

**ADDENDUM
TO
FINAL
GENERIC ENVIRONMENTAL IMPACT STATEMENT**

**Oneonta Rail Yard Re-development
City of Oneonta
Otsego County, New York**

SEQRA TYPE 1 ACTION

**LEAD AGENCY:
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Common Council
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Introduction and Purpose

On June 18, 2019, the City of Oneonta Common Council, as Lead Agency, approved a FEIS for the Redevelopment of the Oneonta Railyards in the City of Oneonta, Otsego County, New York, as proposed by the County of Otsego Industrial Development Agency (COIDA). Certain oral and written comments received on the DGEIS were inadvertently omitted from the approved FEIS. While responses to similar comments are included in the FEIS, the individuals who made the inadvertently omitted comments are not identified or referenced in the comment summary. This Addendum supplements the FEIS, Attachment A, Public Comment Log, as well as contains responses to those additional comments.

Attached hereto as Tab 1 is a summary of additional oral comments received at public hearings held on February 5, 2019, and March 5, 2019, along with a response to those oral comments. Attached hereto as Tab 2 is a summary of additional written public comments received by email with a response to those written comments. The public comments contained in Tab1 and 2 deal mostly with energy service, claims of segmentation, water, sewer and transportation, which responses to similar comments were already included in the FEIS.

TAB 1

	Date of Comment	Commenter	Comment
1	2/5/2019	Mark Davies, City Environmental Board	Oral – Agrees development at Rail Yard is important, dismayed at business as usual in terms of electric and gas for power, time to think forward with renewable energy sources.
2	2/5/2019	Ellen Pope, Otsego 2000	Oral – will submit formal comments later, supports what others were saying about segmentation of project since the head of the IDA went on record with CNG project. DGEIS is so generic it is a premature document, Option 4 wasn't considered, Oneonta should consider what they want a 20 th or a 21 st century city, time for renewable energy.
3	2/5/2019	Michael Stolzer	Oral – said he has lived here 30 years and still hasn't seen development that will make an impact long before gas was considered to be in short supply, an eco-park would be a powerful marketing tool
4	3/5/2019	Ryan Ceresola	Oral - Will get jobs from green production, project is going backwards with non-green, non-renewable sources.
5	3/5/2019	Alan Cleinman (sp?)	Oral - the future is learning stuff, not making stuff, not our future to put energy into industrial production.
6	3/5/2019	Betsy Holland	Oral - spoke about the study, no impact study was done on how dangerous this is for the community.
7	3/5/2019	Pete Shue, Technical Advisor Otsego 2000	Oral - the wetland and stream is important, this project site plan will make past impacts worse, an Ecopark can't happen with the current plan, consider Alternative #4, why is the powerplant not included?
8	3/5/2019	Jim Lutner (sp?), Professor at Hartwick College	Oral - Local government must seriously take the future of young people deciding on the best opportunities for them; clean energy, not building more natural gas options, will make Oneonta a leader.
9	3/5/2019	Sharon Higgins	Oral - young people want renewable energy used for growth.
10	3/5/2019	Seth Clark	Oral - Spoke about the industry that Oneonta used to have, also the poverty percentage of children; invites the Common Council to keep their eyes on the prize, the area needs 100s of jobs, sustainability is good but jobs are best.
11	3/5/2019	None provided	Oral - wait to build stuff until it can be done in a more renewable way.
12	3/5/2019	None provided	Oral - DGEIS is not thorough enough. All of these plans are related and should not be separated when considering plans for the rail yards; traditional development is not recommended, build the first Ecopark in NYS.

Response to Public Comments

Responses to similar comments concerning energy and segmentation are included in the FEIS. *See* FEIS pgs. 8-9; 18-20.

As part of this GEIS process, the Lead Agency is not conducting any further study of energy related issues. It is noted that many comments incorrectly conclude that natural gas will be utilized at the site, however the GEIS states that the energy needs for a specific project will have to be identified and addressed when and if a site-specific project is proposed. At that time, the project sponsor would have to apply to NYSEG for its electricity and power needs or rely on on-site renewable sources. Also, as part of any site-specific project approval process (including SEQRA), issues related to energy use, greenhouse gas emissions, and availability of renewable energy will have to be evaluated by the Lead Agency and/or the other involved agencies based upon conditions and circumstance at that time and the proposed use.

The energy/power supply system is in a state of flux as society tries to reduce its dependence on fossil fuels. The redevelopment of the rail yard is not dependent on the expansion of natural gas infrastructure or the construction of a new CNG station. The GEIS projected potential site power needs based on a potential redevelopment project, in order to identify site limitations, but also discusses future power supply options including several renewable energy alternatives. As part of this GEIS process, it would be premature to establish energy related mitigation measure for an unknown project at an unknown time for an unknown energy supply system.

Based upon the public comments, any future project sponsor or involved agency is informed about the need to take action to combat climate change and the public support for such action. As stated in the public comments, the county has established a fact-finding panel to investigate/evaluate the energy needs and alternatives for the county. As part of this GEIS process, the Lead Agency does not have the authority, information nor funding to control or dictate an energy plan for Otsego County. The Lead Agency believes that it has satisfied its obligations under this GEIS of identifying the energy supply issues, potential mitigation measures, and the overwhelming public comment in support of renewable energy.

(*See* FEIS pgs. 9).

NYSDEC's recently revised SEQRA regulations require an EIS to detail strategies to mitigate a project's likely contributions to climate change. It was not possible for this GEIS to detail strategies to mitigate a project's likely contributions to climate change, as there is currently no project-specific plan. It would be premature to establish energy related mitigation measure for an unknown project at an unknown time for an unknown energy supply system. As stated in the public comments, the county has established a factfinding panel to investigate/evaluate the energy needs and alternatives for the county. It is possible that a proposed redevelopment will have the potential to result in additional GHG emissions and may be vulnerable to the hazards brought about by climate change. Planning for the mitigation for any future GHG emissions and hazards related to the site redevelopment will occur when there is an actual re-development proposal. As part of any site-specific project approval process (including SEQRA), issues related to energy use, greenhouse gas emissions, and availability of renewable energy will have to be evaluated by the Lead Agency and/or the other involved agencies based upon conditions and circumstance at that

time and the proposed use. Based upon the public comments to the DGEIS, any future project sponsor or involved agency is informed about the need to take action to combat climate change and the public support for such action. (*See* FEIS pg. 20)

TAB 2

	Date of Comment	Commenter	Comment
1	3/5/2019	Rachel Soper	I've given you all a copy of the the most recent NYS Comptrollers' data for the 12 Southern Tier IDAs which documents the number of projects, the costs, the tax exemptions and PILOTS, along with job creation. Three of the IDAs(Hornell, Erwin and Groton) didn't report any projects. I have excluded Tioga Countys data from my calculations as they are off the charts but I have left it in the packets for reference. That leaves eight IDA's, including Otsego County, which I have placed on top for easy reference. The remaining seven IDAs are in alphabetical order. I have also included a glossary of terms in the back that you can reference to understand how each category was calculated.
2	3/18/2019	Rachel Soper	<p>March 18th, 2019 Comments by Rachel Soper regarding the Railyard DGEIS</p> <p>Delaware Engineering on behalf of the the Otsego County IDA (COIDA) states "The DGEIS presents analysis of the potentially significant adverse and beneficial environmental impacts of the proposed action, as well as reasonable alternatives and mitigation measures." However, the analysis is sparse and the mitigation measures almost non-existent. Throughout the document, it states environmental review is being kicked down the road for some other time and some other agency:</p> <p>'Project specific review and permits will be obtained from appropriate local, state and national agencies as necessary at the time a final redevelopment proposal is defined." (p. 6)</p> <p>"Future proposals for power supply to the Redevelopment site will be addressed at the time there is a redevelopment proposal. Options for consideration include the following; "(p. 105)</p>
3	3/18/2019	Rachel Soper	<p>Energy:</p> <p>The DGEIS states the preferred buildout option #3 would use gas but acknowledges that energy is not currently available at the Project site and that even with connection to existing electric and gas supply, capacity for both is lacking: "Current conditions at the project site do not include sufficient electricity for the types of use proposed in the Master Plan, nor is natural gas currently available. "(p. 7)</p> <p>"..currently capacity in the natural gas local distribution may not be available..." (p. 17)</p> <p>The DGEIS states that the purpose of completion of the GEIS "facilitates marketing the Railyards to prospective developers through reducing the risk associated with time and expense of the</p>

			<p>environmental review process and provides certainty as to redevelopment opportunities. "</p> <p>How is it possible to provide certainty without energy supply? It isn't. And yet no analysis has been conducted in the DGEIS regarding energy supply. Estimates on electric and gas needs have been provided and yet no identification or analysis on how that demand will be met is included in the DGEIS. This is an unacceptable omission.</p> <p>Meanwhile, COIDA (the applicant) has been vigorously pursuing a Compressed Natural Gas (CNG) plant in the town of Oneonta. They first announced these plans in a Daily Star news article at the end of July. On August 8, COIDAs CEO, Jody Zakrekevsky, made a presentation to the Oneonta Town Board and the Public where he elaborated on plans to build a \$17.5 million CNG Decompressor station at COIDAs Pony Farm Industrial property which he stated would be used for approximately 5 years until NYSEG expanded their Deruyter Pipeline from Norwich to Oneonta. He also stated that they had a written contract with NYSEG for \$15 million for the plant and that they had received bids for the project. https://www.youtube.com/watch?v=vJzLW0B2wgM</p> <p>These Plans have been in the works since at least January of 2018. COIDAs meeting minutes from last year corroborate the above stated facts(excerpts from "CEO Reports") and also confirm that Delaware Engineering was actually helping with citing for the CNG plant:</p> <p>May 10th "As of now, the short-term solution for the lack of natural gas in our area, is to build a CNG station. The conversation about where to put a CNG station in our area has centered around the railyards. Delaware Engineering is looking at both the railyards, and the Oneonta business park, as potential sites. J. Zakrevsky would work with Empire State Development to try and match funds for the cost of the station." http://otsegonow.com/wp-content/uploads/2018/07/Projects-Meeting-Minutes-May-10-2018.pdf</p> <p>May 31st: NYSEG – NYSEG has agreed to the following items: o They will serve Pony Farm Road and the Rail Yards. They requested Brooks natural gas usage, which has been provided. NYSEG will build a reinforcement pipeline from Winnie Hill Road to the Pony Farms site. J. Zakrevsky is hoping to have a signed agreement within the next month: o They will increase the diameter of the DeRuyter Pipeline from Norwich to Oneonta, as originally planned http://otsegonow.com/wp-content/uploads/2018/07/COIDA-Board-Meeting-Minutes-May-31-2018.pdf</p>
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			<p>July 12th</p> <ul style="list-style-type: none">• NYSEG. NYSEG is proposing a CNG facility in Oneonta. The facility would provide gas to Pony Farm, the Railyards, cover the "interruptible" companies (companies whose natural gas is cut off during the colder months, and are forced to switch to fuel), and provide an additional 25% gas increase to the area. The cost of the project is estimated to be between \$14-15 million; \$3 million of which NYSEG wants Otsego Now to pay. J. Zakrevsky is currently working on a grant application that would cover 20% of the project cost; \$3 million. NYSEG has also requested that Otsego Now take ownership of the CNG station in a lease/leaseback transaction. Over the next 10 years, NYSEG will invest \$100 million into the DeRuyter line. In the meantime, the Otsego County Chamber is creating an Energy Committee to support Otsego Now/J. Zakrevsky, and work to educate the community on the benefits of having a CNG station in the county." http://otsegonow.com/wp-content/uploads/2018/07/Projects-Meeting-Minutes-July-12-2018.pdf <p>Furthermore, according to COIDAs meeting minutes, plans for a microgrid to supply power to the railyards have been discussed for months and yet no plans, impacts, or analysis are documented anywhere in the DGEIS:</p> <p>October 2018</p> <ul style="list-style-type: none">• General Electric – J. Zakrevsky met with John Catillaz of GE's Power Distributed Energy Solutions Group. John is willing to help Otsego Now and the county on finding a community solution to our energy needs. Since that meeting, John has indicated that he has engaged his Energy Consulting group and briefed them on the project. They will work closely with John to learn more about the existing infrastructure, its operational limitations, and model out proposed solutions. They have requested information on potential usage in the Railyards and asked J. Zakrevsky to get electric/natural gas numbers for companies, like Chobani, to work up a comparable scenario. Board members requested that he work with them on getting a timeline. <p>December 2019 :</p> <p>J. Zakrevsky advised the board that General Electric has requested \$10,000 to continue their study of how the Railyards, and other local areas, can be free from NYSEG for their energy needs. J. Zakrevsky cited some negatives he had with signing a contract with GE, including their energy unit being rather new and not having a track record to refer to, and the downsizing of their staff in Schenectady. However, with the budget money from the County, it could be used to fund this study. C. Robinson suggested that an RFP be issued to see if any other companies could do similar work. A brief discussion ensued, and several board members agreed that an RFP should be issued. http://otsegonow.com/wp-content/uploads/2019/02/COIDA-Board-Meeting-Minutes-December-27-2018.pdf</p>
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			<p>January 2019: o GE Energy Solutions wants to sign a \$10,000 contract with the IDA to look at a microgrid installation at the Rail yards. At the December board meeting, members suggested getting an RFP for the work before signing the contract with GE. However, due to the limited number of firms in the area that could undertake a similar study, an RFP has not yet been issued. http://otsegonow.com/wp-content/uploads/2019/02/Projects-Meeting-Minutes-January-10-2019.pdf</p> <p>The CNG Gas Plant, the Deruyter Pipeline expansion, the microgrid and all forms of energy being considered for the proposed project, including renewables, must be ANALYZED. Part 617.9, section "b" of SEQR states: An EIS must assemble relevant and material facts upon which an agency's decision is to be made. It must analyze the significant adverse impacts and evaluate all reasonable alternatives. EISs must be analytical and not encyclopedic.</p>
4	3/18/2019	Rachel Soper	<p>Water and Sewer:</p> <p>The DGEIS fails to provide any analysis on water and sewer requirements. While the DGEIS gives estimates for gas and electric loads, there are no estimates for increased water and sewer requirements for the proposed project. This is inconsistent. Why? The DGEIS only states: "The current City of Oneonta water system appears to have enough capacity to accommodate re-development, however, this will be determined by the City based on end user demands."(pg. 77) and "The current City of Oneonta wastewater system appears to have enough capacity to accommodate re-development, however, this will be determined by the City based on end user demands."(p. 77)</p> <p>In fact, water and sewer "modeling" are identified in the EAF as "required":</p> <p>"Water line extensions will be implemented in order to bring water to the site. Water modeling is required to determine if off-site improvements are required. "(p. 5)</p> <p>"Sewer line extensions will be implemented in order to bring sewer service to the site. Sewer modeling is required to determine if off-site improvements are required at the WWTP "(p. 6)</p> <p>The appearance of availability is not enough. Estimates of actual requirements should be provided. When they are provided, availability should be confirmed by the city to determine if the capacity for both sewer and water actually exist. The DGEIS is incomplete and should include this analysis for public comment.</p>

			<p>Additionally, the cost of any potential upgrades and the costs required for both sewer and water line extensions to the project site, as identified as necessary in the DGEIS and EAF, should be estimated. The DGEIS should make clear who will pay for these upgrades: the IDA or the city of Oneonta taxpayers. This should be part of a larger economic analysis for the project, currently lacking in the DGEIS.</p>
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Response to Public Comments

Responses to similar comments concerning energy, segmentation, water, sewer and transportation are included in the FEIS. *See* FEIS pgs. 4-9; 18-20.

When and if a site-specific project is proposed, the project sponsor will have to apply to NYSEG for its electricity and power needs or rely on on-site renewable sources. Any potential impacts to site access and transportation associated with that project would then be identified and analyzed. (*See* FEIS, pg. 5)

In sum, the public comments have raised various issues regarding the potential traffic impact and the adequacy of the TIAS study. As part of this GEIS process, the lead agency is not conducting any further study of traffic issues at this time. When and if a site-specific project is proposed, the lead agency and/or approval agencies will determine whether an updated traffic impact and access study is necessary and appropriate. That study will necessarily take into account specific design features and needs of the proposed project. (*See* FEIS, pg. 5)

As stated in the GEIS at Section 3.6.3.1, specific determinations for water quantities, access and design of water distribution additions will be developed in consultation with the City of Oneonta, if and when a specific project is proposed. It is noted that water distribution and/or storage systems for a proposed project may require approval from the New York State Department of Health (NYSDOH). The Lead Agency is not conducting any further study of water supply issues as part of this GEIS process. (*See* FEIS, pg. 6)

The GEIS recognizes that any future project sponsor would have to apply for a permit from the City of Oneonta Sewer District and a sewer collection system approval from the New York State Department of Environmental Conservation (NYSDEC) if and when a site-specific project is proposed. The Lead Agency and/or other permitting agencies would address capacity, quality and design issues at that time as part of the state and local permitting approval process. Under the City of Oneonta Sewer Use Law, the project sponsor would have to submit an application for an industrial discharge and the City Engineer would determine whether the discharge is approvable based on the water quality, pretreatment requirements, capacity and condition of the sewer system. Based on the foregoing, the Lead Agency is not conducting any further study of water supply issues as part of this GEIS process. (*See* FEIS, pg. 7)