

<b>UKRAINIAN AMERICAN CITIZENS CLUB, INC. - SMALL BUSINESS GRANT PROGRAM PROJECT #001-ED-32966-2013 ENVIRONMENTAL ASSESSMENT &amp; ERR PROJECT SUMMARY</b>	
<b>Responsible Entity:</b>	New York State Homes & Community Renewal – Housing Trust Fund Corporation Cooperating with the Governor’s Office of Storm Recovery (GOSR)
<b>Certifying Officer:</b>	Thomas King, Esq., Certifying Officer, GOSR
<b>Project Name:</b>	Ukrainian American Citizens Club, Inc.
<b>Funding Recipient:</b>	Ukrainian American Citizens Club, Inc.
<b>Federal Agency:</b>	U.S. Department of Housing & Urban Development (HUD)
<b>Project #:</b>	001-ED-32966-2013
<b>Project Sponsor:</b>	New York State Housing Trust Fund Corporation
<b>Program Name:</b>	New York State Community Development Block Grant-Disaster Recovery Small Business Grant Program (April 2013)
<b>Project Address:</b>	1 Pulaski Street, Cohoes, NY
<b>Project County:</b>	Albany County
<b>Estimated Project Cost:</b>	\$102,631.83
<b>Project Sponsor Address:</b>	Governor’s Office of Storm Recovery 99 Washington Avenue, Suite 1224 Albany, NY 12231
<b>Primary Contact/ Person To Direct Comments:</b>	Thomas King, Esq., Assistant General Counsel and Certifying Officer, Governor’s Office of Storm Recovery
<b>E-Mail address:</b>	<i>Thomas.King@stormrecovery.ny.gov</i>
<b>Telephone Number:</b>	(646) 417-4660
<b>Project NEPA Classification:</b>	24 CFR 58.36
<b>ENVIRONMENTAL FINDING:</b>	<input checked="" type="checkbox"/> <b>Finding of No Significant Impact</b> - The project will not result in a significant impact on the quality of the human environment.  <input type="checkbox"/> <b>Finding of Significant Impact</b> - The project may significantly affect the quality of the human environment.
	<p>The undersigned hereby certifies that New York State Housing Trust Fund Corporation has conducted an environmental review of the project identified above and prepared the attached environmental review record in compliance with all applicable provisions of the National Environmental Policy Act of 1969, as amended, (42 USC sec. 4321 et seq.) and its implementing regulations at 24 CFR Part 58.</p> <p>Preparer Signature:    <hr/> <b>NAME:</b> Thomas King, Esq.  <b>Title/Agency:</b> Assistant General Counsel &amp; Certifying Officer - Governor’s Office of Storm Recovery  <b>Date:</b> 8/17/2015</p>
<b>Environmental Assessment Prepared By:</b>	Tectonic Engineering & Surveying PO Box 37, 70 Pleasant Hill Road Mountainville, NY 10953

## **INTRODUCTION**

The Ukrainian American Citizens Club, Inc. is a not-for-profit social club which operates a meeting and banquet facility that are open to the public. As a result of Hurricane Irene, the business experienced flooding, power outage, and business interruption resulting in damage to the buildings, contents and working capital. The business is located in the City of Cohoes, which is located in northeast Albany County. The business address is 1 Pulaski Street, City of Cohoes, Albany County, NY, and the business is depicted on maps provided in **Attachment 1**. The main structure and current pavilion structure for this property are identified to be Section-Block-Lot 10.68-3-6.

### **Description of the Proposal:**

The proposed project will involve \$2,631.83 for reimbursement for future replacement of a walk-in cooler. Additionally, \$100,000.00 dollars of mitigation funds are proposed to be provided for demolition and replacement of a pavilion structure. Included in the mitigation funding are costs for an asbestos survey, which confirmed the pavilion structure to be demolished does not contain asbestos-containing material. A previous environmental review for separate activities categorized under 24 CFR 58.35(b)(4) for this applicant was completed on 1/20/15 for \$31,705.99, and is included in the environmental review record. Thus, the total combined funding amount for this applicant is \$134,337.82.

The replacement pavilion will be constructed approximately 50 feet north of the current damaged pavilion structure. The pavilion is being relocated upon reconstruction in order to move the structure further from floodway and reduce the likelihood of damage from potential future floods. Proposed dimensions of the new pavilion structure are 40 feet wide by 60 feet in length and the pavilion will be built using posts with open sides. The construction of the new pavilion will entail minor grading/excavation to lay and compact gravel in order to construct a concrete foundation with pile footings for the pavilion structure. The structure will be built in accordance with local building codes, and the footprint of the new pavilion structure will be 2,400 square feet.

### **Existing Conditions and Trends:**

The business suffered damage from flooding during Hurricane Irene. The business is located on the southern section of Simmons Island, which is located in the Mohawk River near the confluence with the Hudson River. The water from the Mohawk River flows towards to the south at this location. The property consists of water frontage on the southern and western sides. There is a main building structure on the northern portion of the parcel and an accessory building structure, including the damaged pavilion, near the southern tip of the island. The remainder of the property is landscaped and there is an associated parking lot. The majority of the island is developed with residential and commercial structures.

According to the document titled *Welcome to Cohoes – An Overview of Residential and Business Development*, The City of Cohoes was originally a mill town heavily involved in the textile industry. The City of Cohoes has many waterfront properties that are available for development with only minor environmental remediation necessary, whereas the greater Albany area consists of waterfront properties that are contaminated and/or obstructed by transportation

pathways. Descriptions of recent trends in the area indicate that the City of Cohoes serves as a suburb for employment centers in Albany, Troy, Schenectady, and Saratoga Springs.

The City of Cohoes' vision for the future involves the continued development of residential and associated infrastructure within the City. The City of Cohoes wants to advance development of the seven (7) miles of waterfront properties, and this will support the growth of the City. Proposed development includes condominium properties, riverfront restaurants, waterfront parks and trail ways, and a mix of retail and commercial businesses. The City is working to build Cohoes into a wholesome place to live and to attract tourism.

**Statement of Purpose and Need for the Proposal:**

The Ukrainian American Citizens Club, Inc. was damaged by flooding during Hurricane Irene. The business is requesting funding for mitigation of the pavilion structure and reimbursement funding to replace a walk-in cooler. In order for mitigation to be effective, the pavilion will be rebuilt on slightly higher ground approximately 50 feet north of the current pavilion location. Therefore, the new pavilion will not be in or directly adjacent to floodway and will not be susceptible to fast moving waters in the event of future floods. Mitigation funding and minor amounts of funding to replace a walk-in cooler will enable this business to continue to operate and provide its services and facilities to the public. The cooler will be installed above base flood elevations in order to limit impacts from future flood events.

**ENVIRONMENTAL ASSESSMENT FACTORS/ SCREENING**

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]  
 Evaluate the significance of the effects of the proposal on the character, features and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a determination of impact. **Impact Codes:** (1) - No impact anticipated; (2) - Potentially beneficial; (3) - Potentially adverse; (4) - Requires mitigation; (5) - Requires project modification. Note names, dates of contact, telephone numbers and page references. Attach additional material as appropriate. Note conditions or mitigation measures required.

Land Development	Code	Source or Documentation
Conformance with Comprehensive Plans and Zoning	1	<p>The business property is zoned MU-1 Mixed-Use which is intended for the use of shops, services, small workplaces, and civic and residential buildings central to a neighborhood or grouping of neighborhoods and within walking distance of dwellings (<b>Attachment 2</b>). The Ukrainian American Citizens Club, Inc.'s use is consistent with this zoning.</p> <p>Additionally, the rehabilitation of waterfront property at this location is consistent with the City of Cohoes's plans to develop waterfront property and support the growth of residential and associated infrastructure within the City (Source Cited – <i>“Welcome to Cohoes – An Overview of Residential and Business Development”</i>).</p>
Compatibility and Urban Impact	1	<p>The proposed project to mitigate damage to a pavilion structure by rebuilding the structure on higher ground will not significantly alter the land form at the business location. It will only involve minor grading in order to construct slab on grade for the pavilion structure, and minor digging in order to install the pavilion posts. The project will also include the removal of the existing pavilion which is immediately adjacent to the waterfront, but the foundation will be left in place. Therefore, there will be no ground disturbance associated with the demolition of the old pavilion. The new pavilion will be consistent with existing conditions at the property which includes building structures, parking lots, and landscaped areas. The project will not substantially affect building density as it only replaces one pavilion in a new location. It is recognized that all local building codes will have to be followed in the planning, design, and construction of the new pavilion structure.</p>
Slope	1	<p>According to a USGS topographic map for the project location, the project site is generally flat. Aerial images do not show evidence of ground subsidence, a high water table, or other unusual conditions at the site. (<b>Source Cited: Attachment 1</b>)</p>
Erosion	1	<p>The proposed project to build a new pavilion structure will occur in a location that does not appear to have erosion or</p>

		<p>slopes conducive to erosion. The project site is generally flat and landscaped. The grasses, shrubbery, trees, and flat topography serve to prevent and/or minimize erosion. Additionally, the proposed action does not include removal of shrubs and trees. The new pavilion will be built in a preexisting open area. Minor grading will occur for the slab on grade construction and minor digging will occur for post holes. Construction best management practices will be used to reduce potential erosion during the construction period. The demolition of the current pavilion structure is not expected to create a condition of erosion. The slab on grade foundation for the existing damaged pavilion is not proposed to be removed.</p>
Soil Suitability	1	<p>The USDA Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) provides map information regarding soil types and their properties that can influence the development of building sites and is intended for land use planning, evaluating land use alternatives, and for planning site investigations prior to design and construction.</p> <p>The soils at the proposed project location is "Ut" Urban Land – udorthents complex. This type of soil is rated as having no limitation for the construction of dwellings without basements. In addition, these are not hydric soils associated with wetlands. <b>(Source Cited: Attachment 3)</b></p> <p>Additionally, a site inspection which included soil borings for an archaeological investigation, indicated that all proposed construction will be within layers of historic fill. <b>(Source Cited: Attachment 4)</b></p>
Hazards and Nuisances including Site Safety	1	<p>The project is not expected to be impacted by gas, fumes, odors, vibration, unsightly land uses, heavy industry, or other natural or man-made hazards. In addition, the project involves the construction of a pavilion structure to replace a damaged pavilion. This business is not expected to substantially increase any hazards or nuisances, or degrade site safety.</p> <p>Moreover, the funded activities do not involve actions that would involve potential recognized environmental conditions. More details are provided in the Toxic/Hazardous/ Radioactive Materials, Contamination, Chemicals, or Gases [24 CFR 58.5(i)(2)] section below and its associated Maps, United States Environmental Protection Agency (EPA) and New York State Department of Environmental Conservation (NYSDEC) reports are provided in the HUD Environmental Standards Review Report in <b>Attachment 5</b>.</p>

		If impacted (contaminated) soils or fill materials are tentatively identified during construction activities, work shall be halted, and a specific sampling and health and safety plan will be developed to manage and investigate the soils.
Energy Consumption	1	The proposed project will not expand the existing business relative to conditions prior to Hurricane Irene and would not increase long-term energy consumption. The project is for a commercial use, and it is not being rated under LEED, Enterprise Green Communities, or other green standards or sustainability programs. The project is not expected to exceed energy resources of the utility provider.

<b>Noise - Contribution to Community Noise Levels</b>	1	The proposed use is not a noise-sensitive use. This project involving physical replacement and mitigation at an existing business will not generate excessive noise during the short-term period of physical work, and work will adhere to local municipal noise control standards.
<b>Air Quality</b> Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	1	This project involving mitigation funding to rebuild a pavilion structure in a location that is further from floodway than the existing damaged pavilion structure does not involve physical work that would substantially affect the NYSDEC Air Quality State Implementation Plan (SIP). No significant impacts on air quality will result. Generally, it is recommended to conduct construction rehabilitation and business assistance to ensure acceptable air quality during these temporary activities, including through minimization of volatile organic compounds and nitrogen oxide emissions. This includes operation of gas-powered construction equipment to avoid prolonged idling. It involves incorporating fugitive dust management practices during construction. It is also desirable to source low-VOC materials and inventory and energy star efficient equipment purchase, as practicable.
<b>Environmental Design</b> Visual Quality - Coherence, Diversity, Compatible Use and Scale	1	The proposed project will not significantly alter the visual quality of the property and surrounding neighborhood. The proposed project consists of building a new pavilion in a location approximately 50 feet north of the damaged pavilion structure. Though this is a new location, the pavilion will be consistent with the design of the damaged structure, and the new location is an open plot located between two building structures. The new pavilion structure will be compatible with the use of the property as a social club that operates a meeting and banquet facility which is open to the public.

<b>Socioeconomic</b>	<b>Code</b>	<b>Source or Documentation</b>
Demographic Character Changes	1	The proposed project is not expected to induce any change in the demographic character of the area.
Displacement	1	The proposed project has no potential to displace individuals

		or families, destroy jobs, local businesses or community facilities, or disproportionately affect particular populations.
Employment and Income Patterns	1	The proposed project has no potential to adversely affect employment opportunities or income patterns. Funding to support business continuity at this not-for-profit business will help ensure a diverse economic base and support the surrounding community by offering a place for social gathering.

### Community Facilities & Services

	Code	Source or Documentation
Educational Facilities	1	The proposed project involves replacement and mitigation at an existing business and will not introduce any new populations that would increase the student population of the area. As such, the project will not have an impact on educational facilities.
Commercial Facilities	1	The proposed project involves replacement and mitigation at an existing business and will not introduce any new development that would require additional retail services or other commercial facilities.
Health Care	1	The proposed project will not introduce any new development that would require the availability of routine or emergency health services.
Social Services	1	The proposed project would not impact social services. Social services are provided by a range of non-profit and government agencies.
Solid Waste	1	The proposed project will not introduce any new development that would generate solid wastes. Graded soils will be retained onsite and any construction debris generated (such as the demolished pavilion material) will be discarded in an appropriate landfill designated for receipt of such materials.  Asbestos survey results of the damaged pavilion indicate that the pavilion materials are non-asbestos containing materials. <b>(Source Cite: Attachment 6)</b>
Waste Water	1	The proposed project involves replacement and replacements at an existing business and will not introduce any new development that would generate waste water.
Storm Water	3	The proposed project involves construction of a pavilion at a new location on the developed property to replace a damaged pavilion structure on the property. This structure will increase the surface area of impervious surfaces on the property by 2,400 square feet.  The proposed project will occur in a generally flat area of open space that does not have any evidence of gullies, active rills, or cross-lot runoff on the property. Moreover, the

		proposed project will not directly drain to storm sewers, it will only drain to the adjacent land, which is grass-covered open space. The project is not expected to substantially contribute to storm-water runoff and, therefore, is not expected to substantially contribute to off-site pollution by storm water run-off.
Water Supply	1	The proposed project will not introduce any new development that would increase the demand for water.
Public Safety - Police	1	The proposed project will not introduce any new development that would generate additional demand for police services.
- Fire	1	The proposed project will not introduce any new development that would generate additional demand for fire services.
- Emergency Medical	1	The proposed project will not introduce any new development that would generate additional demand for emergency medical services.
Open Space and Recreation - Open Space	1	The proposed project will not introduce any new development that would generate additional demand for emergency medical services. The proposed project will be a pavilion in a new location on a developed parcel of land.
- Recreation	1	The proposed project will not introduce any new development that would generate additional demand for recreational resources.
Facilities - Cultural	1	<p>A Phase 1A/1B investigation was completed, and the Phase 1A/1B Cultural Resource Survey Report was provided to SHPO for this project (<b>Attachment 4</b>). Based on the Section 106 project review, in accordance with a determination by the State Historic Preservation Office (SHPO) dated on June 10, 2015, this project will not affect historic properties (<b>Attachment 7</b>). In accordance with SHPO's determination, excavation below a 3-foot depth of the current existing grade will be prevented (<b>Attachment 8</b>). The applicant plans to place 1 foot of gravel on top of the existing ground at the project location and has agreed that excavation depths will not exceed 4 feet below the top of the gravel. This determination was based on the Phase 1A/1B Cultural Resource Survey Report provided to SHPO for this project (<b>Attachment 4</b>).</p> <p>No further consultation with SHPO is required at this time.</p> <p>Notice of the proposed reimbursement funding for this project work has been sent to the Stockbridge-Munsee Mohican Tribe and the Mohawk Nation on June 2, 2015. A response from the Stockbridge-Munsee Mohican Tribe indicated that they do not have significant cultural resource concerns regarding the proposed project (<b>Attachment 9</b>). A response was not received from the Mohawk Nation.</p>

		If any cultural resources are inadvertently discovered during project construction, the project shall be halted immediately and the appropriate SHPO and THPO officers will be notified.
Transportation	1	The proposed project will not introduce any new development that would generate demand for transportation and nor would the project change current local traffic patterns.

<b>Natural Features</b>	<b>Code</b>	<b>Source or Documentation</b>
Water Resources	1	<p>The proposed project does not involve impacts to water resources, and the project will not introduce any new septic systems that may affect groundwater in the area.</p> <p>The project is located on an island situated in the Mohawk River, and the island is near the confluence of the Mohawk and Hudson Rivers. The project is located in or adjacent to the Mohawk River Watershed, and there is a Mohawk River Watershed Management Plan. This plan identifies gaps in regulations promulgated at the local level in regards to impervious surfaces, site plan reviews, setbacks from waterways, development in floodplains, and erosion and sedimentation controls. The plan recommends a restoration of natural hydrology, reduced erosion and sedimentation, minimization pollution, and to protect and restore habitats. This project proposes to replace a pavilion structure, albeit in a new location. The proposed work will not affect the natural hydrology of the surrounding rivers, will not cause a condition of erosion and sedimentation, will not cause pollution, and occurs in an already developed area. Moreover, the impervious footprint of the new structure will be similar to the damaged structure it is replacing. Thus, this project is not in opposition to the Watershed Management Plan.</p> <p>Source Cited: <a href="http://mohawkriver.org/downloads/">http://mohawkriver.org/downloads/</a></p>
Surface Water	1	The nearest surface water body is the Mohawk River, which borders the western and southern portions of the property. The proposed project involves replacement and mitigation at an existing business and will not introduce any development that would generate additional demand for water resources, relative to pre-storm conditions. Moreover, the project will not include any surfaces or infrastructure that discharge directly into surface waters. The project may have minor impacts during construction, but will not have adverse long-term effects. Construction best management practices will be implemented to reduce any potential adverse effects to surface water during construction periods.
Unique Natural Features and Agricultural Lands		The proposed project is not in the area of a unique or natural feature. Therefore, the proposed project will not have any

Vegetation and Wildlife	<p data-bbox="574 153 1084 184">impact to unique or natural features.</p> <p data-bbox="574 195 1445 667">The proposed project involves replacement and mitigation at an existing business which will include ground disturbance for the construction of a new pavilion in a different location than the damaged pavilion. The ground disturbance will occur on Urban Land (<b>Attachment 1 and Attachment 3</b>) and will not require any clearing of vegetation except for disturbance to a grassy volleyball court within a larger grass field. According to information reviewed from the New York State Environmental Resource Mapper at <a href="http://www.dec.ny.gov/ismaps/ERM/viewer.htm">http://www.dec.ny.gov/ismaps/ERM/viewer.htm</a>, the site is within NYSDEC's designated rare, threatened or endangered species generalized review area per the NYSDEC's Natural Heritage Program (NHP) (<b>Attachment 10</b>).</p> <p data-bbox="574 705 1445 1178">Tectonic submitted a formal request to the NHP for records of threatened or endangered species in the project area. A response from the NHP, dated 3/20/2015, indicated that Bald Eagle (threatened), Vernal Pool (rare/significant community), Shale Cliff and Talus Community (rare/significant community), Floodplain Grassland (rare/significant community), Alewife Floater (rare animal with historical record at site), and the Giant Pine-drops (rare plant with historical record at site) could be present at the site. Additionally, the US Fish and Wildlife Service (USFWS) Trust Resource List shows the Karner Blue Butterfly, Northern Long-eared Bat (NLEB), and the Indiana Bat potentially in the project area (<b>Attachment 11</b>).</p> <p data-bbox="574 1218 1445 1759">A site visit on 4/21/2015 revealed no bald eagle nesting locations on the property or immediately adjacent to the property. There are no vernal pools present on or near the proposed project location, which is a developed property. The Shale Cliff and Talus Community is located on Peebles Island, which is an island north of the island on which the project is located. Alewife Floaters are found in areas of strong currents and/or among cobbles. The proposed project does not involve in-water work, and there are no anticipated affects to waterways. The Giant Pine-drops are found in forested habits, and the proposed project does not occur in a forest habitat. The Karner Blue Butterfly is found in wild lupine habitat (which occurs in pine barrens and oak savannas), and this habitat was not present on the property at the time of the site visit.</p> <p data-bbox="574 1799 1445 1908">Based on the project scope and the location of the project in a developed area, there are no expected adverse impacts to vegetation, wildlife or habitat. The proposed project does not</p>
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	include the removal of any trees, and does not occur within the immediate vicinity of caves and, therefore, there is no anticipated impact to the NLEB or Indiana Bat. There will be no effect to listed species as a result of this project.
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**ENVIRONMENTAL ASSESSMENT WORKSHEET**

**Directions:** *The Responsible Entity (RE) must make a determination as to whether the activities affiliated with the project will affect the resource under consideration and trigger formal compliance consultation procedures with the appropriate oversight agency and/or subsequent mitigation. You may consult guidance by clicking on links in each box below which also will take you to information from agency web sites. If the activity affects the resource, indicate (A) in the Status Determination Column below. Or indicate (B) in that column if the activity does not affect the resources under consideration.*

Statutes, Executive Orders, and Regulations listed at 24 CFR Sec. 58.5 and 58.6	Status Determination (A or B)	Compliance Documentation
Wetland Protection [Executive Order 11990]	B	<p>Not applicable. There are no mapped wetlands based on USFWS National Wetlands Inventory maps on or immediately adjacent to the site. Additionally, there are no mapped wetlands on or immediately adjacent to the project site based on NYSDEC maps (<b>Attachment 10</b>). The Mohawk River borders the project property, but the project boundary is greater than 100 feet from the riverbank. The proposed project will not encroach into wetlands or their associated regulated buffers or into local waterways.</p> <p>There is no new construction in wetlands and, thus, Executive Order 11990 analysis is not required.</p>
Coastal Zone Management [Coastal Zone Management Act, 1972, sec. 307 (c ) and (d)]	B	Not applicable. The proposed project is not located within the New York State Coastal Management Program statewide boundaries ( <b>Attachment 10</b> ). Additionally, the proposed project is not in a community with a Local Waterfront Revitalization Plan. No further analysis is necessary.
Historic Preservation [36 CFR Part 800]	B	A Phase 1A/1B investigation was completed, and the Phase 1A/1B Cultural Resource Survey

		<p>Report was provided to SHPO for this project (<b>Attachment 4</b>). Based on the Section 106 project review, in accordance with a determination by the State Historic Preservation Office (SHPO) dated on June 10, 2015, this project will not affect historic properties (<b>Attachment 7</b>). In accordance with SHPO's determination, excavation below a 3-foot depth of the current existing grade will be prevented (Attachment 8). The applicant plans to place 1 foot of gravel on top of the existing ground at the project location and has agreed that excavation depths will not exceed 4 feet below the top of the gravel. This determination was based on the Phase 1A/1B Cultural Resource Survey Report provided to SHPO for this project (<b>Attachment 4</b>).</p> <p>No further consultation with SHPO is required at this time.</p> <p>Notice of the proposed reimbursement funding for this project work has been sent to the Stockbridge-Munsee Mohican Tribe and the Mohawk Nation on June 2, 2015. A response from the Stockbridge-Munsee Mohican Tribe indicated that they do not have significant cultural resource concerns regarding the proposed project (Attachment 9). A response was not received from the Mohawk Nation.</p>
<p>Floodplain Management [Executive Order 11988; 24 CFR Part 55]</p>	<p>B</p>	<p>The proposed project is located in the 100-year floodplain (Zone AE) (<b>See FEMA Firmette in Attachment 12</b>). The Project 001-ED-32966-2013 EO 11988 Floodplain Management Determination documents compliance with 24 CFR Part 55. This Determination entailed the full 8-step decision-making process, and the findings of the determination are affirmative to suggest that the project is practicable and may proceed. See Project 001-ED-32966-2013 EO 11988 Floodplain Management Determination annexed hereto in <b>Attachment 12</b>.</p> <p>The applicant will have to acquire a floodplain development permit for the new pavilion structure and demolition of the existing pavilion structure (the corner of which is located in floodway). It is noted that the applicant will</p>

		provide sufficient evidence of having acquired this permit as a condition for the proposed funding.
Sole Source Aquifers [40 CFR 149]	B	The propose project does not occur within the surficial bounds of a Sole Source Aquifer as designated by the U.S. EPA ( <b>Attachment 13</b> ). Therefore, this authority does not apply.
Endangered Species Act [50 CFR 402]	B	<p>The proposed project involves replacement and mitigation at an existing business which will include ground disturbance for the construction of a new pavilion in a different location than the damaged pavilion. The ground disturbance will occur on Urban Land (<b>Attachment 3</b>) and will not require any clearing of vegetation except for disturbance to a grassy volleyball court within a larger grass field. According to information reviewed from the New York State Environmental Resource Mapper at <a href="http://www.dec.ny.gov/ismaps/ERM/viewer.htm">http://www.dec.ny.gov/ismaps/ERM/viewer.htm</a>, the site is within NYSDEC's designated rare, threatened or endangered species generalized review area per the NHP (<b>Attachment 10</b>).</p> <p>Tectonic submitted a formal request to the NHP for records of threatened or endangered species in the project area. A response from the NHP, dated 3/20/2015, indicated that Bald eagle (threatened), vernal pool (rare/significant community), Shale Cliff and Talus Community (rare/significant community), floodplain grassland (rare/significant community), Alewife Floater (rare animal with historical record at site), and the Giant Pine-drops (rare plant with historical record at site) could be present at the site. Additionally, the USFWS Trust Resource List shows the Karner Blue Butterfly, Northern long-eared bat (NLEB), and the Indiana Bat potentially in the project area (<b>Attachment 11</b>).</p> <p>A site visit on 4/21/2015 revealed no bald eagle nesting locations on the property or immediately adjacent to the property. There are no vernal pools present on or near the proposed project location, which is a developed property. The Shale Cliff and Talus Community is located on Peebles Island, which is an island north of the island on which the project is</p>

		<p>located. Alewife Floaters are found in areas of strong currents and/or among cobbles. The proposed project does not involve in-water work, and there are no anticipated affects to waterways. The Giant Pine-drops are found in forested habits, and the proposed project does not occur in a forest habitat. The Karner Blue Butterfly is found in wild lupine habitat (which occurs in pine barrens and oak savannas), and this habitat was not observed on the property at the time of the site visit.</p> <p>Based on the project scope and the location of the project in a developed area, there are no expected adverse impacts to vegetation, wildlife or habitat. The proposed project does not include the removal of any trees, and does not occur within the immediate vicinity of caves and, therefore, there is no anticipated impact to the NLEB or Indiana Bat. There will be no effect on listed species as a result of this project.</p>
<p>Wild and Scenic Rivers [16 U.S.C. 1271, Sec. 7(b), (c)]</p>	<p>B</p>	<p>The U.S. Department of the Interior and the NYSDEC designate waterways for wild, scenic, and/ or recreational status. The Mohawk River, which borders the property is not designated wild, scenic, or recreational in the City of Cohoes or in the County of Albany. The only reaches of the Mohawk River that are wild, scenic, and/ or recreational are in Oneida County. Thus, this authority does not apply to this proposed project.</p>
<p>Clean Air Act [40 CFR Parts 6, 51, 93]</p>	<p>B</p>	<p>This project involving replacement and mitigation at an existing business does not involve physical work that would substantively affect the NYSDEC Air Quality State Implementation Plan (SIP). No significant impacts on air quality will result. Generally, it is recommended to conduct construction rehabilitation and business assistance to ensure acceptable air quality during these temporary activities, including through minimization of volatile organic compounds and nitrogen oxides emissions. This includes operation of gas-powered construction equipment to avoid prolonged idling. It involves incorporating fugitive dust management practices during construction. It is also</p>

		desirable to source low-VOC materials and inventory and energy star efficient equipment purchase, as practicable.
Farmland Policy Act [7 CFR Part 658]	B	USDA soil maps indicate that the soils on the property are urban soils ( <b>Attachment 3</b> ). This project occurs on a previously developed parcel of land and does not involve conversion of farmland to nonagricultural uses. Since no land is converted from farmland to nonagricultural uses, the project is in compliance with this section.
Environmental Justice [Executive Order 12898]	B	The proposed project does not occur in a State-identified environmental justice area as depicted in the map annexed hereto as <b>Attachment 14</b> .
Noise Abatement and Control [24 CFR Part 51, Subpart B]	B	The proposed use is not a noise-sensitive use. This project involving replacement and mitigation at an existing business is not expected to generate excessive noise during the short-term period of physical work, and work will adhere to local municipal noise control standards.
Toxic/Hazardous/ Radioactive Materials, Contamination, Chemicals, or Gases [24 CFR 58.5(i)(2)]	B	<i>The Subject Property:</i> The property is not listed on an EPA Superfund National Priorities or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) list or equivalent State list, and is not located within 3,000 feet of a toxic or solid waste landfill site. Based on review of the NEPA site inspection form for this property, the property does not have an underground storage tank and is not known or suspected to be contaminated by toxic chemicals or radioactive materials. Tectonic reviewed the Small Business Program Supplemental Environmental Checklist to determine if the property has an underground storage tank (which is not a residential fuel tank) or other registered storage tanks. A review of the EPA Resource Conservation and Recovery (RCRA) and NYSDEC Environmental Remediation databases provided no indication of past uses of the property that could contaminate the property or potentially adversely affect the occupants of the property.  <i>Surrounding Properties:</i> There are numerous EPA listed sites located near the Subject Property that have a Detailed Facility Report.

All EPA sites within 1,000 feet of the Subject Property have no reported violations. There are three EPA sites between 1,001 and 3,000 feet of the Subject Property that have violations reported in the Detailed Facility Reports. City Hall and Macaran Printed Products are currently in violation of the CWA and they are located over 2,000 feet from the Subject Property, and the nature of the violation is "unknown" according to the facility report. Due to the distance of these sites from the property, there are no anticipated impacts from these sites on the property. Shelter Enterprises, Inc., located approximately 2,000 feet from the property, is in violation of the CAA for permit violations. Due to the nature of the violation being schedule violations, the site is not expected to significantly impact the Subject Property.

The funded activities would involve earthwork; however, it is not likely that the soils are contaminated with petroleum-impacted soils from past spills near the Subject Property because the spills were minor in nature and have been closed by NYSDEC. The funded activities do not involve actions that would involve potential recognized environmental conditions/contamination.

There are no other known or suspected environmental issues known to have contaminated the Subject Property, to affect the health and safety of occupants, or to conflict with the intended utilization of the property. Therefore, a Phase I Environmental Site Assessment (ESA) or Phase 2 Environmental Site Assessment is not warranted. As such, no further action is required at this time. Maps, EPA, and DEC reports are provided in the Case 001-ED-32966-2013 HUD Environmental Standards Review Report, annexed hereto as **Attachment 5**.

Building or structures to be rehabilitated must conform to Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York Department of Labor

		<p>(cited as 12 NYCRR Part 56), the National Emission Standard for Asbestos pertaining to demolition and renovation in 40 CFR 61.145, and the National Emission Standard for Asbestos pertaining to waste disposal for manufacturing, fabricating, demolition, and spraying operations in 40 CFR 61.150.</p> <p>An asbestos survey for proposed demolition of the damaged pavilion was completed for this property and the results indicated that pavilion materials are non-asbestos containing materials. <b>(Source Cited: Attachment 6).</b></p>
Explosive and Flammable Operations [24 CFR Part 51 C]	B	The threshold for HUD assisted projects in 24 CFR Part 51.201 is predicated on whether the project increases the number of people exposed to hazardous operations. This project does not increase residential or commercial densities and the proposed action does not involve a hazardous facility. Thus, the proposed project action is in compliance with 24 CFR Part 51 Subpart C.
Airport Clear Zones and Accident Potential Zones [24 CFR Part 51 Subpart D]	B	The proposed project does not involve the purchase or acquisition of property and is not located within a Runway Clear Zone or Accident Potential Zone. Therefore, this standard is not applicable.

Flood Disaster Protection Act [Flood Insurance] [§58.6(a)]	B	<p>The activities occur in a community that is in the Regular Program of the National Flood insurance Program (NFIP), and the community is currently in good standing. Based on the applicable Flood Insurance Rate Map shown in <b>Attachment 12</b>, the project is located in the 100-year floodplain.</p> <p>The applicant shall be required to show proof of current flood insurance prior to closeout, and when received, proof of current flood insurance shall be appended to the ERR.</p>
Coastal Barrier Resources Act/ Coastal Barrier Improvement Act [§58.6(c)]	B	The property does not fall within or near a coastal zone management unit. Additionally, the property does not fall within a Coastal Area Facility Review area. Therefore, there are no Federal or State permits identified for coastal resources for this case.
Airport Runway Clear	B	The proposed project does not involve the

Zone or Clear Zone Disclosure [§58.6(d)]		purchase or acquisition of a property, and it is not located within a runway Clear Zone or Accident Potential Zone. Therefore, this standard is not applicable.
---	--	---

## **Summary of Findings and Conclusions**

The proposed project involves reimbursement for future replacement of a walk-in cooler and mitigation funds are proposed to be provided for demolition and replacement of a pavilion structure in response to damages incurred from Hurricane Irene. The proposed replacement and mitigation funding will enable the continued existence of this business which is a not-for-profit social club operating a meeting and banquet facility open to the public. The majority of the funding for proposed work is for the construction of a new pavilion on higher ground to replace the existing damaged pavilion. Therefore, this project is expected to increase resilience of this business to future storm events by moving the pavilion further away from the floodway boundary.

The proposed project does not aim to increase the capacity of the existing business, only to allow for the continued operation of the not-for-profit social club meeting and banquet activities. There is ground disturbance proposed, but due to the scope of work and project location, there is no anticipated impacts to flora and fauna in the project area. Additionally, it has been determined by the State Historic Preservation Office that no historic properties would be affected as a result of the proposed project. The preceding Statutory Environmental Checklist and Environmental Assessment Checklist documents that the proposed work will comply with regulations in 24 CFR part 58.5 and 58.6 and that there are no direct or cumulative adverse environmental impacts anticipated as a result of the proposed action.

## **ALTERNATIVES TO THE PROPOSED ACTION**

### **Alternatives and Project Modifications Considered**

One potential alternative is to rehabilitate the damaged pavilion in place. This alternative would mean rebuilding the damaged pavilion adjacent to the Mohawk River, and partially within the FEMA designated floodway. Though flood proofing measures could have been implemented in the rehabilitation of the damaged pavilion in place, it is presumed that the best option would be to relocate the pavilion on higher ground further away from the floodway. The entire property is located in 100-year floodplain, so the pavilion could not be built outside of the floodplain on the property. However, it is expected that moving the pavilion location to slightly higher ground and further away from the floodway where fast moving floodwaters could easily damage the structure, is a preferred alternative in comparison to rehabilitation in place.

Another potential alternative is to promote the buyout of the business. This plan does not support business continuity in the region. The buyout of the business would be undesirable because it would eliminate jobs for employees and the business would no longer supply its services. Moreover, there could be additional economic multipliers such as the elimination of the support that this business provides to surrounding businesses when it purchases products and supplies.

An additional alternative is to promote the relocation of the business. Relocation of the business would be more costly than the proposed rehabilitation and mitigation measures described herein. Moreover, the waterfront nature of this business is presumed to attract customers to this not-for-profit social club, which serves as a meeting and banquet facility. Purchasing land and comparable facilities in the local area is deemed to be more costly than the proposed measures and, therefore, this is not considered a viable alternative.

### **No Action Alternative**

The “no action” alternative would mean reimbursement support would not be provided to the applicant to rebuild infrastructure essential for business operations and for mitigation work to increase resilience to future floods. Without support, the applicant might struggle to maintain business operations and revenue streams, and the continued operation of the business could be jeopardized. Moreover, in the March 5, 2013 Federal Register Notice, HUD expressly recognized that “without return of businesses and jobs to a disaster-impacted area, recovery may be impossible. Therefore, HUD strongly encourages grantees to envision economic revitalization as a cornerstone to a long-term recovery” (78 FR 14335). Thus, alternatives preventing or impeding small business recovery are not considered reasonable alternatives, and the no action alternative is not considered a reasonable alternative.

### **Mitigation Measures [24 CFR 58.40(d), 40 CFR 1508.20]**

In accordance with the SHPO determination on this case, excavation must not be conducted below a 3-foot depth of the current, existing grade. The applicant has signed and submitted a letter to SHPO agreeing to this requirement. The applicant has indicated that one (1) foot of gravel will be placed on top of the existing ground at the project location. Therefore, excavation depths shall not exceed 4 feet below the top of the one (1) foot of added gravel or three (3) feet of the current, existing grade at the site. If any cultural resources are inadvertently discovered during project construction, the project shall be halted immediately and the appropriate SHPO and THPO officers will be notified.

Ground disturbance will not occur as a result of the demolition of the damaged pavilion structure, and the materials from the pavilion structure shall be disposed of in a legally compliant facility. New ground disturbance shall only occur in the area of the proposed new pavilion. If impacted (contaminated) soils or fill materials are tentatively identified during construction activities, work shall be halted, and a specific sampling and health and safety plan will be developed to manage and investigate the soils.

No trees will be removed as a result of this project. If proposed plans change and conditions warrant the removal of trees, consultation with the USFWS must occur before the project proceeds. Additionally, there shall be no disturbance to watercourses adjacent to the property as a result of the proposed project.

It is expected that the Ukrainian American Citizens Club will comply with all building and associated floodplain development permits that must be acquired from the City of Cohoes. The City of Cohoes issues approval of development via building permits, and the applicant has been made aware of the local regulations requiring building permits for the proposed pavilion. The applicant shall follow all stipulations set forth in the local building permits received for the proposed project.

If there is any unanticipated discovery of endangered or threatened species, cultural resources, soils contamination, or any other conditions affecting the factors, executive orders, stipulations, and/ or regulations discussed within this assessment, work shall be halted immediately and the appropriate agency will be consulted before work can be resumed.

Any change to the approved scope of work will require re-evaluation by the Certifying Officer for compliance with NEPA and other laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

**Additional Studies Performed &/OR LIST OF SOURCES, AGENCIES, AND PERSONS CONSULTED [40 CFR 1508.9(b)] (With studies or summaries attached)**

- Attachment 1: Location Maps (Topographic and Street Maps)
- Attachment 2: Zoning Map and Regulations
- Attachment 3: NRCS Soils Data
- Attachment 4: Phase 1A/1B Cultural Resource Survey
- Attachment 5: HUD Environmental Standards Review
- Attachment 6: Asbestos Survey
- Attachment 7: SHPO Concurrence
- Attachment 8: Applicant Letter to SHPO
- Attachment 9: THPO Response
- Attachment 10: NYSDEC Environmental Resource Map, Coastal Boundary Map, and NWI Wetland Map
- Attachment 11: NHP Letter and USFWS Species List
- Attachment 12: Floodplain Determination
- Attachment 13: Sole Source Aquifer Map
- Attachment 14: Potential Environmental Justice Areas Map

**Additional Studies Performed:** Additional studies were deemed necessary, and were completed, to determine whether this project would have a significant environmental impact.

- Phase 1A/1B Cultural Resource Survey (**Attachment 4**).
- Asbestos Survey dated March 18, 2015 (**Attachment 6**).

**Determination:** The preparers have complied with all provisions of 24 CFR Part 58, Subpart E—Environmental Review Process: Environmental Assessments, examining alternatives to the project itself, feasible ways to modify the project to eliminate or minimize adverse impacts, and based on steps (a) through (f) found in the regulations, determined:

- (1) Finding of No Significant Impact (FONSI), whereby the Responsible Entity may proceed to Dissemination and publication of the FONSI, per regulations found at 24 CFR Part 58, sec. 58.43(a).

Preparer Signature: Andrea Giers Date: 8/17/2015

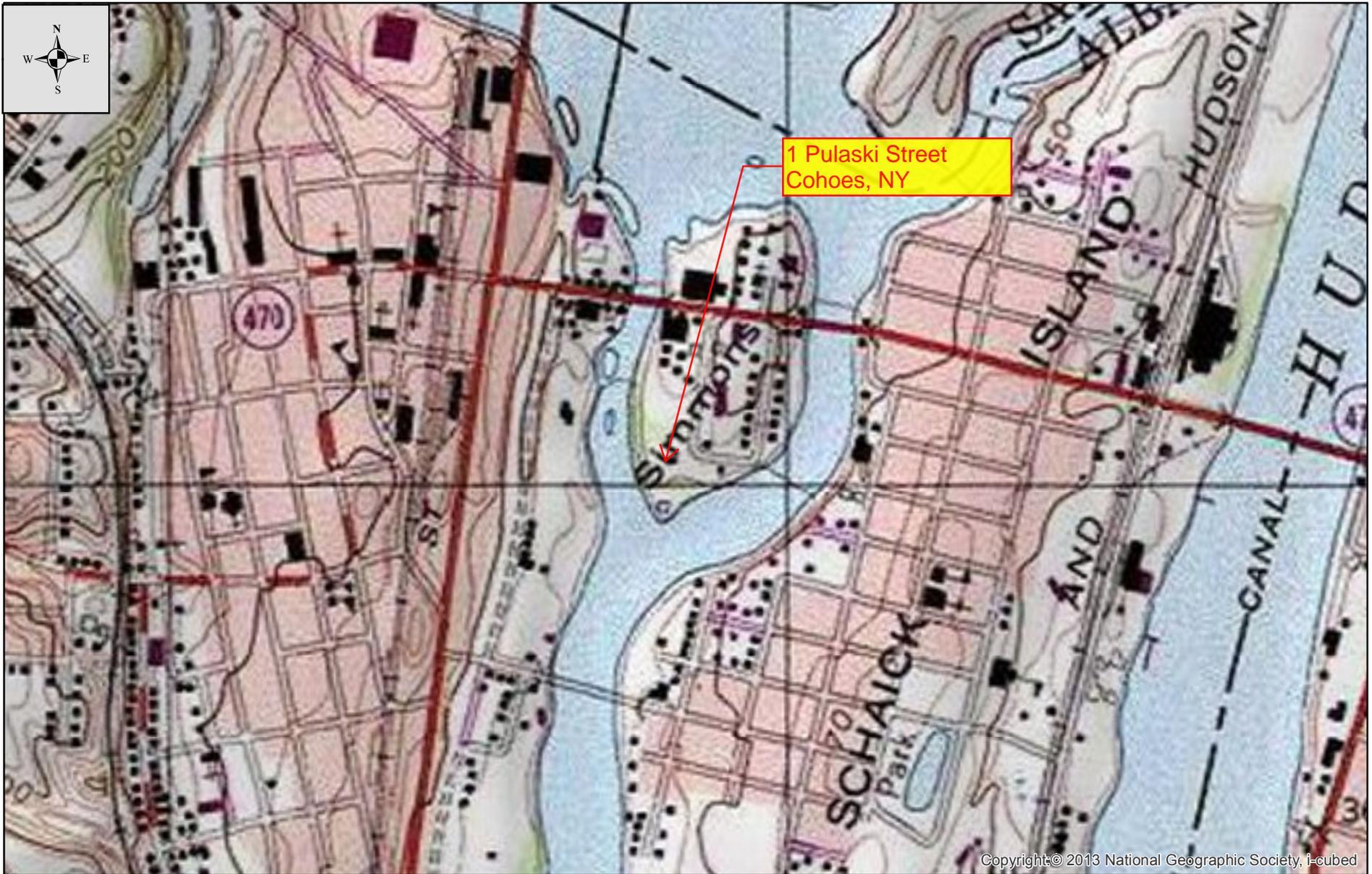
Name/Title/Organization: Tectonic Engineering & Surveying Consultants, P.C.

Certifying Officer Signature: Thomas J. King Date: 8/17/2015

Name/Title: Thomas King, Assistant General Counsel & Certifying Officer

# Attachment 1

Location Maps

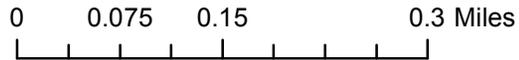


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## Ukrainian American Citizens Club, Inc.

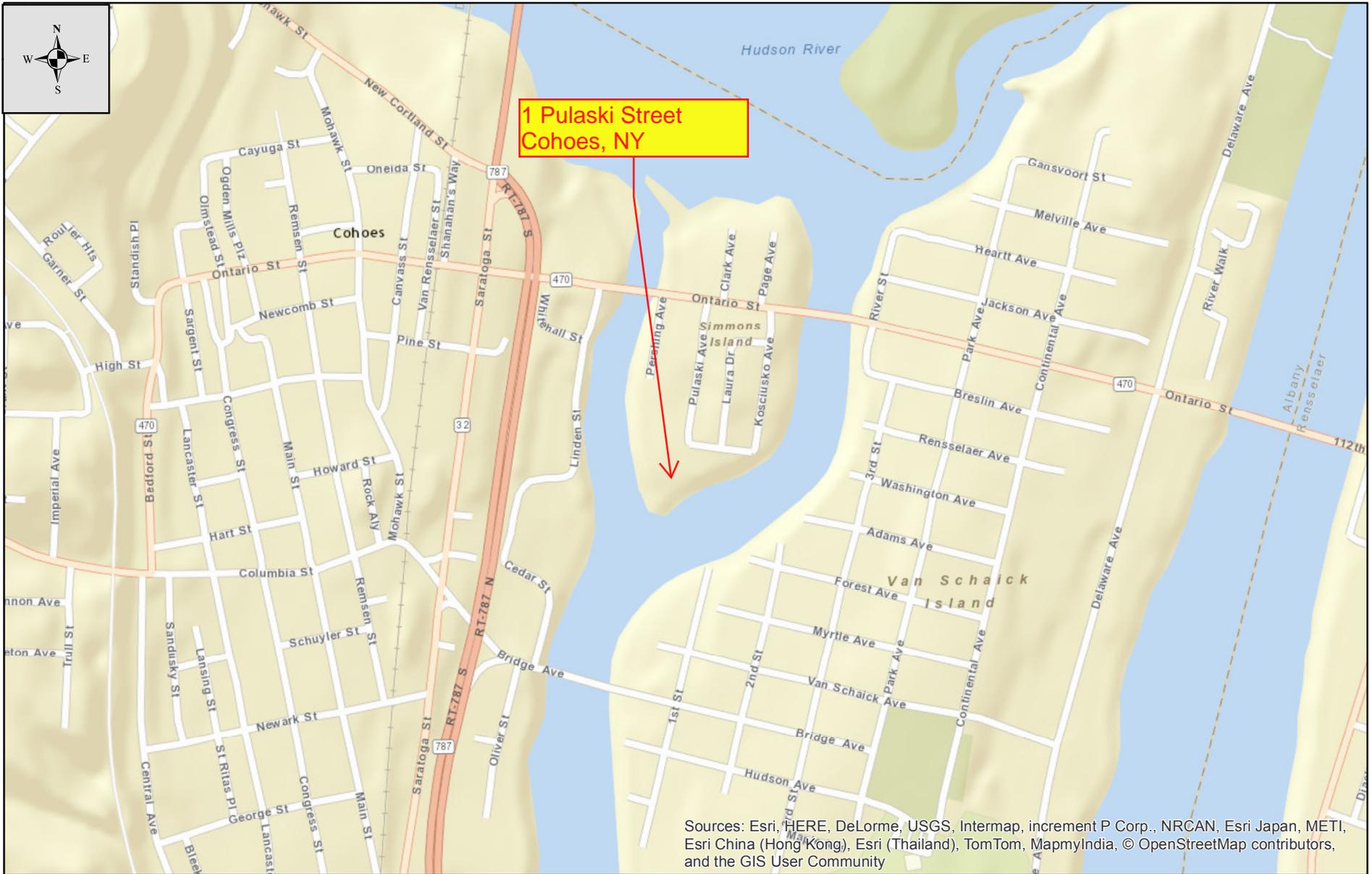
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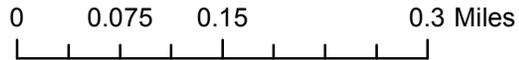


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# Ukrainian American Citizens Club, Inc.

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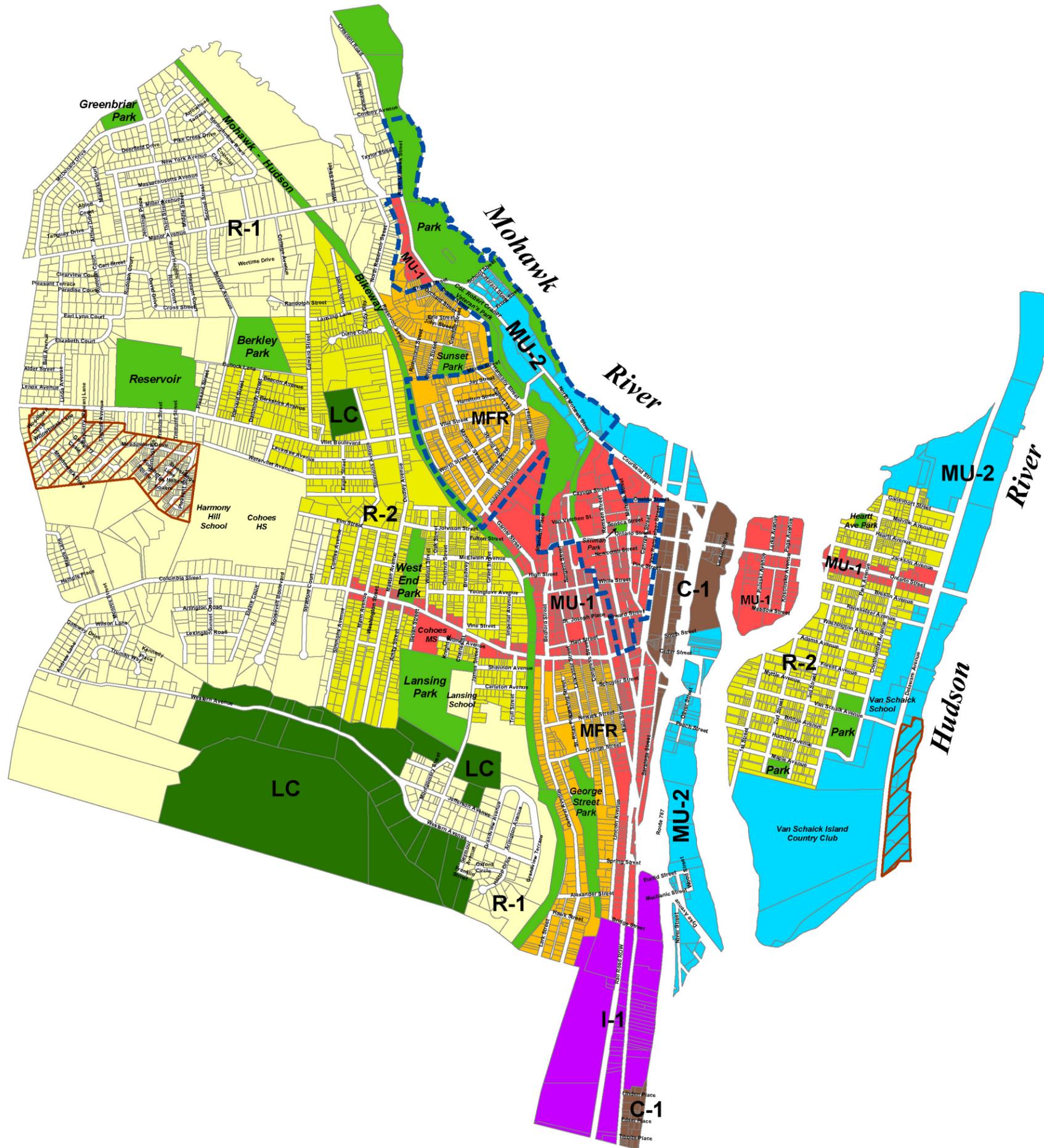
# Attachment 2

Zoning Map and Regulations

# City of Cohoes

## Zoning Map

Prepared September 2006



### Legend

Parks and Trails

### Zoning Districts

R-1 Residential

R-2 Residential

MFR Residential - Multi-family

MU-1 Mixed-Use

MU-2 Waterfront Mixed-Use

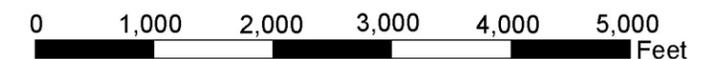
C-1 Office/Retail Commercial

I-1 Industrial

LC Land Conservation

Planned Development District

Historic Overlay District



382 Broadway  
Albany, NY 12207  
www.clarkpatterson.com

**285-38. Mixed Use District (MU-1).**

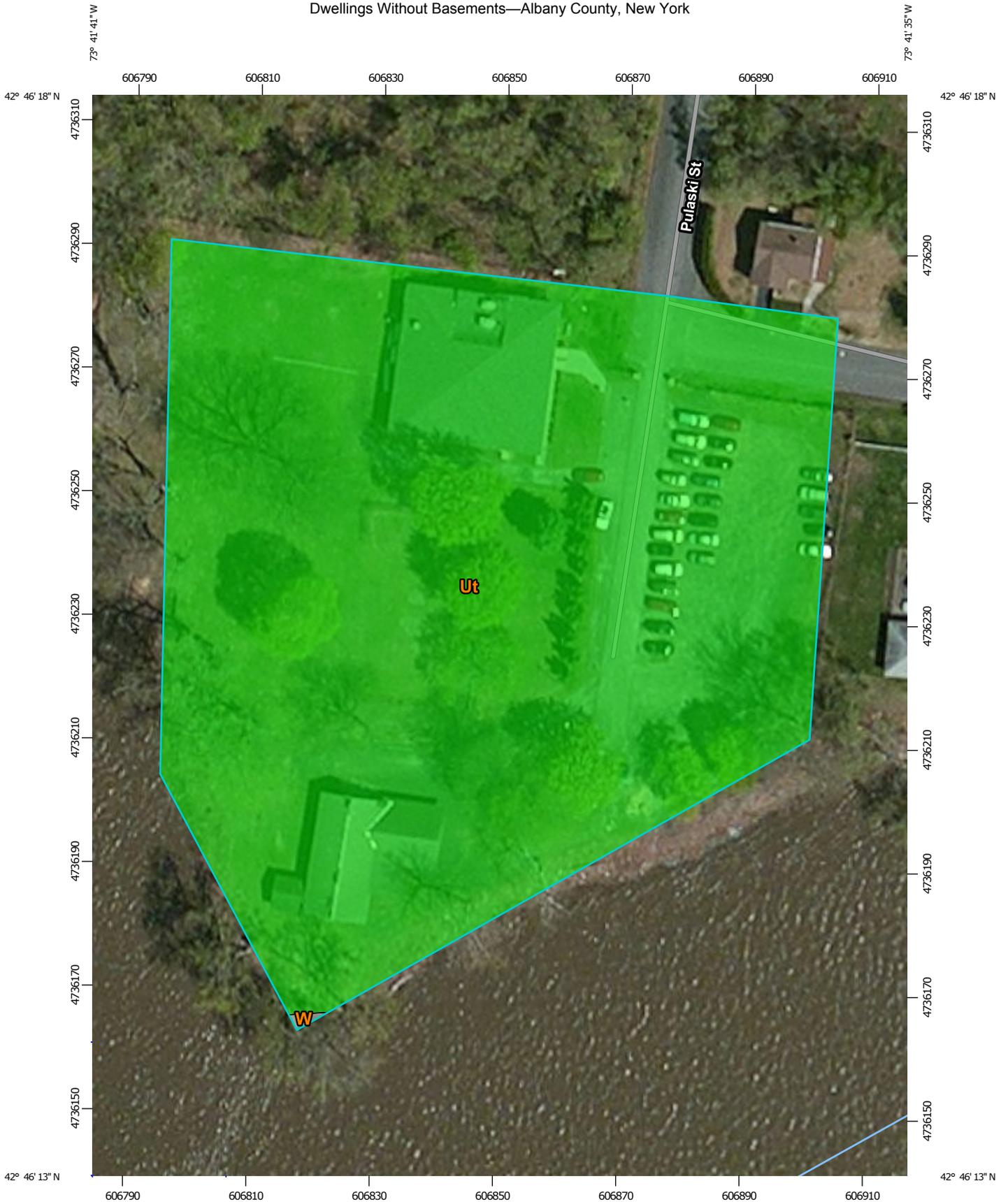
- A. Intent. The Mixed Use District (MU-1) is provided for the location of shops, services, small workplaces, civic and residential buildings central to a neighborhood or grouping of neighborhoods and within walking distance of dwellings.
- B. Permitted uses. Permitted uses shall be as follows, subject to the requirements specified below and elsewhere in these regulations especially Regulations Applicable to All Zoning Districts in accordance with Article VII, Landscaping in accordance with Article IX, Subdivision of Land, if applicable, in accordance with Article XIII, and Site Plan Review and Approval in accordance with Article XIV.
1. Bed and Breakfast accommodations as a secondary use of a primary residence or the primary use of an accessory structure.
  2. Inn accommodations not to exceed 35 year-round rooms.
  3. Retail.
  4. Structure, mixed-use to include retail or service uses on the first floor and office or residential on the upper floors.
  5. Office building.
  6. Dwelling, single-family.
  7. Dwelling, attached or row.
  8. Dwelling, multi-family.
  9. Boarding or rooming house for up to three roomers.
  10. Restaurant.
  11. Bar/tavern.
  12. Animal hospital.
  13. Funeral home.
- C. Special use permit. Uses permitted with a special use permit from the City Planning Board, subject to the requirements of §285-20D. Such uses are subject to the general development standards for specific uses related to Regulations Applicable to All Zoning Districts found in Article VII, to Landscaping requirements in accordance with Article IX, to Site Plan Review and Approval in accordance with Article XIV and to other standards as may be required under Site Plan Review by the Planning Board to assure development and operation of the use without a detrimental impact on adjacent uses.
1. Secondary garage not related to residential use.
  2. Gasoline stations, neighborhood.
  3. Parking garage/lot, as principal use.
  4. Temporary outdoor sales of seasonal agricultural products and customary accessory products (example: farmers' markets, Christmas tree/pumpkin sales).

5. Machine shops and related manufacturing uses not within 300 feet of any primary residential use.
- D. Lot size. Please see the City of Cohoes Bulk and Use Table, Page 285-151.
  - E. Lot coverage. Please see the City of Cohoes Bulk and Use Table, Page 285-151.
  - F. Minimum setback. Please see the City of Cohoes Bulk and Use Table, Page 285-151.
  - G. Height. Please see the City of Cohoes Bulk and Use Table, Page 285-151.
  - H. General requirements.
    1. Along existing streets, new buildings shall respect the general spacing of structures, building mass and scale, and street frontage relationships of existing buildings.
      - a. New buildings, which adhere to the scale, volume, spacing, and setback of existing buildings along fronting streets, exhibit demonstrable compatibility.
      - b. New buildings, which exceed mass and volume of existing buildings may demonstrate compatibility by varying the massing of buildings to reduce perceived scale and volume.
        - [1] On new streets, allowable building and lot types will establish the development pattern.
        - [2] New construction favors retail first floor, office, or residential second floor.
        - [3] Every building lot shall have frontage upon a public street or square.

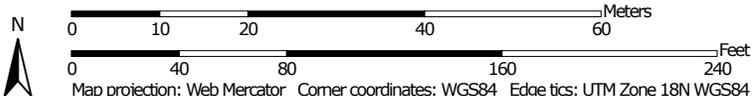
# Attachment 3

NRCS Soils Data

Dwellings Without Basements—Albany County, New York



Map Scale: 1:852 if printed on A portrait (8.5" x 11") sheet.



## MAP LEGEND

### Area of Interest (AOI)

 Area of Interest (AOI)

### Background

 Aerial Photography

### Soils

#### Soil Rating Polygons

-  Very limited
-  Somewhat limited
-  Not limited
-  Not rated or not available

#### Soil Rating Lines

-  Very limited
-  Somewhat limited
-  Not limited
-  Not rated or not available

#### Soil Rating Points

-  Very limited
-  Somewhat limited
-  Not limited
-  Not rated or not available

### Water Features

 Streams and Canals

### Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Albany County, New York  
 Survey Area Data: Version 12, Sep 13, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 19, 2010—May 12, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Dwellings Without Basements

Dwellings Without Basements— Summary by Map Unit — Albany County, New York (NY001)						
Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (numeric values)	Acres in AOI	Percent of AOI
Ut	Urban land-Udorthents complex, 0 to 8 percent slopes	Not limited	Urban land (50%)		2.6	99.9%
			Udorthents (30%)			
W	Water	Not rated	Water (100%)		0.0	0.1%
<b>Totals for Area of Interest</b>					<b>2.6</b>	<b>100.0%</b>

Dwellings Without Basements— Summary by Rating Value		
Rating	Acres in AOI	Percent of AOI
Not limited	2.6	99.9%
Null or Not Rated	0.0	0.1%
<b>Totals for Area of Interest</b>	<b>2.6</b>	<b>100.0%</b>

## Description

Dwellings are single-family houses of three stories or less. For dwellings without basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper.

The ratings for dwellings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility. Compressibility is inferred from the Unified classification of the soil. The properties that affect the ease and amount of excavation include depth to a water table, ponding, flooding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments.

The ratings are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect the specified use. "Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

Numerical ratings indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

The map unit components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as listed for the map unit. The percent composition of each component in a particular map unit is presented to help the user better understand the percentage of each map unit that has the rating presented.

Other components with different ratings may be present in each map unit. The ratings for all components, regardless of the map unit aggregated rating, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to validate these interpretations and to confirm the identity of the soil on a given site.

## Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff: None Specified*

*Tie-break Rule: Higher*

# Attachment 4

Phase 1A/1B Cultural Resource Survey

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## PHASE 1A/1B CULTURAL RESOURCE SURVEY

# REPLACEMENT OF UKRAINIAN AMERICAN CITIZENS CLUB, INC. PAVILION CITY OF COHOES, ALBANY COUNTY, NEW YORK

MAY 2015

Tectonic Engineering and Surveying  
70 Pleasant Hill Road  
Mountainville, New York

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**MANAGEMENT SUMMARY**

The following presents the findings of a Phase I Archaeological Survey conducted on behalf of Ukrainian American Citizens Club, Inc. (Applicant) for the relocation of its pavilion in the City of Cohoes, Albany County, New York. The Governor's Office of Storm Recovery (GOSR), operating under auspices of New York State Homes and Community Renewal's Housing Trust Fund Corporation, is the Responsible Entity for direct administration of the U.S. Dept. of Housing & Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program. The project is part of the New York Rising Small Business Grant Program and is receiving funding to rebuild and relocate the not-for profit social club's pavilion to higher ground, which was damaged due to flooding during Hurricane Irene. The results of the Phase IA background and literature search suggest that the proposed Project Area (PA) has a moderate sensitivity for prehistoric cultural resources and a moderate sensitivity for historic cultural resources. According to the results of the Phase IB field investigation, significant cultural resources do not exist within the APE to a known depth of 3 feet/0.91 meters. Tectonic Engineering & Surveying Consultants P.C. (Tectonic) recommends that an additional foot of fill be distributed across the surface of the APE in order to contain construction disturbance within the limits of documented disturbance.

**Involved State and Federal Agencies:** GOSR, NYS Department of Environmental Conservation (NYSDEC)

**Phase of Survey:** Phase I

**Project Name and Location:**

Name and ID#: Ukrainian American Citizens Club, Inc. (ID# 001-ED-32966-2013)

Location: 1 Pulaski Street

Minor Civil Division: City of Cohoes

County: Albany County

**Survey Area:** 500 square feet (0.004 hectares)

**USGS 7.5 Minute Quadrangle Map:** Troy North, NY (2013)

**Archaeological Survey Overview**

Number & Interval of Shovel Test Pits: 9 shovel test pits were established at 50-foot (15.24 meters) intervals, with transects spaced 25 feet (7.62 meters) apart within the APE.

Depth of Shovel Test Pits: 1 to 36 inches (2.5 to 91.44 cm) within 20<sup>th</sup> century fill.

**Results of Archaeological Survey**

Number & name of prehistoric sites identified: None

Number & name of historic sites identified: None

Number & name of sites recommended for Phase II/Avoidance: None

**Results of Architectural Survey**

Number of historic buildings/structures/cemeteries within project area: None

Number of historic buildings/structures/cemeteries adjacent to project area: None

Number of previously determined NR listed or eligible buildings/structures/cemeteries/districts: None

**Report Author(s):** Kris Mierisch

**Date of Report:** May 29, 2015

## **1.0 PROJECT DESCRIPTION**

Tectonic Engineering & Surveying Consultants P.C. (Tectonic) was retained by the Governor's Office of Storm Recovery (GOSR) under the New York Rising Small Business Grant Program to perform a Phase I Archaeological Survey on a ±0.004-acre parcel of land located on the southern end of Simmons Island in the City of Cohoes, Albany County, New York (**Appendix A**). The project consists of construction of a new pavilion to replace an existing pavilion that was damaged beyond repair during Hurricane Irene.

The proposed project includes the demolition of a storm damaged pavilion structure and the construction of a new pavilion structure on higher ground on the same property. The pavilion structure was damaged by flood waters during Hurricane Irene. The new pavilion structure will be built in an area of open space approximately 50 feet north of the damaged pavilion location. The pavilion is being constructed in a new area to move it further from floodway to prevent / lessen impacts from future flood events. The proposed project will include localized excavation for the installation of concrete footings (not to exceed 4 feet/1.21 meters in depth, including proposed fill to be provided by the property owner prior to construction) and only minor grading of a landscaped area in order to prepare the ground for a slab on grade type pavilion floor and associated structure. The new pavilion structure will have a footprint of approximately 40 feet x 60 feet, and the style of construction will be consistent with the other buildings on the property.

In an effort to establish the archaeological significance of the proposed Project Area, a Phase IA background and literature search was performed, followed by a Phase IB subsurface field investigation. This work was conducted in accordance with Section 106 of the National Historic Preservation Act and Section 14.09 of the New York Parks, Recreation and Historic Preservation Law.

## **2.0 BACKGROUND AND LITERATURE SEARCH**

The purpose of a Phase IA background and literature search is to evaluate the archaeological potential of the Project Area. This evaluation is based on environmental factors, the presence or absence of previously recorded cultural resources and a review of historic documents.

### **2.1 ENVIRONMENTAL SETTING**

The Project Area consists of a small rectangular parcel (approximately 40 feet x 60 feet) of mown lawn that was previously utilized as a volleyball court. The parcel is located on the grounds of the Ukrainian American Citizens Club, Inc., located on the southern end of Simmons Island at 1 Pulaski Street, City of Cohoes, Albany County, New York.

Situated at an elevation of approximately 32 feet (9.75 meters) Above Mean Sea Level (AMSL), the Project Area is located on the southern end of Simmons Island. Simmons Island is a small island located in the Mohawk River Delta, where the Mohawk River branches into several channels, flowing around a series of islands before meeting the Hudson River immediately to the east

The bedrock geology of the Project Area is part of the Middle Ordovician Canajoharie Shale Formation and is characterized by black shales that are exceptionally rich in organic matter and sulfides, especially iron sulfides. The surficial geology consists of lake laid deposit formed in sandy deposits on glacial lake plains and deltas.

FIGURE 1. SOIL MAP OF THE PROJECT AREA (USDA 2015)



The general soil profile for the area encompassed by Simmons Island is characterized as Colonie-Elnora soils. These are generally dominantly nearly level to steep, somewhat excessively to moderately well drained, deep, and course textured. However, as seen above in **Figure 1**, soils within the PA consist of Udorthents (**Ut**). These soils consist of very deep, moderately to well drained loamy or clayey soils that commonly occur as the result of construction or urban development sites that have been cut and filled. The typical profile of this soil can be found below in **Table 1**. This type of soils has very low probability to contain intact archaeological sites.

TABLE 1. SOILS IN THE APE

Map Symbol	Soils	Soil Horizon Depth in (cm)	Color	Texture/ Inclusions	Slope	Drainage
Ut	Udorthents	NA (Udorthents are variable, therefore no typical pedon provided)	NA/Variable	Fine sandy loam to clay (variable)	0-8%	Moderately well to well drained

## 2.2 ARCHAEOLOGICAL SENSITIVITY

The New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) site files were consulted to aid in the assessment of archaeological sites within 250 feet (76.2 meters) of the Project Area. The site files maintained at NYSOPRHP were researched by Kim Croshier on April 9, 2015. For a complete historic review of the Project Area, historic maps and regional histories were also consulted.

### 2.2.1 Potential for Prehistoric Sites

A review of the NYSOPRHP site files was conducted on April 9, 2015. According to this review, there are no known prehistoric sites located within 250 feet (76.2 meters) of the APE. Additionally, the soil profile for the Project Area is composed of soils resulting from cutting and filling associated with construction and urban development. Therefore, the potential for intact precontact archaeological sites is low. However, the project area's location on an island within the Mohawk River Delta with the confluence with the Hudson River located immediately to the east indicates a very high sensitivity for previous Native American occupation. Considering the combination of these factors, the chance that intact precontact resources and/or sites could be sealed beneath soils formed from cutting and filling cannot be ruled out. Therefore, the project area is considered to have a moderate sensitivity for precontact sites.

### 2.2.2 Potential for Historic Sites

A review of the NYSOPRHP site files indicates that there are no known historic archaeological site within 250 feet (76.2 meters) of the APE. However, the area's long history of Euroamerican settlement and industrial industry based along the rivers suggests the potential for historic sites is high to moderately high. However, as discussed above, the Udorthent soil profile of the immediate project area severely reduces the probability of encountering intact historic deposits and/or sites. Therefore, the potential for the project area to contain historic sites must be considered moderate.

Albany County was formed on November 1, 1683 and was later confirmed on October 1, 1691 (French 1860:155). At the time, the county theoretically contained all lands west of its then present and known limits (French 1860:155). The name Cohoes is believed to be derived from an old Mohawk Indian dialect known as "Gahaoose", and has been interpreted variably as "A canoe falling", "overshoot", "parting of the waters", and "shipwrecked canoe" (Howeel and Tenney 1886:949). All of these interpretations refer to Cohoes Falls, the impressive and historically significant Mohawk River waterfall shared by the present day city of Cohoes and the town of Waterford, New York. The river was dammed in 1831 to harness the energy of Cohoes Falls, which fueled a rapidly expanding and successful local textile industry. As a result, other burgeoning industries took root, and by 1855, Cohoes included an axe and edge tool factory, two bedstead factories, one veneering factory, two mills, one machine shop and foundry, one tobacco factory, one shoddy mill, one wheel factory, a straw paper factory, and a bobbin shop (French 1886: 66). The axe and edge tool factory mentioned above was founded by Daniel Simmons, a successful blacksmith who relocated to Cohoes sometime after 1826, and established one of the earliest of such businesses in the country (Howeel and Tenney 1886:957). Simmons' axes became well regarded around the world (Howeel and Tenney 1886:957). It is likely that Simmons Island was named for him. The making of iron and steel was also an important industry in historic Cohoes. In 1856, the Cohoes Rolling Mill was established, which supplied the iron and steel to numerous industries, including Daniel Simmons' Cohoes Axes and Edge Tools company (Howeel and Tenney 1886:958).

A further investigation was conducted through a review of historic maps and aerial photography. The Surveyor General's 1829 Map of the County of Albany and Schenectady shows Simmons Island as an unnamed and undeveloped island. Stone and Stewarts' 1866 New Topographical Atlas of the Counties of Albany and Schenectady, New York portrays Simmons Island as essentially an oddly shaped, undeveloped peninsula of the main land of Cohoes to the west. Although this particular map is difficult to interpret, it shows Ontario Street to the west in Cohoes, which by 1891 was eventually extended to cross the island and connect with Van Schaick Island to the east. It is possible that water levels were significantly lower at the time of the map's survey. Additionally by this time, State Dam had been constructed across the Mohawk River to the north. FW Beers' 1891 Atlas of the Hudson River Valley from New York to Troy shows Simmons Island as connected by

Ontario Avenue to Cohoes in the west and Van Schaick Island to the east. By this time, Simmons Island had been lightly developed, with Ridge Avenue and Riverview Street shown on the northern half of the island. The southern half of the island, which includes the Project Area, shows no development, and is labeled as a "Picnic Area". The 1898, 1929, and 1949 USGS 15 minute topographic maps show much of the same, with development on Simmons Island relegated to the northern half of the island. However, review of a 1952 USGS Aerial Photo shows that by this time the southern half of the island has seen some development, with Pulaski Street and Kosciusko Ave occupying the central and south eastern portion of the island. According to a review of these maps, as well as historic topographic maps of the Project Area, Simmons Island was historically undeveloped before the late 19th century, and the APE itself seems to have been undeveloped with the exception of cutting and filling perhaps associated with the installation of the nearby roads and urban development, including the adjacent Ukrainian American Citizens Club's structures and parking lot. These documents are presented in **Appendix A**.

### **2.2.3 Previous Surveys**

No previous archeological surveys have been conducted within 250 feet (76.2 meters) of the Project Area.

### **2.2.4 National Register of Historic Places**

According to a review of the NYSOPRHP site files, there are no properties currently listed on or deemed eligible for inclusion in the National Register of Historic Places within 250 feet (76.2 meters) of the APE.

## **3.0 PREVIOUS DISTURBANCES**

In addition to the obviously apparent episode of prior heavy flooding that damaged the existing pavilion, disturbance to the APE was noted during the subsurface investigation in the form of two to three distinct layers of fill deposition extending to the limits of manual excavation (3 feet/0.91 meters). These fill episodes are discussed in greater detail below.

## **4.0 FIELD INVESTIGATION METHODOLOGY**

A Phase IB archaeological field investigation of the proposed Project Area was performed by Kristofer Mierisch on April 21, 2015 under good conditions. This investigation included a visual survey of the Project Area and subsurface investigations of the Area of Potential Effect.

A walkover and visual survey of the Project Area and surroundings were conducted. Numerous chunks of iron slag were noted eroding out of the island's banks, and the occasional slag fragment was noted on the surface within the actual APE. As noted above, the making of iron and steel was an important 19<sup>th</sup> century industry in Cohoes. Although it is unclear exactly where the iron slag originated from, it was likely transported to the island within 20<sup>th</sup> century fill deposits (discussed below). Following the walkover and visual survey of the Project Area, nine (9) shovel test pits (STPs) were distributed among three (3) transects of three (3) STPs each. The STPs were established at 50-foot intervals, with the transects spaced 25 feet (7.62 m) apart within the proposed area of disturbance.

Shovel test pits averaged 20 inches (51 cm) in diameter and were dug to the limits of manual excavation (3 feet/0.91 meters). Soils were screened with a ¼ inch (0.6 cm) hard wire mesh. Field notes and photographs were taken at the time of excavation, recording the nature of the Project Area, soils and the presence or absence of cultural resources. These documents are presented in **Appendix B** and **C**, respectively.

## 5.0 RESULTS OF FIELD INVESTIGATION

During the subsurface field investigation, a total of nine (9) shovel test pits (STPs) were established within the limits of the Project Area (**Appendix B**). STP 1 was excavated at the southeast corner of the APE, near a backstop of chain-link fence. This shovel test revealed three (3) distinct layers of fill that extended to a combined depth of 3 feet/0.91 meters. The first layer was composed of 1 1/2.54cm of a brown silty loam. According to the property owner Roman Rakoczy, this thin layer of topsoil was brought in from elsewhere and distributed across the surface of the site (4/21/2015 personal communication). This thin layer of loam overlay 10 1/2.54cm of a dark gray modern fill composed primarily of fairly uniform sized gravel. Beneath the gravel fill, 26 1/66cm of a grayish brown, very ashy fill with gravels was uncovered. This ashy fill layer contained a mixture of 20<sup>th</sup> century historic artifacts and 19<sup>th</sup> century historic artifacts, including an ironstone sherd (19<sup>th</sup>-20<sup>th</sup> c.), 2 whiteware sherds (19<sup>th</sup>-20<sup>th</sup> c.), 3 bivalve shell fragments, 2 butchered bone fragments, 3 fragments of embossed glass (20<sup>th</sup> c.), 2 clear machine-made bottle glass base shards, and one clear glass Hero Fruit Jar base shard with "Benicia" patina (Hero Glass Works makers mark :c.1883-1885), 2 glass buttons, and a small fragment of iron slag. STPs 2 and 3 showed the same general profile of 3 distinct fill layers with the ashy historic fill layer extending beyond the limits of manual excavation and containing a mixture of 20<sup>th</sup> and mid to late 19<sup>th</sup> century artifacts. Shovel tests 4 and 5 lacked the middle fill layer composed of very gravelly dark gray modern fill. These tests yielded a similar artifact assemblage from the ashy fill layer. STP 6 contained 5 1/12.7cm of coarse sand between the thin topsoil fill and the deep, ashy historic fill layer. The historic fill layer yielded a similar artifact profile. Shovel tests 7 through 9 also lacked the modern gravel fill layer, instead showing a profile of silty loam topsoil fill directly overlaying the ashy historic fill layer. The ashy historic fill layer yielded similar artifact profiles to previous tests.

All shovel tests were dug to the limits of manual excavation (3 feet/0.91 meters), and failed to identify any native, undisturbed soils. All shovel test profiles displayed either two (2) or three (3) distinct fill episodes, with the deepest layer containing a jumble of mid to late 19<sup>th</sup> and 20<sup>th</sup> century artifacts within a loose, ashy historic deposit. This ashy fill deposit presumably extends at least somewhat beyond the max depth reached by hand excavation (3 feet/0.91 meters). This depth and extent of the historic fill episode(s) is suggestive of a "landfilling" type of deposit(s) that may or may not be relegated to the southern extent of Simmons Island. It is possible that Simmons Island may have functioned as a convenient location for industrial and domestic waste, and/or the fill was used to "build up" the existing land.

## 6.0 CONCLUSIONS AND RECOMMENDATIONS

The results of the Phase IA background and literature search conducted for the Ukrainian American Citizens Club, Inc.'s pavilion relocation in the City of Cohoes, Albany County, New York indicate that the APE has a moderate sensitivity for prehistoric cultural resources and a moderate sensitivity for historic cultural resources. The USDA general soil profile for the project area indicated that Simmons Island is currently composed primarily of Udorthents--soils consisting of very deep, moderately to well drained loamy or clayey soils that commonly occur as the result of construction or urban development sites that have been cut and filled. The results of the Phase IB field investigation indicate the soil profile of the APE is comprised of at least 3 feet/0.91 meters of materials deposited during distinct fill episodes. The deepest fill layer is comprised of ashy, historic fill containing a jumble of historic materials dating to the mid to late 19<sup>th</sup> and 20<sup>th</sup> centuries.

The proposed project involves the construction of a new pavilion in an area of open space approximately 50 feet north of the damaged pavilion location. This construction will include localized excavation for the installation of concrete footings that will not exceed 4 feet/1.21 meters in depth, and only minor grading of the landscaped area in order to prepare the ground for a slab on grade type pavilion floor and associated structure.

The results of the investigation indicate that native, undisturbed soils and significant cultural resources do not exist within the APE to a known depth of 3 feet/0.91 meters below grade. However, the possibility of sealed, intact deposits of cultural resources and/or archaeological sites below the known depth of 3 feet/0.91 meters cannot be ruled out. Therefore, Tectonic recommends that the Applicant provide and distribute an additional foot of fill over the APE, in order to ensure that the known limits of disturbance are not exceeded during construction. It is Tectonic's understanding that the Applicant has provided a signed letter to the New York

State Division for Historic Preservation stating their intention to distribute an additional foot of gravel over the over the project.

Based on the results of the Phase I Archaeological Survey, and as long as the recommended action is followed, Tectonic recommends that no further work is necessary and that the proposed project be deemed as having no effect on cultural resources.

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United States Geographic Survey

1898 15' Topographic Quadrangle (Cohoes, NY).

1929 15' Topographic Quadrangle (Cohoes, NY).

1949 15' Topographic Quadrangle (Cohoes, NY).

1954 7.5' Topographic Quadrangle (Troy North, NY).

**APPENDIX A  
MAPS AND FIGURES**



**Appendix A: Figure 1  
Site Location Map**

**Project Area:  
1 Pulaski Street,  
Cohoes, NY**

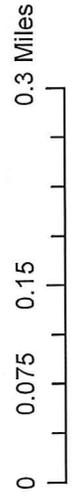
Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

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# Ukrainian American Citizens Club, Inc.

WR: 7463  
 Map Generated 01/20/2015



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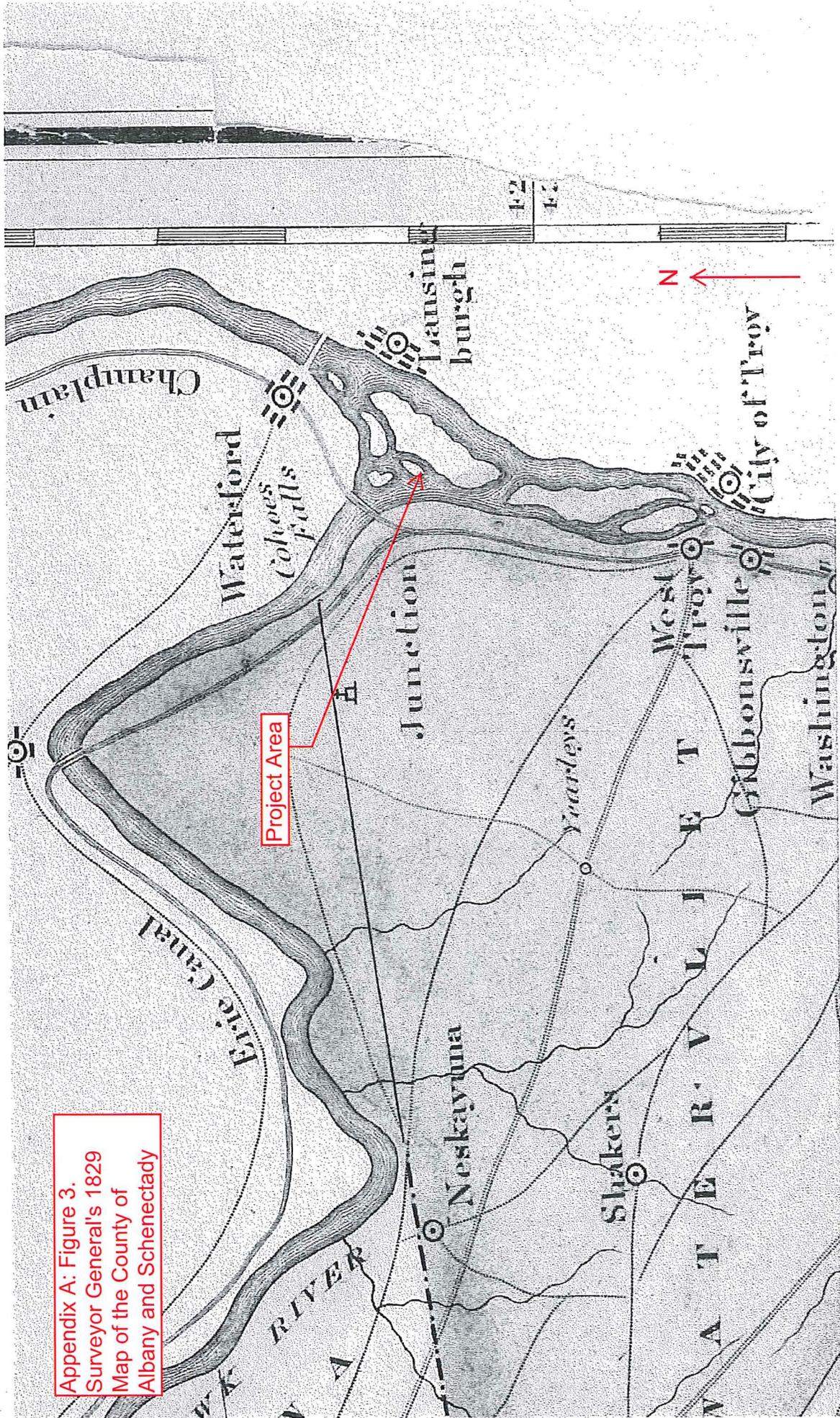
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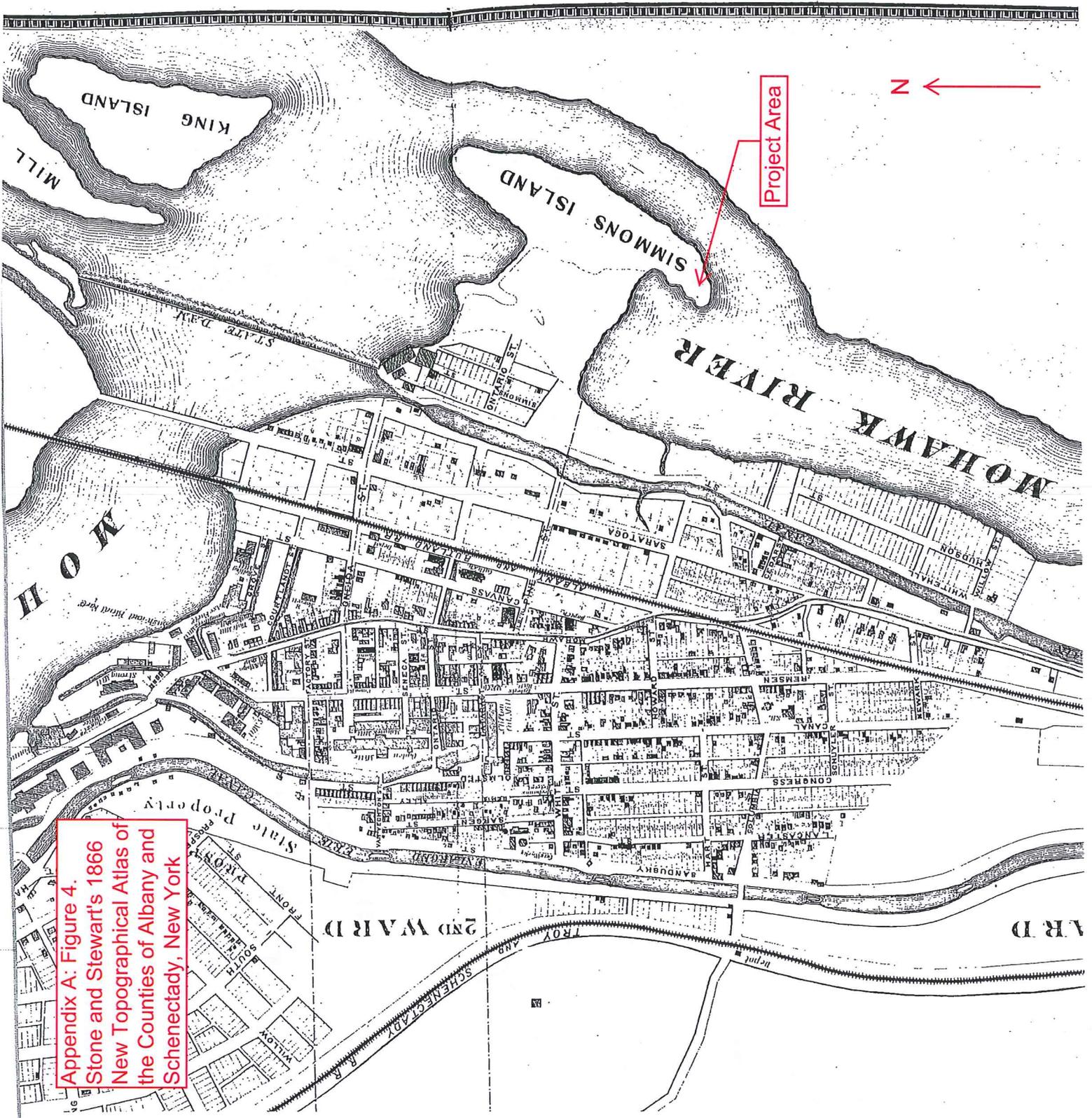
# Ukrainian American Citizens Club, Inc.

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0 0.075 0.15 0.3 Miles



Appendix A: Figure 3.  
Surveyor General's 1829  
Map of the County of  
Albany and Schenectady

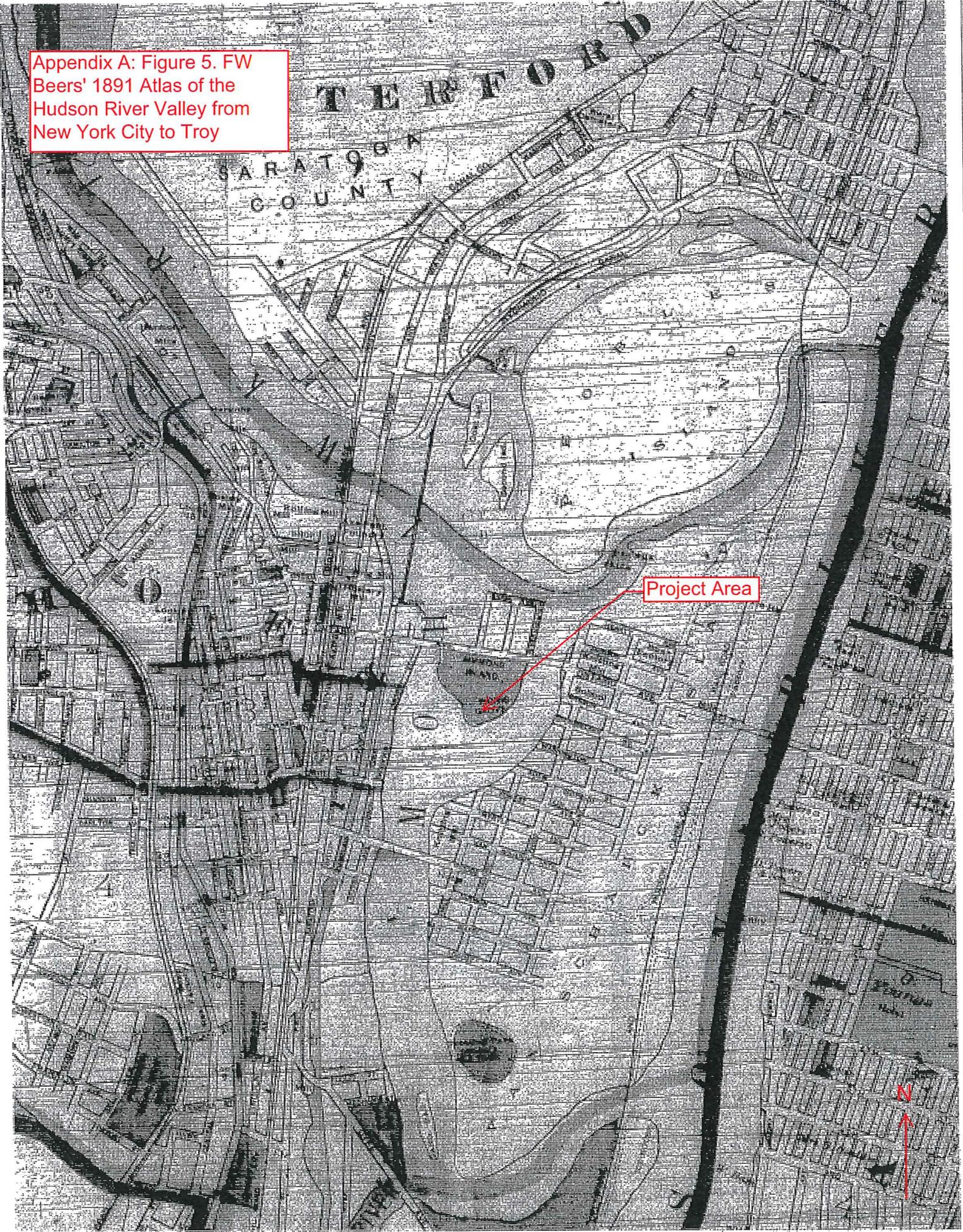


Appendix A: Figure 4.  
Stone and Stewart's 1866  
New Topographical Atlas of  
the Counties of Albany and  
Schenectady, New York

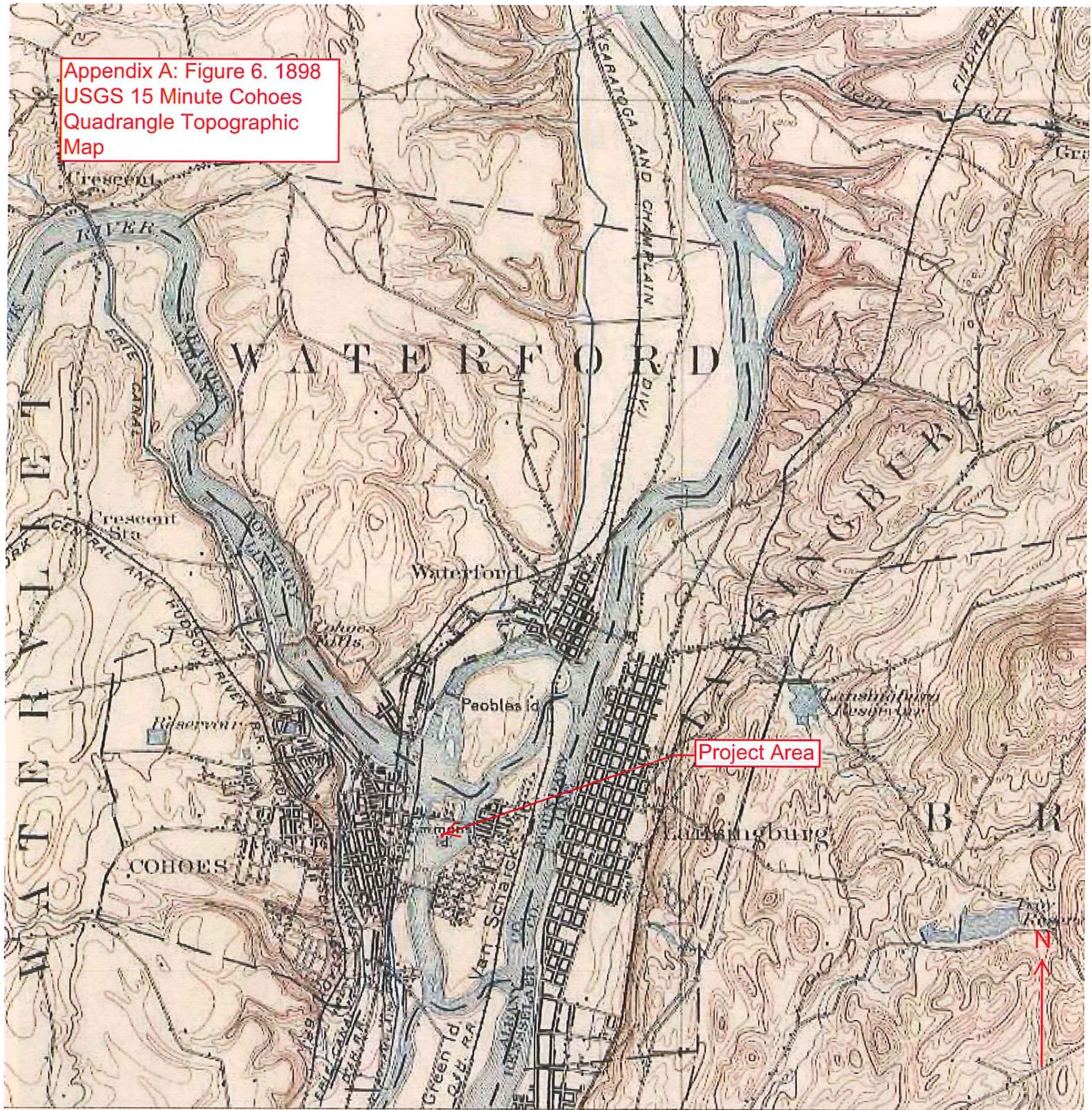
Project Area



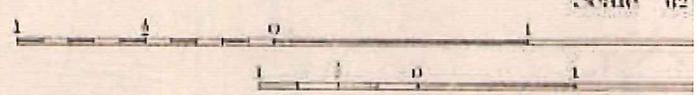
Appendix A: Figure 5. FW  
Beers' 1891 Atlas of the  
Hudson River Valley from  
New York City to Troy



Appendix A: Figure 6. 1898  
USGS 15 Minute Cohoes  
Quadrangle Topographic  
Map

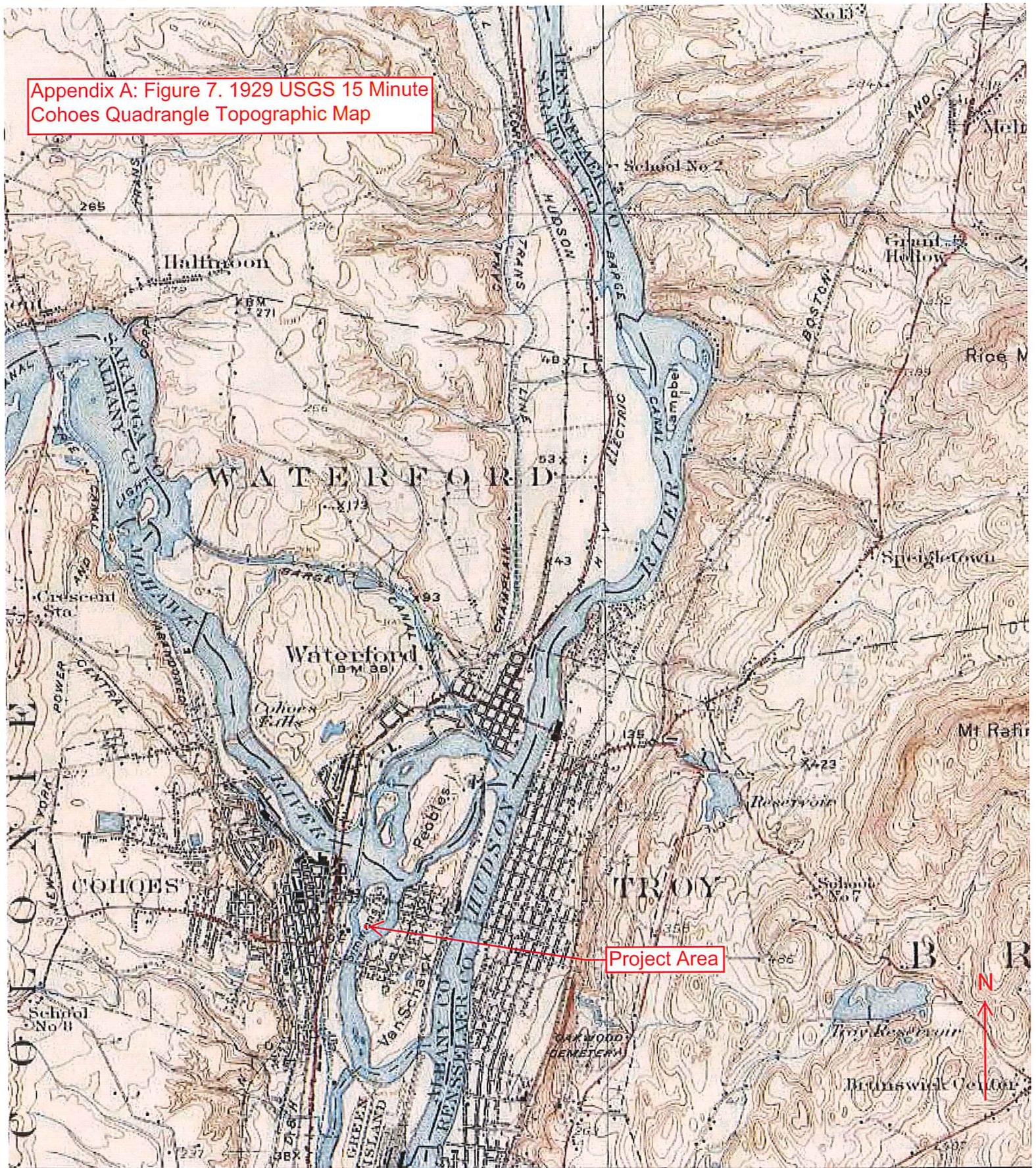


innett, Chief Topographer.  
on, Geographer in charge.  
tion by U.S.Coast & Geodetic Survey & N.Y.State Survey.  
y by Frank Sutton.  
vayed in 1892 in cooperation with the State of New York.



Contour interval  
Datum is mean

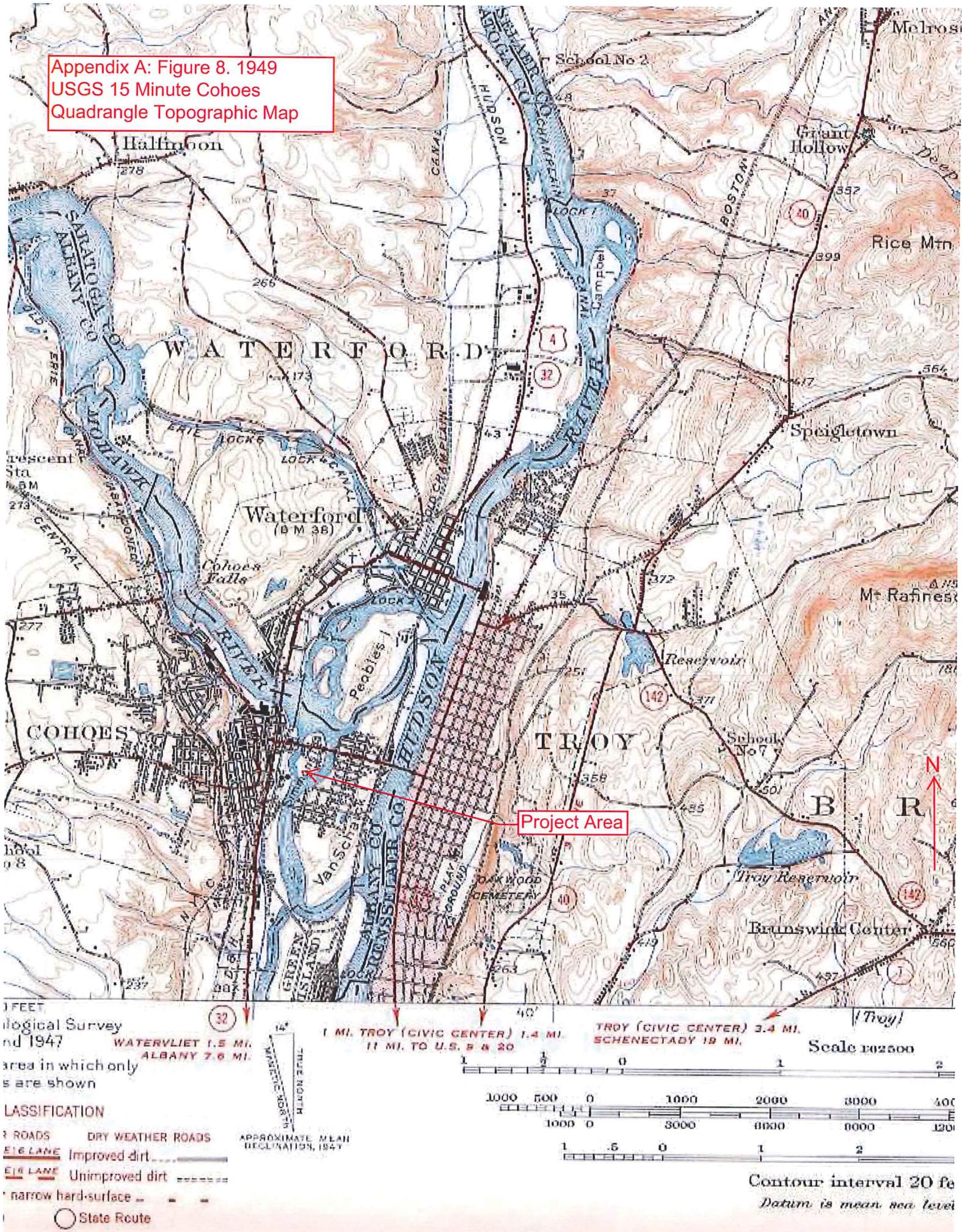
Appendix A: Figure 7. 1929 USGS 15 Minute Cohoes Quadrangle Topographic Map



935,000 YARDS ALBANY 7 MI. NEW YORK 170 MI. 40' TROY 3 MI. (Troy)  
 Scale 62500  
 5000 0 5000 100  
 1 1/2 0 1 2  
 Contour interval 20  
 APPROXIMATE MEAN DECLINATION 1925

J.M. Whitman, T.T. Ranney, J.K. Bailey, and C.E. Reick  
 drainage in part compiled from aerial photographs  
 Corps, U.S. Army  
 Geological Survey, U.S. Coast and Geodetic Survey,  
 Hudson Railroad, and from railroad  
 maps  
 25-1926

Appendix A: Figure 8. 1949  
USGS 15 Minute Cohoes  
Quadrangle Topographic Map



1 FEET  
 Geological Survey  
 and 1947  
 area in which only  
 s are shown

**CLASSIFICATION**

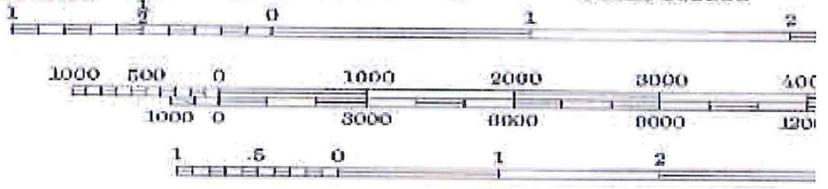
- ROADS
- DRY WEATHER ROADS
- SIX LANE Improved dirt
- SIX LANE Unimproved dirt
- narrow hard-surface
- State Route

WATERLIET 1.5 MI.  
 ALBANY 7.6 MI.

1 MI. TROY (CIVIC CENTER) 1.4 MI.  
 11 MI. TO U.S. 9 & 20

TROY (CIVIC CENTER) 3.4 MI.  
 SCHENECTADY 19 MI.

Scale 1:25,000



Contour interval 20 feet  
 Datum is mean sea level



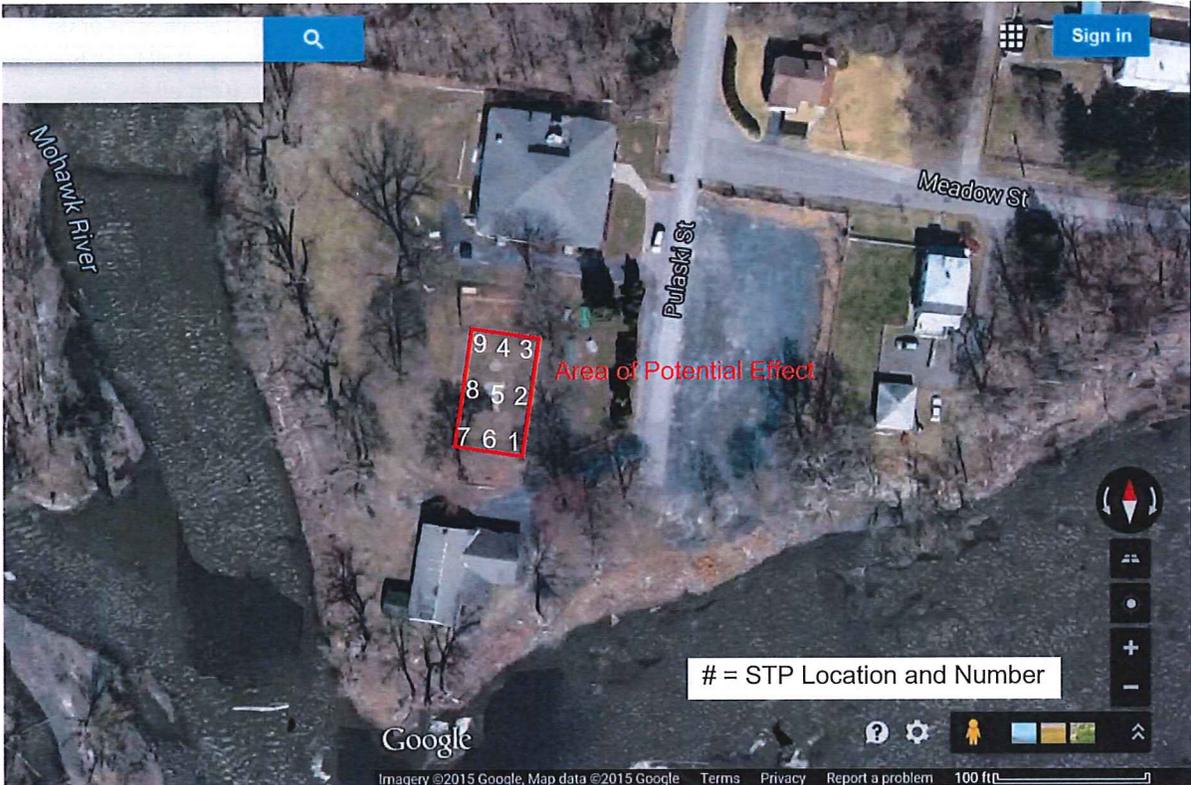
Appendix A: Figure 9. 1952 USGS Aerial Photo

Project Area

N

376-8

**APPENDIX B  
TRANSCRIBED FIELD NOTES**



AERIAL IMAGE OF THE AREA OF POTENTIAL EFFECT ALONG WITH THE LOCATION OF SUBSURFACE TESTING

Project: 7463.01A Ukrainian American Citizens Club  
 Location: City of Cohoes, NY  
 Sector: n/a  
 Transect: n/a  
 Direction: n/a

Name: Kristofer Mierisch  
 Date: April 21, 2015  
 Vegetation: Mowed lawn  
 Topography: Relatively flat  
 Methodology: STPs at 50' Intervals

Test Pit	Depth (inches)	Depth (cm)	Soil Description	Inclusions	Cultural Materials/Remarks
1	0-1	0-2.5	Brown silty loam	None	None. Soil is fill brought in from elsewhere
	1-10	2.5-25.4	Dark Gray gravel fill	None	None
	10-36	25.4-91.44	Grayish brown, loose ashy fill.	None	1 ironstone sherd (19 <sup>th</sup> -20 <sup>th</sup> c.), 2 whiteware sherds, (19 <sup>th</sup> -20 <sup>th</sup> c.) 3 bivalve shell fragments, 2 butchered bone fragments, 3 fragments of embossed glass (20 <sup>th</sup> c.) 2 clear machine made bottle glass base shards, and one clear glass Hero Fruit Jar base shard with "Benicia" patina (Hero Glass Works makers mark :c.1883-1885), 2 glass buttons, and a small fragment of iron slag.
2	0-5	0-12.7	Brown silty loam	None	N None. Soil is fill brought in from elsewhere
	5-10	12.7-25.4	Dark Gray gravel fill	None	None
	10-36	25.4-91.44	Grayish brown, loose ashy fill.	None	7 aqua glass bottle fragments, 1 round nail. 1 whiteware rim sherd with embossed scalloped rim, 1 milk glass sherd, 1 transfer ware (fine line) ironstone sherd, 3 clear glass mason jar fragments, 1 ceramic insulator fragment.
3	0-4	0-10	Brown silty loam	None	None. Soil is fill brought in from elsewhere
	4-9	10-22.86	Black course sand fill	None	None

Project: 7463.01A Ukrainian  
American Citizens  
Club  
 Location: City of Cohoes, NY  
 Sector: n/a  
 Transect: n/a  
 Direction: n/a

Name: Kristofer Mierisch  
 Date: April 21, 2015  
 Vegetation: Mowed lawn  
 Topography: Relatively flat  
 Methodology: STPs at 50' Intervals

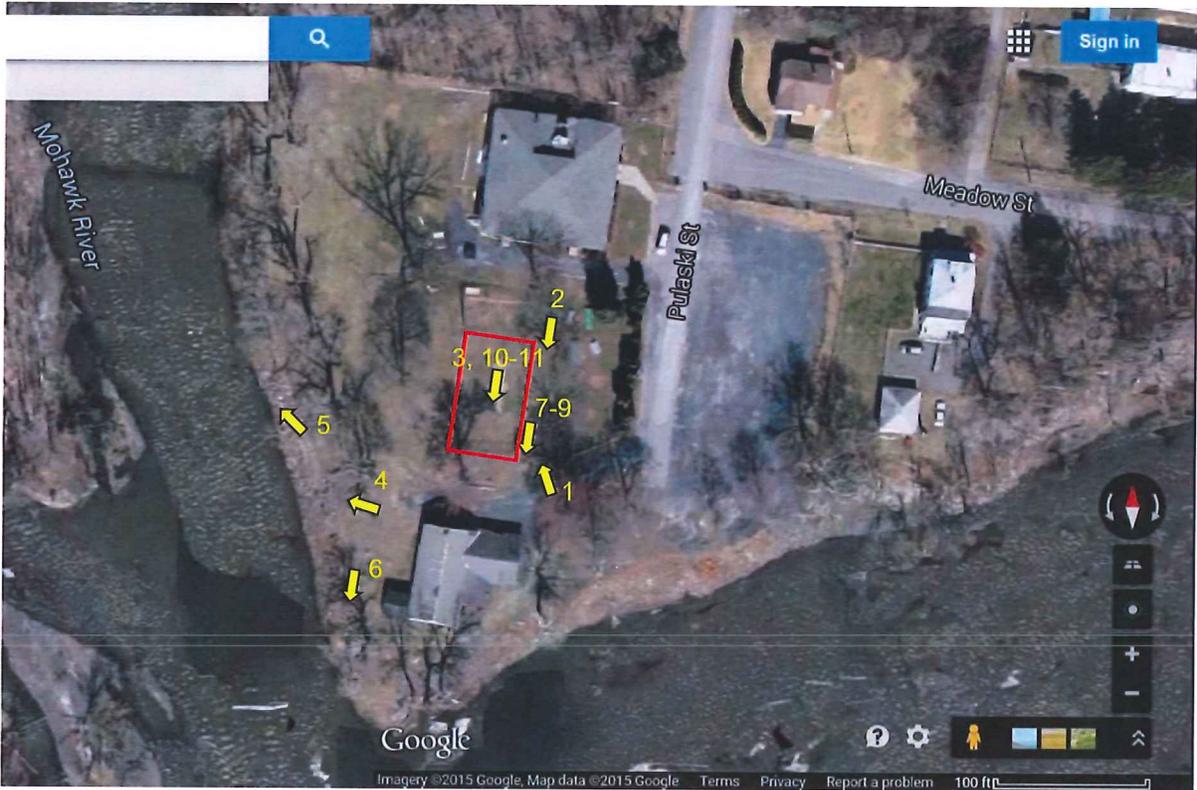
Test Pit	Depth (inches)	Depth (cm)	Soil Description	Inclusions	Cultural Materials/Remarks
3	9-36	22.86-91.44	Grayish brown, loose ashy fill.	None	2 butchered animal bone, 1 olive bottle glass fragment, 1 blue bottle glass base fragment with suction scar (20 <sup>th</sup> century), 3 clear embossed glass fragments (20 <sup>th</sup> century), 3 ceramic figure fragments, 1 whiteware sherd, 1 rusted metal fragment.
4	0-9	0-22.86	Brown silty loam	None	None. Soil is fill brought in from elsewhere
	9-36	22.86-	Dark Gray gravel fill	None	4 window glass shards, 1 whiteware sherd, 1 button, 2 rusted metal objects.
5	0-7	0-17.78	Dark brown silty loam	None	None. Soil is fill brought in from elsewhere
	7-36	17.78-91.44	Grayish brown, loose ashy fill.	None	2 animal bone, 1 nail (too corroded to identify), 1 rusted metal object, 1 milk glass, 1 undecorated ironstone rim sherd, 2 unidentified earthenware sherds with interior blue glaze
6	0-4	0-10.16	Dark brown silty loam	None	None. Soil is fill brought in from elsewhere
	4-9	10.16-22.86	Light brown coarse sand	None	None
	9-36	22.86-91.44	Grayish brown, loose ashy fill.	None	1 bivalve shell, 1 penny (date 1986), 1 green bottle glass fragment, 1 clear machine made bottle glass base with suction scar (20 <sup>th</sup> century), 1 clear milk bottle neck fragment.

7463.01A Ukrainian  
 American Citizens  
 Project: Club  
 Location: City of Cohoes, NY  
 Sector: n/a  
 Transect: n/a  
 Direction: n/a

Name: Kristofer Mierisch  
 Date: April 21, 2015  
 Vegetation: Mowed lawn  
 Topography: Relatively flat  
 Methodology: STPs at 50' Intervals

Test Pit	Depth (inches)	Depth (cm)	Soil Description	Inclusions	Cultural Materials/Remarks
7	0-10	0-25.4	Dark brown silty loam	None	None. Soil is fill brought in from elsewhere
	10-36	25.4-91.44	Grayish brown, loose ashy fill.	None	2 carnival glass fragments (20 <sup>th</sup> century), 2 rusted metal objects, 9 undecorated ironstone white graniteware sherds (Cooks Pottery Company-late 19 <sup>th</sup> early 20 <sup>th</sup> century)
8	0-8	0-20.32	Dark brown silty loam	None	None. Soil is fill brought in from elsewhere
	8-36	20.32-91.44	Grayish brown, loose ashy fill.	None	1 salt glazed stoneware sherd with Albany slip (19 <sup>th</sup> century), 3 carnival glass (20 <sup>th</sup> century), 1 animal bone fragment.
9	0-10	0-25.4	Dark brown silty loam	None	None. Soil is fill brought in from elsewhere
	10-36	25.4-91.44	Grayish brown, loose ashy fill.	None	1 clear milk bottle neck and mouth with slight "Benicia" patina, 1 machine made aqua glass bottle neck and mouth, 1 whiteware transferware rim sherd, 1 small ceramic disk with imprinted star design, 1 small complete clear glass machine-made bottle ("Dept. of Health, NY State"), 4 rusted metal objects, 1 rusted pair of scissors, 7 butchered animal bones.

**APPENDIX C  
PHOTOGRAPHS OF THE PROJECT AREA**



AERIAL IMAGE OF PROJECT AREA SHOWING PHOTOGRAPH LOCATION.



PHOTOGRAPH 1. FACING NORTHWEST ACROSS THE PROJECT AREA (VOLLEYBALL COURT). UACC BUILDING IN BACKGROUND.



PHOTOGRAPH 2. FACING SOUTH FROM LOCATION OF STP3, LOOKING TOWARDS THE EXISTING PAVILION.



PHOTOGRAPH 3. FACING SOUTH ACROSS THE APE FROM THE LOCATION OF STP 5. EXISTING PAVILION IN BACKGROUND.



PHOTOGRAPH 4. FACING NORTHWEST TOWARDS COHOES FROM THE EAST BANK OF THE MOHAWK RIVER.



PHOTOGRAPH 5. FACING SOUTH-SOUTHWEST FROM THE EAST BANK OF THE MOHAWK RIVER.



PHOTOGRAPH 6. FACING NORTH ALONG THE EAST BANK OF THE MOHAWK RIVER. IRON ORE SLAG IS ERODING OUT OF THE ISLAND'S BANKS.



PHOTOGRAPH 7. VIEW TO SOUTH FROM LOCATION OF STP1.



PHOTOGRAPH 8. VIEW OF COMPLETED STP1.



PHOTOGRAPH 9. SOIL PROFILE OF COMPLETED STP SHOWING LAYERS OF FILL.



PHOTOGRAPH 10. SHOWING INTERFACE WITH ASHY HISTORIC FILL IN STP 5. MODERN GRAVEL FILL LAYER ABSENT IN THIS TEST.



PHOTOGRAPH 11. SHOWING EXAMPLE OF ASHY HISTORIC FILL DEPOSIT.

# Attachment 5

HUD Environmental Standards Review

## Case 001-ED-32966-2013 HUD Environmental Standards Review

**Property Address: 1 Pulaski Street, Cohoes, New York 12047**

**Introduction:** The purpose of this review is to ensure that the project complies with HUD environmental standards in relation to 24 CFR Part 58.5. – Properties that are proposed for use in HUD programs “must be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.”

A desktop review was performed to identify whether the Property referenced in the title of this document complies with the following criteria:

- (i) is not Listed on an EPA Superfund National Priorities or Comprehensive Environmental Response Superfund National Priorities or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) List, or equivalent State list;
- (ii) is not located within 3,000 feet of a toxic or solid waste landfill site;
- (iii) does not have an underground storage tank;
- (iv) is not known or suspected to be contaminated by toxic chemicals or radioactive materials.

**Summary of Findings:** The property is not listed on a U.S. Environmental Protection Agency (EPA) Superfund National Priorities or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) list or equivalent State list, and is not located within 3,000 feet of a toxic or solid waste landfill site. Based on review of the NYS Bulk Storage database, the Property does not have an underground storage tank, and is not known or suspected to be contaminated by toxic chemicals or radioactive materials. A review of the EPA Resource Conservation and Recovery (RCRA) and NYSDEC Environmental Remediation databases provide no indication of past uses of the Property that could contaminate the Property or potentially adversely affect the occupants of the Property.

Several environmental remediation sites are located within 3,000 feet of the subject property; however, the sites are all hydrologically separated from the subject property which is located on Simmons Island. There are numerous EPA regulated facilities within 3,000 feet of the subject property; approximately 30 hazardous waste facilities, two water discharger facilities, one air emission facility and three Brownfield sites. Two facilities, City Hall and Macaran Printed Products, are currently in unknown violation of the CWA, they are located over 2,000 feet from the property. One facility, Shelter Enterprises, Inc., located approximately 2,000 feet from the property, is in significant violation of the CAA for permit violations. One spill was reported near the Subject Property; due to the distance from the Subject Property, the minor nature of the reported spill, and because the spill was closed, the Property is not suspected to be contaminated by the spill. Based on project description, the scope of work is expected to have significant ground disturbance—only minor grading; the soils and ground water are not suspected to be contaminated.

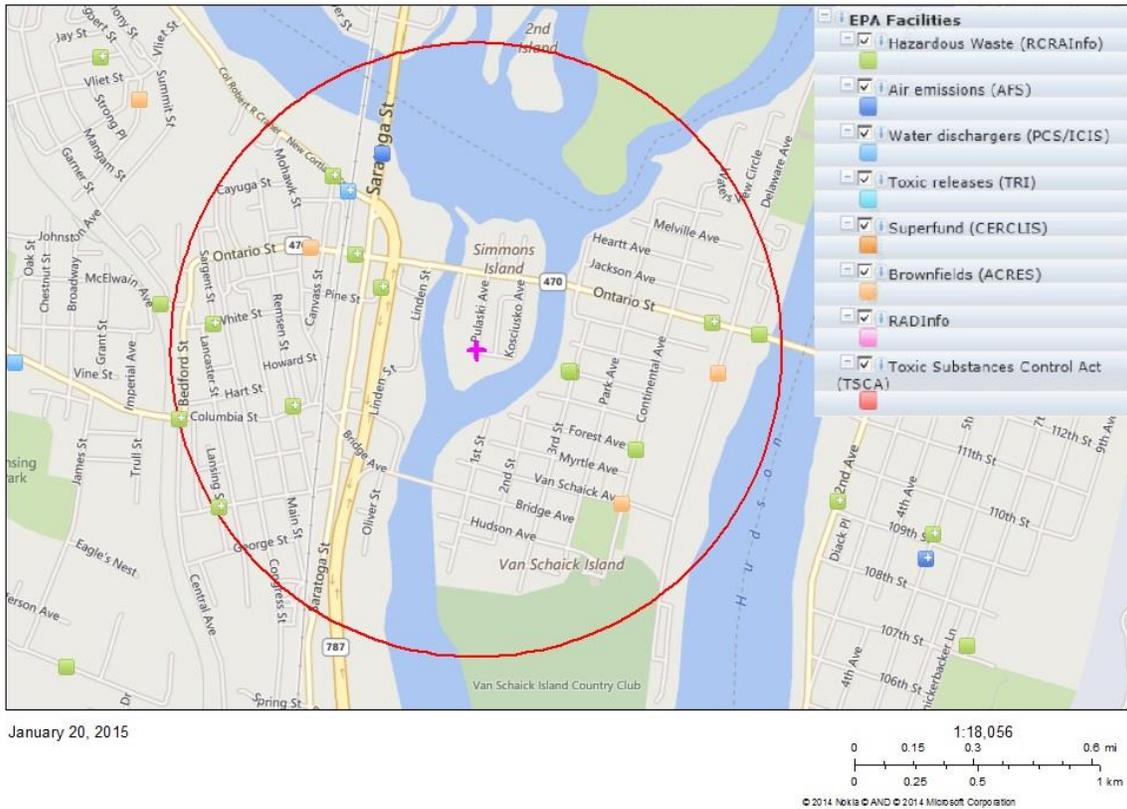
The funded activities do not involve actions that would involve potential recognized environmental conditions/contamination. Therefore, a Phase I Environmental Site

Assessment (ESA) or Phase II ESA is not warranted. As such, no further action is required at this time. Maps, NYSDEC, and EPA reports are provided at the end of this report.

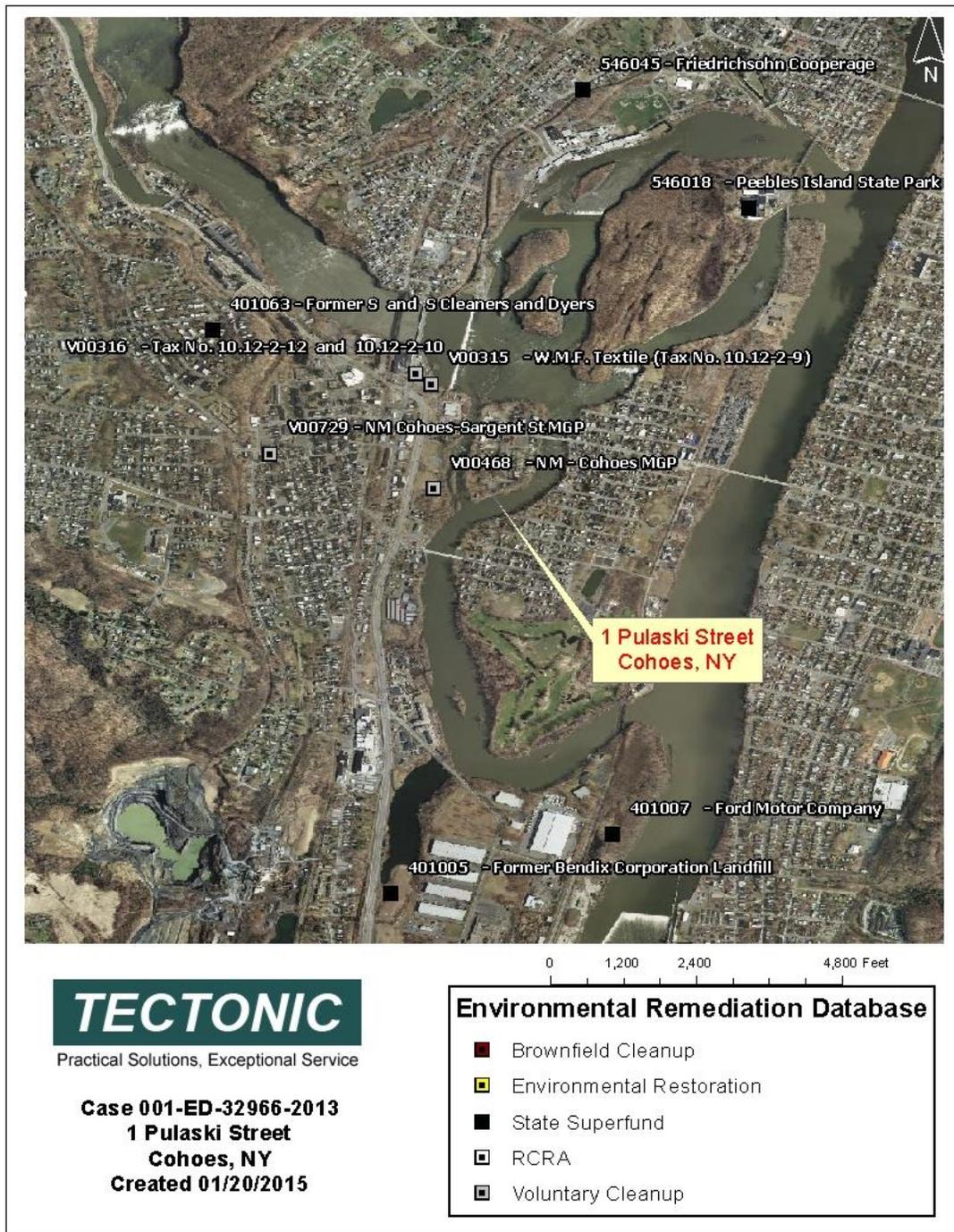
**Data Sources:** Tectonic has reviewed the following sources to make the above determinations: Hazardous Waste records contained in the Resource Conservation and Recovery Act Information (RCRA), the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) for sites listed under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA (otherwise known as Superfund)), EPA's Toxic Release Inventory database (TRI), and the EPA Radiation Information Database (RADInfo). Tectonic reviewed the NYSDEC Remedial Site Database to assess whether the site is registered as a NYS Superfund or Environmental Restoration site. The DEC Remedial Database includes records of sites that are part of the NYS Superfund, Brownfield Cleanup, Environmental Restoration, and Voluntary Cleanup Programs. The database also includes a Registry of Inactive Hazardous Waste Disposal Sites. Tectonic reviewed the NYS Bulk Storage database to determine if the Property has an underground storage tank (which is not a residential fuel tank), or any other storage tank. The NYSDEC Bulk Storage Database was reviewed for records of facilities that are or have been regulated according to one of the Bulk Storage Programs- Chemical Bulk Storage, or Major Oil Facility. The NYSDEC Spill Incident Database was used to determine the potential effects of spills on or near the Property. A desktop review of Google Earth was used in conjunction with a map of active municipal landfills (provided by the DEC) in determining whether there was a landfill within 3,000 feet of the Property.

# Maps

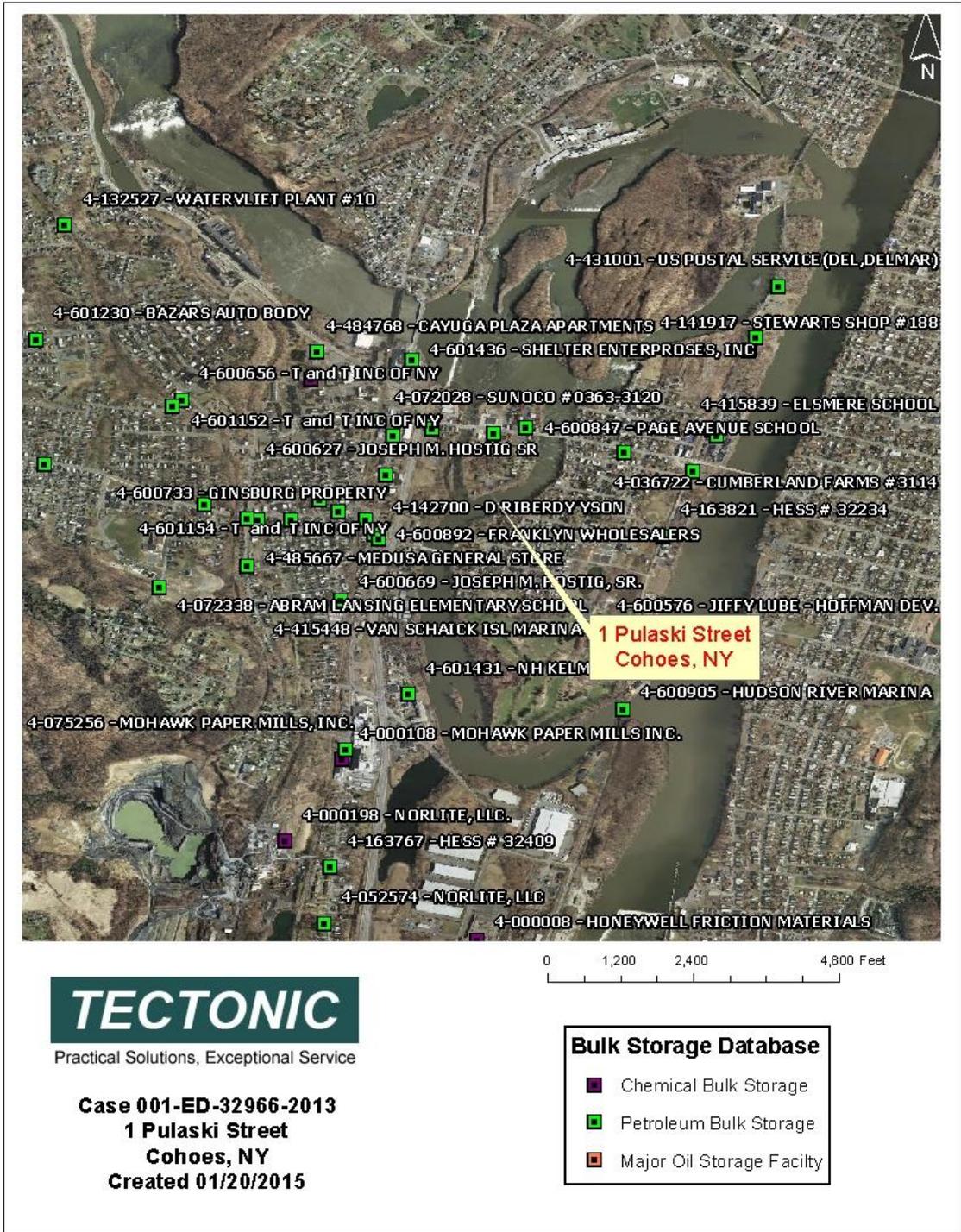




**Figure 2:** Hazardous waste sites and handlers (green marker), toxic release sites (blue marker), Superfund and brownfield sites (orange markers), and facilities regulated by the U.S. EPA for radiation and radioactivity (pink marker). The subject property is indicated by a purple cross symbol, and a 3,000 foot buffer around the Property is represented by the red circle.



**Figure 3:** Environmental remediation sites listed in the NYSDEC Environmental Remediation Database. Brownfield cleanups are depicted by dark red symbols, Environmental Restoration Programs by yellow symbols, State Superfund sites by black symbols, RCRA sites by white symbols, and Voluntary Cleanup sites by gray symbols.



**Figure 4:** Properties listed on the NYSDEC Bulk Storage Database. Petroleum Bulk Storage is represented by green markers, Chemical Bulk Storage by purple markers, and Major Oil Storage Facilities by red markers.

**New York State Department of**  
**Environmental Conservation**  
**(NYSDEC) Reports**



NEW YORK STATE  
DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION

## Spill Incidents Database Search Details

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### Spill Record

#### Administrative Information

**DEC Region:** 4  
**Spill Number:** 9506264

#### Spill Date/Time

**Spill Date:** 08/21/1995   **Spill Time:** 11:30:00 AM  
**Call Received Date:** 08/21/1995   **Call Received Time:** 03:45:00 PM

#### Location

**Spill Name:** PETER RES MEADOW ST KING  
**Address:** 13 MEADOW ST  
**City:** COHOES   **County:** ALBANY

#### Spill Description

##### Material Spilled Amount Spilled Resource Affected

#2 Fuel Oil            5 Gal.            Soil

**Cause:** Equipment Failure

**Source:** Private Dwelling

**Waterbody:**

#### Record Close

**Date Spill Closed:** 09/26/1995

"Date Spill Closed" means the date the spill case was closed by the case manager in the Department of Environmental Conservation (the Department). The spill case was closed because either, a) the records and data submitted indicate that the necessary cleanup and removal actions have been completed and no further remedial activities are necessary, or b) the case was closed for administrative reasons (e.g., multiple reports of a single spill consolidated into a single spill number). The Department however reserves the right to require additional remedial work in relation to the spill, if in the future it determines that further action is necessary.



## Bulk Storage Database Search Results

Record Count: 4 Rows: 1 to 4

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Site Number	Site Type	Facility Name	County	Locality	Site Address	ZipCode	Facility Status	Expiration Date
<a href="#">4-013919</a>	PBS	U-HAUL FACILITY #800-58	ALBANY	COHOES	169-171 ST	ONTARIO 12047	UNREGULATED/CLOSED	09/02/2001
<a href="#">4-036722</a>	PBS	CUMBERLAND FARMS #3114	ALBANY	COHOES	77 STREET	ONTARIO 12047	ACTIVE	10/17/2016
<a href="#">4-072028</a>	PBS	SUNOCO #0363-3120	ALBANY	COHOES	245 ST	ONTARIO 12047	ACTIVE	12/18/2016
<a href="#">4-461954</a>	PBS	CITY OF COHOES D.P.W.	ALBANY	COHOES	195 STREET	ONTARIO 12047	ACTIVE	12/06/2018

[Refine This Search](#)



**NEW YORK STATE  
DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION**

## Bulk Storage Database Search Details

[Next Site](#)

[Last Site](#)

### Facility Information

**Site No.:** 4-013919  
**Status:** Unregulated/Closed  
**Expiration Date:** 09/02/2001  
**Site Type:** PBS  
**Site Name:** U-HAUL FACILITY #800-58  
**Address:** 169-171 ONTARIO ST  
**Locality:** COHOES  
**State:** NY  
**Zipcode:** 12047  
**County:** ALBANY

### Owner(s) Information

**Facility Owner:** AMERCO REAL ESTATE COMPANY  
2721 N. CENTRAL AVE, SUITE 700 . PHOENIX , AZ. 85004  
**Mail Contact:** AMERCO REAL ESTATE COMPANY  
2721 N. CENTRAL AVE, SUITE 700 . PHOENIX , AZ. 85004

### Tank Information

*2 Tanks Found*

Tank No	Tank Location	Status	Capacity (Gal.)
<a href="#">1</a>	Underground	Closed - Removed	6000
<a href="#">2</a>	Underground	Closed - Removed	5000

[Return To Results](#)

[Refine This Search](#)



## Environmental Site Remediation Database Search Details

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### Site Record

#### Administrative Information

**Site Name:** W.M.F. Textile (Tax No. 10.12-2-9)

**Site Code:** V00315

**Program:** Voluntary Cleanup Program

**Classification:** N \*

**EPA ID Number:**

#### Location

**DEC Region:** 4

**Address:** 39 Saratoga Street

**City:** Cohoes Zip: 12047

**County:** ALBANY

**Latitude:** 42.77594188

**Longitude:** -73.69632944

**Site Type:**

**Estimated Size:** 0 Acres

#### Site Owner(s) and Operator(s)

#### Site Description

The VCP for this site was terminated. The site did not qualify for addition to the Registry of Inactive Hazardous Disposal Sites.

#### Contaminants of Concern (Including Materials Disposed)

**Type of Waste** **Quantity of Waste**

UNKNOWN

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

For more Information: [E-mail Us](#)



## Environmental Site Remediation Database Search Details

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### Site Record

#### Administrative Information

**Site Name:** NM - Cohoes MGP  
**Site Code:** V00468  
**Program:** Voluntary Cleanup Program  
**Classification:** A  
**EPA ID Number:**

#### Location

**DEC Region:** 4  
**Address:** Whitehall/ Bridge St.  
**City:** Cohoes Zip: 12047-  
**County:** ALBANY  
**Latitude:** 42.77119112  
**Longitude:** -73.69624081  
**Site Type:**  
**Estimated Size:** 0 Acres

#### Site Owner(s) and Operator(s)

#### Site Document Repository

**Name:** Cohoes Public Library  
**Address:** 169 Mohawk Street  
Cohoes, NY 12047  
**Name:** NYSDEC Central Office  
**Address:** 625 Broadway, 11th floor  
Albany, NY 12233

#### Site Description

**Location:** The site is located on the Linden Street Extension, off of Route 787 N, in a residential area of the City of Cohoes, Albany County. The Mohawk River borders the site to the east, and NYS Route 787 borders the site to the west. **Site Features:** The site consists of a grass covered field and a wooded area. A sewer pump station, owned and operated by the City of Cohoes, is located in the east-central portion of the site. The grass portion of the site has been fenced. **Current Zoning and Land Use:** The site is currently unoccupied. The property is zoned for commercial and office use. Residential properties are located adjacent to the site. **Past Use of the Site:** A manufactured gas plant (MGP) operated on the site from 1852 to 1949. The MGP operations have resulted in contamination of the site. Coal tar has leaked from MGP structures including the former western gas holder, tar filter and purifier areas. **Site Geology and Hydrogeology:** The site's overburden consists of mostly fill material containing lenses of native sand and silt. The underlying bedrock consists of weathered shale and siltstone. The depth to groundwater ranges from 6 to 18 feet below grade across the site. Overburden groundwater flow is primarily east toward the Mohawk River.

## Summary of Project Completion Dates

Projects associated with this site are listed in the Project Completion Dates table and are grouped by Operable Unit (OU). A site can be divided into a number of operable units depending on the complexity of the site and the number of issues associated with a site. Sites are often divided into operable units based on the media to be addressed (such as groundwater or contaminated soil), geographic area, or other factors.

Project Completion Dates

## Contaminants of Concern (Including Materials Disposed)

Type of Waste	Quantity of Waste
BENZO[K]FLUORANTHENE	UNKNOWN
COAL TAR	UNKNOWN
Polycyclic Aromatic Hydrocarbons (PAHs), Total	UNKNOWN
BENZ(A)ANTHRACENE	UNKNOWN
BENZENE	UNKNOWN
BENZO(B)FLUORANTHENE	UNKNOWN
NAPHTHALENE	UNKNOWN
TOLUENE	UNKNOWN
XYLENE (MIXED)	UNKNOWN
	UNKNOWN
BENZO(A)PYRENE	UNKNOWN
ETHYLBENZENE	UNKNOWN

## Site Environmental Assessment

Nature and Extent of Contamination: Based upon investigations conducted to date, the primary contaminants of concern include benzene, toluene, ethylbenzene, xylene (BTEX), non-aqueous phase liquid (NAPL), in the form of coal tar and polyaromatic hydrocarbons (PAHs). Soil - NAPL, in the form of coal tar, is found in subsurface soil in the vicinity of the former tar filter, purifier and western gas holder. Soil inside of the eastern gas holder was not significantly impacted with coal tar. Coal tar has migrated downgradient of the source areas, in the direction of the Mohawk River, and is generally present on the surface of bedrock between approximately eight and twelve feet below grade. Also, isolated pockets of coal tar contamination extend off-site to the south, one of which is referred to as the purifier waste area. PAHs were detected above commercial cleanup goals in the surface and subsurface soil across the site. PAHs and limited NAPL were also detected in off-site borings south of the site. The most heavily impacted areas are located in and downgradient of the source areas. The highest level of PAHs in surface soil were seen in a soil boring, where benzo(a)anthracene was detected at 48 parts per million (ppm), benzo(a)pyrene was detected at 56 ppm, benzo(b)fluoranthene was detected at 49 ppm, dibenzo(a,h)anthracene was detected at 16 ppm and indeno(1,2,3-cd) pyrene was detected at 47 ppm. In addition, total PAHs were detected in subsurface soil above 500 ppm at numerous locations. The highest detection of PAHs was in the six to eight foot interval of a soil boring at 25,329 ppm. Groundwater - NAPL, in the form of coal tar, was observed in several on-site overburden and bedrock wells. NAPL was not observed in off-site wells, however, dissolved phase contamination has migrated off site in both the overburden groundwater and through the bedrock fractures. All groundwater eventually discharges to the Mohawk River. BTEX compounds were detected in overburden and bedrock groundwater both on-site and off-site at concentrations exceeding respective groundwater standards. The groundwater standard is 5 parts per billion (ppb) for all BTEX compounds except for benzene which has a standard of 1 ppb. Maximum concentrations of BTEX compounds were detected in a bedrock well located in the western gas holder, including benzene detected at 20,000 ppb, toluene detected at 4,400 ppb, ethylbenzene detected at 4,600 ppb and xylene(total) detected at 6,200 ppb. Maximum concentrations of BTEX compounds were detected in an off-site that is screened across a bedrock fracture at approximately one hundred feet below grade, including benzene detected at 32,000 ppb, toluene detected at 2,800 ppb, ethylbenzene detected at 1,900 ppb and xylene(total) detected at 1,200 ppb. In total, five off-site deep bedrock groundwater exhibited BTEX contamination. Sediment - The riverbed of the Mohawk River is predominantly hard bottom consisting of rock and cobbles. Thus, no sediment samples were collected during the RI. However, since coal tar has been documented in the adjacent river bank deposits, it is possible that contamination has

migrated or could migrate into the riverbed sediments in the future. Soil Vapor - During the RI, soil vapor samples were collected adjacent to the former St. Michael's Community Center and also near the existing residences south-west of the site. Volatile organic compounds associated with petroleum and MGP waste were detected in some of the samples collected both on-site and off-site. The soil vapor results collected on-site showed some elevated levels of petroleum and MGP related constituents. The soil vapor results collected off-site indicated no additional sampling was warranted. Special Resources Impacted: The Mohawk River abuts the eastern site boundary. The remedial investigation has documented MGP related contamination in the soil along an approximate 250 linear foot section of the riverbank, which produces sheens in the river when agitated. The riverbank is densely vegetated and connected to a large area of forested floodplain in the southern portion of the site. The remedial investigation identified two areas within the forested floodplain that contain MGP related contamination; the former western gas holder and the purifier waste area.

## Site Health Assessment

A portion of the site is fenced, which restricts public access. However, persons who enter the site could contact contaminants in the soil by walking on the soil, digging or otherwise disturbing the soil. People are not drinking the contaminated groundwater because the area is served by a public water supply that is not affected by this contamination. Volatile organic compounds in the groundwater may move into the soil vapor (air spaces within the soil), which in turn may move into overlying buildings and affect the indoor air quality. This process is which is similar to the movement of radon gas from the subsurface into the indoor air of buildings is referred to as soil vapor intrusion. Because there is no on-site building, inhalation of site contaminants in indoor air due to soil vapor intrusion does not represent a concern for this site in its current condition. However, the potential exists for the inhalation of site contaminants due to soil vapor intrusion for any future on-site development. In addition, sampling indicates soil vapor intrusion is not a concern for off-site buildings. People may come in contact with contaminants present in shallow riverbank soils and sediment adjacent to the site while entering or exiting the river during recreational activities.

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## Detailed Facility Report

### Facility Summary

**COHOES (C)**  
**CITY HALL, 97 MOHAWK ST, COHOES, NY 12047** ⓘ

#### Facility Information (FRS)

FRSID: 110009149670  
EPA Region: 02  
Latitude: 42.77462  
Longitude: -73.70009  
Locational Data Source: FRS  
Industry:  
Indian Country: N

#### Regulatory Interests

Clean Air Act: No Information  
Clean Water Act: Minor, Permit Effective (NY0031046)  
Resource Conservation and Recovery Act: No Information  
Safe Drinking Water Act: No Information

#### Also Reports

Air Emissions Inventory (EIS): No Information  
Greenhouse Gas Emissions (eGGRT): No Information  
Toxic Releases (TRD): No Information

#### Enforcement and Compliance Summary ⚠

Statute	Insp (5 Years)	Date of Last Inspection	Current Compliance Status	Qtrs in NC (of 12)	Qtrs in Significant Violation	Informal Enforcement Actions (5 years)	Formal Enforcement Actions (5 years)	Penalties from Formal Enforcement Actions (5 years)	EPA Cases (5 years)	Penalties from EPA Cases (5 years)
CWA	3	03/24/2014	Unknown	0	0		3	\$159,900		

Related Reports: [E](#) CWA Effluent Charts [L](#) CWA Pollutant Loading Report

## Facility/System Characteristics

### Facility/System Characteristics

Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
	110009149670					N	42.77462	-73.70009
CWA	NY0031046	Minor: NPDES Individual Permit	Effective	POTW	09/30/2015	N	42.770083	-73.690667

### Facility Address

System	Identifier	Facility Name	Facility Address
FRS	110009149670	COHOES (C)	CITY HALL, 97 MOHAWK ST, COHOES, NY 12047
ICP	NY0031046	COHOES (C)	CITY HALL, 97 MOHAWK ST, COHOES, NY 120472897

### Facility SIC Codes

System	Identifier	SIC Code	SIC Desc
ICP	NY0031046	4952	

### Facility NAICS Codes

System	Identifier	NAICS Code	NAICS Desc
No data records returned			

### Facility Tribe Information

Tribal Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned		

## Enforcement and Compliance

### Compliance Monitoring History (5 years)

Statute	Source ID	System	Inspection Type	Lead Agency	Date	Finding
CWA	NY0031046	ICP	Evaluation	State	11/29/2011	
CWA	NY0031046	ICP	Evaluation	State	03/28/2013	
CWA	NY0031046	ICP	Evaluation	State	03/24/2014	

Entries in italics are not considered inspections in official counts.

### Compliance Summary Data

Statute	Source ID	Current SNC/HPV	Description	Current As Of	Qtrs in NC (of 12)
CWA	NY0031046			09/30/2014	0

### Three Year Compliance Status by Quarter

<http://echo.epa.gov/detailed-facility-report?redirect=page&fid=110009149670>

1/20/2015

Statute	Program/Pollutant/ Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13*
CWA (Source ID: NY0031046)		10/01-12/31 2011	01/01-03/31 2012	04/01-06/30 2012	07/01-09/30 2012	10/01-12/31 2012	01/01-03/31 2013	04/01-06/30 2013	07/01-09/30 2013	10/01-12/31 2013	01/01-03/31 2014	04/01-06/30 2014	07/01-09/30 2014	10/01-12/31 2014
Facility-Level Status		Unk	Und											
SNC/RNC History		U(N/A)												

\*Quarter 13 is draft/unofficial and has not been fully quality assured. Read more

### Informal Enforcement Actions (5 Years)

Statute	Source ID	Type of Action	Lead Agency	Date
No data records returned				

### Formal Enforcement Actions (5 Years)

Statute	Source ID	Type of Action	Lead Agency	Date	Penalty	Penalty Description
CWA	NY0031046	State Administrative Order of Consent	State	01/15/2014	\$99,900	
CWA	NY0031046	State Administrative Order of Consent	State	01/25/2013	\$10,000	
CWA	NY0031046	State Administrative Order of Consent	State	10/12/2010	\$50,000	

### ICIS Case History (5 years)

Primary Law/Section	Case No.	Case Type	Lead Agency	Case Name	Issued/Filed Date	Settlement Date	Federal Penalty	State/Local Penalty	SEP Cost	Comp Action Cost
No data records returned										

## Environmental Conditions

### Water Quality

Permit ID	Watershed (HUC 8)	Watershed Name (HUC 8)	Watershed (HUC 12)	Watershed Name (HUC 12)	Receiving Waters	Impaired Waters	Combined Sewer System?
NY003104602020004		MOHAWK	020200041110	Shakers Creek-Mohawk River	MOHAWK R	No	Yes

### Air Quality

Non-Attainment Area?	Pollutant(s)
Yes	Ozone
No	Lead
No	Particulate Matter

## Pollutants

### TRI History of Reported Chemicals Released in Pounds per Year at Site ⓘ

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs	Underground Injections	Releases to Land	Total On-site Releases	Total Off-site Releases
No data records returned								

### TRI Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name
No data records returned

## Demographic Profile

### Demographic Profile of Surrounding Area (3 Miles)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 US Census and American Community Survey data, and are accurate to the extent that the facility latitude and longitude listed below are correct. The latitude and longitude are obtained from the EPA Locational Reference Table (LRT) when available.

Radius of Area:	3	Land Area:	92%	Households in Area:	28,814
Center latitude:	42.77462	Water Area:	8%	Housing Units in Area:	31,978
Center Longitude:	-73.70009	Population Density:	2,516/sq.mi.	Households on Public Assistance:	1,153
Total Persons:	65,272	Percent Minority:	20%	Persons Below Poverty Level:	22,306
<b>Race Breakdown</b>		<b>Persons (%)</b>		<b>Age Breakdown</b>	
White:	53,552 (82.04%)	Child 5 years and younger:	3,941 (6.04%)	Minors 17 years and younger:	14,154 (21.68%)
African-American:	6,363 (9.75%)	Adults 18 years and older:	51,118 (78.32%)	Seniors 65 years and older:	8,839 (13.54%)
Hispanic-Origin:	3,340 (5.12%)				
Asian/Pacific Islander:	1,953 (2.99%)				
American Indian:	161 (.25%)				
Other/Multiracial:	3,243 (4.97%)				
<b>Education Level (Persons 25 &amp; older)</b>		<b>Persons (%)</b>		<b>Income Breakdown</b>	
Less than 9th Grade:	2,142 (4.89%)	Less than \$15,000:	4,270 (15.34%)	\$15,000 - \$25,000:	3,804 (13.67%)
9th through 12th Grade:	3,983 (9.09%)	\$25,000 - \$50,000:	7,101 (25.51%)	\$50,000 - \$75,000:	5,439 (19.54%)
High School Diploma:	15,064 (34.39%)	Greater than \$75,000:	7,223 (25.95%)		
Some College/2-yr:	13,014 (29.71%)				
B.S./B.A. or More:	9,597 (21.91%)				

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## Detailed Facility Report

### Facility Summary

**MACARAN PRINTED PRODUCTS**  
**18 NEW CORTLAND ST, COHOES, NY 12047** ⓘ

#### Facility Information (FRS)

FRSID: 110019504963  
EPA Region: 02  
Latitude: 42.775905  
Longitude: -73.698292  
Locational Data Source: RCRAINFO  
Industry:  
Indian Country: N

#### Regulatory Interests

Clean Air Act: No Information  
Clean Water Act: Minor, Permit Admin Continued (NYR00F107)  
Resource Conservation and Recovery Act: Active (H) LQG (NYD986988897)  
Safe Drinking Water Act: No Information

#### Also Reports

Air Emissions Inventory (EIS): No Information  
Greenhouse Gas Emissions (eGGRT): No Information  
Toxic Releases (TRD): No Information

#### Enforcement and Compliance Summary ⚠

<http://echo.epa.gov/detailed-facility-report?redirect=page&fid=110019504963>

1/20/2015

Statute	Insp (5 Years)	Date of Last Inspection	Current Compliance Status	Qtrs in NC (of 12)	Qtrs in Significant Violation	Infomal Enforcement Actions (5 years)	Formal Enforcement Actions (5 years)	Penalties from Formal Enforcement Actions (5 years)	EPA Cases (5 years)	Penalties from EPA Cases (5 years)
CWA			Unknown	0	0					
RCRA			No Violation	0	0					

Related Reports: [E](#) CWA Effluent Charts [L](#) CWA Pollutant Loading Report

## Facility/System Characteristics

### Facility/System Characteristics

Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
	110019504963							
CWA	NYR00F107	Minor: General Permit Covered Facility	Admin Continued	Storm Water Industrial	03/31/2012	N	42.775905	-73.698292
RCRA	NYD986988897	LQG	Active (H)			N	42.775905	-73.698292

### Facility Address

System	Identifier	Facility Name	Facility Address
FRS	110019504963	MACARAN PRINTED PRODUCTS	18 NEW CORTLAND ST, COHOES, NY 12047
ICP	NYR00F107	VAN ALSTINES & SONS INCMACARAN PRINTED PRODUCTS	18 NEW CORTLAND ST, COHOES, NY 12047
RCR	NYD986988897	MACARAN PRINTED PRODUCTS	18 NEW COURTLAND ST, COHOES, NY 12047

### Facility SIC Codes

System	Identifier	SIC Code	SIC Desc
ICP	NYR00F107	2759	

### Facility NAICS Codes

System	Identifier	NAICS Code	NAICS Desc
RCR	NYD986988897	323111	Commercial Gravure Printing

### Facility Tribe Information

Tribal Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned		

## Enforcement and Compliance

### Compliance Monitoring History (5 years)

Statute	Source ID	System	Inspection Type	Lead Agency	Date	Finding
No data records returned						

Entries in italics are not considered inspections in official counts.

### Compliance Summary Data

Statute	Source ID	Current SNC/HPV	Description	Current As Of	Qtrs in NC (of 12)
CWA	NYR00F107			09/30/2014	0
RCRA	NYD986988897	No		01/18/2015	0

<http://echo.epa.gov/detailed-facility-report?redirect=page&fid=110019504963>

1/20/2015

### Three Year Compliance Status by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12	QTR 13*
CWA (Source ID: NYR00F107)		10/01-12/31 2011	01/01-03/31 2012	04/01-06/30 2012	07/01-09/30 2012	10/01-12/31 2012	01/01-03/31 2013	04/01-06/30 2013	07/01-09/30 2013	10/01-12/31 2013	01/01-03/31 2014	04/01-06/30 2014	07/01-09/30 2014	10/01-12/31 2014
Facility-Level Status		No Viol	Unk	Und										
SNC/RNC History			U(N/A)											

\*Quarter 13 is draft/unofficial and has not been fully quality assured. Read more

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12
RCRA (Source ID: NYD98698897)		04/01-06/30 2012	07/01-09/30 2012	10/01-12/31 2012	01/01-03/31 2013	04/01-06/30 2013	07/01-09/30 2013	10/01-12/31 2013	01/01-03/31 2014	04/01-06/30 2014	07/01-09/30 2014	10/01-12/31 2014	01/01-03/31 2015
RCRA Facility-Level Status													

### Informal Enforcement Actions (5 Years)

Statute	Source ID	Type of Action	Lead Agency	Date
No data records returned				

### Formal Enforcement Actions (5 Years)

Statute	Source ID	Type of Action	Lead Agency	Date	Penalty	Penalty Description
No data records returned						

### ICIS Case History (5 years)

Primary Law/Section	Case No.	Case Type	Lead Agency	Case Name	Issued/Filed Date	Settlement Date	Federal Penalty	State/Local Penalty	SEP Cost	Comp Action Cost
No data records returned										

## Environmental Conditions

### Water Quality

Permit ID	Watershed (HUC 8)	Watershed Name (HUC 8)	Watershed (HUC 12)	Watershed Name (HUC 12)	Receiving Waters	Impaired Waters	Combined Sewer System?
NYR00F10702020004	MOHAWK		020200041110	Shakers Creek-Mohawk River		No	

### Air Quality

Non-Attainment Area?	Pollutant(s)
Yes	Ozone
No	Lead
No	Particulate Matter

## Pollutants

### TRI History of Reported Chemicals Released in Pounds per Year at Site <sup>(i)</sup>

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs	Underground Injections	Releases to Land	Total On-site Releases	Total Off-site Releases
No data records returned								

**TRI Total Releases and Transfers in Pounds by Chemical and Year**

Chemical Name
No data records returned

**Demographic Profile****Demographic Profile of Surrounding Area (3 Miles)**

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 US Census and American Community Survey data, and are accurate to the extent that the facility latitude and longitude listed below are correct. The latitude and longitude are obtained from the EPA Locational Reference Table (LRT) when available.

Radius of Area:	3	Land Area:	91%	Households in Area:	26,044
Center latitude:	42.777722	Water Area:	9%	Housing Units in Area:	28,896
Center Longitude:	-73.699278	Population Density:	2,327/sq.mi.	Households on Public Assistance:	1,074
Total Persons:	59,734	Percent Minority:	19%	Persons Below Poverty Level:	19,872
<b>Race Breakdown</b>		<b>Persons (%)</b>		<b>Age Breakdown</b>	
White:	49,505 (82.88%)	Child 5 years and younger:	3,666 (6.14%)		
African-American:	5,617 (9.4%)	Minors 17 years and younger:	13,356 (22.36%)		
Hispanic-Origin:	3,020 (5.06%)	Adults 18 years and older:	46,377 (77.64%)		
Asian/Pacific Islander:	1,507 (2.52%)	Seniors 65 years and older:	8,018 (13.42%)		
American Indian:	143 (.24%)				
Other/Multiracial:	2,961 (4.96%)				
<b>Education Level (Persons 25 &amp; older)</b>		<b>Persons (%)</b>		<b>Income Breakdown</b>	
Less than 9th Grade:	2,080 (5.12%)	Less than \$15,000:	3,751 (14.77%)		
9th through 12th Grade:	3,627 (8.92%)	\$15,000 - \$25,000:	3,308 (13.02%)		
High School Diploma:	14,250 (35.06%)	\$25,000 - \$50,000:	6,462 (25.44%)		
Some College/2-yr:	12,000 (29.52%)	\$50,000 - \$75,000:	5,042 (19.85%)		
B.S./B.A. or More:	8,693 (21.38%)	Greater than \$75,000:	6,836 (26.91%)		

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The URL you requested has changed. You have been redirected to the new URL. Please update your bookmarks.



## Detailed Facility Report

### Facility Summary

**SHELTER ENTERPRISES INC**  
**8 SARATOGA ST, COHOES, NY 12047** ⓘ

#### Facility Information (FRS)

FRSID: 110043686393  
EPA Region: 02  
Latitude: 42.7769  
Longitude: -73.69707  
Locational Data Source: FRS  
Industry:  
Indian Country: N

#### Regulatory Interests

Clean Air Act: Operating Synthetic Minor (36001R5120)  
Clean Water Act: No Information  
Resource Conservation and Recovery Act: No Information  
Safe Drinking Water Act: No Information

#### Also Reports

Air Emissions Inventory (EIS): No Information  
Greenhouse Gas Emissions (eGGRT): No Information  
Toxic Releases (TRD): No Information

#### Enforcement and Compliance Summary ⚠

Statute	Insp (5 Years)	Date of Last Inspection	Current Compliance Status	Qtrs in NC (of 12)	Qtrs in Significant Violation	Informal Enforcement Actions (5 years)	Formal Enforcement Actions (5 years)	Penalties from Formal Enforcement Actions (5 years)	EPA Cases (5 years)	Penalties from EPA Cases (5 years)
CAA	1	09/07/2012	<b>Significant Violation</b>	9	9	1	1	\$33,000		

## Facility/System Characteristics

### Facility/System Characteristics

Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
	110043686393					N	42.7769	-73.69707
CAA	36001R5120	Synthetic Minor	Operating	SIP, TITLE V PERMITS		N		

### Facility Address

System	Identifier	Facility Name	Facility Address
FRS	110043686393	SHELTER ENTERPRISES INC	8 SARATOGA ST, COHOES, NY 12047
AFS	36001R5120	SHELTER ENTERPRISES INC	8 SARATOGA ST, COHOES, NY 12047

### Facility SIC Codes

System	Identifier	SIC Code	SIC Desc
AFS	36001R5120	3086	

### Facility NAICS Codes

System	Identifier	NAICS Code	NAICS Desc
No data records returned			

### Facility Tribe Information

Tribal Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned		

## Enforcement and Compliance

### Compliance Monitoring History (5 years)

Statute	Source ID	System	Inspection Type	Lead Agency	Date	Finding
CAA	36001R5120	AFS	STATE CONDUCTED FCE/ON-SITE	State	09/07/2012	
CAA	36001R5120	AFS	STATE PCE/ON-SITE	State	09/06/2012	

Entries in italics are not considered inspections in official counts.

### Compliance Summary Data

Statute	Source ID	Current SNC/HPV	Description	Current As Of	Qtrs in NC (of 12)
CAA	36001R5120	Yes	VIOLATION ADDRESSED	01/18/2015	9

### Three Year Compliance Status by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12
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<http://echo.epa.gov/detailed-facility-report?redirect=page&fid=110043686393>

1/20/2015

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12
CAA	(Source ID: 36001R5120)	10/01-12/31 2011	01/01-03/31 2012	04/01-06/30 2012	07/01-09/30 2012	10/01-12/31 2012	01/01-03/31 2013	04/01-06/30 2013	07/01-09/30 2013	10/01-12/31 2013	01/01-03/31 2014	04/01-06/30 2014	07/01-09/30 2014
	Facility-Level Status	No Viol	No Viol	No Viol	HPV								
	HPV History				Unaddr-State	Unaddr-State	Unaddr-State	Unaddr-State	Unaddr-State	Unaddr-State	Addr-State	Addr-State	Addr-State
	Program/Pollutant in Current Violation												
CAA	SIP					V-EM&PRO	V-EM&PRO	V-EM&PRO	V-EM&PRO	V-EM&PRO	V-EM&PRO	S-MSched	S-MSched
	FACILITY-WIDE PERMIT REQUIREMENTS												S-MSched
	VOLATILE ORGANIC COMPOUNDS												S-MSched
CAA	TITLE V PERMITS					V-EM&PRO	V-EM&PRO	V-EM&PRO	V-EM&PRO	V-EM&PRO	V-EM&PRO	S-MSched	S-MSched
	VOLATILE ORGANIC COMPOUNDS												S-MSched

### Informal Enforcement Actions (5 Years)

Statute	Source ID	Type of Action	Lead Agency	Date
CAA	36001R5120	STATE NOV ISSUED	State	10/23/2012

### Formal Enforcement Actions (5 Years)

Statute	Source ID	Type of Action	Lead Agency	Date	Penalty	Penalty Description
CAA	36001R5120	STATE ADMINISTRATIVE ORDER ISSUED	State	11/26/2013	\$33,000	

### ICIS Case History (5 years)

Primary Law/Section	Case No.	Case Type	Lead Agency	Case Name	Issued/Filed Date	Settlement Date	Federal Penalty	State/Local Penalty	SEP Cost	Comp Action Cost
No data records returned										

## Environmental Conditions

### Water Quality

Permit ID	Watershed (HUC 8)	Watershed Name (HUC 8)	Watershed (HUC 12)	Watershed Name (HUC 12)	Receiving Waters	Impaired Waters	Combined Sewer System?
110043686393	02020004	MOHAWK	020200041110	Shakers Creek-Mohawk River		No	

### Air Quality

Non-Attainment Area?	Pollutant(s)
Yes	Ozone
No	Lead
No	Particulate Matter

## Pollutants

### TRI History of Reported Chemicals Released in Pounds per Year at Site ⓘ

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs	Underground Injections	Releases to Land	Total On-site Releases	Total Off-site Releases
No data records returned								

**TRI Total Releases and Transfers in Pounds by Chemical and Year**

Chemical Name
No data records returned

**Demographic Profile****Demographic Profile of Surrounding Area (3 Miles)**

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 US Census and American Community Survey data, and are accurate to the extent that the facility latitude and longitude listed below are correct. The latitude and longitude are obtained from the EPA Locational Reference Table (LRT) when available.

Radius of Area:	3	Land Area:	92%	Households in Area:	26,826
Center latitude:	42.7769	Water Area:	8%	Housing Units in Area:	29,798
Center Longitude:	-73.69707	Population Density:	2,362/sq.mi.	Households on Public Assistance:	1,109
Total Persons:	61,237	Percent Minority:	20%	Persons Below Poverty Level:	20,609
<b>Race Breakdown</b>		<b>Persons (%)</b>		<b>Age Breakdown</b>	
White:	50,521 (82.5%)	Child 5 years and younger:	3,743 (6.11%)		
African-American:	5,884 (9.61%)	Minors 17 years and younger:	13,529 (22.09%)		
Hispanic-Origin:	3,096 (5.06%)	Adults 18 years and older:	47,708 (77.91%)		
Asian/Pacific Islander:	1,647 (2.69%)	Seniors 65 years and older:	8,242 (13.46%)		
American Indian:	147 (.24%)				
Other/Multiracial:	3,038 (4.96%)				
<b>Education Level (Persons 25 &amp; older)</b>		<b>Persons (%)</b>		<b>Income Breakdown</b>	
Less than 9th Grade:	2,099 (5.06%)	Less than \$15,000:	3,937 (15.09%)		
9th through 12th Grade:	3,750 (9.03%)	\$15,000 - \$25,000:	3,446 (13.21%)		
High School Diploma:	14,520 (34.98%)	\$25,000 - \$50,000:	6,646 (25.48%)		
Some College/2-yr:	12,248 (29.51%)	\$50,000 - \$75,000:	5,151 (19.75%)		
B.S./B.A. or More:	8,894 (21.43%)	Greater than \$75,000:	6,902 (26.46%)		

# Attachment 6

Asbestos Survey

**ASBESTOS SURVEY REPORT  
(SMALL BUSINESS PROGRAM)**

Applicant: Roman Rakoczy

Property: 1 Pulaski Street  
Cohoes, NY 12047

Applicant No.: 001-ED-32966-2013

Type of Loss: Hurricane

Inspector: Moses, Alvin  
NYS DOL Cert.: 14-01146 Exp. Date: 07/2015

Laboratory: EMSL - NJ  
Address: 200 Rt 130 North, Cinnaminson, NJ 08077

ELAP No.: 10872

Inspection Date: 3/18/2015

**SURVEY OVERVIEW**

Guidelines used for the inspection were established by the United States Environmental Protection Agency (EPA) in the Guidance for Controlling Asbestos Containing Materials in Buildings, Office of Pesticides and Toxic Substances, DOC #560/5-85-024, and 40 CFR Part 763, Asbestos Hazard Emergency Response Act (AHERA).

Field information was organized in accordance with AHERA concept of homogeneous area (HA). That is, suspect asbestos containing materials (ACM) with similar age, appearance, and texture were grouped together, sampled and assessed for condition.

The number of samples collected from each suspect ACM were determined by the type (surfacing, thermal or miscellaneous) and amount of material(s) present that may be disturbed by the needed repairs as stated in the Estimated Cost to Repair (ECR) prepared for the property. The identification of Suspect ACM other than those that may be disturbed by the needed repairs stated in the ECR, are outside the scope of this inspection.

Bulk samples of suspect ACM collected during the survey were analyzed by Polarized Light Microscopy (PLM) with dispersion staining, as described in 40 CFR Part 763, the National Emissions Standard for Hazardous Air Pollutants (NESHAPS) and New York State Department of Health (NYS DOH) Environmental Laboratory Approval Program (ELAP). NYSDOH has recently revised the PLM Stratified Point Counting Method. The new method, "Polarized Light Microscopy Methods for Identifying and Quantitating Asbestos in Bulk Samples" can be found as Item 198.1 in the ELAP Certification Manual. ELAP has determined that analysis of non-friable organically bound materials (NOBs) and ceiling tiles containing cellulose is not reliably performed by PLM. Therefore, if PLM yields negative results for these materials, they must be confirmed as a non-asbestos material using Transmission Electron Microscopy (TEM).

**SITE SPECIFIC INFORMATION**

An environmental inspection was conducted at the property by a New York State Department of Labor (NYSDOL) Certified Asbestos Inspector. The purpose of the inspection was to determine if suspect ACM to be impacted by the needed repairs are asbestos-containing through sampling and laboratory analysis.

The inspection was characterized by a close visual inspection of all accessible areas. Suspect asbestos materials were documented for type, quantity, condition and friability.

Based on the site visit, the following suspect ACM, which are expected to be impacted by the needed repairs, were identified:

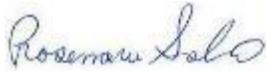
Area/ Room ID	Material Description	Location(s)
Exterior	Roofing	Roof
Exterior	Tar Paper	Roof

Based upon the laboratory analysis of samples collected during the survey, it was determined that the materials, which would be impacted by the needed repairs, are non-asbestos (1-percent or less asbestos content).

## CONCLUSIONS AND RECOMMENDATIONS

Materials expected to be impacted by the needed repairs have been determined to be non-asbestos-containing. In addition to the sampled materials, suspect asbestos materials which would not be disturbed by the needed repairs stated in the ECR may be present in the home. In lieu of confirmation that these materials are non-asbestos by laboratory testing, they should be considered assumed ACM and the appropriate precautions should be taken prior to and during renovation, repair, and maintenance activities including measures that are required by federal, State, and local regulations. Guidance on asbestos safety and code requirements can be found in the EPA Toxic Substances manual: *Guidance for Controlling Asbestos Containing Materials in Buildings (EPA 560/5-85-024)* and NYSDOL's *Part 56 of Title 12 of the Official Compilation of Codes, Rules and Regulations of the State of New York (Cited as 12 NYCRR Part 56)*.

Rosemarie Salerno  
 Reviewed By: NYSDOL Inspector

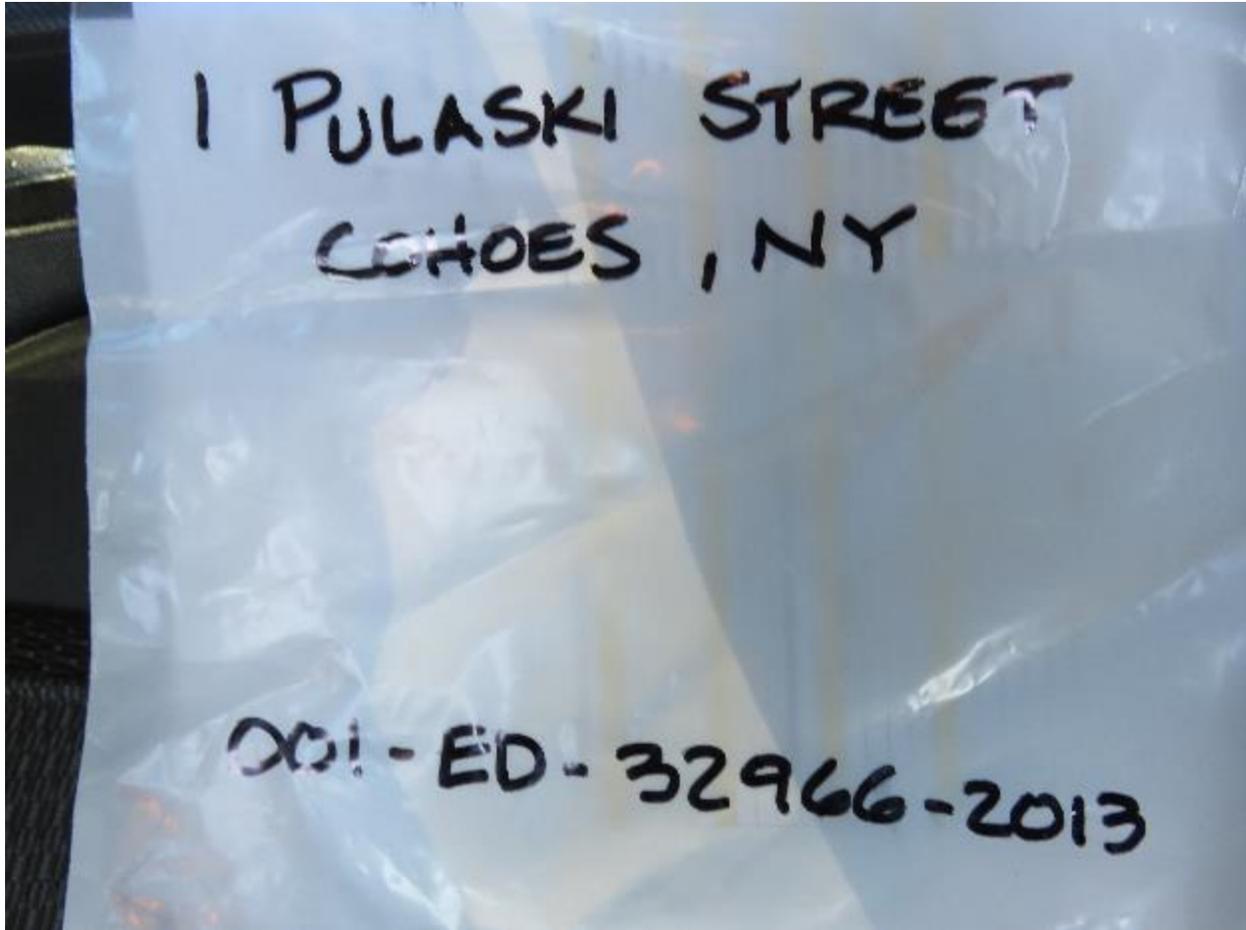


3/26/2015

Date

**PHOTOS**

























































04, 507830

NYS Protocol AK 3/19/15  
1050

OrderID: 041507830

### ASBESTOS FIELD DATA FORM AND BULK SAMPLING CHAIN-OF-CUSTODY

Location Address: 1 PULASKI STREET - COHOES, NY				Applicant Name: ROMAN RAKOCZY			
Applicant No.: 001-ED-32966-2013			Inspector Name: ALVIN MOSES			Date: 3/18/15	
LiRo Job No.: 14-128-1256 / WO 2		Turn Around Time: 48 of 72 Hours (Circle One)		E-Mail Results To: LABREPORTS@RECREATENYS.ORG			
Arrival Time at Location (Use Military Time):				Departure Time From Site (Use Military Time):			
Functional Space ID	HA Number	Sample ID No.	Material Description	Material Category (T, S or M)	Friable (Y or N)	Condition	Notes/ Material Qty.
H	20	1,2,3	ROOFING	M	N	DAMAGE	
H	11	4,5,6	TAR PAPER	M	N	DAMAGE	
Relinquished By (Print/Date/Time)		Relinquished By (Print/Date/Time)		Received By (Print/Date/Time)		PLM Analysis (signature/time)	
ALVIN MOSES / 3.18.15 / 10:50 AM				AK For 3/19/15 0930			
Relinquished By (Signature)		Relinquished By (Signature)		Received By (Signature)		TEM Analysis (signature/time)	

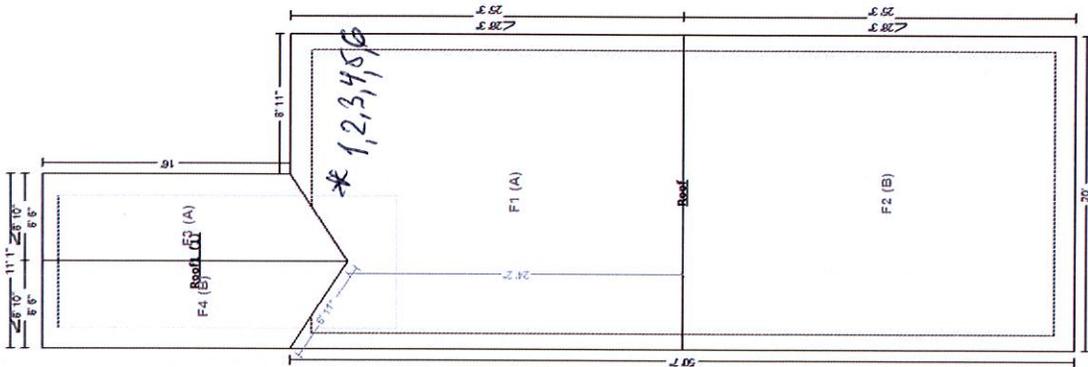
2015 MAR 19 4:10:52  
CINNAMINSON, N.J.

- | Functional Space ID   | Material Description Number      |
|-----------------------|----------------------------------|
| A Living Room         | 1. Wall Plaster (Top Coat)       |
| B Bathroom            | 2. Wall Plaster (Bottom Coat)    |
| C Kitchen             | 3. Ceiling Plaster (Top Coat)    |
| D Closet              | 4. Ceiling Plaster (Bottom Coat) |
| E1 Bedroom 1          | 5. Drywall                       |
| E2 Bedroom 2          | 6. Drywall Compound              |
| E3 Bedroom 3          | 7. 12" x 12" Floor Tiles         |
| F Basement/Crawlspace | 8. 9" x 9" Floor Tiles           |
| G Garage              | 9. Rolled Flooring/Linoleum      |
| H Exterior            | 10. Flooring Adhesive/Mastic     |
|                       | 11. Tar Paper                    |
|                       | 12. Baseboard Adhesive/Mastic    |
|                       | 13. Pipe Insulation              |
|                       | 14. Pipe Elbow Insulation        |
|                       | 15. Boiler Insulation/Breaching  |
|                       | 16. Window Caulking              |
|                       | 17. Window Glazing               |
|                       | 18. Textured Paint               |
|                       | 19. Cement Board/Siding          |
|                       | 20. Roofing                      |
|                       | 21. Duct Sealant                 |
|                       | 22. Waterproofing Tar            |
|                       | 23. Ceiling Tiles                |
|                       | 24. Gaskets                      |
|                       | 25. Fireproofing                 |
|                       | 26. Other-                       |

6

**Friability:** F = friable, NF = none friable (none suspect material)  
**Condition Assessment:** Good (No Damage), Damaged (<25% localized, <10% Distributed), Significantly Damaged (>25% Localized, >10% Distributed)

Page 1 of 1



N ↑

Roof

App. # 001-ED-32966-2013

**EMSL Analytical, Inc.**

200 Route 130 North, Cinnaminson, NJ 08077

Phone/Fax: (800) 220-3675 / (856) 786-5974

<http://www.EMSL.com>[cinnaslab@EMSL.com](mailto:cinnaslab@EMSL.com)

EMSL Order:	041507830
CustomerID:	LIRO50A
CustomerPO:	
ProjectID:	14-128-1256/WO 2

Attn: **Alvin Moses**  
**Liro Engineers, Inc.**  
**3 Aerial Way**  
**Syosset, NY 11791**

Phone: (516) 938-5476  
 Fax: (516) 937-5421  
 Received: 03/19/15 9:30 AM  
 Analysis Date: 3/20/2015  
 Collected: 3/18/2015

Project: 1 Pulaski Street, Cohoes, NY / 001-ED-32966-2013

**Test Report:Asbestos Analysis of Bulk Material**

Test	Analyzed Date	Color	Non Asbestos		Asbestos
			Fibrous	Non-Fibrous	
<b>Sample ID 1</b> 041507830-0001		<b>Description</b>	H - Roofing		
		<b>Homogeneity</b>	Homogeneous		
<b>PLM NYS 198.1 Friable</b>					<b>Not Analyzed</b>
<b>PLM NYS 198.6 VCM</b>					<b>Not Analyzed</b>
<b>PLM NYS 198.6 NOB</b>	3/20/2015	Red/Green	13.3% Glass		<b>Inconclusive: None Detected</b>
<b>TEM NYS 198.4 NOB</b>	3/20/2015	Red/Green			<b>&lt;1% Actinolite</b> <b>&lt;1% Total</b>
<b>Sample ID 2</b> 041507830-0002		<b>Description</b>	H - Roofing		
		<b>Homogeneity</b>	Homogeneous		
<b>PLM NYS 198.1 Friable</b>					<b>Not Analyzed</b>
<b>PLM NYS 198.6 VCM</b>					<b>Not Analyzed</b>
<b>PLM NYS 198.6 NOB</b>	3/20/2015	Red/Green	13.3% Glass		<b>Inconclusive: None Detected</b>
<b>TEM NYS 198.4 NOB</b>	3/20/2015	Red/Green	3.3% Fibrous (other)		<b>None Detected</b>
<b>Sample ID 3</b> 041507830-0003		<b>Description</b>	H - Roofing		
		<b>Homogeneity</b>	Homogeneous		
<b>PLM NYS 198.1 Friable</b>					<b>Not Analyzed</b>
<b>PLM NYS 198.6 VCM</b>					<b>Not Analyzed</b>
<b>PLM NYS 198.6 NOB</b>	3/20/2015	Red/Green	13.3% Glass		<b>Inconclusive: None Detected</b>
<b>TEM NYS 198.4 NOB</b>	3/20/2015	Red/Green			<b>None Detected</b>
<b>Sample ID 4</b> 041507830-0004		<b>Description</b>	H - Tar paper		
		<b>Homogeneity</b>	Homogeneous		
<b>PLM NYS 198.1 Friable</b>					<b>Not Analyzed</b>
<b>PLM NYS 198.6 VCM</b>					<b>Not Analyzed</b>
<b>PLM NYS 198.6 NOB</b>	3/20/2015	Black			<b>Inconclusive: None Detected</b>
<b>TEM NYS 198.4 NOB</b>	3/20/2015	Black			<b>None Detected</b>
<b>Sample ID 5</b> 041507830-0005		<b>Description</b>	H - Tar paper		
		<b>Homogeneity</b>	Homogeneous		
<b>PLM NYS 198.1 Friable</b>					<b>Not Analyzed</b>
<b>PLM NYS 198.6 VCM</b>					<b>Not Analyzed</b>
<b>PLM NYS 198.6 NOB</b>	3/20/2015	Black			<b>Inconclusive: None Detected</b>
<b>TEM NYS 198.4 NOB</b>	3/20/2015	Black			<b>None Detected</b>



# EMSL Analytical, Inc.

200 Route 130 North, Cinnaminson, NJ 08077  
Phone/Fax: (800) 220-3675 / (856) 786-5974  
<http://www.EMSL.com> [cinnaslab@EMSL.com](mailto:cinnaslab@EMSL.com)

EMSL Order: 041507830  
CustomerID: LIRO50A  
CustomerPO:  
ProjectID: 14-128-1256/WO 2

## Test Report:Asbestos Analysis of Bulk Material

Test	Color	Non Asbestos		Asbestos
		Fibrous	Non-Fibrous	
Sample ID 6 041507830-0006	Description Homogeneity	H - Tar paper Homogeneous		
PLM NYS 198.1 Friable				Not Analyzed
PLM NYS 198.6 VCM				Not Analyzed
PLM NYS 198.6 NOB	3/20/2015	Black		Inconclusive: None Detected
TEM NYS 198.4 NOB	3/20/2015	Black		None Detected

Analyst(s)

Amy Johnson  
Frank Dicrescenzo  
Sandy Burany, Ph.D

Benjamin Ellis, Laboratory Manager  
or other approved signatory

NOB = Non Friable Organically Bound N/A = Not Applicable VCM = Vermiculite Containing Material

-In New York State, TEM is currently the only method that can be used to determine if NOB materials can be considered or treated as non-asbestos containing.  
All samples examined for the presence of vermiculite when analyzed via NYS 198.1.  
-NYS Guidelines for Vermiculite containing samples are available at [http://www.wadsworth.org/labcert/elapcert/forms/VermiculiteInterimGuidance\\_Rev070913.pdf](http://www.wadsworth.org/labcert/elapcert/forms/VermiculiteInterimGuidance_Rev070913.pdf)  
EMSL maintains liability limited to cost of analysis. This report relates only to the samples reported above and may not be reproduced, except in full, without written approval by EMSL.  
EMSL bears no responsibility for sample collection activities or analytical method limitations. Interpretation and use of test results are the responsibility of the client. Samples were received in good condition unless otherwise noted.  
This report must not be used by the client to claim product certification, approval, or endorsement by NVLAP, NIST, or any agency of the federal government. This report may contain data that is not covered by the NVLAP accreditation.

Samples analyzed by EMSL Analytical, Inc. Cinnaminson, NJ NYS ELAP 10872, PA ID# 68-00367

**OPERATIONS & MAINTENANCE (O&M) PLAN  
FOR  
ASBESTOS-CONTAINING MATERIALS  
AND  
ASSUMED ASBESTOS CONTAINING MATERIALS**

Rev. 1: September 26, 2014

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## **STATEMENT TO PROPERTY OWNER(S):**

This document is referred to as an Operations and Maintenance Plan, (O&M Plan). The format and design of an O&M is essentially to serve as an action plan for monitoring materials that contain asbestos and safeguarding against a disturbance to those materials that can render the asbestos airborne where the dust can be inhaled and become harmful to those exposed to it. The disturbances to asbestos containing materials (ACM) are expected to come as a result of ordinary repairs and maintenance tasks undertaken at a facility as part of everyday operations and maintenance activities.

Absent a laboratory test on a material that declares it to be non-asbestos (1-percent asbestos or less), or a written statement from the manufacturer of the material that states the material is free of asbestos, it must be assumed that some level of asbestos exists within the matrix of the material. This O&M Plan refers to these materials as "Assumed ACM". "Assumed ACM" shall be treated as a confirmed ACM until laboratory testing is performed on the material.

Any work involving the disturbance of ACM or Assumed ACM shall be performed by a licensed New York State Asbestos Contractor. It is recommended that property owners hire a New York State licensed asbestos consulting firm to prepare a site specific O&M Plan if the presence of ACM or Assumed ACM is determined at the site.

## 1.0 EXECUTIVE SUMMARY

The principal objective of this Operations & Maintenance Plan (O&M Plan) is to help to minimize exposure of residents to asbestos fibers that may become airborne as a result of direct or incidental disturbance to Asbestos Containing Materials (ACM) or Assumed ACM. This O&M Plan has been provided as a required element of the Tier 1 Programmatic Environmental Review Record for the Community Development Block Grant – Disaster Recovery Program, Recreate NY. This O&M Plan outlines work practices aimed at the following:

1. Maintaining confirmed ACM/Assumed ACM in good condition;
2. Ensuring proper cleanup of asbestos fibers, if released;
3. Preventing potential release of asbestos fibers,
4. Monitoring the current condition of the ACM/Assumed ACM.

## 2.0 INTRODUCTION

The U.S. Environmental Protection Agency's (USEPA) 1985 publication "Guidance for Controlling Asbestos-Containing Materials in Buildings" (EPA 560/5-85-024) recommends that an asbestos O&M Plan be established once the presence of ACM has been identified. This O&M Plan has been established to fulfill the recommendations in the USEPA guidance document, and is based on the regulatory requirements for schools under the Toxic Substances Control Act (TSCA) Title II, also referred as the Asbestos Hazard Emergency Response Act (AHERA), and specified by: EPA Regulations in 40 CFR Part 763, Subpart E.

The primary purpose of an O&M Plan is to 1) clean up asbestos fibers previously released, 2) prevent the release of asbestos fibers into the environment, by minimizing ACM disturbance and/or damage, and 3) monitor the condition of ACM/Assumed ACM. The O&M Plan shall continue to be utilized until all ACM/Assumed ACM is known to have been removed from the facility. The O&M Plan will establish a process that helps the user safeguard against ACM/Assumed ACM disturbance during building repairs and renovations; maintain an inventory of all ACM/Assumed ACM in the building; provides training for the proper management of ACM/Assumed ACM; and defines periodic re-inspection of areas which contain ACM/Assumed ACM.

### 2.1 SCOPE

This O&M Plan applies only to ACM/Assumed ACM; it **does not** pertain to any other hazards that may be present, including but not limited to:

- Lead Exposure
- Universal Waste or Household Hazardous Waste
- Electrical Shock
- Exposure to Chemicals, Caustics, and Corrosives
- Fire and Burns
- Ladder Usage
- Lifting Heavy Objects
- Power Equipment and Tools
- Slips, Trips and Falls
- Unsafe Work Practices
- Confined Space Entry

### 2.2 RELATED DOCUMENTS

This O&M Plan was developed utilizing the following guidance documents and regulations:

- *Managing Asbestos in Place - A Building Owner's Guide to Operations and Maintenance Programs for Asbestos-Containing Materials* (Green Book) (EPA publication 20T-2003). [http://yosemite.epa.gov/r10/OWCM.NSF/d14dabb756dc1fb3882565000062f164/41a5f555a9cad81388256508007d2086/\\$FILE/inPlace.pdf](http://yosemite.epa.gov/r10/OWCM.NSF/d14dabb756dc1fb3882565000062f164/41a5f555a9cad81388256508007d2086/$FILE/inPlace.pdf)
- *Guidance for Controlling Asbestos-Containing Materials in Buildings* (Purple Book) (EPA publication 560/5-85-024). [http://www.wbdg.org/ccb/EPA/epa\\_560585024.pdf](http://www.wbdg.org/ccb/EPA/epa_560585024.pdf)
- *USEPA Asbestos in Schools* Title 40 CFR Part 763 Subpart E. <http://www.gpo.gov/fdsys/pkg/CFR-2011-title40-vol31/pdf/CFR-2011-title40-vol31-part763-subpartE.pdf>
- *OSHA Construction Industry Standard for Asbestos* Title 29 CFR Part 1926.1101. [https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_id=10862&p\\_table=standards](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_id=10862&p_table=standards)

- *New York State Department of Labor (NYSDOL) Industrial Code Rule 56 Title 12 New York Code of Rules and Regulations (NYCRR) Part 56.*  
<http://www.labor.ny.gov/formsdocs/wp/CR56.pdf>

Property owners should become familiar with other applicable Federal, state, and local regulations which requires compliance.

### **2.3 ENVIRONMENTAL INSPECTION REPORT**

The O&M Plan was developed to address the findings of the asbestos inspection report prepared for properties in the NY Rising program, or assumed ACM in the absence of an asbestos inspection by a qualified environmental professional. It does not apply to those materials that were subjected to testing and analysis, and confirmed to be non-asbestos containing by a New York State Department of Health accredited laboratory. Where environmental inspections were conducted, the property owner should refer to the asbestos survey report prepared for their property by the NY Rising Program. The results contained in that report are specific to the materials and areas surveyed as noted in the report. Materials that are not specifically addressed in that report must be assumed to contain asbestos, and as such, appropriate precautions should be taken during renovation, repair, and maintenance activities that impact these Assumed ACM. These include:

- Flooring Systems, including ceramic tile and grout beds, 9" x 9" floor tile and associated mastics, 12" x 12" floor tile and associated mastics, vinyl flooring and paper backing materials, carpet mastics and adhesives;
- Window Systems, including window glazing, window caulking and varnishes and stains;
- Wall and Structural Systems, to cinderblock, drywall /taping compound materials and plaster wall systems;
- Insulation and Thermal System Insulation, interior and attic vermiculite insulation, pipe and pipe joint insulation on heating systems and domestic water systems;
- Surfacing Materials, ceiling and wall textured paint and knock off materials;
- Miscellaneous Materials such as wallboard and wainscot adhesives, old electrical fixture insulation blankets, old electrical system wires, old electrical boxes, asphalt roofing shingles, roof tars.

### **3.0 OPERATIONS AND MAINTENANCE PLAN**

A successful O&M Plan will address notification, surveillance, work controls, work practices, record keeping and training. The disturbance of ACM/Assumed ACM is regulated by US EPA and the New York State Department of Labor (NYSOL). Companies and personnel who disturb ACM/Assumed ACM are required to meet certain training and licensing/certification requirements. Additionally, licenses/certificates are required for companies and personnel who perform support operations for an asbestos related project (i.e., inspections, project design, air sampling, etc.). Property owners are responsible to verifying that companies and personnel who perform work on their properties have obtained the proper licenses and certificates for the project.

#### **3.1 O&M PLAN OBJECTIVES**

The principal objective of this O&M Plan is to help minimize exposure of the property owners and tenant occupants to asbestos fibers. To accomplish this objective, the O&M Plan includes work practices to maintain ACM/Assumed ACM in good condition, ensure proper cleanup of asbestos fibers if released, prevent release of asbestos fibers, and monitor the condition of the ACM/Assumed ACM.

#### **3.2 O&M PLAN MANAGEMENT**

Management of the O&M Plan includes the following elements: surveillance and reinspection, work controls/permitting, specific work practices for limiting asbestos fiber release, record keeping procedures and personnel training.

##### **3.2.1 Visual Reinspection (Periodic Surveillance)**

Visual re-inspection or “periodic surveillance” as recommended by EPA of all ACM or Assumed ACM should be conducted every six months by a properly trained person contracted by the property owner. This periodic surveillance will evaluate the current condition of known ACM and Assumed ACM to determine the relative degree of damage and assess the likelihood of future fiber release. Maintaining a set of photographs, which document the condition of the ACM or Assumed ACM is recommended. The findings of these periodic surveillance actions must be recorded on the Reinspection of Asbestos-Containing Materials/Assumed ACM Form (including all photos) found in Attachment B and maintained by the property owners.

If during the periodic surveillance, there is reason to believe that damage has occurred to the ACM or Assumed ACM, the dust or debris should be tested to confirm if asbestos is present in this material. The suspect ACM, and suspect asbestos-contaminated dust must be sampled by an individual certified by the New York State Department of Labor as an Asbestos Inspector. If asbestos contamination is found, or non-friable ACM has become friable, then removal and cleanup must be performed by a certified asbestos abatement contractor, also licensed by NYSDOL. If the amount of debris is significant, special work controls should be used. In addition, if there is reason to believe that damage has occurred to the ACM or Assumed ACM, area air testing is recommended. The design and performance of the air testing should be performed by a qualified asbestos consultant, with a valid NYSDOL asbestos handling license. ([www.labor.ny.gov/workerprotection/safetyhealth/active%20asbestos%20contractor%20list.shtm](http://www.labor.ny.gov/workerprotection/safetyhealth/active%20asbestos%20contractor%20list.shtm))

### **3.2.2 Work Controls/Permitting**

This O&M Plan institutes a program to control work activities that could damage the ACM or Assumed ACM. Any planned disturbance to ACM/Assumed ACM through contracted activities must be preceded by the removal and disposal of the impacted ACM/Assumed ACM by a licensed asbestos abatement contractor.

The Property owner may arrange with a qualified consultant to collect bulk samples of the Assumed ACM to verify if the presumed material is ACM or non-ACM, prior to its disturbance. Any asbestos related work activities performed by a retained licensed asbestos abatement contractor should be designed and monitored by a qualified and licensed asbestos consultant.

### **3.2.3 Asbestos Work Practices**

The O&M procedures, which must be conducted by a New York State Licensed Asbestos Contractor, are limited to wet-cleaning methods on surfaces with dust accumulation.

Maintenance procedures, including general housekeeping procedures, can be placed in one of three categories as follows:

- *Those procedures which are unlikely to involve any direct disturbance of ACM or Assumed ACM; for example, cleaning floors or shelves with a damp cloth;*

- *Those which may cause incidental disturbance of ACM or Assumed ACM; for example, drilling holes in an area of drywall where ACM or Assumed ACM may be present;.*
- *Those which involve intentional, small-scale manipulation or disturbance of ACM or Assumed ACM; for example, pipe repairs, or drilling holes in an area of the ceiling or floors where ACM or Assumed ACM is known to be present.*

While the Property owner may perform any of the aforementioned tasks themselves, it is recommended that all O&M procedures which involve maintenance, renovation or emergency responses beyond the basic procedures outlined above will be contracted to qualified and licensed asbestos consulting firms and/or contractors.

Certain activities performed by the O&M Contractor that impact ACM/Assumed ACM should be performed using dust control measures such as HEPA-filtered vacuums and personal respiratory protection (at a minimum, the use of a half-face negative pressure respirator with N95 filter cartridges – refer to the National Institute for Occupational Safety and Health – NIOSHH – for information related to air purifying respirators). These activities include anything that would be likely to release fibers from the ACM or Assumed ACM. For instance, fiber releases can occur when workers drill, cut, grind, break, or saw through asbestos-containing floor tiles, or other wall, ceiling or floor surfaces where ACM and Assumed ACM may be present. These activities and any similar activities have the potential to expose ACM or Assumed ACM and perhaps release fibers from the ACM or Assumed ACM.

O&M Plan approved cleaning practices include the use of wet-wipe cleaning of surfaces such as floors and other horizontal surfaces. For example, proper cleaning will involve the use of wet-cleaning (mopping) practices to pick up dust or debris. The sanding of asbestos flooring materials will release asbestos fibers into the air and therefore should not be performed. Dry sweeping or dusting can result in asbestos fibers being resuspended in to the building's air and therefore should not be used. Wet cloths, rags or mops that have been used to pick up suspect asbestos fibers or debris should not be allowed to dry but immediately sealed inside of a plastic bag and disposed of in accordance with local requirements.

A qualified and properly licensed asbestos consultant should be retained to evaluate and make recommendations. In the event of an accidental release, the area of the release should be immediately isolated by closing doors or by evacuation of the space. If asbestos fibers could enter your building's heating, ventilation and air conditioning (HVAC) system, that system should be

shut down and sealed off. The cleanup of such a release should be performed only by a qualified asbestos abatement contractor.

**ATTACHMENT A**

**GLOSSARY**

## **GLOSSARY**

**Air Monitoring:** The process of measuring the airborne fiber content of a known volume of air collected during a specific period of time. The acceptable procedure for airborne asbestos measurement by Phase Contrast Microscopy (PCM) is the OSHA reference method specified in Appendix A of 29 CFR 1926.1101. The acceptable procedure for airborne asbestos measurement by transmission electron microscopy (TEM) is the method specified in Electron Microscope Measurement of Airborne Asbestos Concentrations (EPA Report 500/2-77178 (Rev. 1978) and EPA Contract No. 68-02-3266 (1984)).

**Asbestos:** Any hydrated mineral silicate separable into commercially usable fibers, including, but not limited to, chrysotile, amosite, crocidolite, tremolite asbestos, anthophyllite asbestos, actinolite asbestos, and any of these minerals that has been chemically treated and/or altered. Asbestos also includes ACM, as defined below.

**Asbestos Abatement:** Procedures to control fiber release from asbestos-containing materials, or presumed asbestos-containing materials. Includes removal, encapsulation, enclosure, repair, and operations and maintenance.

**Asbestos Abatement Contractor:** An individual and/or business properly licensed and certified to perform asbestos abatement. The contractor is responsible for the proper completion of project activities in accordance with federal, state and local regulations.

**Asbestos-Containing Material (ACM):** Material composed of asbestos of any type in an amount greater than 1-percent, either alone or mixed with other fibrous or non-fibrous materials.

**Asbestos-Containing Waste Material:** Asbestos-containing material or asbestos-contaminated objects requiring disposal.

**Asbestos Hazard Emergency Response Act (AHERA):** An EPA regulation published in the October 30, 1987, *Federal Register* covering asbestos-containing building materials in schools.

**Asbestos Survey:** The inspection of a building or portion of a building to determine the location of all ACM present. Usually an asbestos survey includes the collection of bulk samples for analysis by a laboratory.

**Assumed Asbestos-Containing Material (Assumed ACM):** Any material suspected of containing asbestos, for which bulk sampling and subsequent laboratory analysis have not been performed to verify the presence or absence of asbestos. Assumed ACM must be treated, handled and disposed of as ACM, unless bulk sampling and laboratory analysis have determined the material to be non-ACM.

**Bulk Material Sample:** A representative sample of a material collected by a certified asbestos inspector for asbestos analysis.

**Condition Assessment:** The determination of a material's overall condition and potential risk. The following information is typically included in an assessment: a description of any physical damage, water damage, delamination etc.; degree of accessibility of the material; degree of activity near the material; and location in or near an air plenum or other heating, ventilation and air conditioning (HVAC) equipment.

**Deterioration:** The condition of ACM or Assumed ACM in which the integrity of the material worsens. Deterioration includes physical damage, water damage, air erosion and delamination of a material.

**EPA:** United States Environmental Protection Agency.

**Fiber Release Episode:** Any uncontrolled or unintentional disturbance of ACM or Assumed ACM resulting in visible emission.

**Friable Asbestos:** ACM or Assumed ACM, that, when dry, may be easily crumbled, pulverized or reduced to powder by hand pressure; includes previously non-friable material after it becomes damaged to the extent that when dry, it may be crumbled, pulverized or reduced to powder by hand pressure.

**HEPA Filter:** A high-efficiency particulate air filter capable of removing particles 0.3 micron or larger in diameter with 99.97 percent efficiency.

**HEPA Vacuum:** A vacuum system equipped with HEPA filtration.

**Miscellaneous Material:** Any suspect asbestos-containing material on structural components, structural members or fixtures, such as floor and ceiling tiles, mastics, transite, etc.; does not include surfacing material or thermal system insulation.

**Non-Friable Asbestos:** ACM that, when dry, may not be crumbled, pulverized or reduced to powder by hand pressure.

**OSHA:** Occupational Safety and Health Administration, United States Department of Labor.

**Personal Protective Equipment:** Includes items such as HEPA filtered respirators, disposable protective clothing, gloves, boots, etc.

**Renovation:** Altering in any way one or more facility components.

**Surfacing Material:** Any material that is sprayed-on, troweled-on or otherwise applied to surfaces for acoustical, fireproofing, decorative or other purposes.

**Suspect Asbestos-Containing Material:** Any material which is suspect for containing asbestos and which must be sampled to determine asbestos content, if any. New York State Department of Labor asbestos regulations at 12 NYCRR 56 (Industrial Code Rule 56) contains a partial list of all suspect ACM. Some common materials which are suspect ACM include plaster, pipe insulation, floor tile, etc. Materials which are not considered suspect include fiberglass, wood, plastic, etc.

**Thermal System Insulation (TSI):** Any material applied to pipes, fittings, boilers, breeching, tanks, ducts or other interior structural components to prevent heat loss or gain, or water condensation or for other purposes.

**ATTACHMENT B**

**REINSPECTION OF  
ASBESTOS-CONTAINING MATERIAL (ACM)/  
ASSUMED ASBESTOS-CONTAINING MATERIAL FORM**

**REINSPECTION OF  
ASBESTOS-CONTAINING MATERIAL (ACM)/  
ASSUMED ACM  
(TO BE COMPLETED EVERY 6 MONTHS OR  
WHEN RENOVATIONS ARE BEING PERFORMED)**

Please complete a separate form for each functional space where an asbestos-containing material (ACM), presumed asbestos-containing material (Assumed ACM) has been identified and is inspected. Separate forms must be completed when two types of ACM or Assumed ACM are located within the same room.

Address: \_\_\_\_\_

ACM or Assumed ACM Inspected: \_\_\_\_\_

Functional Space/Room: \_\_\_\_\_

Activities that occur around the ACM or Assumed ACM:

\_\_\_\_\_

The ACM or Assumed ACM is located (circle one)    1) in an air plenum    2) in an air stream    3) in neither an air stream or an air plenum

ACM or Assumed ACM Accessibility: \_\_\_\_\_

**Abatement Status:** (Circle one):

The material has been 1) removed 2) encapsulated 3) enclosed 4) repaired 5) no abatement

**Assessment:** (If yes to any statement, explain your response)

1) Is there physical damage? (Describe damage and significance with respect to friability or potential to release dusts)

\_\_\_\_\_  
\_\_\_\_\_

2) Is there water damage?

\_\_\_\_\_  
\_\_\_\_\_

3) Is there damage due to delamination?

\_\_\_\_\_  
\_\_\_\_\_

4) Other observations:

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**RECOMMENDED ACTION(S):**

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Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENT C**

**SUMMARY OF ABATEMENT ACTIVITIES FORM**

## SUMMARY OF ABATEMENT ACTIVITIES FORM

The intent of this form is to provide a record of the evaluation of any activities that have affected or disturbed asbestos-containing materials (ACM) or presumed asbestos-containing materials (Assumed ACM).

ADDRESS: \_\_\_\_\_

General Description of Work: \_\_\_\_\_

\_\_\_\_\_

Dates of Work: \_\_\_\_\_

Contractor Performing Work: \_\_\_\_\_

NYS Asbestos Handler's License No./Expiration Date:

Evaluation of work practices to contain the release of asbestos fibers or lead-containing dusts, and procedures to clean up the work area: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Evaluation of equipment and procedures used to protect workers: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Consultant Performing Air Sampling/Project Monitoring: \_\_\_\_\_

Date background air samples collected: \_\_\_\_\_

Date(s) during abatement air samples collected: \_\_\_\_\_

Any asbestos exceedences during abatement? Yes \_\_\_\_\_ No \_\_\_\_\_

Evaluation of controls employed if asbestos exceedences occurred: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**NY Rising O&M Plan for Small Business**

---

Date final clearance air samples collected: \_\_\_\_\_

Contractor submit results of exposure monitoring samples – Yes: \_\_\_\_\_ No: \_\_\_\_\_

If no, what exposure monitoring data was used: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Waste Manifest Log				
Waste Manifest Number	Date Transported	Transporter Name and NYSDEC Waste Permit Number	Disposal Facility Name Address and USEPA Permit Number	Date Completed Manifest Returned

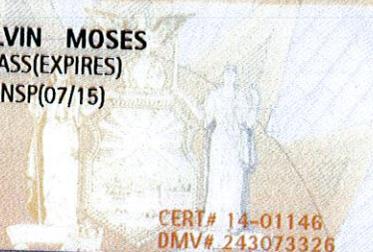
Signed: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF NEW YORK - DEPARTMENT OF LABOR  
ASBESTOS CERTIFICATE



**ALVIN MOSES**  
CLASS(EXPIRES)  
D INSP(07/15)



CERT# 14-01146  
DMV# 243073326

MUST BE CARRIED ON ASBESTOS PROJECTS



01213 000137667 28

EYES BRO  
HAIR BLK  
HGT 5' 06"

IF FOUND RETURN TO:  
NYS DOL - L&C UNIT  
ROOM 161A BUILDING 12  
STATE OFFICE CAMPUS  
ALBANY NY 12240

# Attachment 7

SHPO Concurrence



# Parks, Recreation, and Historic Preservation

**ANDREW M. CUOMO**  
Governor

**ROSE HARVEY**  
Commissioner

June 10, 2015

Ms. Alicia Shultz  
environmental scientist  
HCR  
38 State Street  
Albany, NY 12207

Re: HTF  
Ukrainian American Citizens Club pavilion construction  
1 Pulaski Street, Cohoes, NY 12047  
15PR02898  
001-ED-32966-2013

Dear Ms. Shultz:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, the New York SHPO has determined that no historic properties will be affected by this undertaking with the condition that construction depth does not exceed four feet, as agreed upon by the applicant, Mr. Roman Rokoczy.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Daniel A. Bagrow  
Scientist (Archaeology)

---

**Division for Historic Preservation**

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • [www.nysparks.com](http://www.nysparks.com)

# Attachment 8

Applicant Letter to SHPO

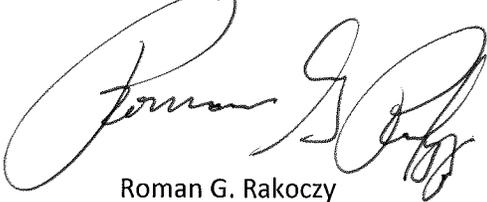
New York State Division for Historic Preservation  
C/O Dan Bagrow  
Peebles Island State Park  
P.O. Box 189  
Waterford, NY 12188-0189

May 1, 2015

Dear Mr. Bagrow:

Mr. Kristofer Mierisch, RPA, conducted an archeological survey on April 21, 2015 at the Ukrainian American Citizens Club located at 1 Pulaski Street, Cohoes, New York. The purpose of the survey was to satisfy terms and requirements of the Environmental Assessment for the construction of a new pavilion that would replace one that was damaged during Tropical Storm Irene and could not be repaired. Mr. Mierisch dug 9 nine test holes, each to a depth of 3 feet below existing grade. The exercise determined that the site is composed of 20<sup>th</sup> century fill and revealed no significant archeological findings; however it is my understanding that before SHPO will approve the proposed project SHPO desires a guarantee that no disturbance will occur below the depth of the test holes. It is our intention to place an additional foot of gravel on the project site to attain this condition thus providing 4 feet of separation to the bottom of the 9 test holes. Since the project plan limits the depth of excavation to a maximum of 4 feet no disturbance will occur to any potential resources located below the fill layers.

Sincerely,

A handwritten signature in black ink, appearing to read "Roman G. Rakoczy". The signature is fluid and cursive, with a large initial "R" and "G".

Roman G. Rakoczy

President, Ukrainian American Citizens Club

# Attachment 9

THPO Response

---

**From:** Bonney Hartley [<mailto:Bonney.Hartley@mohican-nsn.gov>]

**Sent:** Tuesday, June 09, 2015 5:13 PM

**To:** Shultz, Alicia (NYSHCR); nyshcr.sm.nyscdbg.dr.er

**Subject:** RE: Section 106 Discussion - Ukrainian American Citizens Club- Mohican tribe comment

Dear Ms. Schultz & Mr. Green:

Thank you for providing the Ukrainian American Citizens Club Pavilion Project to Stockbridge-Munsee Mohican Tribe for cultural resources review.

I have completed review and on behalf of Stockbridge-Munsee Mohican Tribe I confirm that we do not have significant cultural resource concerns. The applicant has demonstrated through testing and the additional layer of fill that the chance for intact cultural resources to be disturbed is very minimal.

However, as always, should any cultural materials inadvertently be discovered during project construction we require that the project is halted and that we are immediately notified.

Thank you & Kind regards,  
Bonney

*Bonney Hartley*

Tribal Historic Preservation Officer

Stockbridge-Munsee Mohican Tribal Historic Preservation

New York Office

P.O. Box 718

\*\*UPS/FedEx: 400 Broadway #718

Troy NY 12181

(518) 326-8870 office / (518) 888-6641 cell

[Bonney.Hartley@mohican-nsn.gov](mailto:Bonney.Hartley@mohican-nsn.gov)

[www.mohican-nsn.gov](http://www.mohican-nsn.gov)

# Attachment 10

NYSDEC Environmental Resource Map

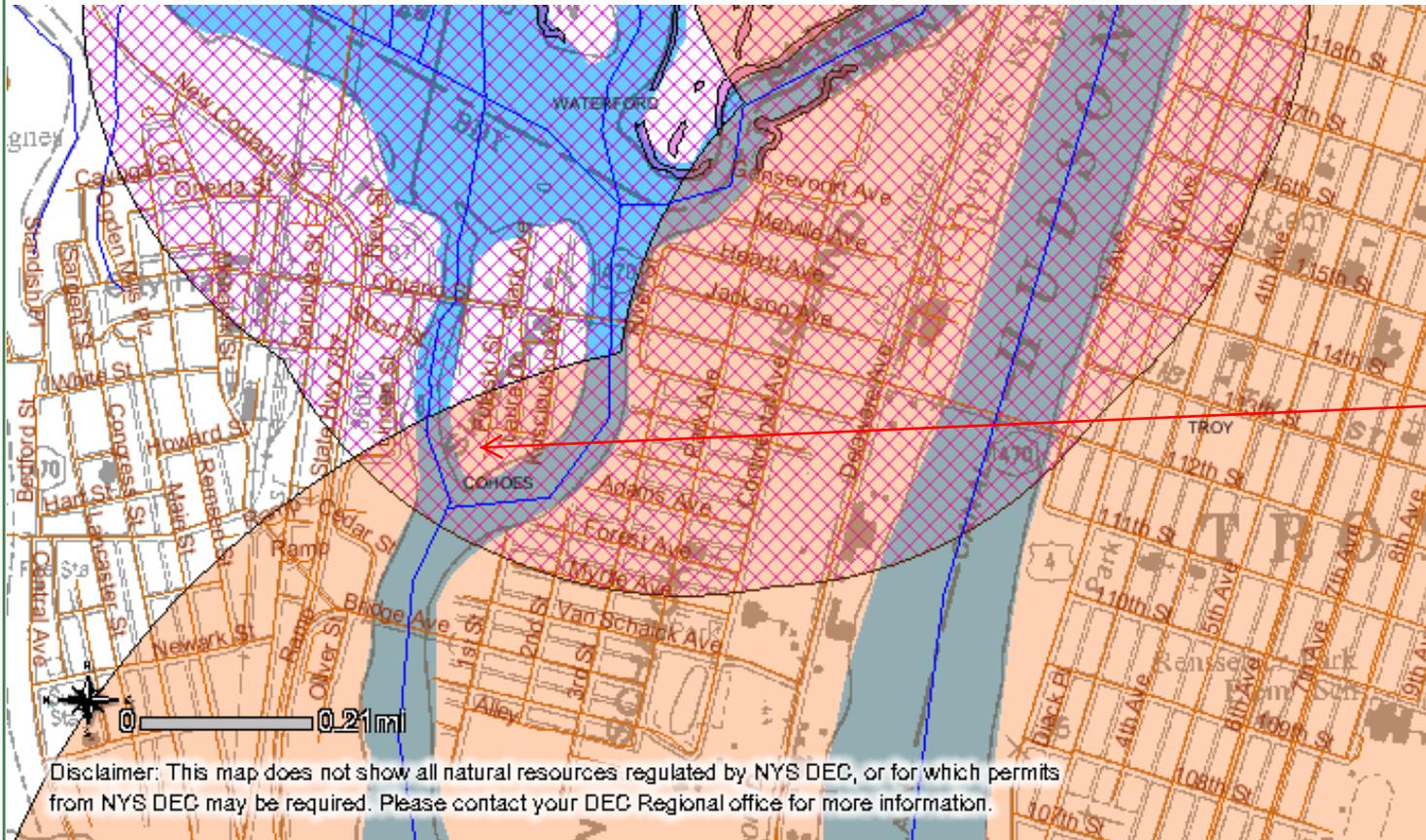
Coastal Boundary Map

NWI Wetland Map

### Visible Layers

-  Classified Streams
-  Classified Ponds
-  State-Regulated Freshwater Wetlands
-  Wetland Checkzone
-  State-Regulated Freshwater Wetlands
-  Rare Plants and Rare Animals
-  Significant Natural Communities Buffered
-  Natural Communities Nearby
-  Significant Natural Communities
-  Interstate Highways

**1 Pulaski Street  
Cohoes, NY**



Disclaimer: This map does not show all natural resources regulated by NYS DEC, or for which permits from NYS DEC may be required. Please contact your DEC Regional office for more information.

MinX: 605941, MaxX: 608715, MinY: 4736971, MaxY: 4735594

# Welcome to the NYS Coastal Boundary Map

001-ED-32966-2013



Search

Address:

Enter Address Here

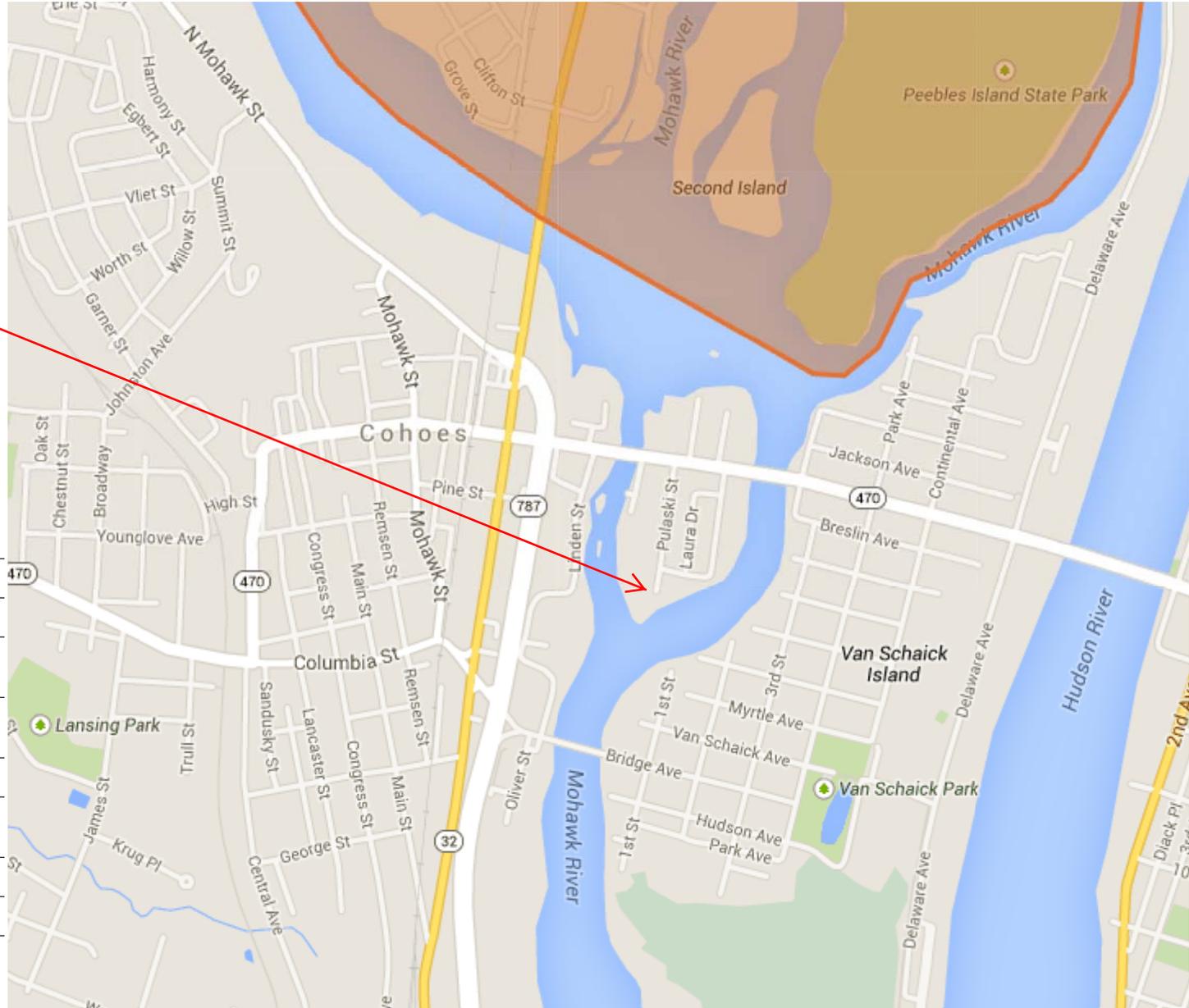
Find Address

1 Pulaski Street  
Cohoes, NY

Please note that the address marker is automatically placed along the street while certain activities may take place along the waterward property boundary. Please make sure to click and drag the marker to the exact location of the proposed activity for an accurate assessment of whether or not the activity would be located within any DOS Special Management Areas.

Layers

- Landward Coastal Boundary
- Scenic Areas
- Local Waterfront Revitalization Areas
- Local Waterfront Revitalization Program Communities
- Significant Coastal Fish and Wildlife Habitats
- DOS Identified Canals
- Long Island Sound CMP (excludes LWRP communities)
- Federally Owned Lands
- Native American Lands

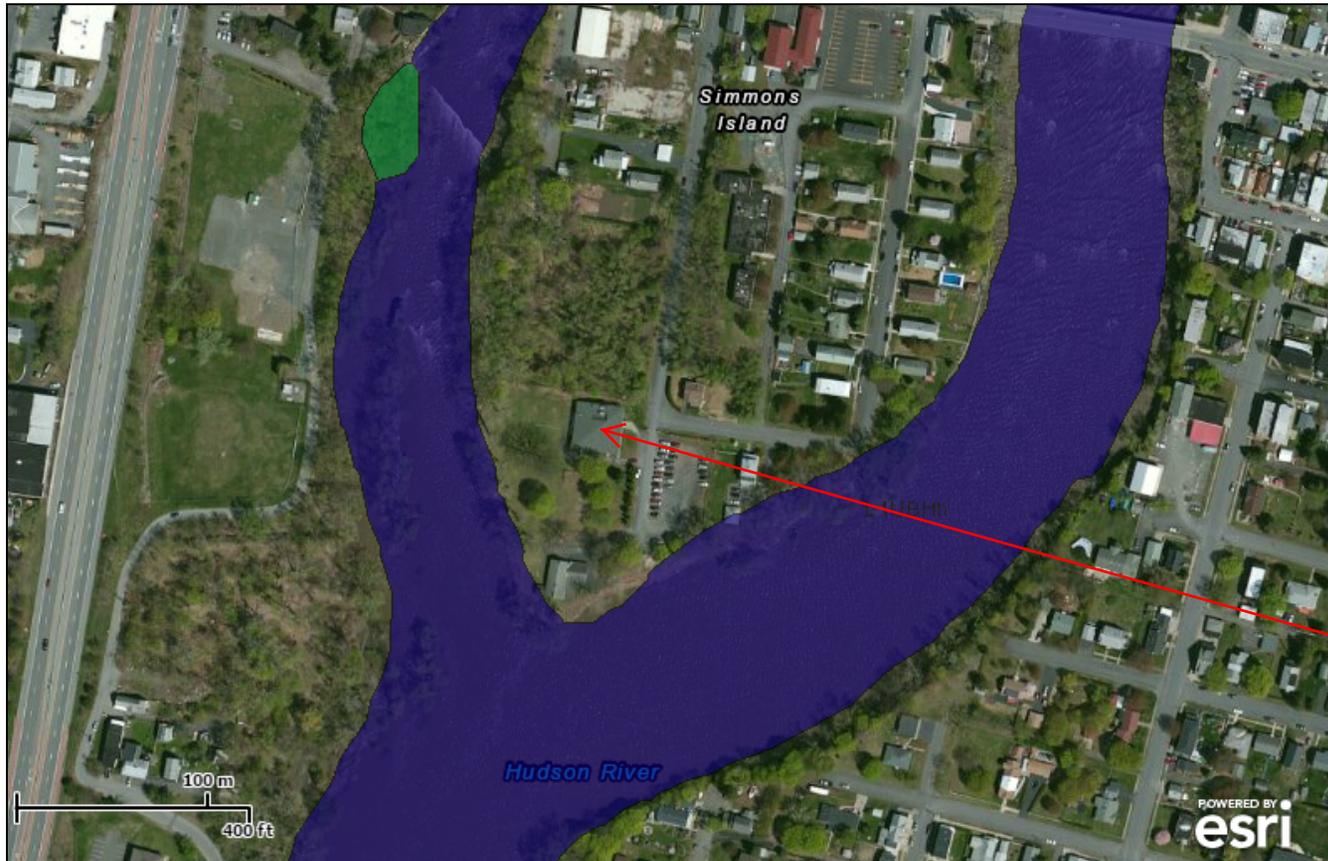




**U.S. Fish and Wildlife Service**  
**National Wetlands Inventory**

001-ED-32966-2013

Jan 20, 2015



**Wetlands**

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

**Riparian**

- Herbaceous
- Forested/Shrub

**Riparian Status**

- Digital Data

**1 Pulaski Street  
Cohoes, NY**

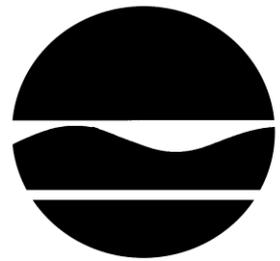
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

**User Remarks:**

# Attachment 11

NHP Letter and USFWS Species List

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**Division of Fish, Wildlife & Marine Resources**  
**New York Natural Heritage Program**  
625 Broadway, 5<sup>th</sup> Floor, Albany, New York 12233-4757  
**Phone:** (518) 402-8935 • **Fax:** (518) 402-8925  
**Website:** [www.dec.ny.gov](http://www.dec.ny.gov)



Joe Martens  
Commissioner

March 20, 2015

Joshua Gomez  
Tectonic  
PO Box 37, 70 Pleasant Hill Road  
Mountainville, NY 10953

Re: Ukrainian American Citizens Club, Inc. - 1 Pulaski Street (parcel 10.68-3-6) - demolition of storm-damaged pavilion and construction of new pavilion  
Town/City: City Of Cohoes. County: Albany.

Dear Joshua Gomez :

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities, that our database indicates occur, or may occur, on your site or in the immediate vicinity of your site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

Our database is continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at [www.dec.ny.gov/about/39381.html](http://www.dec.ny.gov/about/39381.html).

Sincerely,

Andrea Chaloux  
Environmental Review Specialist  
New York Natural Heritage Program



**The following state-listed animals have been documented  
in the vicinity of your project site.**

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing.

**For information about potential impacts of your project on these populations, how to avoid, minimize, or mitigate any impacts, and any permit considerations, contact the Wildlife Manager or the Fisheries Manager at the NYSDEC Regional Office for the region where the project is located. A listing of Regional Offices is at <http://www.dec.ny.gov/about/558.html>.**

**The following species have been documented within 1 mi of the project site. Individual animals may travel 1 mi from documented locations.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
<b>Birds</b>			
<b>Bald Eagle</b> <i>Breeding</i>	<i>Haliaeetus leucocephalus</i>	Threatened	11636

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org), and from NYSDEC at [www.dec.ny.gov/animals/7494.html](http://www.dec.ny.gov/animals/7494.html).



**The following rare plants, rare animals, and significant natural communities have been documented in the vicinity of your project site.**

We recommend that potential onsite and offsite impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

**The following significant natural communities are considered significant from a statewide perspective by the NY Natural Heritage Program. They are either occurrences of a community type that is rare in the state, or a high-quality example of a more common community type. By meeting specific, documented criteria, the NY Natural Heritage Program considers these community occurrences to have high ecological and conservation value.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>HERITAGE CONSERVATION STATUS</i>
<b>Wetland/Aquatic Communities</b>			
<b>Vernal Pool</b>		High-quality Occurrence of Uncommon Community Type	
Peebles Island: The community is a moderate-sized, vernal flooded complex of pools. Although Peebles Island is small and within a larger, developed landscape, it functions as a protective buffer for this community.			5950
<b>Upland/Terrestrial Communities</b>			
<b>Shale Cliff and Talus Community</b>		High-quality Occurrence of Uncommon Community Type	
Peebles Island: The occurrence is moderate-sized, in fair condition (many expected species were not present) within a developed landscape.			9159
<b>Floodplain Grassland</b>		High-quality Occurrence of Uncommon Community Type	
Peebles Island: This is a small patch community in very good condition within a good landscape setting on an island shoreline of the Hudson River in a state park.			14395

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org), from NatureServe Explorer at [www.natureserve.org/explorer](http://www.natureserve.org/explorer), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org). For descriptions of all community types, go to [www.dec.ny.gov/animals/97703.html](http://www.dec.ny.gov/animals/97703.html) for Ecological Communities of New York State.



**The following rare plants and rare animals have  
historical records  
at your project site, or in its vicinity.**

The following rare plants and animals were documented in the vicinity of the project site at one time, but have not been documented there since 1979 or earlier, and/or there is uncertainty regarding their continued presence. There is no recent information on these plants and animals in the vicinity of the project site and their current status there is unknown. In most cases the precise location of the plant or animal in this vicinity at the time it was last documented is also unknown.

If suitable habitat for these plants or animals is present in the vicinity of the project site, it is possible that they may still occur there. We recommend that any field surveys to the site include a search for these species, particularly at sites that are currently undeveloped and may still contain suitable habitat.

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NYS LISTING</i>	<i>HERITAGE CONSERVATION STATUS</i>
<b>Freshwater Mussels</b>			
<b>Alewife Floater</b>	<i>Anodonta implicata</i>	Unlisted	Critically Imperiled in NYS
1978-06-30: Mohawk River.			11733
<b>Vascular Plants</b>			
<b>Giant Pine-drops</b>	<i>Pterospora andromedea</i>	Endangered	Critically Imperiled in NYS
1835-07: Woods.			7560

**This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.**

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org), from NatureServe Explorer at [www.natureserve.org/explorer](http://www.natureserve.org/explorer), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New York Ecological Services Field Office  
3817 LUKER ROAD  
CORTLAND, NY 13045  
PHONE: (607)753-9334 FAX: (607)753-9699  
URL: [www.fws.gov/northeast/nyfo/es/section7.htm](http://www.fws.gov/northeast/nyfo/es/section7.htm)

Consultation Code: 05E1NY00-2015-SLI-0453

February 11, 2015

Event Code: 05E1NY00-2015-E-01307

Project Name: Ukrainian American Club

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

## To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (

[http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the Services wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior  
Fish and Wildlife Service

Project name: Ukrainian American Club

## Official Species List

### Provided by:

New York Ecological Services Field Office

3817 LUKER ROAD

CORTLAND, NY 13045

(607) 753-9334

<http://www.fws.gov/northeast/nyfo/es/section7.htm>

**Consultation Code:** 05E1NY00-2015-SLI-0453

**Event Code:** 05E1NY00-2015-E-01307

**Project Type:** Development

**Project Name:** Ukrainian American Club

**Project Description:** Demolish existing damaged pavilion structure and build new pavilion structure on slightly higher ground on the same property.

**Please Note:** The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior  
Fish and Wildlife Service

Project name: Ukrainian American Club

### Project Location Map:



**Project Coordinates:** MULTIPOLYGON (((-73.694453 42.7707431, -73.6943565 42.7713338, -73.6940936 42.771318, -73.6940507 42.7710581, -73.6939595 42.7708691, -73.6941419 42.7706722, -73.694453 42.7707431)))

**Project Counties:** Albany, NY



United States Department of Interior  
Fish and Wildlife Service

Project name: Ukrainian American Club

## Endangered Species Act Species List

There are a total of 3 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Insects	Status	Has Critical Habitat	Condition(s)
Karner Blue butterfly ( <i>Lycaeides melissa samuelis</i> ) Population: Entire	Endangered		
<b>Mammals</b>			
Indiana bat ( <i>Myotis sodalis</i> ) Population: Entire	Endangered		
northern long-eared Bat ( <i>Myotis septentrionalis</i> )	Proposed Endangered		



United States Department of Interior  
Fish and Wildlife Service

Project name: Ukrainian American Club

## **Critical habitats that lie within your project area**

There are no critical habitats within your project area.

# Attachment 12

Floodplain Management (EO 11988)

**Project 001-ED-32966-2013 EO11988 Floodplain Management Determination**  
***Commercial & Economic Development Initiative within NY State Community Development***  
***Block Grant – Disaster Recovery Program***

*July 30, 2015*

**Introduction & Overview** - The purpose of Executive Order 11988, Floodplain Management, is “to avoid to the extent possible the long- and short-term adverse impacts associated with occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.” This report contains the analysis prescribed by 24 CFR Part 55.

This project involves Community Development Block Grant Program – Disaster Recovery (CDBG-DR) funding for a pavilion structure replacement and other in-kind business infrastructure repairs for a single business impacted by Hurricane Irene. The analysis that follows focuses on floodplain impacts, as there are no direct wetland impacts associated with this project. Based on the type of land use and facility and other case characteristics described herein, it is concluded that there is a reasonable basis to proceed with funding for this project/ activity within floodplain. Moreover, in the March 5, 2013 Federal Register Notice, HUD expressly recognized that “without the return of businesses and jobs to a disaster-impacted area, recovery may be impossible. Therefore, HUD strongly encourages grantees to envision economic revitalization as a cornerstone to a long-term recovery” (78 FR 14335). Thus, alternatives preventing or impeding small business recovery are not considered reasonable alternatives.

**Description of Proposed Action & Land Use**

The Ukrainian American Citizens Club Inc. is a not-for-profit social club which operates a meeting and banquet facility that are open to the public. The business experienced flooding, power outage, and business interruption resulting in damage to the buildings, contents and working capital. The business is located in the City of Cohoes, which is located northeast section of Albany County. The business address is 1 Pulaski Street, Cohoes, Albany County, New York. The main structure and current pavilion structure for this property are identified to be on parcel Section-Block-Lot 10.68-3-6.

The proposed support involves a limited grant award of \$102,631.83 in reimbursed construction-related machinery and equipment and mitigation. \$2,631.83 will be allocated for the reimbursement for the future purchase and installation of a walk-in cooler, and \$100,000 mitigation funding is for the demolition of the damaged pavilion and construction of a new pavilion. The new pavilion structure will be built approximately 50 feet north of the damaged structure in order to move it further from the floodway boundary and so that it is at a slightly higher elevation. This action is being taken to reduce potential effects from future flooding.

A previous environmental review for separate activities categorized under 24 CFR 58.35(b)(4) for this applicant was completed on January 20, 2015 and is included in the Environmental Review Record.

### **Applicable Regulatory Procedure Per EO 11988**

The proposed action corresponds with a noncritical action not excluded under 24 CFR §55.12(b) or (c). Funding is permissible for the use in the floodplain if the proposed action is processed under §55.20 and the findings of the determination are affirmative to suggest that the project may proceed.

Based on online data, including data managed and updated by the U.S Fish & Wildlife Service (USFWS) and New York State Department of Environmental Conservation (DEC), there is no direct construction (new or existing) in wetlands as a result of the proposed project. Thus, in accordance with the decision-making process set forth in 24 CFR Part 55, this analysis focuses exclusively on floodplains.

According to 24 CFR §55, the activity planned to replace the impacted structure occurs in a community that is in the regular program of the National Flood Insurance Program (NFIP) and the community is currently in good standing. Since this project includes construction of a new building, this project requires the full eight-step floodplain determination process in §55.20. The following analysis examines each step in the floodplain management determination process.

#### ***Step 1. Determine Whether the Proposed Action is Located in the 100-year Floodplain (500-year for Critical Actions) or results in New Construction in Wetlands.***

The location of the proposed action, per the applicable FEMA Firmette flood map, is within 100-year floodplain (Special Flood Hazard Area [SFHA] - AE Zone). Preliminary floodmaps for the area shows the location of the action to be within SFHA- AE Zone with an elevation of 35–36 feet. Additionally, the southeast corner of the damaged pavilion structure is located on the border, and partially within, floodway boundary. The new pavilion is not in floodway – it is only in SFHA AE zone. Moreover, the project proposed includes removing the damaged pavilion structure. The demolition of the damaged pavilion will not alter the floodplain. This action does not require a Section 404 permit under the Clean Water Act (*see* 55.20(a)(1)).

#### ***Step 2. Initiate Public Notice for Early Review of Proposal.***

Because the proposed project is in the 100-year floodplain, the Governor's Office of Storm Recovery (GOSR) published an early notice that allowed for public and public agency input on the decision to provide funding for reconstruction and development activities. The early public notice and 15-day comment period is complete. No public comments were received.

The corresponding 15-day "Notice of Early Public Review of a Proposed Activity in 100-Year Floodplain" was published in the Times Union newspaper, on February 26, 2015, with the 15-day period expiring on March 13, 2013. The notice targeted local residents, including those in the 100-year floodplain. The notice was also sent to the following state and federal agencies on February 23, 2015: Federal Emergency Management Agency (FEMA); U.S Fish & Wildlife Service (USF&WS); U.S. Environmental Protection Agency (EPA); New York Department Environmental Conservation; and New York State Office of Emergency Management. The notice was also sent to Albany County and the City of Cohoes. (See Attachments 1 and 2 for the Early Public Review Notice and Affidavit.)

**Step 3. Identify and Evaluate Practicable Alternatives to Locating the Proposed Action in a 100-year Floodplain (or 500-year Floodplain if a Critical Action) or Wetland.**

The program is structured to provide eligible businesses with loan or grant assistance for activities necessary to restore storm-damaged businesses, including through damage reimbursements, and support for rehabilitation, reconstruction, elevation, and/ or other mitigation activities. This small business suffered damage during Hurricane Irene. As such, potential alternatives must be considered in order to try and mitigate the amount of damage from future flood events.

One potential alternative would be to elevate the replacement pavilion in the same footprint as the damaged pavilion. This option would mean that a portion of the pavilion would continue to be located in floodway. It is desirable to avoid the building of structures in floodways and federal funding for constructing non-functionally dependent structures in floodway is not allowed per 24 CFR part 55 regulations. Thus, this option is not considered a viable alternative to the proposed action.

Another potential alternative is to relocate the business out of the 100-year floodplain; however, this Ukrainian American Citizens Club is a business occupying multiple buildings on one property in Cohoes, NY. It could be difficult to move to a replacement property. Moreover, given that proposed mitigation funding is for the replacement of a pavilion structure and for a walk-in cooler, relocation of the entire business would be more costly than the proposed mitigation and reimbursement funding. As such, relocation is not considered a viable option.

Another alternative would be for no action to occur, meaning the applicant would not be receiving grant funds to restore and sustain business. This option means there would be a potential inability for the business to survive rebuilding after the storm. Furthermore, the ability for the owner to successfully mitigate any future damages from floods would be impeded due to the lack of financial support, which means the property would be more vulnerable. This could greatly impact this business and the surrounding community, as recovery would be greatly impaired due to lack of support. Accordingly, the “no action” decision would neither support this business’s recovery nor help the community recover from the devastating storms.

Due to the number of developed parcels within this community, prohibition of rehabilitation within floodplain is not practicable. Applicants who chose to rebuild damaged structures within floodplain using CDBG-DR grant funds must adhere to the elevation requirements for commercial buildings in order to mitigate or avoid future damages. Structures, as defined for floodplain management purposes, are defined as a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home (44 CFR 59.1). The new construction of an open pavilion structure that does not have any rigid walls does not constitute a structure as defined in 44 CFR 59.1. Thus, this new structure is not subject to elevation requirements promulgated by the local floodplain regulatory authority.

#### **Step 4. Identify & Evaluate Potential Direct & Indirect Impacts Associated with Occupancy or Modification of 100-year Floodplain and Potential Direct & Indirect Support of Floodplain Development that Could Result from Proposed Action.**

The focus of floodplain evaluation should be on adverse impacts to lives and property, and on natural and beneficial floodplain values. Natural and beneficial values include consideration of potential for adverse impacts on water resources such as natural moderation of floods, water quality maintenance, and groundwater recharge.

According to the FEMA Report - *A Unified National Program for Floodplain Management*, two definitions commonly used in evaluating actions in floodplain are “structural” and “non-structural” activities. Per the report, structural activity is usually intended to mean adjustments that modify the behavior of floodwaters through the use of measures such as public works dams, levees and channel work. Non-structural is usually intended to include all other adjustments (e.g., regulations, insurance, etc.) in the way society acts when occupying or modifying a floodplain. These definitions are used in describing impacts that may arise in association with potential advancement of this case.

##### *Natural moderation of floods*

As the applicant’s site is one of many developed parcels situated within 100-year floodplain, the continued occupancy may potentially result in future direct impacts to property during certain severe floods and related natural disasters. However, the direct effects to this property would be no greater than those expected to the other adjacent occupied properties within this floodplain, and they should be lessened by the movement of the pavilion structure further away from the floodway.

##### *Living resources such as flora and fauna*

This land use may constitute a type of business where, after flooding, materials used in operations could potentially be released into the environment, thereby having unquantifiable potential to impact water quality maintenance and ecological resources. A potential impact that may arise is that materials used or stored on-site would be caused to be released into the environment, such as a result of wind or floodwaters. However, this would be more likely if there are not non-structural and structural floodproofing techniques in place, such as if materials are not stored in water-tight containers, and/or said containers break or migrate out of a non-enclosed building due to lack of proper preparation. A qualitative evaluation suggests the potential would be relatively small and, if such releases do occur, it is likely as part of a potential area-wide impact. In such an instance, floatable debris could contribute to litter and, if there were minor amounts of chemicals used on site, floodwaters may induce rapid dilution. Given the nature of this business, the potential for an acute or chronic level of water quality impact from this site is low.

##### *Impacts to Property & Lives*

The action does present potential to impact commercial occupancy of floodplain, but it does not involve residential structures. Supporting the recovery of small businesses is an essential

component of recovery in storm-affected communities, as recognized by the March 2013 Notice in the Federal Register. The project also modifies some property in the floodplain through limited ground disturbance as part of building a new structure and demolishing a damaged pavilion structure.

Occupancy of this floodplain in this hamlet area has taken place over an extended period. According to the *Welcome to Cohoes— An overview of residential and business development*, the City of Cohoes has approximately seven (7) miles of waterfront property. Reviewing FEMA Firmettes of the City of Cohoes shows that waterfront parcels, as well as other properties, are within the floodplain. Thus, considering the context of the area - this action represents an activity at only one parcel among many that are located within contiguous floodplain. Funding this project/activity does constitute continued support of floodplain occupancy and development. In the event of severe flooding and associated natural hazards in the future, there is potential for further damage to this property, business disruption, and impacts to this small business, although it may be less with the funding support, for example because the applicant is better able to achieve higher quality, better building construction standards with the CDBG-DR assistance.

The predominantly in-kind and in-place rehabilitation of the site sustains area property values and community character within a district and neighborhood that has been settled for a long time. It enables continued viability of this small business, which might otherwise degrade, or cease to exist, without support in rehabilitating facilities, restarting business operations, and/or recouping some revenue lost as a result of the disaster. Similarly, the proposed investment supports area residences by sustaining a recreational asset. With sustained operations here, the market is not disrupted in that customers are required to travel greater distances. Support to sustain this business also helps ensure a diverse economic base. If this project/activity were not funded, there probably would be other undefined, undesirable indirect impacts to lives and the area economy, on a short- and long-term basis, such as relating to economic multipliers and support that this business provides to surrounding businesses when it purchases products and services.

#### *Cultural resources such as archaeological, historic & recreational aspects*

The damaged pavilion structure appears to range from 45 to 75 years of age. There is no local certified government. Based on a Section 106 project review, in accordance with a determination by the State Historic Preservation Office (SHPO) dated June 10, 2015, this project will not affect historic properties. Without support, building resources could degrade causing loss of development character and identity for the neighborhood.

#### *Agricultural, aquacultural, & forestry resources*

The City of Cohoes is a heavily developed area northeast of the City of Albany. There are some woodland and agricultural lots outside of the developed bounds of the City of Cohoes. It is possible that if there is a materials release from this property, it could potentially affect natural resources including agriculture and forestry. However, while it is conceivable that flooding of a business like this could be part of a cumulative influence on such resources, the impact attributable to this use has not been quantitatively derived and the potential impact, with planning for and practice of non-structural management practices, is considered minor.

***Step 5. Where Practicable, Design or Modify the Proposed Action to Minimize the Potential Adverse Impacts To and From the 100-Year Floodplain and to Restore and Preserve its Natural and Beneficial Functions and Values.***

Given the scope of repairs and the proposed funding support, it is a direct policy requirement to specify standards that mitigate flood risk. Due to the damage the property sustained during Hurricane Irene, there will be mitigation measures in the form of reconstruction of the new pavilion further away from the designated preliminary floodway. Importantly, the pavilion will be rebuilt on slightly higher ground on the property. Because the pavilion is not considered a structure as defined in 44 CFR part 59.1, there was not a need to elevate the base of the structure to elevations designated by local code.

However, it is still reasonable to promote business owner awareness of future risks of natural hazards, including flooding, plus the physical, social and economic impacts that potential events could convey, including through potential for future physical damage to property and equipment. It is reasonable to promote business owner awareness of the available best management practices and the potential to perform business strategic planning and identify the multiple possible actions they might undertake to define and prepare for, and prevent the potential impacts of many future hazards they may face. There are free resources available to aid such preparedness planning found at the link: <http://www.ready.gov/business>.

***Step 6. Reevaluate the Alternatives and Proposed Action.***

Reconstructing an elevated form of the damaged pavilion in the same location means that the pavilion would still be located in the floodway. Regulations set forth in 24 CFR part 55 prohibit federal funding for projects in floodway if it is not a functionally dependent use. Thus, this option would prohibit the applicant from eligibility for CDBG-DR funds and would limit the applicant's recovery. Thus, this alternative is not considered a feasible alternative.

The relocation alternatives of the business are costly and would require the business to find a comparable property with comparable facilities. This would cost more than the proposed reimbursement and mitigation funding for storm recovery efforts at the current location. Additionally, the surrounding area is moderately to heavily developed and property might not be readily available for the business to move to. Thus, this alternative is not considered a feasible alternative.

The "no action" alternative would not address the need this business has for help in funding their rehabilitation and mitigation. Without the funding this grant provides, the business would be unable to successfully complete the restoration of the basic business service facilities and they would remain vulnerable to damage in future flooding events.

Therefore, the alternatives examined are not considered desirable or possible and the action to fund rehabilitation, mitigation, and business continuity at this business is still practicable in light of exposure to flood hazards in floodplain, possible adverse impacts on floodplain, the extent to which it may aggravate current hazards to other floodplains, and the potential to disrupt natural and beneficial functions and values of floodplains. Moreover, the March 2013 Notice in the Federal Register strongly recommends that grantees engage in a robust policy for ensuring

recovery of small businesses affected by storm events, as such recovery is essential to the continued vitality of surrounding communities. Thus, alternatives preventing or impeding small business recovery are not considered reasonable alternatives.

***Step 7. Issue Findings and Public Explanation.***

It is the finding of this report that there is no better alternative than to provide funding for the rehabilitation and flood mitigation of this small business. The location within floodplain cannot be avoided due to the geomorphology and developed nature of the area, the space requirements and characteristics of the social club facilities, and land economics, in terms of the high expected cost of land outside floodplain and the high development costs of establishing new facilities on uplands. However, not funding any actions would mean that this small business would struggle to recover, much less be able to mitigate any future damages. A final notice, formally known as “Notice of Policy Determination” was published in accordance with 24 CFR 55, for a 7-day comment period. (See Attachments 3 and 4 to this Floodplain Management EO 11988 for the Final Notice and the Affidavit.) The 7-day comment period started with notice publishing in Times Union newspaper on April 3, 2015 and the 7-day period expired on April 10, 2015. The notice describes the reasons why the project must be located in the floodplain, alternatives considered, and all mitigation measures to be taken to minimize adverse impacts and preserve natural and beneficial floodplain values. No public comments were received.

***Step 8. Continuing Responsibility of Responsible Entity & Recipient.***

The responsible entity will make available educational materials regarding best practices for businesses located in floodplains. It will also require the business to demonstrate proof of current flood insurance. It is acknowledged there is a continuing responsibility by the responsible entity, New York State Homes & Community Renewal – Housing Trust Fund Corporation Cooperating with GOSR, to ensure, to the extent feasible and necessary, compliance with Steps 5 through 7.

# **Attachment 1**

## **Notice of Early Public Review**



## GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo  
Governor

James Rubin  
Executive Director



### NOTICE OF EARLY PUBLIC REVIEW OF A PROPOSED ACTIVITY IN 100-YEAR FLOODPLAIN

February 26, 2015

To: All Interested Agencies, Groups & Individuals

The Governor's Office of Storm Recovery (GOSR), operating under auspices of the New York State Homes and Community Renewal (HCR's) Housing Trust Fund Corporation, is the responsible entity for direct administration of U.S. Dept. of Housing & Urban Development (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) program. The purpose of this notice is to identify that GOSR is undertaking decision-making process required by federal Executive Order 11988 in accordance with HUD regulations at 24 CFR §55.20 (Subpart C-Procedures for Making Determinations on Floodplain Management), and invites public comment to determine the potential effect that implementing business restoration at the site described below could potentially have on 100-year floodplain. The project is part of the New York Rising Small Business Grant Program and consists of the physical restoration project described below. GOSR is conducting this review in order to consider the project's potential impacts on 100-year floodplain so as to determine whether or not assistance should be granted.

**Project Name:** The business proposed to receive storm rehabilitation/ mitigation support is Ukrainian American Citizens Club, Inc. (Project # 001-ED-32966-2013). The business's address is 1 Pulaski Street, City of Cohoes, Albany County, N.Y.

**Brief Description of Project:** The Ukrainian American Citizens Club, Inc. is a not-for profit social club which operates a meeting and banquet facility, both of which are open to the public. As a result of Hurricane Irene, the business experienced damages from flooding.

The proposed project will involve \$2,631.83 for replacement of a walk-in cooler. Additionally, \$100,000.00 dollars of mitigation funds are proposed to be provided for demolition and replacement of a storm-damaged pavilion structure. The replacement pavilion will be constructed approximately 45 feet north of the current damaged pavilion structure. The pavilion is being relocated upon reconstruction in order to move it further from floodway and reduce the likelihood of damage from potential future floods.

The construction of the new pavilion will entail minor grading to lay and compact gravel in order to construct a concrete slab flooring and to install pile footings to support the pavilion structure. The structure will be built in accordance with local building codes. The footprint of the new pavilion structure will be approximately 2,400 square feet. Demolition work will be located in 100-year floodplain (SHFA Zone AE) and partly in a floodway to remove the damaged structure.

---

25 Beaver Street | New York, NY 10004 | Recovery Hotline: 1-855-NYS-Sandy | [www.stormrecovery.ny.gov](http://www.stormrecovery.ny.gov)



## GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo  
Governor

James Rubin  
Executive Director



The construction of the new pavilion will be located in 100-year floodplain and will not be in floodway.

Since the action is located within the Federal Emergency Management Agency's (FEMA) 100-year floodplain, Executive Order 11988 requires that the project not be supported if there are practicable alternatives to development in floodplain. Applications for local floodplain development permits are expected, and the action will be evaluated to consider potential to use a location out of floodplain as well as other possible methods to avoid floodplain impacts and other potential design considerations.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment have an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains facilitates federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplain, it must inform those who may be put at greater or continued risk.

Comments from the public are invited and will be received for fifteen (15) days from the first date of this publication. Any individual, group, or agency may submit written comments on the actions to: Attention Daniel Greene, Certifying Officer, Governor's Office of Storm Recovery, 25 Beaver Street, 5th Floor, New York, New York, 10004. Comments may also be submitted via email at NYSCDBG\_DR\_ER@nyshcr.org or by telephone, excepting public holidays, at (212) 480-4644 weekdays from 9:00 AM - 5:00 PM.

Best Regards,

Daniel Greene, Certifying Officer  
Governor's Office of Storm Recovery

## **Attachment 2**

### **Notice of Early Public Review Affidavit**

# TIMES UNION

In Print. Online. All the Time.

Albany Times Union  
News Plaza  
Box 15000  
Albany, New York 12212

~~NISSLE~~ TECTONIC ENGINEERING AND  
SURVEYING CONSULTANTS  
PO BOX 37  
MOUTIANVILLE, NY 10953

Account Number: 600035835  
Order Number: 0003800909  
Order Identifier: NOTICE OF EARLY

T Dollard / B Goodwin / L Kolach / R Bernard / I Taber of the city of Albany, being duly sworn, says that he/she is principal Clerk of THE TIMES UNION, a daily newspaper printed in the county of Albany, Town of Colonie, and Published in the County of Albany, Town of Colonie and the city of Albany, aforesaid and that notice of which a printed copy is annexed has been regularly published in the said ALBANY TIMES UNION on the following dates

02-26-2015

*[Signature]*

SUSAN FL WRIGHT  
Notary Public, State of New York  
Lic. #4793115  
Commission Expires: 1/31/16

Sworn to before me, this Friday, February 27, 2015

*[Signature]*

Notary Public  
Albany County

**NOTICE OF EARLY PUBLIC REVIEW OF A  
PROPOSED ACTIVITY IN 100-YEAR FLOODPLAIN**

**February 26, 2015**

To: All Interested Agencies, Groups & Individuals

The Governor's Office of Storm Recovery (GOSR), operating under auspices of the New York State Homes and Community Renewal (HCR's) Housing Trust Fund Corporation, is the responsible entity for direct administration of U.S. Dept. of Housing & Urban Development (HUD) Community Development Block Grant-Disaster Recovery (CDBG-DR) program. The purpose of this notice is to identify that GOSR is undertaking decision-making process required by federal Executive Order 11988 in accordance with HUD regulations at 24 CFR §55.20 (Subpart C-Procedures for Making Determinations on Floodplain Management), and invites public comment to determine the potential effect that implementing business restoration at the site described below could potentially have on 100-year floodplain. The project is part of the New York Rising Small Business Grant Program and consists of the physical restoration project described below. GOSR is conducting this review in order to consider the project's potential impacts on 100-year floodplain so as to determine whether or not assistance should be granted.

**Project Name:** The business proposed to receive storm rehabilitation/ mitigation support is Ukrainian American Citizens Club, Inc. (Project # 001-ED-32966-2013). The business's address is 1 Pulaski Street, City of Cohoes, Albany County, N.Y.

**Brief Description of Project:** The Ukrainian American Citizens Club, Inc. is a not-for profit social club which operates a meeting and banquet facility, both of which are open to the public. As a result of Hurricane Irene, the business experienced damages from flooding.

The proposed project will involve \$2,631.83 for replacement of a walk-in cooler. Additionally, \$100,000.00 dollars of mitigation funds are proposed to be provided for demolition and replacement of a storm-damaged pavilion structure. The replacement pavilion will be constructed approximately 45 feet north of the current damaged pavilion structure. The pavilion is being relocated upon reconstruction in order to move it further from floodway and reduce the likeliness of damage from potential future floods.

The construction of the new pavilion will entail minor grading to lay and compact gravel in order to construct a concrete slab flooring and to install pile footings to support the pavilion structure. The structure will be built in accordance with local building codes. The footprint of the new pavilion structure will be approximately 2,400 square feet. Demolition work will be located in 100-year floodplain (SHFA Zone AE) and partly in a floodway to remove the damaged structure. The construction of the new pavilion will be located in 100-year floodplain and will not be in floodway.

Since the action is located within the Federal Emergency Management Agency's (FEMA) 100-year floodplain, Executive Order 11988 requires that the project not be supported if there are practicable alternatives to development in floodplain. Applications for local floodplain development permits are expected, and the action will be evaluated to consider potential to use a location out of floodplain as well as other possible methods to avoid floodplain impacts and other potential design considerations.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment have an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains facilitates federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the federal government determines it will participate in actions taking place in floodplain, it must inform those who may be put at greater or continued risk.

Comments from the public are invited and will be received for fifteen (15) days from the first date of this publication. Any individual, group, or agency may submit written comments on the actions to: Attention Daniel Greene, Certifying Officer, Governor's Office of Storm Recovery, 25 Beaver Street, 5th Floor, New York, New York, 10004. Comments may also be submitted via email at NYSCDBG\_DR\_ER@nyshcr.org or by telephone, excepting public holidays, at (212) 480-4644 weekdays from 9:00 AM - 5:00 PM.

Daniel Greene, Certifying Officer  
Governor's Office of Storm Recovery

TU 11 (800909)

# **Attachment 3**

## **Final Notice**



## GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo  
Governor

James Rubin  
Executive Director



### FINAL NOTICE & PUBLIC REVIEW April 3, 2015

To: All Interested Agencies, Groups & Individuals

The Governor's Office of Storm Recovery (GOSR), operating under auspices of New York State Homes and Community Renewal's Housing Trust Fund Corporation, is the Responsible Entity for direct administration of the U.S. Dept. of Housing & Urban Development (HUD) Community Development Block Grant – Disaster Recovery (CDBG-DR) program. The purpose of this notice is to identify that GOSR is advancing the decision-making process required by Federal Executive Order 11988 in accordance with HUD regulations at 24 CFR 55.20 (Procedures for Making Determinations on Floodplain Management), and invites public comment on the potential effect that implementing business restoration at the site below would potentially have on 100-year floodplain. The project is part of the New York Rising Small Business Grant Program and consists of the physical restoration activities described below. GOSR is conducting this review in order to consider the project's potential impacts on the 100-year floodplain so as to determine whether or not assistance should be granted.

**Project Name:** The business proposed to receive storm rehabilitation/ mitigation support is the Ukrainian American Citizens Club, Inc. (Project # 001-ED-32966-2013). The business's address is 1 Pulaski Street, City of Cohoes, Albany County, N.Y.

**Brief Description of Project:** The Ukrainian American Citizens Club, Inc. is a not-for profit social club which operates a meeting and banquet facility, both of which are open to the public. As a result of Hurricane Irene, the business experienced damages from flooding. The proposed project will involve \$2,631.83 for replacement of a walk-in cooler. Additionally, \$100,000.00 dollars of mitigation funds are proposed to be provided for demolition and replacement of a storm-damaged pavilion structure. The replacement pavilion will be constructed approximately 45 feet north of the current damaged pavilion structure. The replacement pavilion will be located further away from the floodway in order to reduce the likelihood of damage from potential future floods.

The construction of the new pavilion will entail minor grading to lay and compact gravel in order to construct a concrete slab flooring and to install pile footings to support the pavilion structure. The structure will be built in accordance with local building codes. The footprint of the new pavilion structure will be approximately 2,400 square feet. Demolition work will be located in 100-year floodplain (SHFA Zone AE) and partly in a floodway to remove the damaged structure. The construction of the new pavilion will be located in the 100-year floodplain but will not be in the floodway.

**Evaluating Impacts & Alternatives:** The new pavilion structure will be built further away from the floodway, and potential impacts to this structure during future floods are expected to be less than if it were rebuilt in its current location. Additionally, the current pavilion structure will be removed, returning the current footprint to open space.

---

25 Beaver Street | New York, NY 10004 | Recovery Hotline: 1-855-NYS-Sandy | [www.stormrecovery.ny.gov](http://www.stormrecovery.ny.gov)



## GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo  
Governor

James Rubin  
Executive Director



Since the action is located within the Federal Emergency Management Agency's (FEMA) 100-year floodplain, Federal Executive Order 11988 requires that the project not be supported if there are practicable alternatives to development in the floodplain. One alternative considered includes relocating the business out of the 100-year floodplain. However, this not-for-profit business owns several facilities on the property and procuring similar facilities and property in the surrounding area would be more costly than the proposed rehabilitation funding. Considering that the no action option means that no grant assistance would be given, there would be potential inability for the business to recover. This option would neither support the business nor the community in recovering from these devastating storms.

**Determination:** The risk of location and development in the floodplain is identified. Based on further consideration of the project, including the results of early notice that provided the opportunity for public comment, as well as review that includes hazard management analysis and potential to maintain floodplain value, the alternatives are considered neither feasible nor desirable. It is proposed that this project remains practicable at this location. GOSR is notifying the public with these proposed findings, and the detailed analysis is available for consideration by request.

Comments from the public are invited and will be received for seven (7) days from the first date of this publication. Any individual, group, or agency may submit written comments on the actions to Daniel Greene, Governor's Office of Storm Recovery, 25 Beaver Street, 5th Floor, New York, New York 10004. Written comments may also be submitted via email at [NYSCDBG\\_DR\\_ER@nysocr.org](mailto:NYSCDBG_DR_ER@nysocr.org). Comments may be received by telephone at (212) 480-4644 Monday through Friday, 9:00 AM - 5:00 PM.

Best Regards,

A handwritten signature in black ink, appearing to read 'Dan Greene'.

Daniel Greene, Certifying Officer  
Governor's Office of Storm Recovery

## **Attachment 4**

### **Final Notice Affidavit**

# TIMES UNION

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Albany, New York 12212

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Account Number: 600035835  
Order Number: 0003807533  
Order Identifier: FINAL NOTICE &

T Dollard / B Goodwin / L Kolach / R Bernard / I Taber of the city of Albany, being duly sworn, says that he/she is principal Clerk of THE TIMES UNION, a daily newspaper printed in the county of Albany, Town of Colonie, and Published in the County of Albany, Town of Colonie and the city of Albany, aforesaid and that notice of which a printed copy is annexed has been regularly published in the said ALBANY TIMES UNION on the following dates

04-03-2015

*T Dollard*

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Sworn to before me, this Monday, April 06, 2015

*June M Clements*

---

JUNE M. CLEMENTS  
NOTARY PUBLIC, State of New York  
Qualified in Saratoga County  
No. 01CL6319970  
Commission Expires March 2, 2018

Notary Public  
Albany County

**FINAL NOTICE & PUBLIC REVIEW**  
**April 3, 2015**

To: All Interested Agencies, Groups & Individuals

The Governor's Office of Storm Recovery (GOSR), operating under auspices of New York State Homes and Community Renewal's Housing Trust Fund Corporation, is the Responsible Entity for direct administration of the U.S. Dept. of Housing & Urban Development (HUD) Community Development Block Grant - Disaster Recovery (CDBG-DR) program. The purpose of this notice is to identify that GOSR is advancing the decision-making process required by Federal Executive Order 11988 in accordance with HUD regulations at 24 CFR 55.20 (Procedures for Making Determinations on Floodplain Management), and invites public comment on the potential effect that implementing business restoration at the site below would potentially have on 100-year floodplain. The project is part of the New York Rising Small Business Grant Program and consists of the physical restoration activities described below. GOSR is conducting this review in order to consider the project's potential impacts on the 100-year floodplain so as to determine whether or not assistance should be granted.

**Project Name:** The business proposed to receive storm rehabilitation/ mitigation support is the Ukrainian American Citizens Club, Inc. (Project # 001-ED-32966-2013). The business's address is 1 Putaski Street, City of Cohoes, Albany County, N.Y.

**Brief Description of Project:** The Ukrainian American Citizens Club, Inc. is a not-for profit social club which operates a meeting and banquet facility, both of which are open to the public. As a result of Hurricane Irene, the business experienced damages from flooding. The proposed project will involve \$2,631.83 for replacement of a walk-in cooler. Additionally, \$100,000.00 dollars of mitigation funds are proposed to be provided for demolition and replacement of a storm-damaged pavilion structure. The replacement pavilion will be constructed approximately 45 feet north of the current damaged pavilion structure. The replacement pavilion will be located further away from the floodway in order to reduce the likelihood of damage from potential future floods.

The construction of the new pavilion will entail minor grading to lay and compact gravel in order to construct a concrete slab flooring and to install pile footings to support the pavilion structure. The structure will be built in accordance with local building codes. The footprint of the new pavilion structure will be approximately 2,400 square feet. Demolition work will be located in 100-year floodplain (SHFA Zone AE) and partly in a floodway to remove the damaged structure. The construction of the new pavilion will be located in the 100-year floodplain but will not be in the floodway.

**Evaluating Impacts & Alternatives:** The new pavilion structure will be built further away from the floodway, and potential impacts to this structure during future floods are expected to be less than if it were rebuilt in its current location. Additionally, the current pavilion structure will be removed, returning the current footprint to open space.

Since the action is located within the Federal Emergency Management Agency's (FEMA) 100-year floodplain, Federal Executive Order 11988 requires that the project not be supported if there are practicable alternatives to development in the floodplain. One alternative considered includes relocating the business out of the 100-year floodplain. However, this not-for-profit business owns several facilities on the property and procuring similar facilities and property in the surrounding area would be more costly than the proposed rehabilitation funding. Considering that the no action option means that no grant assistance would be given, there would be potential inability for the business to recover. This option would neither support the business nor the community in recovering from these devastating storms.

**Determination:** The risk of location and development in the floodplain is identified. Based on further consideration of the project, including the results of early notice that provided the opportunity for public comment, as well as review that includes hazard management analysis and potential to maintain floodplain value, the alternatives are considered neither feasible nor desirable. It is proposed that this project remains practicable at this location. GOSR is notifying the public with these proposed findings, and the detailed analysis is available for consideration by request.

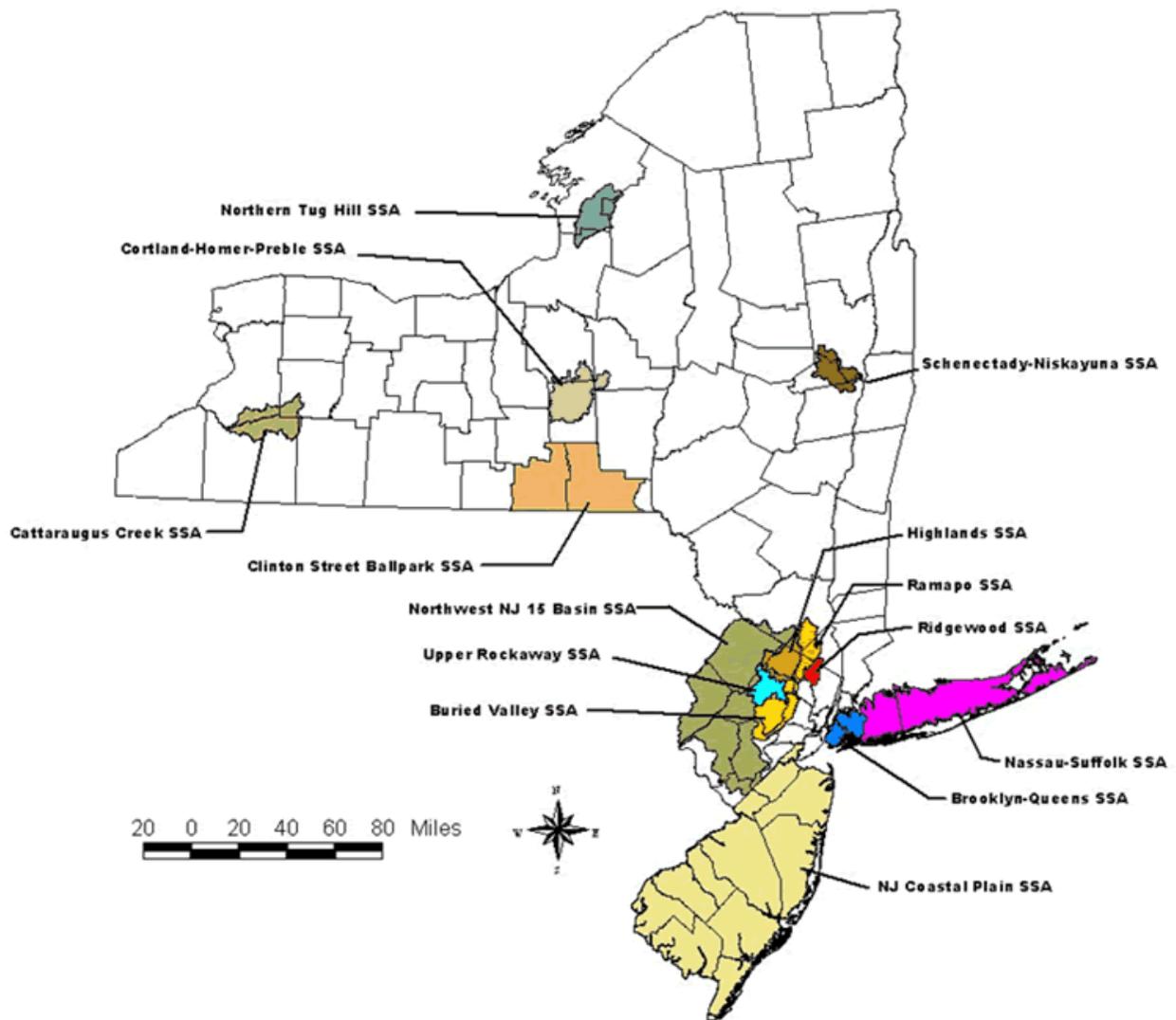
Comments from the public are invited and will be received for seven (7) days from the first date of this publication. Any individual, group, or agency may submit written comments on the actions to Daniel Greene, Governor's Office of Storm Recovery, 25 Beaver Street, 5th Floor, New York, New York 10004. Written comments may also be submitted via email at [NYSCDBG\\_DR\\_ER@nyshcr.org](mailto:NYSCDBG_DR_ER@nyshcr.org). Comments may be received by telephone at (212) 480-4644 Monday through Friday, 9:00 AM - 5:00 PM.

Daniel Greene, Certifying Officer  
Governor's Office of Storm Recovery

TU 1t (807533)

# Attachment 13

## Sole Source Aquifer Map



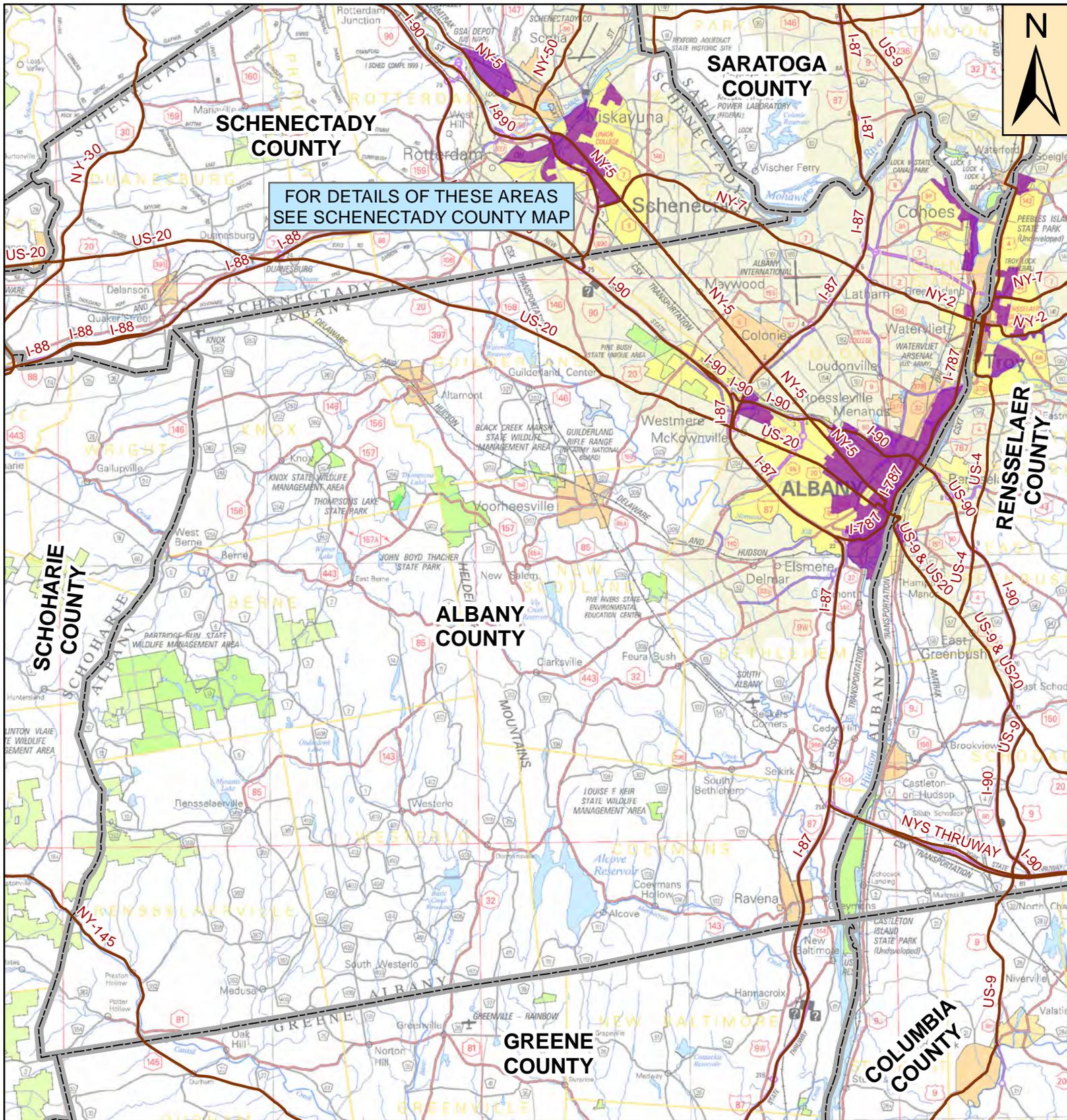
<http://www.epa.gov/region02/water/aquifer/>

# Attachment 14

Potential Environmental Justice Area Map

# Potential Environmental Justice Areas in Albany County, New York

Click on any Potential EJ Area outlined in blue for a detailed map



This computer representation has been compiled from supplied data or information that has not been verified by EPA or NYSDEC. The data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information.

Neither EPA nor NYSDEC guarantee the accuracy, completeness, or timeliness of the information shown and shall not be liable for any loss or injury resulting from reliance.

Data Source for Potential Environmental Justice Areas:  
U.S. Census Bureau, 2000 U.S. Census

## Legend

-  County Boundary
-  Potential EJ Area

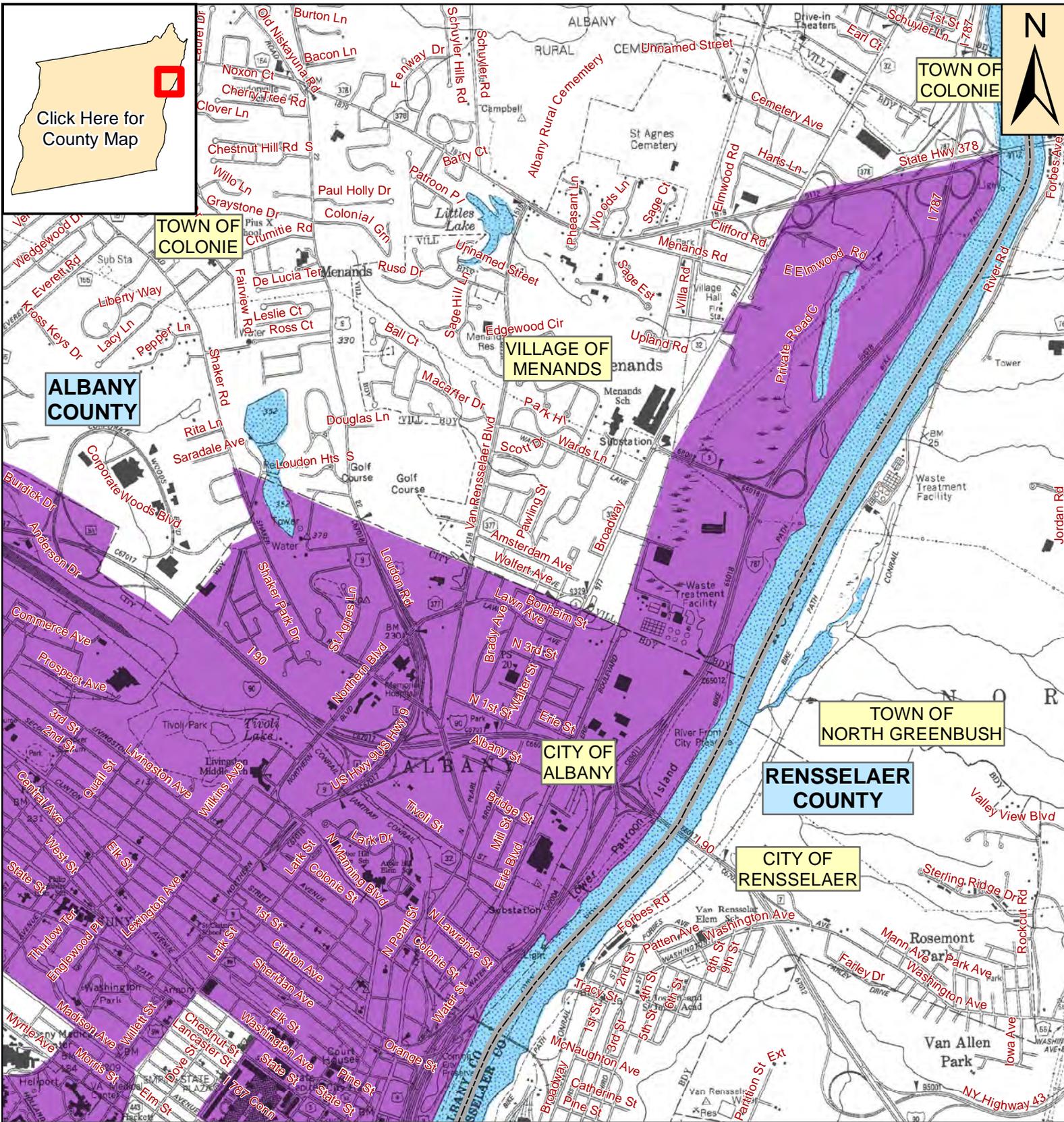


SCALE: 1:250,000

For questions about this map contact:  
New York State Department of  
Environmental Conservation  
Office of Environmental Justice  
625 Broadway, 14th Floor  
Albany, New York 12233-1500  
(518) 402-8556  
ej@gw.dec.state.ny.us



# Potential Environmental Justice Areas in the City of Albany (North detail), Albany County, New York



Click Here for County Map

This computer representation has been compiled from supplied data or information that has not been verified by EPA or NYSDEC. The data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information.

Neither EPA nor NYSDEC guarantee the accuracy, completeness, or timeliness of the information shown and shall not be liable for any loss or injury resulting from reliance.

Data Source for Potential Environmental Justice Areas: U.S. Census Bureau, 2000 U.S. Census

## Legend

- Potential EJ Area
- County Boundary
- Waterbodies

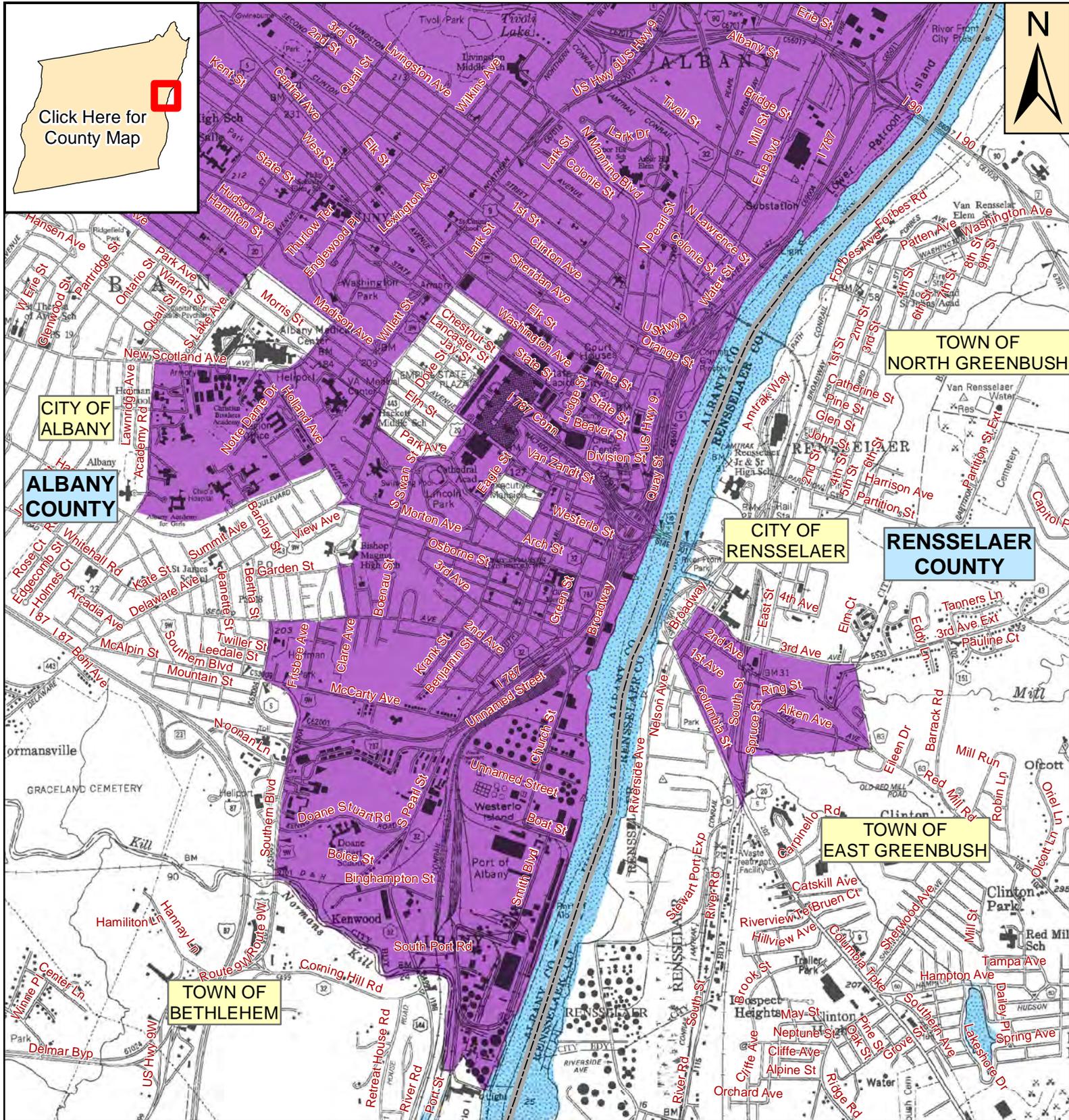
0 0.2 0.4 0.6 0.8 1 Miles

SCALE: 1:30,000

For questions about this map contact:  
 New York State Department of  
 Environmental Conservation  
 Office of Environmental Justice  
 625 Broadway, 14th Floor  
 Albany, New York 12233-1500  
 (518) 402-8556  
 ej@gw.dec.state.ny.us



# Potential Environmental Justice Areas in the City of Albany (South detail), Albany County, New York



Click Here for County Map

CITY OF ALBANY  
ALBANY COUNTY

CITY OF RENSSELAER

TOWN OF NORTH GREENBUSH

RENSSELAER COUNTY

TOWN OF EAST GREENBUSH

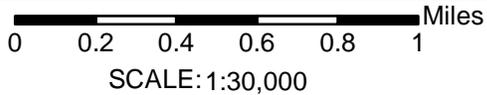
TOWN OF BETHLEHEM

This computer representation has been compiled from supplied data or information that has not been verified by EPA or NYSDEC. The data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information.

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Data Source for Potential Environmental Justice Areas: U.S. Census Bureau, 2000 U.S. Census

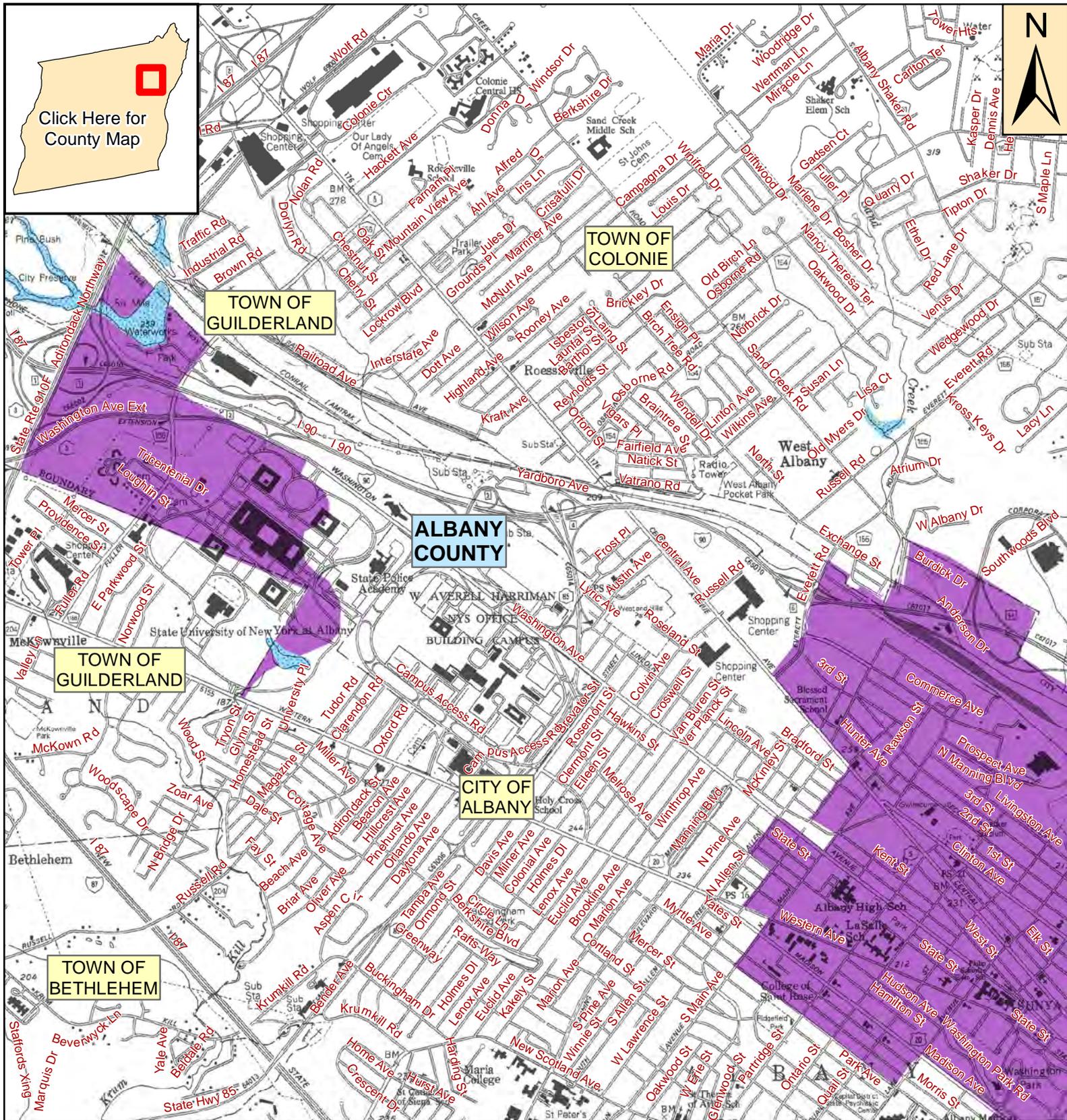
- Legend**
- Potential EJ Area
  - County Boundary
  - Waterbodies



For questions about this map contact:  
New York State Department of Environmental Conservation  
Office of Environmental Justice  
625 Broadway, 14th Floor  
Albany, New York 12233-1500  
(518) 402-8556  
ej@gw.dec.state.ny.us



# Potential Environmental Justice Areas in the City of Albany (West detail), Albany County, New York



This computer representation has been compiled from supplied data or information that has not been verified by EPA or NYSDEC. The data is offered here as a general representation only and is not to be used for commercial purposes without verification by an independent professional qualified to verify such data or information.

Neither EPA nor NYSDEC guarantee the accuracy, completeness, or timeliness of the information shown and shall not be liable for any loss or injury resulting from reliance.

Data Source for Potential Environmental Justice Areas:  
U.S. Census Bureau, 2000 U.S. Census

## Legend

-  Potential EJ Area
-  County Boundary
-  Waterbodies

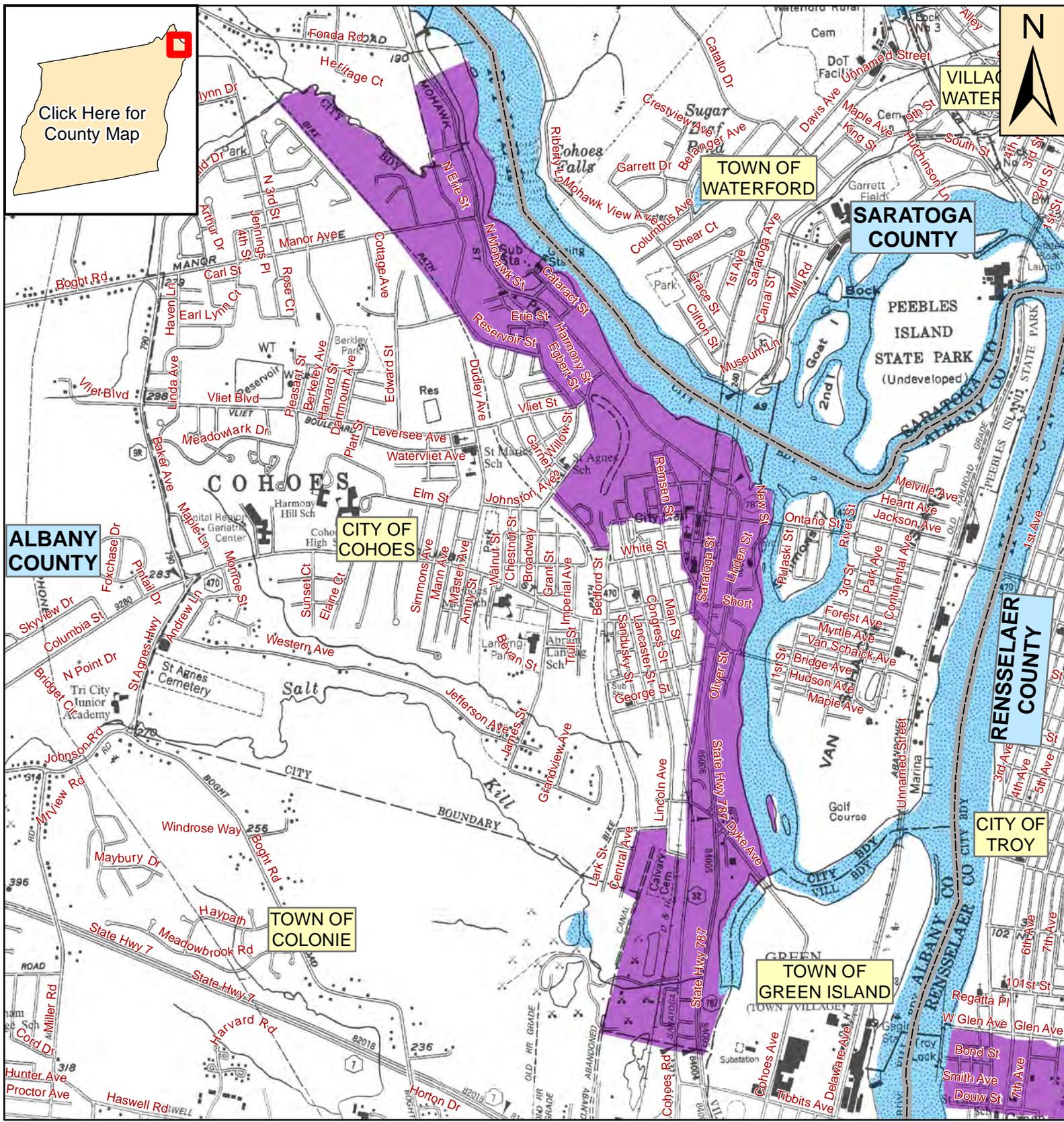
0 0.2 0.4 0.6 0.8 1 Miles

SCALE: 1:30,000

For questions about this map contact:  
New York State Department of  
Environmental Conservation  
Office of Environmental Justice  
625 Broadway, 14th Floor  
Albany, New York 12233-1500  
(518) 402-8556  
ej@gw.dec.state.ny.us



# Potential Environmental Justice Areas in the City of Cohoes Albany County, New York



Click Here for County Map

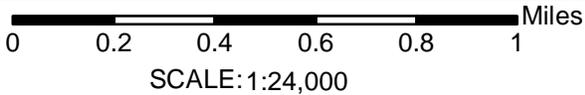


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Neither EPA nor NYSDEC guarantee the accuracy, completeness, or timeliness of the information shown and shall not be liable for any loss or injury resulting from reliance.

Data Source for Potential Environmental Justice Areas: U.S. Census Bureau, 2000 U.S. Census

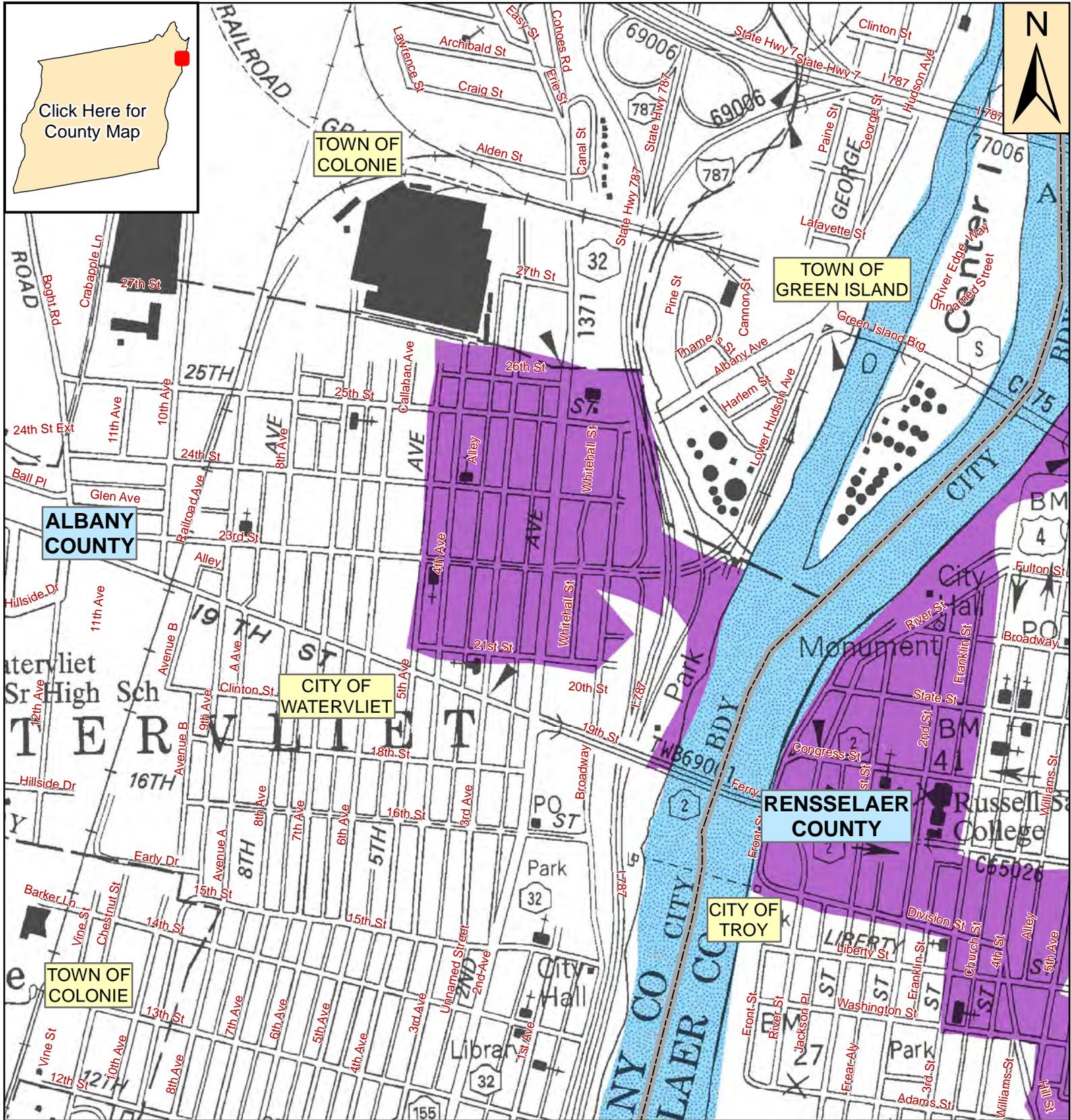
- Legend**
- Potential EJ Area
  - County Boundary
  - Waterbodies



For questions about this map contact:  
 New York State Department of  
 Environmental Conservation  
 Office of Environmental Justice  
 625 Broadway, 14th Floor  
 Albany, New York 12233-1500  
 (518) 402-8556  
 ej@gw.dec.state.ny.us



# Potential Environmental Justice Areas in the City of Watervliet Albany County, New York



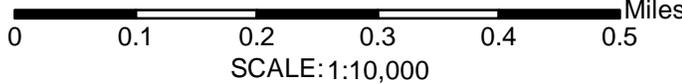
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