

By Legislators McCabe and Johns

Intro. No. _____

RESOLUTION NO. _____ OF 2022

**CLASSIFICATION OF ACTION AND DETERMINATION OF SIGNIFICANCE PURSUANT TO
STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR UNDERGROUND POWER AND
DATA UTILITY UPGRADES AT GARY BEIKIRCH MEMORIAL PARK**

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The Monroe County Legislature determines that the underground utility work is an Unlisted action.

Section 2. The Monroe County Legislature has reviewed and considered the Short Environmental Assessment Form dated July 15, 2022 and has considered the potential environmental impacts of the underground power and data utility work pursuant to the requirements of State Environmental Quality Review Act and has found that the proposed action will not result in any significant adverse environmental impacts. The Monroe County Legislature hereby issues and adopts the Negative Declaration attached hereto and made a part hereof and determines that an environmental impact statement is not required.

Section 3. The County Executive, or his designee, is hereby authorized to take such actions to comply with the requirements of the State Environmental Quality Review Act, including without limitation, the execution of documents and the filing, distribution, and publication of the documents required under the State Environmental Quality Review Act, and any other actions to implement the intent of this resolution.

Section 4. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Environment and Public Works Committee; August 22, 2022 - CV: 7-0
File No. 22-0272

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Monroe County Underground Electrical at Highland Park			
Name of Action or Project:			
Installation of Underground Electric and Fiber throughout Highland Park			
Project Location (describe, and attach a location map):			
The Project is located at one site at Highland Park			
Brief Description of Proposed Action:			
<p>The project will install a series of underground electrical conduits to support electrical upgrades and fiber internet connectivity throughout Highland Park. Highland Park is visited by more than a quarter million patrons during the spring and during festivals, generators (owned and operated by Monroe County) are used to ensure that festival vendors have their required power. The goal of this project would be to install underground electrical conduit and sub panels allowing direct hook ups by vendors, thus eliminating the need for County employees to man the generators and the diesel fuel to power them. Further within the scope of this project would be an upgrade to wireless internet throughout Park. The current communication and internet services throughout the Park are coax, a technology that is well past its time.</p>			
Name of Applicant or Sponsor:		Telephone: 585-753-7279	
Monroe County - Robert W. Kiley, Deputy Director		E-Mail: robertkiley@monroecounty.gov	
Address:			
171 Reservoir Rd			
City/PO:		State:	Zip Code:
Rochester		NY	14620
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			
			NO YES
			<input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			
If Yes, list agency(s) name and permit or approval:			
			NO YES
			<input checked="" type="checkbox"/> <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?			25 acres
b. Total acreage to be physically disturbed?			0.20 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			158.42 acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (Specify)			
<input checked="" type="checkbox"/> Parkland			

5. Is the proposed action,		NO	YES	N/A
a. A permitted use under the zoning regulations?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: <u>City of Rochester, 1986 Environmentally Sensitive</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>This project will allow the elimination of diesel powered generators. Operation of the multiple generators not only will reduce noise generated during their operation, but it will also reduce localized pollution from exhaust and particulates.</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <u>Located adjacent to the Mt Hope Highland Historic District, the Lamberton Conservatory and other historic structures</u>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☒ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☒ Urban ☒ Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

NO YES

☒ ☐

16. Is the project site located in the 100-year flood plan?

NO YES

☒ ☐

17. Will the proposed action create storm water discharge, either from point or non-point sources? (If Yes,

NO YES

☒ ☐

a. Will storm water discharges flow to adjacent properties?

☒ ☐

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

☒ ☐

If Yes, briefly describe:

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?

NO YES

☒ ☐

If Yes, explain the purpose and size of the impoundment.

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

NO YES

☒ ☐

If Yes, describe:

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

NO YES

☒ ☐

If Yes, describe:

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Robert W. Kiley

Signature: [Signature] Date: 7/15/22

Title: Deputy Director of Monroe County Parks

PRINT FORM

22.5

Agency Use Only (If applicable)

Project:

Date:

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Agency Use Only (If applicable)

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The project consists of the installation of a series of underground electrical conduits and fiberoptic cabling to allow for access to electric and Internet connectivity throughout Highland Park. During the spring, generators are used to ensure that festival vendors have required power. These generators are diesel fueled owned and operated by the County of Monroe. Installing underground electrical conduit and sub panels will allow direct electrical hook up by vendors, thus eliminating the need for on-site diesel generators. Concurrent with the electrical conduit, fiber optic conduit will be installed thus allowing wireless Internet throughout Park. The current communication and Internet services throughout the Park are coax, a technology that is well past its time.

Minor earthen disturbances would occur when digging for the bury and return pits necessary to advance the directional drilling of the conduit. In areas where earthen disturbances do occur, erosion and sediment controls would be utilized to eliminate the erosion of soil. Depending on the depth of the minor excavating pits, topsoil and subsoils will be differentiated, thus ensuring that the soils are remitted back into the bury pit first, with topsoil being laid to grade. As soil erosion & sedimentation controls would be utilized, there are no significant impacts to land anticipated.

There are no waterbodies within the immediate area of the project, and given erosion and sediment controls would be utilized where earthen disturbances do occur, no significant impacts to waterbodies are anticipated.

The NYS-OEC Environmental Resource Mapper was reviewed and while no endangered or threatened species were identified, Highland park is locally known for diverse and high values flora. The care of the flora throughout the park is paramount, thus open trenching was disbanded as a viable concept, with directional drilling being the primary practice for the installation of the electrical conduit. By drilling the conduit, impacts to the root structures of the specimen flora are lessened significantly. Therefore, no significant adverse impacts to flora and fauna are anticipated.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Monroe County

Name of Lead Agency

7-15-2022

Date

Adam J. Bello

Print or Type Name of Responsible Officer in Lead Agency

County Executive

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

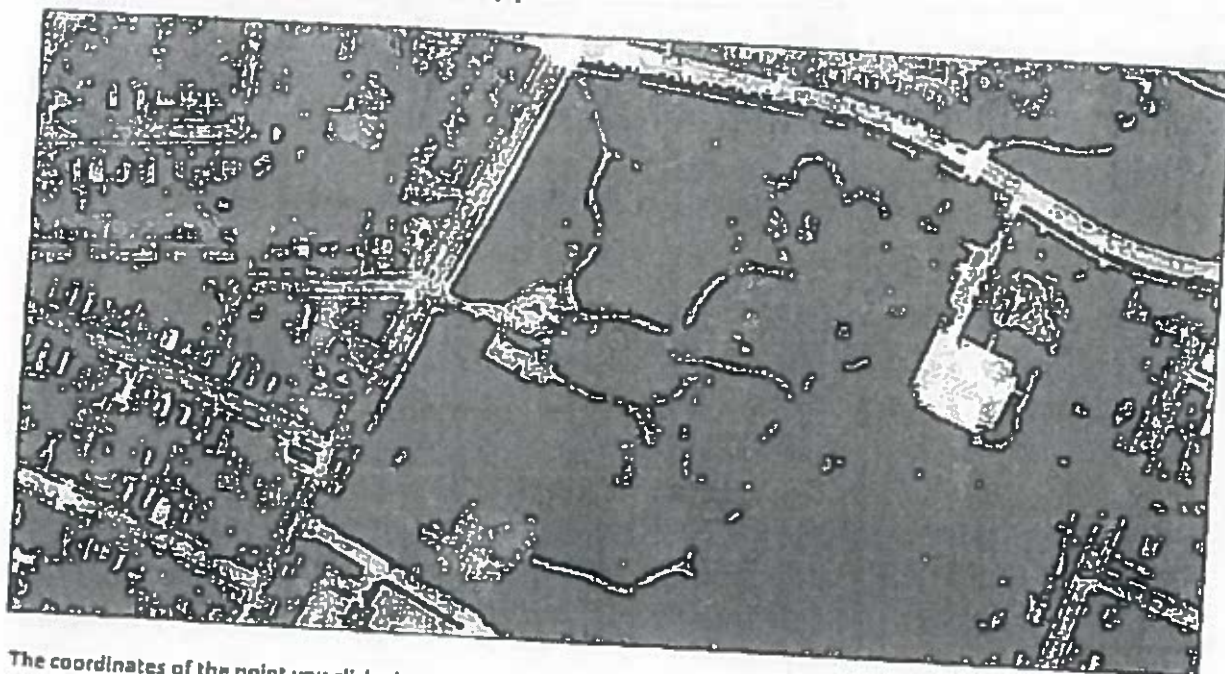
Signature of Preparer (If different from Responsible Officer)

PRINT FORM

7/15/22, 2:51 PM

Environmental Resource Mapper Information

Environmental Resource Mapper



The coordinates of the point you clicked on are:

UTM 18	Easting: 287669.45313505596	Northing: 4778402.594476916
Longitude/Latitude	Longitude: -77.61040855802642	Latitude: 43.128599044739026

The approximate address of the point you clicked on is:
Highland Park

County: Monroe
City: Rochester
USGS Quad: ROCHESTER EAST

If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

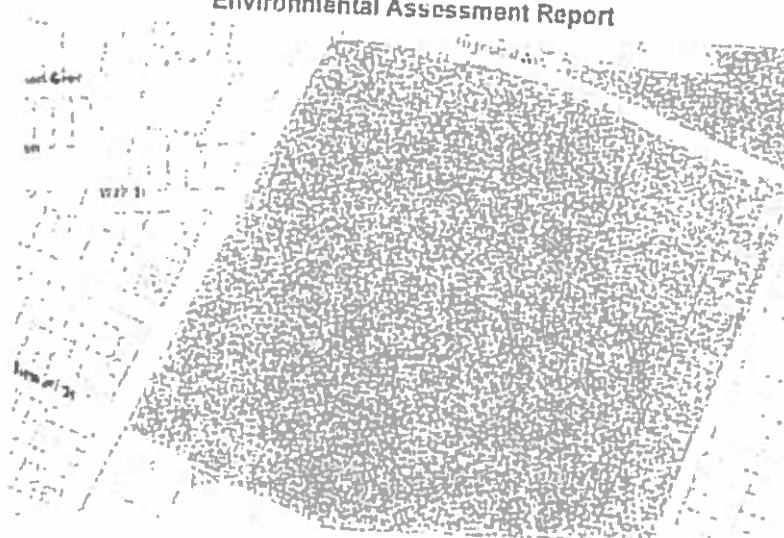
If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.

The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the chance that a unique feature may also show in another data layer (ie. a wetland) and thus be subject to permit jurisdiction.

Please refer to the "Need a Permit?" tab for permit information or other authorizations regarding these natural resources.

Disclaimer: If you are considering a project or action in, or near, a wetland or a stream, a NYS DEC permit may be required. The Environmental Resources Mapper does not show all natural resources which are regulated by NYS DEC, and for which permits from NYS DEC are required. For example, Regulated Tidal Wetlands, and Wild, Scenic, and Recreational Rivers, are currently not included on the maps.

Environmental Assessment Report



Project Name

Parcel Address

1320 South Ave

Tax Parcel ID #

Rochester 14620

138.38-1-20.001

☒ Sewer Service

SERVICED BY

☒ Water Service

SERVICED BY

Acreage

11.74

Owner Name

County Of Monroe

Parcel Address

1380-1470 South Ave

Tax Parcel ID #

Rochester 14620

138.47-1-1.001

☒ Sewer Service

SERVICED BY

☒ Water Service

SERVICED BY

Acreage

25.87

Owner Name

County Of Monroe

Latitude 43.92716478

Longitude -77.61026148

Census Tract 38.05

TAZ 3805500000003

☐ Agricultural District☐ Western Agricultural District☐ Eastern Agricultural District

Soils Type: Ub

☒ Hydric Soils on Site?☒ Steep Slope☐ Aquifer on Site

Type N/A

☐ Aquifer near Site

Type N/A

☐ Stream on Site?☐ Protected stream on site?☐ Non Protected stream on site?

Name of Stream: N/A

Stream Classification N/A

☐ Within 500' of Barge Canal?☒ Drainage Basin

Basin Name Genesee River

☒ Adjacent to County Park? Name of Park Highland Park

☒ Pedestrian or bike routes on site?
Trail Use: N/A

☒ Pedestrian or bike routes on site?
Trail Use: N/A

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Trail Use: N/A

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Trail Use: N/A

☒ Pedestrian or bike routes on site?
Trail Use: N/A

☒ Pedestrian or bike routes on site?
Trail Use: N/A

☒ Site within half mile of bus route?

☐ Site within NYS DEC Wetland? Type: N/A

☐ Site within 100' of NYSDER Wetland? Type: N/A

☐ Federal Wetland Type: N/A

☐ 100 Year Floodplain

☐ 500 Year Floodplain

☐ Floodway

☐ Coastal Erosion Area

☒ CEA on site?

CEA Name: Not named

Basis for Designation: Environmentally sensitive

Designating Agency: Rochester, City of

Date of Designation: 3-14-86

☒ CEA on site?

CEA Name: Not named

Basis for Designation: Environmentally sensitive

Designating Agency: Rochester, City of

Date of Designation: 3-14-86

☐ CEA adjacent to site?

CEA Name: N/A

Basis for Designation: N/A

Designating Agency: N/A

Date of Designation: N/A

☐ Woodlot with n site?

☐ Hazardous Waste Site on site?

☐ Is it a Remediation Site?

Name of Hazardous Waste Site: N/A

Type of waste on site: N/A

☐ Site adjacent to Hazardous Waste Site?

Name of Hazardous Waste Site: N/A

Type of waste on site: N/A

☐ Within 2000' of Remediation Site?

Site Name: N/A

Type of waste on site: N/A

☐ National Historic Area on site?

Name of Site: N/A

☐ National Historic Area adjacent to site?

Name of Site: N/A

☐ Natural Community on site?

Name of Community: N/A

☐ Site within airport boundary?

☐ Site within one mile of airport?

☒ Site within seven miles of airport?

☐ Site within RPZ?

☐ Site within Noise Impact Area?

Fire District Name: City of Rochester

EMS Service Area: American Medical Response

Police Service Area: Rochester Police Department

School District: ROCHESTER

☐ Within 500' of Municipal Boundary? Municipality: N/A

NYS Heritage Area: West Erie Canal Corridor

This report was generated based on all of the data entered by the LULU, LULU, and the Environmental Impact of the New York State Canal System, Western County Road Property, Rochester, New York.

