

December 8, 2022

**FINAL GENERIC ENVIRONMENTAL
IMPACT STATEMENT**

PROJECT SPONSOR

Niagara County
Vantage Center
6311 Inducon Corporate Drive
Sanborn, New York 14132

DGEIS PREPARED BY:

Wendel
Prospect Hill
GTS Consulting

PROJECT (ACTION)

NIAGARA COUNTY BUSINESS PARK PROJECT

Junction Road
SBL# 107.00-2-32
Cambria, New York
Niagara County

POSITIVE DECLARATION: June 9, 2022
SCOPING MEETING HELD: July 14, 2022
FINAL SCOPE ACCEPTED: August 11, 2022
DGEIS ACCEPTED: October 13, 2022
LEAD AGENCY : Cambria Town Board
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TABLE OF CONTENTS

SECTION

1.0 Introduction and Project Background

- 1.1 Proposed Action and Description
- 1.2 Project Site Location and Description
- 1.3 Project Purpose, Need and Benefits

2.0 Summary of the Draft Generic Environmental Impact Statement

3.0 Revisions or Supplements to the DGEIS

- 3.1 Project Revisions/Changes
- 3.2 Supplements to the DGEIS

4.0 Responses to Public and Agency Comments

- 4.1 Public Hearing Comments/Responses
- 4.2 Other Public Comment/Responses
- 4.3 Planning Board Comments/Responses
- 4.4 Town Board Comments/Responses
- 4.5 Involved/Interested Agency Comments/Responses

Appendices

- Phase 1A
- Niagara County Business Park Sanitary sewer flow memo
- Lockport Sanitary sewer flow memo
- Cambria Sanitary sewer flow memo
- Planning Board meeting minutes
- Public hearing meeting minutes
- DEC Correspondence
- USFWS Correspondence

THE DGEIS IS BEING INCORPORATED BY REFERENCE AND CAN BE FOUND HERE

<https://www.dropbox.com/scl/fo/nekahz7dis61sbpbpotrc/h?dl=0&rlkey=bcya9knz2kisk8rq17azua0cq>

Introduction and Project Background

1.0 INTRODUCTION AND PROJECT BACKGROUND

1.1 Proposed Action and Description

The Town of Cambria Town Board, acting as Lead Agency, has required the preparation of a Generic Environmental Impact Statement (GEIS) pursuant to 6 NYCRR Part 617, State Environmental Quality Review (SEQR). The purpose of the GEIS is to evaluate the potential impacts of the proposed Niagara County Business Park Project (Project), which is to be located at 5058 Junction Road (SBL # 107.00-2-32) in the Town of Cambria and sponsored by the Niagara County Industrial Development Agency (NCIDA). The proposed action is for the rezoning of approximately 60 acres of land from A-R to PD located at 5058 Junction Road in the Town of Cambria and the subsequent construction of a Business Park and its associated infrastructure.

1.2 Project Site Location and Description

The project site is located in the Town of Cambria, at 5058 Junction Road (SBL# 107.00-2-32). Refer to Figure 1.1-1. The site is located on the west side of the road, north of Saunders Settlement Road (Route 31) and south of Upper Mountain Road.

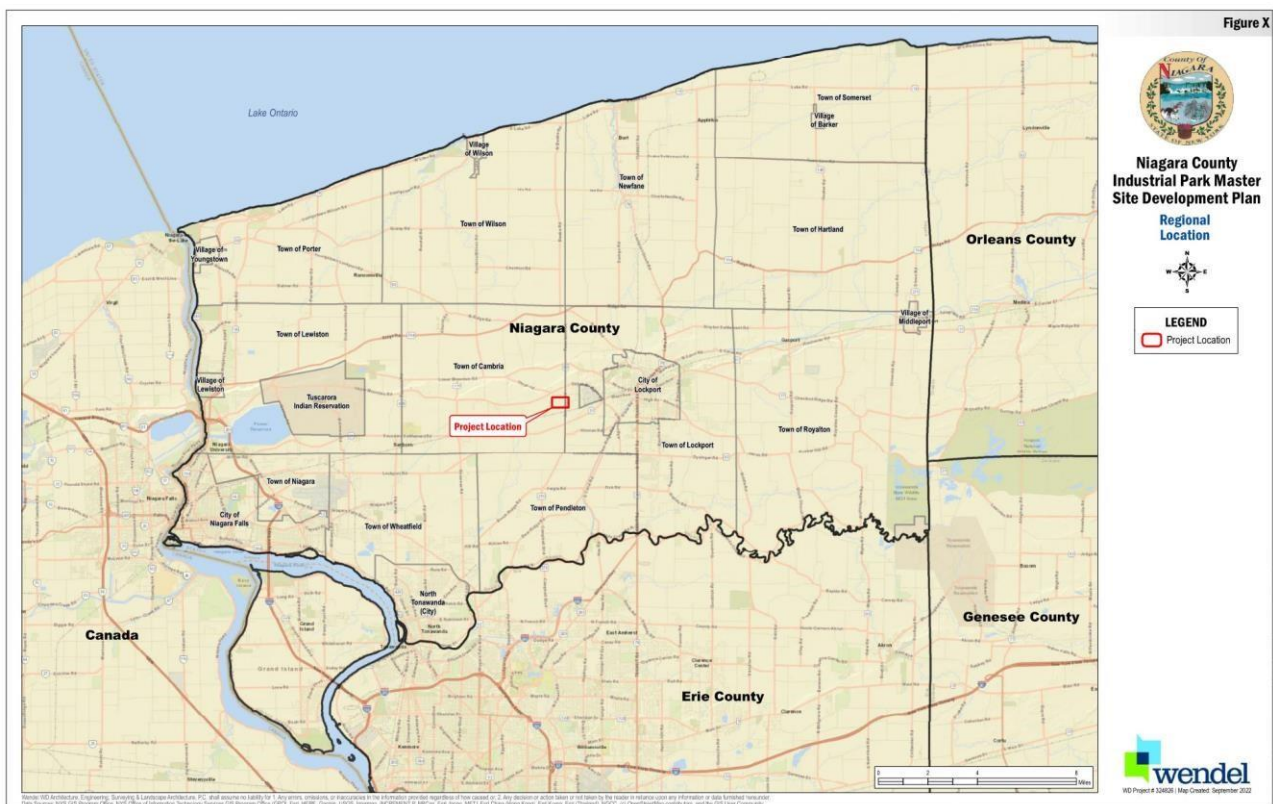


Figure 1.1-1: Regional Location

The property (refer to Figure 1.1-2) consists of a single parcel (S.B.L 107.00-2-32), which is currently owned by Niagara County. It totals approximately 60 acres of land and has approximately 1,175 feet of frontage along Junction Road. The property is currently being used by the Niagara County DPW and includes large areas for the storage of millings, stone and other road materials,

and pathways and equipment. Some of the land consists of former agricultural fields and there is a wooded wetland area and creek on the back of the site.

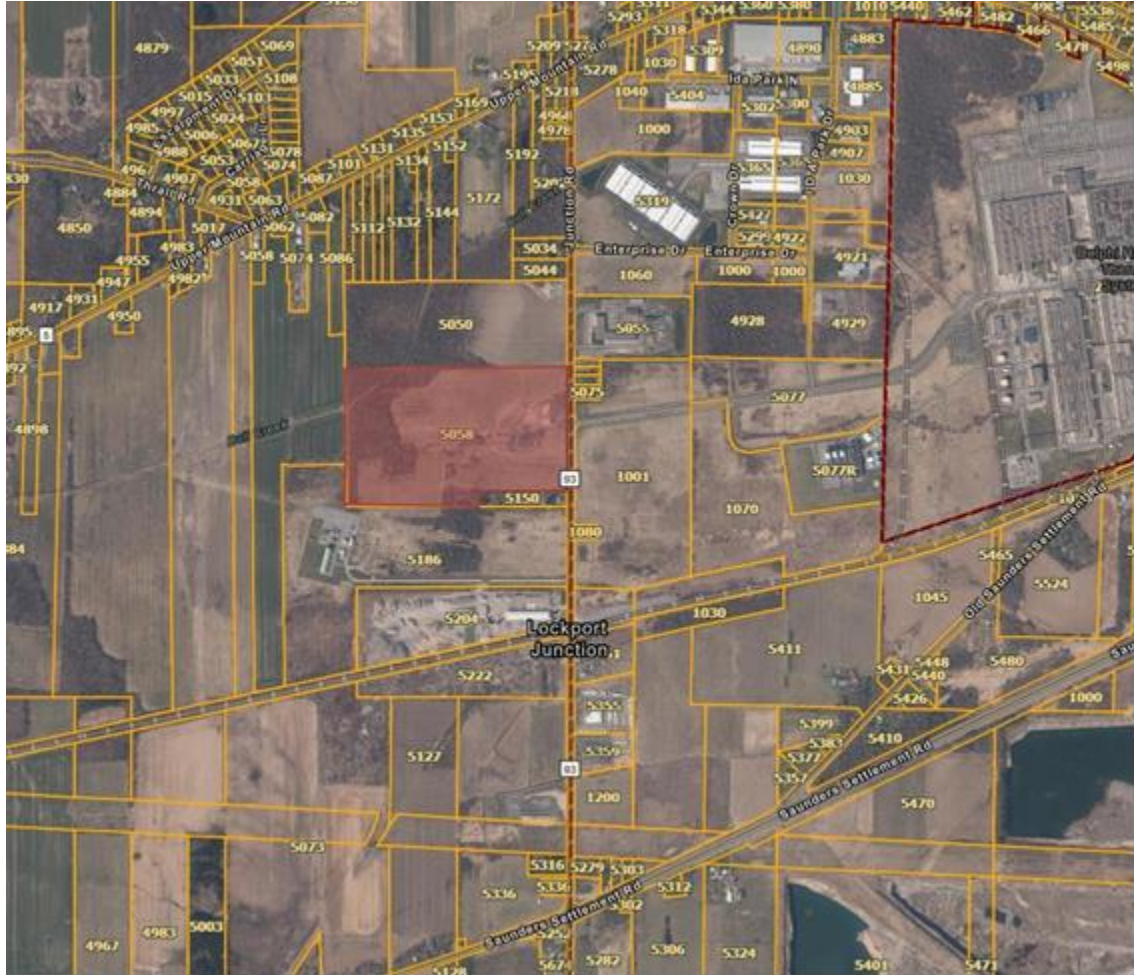


Figure 1.1-2: Project Site

The site is bounded to the north and west by agricultural lands. A residential property is located on the southern border of the site. To the east of the site (other side of Junction Road – the Town of Lockport), there are some residential properties, the Lockport Industrial Park, a vacant field (proposed as an expansion to the Lockport Industrial Park), and an access road to the Delphi Harrison Plant. Other surrounding land uses are agricultural, Industrial, and commercial uses, or undeveloped land.

1.3 Project Purpose, Need and Benefits

The primary purpose of the Project is to establish a Business/Industrial Park in support of the region's needs. Western New York and Niagara County lack enough shovel ready Industrial space. This project will provide 60 acres of land that will have the infrastructure available for development and be cleared from an environmental standpoint for approvals.

Summary of the Draft Generic Environmental Impact Statement

EXECUTIVE SUMMARY

The Town of Cambria Town Board, acting as Lead Agency, has required the preparation of a Generic Environmental Impact Statement (GEIS) pursuant to 6 NYCRR Part 617, State Environmental Quality Review (SEQR). The purpose of the GEIS is to evaluate the potential impacts of the proposed Niagara County Business Park Project (Project), which is to be located at 5058 Junction Road (SBL # 107.002-32) in the Town of Cambria and sponsored by the Niagara County Industrial Development Agency (NCIDA). The proposed action is for the rezoning of approximately 60 acres of land and the subsequent construction of a Business Park and its associated infrastructure.

The project site is in the Town of Cambria, at 5058 Junction Road (SBL# 107.00-2-32). The site is located on the west side of the road, north of Saunders Settlement Road (Route 31) and south of Upper Mountain Road

The property is currently being used by the Niagara County DPW and includes large areas for the storage of millings, stone and other road materials, and pathways and equipment. Some of the land consists of former agricultural fields and there is a wooded wetland area and creek on the back of the site.

The primary purpose of the Project is to establish a Business/Industrial Park in support of the region's needs. Western New York and Niagara County lack enough shovel ready Industrial space. This project will provide 60 acres of land that will have the infrastructure available for development and be cleared from an environmental standpoint for approvals.

Environmental Quality Review of the Project Pursuant to SEQRA

Pursuant to Article 6 of the New York State Environmental Conservation Law (6 NYCRR, Part 617), the New York State Environmental Quality Review Act (SEQRA) provides a process for governmental and other agencies to consider potential significant adverse environmental impacts during the initial stages of funding, permitting, or approving proposed actions. By incorporating a systematic, interdisciplinary approach to environmental review in the early stages of the process, impacts can be identified, and projects or actions can be modified, as needed, to avoid or minimize potential adverse impacts to the environment. All discretionary actions or approvals by state, regional or local agencies to approve, fund or directly undertake an act that may affect the environment are subject to review under SEQR. It is the intent of SEQRA that protection and enhancement of the environment and community resources be balanced with social and economic factors as part of the decision-making process.

The Town of Cambria Town Board was designated as the SEQR Lead Agency for the proposed action, as this Board has the primary jurisdiction over the rezoning review and approval for the proposed project. Through the coordinated review process, other Involved and Interested Agencies were provided the opportunity to provide comments on the proposed action and concur with this designation.

Based on the determination of the Lead Agency, the Project is the subject of a Generic Environmental Impact Statement (GEIS). The GEIS affords the opportunity to evaluate a broad range of anticipated impacts and ensures that related actions will not be segmented and allow for required analysis of

future development actions on the project site at this time. The GEIS allows the Lead Agency to establish thresholds for future environmental review that may arise in the future, as outlined in the Findings Statement.

The conceptual plans that were developed for the project site illustrate the possible organization of potential land uses and the magnitude for future use of the site. The final form of site development and the timing for future development will depend on market demand and cannot be determined at this time. Therefore, a generic assessment of future site development is an appropriate mechanism for evaluating the potential impacts of future actions.

Pursuant to the requirements of SEQRA, the GEIS and the conceptual development plan for the proposed action will be subject to review and comment by Involved and Interested agencies and the public. Opportunities for future agency and public involvement include the publication of notifications related to the project, a public scoping session, a public comment period for the GEIS, a public hearing, a public consideration period following the completion of the Final Generic Environmental Impact Statement (FGEIS) and preparation of the Statement of Findings by the Lead Agency and other Involved Agencies (if they so desire).

Potential Adverse Environmental Impacts

The identified environmental impacts associated with the proposed development of the Project Site are summarized as follows and are discussed in detail in Section 2 of this DGEIS (incorporated by reference).

- Land and Geological Resources

The subject property is primarily currently comprised of DPW uses, fallow farmland and wetland areas. There are no specific geologically significant resources on the site. Temporary impacts, such as erosion, dust, runoff and/or sedimentation may occur during construction, but measures will be in place to minimize these impacts. Using appropriate mitigations for future site development, no significant, long-term negative impacts to land or soils are anticipated. Construction related impacts will occur over an extended period of time and these impacts are addressed through appropriate mitigations. At full build out, approximately 40 acres of land will be committed to building and parking.

- Water Resources

The site contains some wetlands areas and a stream corridor at the rear of the site. To limit potential impacts to surface and groundwater resources, stormwater will be managed, as required, by the NYSDEC. New infrastructure will be constructed to better manage water resources (existing public water, new sewer system will tie into County system, and an area-wide stormwater management system will manage the stormwater). The wetlands that exist on the subject property will be avoided; buildings will be located away from these resources. No portion of the subject project site falls near the existing stream corridor or within the boundaries of a 100-year floodplain. Therefore, the proposed action will not have significant adverse impacts on floodplain resources. Under these conditions, no significant negative impacts to water resources are anticipated.

- Air Quality and Climate/Climate Change

The site is not located within a specific air quality attainment area. The site is proposed to be developed with light manufacturing and business uses, which are not “smokestack” industries, and limited air emissions are expected. The NYSDEC regulates air emissions, and any and all discharges to the atmosphere would be required to be in full compliance with State and Federal air quality permitting standards. Projected traffic volumes, even at full build-out, would not be large enough to result in significant air quality impacts. Therefore, no significant negative impacts to climate or air quality are anticipated.

- Terrestrial and Ecological Resources

The subject property contains a mix of ground cover, disturbed areas of material storage/DPW activities and a wooded area containing wetlands. No rare, threatened or endangered species were identified on the site, except for the potential for the northern harrier. The site is not a significant habitat. As future site development will be limited to areas that have been cleared of natural vegetation (farm fields and DPW usage areas), identified wetlands and woodlands will be avoided, and there are not species of concern identified on the site, no significant adverse impacts to vegetation or wildlife are anticipated. A copy of the Threatened and Endangered Species and wetland report are included in the Appendix of the DGEIS.

- Land Use, Zoning, Community Plans, Open Space, Recreation and Agricultural Resources

The proposed action is located within the area identified for future commercial and industrial development in the Town’s Comprehensive Plan. The area contains existing Industrial zoned lands and is across the street from the Lockport Industrial Park. The site is presently zoned A-R and is proposed to be rezoned Planned Development (PD) to provide greater flexibility of future use; design standards (setbacks, landscaping, building height, lighting, parking, signage, etc.) will be included to mitigate potential adverse impacts from site development. The proposed action could potentially impact a small area of this site that was previously used as farmland. The site is not within the NYS/County Agricultural district and no active farming remains on this site. The potential loss of fallow farmland is not significant in terms of the agricultural industry in the area, the extent of valuable farmland in the Town and the Town’s desire for increased development in certain areas (as supported by their Comprehensive Plan). Future site development would not be incompatible with surrounding agricultural uses and would not infringe on active farmlands in the adjacent area. Targeting non-residential uses in the vicinity of farms is a good strategy for farmland protection. Therefore, no significant adverse impacts to agricultural resources are anticipated, and significant impacts to land use and open space are also not anticipated.

- Aesthetic Resources

Future development of the subject property will change the visual character of the site, with views of structures replacing those of open fields and the current DPW activities on the site. Views of the structures on the site would be available from certain vantage points. Vegetation and distance from the site will help to mitigate some views. Development in the vicinity of the site (along Junction Road and across the road is Lockport) is commercial/industrial in nature and planned as such for the future. Single family residences are also found along Junction Road. The proposed zoning will include design standards to help mitigate visual impacts, including height, building design, landscaping, and site lighting restrictions. Under these conditions, the proposed action is not anticipated to adversely impact the character of the surrounding area.

- Historic and Archaeological Resources

At the request of the NYS Office of Parks, Recreation and Historic Preservation (SHPO), a phase 1A cultural resource assessment was performed on subject parcel (see attachment). Working with NYSOPRHP, a phase 1B will be necessary on areas of the site that will be developed and are not presently disturbed. As of the time of the FGGEIS, the phase 1B has not been completed, but the applicant will continue to work with SHPO to minimize any impacts to these resources. Based on the findings to date and the commitment to complete the phase 1B and meet any future requirements, the proposed action is not anticipated to result in adverse impacts to historic or archaeological resources.

- Transportation

A Traffic Impact Study was conducted to assess potential transportation impacts. Future site development will increase traffic on local roadways. The traffic analysis showed that the roadway system and respective intersections in the project area are currently operating at a Level of Service C or better (roadways at a LOS of B or better). An assessment of full build-out found that existing conditions would not be degraded. Proposed driveway locations and separation was found to meet or exceed all requirements for sight and braking distances. There were no signal timing or phasing improvements recommended for local intersections. With the establishment of proper thresholds, there would be no significant adverse impacts on the local transportation system. The Traffic Impact Study is included in the Appendix.

- Public Utilities and Infrastructure

A water line is located along Junction Road that has the capacity to service future site development with public water supply. Sanitary sewer service would have to be extended to the site. The Niagara County Wastewater Treatment Plant has some capacities to accommodate future flow from the project, and the existence of a 21-inch interceptor west of the site would allow for the management of greater wastewater flow from future site development. A Map, Plan and Report will be prepared for the proposed sewer line extension, which would service a much larger area and will be constructed when warranted. See the attachments for a copy of the reports completed on capacities in the sewer system. At the time of this FGEIS, the Niagara County Sewer district had not completed their review of these reports.

Electrical service is available in the area to support some future development (single phase power) but will warrant improvements if larger users are proposed. A natural gas line is also situated proximate to the site. Buildings that would be constructed on the project site would utilize energy efficient systems and be constructed of energy efficient building materials, in accordance with the New York State Energy Code and Building Code. The project is not expected to have a significant adverse impact on energy resources.

At present, stormwater on the project site follows the topography, draining primarily from east to west towards the wetland/creek area. Future site development will alter drainage patterns; impervious surfaces will increase the rate and volume of stormwater runoff. During construction, exposed soils may be subject to erosion. As discussed in the Water Resources section, future site development will require a permit for stormwater management activities and the preparation of a Stormwater Pollution Prevention Plan (SWPPP) to manage runoff at pre-development levels and to capture pollutants conveyed in stormwater during and after site development (quantity and quality controls). The design and construction of a stormwater detention basin will mitigate potential

impacts. The proposed action will result in a long-term increase in the use of energy resources, including electricity and natural gas.

Therefore, the proposed action is not expected to result in adverse environmental impacts on public utilities and infrastructure.

- Noise, Odor, and Light

There will be short-term noise impacts due to construction of the roadway and infrastructure. Long term noise levels would be consistent with surrounding development. Allowed uses under the new zoning are not likely to produce odors and the Town regulates noise. All proposed Business Park development plans, construction activities, and commercial tenant operations must adhere to the Town of Cambria zoning ordinance requirements, which will be reviewed as part of the Site Plan process. Lighting will be minimized and dark sky compliant. Therefore, no significant negative impacts associated with noise, odors or light are anticipated

- Public Health and Safety

A Phase I ESA (environmental site assessment) report assessing environmental conditions at the Project Site completed in 2008, concluded that the "assessment did not reveal any recognized environmental conditions in connection with the subject property." Development of the site will therefore not impact any known environmental conditions of the site. The potential impacts to public health and safety associated with the proposed Business Park users are difficult to identify at this time. They are dependent upon the final mix of uses/occupants. The significance and potential for the release of hazardous substances into the air, soil, or groundwater in the area is dependent upon the nature of the potential processing, manufacturing, and/or industrial processes conducted at the facilities on the Project Site. The types of users that will be allowed (through the PD process) and the Town's requirements under this rezoning and through the mitigations in this GEIS will minimize any risks for any public health and safety issues at the site.

- Community Facilities

There are no community facilities in this area. Future site development will be restricted to light manufacturing and business type uses (no residential), and will have no direct impacts to schools, parks, or recreational programs. According to local emergency service providers, they have the capacity and capability to accommodate development on the subject property. All new construction must comply with NYS Building Codes. The proposed action is expected to result in long-term beneficial socioeconomic impacts for the Town, County, and region. The conversion of the property to business park use will generate short-term construction jobs and long-term employment opportunities. Future site development will also generate increased tax revenues for the Town, County, school district and State. Various measures will be taken to avoid, minimize and/or mitigate potentially significant adverse environmental impacts to the maximum extent practicable. SEQR requires a lead agency to balance the social, economic, and environmental impacts of a proposed project.

Under these conditions, the proposed action is not anticipated to result in adverse impacts to community facilities.

Unavoidable Adverse Environmental Impacts

During the development of any project, regardless of the magnitude, certain adverse impacts on the environment will result despite the measures that are put in place to mitigate such impacts. SEQRA contemplates the balancing of these impacts against social, economic and other relevant considerations (6 NYCRR 617.1.d). The unavoidable impacts anticipated as a result of the development of the proposed action are summarized in this section.

Unavoidable short-term impacts are related to the construction phases of the proposed action. These impacts are temporary, localized, and relative minor in nature. Short-term impacts would cease upon completion of the project development activities. These include:

- Increased traffic levels due to the movement of construction workers and off-site construction equipment;
- Increases in noise levels in the immediate vicinity of the project site;
- The creation of fugitive dust due to soil disturbance and truck movement; and
- Minute, localized increases in air emissions from construction equipment.

Certain long-term environmental impacts will result from the construction and operation of buildings on the project site. These would include:

- Traffic volumes in the vicinity of the site will increase as a result of site development, as well as normal growth in the surrounding area. Junction Road and other surrounding roads will have the capacity to handle the additional traffic that will result from future site development. However, overall traffic will increase.
- The loss of some small areas of existing open space/undeveloped land is an associated impact of future, long-term site development. This may result in a slight reduction of wildlife habitat in the area. The existing open space at the rear of the site will be preserved (wetland area will be avoided). Where natural buffers of existing vegetation do not exist, and in the vicinity of proposed structures, landscaping will be used to fill the void and supplement remaining natural habitat.
- Future site development will permanently change the visual character of the site. Views from certain areas will change, with three-dimensional structures replacing level farmland. Site lighting will also be introduced into an area that is currently dark at night. Structures would be designed to blend with their surrounding environment to the greatest extent possible and measures would be implemented to reduce or eliminate glare from the site, including the use of dark sky compliant lighting fixtures, to help reduce these potential impacts.
- The long-term development of the subject property will result in an increase in energy usage. Structures on the site will require a long-term commitment of electric and natural gas services for heating, cooling, and lighting. In addition, there will be a permanent commitment of building materials for on-site structures, paved surfaces, and infrastructure. The unavoidable commitment of public water from the Niagara County system, as well as increases in wastewater that must be processed at County facilities. The solid waste generated on-site must also be handled and disposed of locally.
- Site development will require a commitment of economic resources for the cost of construction materials, labor, and equipment. Fuel will also be required for the construction and long-term operation and maintenance of structures on the site.

Cumulative and Growth Inducing Impacts

When considering the potential adverse environmental impacts of an action, the Lead Agency must consider reasonably related cumulative impacts, including other simultaneous or subsequent actions that are included in any long-range plan that the proposed action is a part of, any actions that may result from the development of the proposed project, and actions that are dependent on the development of the proposed action. Cumulative impacts (impacts from two or more related actions) are the potential impacts of a proposed action taken in conjunction with other active or anticipated development in the surrounding vicinity, where the total impacts may potentially result in impacts that are greater than what is anticipated from any one project alone.

An analysis of cumulative impacts is generally required in a DGEIS when it is expected that multiple projects within the area may result in a greater cumulative impact. The project area is rural, and, at this time, there are no other projects proposed or currently under development in the vicinity of the subject property that should be taken into consideration as part of this environmental assessment. It was determined that the Amazon project was too far away from this site to have any cumulative impacts and the Trek project located south of this site is too small. Therefore, no cumulative impacts are anticipated from the proposed action and any further analysis is unwarranted.

SEQR requires the analysis of growth inducing impacts. Development on the project site will result in the creation of employment opportunities for residents in the Town of Cambria and surrounding region, including construction-related jobs. Site development is reasonably expected to result in some secondary minor growth in the form of residential development in response to the availability of employment and the desire to locate in closer proximity to the workplace. Expected increases in population and residential development would likely impact enrollment in the local school district and create elevated demand for emergency services. It is conceivable that increased employment opportunities could stimulate population in-migration, but this site is small, and the impact would be minor. Any population increases are also likely to be distributed across the area, not just within the Town of Cambria, minimizing localized impacts. Future site development may also generate a demand for new or expanded support businesses and service providers in the surrounding area to accommodate the needs of on-site workers. In addition, the project will result in a direct increase in the tax base in the Town.

Project Alternatives

For the purposes of this DGEIS, the following alternatives were analyzed:

1. Alternative 1 (No Action alternative)

The No Action alternative represents a required component of an EIS and consists of the property remaining as it is now. This current condition includes the property continuing to be utilized by the Niagara County DPW.

2. Alternative 2 (As of right development – existing zoning)

This alternative is being evaluated because the action involves the rezoning of the property, which changes how this property could be developed. Under the current zoning, Agricultural and Residence (A-R) allowed or special uses could occur on the site. This alternative presumes that the property will be developed (not remain as is) under the current zoning requirements.

3. Alternative 3 (Maximizing development of the site under the proposed zoning)

This alternative involves creating a scenario of developing the site under the proposed zoning to the maximum of its potential. This is not a straightforward exercise since the PD Zoning is a zoning that is created through the rezoning process. For this alternative, we have just schematically illustrated a layout that fully develops the areas of the site that are not constrained by environmental restrictions.

4. Alternative 4 (proposed preferred development pattern)

This alternative is the result of balancing the Goals and Objectives of the County/ Town, and project against the potential environmental impacts. This preferred development was developed in conjunction with a Steering committee and Town and County representatives and is based on a reasonable development pattern to the site. It is in conformance with the Town's Comprehensive Plan, and we believe minimizes the potential environmental impacts of the project.

Thresholds for Future Environmental Review

Final designs (submitted as site plan applications), as well as any proposed changes to the conceptual design elements in the "Preferred Development" scenario will require further evaluation pursuant to SEQRA. The Town of Cambria Town Board, as the agency responsible for the approval of site plans associated with Future Project Uses, will be responsible for performing an environmental determination on Future Project Uses pursuant to SEQRA, and must consider Future Project proposals in relation to: (i) The DGEIS/FGEIS issued for the Project; and (ii) the final Findings Statement issued based on the DGEIS/FGEIS.

Upon submission of any Future Project to the Town of Cambria for site plan approval, the Town Board (with input from the Cambria Planning Board) must determine if the environmental impacts associated with such Future Project Uses have been adequately addressed in the FGEIS and the SEQRA Findings Statement, considering whether the future uses exceed any of the thresholds set forth herein and if the proper mitigations have been implemented. Such a determination must be made before any site plans for Future Project Uses are approved by the Town Board.

Thresholds established in the DGEIS include zoning thresholds (uses, maximum building area, building square footages, and other bulk zoning requirements), avoidance of wetland areas, transportation, and utilities.

Revisions or Supplements to the DGEIS

3. PROJECT REVISIONS/CHANGES and SUPPLEMENTS TO THE DGEIS

This section of the FGEIS discusses revisions/changes to the DGEIS resulting from comments, project redesign and other information that has arisen since the publication of the DGEIS. It is divided into two sections. Section 3.1 describes project revisions/changes that have occurred, and Section 3.2 outlines supplements to the DGEIS.

3.1 Project Revisions/Changes

The following project changes have occurred since the publication of the DGEIS and where relevant, replacement pages are included in the Appendix.

There is a typo on Page 3-34, that should be revised to say Niagara County.

3.2 Supplements to the DGEIS

Supplements to the DGEIS are described here and included in the Appendix.

1. A phase 1A cultural resource analysis (literature research and site visit) was completed and identified the need for a phase 1B analysis (test pits at the site) of approximately 40 acres of the site. The County will complete this phase 1B and will complete any actions required by the phase 1B. The applicant believes that with the completion of the phase 1B and any resulting actions, the project will not significantly impact any Cultural resources.
2. Three sewer studies/memos were completed and submitted to the Niagara County Sewer District. These studies/memos included the projected estimates of wastewaters to be produced by the proposed business park, an analysis of other wastewaters that could be generated in this area of Cambria, and finally information on the Lockport Industrial Park on present and future sanitary wastewaters that would be generated. These studies/memos are to be utilized by the Sewer District to determine if capacities exist for these wastewater flows and improvements that would be necessary. These studies will also help with the Sewer District determining the how this system will eventually be designed and with the approximate costs and methodologies for funding. Based on these memos, there have been no changes to the plan for wastewaters for the Business Park (other than potentially adding flows from Lockport and future development (as yet unknown) in the area. The environmental impacts of the project are still insignificant, and the project will not proceed until a sewage conveyance system is finally designed and evaluated by the County Sewer District.
3. A consistency letter from The U.S. Fish and Wildlife Service was received on December 8, 2022 and was included in the Appendix, and a letter from the NYSDEC was received on November 22, 2022.

Responses to Comments

4. COMMENTS RECEIVED AND RESPONSES

This chapter contains the responses to the comments received on the Draft Generic Environmental Impact Statement. The DGEIS was released for public and agency review and comment on October 13, 2022.

A public hearing to receive comments was held on November 10, 2022, at 7:00 PM at the Cambria Town Hall, Cambria, New York. The minutes from this meeting have been included in this FGEIS in the Appendix. Public comments were accepted through November 21, 2022. No written comments were received by the Town Board or from the general public.

As there were not many comments that were received from Involved or Interested Agencies on the project, each comment will be addressed individually.

4.1 Public Hearing Comments/Responses

Niagara County Business Park Public Hearing, November 10, 2022

The comment letter from the Town Board meeting minutes is included in the Appendix of this FGEIS.

Comment: Councilman Musall asked Mr. Reilly who will be putting in the sewer line and paying for it.

Response: Cambria, Lockport, the County, and the County Sewer District will have to make the final decision on how and who would participate in the funding of this project. The sewer line will be an extension of the Niagara County Sewer District #1 interceptor. The bulk of the financing, if not all of it, would be through the County Sewer District and those who participate in the Sewer District. This project is dependent on this sewer line extension.

Comment: Tyler Booth- 5182 Ridge Rd/3037 Lower Mt Rd

“What is the purpose of the road trailing to the west on the map displayed depicting the Business Park on Junction Road?”

“Are the businesses pictured on the map arbitrary, because the idea of a slaughterhouse is not very appealing.”

As a resident, he is concerned with traffic and infrastructure near the proposed location. He feels the Town hasn't focused on businesses that would support other businesses such as gas stations or food related. There are 300 acres of planned development in the Town currently not being used and he is concerned that the proposed location will sit vacant as well.

Response: The purpose of the road (at the end of the business park access road) is an access road to a stormwater pond. The stormwater pond for the project is located at this low area and will need an access road for maintenance purposes.
The businesses listed on the map and in the DGEIS were generic sample uses. The County has an Agricultural Plan that includes a recommendation for a Meat Processing facility (not a “slaughterhouse”) and the committee formed for this project

thought it should be included as an option. These facilities can sometimes have odor problems and it was thought best to show this potential user at the rear of the site. The Town will need to consider mitigations in the Findings and whether or not to allow this use in the rezoning.

As to need of the project, there are two companies that have approached the county looking for property within Niagara County, and others inquire often. The other business parks within the county are filling up or are full and there is a need for more “shovel ready” business parks.

4.2 Other Public Comment/Responses

None.

4.3 Planning Board Comments/Responses

Town of Cambria Planning Board Meeting, November 21, 2022

The comment letter from the Planning Board meeting minutes is included in the Appendix of this FGEIS.

Comment: SWPPP

“Will a SWPPP report have to be done more than once?”

Response: Each construction project would need a SWPPP, but they would be kept open and ongoing as things evolve so new ones do not have to be opened every time. This would aid with the ever-changing regulations. The DGEIS includes a drainage study which has identified the potential sizing of the stormwater facilities and the related quality requirements.

Comment: Air quality regulations

A member of the audience wanted to know if the Town should work on air quality regulations, which the Town of Cambria does not currently have.

Response: If the Town of Cambria is worried about this issue, then they could develop regulations, but there is belief there would be no air quality issues for this project, and mitigations could reduce any odor impacts.

Comment: Removal of Millings

Niagara County Department of Public Works currently uses the area for millings.

Response: These millings will have to be removed.

Comment: Question regarding odor and noise from future businesses

Response: The Town will have the final say in who the users will be in the business park through the rezoning process (and input from this GEIS). The GEIS and rezoning will also set other zoning requirements/regulations and will set specific mitigations. Specifically for odor and noise, the Town has no specific odor regulations and the Town's noise ordinance will be enforced through the site plan process and after project completion.

Comment: Alternatives for using Geo-thermal and/or solar energy in the Park

Response: Alternative forms of energy are always encouraged. Being that this is a small business park, small-scale alternatives would suffice, like solar panels on the roof depending on the users of the site. Due to the size of the Park, no lands will be specifically set aside for solar installations.

Comment: How will the wetlands be protected?

Response: A Conservation Easement or a similar mechanism could be part of the Board's conditions for the project site, to ensure that the wetlands area cannot be developed now or in the future. The current preferred plan illustrates the protection of the wetland areas on the site.

Comment: How does the Bear Ridge Solar project impact this project?

Response: Portions of the proposed Bear Ridge solar project are located to the west of this site. That project, which is significantly larger than this project, completed an environmental review that they believe shows no environmental impacts. That project does not directly impact this proposed business park.

Comment: Will the County be selling property within the Business Park?

Response: The Business Park site is owned by Niagara County and when proposed users come forward, the County will most probably sell the property to the developer. A developer could lease the property, but that is not the intention of the County.

4.4 Town Board Comments/Responses

There were no additional comments received from the Town Board or public.

4.5 Involved/Interested Agency Comments/Responses

As of the date of this FGEIS, the only comments we've received are from the NYSDEC and are as follows:

Comment: Terrestrial and Ecological Resources: As identified in the report, the Northern Harrier (*Circus Cyaneus*), a NYS listed threatened species, has been identified near the project site. However, the project site does not include suitable

habitat for Northern Harrier nesting due to land use changes, agricultural uses, and surrounding human structures and activities. The site is not ideal for birds like the Northern Harrier that need larger tracts of fallow fields. For additional Information regarding the nearby occurrences of the Northern Harrier, please contact the Bureau of Wildlife at 716-851-7010.

Response: Comment noted.

Comment: Environmental Consequences – Environmental Justice:

This section should note that any future operations that require a State Pollutant Discharge Elimination (SPDES) permit, air pollution control permit, solid waste management permit, or hazardous waste management permit from the NYSDEC will be subject to the additional public outreach requirements of NYSDEC Commissioner Policy 29 (CP-29) Environmental Justice and Permitting. Additionally, future projects that require any permit from NYSDEC will be reviewed for consistency with the requirements and goals of The Climate Leadership and Community Protection Act (CLCPA). Permit applicants would be required to supply documentation that the project is consistent with the greenhouse gas emission limits established by CLCPA and that the project does not disproportionately burden disadvantaged communities.

Response: Comment noted. In the findings document, we will add the statement that if any of the proposed projects require any of the above permits/approvals, they will be required to address environmental justice issues (and reference this DEGEIS).