



TO: ALL INVOLVED AND INTERESTED AGENCIES PURSUANT
(SEE LIST ATTACHED EXHIBIT A)

DATE: October 4, 2023

RE: **Port of Oswego Authority**
Dome 4 Redesign Project
Coordinated SEQR Review – Negative Declaration

Dear Sir/ Madam:

Enclosed for your information and for filing with your agency, please find the Negative Declaration / Determination of Non-Significance for the above referenced project which was adopted by vote of the Port of Oswego Authority Board of Directors, as Lead Agency under SEQRA, on September 18, 2023.

Thank you for your attention to this matter. If you have any questions, please feel free to contact me directly.

Sincerely,

A handwritten signature in blue ink, appearing to read "W. Scriber", with a large, stylized flourish at the end.

William Scriber

Enclosure

**RESOLUTION
PORT OF OSWEGO AUTHORITY**

Date: September 18, 2023

A RESOLUTION ISSUING A NEGATIVE DECLARATION UNDER SEQRA
FOR THE PORT OF OSWEGO DOME 4 REDESIGN PROJECT

WHEREAS, the Port of Oswego Authority (POA) proposes to construct a storage structure at the East Terminal Wharf to support continued operation of potash handling, and the shipping and freight movement of goods which plays an important roles in the economic vitality of the region; and

WHEREAS, a storage structure, referred to as “Dome 4” was previously approved as part of the Port of Oswego Central New York Regional Agricultural Export Center Expansion which was developed to improve the Port’s capacity and efficiency of agricultural product movements between ship, rail, and truck. The Oswego Central New York Regional Agricultural Export Center Expansion was required by the US Department of Agriculture to continue grain export operations at the Port; and

WHEREAS, Dome 4 was originally proposed and approved as a 124’ diameter, 55’ height circular dome structure. However, due to limited availability and manufacturing options for the original circular dome structure, the POA needs to redesign this storage structure. The POA now proposes to redesign Dome 4 to be a steel frame structure with a footprint of 150 feet by 150 feet (22,500 square feet) and height of 70 feet at the peak of the roof and approximately 75 feet in height at the centrally located roof hatch. The structures will be enclosed by a fabric covering and a primary overhead access door on the east side of the structure along with a centrally located roof hatch. The finished floor surface will be asphalt paved within precast concrete walls lining the inside perimeter of the structure used to retain the bulk commodity piles (i.e., pot ash). The construction and operation of the redesigned Dome 4 storage structure is hereinafter referred to as the “Project”; and

WHEREAS, the POA is required to analyze the potential environmental review of the Project in accordance with the State Environmental Quality Review Act and the Regulations promulgated thereunder, (collectively “SEQRA”), and

WHEREAS, the POA has prepared a Full Environmental Assessment Form (“FEAF”) with accompanying narrative with supplemental figures and appendices; and

WHEREAS, the POA determined that the Project was an Unlisted Action under SEQRA and passed a motion to declaring its intent to act as Lead Agency under SEQRA; and

WHEREAS, the POA, pursuant to 6 NYCRR Part 617, conducted coordinated review and sought input from various involved and interested agencies on its designation as lead agency; and

WHEREAS, the POA has reviewed Part 1 and Part 2 of the FEAF; and

WHEREAS, the POA has reviewed and considered the FEAF and supplemental information and studies that were appended to Part 1 of the FEAF and correspondence from involved and interested agencies, and have taken a hard look at all of the potential environmental impacts;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE PORT OF OSWEGO AUTHORITY:

1. The POA, as lead agency, for purposes of compliance with SEQRA, 6 NYCRR Part 617, determines that the proposed Project will result in no significant adverse impacts on the environment adopts the attached Negative Declaration with reasoned elaboration.
2. The POA Executive Director and the POA's technical and legal consultants are hereby authorized to take such other and further actions as are necessary to effectuate the purposes of this Resolution, including circulating Notice of the Adoption of the Negative Declaration to involved and interested agencies.

WHEREUPON this Resolution was declared adopted by the POA.

The motion was moved by Francis Enwright.

The motion was seconded by Diane Zeller.

The vote was as follows:

AYE: C. Cosemento
F. Enwright
J. Kares Smith
T. Schneider
D. Zeller

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

See attached.

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 Supplement to Part 1 of EAF and correspondence from involved and interested agencies.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ 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: Dome 4 Redesign Project

Name of Lead Agency: Port of Oswego Authority

Name of Responsible Officer in Lead Agency: William Scribner

Title of Responsible Officer: Executive Director

Signature of Responsible Officer in Lead Agency:  Date: September 18, 2023

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

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

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 (c.g., Town / City / Village of)
Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dcc.ny.gov/enb/enb.html>

STATE ENVIRONMENTAL QUALITY REVIEW

NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

This notice is issued pursuant to NYCRR Part 617, implementing Article 8 (State Environmental Quality Review Act) of the Environmental Conservation law. The Port of Oswego Authority, as Lead Agency, has determined that the proposed action described below will not have a significant affect on the environment, and a draft environmental impact statement will not be prepared.

Name of Action: Dome 4 Redesign Project
Port of Oswego, East Terminal Warf (Tax Parcel: 128.31-01-01.01)

SEORA Status: For purposes of this SEQRA review, the Port of Oswego Authority has designated the action as an Unlisted Action

Conditioned Negative Declaration: No.

Description of Action:

The Port of Oswego Authority (the "POA" or "Port"), New York State's only port on Lake Ontario, is proposing to expand storage capacity at the East Terminal Wharf. The project is required to support continued operation of potash handling, supports and expands shipping and freight movement of goods, and plays an important role in the economic vitality of the region. The project specifically involves the redesign and construction of the proposed Dome 4 structure.

A storage structure, referred to as "Dome 4" was previously approved as part of the Port of Oswego Central New York Regional Agricultural Export Center Expansion which was developed to improve the Port's capacity and efficiency of agricultural product movements between ship, rail, and truck. The Oswego Central New York Regional Agricultural Export Center Expansion was required by the US Department of Agriculture to continue grain export operations at the Port. Dome 4 was originally proposed and approved as a 124' diameter, 55' height circular dome structure. However, due to limited availability and manufacturing options for the original circular dome structure, the Port needs to redesign this storage structure. The Port now proposes to redesign and construct Dome 4 to be a steel framed structure that is enclosed with a fabric covering. The footprint of the structure will be approximately 150 feet by 150 feet (22,500 square feet). The structure height will be 70 feet at the peak of the roof and approximately 75 feet in height at the centrally located roof hatch. There will be a primary overhead access door on the east side of the structure along with a centrally located roof hatch. The finished floor surface will be asphalt paved within precast concrete walls lining the inside perimeter of the structure used to retain the bulk commodity piles; i.e. potash. Layout Plans and Details for the redesigned Dome 4 Structure are appended to Part I of the FEAF as Attachment H. The construction and operation of the redesigned Dome 4 storage structure is hereinafter referred to as the "Project".

Site disturbances for structure construction along with grading and drainage will generally be within 50' or less of the outside perimeter of the proposed building. Final grading around the perimeter of the structure will maintain the sheet flow drainage characteristics of the site with water being directed to flow away from the proposed structure. A couple of new drainage structures will be installed within the limits of the Projects disturbed area connecting into the areas existing closed drainage system to collect drainage runoff.

The proposed structure will be used for storage of bulk commodities. No potable water, sanitary sewer, natural gas will be installed. Electrical service will be provided from an existing onsite source. An existing electrical manhole located within approximately 50 feet of the northwest corner of the proposed structure will serve as the connectivity point.

Reasons Supporting this Determination:

1. Impact on Land. The Project will have a small impact on land.
 - a. The proposed action will not involve construction on land where depth to water table is less than 3 feet. The average depth to the water table at the site is 5 feet. No impact is expected to occur as a result of the Project.
 - b. The proposed action will not involve construction on slopes of 15% or greater. The project site in its entirety contains 0-10% slopes based on observations at the Project site. No impact is expected to occur as a result of the Project.
 - c. The proposed action does not involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface. There are exposed bedrock outcroppings at the north end of the Project site that comprise less than 2% of the site (based on on-site observations). The Project is located approximately 1,200 feet south of this area. No impact is expected to occur as a result of the Project.
 - d. The proposed action does not involve the excavation and removal of more than 1,000 tons of natural material. The Project will require a limited amount of excavation/earthwork to be performed to install foundations, electrical utilities, closed drainage piping and to perform grading and asphalt paving in and immediately around the new domed structure during construction operations. No mining or dredging are included or will be required. Little to no impacts are expected to occur as a result of the Project.
 - e. The proposed action does not involve construction that continues for more than one year or in multiple phases. The Project will be constructed during a single, continuous phase and not over the course of multiple phases. Construction is estimated to be completed within 6 months. No impact is expected to occur as a result of the Project.
 - f. The proposed action will not result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides). The total Project area involves the ground disturbance of approximately 0.99 acres and will not create additional stormwater runoff in the area, either from new point sources or non-point

sources during construction or post construction. Little to no impacts are expected to occur as a result of the Project.

- g. The proposed action is located within a Coastal Erosion hazard area, but no impacts to coastal areas are expected to result as a result of the Project. The City of Oswego is identified as one of 85 coastal communities to be a Coastal Erosion Hazard Area (CEHA). While the Project is located in a CEHA area, it is protected from either being, or becoming a coastal erosion hazard since it is set back approximately 90 feet from the Oswego River and protected by the Port's East Wharf Dock infrastructure. Therefore, little to no impacts are expected to occur as a result of the Project.

- 2. *Impact on Geological Features.* The Project site does not contain known unique or unusual landforms (e.g. cliffs, dunes, minerals, fossils, caves). No impact to significant geologic features will occur as a result of this Project.

3. *Impact on Surface Waters.* The Project may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes), but is not expected to have a significant adverse impact on surface water resources. As set forth in more detail below, the Project involves the ground disturbance of approximately 0.99 acres within an operating port/ existing industrial maritime setting. The construction and operation of the Project will not create additional stormwater runoff in the area, either from new point sources or non-point sources, and the storage of bulk commodities within the proposed structure will protect the materials from being directly exposed to environmental conditions.

- a. The proposed action will not create a new water body. The proposed project will not create a new water body. No impact will occur as a result of the Project.
- b. The proposed action will not 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. The Project does not involve changes to the surface area of any water body. No impact will occur as a result of the Project.
- c. The proposed action does not involve dredging more than 100 cubic yards of material from a wetland or water body. The proposed project does not involve any dredging. No impact will occur as a result of the project.
- 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, but little to no impact to these wetland/ waterbodies is expected. The Oswego River and Lake Ontario are adjoining Class C freshwater wetland/water bodies to the Project site. The Project involves construction of a new domed structure set back approximately 90 feet from the Oswego River on the Port's East Wharf Dock that will be used to provide protective storage of bulk commodities such potash (fertilizer) from being directly exposed to environmental conditions. Little to no impacts are expected to occur as a result of the Project.
- e. The proposed action will not create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments. The total Project area involves the ground

disturbance of approximately 0.99 acres and will not create additional stormwater runoff in the area, either from new point sources or non-point sources during construction or post construction. Little to no impacts are expected to occur as a result of the Project.

- f. The proposed action do not include construction of one or more intake(s) for withdrawal of water from surface water. The proposed project does not involve or include construction of intakes for the withdrawal of water from surface water. No impact will occur as a result of the Project.
 - g. The proposed action does not include construction of one or more outfall(s) for discharge of wastewater to surface water(s). The proposed project does not involve or include construction of outfalls for discharge of wastewater to surface water(s). No impact will occur as a result of the Project.
 - h. The proposed action will not cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies. The total project area involves the ground disturbance of approximately 0.99 acres and will not create additional stormwater runoff in the area, either from new point sources or non-point sources during construction or post construction. Little to no impacts are expected to occur as a result of the Project.
 - i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action however, any resulting impact is expected to be small. The Oswego River and Lake Ontario are adjoining Class C freshwater wetland/water bodies to the Project site. The Project involves construction of a new domed structure set back approximately 90 feet from the Oswego River on the Port's East Wharf Dock that will be used to provide protective storage of bulk commodities such potash (fertilizer) from being directly exposed to environmental conditions. Therefore, little to no impact to water quality within or downstream of the site is expected to occur as a result of the Project.
 - j. The proposed action does not involve the application of pesticides or herbicides in or around any water body. The Project does not involve or include the application of pesticides or herbicides in or around any water body. No impact will occur as a result of the Project.
 - k. The proposed action does not require the construction of new, or expansion of existing, wastewater treatment facilities. The Project does not involve or include construction of either new or expansion of existing wastewater treatment facilities. No impact will occur as a result of the Project.
4. Impact on Groundwater. The Project will not result in the new or additional use of ground water, and will not have the potential to introduce contaminants to ground water or an aquifer. No impact on groundwater will occur as a result of this Project.

5. Impact on Flooding The proposed action may result in development of lands subject to flooding but will have little to no impact on flooding.
- a. The proposed action will not result in development in a designated floodway. The Project site is not within a designated floodway. Little to no impacts are expected to occur as a result of the project.
 - b. The proposed action does not include development within a 100 year floodplain. The NYSDEC EAF Mapper Application identifies that the Project site is located within the 100-year floodplain however, FEMA FIS Mapping indicates that the Port's East Wharf Dock where the Project will be constructed is not located within the 100 year floodplain. The Project will be protected from flooding given its location on the Port's East Wharf Dock where its finished useable floor elevation exceeds the 100 year flood elevation. The domed structure will also be set back approximately 90 feet back from the Oswego River where waves generated are not expected to reach or effect it. Little to no impacts are expected to occur as a result of the Project.
 - c. The proposed action does not include development within a 500 year floodplain. The NYSDEC EAF Mapper Application identifies that the project site is located within the 500-year floodplain however, FEMA FIS Mapping indicates that the Port's East Wharf Dock where the Project will be constructed is not located within the 500 year floodplain. The Project will be protected from flooding given its location on the Port's East Wharf Dock where its finished useable floor elevation exceeds the 500 year flood elevation. The domed structure will also be set back approximately 90 feet back from the Oswego River where waves generated are not expected to reach or effect it. Little to no impacts are expected to occur as a result of the Project.
 - d. The proposed action will not result in, or require, modification of existing drainage patterns. The total Project area involves the ground disturbance of approximately 0.99 acres and will not create additional stormwater runoff or modification of existing drainage patterns in the area, either from new point sources or non-point sources during construction or post construction. Little to no impacts are expected to occur as a result of the Project.
 - e. The proposed action will not change flood water flows that contribute to flooding. The total Project area involves the ground disturbance of approximately 0.99 acres and will not create additional stormwater runoff in the area, either from new point sources or non-point sources during construction or post construction that will result in changes to flood water flows contributing to flooding. Little to no impacts are expected to occur as a result of the Project.
 - f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade? There are no dams located on the Project site. No impact will occur as a result of the Project.

6. Impact on Air. The Project does not include a state regulated air emission source. No impacts to air will occur as a result of the Project.
7. Impact on Plants and Animals. The Project will not result in a loss of flora or fauna. It is located in an industrial maritime environment where habitat availability is limited. Wildlife occupying the existing Project site are likely to re-occupy it post construction. No habitat exists for species considered rare, threatened, or endangered by federal or state regulations. No impact to plants and animals will occur as a result of the proposed Project.
8. Impact on Agricultural Resources. The Project site is not located in a New York State Agricultural District and no farmland or prime soil types/conditions are present within the proposed limits of disturbance. No impacts to agricultural resources will occur as result of the proposed Project.
9. Impact on Aesthetic Resources. The Project site does not contain identified scenic/aesthetic resources however, Fort Ontario is located to the east adjoining the Project site. While the NYSDEC Environmental Resource Mapper identifies scenic or aesthetic resources within five miles of the Project Site, for the reasons set forth below, no significant adverse impact on these resources is anticipated. .
 - a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource. Four resources having official designations and being publicly accessible federal, state, or local scenic or aesthetic resources were identified within proximity of the proposed activity at project site.
 - i. Lakeside Park: This City of Oswego owned park is located at the north end of East 10 ½ Street on the Lake Ontario shoreline. The park includes a paved parking area, volleyball court, benches, pavilion area, picnic tables and a small kayak launch. Lakeside Park is located 0.65 miles east from the Project (at its closest point to the Project site).
 - ii. Fort Ontario Park: The historic fort owned by New York State that strategically overlooks Lake Ontario and the Oswego Harbor, is listed on the National Register of Historic Places. It is located along the Lake Ontario shoreline north of East Schuyler Street, west of East 9th Street and east adjoining the Port of Oswego Authority's East Terminal Facility. As a site of historic importance, Fort Ontario features a unique star shape containing two guardhouses, a powder magazine, a storehouse, barracks and Army office building, and officer's quarters as well as videos and exhibits providing insight into the eventful and significant history of the location. Fort Ontario is located 0.15 miles northeast from the Project (at its closest point to the Project site).
 - iii. Breitbeck Park: This City of Oswego owned park is located on Lake Street overlooking Lake Ontario from the City's west side of the Oswego River. The park includes walking paths, benches, green space, playground, splash pad, bell tower, miniature golf, pavilion area and picnic areas. It is known specifically for

its scenic views of Lake Ontario including the Oswego Lighthouse, Oswego Harbor and picturesque sunsets. Breitbeck Park is located 0.50 miles west from the Project (at its closest point to the Project site).

- iv. Great Lakes Seaway Trail: New York's 454-mile stretch of the Seaway Trail borders Great Lakes Erie and Ontario as well as the Saint Lawrence River beginning in Ripley and ending in Massena. It carries visitors through an array of large towns, quaint villages, picturesque bays and rolling farmland. At various points along the 454-mile trail, visitors can view or experience harbors, lighthouses, fishing, wildlife and other historical resources. The Great Lakes Seaway Trail in New York State was designated a National Scenic Byway in 1996. Through the City of Oswego, the Great Lakes Seaway Trail is located along NYS Route 104 (Bridge Street). The Seaway Trail is located 0.38 miles south from the Project (at its closest point to the Project site).

A Visual Resource Assessment was prepared that considers these four locations along with several others within a 1-mile radius of the Project Site. The Visual Resource Assessment is appended to the FEAF as Attachment I. While the Visual Resource Assessment indicates the Project may be visible from some of these locations, views of the Project are not expected to result in significant adverse environmental impact or diminish the public's enjoyment of the designated aesthetic or scenic resources. Therefore, no significant adverse impact to aesthetic or scenic resources is expected to occur because of the Project.

- b. The proposed action will not result in the obstruction, elimination or significant screening of one or more officially designated scenic views. Although portions of the Project site may be visible from identified scenic or aesthetic resources, the proposed project will not result in the obstruction, elimination or significant screening of an officially designated view. It is noted there is a line of site to Lake Ontario present at the East 1st Street/ Bridge Street intersection that will be impacted by the Project. However, this view of the lake from East 1st Street is not a designated scenic view or protected by local policy or guidance. And, as noted in the Visual Resource Assessment, this view is not distinct and is already screened by plantings which will eventually fully block the view as the existing median trees continue to grow. VRA, p. 14. Therefore, little or no impact from the Project is expected.
- c. The proposed action will be visible from publicly accessible vantage points, but this visibility will not result in a significant adverse environmental impact. The Project is located in the City of Oswego at the Port's East Wharf Dock Facility on Oswego Harbor where the Oswego River meets Lake Ontario. From inland locations, the seasonal foliage provides a varying degree of screening, depending on the vantage point and maturity of the vegetative screening. However, the Project site will be highly visible year-round from the water and numerous publicly accessible vantage points around the Project site including roadways, parks, buildings and infrastructure along the shorelines of the Oswego River, and vessels navigating on the Oswego River and Lake Ontario. As noted in the Visual Resource Assessment, existing industrial and commercial developments in the area "are concentrated at the mouth of the Oswego River and along

much of the riverfront and Bridge Street corridor". Therefore, the Project is consistent with the existing visual appearance of the Project area and surrounding industrial maritime environment as currently viewed from publicly accessible vantage points. As a result, while the highly visible nature of the Project may be considered a moderate to large impact, it is not expected to result in a significant adverse impact on aesthetic resources given the existing visual setting and industrial character of the Project site and surrounding area.

- 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. The proposed project is located in the City of Oswego at the Port's East Wharf Dock Facility on Oswego Harbor where the Oswego River meets Lake Ontario. The primary east-west transportation route within the Visual Resource Assessment study area is NY-104, a state highway connecting Niagara Falls to the west with Williamstown in Oswego County. Where it passes through Oswego, NY-104 is called East and West Bridge Street and is a four-lane urban arterial. This portion of NY-104 is also the designated route of the Great Lakes Seaway Trail National Scenic Byway, which is discussed above. From the Bridge Street north sidewalk, the project will be visible among the industrial and commercial waterfront development facing the east riverfront, but the existing character of the view is maintained, described in the VRA as "the broad, river and openness of the sky". VRA, p. 14. From East 1st Street at Bridge Street, there is only brief visibility of the existing facility and Project area visible from this location (at the bridge over the Oswego River) and "in small, scattered areas" to the east, near the intersection of East 1st Street. The primary viewer at this location will be pedestrians and motorists traveling north on East 1st Street or along East Bridge Street looking north as they move through the intersection. The Visual Assessment Report notes, while there is a line of sight to Lake Ontario present at this location, it is heavily screened by foreground objects, "easily subsumed by other distant elements" and therefore, "could be easily overlooked by many observers." VRA, p. 14. It goes on to conclude, while the Project will block exiting views into the distance toward Lake Ontario, the view is not distinct and already screened by plantings that will eventually fully screen the view as the existing median trees continue to grow. Based on the foregoing, no significant impact on routine travel by residents is anticipated.
 - ii. Recreational or tourism based activities. The Project area is highly visible from numerous publicly accessible vantage points around the project site including roadways, parks, buildings and infrastructure along the shorelines of the Oswego River, and vessels navigating on the Oswego River and Lake Ontario. However, the Project is expected to have little to no impact on recreational or tourism-based activities. The Project area is located in and part of an existing industrial maritime facility. And, as noted in the Visual Resource Assessment, both banks of the Oswego River within the study area offer pedestrian walkways and

narrow linear riverfront open spaces which offer notable views of the riverfront and Lake Ontario. Therefore, construction and operation of the Project is expected to have little or no impact.

- e. The proposed action will not cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource. The proposed project will not diminish public enjoyment and appreciation of designated aesthetic resources. It is located on the Port's East Wharf Dock Facility which is an industrial maritime area functioning as an active commercial port. In the VRA, it is noted that views of the Project from Bridge Street or the Great Lake Seaway Trail are consistent with the site's existing and historic character as a working waterfront and center for agricultural and industrial commerce. VRA, p. 14. For those traveling on the Byway, the existing facility and Project area are briefly visible at the bridge over the Oswego River and "in small, scattered areas" to the east, near the intersection of East 1st Street. However, the view of the lake from East 1st Street is not a designated scenic view or protected by local policy or guidance. In addition, the view of the lake from this location is not distinct and already screened by plantings that will eventually fully screen the view as the existing median trees continue to grow. The Port has also conserved potential impacts on Fort Ontario. The Visual Resource Assessment includes a photo simulation from the Fort Ontario (identified visual resource) pathway. There will be portions of the Project visible from the Fort Ontario complex, however it is very limited visibility and it is obscured to a large extent by mature trees, effectively absorbing the structure into the landscape. As noted in the Visual Resource Assessment, because of "the distance and screening of the Project by topography and mature trees, it is effectively absorbed into the existing landscape and does not attract attention. The existing visual character of an open, park-like historic site is maintained." VRA, p. 15. The Port agrees with this conclusion. While it is noted slightly increased visibility of the Project is expected in winter months when the mature trees providing screening lose their leaves, the visual impact is considered small and is not be expected to diminish the experience of visiting Fort Ontario. It is noted the Fort Ontario park is closed during the winter months and the general focus for visitors to the Fort during the operating season is toward the Fort itself and Lake Ontario (i.e., away from the Project site). Based on the foregoing, no impact is expected to occur as a result of the proposed project.

- f. There are no similar projects visible within the following distance of the proposed project. There are no similar Projects types visible within the ranges of distances described in Part 2 of the FEAR. However, there are similar structure types located in the City of Oswego and immediately surrounding towns within the ranges of distances described. These structures are generally located at municipal department of public works facilities, private businesses and farms and are used to store road salt, sand, equipment, etc. No impact is expected to occur as a result of the proposed project.

10. Impact on Historic and Archeological Resources. – The proposed action may occur in or adjacent to a historic or archaeological resource, however, for the reasons set forth below, significant adverse impacts to historic and archeological resources are not anticipated.

- 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. Fort Ontario, a historic fort owned by New York State, is located on an adjoining property immediately east of the project site and is listed on the National Register of Historic Places. As a site of historic importance, Fort Ontario features a unique star shape containing two guardhouses, a powder magazine, a storehouse, barracks and Army office building, and officer's quarters, as well as videos and exhibits providing insight into the eventful and significant history of the location. As noted above, the photo simulations from the Fort Ontario pathway included in the Visual Resource Assessment shows portions of the Project will be visible from the Fort Ontario complex, however it is very limited visibility and it is obscured to a large extent by mature trees, effectively absorbing the structure into the landscape and existing Port setting. It is noted, coordination with the New York Historic Preservation Office (SHPO) through their online Cultural Resource Information System (CRIS) was initiated by the Port and SHPO provided a response noting the Project area is also adjacent to Oswego Lake Terminal, Walton and Willett Stone Store, Derrick Boat No. 8, U.S. Army Tugboat LT-5 Major Elisha K. Henson, and the New York State Barge Canal Historic District. Although SHPO's responses states it could not provide any meaningful comment on the Project's potential impacts given that construction of the redesigned Dome 4 structure had already commenced, the Port finds the Project will not result in significant adverse impacts to these structures for the reasons set forth herein, specifically in Section 9 regarding potential visual impacts and Section 18 regarding Community Character.
- 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. Fort Ontario, a historic fort owned by the New York State, is located on an adjoining property immediately east of the Project site and is designated as a sensitive archaeological site on the SHPO archaeological site inventory. However, no impacts are expected to occur as a result of the project given its location with the existing industrial facility. Coordination with the New York State Historic Preservation Office (SHPO) through their online Cultural Resource Information System (CRIS) was initiated by the Port and it has confirmed it has no archeological concerns and no archeological survey is warranted.
- c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. No additional archeological or historic site(s) or resources are known to be present or have been identified on the project site. Two buildings appear on the NYSHPO Cultural Resource Information System (CRIS) database within the Project site; however, both buildings are deemed "Not Eligible". As noted above, SHPO has confirmed it has no archeological concerns and no archeological survey is warranted. No impacts are expected to occur as a result of the Project.
- d. No impacts are expected to occur as a result of the project.

11. Impact on Open Space and Recreation. The proposed Project will not result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. The Project will be located on the Port's East Wharf Dock Facility which is an industrial maritime area functioning as an active commercial port. The Oswego Marina owned and operated by the Port is located on the south end of the Project site. It is a full-service public marina with accommodations for approximately 65 boats. The proposed Project is located approximately 300 feet north of the Oswego Marina and is not expected to have impacts either during construction or regular operations on the marina. No impact to open space and recreation will occur as a result of the proposed Project.
12. Impact on Critical Environmental Areas. No designated critical environmental areas (CEA) occur within, or immediately adjacent to the property. Therefore, no impacts to critical environmental areas (CEA) will occur as a result of the proposed Project.
13. Impact on Transportation. The proposed Project will not result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services. The estimated traffic volumes for the proposed action will generate 8 (±) truck trips per day on average, with occasional increases on a seasonal basis to approximately 40 truck trips per day. Passenger vehicles are estimated to generate an additional 5 (±) trips per day on average. The traffic volumes for the proposed activity are well below the threshold of 100 peak hour trips as recommended by the Institute of Traffic Engineers as an indicator of substantial traffic volume increase. No impacts on transportation are expected to occur as a result of the Project.
14. Impact on Energy. The proposed project will not cause an increase in the use of any form of energy. The proposed Dome 4 will have a 325 amp service panel that will be provided from an existing, on-site main electrical service supplied from the local utility company, National Grid. No new or upgrade to an existing electrical substation is required. The proposed project will not be connected to natural gas, water resources, or wastewater/sewer systems. As with any construction project, there will be short-term increases in electrical and gasoline usage to power construction equipment and for worker travel. Therefore, no impacts on energy will occur as a result of the Project.
15. Impacts on Noise Odor and Light. The proposed project may result in an increase in noise, odors, or outdoor lighting however, no significant adverse impacts are anticipated.
 - a. The proposed action may produce sound above noise levels established by local regulation. The proposed project will cause a temporary increase in ambient noise levels from the operation of construction equipment. Measures to minimize noise impacts during construction will include adherence to local ordinances for working hours and inspection of equipment for proper muffling. Noise levels will return to pre-construction levels following completion of the project and will generally not exceed

existing ambient noise levels of the area. Therefore, no significant impact on noise is expected to occur as a result of the Project.

- b. The proposed action will not result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home. The project will not involve or require any blasting to occur. No impact will occur as a result of the project.
- c. The proposed action will not result in routine odors for more than one hour per day. The proposed project will not cause or result in an increase in odors. No impact is expected to occur as a result of the Project.
- d. The proposed action will not result in light shining onto adjoining properties. Directional lighting pointing downward will be attached to the east and west perimeters of Dome 4. When a ship is docked and offloading into Dome 4 or during some load out operations from Dome 4, additional portable lights may be used temporarily, as is currently done for other operations at the Port. Little to no impacts are expected to occur as a result of the Project.
- e. The proposed action will not result in lighting creating sky-glow brighter than existing area conditions. Directional lighting pointing downward will be attached to the east and west perimeters of Dome 4. When a ship is docked and offloading into Dome 4 or during some load out operations from Dome 4, additional portable lights may be used temporarily, as is currently done for other operations at the Port. These new permanent and temporary lighting features are not expected to create or cause significant additional sky-glow brighter than the existing conditions in the area. Little to no impacts are expected to occur as a result of the Project.

16. Impact on Public Health. The proposed project will not result in an impact to human health from exposure to new or existing sources of contaminants.

- a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community, however, no impacts to this facility is anticipated. The Lakeview Primary Care (Medical Center) at 29 E. Cayuga Street and the Head Start (School) at 45 E. Schuyler Street are located within 1,500 feet of the proposed project. However, the Project area is in an existing industrial maritime facility and construction and long-term operations are not expected to have any impact on these facilities or the public health. Therefore, no impact is expected to occur as a result of the Project.
- b. The site of the proposed action is not currently undergoing remediation. No impact will occur as a result of the Project.
- c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action. There are completed emergency spill remediation and environmental site remediation on and adjacent to the

Project on the Project site. Refer to j. below for list of locations and descriptions. No impacts to remediated areas will occur as a result of the Project.

- d. The site of the action is not subject to an institutional control limiting the use of the property (e.g., easement or deed restriction). There are no institutional control measures currently in-place limiting the use of the property. No impact will occur as a result of the Project.
- e. The proposed action will not affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health. There are no institutional control measures currently in-place limiting the use of the property. No impact will occur as a result of the Project.
- 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. The proposed Project does not involve generation, treatment and/or disposal of hazardous wastes. No impact will occur as a result of the Project.
- g. The proposed action does not involve construction or modification of a solid waste management facility. The proposed Project does not involve construction or modification of a solid waste management facility. No impact will occur as a result of the Project.
- h. The proposed action will not result in the unearthing of solid or hazardous waste. There are no known sources of solid or hazardous waste that may be unearthed in the area of the Project. No impact will occur as a result of the Project.
- i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste. The proposed action will involve the management and disposal of solid waste, but no significant adverse impacts from such management and disposal is anticipated.
 - i. During construction, it is estimated that 10 tons of solid waste will be generated over the 6 month construction period. Solid waste generate during construction will typically consist of scrap metal, wood, cardboard, plastic wrappings, etc. Wood blocking, pallets, etc. will be reused or recycled. Waste materials will be sorted and classified into roll off containers and/or dumpsters so they can either be recycled or disposed of at the Oswego County landfill accordingly.
 - ii. During regular long-term operations, it is estimated that 12 tons of solid waste will be generated over a one (1) year period. Solid waste generate during operations will typically consist of scrap metal, wood cardboard, plastic wrappings, etc. Wood blocking, pallets, etc. will be reused or recycled. Waste materials will be sorted and classified into roll off containers and/or dumpsters

so they can either be recycled or disposed of at the Oswego County landfill accordingly.

- iii. The Project does involve or require construction or modification of a solid waste management facility.

j. The proposed action will result not result in excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.

- i. The project site and adjoining properties are not know to have been previously used as municipal, commercial or industrial solid waste management facilities.
- ii. The adjoining Port owned marina located approx. 400 feet to the south of the proposed action stores and sells gasoline fuel for boats/maritime activities.
- iii. There are several spill incidents that have occurred on the Project site recorded in the NYSDEC Spill Incidents Database.
 - NYSDEC Spill Number 9201716: Port of Oswego Authority, 5/12/1992. 20,000lbs of urea related to a railroad car equipment failure. Spill Record was closed on 10/22/2003.
 - NYSDEC Spill Number 9502926: Port of Oswego Authority, 6/7/1995. Diesel spill related to a traffic accident. Spill Record was closed on 6/12/1995
 - NYSDEC Spill Number 9602664: Old Oswego Marina, 5/24/1996. Gasoline spill related to a tank failure. Spill Record was closed 7/1/1996.
 - NYSDEC Spill Number 9802311: Oswego Marina, 5/21/1998. Passenger vehicle deliberately entered Oswego Harbor. Spill Record was closed 4/26/1999

The project site is within 2,000 feet of sites in the NYSDEC Environmental Site Remediation database:

- NYSDEC ID C738040: 68 West First Street, Harbor View Square, Brownfield Cleanup Program (BCP), Classification C
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- NYSDEC ID C738040A: 68 West First Street, Harbor View Square – Off-Site, Brownfield Cleanup Program (BCP), Classification A
- NYSDCE ID E738040: 68 West First Street, Environmental Restoration Program, Classification N (*This site is now in the BCP Program as Site# C738040*)

- NYSDEC ID 738041: 23 Mercer Street, Former Fitzgibbons Boilerworks Facility, State Superfund Program, Classification A
- NYSDEC ID 738042: 29 East Cayuga Street, Former Price Chopper, State Superfund Program, Classification A
- NYSDEC ID 738043: 77-79 West First Street, State Superfund Program, Classification A.
- NYSDEC ID C738045: 18 East Cayuga Street and 83-87 East First Street, Midtown Plaza, Brownfield Cleanup Program (BCP), Classification C
- NYSDEC ID 738051: 45-49 East Bridge Street, Lambrino's Drycleaner, State Superfund Site, Classification 02

Classification A is assigned to a non-registry site in any remedial program where work is underway and not yet complete (i. e., Brownfield Cleanup Program, Environmental Restoration Program, Voluntary Cleanup Program and RCRA Corrective action Program sites).

Classification 4 is assigned to a site that has been properly closed but that requires continued site management consisting of operation, maintenance and/or monitoring. Class 4 is appropriate for a site where remedial construction actions have been completed for all operable units, but the site has not necessarily been brought into compliance with standards, criteria, or guidance (e.g., a groundwater extraction and treatment system has been installed and is operating properly but groundwater standards have not been achieved yet). The Record of Decision should define the remedial action objectives that need to be achieved during site management. If a Certificate of Completion (CoC) is to be issued for a site, the CoC is issued concurrently with the reclassification.

Classification N Sites: The NYSDEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any NYSDEC investigation, sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary.

Classification 02: This classification is assigned to a site at which the disposal of hazardous waste has been confirmed and the presence of such hazardous waste or its components or breakdown products represents a significant threat to public health or the environment: or hazardous waste disposal has not been confirmed, but the site has been listed on the Federal National Priorities List (NPL).

A review of the NYSDEC Environmental Site Remediation database does not indicate site status and/or assessments that effect the Project site. Therefore, no impacts are expected to occur as a result of the Project.

- k. The proposed action will not result in the migration of explosive gases from a landfill site to adjacent off site structures. There are no landfill site(s) located on, or adjacent to the proposed Project or overall Project site. No impacts will occur as a result of the Project.
- l. The proposed action will result in the release of contaminated leachate from the project site. Solid waste generate during construction and regular operations will typically consist of scrap metal, wood, cardboard, plastic wrappings, etc. Wood blocking, pallets, etc. will be reused or recycled. Waste materials will be sorted and classified into roll off containers and/or dumpsters so they can either be recycled or disposed of at the Oswego County landfill accordingly. No contaminated leachate is expected to be generated or released from these waste type materials.

During regular long-term operations, the Project will provide protected storage of bulk commodities such potash (fertilizer) from being directly exposed to environmental conditions. Minimal amounts of spillage associated with loading/unloading of bulk commodities from vessels, railcars and trucks, though required to be cleaned up as they occur, may leave trace amounts behind that could be susceptible to becoming leachate. A small impact is recognized as a result of the Project considering the potential for minimal amounts of spillage to occasionally occur during the loading/unloading process associated with the handling of bulk commodities.

17. Consistency with Community Plans. The proposed Project is consistent with adopted land use plans.

The City of Oswego maintains a comprehensive plan, "City of Oswego 2020 Vision Plan." Development of the City's plan included steering committee level involvement from a representative of the Port of Oswego. The plan recognizes the Port as a primarily industrial operation with continued potential for continued long-term sustainable growth in the market areas of agricultural products, renewable energy, aluminum, cement, petroleum, transformers & oversized loads, which it serves and supports in the Central New York Region. See <https://www.oswegony.org/government/2020-vision-plan>.

The City of Oswego has an approved Local Waterfront Revitalization Program which supplements the New York State Department of States Coastal Consistency Review policy. The proposed Project is consistent with the policies established, recognizing that the Port is an established commercial Port with contributions to the economic benefit and heritage of the area. See <https://dos.ny.gov/location/city-oswego-local-waterfront-revitalization-program>.

The Port of Oswego Authority also maintains a comprehensive plan, "Port of Oswego Authority Vision 2030 Comprehensive Plan." The proposed Project to construct the new Dome 4 building is consistent with the Port's mission statement, "*The mission of the Port of Oswego Authority is to serve as an economic catalyst in the Central New York Development Council District Region by providing diversified and efficient transportation services and conducting operations in a manner that promotes regional and international growth and development while being mindful of our responsibility to serve as a steward of the environment*". Adopted - September 28, 2011, Revised - March 8, 2017 and the objectives described in the Plan to improve upon and expand infrastructure to support its agricultural based business. See <https://portoswego.com/comprehensive-plan>

No impacts are expected to occur as a result of the Project.

18. Consistency with Community Character. The proposed Project is not inconsistent with the existing community character.
 - a. The proposed action will not replace or eliminate existing facilities, structures, or areas of historic importance to the community. The Project will be constructed on the Port's existing East Wharf Dock, which currently functions as a commercial port in an area designated and recognized for industrial maritime use. It will not replace or eliminate any existing facilities or areas of historic importance to the community. No impacts will occur as a result of the Project.
 - b. The proposed action will not create a demand for additional community services (e.g. schools, police and fire). The Project will not create an additional demand for community services, therefore impacts are expected to occur as a result of the Project.
 - c. The proposed action will not displace affordable or low-income housing in an area where there is a shortage of such housing. The Project will be constructed on the Port's existing East Wharf Dock, which currently functions as a commercial port in an area designated and recognized for industrial maritime use. It will not involve or displace affordable or low-income housing. No impacts will occur as a result of the Project.
 - d. The proposed action will not interfere with the use or enjoyment of officially recognized or designated public resources. The Project will be constructed on the Port's existing East Wharf Dock, which currently functions as a commercial port in an area designated and recognized for industrial maritime use. It is not expected to interfere with the use or enjoyment of officially recognized or designated public resources. No impacts are expected to occur as a result of the Project.
 - e. The proposed action is not inconsistent with the predominant architectural scale and character. The Project will be constructed on the Port's existing East Wharf Dock, which currently functions as a commercial port in an area designated and recognized for industrial maritime use. The Project is consistent with the functional character of the Port and architectural scale of the surrounding infrastructure however, it may be argued that its size, scale and architectural character is not wholly consistent with the

surroundings considering the structures shape and appearance can be characterized as more modern in style when compared to several of the Port's adjacent buildings. Therefore, a small impact is recognized as a result of the Project considering it introduces a more modern and distinct style to the area compared to what is present on site.

- f. Proposed action is not inconsistent with the character of the existing natural landscape. The proposed Project will be constructed on the Port's existing East Wharf Dock, which currently functions as a commercial port in an area designated and recognized for industrial maritime use. The Project while considered to be more modern appearing in style, aligns within the character and functionality of the Port. No impacts are expected to occur as a result of the Project.