

Comments from the DeWitt Advisory Conservation Commission on Draft Scoping Document for Centerstate Inland Port

Our comments are in blue and red within the Port of Oswego Authority Draft Scoping Document. Most of these comments were developed by DACC member Brian Solomon (in **blue**), with a few by Gordon Heisler (**red**). Their comments were approved by all members of DACC and its affiliated Tree Committee as listed below.

The DeWitt Advisory Conservation Commission, authorized by DeWitt Town code in 1972 (L.L. No. 1-1972), is a group of town-Board-appointed-volunteers. Our members provide the Town with advice from a range expertise—some from professional experience and some, equally important, from years of living with concern for our environment as a top priority.

DACC members:

Gordon Heisler, Chair (6038 Singletree Lane, Jamesville, NY 13078), gmheisler@gmail.com
Jonathan Kresge, krejnk@yahoo.com
Martha Holly Loew, mloew@twcny.rr.com
Diane Menzies, dn.menzies@gmail.com
David Mitchell, fermit@twcny.rr.com
Dennis Payne, paynedennis1@gmail.com
Ileni Pach, llepach@hotmail.com
Deborah Shanahan, debby@verizon.net
Brian Solomon, bscott.solomon@gmail.com
James Stacey, james.e.stacey@gmail.com
Ann Stevens, aroegen@gmail.com
Kate Woodle, kwoodle@twcny.rr.com

**CENTERSTATE NY INLAND PORT
DRAFT SCOPING DOCUMENT**

FOR THE

Draft Environmental Impact Statement

PORT OF OSWEGO AUTHORITY

Lead Agency, State Environmental Quality Review Act

SEPTEMBER 30, 2015

INTRODUCTION

The State Environmental Quality Review Act (SEQRA) process has recently been initiated for a proposed action: the CenterState NY Inland Port. Port of Oswego Authority is proposing to construct an intermodal terminal facility, the CenterState NY Inland Port (hereafter, “the Inland Port” or “the Project”), along the north side of Interstate 481 in the Towns of Dewitt and Onondaga, Onondaga County, New York. The CenterState NY Inland Port will handle, warehouse, and ship freight between the Center State NY region and the Port of NY/NJ, as well as the Port of Oswego providing a centralized location in New York State for freight transportation capabilities and value-added logistics capabilities. The CenterState NY Inland Port will also serve as High-Tech transportation-related research center. The Project will provide regional manufacturers and businesses with a much needed, centrally located, inland container, bulk cargo, warehousing, and shipping facility which will reduce costs for regional manufacturers, allowing for the provision of long-term jobs and career building, company and industry growth, and increases in exports in accordance with regional and national export initiatives.

The Inland Port facility will consist of four major components including 1) approximately 11,000 feet of new rail siding and 9,000 feet of loading/offloading track, 2) a container and stacking area where intermodal shipping containers are aggregated prior to dispatch to port, incoming containers are stored for clearance and where empty containers await onward movement, 3) warehousing facilities where cargo is received, stored and/or delivered and containers are filled, emptied and/or consolidated and 4) a Gate Complex and Administrative Center which regulates the entry and exit of road vehicles carrying cargo and containers through the terminal and where documentation, security and container inspection procedures are undertaken. The Inland Port will be subject to federal security regulations and will employ state-of-the-art shipment tracking, warehouse inventory, and other logistical management software to ensure that manufacturers have real-time data to inform their production and shipping schedules. In addition, the Inland Port will provide on-site space for companies looking for manufacturing space, targeting small and emerging regional manufacturers. The Inland Port will create substantial job growth for the region and will incorporate an extension learning center offering internships to area college students specializing in transportation, distribution and logistics.

The Inland Port will occupy a 290 plus-acre site, part of the Jamesville Quarry, owned by Hanson Aggregates North America (Hanson). Due to underutilization, Hanson is relinquishing mining rights to the Project site, returning the property to a commercial and revenue producing state. Work to develop the site as an Inland Port will occur upon

completion of mining site reclamation by Hanson. In general, construction of the Inland Port will include site grading, site drainage, wetland mitigation, installation of utilities (electric, sewer, water, gas, etc.), as well as development of infrastructure, such as access roads, truck processing facilities, maintenance and office buildings, improvements to approximately 12,000 feet of existing adjacent railroad tracks and the development of an 11,000 foot siding and three 3,000 foot long loading/unloading tracks within the facility.

- **Clarification: the “Project Site” is part of the Rock Cut Quarry, not the Jamesville Quarry. The north and south pit quarries (collectively Rock Cut Quarry) are managed under a single permit through NYSDEC Division of Mineral Resources (Mine ID 70021).**
- **Town of DeWitt identifies the following parcels within the “Project Site”, totaling 282.5 acres, please confirm:**

Tax ID	Town	Acreage
031.-01-06.0	Onondaga	8
071.-03-02.2	DeWitt	184.23
071.-03-02.1		86.68
071.-03-02.6		0.24
071.-03-02.5		0.24
071.-03-02.4		1.87
071.-03-02.3		1.2
Total		282.46

PURPOSE OF THE DRAFT SCOPING DOCUMENT IN SEQRA

The basic purpose of SEQRA is to incorporate the consideration of environmental factors into the existing planning, review and decision-making processes of State, regional, and local government agencies at the earliest possible time. To accomplish this goal, SEQRA requires a determination of whether a proposed action may have a significant impact on the environment, and if it is determined that the action may have a significant adverse impact, prepare or request an Environmental Impact Statement (EIS). It was the intention of the State Legislature that the protection and enhancement of the environment, human and community resources should be given appropriate weight with social and economic considerations, and that those factors be considered together in reaching decisions on proposed actions. It is not the intention of SEQRA that environmental factors be the sole consideration in decision-making.

This draft scoping document represents an initial step in the review of potential environmental impacts under SEQRA for the proposed Inland Port. The primary goals of scoping are to focus an EIS on potentially significant impacts and to eliminate consideration of those impacts that are not relevant or non-significant with respect to the proposed action. The purpose of this draft scoping document is to provide an opportunity for involved agencies, interested agencies, and the public to review and

comment on the identification of significant environmental conditions and resources that may be affected by the proposed action, and the extent and quality of information necessary to address those issues during the SEQRA process.

Pursuant to New York State Environmental Conservation Law Article 8, SEQRA; and Part 617 of Chapter 6 of the New York Code of Rules and Regulations (NYCRR), the Lead Agency, Port of Oswego Authority adopted a positive declaration and declared its intent to prepare a Draft Environmental Impact Statement (DEIS) for the proposed Inland Port. In accordance with SEQRA, the DEIS will address specific adverse environmental impacts which can reasonably be anticipated. This scoping document identifies the environmental conditions and resources that may be adversely affected by the Project, and defines the extent and quality of information necessary to address those issues.

- **The Inland Port project team should provide in the final scoping document what the anticipated SEQRA process timeline is, and when relevant actions / meetings will occur. For example: expected date of DEIS release, expected comment period related to DEIS, expected timeframe for public meeting to discuss DEIS, expected date of EIS release, etc.**

The DEIS will include all elements required by 6 NYCRR 617.9, including:

- i. **DEIS Cover Sheet.** All draft and final EISs must be preceded by a cover sheet stating whether it is a draft or final EIS; the name or descriptive title of the action; the location (county and town, village or city) and street address, if applicable, of the action; the name and address of the Lead Agency and the name and telephone number of a person at the agency who can provide further information; the names of individuals or organizations that prepared the EIS; the date of its acceptance by the Lead Agency; and in the case of a draft EIS, the date by which comments must be submitted.
- ii. **DEIS Table of Contents.** The table of contents will include listings of DEIS sections, tables, figures, maps, appendices, attachments and any items that may be submitted under separate cover (and identified as such).

In addition, the DEIS shall include the following sections:

1.0 EXECUTIVE SUMMARY

The executive summary will include a brief description of the proposed action and a listing of potential environmental impacts and proposed mitigation measures. A summary will also be provided of the approvals and permits required, and the alternatives to the proposed action that are evaluated within the DEIS.

2.0 DESCRIPTION OF THE PROPOSED ACTION

As described in more detail in the following sections, this chapter of the DEIS will include a comprehensive description of the site and will provide a detailed discussion of the proposed development utilizing currently available information.

2.1 Site Description

This section of the DEIS will characterize the size, geographic boundaries, and physiographic characteristics of the Project site. The relationship of the proposed Project to I-481, and nearby residential areas in the Towns of Dewitt and Onondaga, as well as any recognized or protected natural or man-made features will be described. The dominant land use within and adjacent to the Project site will also be discussed.

- **This Section should include the defined extent (boundary) within the Hanson-owned parcels that are anticipated to be disturbed by the project. It is expected that this will be a different geographic boundary than what is identified as the “Project Site” on Figure 1 of Attachment A to the *Full Environmental Assessment Form 9-30-15.pdf*.**
- **Of particular interest here is the “recognized...natural...feature” constituting approximately 70 to 80 acres of forestland due west of Old Stonehouse Road, and extending to the southwest along the escarpment, as well as along the northern property line with Drumlins Golf Club.**
- **Please note that in an operational sense, the dominant “land use” of this greenspace is currently public recreation; though more strictly defined land use categories would likely categorize this area as “open space” or “vacant land”. This comment is also directly related to Section 3.7 below.**

More detailed descriptions of these resources and any potential impacts will be analyzed in detail in dedicated sections of Chapter 3, as discussed in more detail below.

2.2 Detailed Description of the Proposed Action

The purpose, size, and layout of the proposed Project will be described in this section of the DEIS. Available maps, graphics, renderings, and/or plans will be provided showing the proposed location of the Inland Port, including the following infrastructure; new and improved railroad tracks, container and stacking area, warehousing facilities, and a Gate Complex and Administrative Center.

2.3 Project Purpose, Need and Benefits

A statement describing the purpose and need for the Project will be provided, along with background and history of the Project. This section will also include a brief overview of the environmental, social and/or economic benefits that are anticipated to result from the Project. A summary of local and regional economic outcomes which may result from the project will be provided. This will include an estimate of employment opportunities (both temporary construction jobs and permanent staff jobs) that are anticipated to result from the Project. An Economic Analysis will be included as an Appendix to the DEIS.

2.4 Construction and Operation

This section of the DEIS will describe construction of the proposed Project, including construction schedule/duration, construction staging and parking, anticipated construction employment, construction sequencing, and routing of construction traffic

along local roads. The on-site construction phase activities will be compliant with the State Pollutant Discharge Elimination System (SPDES) General Permit.

- **This Section should also include details related to the quarry reclamation plan that will need to be approved by DEC.**

2.5 Reviews, Approvals and Other Compliance Determinations

Governmental agencies having approval over the Project will be listed in this section, with explanation of the nature of their jurisdiction and the specific approvals required from each listed entity. In addition, the details associated with the SEQRA process for the proposed action will be included, along with a discussion of agency and public review and participation.

3.0 EXISTING CONDITIONS, POTENTIAL IMPACTS, AND MITIGATION MEASURES

With respect to each issue (or set of issues) described below in the various resource sections, the corresponding section of the DEIS will identify in sequence: the existing environmental conditions; the potential impacts of the proposed Project; and anticipated measures to avoid, minimize, and/or mitigate those impacts, as appropriate. The impacts and mitigation measures presented in these sections will include those related to the proposed Inland Port's operation as well as its construction.

Where one of these sections identifies multiple related issues (e.g., Section 3.1; Geology, Soils, and Topography), the section will first describe the existing conditions regarding all of these multiple related issues before then describing the related potential impacts. The discussion of impacts related to the multiple issues included within the section will then be followed by a review and discussion of related mitigation measures.

The text of these sections will be supplemented with maps, graphics, agency correspondence and agency data/analyses, Geographic Information System (GIS) data and newly prepared support studies, as appropriate, to convey the required information.

3.1 Geology, Soils, and Topography

This section will evaluate and describe topography, surface and subsurface soils, and bedrock conditions within the Project site. Potential impacts to soils could result from demolition of existing facilities, excavation and grading for construction of the facility, building foundations, site restoration, and landscaping. Topographical concerns include changes in slope during or after Project implementation that could alter drainage patterns and potentially increase runoff.

- **A large component of “Site Restoration” is likely related to the required mine reclamation activities; whereas the landscape will be positively impacted by soil being brought on site. Please provide sufficient details on that reclamation plan, including type and source of material that will be brought on site as fill, anticipated depth of fill, and type of vegetation that will be planted (e.g., hydroseed mix).**
- **It would be of great benefit to the community if Hanson / Port of Oswego could coordinate with the current owner of the Alpha Jamesville**

Corporation to crush the derelict cement plant structures located at Ogle Rd in Jamesville and use as fill material at the Rock Cut quarry north pit.
http://blog.syracuse.com/east/2009/04/dewitt_pitches_vision_for_old.html

Descriptions of existing conditions will be based upon published data (e.g., the Soil Survey of Onondaga County, electronic data from the Natural Resources Conservation Service, topographic mapping from the U.S. Geological Service, and maps and files from the New York State Museum). Potential impacts associated with the proposed Project will be identified and evaluated relative to the characterization of existing conditions provided in the sources noted above. This section will also describe mitigation measures that will be used to avoid, minimize, or mitigate impacts to geology, soils, and topography, including an approved erosion and sediment control plan. In addition, borings will be completed and results will be provided in a geotechnical report prepared for the Project.

- **A field survey should be conducted as the primary source of information on existing conditions. That is, in contrast to the types of “published data” noted above, an actual site walk and recording of observations will likely lead to a far more accurate description of conditions than based on these other references.**

3.2 Water Resources

This section of the DEIS will describe water resources at the Project site. Existing conditions, potential impacts and mitigation measures will be presented for each topic area.

Surface Waters

The section will describe natural and/or man-made surface waters (i.e., wetlands, streams, rivers, lakes, and ponds) within and adjacent to the Project site (if any), including their respective state and federal classifications. An on-site wetland delineation will be conducted and a report will be included as an Appendix to the DEIS. If relevant and applicable, the DEIS will identify the need for any Article 24 Freshwater Wetlands permits and/or Article 15 Stream Disturbance Permits, or approvals required under Sections 401 and 404 of the Clean Water Act. Preliminary correspondence with the NYSDEC indicate that Article 24 or 15 permitting will not be required. Project-related impacts to surface water resources will be described, along with proposed measures to avoid, minimize and/or mitigate such impacts. Specifically, this section will describe plans to affect the on-site wetland-pond complex located in the southeast corner of the Project site which was expanded in the 1960s to serve as a wash/tailings pond for quarry operations.

- **The wetland delineation activities will need to occur under non-winter conditions.**

Groundwater

This section will describe groundwater resources within the Project site, including known aquifers including limits and permeability. Potential impacts associated with the proposed Project will be identified and evaluated relative to the characterization of existing conditions provided in the sources reviewed.

Floodplains and Floodways

This section will identify any FEMA-mapped floodplain or floodway areas (as well as any local data), and provide an assessment of potential Project-related impacts to floodplains or floodways (if any). Potential impacts associated with the proposed Project will be identified and evaluated relative to the characterization of existing conditions provided in the sources noted above.

Stormwater

The DEIS will describe anticipated construction related impacts to drainage, stormwater runoff, and consequent effects upon water quality in the vicinity of the construction site. This section will be informed by the site specific Preliminary Storm Water Pollution Prevention Plan (SWPPP), to be developed and approved prior to construction, which will include the following:

- *Preliminary SWPPP*: This document will describe measures for controlling runoff and pollutants from the Project site during and after construction activities. Typical components of SWPPPs include measures that reduce or eliminate erosion and sedimentation, control volume and peak rate of stormwater runoff, and maintain stormwater controls during and after completion of construction. A Preliminary SWPPP will be included as an Appendix to the DEIS.
- **Page 6 of the Environmental Assessment Form identifies that “*on-site stormwater management facility will be directed to Rams Gulch*”.**
 - **The most recent census data of the federally threatened American Hart’s-Tongue Fern (AHTF) population within Ram’s Gulch has shown recent declines (see Table 2 of this document: <http://www.fws.gov/southeast/5yearReviews/5yearreviews/americanhartstonguefern.pdf>)**
 - **A detailed analysis related to potential impact on the AHTF in Ram’s Gulch due to increased stormwater routed to that area should be conducted.**

3.3 Climate and Air Quality

This section will describe the regional climate and existing air quality status in the vicinity of the Project site based on publicly available data. An Air Quality Analysis will be conducted in support of the Project and included as an Appendix to the DEIS. Further, it will discuss the potential impacts that could occur during Project construction or operation. Mitigation measures designed to minimize these impacts will be described in this section of the DEIS. As well as beneficial impacts resulting from increased use of underutilized railroad infrastructure. Concerns are primarily related to emissions from construction vehicles and dust generated during earth-moving activities.

- **Is a Greenhouse Gas (GHG) Inventory anticipated to be conducted? It should be fairly straight forward to pull from information used in this Air Quality Analysis and the energy use analysis described in Section 9 below to develop an estimate of carbon emissions resulting from implementation**

of this project; please consider quantifying lost sequestration capacity resulting from the anticipated impact to 15 - 16 acres of forest (as identified in the Environmental Assessment Form).

3.4 Biological, Terrestrial, and Aquatic Ecology

The section will describe the dominant plant species, ecological communities, wildlife species, and available habitat within the Project site. In addition, any known occurrences of state- or federally-listed plant or animal species (or available habitat for such species) will be identified. An Ecological Report will be prepared in support of the Project and included as an Appendix to the DEIS. Potential impacts associated with the proposed Project will be identified and evaluated relative to the characterization of existing conditions. Proposed measures to avoid, minimize, or mitigate impacts to ecological resources will also be included. Agency correspondence related to state- or federally-listed plant or animal species will be included in an Appendix to the DEIS.

- **The Ecological Assessment should be conducted under non-winter conditions.**

- **Will the approximately 70 acres of forest due west of Old Stonehouse Rd and extending to the south along the escarpment, as well as the 10 or so acres along the northern property line, be included in this Ecological Assessment? Are these areas anticipated to be impacted by the project, and if so, to what extent?**

A significant portion of the original undisturbed forestland (see comments under Section 2.1) would likely be classified as the Limestone Woodland natural community (<http://www.acris.nynhp.org/guide.php?id=9963>). The New York Natural Heritage Program identifies this community with a State Rarity Rank of S2 (“...very vulnerable in New York State”).

Approximately 50 rare species have been identified as associated with this natural community. The New York Natural Heritage Program recommends the following *Development and Mitigation Considerations*: “A natural (usually forested) buffer around the edges of this community will help it maintain the microclimatic characteristics that help make this community unique.” (<http://www.acris.nynhp.org/guide.php?id=9963&part=1>)

- **Will a fish survey be conducted within the wetland area located in the southeastern portion of the Project Site?**

3.5 Aesthetic/Visual Resources

This section will describe the existing visual character in the vicinity of the Project site, evaluate visual impacts associated with construction and operation of the proposed Inland Port, and recommend measures to avoid, minimize, or mitigate any adverse impacts to aesthetic resources. Analysis will include identification of visually sensitive sites and/or critical views within (approximately) 1 mile of the proposed facility, with emphasis on views from publicly accessible areas along I-481 corridor and surrounding landscape. Photographs will be taken to document existing conditions. In addition, computer-generated visual simulations and/or architectural renderings will be prepared

to depict the appearance of the completed Project. A Visual Impact Assessment will be prepared in support of the Project and included as an Appendix to the DEIS.

3.6 Historic, Cultural, and Archaeological Resources

The section will identify sites, structures, and districts with significant historic and/or archaeological value within or adjacent (within 1000 feet) to the Project site, and recommend measures to avoid, minimize, or mitigate any adverse impacts to cultural resources. Potential impacts associated with the proposed Project will be identified and evaluated relative to the characterization of existing conditions. Nearby/adjacent open space and recreation opportunities will also be discussed, along with the Project's interaction with such resources. SHPO Consultation and/or Correspondence related to historic, cultural, and archaeological resources will be included in an Appendix to the DEIS.

- **Again, the approximately 80 acres of existing open space / recreational area that has been identified in previous comments is within the identified Project Site boundary. The DEIS should specifically discuss “the Project’s interaction with” these areas.**

3.7 Open Space and Recreation

The section will document the current use of the Project site in terms of open space and recreation, and describe the anticipated effects upon such use in the area.

- **This Section will need to explicitly acknowledge that this quarry site, abandoned for the last 30 years or so, has become a popular open space and recreational resource. It is well known that hundreds of people frequent this area on a regular basis, whether mountain biking, hiking, bird watching, trail running, snow shoeing, or just exploring nature. If one conducts an internet search for “skytop quarry Syracuse”, results provide a number of websites documenting mountain biking and recreational usage of this area.**
- **The Environmental Assessment Form is not accurate in checking “No” under the following question (Part 1; E.1. ‘Land uses on and surrounding the project site’; part c): *Is the project site presently used by members of the community for public recreation?***
- **A survey of DeWitt and ESF/SU area neighborhoods should be considered to fully gauge the extent of recreational usage of this area.**
- **Interviewing bicycle shop owners and clubs in the region should be another mechanism to consider in order to fully gauge the extent of recreational usage of this area.**
- **Question 11 of Part 2 to the FEF (Impact on Open Space and Recreation) is directly related to these concerns. Sub-questions b (*The proposed action may result in the loss of a current or future recreational resource*)**

and d (*The proposed action may result in loss of an area now used informally by the community as an open space resource*) are both checked as “No, or small impact may occur”. However, it is not clear to the public whether these sub-questions were indeed answered accurately or if these answers simply reflect the Inland Port project team having no knowledge of the public’s use of this area.

3.8 Traffic and Transportation

This section of the DEIS will document existing vehicular use of the Project site and vicinity, describe the anticipated effects of the proposed Project on transportation-related use and infrastructure, and recommend measures to avoid, minimize, or mitigate any adverse impacts. Of particular concern are potential impacts to the adjacent I-481 and nearby I-81 and I-90. A Traffic Impact Study and Assessment will be prepared in support of the Project for review by NYSDOT and included as an Appendix to the DEIS.

- **Also of particular concern are potential impacts to Old Stonehouse Road, Rock Cut Road, Jamesville Road, and any other non-highway roads anticipated to experience increased traffic as a result of this project.**

- **Town of DeWitt strongly encourages Port of Oswego to consider developing site-specific infrastructure for direct access to Rt 481 (in particular accessing Rt 481 west bound) directly from the project site. That is, coordination with NYS DOT to construct on/off ramps from the project site.**

3.9 Noise and Odor

This section will generally describe existing conditions at the Project site (based on publicly available data) relative to noise and odor, identify potential sensitive receptors, evaluate associated Project impacts related to both construction and operation, and discuss measures to avoid, minimize, or mitigate any such impacts. Particular emphasis will be placed upon the potential noise impacts of the facility on nearby properties relative to existing noise sources (e.g., I-481).

3.10 Documented Environmental Conditions

This section will describe recognized environmental conditions at the Project site with respect to the quarry operation that occurred on-site, the NYSDEC permit for operating the mine, and the site reclamation process. Potential impacts associated with the Project within or in the vicinity of such recognized environmental conditions will be identified, and mitigation measures recommended as appropriate.

- **Town of DeWitt would like to review Hanson-aggregates reclamation plan prior to submittal to NYSDEC, for potential input.**

3.11 Public Health and Safety

This section will generally describe existing conditions at the Project site relative to public health and safety, evaluate associated Project impacts, and discuss mitigation measures to minimize such impacts.

3.12 Land Use and Zoning

The Port Authority is a state agency, therefore approval of the Project by any local municipality is not required under state law. However, the Applicant intends to design the Project consistent with the site design requirements of applicable Town Codes to the extent practicable. In addition, the Applicant will modify and/or revise the Project plans based on input and comments provided by the applicable Town Planning Boards, such that the Project will conform with the intent of the applicable Town Codes and guidelines to the extent practicable. Therefore, this section will describe the existing land use at the Project site and adjacent properties and review relevant land use regulation in the Towns of Dewitt and Onondaga. In addition, this section will evaluate potential impacts regarding the proposed Project's compatibility with surrounding land in the Towns of Dewitt and Onondaga, and discuss measures to avoid, minimize, or mitigate any Project-related impacts.

- **Please clarify specifically which portion of the New York Public Authorities (PBA) Consolidated Law, Article 6, Title 2 (1350 - 1374) Port of Oswego Authority (<http://codes.lp.findlaw.com/nycode/PBA/6/2>) is being referenced here to justify that approval of the Project by Town of DeWitt is not required.**

3.13 Growth and Character of the Community

This section will describe the existing character of the Project site and adjacent community. The DEIS will identify how the proposed Project may impact the character of the community, and mitigation measures will be identified, as needed.

- **Limiting or restricting access to the approximately 80 acres of open space described in previous comments will have a detrimental impact on the community. This area has become a significant open space and recreational resource. The property owner has not sanctioned the usage, they have simply done nothing to prevent it. It may be posted as private property, but it is well known that the area has developed a history, over decades, of public usage, and is now a popular recreation area used by hundreds of people on a regular basis.**

3.14 Community Facilities and Services

The DEIS will describe existing community services, including local police, fire and emergency service, solid waste management, and infrastructure services including wastewater treatment and potable water. Information will be based on publicly available data, personal communications with service providers, and/or review of pertinent literature. The DEIS will identify how the proposed Project may impact these services, and mitigation measures will be identified, as needed.

- **Specific considerations here are related to potential for reduced response time from emergency vehicles due to increased rail traffic (and potentially truck traffic).**

4.0 UNAVOIDABLE ADVERSE IMPACTS

This section of the DEIS will identify impacts that are likely to occur despite mitigation measures, and will compare these unavoidable impacts to Project-related benefits. This

section will also identify general avoidance and mitigation measures (e.g., adherence to applicable regulatory requirements), and specific mitigation measures (e.g., development of a SWPPP).

5.0 ALTERNATIVES ANALYSIS

The DEIS will include a description and evaluation of the range of reasonable alternatives to the proposed action that are feasible, considering the objectives of the Project Sponsor. Alternatives to be considered will include the “no action” alternative and may include other alternatives that would rely upon alternate Project location, alternate Project layout, or alternate Project scale/extent to either reduce or eliminate potential impacts.

➤ **The Introduction to this Draft Scoping Document states the following:**

“The Project will provide regional manufacturers and businesses with a much needed, centrally located, inland container, bulk cargo, warehousing, and shipping facility which will reduce costs for regional manufacturers, allowing for the provision of long-term jobs and career building, company and industry growth, and increases in exports in accordance with regional and national export initiatives.”

Is this to be interpreted as “the objectives of the Project Sponsor”? If not, please clarify. If so, then what would be considered as the minimum alternate Project scale/extent that would still meet these “objectives”? Note, these objectives are generally qualitative and do not explicitly suggest a minimum threshold of economics (i.e., profits).

6.0 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

This section of the DEIS will identify those natural and man-made resources consumed, converted, or otherwise made unavailable for future use as a consequence of the proposed Project.

7.0 CUMULATIVE IMPACTS

The DEIS will evaluate the potential cumulative impacts of the proposed Project along with other relevant projects developed or proposed in the area.

8.0 GROWTH INDUCING ASPECTS

This section of the DEIS will describe potential growth-inducing aspects the proposed facility may have with respect to additional development in the vicinity of the Project site.

Developers say that this Inland Port is to be modeled after the Virginia Inland Port (VIP). Environment impacts have apparently been relatively minor at VIP. However, there are major site differences between the Hanson Quarry and the site of VIP that have the potential for causing serious environment impacts at the Hanson site. The DEIS should detail how these site differences will be overcome.

A major difference is that the VIP was largely rural, whereas the Hanson property is close to residential areas in the Town of DeWitt, as well as being very near the

major city of Syracuse. Thus the increased noise, pollution, excess light, increased highway and rail traffic will directly impact people far more than at the VIP site.

Secondly, the available area around the VIP site for growth of related business was large, about 1000 acre, whereas, at the Hanson site, there is no such area for expansion unless current valuable land resources are usurped. If the Inland Port were successful as a business, pressure for expansion around site would lead to future negative impacts and environmental issues that the Town of DeWitt would be left to try to mitigate.

Another site problem that should be addressed in detail in a DEIS is the environmental consequence of development on the very irregular quarry floor. Even the VIP site had some development delays owing to “rocky soil”

9.0 EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

This section of the DEIS will describe the effect of the proposed Project on the use and conservation of energy.

10.0 REFERENCES

This section of the DEIS will list any sources of information cited directly within the narrative text unless otherwise recognized or footnoted within the text.

APPENDICES TO ACCOMPANY DEIS

At a minimum, and as described in more detail in the previous sections, the following materials will be included in an Appendix to supplement the information presented within the narrative:

- Relevant maps and figures
- Available preliminary project plans, specifications, and/or construction information
- Preliminary Stormwater Pollution Prevention Plan (SWPPP)
- Air Quality Analysis
- Wetland Delineation/Ecological Report
- Relevant agency correspondence
- Visual Impact Assessment
- Traffic Impact Analysis
- Noise Impact Analysis
- Economic Analysis

The Noise Impact and Air Quality Analyses should include the impact on Clark Reservation State Park, particularly on the northern-most trails, Long Trail and the northern loop of the Mildred Faust trail.

End--Draft Scoping document from POA

In addition to the comments in **blue** and **red** above, we, the DeWitt Advisory Conservation Commission, wish to state that we unequivocally support the comments of the Community First Coalition from November 6, 2015, which are copied below. Furthermore, we also embrace the comments from the Town of DeWitt Town Board, from November 5, 2015, which are copied here following the Community First document.

**COMMENTS AND STUDY REQUESTS
FROM
THE COMMUNITY FIRST COALITION
ON THE
SEPTEMBER 30, 2015
DRAFT SCOPING DOCUMENT
FOR THE
CENTERSTATE NY INLAND PORT
DRAFT ENVIRONMENTAL IMPACT STATEMENT**

November 6, 2015

To Whom It May Concern:

These comments are being submitted on behalf of the Community First Coalition which is a large and growing group of concerned Jamesville, Dewitt, Onondaga and Syracuse residents. Our group includes members from across the political spectrum who have backgrounds in law, business, medicine, environmental protection and environmental engineering, among other fields. We include both individuals and families who are relatively new to upstate New York and those who have called this place home for decades. We are writing to explain why we object to an inland port being constructed at the Jamesville North Rock Cut Quarry site and to file formal comments about the proposal for the NY CenterState Inland Port that has been proposed for the Jamesville North Rock Cut Quarry site.

We feel strongly that the site you've chosen runs the risk of adversely impacting this community that you are trying to revitalize. We raised a number of these concerns at the meeting held on Tuesday, October 13, 2015 but we thought it was important to be sure that our questions are being asked (and hopefully eventually answered) in a broader forum. These written comments should be viewed as a supplement to any previously submitted oral or written comments that you have received from us.

We have drafted our comments in two parts below. **Part I** outlines our general concerns about the proposed project, the problems with the site that has been selected, and the risks posed by fast-tracking the proposal going forward. These concerns implicate a number of subsections in the September 30, 2015 Draft Scoping Document and should be addressed and considered in each referenced subsection. The more specific concerns and study requests included in **Part II** are organized by subsection of the September 30, 2015 Draft Scoping Document.

PART I: SUMMARY OF CONCERNS

A. INSUFFICIENT PROCESS, IMPROPER SEGMENTATION, LACK OF TRANSPARENCY AND ABBREVIATED TIME FRAME FOR STUDY

The Port of Oswego Authority (the "Authority") has initiated New York's State Environmental Quality Review Act (SEQR) for the proposed action of constructing an intermodal terminal

facility known as the CenterState NY Inland Port (“the Project”) in the Towns of DeWitt and Onondaga, Onondaga County, New York. To date the Authority has completed a Full Environmental Assessment Form, issued a Draft Scoping Document dated September 30, 2015 and conducted a Public Scoping Meeting on October 13, 2015 at which time it indicated a Draft Environmental Impact Statement (DEIS) will be issued in February 2016 and a Final Environmental Impact Statement (FEIS) in April 2016.

In proposing such a compressed schedule, the Authority is signaling that a minimal amount of field study and data gathering will occur between now and DEIS issuance in February 2016, which will likely result in a set of baseline information that is inadequate for robust alternative analysis let alone form the basis for sound decision making. Put simply, the amount of time proposed for studies, analysis and DEIS/FEIS development is too short and not at all commensurate with the scale, importance or effects of the Project.

Although SEQR timelines outlined by the NYSDEC offer timeframes for certain activities, SEQR does not appear to specify or limit the amount of time for DEIS preparation following the current 60 day SEQR scoping period.¹ It would seem that the Authority is not, and should not be bound by what appears to be a self-imposed, arbitrary timeframe for DEIS development. Alternatively, the Authority can, and should extend its schedule to allow sufficient time to develop a thorough and complete DEIS, and in doing so, the Authority should develop and issue a revised scoping document for public comment that includes more detail for each resource area to be studied including:

- study goals and objectives,
- methodology,
- level of effort,
- schedule,
- description of existing information and information to be collected,
- description of why existing information is deemed sufficient if new information gathering is not proposed,
- how study methodology is consistent with generally accepted practices, and how study results would inform DEIS development.

In addition, the Authority’s characterization of the scope of the project is far too narrow, focusing solely on the Rock Cut Quarry site and ignoring obvious and substantial impacts from increased freight traffic that will be felt in the hamlet of Jamesville, in newly revitalized areas of downtown Syracuse and all along the rail line that is the linchpin of the proposal. SEQR does not permit such segmentation of the effect of a proposed action. Although the estimates of the increase in train traffic have varied, it is reasonable to expect that there will be more rail traffic, potentially longer train lengths and that these more frequent and longer trains will run on expanded schedules. These changes will have significant impacts on communities all along the

¹ See http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrflow2003.pdf

rail lines. These impacts (and any proposed mitigation measures) must be studied as part of a single, unified SEQR process.

This compressed and segmented review unfortunately appears consistent with a broader lack of transparency in this entire process. The Authority has been designated as lead agency for the Project, although the location of the Project is apparently outside the Authority's statutorily-defined jurisdiction. This raises serious questions about the Authority's ability to serve as lead agency. That designation as lead agency was apparently done to avoid town zoning restrictions, which are designed to protect residents and presumably would not allow a project of this type. Given that this will be a government owned project, largely funded by taxpayer dollars, it is especially troublesome that so many questions remain unanswered and so little effort has been made to understand residents' concerns.

B. LOCATION: GENERAL COMMENTS

The Outline of the Draft Scoping Document indicates that it will address a "Detailed Description of the Proposed Action" and "Project Purpose, Need and Benefits" (Sections 2.2 and 2.3) as well as "Alternatives Analysis" (Section 5.0). Those sections should address why the proposed location was chosen, given that it is a departure from the model used by other successful inland ports.

While the proponents of the project and the news articles describing the proposal continue to highlight the Virginia Inland Port ("VIP") as a model, there are a number of important differences between our project and that port project. **They are essential differences that should have led the proponents of this project to pick a more suitable site.** The Virginia Inland Port appears to be more than 6 miles from the downtown of Front Royal, Virginia and is surrounded by what looks to be agricultural and industrial land. Front Royal, Virginia has approximately 14,000 residents and is situated in a rural county with only 40,000 people. By contrast, (i) our proposed site is much closer (less than ½ mile) to dense residential populations in Jamesville, Dewitt and Syracuse; and (ii) Syracuse and Onondaga County, with populations of approximately 150,000 and 400,000, respectively, are ten times larger than Front Royal, Virginia. Notably, in a recent case study of the Virginia Inland Port,² the Virginia Port Authority noted that – even with its more rural and industrial location – VIP could have done "more planning" to "buffer residential development from freight activity." Those types of concerns are multiplied many times over at the proposed Jamesville site, with a much greater population of residents living much closer to a larger proposed site.

Other inland ports follow the same pattern as Virginia's. For example, the Inland Port in Greer, South Carolina is 3.1 miles outside of the city of Greer, a rural town with a population of 25,595 (2010 census). Greer is a small city that is 12 driving miles outside of Greenville, SC (population 59,153). There appears to be no schools of any significance within a 2-3 mile radius of this site.

² A copy of the case study is available at:

http://freightlocation.org/Downloads/NCFRP23_Virginia_Inland_Port_Excerpt_From_Report.pdf

This is a big project, involving investment of a lot of taxpayer money and with major ramifications for surrounding residents. What other sites were considered? What made those sites unsuitable?

C. LACK OF ROOM FOR EXPANSION

The Outline of the Draft Scoping Document indicates that it will address a “Detailed Description of the Proposed Action” and “Project Purpose, Need and Benefits” (Sections 2.2 and 2.3) as well as “Alternatives Analysis” (Section 5.0). Those sections should address why the proposed location was chosen, given the obvious limitations on growth and expansion.

One of the reasons that the Virginia Inland Port (and other inland ports) are placed in rural/industrial areas and away from town and city centers, is because there is more room to expand and to expand cheaply. Lower land prices make investment in the project more attractive for the companies that are expected to come and help grow these projects into successful long-term operations. In fact, in case studies of the Virginia Inland Port project, the developers of that site emphasize that “if VIP were developed with the knowledge that the Virginia Port Authority has today . . . land requirements would be expanded to 1,000 acres with greater emphasis on smart growth for supporting freight facilities.”³ Here the site that has been proposed is landlocked: the application lists 290 acres and expansion is limited given existing infrastructure and development. The hilly topography on the site also appears to further curtail easy expansion.

D. SCHOOLS, HOSPITALS AND SENIORS COMPLEX NEARBY

The Outline of the Draft Scoping Document indicates that it will address “Public Health and Safety,” “Land Use and Zoning,” “Growth and Character of the Community” and “Community Facilities and Services” (Sections 3.11 through 3.14). Those sections should address, at a minimum, how the proposed site diverges from the zoning restrictions placed on the property, and how the project will impact the large number of residences, schools, hospitals and retirement homes in the area.

We estimate that there are over twenty public and private preschools, elementary schools, middle schools, and high schools within only two miles of the site. Those schools include Jamesville Elementary, Moses Dewitt Elementary, Tecumseh Elementary, Jamesville-Dewitt Middle School, Ed Smith, Hughes Elementary, Clary Middle School, McKinley Brighton Elementary School, the Expeditionary Learning Middle School, Nottingham High School, Saint Theresa School, Syracuse Academy of Science Elementary School, Christian Brothers Academy, Holy Cross School, Manlius Pebble Hill, Montessori Discovery, Montessori School of Syracuse, Erwin Nursery, Syracuse University Daycare, Syracuse University Preschool. This long list of the students within a short distance of the proposed site does not even include one of the site’s immediate (and largest) neighbors: Syracuse University. The site poses obvious health, safety and security risks for students living at South Campus. (By contrast, using the Virginia Inland Port as a model, in Front Royal Virginia, the nearest school is three miles from the site and the next nearest appears to be 9 miles away.)

³ http://freightlocation.org/Downloads/NCFRP23_Virginia_Inland_Port_Excerpt_From_Report.pdf

There are also a significant number of hospitals that are within only a few miles of the proposed port site and which are directly adjacent to the rail line that will likely see significant increases in freight traffic. The impacts on those facilities of increase rail and truck traffic must be studied.

Finally, immediately across the road from the proposed site is the Nottingham Retirement Community. Overall, that is a substantial number of students and elderly that are located within a short distance from the proposed site. As outlined in more detail below, the health and safety of these more vulnerable populations are jeopardized by substantial increases in traffic congestion, environmental pollution and security risks that attend a facility of this nature and size.

E. SUBSTANTIAL INCREASES IN TRUCK AND RAIL TRAFFIC

The Outline of the Draft Scoping Document indicates that it will address “Traffic and Transportation,” “Growth and Character of the Community” and “Community Facilities and Services” (Sections 3.8, 3.13 and 3.14). Those sections should address, at a minimum, how the Project will impact traffic in the area, including by factoring in the various proposals for the reconstruction of I-81.

The draft of the Port of Oswego’s long-form EAF estimates that there will be average daily traffic of 817 tractor-trailers at this site. Trucks will be entering and leaving the site 24 hours per day, within earshot of a thriving residential community. That computes to **over 24,000 trucks per month** and **nearly 300,000 trucks per year**. We do not believe that this community can safely absorb that increase.

We are about to embark on one of the most transformative transportation projects in the history of our community – the Interstate 81 rebuild. That means this proposal will introduce over 800 tractor trailers daily precisely at the junction of 481 and 81, which will be the defining point in whatever 81 renovation project we take. In the short term, this will greatly exacerbate what will already be a challenging traffic situation during the decade of I-81 construction. The timeline for the proposed infrastructure and the nature of that infrastructure has not been unveiled.

Accordingly, the proponents of the project should address, at a minimum, the following questions:

- How many daily trucks will enter and exit the proposed port and how will they access the interstate system (i.e., where and how will they enter I-481)?
- How will the additional truck traffic impact the traffic patterns contemplated for the various proposals for the reconstruction of I-81?
- How will the additional truck traffic affect traffic congestion in the neighboring communities, on side roads including but not limited to the Seneca Turnpike, Jamesville Road, Woodchuck Hill Road and Nottingham Road?
- How will the additional traffic from employees going to and from the inland port affect traffic congestion in the area, on both interstate and side roads?
- How will the additional vehicular and train traffic impact emergency response times to neighboring communities?

We also need to learn how much of an increase in rail traffic is expected by the time the project is fully built. Additional trains in Jamesville and downtown will exacerbate traffic as cars wait for trains to pass and may create problems for emergency responders, who need to cross those tracks. There are numerous drawbacks of having increased train traffic traveling on, and stopping in such a populated area. These traffic concerns need to be studied and addressed.

Similarly, the EIS should address how increased rail traffic from the proposed inland port will impact all communities located in proximity to those lines.

F. OTHER CONCERNS ABOUT THE PROPOSED SITE

The Outline of the Draft Scoping Document indicates that it will address “Climate and Air Quality,” “Noise and Odor,” “Documented Environmental Conditions” and “Public Health and Safety” (Sections 3.3, 3.9, 3.10 and 3.11). The addition of hundreds of trucks each day and the operation of a 24/7 transportation hub will generate significant increases in carbon emissions, noise pollution, light pollution and odor all within a highly populated area. These environmental effects need to be rigorously studied, especially given the proximity of a highly populated community.

We cannot find any evidence of thorough site evaluations by the site’s current owner, Hanson Industries, and understand that the company has not undertaken any site remediation as this is only required once their permit lapses and it has been renewed until recently. We also understand from papers done by SUNY’s Environmental School of Forestry that the geological make-up of the site presents additional challenges, as any spills or contamination caused at the port will be difficult, if not impossible to mitigate.

Accordingly, the EIS should address, at a minimum, the following questions with respect to these issues:

- What will be the additional noise and light pollution impacts from the port and what efforts, if any, will be taken to mitigate those effects?
- What will be the extent of additional diesel emissions and other air pollutants associated with the inland port? How will those emissions impact neighboring communities, including the extensive populations of children and elderly residing in close proximity to the site, and factoring in the existing air pollution in the area from the incinerator plant, the operating quarry mines, and existing traffic emissions from the congested roads in the area?
- What are the likely spills and contaminations expected from the Project – both during construction and operation – and how will they be mitigated and remediated?

G. JOB CREATION AND PROXIMITY

The Outline of the Draft Scoping Document indicates that it will address “Project Purpose, Need and Benefits,” “Growth and Character of the Community,” and “Alternatives Analysis” (Sections 2.3, 3.13, and 5.0).

The proponents of the project have touted the fact that it will bring jobs to underserved and underemployed areas of our community. Of course, this community needs jobs and economic revitalization. We just want to hear why the residents of Jamesville, Dewitt and Syracuse need to absorb this facility into our neighborhoods in order to achieve these objectives. That's not how other inland ports across the country have been sited.

It does a disservice to all of us to write articles and issue statements that suggest that we need to place the facility within a mile and a half of the south side of Syracuse in order for those residents to get these jobs. If the proponents of the project want to ensure that people from the City of Syracuse will get these high-paying jobs, they can adopt explicit hiring preferences to make sure that happens. That kind of assurance has much more teeth than geographic proximity does. If the jobs are as well paid as promised, people from around this region will compete for those jobs and they won't struggle to afford a short commute to a facility set further away from their homes and their children's schools. There should be an analysis performed of how the proponents of the project plan to assure that those located in close geographic proximity to the Project will benefit from the jobs and what alternatives were considered for ensuring that those residents could benefit from the jobs, even if the Project were located in a different site.

Part II. Additional comments pertaining to specific subsections of the proposed document

A. Section 2.0: Description of the Proposed Action

In Section 2.3 the Authority states that the purpose and need for the Project will be defined and that an economic analysis will be included as an appendix to the DEIS. The Authority does not describe how the analysis will be performed or what tool(s) will be used. For example, is the Authority proposing to use a tool such as Regional Economic Models, Inc.'s REMI model or equivalent, and if not, the Authority should describe what tool or methodology it will use and how the full array of socio-economic considerations will be quantified and compared.⁴

Information made available to-date regarding the Project description and operation lacks sufficient detail to inform decision making. Further, Section 2.4 of the scoping document only states that the DEIS will address construction-related activities and does not explain how the DEIS will describe operation of the Project once constructed. The updated scoping document should include more detailed drawings and operational descriptions of the Project. The DEIS should include all relevant drawings, plans, specifications and operational descriptions to allow for a full understanding of not only the constructed features of the Project, but operation of the Project over its life-span including closure, decommissioning and site restoration.

B. Section 3.2: Water Resources

⁴ REMI is a well established tool that has been used by the New York State Department of Economic Development and New York State Energy Research and Development Authority

Under *Surface Waters* the scoping document should be updated to describe what in-situ wetland delineation will occur and what state or federal methodologies and standards will be used. Additionally, the scoping document should describe the timing of consultation that is anticipated for Section 401 and 404 permitting recognizing that NYSDEC and/or U.S. Army Corps of Engineers permit review timeframes need to be factored into the overall Project schedule. Under *Stormwater*, the scoping document should describe how pre- and post-construction rainfall and runoff characteristics will be calculated including a listing of anticipated pollutants requiring treatment under the SWPPP both during construction and once the Project is operational.

C. Section 3.3: Climate and Air Quality

The scoping document states that a study of climate and air quality will be based on publicly available data. This implies that no baseline in-situ field data will be collected. This approach seems fundamentally flawed in that the Authority has not described what the existing data consists of, when and where it was collected or how it is germane to determining effects of the Project. Given that the Project will actually serve as an air pollutant focal point, it would seem that any air quality analysis in the DEIS should include, and be based upon collection of on-site data over a range of seasons and weather conditions in order to establish a sound baseline set of data. It is unclear how such a multi-season study will be performed to inform a DEIS developed in February 2016.

The surrounding community is very concerned about the public health implications and air quality impacts associated with an increase in diesel emissions, and related emissions from on-site, and transit related to the site.

Over 10 years ago, the Union of Concerned Scientists released a fact sheet stating the following, "Particulate matter, or soot, is created during the incomplete combustion of diesel fuel. Diesel is composed of hundreds of chemical elements, including carcinogenic compounds and heavy metals such as arsenic, selenium, cadmium and zinc. It varies in size from coarse to fine, to ultrafine particulates. The latter are small enough to penetrate the cells of the lungs, and make up to 80-95% of diesel soot pollution."

They go on to say that although everyone is susceptible to diesel soot pollution (which can irritate the respiratory system, causing coughing, choking, and reduced lung capacity), children, the elderly, and individuals with pre-existing respiratory conditions are the most vulnerable. As mentioned before, the proposed location is within close proximity of many schools and retirement communities.

Diesel emissions also contribute to the formation of ground level ozone. Urban ozone has been linked to increased hospital admissions for respiratory problems such as asthma, even at levels below the federal standards for ozone.

One of the most cited benefits of the Project is that it will create high paying jobs for low skilled, underemployed workers in an area that has great poverty. The question is, do these jobs come at a price to these people? In 2002, the National Center for Environmental

Assessment, Office of Research and Development, of the USEPA, cited “occupational health studies of railroad, dock, trucking and bus garage workers exposed to high levels of diesel exhaust over many years consistently demonstrate a 20-50% increase in the risk of lung cancer or mortality.” More recent studies, particularly in CA, have only reinforced this finding. As stated by others, is this a model that we want to continue?

So in light of these public health threats, we’ve been advised by an air quality expert at Harvard’s School of Public Health to ask how the project will attain the new NAAQS for ozone of 0.070ppm. New NAAQS for particulate matter, carbon monoxide and lead also need to be assessed. Your air quality analysis in section 3.3 must address existing ambient air quality over the course of different seasons to understand how the cargo cranes, trucks and train will meet this criteria given existing source contributions (Hanson’s operating quarry, the asphalt plant, and the incinerator). We’d also expect new sources, like the construction and potential re-route of I-81 to be considered.

In addition to looking at potential impacts here, your EIS should include environmental data gathered by permitting agencies from existing inland ports. While location, size, and other factors will make our situation unique, it would be an important piece of your analysis, and for the public trust, to know what air quality impacts have been measured in other inland port communities and how they’ve met attainment criteria in their locations.

It is also imperative to evaluate the impact of waste generated from this site. What type of waste will be generated from clean up of this site? Where will it be disposed of, or how will it be contained during clean up and over the life of the project? What type of waste will be generated daily from this type of industrial facility and would this be processed at the incinerator? What are the potential organic and inorganic byproducts you anticipate from this waste stream and how would they impact emissions from the incinerator?

D. Section 3.4: Biological, Terrestrial, and Aquatic Ecology

The scoping document states that an Ecological Report will be prepared describing plant species, ecological communities, wildlife species and available habitat; and that known occurrences of state or federally listed rare, threatened or endangered plant or animal species (or their habitat) will be documented. However, the scoping document does not describe if field work necessary to develop the Ecological Report has already been performed or if that field work is yet to occur. If the necessary field studies have been performed, they should be made available. If they have not, the scoping document should describe what field studies will be performed and when.

The Authority’s Full Environmental Assessment Form lists potential state and federally listed rare, threatened or endangered (“RTE”) species or species of special concern; and while the scoping document indicates such resources will be studied, it is unclear how or if RTE resources can be properly studied in the field between now and DEIS issuance in February 2016. For example, the Authority notes the potential for the federally-protected Northern Long-Eared Bat (NLEB) whose hibernacula is often found in caves and mines, not unlike the features afforded

on the proposed Project site. Given the nature of the site and its location within the NLEB species habitat range, even a presence/absence study would involve acoustic sampling and/or mist netting during summer months, and such study design would need to conform with USFWS 2015 guidance regarding the NLEB (as would construction activities). The impact of this project (both in its initial construction phase and the ongoing noise, odor and light pollution) on all of the RTE species that are identified must be thoroughly and properly studied. As another example, given the twenty-four hour operation of the proposed port, what is the expected impact on the resident species like screech owls that are nocturnal (and which have been observed in the area). The required field studies cannot be completed before February 2016.

Additionally, the study of RTE botanical resources, including but not limited to the federally-listed Hart's-Tongue Fern (which is present in neighboring Clark Reservation) and state-listed marsh arrow-grass, will be a challenge to properly complete by February 2016 since proper phenological windows have likely passed. The updated scoping document and DEIS should reflect a robust examination of biological, terrestrial and aquatic resources based on appropriate field study.

E. Section 3.7: Open-Space and Recreation

The scoping document offers no information on how existing recreational resources or attributes of the Project site will be documented or quantified. The scoping document should describe user surveys or other instruments that will be administered over the course of what will need to be multi-seasonal survey period. As with other studies, it is unclear how spring or summer recreational use can be documented by February 2016.

F. Section 3.9: Noise and Odor

The scoping document should describe what in-situ noise and odor studies will be performed to define the baseline to which Project effects will be compared. Presumably, such studies would need to occur over a range of times and conditions to fully understand the diurnal and seasonal variation of the baseline in comparison to what is characterized as 24-7 operation of the Project. Section 3.9 focuses only on noise and odor impacts and we believe that light pollution will be a significant impact, as well, and requires study.

G. Section 3.13: Growth and Character of the Community

The scoping document offers no information on how a study of the growth and character of the community will be performed. The scoping document needs to identify how such a study would be performed including its quantitative or qualitative aspects. Similarly, the scoping document should offer an indication of what mitigation measures exist or may consist of, and describe how they have been employed at similar projects.

H. Section 3.14: Community Facilities and Services

The scoping document should identify how this study will identify what increased costs may occur as a result of the Project and how such costs will be funded.

I. Sections 4.0 – 9.0

Section 4.0 through Section 9.0 of the scoping document relate to alternatives analysis and effects of the proposed Project in comparison to the no-action alternative and a series of alternate Project configurations and locations. A robust baseline of information and studies is needed for the Authority to appropriately develop the DEIS and FEIS, and the Authority should extend its DEIS and FEIS schedule to allow for sufficient time to perform studies that will properly inform these sections of the DEIS and FEIS. This time should also be used for outreach to federal, state and local resource agencies such as the USFWS and NYSDEC such that the updated scoping document and DEIS/FEIS reflect their input.

This region has lived without the Project for this long, and all can wait even another year as the necessary studies are performed and data is collected and analyzed. This Project is too large and impactful to rush or get wrong, and more time will not place undue hardship on the Authority or the communities involved.

Signed:

Members of the Community First Coalition, November 6, 2015

Contacts:

Lisa Carey Moore, Peck Hill Road

Lauryn Gouldin, Drumlins Terrace

MJ MacKenzie, Steinway Drive

We, the DeWitt Advisory Conservation Commission, also embrace the following comments from the Town of DeWitt Town Board, from November 5, 2015

November 5, 2015

By regular mail and e-mail: zkirincich@portoswego.com

Mr. Zelko Kirincich
Port of Oswego Authority
1 East 2nd Street
Oswego, NY 13126

RE: SEQRA Comment Period-CenterState NY Inland Port

Dear Mr. Kirincich:

Based on the limited information that has been presented, the Town of Dewitt cannot support the above referenced project at the proposed site. Even with all questions answered, we would still be left with the overriding question: "Is this operation beneficial and or appropriate for the citizens of the Town of Dewitt?" No logical evaluation can result in an affirmative answer to that question.

This project will not and does not fit within the parameters of the Comprehensive Plan of the Town of Dewitt. Clearly, the information provided thus far is not adequate to provide a basis for the Town to support this project.

The various impacts on the Town of Dewitt that a project of this breadth and size are so significant and substantial that the Town should and must be fully involved and engaged with all issues relating to this project. This project is required to and must adhere to all Town of Dewitt zoning and land use regulations.

The Town agrees with our Planning Board, which entity has also submitted comments, that this Project cannot be adequately reviewed without the submission to the Town of Dewitt Planning Board of a full Site Plan which follows the criterion as set forth in the various sections of Chapter 192 of the Code of the Town of DeWitt.

The Town Board and Planning Board unequivocally disagree with the designation from the Full Environmental Assessment Form on Section B (b) that no approval is needed from the Town of DeWitt Planning Board for this project.

The scope and magnitude of this project demand that the entire approval process be thorough and transparent. Inasmuch as the project is located almost entirely within the Town of Dewitt, there is no community more impacted by the decisions that will or may be made in regard to the project. The Town of Dewitt Planning Board should and must be integrally involved as an involved agency for SEQRA purposes with regard to this project to ensure that this project adheres to all zoning and land use regulations.

Very truly,

(Signed by Supervisor and all Board members wanting to be a part of this letter)