

**PROPOSED DRAFT SCOPE
FOR
COMMERCE PARK AT WURTSBORO AIRPORT
DRAFT ENVIRONMENTAL IMPACT STATEMENT
(DEIS)**

**PROJECT NAME:
COMMERCE PARK AT WURTSBORO AIRPORT**

**PROJECT LOCATION:
WURTSBORO AIRPORT
BARONE ROAD /MCDONALD ROAD**

**LEAD AGENCY:
TOWN OF MAMAKATING PLANNING BOARD
2948 ROUTE 209
WURTSBORO, NEW YORK 12790
Contact: Mr. John Piazza, Chairman (845) 888-3031**

**PREPARED BY:
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**October 1, 2009
Revised December 17, 2009**

Introduction

Wurtsboro Airport Preservation League, LLC (Project Sponsor) has made application to the Town of Mamakating Planning Board (Planning Board) for the subdivision plan approval of the proposed Commerce Park at Wurtsboro Airport Project. The State Environmental Quality Review Act (SEQRA) requires that agencies determine whether the actions they approve may have a significant impact on the environment, and, if it is determined that the action may have a significant adverse impact, request an Environmental Impact Statement (EIS).

The Project Sponsor completed a Full Environmental Assessment Form (EAF) Part 1 for the proposed project, which was submitted to the Planning Board. The Planning Board determined that the project was a Type 1 Action and subsequently circulated a Notice of Intent to assume Lead Agency status to other involved agencies, accompanied by the EAF Part 1, visual addendum, and the application. Having received no objections from the other involved agencies within the 30 day period, at the October 13, 2009 Town of Mamakating Planning Board meeting, the Planning Board officially assumed the role of Lead Agency for the project, reviewed parts 2 and 3 of the EAF and issued a SEQRA positive declaration. The draft scope was subsequently submitted to the Planning Board and the Planning Board held a public scoping session on November 10, 2009 and circulated the draft scope to the SEQRA involved and interested agencies.

This document is intended to identify all potentially significant adverse impacts which may be associated with the project and describe how these potential impacts will be evaluated during the preparation of the EIS. In fact, the purpose of scoping as set forth under 6 NYCRR 617.8 is to “focus the EIS on potentially significant adverse impacts and to eliminate consideration of those impacts that are irrelevant or nonsignificant.” A written scope should contain: (1) a brief description of the proposed action; (2) the potentially significant adverse impacts identified both in the positive declaration and as a result of consultation with the other involved agencies and the public, including an identification of those particular aspect(s) of the environmental setting that may be impacted; (3) the extent and quality of information needed for the preparer to adequately address each impact, including an identification of relevant existing information, and required new information, including the required methodology(ies) for obtaining new information; (4) an initial identification of mitigation measures; (5) the reasonable alternatives to be considered; (6) an identification of the information/data that should be included in an appendix rather than the body of the draft EIS; and (7) those prominent issues that were raised during scoping and determined to be not relevant or not environmentally significant or that have been adequately addressed in a prior environmental review.

Description of the Proposed Action

The Project Sponsor, Wurtsboro Airport Preservation League, LLC, is proposing a 4 lot commercial subdivision project, known as Commerce Park at Wurtsboro Airport, in the Town of Mamakating, Sullivan County, New York. The project site consists of 140.26 acres located on the southeast side of New York State Route 209 and north of McDonald Road. The 4 lot subdivision will be developed on 127.4 acres of the site.

The project area is comprised of Tax Map Parcels 26-1-3.1 (21.12 acres) and 26-1-4.2 (119.14 acres). Future development of the 21.12 acre parcel may include a 275,000 square foot distribution building. While approvals related to the possible distribution building are not being sought by the Project Sponsor at this time, the potential location of the building, and its impacts including area of disturbance, water usage, sanitary waste treatment and disposal, traffic, and stormwater runoff and erosion control will be assessed in the DEIS. The 119.14 acre parcel is proposed to be subdivided in order to accommodate an approximately 1,200,000 square foot distribution building, a 33,500 square foot office/distribution building and a 20,000 square foot office/distribution building on separate parcels. Site Plan approvals associated with these parcels are not being requested by the Project Sponsor at this time, but as with 26-1-3.1, these sites and associated facilities will be evaluated in the DEIS. The DEIS will evaluate the potential impacts associated with the development to the extent that they can be determined at this time. The type and quantity of materials to be handled and temporarily stored cannot be specifically determined at this time. However, categories of potential materials and potential impacts can be addressed.

The 4 commercial lots being proposed at this time, will have lot sizes in excess of five (5) acres, and will be serviced by on-lot individual wells and sewage disposal systems.

Potential Significant Environmental Impacts

The following potentially significant adverse impacts have been identified as they correspond to those impacts categories with the EAF Part 2:

1. Impact on Land

- A) The combined parking for employees and warehouse related vehicles will exceed 1,000 spaces. Potential impacts from construction, site grading, and stormwater runoff will be evaluated.
- B) Construction is anticipated to take longer than one year. Potential impacts associated with the extended construction period will be evaluated.
- C) Construction of a bridge crossing over the flood plain of the Gumaer Brook will result in the placement of piers within the floodway. Potential impacts to flood elevation and velocity will be evaluated.

2. Impact on Water

- A) Water Resources – Potential impacts on adjoining and nearby streams including the Basher Kill Wildlife Management Area and its tributaries. Potential impacts to unclassified streams and wetlands on the site and adjacent tributary systems will be evaluated.
- B) Surface Water/Stormwater – The development of the proposed project will result in an increased impervious surface at the project site. The potential for additional stormwater runoff and impacts to regulated waters. Potential impacts will be reduced by implementation of required stormwater facilities; all potential impacts, including possible impacts to biological resources, will be addressed.
- C) Groundwater Quantity – The development of the 4 lots will require individual water supply wells with a combined demand of 20,000 gallons per day. Potential impacts to pre-existing uses of groundwater nearby or surface water resources will be evaluated.
- D) Wastewater Disposal – The proposed project will require the treatment and disposal of wastewater from 4 commercial facilities. Quantity and discharge methods will be evaluated.

3. Impact on Air

- A) More than 1,000 vehicle trips per day are anticipated for the proposed project. Impacts of additional vehicle emissions will be evaluated.
- B) Energy demands for the proposed project to satisfy building heating/cooling, lighting, and industrial uses are anticipated to produce CO₂ emissions greater than 5 lbs/hour. Facility demands will be evaluated to determine overall impact on air quality.

4. Impact on Plants and Animals

- A) Potentially significant impacts for vegetation and wildlife resources could possibly occur from the proposed development if listed species or rare communities occur on the site or would be negatively impacted by the project plans.

Vegetation and Wild Life Resources

There are no listed wildlife or plant species or rare habitats known on the site. None were found during the field surveys.

Vegetation – The New York Natural Heritage Program considers the Chestnut Oak Forest found along the Shawangunk Ridge as a significant natural community. This community does not occur on the site and would not be impacted by the project.

Wildlife – Development of the project site could result in the loss of wildlife habitat. A reduction in upland habitat will occur and wildlife that are common in these areas will be affected. Impacts to wildlife from loss of habitat will be evaluated.

Endangered and Threatened Species - Significant impacts to endangered and threatened species are not expected to occur as a result of development of the project site. Timber rattlesnake and iron color shiner have been documented by the New York Natural Heritage Program (NYNHP) in the vicinity of the project site. No denning habitat for timber rattlesnake occurs on the site, and no rattlesnakes were found during field surveys by Terrestrial Environmental Specialists, Inc. (TES). One extant den site is located within approximately one mile of the property; therefore, there is potential that timber rattlesnakes could use the property for summer foraging habitat during April through October. However, with a substantial area of deciduous forest uplands, the snakes' preferred foraging habitat, surrounding the den site, it is unlikely that the Wurtsboro Airport property would provide critical foraging habitat for snakes from this den site. An evaluation of endangered, threatened, or rare species will be provided based on field studies conducted on the project site by a team of biologists and review of appropriate literature.

The NYNHP notes a historical record for ironcolor shiner in the area. The precise location for this record is unknown, although the only known population of this species in New York occurs near Port Jervis. Therefore, ironcolor shiner is not expected to be a concern for this site.

Other state and federally listed species known from Sullivan County, such as bog turtle, bald eagle, Indiana bat, and dwarf wedge mussel, are not expected to be affected by the project. An evaluation of endangered, threatened, or rare species will be provided based on field studies conducted on the project site by a team of biologists and review of appropriate literature.

5. Impact on Aesthetic Resources

- A) The proposed project will be visible from state highways (Route 209) and recreational areas. Areas of potential visibility resulting from development include the Basher Kill, the Shawangunk Ridge Trail/Long Path, the Route 209 corridor, and Delaware and Hudson (D&H) Canal Trail. The visual impact will be evaluated, critical/potential observation points will be identified, potential impacts will be evaluated and appropriate mitigation will be recommended.

6. Impact on Open Space and Recreation

- A) Any potential indirect impacts from the project on public lands managed by the State, such as the Basha Kill Wildlife Management Area (WMA) will be evaluated. The DEIS will also evaluate the Project as it may affect priority areas for conservation as discussed in official DEC planning documents such as the NYSDEC Open Space Conservation Plan.
- B) Potential impacts to the D&H Canal Linear Park, Shawangunk Ridge Trail/Long Path relative to trail development and connectivity in the project area.

7. Impact on Transportation

- A) The proposed project will result an increase in local traffic which may impact existing roadways. A traffic impact study will be performed to evaluate existing and potential future conditions at critical locations. Where appropriate, mitigation methods will be identified and recommended.
- B) Airport Compatibility- The development of the proposed project will require coordination with FAA regulations Part 77 regarding potential airspace obstructions (i.e. height of structures, setbacks from runways and lighting).

8. Impact on Energy

- A) The proposed project will require the extension of electric power service lines from the existing distribution grid. The required increase in power demand to the project site and method of conveyance will be evaluated.

9. Impact on Growth and Character of Community or Neighborhood

- A) The proposed project will create the need for some additional community services such as police, recreation and fire protection. The project will create employment opportunities and may also induce additional growth locally.
- B) Impact upon the community's socioeconomic conditions is likely. The project will create direct and indirect employment opportunities and may also induce additional growth locally. Increased revenues, as well as increased costs to local government and community services, may result.

Initial Identification of Mitigation Measures

The following mitigation measures have been identified as they correspond to the aforementioned significant impacts identified in the EAF Part 2:

1. Impact on Land

- A) Incorporation of innovative design and Best Management Practices (BMP) will minimize potential impacts from construction. Preparation and implementation of a site specific Erosion and Sediment Control Plans and Stormwater Management Plans which meet New York State guidelines will minimize potential impacts from site grading, and stormwater runoff. A Stormwater Pollution Prevention (SWPP) Plan will identify measures to mitigate potential impacts.
- B) Sequencing construction activity with the SWPPP will minimize impacts of the longer construction period.
- C) To minimize and mitigate impact upon floodway, a signal road crossing is proposed to cross the creek at a 90° angle and at a narrow point. A bridge with minimal pier supports within the floodplain will be utilized to minimize impact to the floodway.

2. Impact on Water

- A) Implementation of a SWPPP which identifies and avoids sensitive areas.
- B) Implementation of a SWPPP which addresses increase runoff potential from impervious areas through the use of BMPs such as vegetated buffers, bio-infiltration, retention systems, and surface recharge berms.
- C) Conducting a geotechnical investigation, innovative water system design, strategic placement of wells and implementation of water conservation measures.
- D) Installation of on-site wastewater disposal systems which will eliminate point sources discharges to streams and other surface waters.

3. Impact on Air

- A) Identification and mitigation of vehicles delays (resulting in increased in vehicular idling) associated with potential degradations in Levels of Service (LOS). Enforcement of “no-idling” regulations.
- B) Incorporation of energy star efficient products and implementation of demand-response programs for energy consumption.

4. Impact on Plants and Animals

- A) Avoidance of wetlands and other environmentally protected areas.

5. Aesthetic Resources

- A) Architectural Covenants requiring natural materials and designs which adapt to the environment of each site consistent with *Design Guidelines for Commercial/Industrial Districts - Mamakating, NY, dated April 2006* and consideration of elements suggested by the United States Green Building Council. Design of the landscape features to promote the use of native species. Vegetation/Landscaping to buffer potential visual impacts from critical external observation points.
- B) Minimizing site lighting and lighting covenants for each commercial site that controls the level and type of lighting on each site. All outdoor site lighting will be constructed with full shielding designed to direct the light downward below an imaginary horizontal plane passing through the lowest point on the fixtures; this will minimize night-sky impacts associated with site lighting. Minimum illumination levels as defined by local, county, or state requirements, as applicable, will be met while minimizing light pollution on nearby areas. The effect of potential visual impacts of lower density development will be discussed.

6. Impact on Open Space and Recreation

- A) Maintain existing access to D&H canal trail. Include design and management provisions for nearly 1.7 miles of additional public trails with exercise stations and information kiosks. The proposed trail route to be located for potential connection to existing Basher Kill trails. The proposed trailhead including access and parking for the public. Trail design details and management provisions are being formulated in consultation with North American Land Trust (NALT). The NALT and its trail designer will consult with the NY NJ Trail Conference as appropriate. Discuss access to the public trail and any gates or fencing related to the trail. Any potential indirect impacts from the project on public lands managed by the State, such as the Basher Kill Wildlife Management Area (WMA) will be evaluated. The DEIS will also evaluate the Project as it may affect priority areas for conservation as discussed in official DEC planning documents such as the NYSDEC *Open Space Conservation Plan* and the Sullivan County *Conserving Space and Managing Growth: A Strategy for Sullivan County* open space management plan.
- C) Implementation of architectural covenants by utilizing natural materials, low-impact lighting and landscaping which incorporates native plant/tree species which are harmonious with existing surroundings.

7. Impact on Transportation

- A) Preparation of a traffic impact study which identifies improvements, if necessary, to maintain “no-build” Levels of Service (LOS).

- B) Building site plan coordination with FAA regulations (i.e. height of structures, setbacks from runways and lighting). No structure will encroach on airspace.

8. Impact on Energy

- A) Installation of underground utilities and utilization of energy efficient products, such as door/windows, HVAC and insulation. Construction of high efficiency buildings. Utilization of demand response controls are off-peak energy consumption.

9. Impact on Growth and Character of Community or Neighborhood

- A) Use of security devices, fire suppression and on-site emergency plan will minimize the demands on locally provided services. A business owners association (BOA) will be created to maintain infrastructure, provide certain essential services and enforce covenants and restrictions adopted by the developer. BOA membership will be mandatory for all lot purchasers. The developer, subject to the requirements of New York State law, will, however, be responsible for these activities until such time as the BOA is fully functional. Infrastructure to be maintained will include the storm water management improvements lighting, landscaping and other common faculties. The BOA will also bear responsibility for control and maintenance of the proposed 1.7 mile trail. The BOA may contract with other entities (e.g., private contractors, a trail organization, the North American Land Trust) to assist with these maintenance responsibilities. The BOA may also provide certain recreational programs or services and will be responsible for preservation of all open spaces and recreation areas. Finally, the BOA will enforce the provisions of the declaration of covenants and restrictions, including, but not limited to, provisions relating to architectural standards, building and disturbance envelopes, protection of open spaces and maintenance of drainage easements. The BOA will be required to review all plans for development of individual lots to ensure their conformance to these standards and others adopted by the developer in the course of securing approval of the subdivision.
- B) Socioeconomic impacts may be mitigated by increased tax revenues to town government and school districts. Indirect positive impact may result to local economy from increased use of local businesses by new employees and residents resultant from project.

Reasonable Alternatives to be Considered

1. No Action Alternative
2. Preferred Layout
3. Alternative Layout:
 - a. Maximum Potential Development Layout

4. Lower Density Alternative:
 - An analysis of a lower density alternative development, including consideration of alternate building size and use and resulting impacts, will be discussed.
5. The project will require the treatment and disposal of wastewater generated by the four commercial facilities. Alternatives for wastewater disposal, including on-lot systems and centralized treatment and disposal, will be evaluated and potential impacts identified. Approaches to on-lot system management and maintenance will be described.
6. Alternatives for water supply, such as a single centralized water supply, as well as a scaled-down version of the project development, will be studied.

General DEIS Guidelines

1. The DEIS will address all items designated as significant in this scope. Each potential impact will be evaluated and presented in a separate section. Each section will include a discussion of existing conditions, impacts associated with the proposed action and mitigation measures proposed to minimize potential impacts.
2. The DEIS shall minimize the use of technical jargon, shall be written in "layman's terms" when possible, and shall be written in the third person.
3. A narrative discussion of each potential impact will be prepared. Graphics, charts, tables and plans will be prepared to accompany the narrative discussion when necessary. A description of the methodology used to evaluate potential impacts will be provided.
4. The DEIS will include an evaluation of short term and long term cumulative impacts associated with the project which can be identified at the time of DEIS preparation.
5. A full set of subdivision plans will be prepared which show:
 - a. Locations of buildings, onsite wells and sewage disposal systems
 - b. Proposed roads
 - c. Proposed open space and recreational facilities
 - d. Existing and proposed topography at a 2 foot contours for intervals for entire property. Slope categories will be identified
 - e. Proposed sewage disposal system designs
 - f. Proposed clearing limits and landscaping
 - g. Proposed stormwater management conceptual design and erosion control measures

Environmental Impact Statement Content

Cover Sheet, which shall include:

- Name of proposed action
- Draft or final EIS
- Location of action (Town and County), street name and tax map designation
- Name and address of lead agency
- Name and telephone number of contact person at lead agency
- Name, telephone number and address of DEIS preparer(s)
- Date of acceptance of DEIS by lead agency
- Date by which public comment must be received by lead agency

List of Consultants, including name, address, telephone number and area of expertise

List of Exhibits

List of Appendix Materials

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Section 1: Executive Summary

- a. Provide an introduction and brief description of the proposed action
- b. Description of the project sponsor
- c. Background and history of the project site
- d. Summary of significant impacts and proposed mitigation measures
- e. Summary of alternatives considered
- f. List of permits and approvals required
- g. List of involved agencies for DEIS distribution

Section 2: Description of Proposed Action

- a. Project location and physical description:
 1. Provide site location and describe access from existing road system
 2. Describe existing and previous land use for site and surrounding area
 3. Describe physical features of site including topography, wetlands, streams and vegetation
 4. Relationship to surrounding uses. Describe uses to north, south, east and west of project site
- b. Project objective:
 1. Describe the project purpose, public need and benefits of the proposed action, including social and economic considerations
 2. Objectives of project sponsor
 3. Benefits of proposed action
- c. Land use and zoning plans:

1. Describe existing zoning classification of property
 2. Describe project in context of town's Comprehensive Plan
 3. Describe project in context of Sullivan County's Comprehensive Plan 2020, specifically how the project relates to the open space and economic development goals.
 4. Describe permitted density and proposed density
 5. Describe proposed project configuration
 6. Describe proposed open space and recreational feature, including public access. Describe business owner's association conservation covenants. Describe public access and parking for trail and other features.
 7. Description of aviation-related easements
- d. Schedule and construction summary:
1. Describe phasing of project, construction sequence and construction schedule
 2. Describe erosion and sedimentation control measures to be employed during construction activities
 3. Describe limits of construction activities, hours of operation, construction practices to minimize noise impacts, blasting and rock removal
 4. Describe Project Maintenance and operations of common areas and infrastructure including operations of the BOA. Describe approach to open space and recreation area preservation, management and maintenance.
- e. Permits and approvals required:

AGENCY	PERMIT /APPROVAL
Town of Mamakating Planning Board	Subdivision Approval
	Stream Buffer Disturbance Permit
Town of Mamakating Highway Dept.	Highway Occupancy Permit
Town of Mamakating	Flood Plain Administrator
NYS DEC	Stormwater/Sewage Discharge
NYS DEC	Stream Disturbance Permit
NYSDOH	Well/Water System Approval
NYS DOT	State Roadway Improvement Approvals
NYS Attorney General	Business Owner Association Filing
Town Board	Business Owner Association Approval
Sullivan County Department of Planning	Response to GML 239-m Referral
FAA	Form 7460, "Notice of Proposed Construction or Alteration,"
U.S. Army Corps of Engineers	Preconstruction notification for impact to 0.03 acres of wetlands

The New York State Department of Transportation, as an interested agency, will be reviewing and commenting on the traffic study.

Section 3: Existing Environmental Settings, Anticipated Impacts and Mitigation Measures

a. Topography and soils:

1. Soils will be mapped on the project site utilizing the Soil Survey of Sullivan County, prepared by the United States Department of Agriculture Soil Conservation Service. Actual on-site soils test pits will be undertaken as necessary to identify on-site soils in relation to their suitability for individual sanitary wastewater disposal systems, percolations tests for each of the proposed sewage disposal systems, and to evaluate suitability for stormwater management and project related construction. Soils evaluation will consist of the following:
 - The DEIS will include an erosion and sedimentation control plan. The plan will identify and describe the specific control measures to be implemented. Calculations, plans and details will be included. Identification of FEMA floodplain will be included.
 - A description of construction methods and management practices which will be followed to minimize erosion and impacts to FEMA floodplain will be provided.
2. A topographic survey, with a two (2) foot contour interval will be provided. A grading plan will be prepared for the proposed project development. Both plans will identify slopes in categories of: 0-15%; 15-35%; 35-50%; 50% and greater, if applicable.
3. Suitability of onsite materials will be evaluated, and a discussion regarding disposal of unsuitable material will be provided. "Unsuitable materials" will be defined. Disposal of material on site, if any, should be identified.
4. The amount of cut and fill for the project will be identified. The anticipated amount of import/export of earth material will be identified. Discussions should address how the amount of earthmoving, export and/or import of materials has been minimized and how the phasing of construction may affect import, export or movement of material on site. A likely sequence of earthmoving activity will be identified. The potential impacts on and offsite will be discussed. A discussion regarding the necessity for other permits related to earthmoving (such as mining permits) will be included.
5. Include identification and location of agricultural land as classified within soil groups 1 through 4 of the NYS land classification system. A discussion will be provided to describe affects to agricultural land. Amount of agricultural land impacted should be identified. Adverse impact(s) and mitigation, if any, should be discussed.

b. Groundwater resources:

1. Individual well(s) are proposed on each of the four lots. A hydrogeological evaluation of the proposed well(s) and its supporting aquifer will be completed and the results summarized in the DEIS text. The intended hydrogeological evaluation will first be coordinated with the Lead Agency's hydrogeological

consultant to insure completeness. The hydrogeological evaluation will identify the following:

- a. Submission of applicable geologic maps.
- b. An estimate of the water demand, irrigation requirements and/or restrictions.
- c. Permit requirements for wells, including compliance of radius of ownership and sanitary control required by regulatory agencies.
- d. The location and characteristics (e.g., well type, depth, pumping capacity, etc.) of the proposed supply well(s), including geologic logs and well completion reports. Proposed test well locations must be approved by the Town's hydrogeologist/engineer. The drilling of one to two of the proposed onsite wells will be required to be included in the testing program.
- e. A minimum 24-hour pump test will be performed at 1.5 times the estimated water demand of the full buildout of the project and demonstrate 6-hour stabilized yield and drawdown of the proposed supply well(s). Well testing will be conducted in compliance with New York State Department of Health: Appendix 5-D Special Requirements for Wells Serving Public Water Systems. (3) New York State Department of Health: Appendix 5-D Standards for Water Wells. To avoid "short circuiting," groundwater from pumping wells will be diverted to drainage features which free-flow discharge from the site. The discharge locations must be coordinated with the Lead Agency's hydrogeological consultant. Property owners within the 1,500 feet radius of the proposed water supply will be contacted to volunteer to have their wells monitored during required pumping test of onsite wells. The Town may request expansion of the offsite well monitor to include wells within 2,500 feet from proposed onsite pumping wells in sensitive areas. Those willing to have their wells monitored will be considered for potential inclusion in the water supply study based on finalization of a monitoring plan with the Town's hydrogeologic consultant. A representative number of wells located within the affected aquifer of the proposed water supply wells which may be affected by the proposed use of the supply well(s) will be evaluated. The applicant will ascertain during the course of the pumping test whether the source well is under the influence of surface water. Piezometers must be installed in surface water/wetland features within 500 feet of the proposed onsite pumping test wells to determine any hydrogeologic interconnection, if any. The wells must be sampled for all parameters specified in NYSDOH Sanitary Code, Part 5, Subpart 5-1, including radon and MPA analysis (if required) and Part 5.D, i.e., lead mine concern. The report must include an evaluation of the water quality and treatment requirements, if any. Include all well logs and pump test data in the appendices, including water quality test results of supply wells.
- f. An estimate of the existing supply capacity of the aquifer based on available information sources and its general physical extent. The study must include a water budget (recharge analysis) of the study parcel and watershed. Location and amount of current ground-water withdrawals in

the watershed must be inventoried. Recharge must be estimated under normal and drought conditions and compared to estimated water demands of the project. Impacts from the building of impervious surface must be addressed in the water budget analysis.

- g. The analysis of groundwater impacts will include an identification of mitigation measures to be implemented if necessary. Discuss water supply and adequacy to supply adjoining properties and/or properties impacted by withdrawals from the proposed wells (if any).
 2. Depth to groundwater measurements should be taken in areas of proposed deeper cuts to help determine if groundwater will be encountered.
 3. Water Supply System: code requirements and the availability of water sources for fire suppression will be addressed.
- c. Surface water/stormwater resources:
1. On-site intermittent and perennial streams, wetlands and vernal pools will be evaluated, including any hydrological connections between on-site surface water resources and off-site classified streams and mapped or federal jurisdictional wetlands. Streams and jurisdictional wetlands will be identified by mapping. Potential impacts to such surface waters, FEMA floodplain, and wetlands will be described including sedimentation and siltation and streambed and bank erosion due to increased concentrated runoff to such surface waters, as well as indirect impacts to the Bashkill WMA and D&H Canal, if any.
 2. A stormwater management plan will be prepared to evaluate pre and post development drainage conditions, and to assess runoff from the site. Pre-development and post-development peak rates of runoff will be evaluated for the 1, 10 and 100 year, 24 hour Type III storm events. Stormwater quality treatment methods will be described, including providing calculations of simple method for pollution loading as described by NYSDEC guidelines. Project phasing related to stormwater controls will be addressed. The conclusions of the stormwater management plan will be discussed in the DEIS. The full plan and calculations will be provided as an appendix. Potential impacts to regulated waters and the FEMA floodplain will be discussed.

Stormwater quality treatment methods will be prepared in accordance with New York State Department of Environmental Conservation Design Standards. The approach to new SPDES General Permit Requirements (GP-0-08-001) will also be addressed. Erosion and Sedimentation Control during construction will be addressed.

Describe methods for implementation of requirements during construction and maintenance of temporary and permanent measures. Present plans for individual on-lot E&S control and stormwater management controls.

d. Vegetation and wildlife:

1. Listed species or rare community's evaluations will include those: 1) reported from the area by the New York Natural Heritage Program, 2) with potential habitat on the site, or 3) that could potentially be directly or indirectly impacted by the proposed project. Proposed impacts to vegetation and wildlife resources will be addressed and mitigation measures proposed where appropriate.

a. Vegetation: A vegetation cover type map of the site will be developed using the community designations presented in Edinger 2002. A list will be made of all plant species that occur and a description of each cover type presented. Impacts to vegetation resources will be assessed and mitigation measures proposed where necessary. Biodiversity and fragmentation issues will be addressed.

b. Wildlife: An assessment of the amphibian, reptile, bird and mammal species using and potentially using the site will be conducted. Common species, including both resident and migratory species, will be included in the wildlife resources description. Certain habitats, specifically grasslands, shrublands, and vernal pools, will be identified and addressed. Nuisance wildlife conditions that may arise will also be discussed. Direct and indirect impacts to wildlife resources from the proposed project will be evaluated. Biodiversity and fragmentation impacts will be discussed. Mitigation measures will be proposed where appropriate.

2. Endangered and Threatened Species and Rare Communities: Endangered and threatened species identified by state or federal agencies to be of potential concern are northern wild monk's-hood, ironcolor shiner, bog turtle, timber rattlesnake, bald eagle, Indiana bat, and dwarf wedge mussel. Specific surveys will be performed for these species where necessary (e.g., Phase 1 bog turtle survey, investigation of submerged aquatic vegetation in the Basher Kill and Gumaer Brook for ironcolor shiner). Significant natural communities identified by state representatives to be of potential concern are chestnut oak forest and pitch pine-oak-heath rocky summit. Although these communities do not occur on the site, they will be addressed. In addition, emphasis will be placed on addressing impacts on the following species of special concern: Golden-winged Warbler, Red-shouldered Hawk, Cooper's Hawk, Sharp-shinned Hawk, and Whip-poor-will. Other listed species with potential to occur in the area based on habitats available or records in the vicinity will be addressed. Impacts to listed species or rare communities will be fully addressed in the DEIS. Mitigation measures will be presented if necessary.

e. Traffic:

1. A traffic study will be prepared which will evaluate existing traffic conditions and those which can be anticipated from the proposed project. The study will

address potential traffic impacts from the project and identify proposed improvements or mitigation measures to the adjacent roadway network. Methodologies shall conform to the latest version of the Highway Capacity Manual.

- Study intersections
 - o McDonald Road and proposed site entrance
 - o Route 209 and both intersections of Barone Road
 - o Route 209 and McDonald Road
 - o Route 209 and Sullivan Street
 - o Route 209 and Route 17 Ramps
 - o Route 209 and Gumaer Road (Kohl's driveway)

 - Peak hours – the a.m. and p.m. peak hour traffic volume data will be collected on a weekday when public schools are in session.
 - Roadway analysis – a description will be given of the existing roadway network including physical features, speed limits and control devices.
 - Friday "P.M." and Sunday mid-day peak volumes will be extrapolated from existing studies/volumes available from the Sullivan County, NYS DOT. Counts will be adjusted to represent current year.
 - Analysis of impacts – the analysis will include the proposed project and other approved projects within the study area. The build year at which time the project will be completed, 2015, will be analyzed. The capacity of each intersection for the existing, no build and completed conditions will be analyzed. Potential traffic generation will be estimated based upon the Institute of Transportation Engineer's Trip Generation Manual, year of latest revision. Anticipated distribution of generated traffic, as well as a breakdown of type of vehicular traffic entering/exiting project site (e.g., trucks, cars, employees, deliveries, etc.), will be included. Analysis will consider the cumulative impacts of other proposed projects, including the Maitake Mushroom Plant, Seven Peaks, and Phase II of the Kohl's Distribution facility based on publicly available, existing information.
 - An analysis of construction-related traffic will be performed. Consideration of project phasing and soil import/export-related traffic will be included.
 - Mitigation – recommendations for roadway improvements, intersection improvements and traffic controls will be discussed. Improvements identified along McDonald Road by the Maitake Mushroom Plant project's Traffic Impact Study shall be considered in the evaluation. The study will consider the potential phasing of development and related mitigation.
 - The DEIS will summarize the findings of the traffic study. The full study will be provided as an appendix.
2. Parking
 3. Pedestrian Access
 4. Public Transportation
 5. The proposed roads are intended to be privately owned and maintained by the business owners association. The DEIS will discuss the following:
 - Road construction specifications and Town Code

- Maintenance of the roads
 - Emergency vehicle access
 - Plans and profiles of proposed roads and driveways
6. An airport compatibility analysis addressing FAA requirements and guidelines affecting the proposed action.
- f. Aesthetic resources:
1. A visual analysis will be prepared in accordance with NYSDEC TAGM “Assessing and Mitigating Visual Impacts” to evaluate the potential visual impacts of the project, including impacts from nighttime lighting not mitigated by the design of the lights. The analysis will use photographs and other graphic representations to describe:
 - The existing visual character
 - The change in visual character as a result of the proposed project
 - Mitigation measures proposed to minimize the impacts of the proposed project such as building height and color, landscaping and preservation of existing vegetation
 2. The study points will include:
 - Delaware and Hudson Canal Trail - two to three locations along the trail where the project area and associated activity may be visible, including the public access point near McDonald Road.
 - Shawangunk Ridge Trail and Long Path - two to three locations where openings in vegetation afford a view of the project site.
 - Route 209 corridor approaches to the project site – Two to three locations (including one from south of the project area) that afford a view of the site. An observation point along 209 (from north of the site) which affords the broadest visible exposure of the project area will be utilized. In addition, an observation point will be studied between the southernmost Barone Road & Route 209 intersection and the PORCO Energy Site drive, looking east toward the airport.

The DEIS will summarize the visual analysis finding. A narrative description of the general visibility of the project area from the NYS Route 209 corridor, D&H Canal Trail and Shawangunk Ridge Trail will be included to establish the extent of the linear paths which actually afford views of the project area. The analysis will include photographic documentation of existing and proposed views. In order to produce proposed views, “balloon tests” will be utilized to establish the location and height of proposed buildings within the proposed views. A discussion of methods to mitigate visual impacts will be addressed. The discussion will include measures such as the use of landscaping, earthen beams, and building material colors within the site and along NYS Route 209. The full analysis will be provided as an appendix.

g. Community Services, Fiscal and Economic Impacts:

The community services analysis shall review the existing capacity and staffing levels of service providers and identify fiscal concerns which may be associated with potential project impacts. The analysis will consider the following:

1. Community Services and Fiscal Impacts
 - Educational services
 - Emergency services (fire and police)
 - Town highway services
 - County social services
 - Recreation demands and contributions
2. Community Economic Impacts.
 - Employment impacts
 - Other economic impacts, including estimated real property tax revenue and/or revenue from payment in lieu of tax agreements, and costs to community services.
 - Long-term viability of the airport will be addressed. This shall include evaluation of viability with and without the subject project.
 - Long-term economic viability of the proposed action.

The DEIS will summarize the findings of the analysis.

h. Public Lands and Resources

Public lands and areas managed by the State for recreational and conservation purposes exist within the region, including the following:

1. The Shawangunk Ridge Trail/Long Path within the Wurtsboro Ridge State Forest.
2. The Basha Kill Wildlife Management area exists several miles to the southwest of the site.
3. The D&H Canal Linear Park owned by Sullivan County that runs along the eastern boundary of the site.

Potential impacts to these lands associated with the project and potential future development will be identified and discussed.

i. Infrastructure and Utilities

1. Wastewater Disposal

- The project will require the treatment and disposal of wastewater generated by the 4 commercial facilities. Alternatives for wastewater disposal, including on lot systems and centralized treatment and disposal will be evaluated and potential impacts identified. Approaches to on-lot system management and maintenance will be described.

2. Water Supply

- Alternatives for water supply will be identified and analyzed. Alternatives should include: connection to existing water system, development of a

centralized water system, individual wells. Analysis should include consideration of fire supply and storage in addition to daily water consumption.

3. Solid Waste

Solid Waste Generation and ability to transfer and dispose of the waste at off-site locations will be analyzed.

4. Energy Impact

Impact to energy, including, electricity, fuel oil, gas, propane, etc., shall be evaluated in regard to available resources. Methods to minimize energy consumption should be evaluated and discussed to identify potential mitigation means and methods.

5. Other utilities including provision of electricity, gas, telephone, cable and internet services will be reviewed.

j. Noise and Air Quality

1. Existing conditions
2. Project impacts utilizing qualitative data
3. Proposed mitigation

k. Open Space Plan

Details of the proposed open space plan and how it may mitigate impacts to identified potential environmental impacts.

l. Materials – Handling and Storage

A list of anticipated categories of materials that may be transported and temporarily stored on site will be identified. Particular emphasis will be placed on identifying hazardous material. The method for insuring the safe handling of materials and emergency action and response plan preparation will be identified.

Section 4: Unavoidable Adverse Impacts

This section of the DEIS will identify impacts that are likely to occur despite mitigation measures and will compare the beneficial and adverse implications of these unavoidable impacts. Included in this section will be a discussion of construction impacts such as truck traffic and noise impacts related to construction activity.

Section 5: Alternatives

- a. This section of the DEIS will evaluate and compare the alternatives listed below to the proposed action. A conceptual plan will be prepared and impacts compared in chart form.

1. No Action Alternative
2. Preferred Layout
3. Alternative Layout:
 - Maximum Potential Development Layout
4. Lower Density Alternative:
 - An analysis of a lower density alternative development, including consideration of alternate building size and use and resulting impacts, will be discussed.
5. The project will require the treatment and disposal of wastewater generated by the four commercial facilities. Alternatives for wastewater disposal, including on-lot systems and centralized treatment and disposal, will be evaluated and potential impacts identified. Approaches to on-lot system management and maintenance will be described.
6. Alternatives for water supply, such as a single centralized water supply, as well as a scaled-down version of the project development, will be studied.

Alternatives analysis shall include a site plan with limits of disturbance for each alternative. A summary table for each alternative will include:

- building footage
- parking provided
- area of vegetative clearing
- area of earth disturbance
- sewage generation (gallons per day)
- water demand (gallons per day)
- number of stream crossings
- area of wetland impact

Section 6: Irreversible and Irrecoverable Commitment of Resources

- a. Identification of any environmental resources consumed, converted or committed as a result of the proposed action.
- b. Potential energy use and greenhouse gas emissions will be evaluated per DEC Environmental Impact Statement Greenhouse Gas policy guidelines. The scope shall include analysis of all measures appropriate to reduce energy demands associated with the commercial development. This section will provide a description of the effect of the proposed action on the short and long term use and conservation of energy resources; methods to reduce inefficient or unnecessary consumption of energy during construction and long term operation; and a discussion of applicable building codes. This section will also include an

analysis of greenhouse gas emissions that will result from development of the project. The New York State Department of Environmental Conservation's draft document released to the public, *Guide for Assessing Energy Use and Greenhouse Gas Emissions in Environmental Impact Statements* shall be used to guide this analysis. Greenhouse Gas Emission mitigation measure, including various measures listed in the "Mitigation Measures" section of the above-referenced document, will be analyzed and incorporated as necessary. Renewable or alternative energy sources will be incorporated into the project site design as well.

Section 7: Growth Inducing and Cumulative Impacts

- a. The potential for socioeconomic impacts associated with growth induced by the project will be described. Consideration of impacts upon "community services," including town services, school district, police, fire and ambulance, will be included.
- b. Cumulative impacts from development of the parcels will be described. Impacts and mitigation measures evaluated under section 3 of the scope will also be analyzed as cumulative impacts under section 7 based upon concepts for such development, as follows:
 1. Topography and Soils: Soil maps, soil test pits and topographical information shall be provided for the reserved lands to assess the suitability of soils for building.
 2. The groundwater analysis performed shall include an assessment of availability for the project and potential future development.
 3. Surface Water and Storm Water: Drainage characteristics of the reserved lands shall be described and the availability of adequate space on the lands or on adjacent lands to detain stormwater will be assessed.
 4. Vegetation and Wildlife: The reserved lands shall be inventoried consistent with the protocols set forth under section 3.
 5. Traffic: Potential future traffic impacts at full build out shall be assessed as set forth under section 3.
 6. Aesthetic Resources: The potential visual impacts of the project and potential future development shall be described in the context of potential cumulative impacts in the Visual Impact Assessment.
 7. Community Services: Potential demands and revenue from the full build out of the project will be described.
 8. Infrastructure and Utilities: The potential impact of wastewater disposal and water supply will be evaluated in connection with the potential future development.
 9. Noise and Air Quality: Potential cumulative impacts will be described.
 10. Delaware & Hudson Canal Trail: Potential indirect impacts will be described.
 11. Shawangunk Ridge Trail/Long Path: Potential indirect impacts will be described.

Section 8: Appendices

The appendices will consist of the reports and studies which form the basis for the preparation of the DEIS. These include the following:

- a. SEQRA documentation
- b. Correspondence
- c. Stormwater Management Report (E&S Plan)
- d. Traffic Impact Study
- e. Groundwater Availability Report
- f. Soil Deep Test Pit Report
- g. Phase I Archaeology Report
- h. Wetlands Delineation Report
- i. Flora/Fauna Analysis
- j. Visual Assessment
- k. Draft Business Association documents
- l. Airport Compatibility Report

Section 9: Interested and Involved Agencies

1. Involved agencies (requiring a permit or approval)
 - Town of Mamakating Planning Board
 - Town of Mamakating Town Board
 - New York State Department of Environmental Conservation
 - New York State Department of Health
 - U.S. Army Corps of Engineers
 - New York State Department of Transportation
2. Interested agencies (providing comments)
 - Sullivan County Department of Planning
 - New York State Office of Parks, Recreation and Historic Preservation
3. Other agency (federal)
 - Federal Aviation Administration (FAA)

Appendix 1