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George Latimer
County Executive

May 16, 2023

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is an Act which, if adopted, would authorize the County of Westchester ("County") to amend its current year Capital Budget ("Capital Budget Amendment"), as well as adopt a related amended bond act ("Amended Bond Act") to finance the following capital project:

BPL40 - Stormwater Management - Various County Facilities II ("BPL40").

The proposed Capital Budget Amendment will amend the County's 2023 capital budget to increase the County share for BPL40 by $2,900,000.

The Amended Bond Act, in the total amount of $3,300,000.00, which includes $400,000.00 in previously authorized bonds of the County, would finance the cost of construction and inspection associated with the removal of the Maiden Lane Dam located within the County-owned Oscawana Park in the Town of Cortlandt. The dam is in disrepair and the project will reduce flooding conditions in the area and improve fish passage along Furnace Brook.

The Department of Planning (the "Department") has advised that design is complete and was performed by outside consultants. The Department has further advised that following bonding authorization, construction will be scheduled and is estimated to take eighteen (18) to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with this component of project BPL40 as follows: Bond Act No. 63-2021, in the amount of $400,000.00, which funded the design portion of this project. $88,952.00 in bonds authorized by Bond Act No. 63-2021 have been sold. Authority of your Honorable Board is now requested to amend Bond Act No. 63-2021 to increase the initial amount authorized thereunder by $2,900,000.00, for a new total authorized amount, as amended, of $3,300,000.00, to revise the scope of Bond Act No. 63-2021 to include work associated with the construction phase of the project, and to increase the period of probable usefulness of said bonds.

The Planning Department has advised that based upon its review, the proposed removal of the dam constitutes a Type I Action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations 6 NYCRR, Part 617. The Planning Department has prepared the attached Environmental Assessment Form to assist your Honorable Board in making the required determination of significance or non-significance pursuant to SEQRA.

In addition, section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a resolution of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, a copy of the amended Planning Board report is herewith attached.

Based on the importance of this project to the County, favorable action on the proposed Capital Budget Amendment and Amended Bond Act is most respectfully requested.

Sincerely,

George Latimer
County Executive

GL/ND/WB/jpg
Attachments

Reference BPL40 (2168)

HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester ("County") of an act amending the County's current-year capital budget ("Capital Budget Amendment"), as well as adoption of a related amended bond act (the "Amended Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue additional bonds in the amount of $2,900,000.00, to finance a component of Capital Project BPL40 – Stormwater Management - Various County Facilities II ("BPL40").

Your Committee is advised that the proposed Capital Budget Amendment will amend the County's 2023 capital budget to increase the County share for BPL40 by $2,900,000.

The Amended Bond Act, in the total amount of $3,300,000.00, which includes $400,000.00 in previously authorized bonds of the County, would finance the cost of construction and inspection associated with the removal of the Maiden Lane Dam located within the County-owned Oscawana Park in the Town of Cortlandt. The dam is in disrepair and the project will reduce flooding conditions in the area and improve fish passage along Furnace Brook.

The Department of Planning (the "Department") has advised that design is complete and was performed by outside consultants. The Department has further advised that following bonding authorization, construction will be scheduled and is estimated to take eighteen (18) months to complete and will begin after award and execution of the construction contracts.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds for this component of project BPL40, as follows: Bond Act No. 63-2021, in the amount of $400,000.00, which funded the design portion of this project. $88,952.00 in bonds authorized by Bond Act No. 63-2021 have been sold. Authority of your Honorable Board is now requested to amend Bond Act No. 63-2021 to increase the initial amount authorized thereunder by $2,900,000.00, for a new total authorized amount, as amended, of $3,300,000.00, to revise the scope of Bond Act No. 63-2021 to include work associated with the construction phase of the project, and to increase the period of probable usefulness of said bonds.

Your Committee is advised that the removal of the dam would constitute a Type I Action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations 6 NYCRR, Part 617, which requires an appropriate environmental review. Your Committee has carefully considered the proposed legislation. It has reviewed the attached Full Environmental Assessment Form ("EAF") and the criteria contained in Section 617.7 of Title 6 of the New York State Code of Rules and Regulations, the SEQRA regulations, to identify the relevant areas of environmental concern. For the reasons set forth in the attached EAF, your Committee believes that the proposed action will not have any significant adverse impact on the environment and urges your Honorable Board to adopt the annexed resolution by which this Board would issue a Negative Declaration for this proposed action.

In addition, section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a resolution of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, a copy of the amended Planning Board report is herewith attached.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the Bond Act.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Amended Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act can only be enacted following adoption of the Capital Budget Amendment

Dated: , 2023
White Plains, New York

COMMITTEE ON

k/jpg/03.13.2023

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL40 [x] **NO FISCAL IMPACT PROJECTED**

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

[X] GENERAL FUND [ ] AIRPORT FUND [ ] SPECIAL DISTRICTS FUND

Source of County Funds (check one): [ ] Current Appropriations

[X] Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal $ 3,300,000 **PPU** 15 **Anticipated Interest Rate** 2.71%

Anticipated Annual Cost (Principal and Interest): $ 270,699

Total Debt Service (Annual Cost x Term): $ 4,060,485

Finance Department: Interest rates from May 11, 2023 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): $ -

Potential Related Revenues (Annual): $ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each $92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: NA

SECTION E - EXPECTED DESIGN WORK PROVIDER

[ ] County Staff [x] Consultant [ ] Not Applicable

Prepared by: Michael Lipkin

Title: Associate Planner

Department: Planning

Date: 5/11/23

Reviewed By: DVS 5/11/23 **Budget Director**

Date: 5/16/23

RESOLUTION NO. 2023 - ____

WHEREAS, there is pending before this Honorable Board an Act to authorize the County of Westchester (the "County") to issue bonds in connection with the construction phase of a component of capital project BPL40 – Stormwater Management - Various County Facilities II, wherein the County will remove the Maiden Lane Dam located within the County-owned Oscawana Park in the Town of Cortlandt (the "Project"); and

WHEREAS, this Honorable Board has determined that the proposed Project would constitute an action under Article 8 of the Environmental Conservation Law, known as the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, pursuant to SEQRA and its implementing regulations (6 NYCRR Part 617), this Project is classified as a "Type I" action, which requires this Honorable Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

WHEREAS, the County of Westchester conducted coordinated review as required for Type I actions pursuant to Section 617.6(b)(3) of the implementing regulations and, having received no objections, is assuming the role of Lead Agency for the environmental review of this project; and

WHEREAS, in accordance with SEQRA and its implementing regulations, a Full Environmental Assessment Form has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

WHEREAS, this Honorable Board has carefully considered the proposed action and has reviewed the attached Full Environmental Assessment Form and the criteria set forth in Section 617.7 of the implementing regulations and has identified the relevant areas of environmental concern, as described in the attached Full Environmental Assessment Form, to determine if this proposed action will have a significant adverse impact on the environment.

NOW, THEREFORE, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:

RESOLVED, that based upon this Honorable Board's review of the Full Environmental Assessment Form and the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment associated with the Project; and be it further

RESOLVED, the Clerk of the Board of Legislators is authorized and directed to sign the Determination of Significance in the Full Environmental Assessment Form, which is attached and made a part hereof, as responsible officer in Lead Agency; to issue this "Negative Declaration" on behalf of this Board in satisfaction of SEQRA; and to immediately transmit same to the Acting Commissioner of Planning to be filed, published and made available pursuant to the requirements of Part 617 of 6 NYCRR; and be it further

RESOLVED, that this Resolution shall take effect immediately.

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Memorandum
Department of Planning

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney
Carla Chaves, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM
Assistant Commissioner

DATE: May 4, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT BPL40 Stormwater Management – Various County Facilities II (Maiden Lane Dam Removal at Oscawana Park)**

The Planning Department has reviewed the above referenced project (Fact Sheet Unique ID: 2168) in accordance with the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

Pursuant to SEQR, this project has been classified as a Type I action. As required for Type I actions a Full Environmental Assessment Form was prepared for the project and coordinated review was initiated on behalf of the Board of Legislators.

In accordance with SEQR, a Lead Agency Notice was distributed to involved and interested agencies on March 10, 2023. Since no objections were received, the Board of Legislators may assume the role of Lead Agency for the environmental review of this project. Attached is a Full Environmental Assessment Form that has been prepared for this project for consideration by the Board of Legislators.

Please contact me if you require any additional information regarding this document.

DSK/cnm
Att.
cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Senior Budget Analyst
Kelly Sheehan, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

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 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Maiden Lane Dam Removal		
Project Location (describe, and attach a general location map): Furnace Brook, south side of Maiden Lane, Oscawana Island Park, Town of Cortlandt, Westchester County		
Brief Description of Proposed Action (include purpose or need): Westchester County proposes to remove the Maiden Lane Dam, a 25-foot high by 50-foot wide concrete spillway across Furnace Brook, in order to restore aquatic organism passage to the upstream reaches of the brook. The project will include excavation of a portion of impounded sediment for re-use in surrounding upland areas, stabilization of a portion of the right bank of Furnace Brook, and stabilization of the downstream end of the culvert underneath Route 9. Natural stone and boulders will be used for stabilization.		
Name of Applicant/Sponsor: County of Westchester	Telephone: 914-995-2000 E-Mail:	
Address: Michaelian Office Building, 148 Martine Avenue		
City/PO: White Plains	State: NY	Zip Code: 10601
Project Contact (if not same as sponsor; give name and title/role): Suzette Lopane, Principal Planner (Urban Design), Department of Planning	Telephone: 914-995-2443 E-Mail: sbl1@westchestergov.com	
Address: Michaelian Office Building, 4th Floor, 148 Martine Avenue		
City/PO: White Plains	State: NY	Zip Code: 10601
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	Town of Cortlandt Floodplain Permit, Town of Cortlandt Road Opening Permit	Floodplain Permit submitted 2/6/2023
d. Other local agencies ☐Yes☑No		
e. County agencies ☑Yes☐No	County of Westchester SWPPP; Tree Removal Permit	Tree Permit & SWPPP submitted 2/6/2023
f. Regional agencies ☐Yes☑No		
g. State agencies ☑Yes☐No	DEC Stream Dist, Exc. & Fill, Dams, Freshwater Wetlands, 401 WQC; DOS CMP, DOT Hwy Work	NYSDEC submitted 2/3/2023 NYSDOT submitted 2/6/2023
h. Federal agencies ☑Yes☐No	US Army Corps of Engineers Sections 10 and 404	Submitted 2/3/2023

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):

Oscawana Park is identified on the Town of Cortlandt Zoning Map as Parks, Recreation and Open Space. NYS Greenway Compact Community.

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):

Oscawana Park falls under the dedicated open space category of the Town of Cortlandt's 2016 Sustainable Comprehensive Plan.

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?
Oscawana Park is identified on the Town of Cortlandt Zoning Map as Parks, Recreation and Open Space.

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? Hendrick-Hudson

b. What police or other public protection forces serve the project site?
Westchester County Police

c. Which fire protection and emergency medical services serve the project site?
Montrose Fire District provides fire protection and Cortlandt VAC provides emergency medical services.

d. What parks serve the project site?
N/A. This is a restoration project within a County park.

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)? Ecological restoration

b. a. Total acreage of the site of the proposed action? 22.773 acres
b. Total acreage to be physically disturbed? 5.43 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 161 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 5
- Anticipated commencement date of phase 1 (including demolition) 6 month 2023 year
- Anticipated completion date of final phase 12 month 2024 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

The dam will be removed in a phased approach to allow the passive release of impounded material. After each notching phase, the dam, impoundment and downstream reaches will be monitored to assess the need for intervention prior to conducting another notching.

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 0

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: _____

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? to remove impounded sediment prior to dam removal

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

- Volume (specify tons or cubic yards): approx. 5,950 cubic yards will be dredged and disposed
- Over what duration of time? 3 - 18 months, up to 5 distinct phases

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

Impounded sediment targeted for excavation is primarily sandy silt to silty sand. Excavated sediment is proposed to be placed in three designated upland areas within the property and subsequently planted with native trees and shrubs.

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

If yes, describe. The sediment will be dewatered in place at one of the three relocation areas.

v. What is the total area to be dredged or excavated? Approximately 1 acres

vi. What is the maximum area to be worked at any one time? Approx. 3 (includes upland placement) acres

vii. What would be the maximum depth of excavation or dredging? Approximately 10-15 feet

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

ix. Summarize site reclamation goals and plan:

Furnace Brook will be restored to a natural watercourse. After full extent of dam is removed, the riverbed will be re-graded with in situ gravel. Natural rock/stone will be used to stabilize banks and provide scour protection in two areas. Uplands receiving the dredged material will be seeded and planted with native trees, shrubs and seed mixes. Areas disturbed for construction access and staging will also be replanted with native trees, shrubs, and seeds.

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): Furnace Brook

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:

The dam removal will eliminate the approx. 4.5-acre existing freshwater pond and return Furnace Brook to a free-flowing watercourse. Accumulated sediment will be removed and the streambed regraded with in-situ gravel. Approx.100 linear feet of newly exposed right bank where the brook turns sharply will be stabilized with stone. Approx. 796 cubic yards of boulders and stone will be placed at the upstream end of the impoundment in front of the culverts to provide scour protection and facilitate passage of aquatic organisms.

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

If Yes, describe: sediment would be dredged (approx. 5,950 CY) the rest would be passively released.

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?

0 Square feet or 0 acres (impervious surface)

0 Square feet or 0 acres (parcel size)

ii. Describe types of new point sources. No new point sources will be created as a result of this project

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)?

During construction, stormwater will be directed to soil erosion and sediment control devices. Post-construction, the site will be stabilized.

- If to surface waters, identify receiving water bodies or wetlands: Furnance Brook is the receiving waters.
- 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)

Heavy equipment, delivery vehicles, articulated hauling trucks.

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: 7 am - 5 pm
- Saturday: N/A
- Sunday: N/A
- Holidays: N/A

ii. During Operations:

- Monday - Friday: N/A
- Saturday: N/A
- Sunday: N/A
- Holidays: N/A

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:

Construction activities will exceed ambient noise levels on weekdays between 7 am and 5 pm when construction activities are occurring.

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: _____ tons per _____ (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: _____
- 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): _____

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

t. Will 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:

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): _____

ii. If mix of uses, generally describe:

The site is a public park that is a mix of forested areas and the impounded section of Furnace Brook.

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	0	0	0
• Forested	17.194	17.251	+0.057
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.116	3.423	+3.307
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	5.001	1.694	-3.307
• Wetlands (freshwater or tidal)	0.462	0.405	-0.057
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

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

i. If Yes: explain: The site is a County owned, publicly accessible park.

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:

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

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: 25 feet
- Dam length: 50 feet
- Surface area: 4.52 acres
- Volume impounded: 30 acre-feet gallons OR acre-feet

ii. Dam's existing hazard classification: Dam Hazard Classification A (DEC Dam ID# 214-5709)

iii. Provide date and summarize results of last inspection:

NYSDEC last conducted an inspection in 2013. The inspection noted horizontal cracks and spalling concrete on the downstream face, erosion of embankment material, and leakage in the lower portion of the right side downstream face.

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

If Yes:

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

- If yes, cite sources/documentation:

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

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

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

If Yes:

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

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):

☐ 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):

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

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? 2 feet

b. Are there bedrock outcroppings on the project site? ☑Yes ☐No
If Yes, what proportion of the site is comprised of bedrock outcroppings? less than 1 %

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

Charlton-Chatfield complex	36.6 %
Leicester loam	4.8 %
Udorthents, smoothed	2.8 %

water is 55.8% of the project site

d. What is the average depth to the water table on the project site? Average: >6 feet

e. Drainage status of project site soils:

☑ Well Drained:	36.6 % of site
☑ Moderately Well Drained:	2.8 % of site
☑ Poorly Drained	4.8 % of site

water is 55.8% of the project site

f. Approximate proportion of proposed action site with slopes:

☑ 0-10%:	29 % of site
☑ 10-15%:	12 % of site
☑ 15% or greater:	59 % 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 864-528, 864-531 Classification SC / C, B
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... 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:

deer, beaver; herons (great blue & black-crown night); fish (pumpkinseed, bluegill, bass, carp, shiners, sunfish, fallfish, white sucker)

small mammals (squirrel); amphibians (Eastern American toad)

songbirds; American eel

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): _____

Atlantic Sturgeon, Shortnose Sturgeon are found at bottom reaches of Furnace Brook, near the Hudson River. However, a blockage exists between the Project area and downstream reaches. Therefore, neither sturgeon species is expected to reach the Project area.

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: _____

Fishing opportunities will change with the dam removal. The fishery may change from warm water species to cold water species.

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: Hudson River, County & State Park Lands

ii. Basis for designation: Exceptional or unique character

iii. Designating agency and date: Agency:Westchester County, Date:1-31-90

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: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ 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.

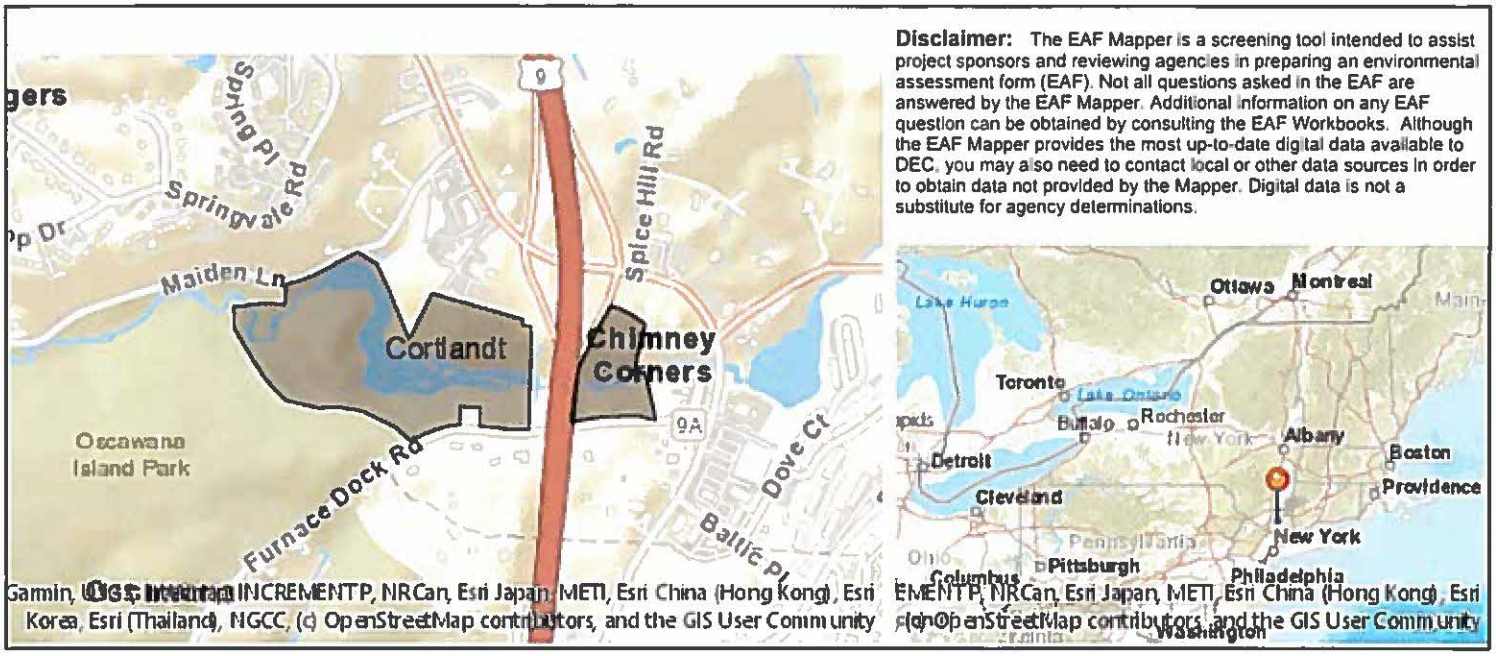
Applicant/Sponsor Name County of Westchester Date 3/10/2023

Signature Dan Kisge Title Assistant Commissioner

PRINT FORM

EAF Mapper Summary Report

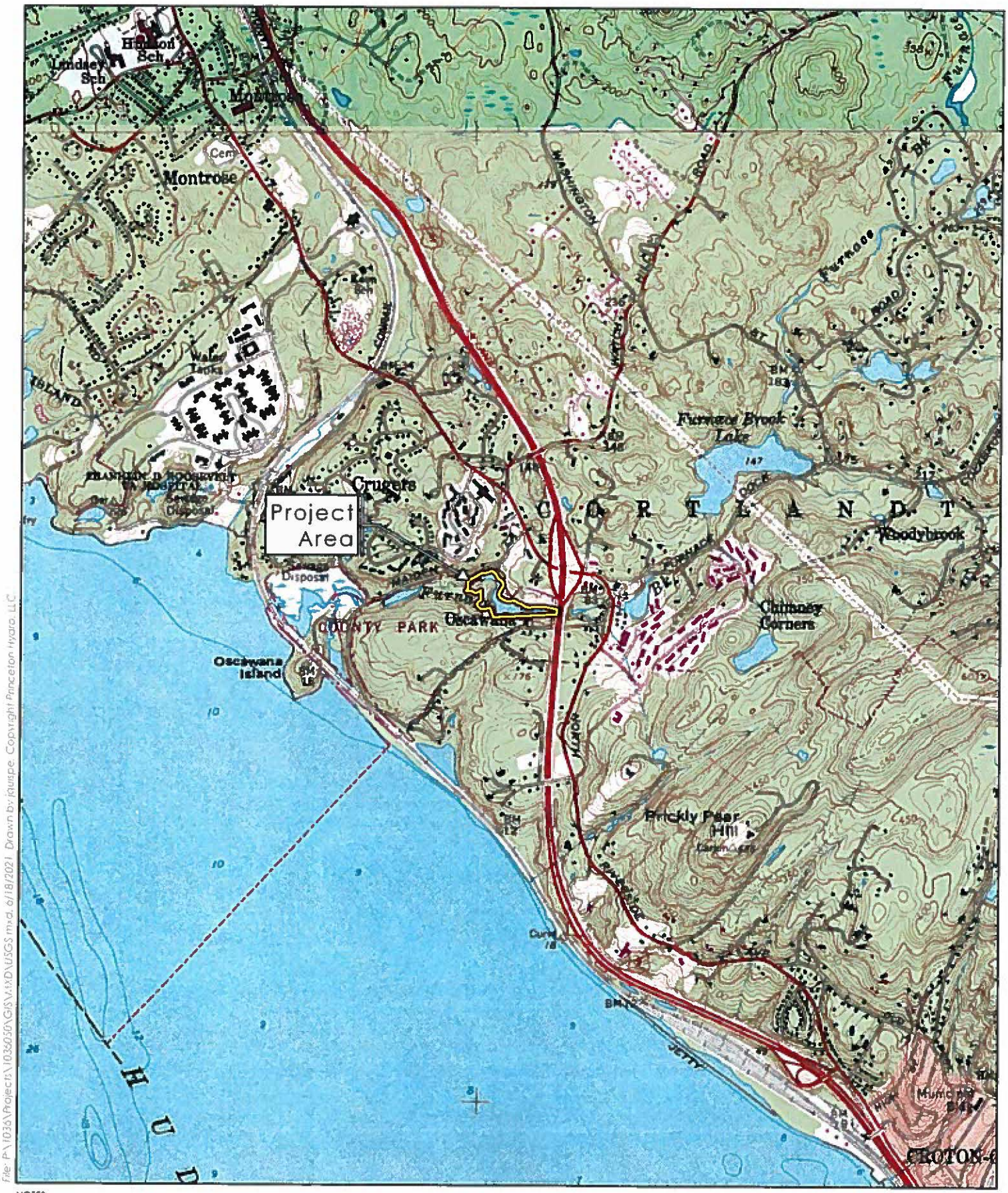
Tuesday, September 13, 2022 10:26 AM



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]	Yes
B.i.ii [Local Waterfront Revitalization Area]	No
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]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
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.iv [Surface Water Features - Stream Name]	864-528, 864-531
E.2.h.iv [Surface Water Features - Stream Classification]	SC / C, B
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes

E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Atlantic Sturgeon, Shortnose Sturgeon
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]	Yes
E.3.d [Critical Environmental Area - Name]	Hudson River, County & State Park Lands
E.3.d.ii [Critical Environmental Area - Reason]	Exceptional or unique character
E.3.d.iii [Critical Environmental Area – Date and Agency]	Agency:Westchester County, Date:1-31-90
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



NOTES
1. Project area is approximate.
2. USGS topographic digital raster graphic obtained from Terrain Navigator Pro, Haverstraw and Peekskill, NY quadrangles.

0 1,000 2,000 Feet

Map Projection: NAD 1983 StatePlane New York East FIPS 3101 Feet

USGS TOPOGRAPHIC MAP

MAIDEN LANE DAM
TOWN OF CORTLANDT
WESTCHESTER COUNTY, NEW YORK

PRINCETON HYDRO
SCIENCE DESIGN ENGINEERING
www.PrincetonHydro.com

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) ☐NO ☑YES
If "Yes", answer questions a - j. If "No", move on to Section 2.

	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: The proposed action is a dam removal, which could affect downstream flooding.		☐	☑

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) ☑NO ☐YES

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, E1b	☐	☐
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.	E1 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.)
If "Yes", answer questions a - g. If "No", go to Section 10.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
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.)
If "Yes", answer questions a - e. If "No", go to Section 11.

☑ NO ☐ YES
(See Part 3)

	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: _____ _____		☐	☐

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 occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
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. (See Part 1. C.1, C.2. and C.3.) ☑ NO ☐ YES

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, E1b	☐	☐
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. (See Part 1. C.2, C.3, D.2, E.3) ☑ NO ☐ YES

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 attachment.

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

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the County of Westchester, acting by and through its Board of Legislators, 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: Maiden Lane Dam Removal Project

Name of Lead Agency: County of Westchester

Name of Responsible Officer in Lead Agency: Malika Vanderberg

Title of Responsible Officer: Clerk and Chief Administrative Officer to the Board of Legislators

Signature of Responsible Officer in Lead Agency: Date:

Signature of Preparer (if different from Responsible Officer) Dan Kvinge Date: May 4, 2023

For Further Information:

Contact Person: David S. Kvinge, Assistant Commissioner, Westchester County Department of Planning

Address: 148 Martine Avenue, White Plains, New York 10601

Telephone Number: 914-995-4400

E-mail: dsk2@westchestercountyny.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

PRINT FULL FORM

MAIDEN LANE DAM REMOVAL PROJECT
FULL ENVIRONMENTAL ASSESSMENT FORM - PART 3
EVALUATION OF THE MAGNITUDE AND IMPORTANCE OF PROJECT IMPACTS

The Maiden Lane Dam is a concrete ogee-style spillway that was likely built around the early 1900s. The project's goals include removing an obsolete and degraded structure, a potential public safety hazard and liability, while also restoring fish passage. The dam is currently owned by Westchester County and is part of the County's Oscawana Island Park. The proposed project will include removing the dam spillway and its foundation to the full horizontal and the full vertical extent, as well as both abutments, plus an additional two feet of below the bottom of the dam foundation and up to four feet below existing bank grades by the abutments to ensure that all unnatural fill is removed. The dam will be removed in a phased approach; each phase will lower the spillway by approximately 5 feet. Approximately 5,950 cubic yards of impounded sediment will be dredged and disposed of in adjacent upland areas. After the full extent of the dam is removed, the riverbed will be re-graded with *in situ* river gravels, and an approximately 100 linear feet reach of the right bank will be stabilized with stone. Finally, at the upstream end of the existing impoundment, a triple-barreled culvert that passes under Route 9 will be stabilized with stone scour protection capable of passing American eel.

Part 2 of the Full EAF identified that the project could have moderate to large impacts on Land, Surface Water, Flooding, and Plants and Animals. An evaluation of these impacts are provided below. Evaluations are also provided for the determination of no to small impacts in the categories of Historic and Archaeological Resources, Critical Environmental Areas, and Noise Odor and Light. For the reasons described below, the project has been determined to have no significant adverse environmental impacts and will have positive benefits to the environment.

1. Impact on Land

The Project will disturb approximately 5.43 acres of Westchester County-owned land, much of which is currently covered by water. The topography consists of variable slopes, a large portion of which exceeds 15%. Rock outcrops are visible. Ground disturbance activities is limited to creating access, dredging and placement of impounded sediment, stabilizing the stream bank, and stabilizing the triple-barreled culvert. The project does not require any alterations of existing rock.

The removal of the dam will allow land that was previously underwater to resurface, amounting to an increase in land area of approximately 3.3 acres. The phased notching of the dam will lower the water level in increments and limit the amount submerged land to be exposed at a given time. This will allow for an adaptive management approach, whereby the river will be given the opportunity to naturally re-define and re-establish itself. However, in areas that would be subject to erosion, such as on the more steeply sloped portion of river bank which follows a sharp bend in the river, rip rap will be used to prevent erosion.

Silt and the finer sediments from the impounded area will be excavated and deposited on land, within areas of depression, on the south side of the river. Upland placement of the dredged sediment will be conducted such that the material is dewatered, stabilized, and planted. A rock filter berm will need to be constructed at the open end of two of the three deposit areas in order to retain the sediment. The proposed fill will raise the topography by an average of 3 and 4.5 feet in Areas 1 and Area 2, respectively, and an average of 6 feet (with as much as up to 12 feet) in Area 3. Tree mortality is, therefore, expected. As such, many of the trees in the sediment deposit areas, affecting a total of approximately 30,900 square feet, will be cut (stumps will be left in place, minimizing ground disturbance) and new trees and shrubs will be planted that will return the disturbed areas back to forested land (see section on "Impact to Plants and Animals" for additional details).

Land disturbance associated with access will be minimized by using an existing nature path within Oscawana Park. These paths are compacted and of sufficient width to be able to accommodate construction vehicles. Gravel will be added where needed to prevent erosion during construction. Upon completion of the project, the gravel will be removed and the pathways will be restored to pre-existing condition.

The Project will be constructed over a period of 3-18 months in order to allow for the phased removal of the dam which will minimize impacts to water (see next section for further details). A Stormwater Pollution Prevention Plan (SWPPP), in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, has been prepared to mitigate impacts over the extended construction period. Measures to be implemented during construction include installation of a stabilized construction access, super silt fencing around land areas to be disturbed, application of timber mats, wood chips, straw mulch where needed, among other measures.

2. Impact on Surface Water

The project will eliminate a 5-acre impoundment within Furnace Brook and reduce surface water by approximately 3.3 acres. It will include close to 6,000 cubic yards of dredging as well as reconstruction of the bed and banks in accord with it's original form as a watercourse.

The reduction in surface water is not considered to have an adverse environmental impact since the pond is man-made and the project will serve to restore almost one and a half miles of the original brook with all of its ecological benefits.

Wetland impacts will be minimal, affecting less than 2,500 square feet. Impact on regulated wetlands is limited to the proposed placement of stone in front of the Route 9 culverts, which is needed for scour protection and to provide for fish passage.

The removal of the spillway, gradual release of impounded water, partial excavation of impounded sediment, placement and stabilization of excavated sediment in adjacent upland areas, the passive release of the remaining impounded sediment, and

construction of scour protection at the upstream culverts can all contribute to downstream impacts to Furnace Brook.

During the removal of the spillway, partial excavation of impounded sediment, and construction of scour protection at the upstream culverts, the proposed Project will cause turbidity and temporary discharges of sediment that may lead to siltation in Furnace Brook and, ultimately, the Hudson River to which it flows. Such discharges will be minimized as much as feasible by avoiding work in high-flow conditions and using stabilized stone construction accessways for construction equipment. Passive release of remaining impounded sediment will also result in temporary discharges of sediment and increased turbidity that may lead to siltation in the downstream reaches of Furnace Brook and, ultimately, the Hudson River. The sediment release will be gradual, and turbidity will be comparable to typical flood conditions. The passive release of sediment will offset the decades of sediment deprivation within downstream reaches as a result of the dam. It will contribute to the re-formation of natural in-channel geomorphic bedforms such as point bars and lateral bars. During construction, County staff and the project engineer will visually monitor downstream reaches to assess the need for intervention in the impoundment or downstream reaches as per a monitoring plan.

Disturbance of upland soils will be limited in time to the construction period and will be prevented from releasing sediment into the brook pursuant to a SWPPP as mentioned in the previous section. Additional measures to minimize in-water construction impacts are listed in the SWPPP, including the use of coffer dams in the work zone and check dams downstream of the project area. Following construction, direct and indirect stormwater discharges to the Furnace Brook will be managed via the disturbed areas being fully stabilized.

3. Impact on Flooding

The proposed project is located within the 100-year and 500-year floodplains in an impounded reach of Furnace Brook. However, the project does not involve development, but rather removal of previous development. The dam to be removed is not a flood control dam—it has little storage capacity and, therefore, no ability to attenuate the 100-year or 500-year floods. Hydraulic modeling indicates that the permanent removal of the dam lowers the 100-year and 500-year flood elevations in the impoundment but will not cause hydraulic changes to the downstream bridges.

The project will remove a portion of the accumulated sediment out of the floodplain. Relocation of the sediment to upland sites is also not anticipated to significantly alter hydrology. Any decrease in infiltration rates at the sediment placement areas will be offset by increased distance from the surface to the water table, osmotic forces of new plantings, decreased rocky impervious material at the surface of the former depressions and increased floodplain complexity as the plantings establish. As such, the proposed project will not exacerbate flooding on downstream properties, which, aside from the

County park, is basically limited to the Town-owned Cortlandt Street Bridge and the Metro North Railroad.

4. Impact on Plants and Animals

The project will have an impact on aquatic as well as terrestrial fauna and flora.

The project will have a beneficial impact on aquatic species as it will restore stream habitat, which will benefit native migratory aquatic species such as American eel, river herring and other coldwater fishes that have been on the decline.

The upland areas of the project site is comprised primarily of northern hardwood deciduous forest. Pockets of palustrine emergent wetland and palustrine forested wetland exist in the low-lying areas adjacent to the impounded brook.

The relocation of dredge spoils will affect approximately 0.7 acre of upland forest. In addition to topography and proximity to access routes, avoidance of mature trees were also considered in the selection of the sediment placement areas. As the site is heavily forested, tree removal could not be avoided. The affected sites represent secondary growth forest with minimal understory (likely due to deer), although several sizable trees will be impacted.

Approximately 86 trees with diameters of 6 inches or greater at breast height (DBH) will be cut to accommodate construction access to the dam and for the relocation of excess sediment. The majority of these trees are under 18 inches DBH; however, 14 of the trees to be removed are of specimen size (24 inches DBH or greater). The significance of these tree removals are lessened by the fact that over a third of the trees to be removed, including 10 of the 14 specimen-sized trees, consist of Norway Maple, which is a non-native species. Additionally, these tree removals will be compensated by the planting of over 300 native trees and 900 shrubs. These plantings will improve the natural habitat and diversity and will also benefit wildlife.

In Part 1, the EAF Mapper program listed two species of sturgeon as endangered or threatened that may be contained in the project site—Atlantic Sturgeon (*Acipenser oxyrinchus oxyrinchus*) and Shortnose Sturgeon (*Acipenser brevirostrum*). The Atlantic Sturgeon has a minimum water depth requirement of 5 feet. Shortnose Sturgeon has a minimum water depth of 2-3 feet. Due to segments of the water corridor that are shallow, neither species are anticipated to be able to reach the project area.

Additional information regarding federally protected species was obtained via the USFWS' Information, Planning, and Conservation (IPAC) system. The latest review, conducted in April 2023 identified two other endangered species—Indiana bat (*Myotis sodalis*) and Northern Long-eared Bat (*Myotis septentrionalis*)—and one candidate species—Monarch butterfly (*Danaus plexippus*)—that may occur in the vicinity of the proposed project. The report also noted that that there were no critical habitats within the project area. Determination Key assessments were conducted for the two endangered bats, which concluded "No Effect" for the Northern Long-eared Bat and

"May Affect" for the Indiana Bat. Since mature trees, which provide potential summer roosting sites for bats, will be impacted by this project, tree removals will not be conducted between April 1st and September 30th in order to avoid incidental takes of endangered bats.

Monarch butterflies require habitats with flowering plants and milkweeds, in particular, for breeding. As there are no observed suitable habitat for the Monarch butterfly, it is not expected that they will be present on the project site.

In summary, the proposed project is not anticipated to adversely impact any federally listed species.

The New York State Department of Environmental Conservation (NYSDEC) has indicated that the project site is located within or near known occurrences of Bald Eagle, a New York State-listed Threatened species. NYSDEC notes that impacts to Bald Eagle may occur if the project involves loud noises—from activities such as blasting, rock removal or pile driving—during the breeding season, which runs from January 1st to September 30th. A noise assessment of the equipment to be used will be prepared to ensure that the construction operation will not exceed the permissable decibel levels during the breeding season.

The project will also abide by NYSDEC and the U.S. Army Corps of Engineers time of year restrictions for instream work. Instream work will be avoided from March 1st -June 30th in order to protect fish spawning.

5. Impact on Critical Environmental Areas

The proposed project is located within two County-designated Critical Environmental Areas—County and State Park Lands and Hudson River an Shoreline. County and State parklands were designated for the variety of benefits they provide, including recreational, educational, social, cultural and ecological benefits. The Hudson River and shoreline were designated for similar benefits, but are also recognized for its historic and scenic values, one of the State's most important water recreation asset as well as one of the nation's most important estuaries, vital to marine fisheries.

As the project will return the site to its original state, this will restore the natural ecology of the site, which includes diadromous fish passage. Conversion of the pond to a free-flowing river will alter, but not remove fishing opportunities. Removal of the obstruction and cooler water temperatures will allow other native fish species to return and inhabit this stretch of the brook.

Similarly, the project will change he site's appearance, but will not significantly alter the aesthetic qualities of the park and surrounding undeveloped areas. The proposed project is visible from publicly accessible vantage points on Maiden Lane, Croton Expressway (Route 9), and walking paths within the park. Following completion of the project, the site will exhibit the high aesthetic qualities of a natural stream that are currently only observable downstream of the dam.

10. Impact on Historic and Archaelogical Resources

The EAF Mapper program indicated that the project site is within or adjacent an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office archaeological site inventory. Archaeological surveys were conducted in 2021, including a Phase IA of the entire Oscawana Park property and Phase IB of the project area. No archaeological sites or isolated find were identified in the Phase IB survey area and no further investigation was recommended for this project area. In a letter dated November 9, 2021, the New York State Office of Parks, Recreation and Historic Preservation concurred that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

15. Impacts on Noise, Odor and Light

Additional noise will be generated during construction only. There will be no blasting. Excavator-mounted hydraulic hammers will be used to break down the concrete dam and abutments, which have less noise impact than other options and will be of short duration. Construction operations will not be continuous over the 18-month timeframe, but will have periods of rest to allow for the phased dam removal.

Westchestergov.com

Memorandum
Department of Planning

TO: Honorable George Latimer, County Executive
Lawrence Soule, Budget Director

FROM: Norma V. Drummond
Commissioner

DATE: March 10, 2023

SUBJECT: **Capital Budget Amendments identifying a location for project BPL40 Stormwater Management – Various County Facilities II**

Enclosed is a resolution adopted by the County Planning Board at its March 7, 2023 meeting, supporting a capital budget amendment to fund the design and removal of the Maiden Lane Dam and the restoration of Furnace Brook located within County-owned Oscawana Park in the Town of Cortlandt in the amount of $2,900,000 of County funding. The project will reduce localized flooding in the area and will restore fish passage and habitat and the natural and beneficial functions of the floodplain along Furnace Brook. The project is under Capital Project **BPL40 Stormwater Management – Various County Facilities II**. This capital project is identified as "fund"- type capital project, indicating that specific projects are subject to a Capital Budget Amendment. The project at the now-identified location of all County-owned properties and stormwater infrastructure was presented to the Planning Board for its recommendation.

NVD/dsk
Encl.
cc: Ken Jenkins, Deputy County Executive
Paula Friedman, County Executive's Office
Tami Altschiller, Assistant Chief Deputy County Attorney
Jeffrey Goldman, Senior Assistant County Attorney
Michelle Greenbaum, Assistant County Attorney
Dianne Vanadia, Associate Budget Director
Kelly Sheehan, Assistant Commissioner of Planning
Bill Brady, Chief Planner
Claudia Maxwell, Associate Environmental Planner

RESOLUTION 23-03

WESTCHESTER COUNTY PLANNING BOARD

Amendment of Planning Board Report on 2023 Capital Project Requests
BPL40 Stormwater Management – Various County Facilities II

WHEREAS, the County of Westchester has established **Capital Project BPL40 Stormwater Management – Various County Facilities II,** a general fund, to fund projects that reduce stormwater pollution, reduce flooding and restore floodplains, improve water quality and riparian health, and can be used to demonstrate best management practices to all municipalities; and

WHEREAS, the County Planning Board previously approved funding for the project, by Resolution 20-13 dated July 7th, 2020; and

WHEREAS, the project design has been completed, including changes made in response to comments made by the New York State Department of Environmental Conservation as part of the permitting process, and will reduce localized flooding in the area and will restore fish passage and habitat and the natural and beneficial functions of the floodplain along Furnace Brook; and

WHEREAS, the estimated project costs for full implementation and restoration exceed the original estimates from 2019 and are now $2,900,000; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend the Capital Project BPL40, Stormwater Management – Various County Facilities II, to add additional funds to Capital Project BPL40 and authorize bonding to fund project costs; and

WHEREAS, the project is consistent with the County Planning Board's long-range planning policies set forth in ***Westchester 2025 - Policies to Guide County Planning***, in that it will help preserve and protect the County's natural resources and environment, both physical and biotic and will help mitigate the impacts of flooding; now therefore, be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its Report on the 2023 Capital Project Requests to include the additional funding request for the removal of Maiden Lane Dam under Capital Project BPL40, Stormwater Management – Various County Facilities II.

Adopted this 7th day of March 2023

Richard Hyman, Chair

BPL40 Stormwater Management - Various County Facilities II

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appro-priated	2023	2024	2025	2026	2027	Under Review
Gross	10,625	7,725	0	0	0	0	0	2,900
Non-County Share	475	475	0	0	0	0	0	0
County Share	10,625	7,725	0	0	0	0	0	2,900

Project Description

This project is a continuation of project BPL23 Stormwater Management – Various County Facilities. This project funds stormwater management projects that reduce stormwater pollution, reduce flooding and restore floodplains, improve water quality and riparian health, and can be used to demonstrate best management practices to all municipalities, in accordance with federal stormwater regulations (the Phase II implementation of the Clean Water Act by the EPA) and County policies and Executive Orders. There are limited state and federal grant funding opportunities for assistance with the implementation of stormwater management, water quality and flood mitigation projects. The County has been successful in obtaining grants, when available, to help fund these types of projects and will continue to pursue available grant opportunities.

Appropriation Requests

2013: Design and construction of stormwater management projects at County facilities

2016: Stream restoration and bank stabilization project on Fulton Brook within the Bronx River Parkway Reservation

2020: Additional stormwater management projects at County facilities

2021: Additional stormwater management projects at County facilities

2023: Capital Budget Amendment for Maiden Lane Dam at Oscawana County Park, Town of Cortlandt

Justification

The federal stormwater management regulations (Phase II implementation of the Clean Water Act by the EPA), administered in New York State by the NYSDEC under the SPDES program, require that the County prepare and implement a Stormwater Management Plan to reduce impacts associated with stormwater runoff generated from its facilities or carried through its storm sewer system. In addition, the County is required to meet heightened standards for runoff from roads and properties located within the East of Hudson watershed. The need for the County to implement stormwater projects has grown even greater in importance due to heightened requirements to reduce phosphorus and nitrogen levels in our water bodies.This project will include the installation of best management practices to reduce volume of runoff and improve the quality of stormwater runoff. This capital project will assist the County in meeting its regulatory requirements and demonstrate the County's commitment to the protection of the environment and water quality. Not only will the County implement stormwater management practices to improve water quality, but the County will install a variety of practices, that will promote what is learned for use at the local level throughout the county.

Consistency with Programs or Plans

The project is consistent with the policies of "Westchester 2025", the County Planning Board's long-rangeland use policies, including strengthening programs to control and treat stormwater and to mitigate or reduce the impacts of flooding.

Planning Board Analysis

PL2: The Planning Board supports the continuation of this program which will provide an opportunity to employ state-of-the-art technology to implement stormwater management practices and achieve water quality standards, setting a model for others. Planning staff will continue to take the lead in site selection, monitoring design and construction for the stormwater audit of County-owned facilities.