UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

SEP 2 2 2006

To All Interested Government Agencies and Public Groups:

In accordance with the U.S. Environmental Protection Agency's (EPA) procedures for the preparation of environmental impact statements (EIS), an environmental review has been performed on the proposed agency action below:

Project Name:	**Building One, The Beacon Institute for Rivers and Estuaries**
Purpose of Project:	New York Governor George E. Pataki called for a world center of research and education for the study of rivers and estuaries. Building One will serve as the Institute's headquarters facility and provide a core for future satellite facilities along the Hudson River in Rockland and Rensselaer Counties, and in New York City.
Project Originator:	The Beacon Institute for Rivers and Estuaries
Project Location:	Denning's Point State Park, Beacon, Dutchess County, NY
Project Description:	This project proposes to rehabilitate a former brickwork factory within its existing footprint, and add a 600 square foot wing with a vestibule and partial basement. A new gravel roadway, a gravel service road, 15 parking spaces, a pedestrian path, a courtyard area, a water main extension of 550 feet, and telephone and electric services will be added.
Estimated Eligible Project Costs:	$ 438,364
EPA Grant:	$ 241,100

Our environmental review of this project indicates that no significant adverse environmental impacts will result from the proposed action. Consequently, we have made a decision not to prepare an EIS on the project. This decision is based on a careful review of the project's environmental information document and other supporting information. All of these documents, along with the Environmental Assessment (copy enclosed,) are on file at the offices of the EPA Region 2 and the city of Beacon, Dutchess County, New York, where they are available for public scrutiny upon request. The EA is also available on EPA Region 2's website at http://www.epa.gov/region02/spmm/r2nepa.htm

Comments supporting or disagreeing with this decision may be submitted to EPA for consideration. All comments must be received within 30 calendar days of the date of this finding of no significant impact (FNSI). Please address your comments to: Grace Musumeci, Chief, Environmental Review Section, at the above address. No administrative action will be taken on the project for at least 30 calendar days after the date of this FNSI.

Sincerely,

Alan J. Steinberg

Alan J. Steinberg
Regional Administrator

Enclosure

USEPA Region 2
290 Broadway
New York, NY 10007-1866

BUILDING ONE PROJECT
THE BEACON INSTITUTE FOR RIVERS AND ESTUARIES

Environmental Assessment

AUGUST, 2006

Environmental Assessment

I.	Project Identification:	**Building One, The Beacon Institute for Rivers and Estuaries**
	Name and Address of Applicant:	The Beacon Institute for Rivers and Estuaries 199 Main Street Beacon, NY 12508
	EPA Project Number:	**XP-97270805-0**
	Project Location:	Denning's Point State Park, Beacon, Dutchess County, NY

II. Purpose and Need for Project:

New York Governor George E. Pataki during his State address in 2000, called for a world center of research and education for the study of rivers and estuaries. In 2001, the Governor released the Strategic Plan for The Beacon Institute for Rivers and Estuaries. The plan called for a headquarters facility located on the Hudson River. This facility called Building One would serve as a worldwide educational and research center featuring unique programs, lectures, seminars, and forums for scientists, teachers, students and the public. The focus of the Beacon Institute for Rivers and Estuaries would be to target issues and approaches that are beyond the scope of any existing research group or facility. The need for the Building One facility is to provide a core for the future satellite facilities along the Hudson in Rockland and Rensselaer counties and in New York City. One of the main purposes of Building One is to educate the public while showcasing cutting-edge technology.

III. Evaluation of Alternatives and Site Selection:

The following three categories of site conditions criteria were used in considering alternatives:

1. *Primary Conditions* - Absolute attributes essential for the facility's success.
   - **Site Capacity** - expansion capabilities and ability to accommodate the Institute's Program Requirements;
   - **Location and Access** – direct access to the Hudson River for possible future programs and public activities;
   - **Development Time** – ability to meet the project implementation schedule.
2. *Critical* - Attributes critical to the mission but subject to analyses, discussions and negotiations.
   - **Location** – adjacent to strategic alliances, transportation infrastructure, services and facilities to support the Institute and public interaction;

- **Real Estate** – lease, purchase, donation;
- **Development and Occupancy Costs** – vacant land, existing features, soil condition, ADA requirements;
- **Financial** – real property taxes, public incentives, fees, private sector or institutional incentives;
- **Governance** – land use, fees and permits, local land use organizations;
- **Site Experience** – site context and its impact on the Institute's character, orientation, visual impact, potential for lines of sight from inside out and from outside in.

3. *Enhancing Conditions* - variables that would play a significant role for long-term performance:
   - **Location** – partnerships, proximity to relevant human settlement and uses, connection to surrounding preserves, parks and trailways;
   - **Site Make-Up** – environmental constraints and opportunities, preservation of existing elements;
   - **Community Enhancing** – economic development and community development.

A. No Action Alternative

The No-Action Alternative (i.e., not constructing the Institute's headquarters) would leave the Beacon Institute for Rivers and Estuaries without necessary headquarters facility needed to meet the Institute's program goals. The focal point of Building One is education and the structure itself will be a living example of "green building." Moreover, the Building One facility will be the hub for future satellite facilities along the Hudson in Rockland and Rensselaer counties and in New York City.

B. Location Alternatives:

After reviewing 23 nominated sites that covered a wide variety of site situations (e.g., geographic, zoning, political, environmental) the following seven locations were the final potential project sites. Consequently, any site not satisfying all of the above mentioned *primary* conditions were discarded as an option.

I. Former brickwork factory, Beacon, Dutchess County (**Preferred Alternative**): *Access* to the Hudson's deep water for research vessels, and excellent and varied transportation linkages. *Historically*, a working and active waterfront. *Ecologically*, very significant within the brackish zone of the Hudson.

II. State Hospital, Dutchess County: *No access* to waterfront, restricted due to railroad.

III. Newburgh, Orange County: *No access* to waterfront, the available property is land-locked.

IV. American Felt & Filter, Orange County: *No Access* to waterfront.

V. Iona Island, Rockland County: *Ecologically sensitive,* bird and marsh sanctuary where the project could substantially negatively impact the environment.

VI. Lamont-Doherty, Rockland County: *No access* to water, and public uses not allowed.

VII. Esopus Lake, Ulster County: *No access* to waterfront.

IV. Detailed Description of Preferred Alternative:

A. Description of Facility Planning Area:

Located in Dutchess County, New York (Figure 1) the planning area for this project is located on Denning's Point, a 65-acre sandy peninsula that is part of Hudson Highlands State Park. The abandoned building is on the Town of Beacon's southern waterfront along the Hudson River, Newburgh Bay (Figure 2.) This location hosts significant natural and developed landscape. Denning's Point shelters Fishkill Creek Bay that captures waters from Fishkill Creek, one of the Hudson's most "Significant Habitats." The natural surroundings combine features such as shallow embayment, marsh, and an island, that serves as habitat and spawning areas for freshwater and estuarine species. Further, the wooded uplands provide suitable homes and resting points for native and migratory endangered and non-endangered species. The developed area was once a commercial site.

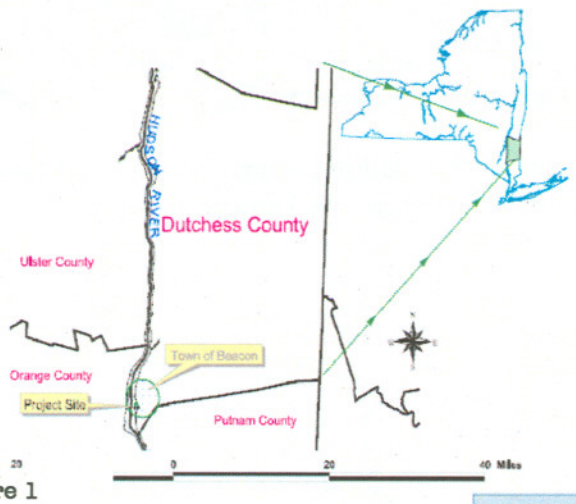

Figure 1

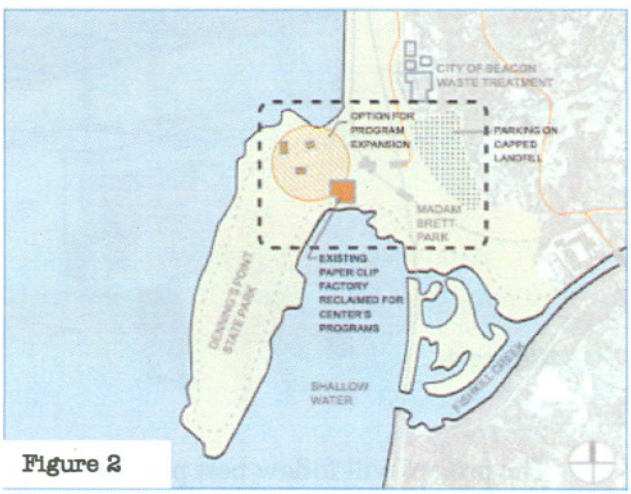

Figure 2

Areas affected by the project include a parcel of approximately 2.5 acres of parkland located at the northern end of Denning's Point peninsula. This parcel contains three brick buildings that existed in the late 19th century and a much larger masonry and steel building is also located in the project site.

B. Description of Facility:

This project proposes to rehabilitate/restore a former brickwork factory within its existing footprint (Figure 3),and add a 600 square foot wing with a vestibule and partial basement.

Figure 3

The rehabilitated building will be 3,000 square foot (+/-), and a new gravel roadway, a gravel service road, 15 parking spaces, pedestrian path, a courtyard area, a water main extension of 550 feet, telephone services and electric services will be added. The restored portion of the building will support two main functions: a large multi-use program space (Figure 4) and a field office. These two spaces are separated by a small meeting room and a pantry/kitchen. The wing addition will contain building support components including entry, vestibule, toilets, plus storage and a basement mechanical space.

Figure 4

The project will follow best practices in sustainable design such as:

a) waterless composting system toilets,

b) indoor air temperature control supported by a geo-thermal well and pump-system,

c) roof mounted vents with operable windows to encourage natural ventilation,

d) solar collectors will be part of the entry canopy, and

e) green-roof/eco-roof will be part of the new wing.

C. Available Access & Infrastructure:

Current access to the project site is from Route 9D to Denning's Avenue (Figure 5). There is an entry gate at the end of Denning's Avenue (Figure 6); past this gate, the road continues about 1/8 of a mile on Metro-North owned land. The road then turns west and crosses an elevated bridge spanning active Metro-North tracks and then crosses another set of railroad tracks known as a spur line at an at-grade crossing. Eventually, the road leads to a large abandoned factory shell. A turn off from the road just

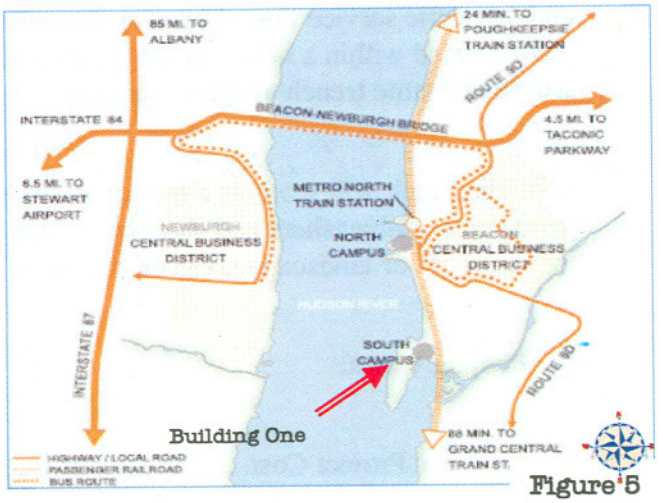

Figure 5

Figure 6

prior to reaching the main factory building leads approximately 100 yards into the project site. All roads on Denning's Point are dirt or paved with gravel or similar permeable materials. The elevated bridge over the Metro North tracks currently has a limit of 15 ton vehicles. The Office of Parks, Recreation and Historic Preservation (OPRHP) consulted

with the Department of Transportation (DOT) to change the bridge to a one lane operation and change the weight limit to 22 tons. Further, there will be some improvements to the current access road such as, a new gravel surfacing, a new gate, and appropriate road signs.

Utilities and infrastructure do not exist at the site project. There is a municipal water main which services an existing hydrant located along the access road. This line will be extended by a 6-inch ductile iron pipe to Building One along the access road covering approximately 550 feet in length. A new hydrant will be located about 50 feet to the southeast of Building One, and the remaining section of main will be a 4-inch diameter pipe conveyed into the proposed basement. This pipe will be split into a fire service line and domestic service line. Metering devices and backflow prevention measures will be incorporated within a below grade enclosure. Telephone and electric services will be run within the same trench as the water main.

A holding tank will work as a temporary reservoir retaining "grey" (water originated from sinks, dishwashers and showers) water and, if suitable, may be used and for the "green roof" or landscape areas on the site.

D. Project Costs:

Total Project Cost.....$3,300,000

Total Eligible Project Cost.....$ 438,364

Projected EPA Grant Amount.....$ 241,100

Other Federal/State funding:

Dutchess County Grant.....$ 750,000

NY Power Authority Grant.....$2,241,900

NY Community Grant.....$1,000,000

V. Environmental Consequences of the Selected Plan:

1. Archeological and Historical Resources:

In compliance with requirements of the National Historic Preservation Act (NHPA), a Phase IA cultural resources survey (CRS) was performed. Phase I intends to determine the presence or absence of archeological sites or other resources in the project area. This Phase is divided in two progressive units; IA and IB. The Phase IA, i.e., sensitivity assessment and initial project area field

inspection, indicated sufficient information to conclude that the project will affect the Denning's Point Brick Works Historic site A02741.000402 and the Denning's Point Prehistoric site A02741.000403 and that the cultural resource survey should move forward to Phase IB. The Phase IB subsurface testing program consisted of the excavation of six trenches in the site area. Many lithic artifacts, tool fragments, and fire cracked rock were recovered, moving the survey to Phase II testing/Phase III data recovery effort. This work was conducted only within the Area of Potential Effect and the completion of this work (see Appendix A), constitutes mitigation of the project's adverse effect to site A02741.000403. Further, (OPRHP) reviewed the Addendum Phase IB and Phase II report and concluded that no further archeological excavation was needed for the historic feature associated with site A02741.000402.

2. **Wetlands:** Wetland areas in the surroundings of Denning's Point (Figure 7) are

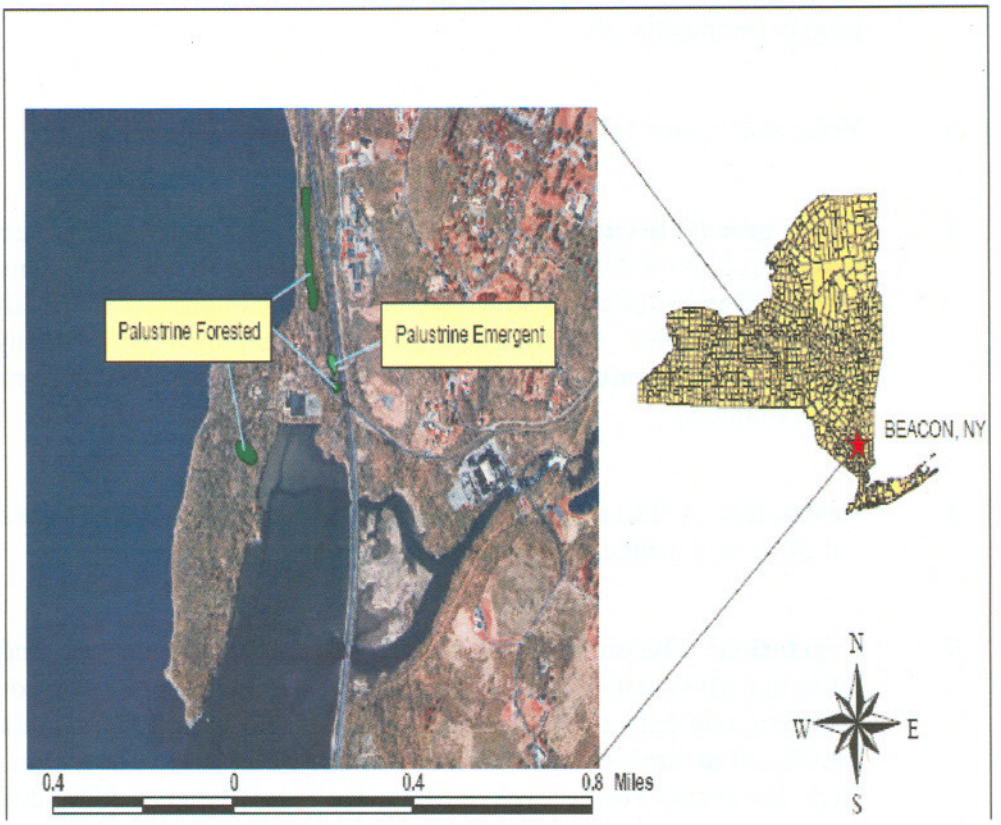

Figure 7

classified as Palustrine classified as Palustrine Forested and Palustrine Emergent Persistent. However, there are no wetland areas within the Building One footprint. A National Wetland Inventory (NWI) area is located between the entrance road and the railroad tracks; however the proposed road improvements will not disturb, change the drainage to or from this wetland, or alter its current condition.

3. **Flood plains:** The National Flood Insurance Program flood map (Appendix D), located the facility in Zone C i.e., an area of minimal flooding.

4. **Agricultural Lands:** The proposed project site is not within significant agricultural lands. The area does not have unique characteristics or provide an essential food production source, and the subject parcel is not located within a New York State recognized agricultural district.

5. **Designated Coastal Zones:** Building One is located within New York's Coastal Area and is also located within the City of Beacon's Local Waterfront Revitalization Plan (LWRP) area. After completing a coastal assessment form, the OPRHP has concluded that the Building One project is consistent with the City of Beacon's local waterfront revitalization program, and New York Department of State (DOS) has no objection to the use of EPA's funds for this project (Appendix A).

6. **Wild and Scenic Rivers:** None exist in the area.

7. **Endangered/Threatened Species**: The U.S. Fish and Wildlife Service (FWS) was consulted on this project. FWS indicated that the Building One project may affect, but is not likely to adversely affect the bald eagle, a Federally-listed threatened species. In addition, the Service mentioned the Federally-listed Indiana bat's potential to occur within the vicinity; however, adverse impacts are not anticipated.

8. **Designated Wellhead Protection Areas**: The preferred alternative location is not close to a wellhead protection area.

9. **Vegetation:** The preferred alternative is located at the northern end of Denning's Point in a previously disturbed area. This area includes second growth forest, including non-native species. Further, the Fishkill Creek area contains several significant natural communities. Denning's Point is located within a New York DOS designated Scenic Area of Statewide Significance (SASS) due to its access, scenic and habitat values. It is located within the Dutchess Junction subunit of the Hudson Highlands SASS. The Fishkill Creek is also designated as a Significant Tidal Habitat by DOS. The project will not affect any significant vegetation.

10. **Noise:** Noise associated with the project would be primarily from construction activities which will be temporary. Minimal noise impacts will occur from some additional traffic to and from the construction site.

11. **Air Quality**: According to the EPA Greenbook, Denning's Point is located in an ozone non-attainment area under the Clean Air Act (CAA). In 2004 and 2005, Dutchess County was ranked as moderate nonattainment having a concentration between 0.092 to 0.106 parts per million Ozone. EPA performed a general conformity applicability analysis, and found the emissions of NO_x and VOC in each year of construction to be below the applicable deminimis threshold values table 1 below shows these results. Therefore, the project is presumed to conform to the State Implementation Plan and no further action is necessary. Potential long-term impacts will be increased CO emissions from parking areas, although no significant impacts are expected due to limited amount of planned events.

BUILDING ONE PROJECT, BEACON, NY CONSTRUCTION EMISSIONS SUMMARY FOR GENERAL CONFORMITY				
YEAR	2005		2006	
POLLUTANT	VOC	NOx	VOC	NOx
EMISSIONS FROM OFF-ROAD VEHICLES & EQUIPMENT (tons/year)	0.044	0.016	0.057	0.257
EMISSIONS FROM ON-ROAD VEHICLES (tons/year)	0.005	0.009	0.014	0.020
TOTAL CONSTRUCTION PHASE EMISSIONS (tons/year)	0.048	0.025	0.071	0.277
GENERAL CONFORMITY THRESHOLD (tons/year)	50	100	50	100

Table 1

12. **Traffic:** A minor increase in local traffic will result from the Building One project. It is expected that the project will generate an additional maximum of 30 round-trips per day (a maximum of 20 workers per day) over the course of the 7-8 month construction period. All construction equipment will meet the weight limit restrictions of the bridge crossing the Metro North tracks. Once construction is completed, during routine business hours when the Institute is open, there will be five round trips per day, assuming five full time staff working at the Institute per day. It is currently estimated that there will be up to 12 events held per year. There will be an average of 33 round-trip vehicle trips per day plus some school buses during an event hosted by the Beacon Institute for Rivers and Estuaries.

13. **Population Projections:** Based on population trends (Table 2), significant population increases are not typical in the southern area of Dutchess County where the project is proposed. A growth-inducing impact on the project area is not anticipated.

City of Beacon Population Change

1990	13,243
2000	13,808
Change	4.27%

Table 2

14. **Environmental Justice:** Per Executive Order 12898 "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," EPA performed an environmental justice assessment on the area potentially affected by the proposed project. The goal of the assessment was to identify whether this project would create any disproportionate impacts relative to a community's environmental and/or human health. Through the use of geographic information system (GIS) tools, using reliable data from EPA and other governmental sources, indicators were developed and subsequently used for the purpose of comparing the relative burden of a selected area to that of a statistically-derived reference community. For indicator results above the reference threshold values, a potential environmental justice concern may exist and should be further investigated. For additional information on the methodology and indicators used in the assessment, visit the EPA website: http://www.epa.gov/region2/ej/poltoc.htm

In performing the assessment, the municipality of Beacon, New York, was identified as the Community of Concern (COC). For EPA, Region 2, the COC is the geographic area as defined for purposes of an environmental justice assessment. As the actual site for the project had limited residential populations in direct proximity, the entire municipality of Beacon was chosen as the COC so as not to exclude a potentially impacted area. The results of the assessment yielded the following: EPA's environmental burden GIS analysis of the project concluded that the project would not result in any significant adverse impacts to the community nor were there major pollutant sources as identified in the area (see Appendix C). In addition, the demographic composition of the COC was investigated. The GIS demographic analysis identified 10.90% of the Beacon population as being low-income in comparison to 23.59% for the reference community of New York State. Further, the municipality had a minority composition of 44.25% (which is lower than the New York statewide statistical value of 51.51% for urban areas.)

Based on the above, the proposed project does not appear to present any disproportionately high and adverse impacts to the COC. For additional information regarding environmental justice, visit the EPA website at: http://www.epa.gov/region02/ej/

15. **Cumulative Impacts:** The proposed project will be constructed in accordance with all applicable local, state, and federal regulations. However, in addition to direct and indirect project impacts, the National Environmental Policy Act requires the consideration of past, present, and reasonably foreseeable actions that may also affect area resources.

The intended future development of the main research facility of the Beacon Institute for Rivers and Estuaries will be the subject of a master plan. This master plan will include a North Campus and a South Campus of which Building One is part (Figure 5). The additional elements of the Institute may have impacts to traffic, air quality, and endangered species, similar to those of Building One. The OPRHP has determined that a master plan for the Institute is a Type I action in accordance with thresholds within Part 617, the rules and regulations implementing the State Environmental Quality Review Act (SEQRA). Therefore, OPRHP intends to issue a Positive Declaration and prepare a draft environmental impact statement (EIS) on that plan. The EIS will address in detail the cumulative impacts relevant to the study area. In addition, OPRHP will be holding public information/scoping sessions as part of the environmental review process.

Air quality effects resulting from Building One are primarily associated with the construction phase of the project and are short-term in nature. This is likely to be the case for the other elements of the Institute as well. However, simultaneous construction of buildings for the Institute is not expected to occur and therefore, the short term nature of construction impacts, such as CO emissions from combustion engine exhaust of the equipment, is not expected to pose a concern cumulatively.

With regard to local traffic, the North and South campuses are distant enough from each other that a major problem is not expected. However, the DEIS on the Institute's master plan will invariably discuss existing capacities and expected traffic increases with additional projects in the area.

Other projects known to the area are:

- The *Beacon Riverside Trail* from the Beacon Train Station area to Denning's Point was finished in late 2005 and opened in Spring 2006. There are future plans to connect the trail from Denning's Point to the Madam Brett Trail. The trail has received Greenway Trail designation (safe green arterial route for muscle powered travel.) Potential environmental impacts include an increase in local traffic due to visitors and tourism, habitat segmentation, and disturbance of inhabiting endangered species as well as flora and fauna in general.
- An environmental impact statement was prepared for the *Long Dock Beacon* project which covered 24.73 acres. The EIS addressed the development of 373 parking spaces in two locations and pedestrian improvements in several locations of the site plan plus some pathway connections that link the Beacon Riverside Trail to the public walkways. Furthermore, the project incorporated a hotel, conference center, red barn, greenhouse, a north boardwalk and a public plaza. Possible environmental impacts associated with this project are

increased air pollutants, increased local traffic, increased impervious surfaces, and river disturbance adding pressure on existing endangered species and ecology in general.

- The *Beacon Landing* project develops 23 acres of waterfront as parkland and mixed-use development. The city scheduled construction of a ferry dock just north of Beacon Landing. This project might impact air quality, local street and river traffic, and local sensitive fauna.

The above projects, which will also be occurring in the general area of Building One, have the potential to impact air quality due to construction emissions and increased local traffic. While no individual project is expected to have a significant impact, the master plan for the Institute should consider the potential cumulative impacts of all these projects as well as possible mitigating measures, if appropriate. Furthermore, the ecological sensitivity of the area should be factored in by decision-makers when considering any additional projects in the area. While activities associated with Building One are not expected to directly affect the bald eagle, the Institute should set up a monitoring program for the bald eagle and any other species of concern in the area to ensure its activities and the increased tourism do not have any adverse effects on species or habitats.

VI. Steps to Minimize Adverse Effects on the Environment

- Erosion and Sedimentation - Construction access to the site will be over existing roads and no staging areas will need to be created. Construction of the parking area and rehabilitation of the roads will require only relatively minor grading. All surfaces will be gravel, and no significant changes in stormwater runoff from existing conditions are expected.

  Because the size of the construction site is approximately one acre, the state lead agency is consulting with the Department of Environmental Conservation (DEC) regarding the applicability of the Storm Water Phase II regulations. A set of the project's erosion control plans and specifications will be submitted for their review and comment.

- Vegetation – This project will not involve the removal of any large trees (i.e., over 6" diameter breast height). Special consideration was made to preserving four large cottonwood trees adjacent to the building site.

  1. Endangered/Threatened Species – Denning's Point is currently known to be used by eagles during the winter months, for this reason the New York State OPRHP will ensure that the trail on Denning's Point is closed each winter from December 1 through March 31 as recommended by NYS DEC's Division of Fish, Wildlife and Marine Resources. In addition, OPRHP will work closely with The Beacon Institute for Rivers and Estuaries and NYDEC to decide how best to gather eagle monitoring data.

VII. Coordination of Environmental Review and Reference Documents

- Public Participation Program: Public participation concerning the proposed project has been carried out by The Beacon Institute for Rivers and Estuaries in accordance with county and legislative requirements. In addition, the Institute has provided EPA with the names and addresses of various potentially interested parties, to whom EPA is mailing this document.

Process and participation:

- Comprehensive information about the project has been publicly available online at The Beacon Institute website since Feb. 2004, and can be easily accessed through links from various related organizations' websites and the common search engines.
- Public Open Forum – Feb. 27th 2001 - Thayer Hotel, West Point, NY - 175 attendees.
- Public Presentation - Feb. 14th 2004 - 199 Main Street, Beacon, NY (as part of the grand opening of our Main Street public gallery and offices) – 100 attendees.
- Public posting of project plans and images - Five days a week, Mon. thru Friday. 9-5, and alternate Saturdays - Feb. 2004-March 2006, 199 Main Street, Beacon, NY - trained docent on hand to answer questions and guest book to record comments.
- Public Posting of project plans and images, with docent - Second Saturday of every month since Feb. 2004 - March 2006, Public Gallery, 199 Main Street, Beacon, NY.
- Public Presentation - April 24, 2005 - East Fishkill Historical Society, NY – 100 attendees.
- Public Presentation - May 15, 2005 – 199 Main Street, Beacon, NY – 75 attendees.
- Public Presentation – Dec. 2005 – Southern Dutchess Chamber of Commerce Annual Dinner – 125 attendees.
- Public Presentation with OPRHP – Dec. 20, 2005 – 199 Main Street, Beacon, NY – 50-60 attendees.
- Public Presentation – April 14, 2006 - Boscobel Restoration, Garrison, NY – 40-50 attendees.
- Public Presentation – Feb. 28, 2006 – 199 Main Street, Beacon, NY – Beacon City Council and public – 25-30 attendees.
- Public Presentation – March 15, 2006 – 199 Main Street, Beacon, NY – 100 attendees.
- 1st issue - "Watermark" newsletter made widely available - contains details and images of the project; available at all times in the Institute's gallery, and posted on website. Direct-mailed to the Institute's local and regional mailing list of over 7300, March 2005.
- Shared participation and representation at various local and regional public meetings and presentations with other community partners and organizations also involved in the City of Beacon - Scenic Hudson, Metro North/MTA, OPRHP, Beacon City Council, Beacon Historical Society, and others.
- The Beacon Institute has pursued periodic and active publication; including interviews, images and photo shoots in local and regional newspapers since July 2003. These include The Poughkeepsie Journal, The Beacon Dispatch, The Beacon Free Press, The Times Union, The Putnam County News and Reporter, The Mid-Hudson News, and others.

- A detailed schedule of Phase I strategic meetings and open forums is publicly available in the Strategic Plan –Volume III online. This has been publicly available online and in the Innstitute's offices since Feb 2004.

A. REFERENCES

- New York Office of Parks, Recreation and Historic Preservation.
- NYS Department of Agriculture & Markets, Robert Somers, Chief, Agricultural Protection Unit
- NYS Department of State. 1993. Scenic Areas of Statewide Significance. Division of Coastal Resources and Waterfront Revitalization, Albany, NY.
- NYS Natural Heritage Program. 2003. Rare Species and Ecological Communities of Hudson Highlands State Park. Albany, NY.
- NYSDOT – Nick Choubah – Regional Bridge Engineer.
- Office of the Governor Press release: July 31, 2001.
- Stephen E. Gould (Chemist) Freshwater Protection Section, EPA Region 2, New York, NY.
- TAMS Consultants, Inc., August 1999. BASELINE ECOLOGICAL RISK ASSESSMENT - HUDSON RIVER PCBs REASSESSMENT RI/FS. http://www.epa.gov/hudson/bera-book2-full.pdf
- The New York State Department of Environmental Conservation (NYSDEC) – Peter Nye, Endangered Species Unit.
- U.S. Census Bureau - http://factfinder.census.gov/
- USEPA Greenbook - http://www.epa.gov/oar/oaqps/greenbk/anay.html
- U.S. Fish and Wildlife Service (FWS) – David A. Stilwell, Field Supervisor.
- "Watermark," winter 2005.

B. FIGURES:

1. Regional map
2. Denning's Point Map

3. Old Brickwork Factory Building (source

   http://www.abandonednj.com/exp/den/den.html)

4. Interior rendition of the proposed Building One (Figure 8 in the June, 2005 EID)

5. Area roadways

6. Entranceway to Building One proposed site

7. Wetlands map

8. EJ Analysis (EPA)

C. TABLES:

1. General conformity applicability analysis. Prepared by:
   U.S. Environmental Protection Agency Region 2
   290 Broadway
   New York, NY 10007-1866

2. Population changes. http://www.co.dutchess.ny.us/countygov/departments/planning

D. APPENDICES

A. Correspondence
B. Air Analysis
C. Environmental Justice Analysis
D. Flood Plain

APPENDIX A

CORRESPONDENCE

JMA architects archeologists planners

JOHN MILNER ASSOCIATES, INC.

Restoration & Rehabilitation • Preservation Planning • Archeological & Historical Research • Cultural Landscapes • Materials Conservation

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J. Carey Howlett
Douglas C. McVarish
Christopher Quirk, AIA
Michael E. Roberts, RPA
Sarah Jane Ruch
Krista L. Schneider, ASLA
Elizabeth A. Sullivan

VIA FACSIMILE AND FEDERAL EXPRESS

RECEIVED
AUG 18 2005
CAPITAL PROGRAMS

August 15, 2005

Mr. John Eberhard
Office of Parks, Recreation and Historic Preservation
Empire State Plaza,
Agency Building 1, 19th floor
Albany, NY 12238

RE:

PHASE II/III DATA RECOVERY PLAN
PREHISTORIC SITE A027.41.000403,
DENNINGS POINT, CITY OF BEACON
DUTCHESS COUNTY, NY

Dear Mr. Eberhard:

John Milner Associates, Inc. (JMA) is pleased to submit the following proposal to provide archeological services required in connection with the development of the proposed Rivers and Estuaries Center at Denning's Point. Our proposal is based upon information obtained during the supplemental Phase IB survey work conducted in November 2004 and by additional Phase IB survey conducted in March 2005. The following Data Recovery Plan (DRP) has been developed in consultation with Ms. Cynthia Blakemore of the OPRHP and the State Historic Preservation Office (SHPO). All research, field work and report writing proposed by JMA will be done in accordance with the New York Archaeological Council's *Standards for Cultural Resource Investigations and the Curation of Archaeological Collections* recommended for use by the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP).

Project Background

The 2005 Phase IB survey consisted of the excavation of six trenches placed perpendicular to the proposed utility line corridor Area of Potential Effect (APE). Prehistoric site A027.41.000403 was identified in three test trenches (14, 15 and 16) of the six trenches excavated. This site is now known to extend over at least a 900 square meter area. Previous work conducted in 2004 identified at least one pit feature in Trench 5. Numerous lithic artifacts, tool fragments, and fire cracked rock were also recovered during the combined 2004 and 2005 surveys. Given, the intact nature of the deposits as well as the diversity of the lithic material recovered from the site, JMA has recommended a Phase II testing/Phase III data recovery effort within the portions of the site that lie within the project APE. This work will be conducted only within the project APE and the completion of this work will constitute mitigation of the project's adverse effect to site A027.41.000403.

mitigation for prehistoric site

One Croton Point Avenue, Suite B, Croton-on-Hudson, New York 10520-3028 • 914-271-0897 fax 914-271-0898

West Chester, PA Philadelphia, PA Alexandria, VA Charlottesville, VA Croton-on-Hudson, NY Louisville, KY Littleton, MA

www.JohnMilnerAssociates.com

Scope of Work

JMA proposes a phased Phase II testing/Phase III DRP that contains a number of tasks necessary to address the archeological issues associated with the prehistoric site A027.41.000403. The western and southern boundaries of the site were determined during the 2005 Phase IB survey. The northern and eastern boundaries of the site are unknown, since they appear to lie outside of the project APE. The level of effort that will be required to complete the Phase II/III work is based upon conversations with the OPRHP concerning the width of the proposed utility trench. It is our understanding that the utility trench will not exceed 6 feet (1.8 m) in width. JMA proposes to mechanically excavate a single, 2 m (6.5 ft) wide trench in order to adequately test the site. In a letter dated May 16, 2005, the SHPO recommended that the DRP should include all of the site area located between trenches 14 and 16 and that the trench should extend slightly (2.5 m) past Trench 16. The total area included in the Phase II/III DRP is approximately 27 square meters. However, at least 5 meters of the site has been disturbed by the excavation the Phase IB trenches reducing the total area to 22 square meters.

Phase II Testing. The depth at which the a[illegible]ogical deposits were encountered during the Phase IB survey varied between 40 and 60 cm below ground surface (b.g.s). JMA proposes that the top 35 cm of fill deposits will be removed mechanically along the length of the utility trench to remove the overlying fill deposits documented during the Phase IB survey. The remaining overburden will be removed by hand until the Native American living surface is uncovered. The entire surface of the trench will be cleaned by trowel to identify and record the three previously excavated trench locations and to identify any potential cultural features and areas of artifact concentration.

Up to six (6) 50 x 50 cm test pits will be placed at either end of the trench to further define the western and southeastern site boundaries. This strategy will also allow for the recovery of cultural material in presumably low density areas of the site. The excavation of the 50 x 50 cm test pits will also aid in the placement of 1 x 1 m test units employed during the subsequent data recovery. All 50 x 50 cm test pits will be excavated by arbitrary 10 cm levels within natural strata and will be excavated to sterile subsoil. Information pertaining to each unit will be recorded on pre-printed standardized forms. The location of excavations will be plotted on a map of the utility trench. All recovered artifacts will be placed in bags marked with standard provenience information and returned to JMA's laboratory for processing.

Phase III Data Recovery. The purpose of Phase III data recovery is to recover significant information from the APE prior to the initiation of project construction. JMA proposes to excavate ten (10) 1 x 1 m test units within the utility line corridor. The combined area of the excavations proposed for the Phase II/III investigations represents a 60 % sample of the site that lies within the utility corridor. The location of the test units within the trench will be determined in the field by the Project Archeologist based upon the information obtained during the Phase II testing. All 1 x 1 m test units will be excavated by 10 cm levels to sterile subsoil. Stratigraphic profiles will be recorded for all excavated units.

Should features be identified within the test units, they will be photographed, mapped, excavated and recorded. Up to five (5) one liter floatation samples and one radiocarbon sample will be collected from select areas of the site deposits. As per the recommendation made by the SHPO in a letter dated January 19, 2005, the entire cultural bearing level will be removed with a toothless (flat blade) bucket following the completion of all unit excavations. This will allow the interface to be shovel skimmed/hoed to look for any additional features. Any features identified during this phase will be bisected, photographed and mapped. A detailed stratigraphic profile drawing will be recorded for each unit. The location of all subsurface tests will be plotted on a map of the project area. Throughout the archeological testing, field activities will be photographed, and field notes will record the methods and results of all testing.

Research Questions. The following research questions are may be addressed by the proposed field work. This information may be potentially obtained through the data recovery effort at site A027.41.00403.

- What type of site does A0271.41.000403 represent? How does Site A0271.41.000403 relate to other sites identified within the Hudson River Valley and what is the relationship between site A02714.41.000403 and the other documented sites on Denning's Point

- What types of activities took place at the site. Can these activities be recognized through the artifact assemblage? How long was site A0271.41.000403 occupied? Is it a year-round occupation site or was it occupied on a seasonal basis?

- What can the data recovered from cultural features tell us about the environmental conditions present on Denning's Point during the period(s) of occupation?

- What can the floral and faunal data recovered from cultural features tell us about the subsistence practices of the sites occupants?

- Can use-wear analyses of recovered lithic tools provide information regarding resource procurement?

Laboratory Work and Analysis. All artifacts recovered as part of this work will be placed in bags marked with standard provenience information and returned to JMA's laboratory for processing and analysis. Lithic material will be analyzed by material type and function, where possible. An inventory of finds will be made and entered into a computer database. Following the completion of all field and lab work, all project related material will be prepared for curation at the New York State Museum, according to the Standards for archeological collections.

Disposition of Artifacts and Specimens. All cultural material recovered within the River's and Estuaries Center is the property of the State of New York. The final deposition of the artifacts is subject to an agreement between the New York State Education Department and the OPRHP.

JMA's cost proposal is based on the following assumptions:

- The OPRHP will have a greenhouse structure on hand during the archeological excavation work to use for weather protection, if necessary;
- costs associated with the conservation and permanent curation of any recovered archeological remains are not included; (JMA will provide temporary curation for a period not exceeding one year from the completion of fieldwork);
- the following to be provided by others: backhoe (with toothed and flat blade buckets) and operator;
- there are no hazardous materials present on the site and none will be discovered;
- responsibility for identifying a permanent repository for the artifact collection and pertinent project records lies with others; JMA will assist in identifying possible repositories;
- the SHPO will be the primary review authority for archeological work;
- no human remains will be encountered.

Compensation

JMA's not-to-exceed estimate to complete the Phase II testing/Phase III data recovery work described above is twenty-five thousand five hundred eighty seven dollars ($25,587.00). A rate schedule is attached.

Schedule

JMA will begin work once the Section 233 Permit has been granted by the State Education Department of the New York State Museum and within two days of receipt of a Notice to Proceed.

If you have any questions please contact either me or Geraldine Baldwin at (914) 271-0897.

Sincerely,

JOHN MILNER ASSOCIATES, INC.

Joel I. Klein, Ph.D., RPA
Senior Project Manager

PHASE II/III SITE INVESTIGATION
NATIVE AMERICAN SITE A02741.000403
PROPOSED RIVERS AND ESTUARIES CENTER
CITY OF BEACON, DUTCHESS COUNTY, NEW YORK

Prepared for

New York State
Office of Parks, Recreation, and Historic Preservation
Taconic Region
P.O. Box 308
Staatsburg, New York 12580

Prepared by

Timothy C. Lloyd, Ph.D., RPA
Geraldine E. Baldwin, RPA

John Milner Associates, Inc.
One Croton Point Avenue
Croton-on-Hudson, New York 10520

November 2005

MANAGEMENT SUMMARY

John Milner Associates, Inc. (JMA) has completed a phased Phase II testing and Phase III data recovery at Native American site A02741.000403, located within the proposed River's and Estuaries Center on Denning's Point, City of Beacon, Dutchess County, New York. The Project Area is a 1.7-acre parcel of land located in the northern portion of Denning's Point that contains three brick structures associated with the remnants of the Denning's Point Brick Works, which operated at this location from 1881 to 1939. The State of New York has leased this portion of Denning's Point to the River's and Estuaries Center for a research facility and an interpretive visitor's center. Project plans include the rehabilitation of Building One.

Site A02741.000403 was identified by JMA during a Phase IB survey of the Project Area. The results of the Phase IB survey indicated that the Native American artifact-bearing stratum (Stratum I) is approximately 40 to 60 cm below ground surface, underlying approximately four or five strata of historical fill. JMA estimated the horizontal extent of the site as at least 900 square meters (9,688 square feet), along the southern and eastern sides of Building One. Recovered artifacts included chert, jasper and quartz flakes and flake fragments, a chert biface fragment, and the distal ends of two projectile points. No temporally diagnostic artifacts were recovered, and no definitive features were encountered. JMA recommended a combined Phase II testing and Phase III data recovery for the portion of the site that would be impacted by a proposed underground utility line for Building One. The purpose of the Phase II testing is to investigate the horizontal and vertical extent of the Native American archaeological deposits within the proposed utility corridor. The purpose of the Phase III data recovery is to mitigate the impact to this small portion of the site by attempting to recover data with which to address several research questions.

In consultation with the Office of Parks, Recreation, and Historic Preservation, the New York State Museum, and the State Historic Preservation Office, JMA developed a methodology for a phased Phase II testing and Phase III data recovery. A single trench was mechanically excavated, two-meters wide and thirteen-meters long. The overlying historical fill strata were removed and the surface of the Native American artifact-bearing stratum (Stratum I) was uncovered. For the Phase II testing, a total of six (6) 50 x 50 cm shovel tests were excavated within the trench. The Phase III data recovery consisted of the excavation of seven (7) 1 x 1 meter test units, and then the complete removal of the remaining portions of Stratum I within the trench. The total horizontal area covered by the trench is approximately 27 square meters, along the southern edge of the site. Therefore, the Phase II and Phase III excavations constitute approximately three percent of the total estimated horizontal extent of the site.

The thickness of Stratum I varied from seven to twenty centimeters, and it contained both Native American artifacts and Historic Period artifacts such as brick fragments, coal and coal cinder, nails, ceramic sherds, glass shards, and clay pipe fragments. The historical artifacts recovered from Stratum I are consistent with the approximate date of construction of Building One in the late-nineteenth century. A total 519 Native American artifacts were recovered from Stratum I and the upper portion of Stratum II. The assemblage primarily consisted of flakes and flake fragments (N=483, or 93 percent), but also included chert projectile point fragments, slate knives, chert scrapers, a net sinker, and a single ceramic sherd. Only two temporally diagnostic Native American artifacts were recovered: and Orient Fishtail projectile point base (Transitional Period) and a scallop shell impressed ceramic sherd (Middle or Late Woodland Period). No features, faunal remains, or radiocarbon samples were encountered during the Phase II testing and the Phase II data recovery.

The historical fill strata encountered in the immediate vicinity of Building One indicate that grading and filling took place during its construction. The surface of Stratum I appeared to JMA personnel to have been truncated, possibly during the grading and filling for Building One. This disturbance may have resulted in the deposition of historical artifacts within Stratum I. Another potential explanation for the presence of Native American prehistoric artifacts and nineteenth-century artifacts within Stratum I, one that cannot be ruled out due to the small portion of the site that was excavated, is that Stratum I within the excavated trench represents a secondary deposit. During the grading and filling for the construction of Building One, soil containing Native American artifacts may have been moved and re-deposited in the small area excavated by JMA.

Little data was recovered by JMA with which to infer the function of Site A02741.000403. The data gathered are insufficient to address such questions as seasonality of occupation, specific activities and practices, paleo-environmental conditions, or the relationship to other sites on Denning's Point and within the Hudson River Valley.

A relatively high frequency (77 percent) of debitage recovered from the site represents late stage bifacial reduction and re-sharpening, suggesting that Site A02741.000403 was a camp site rather than a lithic workshop. The net-sinker that was recovered indicates that fishing was a component of the subsistence practices. A variety of non-local debitage was recovered, suggesting that the Native American inhabitants of Denning's Point had ties to regional trade networks. It is not surprising that the inhabitants of the peninsula had access to non-local trade goods. Denning's Point is strategically located within the Hudson River, a major travel and transportation route for Native American peoples.

The Native American artifact-bearing stratum within the path of the proposed underground utilities for Building One has been excavated. After Trench 19 was back-filled, JMA personnel assisted OPRHP personnel with the task of marking the location of the trench. As long as this same path is utilized for the proposed underground utilities, there will be little to no impact to Site A02741.000403.

JMA's Phase II testing and Phase II data recovery represented the investigation of approximately three percent of the estimated horizontal extent of Site A02741.000403. This small portion of the southwestern margin of the site did not produce sufficient data with which to offer significant interpretations. The remaining portions of the site still have the potential to provide insight into the lives of the prehistoric inhabitants of Denning's Point. Should there be any future ground disturbing activities along the southern or eastern side of Building One, the potential impact to Site A02741.000403 should be considered.

RECEIVED
JAN 1 5 2006
ENVIRONMENTAL
MANAGEMENT

STATE OF NEW YORK
DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231-0001

GEORGE E. PATAKI
GOVERNOR

January 5, 2006

Edwina Belding
Environmental Management Bureau
NYS OPRHP
Empire State Plaza, Agency Building 1
Albany, NY 12238

Re: F-2005-1060 (FA)
U.S. Environmental Protection Agency
Building One, The Rivers and Estuaries Center
Hudson River, City of Beacon, Dutchess County
General Concurrence - No Objection To Funding

Dear Ms. Belding:

The Department of State received the information you submitted regarding the above matter on December 15, 2005.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, the Department of State has no objection to the use of U.S. Environmental Protection Agency funds for this financial assistance activity. This concurrence pertains to the financial assistance activity for this project only. If a federal permit or other form of federal agency authorization is required for this activity, the Department of State will conduct a separate review for those permit activities. In such a case, please forward a copy of the federal application for authorization, a completed Federal Consistency Assessment Form, and all supporting information to the Department at the same time it is submitted to the federal agency from which the necessary authorization is requested.

Please note that the proposed activity is subject to State consistency. The completed Coastal Assessment Form (CAF) is designed to assist the State agency (i.e. NYS Office of Parks, Recreation, and Historic Preservation) in making a determination regarding the consistency of its action with the policies and purposes of the approved City of Beacon Local Waterfront Revitalization Program (LWRP). A State agency shall not to make a final decision regarding an action unless and until that agency has made a written finding that its action is consistent with State coastal policies in 9 NYCRR Part 600.5 or 19 NYCRR Part 600.6, or (as in this case) an approved LWRP.

Please contact Rebecca Madlin at (518) 486-7669 (email: rmadlin@dos.state.ny.us) if you have any questions regarding this matter. When communicating with us regarding this matter, please refer to Department of State file number F-2005-1060 (FA).

Sincerely,

Jeff Zappieri
Supervisor of Consistency Review
Division of Coastal Resources

SCR/bms

c: Maria Clark, EPA a fax (212) 637-3771

Environmental Management Bureau
Office of Parks, Recreation and Historic Preservation
Empire State Plaza, Agency Building 1
Albany, New York 12238
Phone: (518) 474-0409 FAX (518) 474-7013

MEMORANDUM

Date: December 14, 2005

To: Coastal Consistency Unit
NYS Dept. of State
Attention: Sherri McNeil

From: Edwina Belding EB @oprhp.state.ny.us

Re: **Coastal Consistency Review**
Building One, The Rivers and Estuaries Center
Beacon, NY

Enclosed is a Final Environmental Assessment prepared by my agency for the above project. This document includes a coastal consistency assessment form and attachment. We had forwarded a draft of this document to Commissioner Randy Daniels last March; however we did not receive a response from your agency. We are therefore requesting a response regarding the project's coastal consistency.

The project is located within the City of Beacon's Local Waterfront Revitalization program boundaries. We did receive a response letter from Mayor Gould, and this is also attached to the assessment.

This project is seeking federal funding and therefore federal consistency concurrence is needed in order for them to grant the funds. In light of the priority placed on this request by the EPA, we would very much appreciate it you could expedite review of this project and fax a copy of your review letter to Maria Clark with the EPA as soon as possible. Her fax number is 212-637-3771 and her phone number is 212-637-3789. Please also send a copy to my attention at the above address.

If you have any questions about the project please do not hesitate to call me immediately. Thank you for your cooperation.

Cc: Maria Clark, EPA

New York State Department of Environmental Conservation
Division of Water
Bureau of Water Permits, 4th Floor
625 Broadway, Albany, New York 12233-3505
Phone: (518) 402-8111 • FAX: (518) 402-9029
Website: www.dec.state.ny.us

Denise M. Sheehan
Acting
Commissioner

11/10/2005

RECEIVED
NOV 14 2005
ENVIRONMENTAL MANAGEMENT

NYS Office of Parks
Empire State Plaza
Albany NY 12238

Re: ACKNOWLEDGMENT of NOTICE of INTENT for Coverage Under SPDES General Permit for Storm Water Discharges from CONSTRUCTION ACTIVITY General Permit No. GP-02-01

Dear Prospective Permittee:

This is to acknowledge that the New York State Department of Environmental Conservation (Department) has received a complete Notice of Intent (NOI) for coverage under General Permit No. GP-02-01 for the construction activities located at:

Rivers and Estuaries
199 Main Street
Beacon NY 12508

Pursuant to Environmental Conservation Law (ECL) Article 17, Titles 7 and 8, ECL Article 70, discharges in accordance with GP-02-01 from the above construction site will be authorized 5 business days from 11/9/2005 which is the date we received your final NOI, unless notified differently by the Department.

The permit identification number for this site is: NYR10J959 . Be sure to include this permit identification number on any forms or correspondence you send us. When coverage under the permit is no longer needed, you must submit a Notice of Termination to the Department.

This authorization is conditioned upon the following:

1. The information submitted in the NOI received by the Department on 11/9/2005 is accurate and complete.

2. You have developed a Storm Water Pollution Prevention Plan (SWPPP) that complies with GP-02-01 which must be implemented as the first element of construction at the above-noted construction site.

3. Activities related to the above construction site comply with all other requirements of GP-02-01.

4. Payment of the annual $50 regulatory fee, which is billed separately by the Department in the early fall. The regulatory fee covers a period of one calendar year. In addition, as of September 1, 2004, construction stormwater permittees will also be assessed an initial authorization fee of $50 per acre of land disturbed and $300 per acre of future impervious area. The initial authorization fee covers the duration of the authorized disturbance.

5. You have obtained all necessary Uniform Procedures Act (UPA) permits. You should check with your Regional Permit Administrator for further information. (Note: Construction activities cannot commence until all UPA permits have been issued.)

Please be advised that the Department may request a copy of your SWPPP for review.

Should you have any questions regarding any aspect of the requirements specified in GP-02-01, please contact Dave Gasper at (518) 402-8114 or the undersigned at (518) 402-8109.

Sincerely,

Toni Cioffi

Toni Cioffi
Environmental Program Specialist I

tc
cc: RWE - 3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

OCT 28 2005

David A. Stilwell
Field Supervisor
U.S. Fish and Wildlife Service
3817 Luker Road
Cortland, New York 13045

RE: **Building One, Rivers & Estuaries Center On The Hudson**

Dear Mr. Stilwell:

This letter is intended to initiate informal consultation with the U.S. Fish and Wildlife Service, to determine whether there are any federally-listed or proposed threatened or endangered species or critical habitats present on or in the vicinity of Denning's Point, Dutchess County, New York. I have enclosed information about the site, including maps of the affected area, for you review. Also, please refer to the website at http://www.riversandestuaries.org/southcampus.html, where you can find detailed information regarding this project.

Building One, Rivers & Estuaries Center On The Hudson

The planning area for this project is located on Denning's Point (coordinates: -73.983613, 41.491959), a 65-acre sandy peninsula part of Hudson Highlands State Park, on the Town of Beacon's southern waterfront along the Hudson River, Newburgh Bay, Dutchess County, New York. This location hosts significant natural and developed landscapes. Denning's Point shelters Fishkill Creek Bay that captures waters from Fishkill Creek one of the Hudson's most "Significant Habitats." The natural surroundings combine features such as shallow embayment, marsh, and an island, that serves as a home and spawning areas for freshwater and estuarine species. Further, the wooded uplands provide suitable home and resting point for native and migratory endangered and non-endangered species. The developed landscape was a commercial site that harbors brick structures dating back to the 19th century.

Areas affected by the project include a parcel of approximately 2.5 acres of parkland located at the northern end of Denning's Point peninsula. This parcel contains three brick buildings that existed in the late 19th century and a much larger masonry and steel building is also located in the project site and is used by a State Park employee.
The Rivers & Estuaries Center proposes to rehabilitate/restore a former brickwork factory. The rehabilitated building will be 3,000 square foot (+/-), and will include an addition of a 600 square foot wing with a vestibule and partial basement, a new gravel roadway, a gravel service road, 15 parking spaces, pedestrian path, a courtyard area, a water main extension of 550 feet, telephone services and electric services.

In compliance with the mandate of Section 7 of the Endangered Species Act of 1973, as amended, EPA is requesting a written statement from you indicating whether any federally-listed or proposed threatened or endangered species are present in the project area, and if the proposed alternative will result in impacts to these species or their critical habitats.

In the interim, should you have any questions, or need additional information, please feel free to have your staff contact Maria Clark at (212) 637-3789.

Sincerely yours,

for Grace Musumeci, Chief
Environmental Review Section
Strategic Planning and Multi-Media Programs Branch

Enclosures

Faxed 11/29/05

United States Department of the Interior

FISH AND WILDLIFE SERVICE
3817 Luker Road
Cortland, NY 13045

November 28, 2005

Ms. Therese Fretwell
Field Environmental Officer
U.S. Department of Housing and Urban Development
Jacob K. Javits Federal Building
26 Federal Plaza, Suite 3541
New York, NY 10278-0068

Dear Ms. Fretwell:

This responds to your letters of November 3, 2005, and November 22, 2005, requesting concurrence that the proposed construction of "Building One" of the Rivers and Estuaries Center located on Dennings Point in the Town of Beacon, Dutchess County, New York, is not likely to adversely affect the bald eagle (*Haliaeetus leucocephalus*), a Federally-listed threatened species. We understand that the U.S. Department of Housing and Urban Development (HUD) is in the process of awarding a Special Project Grant to the Rivers and Estuaries Center for the project.

Based on the information provided and our current understanding of bald eagle habitat use within the vicinity of the project site, we concur with HUD's determination that the proposed project may affect, but is not likely to adversely affect the bald eagle. Therefore, no further coordination or consultation under the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) for the bald eagle is required with the U.S. Fish and Wildlife Service (Service).

In addition to the bald eagle, the Federally-listed endangered Indiana bat (*Myotis sodalis*) has the potential to occur within the vicinity of the proposed project areas for roosting or foraging. However, based on our understanding of the proposed projects, we do not anticipate any adverse impacts to the Indiana bat and no further coordination or consultation under the ESA for the Indiana bat is required with the Service.

Should project plans change, or if additional information on listed or proposed species or critical habitat becomes available, these determinations may be reconsidered. If the proposed project is not completed within one year from the date of this letter, we recommend that you contact us to ensure that the listed species presence/absence information for the proposed project is current.

The above comments pertaining to endangered species under our jurisdiction are provided pursuant to the ESA. This response does not preclude additional Service comments under the other legislation.

As you are aware, the bald eagle is listed as threatened and Indiana bat is listed as endangered by the State of New York and any additional information on the proposed project should be

coordinated with both this office and with the New York State Department of Environmental Conservation (NYSDEC). The NYSDEC contact for the Endangered Species Program is Mr. Peter Nye, Endangered Species Unit, NYSDEC, 625 Broadway, Albany, NY 12233 (telephone: [518] 402-8859).

Thank you for your time. If you require additional information please contact Robyn Niver at (607) 753-9334.

Sincerely,

David A. Stilwell
Field Supervisor

cc: Rivers & Estuaries Center, Beacon, NY (Attn: R. Chichester)
NYSOPRHP, Albany, NY (Environmental Management Bureau, Attn: T. Lyons)
NYSDEC, Albany, NY (Endangered Species Unit; Attn: P. Nye)
NYSDEC, New Paltz, NY (Attn: Permits/S. Joule)
EPA, New York, NY (Attn: M. Clark)

05 DEC -2 PM 2:09
ENVIRONMENTAL PROTECTION

APPENDIX B

AIR ANALYSIS

APPENDIX B

AIR ANALYSIS

General Conformity Determination

Building One Project

Beacon, NY

Prepared by:
U.S. Environmental Protection Agency Region 2
290 Broadway
New York, NY 10007-1866

1. Introduction

The Beacon Institute for Rivers and Estuaries proposes to rehabilitate/restore a former brickwork factory within its existing footprints, plus a 600 square foot wing with a vestibule and partial basement. The rehabilitated building will be 3,000 square foot (+/-), a new gravel roadway, a gravel service road, 15 parking spaces, pedestrian path, a courtyard area, a water main extension of 550 feet, telephone services and electric services.

The Building One project is located in the Poughkeepsie moderate 8-hour ozone nonattainment area, which includes Dutchess, Orange, and Putnam Counties, NY. Because the project is funded through a Federal grant by the Environmental Protection Agency (EPA) the project is subject to the general conformity regulations (40 CFR 93 Subpart B). This report documents the general conformity applicability analysis.

2. Background

The Clean Air Act Amendments of 1990 (CAAA) established the concept of conformity as a way to ensure that Federal actions do not interfere with air quality goals set by a state in that state's state implementation plan (SIP). The conformity regulations were divided into two parts: transportation conformity, covering projects initiated with Federal Highway Administration or Federal Transit Administration funding or approval; and general conformity, covering all other Federal agencies.

Conformity to a SIP means that a project will not cause or contribute to violations, worsen existing violations, or delay timely attainment of the National Ambient Air Quality Standards (NAAQS). The NAAQS have been set for six "criteria pollutants": ozone (O_3), carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), and particulate matter (both <10 microns [PM_{10}] and <2.5 microns [$PM_{2.5}$]). An area that violates one or more of the NAAQS may be designated as a nonattainment area by EPA. Areas that do not have violations but may contribute to nearby violations can also be designated as nonattainment areas.

States with nonattainment areas must develop SIPs to show how the areas will attain the NAAQS as expeditiously as practicable. An area that was previously in nonattainment and has been re-designated to attainment by EPA becomes a "maintenance area." States must develop SIPs for maintenance areas to show how they will maintain the applicable NAAQS for a period of 20 years.

General conformity applies only to Federal actions in nonattainment and maintenance areas. The Building One project in Beacon, NY lies within the Poughkeepsie moderate 8-hour ozone nonattainment area (Dutchess, Orange, and Putnam Counties, NY). The Poughkeepsie area was designated by EPA as nonattainment for the 8-hour ozone standard effective June 15, 2004 (the area was previously a moderate nonattainment area under the 1-hour ozone standard, which was revoked when the 8-hour designation became effective). The "moderate" classification is based

on the severity of the air quality problem in the area and means that the Poughkeepsie nonattainment area has until no later than 2010 to attain the 8-hour ozone standard. New York must submit a SIP to EPA by June 15, 2007 detailing how the Poughkeepsie area will attain the standard. The area is in attainment for all other pollutants.

3. General Conformity Applicability and Analysis

Because the Building One project is subject to general conformity, EPA conducted an analysis of pollutant emissions from the project. Ozone is not directly emitted from vehicles and equipment, but rather it forms through a chemical reaction in the atmosphere in the presence of sunlight. Therefore, for the analysis we determined the emissions of the ozone precursors, oxides of nitrogen (NO_x) and volatile organic compounds (VOC). These precursors result from combustion and are directly emitted by vehicles and engines.

The general conformity rule identifies "deminimis levels" (40 CFR 93.153(b)(1)), or threshold values of emissions below which projects are presumed to conform without further mitigation of emissions or other action on the part of the project sponsor. These deminimis levels are based on annual pollutant emissions, and therefore we determined emissions by year for this project.

The deminimis levels for the Poughkeepsie ozone nonattainment area are 100 tons per year of NO_x and 50 tons per year of VOC (40 CFR 93.153(b)(1)). In the analysis we considered only the emissions from the construction of the project. Emissions from the operation of the project are considered indirect emissions (40 CFR 93.152). We deemed that EPA does not have continuing program responsibility for the indirect emissions and therefore did not include those emissions in the analysis.

Emission estimates were based on emission factors taken from a number of sources and vehicle/equipment types and activity levels supplied by the project's consultant. Below, tables A1 through A4 detail the emission factors and the calculation of total project emissions.

4. Conclusion

Table 1 below shows the results of the general conformity applicability analysis. Emissions of NO_x and VOC in each of the Building One project's construction years are below the applicable deminimis threshold values; therefore, the project is presumed to conform and no further action is necessary.

TABLE A1

OFF-ROAD EQUIPMENT EMISSION FACTORS FOR NO_x									
EQUIPMENT	FUEL TYPE	HP	LOAD FACTOR[1]	NO_x EF (Tier 1)[2] g/hp-hr	TAF[2]	A[2]	Fraction of Useful Life Expended[3]	DF[3]	NO_x EFadj g/hp-hr[4]
Chain Saw	GASOLINE	11	0.7	4.5	1.00	N/A	N/A	N/A	4.50
Backhoe	DIESEL	65	0.21	5.5988	1.10	0.024	0.5	1.012	6.23
Backhoe	DIESEL	90	0.21	5.5988	1.10	0.024	0.5	1.012	6.23
Excavator	DIESEL	90	0.53	5.5988	0.95	0.024	0.5	1.012	5.38
Mixer	GASOLINE	9	0.59	4.5	1.00	N/A	N/A	N/A	4.50
Mixer	GASOLINE	12	0.59	4.5	1.00	N/A	N/A	N/A	4.50
Bucket Lift	GASOLINE	35	0.46	8.43	1.00	N/A	N/A	N/A	8.43
Scissor Lift	GASOLINE	35	0.46	8.43	1.00	N/A	N/A	N/A	8.43
Small crane	DIESEL	85	0.43	5.5988	1.00	0.024	0.5	1.012	5.67
Pump	DIESEL	40	0.43	4.7279	1.00	0.024	0.5	1.012	4.78
Dozer	DIESEL	120	0.58	5.6523	0.95	0.024	0.5	1.012	5.43

OFF-ROAD EQUIPMENT EMISSION FACTORS FOR VOC									
EQUIPMENT	FUEL TYPE	HP	LOAD FACTOR[1]	NO_x EF (Tier 1)[2] g/hp-hr	TAF[2]	A[2]	Fraction of Useful Life Expended[3]	DF[3]	NO_x EFadj g/hp-hr[4]
Chain Saw	GASOLINE	11	0.7	207.92	1.00	N/A	N/A	N/A	207.92
Backhoe	DIESEL	65	0.21	0.5213	2.29	0.036	0.5	1.018	1.22
Backhoe	DIESEL	90	0.21	0.5213	2.29	0.036	0.5	1.018	1.22
Excavator	DIESEL	90	0.53	0.5213	1.05	0.036	0.5	1.018	0.56
Mixer	GASOLINE	9	0.59	207.92	1.00	N/A	N/A	N/A	207.92
Mixer	GASOLINE	12	0.59	207.92	1.00	N/A	N/A	N/A	207.92
Bucket Lift	GASOLINE	35	0.46	3.85	1.00	N/A	N/A	N/A	3.85
Scissor Lift	GASOLINE	35	0.46	3.85	1.00	N/A	N/A	N/A	3.85
Small crane	DIESEL	85	0.43	0.5213	1.00	0.036	0.5	1.018	0.53
Pump	DIESEL	40	0.43	0.2789	1.00	0.036	0.5	1.018	0.28
Dozer	DIESEL	120	0.58	0.3384	1.05	0.036	0.5	1.018	0.36

Notes:

1. Load factor is the fraction of rated horsepower at which the equipment typically operates over its duty cycle. Load factors were taken from *Median Life, Annual Activity, and Load Factor Values for Nonroad EngineEmissions Modeling* (EPA420-P-04-005)

2. All diesel equipment was assumed to be Tier 1 compliant (model years 1998-2003 for most equipment) with the emission factors (EF), transient activity factors (TAF) and relative deterioration factors (A) taken from *Exhaust and Crankcase Emission Factors for Nonroad Engine Modeling--Compression-Ignition* (EPA420-P-04-009)
   Gasoline emission factors were taken from *Exhaust Emission Factors for Nonroad Engine Modeling: Spark-Ignition* (EPA420-R-05-019). To be conservative, the greatest emission factor for each pollutant for a given piece of equipment was chosen.

3. Diesel equipment was assumed to have reached half of its useful life. The deterioration factor (DF) is then:
   DF = 1 + A * (Fraction of useful life expended)
   Deterioration factors were not available for the gasoline-powered equipment.

4. Adjusted emission factors were determined by:
   $EF_{adj} = EF_{Tier1} * TAF * DF$

TABLE A2

ON-ROAD VEHICLE EMISSION FACTORS[1]								
EQUIPMENT	FUEL TYPE	GVWR	VEHICLE CLASS	LOCATION	2005		2006	
					NO_x EF (g/mile)	VOC EF (g/mile)	NO_x EF (g/mile)	VOC EF (g/mile)
Truck	DIESEL	31,000	HDDV7	OFF-SITE	8.01	0.45	7.42	0.41
Truck	DIESEL	33,000	HDDV7	ON-SITE	11.71	1.20	10.84	1.11
				OFF-SITE	8.01	0.45	7.42	0.41
Truck	DIESEL	44,000	HDDV8a	OFF-SITE	12.00	0.54	11.14	0.51
		60,000						
Truck	GASOLINE	1/2 Ton Pkj	LDGT1	OFF-SITE	0.70	0.72	0.54	0.64
Auto	GASOLINE	Auto	LDGV	OFF-SITE	0.80	0.78	0.63	0.69

Notes:

1. Emission factors taken from *MOBILE6.2 Emission Factors (Arterial, Collector, and Local Road) For Dutchess County*, prepared by the New York State Department of Transportation and available at http://www.dot.state.ny.us/eab/epm/m6/cmaqveh/dutchesa.pdf. Off-site vehicles were assumed to travel at 40mph, while on-site vehicles were assumed to travel at 10mph.

TABLE A3

CONSTRUCTION EMISSIONS FROM OFF-ROAD EQUIPMENT											
MONTH	ACTIVITY	EQUIPMENT	FUEL TYPE	# OPERATING	HORSEPOWER	LOAD FACTOR	TOTAL HRS	NO_x EF (g/hp-hr)	VOC EF (g/hp-hr)	NO_x EMISSIONS (g)	VOC EMISSIONS (g)
Sep-05	Site clearing	Chain Saw	GASOLINE	2	11	0.7	60	4.50	207.92	2079.00	39296.88
	Site clearing	Backhoe	DIESEL	1	65	0.21	45	6.23	1.22	3828.36	71.58
Oct-05	Archeological Exc	Backhoe	DIESEL	1	65	0.21	20	6.23	1.22	1701.50	31.81
	Site Work	Backhoe	DIESEL	1	65	0.21	80	6.23	1.22	6805.98	127.25
TOTAL 2005 OFF-ROAD CONSTRUCTION EMISSIONS (g/year)										14414.84	39527.52
TOTAL 2005 OFF-ROAD CONSTRUCTION EMISSIONS (tons/year)										0.016	0.044
Apr-06	Demolition	Backhoe	DIESEL	1	65	0.21	70	6.23	1.22	5955.23	111.34
	Site Work	Backhoe	DIESEL	1	65	0.21	110	6.23	1.22	9358.23	174.96
	Install utilities	Backhoe	DIESEL	1	65	0.21	90	6.23	1.22	7656.73	143.15
May-06	Demolition	Backhoe	DIESEL	1	65	0.21	40	6.23	1.22	3402.99	63.62
	Repair pipe break	Excavator	DIESEL	1	90	0.53	15	5.38	0.56	3851.31	23.84
	Masonry Repairs	Mixer	GASOLINE	1	12	0.59	35	4.50	207.92	1115.10	19320.97
	Construction: Carpentry, Elec etc.	Bucket Lift	GASOLINE	1	35	0.46	60	8.43	3.85	8143.38	895.77
	Footing & Foundation Excavation	Excavator	DIESEL	1	90	0.53	30	5.38	0.56	7702.62	47.69
Jun-06	Construction: Carpentry, Elec etc.	Scissor Lift	GASOLINE	1	35	0.46	90	8.43	3.85	12215.07	1343.66
	Site Work	Backhoe	DIESEL	1	90	0.21	60	6.23	1.22	7067.75	95.44
	Masonry Repairs	Mixer	GASOLINE	1	9	0.59	20	4.50	207.92	477.90	11040.55
	Construction: Carpentry, Elec etc.	Bucket Lift	GASOLINE	1	35	0.46	65	8.43	3.85	8822.00	970.42
	Structural Steel	Small crane	DIESEL	1	85	0.43	40	5.67	0.53	8283.67	51.72
	Cement Pumping	Pump	DIESEL	1	40	0.43	30	4.78	0.28	2468.87	17.52
Jul-06	Construction: Carpentry, Elec etc.	Scissor Lift	GASOLINE	1	35	0.46	75	8.43	3.85	10179.23	1119.71
	Site Work	Backhoe	DIESEL	1	90	0.21	20	6.23	1.22	2355.92	31.81
	Masonry	Mixer	GASOLINE	1	9	0.59	10	4.50	207.92	238.95	5520.28

	Construction Material placement	Small crane	DIESEL	1	85	0.43	20	5.67	0.53	4141.84	25.86
Aug-06	Construction: Carpentry, Elec etc.	Scissor Lift	GASOLINE	1	35	0.46	120	8.43	3.85	16286.76	1791.54
	Site Work	Backhoe	DIESEL	1	90	0.21	20	6.23	1.22	2355.92	31.81
	Masonry	Mixer	GASOLINE	1	9	0.59	10	4.50	207.92	238.95	5520.28
	Construction Material placement	Small crane	DIESEL	1	85	0.43	20	5.67	0.53	4141.84	25.86
Sep-06	Construction: Carpentry, Elec etc.	Scissor Lift	GASOLINE	1	35	0.46	120	8.43	3.85	16286.76	1791.54
	Site Work	Backhoe	DIESEL	1	90	0.21	60	6.23	1.22	7067.75	95.44
	Landscaping & Roads	Backhoe	DIESEL	1	90	0.21	160	6.23	1.22	18847.33	254.49
	Landscaping & Roads	Dozer	DIESEL	1	120	0.58	90	5.43	0.36	34039.34	102.60
	Construction Material placement	Small crane	DIESEL	1	85	0.43	20	5.67	0.53	4141.84	25.86
Oct-06	Construction: Carpentry, Elec etc.	Scissor Lift	GASOLINE	1	35	0.46	40	8.43	3.85	5428.92	597.18
	Site Work	Backhoe	DIESEL	1	90	0.21	20	6.23	1.22	2355.92	31.81
	Landscaping & Roads	Backhoe	DIESEL	1	90	0.21	160	6.23	1.22	18847.33	254.49
									TOTAL 2006 OFF-ROAD CONSTRUCTION EMISSIONS (g/year)	233475.43	51521.24
									TOTAL 2006 OFF-ROAD CONSTRUCTION EMISSIONS (tons/year)	0.257	0.057

TABLE A4

CONSTRUCTION EMISSIONS FROM ON-ROAD VEHICLES											
MONTH	ACTIVITY	EQUIPMENT	# OPERATING	ON/OFF SITE	VEHICLE CLASS	TOTAL MILES / MONTH PER VEHICLE	TOTAL MILES / MONTH - ALL VEHICLES	NO_x EF (g/mile)	VOC EF (g/mile)	NO_x EMISSIONS (g)	VOC EMISSIONS (g)
Sep-05	Site clearing	Truck	1	On	HDDV7	10	10	11.71	1.2	117.10	12.00
	Road Stone	Truck	1	Off	HDDV7	160	160	8.01	0.45	1281.60	72.00
	Worker transportation to/from job	Truck	4	Off	LDGT1	600	2400	0.70	0.72	1680.00	1728.00
Oct-05	Install utilities / stone	Truck	1	Off	HDDV7	400	400	8.01	0.45	3204.00	180.00
	Worker transportation to/from job	Truck	5	Off	LDGT1	600	3000	0.70	0.72	2100.00	2160.00
TOTAL 2005 ON-ROAD CONSTRUCTION EMISSIONS (g/year)										8382.70	4152.00
TOTAL 2005 ON-ROAD CONSTRUCTION EMISSIONS (tons/year)										0.009	0.005
Apr-06	Demolition	Truck	1	On	HDDV7	10	10	10.84	1.11	108.40	11.10
	Site Work	Truck	1	On	HDDV7	5	5	10.84	1.11	54.20	5.55
	Deliveries	Truck	1	Off	HDDV7	800	800	7.42	0.41	5936.00	328.00
	Worker transportation to/from job	Truck	6	Off	LDGT1	600	3600	0.54	0.64	1944.00	2304.00
	Worker transportation to/from job	Auto	2	Off	LDGV	2000	4000	0.63	0.69	2520.00	2760.00
May-06	Demolition	Truck	1	On	HDDV7	20	20	10.84	1.11	216.80	22.20
	Deliveries	Truck	1	Off	HDDV7	900	900	7.42	0.41	6678.00	369.00
	Equip Del	Truck	1	Off	HDDV8a	600	600	11.14	0.51	6684.00	306.00
	Worker transportation to/from job	Truck	7	Off	LDGT1	600	4200	0.54	0.64	2268.00	2688.00
	Worker transportation to/from job	Auto	3	Off	LDGV	2000	6000	0.63	0.69	3780.00	4140.00
Jun-06	Deliveries	Truck	1	Off	HDDV7	1050	1050	7.42	0.41	7791.00	430.50
	Deliver Concrete	Truck	1	Off	HDDV8a	1600	1600	11.14	0.51	17824.00	816.00
	Equip Del	Truck	1	Off	HDDV8a	700	700	11.14	0.51	7798.00	357.00
	Worker transportation to/from job	Truck	9	Off	LDGT1	600	5400	0.54	0.64	2916.00	3456.00
	Worker transportation to/from job	Auto	3	Off	LDGV	2000	6000	0.63	0.69	3780.00	4140.00

Jul-06	Deliveries	Truck	1	Off	HDDV7	1100	1100	7.42	0.41	8162.00	451.00
	Deliver Concrete	Truck	1	Off	HDDV8a	800	800	11.14	0.51	8912.00	408.00
	Equip Del	Truck	1	Off	HDDV8a	600	600	11.14	0.51	6684.00	306.00
	Worker transportation to/from job	Truck	10	Off	LDGT1	600	6000	0.54	0.64	3240.00	3840.00
	Worker transportation to/from job	Auto	4	Off	LDGV	1500	6000	0.63	0.69	3780.00	4140.00
Aug-06	Deliveries	Truck	1	Off	HDDV7	1100	1100	7.42	0.41	8162.00	451.00
	Deliver Concrete	Truck	1	Off	HDDV8a	800	800	11.14	0.51	8912.00	408.00
	Equip Del	Truck	1	Off	HDDV8a	600	600	11.14	0.51	6684.00	306.00
	Worker transportation to/from job	Truck	10	Off	LDGT1	600	6000	0.54	0.64	3240.00	3840.00
	Worker transportation to/from job	Auto	4	Off	LDGV	1500	6000	0.63	0.69	3780.00	4140.00
Sep-06	Deliveries	Truck	1	Off	HDDV7	1400	1400	7.42	0.41	10388.00	574.00
	Equip Del	Truck	1	Off	HDDV8a	600	600	11.14	0.51	6684.00	306.00
	Worker transportation to/from job	Truck	10	Off	LDGT1	600	6000	0.54	0.64	3240.00	3840.00
	Worker transportation to/from job	Auto	4	Off	LDGV	1500	6000	0.63	0.69	3780.00	4140.00
Oct-06	Equip Del	Truck	1	Off	HDDV8a	600	600	11.14	0.51	6684.00	306.00
	Worker transportation to/from job	Truck	5	Off	LDGT1	600	3000	0.54	0.64	1620.00	1920.00
	Worker transportation to/from job	Auto	2	Off	LDGV	2000	4000	0.63	0.69	2520.00	2760.00
TOTAL 2006 ON-ROAD CONSTRUCTION EMISSIONS (g/year)										17844.00	12966.00
TOTAL 2006 ON-ROAD CONSTRUCTION EMISSIONS (tons/year)										0.020	0.014

APPENDIX C

ENVIRONMENTAL JUSTICE ANALYSIS

Community of Concern: Beacon, NY

EPA Region 2 Environmental Justice Analysis

The Region 2 Environmental Justice (EJ) Analysis supports EPA Region 2's Interim Policy for Environmental Justice (IP) The specific community that is under evaluation for inclusion in the Region's EJ program is referred to as the Community of Concern (COC) in the IP. The evaluation process hinges on the comparison of the respective levels of the environmental burden, minority representation, and low-income representation between the COC and its statistical reference area.

For environmental burden analysis, Region 2 advances the concept of an "Environmental Load Profile (ELP)". The profile would provide a representation of the environmental load (i.e. relative environmental burden) within a community. The ELP serves to identify communities that may bear a disproportionate environmental load in comparison to statewide-derived thresholds. Currently, the Environmental Load Profile consists of the following three indicators: Toxics Release Inventory (TRI) Air Emissions, Air Toxics, and Facility Density. The ELP generates a summary report that provides numeric values for state thresholds, indicator of the community of concern (COC Indicator), and the ranking of the community in the state. These calculated values not only identify whether the particular community meets an ELP threshold, but further upon exceedance, the indicator value is ranked to provide a measure of magnitude.

Environmental Load Analysis

Indicators	NY State Threshold	COC Indicator	Ranking
TRI Indicator:	5.67	4.84	0
Facility Density Indicator:	56	85.36	2
Air Toxics Cancer Indicator:	63.55	39.27	0
Air Toxics Non_cancer Indicator:	11.3	11.06	0

The demographic analysis calculates the percent minority and percent poverty for the COC and compared to an appropriate statistical reference. Statistical reference for percent minority and percent poverty were calculated for each state in EPA Region 2 using cluster analysis. Separate statistical references for rural and urban settings were developed for evaluating percent minority. The location of the COC determines which statistical reference area is used.

Demographic Analysis

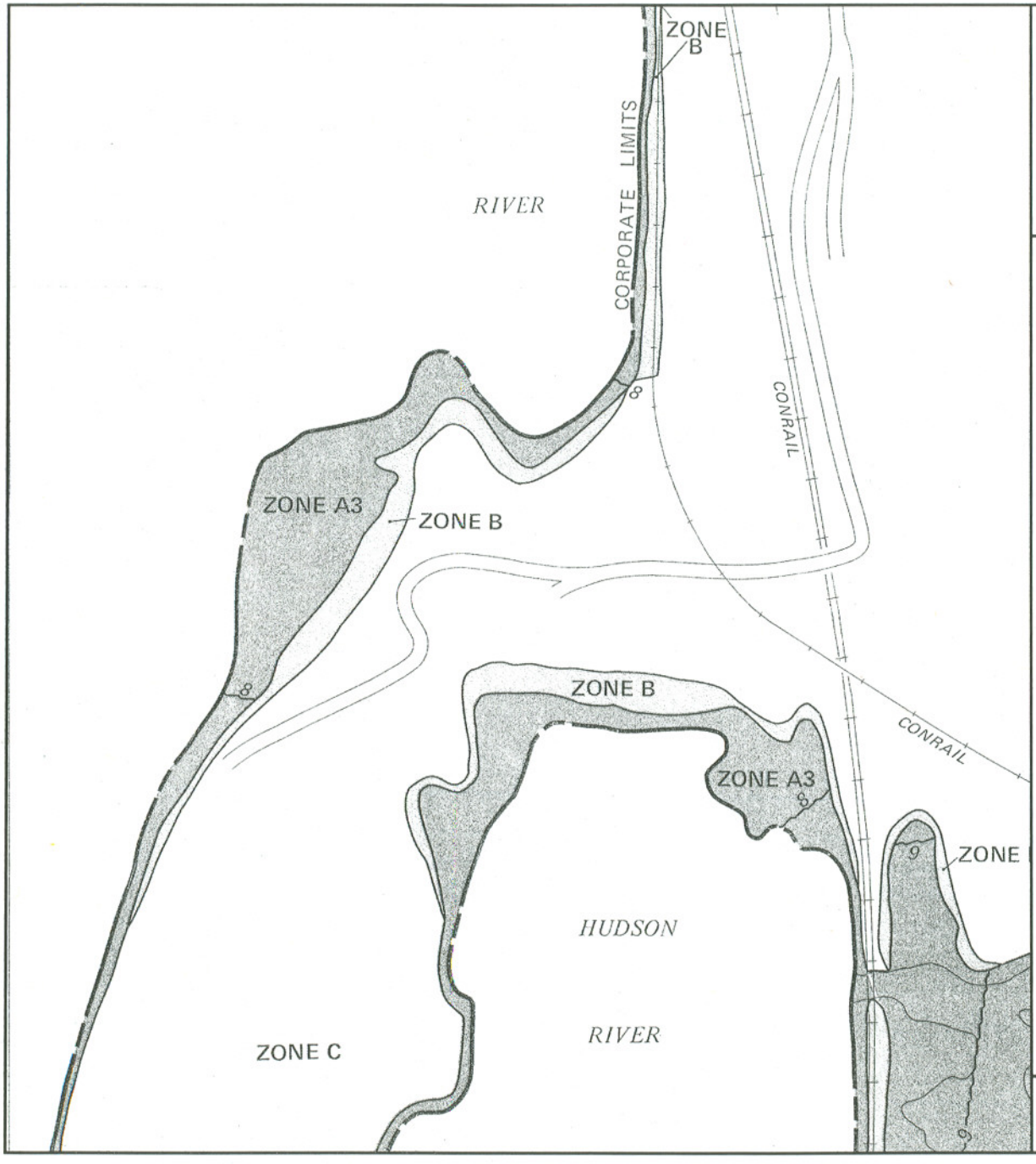
Indicators	NY State Thresholds	COC Indicator	Urban/Rural
Percent Minority:	51.51	37.32	urban
Percent Poverty:	23.59	9.28	urban

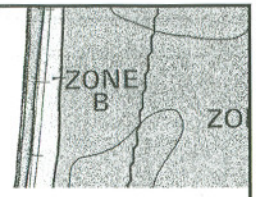
Ranking

In addition to quantify the facility density indicator, a ranking system is used to provide a measure of the magnitude of the potential risk in these communities in comparison to the rest of the state. Ranking is established on a scale of 1 to 10 (i.e., one being the lowest potential risk and ten having the highest potential risk.) Communities with indicator values lower than the benchmark are ranked 0.

APPENDIX D

FLOOD PLAIN





NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
BEACON,
NEW YORK
DUTCHESS COUNTY

PANEL 3 OF 3
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
360217 0003 B

EFFECTIVE DATE:
MARCH 1, 1984

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov