i.

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

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

- Streams: Name Rondout Creek, Hudson River Classification R.C.: Class C H.R.: Class A
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) K.E.4.

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

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

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

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____ <http://www.dec.ny.gov/lands/36119.html>

m. Identify the predominant wildlife species that occupy or use the project site:		
migrating waterfowl	_____	_____
herring, smelt,	striped, large- and small-mouthed bass	_____
n. Does the project site contain a designated significant natural community?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:		
i. Describe the habitat/community (composition, function, and basis for designation): _____		
Rondout Creek -Significant Coastal Fish and Wildlife Habitat		
ii. Source(s) of description or evaluation: <u>NYSDOS rating form, revised August 15, 2012</u>		
iii. Extent of community/habitat:		
• Currently:	_____	~520 acres / 4 miles acres
• Following completion of project as proposed:	_____	~520 acres / 4 miles acres
• Gain or loss (indicate + or -):	_____	0 acres
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
According to New York State Dept. of Environmental Conservation Environmental Resource Mapper the entire BOA is within areas having Rare Plants and Rare Animals as well as Significant Natural Communities. See: http://www.dec.ny.gov/imsmaps/ERM/viewer.htm Consultation with the NYSDEC Natural Heritage Program and US Fish and Wildlife Service will be conducted as part of SEQR and the Generic EIS.		
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
According to New York State Dept. of Environmental Conservation Environmental Resource Mapper the entire BOA is within areas having Rare Plants and Rare Animals as well as Significant Natural Communities. See: http://www.dec.ny.gov/imsmaps/ERM/viewer.htm Consultation with the NYSDEC Natural Heritage Program and US Fish and Wildlife Service will be conducted as part of SEQR and the Generic EIS.		
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, give a brief description of how the proposed action may affect that use: _____		
<u>The BOA Plan will encourage expanded access and opportunities for fishing in Rondout Creek</u>		
E.3. Designated Public Resources On or Near Project Site		
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, provide county plus district name/number: _____		
b. Are agricultural lands consisting of highly productive soils present?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. If Yes: acreage(s) on project site? _____		
ii. Source(s) of soil rating(s): _____		
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature		
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____		
<u>The closest site is Ellenville Fault-Ice Caves, Sam's Point Preserve, Ellenville, NY, with no relationship to Project.</u>		
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. CEA name: _____		
ii. Basis for designation: _____		
iii. Designating agency and date: _____		

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District	
ii. Name: Rondout - West Strand Historic District State and National Registers (part of). Chestnut Street Historic District is local	
iii. Brief description of attributes on which listing is based: See attached Project Narrative	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
See attached Project Narrative.	
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Describe possible resource(s): http://parks.ny.gov/shpo/online-tools/disclaimer.aspx?pgm=gis	
ii. Basis for identification:	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify resource: local: Hasbrouck Park, Kingston Point, Kingston Point Lighthouse, Island Dock, Port Ewen Suspension Bridge, Kingston's Hudson	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): See BOA Step 2 Section B.10.g	
iii. Distance between project and resource: varies miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation:	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No

F. Additional Information

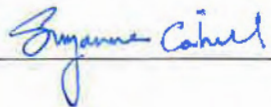
Attach any additional information which may be needed to clarify your project.

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

G. Verification

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

Applicant/Sponsor Name Sue Cahill Date 11/24/2014

Signature  Title City Planner

**PROJECT NARRATIVE
ENVIRONMENTAL ASSESSMENT FORM**

**CITY OF KINGSTON
WATERFRONT BROWNFIELD OPPORTUNITY AREA
ULSTER COUNTY, NEW YORK
Draft – November 4, 2014**

A. Project and Sponsor Information

EAF page 1 . Description of Proposed Action

The Action involves the intended adoption and implementation of the Kingston Waterfront Brownfield Opportunity Area Plan (BOA Plan). In 2010 the City of Kingston (the City) completed a BOA Step 2 – Nomination Study and subsequently has been awarded a grant from the New York State Department of State (NYS DOS), C303892, for a BOA Step 3 - Implementation Strategy. The BOA Plan (inclusive of the Step 2 Nomination Study and Step 3 Implementation Strategy) is being prepared in accordance with the guidelines established by the NYSDOS for the BOA grant program. The BOA includes the area between Dock St/Abeel St and the confluence of Rondout Creek and the Hudson River.

The BOA Plan will guide redevelopment of the approximately 185-acre BOA, including possible remediation of several strategic brownfield sites adjacent to parkland, commercial and residential areas, and the Hudson River and Rondout Creek. The purpose of the BOA Plan will be to build upon the Local Waterfront Revitalization Program (1992) to create redevelopment opportunities on former industrial brownfields.

This assessment under SEQRA is supported by the project details provided in the Kingston Waterfront BOA Step 2 - Nomination Study. Since completion of the Step 2 – Nomination Study the City has determined to expand the original BOA to the south west by adding an additional 12 parcels (approximately 18 acres). This EAF takes into consideration the entire approximately 185-acre expanded study area. The Step 3 – Implementation Strategy will provide any background information necessary for the 18 acre expansion otherwise not provided in the Step 2 – Nomination Study.

The City intends to conduct a Coordinated Review in anticipation of incorporating a Generic Environmental Impact Statement into the BOA Plan. A Draft Scoping Document will be prepared and circulated for review and input. A public scoping meeting will also be held to obtain additional input from the public and interested agencies. A Final Written Scope will be prepared based on input from involved agencies and the public. The Final Written Scope will generally outline the content and methodologies anticipated for the combined BOA Plan/Generic EIS.

See Figure 1 Waterfront BOA Location Map.

EAF page 1. Property Owner

The BOA study area is comprised of approximately 9B separate tax map parcels. While the City of Kingston is the project sponsor, it does not own each parcel. See Table 1 for list of parcels and property owners.

D.1 Proposed and Potential Development

EAF page 3 D.1 Proposed and Potential Development

For the purposes of this EAF, the Action or Project is preparation of the BOA Plan. The BOA Plan will outline through conceptual planning, a range of potential uses for the Kingston waterfront. For that reason, the City and NYSDOS have decided that the appropriate review under SEQR will be through a Generic Environmental Impact Statement. The GEIS will assess potential impacts commensurate with the level of detail developed during the BOA Plan.

As future public and private redevelopment projects are proposed, they each will be subject to site plan review and SEQR assessment on a project-specific basis. At that time detailed design information will be available and allow a more thorough review of potential impacts and their mitigation as necessary.

EAF page 3 D.1.b – acreage to be physically disturbed

It is not possible to determine (early in the SEQR process) the total area to be disturbed that may occur from implementing the BOA Plan. More detail will be available during preparation of the BOA Plan and GEIS.

Total acreage of BOA study area and City-owned acreage calculated from the area within identified tax map parcels within the larger BOA boundary that graphically includes area in the Rondout Creek and Hudson River. Source: Ulster County tax map data (GIS) files.

EAF page 4 D.1.f – Does the project include new residential units?

At this point in the SEQR process the mix of land uses to be recommended in the BOA Plan has not been determined. It is possible that multiple residences may be recommended as part of the overall mix. More detail will be available during preparation of the BOA Plan and GEIS.

D.2 Project Operations

EAF page 7 D.2.1 - Hours of Operation

Hours of operation and construction schedules for future implementation projects are not available at this stage of the BOA Plan development. Since the anticipated mix of land uses (residential commercial, office, retail, entertainment and open space) are generally compatible with the existing neighborhood, it is assumed hours of operation will also be compatible with the existing setting. As project-specific

proposals are made, the details of operations and constructions will be subject to site plan review and SEQR.

E.1 Land Uses on and Surrounding the Project Site

EAF page 9 E.1.b. - Land Uses and Cover-types

Existing land uses are provided based on land use calcifications available from Ulster County tax map record data. See Table 2 - Land Use.

Proposed changes in land use within the BOA study area will be determined during the development of the implementation strategy and presented in the BOA Plan. An assessment of the potential impacts from land use changes will be discussed in the GEIS portion of the BOA Plan.

As the BOA boundary is mapped to the center of Rondout Creek and the Hudson River, the total area including water surface (outside the 98 parcels) is approximately 419 acres. However, for the purposes of this EAF, only the area (185 acres) within the 98 subject parcels is characterized.

EAF page 10 E.1.h. - Potential Contamination History.

The BOA Step 2 Nomination Study provides extensive information on the known brownfield sites within the BOA study area. The Nomination Study completed a preliminary evaluation of the known environmental risks in the waterfront redevelopment area. The study further attempted to identify the opportunities and constraints to redevelopment in the context of the recognized environmental conditions. Phase I Environmental Site Assessments (ESA) were done on 63 contiguous, or nearly contiguous properties that were divided into 27 groups based on commonalities. One ESA Report was then prepared for each group. The Nomination Study provides the following findings:

For the most part, it is anticipated that degraded environmental conditions typical of the region can be remediated using readily available, traditional cleanup alternatives. Costs will vary on a site by site basis, but generally would be in the low to moderate range for most sites. Actual cleanup costs cannot be determined without additional testing but, in general, the costs to remediate the likely degraded environmental conditions at majority of the sites should not be considered an impediment to redeveloping the properties in the region for a wide variety of uses.

As presented in the Nomination study Table 3 presents environmental site characteristics for each of the ESA groups. The complete environmental site assessment reports are available at: http://www.kingston-ny.gov/filestorage/76/78/82/6765/BOA_Step_2_Final_Appendix.pdf

E.2 Natural Resources On or Near Project Site.

EAF page 11 E.2.c – Predominant Soil Types

Soil types within the approximately 185 acre BOA study area are presented on Table 4. Source: United States Department of Agriculture – Natural Resources Conservation Service (NRCS), <http://datagateway.nrcs.usda.gov/>

E.3 Designated Public Resources On or Near Project Site

EAF page 13 E.3.e - State and National Registers of Historic Places

Historic resources listed on State or national Registers of Historic Places are presented on Table 5.

EAF page 13 E.3.f. - Archaeological Sites

According to the NYS Office of Parks, Recreation and Historic Preservation – State Historic Preservation Office (SHPO), the entire Kingston Waterfront BOA study area is located within an area designated as sensitive for archeological sites. The preparation of the BOA Plan will not involve any disturbances of land potentially impacted archaeological sites. The future development of site-specific projects may require further investigation of cultural (historic and archaeological) resources and clearance by the NY SHPO.

City of Kingston – Waterfront BOA
Full EAF – Attachment 1

Table 1. Property Owners

TAX PARCELS	STREET ADDRESS		PROPERTY OWNER
56.36-12-25	245-247	E STRAND ST	Armstrong, Nathan
56.36-1-7	173-179	E STRAND ST	B Millens & Son Inc
56.43-6-7	159-179	E STRAND ST	B Millens & Son Inc
56.36-1-15	296	E STRAND ST	B Millens & Sons
56.36-12-2	214-216	CATHERINE ST	Blue, John
56.36-12-3	218	CATHERINE ST	Blue, John
56.50-6-20	146-148	ABEEL ST	C&B Developers LLC
56.50-6-19	150-156	ABEEL ST	C&B Developers LLC
56.50-6-18	156-160	ABEEL ST	C&B Developers LLC
56.36-1-18	298-322 R	E STRAND ST	Central Hudson Corp
57.21-1-1	49-51	DELAWARE AVE	Central Hudson Corp
56.43-5-39		CANAL ST	City Of Kingston
56.43-5-38	16-20	W STRAND ST	City Of Kingston
57.21-1-14	66-106	DELAWARE AVE	City Of Kingston
56.43-5-37	22	W STRAND ST	City Of Kingston
56.43-5-41	1-3	CANAL ST	City Of Kingston
56.43-5-36	24-26	W STRAND ST	City Of Kingston
56.43-5-42	30	RONDOUT LANDING	City Of Kingston
56.28-2-15	126-132	NORTH ST	City Of Kingston
56.50-6-12	208-304	ABEEL ST	City Of Kingston
57.21-1-2	41	DELAWARE AVE	City Of Kingston
57.21-1-5		LAND AT KGN PT	City Of Kingston
56.36-1-34	53	DELAWARE AVE	City Of Kingston
56.43-5-43	2-8	RONDOUT LANDING	City Of Kingston
56.43-5-10	68-124	DOCK ST	City Of Kingston
56.36-12-13	19	SYCAMORE ST	Cooper, Clifford
56.36-1-32	46	NORTH ST	Cordero, Deena
56.36-1-33	50	NORTH ST	Cordero, Deena
56.36-1-11	222	E STRAND ST	Historic Kgn Waterfrnt LM LLC
56.43-6-6	124-134	E STRAND ST	Historic Kgn Waterfrnt LM LLC
56.36-1-8	136-198	E STRAND ST	Historic Kgn Waterfrnt LM LLC
56.36-1-10	208-216	E STRAND ST	Historic Kgn Waterfrnt LM LLC
56.36-12-6	213-215	E STRAND ST	Historic Kgn Waterfrnt LM LLC
56.36-1-13	260-270	E STRAND ST	Historic Kgn Waterfront
56.36-1-14	272-276	E STRAND ST	Historic Kgn Waterfront
56.50-6-21	LOWER	ISLAND DOCK	Historic Kgn Waterfront
56.43-5-44		UPPER ISLAND DOCK	Historic Kgn Waterfront
56.36-1-6	181-207	E STRAND ST	Historic Kgn Waterfront
56.36-1-12	224-258	E STRAND ST	Historic Kgn Waterfront

56.36-1-9	200-206	E STRAND ST	Historic Kgn Waterfront
56.43-5-44		UPPER ISLAND DOCK	Historic Kgn Waterfront
56.50-6-22	REAR	ABEEL ST	Historic Kgn Waterfront
56.50-6-11	320	ABEEL ST	Historic Kgn Waterfront
56.43-6-5	108	E STRAND ST	Historic Kgn Waterfront #1LLC
56.36-1-21	REAR	NORTH ST	Historic Kgn Waterfront KL LLC
56.36-1-20	REAR	NORTH ST	Historic Kgn Waterfront KL LLC
56.36-1-19	LAND	NORTH ST	Historic Kgn Waterfront KL LLC
56.43-6-1.100	44	RONDOUT LANDING	Hudson River Maritime
56.43-6-1.200	50	RONDOUT LANDING	Hudson River Maritime
56.43-5-1	144	ABEEL ST	Hudson Valley Dev LLC
56.50-6-16	162-168	ABEEL ST	Hudson Valley Dev LLC
56.36-12-12	11	SYCAMORE ST	Jackson Frances R
56.36-1-26	22	NORTH ST	Jacobson, Amy
56.43-6-4	96-110	RONDOUT LANDING	JKJ Properties LLC
56.43-6-3	88-94	RONDOUT LANDING	JKJ Properties LLC
56.36-12-1	210	CATHERINE ST	Jones, Patricia
57.21-1-15	28	DELAWARE AVE	Kgn Point Terminal
57.21-1-13	9-39	ESSEX ST	Kgn Point Terminal
57.21-1-8		ESSEX ST	Kgn Point Terminal
57.21-1-10	31-35	ESSEX ST	Kgn Point Terminal
57.21-1-3	35-39	DELAWARE AVE	Kgn Point Terminal
57.21-1-16	HEAD OF	DELAWARE AVE	Kgn Point Terminal
57.21-1-7	2-26	DELAWARE AVE	Kgn Point Terminal
57.21-1-12	30-36	DELAWARE AVE	Kgn Point Terminal
56.36-12-24	251	E STRAND ST	Manatee LLC
56.36-12-4	10	TOMPKINS ST	Martin, Lloyd
56.36-1-37	26-28 R	NORTH ST	Millens, Barney
56.36-1-16	290	E STRAND ST	Millens, Barney
56.36-1-22	HEAD OF	E STRAND ST	Millens, Barney
56.36-1-17	312-322	E STRAND ST	Millens, Barney
56.36-12-5	8	TOMPKINS ST	Mohegan Vista Prop LP
56.36-1-24	12	NORTH ST	Nauta, Gary
56.36-12-10	233	E STRAND ST	New Central Bap Church
56.36-12-9	229	E STRAND ST	New Central Bap Church
56.36-12-8	225-227	E STRAND ST	New Central Bap Church
56.36-12-11	235-237	E STRAND ST	New Central Bap Church
56.36-12-7	217-223	E STRAND ST	New Central Bap Church
56.43-5-40	1	BROADWAY	Press Realty, Inc.
56.36-12-17.1	240	CATHERINE ST	Riverview Missionary Church
56.50-6-24	194-198 R	ABEEL ST	Rondout Holding Co Inc

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56.50-6-25	170	ABEEL ST	Rondout Holding Co Inc
56.36-1-23	2-10	NORTH ST	Rondout Land Corp
57.21-1-6	1-33	DELAWARE AVE	RW Garraghan Inc
56.36-1-25	20	NORTH ST	Sensini , Aldo
56.50-6-13	198	ABEEL ST	Smythe , Timothy
56.50-6-14	194	ABEEL ST	Smythe , Timothy
56.43-6-2	86	RONDOUT LANDING	Ulster Savings Bank
56.28-2-16	126	NORTH ST	Vivianni, Catello
56.36-12-14	20	SYCAMORE ST	Washington, Hattie
56.36-1-30	36	NORTH ST	Wolfeil, Bruce
56.36-1-27	26	NORTH ST	Wolfeil, Craig
56.36-1-28	28	NORTH ST	Wolfeil, Craig P
56.36-1-29	32	NORTH ST	Wolfeil, Frank
56.36-1-31	40	NORTH ST	Wolfeil, James

Table 2. Land Uses in Waterfront BOA

LAND USE	ACREAGE	% OF AREA
200 - RESIDENTIAL	2.45	1.33%
300 - VACANT	40.74	22.07%
400 - COMMERCIAL	20.28	10.99%
500 - RECREATION AND ENTERTAINMENT	15.17	8.22%
600 - COMMUNITY	5.22	2.83%
700 - INDUSTRIAL	3.11	1.68%
800 - PUBLIC SERVICES	2.36	1.28%
900 - FORESTS/ PARKS	90.40	48.98%
OTHER	4.85	2.63%
	184.58	100.00%

Table 3. Environmental Site Characteristics

TCC Parcel	Property Use/Name	Auto Repair or Machine Shop	ACM or LBP	Radon	Other	Known Surface or Subsurface Impacts	Site Access Granted
SECTOR 1							
TCC-1	Concrete Blocks Inc.			X			
TCC-2	Vacant-Island Dock Lumber			X			
TCC-3	Block Park			X	1	reported	X
TCC-4	P&T Surplus Inc.			X	1.4	X	
TCC-5	Hideaway Marina		X	X	4	X	X
TCC-6	Island Dock	X		X			
SECTOR 2							
TCC-7	Kingston Maritime Museum		X	X			X
TCC-8	Vacant			X			X
TCC-9	Rosalita's Restaurant		X	X			X
TCC-10	Milens Steel	X	X	X			X
TCC-11	Former Cornell Steamship Co.	X	X	X			
TCC-12	WWTP		X	X			X
TCC-13	L&M Auto Parts	X	X	X	4	X-staining	X
TCC-14	Milens Maint. Bldg.	X	X	X		X-staining	X
TCC-15	Kosco		X	X	3		X
TCC-16	Kosco		X	X	4.5		X
TCC-17	Central Hudson Gas Receptal		X	X	2	X	X
TCC-18	Milens Scrapyard	X	X	X		X	X
TCC-19	Vacant (former marina)			X			
TCC-20	Milens Scrapyard	X	X	X		X	X
SECTOR 3							
TCC-21	Vacant (part of Kingston Point)				4.5	X ⁵	X
TCC-22	Kingston Point Terminal				4.5	X ⁵	X
TCC-23	City Park			X			X
SECTOR 4							
TCC-24	Tilcon	X	X	X			
TCC-25	Vacant-part of Tilcon		X	X			
TCC-26	Vacant			X	7		X
TCC-27	Brickyard	X	X	X			X

- ¹ Multiple drums and other chemical storage containers on-site. Drum/chemical inventory required prior to disposal
- ² Phase I, Phase II ESAs performed and remedial work plan submitted
- ³ No closure documentation for UST removal, subsurface may be impacted in tank grave area
- ⁴ Abandoned/in-active tanks on-site, required to be permanently closed with NYSDEC
- ⁵ GW monitoring wells on-site, no analytical data provided during assessment
- ⁶ Air stripper present on-site
- ⁷ Minor debris piles noted on-site

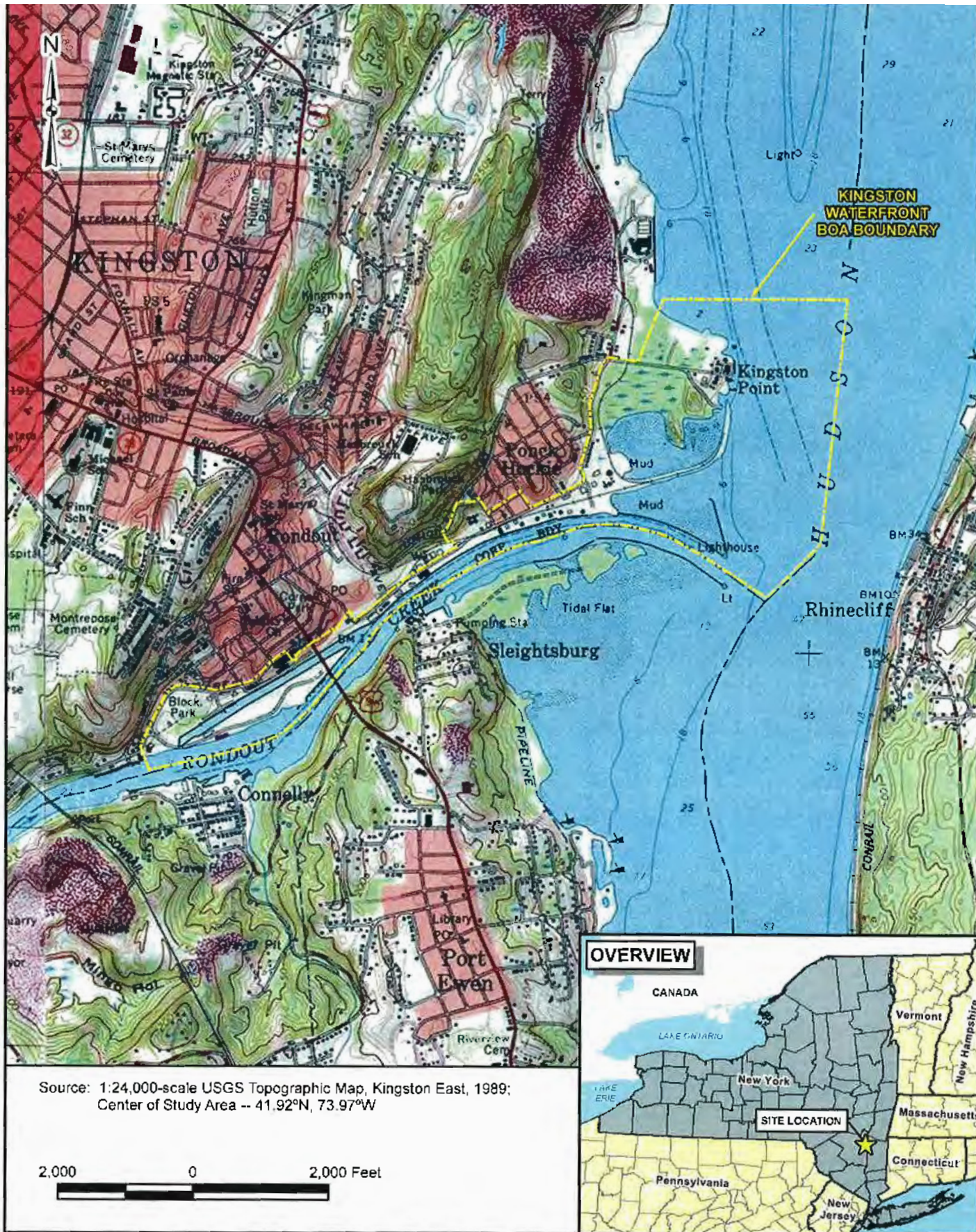
City of Kingston – Waterfront BOA
Full EAF – Attachment 1

Table 4. Predominant Soil Types in Waterfront BOA

MAP UNIT SYMBOL	MAP UNIT NAME	DRAINAGE	SLOPE	ACREAGE in BOA	% OF AREA (BY TYPE)
BOD	Bath-Nassau-Rock outcrop complex, hilly	Well Drained/ Somewhat Excessively Drained	10-25%	17.00	9.21%
CF	Cut and fill land	Somewhat Excessively Drained	0-8%	57.39	31.09%
FAE	Farmington-Rock outcrop complex, steep	Somewhat Excessively Drained	25-60%	2.40	1.30%
FW	Fresh water marsh	Very Poorly Drained	0-1%	24.56	13.30%
HuC	Hudson silt loam, 8 to 15 percent slopes	Moderately Well Drained	8-15%	3.26	1.77%
ML	Made land	Somewhat Excessively Drained	0-5%	25.13	13.61%
NBF	Nassau-Bath-Rock outcrop complex, very steep	Well Drained/ Somewhat Excessively Drained	25-65%	1.95	1.05%
PrC	Plainfield-Rock outcrop complex, rolling	Excessively Drained	0-25%	0.09	0.05%
STD	Stockbridge-Farmington-Rock outcrop complex, hilly	Well Drained/ Somewhat Excessively Drained	15-25%	0.19	0.10%
W	Water	--	--	52.61	28.50%
				184.58	100.00%

Table 5. National Register Sites

HISTORIC RESOURCE	ADDRESS - LOCATION	ID NUMBER
Rondout-West Strand Historic District	Roughly bounded by Broadway, Rondout Creek, Ravine, Hone and McEntee Sts.	90NR01103
Kingston-Port Ewen Suspension Bridge	U.S. 9W	90NR01106
West Strand Historic District	West Strand and Broadway	90NR01100
Kingston/Rondout 2 Lighthouse	Hudson River and Rondout Creek	90NR01098
CATAWISSA (Coastal Tugboat)	Hudson River	96NR01011
K. WHITTELSEY (Tugboat)	3 North Street at Rondout Creek	02NR04969
Hudson River Historic District	Hudson River; East side; Columbia, Dutchess Counties	92NR00302



FULL ENVIRONMENTAL ASSESSMENT FORM PART 2

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

Agency Use Only [If applicable]

Project :
Date :

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

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

Tips for completing Part 2:

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

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

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

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

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

9. Impact on Aesthetic Resources
 The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)
If "Yes", answer questions a - g. If "No", go to Section 10.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: <u>positive impacts are anticipated from the conversion of vacant, abandoned or underutilized sites to active commercial, recreation, residential or public uses</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources
 The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)
If "Yes", answer questions a - e. If "No", go to Section 11.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

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

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

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

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

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

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

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

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: <u>Implementation of the BOA Plan may result in redevelopment projects that increase noise, odors, or outdoor lighting above existing conditions.</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

16. Impact on Human Health			
The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)			
<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES			
<i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: <u>The BOA Plan will identify strategic sites for redevelopment which include former industrial brownfields in various states of investigation and remediation.</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

17. Consistency with Community Plans
 The proposed action is not consistent with adopted land use plans. NO YES
 (See Part 1. C.1, C.2. and C.3.)
 If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Other: <u>It is anticipated that the BOA Plan will facilitate the redevelopment of currently vacant, abandoned or underutilized former brownfields; resulting in positive impacts.</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>

18. Consistency with Community Character
 The proposed project is inconsistent with the existing community character. NO YES
 (See Part 1. C.2, C.3, D.2, E.3)
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

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

PRINT FULL FORM

FULL ENVIRONMENTAL ASSESSMENT FORM PART 3

Agency Use Only [IfApplicable]

Project :	
Date :	

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

The proposed action may affect the water quality of water bodies within or downstream of the site of the proposed action.

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

The proposed action may change flood water flows that contribute to or mitigate flooding.

The proposed action may result in an impairment of natural functions or ecosystem services". provided by an undeveloped area, including but not limited to storm water storage, nutrient cycling, and wildlife habitat.

The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.

The proposed action may result in the loss of a current or future recreational resource.

The proposed action may affect water bodies that are within a designated coastal zone.

The proposed action has the potential induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

CITY OF KINGSTON | Brownfield Opportunity Area Step 3 | Final Implementation Plan

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

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

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

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

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

Name of Action: Waterfront Brownfield Opportunity Area - Plan Adoption and Implementation

Name of Lead Agency: City of Kingston Common Council

Name of Responsible Officer in Lead Agency: Shayne R. Gallo

Title of Responsible Officer: Mayor

Signature of Responsible Officer in Lead Agency: _____ Date: _____

Signature of Preparer (if different from Responsible Officer) _____ Date: _____

For Further Information:
 Contact Person: Gregg Swanzey, Director
 Address: City Hall - 420 Broadway Kingston, NY 12401
 Telephone Number: 845.334.3955
 E-mail: gswanzey@kingston-ny.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:
 Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
 Other involved agencies (if any)
 Applicant (if any)
 Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

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