Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: MSE Berm Modification		
Project Location (describe, and attach a general location map): 209 Partition Street Extension, Renesselaer, NY 12144		
Brief Description of Proposed Action (include purpose or need): The Dunn Mine and C&D Facility is an existing mine and construction and demolition debris (C&D) landfill located in Rensselaer, New York. S.A. Dunn would like to obtain approval from NYSDEC to modify the footprint to incorporate a mechanically stabilized earthen (MSE) berm on the north side of the site. The berm will increase the setback distance from the north property line and will be higher in elevation than the current permitted berm elevation which will provide visual screening from landfill operations for the adjacent property. The proposed revision will decrease the total waste footprint and will not increase the maximum permitted elevation of the site above that which is already permitted. There will be no increase in C&D disposal volume as a result of this project.		
Name of Applicant/Sponsor: S.A Dunn & Company, LLC	Telephone: (518) 650-6106 E-Mail:	
Address: 209 Partition Street Extension		
City/PO: Rensselaer	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role): Curt Taylor, Region Engineer	Telephone: (518) 650-6106 E-Mail: Curtis.Taylor@wasteconnections.com	
Address: 209 Partition Street Extension		
City/PO: Rensselaer	State: NY	Zip Code: 12144
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Counsel, Town Board, or Village Board of Trustees ☐Yes☑No		
b. City, Town or Village Planning Board or Commission ☐Yes☑No		
c. City, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☐Yes☑No		
e. County agencies ☐Yes☑No		
f. Regional agencies ☐Yes☑No		
g. State agencies ☑Yes☐No	NYSDEC- NYSDEC Part 360 Permit, MSGP, Mining Permit	January 2022
h. Federal agencies ☐Yes☑No		

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

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

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

C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):

Remediaton Sites:442042

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

If Yes, identify the plan(s):

C.3. Zoning

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

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

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

C.4. Existing community services.

a. In what school district is the project site located? Rensselaer/North Greenbush

b. What police or other public protection forces serve the project site?
Rensselaer/North Greenbush

c. Which fire protection and emergency medical services serve the project site?
Rensselaer/North Greenbush

d. What parks serve the project site?
This project does not create any demand for park use.

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? The general nature of the proposed action is to incorporate a mechanically stabilized earthen (MSE) berm on the north side of the site.

b. a. Total acreage of the site of the proposed action? 5[illegible] acres
b. Total acreage to be physically disturbed? 5.2 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 90.4 acres

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

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

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

Initial construction of the MSE Berm will begin after construction of Phases 10A, 10B, 10C, 9, and 8A with the installation of Phase 8B of the C&D Facility and will be completed during construction of Phase 7B during the following construction season.

f. Does the project include new residential uses? ☐Yes ☑No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes ☑No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

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

If Yes,

i. Purpose of the impoundment: Proposed North Infiltration Basin will be excavated to provide stormwater containment. It is not an impoundment.

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify:

_____

iii. If other than water, identify the type of impounded/contained liquids and their source.

_____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

_____

D.2. Project Operations

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

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

_____

_____

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No

If yes, describe. _____

_____

v. What is the total area to be dredged or excavated? _____acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐Yes ☐No

ix. Summarize site reclamation goals and plan: _____

_____

_____

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

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

_____

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

_____

_____

_____

_____

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

If Yes, describe: _____

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

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

_____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

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

_____

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

If Yes:

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

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

If Yes:

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

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

If Yes:

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

_____

- Source(s) of supply for the district: _____

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

If, Yes:

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

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

_____

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

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

If Yes:

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

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

_____

_____

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

If Yes:

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

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

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

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

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

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

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

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

If Yes:

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

1 Square feet or _____ acres (impervious surface)

1 Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. Swales, culverts, basin outlet pipe

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

North Infiltration Basin

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes☑No

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

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

If Yes, identify:

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

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

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

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes☑No

If Yes:

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

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

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

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

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

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

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

If Yes:

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

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

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

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

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

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

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

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

If Yes:

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

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

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

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

i. During Construction:

- Monday - Friday: 6:30 am - 5:30 pm
- Saturday: 8:00 am - 4:00 pm
- Sunday: Closed
- Holidays: Closed

ii. During Operations:

- Monday - Friday: 6:30 am - 5:30 pm (daily cover operations complete by 6:30 pm)
- Saturday: Closed
- Sunday: Closed
- Holidays: Closed

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

If yes:

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

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

Describe:

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

If yes:

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

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

Describe:

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

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

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

If Yes:

i. Product(s) to be stored

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

iii. Generally, describe the proposed storage facilities:

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

If Yes:

i. Describe proposed treatment(s):

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

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

If Yes:

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

- Construction: <1 tons per ~3-6 months/phase (unit of time)
- Operation : _____ tons per _____ (unit of time)

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

- Construction:
- Operation:

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

- Construction: Waste geosynthetics from construction will be disposed of in on-site C&D landfill
- Operation:

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

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): C&D Disposal

ii. Anticipated rate of disposal/processing:

- N/A Tons/month, if transfer or other non-combustion/thermal treatment, or
- N/A Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: 17 years

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

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

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

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

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

If Yes: provide name and location of facility: _____

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

There will be no hazardous waste associated with this project

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

☐ Urban ☑ Industrial ☑ Commercial ☑ Residential (suburban) ☑ Rural (non-farm)
☑ Forest ☑ Agriculture ☐ Aquatic ☑ Other (specify): Cemetery and Schools

ii. If mix of uses, generally describe:

The proposed project site is surrounded by the areas listed above as well as schools and a cemetery.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested	2	0	-2
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.75	2.48(North Infiltration Basin)	1.73
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)	2.57	0	-2.57
• Other Describe: Vegated MSE Berm with gravel road	0.0	3.5	3.5

c. Is the project site presently used by members of the community for public recreation? ☐Yes ☑No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑Yes ☐No

If Yes,

i. Identify Facilities:

Rennselaer Junior/Senior High School is located approximately 650 feet northeast of the MSE Berm.

e. Does the project site contain an existing dam? ☐Yes ☑No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☑Yes ☐No

If Yes:

i. Has the facility been formally closed? ☐Yes ☑No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

The proposed project site is an existing C&D Disposal facility.

iii. Describe any development constraints due to the prior solid waste activities: _____

Their are no development constraints.

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes ☑No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☑Yes ☐No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☑Yes ☐No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☑ Yes – Environmental Site Remediation database — Provide DEC ID number(s): 442042

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑Yes ☐No

If yes, provide DEC ID number(s): 442042

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

442042-active cleanup proposed for summer 2015 and has been since classified as "C" for complete. Refer to Appendix B and D for additional information.

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 200 feet

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

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

Fredon Silt Loam	23.9 %
Hoosic Gravelly Sandy Loam	63.1 %
Windsor Loamy Sand	13.0 %

d. What is the average depth to the water table on the project site? Average: 130-170 feet

e. Drainage status of project site soils:

☑	Well Drained:	13.0 % of site
☑	Moderately Well Drained:	63.1 % of site
☑	Poorly Drained	23.9 % of site

f. Approximate proportion of proposed action site with slopes:

☑	0-10%:	[redacted] % of site
☑	10-15%:	[redacted] % of site
☑	15% or greater:	[redacted] % of site

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

h. Surface water features.

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

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

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

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

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

- Streams: Name Quackenderry Creek Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☑No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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

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

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes ☑No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:

Rats	Mice	Chipmunks
Squirrels	Snakes	Birds
Raccoons	Ducks	Opossum

n. Does the project site contain a designated significant natural community? ☐Yes ☑No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐Yes ☑No

If Yes:

i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☑No

If Yes:

i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No

If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☑No

If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☑No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

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

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

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

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

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

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

If Yes:

i. Identify resource: Revolutionary Trail and Hudson River

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Refer to Appendix B and D

iii. Distance between project and resource: Refer to Appendix B miles.

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

If Yes:

i. Identify the name of the river and its designation: _____

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

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Curt Taylor Date 1/13/2022

Signature _____ Title REGION ENGINEER

PRINT FORM

APPENDIX B

- Additional Information Supporting the EAF

ADDITIONAL INFORMATION SUPPORTING THE EAF

B. GOVERNMENT APPROVALS, FUNDING, OR SPONSORSHIP

B.c. *City Council, Town or Village Zoning Board of Appeals*

The proposed MSE Berm area is located within property owned by S.A Dunn Company, LLC. The zoning map is included in Appendix D which shows that the zoning in the proposed project area is "Industrial (1-2)" which permits uses of the land as quarries, pits, filling and excavating; therefore there is not a need for zoning or use variances.

B.g. *State Agencies*

The proposed MSE Berm will require NYSDEC approval of a Mined Land Use Permit, Part 360 Solid Waste permit, and Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (GP-0-17-001). Concurrently, the facility is renewing the existing Mined Land Use Permit and Part 360 Solid Waste permit.

B.i. *Coastal Resources*

ii. As noted in the EAF Mapper Summary Report (Appendix C), dated January 7, 2021, the proposed project is located in a community with an approved Local Waterfront Revitalization Program. However, this project does not involve any disturbance within the waterfront area.

C. PLANNING AND ZONING

C.2 Adopted land use plans

C.2.b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)?

Yes, Remediation Site: 442042 – Rensselaer Wyck Target Range – Clean up started in the summer of 2015 and by the following year, the site was completed. Refer to Appendix D for more information.

C.3 Zoning

C.3.a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance?
If Yes, what is the zoning classification(s) including any applicable overlay district?
The proposed project area is located on property owned by S.A Dunn & Company LLC which has an adopted zoning law or ordinance. The City of Rensselaer zoning map dated June 2012 (Appendix D) classifies the C&D area as Industrial (1-2) which is an area where quarries, pits, filling and excavating are permitted.

C.3.b. Is the use permitted or allowed by a special or conditional use permit?
The proposed MSE Berm area permit modification requires approval by NYSDEC.

D. PROJECT DETAILS

D.1 Proposed and potential development

D.1.a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?
The general nature of the proposed action is construction of a mechanically stabilized earthen (MSE) berm on the northern and eastern side of the site.

D.1.b. Total acreage to be physically disturbed
The proposed project encompasses 5.2 acres which includes the reinforced berm geogrid embedment length, berm top width, including drainage swale, road, and planting area (where applicable). The project area also includes the North Infiltration Basin which is already approved and permitted but will be constructed concurrent with the MSE Berm. Refer to Figure 2 for limits of the project area.

D.1.c. Is the proposed action an expansion of an existing project or use?
No, the proposed action is not an expansion to the site. The proposed MSE Berm will provide additional visual screening.

D.1.e. Will proposed action be constructed in multiple phases?
Yes, the proposed action will be constructed in multiple phases. Initial construction of the MSE Berm will begin prior to installation of Phase 8B of the C&D Facility and will be completed during construction of Phase 7B during the following construction season.

D.2 Project operations

D.2.f.i. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?
The proposed MSE Berm will not result in one or more sources of air emissions.

D.2.g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?
The proposed action does not require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit.

D.2.j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?
Under the current permit from NYSDEC, the site is permitted to generate up to 100 truck round trips per day. There are no proposed changes to this permit condition to facilitate the MSE Berm project; therefore, there will be no changes to the traffic impacts.

D.2.m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?
The construction of the MSE Berm will not result in changes to the expected noise levels.

D.2.n. Will the proposed action have outdoor lighting?
No, the proposed action does not include any plans for outdoor lighting.

D.2.o. Does the proposed action have the potential to produce odors for more than one hour per day?
No, the proposed project is construction of a MSE Berm, which will not generate odors. The berm construction will not increase the amount of waste placed in the C&D disposal area; therefore, the potential for odor production remains the same as current operations and the site will continue to implement odor control procedures in compliance with the Facility Manual.

D.2.s. Does the proposed action include construction or modification of a solid waste management facility?

The construction of the MSE Berm does not change the type of management or handling of waste, nor result in any increase to the rate of disposal or anticipated site life, but it is anticipated to reduce the waste disposal site life by approximately four months.

E. SITE AND SETTING OF PROPOSED ACTION

E.1 Land uses on and surrounding the project site

E.1.d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?

Appendix D includes an aerial photograph of the Site and Rensselaer Junior/Senior High School, which is located approximately 653 feet northeast. The MSE Berm will provide additional visual screening from site operations at the school property.

E.1.f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property, which is now, or was at one time, used as a solid waste management facility?

The project site is currently a C&D disposal facility. There are no development constraints for the proposed MSE Berm.

E.1.h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?

According to the Environmental Site Remediation Database Search Details (Appendix D), a former target range that is identified by the Environmental Site Remediation Database Search as a potential hazardous waste site (site code: 442042) is located approximately 1,210 feet from the site. The location is a class "C" facility, indicating that it has been satisfactorily completed under a remedial program. Further information about the Rensselaer Wyck Target Range can be found in the attached Environmental Site Remediation Database Search Details in Appendix D.

E.2 Natural Resources On or Near the Project Site

E.2.a. What is the average depth to bedrock on the project site?

Depth to bedrock on the Project site is approximately 198 feet below the ground surface.

E.2.c. Predominant soil type(s) present on project site

The Web Soil Survey Soil Map (Appendix D) illustrates predominant soil types present on the additional disturbance area. Based on this information, the soils in the area of the proposed action are Fredon Silt loam (23.9%), Hoosic Gravelly Sandy Loam (63.1%) and Windsor Loamy Sand (13.0%).

E.2.d. What is the average depth to the water table on the project site?

The depth to groundwater is approximately 130 to 170 feet below grade.

E.2.e. Drainage status of project site soils:

The Web Soil Survey Soil Map for the project area (Appendix D) provides the engineering properties of the predominant soil types present on the site. Using the Web Soil Survey Map Engineering Properties descriptions, the soils within the site are approximately 13.0% excessively drained, 63.1% somewhat excessively drained) and 23.9% poorly drained.

E.2.f. Approximate proportion of proposed action site with slopes:

CEE estimates the approximate proportion of the existing grade with 0-10% side slopes 39% of site, 10-15% to cover 11% of the site and 15% or greater to cover 50% of site.

E.2.h. Surface water features.

ii. Do any wetlands or other waterbodies adjoin the project site?

The facility was previously reviewed under SEQR 2012 and there are no changes in impacts to wetlands associated with the proposed modification. A wetland delineation was done on the project site by the U.S. Army Corps of Engineers and it was determined that four (4) small wetlands and four (4) streams located at the southern portion of the site. The berm is not located within previously delineated wetland areas.

E.2.i, j, k. Is the project site in a designated Floodway?
Is the project site in the 100 year Floodplain?
Is the project site in the 500 year Floodplain?

The NEPAssist flood hazard zone map (Appendix D) does not show the berm area within a designated floodway, 100-year floodplain, or 500-year floodplain. The nearest floodway/floodplain is associated with the Hudson River, which is approximately 4,700 feet west of the MSE Berm.

E.2.m. Identify the predominant wildlife species that occupy or use the project site:
According to the New York State wildlife website, predominant wildlife species that may occupy or use the Site are snakes, mice, rats, chipmunks, birds, ducks, squirrels, raccoons, and opossum.

E.2.n. Does the project site contain a designated significant natural community?
The EAF Mapper Summary Report dated January 7, 2022 (Appendix C) indicates that the Site does not to contain a designated significant natural community.

E.2.o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?
The EAF Mapper Summary Report dated January 7, 2022 (Appendix C) indicates that the site does not contain any species of plant or animal that is listed by the federal government or as endangered or threatened and does not contain any areas identified as habitat for an endangered or threatened species.

E.2.p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?
The EAF Mapper Summary Report dated January 7, 2022 (Appendix C) indicates the project site does not contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern.

E.3 Designated Public Resources On or Near Project Site

E.3.a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?
The EAF Mapper Summary Report dated January 7, 2022 (Appendix C) indicates that the project site is not located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304.

E.3.b. Are agricultural lands consisting of highly productive soils present?
The Web Soil Survey Soil Map for the site (Appendix D) provides the engineering properties of the predominant soil types present on the project site. The predominant soil types are described as a Hoosic gravelly sandy loam, Windsor loamy sand, and Fredon silt loam, which are not designated as an agricultural land consisting of highly productive soils.

E.3.c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?

The EAF Mapper Summary Report dated January 7, 2022 (Appendix C) indicates that the project site does not contain, partially contain, and is not substantially contiguous to a registered National Natural Landmark.

E.3.d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?

The EAF Mapper Summary Report dated January 7, 2022 (Appendix C) indicates the project area is not located in or adjacent to a state listed Critical Environmental Area.

E.3.e Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?

The EAF Mapper Summary Report dated January 7, 2022 (Appendix C) indicates that mapping of National or State Register of Historic Places within the project area is incomplete. A study was prepared and submitted with the 2012 FEIS for the facility, and cultural impacts from the facility were previously reviewed under SEQR. The potential for impact of this project to have an effect on an archaeological site had been determined to be low.

E.3.f Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?

The EAF Mapper Summary Report dated January 7, 2022 (Appendix C) indicates that the proposed site is adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory. A study was prepared and submitted with the 2012 FEIS for the facility, and cultural impacts from the facility were previously reviewed under SEQR. The potential for impact of this project to have an effect on potentially significant cultural resources has been evaluated by Columbia Heritage, LTD, who determined that the potential for impact is low. The approximate area that will be under construction has been already disturbed by historical mining operations, which date back more than 100 years.

E.3.h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?

The links and information provided in the New York State Department of Environmental Conservation website identified two publically accessible federal, state, or local scenic or aesthetic resources within 5 miles of the MSE Berm. The City of Rensselaer Local Water front Revitalization Program identifies the land adjacent to the Hudson River as a "waterfront revitalization area" which nearest point to the MSE Berm is approximately 0.76 miles. The NYS DOT Scenic Byways identifies the revolutionary Trail as a "scenic byway" ending in Albany NY, approximately on the corner of Dove St. and Washington Ave., which is approximately 1.70 miles from the MSE Berm. Refer to the "Publically Accessible Federal, State, or Local Scenic or Aesthetic Resources" table, map and supporting documents in Appendix D for specific information.

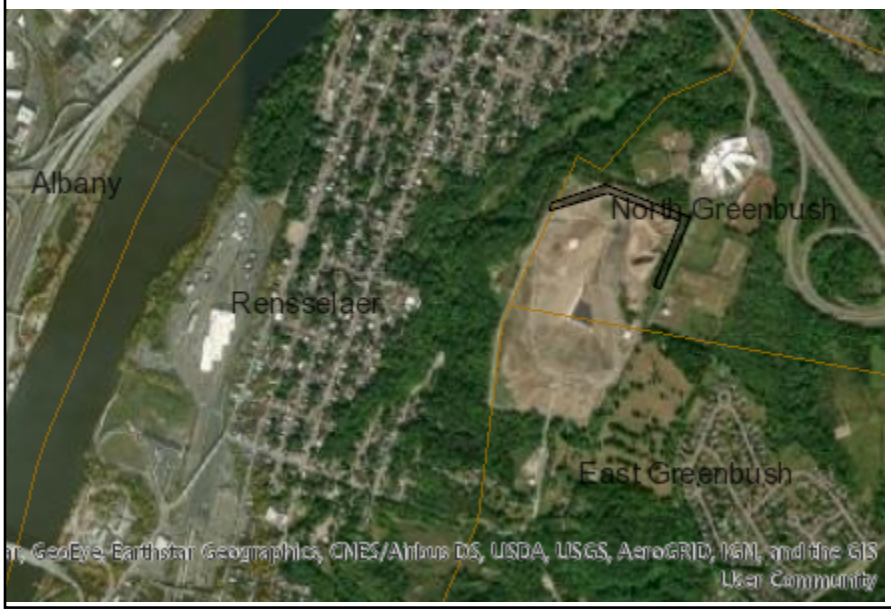
Local Scenic or Aesthetic Resources within 5 miles of Project Site					
Name	Description	Distance From Project Site (miles)	Approximate Location	City	Source
Hudson River	Waterfront Revitalization Area	0.76	Forbes Ave.	Rensselaer	The City of Rensselaer Waterfront Revitalization Program
Revolutionary Trail	Scenic Byway	1.70	Dove St. / Washington Ave.	Albany	NYS DOT Scenic Byways

E.3.i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?

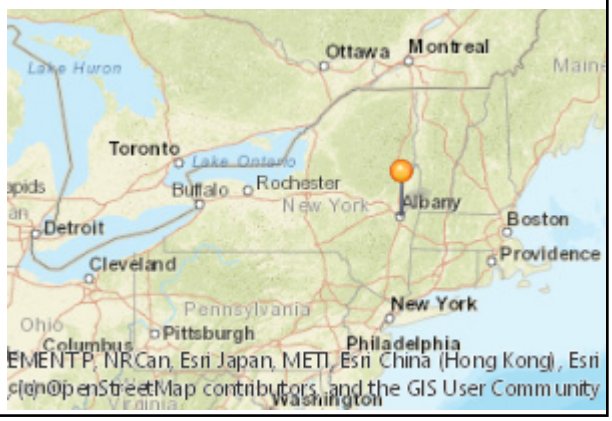
The EAF Mapper Summary Report dated January 7, 2022 (Appendix C) indicates that the project area is not located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666.

EAF Mapper Summary Report

Friday, January 7, 2022 12:07 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	442042
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	No

E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

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

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

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

Tips for completing Part 2:

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

1. Impact on Land
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)
If "Yes", answer questions a - j. If "No", move on to Section 2.

☐ NO ☑ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☑	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☑	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☑	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☑	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☑
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☑	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☑	☐
h. Other impacts: _____ _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

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

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☐ NO ☑ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

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

l. Other impacts: _____ _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. ☐ NO ☑ YES
(See Part 1. D.2.f., D.2.h, D.2.g)
If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☑	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☑	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☑	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☑	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☑	☐
vi. 43 tons/year or more of methane	D2h	☑	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☑	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☑	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☑	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☑	☐
f. Other impacts: _____ _____		☑	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☑ NO ☐ YES
If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

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

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	**No, or small impact may occur**	**Moderate to large impact may occur**
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	□	□
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	□	□
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	□	□
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	□	□
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	□	□
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	□	□
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	□	□
h. Other impacts: _____		□	□

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☐ NO ☑ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☑	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☑	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☑ ☑	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☑ ☑	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☑	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☑	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

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

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	□	□
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	□	□
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	□	□
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	□	□
e. Other impacts: _____ _____		□	□

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	□	□
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	□	□
c. Other impacts: _____ _____		□	□

13. Impact on Transportation

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

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

14. Impact on Energy

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

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

15. Impact on Noise, Odor, and Light

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

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

d. The proposed action may result in light shining onto adjoining properties.	D2n	☑	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☑	☐
f. Other impacts: The proposed action may produce sound above noise levels established by state guidance documents from construction activities.		☐	☑

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☑ NO ☐ YES

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

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

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. ☑ NO ☐ YES

(See Part 1. C.1, C.2. and C.3.)

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, Elb	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. ☐ NO ☑ YES

(See Part 1. C.2, C.3, D.2, E.3)

If "Yes", answer questions a - g. If "No", proceed to Part 3.

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

PRINT FULL FORM

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

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

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

Reasons Supporting This Determination:
To complete this section:

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

See attached SEQR determination of significance.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

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

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

Application documents for renewal and modification of the Mined Land Reclamation Permit and Part 360 Solid Waste Management Facility Permit, and all subsequent resubmissions to the Department's requests for information, including but not limited to: plans and maps, Final Environmental Justice Public Participation Plan rev. May 2022, Aurora Acoustical Survey rev. 4/13/23, GHD Memo rev. 4/14/23 CLCPA GHG Assessment

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the New York State Department of Environmental Conservation as lead agency that:

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

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

Name of Action: Dunn Mine and C&D Landfill Mined Land Reclamation and Solid Waste Management Facility Permit Applications

Name of Lead Agency: NYS Department of Environmental Conservation

Name of Responsible Officer in Lead Agency: Kate Kornak

Title of Responsible Officer: Regional Permit Administrator

Signature of Responsible Officer in Lead Agency: K. Kornak Date: July 11, 2023

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

For Further Information:

Contact Person: Kate Kornak

Address: 1130 North Westcott Rd Schenectady NY 12306

Telephone Number: 518-357-2449

E-mail: kate.kornak@dec.ny.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

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SEQR

617.21
Appendix F
State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number 4-3899-00006 Date July 11, 2023

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

The New York State Department of Environmental Conservation, as Lead Agency, has determined that the proposed action described below will not have a significant effect on the environment and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Construction of mechanically stabilized earthen berm at Dunn Mine and C&D Landfill

SEQR Status: Type I

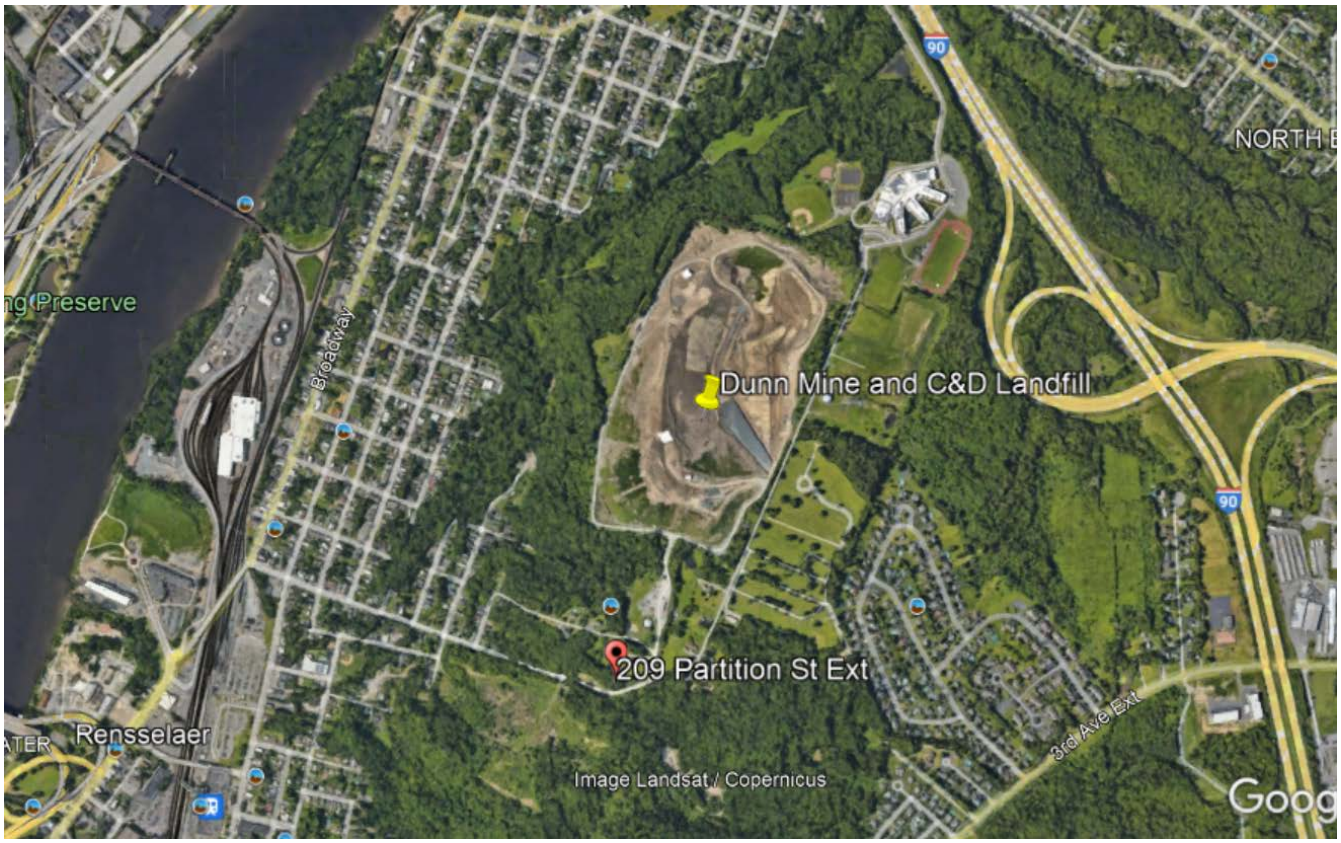
Conditioned Negative Declaration: No

Description of Action:

The applicant has applied for a Mined Land Reclamation permit renewal and modification as well as a Solid Waste Management Facility permit renewal and modification for the Dunn Mine and C&D Facility. Renewal of the Mined Land Reclamation and Solid Waste Management permit applications would provide for continuation of ongoing activities which include sand and gravel mining operations and concurrent disposal of construction and demolition (C&D) material on the ninety (90) acre parcel. The approved Life of Mine (LOM) is 73.3 acres with 38.8 acres within the LOM area approved to receive C&D material. Crushing, dry screening, and washing of mined sand and gravel has previously been approved as part of the current Mine Land Reclamation Permit. The currently permitted design capacity for C&D disposal at this facility is approximately 11 million cubic yards.

The proposed modification to the existing permits is limited to the construction of a mechanically stabilized earthen berm (“berm”) along the north and northeast perimeter of the active site, as required in an Order on Consent issued by DEC on June 7, 2019. The total acreage to be physically disturbed as a result of the berm construction project is approximately 5.2 acres. The proposed construction of the berm is intended to reduce impacts from the facility (sand & gravel mining, C&D operations) on the Rensselaer City School District K-12 campus which is located on the adjacent property to the north.

Location: 209 Partition Street Extension, Towns of North Greenbush and City of Rensselaer, New York



Reasons Supporting this Determination:
(See 617.6(g) for requirements of this determination; see 617.6(h) for Conditioned Negative Declaration)

1. Impact on Land - The proposed action may involve construction that continues for more than one (1) year or in multiple phases. The proposed berm will be located along the northern and northeastern periphery of the facility property primarily within areas previously permitted for waste placement. It is proposed for construction as a barrier to reduce impacts to the Rensselaer City School District K-12 campus. Due to the consumptive nature of mining operations which have been previously permitted, permanent alteration of the existing topography on the site resulting from the excavation and removal of sand and gravel is unavoidable. The location of the proposed berm necessitates modifications to the previously permitted landfill baseliner and final cover slope configuration; however, construction of the berm will not require additional disturbance to area beyond the existing LOM limits. The project will not disturb wetlands, flood plains, significant habitats, archaeological or historic resources, or coastal areas. Due to these considerations, construction of the proposed berm will not result in a significant adverse impact on land.

2. Impact on Surface/Ground Water - Surface drainage from construction of the berm will be controlled and contained within the LOM area and no offsite discharge is proposed. There are no proposed changes to facility operations that would impact ground or surface waters. The final mine floor will remain a minimum of five (5) feet above the seasonal high groundwater table. A new stormwater control basin is proposed on the northwest corner of the property to allow surface drainage from berm construction practices to be properly collected internal to the LOM and within the stormwater control basin.

3. Impact on Air - Although the subject facility does have an active Air Facility Registration for use of the on-site flare (used for landfill gas collection system), the action subject to this determination does not include previously permitted facility operations including the state regulated air emission source. Due to the size and scope of the proposed berm, heavy machinery will be utilized during construction activities. The facility will be utilizing equipment that is already operated on site and would otherwise be operating in accordance with standard mining or landfill operations. The permittee submitted air emission modeling of landfill gas in support of the pending applications, which showed that modeled emissions are expected to reduce with the inclusion of the berm, since the berm will decrease the waste disposal volume that is authorized under the current permit. For these reasons, air emissions in excess of the amount associated with the currently permitted operations at the facility are not expected.

4. Impact on Aesthetic Resources - The land use of the action being reviewed is different from current land use patterns between the action and local designated scenic or aesthetic resources. There are two (2) designated scenic resources from which the constructed berm may be visible; the Hudson River and a Scenic Byway that traverses downtown Albany. As proposed, the berm will be partially visible from the designated aesthetic resources, but due to permitted operations at the existing facility, there are other land uses of similar scale, density, dimension, and location so that the context of the scenic resource does not change in a significant manner from construction of the berm project. Final construction of the berm, in addition to construction and filling to the final elevations of the landfill behind the berm, will be visible from the designated scenic resources. However, obstruction, elimination or screening of officially designated views from these scenic resources will not occur. Project visibility from the designated resources is not seasonal, and although the nature of the project is in contrast to the residential and urban land uses that exist between the scenic resources and the proposed berm, it is not in contrast to other similar land uses that exist in the landscape as a result of the existing site conditions. A Visual Resource Assessment dated June 2021 prepared by Saratoga Associates, depicts the proposed berm will provide an improved visual screening barrier from areas north and northeast of the facility, specifically from the Rensselaer City School District K-12 campus, as compared to the view of facility operations as currently approved under the active permits. For these reasons, visual impacts from construction of the berm are not anticipated to produce a significant adverse impact on designated scenic resources or the Rensselaer City School District K-12 campus.

5. Impact on Noise - The proposed action may result in a temporary increase in noise impacts to nearby receptors, including the Rensselaer City School District K-12 School, from activities related to construction of the berm. The permittee has provided that berm construction activities will not occur when school is in session, nor will construction occur outside of previously approved hours of operation. It is anticipated that temporary noise impacts from construction of the proposed berm will occur in two phases over the course of two years, and only during summer months. This will serve to avoid significant adverse impacts to the majority of the student body and other school professionals during the regularly scheduled school season.

6. Consistency with Community Character - Construction of the proposed berm is not expected to result in impacts to consistency with community character given there are other land uses of similar scale, density, dimension, and location on the subject property. The project is not in contrast to existing permitted land uses or character.

7. Impact on Traffic – The proposed action is not expected to result in impacts from traffic. To the extent practicable based on site conditions and yield, the proposed berm will be constructed from sand and gravel material mined from the site. Internal haul roads will be utilized to transport mined material to the staging area for berm construction. The action is not expected to generate any additional traffic along Partition Street Extension beyond currently permitted levels, nor will the action require any change to previously approved hours of operation at the facility.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

For Further Information:
Contact Person: Kate Kornak, Regional Permit Administrator
Address: 1130 North Westcott Road, Schenectady, NY 12306
Telephone Number: (518) 357-2449

For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:
Commissioner, Department of Environmental Conservation, 625 Broadway, Albany, New York 12233
Appropriate Regional Office of the Department of Environmental Conservation
Office of the Chief Executive Officer of the political subdivision in which the action will be principally located
Applicant (if any)
Other involved agencies (if any)