State Environmental Quality Review Act
Findings Statement
6 NYCRR Part 617.11

Pursuant to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law and 6 NYCRR Part 617, the City of Port Jervis, as lead agency, makes the following findings.

Name of Action: City of Port Jervis – Town of Deerpark Annexation and Development

Date: October 12, 2021

Description of Action:
The action involves the annexation of two groups of parcels – the Quarry Site and the Interchange Site – from the Town of Deerpark into the City of Port Jervis, and their subsequent development. The general layout of the 117-acre Quarry Site includes a building footprint of approximately 587,000 sq. ft. made up of five (5) warehouse/light industrial buildings and associated parking and stormwater management areas. Development at the 24.5-acre Interchange Site includes the construction of a 100-room hotel, two (2) sit-down restaurants, one (1) drive-through fast food restaurant, and a gas station, as well as associated parking and stormwater management areas.

The Proposed Action is located in the Town of Deerpark and City of Port Jervis, New York

Agency Jurisdiction:
Name and Address of Lead Agency:

City of Port Jervis Common Council
20 Hammond Street
Port Jervis, New York 12771

Other Involved Agencies: Various permits and approvals will be required, as listed below, before construction and operation of the development proposals described herein may begin:

- Town of Deerpark and City of Port Jervis Planning Boards
  - Site Plan Approval
- City of Port Jervis Public Works / Water Department
  - Connection to municipal potable water system
- Orange County Planning Department
  - County Referral

- New York City Department of Environmental Protection
  - Connection to municipal wastewater system
- New York State Department of Environmental Conservation
  - State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities
- New York State Department of Transportation (NYSDOT)
  - Highway Work Permit

Contact Person:
Kelly Decker, Mayor
City of Port Jervis
20 Hammond Street
Port Jervis, New York 12771

SEQR Status:

Type I Action

SEQR Public Scoping:

The City of Port Jervis accepted the Draft Scoping Document on January 31, 2020 and published it for public review. A public Scoping Meeting was held on February 10, 2020 at City Hall, 20 Hammond Street, Port Jervis, NY. A Draft Scoping Document was provided both on-line at https://www.portjervisny.org/ and in hard copy at the meeting. The Final Scoping Document for the Quarry and Interchange Draft Generic Environmental Impact Statement was approved by the City in April 13, 2020.

Draft Generic Environmental Impact Statement (DGEIS) Acceptance Date: July 26, 2021

Final Generic Environmental Impact Statement (FGEIS) Acceptance Date: September 27, 2021

Facts and Conclusions in the FGEIS Relied Upon to Support the Decision:

The City of Port Jervis has reviewed the DGEIS and FGEIS. As lead agency, the City has concluded that the Proposed Action has been designed and, where necessary, revisions made to the design, to avoid, minimize, or mitigate, to the extent practicable, adverse environmental impacts. Potentially significant adverse impacts have been satisfactorily addressed, as summarized below.

1.0 Geology

Regarding bedrock geology, it is anticipated that the bedrock that exists in the proposed development area at each Site will be minimally impacted, if at all, and therefore no mitigation is proposed. Regarding surficial geology, should future development of the two project Sites be approved, then disturbance of the surficial glacial deposits that exist at each Site cannot not be

avoided. However, considering that the geologic resources are relatively insignificant, no mitigation is proposed.

2.0 Topography

The changes to the Quarry and Interchange Sites' topography, as a result of the proposed developments, cannot be practicably mitigated. However, the alterations to topography will not significantly affect either Site's surficial drainage or geomorphological character. Proposed mitigation efforts with respect to drainage and visual impact are addressed in their respective sections, below. The finished grades proposed on the project sites are within the range of naturally occurring surficial geological features in the area. No mitigation is proposed.

3.0 Water Supply / Wastewater Disposal

The proposed facility will likely connect to the City of Port Jervis potable water and sewer system subsequent to annexation, or, in the alternative, pursue on-site disposal, as noted above. Ryan Street, south of the Quarry Site, has existing 8-inch sanitary sewer and 8-inch potable lines that connect to the City's water and sewer systems. No mitigation measures for potable water or sanitary sewer services is proposed as they will connect into existing systems.

The proposed Interchange Site development will connect to the City of Port Jervis WWTP subsequent to annexation, or, in the alternative, pursue on-site disposal. For potable water, the Interchange Site can be connected from East Main Street's 10-inch water main or via South Maple Ave through a 6-inch water main. All connections will be made within the public right-of-way. No mitigation measures for potable water or sanitary sewer services is proposed as they will connect into existing systems.

4.0 Site Drainage

Quarry Site

The alterations to topography will not significantly affect the Quarry Site's surficial drainage or geomorphological character. Post-development stormwater discharge from the facility(s) will be maintained using the existing off-site drainage points at a peak rate not exceeding current conditions. The interconnected nature of the on-site wetlands provides for internal balancing of stormwater flows. In this manner, pre-development drainage patterns will be substantially maintained. The pre-and post-development watershed areas are indicated on the appropriate figures in the Stormwater Pollution Prevention Plan (SWPPP) conducted as part of the 2017 Deerpark West Industrial Park Appendix VIII in the DGEIS. With respect to the rate of stormwater runoff generated on site under post-development conditions, the post-development off-site discharge point (ODP) was analyzed by Alpine Environmental for the 1-, 10- and 100-year return frequency storm events (per TR-55, Type III synthesized, 24-hour rainfall) using the total developed area contributing watershed basins. The post-development peak rate discharge value for the ODP was compared to its respective existing peak rate discharge value. The proposed site plan must not result in an increased peak rate of discharge

with the proposed rain garden, bio-retention and detention facilities. Final design for the system will need to be determined once proposed impervious surfaces and development plan are better known. On-site infiltration is proposed and further soil investigations via test pits can confirm infiltration capacity, rates of sustainable discharge to groundwater and levels of existing seasonal higher groundwater levels below the proposed stormwater management facilities.

Interchange Site

The peak stormwater runoff rates will be required to be attenuated for the 1-, 10- and 100-year, 24-hour rainfall events in accordance with the NYSDEC's SPDES General Permit for Stormwater Discharges from Construction Activity. The permit requires no net increase in peak flow discharge rates to receiving waters. This is typically accomplished by construction of extended detention/retention ponds, wetlands, infiltration practices or dry basins. These practices would help protect downstream structures and receiving waters from increased flooding and erosion risks attributable to project buildout.

Infiltration practices, utilized in areas with hydrologic soil group A, B and/or C soils, would provide a further reduction in the volume of stormwater discharged from the Site. Potential thermal impacts typically involve runoff retained over extended time in sunlight and high temperatures. Practices such as infiltration, rain gardens, bio-retention, and detention basins are short term stormwater storage techniques due to infiltration to recharge to groundwater. Additional practices would be required to treat stormwater in accordance with the NYSDEC's water quality and runoff reduction volumes required by the SPDES permit. The permanent stormwater practices would be required to provide at least an 80% total suspended solids and 40% total phosphorus reduction in accordance with SPDES Permit requirements. Thermal impacts could be off-set by utilizing infiltration practices and by maximizing detention holding times to 12-hours. NYSDEC Pond designs are another potential practice that would be limited to micropool extended detention facilities to prevent thermal impacts. Retention ponds will also be shaded to help reduce water temperatures.

Site planning practices and green infrastructure techniques can be applied to minimize any potentially adverse impacts associated with new development. These practices include preservation of natural buffers, reducing clearing and grading limits, open space design, soil restoration and reducing impervious cover. Mitigation measures for the prevention of water quality degradation during construction (temporary) and post-construction (permanent) may include but are not limited to:

Temporary Practices Utilized During Construction:

- Silt fence/Fiber rolls
- Vegetated swales
- Check dams
- Temporary sediment basins
- Revegetation of disturbed areas and stabilization of slopes and stockpile areas
- Stabilized Construction Entrances and equipment washing
- Rolled erosion control practices/Jute mesh

- Dedicated concrete washout areas
- De-compaction of compacted soils from construction to improve infiltration
- Dust control/pavement sweeping
- Temporary site stabilization practices (seeding and mulching)

Potential Permanent Stormwater Management Practices:

- Stormwater management ponds with adequate detention times to avoid thermal impacts
- Infiltration Practices
- Stormwater wetlands
- Water quality swales
- Bioretention areas
- Stormwater planters
- Rain barrels/cisterns
- Porous pavement
- Rock outlet protection
- Impervious cover reduction

Alternatives for the protection of water quality and/or controlling peak rates of runoff include the potential use of the following measures:

- Vegetated riparian buffers along the edge of wooded areas
- Preservation of steep slopes, wetlands, and other sensitive environmental features
- Rain gardens to filter runoff from roof areas
- Green and/or Blue roofs
- Detention Basins
- Porous pavements for parking areas and internal roadways (if feasible)
- Open channel drainage
- Micropool extended detention ponds
- Rainwater harvesting and reuse
- Use of non-phosphorus fertilizers
- Proprietary treatment equipment

Additional Considerations for the Interchange Site:

- Ownership and continued maintenance of stormwater management systems for parcels that are privately-owned and maintained per lot
- Consideration and modeling of “Frozen Watershed Condition” to know impacts on new practices, existing infrastructure (bridges, culverts, stormwater piping receiving project drainage)

5.0 General Ecology and Wildlife Resources

The Quarry Site provides suitable habitat for the Indiana and northern long-eared bats, as well as the timber rattlesnake. Approximately 0.5 acres of trees will be cleared at the Quarry Site, which would impact habitat for all three species. Tree clearing has been restricted to the smallest amount required for the proposed development. All tree clearing will be completed between November 1st and March 31st in order to prevent adverse impacts to both bat species. Additionally, a Timber Rattlesnake Management Plan will be developed that outlines best management practices to be considered during project activities in the instance that timber rattlesnakes are observed. Adopting and following this Plan during construction will reduce the potential for the project to affect the timber rattlesnake. The Plan should include recommendations on the timing of tree clearing and initial earthwork, measures to exclude snakes from the work area, and a program to educate site workers on proper procedures if a timber rattlesnake is encountered. It is assumed that the contractor would be responsible for preparing this Plan prior to construction. Based on these measures, the project is not likely to result in an adverse impact to the northern long-eared bat, Indiana bat, or timber rattlesnake.

Wetland B at the Quarry Site also contains suitable habitat for the bog turtle, rhodora, and lowland yellow loosestrife, and Gold Creek provides suitable habitat for the dwarf wedgemussel. The project may require improvements to the access road bridge over Gold Creek as well as stormwater outlets, which would be detailed during the project's design phase. It is assumed that such improvements will be completed without directly disturbing Gold Creek or on-site wetlands. Therefore, adverse impacts to the bog turtle, rhodora, lowland yellow loosestrife, and the dwarf wedgemussel are not likely to result from the project.

The Interchange Site provides suitable habitat for the Indiana and northern long-eared bats, and also contains a hemlock-northern hardwood forest community, which is recognized as a significant natural community in New York State. Approximately 8.5 acres of trees will be cleared at the Interchange Site for the proposed development scenario, which would impact suitable habitat for both bat species, as well as a portion of the hemlock-northern hardwood forest on site. Treed areas will be retained within the proposed Phase 1 development scenario, where possible, to reduce adverse impacts to the bat species and the hemlock-northern hardwood forest community. All tree clearing will be completed between November 1st and March 31st, which will prevent adverse impacts to both bat species.

6.0 Wetlands and Other Waters of the United States

No impacts to wetlands or surface waters are assumed to result from development at the Quarry Site, therefore, no mitigation is required. No impacts to wetlands or surface waters will result from development at the Interchange Site, therefore, no mitigation is required.

7.0 Power Utilities

The energy consumed in powering the Quarry Site's industrial facilities will be in close proximity to the transmission system. Further mitigation with respect to energy consumption is, therefore, neither proposed nor required. The energy consumed in powering the Interchange Site's

commercial facilities will be in close proximity to the transmission system. Further mitigation with respect to energy consumption is, therefore, neither proposed nor required.

8.0 Transportation Systems

Traffic associated the proposed Quarry Site development scenario is expected use the existing NYS Route 209 entrance road with the exception of emergency services and local traffic which will be able to use Ryan Street. The site driveway at Route 209 will not operate adequately under stop control. NYS Route 209 at the site access driveway will require NYSDOT's approval of recommendations to be incorporated due to the increase to a Level-of-Service (LOS) of F for the AM and PM Peak hours from an existing condition Level-of-Service of B. The site driveway at Route 209 will require the installation of a traffic signal. The 2017 Deerpark West Industrial Park Traffic Study assumed NYSDOT will review and provide their preferred mitigation for this intersection.

Redevelopment of the Quarry Site will result in an increase in public use of the existing bridge by motorists and there could be more than 1000 vehicles per day crossing the bridge to access the Site. A detailed inspection of the bridge structure over Gold Creek is necessary to determine the condition of the steel truss superstructure and concrete abutments. It is assumed that structural improvements to the bridge would include replacement of the concrete bridge deck panels or complete replacement of the bridge superstructure. Additional necessary safety improvements would include widening of the bridge deck, removal of the existing w-beam railing and replacement with standard 3-rail box beam bridge railing along with appropriate transition railing, guide railing and end sections on each approach to the bridge. The bridge would also need to be re-surfaced with an asphalt overlay to match the approach roadway. This work is anticipated to occur without disturbance to Gold Creek or to nearby freshwater wetlands resources.

Regarding the Interchange Site, the LOS analysis that was completed for the 2022 Build year condition found several instances where the existing traffic operations would be negatively impacted by the full Phase 1 build out of the project site. To alleviate the proposed project's impact on the transportation system, the implementation of mitigation measures was evaluated to bring the transportation system's performance back to No-Build year conditions. All mitigation measures will need to be coordinated through the NYSDOT and County for those measures that are within their jurisdiction. These mitigation measures include:

1) US 6 / North and South Maple Street
    i. No mitigation measures were evaluated or are proposed at this location

2) US 6 / CR 15 intersection evaluated the addition of a westbound (WB) left turn protected phase to the signal cycle. This mitigation will include the use of the WB green left turn only signal face.

3) US 6 / I-84 WB Ramp intersection was evaluated to include the addition of a new traffic signal to replace the existing stop control. This mitigation measure will include the installation of a new traffic signal.

4) CR 15 / I-84 eastbound (EB) Ramp intersection was evaluated to include the addition of a right turn lane to the CR 15 northbound (NB) approach. This mitigation measure will include construction of the NB right turn lane including widening of CR 15.

5) CR 15 / Site Entrance was evaluated to include stop control during the build condition and installation of a new traffic signal for the mitigation measure.

The majority of the off-site transportation impacts can be mitigated as presented above. The new CR 15 intersection with the Interchange Site driveway will not operate satisfactorily during the PM peak hour with the installation of the traffic signal. The development scenario analyzed includes the full build out of the Interchange Site being completed in the same year. It is likely that the Site will be developed in phases over time. The transportation impacts could be mitigated as each phase is implemented and also include an expansion of the mitigation measures proposed, such as additional turning lanes into and out of the Site.

9.0 Land Use, Zoning, and Community Character

There will not be significant adverse impacts from the project at the Quarry Site nor the Interchange Site on land use, zoning, and community character. Therefore, no mitigation measures are recommended.

10.0 Visual Resources and Parks and Recreation

Each Site will require different mitigations as the Quarry Site is situated at an elevation generally lower than the surrounding landscape, while the Interchange Site is situated at an elevation that is generally higher than the surrounding landscape.

Table 20 describes visual elements and recommended mitigation measures associated with each Site.

Table 1~~20~~ – Visual Impact Mitigation Measures by Site

Mitigation	Quarry Site	Interchange Site
Vegetative Screening	Maintain natural planted buffers around site; screen utility areas; screen views of parking; add plantings at site perimeter where screening is needed.	Maintain natural planted buffers around site; screen utility areas; screen views of parking; add plantings at site perimeter where screening is needed.
Building Location and Architecture	Locate buildings where surrounding topography will provide a natural visual screen; locate utilities where building and topography will screen; cluster multiple buildings at the center of the site where least visible.	Use low profile buildings at site high points; cluster buildings in front of higher topographic features to reduce prominence; locate buildings behind natural visual screening; locate utilities where easily screened; use non-contrasting façade colors and avoid features that will cause glint or glare from the sun; avoid obstructing important views from surrounding receptors with buildings; avoid monotonous and monolithic facades.
Site Lighting	Comply with Dark Sky Standards; illuminate secure areas to minimal ISA standards; avoid excessive up-lighting of building facades.	Comply with Dark Sky Standards; illuminate secure areas to minimal ISA standards; avoid excessive up-lighting of building facades; locate lights to avoid offsite glare; provide planted screens to avoid glare from vehicles on site access roads.
Site Design	Avoid large areas of uninterrupted asphalt access or parking; screen utility site features with plant materials; situate loading areas where naturally screened from views by topography, building or plantings.	Avoid large areas of uninterrupted asphalt access or parking; screen utility site features with plant materials; situate loading areas where naturally screened from views by topography, building or plantings.
Landscape and Planting Design	Enhance existing deciduous planting screens with addition of native evergreens; provide screens to minimize offsite glint and glare; locate plantings to screen utility and loading areas around buildings; provide visual screens to minimize the impact of large building facades, provide site and landscape (non-plant) features that are compatible with natural materials found in the vicinity.	Enhance existing deciduous planting screens with addition of native evergreens; provide screens to minimize offsite glint and glare especially where it impacts surrounding transportation systems; locate plantings to screen utility and loading areas around buildings; provide visual screens to minimize the impact of large building facades especially at higher points of sites; provide site and landscape (non-plant) features that are compatible with natural materials found in the vicinity.
Other	Avoid locating prominent vertical elements at highest elevations of site.	Avoid locating prominent vertical elements at highest elevations of site.

General elements of the site design which will mitigate visual impacts also include:

1. Vegetative screening; existing vegetation at the perimeter of the site will be maintained to the greatest possible extent. Additional plantings are proposed in order to supplement the existing deciduous vegetation.
2. Building location; the proposed structures are located in order to provide central massing of the most visible facilities.

3. The developments' lighting design incorporates the minimal lighting possible to minimize off-site impacts but sufficient enough to ensure worker safety during routine operations and maintenance. The site lighting has been designed according to the International Dark Sky Standards, in order to minimize off-site impacts and limit regional light pollution in general.
4. A planned maintenance program for landscaping, buildings, grounds and other project components to ensure the viability of landscape plantings and maintain each Project's appearance should be advocated. Such a measure may be incorporated into the Site Plan Approval issued by the applicable Planning Board.

Should these mitigation measures be adhered to, the proposed developments are not expected to generate significant adverse visual impacts in the vicinity of both the Quarry and Interchange Sites.

Based on field reconnaissance, the proposed Quarry Site project is expected to have minimal visual impact on sites within a two-mile radius. Point Peter is the only prominent location from which the Quarry Site is visible due to terrain and vegetation limitations. The industrial uses currently present at the Quarry Site do not offer much in visual appeal and can sometimes produce dust and exhaust plumes visible from Point Peter. The proposed uses will not significantly impact views from surrounding location of the Quarry Site based on present operations, Site vegetation, and terrain.

The proposed Interchange Site project may have visual impact on locations within the two-mile radius of the Interchange Site due to its elevated position above County Route 15. This impact will be seen from Point Peter in Elks Brox Memorial Park. However, the view toward the Interchange Site is cluttered and somewhat crowded with commercial development on US-6, residential properties in Port Jervis' Tri-States neighborhood, and Interstate 84 running just behind it. It is likely to also be visible from US-6 and Interstate 84, but significant adverse impacts will not occur if the recommendations in Table 20 and 'general elements' list above are adhered to.

11.0 Socioeconomic / Fiscal and Employment

The proposed developments will not have significant adverse impacts on population, housing, the economy, and the school district at the Quarry or Interchange Sites. Therefore, no mitigation measures are recommended.

The net impact of the proposed project on the City of Port Jervis is an additional $942,000 in annual revenues derived from the project at full build-out. The City and Town have an agreement in place to share such annual revenue. Additionally, the Port Jervis City School District would expect an additional $2,570,000 in annual revenues derived from the project.

It was estimated that the revenues collected from the study area after the annexation will immediately, as well as long term, outweigh the expenses even with basic maintenance.

12.0 Historical, Archaeological, and Cultural Resources

The 2017 Phase 1A Report for the Quarry Site was submitted to SHPO for review. SHPO concurred with the Phase 1A recommendations. If ground disturbances will occur outside of the existing, disturbed site limits at the Quarry Site, a Phase 1B archaeological investigation will be required prior to the commencement of construction. All recommendations made by SHPO to eliminate or reduce adverse impacts to potential historic resources at the Quarry Site, if identified, will be followed.

A Phase 1A/1B archaeological investigation will be required prior to the commencement of construction at the Interchange Site. All recommendations made by SHPO to eliminate or reduce adverse impacts to potential historic resources on site, if identified, will be followed.

13.0 Noise

It is anticipated that the proposed project will not cause any significant negative noise impacts to the surrounding areas. The following measures have been incorporated into the project design to further reduce source noise levels as needed:

1. Location of the facilities within the central portion of the Sites provides the greatest vegetation and distance diminution of noise levels.
2. Structural screening measures, such as, ideally locating the major industrial buildings; and the planting of native vegetation to buffer noise impacts.
3. Maintenance of on-site equipment and trucks to meet NYS and OSHA regulations.

14.0 Climate and Air

The proposed actions at the Sites will have no impact upon the regional or local climate due to the fact that the scale of the operation is far too small to exert any influence over the local or regional climate. The proposed activities will not affect local climatic conditions thus no mitigation is necessary. The proposed actions must operate in compliance with air quality standards set forth by US EPA and NYSDEC for permitting thresholds. Compliance with these regulations will preclude the generation of airborne pollutants at levels which would adversely impact the health and welfare of employees, nearby residents, or the general public. Temporary air quality impacts may occur during the construction phases of the project. The impacts will primarily be the result of dust generation from construction equipment and vehicles. These activities will be limited in duration, and will be controlled with Best Management Practices. Design elements and Best Management Practices incorporated in the proposed Project which will minimize air quality impacts includes:

1. Adoption of NYSDOT fugitive emissions control methods for the construction phase.
2. Water or other wetting agents on areas of exposed and dry soils;
3. Covered trucks for soils and other dry materials;
4. Controlled storage of spoils on the construction site;
5. Final grading and landscaping of exposed areas as soon as possible;
6. Paving of all site roadways and operational areas;

7. Maintaining a sweeper truck or similar management contract for pavement maintenance;
8. Enforcement on-site of truck idling regulations;
9. Design of energy efficient buildings to reduce heating/cooling needs;
10. Use efficient lighting systems;
11. Maintain heating and cooling units to ensure they are operating to maximize efficiency and minimize emissions; and
12. Use low-carbon building materials and technologies.

15.0 Emergency Services

Several elements of the site design and operational plan reduce and/or mitigate the potential impacts to emergency services. These measures include:

1. Buildings will be sprinklered in accordance with the prevailing Codes at the time of construction. A complete fire protection system, designed in accordance with NFPA Code 1, Code 850 and NFPA Code 30; Factory Mutual Data Sheets 7-10 and 504; and the New York State Building Codes will be installed at the proposed facilities. The fire water system capacity will be determined in accordance with the criteria in NFPA 850 and will be at least equal to the flow rate required for the largest single fire hazard.
2. The Sites' entrances are wide and the access roads provide a by-pass for emergency vehicles, providing rapid access to the centrally located operations area.
3. The Quarry and Interchange Sites will hold pre-operational sessions with the Fire Department in order to familiarize personnel with Facility equipment and building layout.

16.0 Unavoidable Adverse Impacts

Impacts to areas with sensitive cultural resources will be avoided. These areas will be further identified and protective measures taken as part of future site plan development and review. Consultation with the State Historic Preservation Office will continue during subsequent design phases. Mitigation recommendations made by the SHPO will be incorporated into the project.

Tree clearing associated with the proposed development at the Interchange and Quarry Sites will impact suitable habitat for the northern long-eared and Indiana bat. In addition, a portion of the hemlock-northern hardwood forest at the Interchange Site will be impacted by site development. Clearing at both sites will be minimized to the smallest footprint required for construction. Additionally, clearing will be conducted between November 1 and March 31, while the bats are in hibernation, to avoid adverse impacts to these species. The contractor will be required to prepare a Timber Rattlesnake Management Plan for the Quarry Site, which will be followed during construction to prevent adverse impacts to this species. These and other mitigation measures are described in Section 4.5 of the DGEIS.

17.0 Irreversible and Irretrievable Commitment of Resources

The change in use at the Quarry Site from concrete production and materials storage into a light industrial park will not involve the commitment of any natural resources, as the site has

already been mined and used for industrial purposes. However, the proposed development scenario at the Interchange Site will involve the conversion of 8.5 acres of forested land under the current land use designation of "Billboards" – per County Property Data – into a hotel with dining and retail services.

18.0 Cumulative Impacts

Potential environmental impacts over the life of the Proposed City of Port Jervis – Town of Deerpark Annexation and Development Project have been analyzed in the DGEIS and FGEIS, therefore analyzing the cumulative impacts over the lift of the Proposed Action. No future development or site uses are currently planned for either Quarry or Interchange Site, so no other cumulative impacts are expected. Any future proposed development will undergo an environmental review at the time any such development plans are formulated for consideration.

No transportation improvement projects related to the project sites have been programmed for the Town of Deerpark or City of Port Jervis, Orange County in the approved State Transportation Improvement Plan for 2020-2023. No new transportation improvement projects are proposed by the Town of Deerpark, City of Port Jervis or Orange County Department of Public Works for roadways around the project sites. Table 40 – Cumulative Impact Summary below includes of full summary of cumulative impact considerations.

Table 40 – Cumulative Impact Summary (from DGEIS)							
Step No.	**Cultural Resources**	**Noise**	**Visual Impacts**	**Traffic**	**Wetlands**	**Air Quality**	**Community Character**
1 – Identify significant cumulative effects issues	Potential impacts to Native American artifacts or burials and early European settlement artifacts	Potential increases in ambient noise levels with operation of process and HVAC equipment	Potential Visibility of industrial buildings will cause a change in view of rural landscape	Increased truck and passenger vehicle traffic on State Route 209 and County Route 15.	Potential loss of emergent marsh and scrub shrub habitat	Potential increased emission of VOCs, particulates, greenhouse gases	Change from concrete processing to a light industrial park and from undeveloped and forested area to a commercial retail, dining, and lodging site; installation of public utilities
2 – Establish the geographic scope for the analysis	Quarry and Interchange Sites – areas as shown earlier in DGEIS	Property perimeters of the Quarry and Interchange Sites	5 mile radius of both the Quarry and Interchange Sites	State Route 209, County Routes 15 and 16, Ryan Street	Quarry and Interchange Sites – areas as shown earlier in DGEIS	Quarry and Interchange Sites – areas as shown earlier in DGEIS – and immediate adjacent lands	Quarry and Interchange Sites – areas as shown earlier in DGEIS
3 – Establish the time frame for the analysis	Current	20 years	20 years	20 years	20 years	20 years	20 years
4 - Identify other actions affecting the resources	None	None	Build-out of Interchange Site	None	None	None	Build-out of Interchange Site
5 – Characterize resources in terms of ability to change and capacity to withstand stresses	Contextual integrity of cultural resource artifacts at risk without appropriate pre-construction investigation and conservation or project modification	Ambient noise levels very low; noise levels are unlikely to increase	Overall rural character of City and Town is not expected to change significantly	Existing road capacity will be sufficient for predicted increases in traffic	Alterations in surface drainage patterns is not expected to change water supply to wetlands, Gold Creek, and Clove Brook	Ambient conditions are not expected to change as a result of project.	Character of community outside of both the Quarry and Interchange Site is not likely to be affected; labor force is likely to be drawn from local labor pool
6 – Characterize stresses affecting these resources in relation to regulatory thresholds	Identification of sensitive cultural resources required by National Historic Preservation Act (36 CFR 800-812); New York State Historic Preservation Act (Section 14.09)	NYSDEC Program Policy DEP-00-1 – Assessing and Mitigating Noise Impacts; Chapter 381 of City of Port Jervis Code	6 NYCRR Part 617 – requires assessment of visual impact. Local community determines standard of acceptability and mitigation requirements	NYS Vehicle and Traffic Laws NYSDOT Road Design Standards Threshold for impact: Change in 2 Levels of Service (LOS) [LOS from A to C for example]	Impact threshold for wetland mitigation: 0.1 acre (Sec. 404 Clean Water Act)	Federal and New York State Ambient Air Quality Standards (NAAQS and NYAAQS)	**Sanitary sewer use:** -Compliance with City of Port Jervis Sewer Use Code (Chapter 445) **Water usage**: -Compliance with City of Port Jervis Water Rules and Regulations (Chapter A615)
7 – Define baseline condition	Refer to Section 4	Refer to Section 4	Refer to Section 4	Refer to Section 4	Refer to Section 4	Refer to Section 4	Refer to Section 4

Table 40 – Cumulative Impact Summary (from DGEIS)							
Step No.	**Cultural Resources**	**Noise**	**Visual Impacts**	**Traffic**	**Wetlands**	**Air Quality**	**Community Character**
8 – Identify cause and effect relationships	No impacts anticipated. development activities areas will avoid areas that are determined to be sensitive for cultural resources	Operation of HVAC equipment and process equipment; temporary construction-related noise. Effects will be mitigated to levels below acceptable impact threshold	Buildings likely to be screened by vegetation or of a low-laying nature in an already disturbed area (in the case of the Quarry Site), limiting any adverse impact on viewshed	Increased truck traffic and vehicle trips/day expected as both sites are built out	Both sites will maintain the 100-ft buffer from delineated wetlands, but a SWPPP will be needed for each site as development details are submitted	No impacts anticipated	Proposed activities at both the Quarry and Interchange Sites will increase employment opportunities and anticipated property tax revenue
9 – Determine magnitude and significance of cumulative effects	Consultation with NYS Historic Preservation Office will be on-going to determine significance	Expected impacts are not significant.	Expected impacts are not significant.	Quarry Site - Traffic generated by the Quarry Site build-out would have no impact on intersection LOS at US-209/SR-211 and US-209/Hamilton Street. US-209 will have a LOS F upon build-out. Interchange Site – Traffic generated by Interchange Site build-out will result in LOS C/D for US-6/CR-15, LOS C for CR-15/I-84 EB, and no impact US-6/I-84 WB	No wetland impacts anticipated. Wetlands will be avoided	Operations at both sites are not likely to exceed regulatory thresholds for hazardous air pollutants or GHGs	Created jobs are expected to reduce the current unemployment level and increase real wages.
10 – Modify or add alternatives to avoid, minimize or mitigate significant cumulative effects	Both Quarry Site and Interchange Site development areas will avoid identified areas that are deemed sensitive for cultural resources	Mitigation measures will be required for impacts in excess of these thresholds	Landscaped buffers, berms, and other measures will be incorporated into site plan to reduce adverse visual impacts.	Site plan approval will require incorporation of NYSDOT recommendations at US-209 and site access entrance to Quarry Site. Turning lanes recommended at US-6/CR-15 and CR-15/I-84 EB while a traffic signal is recommended at US-6/I-84 WB.	Conceptual development plans have been modified to avoid impacts to federal jurisdictional wetlands	Air impacts are not likely to trigger regulatory thresholds. Mitigation will be required and incorporated on a case-by-case basis	No adverse cumulative impacts anticipated.

Table 40 – Cumulative Impact Summary (from DGEIS)							
Step No.	**Cultural Resources**	**Noise**	**Visual Impacts**	**Traffic**	**Wetlands**	**Air Quality**	**Community Character**
11 – Monitor cumulative effects of the selected alternative	Consultation with NYS Historic Preservation Office will be on-going to determine significance	Noise will be monitored from the site as development proceeds	City of Port Jervis site plan regulations and processes will govern types of screening used.	City of Port Jervis DPW Director will monitor traffic and report on need for corrective measures	No adverse impacts anticipated	All operations will be required to comply with applicable air quality regulations	County officials will monitor the effects on the local economy

19.0 Growth-Inducing Impacts

Both the Quarry and Interchange Sites exclude residential development in their future use plans. However, each site could have an indirect impact on population growth in the Port Jervis – Deerpark area due to the availability of new employment opportunities. These opportunities may attract new residents to the area or retain existing residents who might have otherwise relocated.

As described in Section 4.11 in DGEIS, the City of Port Jervis has capacity in its housing market to accommodate a small increase in population as might be generated from the proposed project. Between 2010 and 2019, the combined population of the City of Port Jervis and Town of Deerpark fell by 514 individuals, revealing capacity in the housing market. The revitalization of Downtown Port Jervis and the rising popularity of telecommuting and short-term lodging rentals like AirBnB have led some property owners to renovate and construct units to meet the increasing demand for such accommodations. Any indirect increases in population resulting from the Port Jervis – Deerpark Annexation and Development Project will create additional demand in the regional housing market.

Businesses within both the Quarry Site and Interchange Site will employ workers in several sectors. Employees are likely to be drawn from the local labor pool, as well as recent high school and college graduates entering the work force. Mean salaries for employees in industries targeted for employment under the development scenarios for both the Quarry Site and the Interchange Site were reviewed to estimate the economic impact of employment generated by the proposed project. These data are presented in Table 41 of the DGEIS. The salaries earned by employees at each Site will multiply in spending throughout the Port Jervis – Deerpark area.

Property tax revenues from the Quarry and Interchange Sites are likely to increase as well, as described in Section 4.11 of the DGEIS. The May 2018 Annexation Feasibility Report projected an increase in property taxes collected on both sites of $1,096,393 (to be split by the City and Town) from current levels based on full development of a Hypothetical Land and Building Improvement Assessment. It is likely that such an increase in property value will induce neighboring properties to increase in value as well. This will result in further property tax revenue gains for both the City and Town.

Each Site will generate additional vehicle trips per day compared to existing traffic conditions, but these trips and their resulting impacts on the transportation system are not expected to lead to significant growth-induced impacts based on the incorporation of recommended mitigation measures.

Regarding greenhouse gas emissions, new buildings will be required to meet the current New York Energy Conservation Construction Code in effect at the time of construction. Energy efficient buildings and heating/cooling systems will be required. Additional energy conservation measures, as well as use of alternative low-carbon products, may be requested or required to obtain LEED accreditation, or to meet the requirements of New York State's Climate Leadership and Community Protection Act (CLCPA), which establishes certain emission reduction limits as well as additional goals to address climate change. These efficiency improvements and energy

reduction efforts will reduce greenhouse gas emissions, and the proposed developments are not anticipated to have significant adverse impacts with respect to emissions of greenhouse gases.

The proposed actions must operate in compliance with air quality standards set forth by US EPA and NYSDEC for permitting thresholds. Compliance with these regulations will preclude the generation of airborne pollutants at levels which would adversely impact the health and welfare of employees, nearby residents, or the general public.

The City and Town believe it is important to proceed with the Proposed Action. The annexation of the Quarry Site and Interchange Site from the Town of Deerpark into the City of Port Jervis will enable the developments to connect into the wastewater disposal system, but will also have financial benefits and are expected to create jobs within the Western Orange County Region.

CERTIFICATION OF FINDINGS TO APPROVE/FUND/UNDERTAKE

Having considered the Draft and Final Generic Environmental Impact Statements, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, this Statement of Findings certifies that:

1. The requirements of 6 NYCRR Part 617 have been met;

2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and that adverse environmental impacts will be minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures which were identified as practicable including effects disclosed in the supplemental draft and final environmental impact statements; and

3. (and, if applicable) Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR 600.5, this action will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations

City of Port Jervis
Name of Agency

Signature of Responsible Official

Name of Responsible Official

Title of Responsible Official

Date

20 Hammond Street, Port Jervis, New York 12771
Address of Agency

cc:
Port Jervis City Planning Board ZBA
Deerpark Town Board
Orange County Health Department
Orange County Planning Department
NYSDOT Region 8 Office
NYSOPRHP Region 8 Palisades Office
NYSDEC Region 3 Office
Army Corps of Engineers Philadelphia District Office
Paul Service, EH Capital
Richard Penaluna, Dick's Concrete