

Binghamton-Johnson City  
Joint Sewage Treatment Plant  
Comprehensive Flood Risk Reduction Project

Appendix I  
SEQRA and Local/State Coordination

DR	Applicant ID	Applicant Name	PW	Cat	Facility	PW Value
1589	007-06607-00	City of Binghamton	1083	B	Citywide PM-Treatment plant	\$ 6,359.47
1589	007-0FB71-00	Binghamton/Johnson City Sewer Plant	2275	B	Treatment Plant PM	\$ 10,085.08
1589	007-38748-00	Village of Johnson City	1535	E	Plant Repairs	\$ 52,897.04
1589	007-38748-00	Village of Johnson City	1549	E	Plant Repairs	\$ -
1589	007-0FB71-00	Binghamton/Johnson City Sewer Plant	2279	F	Plant Repairs	\$ 30,744.50
<b>Total</b>						<b>\$ 100,086.09</b>
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	3863	A	BJCJSTP Recent Construction	\$ 1,061,074.16
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	3404	A	Existing Plant and Terminal Pump Station	\$ 136,344.89
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	4744	A	Existing Plant and Terminal Pump Station	\$ 82,681.72
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	3274	B	BJCJSTP Recent Construction	\$ 66,965.74
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	3402	B	Existing Plant and Terminal Pump Station	\$ 122,342.02
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	4747	B	Existing Plant and Terminal Pump Station	\$ 41,131.75
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	3861	F	BAF Improvement Project Contract	\$ 943,366.30
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	4667	F	BAF Improvement Project Contract	\$ 2,986,648.34
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	4739	F	Compost Facility at the BJCJSTP	\$ 5,000.00
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	3952	F	Existing Plant and Terminal Pump Station	\$ 1,185,487.57
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	4830	F	Existing Plant and Terminal Pump Station	\$ 5,000.00
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	4831	F	Existing Plant and Terminal Pump Station	\$ -
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	4832	F	Existing Plant and Terminal Pump Station	\$ -
<b>Total</b>						<b>\$ 6,636,042.49</b>
4031	007-0FB71-00	JOINT TREATMENT PLANT	2063	B	0FB71-87 -Site Wide Debris Removal	\$ 26,261.25
4031	007-0FB71-00	JOINT TREATMENT PLANT	2064	B	0FB71-91 -Binghamton-Johnson City/Joint Water Treatment	\$ 30,859.69
4031	007-0FB71-00	JOINT TREATMENT PLANT	2065	E	0FB71-96 - Autocar Truck	\$ 637.00
4031	007-0FB71-00	JOINT TREATMENT PLANT	2150	F	0FB7180 - Terminal Pump Station(TPS)	\$ 1,372,329.75
4031	007-0FB71-00	JOINT TREATMENT PLANT	2237	B	0FB7158 - Asbestos Abatement and Removal	\$ 200,008.25
4031	007-0FB71-00	JOINT TREATMENT PLANT	2246	B	0FB7193 - Emergency electrical, plumbing fixtures and	\$ 22,397.99
4031	007-0FB71-00	JOINT TREATMENT PLANT	2268	F	0FB7182 - Building #4 - Digester Complex	\$ 1,519,767.00
4031	007-0FB71-00	JOINT TREATMENT PLANT	2315	B	0FB7185 - JTF - Terminal Pump Station	\$ 190,259.66
4031	007-0FB71-00	JOINT TREATMENT PLANT	2407	B	0FB7188 - Site Wide Emergency Protective Measures	\$ 47,107.67
4031	007-0FB71-00	JOINT TREATMENT PLANT	2483	A	0FB71A1 - Debris Removal	\$ 36,576.00
4031	007-0FB71-00	JOINT TREATMENT PLANT	2490	E	0FB7139 - Owner Supplied Clothing and Equipment	\$ 4,515.96
4031	007-0FB71-00	JOINT TREATMENT PLANT	2499	B	0FB7174 - Chemically Enhanced Primary Treatment Process	\$ 935,721.00
4031	007-0FB71-00	JOINT TREATMENT PLANT	2500	F	0FB7177 - SCADA 1 Primary Treatment	\$ 52,459.46
4031	007-0FB71-00	JOINT TREATMENT PLANT	2501	F	0FB7198 - Primary Power Distribution System	\$ 89,746.00
<b>4031</b>	<b>007-0FB71-00</b>	<b>JOINT TREATMENT PLANT</b>	<b>2504</b>	<b>F</b>	<b>0FB7199 - HMP - Plant Wide</b>	<b>\$ 1,081,206.00</b>
4031	007-0FB71-00	JOINT TREATMENT PLANT	2507	F	0FB7184 - Primary Treatment and Solids- Multiple Bldgs	\$ 2,334,765.89
4031	007-0FB71-00	JOINT TREATMENT PLANT	2511	E	0FB7176 - Buildings Contents	\$ -
4031	007-0FB71-00	JOINT TREATMENT PLANT	2512	F	0FB7189 - SCADA 2 BAF	\$ 2,379,733.00
4031	007-0FB71-00	JOINT TREATMENT PLANT	2554	F	0FB7183 - Building 1- Compost Facility	\$ 455,971.00
4031	007-0FB71-00	JOINT TREATMENT PLANT	2555	F	0FB7186 - BAF Facility-Structures #11, 14,15, 16,17 & B	\$ 3,692,638.00

4031	007-0FB71-00	JOINT TREATMENT PLANT	2573	F	0FB7173 - Plant Wide Valve Gearboxes	\$	897,679.00
4031	007-0FB71-00	JOINT TREATMENT PLANT	2627	E	0FB7175 - Building 10 - Document Recovery	\$	6,059.20
						<b>Total</b>	<b>\$ 15,376,698.77</b>
						<b>PWs used in Mitigation calculation</b>	<b>\$ 11,422,759.35</b>

**NOTE: FEMA's Estimate of current HMP cost is:**  
**The \$1.1 M is for engineering costs only preliminary PW estimate was \$13.3 M.**

**\$22,027,161.00**

DR	Applicant ID	Applicant Name	PW	Cat	Facility
1589	007-06607-00	City of Binghamton	1083	B	Citywide PM-Treatment plant
1589	007-0FB71-00	Binghamton/Johnson City Sewer Plant	2275	B	Treatment Plant PM
1589	007-38748-00	Village of Johnson City	1535	E	Plant Repairs
1589	007-38748-00	Village of Johnson City	1549	E	Plant Repairs
1589	007-0FB71-00	Binghamton/Johnson City Sewer Plant	2279	F	Plant Repairs
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	3863	A	BJCJSTP Recent Construction
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	3404	A	Existing Plant and Terminal Pump Station
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	4744	A	Existing Plant and Terminal Pump Station
1650	007-38748-00	Village of Johnson City	3140	B	24" Sewer Line
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	3274	B	BJCJSTP Recent Construction
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	3402	B	Existing Plant and Terminal Pump Station
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	4747	B	Existing Plant and Terminal Pump Station
1650	007-06607-00	City of Binghamton	2397	B	Sewer Station
1650	007-38748-00	Village of Johnson City	3141	B	Sewer Trunk Line
1650	007-38748-00	Village of Johnson City	3142	C	Sewer Line
1650	007-06607-00	City of Binghamton	4272	F	CSO #2 Combined Sewer Overflow
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	3861	F	BAF Improvement Project Contract
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	4667	F	BAF Improvement Project Contract
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	4739	F	Compost Facility at the BJCJSTP
1650	007-38748-00	Village of Johnson City	2676	F	CSO Flow Monitoring
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	3952	F	Existing Plant and Terminal Pump Station
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	4830	F	Existing Plant and Terminal Pump Station
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	4831	F	Existing Plant and Terminal Pump Station
1650	007-0FB71-00	Binghamton/Johnson City Sewer Plant	4832	F	Existing Plant and Terminal Pump Station
1650	007-06607-00	City of Binghamton	3864	F	Sewer Overflow at Rock Bottom Dam
1650	007-06607-00	City of Binghamton	3872	F	Sewer Overflow on Laurel Avenue
1650	007-38748-00	Village of Johnson City	3789	F	Sewer Pump Station

4031	007-0FB71-00	JOINT TREATMENT PLANT	2490	E	0FB7139 - Owner Supplied Clothing and Equipment
4031	007-0FB71-01	JOINT TREATMENT PLANT	2627	E	0FB7175 - Building 10 - Document Recovery
4031	007-0FB71-02	JOINT TREATMENT PLANT	2483	A	0FB71A1 - Debris Removal
4031	007-0FB71-03	JOINT TREATMENT PLANT	2507	F	0FB7184 - Primary Treatment and Solids- Multiple Bldgs
4031	007-0FB71-04	JOINT TREATMENT PLANT	2512	F	0FB7189 - SCADA 2 BAF
4031	007-0FB71-05	JOINT TREATMENT PLANT	2573	F	0FB7173 - Plant Wide Valve Gearboxes
4031	007-0FB71-06	JOINT TREATMENT PLANT	2407	B	0FB7188 - Site Wide Emergency Protective Measures
4031	007-0FB71-07	JOINT TREATMENT PLANT	2555	F	0FB7186 - BAF Facility-Structures #11, 14,15, 16,17 & B
4031	007-0FB71-08	JOINT TREATMENT PLANT	2268	F	0FB7182 - Building #4 - Digester Complex
4031	007-0FB71-09	JOINT TREATMENT PLANT	106	B	UL9GR02 - Delhi Joint Fire District
4031	007-0FB71-10	JOINT TREATMENT PLANT	2063	B	0FB71-87 -Site Wide Debris Removal
4031	007-0FB71-11	JOINT TREATMENT PLANT	2501	F	0FB7198 - Primary Power Distribution System
4031	007-0FB71-12	JOINT TREATMENT PLANT	2504	F	0FB7199 - HMP - Plant Wide
4031	007-0FB71-13	JOINT TREATMENT PLANT	2237	B	0FB7158 - Asbestos Abatement and Removal
4031	007-0FB71-14	JOINT TREATMENT PLANT	2064	B	0FB71-91 -Binghamton-Johnson City/Joint Water Treatment
4031	007-0FB71-15	JOINT TREATMENT PLANT	2315	B	0FB7185 - JTF - Terminal Pump Station
4031	007-0FB71-16	JOINT TREATMENT PLANT	2150	F	0FB7180 - Terminal Pump Station(TPS)
4031	007-0FB71-17	JOINT TREATMENT PLANT	2511	E	0FB7176 - Buildings Contents
4031	007-0FB71-18	JOINT TREATMENT PLANT	2246	B	0FB7193 - Emergency electrical, plumbing fixtures and
4031	007-0FB71-19	JOINT TREATMENT PLANT	2499	B	0FB7174 - Chemically Enhanced Primary Treatment Process
4031	007-0FB71-20	JOINT TREATMENT PLANT	2065	E	0FB71-96 - Autocar Truck
4031	007-0FB71-21	JOINT TREATMENT PLANT	2500	F	0FB7177 - SCADA 1 Primary Treatment
4031	007-0FB71-22	JOINT TREATMENT PLANT	2554	F	0FB7183 - Building 1- Compost Facility
4031	007-38748-00	Village of Johnson City	463	F	3874808 - Sanitary Sewer Line Failure
4031	007-38748-01	Village of Johnson City	2623	F	3874890 - Combined Sewer Overflow Facilities
4031	007-06607-00	City of Binghamton	575	B	0660702 - Roads/Structures/Utilities/Parks
4031	007-06607-00	City of Binghamton	1853	F	660143 - Combined Sewer Overflow
4031	007-06607-00	City of Binghamton	2336	F	660158 - Sewer Overflow #4
4031	007-06607-00	City of Binghamton	2392	F	660795 - Sanitary Sewer Pump Station
4031	007-06607-00	City of Binghamton	2393	F	660792 - Sanitary Sewer Pump Station
4031	007-06607-00	City of Binghamton	2417	F	660602 - Sanitary Sewer Line
4031	007-06607-00	City of Binghamton	2426	F	660159 - Combined Sewer Overflow No. 9
4031	007-06607-00	City of Binghamton	2427	F	660157 - Combined Sewer Overflow No. 3
4031	007-06607-00	City of Binghamton	2488	F	660160 - Combined Sewer Overflow No. 13
4031	007-06607-00	City of Binghamton	2495	F	660169 - Sewer Main
4031	007-06607-00	City of Binghamton	2578	F	660161 - Sanitary Sewer Line
4031	007-06607-00	City of Binghamton	2579	A	660171 - Storm Sewer Main
4031	007-06607-00	City of Binghamton	2587	F	660162 - Sewer Main
4031	007-06607-00	City of Binghamton	2589	F	660170 - Storm Sewer Main
4031	007-06607-00	City of Binghamton	2596	F	0660165 - Sanitary Sewer Line
4031	007-06607-00	City of Binghamton	2597	F	0660164 - Sanitary Manhole

## AGREEMENT NO. VIII

### BINGHAMTON-JOHNSON CITY JOINT SEWAGE PROJECT

AGREEMENT, made this 26 day of June, 2012, by and between the City of Binghamton, a municipal corporation, 38 Hawley Street, Binghamton, County of Broome, New York 13901 (the "City") and the Village of Johnson City, a municipal corporation, 243 Main Street, Johnson City, County of Broome, New York 13790 (the "Village").

WHEREAS, the City and the Village (collectively the "Owners"), pursuant to Article 5-G of the General Municipal Law, established a joint sewage project by "Agreement No. I" dated July 14, 1965; and

WHEREAS, the joint sewage project is administered by a board established by such agreement and know as the Binghamton-Johnson City Joint Sewage Board (the "Sewage Board"), and

WHEREAS, the Owners entered into "Agreement No. II" on December 7, 1967; and

WHEREAS, the Owners entered into "Agreement No. III" on April 24, 1968; and

WHEREAS, the Owners entered into "Agreement No. IV" on March 5, 1973; and

WHEREAS, the Owners entered into "Agreement No. V" in December, 1989; and

WHEREAS, the Owners entered into an Intermunicipal Agreement pertaining to construction financing and future bonding from the Clean Water State Revolving Loan Funds for the Phase III Project at the Joint Sewage Treatment Facility commonly known as the "Phase III Lead Agency Agreement" on May 1, 2000; and

WHEREAS, the Owners entered into "Agreement No. VI" on October 17, 2001; and

WHEREAS, the Owners entered into "Agreement No. VII" on October 14, 2009 effective retroactively to September 1, 2009 (the above Agreements are referred to herein collectively as the "Intermunicipal Agreement"); and

WHEREAS, a February 11, 2011 "Post Construction Quality Audit of the Phase III Improvements Project" detailed certain deficiencies and defects in the design and construction of the Phase III Improvements; and

WHEREAS, a portion of the west C-Cell wall constructed as part of the Phase III Improvements Project collapsed on May 16, 2011; and

WHEREAS, major flooding on September 7-9, 2011 resulting from the remnants of Tropical Storm Lee caused significant damage to the facilities of the Joint Sewage Project (the "Facilities") as to which the Sewage Board is presently responsible for carrying-out and overseeing a program of emergency response, debris removal, temporary repairs, permanent repairs, and investigation of as well

as planning for future long-term hazard mitigation measures for the Facilities in relation to which the Sewage Board has applied for federal and state disaster assistance; and

WHEREAS, on January 9, 2012 the Owners and the Sewage Board entered into an administrative Consent Order with the New York State Department of Environmental Conservation in Case No. R7-20110628-59 (the "Consent Order"), which Consent Order contains a Schedule for Compliance outlining steps which must be taken for repair, interim and long-term operation of the Facility; and

WHEREAS, the nature and scope of the substantial remediation, repair, and reconstruction of the Facility will require that the Owners bond and apply for and/or allocate financing for the reconstruction of the damaged, deficient, and/or defective portions of the Facility from the New York State Environmental Facilities Corporation (the "NYS-EFC") and/or other lenders and grantors; and

WHEREAS, the Owners wish to set forth their mutual agreements and understandings relative to the administration and oversight of the remediation, repair, and reconstruction of the deficiencies and defects in the design and construction of the Phase III Improvements, collapse of the C-Cell wall, and damage caused by flooding (collectively the "Phase III Remedial Project"),

NOW THEREFORE, in consideration of the mutual promises and covenants of the parties set forth herein, it is hereby agreed that:

1. Pursuant to this Agreement and a resolution of the Common Council of the City of Binghamton previously adopted, and a resolution of the Board of Trustees of the Village of Johnson City previously adopted, the City of Binghamton is authorized to act as "Lead Agency" for matters involving the redesign, bidding, contracting, reconstruction, and remediation of the Phase III Remedial Project and for compliance with the State Environmental Quality Review Act ("SEQR") and in accordance with the State Environmental Review Process ("SERP") for the Phase III Remedial Project.
2. Upon assumption of its role as Lead Agency and upon receipt of such studies as previously approved by the Owners, the City shall prepare a detailed project budget and a proposed list of expenditures over the life of the Phase III Remedial Project. This project budget shall be submitted to the legislative bodies of the Owners for approval, i.e., the combined legislators shall vote to approve the budget, at a joint or separate meeting, by a three-fourths (at least 9 of the 12 combined legislators) vote. When circumstances warrant, the Lead Agency shall propose revisions and amendments to the project budget and shall submit the same to the legislative bodies of the Owners for approval, also by a three-fourths (at least 9 of the 12 combined legislators) vote. Upon approval of the detailed project budget, the City shall establish one or more dedicated accounts (collectively, the "Project Accounts") to account for monies associated with the Phase III Remedial Project and payment of approved project expenses.
3. Subject to existence of available funding under the approved project budget as from time to time amended, the City is hereby authorized to do the following as Lead Agency for the Phase III Remedial Project:

- a. Advertise and/or solicit for and award contracts for professional services for the Phase III Remedial Project including, but not limited to, forensic testing and inspection; engineering; design; preparation of construction documents, plans and specifications; construction administration and project management; construction inspection and testing; accounting and financial services; legal and expert witness services.
- b. Pursuant to Agreement No. VII, the Owners may retain a "Clerk of the Works," whether an individual or an entity, for the Phase III Remedial Project. When a Clerk of the Works is appointed by the Owners, the role of the Clerk of the Works is to ensure independent oversight of the project, that the project is completed in a cost-effective, safe manner and consistent with good practice. Once appointed, the Clerk of the Works shall report to the Lead Agency, with copies to the Village and the Sewage Board. The Owners shall jointly have the sole authority to appoint and terminate the Clerk of the Works, and the Owners shall have access to all reports prepared by the Clerk of the Works. The cost of a Clerk of the Works shall be included in the approved project budget.
- b. Advertise for and award bids for the demolition, construction and other work of the Phase III Remedial Project.
- c. Authorize and enter into necessary supplemental agreements and change orders for project expenses within the overall approved project budget as from time to time amended.
- d. Apply for and obtain all necessary permits, zoning, planning, and regulated floodplain or floodway approvals.
- e. Coordinate financing for project expenses, but each party shall be responsible for applying for and entering into project financing or bonding agreements covering its own bonding or financing.
- f. Pay audited claims for project expenses within the overall approved budget. Prepare a monthly report of the finances of the Phase III Remedial Project and provide copies or access to such information to the Village and Sewage Board not later than the 15<sup>th</sup> day of the month following the month covered by the report.
- g. Execute any other documents of a routine nature as required by state or federal agencies to complete the Phase III Remedial Project on schedule and in an efficient manner.
- h. To schedule periodic construction status meetings, etc... with notice to the Village and Sewage Board. Provide copies or access to such information of meeting summaries or minutes to the Village and the Sewage Board within 10 business days of finalization. In cases in which meeting summaries or minutes are not finalized within 30 days of the meeting date, furnish drafts of the same to the Village and the Sewage Board not later than 30 days after the meeting date.
- i. To the extent practical, coordinate Phase III Remedial Project with the Sewage Board with respect to flood recovery projects and related work. The Sewage Board and the Joint

Sewage Treatment Facilities employees will also coordinate and cooperate with the Lead Agency to schedule demolitions, repairs and replacements. The Facility Director will be the liaison with the Lead Agency.

- j. Consult with the Village and the Sewage Board and pursue all appropriate claims and litigation seeking redress of deficiencies and defects in the Phase III Remedial Project.
  - k. Unless delegated to the Sewage Board, pursue all appropriate warranty claims and/or claims for correction of defective work in the Phase III Remedial Project.
  - l. Provide at least 10 business days' advance written notice to the Village and to the Sewage Board of the Lead Agency's intention to issue final acceptance of the work of each contract associated with the Phase III Remedial Project.
  - m. Provide written notice of completion and acceptance of the work of each contract associated with the Phase III Remedial Project to the Village, the Sewage Board and, when required, the NYS-DEC and NYS-EFC.
4. It is also hereby agreed that the ownership and the respective shares of the project's expenses shall remain 54.8% by the City of Binghamton and 45.2% by the Village of Johnson City. These expenses and/or debt services shall be allocated to the Joint Sewage Treatment Facilities budget and payment for same will be through the established billing process and will be a credit against each Owner's annual cost in the final billing computation performed by the Sewage Board Fiscal Officer.
5. The Owners and the Sewage Board shall have authority to pursue grant funding in relation to the Phase III Remedial Project. A copy of any grant application and award letter will be provided to the Owners and/or the Sewage Board, as the case may be, by the party applying within 15 business days of submission of the application. All copies to the Owners shall be provided to the City Clerk and the Village Clerk/Treasurer. All copies to the Sewage Board shall be provided to the Sewage Board's Chairman. Each Owner shall apply any grants it receives in relation to the Phase III Remedial Project to its respective costs for the project. Any grants received by the Sewage Board in relation to the Phase III Remedial Project shall be paid over to a project bank account administered by the City of Binghamton and credited 54.8% to the City of Binghamton's share of expenses and 45.2% to the Village of Johnson City's share of expenses. Each party understands that by applying any grants to its respective costs, all users of the Joint Sewage Treatment Facilities benefit through the billing process.
6. There is no compensation for being Lead Agency. Any other costs incurred for service as Lead Agency cannot be charged to the Phase III Remedial Project, the Sewage Board, or the Village of Johnson City. This would not preclude the City from applying for and accepting grant funds to offset the administrative costs incurred by it as Lead Agency, or from pursuing claims for recovery of such costs from appropriate parties other than the Village and the Sewage Board, including through litigation.
7. This Agreement shall survive until completion of the Phase III Remedial Project. Either Owner, however, may terminate this Agreement upon one (1) year prior written notice to the other party. In

the event of termination, the Owners shall work in good faith to appoint a new Lead Agency or to develop an alternate plan for coordination of the Phase III Remedial Project.

8. Notwithstanding anything herein to the contrary, the City will not be liable to the Village, the Sewage Board, ratepayers, any other municipality, the State of New York or any other agency, business or person, for any alleged breach of this Agreement. The City has agreed to accept Lead Agency solely to accommodate the Phase III Remedial Project and in the event of any breach of the Agreement, the sole remedy is for the Owners to appoint a new Lead Agency or to develop another plan for coordination of the Phase III Remedial Project.
9. The provisions of the Intermunicipal Agreement shall remain in full force and effect except to the extent that such provision(s) are inconsistent with or amended by or superseded by this Agreement.

IN WITNESS WHEREOF the parties hereto have executed this instrument effective as of the day and year first above written

CITY OF BINGHAMTON

By: Matthew T. Ryan

Dated: 6/21/12

VILLAGE OF JOHNSON CITY

By: Gregory W. Deems

Dated: 6/26/12

ATTEST:

Alvin R. Cooper  
City Clerk

Dated: 6/22/12

Thomas A. Johnson  
Village Clerk/Treasurer

Dated: 6/28/12

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project: Binghamton-Johnson City Joint Sewage Treatment Plant Comprehensive Flood Protection Project		
Project Location (describe, and attach a general location map): 4480 Vestal Road, Vestal (Broome County), NY		
Brief Description of Proposed Action (include purpose or need): The purpose of the proposed project is to protect the Binghamton-Johnson City Joint Sewage Treatment Plant (“BJCJSTP”) from flooding by constructing flood barrier walls and other flood protection devices around the facility, providing diesel-fueled emergency standby generators, and implementing dewatering measures within the flood barrier walls. The goals of the proposed project are to [i] allow the facility to remain in limited operation during a flood disaster and [ii] allow the facility to quickly return to full operation after floodwaters recede, in order to protect the public health and safety locally, as well as downstream in the Chesapeake Bay watershed. Another part of the project is removal of gravel deposits in the Susquehanna River in the vicinity of the Plant’s outfall and at the mouth of Fuller Hollow Creek (not part of FEMA PA-02-NY 4031-PW02504 ) to improve Plant effluent discharge and mixing into the river. The need arose due to flood damage sustained during Tropical Storm Lee (FEMA 4031-DR-NY) September 7, 2011 through September 11, 2011. The plant also sustained substantial storm damage in January 1996, April 2005, June 2006 (FEMA 1650-DR-NY) and November 2006.		
Name of Applicant/Sponsor: Binghamton-Johnson City Joint Sewage Board - Eugene Hulbert, Sr., Chair	Telephone: E-Mail:	
Address: 4480 Vestal Road		
City/PO: Vestal	State: New York	Zip Code: 13850
Project Contact (if not same as sponsor; give name and title/role): Catherine Young, Superintendent	Telephone: Phone: 607-729-2975 E-Mail: caingworth@stny.rr.com	
Address: Binghamton Johnson City Joint Sewage Treatment Plant, 4480 Vestal Road		
City/PO: Vestal	State: New York	Zip Code: 13850
Property Owner (if not same as sponsor): City of Binghamton (Contact: Philip T.Krey, City Engineer)	Telephone: (607) 772-7007 E-Mail: ptkrey@cityofbinghamton.com	
Address: 38 Hawley Street		
City/PO: Binghamton	State: New York	Zip Code: 13901

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Vestal Floodplain Ordinance. Work to be done within Regulated Floodway and Floodplain	
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Vestal Floodplain Ordinance. Work to be done within Regulated Floodway and Floodplain	
c. City Council, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	May need ZBA review.	
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Will need a building permit.	
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Broome County Government re: easement, GML 239 Review	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DEC, SPDES Permit	
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	FEMA	
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_  
 Broome County Comprehensive Plan (<http://gobroomecounty.com/comprehensiveplan>)  
 \_\_\_\_\_  
 \_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
    Industrial

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
    i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Vestal Central School District

b. What police or other public protection forces serve the project site?  
    Town of Vestal Police Department

c. Which fire protection and emergency medical services serve the project site?  
    Town of Vestal Fire Department

d. What parks serve the project site?  
    N/A

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Industrial

b. a. Total acreage of the site of the proposed action? Wall = 1426.51 ft. acres  
    b. Total acreage to be physically disturbed? less than 1 acres  
    c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 11.23 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
    i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
    i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_  
    ii. Is a cluster/conservation layout proposed?  Yes  No  
    iii. Number of lots proposed? \_\_\_\_\_  
    iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will proposed action be constructed in multiple phases?  Yes  No  
    i. If No, anticipated period of construction: 1-2 months  
    ii. If Yes:  
        • Total number of phases anticipated \_\_\_\_\_  
        • Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
        • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
        • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
        \_\_\_\_\_  
        \_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? Minimal dredging to install wall. Removal of gravel deposits at Fuller Hollow Creek.

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): Wall - Under 20,000 Cubic yards. Sediment Removal -
- Over what duration of time? 1-2 months

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ Less than 1 acre. acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Susquehanna River

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:  
Activity will affect less than 1 acre. Federal wetlands 13407.6789945 and 0.35847172 not impacted.

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No  
If Yes, describe: \_\_\_\_\_

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
If Yes:  
• acres of aquatic vegetation proposed to be removed: \_\_\_\_\_  
• expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_  
• purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_  
• proposed method of plant removal: \_\_\_\_\_  
• if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No  
If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No  
If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
If Yes:

- Name of wastewater treatment plant to be used: Binghamton Johnson City Joint Sewage Treatment Plant
- Name of district: n/a - proposed project is on Plant grounds and adjacent lands
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ <1 acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

• Will stormwater runoff flow to adjacent properties?  Yes  No  
 iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 diesel fuel delivery trucks  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 diesel fueled emergency stand by generators  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

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vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade to, an existing substation?  Yes  No

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l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7 am - 5 pm _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 24 / 7 _____</li> <li>• Saturday: _____ 24 / 7 _____</li> <li>• Sunday: _____ 24 / 7 _____</li> <li>• Holidays: _____ 24 / 7 _____</li> </ul>
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

n.. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally describe proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

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q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	11.23		0
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
Susquehanna Nursing Home, 282 Riverside Dr., Johnson City (approx. 1465 feet)  
\_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
Proposed Flood Wall encompasses existing facility  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

Dalton silt loam	_____	_____ %
Wayland silt loam	_____	_____ %
Tioga Silt Loam	_____	_____ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Fuller Hollow Creek Classification Class D
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Wetland Approximate Size Federal Wetland:1...
- Wetland No. (if regulated by DEC) 13407.6789945 and 0.35847172

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

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i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100 year Floodplain?  Yes  No

k. Is the project site in the 500 year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: Principal Aquifer, Sole Source Aquifer Names: Clinton Street Ballpark SSA, Primary Aquifer

m. Identify the predominant wildlife species that occupy or use the project site: Woodchucks and field mice _____ _____ _____	_____ _____ _____
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>  The proposed project area is located within a zone identified as a potential summer roosting habitat for the Northern long-eared bat ( <i>Myotis septentrionalis</i> ) although no bat roosting has been observed in the project area. The Northern long-eared bat is proposed to be listed as endangered on the federal threatened and endangered species list.	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>  The proposed project area serves as potential summer roosting habitat for the Northern long-eared bat ( <i>Myotis septentrionalis</i> ). The Northern long-eared bat is proposed to be listed as endangered on the federal threatened and endangered species list.	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If yes, give a brief description of how the proposed action may affect that use: _____ _____	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

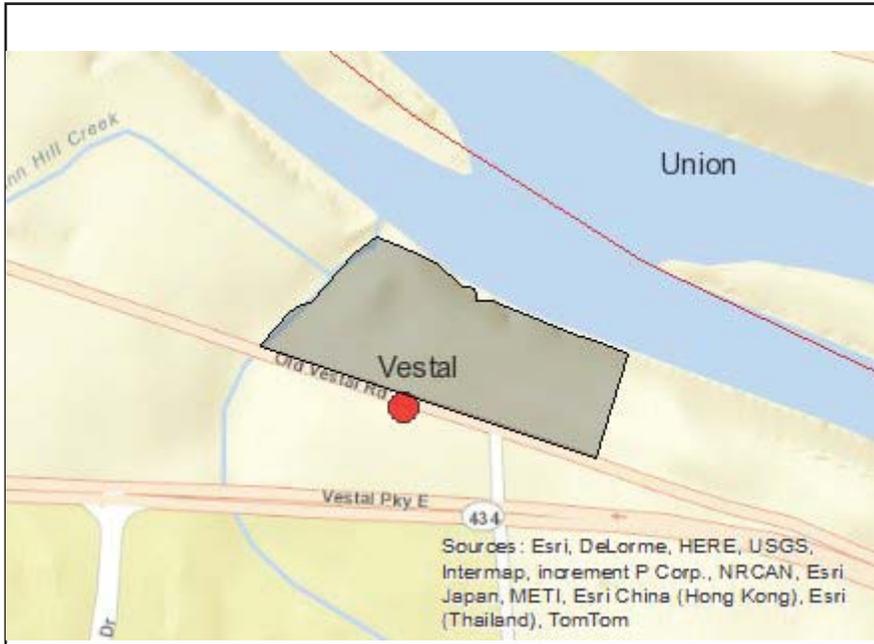
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

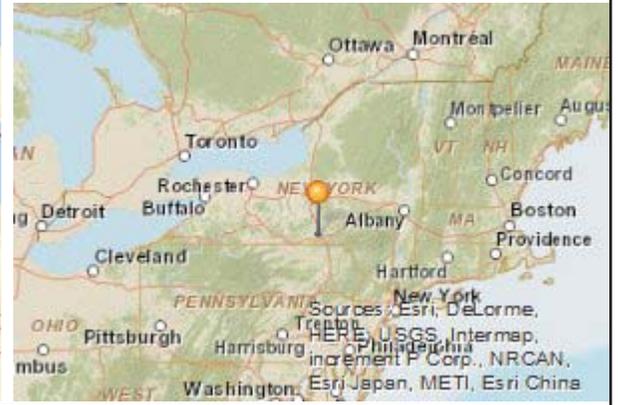
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Wetland
E.2.h.iv [Surface Water Features - Wetlands Size in Acres]	Federal Wetland:13407.6789945, Federal Wetland:0.35847172
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Sole Source Aquifer Names:Clinton Street Ballpark SSA, Primary Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



Binghamton-Johnson City  
JOINT SEWAGE BOARD



Eugene Hulbert, Sr.  
Gary R. Holmes  
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Ron C. Davis

**FILE MEMO:**

RE: Local and County Emergency Services Response  
and Protocol for Flood Gate impacting Vestal Road Traffic

DATE: October 27, 2014

Plant personnel shall be briefed that in cases of flooding Fuller Hollow Creek may rise and make access to the plant from the West via Vestal Road impassable. (*Vestal Road is a County Road*). Access to the Plant will only be available from the East via Vestal Road or from New York State Route 434 and Murray Hill Road.

In flooding situations, Fuller Hollow Creek will rise above its banks, then moving floodwater will overtop the existing bridge. **When water is visible over the roadway surface, use of the bridge and roadway shall be prohibited.**

**Flood Gate System Deployment:**

**a. Automatic Deployment**

As flooding creeps to the east on Vestal Road, the FloodBreak® gate system will automatically deploy to protect the plant and all points to the east along Vestal Road from flooding. The gate system is designed to deploy automatically when floodwaters fill the vault housing the floodgate. When this happens, the creek has already overtopped the road and made the route impassable. In addition, the floodgate itself will include high visibility reflectors to alert vehicles of the obstruction.

**b. Manual Deployment**

If the proper coordination and notifications to Broome County Emergency Services can be arranged, and traffic control is in place, the gate may be manually deployed by specially trained plant personnel, either in advance of anticipated flooding or for training, maintenance and inspection.

Operations procedures for the manual deployment of the floodgate shall include notification to Broome County Emergency Services and local authorities as

Catherine P. Young, Superintendent  
Binghamton-Johnson City Joint Sewage Treatment Facilities  
4480 Vestal Road, Vestal, New York 13850  
Phone: 607-729-2975 Fax: 607-729-0110  
Email: bjcwwtp@stny.rr.com

described below **prior to deployment of flood gate**. In addition, the floodgate will include high visibility reflectors to alert vehicles of the obstruction.

When the flood gate system is deployed, traffic to the plant will require routing from the East by travelling on NYS Route 434 to Murray Hill Road. Plant personnel are instructed to contact their assigned supervisory staff for additional updates on plant operation and nearby road closures.

### **Notification of Broome County Emergency Services:**

When flooding occurs, emergency procedures are put into action. **Plant personnel shall notify Broome County Emergency Services of flood gate system deployment** by calling into the 911 system. The giving of this notification shall be noted on the Operator's Daily Log, including date, time, and the name of person giving the notification. When possible, the person to whom notice was given shall also be noted.

When Broome County Emergency Services (911) are notified, the Emergency Services Dispatch notifies responsible First Responders who provide traffic personnel to direct traffic away from flooding until appropriate Highway Department (Town or County) personnel arrive with forces to erect barricades to prevent traffic from entering water-covered roadways.

Removal of traffic control devices will be determined by Broome County Emergency Services.

### **Pre-construction Coordination with Broome County Government:**

The location of a FloodBreak Gate® crossing Vestal Road has been reviewed by the County Director of Highways and Commissioner of Public Works. The project has also been reviewed by Broome County Emergency Services. A site specific emergency operations plan (EOP) coordination was requested by the project design team. The County currently has no site specific plans, or policies related to flooded roadways, or the erection of flood gates across county roads.

Broome County Emergency Operation Plan:

<http://gobroomecounty.com/files/pdfs/Broome-County-EOP.pdf>

Broome County Emergency Services has been fully briefed on the operation of the proposed floodgate, and they expressed no concerns. The following procedure was described by Brett Chellis, Director of Emergency Services for Broome County on 08/21/2014:

*Emergency Services Communications (911) is notified in cases of flooding by local authorities. At that time, Emergency Services Dispatch notifies responsible First Responders who provide traffic personnel to direct traffic away from flooding until*

*appropriate Highway Department (Town, Village, or County) personnel arrive who deploy forces to erect barricades to prevent traffic from entering water.*

**Maintenance and Inspection:**

Plant personnel will be responsible for the routine operator maintenance of the self-deploying floodgate, which will include cleaning, inspection, and test operation at regular intervals as recommended by the gate manufacturer. Plant personnel shall wear high visibility personal protection equipment when in the road right of way, and appropriate warning signage shall be deployed. Maintenance involving work in the road right of way and actual gate deployment other than during a flood emergency will require a road closure with County-approved traffic control devices and signage and notification of the County Emergency Services a minimum of 48 hours in advance of planned activity in order to use local media sources to notify the public of the required temporary road closure. Plant personnel shall be responsible to notify and coordinate with Broome County Emergency Services and the Broome County Highway Department for such road closures.

In cases of planned maintenance, the Plant shall coordinate traffic control through an arrangement with the County Highway Department or provide plant-stored traffic control devices including barricades, signage, and trained personnel. County/Plant personnel will erect "Road Closed" signage and lighted barricades at the intersection of Murray Hill Road and Vestal Road, at the Route 201 exit ramp notifying eastbound traffic, and additional barriers will be placed east and west of the floodgate itself and at nearby driveways to prevent traffic from those businesses from making turns towards the closed gate.

**During Flooding:**

As stated, in cases of flooding, Vestal Road will be inundated and the County's emergency procedures will be implemented to the west when 911 is notified. Local or County responders will provide traffic control to the west of the creek. Plant personnel shall be responsible to coordinate traffic control with Emergency Services and the facility for westbound traffic to the east of Fuller Hollow Creek only.