Draft Environmental Assessment

for

Proposed Site Selection for Community Based Outpatient Clinic in the Rochester, New York Area

Prepared for:
Public Properties
3210 Grace Street, NW
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For submission to:
The Department of Veterans Affairs

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Prepared by

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EXECUTIVE SUMMARY

LEAD AGENCY:	U.S. Department of Veterans Affairs (VA)
COOPERATING AGENCIES:	None
TITLE OF PROPOSED ACTION:	Community Based Outpatient Clinic in the Rochester, NY Area
AFFECTED JURISIDCTION:	Monroe County, New York
POINT OF CONTACT:	Ed Swift, Realty Specialist, Real Property Service 425 I Street, NW, Washington DC20001 Email: Edward.Swift@va.gov Tel.: (202) 632-5610.
PROPONENT:	U.S. Department of Veterans Affairs
DOCUMENT DESIGNATION:	Environmental Assessment

The Department of Veterans Affairs (VA) is proposing to lease an 84,000 net usable square feet (NUSF) facility to be utilized as a replacement Community Based Outpatient Clinic. This lease addresses the continuing need to provide primary care, mental health, and specialty care services to Veterans residing in the Rochester, New York area. This leased facility will provide expanded outpatient services to address utilization and space gaps in the Monroe County sub-market area within the Finger Lakes/Southern Tier Market.

This EA evaluates three Action Alternatives Sites and the No Action Alternative. The Action Alternative analyses three potential sites for the Proposed Action: Site 1 - Erie Station/W Henrietta Site, Site 2 - Calkins Road Site, Site 3 - 4490 W Henrietta Road Site, and the No Action Alternative.

This Draft Environmental Assessment (EA) has been prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic effects associated with the VA's proposed selection of a site for a proposed CBOC in the Rochester, New York area. Preparation of this EA is required in accordance with the National Environmental Policy Act of 1969 ([NEPA]; 42 United States Code [USC] 4321 *et seq*.), the President's Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508), and 38 CFR Part 26 (*Environmental Effects of the Department of Veterans Affairs Actions*). This EA has also been prepared in accordance with the VA NEPA Interim Guidance for Projects dated 30 September 2010.

The analysis performed in this Draft EA concludes that there would be no significant adverse impact, either individually or cumulatively, to the human environment, provided best managment practices consisting of best management practices and regulatory compliance measures described in this Draft EA are implemented. Therefore, this Draft EA concludes that a Finding of No Significant Impact (FONSI) is appropriate, and that an Environmental Impact Statement (EIS) is not required.

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1.0 INTRODUCTION

1.1 Project Background

This Draft Environmental Assessment (EA) has been prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic effects associated with the Department of Veterans Affairs' (VA's) Proposed Action. The VA's Proposed Action is the selection of a site as a lease replacement for an 84,000 net usable square feet (NUSF) Community Based Outpatient Clinic (CBOC) including 672 parking spaces, in Monroe County, New York

Preparation of this Draft EA is required in accordance with the National Environmental Policy Act of 1969 ([NEPA]; 42 United States Code [USC] 4321 *et seq*.), the President's Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508), and 38 CFR Part 26 (*Environmental Effects of the Department of Veterans Affairs Actions*). This Draft EA has also been prepared in accordance with the VA's *NEPA Interim Guidance for Projects* (VA 2010).

Once a site is selected through this NEPA process, a subsequent, tiered site-specific EA (SEA) will be prepared to more precisely analyze and evaluate the potential effects of the construction and operation of the proposed CBOC. At this latter point in time, additional design information will be available upon which to conduct this future environmental effects analysis. The management, avoidance and BMPS identified in this Draft EA will be incorporated into the future design process.

This approach is fully consistent with the NEPA and CEQ Regulations. In cases such as these, the CEQ Regulations establish and recommend a "tiered" approach to the environmental impact analysis process: "Agencies are encouraged to tier their environmental (documents)…to focus on the actual issues ripe for decision at each level of environmental review.…Tiering may also be appropriate for different stages of actions" (40 CFR Part 1502.20). These regulations specify that such potentialities (i.e., the ultimate construction of the CBOC should be introduced, but can be deferred to future analyses and documentation when they have "ripened," or when more complete information becomes available.

As such, this Draft EA assesses the potential effects of selecting and acquiring a site for the future development of the proposed CBOC, and broadly assesses the effects of the future proposed construction and operation of the clinic under each alternative considered. Again, site-specific effects would be more thoroughly analyzed and evaluated in a subsequent SEA, once an alternative (i.e., site) has been selected and acquired by VA and concurrent with site design.

1.2 Purpose and Need

The replacement lease will address the continuing need to provide primary care, mental health, and specialty care services to Veterans residing in the Rochester, New York area. The current leased Rochester CBOC is 49,190 gross square feet (GSF) and includes 184 parking spaces. Two additional leased sites are used to offset the space and parking shortages at the current CBOC site. The current leased Rochester CBOC is set to expire and the building owner has indicated the lease cannot be renewed.

1.3 Agency Consultation

The following agencies were consulted as part of this Draft EA:

- County of Monroe
- Town of Henrietta
- New York State of Department Environmental Conservation
- New York State Historic Preservation Office
- New York State Department of Transportation
- United States Department of Agriculture
- United States Environmental Protection Agency
- United States Fish and Wildlife Service
- Cuyaga Nation of New York
- Onieda Nation of New York
- Onondaga Nation of New York
- Onieda Tribe of Indians of Wisconsin
- Seneca-Cayuga Nation
- Seneca Nation of Indians
- Shinnecock Indian Nation
- Seneca Nation of New York
- St. Regis Band of Mohawk Indians of New York
- Tonawanda Banda of Seneca Indians of New York
- Tuscarora Nation of New York
- Wyandotte Tribe of Oklahoma

2.0 ALTERNATIVES

2.1 Development of Alternatives

The VA considered the following alternatives when evaluating the best approach to continue providing primary care, mental health and specialty care services to Veterans residing in the Rochester, New York area:

Status Quo Alternative – The status quo would continue to provide outpatient services in the current 49,190 GSF leased building until the lease termination date. After the lease termination, this primary care access point would be eliminated, significantly decreasing access to care for Veterans. This alternative would require Veterans in Monroe County to travel to alternative VA facilities to receive primary care, mental health and specialty care services. Therefore, this option is not the most optimal.

Contract Out Services Alternative – This alternative would seek to contract out all ambulatory, mental health, and specialty care services in the community. This alternative is not cost-effective and would result in a loss of quality control over Veteran healthcare. There also may not be sufficient, qualified, private-sector providers in the Monroe County area to accommodate the Veteran workload. Therefore, this alternative is the least preferred.

New Construction Alternative – This alternative would require the VA to purchase a land parcel and construct a new 84,000 NUSF facility in Monroe County. This alternative solves utilization and space gaps in the same manner as the new lease alternative. However, a permanent site limits the ability to relocate services in the future to adapt to changes in veteran demographics. In addition, new construction would require land acquisition, increasing the cost. Therefore, this alternative is the second preferred.

New Lease Alternative – This project proposes to replace the existing lease with a replacement 84,000 NUSF CBOC to include 332 parking spaces. This replacement lease will allow the VA to continue to provide services in Monroe County, and will allow for the required expansion of services to meet current utilization and space gaps at the current CBOC. This alternative was selected because the lease would enable the VA to serve a greater number of Veterans, reduce Veterans travel time for some clinical services, and consolidate the three leases into a single location.

2.2 Alternatives Retained for Detailed Analysis

The New Lease Alternative was selected as the preferred alternative and will be analyzed in-depth in this Draft EA as the Proposed Action. This Draft EA examines three Action Alternative Sites located in the Town of Henrietta, Monroe County, New York (Figure 2-1) and the No Action Alternative, as defined below:

Erie Station/W Henrietta Site (Site 1) – select the approximately 30-acre of land located near the corner of W Henrietta Road and Erie Station Road in Henrietta, New York (Figure 2-2);

Calkins Road Site (Site 2) – select the approximately 15.49-acre of land located at Calkins Road and Interstate 390 in Henrietta, New York (Figure 2-3);

4490 W Henrietta Road Site (Site 3) – select the approximately 16-acre of land located at 4490 W Henrietta Road near the Lehigh Station Road in Henrietta, New York (Figure 2-4); and

No Action Alternative – do not select a site for a proposed CBOC in the Rochester, New York area. Under this alternative, the Proposed Action would not be implemented. The No Action alternative will be analyzed in this Draft EA to provide a baseline from which to compare the Proposed Action Alternatives.

These numerical assignments are utilized for reference only; they do not indicate site ranking of preference.

Figure 2-1 Site Location Map

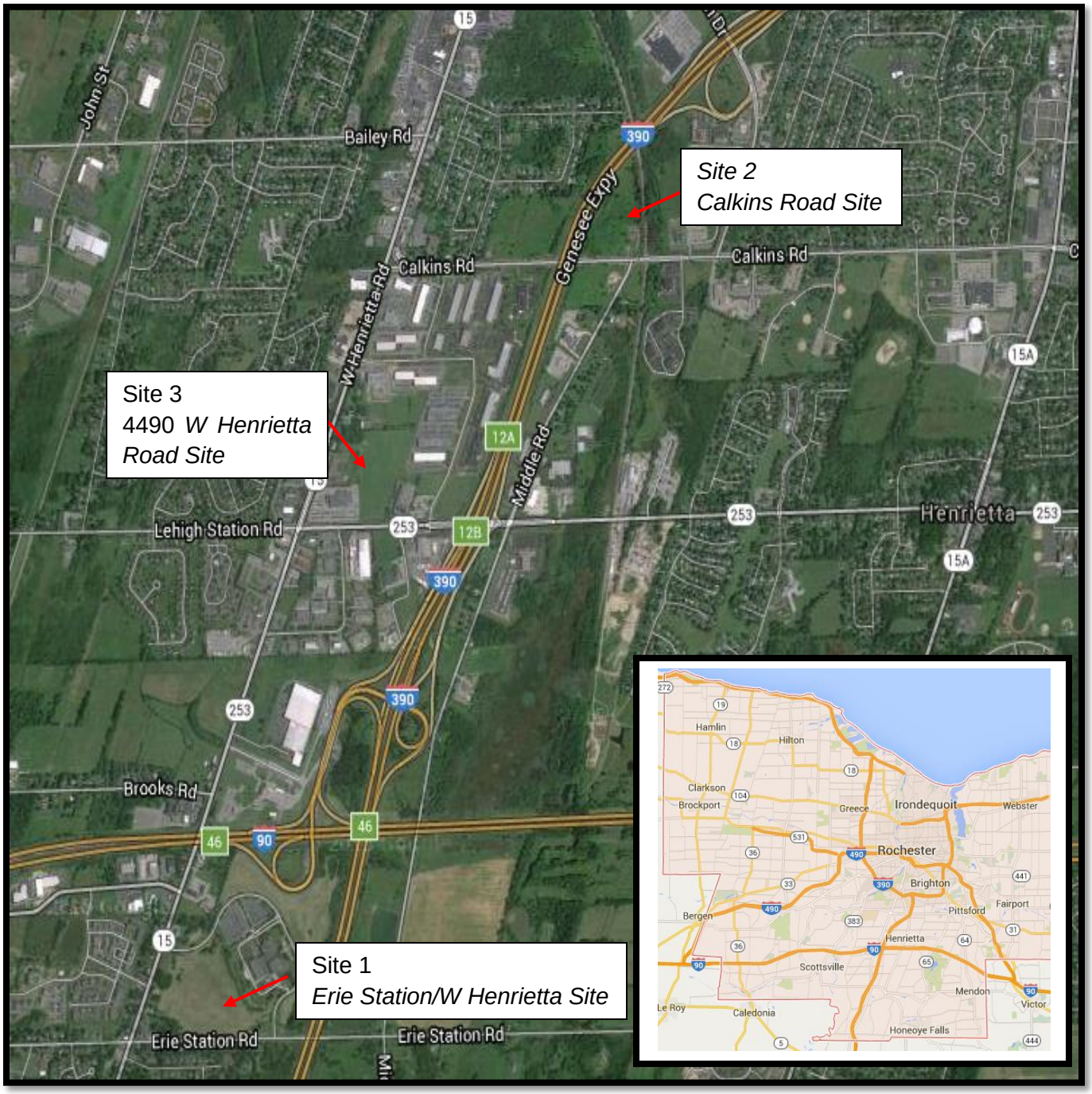


Figure 2-2 Site 1

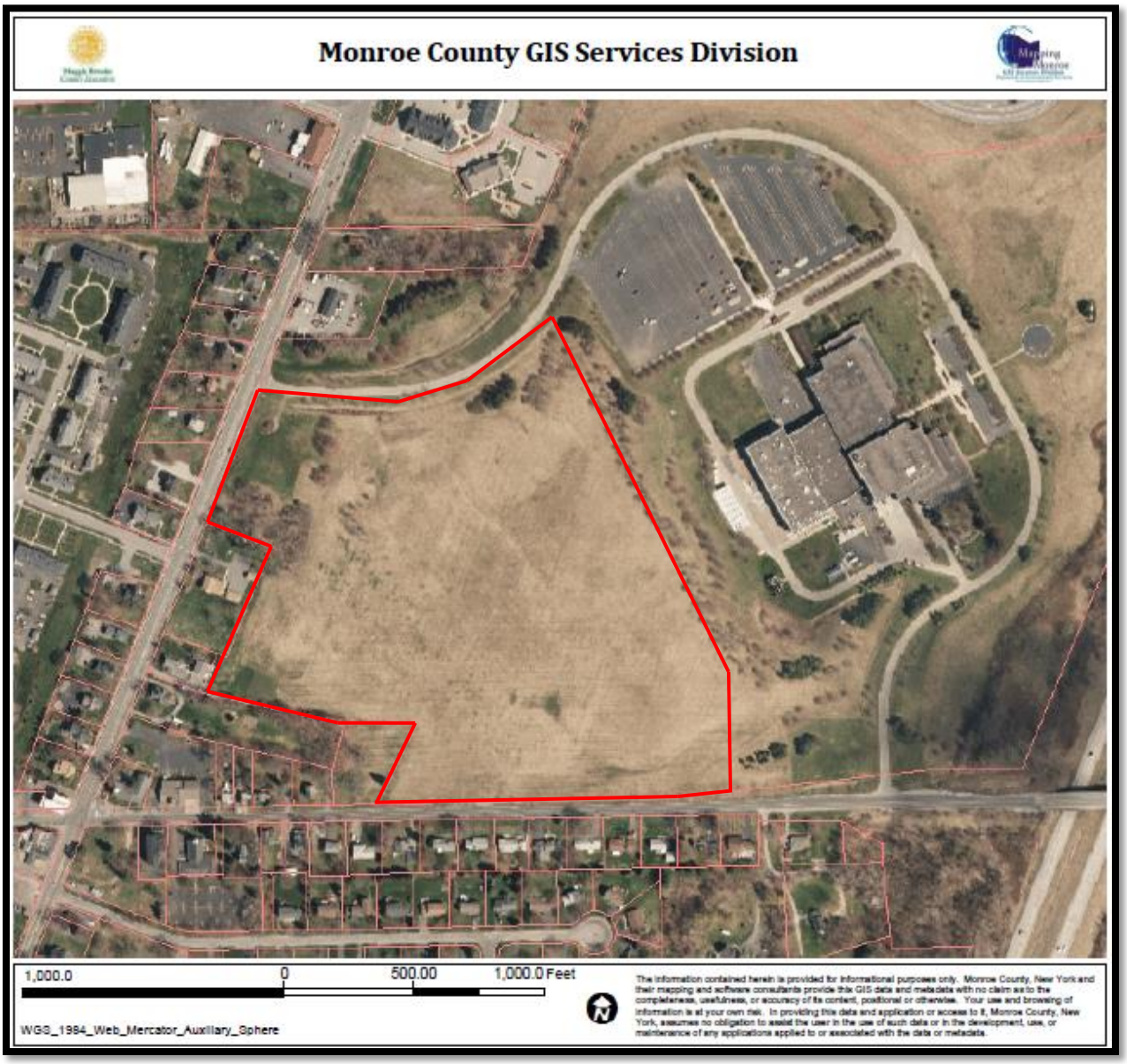


Figure 2-3 Site 2

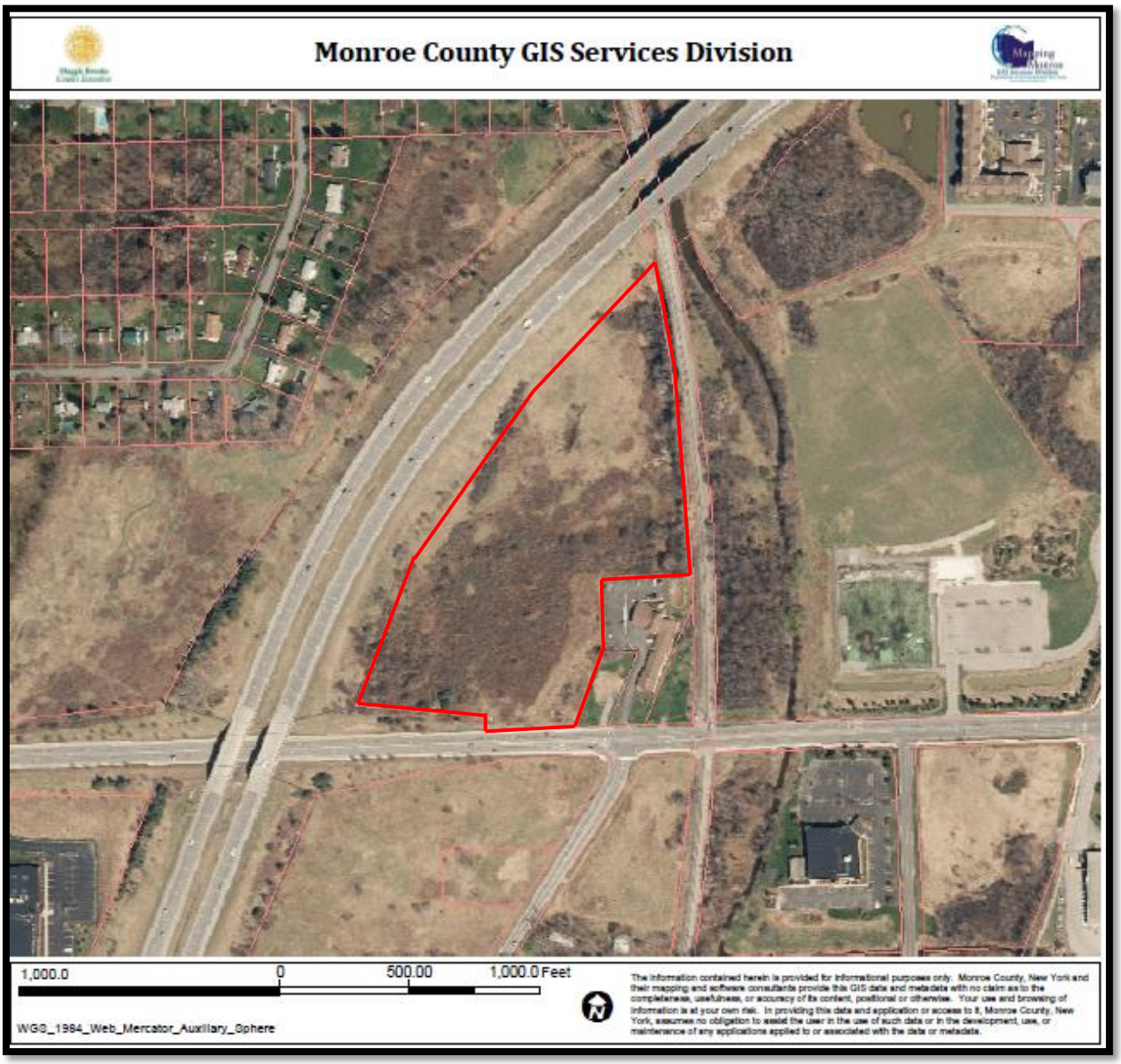
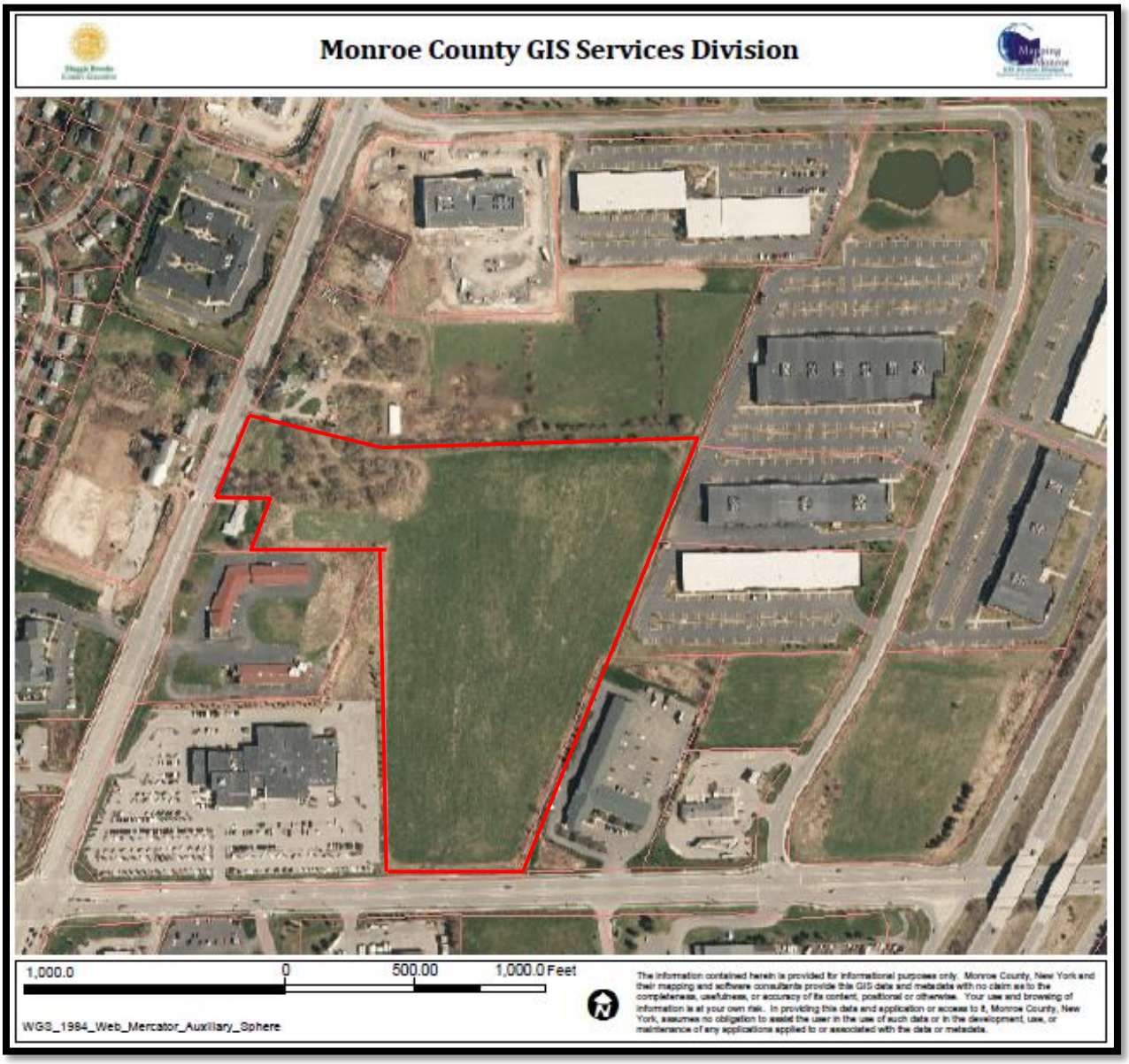


Figure 2-4 Site 3



3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This Section describes the baseline (existing) physical, environmental, cultural, and socioeconomic conditions at the three Action Alternative Sites and their general vicinities, with emphasis on those resources potentially affected by the Proposed Action. Under each resource area, the potential direct and indirect effects of implementing the Proposed Action on these environments and the No Action Alternative on these environments are identified.

Significance criteria for resource areas considered in this DEA are as follows:

- *Aesthetics.* An alternative could significantly affect visual resources if it resulted in abrupt changes to the complexity of the landscape and skyline (i.e., in terms of vegetation, topography, or structures) when viewed from points readily accessible by the public.

- *Air quality.* An alternative could have a significant air quality effect if it would result in substantially higher air pollutant emissions or cause established air quality standards to be exceeded.

- *Cultural resources.* An alternative could have a significant effect on cultural resources if it would: result in damage, destruction, or demolition to an archaeological site or building that is eligible or listed on the National Register of Historic Places (NRHP); promote neglect of such a resource, resulting in resource deterioration or destruction; introduce audio or visual intrusion to such a resource; or decrease access to resources of value to Federally recognized Native American tribes.

- *Geology and Soils.* If an alternative would result in an increased geologic hazard or a change in the availability of a geologic resource, it could have a significant effect. Such geologic and soil hazards would include, but not be limited to, seismic vibration, land subsidence, and slope instability.

- *Hydrology and Water Quality.* If an alternative would result in a reduction in the quantity or quality of water resources for existing or potential future use, it could have an adverse effect. A significant effect could occur if the demand exceeded the capacity of the potable water system or the local aquifer.

- *Wildlife and Habitat.* The effect of an alternative on biological resources and ecosystems could be significant if it would disrupt or remove any endangered or threatened Federally-listed species or its designated critical habitat. The loss of a substantial number of individuals of any plant or animal species (sensitive or non-sensitive species) that could affect the abundance or diversity of that species beyond normal variability could also be considered significant.

- *Noise.* An alternative could have a significant noise effect if it would generate new sources of substantial noise, increase the intensity or

duration of noise levels to sensitive receptors, or result in exposure of more people to unacceptable levels of noise.

- *Land use.* If an alternative would conflict with adopted plans and goals of the affected community or if it would result in a substantial alteration to the present or planned land use of an area, it could have a significant direct effect. If an alternative would result in substantial new development or prevent such development elsewhere, it could have a significant indirect land use effect.

- *Floodplains, Wetlands, and Coastal Zone Management.* An alternative could have a significant effect on water resources if it would cause substantial flooding or erosion, if it would subject people or property to flooding or erosion, or if it would adversely affect a significant water body, such as a stream, lake, floodplain, or coastal zone. The measurable degradation of wetlands could also be significant.

- *Socioeconomics.* If an alternative would substantially alter the location and distribution of the population within the geographic ROI or cause the population to exceed historical growth rates, or substantially affect the local housing market and vacancy rates, the effect would be significant. Significant effects could occur if an alternative caused disproportionate risks to children that resulted from environmental health risks or safety risks. *It is important to note that, per CEQ Regulations (40 CFR 1508.14), social or economic effects are not intended by themselves to require preparation of an EIS.* Only when social or economic effects are interrelated with natural or physical environmental effects would all of these effects be analyzed as part of the NEPA process.

- *Community Services.* An alternative could have a significant effect on community services if it would create a need for new or increased fire or police protection, or medical services, beyond the current capability of the local community, or would decrease public service capacities so as to jeopardize public safety.

- *Solid and Hazardous Materials.* An alternative could have a significant effect if it would result in a substantial increase in the generation of hazardous substances, increase the exposure of persons to hazardous or toxic substances, increase the presence of hazardous or toxic materials in the environment, or place substantial restrictions on property use due to hazardous waste, materials, or site remediation.

- *Transportation and Parking.* An alternative could have a significant effect on transportation and parking if it would increase the volume of traffic beyond the existing roadway capacity, and cause parking availability to fall below minimum local standards, or require new or substantially improved roadways or traffic control systems.

- *Utilities.* An alternative could have a significant effect on utility infrastructure if it would increase demand over capacity, requiring a substantial system expansion or upgrade, or if it would result in substantial system deterioration over the current condition.

- *Environmental Justice.* Significant effects could occur if an alternative would disproportionately affect minority, low-income, or Title VI of the Civil Rights Act populations.

3.1 Aesthetics

Impacts to aesthetics are significant when the context and intensity of the impact resulting from the project would have an adverse impact on the visual quality and character of the project area.

3.1.1 Existing

Site 1 - Erie Station/W Henrietta Site

Site 1 is approximately 30 acres of undeveloped land located near the corner of Erie Station Road and W. Henrietta Road in the Town of Henrietta, Monroe County, New York. Overall the parcel is approximately 105.7 acres, with frontage on West Henrietta Road, Erie Station Road, New York State Thruway and Interstate 390. The lands included in this Assessment include approximately 30 acres of undeveloped lands on the west side of the parcel. The remainder of the property is occupied by Delphi Automotive System. The site consists of a maintained meadow, with a small wooded area on a portion of the site along West Henrietta Road.

Delphi's Rochester Technical Center is located on the eastern portion of the property. The Delphi facility consists of an approximately 400,000 square foot building and parking lot with undeveloped land to the north. Residential properties are located to the south along the opposite side of Erie Station Road. Adjacent properties to the south and west on West Henrietta Road and Erie Station Road include residential properties, commercial properties, a church, the West Henrietta Fire Department, and US Post Office. In addition, there is a gas station located to the north of the property.

Site 2 - Calkins Road Site

Site 2 is approximately 15.2 acres of undeveloped land located on the north side of Calkins Road in the Town of Henrietta, Monroe County, New York. The property is bordered by Interstate 390 to the north and west and Calkins Road to the south. The Henrietta Volunteer Ambulance Service borders the property to the southeast. Railroad tracks are located to the east of the property followed by undeveloped land. Site 2 consists of unmaintained grasses and other non-woody vegetation with scattered trees throughout the site.

Site 3 - 4490 W Henrietta Road Site

Site 3 is approximately 16 acres located at 4490 W. Henrietta Road in the Town of Henrietta, Monroe County, New York. The site is bordered by Lehigh Station Road to the south followed by commercial and industrial properties. Motels are located to the south east and northwest of the property and on the south side of Lehigh Station Road. A car dealership is located to the southwest and an industrial park is located to the northeast. In addition, there are two residential properties located to the northwest along W. Henrietta Road. The site consists of maintained grass and contains some scattered trees along the borders.

3.1.2 Effects of the Proposed Action Alternatives

Site 1

Construction – Short Term Impacts

Construction activities would have a temporary adverse effect on visual quality including ground disturbance and landscape alteration. BMPs described below include placement of construction fencing to block views of the work zone, as well as restoration/re-landscaping of all areas disturbed during construction, including areas used for staging. The proposed action would not include nighttime construction and nighttime related lighting would not be more than existing light poles. Therefore, the project is not anticipated to have a long term significant effect.

Operations – Long Term Impacts

A goal of VA Health Care System facilities is to provide exceptional healthcare that improves Veteran's health and well-being. The landscaping of this project would be an extension of this goal, expanding a sense of welcome pride and recovery beyond the doors of the CBOC to the outdoor spaces. The landscaping would transition from the campus to the neighboring properties and provide year-round interest in the landscape with form, color, and textures. Therefore, the project is not anticipated to have a significant effect.

3.1.3 Effects of the No Action Alternative

As no action would occur under this alternative a significant effect to aesthetics would not be anticipated.

3.1.4 Best Management Practices – Aesthetics

All areas disturbed during construction, including temporary staging and disturbance areas, where feasible, shall be restored or re-vegetated to their pre-existing condition or better. The construction contractor shall place temporary fencing with green fabric screen around all staging areas to limit the prominence of views of construction equipment and associated construction materials/activities. Permanent exterior lighting shall incorporate cutoff shields and non-glare fixture design and shall be directed on-site and downward. New lighting shall be oriented to minimize direct light sources from adjacent residential areas. Highly reflective building materials and/or finishes shall not be used.

3.2 Air Quality

The project would have a significant impact on the environment if the National Ambient Air Quality Standards (NAAQS) (as discussed below) thresholds are exceeded.

3.2.1 Existing

Ambient Air Quality

The ambient air quality in an area can be characterized in terms of whether or not it complies with the NAAQS. The Clean Air Act, as amended (CAA and CAAA) requires the US Environmental Protection Agency (USEPA) to set NAAQS for pollutants considered harmful to public health and the environment. NAAQS are provided for “criteria pollutants”, which include carbon monoxide, lead, nitrogen oxides, particulate matter, and sulfur dioxide.

Areas are designated by the USEPA as “attainment”, “non-attainment”, “maintenance”, or “unclassified” with respect to the NAAQS. Regions in compliance with the standards are designated as “attainment” areas. In areas where the applicable NAAQS are not being met, a “non-attainment” status is designated. Areas that have been classified as "non-attainment" but are now in compliance can be re-designated "maintenance" status if the state completes an air quality planning process for the area. Areas for which no monitoring data is available are designated as “unclassified”, and are by default considered to be in attainment of the NAAQS.

The three Action Alternative Sites are located within the Rochester, New York Metropolitan Statistical Area (MSA). According to the USEPA, the Rochester, New York MSA was designated as non-attainment areas for 8-hour ozone in 1997. However, the NYSDEC has designated the Rochester MSA as a “full attainment” area for 8-hour ozone since 2008. As such, all three of the Action Alternative Sites are located in areas currently designated as full attainment areas.

Conformity with State Implementation Plans

The General Conformity Provision of the CAA of 1970 (42 USC 7401 *et seq*.; 40 CFR Parts 50-87) Section 176(c), including the USEPA's implementation mechanism, the General Conformity Rule (40 CFR Part 51, Subpart W), prohibits the Federal government from conducting, supporting, or approving any actions that do not conform to a USEPA-approved State Implementation Plan (SIP). A SIP is a state's self-authored blueprint for achieving and maintaining compliance with the goals of the CAA. Federal agencies prepare written Conformity Determinations for Federal actions in or affecting NAAQS non-attainment areas or maintenance areas when the total direct and indirect emissions of non-attainment pollutants (or their precursors) exceed specified thresholds. Conformity with the SIP is demonstrated if project emissions fall below threshold values.

As all of the Action Alternative Sites are currently located in *full attainment* areas, , a General Conformity evaluation is not required for VA's Proposed Action.

Sensitive Receptors

NEPA regulations require evaluation of the degree to which the proposed action affects public health (40 CFR 1508.27). Children, elderly people, and people with illnesses are especially sensitive to the effects of air pollutants; therefore, hospitals, schools, convalescent facilities, and residential areas are considered to be sensitive receptors for air quality impacts. No schools, hospitals, convalescent facilities or nursing homes are located within a one mile radius of any of Action Alternative Sites.

Operating Permits

The CAA regulates criteria pollutants as well as 187 specifically listed hazardous air pollutants (HAPs). The NYSDEC carries out both the State and Federal air permitting program. The two most common types of permit for air contamination sources are Title V Facility Permits and State Facility Permits.

The Title V Operating Permit Program under 40 CFR Part 70 requires sources that meet the definition of a "major source" of criteria pollutants or HAPs to apply for and obtain a Title V operating permit. State facility permits are issued to facilities that are not considered to be major source.

Given current land use (i.e., unimproved land) at the Action Alternative Sites, no sources of regulated air emissions currently exist (e.g., from boilers, generators, or other equipment).

Local Regulations

Monroe County and the Town of Henrietta do not have local ordinances pertaining to air quality standards.

3.2.2 Effects of the Proposed Action Alternative

Construction – Short Term Impacts

Construction activities would be performed in accordance with Federal and State air quality requirements. Construction-related emissions are generally short-term, but still could have adverse impacts on air quality, primarily due to the production of dust. Dust can result from a variety of activities, including excavation, grading, and vehicle travel on paved and unpaved surfaces. Dust from construction can lead to adverse health effects and nuisance concerns, such as reduced visibility on nearby roadways. Implementing best management practices (BMPs) will significantly reduces dust emissions from construction. The amount of dust is dependent on the intensity of the activity, soil type and conditions, wind speed, and dust suppression activities used. Implementation of BMPs, discussed below, would further minimize these anticipated less-than-significant adverse, short-term impacts.

Operations – Long Term Impacts

Over the long-term, the Proposed Action would result in emissions from operations of the CBOC (i.e. boilers, emergency generators) and an increase in vehicle traffic. Once the design plans are finalized the VA will secure any permits required from the NYSDEC, as appropriate and based on the final design. Long-term air quality impacts are considered minimal.

3.2.3 Effects of the No Action Alternative

As no action would occur under this alternative, a significant effect to the air quality would not be anticipated.

3.2.4 Best Management Practices – Air Quality

No project-specific BMPs are required. Implementing BMPs to reduce fugitive dust emissions during construction would further minimize the potential impacts on local air quality. BMPs during the construction phase include:

- Use appropriate dust suppression methods during onsite construction activities. Available methods include application of water, dust palliative, or soil stabilizers; use of enclosures, covers, silt fences, or wheel washers; and suspension of earth-moving activities during high wind conditions.

- Maintain an appropriate speed to minimize dust generated by vehicles and equipment on unpaved surfaces.
- Cover haul trucks with tarps.
- Stabilize previously disturbed areas through re-vegetation or mulching if the area would be inactive for several weeks or longer.
- Visually monitor all construction activities regularly, particularly during extended periods of dry weather, and implement dust control measures when appropriate.

These dust-reducing BMPs would be briefed to the construction contractors. The onsite construction manager would be responsible for addressing air quality issues if they arise. Implementation of these BMPs would reduce the potential for short-term adverse air quality impacts to acceptable levels, notably for nearby sensitive receptors (i.e., residential areas).

In addition, VA would secure any required, individual minor air emissions permits from the NYSDEC, as appropriate and based on the final design and prior to operation of the proposed CBOC.

3.3 Cultural Resources

The threshold of significance for the cultural resources attribute is a significant effect as defined in Section 106 of the National Historic Preservation Act of 1996. Cultural resources include both historic and prehistoric archaeological resources, as well as historic structures in the built environment.

3.3.1 Existing

All three Action Alternative Sites consist of undeveloped land and do not contain any structures that would be eligible for the National Register of Historic Places. A request for input on the Proposed Action, the New York State Office of Parks, Recreation, and Historic Preservation (State Historic Preservation Office, or SHPO) has been submitted regarding possible archeological resources. In response, the SHPO stated that none of the Action Alternative Sites include buildings or structures that are eligible for the National Register of Historic Places (NRHP). However, SHPO recommended a Phase I Archeological Investigation at all three Action Alternative Sites.

In response to SHPO's request, Panamerican Consultants, Inc., has been retained to conduct a Phase I Cultural Resource Investigation for the three sites. The project has been reviewed by the staff of the Archeology Unit of the SHPO, who determined that the project sites do not fall within known areas of archeological sensitivity. Their

recommendations are summarized below, and the full report is available as an attachment to this assessment:

- **Precontact Finds-** The precontact flake fragments found at Project Sites 1 and 2 are considered stray finds. The locations of the artifact finds are not considered archaeological sites with any research potential. All 16 close-interval STPs dug surrounding the two initial positive tests were negative for cultural resources. No buried features or artifact clusters were identified within the intensively shovel tested loci. Therefore, the precontact finds do not indicate the presence of archaeological sites that meet the criteria for eligibility for listing in the National Register of Historic Places (NRHP). No further investigation is recommended. Although neither precontact artifact-find location merit further investigation, OPRHP Prehistoric Archaeological Site Inventory Forms will be submitted to register them as stray/isolated finds.
- **Historic Finds-** As a result of the severely disturbed condition of the soils in the vicinity of the MDS locations at Project Sites 1 and 3 and the lack of significant artifact concentrations, neither location is considered an intact archaeological site. In addition, the structural ruins at Project Site 3 attributed to Orrin Todd and Orlow Beebee on historical maps do not possess architectural integrity or historic significance. Therefore, the historic ruins and artifacts found in disturbed soils without context do not indicate the presence of intact archaeological sites that meet criteria for eligibility for listing in the NRHP. No further investigation is recommended at either location. These disturbed finds are not considered intact archaeological sites. Therefore, OPRHP Historic Archaeological Site Inventory Forms will not be submitted using NYSHPOs CRIS unless requested by NYSHPO. Extant historic buildings outside the APE of the project sites (e.g., the extant cobblestone farmhouse outside the APE at 5582 West Henrietta Road) are not within an intact historic setting due to the presence of modern businesses already present in the surroundings. Therefore development within APE of this project will not have an adverse to a historic setting since none is present.

3.3.2 Effects of the Proposed Action Alternative

<u>Construction – Short Term Impacts</u>

Through compliance with the National Historic Preservation Act as well as consultation with the SHPO and Federally recognized Native American Tribes, the VA would maintain cultural resources effects at acceptable, less-than-significant levels.

3.3.3 Effects of the No Action Alternative

As no action would occur under this alternative a significant effect to cultural resources would not be anticipated.

3.3.4 Best Management Practices – Cultural Resources

If any archaeological resources are uncovered during construction, the contractor shall halt work in the area of discovery immediately and contact the project management who shall contact the SHPO to properly identify and appropriately treat discovered items in accordance with applicable State and Federal law(s).

3.3.5 Native American Consultation

For all Federal proposed actions, Federal agencies are required to consult with Federally-recognized Native American Tribes in accordance with the NEPA, the NHPA, the NAGPRA, and EO 13175. Eight federally-recognized Native American Tribes were contacted as part of this NEPA process, in accordance with 36 CFR Part 800.2 and EO 13175, Consultation and Coordination with Indian Tribal Governments, 6 November 2000. These Tribes, identified as having possible ancestral ties to the area by the Native American Consultation Database (NACD) and SHPO, were sent consultation letter. A sample letter sent to the tribes and their responses are included in Appendix B. The Tribes consulted included: the Cayuga Nation of New York, the Oneida Nation of New York, the Onondaga Nation of New York, the Seneca Nation of Indians, the Shinnecock Indian Nation, the St. Regis Band of Mohawk Indians of New York, the Tonawanda Band of Seneca Indians of New York, and the Tuscarora Nation of New York. However, at the time of this report no responses have not been received. Any response received will be incorporated in the Final EA.

3.4 Geology and Soils

Impacts to geology and soils are considered significant if the project result in an increased geologic hazard or a change in the availability of a geologic resource.

3.4.1 Existing

The Action Alternative Sites are included in the Eastern Lake Section of the Central Lowland located within the Interior Plains Province. This area is underlain by Cambrian and Ordovician-aged sedimentary rocks (primarily carbonate rocks, sandstone, and shale).

The sites are located in a low risk seismic zone, indicating some earthquakes have occurred and are expected, but little or no damage should result.

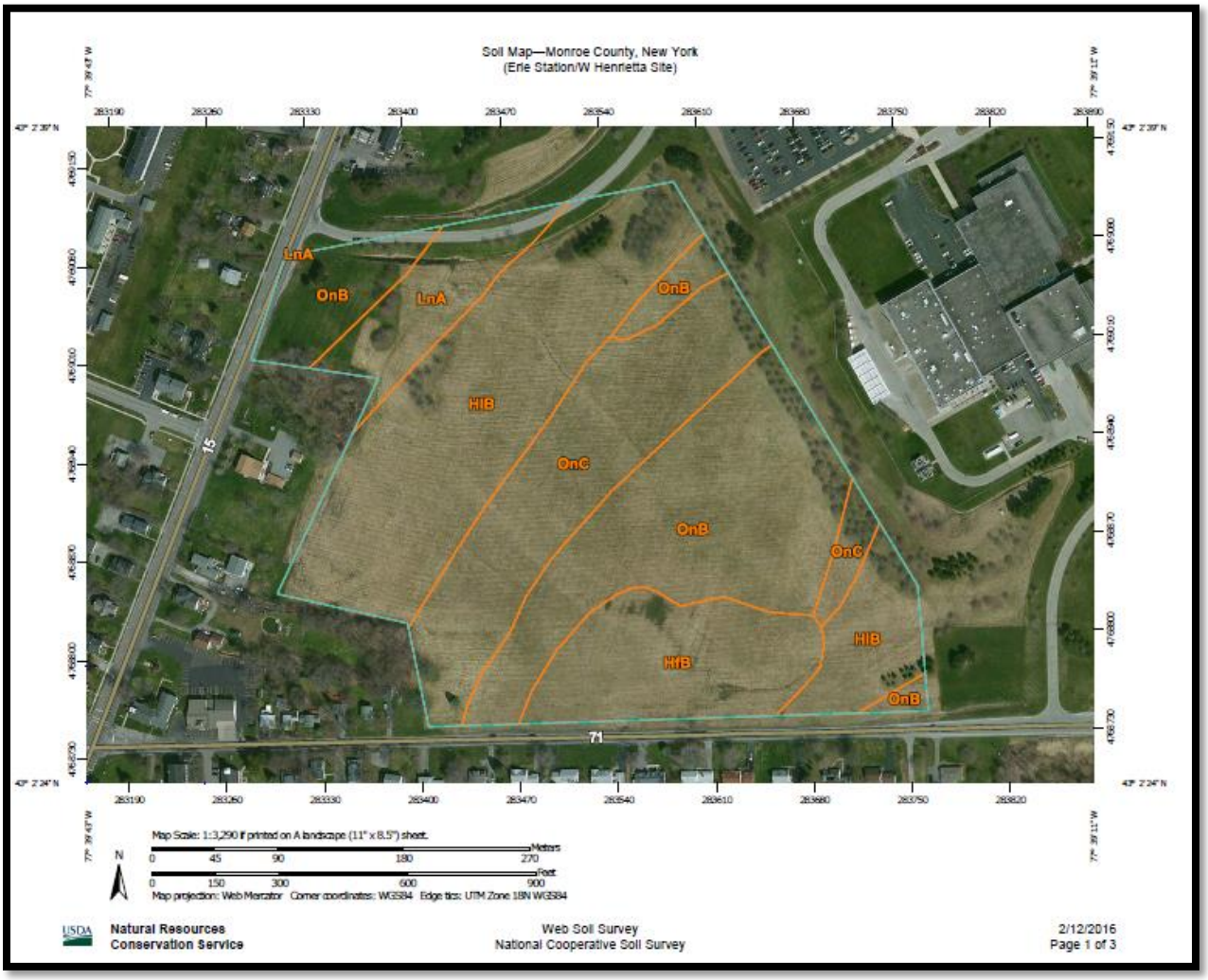
Site 1 - Erie Station/W. Henrietta Site

The West Henrietta New York United States Geological Survey (USGS) Topographic Quadrangle (Figure 3-1) indicates the topography at Site 1 slopes towards the north. The site consists of high point elevation of approximately 650 feet above mean sea level (MSL), located on the eastern portion of the site. The lowest point of elevation at the site is approximately 580 above MSL located on the northern portion of the site.

Figure 3-2 depicts the U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) National Cooperative Soil Survey for Site 1. The soil profile at the site consists mainly of fine sandy loam and gravely loam derived from limestone, sandstone and calcareous shale. Soils at the site are characterized as being moderately well to well drained.

Figure 3-1 Site 1 - Topographic Map

Figure 3-2 Site 1 – Soil Map



Map Unit Legend

Monroe County, New York (NY055)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
HfB	Hilton fine sandy loam, 3 to 8 percent slopes	3.8	11.8%
HlB	Hilton loam, 3 to 8 percent slopes	10.4	32.4%
LnA	Lima silt loam, 0 to 3 percent slopes	2.1	6.6%
OnB	Ontario loam, 3 to 8 percent slopes	9.4	29.2%
OnC	Ontario loam, 8 to 15 percent slopes	6.4	19.9%
Totals for Area of Interest		**32.1**	**100.0%**

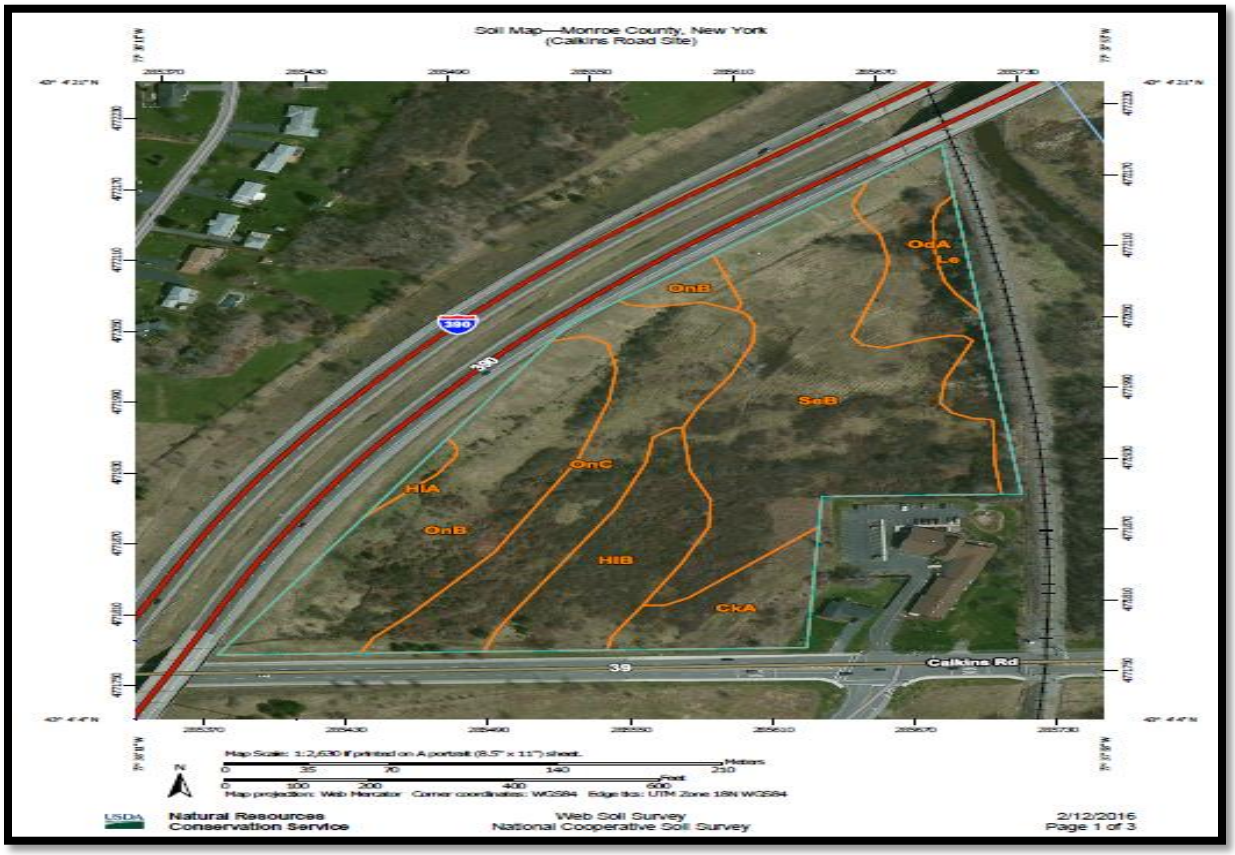
Site 2 - Calkins Road Site

Topography at Site 2 slopes gently to the east (Figure 3-3). The site has a high point elevation of approximately 565 feet above MSL and a low point of approximately 545 feet at the eastern portion of the site.

Figure 3-4 depicts the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) National Cooperative Soil Survey for the property located at site 2. The soil profile at the site consists mainly of loam, fine sandy loam, gravely loam and clay derived from limestone, sandstone and glaciolacustrine deposits. Soils at the site are characterized as being moderately well to well drained.

Figure 3-3 Site 2 - Topographic Map

Figure 3-4 Site 2 – Soil Map



Map Unit Legend

Monroe County, New York (NY055)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
CkA	Claverack loamy fine sand, 0 to 2 percent slopes	1.2	6.6%
HlA	Hilton loam, 0 to 3 percent slopes	0.1	0.7%
HlB	Hilton loam, 3 to 8 percent slopes	1.9	10.2%
Le	Lakemont silt loam, 0 to 3 percent slopes	0.2	1.3%
OdA	Odessa silt loam, 0 to 2 percent slopes	1.7	9.3%
OnB	Ontario loam, 3 to 8 percent slopes	4.1	22.3%
OnC	Ontario loam, 8 to 15 percent slopes	3.1	17.0%
SeB	Schoharie silt loam, 2 to 6 percent slopes	6.0	32.7%
Totals for Area of Interest		**18.3**	**100.0%**

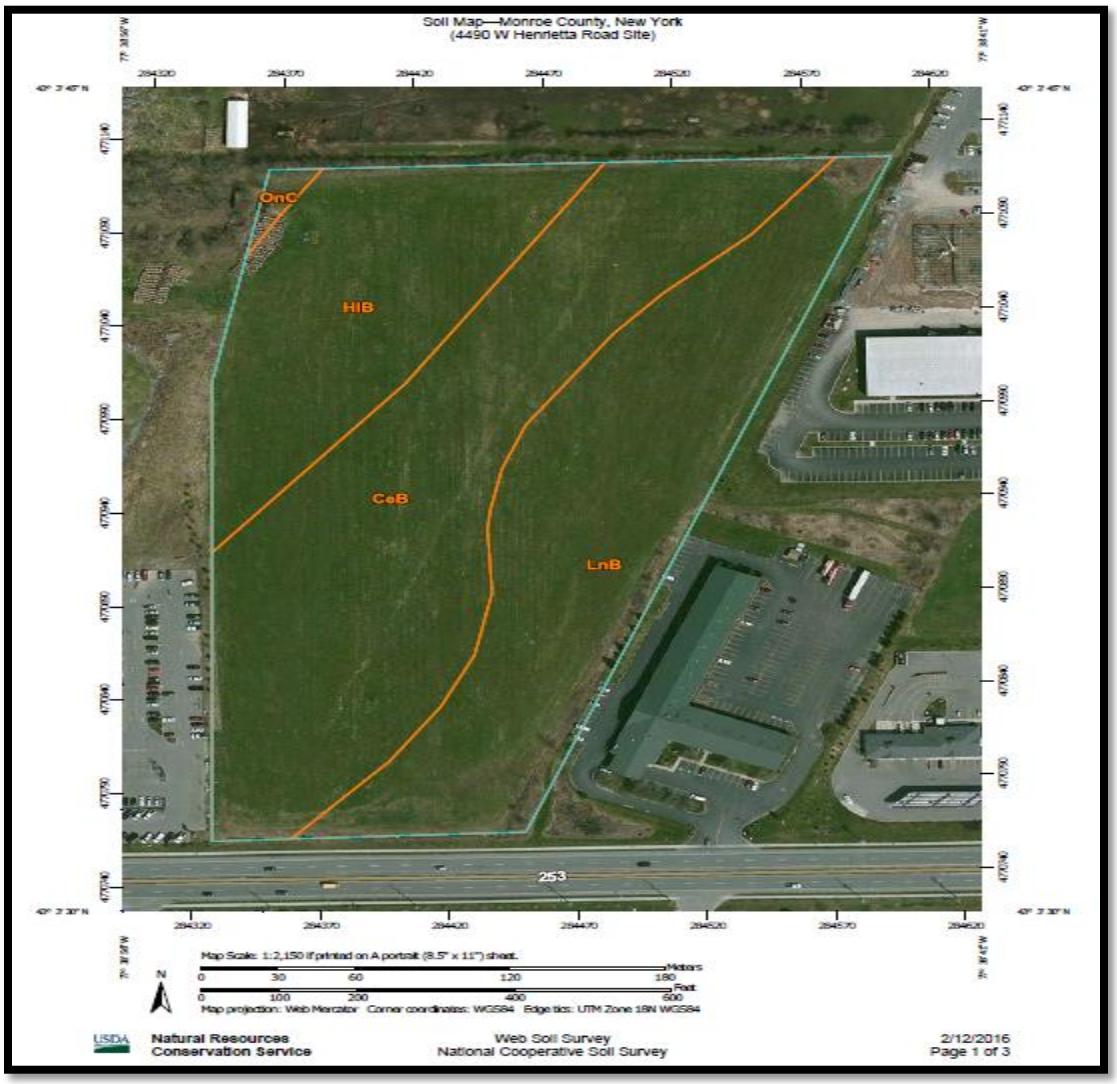
Site 3 - 4490 W. Henrietta Road Site

Topography at site 3 slopes gently to the east (Figure 3-5). The site has a high point elevation of approximately 600 feet above MSL and a low point of approximately 585 feet above MSL.

Figure 3-6 depicts the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) National Cooperative Soil Survey for the property located at site 2. The soil profile at the site consists mainly of loam, fine sandy loam, gravely loam and clay derived from limestone, sandstone and glaciolacustrine deposits. Soils at the site are characterized as being moderately well drained.

Figure 3-5 Site 3 - Topographic Map

Figure 3-6 Site 3 – Soil Map



Map Unit Legend

Monroe County, New York (NY055)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
CeB	Cayuga silt loam, 2 to 6 percent slopes	7.1	42.6%
HlB	Hilton loam, 3 to 8 percent slopes	3.7	21.8%
LnB	Lima silt loam, 3 to 8 percent slopes	5.9	34.9%
OnC	Ontario loam, 8 to 15 percent slopes	0.1	0.7%
Totals for Area of Interest		**16.8**	**100.0%**

3.4.2 Effects of the Proposed Action Alternative

Construction – Short Term Impacts

During construction of the future CBOC, less-than-significant, direct and indirect, short-term adverse soil erosion and sedimentation impacts would be possible. The construction plans will contain soil erosion and sediment control BMPs, as part of a construction Storm Water Pollution Prevention Plan (SWPPP), to address soil intrusive activities including clearing, grubbing, grading, excavating and temporary stockpiling of site soils. A construction State Pollution Discharge Elimination System (SPDES) permit will be required due to soil intrusive activities. BMPs will also address requirements for proper maintenance of construction equipment, spill response procedures and construction equipment refueling requirements to reduce the potential for discharge of petroleum or other hazardous materials to the environment. Therefore, a significant effect during construction is not anticipated.

Operations – Long Term Impacts

Once construction is complete, no long-term soil erosion and sedimentation impacts would be anticipated due to the nature of the Proposed Action. Long-term soil erosion impacts could occur as a result of increased impervious surfaces onsite; these effects would be mitigated by including an appropriately designed storm water system as part of final site design.

In addition, BMPs will be utilized at the site to reduce the potential for subsurface soil discharge of hazardous waste. Routine maintenance activities such as landscaping, irrigation system maintenance and pavement maintenance utilize BMPs to reduce sediment, oil-grease and other pollutants from being discharged to site soils. Therefore, a significant effect during normal operations is not anticipated.

Prime Farmland Soils

All three Action Alternatives Sites are comprised of soils classified as prime farmland and farmland of statewide importance. The three Action Alternative Sites are not currently farmed or located within Agricultural Districts established by Monroe County. The Proposed Action would irreversibly convert prime farmland into non-agricultural use. As such, all of the Action Alternative Sites would be subject to the Farmland Protection Policy Act (FPPA) requirements. The VA would be required to complete, a Farmland Conversion Impact Rating (Form AD-1006) for the Proposed Action. This process evaluates the relative value of the site as farmland compared to other farmland in the area, and assesses the site by examining the site, surrounding areas, and the programs and policies of the State or local government agency. Based on the characteristics of the

Action Alternative Sites and surrounding areas, the Proposed Action is anticipated to have a less-than-significant adverse impact on prime farmland soils.

3.4.3 Effects of the No Action Alternative

As no action would occur under this alternative, a significant effect would not be anticipated.

3.4.4 Best Management Practices – Geology and Soils

Short-term erosion and sedimentation impacts could be minimized during the construction phase through implementation of the following BMPs:

- Design, install, and maintain erosion and sediment controls during the duration of construction activities and any subsequent soil disturbance activities near site drainages. Such controls may include silt fences, runoff control berms, erosion control fabric, and rip-rap.
- Minimize the amount of exposed soils at any given time during construction activities. Quickly re-vegetate disturbed areas following completion of activities.
- Minimize the disturbance of steep slopes.
- Provide an undisturbed natural buffer between the activity area and surface drainages (namely Tommy Run), and direct storm water runoff to vegetated areas.
- Develop a Storm Water Pollution Prevention Plan, consistent with the requirements of the SPDES permit.
- Implement spill and leak prevention and response procedures.

Long-term soil erosion impacts would occur as a result of increased impervious surfaces onsite; these effects would be mitigated by including appropriately designed storm water systems as part of final site design.

To satisfy the requirements of FPPA, VA would complete Form AD-1006, Farmland Conversion Impact Rating, and submit the completed form to the local USDA NRCS office.

3.5 Hydrology and Water Quality

Impacts to hydrology and water quality would be considered significant if the proposed action causes substantial flooding, erosion, or siltation; adversely affecting any significant water body or groundwater resource; or resulting in substantial alteration of surface water drainage.

3.5.1 Existing

The three Action Alternative Sites are located in the Lower Genesee River sub-watershed, within the Genesee River Watershed. No surface water resources or wetland are located on any to the three Action Alternative sites. Red Creek and its tributaries are located in the general area of all three Action Alternative Sites. Currently storm water at the three Action Alternative Sites percolates into surrounding soil or evaporates, due to the lack of impervious surfaces on the site.

3.5.2 Effects of the Proposed Action Alternative

Construction – Short Term Impacts

During the construction phase, less-than-significant, storm water runoff could result in sediment and other construction related pollutants entering storm drainage systems or surface waters. The construction plans will contain soil erosion and sediment control BMPs, as part of a construction SWPPP, to address soil intrusive activities including clearing, grubbing, grading, excavating and temporary stockpiling of site soils. A construction SPDES general permit will be required due to soil intrusive activities. BMPs will also address requirements for proper maintenance of construction equipment, spill response procedures and construction equipment refueling requirements to reduce the potential for discharge of petroleum or other hazardous materials to the environment. Therefore, a significant effect during construction is not anticipated.

Operations – Long Term Impacts

The proposed action would have an effect of the hydrology and water quality due to the increase of impervious area. These effects would be mitigated by including environmentally sensitive site design and following good engineering practices including appropriately designed storm water systems as part of final site design. Therefore, a significant effect during the normal operating condition to hydrology and water quality is not anticipated.

3.5.3 Effects of the No Action Alternative

As no action would occur under this alternative a significant effect to hydrology and water quality would not be anticipated.

3.5.4 Best Management Practices – Hydrology and Water Quality

The VA would ensure the site design includes sufficient, properly engineered storm water management infrastructure so as to not adversely affect the flood elevations or water quantity/quality in receiving waters and/or offsite areas. Post-project hydrology

shall replicate pre-project hydrology through the appropriate engineering design and implementation of a proposed storm water management system located at the site,

The VA would implement BMPs to reduce soil erosion and sedimentation impacts as described in Section 3.4.4.

3.6 Wildlife and Habitat

The threshold of significance for the Wildlife and Habitat attribute is the Endangered Species Act or the NYSDEC Endangered and Threatened Species Regulations. The Endangered Species Act prohibits projects that impact species of fish or wildlife that are in danger of extinction, or that endanger the designated critical habitat of these species. The NYSDEC identifies Priority Habitats and Species that warrant additional protection or special management.

3.6.1 Existing

All three Action Alternative Sites consist of undeveloped land, made up of meadow-type vegetation. The vegetation on Site 1 and Site 3 are maintained grass and contain some trees along the borders. Site 2 is unmaintained grasses and other non-woody vegetation with scattered trees throughout the site.

Under Section 7 of the Endangered Species Act, Federal agencies must consult with the U.S. Fish and Wildlife Service (USFWS) when any action the agency carries out, funds, or authorizes *may affect* a listed endangered or threatened species. The initial consultation has identified one federally threatened species within Monroe County. In addition 19 species of migratory birds have also been identified in the area.

The NYSDEC did not identify state listed species within the Action Alternative Sites.

3.6.2 Effects of the Proposed Action Alternative

<u>Construction – Short Term Impacts</u>

Construction activities would displace common wildlife that inhabit the sites for nesting, foraging, or cover and potentially cause direct mortality of less mobile subterranean species, such as moles. The typical terrestrial wildlife species that could be impacted are widely distributed; thus, loss of some individuals and habitat would not measurably impact population abundance or distribution throughout their range.

Any initial clearing of an area within the project site that occurs during the bird breeding season (generally April through July) could impact nesting migratory birds, protected under the *Migratory Bird Treaty Act*. Construction plans will contain impact minimization

procedures. Impact minimization procedures would include ensuring that any initial ground clearing from April through July includes awareness of the potential for ground-nesting birds during walk-through observations by project or construction personnel immediately before initial clearing of an area. For nesting sites discovered within active or imminent construction areas, nest protection practices would be developed on a case-by-case basis in consideration of nest location, bird species and habitat requirements, expected duration of nesting activity, and the location, type, and duration of construction activities.

The northern long-eared bat, a federally threatened species, had been identified within Monroe County. The northern long-eared bat is a wide-ranging species that is found in a variety of forested habitats in summer and hibernates in caves, mines, and other locations in winter. Most of the area proposed for development is open, with a few widely scattered trees. Due to limited tree disturbance, the proposed project would have no effect on the northern long-eared bat or their habitat.

There are no federal wilderness areas, wildlife refuges, or designated critical habitat within the Action Alternative Sites.

Impacts to wildlife and habitat from the construction phase would be less than significant, and could be further minimized through the procedures described above.

Operations – Long Term Impacts

Proposed landscaping would, where feasible, be restored to existing or improved conditions. As threatened or endangered species or state priority listed species are not anticipated to be impacted, a significant effect to wildlife and habitat during operation is not anticipated.

3.6.3 Effects of the No Action Alternative

As no action would occur under this alternative a significant effect on wildlife and habitat would not be anticipated.

3.6.4 Best Management Practices – Wildlife and Habitat

If construction is proposed during the breeding season (generally April through July), a pre-construction migratory bird nest survey shall be conducted within 30 days prior to the beginning of construction activities to identify active nests within the vicinity of the project. If no active nests are identified, further mitigation is not required. If active nests are found within a quarter-mile (1320 foot), temporary nest disturbance buffers shall be established.

3.7 Noise

Impacts from noise would be considered significant if the project generates new sources of substantial noise, increases the intensity or duration of noise levels to sensitive receptors, or results in exposure at unacceptable levels.

3.7.1 Existing

The existing noise environment around the Action Alternative Sites is dominated by vehicular traffic along adjoining roadways (i.e., New York State Thruway and Interstate 390). Contributions to the existing noise environment come from the commercial and industrial businesses in the area. As such, the noise environment of the sites can be characterized as that typical of a mixed-use suburban area.

3.7.2 Effects of the Proposed Action Alternative

Construction – Short Term Impacts

During construction, the sound of equipment would cause background noise. These impacts would be mitigated by the requirements in the VA specification "Environmental Protection" controlling noise levels and adherence to appropriate Occupational Safety and Health Administration (OSHA) standards would protect the workforce from excessive noise (29 CFR 1926.52). These impacts would be temporary for the duration of the construction period and limited to daytime hours. Since construction related noise impacts are temporary in nature and would not expose people residing or working in the area to severe noise levels, it is anticipated that the impacts to residences would not exceed the OSHA noise limit. In addition, no work at night is anticipated at this time. Based upon the above, a significant effect due to noise is not anticipated.

Operations – Long Term Impacts

The Proposed Action would result in an increase of vehicle traffic. These effects would be minor due to the mixed-use suburban nature of the area.

In addition, VA campus participates in a hearing conservation program for employees which include assessing BMPs to reduce noise from routine activities.

Based upon the above, a significant noise impact from normal operations is not anticipated.

3.7.3 Effects of the No Action Alternative

As no action would occur under this alternative, a significant effect to noise would not be anticipated.

3.7.4 Best Management Practices – Noise

No project-specific BMPs measures are required. Implementing BMPs to reduce noise generated during construction would further minimize the potential impacts on the local noise environment. To minimize the potential for adverse, short-term noise impacts, the construction contractor would implement the following typical noise control BMPs, as applicable.

- Comply, to the extent practicable, with the NYSDEC Assessing and Mitigating Noise Impacts Policy.
- VA would make best efforts to conduct construction activities between the hours of 7:00 a.m. and 7:00 p.m. (weekdays) and 8:00 a.m. and 7:00 p.m. (weekends and legal holidays).
- Coordinate proposed construction activities in advance with adjacent sensitive receptors. Let the local residents know what operations would be occurring at what times, including when they would start and when they would finish each day. Post signage, updated daily, at the entry points of the site providing current construction information, including schedule and activity.
- Locate stationary operating equipment as far away from sensitive receptors as possible.
- Select material transportation routes as far away from sensitive receptors as possible.
- Shut down noise-generating heavy equipment when it is not needed.
- Maintain noisy equipment per manufacturer's recommendations.
- Encourage construction personnel to operate equipment in the quietest manner practicable (e.g., speed restrictions, retarder brake restrictions, engine speed restrictions, etc.).

Implementation of these BMPs would reduce the potential for short-term adverse noise impacts to acceptable levels, notably for nearby sensitive receptors (nearby residents).

3.8 Land Use

The threshold of significance for the land use attribute consists of general conformance with the zoned use. Use not in compliance with the zoned use would constitute a significant effect, although as a Federal agency, the VA is not subject to local zoning requirements.

3.8.1 Existing

Site 1

Site 1 is undeveloped land. The site zoning designation is industrial - high tech. manufacturing and processing. Delphi's Rochester Technical Center is located on the eastern portion of the property. The Delphi facility consists of an approximately 400,000 square foot building and parking lot with undeveloped land to the north. Residential properties are located to the south along the opposite side of Erie Station Road. Adjacent properties to the south and west on West Henrietta Road and Erie Station Road include residential properties, commercial properties, the West Henrietta Fire Department, and US Post Office. In addition, there is a gas station located to the north of the property.

Site 2

Site 2 is undeveloped land. The site zoning designation is vacant land in a commercial area. The property is bordered by Interstate 390 to the north and west and Calkins Road to the south. The Henrietta Volunteer Ambulance Service borders the property to the southeast. Railroad tracks are located to the east of the property followed by undeveloped land.

Site 3

Site 3 is undeveloped land. The site zoning designation is agricultural. The site is bordered by Lehigh Station Road to the south followed by commercial and industrial properties. Motels are located to the south east and northwest of the property and on the south side of Lehigh Station Road. A car dealership is located to the southwest and an industrial park is located to the northeast. In addition, there are two residential properties located to the northwest along W. Henrietta Road.

3.8.2 Effects of the Proposed Action Alternative

Construction – Short Term Impacts

Short-term dust and noise from construction have the potential to adversely affect adjacent offsite areas and land uses, including nearby sensitive receptors (residences). BMPs would be used to reduce construction dust and noise emissions to the maximum extent possible, in accordance with local ordinances and requirements; no long-term dust or noise effects are anticipated. Implementation of these BMPs and compliance with local requirements would result in short-term, less-than-significant effects to adjacent land uses.

Operations – Long Term Impacts

As a Federal agency, the VA is not subject to local zoning regulations. However, the proposed CBOC is generally compatible with the surrounding land uses. Therefore, the proposed action is not anticipated to have an adverse effect on the land use in the vicinity of the project.

3.8.3 Effects of the No Action Alternative

As no action would occur under this alternative, a significant effect to land use would not be anticipated as the current use is consistent with the zoned use of the property.

3.8.4 Best Management Practices – Land Use

No project-specific BMPs are required.

3.9 Floodplains, Wetlands, and Coastal Zone Management

Impacts to floodplains, wetlands, and coastal zone management would be considered significant if the project would subject people or property to flooding, adversely affect wetlands, or adversely affect coastal resources.

3.9.1 Existing

Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map database was reviewed for flood zoning designation for the Action Alternative Sites. The database indicated the three Action Alternative Sites are not located within floodplains. Information provided by USFWS Online Wetlands Mapper (Figure 3-7) indicates the three Action Alternative Sites do not include mapped wetlands. The three Action Alternative Sites are not located within Coastal Zones.

Figure 3-7 Site 1 – Wetlands Map

Figure 3-8 Site 2 – Wetlands Map

Figure 3-9 Site 3 – Wetlands Map

3.9.2 Effects of the Proposed Action Alternative

Construction – Short Term Impacts

There are no floodplains, wetlands or coastal zone within the three Action Alternative Sites; therefore there would be no impact.

Operations – Long Term Impacts

There are no floodplains, wetlands or coastal zone within the three Action Alternative Sites; therefore, there would be no impact.

3.9.3 Effects of the No Action Alternative

As no action would occur under this alternative, a significant effect would not be anticipated.

3.9.4 Best Management Practices – Floodplains, Wetlands, and Coastal Zone Management

No project-specific BMPs are required.

3.10 Socioeconomics

Impacts to socioeconomics are considered significant if the project adversely affects the local economy or results in a substantial increase in the resident population.

3.10.1 Existing

The Town of Henrietta is located within Monroe County, New York with a 2010 census population of 42,581. The Town covers an area of approximately 35.6 square miles. The median income for a household in the town was $51,081, and the median income for a family was $60,803.

3.10.2 Effects of the Proposed Action Alternative

Construction – Short Term Impacts

Temporary impacts would occur during construction and activation through the purchase of materials, supplies, and construction workers. Construction of the proposed action is not anticipated to have a significant adverse effect on socioeconomics.

Operations – Long Term Impacts

No new permanent jobs would be created as a result of this project. Therefore, a long-term significant effect resulting from the project is not anticipated.

3.10.3 Effects of the No Action Alternative

As no action would occur under this alternative a significant effect to socioeconomics would not be anticipated.

3.10.4 Best Management Practices – Socioeconomics

No project-specific BMPs are required.

3.11 Community Service

The threshold of significance for the community service attribute is impact to employment within the vicinity and increased demand for community services including schools, police and fire departments.

3.11.1 Existing

All three Action Alternative Site are located within the Town Of Henrietta. Henrietta is located in the Rush–Henrietta Central School District. The Monroe County Sherriff's Department and the New York State Police provide police protection within the area. Henrietta Fire District provides fire protection and emergency medical services for the Town Henrietta.

3.11.2 Effects of the Proposed Action Alternative

Construction – Short Term Impacts

No significant additional load is expected to be placed on the fire or police departments during the construction phase, security would be provided by project personnel during works hours and the site will be secured when personnel are not on site. In addition, impacts to community services such as schools associated with construction worker dependents is not anticipated as it is likely construction workers would be retained from the local labor force within the vicinity.

Based on the above information, a significant effect to community services during construction is not anticipated.

Operations – Long Term Impacts

No significant additional load is expected to be placed on the fire or police departments as a result of the operations of the proposed CBOC. As the number of employed people during the normal operations is anticipated to be similar to existing conditions at the current Rochester CBOC, an additional impact to community services is not anticipated. Based upon the above information, a significant effect to the community service attribute from long-term normal operations is not anticipated.

3.11.3 Effects of the No Action Alternative

As no action would occur under this alternative a significant effect would not be anticipated.

3.11.4 Best Management Practices – Community Service

No project-specific BMPs are required.

3.12 Solid and Hazardous Materials

Impacts to solid and hazardous materials are considered significant if project would result in a substantial increase in the generation of hazardous waste, increase the exposure of persons to hazardous or toxic substances, or increase the presence of hazardous or toxic materials in the environment.

3.12.1 Existing

Solid and hazardous materials are currently not generated or stored at the three Action Alternative Sites. In addition, a review of Phase I – Environmental Site Assessments previously conducted for all three Action Alternative Sites identified no evidence of negative environmental impacts on the site and no recognized environmental conditions (RECs) warranting further action or investigation at the sites. In addition, a review of reasonably ascertainable public documents did not identify evidence of known or reported environmental impacts related to petroleum or hazardous materials in the vicinity of the site that were considered likely to impact the site.

3.12.2 Effects of the Proposed Action Alternative

Construction – Short Term Impacts

Hazardous waste is not anticipated to be generated during construction. Construction-related activities under the Proposed Action have the potential to generate solid waste. However, solid waste generation from these activities is anticipated to be a minor

contributor to overall solid waste generation in the region and would not result in adverse impacts. Excavated soils would be reutilized onsite in accordance with site design specifications. Excess soils could be reutilized offsite. Staging and operation of construction equipment carries an increased potential for incidental releases of vehicle fluids. Proper vehicle maintenance and inspection would reduce this potential, and adverse impacts are not expected. Therefore, a significant effect during normal operating condition is not anticipated.

Operations – Long Term Impacts

No significant adverse long-term impacts during operations are anticipated; long-term operational solid and hazardous materials would be managed in accordance with VA's solid and hazardous materials standard operating procedures (SOPs) and applicable Federal and State laws. Therefore, a significant effect during normal operating condition is not anticipated.

3.12.3 Effects of the No Action Alternative

As no action would occur under this alternative a significant effect would not be anticipated.

3.12.4 Best Management Practices – Solid and Hazardous Materials

The VA shall follow all pertinent Federal and State regulations for waste disposal, as project specifications related to construction activities.

3.13 Transportation and Parking

Impacts are considered significant if the project would increase demand on transportation infrastructure in excess of infrastructure capacity.

3.13.1 Existing

Major roadways providing access to all three Action Alternative Site include New York State Thruway and Interstate 390. The average daily traffic (ADT) on the New York State Thruway near the Interstate 390 interchange is 40,448 vehicles per a day. The ADT on Interstate 390 is 27,500 cars per a day. ADT volumes were obtained from New York State Department of Transportation (NYSDOT) Traffic Data Viewer.

Site 1

Access to Site 1, would be provided directly from West Henrietta Road and Erie Station Road. West Henrietta Road is a generally north-south oriented four lane paved roadway

along the western boundary. Erie Station Road is a two lane roadway, oriented east-west located along the southern boundary. ADT on West Henrietta Road in the vicinity of site 1 is 10,281 vehicles per a day. The ADT on Erie Station Road along the southern boundary is 1,699 vehicles per a day.

Site 2

Access to Site 2, would be provided directly from Calkins Road an east-west oriented four lane paved roadway along the southern boundary. The ADT on Calkins Road in the vicinity of site 2 is 13,663 vehicles per a day.

Site 3

Access to Site 3, would be provide directly from Lehigh Station Road along the southern boundary and West Henrietta Road along the western boundary. Both Roads are four lane paved roadways. Lehigh Station Road in oriented east-west and West Henrietta Road is oriented north-south. The ADT on Lehigh Station Road in the vicinity site 3 is 22,623 vehicles per a day. The ADT on West Henrietta Road in the vicinity of site 3 is 14,941.

3.13.2 Effects of the Proposed Action Alternative

Construction – Short Term Impacts

Construction-related traffic would be temporary in nature and limited in extent, and would not result in long-term increases in traffic volumes in the neighborhood. Therefore, a significant effect during normal operating condition is not anticipated.

Operations – Long Term Impacts

During operation, public roadways in the vicinity of the proposed CBOC would experience additional traffic. Given the proposed operational use, traffic generated by the Proposed Action would occur throughout the day Monday through Friday. Based on the proposed maximum usage estimates, operational traffic would not produce a significant adverse impact to local traffic conditions as defined at 38 CFR 26.6(a) (2)(ii); this regulation defines a significant traffic impact as “an increase in average daily traffic volume of at least 20 percent on access roads to a site or the major roadway network.”

In addition, the proposed CBOC would be designed and constructed to accommodate all parking on-site; therefore, no parking impacts are anticipated.

3.13.3 Effects of the No Action Alternative

As no action would occur under this alternative a significant effect to transportation and parking would not be anticipated.

3.13.4 Best Management Practices – Transportation and Parking

No project-specific BMPs are required. Implementing BMPs to reduce transportation impacts would further minimize the potential impacts on local roadways. As part of the Proposed Action, transportation impacts would be maintained at acceptable levels through implementation of the following BMPs:

- VA would obtain any necessary permits from NYSDOT or the County Highway Departments.
- VA would coordinate with local officials and NYSDOT to ensure that construction and operational traffic are considered in the planning of future transportation improvements in the vicinity of the selected site.
- VA would work with NYSDOT, Monroe County Highway Department and/or the Henrietta Highway Department to identify and implement roadway improvements, as necessary, such as turn lanes and signalization.
- VA would ensure debris and/or soil is not deposited on local roadways during the construction period.
- VA would ensure construction activities do not adversely affect traffic flow on local roadways; construction would be timed to avoid peak travel hours.

Implementation of these BMPs would ensure transportation impacts are maintained at less-than-significant levels by properly controlling and limiting impacts to local traffic and transportation infrastructure during construction and operation.

3.14 Utilities

Impacts to utilities are considered significant if the project generates a substantial number of new service connections or substantially increases the demand on existing utilities.

3.14.1 Existing

The three Action Alternative Sites are currently undeveloped and are no utilities (i.e., water, sewer, electric, and natural gas) currently provided to the Sites. All major utility services are available in the immediate area of the Sites.

Rochester Gas & Electric has confirmed service for both gas and electric to all three Action Alternative sites.

Monroe county supplies potable water to the site and has supplied the following summary:

Site 1: Potential tap connection locations: The existing 10-inch water main (WM) in W Henrietta Rd and/or the 8-inch WM in Erie Station Rd is available, as shown on the attachment. Although the 24-inch WM seems to be another tap connection option, a service tap off this transmission main may require additional in-house discussion/approval in light of the parallel 8-inch WM within close proximity.

Site 2: The existing 12-inch WM in Calkins Rd would be the only potential tap connection location (unless your client is, in the highly unlikely event, to extend a public WM/service along the Railroad ROW/easement.)

Site 3: Potential tap connection locations: The existing 10-inch WM in W Henrietta Rd and/or the 24" WM in Lehigh Station Rd are available.

3.14.2 Effects of the Proposed Action Alternative

Construction – Short Term Impacts

During construction, the proposed project would bring on required utilities to the project sites. Therefore, no significant adverse impact to local utilities is anticipated.

Operations – Long Term Impacts

VA would be required to submit design plans to the utility providers to determine the specific connection requirements and obtain permits to connect to the services. The VA will comply with the Town of Henrietta's policies and standards (as applicable) for connecting to utilities. No significant adverse impact to local utilities is anticipated.

3.14.3 Effects of the No Action Alternative

As no action would occur under this alternative a significant effect to utilities would not be anticipated.

3.14.4 Best Management Practices – Utilities

3.15 Environmental Justice

Significant impacts would occur if the project disproportionately affects minority or low-income populations.

3.15.1 Existing

Executive Order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,* requires Federal agencies to evaluate whether their programs, policies, and activities have disproportionately high and adverse human health or environmental effects on human health and environmental conditions in minority and low-income communities. For purposes of this analysis, minority and low-income populations are defined as:

- Minority Populations: Persons of Hispanic origin of any race, Black or African Americans, American Indians, Eskimos, Aleuts, Asians, or Pacific Islanders.
- Low-Income Populations: Persons living below the poverty level, based on a total annual income of $23,050 for a family of four persons as reported in the 2012 census.

The 2010 Census indicates a population of 42,581 in the Town of Henrietta. The majority of the population consists of Caucasian (80%), with minority populations of Black or African American (8.5%), Asian (7.2%), Hispanic or Latino (4.3%), or Native American (0.2%).

No specific concentrations of minority or low-income populations are located in the vicinities of the Action Alternative Sites.

3.15.2 Effects of the Proposed Action Alternative

Construction – Short Term Impacts

Construction of the proposed action is not anticipated to change minority or low income population affected environments including air, water, land use, or natural resources as no specific concentrations of minority or low-income populations are located in the vicinities of the Action Alternative Sites

Operations – Long Term Impacts

No specific concentrations of minority or low-income populations are located in the vicinities of the Action Alternative Sites. Therefore, a significant effect as defined in Executive Order 12898 is not anticipated.

3.15.3 Effects of the No Action Alternative

As no action would occur under this alternative a significant effect to environmental justice would not be anticipated.

3.15.4 Best Management Practices – Environmental Justice

No project-specific BMPs are required.

3.16 Cumulative Impacts

As defined by CEQ Regulations in 40 CFR Part 1508.7, cumulative impacts on the environment are those which "result from the incremental impact of the Proposed Action when added to other past, present, and reasonably foreseeable future actions, without regard to the agency (Federal or non-Federal) or individual who undertakes such other actions taking place over a period of time." Cumulative impacts can result from individually minor but collectively significant actions taking place during the duration of the Proposed Action in the same geographic area.

Through BMPs and implementation of regulation (including EPA, OSHA, NYSDEC) the proposed project's incremental contribution to any significant cumulative impact will be rendered less than cumulatively considerable and thus is not significant.

3.17 Potential for Generating Substantial Controversy

Controversy over impacts from construction or disturbance to the project site, construction related congestion, site appearance, and increased traffic are all possible issues that could raise public controversy. Measures including consultation, avoidance, and design will be incorporated to address any potential controversy.

4.0 PUBLIC INVOLVEMENT

The Draft EA will be submitted to federal, state, and local government agencies, and made available to the public for review and comment. The VA will consider all comments in the preparation of the Final EA.

5.0 BEST MANAGEMENT PRACTICES

Compliance with regulations and use of BMPs would be implemented during the design, construction and operations of this Proposed Action to reduce potential negative environmental impacts. The BMPs for the Proposed Action are summarized below.

Resource	Proposed Action Impacts	Proposed Best Management Practices	No Action Alternative Impacts
Aesthetics	Construction of a new building would impact the visual aesthetics during construction and operations.	The construction contractor shall place temporary fencing with green fabric screen construction areas All areas disturbed during construction, including temporary staging and disturbance areas, where feasible, shall be restored or re-vegetated to their pre-existing condition or better. The landscaping would transition from the campus to the neighboring properties and provide year-round interest in the landscape with form, color, and textures	No impact would occur
Air Quality	Some impact on air quality is anticipated during the construction and operations	BMPs will be implemented to reduce emissions during construction Any required, individual minor air emissions permits from the NYSDEC, as appropriate and based on the final design	No impact would occur
Cultural Resources	Archaeological and historical resources are not anticipated to be encountered during construction and operation.	If any archaeological resources are uncovered during construction, the contractor shall halt work in the area of discovery immediately and contact the project management who shall contact the SHPO to properly identify and appropriately treat discovered items in accordance with applicable State and Federal law(s).	No impact would occur
Geology and Soils	Construction activities and operational activities could cause soil erosion due to the loss of impervious	Short-term erosion and sedimentation impacts could be minimized during the construction phase through implementation of the BMPs Long-term soil erosion impact would be mitigated by including	No impact would occur

	surfaces. The development of the Sites would irreversibly convert prime farmland into non-agricultural use.	appropriately designed storm water system as part of final site design. The VA would complete Form AD-1006, Farmland Conversion Impact Rating, and submit the completed form to the local USDA NRCS office.	
Hydrogeology and Water Quality	The proposed action would have an effect of the hydrology and water quality due to the increase of impervious area.	Site design will include sufficient, properly engineered storm water management infrastructure so as to not adversely affect the flood elevations or water quantity/quality in receiving waters and/or offsite areas.	No impact would occur
Wildlife and Habitat	Clearing of the site could impact nesting migratory birds, protected under the *Migratory Bird Treaty Act*.	If construction is proposed during the breeding season (generally April through July), a pre-construction migratory bird nest survey shall be conducted within 30 days prior to the beginning of construction activities to identify active nests within the vicinity of the project. If no active nests are identified, further mitigation is not required. If active nests are found within a quarter-mile (1320 foot) temporary nest disturbance buffer shall be established.	No impact would occur
Noise	There would be a temporary increase in noise during construction	Implementing BMPs to reduce noise generated during construction would further minimize the potential impacts on the local noise environment.	No impact would occur
Solid and Hazardous Materials	Solid and Hazardous waste will be generated during operations	All pertinent Federal and State regulations for waste disposal during construction and operations.	No impact would occur
Transportation and Parking	Traffic would increase during construction and operations	BMPs would be implemented ensure transportation impacts are maintained at less-than-significant levels by properly controlling and limiting impacts to local traffic and transportation infrastructure during construction and operation.	No impact would occur

6.0 CONCLUSION

The analysis performed in this Draft EA concludes that there would be no significant adverse impact, either individually or cumulatively, to the human environment, provided best management practices and regulatory compliance measures described in this EA are fully implemented. Therefore, this EA concludes that a Finding of No Significant Impact is appropriate and that an Environmental Impact Statement is not required.

7.0 LIST OF PREPARES

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8.0 REFERENCES CITED

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Coastal Zone Management Act of 1990, as amended (16 USC 1451 *et seq*.)

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USFWS National Wetlands Inventory Online Mapper, 2016.

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Tribal Nations Consulted:

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Onondaga Nation of New York

Onieda Tribe of Indians of Wisconsin

Seneca-Cayuga Nation

Seneca Nation of Indians

Shinnecock Indian Nation

Seneca Nation of New York

St. Regis Band of Mohawk Indians of New York

Tonawanda Banda of Seneca Indians of New York

Tuscarora Nation of New York

Wyandotte Tribe of Oklahoma

Websites Consulted:

FEMA Flood Hazard Insurance Map, website: http://msc.fema.gov/webapp/wcs/stores/servlet

NYSDEC Environmental Resource Mapper, website: http://www.dec.ny.gov/animals/38801.html

Superfund Site Information Systems, US Environmental Protection Agency, website: http://cfpub.epa.gov/supercpad/cursities.htm

US Geological Survey 2016.

USEPA Environmental & Compliance History Online (ECHO) e-database: http://www.epa-echo.gov/echo/

US Bureau of Census (US Census Data): http://www.census.gov/

USFW: http://www.fws.gov/

USDA NRCS online web soil survey: http://websoilsurvey.nrcs.usda.gov/app/WebSoil Survey.aspx.

Various mapping tools to locate properties, internet, www.maps.google.com, www.google.earth.com, etc.

9.0 ACRONYMS AND ABBREVIATIONS

ADT	Average Daily Traffic
BMP	Best Management Practices
CAA	Clean Air Act
CAAA	Clean Air Act Amendments
CBOC	Community Based Outpatient Clinic
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
FEMA	Federal Emergency Management Agency
FONSI	finding of no significant impact
FPPA	Farmland Protection Policy Act
GSF	Gross Square Feet
HAP	Hazardous Air Pollutants
MSA	Metropolitan Statistical Area
MSL	Mean Sea Level
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act of 1969
NRCS	Natural Resources Conservation Service
NUSF	Net Useable Square Feet
NYSDEC	New York State Department of Environmental Conservation
NYSDOT	New York State Department of Transportation
OSHA	Occupational Health and Safety Administration
REC	Recognized Environmental Conditions
SEA	Site Specific EA
SHPO	State Historic Preservation Office
SIP	State Implementation Plan
SPDES	State Pollution Discharge Elimination System
SWPPP	Storm Water Pollution Prevention Plan
USC	Unites States Code
USDA	United States Department of Agriculture
USEPA	Unites States Environmental Protection Agency
USFWS	Unites States Fish and Wildlife Service
USGS	Unites States Geological Survey
VA	Department of Veteran Affairs