

LOCAL WATERFRONT REVITALIZATION PROGRAM

80 Attachment 1

**Town of Bethlehem
Waterfront Assessment Form**

A. INSTRUCTIONS

1. Applicants or, in the case of direct actions, Town agencies shall complete this Waterfront Assessment Form (WAF) for proposed actions which are subject to the LWRP Consistency Review Law. This assessment is intended to supplement other information used by a Town agency in making a determination of consistency with the policy standards set forth in the LWRP Consistency Review Law.
2. Before answering the questions in Section C, the preparer of this form should review the policies and policy explanations contained in the Town of Bethlehem Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the offices of the Town Clerk. A proposed action should be evaluated as to its beneficial and adverse effects upon the waterfront revitalization area and its consistency with the policy standards.
3. If any question in Section C on this form is answered "yes", the proposed action may affect the achievement of the LWRP policy standards contained in the LWRP Consistency Review Law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination that is consistent with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards and conditions, it shall not be undertaken.

B. DESCRIPTION OF SITE AND PROPOSED ACTION

1. Describe the nature and extent of action:

The proposed project consists of a 629,000 +/- square foot offshore wind tower manufacturing facility spread out over 5 separate buildings. The project also includes a 500 linear foot wharf along the Hudson River to ship completed tower sections and a bridge over the Normans Kill connecting the current Normanskill Street to the proposed development site. Tower production will occur within 4 buildings (buildings A-D) located on the Port Expansion property located in the Town of Bethlehem. The 5th building (building E) is located at 700 Smith Boulevard within the existing Port District in the City of Albany.

2. Type of Town agency action (check appropriate response):
 - a. Directly undertaken (e.g., construction, planning activity, agency regulation, land transaction)

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- b. Financial assistance (e.g., grant, loan, subsidy)

- c. Permit, approval, license, certification

Town Planning Board actions for SEQR Lead agent and site plan approval. Town ZBA for approval of required area variances. Town building department for building permits.

- d. Agency undertaking action:

- 3. If an application for the proposed action has been filed with a Town, the following information shall be provided:

- a. Name of applicant

Albany Port District Commission c/o Richard Hendrick - CEO

- b. Mailing address:

106 Smith Boulevard, Albany, NY 12202

- c. Telephone number:

(518)463-8763

- d. Property tax number:

98.01-2-1.0, 98.00-2-10.23

- e. Application number, if any:

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4. Will the action be directly undertaken, require funding, or approval by a state or federal agency?

Yes _____ No X _____

If yes, which state or federal agency?

The project has some financial support from public sources (New York State & US DOT), however the project is being progressed as a private project administered by the Albany Port District Commission.

5. Location of action (street or site description and nearest intersection):

309 River Road, Glenmont, New York, 12077 "aka Beacon Island"

6. Size of site (acres):

82.62 acres

7. Amount (acres) of site to be disturbed:

Approximately 70 acres

8. Present land use:

Forest/Shoreline/Vacant

9. Present zoning classification:

Heavy Industrial

10. Describe any unique or unusual landforms on the project site (i.e., bluffs, wetlands, other geological formations):

Existing wetlands at the northwest corner. Historic site for coal ash deposits. Shoreline had a timber wharf at one point along the Hudson River. A railroad track used to traverse the site in a north/south direction with a bridge of the Normans Kill, but the bridge was demolished and the tracks abandoned.

11. Percentage of site that contains slopes of 15% or greater:

<10%, only along the existing Hudson River and Normans Kill shorelines.

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12. Streams, lakes, ponds or wetlands existing within or continuous to the project area?

(a) Name Hudson River, Normans Kill and Palestrina emergent wetlands

(b) Size (in acres) Palestrina emergent wetlands = 0.85 acres onsite

13. Is the property serviced by public water? Yes X No _____

14. Is the property serviced by public sewer? Yes _____ No X

C. **WATERFRONT ASSESSMENT** (Check either "Yes" or "No" for each of the following questions.) If the answer to any question below is "yes," please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

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|----|--|------------|-----------|
| 1. | Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas found within the waterfront revitalization area as identified in the LWRP? | <u>YES</u> | <u>NO</u> |
| a) | Significant fish or wildlife habitats? | _____ | <u>X</u> |
| b) | Scenic resources of local or state-wide significance? | _____ | <u>X</u> |
| c) | Important agricultural lands? | _____ | <u>X</u> |
| d) | Natural protective features in a coastal erosion hazard area? | _____ | <u>X</u> |
| 2. | Will the proposed action have a significant effect upon: | <u>YES</u> | <u>NO</u> |
| a) | Scenic quality of the waterfront environment? | _____ | <u>X</u> |
| b) | Development of future or existing water-dependent uses? | _____ | <u>X</u> |
| c) | Operation of the state's major ports? | _____ | <u>X</u> |
| d) | Land or water uses within a small harbor area? | _____ | <u>X</u> |
| e) | Designated state or federal freshwater wetlands? | <u>X</u> | _____ |
| f) | Commercial or recreational use of fish and wildlife resources? | _____ | <u>X</u> |
| g) | Existing or potential public recreation opportunities? | _____ | <u>X</u> |

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|----|---|----------------|---------------|
| h) | Structures, sites or districts of historic, archaeological or cultural significance to the Town, state or nation? | <u> </u> | <u> X </u> |
| i) | Stability of the shoreline? | <u> </u> | <u> X </u> |
| j) | Surface water or groundwater quality? | <u> </u> | <u> X </u> |
| 3. | Will the proposed action involve or result in any of the following: | <u> YES </u> | <u> NO </u> |
| a) | Physical alteration of land along the shoreline, underwater land or surface waters? | <u> X </u> | <u> </u> |
| b) | Physical alteration of two acres or more of land located elsewhere in the waterfront area? | <u> X </u> | <u> </u> |
| c) | Expansion of existing public services or infrastructure in undeveloped or low-density areas of the WRA? | <u> X </u> | <u> </u> |
| d) | Siting or construction of an energy generation facility not subject to Article VII or VIII of the Public Service Law? | <u> </u> | <u> X </u> |
| e) | Mining, excavation, filling or dredging in surface waters? | <u> X </u> | <u> </u> |
| f) | Reduction of existing or potential public access to or along the shoreline? | <u> </u> | <u> X </u> |
| g) | Sale or change in use of publicly owned lands located on the shoreline or underwater? | <u> </u> | <u> X </u> |
| h) | Development within a designated flood or erosion hazard area? | <u> X </u> | <u> </u> |
| i) | Development on a beach, dune, bluff or other natural feature that provides protection against flooding or erosion? | <u> </u> | <u> X </u> |
| j) | Construction or reconstruction of erosion protective structures? | <u> </u> | <u> X </u> |
| k) | Diminished or degraded surface water or groundwater quantity and/or quality? | <u> </u> | <u> X </u> |
| l) | Removal of ground cover from the site? | <u> </u> | <u> X </u> |

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4. Project.	<u>YES</u>	<u>NO</u>
a) If a project is to be located adjacent to shore:		
(1) Does the project require a waterfront location?	<u>X</u>	<u> </u>
(2) Will water-related recreation be provided?	<u> </u>	<u>X</u>
(3) Will public access to the foreshore be provided?	<u> </u>	<u>X</u>
(4) Will it eliminate or replace a water-dependent use?	<u> </u>	<u>X</u>
(5) Will it eliminate or replace a recreational or maritime use or resource?	<u> </u>	<u>X</u>
b) Is the project site presently used by the community neighborhood as an open space or recreation area?	<u> </u>	<u>X</u>
c) Will the project protect, maintain and/or increase the level and types or public access to water-related recreation resources or facilities?	<u> </u>	<u>X</u>
d) Does the project presently offer or include scenic views or vistas that are known to be important to the community?	<u> </u>	<u>X</u>
e) Is the project site presently used for commercial or recreational fishing or fish processing?	<u> </u>	<u>X</u>
f) Will the surface area of any local creek corridors or wetland areas be modified by the proposal?	<u>X</u>	<u> </u>
g) Is the project located in a flood-prone area?	<u>X</u>	<u> </u>
h) Is the project located in an area of high coastal erosion?	<u> </u>	<u>X</u>
i) Will any mature forest (over 100 years old) or other locally important vegetation be removed by the project?	<u> </u>	<u>X</u>
j) Do essential public services or facilities presently exist at or near the site?	<u> </u>	<u>X</u>
k) Will the project involve surface or subsurface liquid waste disposal?	<u>X</u>	<u> </u>
l) Will the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?	<u> </u>	<u>X</u>

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- m) Will the project involve shipment or storage of petroleum products? _____ X _____
- n) Will the project involve the discharge of toxic, hazardous substances or other wastes or pollutants into coastal waters? _____ X _____
- o) Will the project involve or change existing ice management practices? _____ X _____
- p) Will the project alter drainage flow, patterns or surface water runoff on or from the site? X _____
- q) Will best management practices be utilized to control stormwater runoff into waterfront waters? X _____
- r) Will the project affect any area designated as a tidal or freshwater wetland? X _____
- s) Will the project utilize or affect the quality or quantity of sole-source or surface water supplies? X _____

D. REMARKS OR ADDITIONAL INFORMATION TO SUPPORT OR DESCRIBE ANY ITEM(S) CHECKED "YES" (Add any additional sheets necessary)

A full environmental impact statement and supplemental environmental impact statement have been prepared for the project and is under review for the items marked "yes" above. To summarize, a Joint Application Permit is currently under review by NYSDEC and USACE for the proposed wetland impacts, dredging and wharf construction. Coordination is on-going with the NYSDEC regarding the proposed sanitary package treatment plant on-site and air permits. The proposed buildings will be raised above the 100-year flood plan with a CLOMR/LOMR to be submitted to FEMA at the appropriate time. A SWPPP for the site is under review by the MS4 for the proposed erosion control practices and water management facilities.

If you require assistance or further information in order to complete this form, please contact the Town of Bethlehem Planning Department.

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Please submit completed form, along with one copy of a site plan and any other supporting documentation, to the Town of Bethlehem Planning Department.

Preparer's Name (Please print): Adam J. Frosino P.E.

Affiliation: McFarland Johnson Inc. (Project Engineering Firm)

Telephone Number: 518-560-9380

Date: February 8, 2022