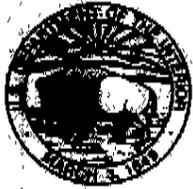


APPENDIX C
Correspondence



United States Department of the Interior



FISH AND WILDLIFE SERVICE

New York Field Office
3817 Luker Road
Cortland, NY 13045
Phone: (607) 753-9334 Fax: (607) 753-9699
<http://www.fws.gov/northeast/nyfo>

To: Sue Vilord

Date: Jul 21, 2011

USFWS File No: 110428

Regarding your: Letter FAX Email

Dated: July 13, 2011

For project: Port of Albany security operations control building

Located:

In Town/County: City of Albany / Albany County

Pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the U.S. Fish and Wildlife Service:

- Acknowledges receipt of your "no effect" and/or no impact determination. No further ESA coordination or consultation is required.
- Acknowledges receipt of your determination. Please provide a copy of your determination and supporting materials to any involved Federal agency for their final ESA determination.
- Is taking no action pursuant to ESA or any other legislation at this time but would like to be kept informed of project developments.

As a reminder, until the proposed project is complete, we recommend that you check our website (<http://www.fws.gov/northeast/nyfo/es/section7.htm>) every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project area is current. Should project plans change or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered.

USFWS Contact(s):

Robyn Alvier

Supervisor:

Don A. Sorensen

Date:

7/22/2011



Albany County

Federally Listed Endangered and Threatened Species and Candidate Species

This list represents the best available information regarding known or likely County occurrences of Federally-listed and candidate species and is subject to change as new information becomes available.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
Bald eagle ¹	<i>Haliaeetus leucocephalus</i>	D
Bog turtle (<i>historic</i>)	<i>Clemmys [=Glyptemys] muhlenbergii</i>	T
Indiana bat (W/S) ²	<i>Myotis sodalis</i>	E
Karner blue butterfly	<i>Lycaeides melissa samuelis</i>	E
Shortnose sturgeon ³	<i>Acipenser brevirostrum</i>	E

Status Codes: E=Endangered, T=Threatened, P=Proposed, C=Candidate, D=Delisted.

W=Winter S=Summer

¹ The bald eagle was delisted on August 8, 2007. While there are no ESA requirements for bald eagles after this date, the eagles continue to receive protection under the [Bald and Golden Eagle Protection Act \(BGEPA\)](#). Please follow the [Service's May 2007 Bald Eagle Management Guidelines](#) to determine whether you can avoid impacts under the BGEPA for your projects. If you have any questions, please contact the endangered species branch in our office.

² "While Indiana bats were known to winter in Albany County, we now believe they are likely extirpated or in such small numbers that it is unlikely that they would be present and impacted by any specific proposed projects in Albany, Rensselaer, Saratoga, Schenectady, and Schoharie Counties. This determination may change as we receive new information."

³ Primarily occurs in Hudson River. Principal responsibility for this species is vested with the National Oceanic and Atmospheric Administration/Fisheries.

Information current as of: 7/11/2011

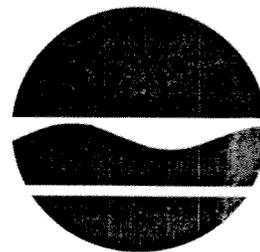
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish, Wildlife & Marine Resources

625 Broadway, 5th Floor, Albany, New York 12233-4757

Phone: (518) 402-8935 • Fax: (518) 402-8925

Website: www.dec.ny.gov



Joe Martens
Commissioner

July 26, 2011

Sue J. Vilord
Clough Harbour, Associates
111 Winners Circle
Albany, NY 12205

Dear Ms. Vilord:

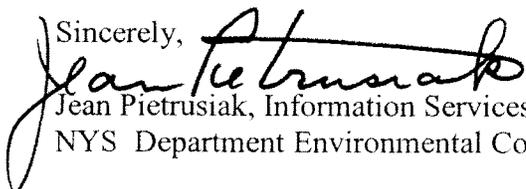
In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to an Environmental Assessment for the proposed New Security Operations Control Building at 107 Smith Blvd, site as indicated on the map you provided, located in the City of Albany, Albany County.

Enclosed is a report of rare or state-listed animals and plants, significant natural communities, and other significant habitats, which our databases indicate occur, or may occur, on your site or in the immediate vicinity of your site. For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environmental impact assessment.

The enclosed report may be included in documents that will be available to the public. However, any enclosed maps displaying locations of rare species are considered sensitive information, and are intended only for the internal use of the recipient; they should not be included in any document that will be made available to the public, without permission from the New York Natural Heritage Program.

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

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

Sincerely,

Jean Pietrusiak, Information Services
NYS Department Environmental Conservation

Enc.
cc: Region 4

RECEIVED

730

JUL 27 2011

Natural Heritage Report on Rare Species and Ecological Communities



NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor,
Albany, NY 12233-4757
(518) 402-8935

~The information in this report includes only records entered into the NY Natural Heritage databases as of the date of the report. This report is not a definitive statement on the presence or absence of all rare species or significant natural communities at or in the vicinity of this site.

~Refer to the User's Guide for explanations of codes, ranks and fields.

~Location maps for certain species and communities may not be provided 1) if the species is vulnerable to disturbance, 2) if the location and/or extent is not precisely known, 3) if the location and/or extent is too large to display, and/or 4) if the animal is listed as Endangered or Threatened by New York State.

Natural Heritage Report on Rare Species and Ecological Communities



FISH

Acipenser brevirostrum

Shortnose Sturgeon	NY Legal Status: Endangered	NYS Rank: S1 - Critically imperiled	Office Use 1091
	Federal Listing: Endangered	Global Rank: G3 - Vulnerable	HRF BOF
	Last Report: **	EO Rank: **	USFWS
County:	Albany, Bronx, Columbia, Dutchess, Greene, New York, Orange, Putnam, Rensselaer, Rockland		
Town:	Albany - City, Athens, Beacon -City, Bethlehem, Catskill, Clarkstown, Clermont, Coeymans, Colonie		
Location:	At, or in the vicinity of, the project site.		
General Quality and Habitat:	Shortnose sturgeon are found in the long tidal portion of Hudson River. The river constitutes the lower part of a 315 mile stream system. It is fed upstream by two large main channel streams, which provide 80% of the freshwater input, and numerous other For more information, including management considerations, please contact the NYS DEC Hudson River Fisheries Unit at 845-256-3071.		

FRESHWATER MUSSELS

Anodonta implicata

Alewife Floater	NY Legal Status: Unlisted	NYS Rank: S1S2 - Critically imperiled	Office Use 9713
	Federal Listing:	Global Rank: G5 - Secure	
	Last Report: 1984-fa	EO Rank: Fair	
County:	Albany, Rensselaer		
Town:	Albany - City, Bethlehem, Colonie, East Greenbush, Green Island, North Greenbush, Rensselaer - C		
Location:	Hudson River Troy to Albany		
General Quality and Habitat:	A long stretch of a river.		

2 Records Processed

More detailed information about many of the rare and listed animals and plants in New York, including biology, identification, habitat, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.acris.nynhp.org, from NatureServe Explorer at <http://www.natureserve.org/explorer>, from NYSDEC at <http://www.dec.ny.gov/animals/7494.html> (for animals), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

More detailed information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.acris.nynhp.org. For descriptions of all community types, go to <http://www.dec.ny.gov/animals/29384.html> and click on Draft Ecological Communities of New York State.

Natural Heritage Report on Rare Species and Ecological Communities



NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor,
Albany, NY 12233-4757
(518) 402-8935

HISTORICAL RECORDS

The following plants and animals were documented in the vicinity of the project site at one time, but have not been documented there since 1979 or earlier, or there is uncertainty regarding their continued presence.

There is no recent information on these plants and animals in the vicinity of the project site and their current status there is unknown. In most cases the precise location of the plant or animal in this vicinity at the time it was last documented is also unknown and therefore location maps are generally not provided.

If appropriate habitat for these plants or animals is present in the vicinity of the project site, it is possible that they may still occur there.

Natural Heritage Report on Rare Species and Ecological Communities



DRAGONFLIES and DAMSELFLIES

Gomphus vastus

Cobra Clubtail

NY Legal Status: Unlisted

Federal Listing:

Last Report: 1876-06-17

County: Albany

Town: Albany - City , Bethlehem

Location: Kenwood

Directions: Kenwood, Albany County.

General Quality
and Habitat:

NYS Rank: SH - Historical

Global Rank: G5 - Secure

EO Rank: Historical, no recent
information

Office Use
2121

M

FRESHWATER MUSSELS

Lampsilis cariosa

Yellow
Lampmussel

NY Legal Status: Unlisted

Federal Listing:

Last Report: no date

County: Albany, Rensselaer

Town: Albany - City , Rensselaer - City

Location: Hudson River Albany

Directions: The specimen was collected from the Hudson River in Albany.

General Quality
and Habitat: A river.

NYS Rank: S3 - Vulnerable

Global Rank: G3G4 - Vulnerable

EO Rank: Historical, no recent
information

Office Use
9775

VASCULAR PLANTS



Bidens bidentoides

<p>Delmarva Beggar-ticks</p>	<p>NY Legal Status: Rare</p> <p>Federal Listing: Last Report: 1945-10-11</p> <p>County: Albany Town: Albany - City , Bethlehem Location: Albany Port Directions: Along tidal border of Hudson River, Albany Port district. General Quality and Habitat: Along tidal border of estuarine river.</p>	<p>NYS Rank: S3 - Vulnerable</p> <p>Global Rank: G3G4 - Vulnerable EO Rank: Historical, no recent information</p>	<p>Office Use 8644</p> <p style="text-align: right;">M</p>
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Carex molesta

<p>Troublesome Sedge</p>	<p>NY Legal Status: Threatened</p> <p>Federal Listing: Last Report: 1947-07-17</p> <p>County: Albany Town: Albany - City , Bethlehem Location: Albany Port Directions: Small tufts along railroad tracks in the Albany Port district. General Quality and Habitat: Along railroad tracks.</p>	<p>NYS Rank: S2S3 - Imperiled</p> <p>Global Rank: G4 - Apparently secure EO Rank: Historical, no recent information</p>	<p>Office Use 1239</p> <p style="text-align: right;">M</p>
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Cyperus lupulinus ssp. lupulinus

<p>Hop Sedge</p>	<p>NY Legal Status: Threatened</p> <p>Federal Listing: Last Report: 1950-07-31</p> <p>County: Albany Town: Albany - City , Bethlehem Location: Albany Port Directions: Specimen label: Railroad yards, Albany Port. General Quality and Habitat: Railroad yards.</p>	<p>NYS Rank: S2 - Imperiled</p> <p>Global Rank: G5T5? - Secure EO Rank: Historical, no recent information</p>	<p>Office Use 10501</p> <p style="text-align: right;">M</p>
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Hedeoma hispida

<p>Mock-pennyroyal</p>	<p>NY Legal Status: Threatened</p> <p>Federal Listing: Last Report: 1950-06-24</p> <p>County: Albany Town: Albany - City , Bethlehem Location: Albany Port Directions: Waste places, Albany Port. General Quality and Habitat: Waste places.</p>	<p>NYS Rank: S2S3 - Imperiled</p> <p>Global Rank: G5 - Secure EO Rank: Historical, no recent information</p>	<p>Office Use 9997</p> <p style="text-align: right;">M</p>
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Polygonum aviculare ssp. buxiforme

Small's Knotweed NY Legal Status: Endangered
 Federal Listing:
 Last Report: 1974-07-25

NYS Rank: S1 - Critically imperiled
 Global Rank: G5T5 - Secure
 EO Rank: Historical, no recent information

Office Use
 3838

County: Albany
 Town: Albany - City, Bethlehem
 Location: Albany Port
 Directions: Railroad yards, Albany Port.
 General Quality and Habitat: Railroad yards.

M

7 Records Processed

More detailed information about many of the rare and listed animals and plants in New York, including biology, identification, habitat, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.acris.nynhp.org, from NatureServe Explorer at <http://www.natureserve.org/explorer>, from NYSDEC at <http://www.dec.ny.gov/animals/7494.html> (for animals), and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

U.S. Department of Homeland Security
Region II
Jacob K. Javits Federal Office Building
Mitigation Division
13th Floor, 26 Federal Plaza
New York, NY 10278-0002



FEMA

March 14, 2011

Ms. Ruth L. Pierpont
Director, State Historic Preservation Office
NY State Parks, Recreation & Historic Preservation
Peebles Island P.O. 189
Waterford, NY 12188-0189

Re: Section 106 Consultation for Department of Homeland Security, FEMA
Albany Port District, New Security Building Construction, Albany County
Grant Award PSGP #2009-PU-T9-K018 IJ#3

Dear Ms. Pierpont:

The Grants Programs Directorate (GPD) of the Department of Homeland Security-Federal Emergency Management Agency (FEMA) is proposing to provide grant funding to the Port Authority of New York & New Jersey and the Albany Port District for construction a new security building for the Port in accordance with the Port Security Grant Program (PSGP). The project will involve ground disturbance and demolition of existing buildings constructed over 50 years ago. FEMA is initiating Section 106 consultation for the proposed enhancements per 36 CFR Part 800. Enclosed for your review is the consultation package including project information, archaeological assessment, standing structures assessment, findings, and site photographs and maps. FEMA has determined that the construction of the proposed new security building, involving proposed building demolitions, would have no adverse effect to any historic resources or properties.

It is requested that the enclosed information be regarded as secure information and not be released to any external parties without prior consultation with FEMA. We look forward to your comments within 30 days of receipt. If practicable, we would greatly appreciate an email copy of the concurrence be emailed to my attention to expedite grant processing. If you have any questions please contact me at 212-680-3635 or Megan.Jadrosich@dhs.gov.

Sincerely,

A handwritten signature in black ink that reads "Megan Jadrosich". The signature is fluid and cursive, with the first name "Megan" being larger and more prominent than the last name "Jadrosich".

Megan Jadrosich
Regional Environmental Officer

Encl: Section 106 Consultation Package

FEMA PROJECT REVIEW COVER FORM

Please complete this form and attach it to the top of any **and all information submitted to this office** for review.
Accurate and complete forms will assist this office in the timely processing and response to your request.

PROJECT NUMBER PR (only if a project was previously submitted)

This is a new project (If checked, complete **ALL** the following)

Project Name: PSGP Albany Port District Commission Security Operations Building

Location: 109 Smith Boulevard
Include street number, street name and/or County, State or Interstate route number if applicable

City/Town/Village: Albany, NY 12202 List the correct municipality in which the project is being undertaken. If in a NON-INCORPORATED hamlet/village, provide the name of the town.

County: Albany
42.626309 -73.757718

TYPE OF REVIEW REQUIRED/REQUESTED

This Project at a minimum is using federal funds (FEMA) AND state funds (New York State Emergency Management Office)

FEMA CONTACT FOR PROJECT

Name: Kelly Britt **Title:** Archaeologist **Phone:** 212-680-8819
E-Mail address: Kelly.Britt@dhs.gov

Send Correspondence to:
Megan Jadrosich
Regional Environmental Officer
Department of Homeland Security/FEMA
26 Federal Plaza, Floor
New York, NY 10278

URGENCY OF REVIEW: Immediate (3 days) Expedited (14 days) Regular (30 days)

FEMA Disaster Number: PSGP FEMA 2009-PU-T9-K018 IJ #3

SIGNATURE: Megan Jadrosich
Megan Jadrosich
Regional Environmental Officer
DATE: 3-14-2011

Albany Port

Location and Resource: The proposed project for a New Security Operations Control Building is located at 106 Smith Boulevard, Albany, Albany County, NY 11202 (Figure 1).

Undertaking: The Federal Emergency Management Agency (FEMA) is proposing to provide funding to the Albany Port District Commission through the Port Security Grant Program (PSGP). The scope of work for this project includes demolition of two pre-fabricated metal buildings, and then the construction of a 40 foot by 100 foot Security Operations Control Center and corresponding connections to utility lines. The building will be located at the main entrance to the Port of Albany terminal and will replace the existing security trailer that is currently there for this purpose (Figure 2). The Area of Potential Effects (APE) will be the construction area of the Security Operations Control Center and corresponding utility lines.

Resources Consulted: NY SHPO's GIS website, USFW National Wetlands Inventory, USDA Soil Survey, ArcGIS Explorer, David Rumsey Map collection, Historic Map Works, New York City Library Map Collection and online topographic maps were referenced as well as photographs and maps from applicant.

Archaeological Assessment: An archaeological assessment was conducted to determine the APE's sensitivity to below ground archaeological resources. To determine the sensitivity, several aspects of the project were analyzed such as the project's proximity to known archeological resources, waterways, historic properties, the site's environmental characteristics such as soil analysis and the APE's previous ground disturbance activities. Based on the above information and predictive modeling analyses, an assessment can determine if the site has a high, moderate or low sensitivity to both historical and prehistoric archaeological resources.

Proximity to Known Archaeological Resources:

Research conducted on NY SHPO's GIS database shows that the APE is not located in a high sensitive area for archaeological resources (Figure 3). Research conducted at the NY SHPO's offices also illustrated that no known archaeological resources are located within the APE. However, there are four known archaeological sites located within a two-mile radius of the APE. Two of these sites are NY SHPO sites: the VLIE House, Aryer House (08341.00005) and Dodws Point (08341.000003). Both of these sites are located across the river in Rensselaer County. In addition, two sites are Museum Point Sites. Museum Point Site ID #7564 is located approximately 3,328 feet from APE and Museum Point Site Site ID # 7565 is located 2,900 feet from APE. Both have no specific information listed for them.

Proximity to Waterways:

The APE is located approximately 554.74 feet west of the Hudson River (see figure 1). While there are many areas of both Federal and New York State registered Wetlands surrounding the APE, the APE is not located within a wetland (Figure 4). The APE is located however, in the 100-year floodplain and is in a Coastal Zone Management region (CZM) (Figure 5 and 6). Based on predictive modeling, the APE's close proximity to a major waterway such as the Hudson and its location within a 100-year floodplain make the APE highly sensitive to pre-historic archaeological remains, however, previous ground disturbance factors which are listed below reduce the APE's sensitivity to any archaeological resources.

Environmental Factors:

The APE is located within Urban Land Soil (Figure 7), which is generally made up of fill and is usually comprised of highly disturbed soils. According to predictive modeling techniques, this soil type produces a low sensitivity to archaeological remains.

Historic Property Research:

According to historic map research, the land upon which the APE is located is built-up urban land. Sanborn Insurance Atlas Maps show that in 1892 the area of the APE was located in an area that was within the Hudson River off of Van Rensselaer Island (Figure 8). In addition, Horace Andrews 1895 *City of Albany* map, and the 1909 Sanborn Insurance Atlas map also shows the APE is located in an area off of Van Rensselaer Island in the Hudson River (Figures 9 and 10). It is not until the 1934-35 Sanborn Insurance Atlas maps does the APE appear on "Roadway H", which is presently known as "Smith Boulevard" and illustrated to be owned by the "Albany Port District

Commission” (Figure 11). Additionally, the 1934-51 Sanborn Atlas Maps shows the APE located on “Smith Boulevard” as it is known today (Figure 12).

According to this historic map research, Van Rensselaer Island was built up with urban land fill sometime between 1909 and 1934 and the maps shows that the APE appears to have always been an industrial area owned by the Port of Albany District Commission.

Current and previous Ground Disturbance Activities:

As stated above, the area of the APE is located in Urban Land Soil, which is made up of fill comprised of disturbed soils. According to the historic map research, filling episode(s) took place between 1909-1934, for according to historic map research prior to 1909 the area of the APE was located within the Hudson River off of Van Rensselaer Island see figures 9-12).

Standing Structures Assessments:

Demolition, standing structures finding:

The Area of Potential Effect (APE) for demolition of the two metal, pre-fabricated structures is the buildings themselves. The identical buildings are approximately 20 feet wide and 30 feet long, have metal sides and a metal gable roof (Figures 13 & 14). The structures were initially used as US Coastguard stations. Presently, one is being utilized by the Seaman’s Ministry, an international organization that cares for the personal, professional, and spiritual needs of mariners. The second one is a shipping office for the Albany Port Authority. These utilitarian structures do not have distinctive characteristics that would make them eligible for the National Register of Historic Places. Therefore, no historic properties are affected as a result of their demolition.

Construction of new facility finding:

The APE for construction of the new facility includes a 200 foot area around the new Security Operations Center which encompasses the Port Authority Administrative Office Building (see figure 1) located across Smith Street. The two buildings will be about 120 feet apart when the operations center is constructed. The office building was constructed circa 1927 and is the only building in the area that is 50 years old or older (Figures 15 & 16). Most of the buildings are large warehouses separated by open space and parking lots. The two-story red brick administrative building is not particularly architecturally distinctive and has had some alterations. Two rows of windows along the front are interrupted by an off-center entrance framed by a classical, grey masonry,

entablature supported by pilasters. Contrasting grey masonry window ledges and keystones over each window are the only other decorative elements. The windows have been replaced, as have the front doors and related features. It appears that a cornice has been removed at the roofline. The office building is not eligible for the National Register under Criteria C and as a result, the presence of the new operations center will have no effect on historic properties.

Findings: While the APE is located within close proximity to four known archaeological sites, two of these sites are located across the Hudson River in Rensselaer. In addition, while the site is within close proximity to a major waterway, the Hudson River, is located within a 100-year flood plain and is located within a Coastal Management Zone (CMZ) making it highly sensitive to archaeological remains, historic map research shows that this area of land is urban land fill and was created sometime between 1909 and 1934 and therefore has a low probability for archaeological remains.

The historic buildings assessment determined that the two metal, pre-fabricated structures are not eligible for the National Register of Historic Places, and no historic structures are affected as a result of their demolition. In addition, the construction of the new facility will have no effect on historic properties within a 200 foot radius of the APE.

DHS-FEMA has determined that the proposed undertaking would not have an adverse effect on historic resources and no historic properties would be affected.

Prepared by: Dr. Kelly M. Britt, FEMA Historic Preservation Specialist

Mary Neustadter, FEMA Deputy Regional Environmental Officer

Figure 1: Location Map of the APE



Figure 2: Planview of Scope of Work

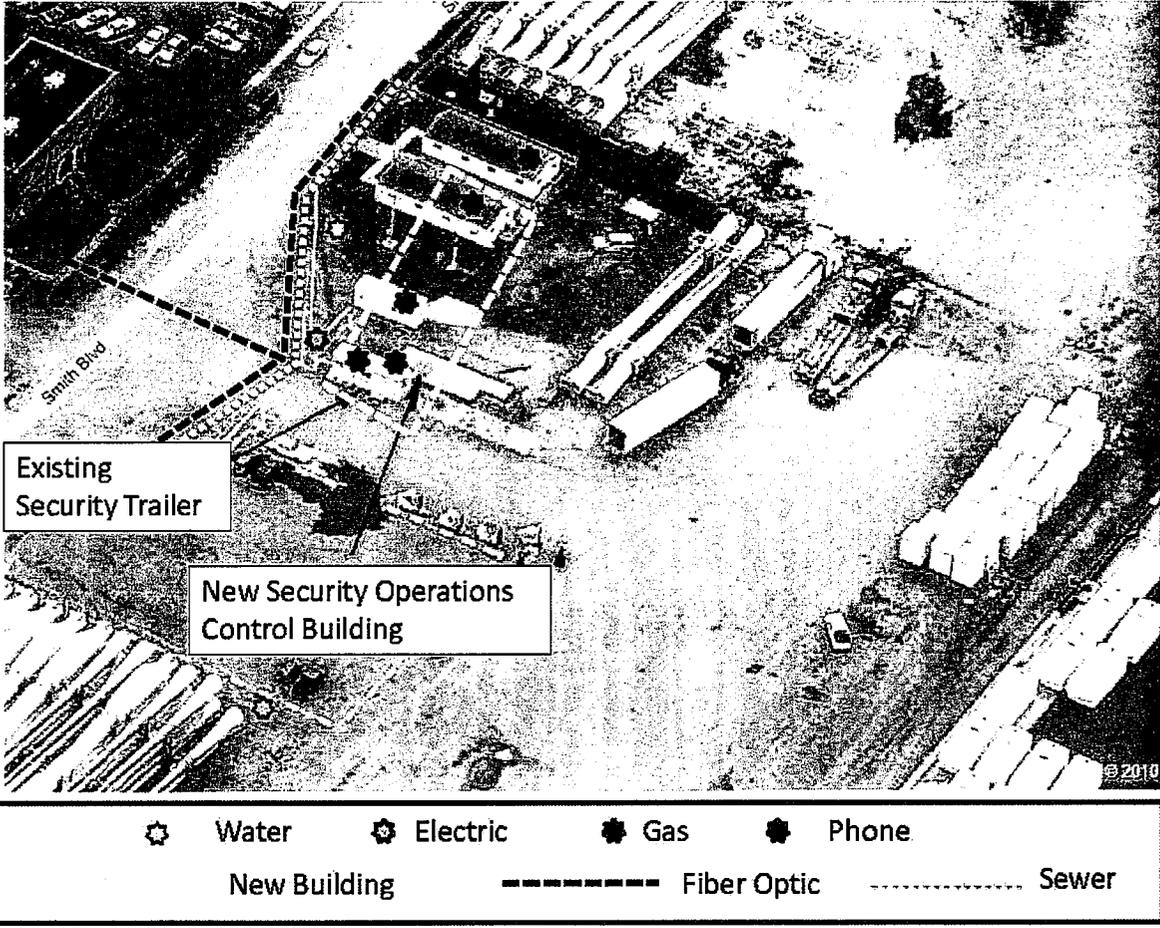
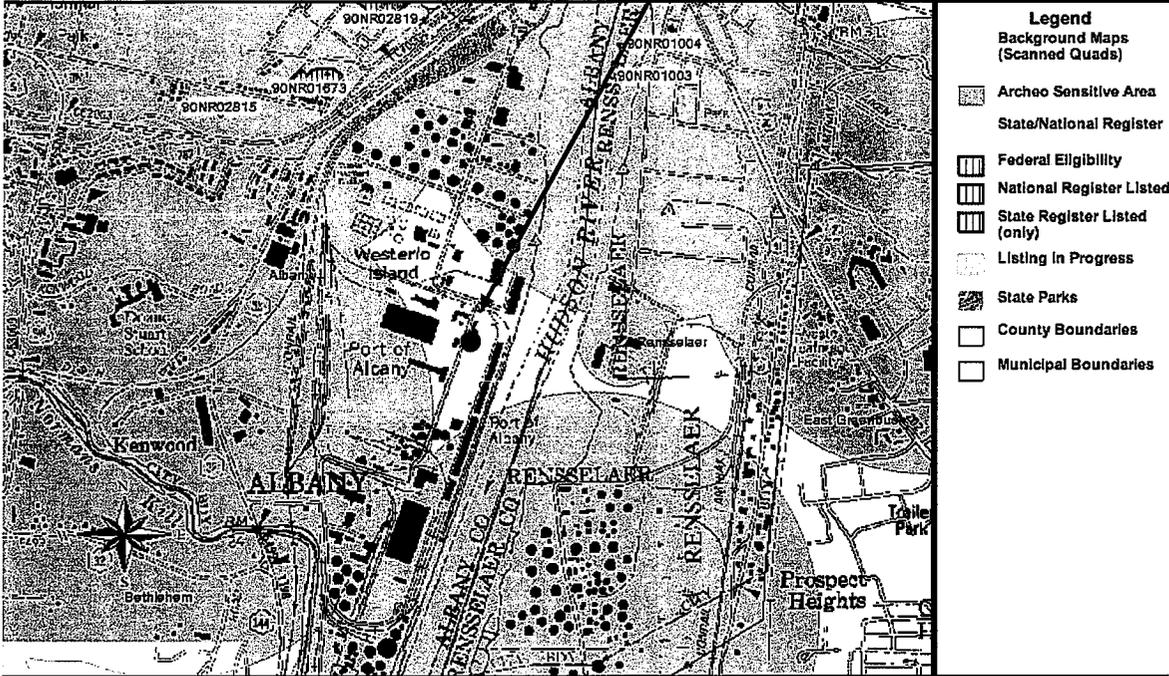


Figure 3: NY SHPO GIS Map

Approximate Location of APE

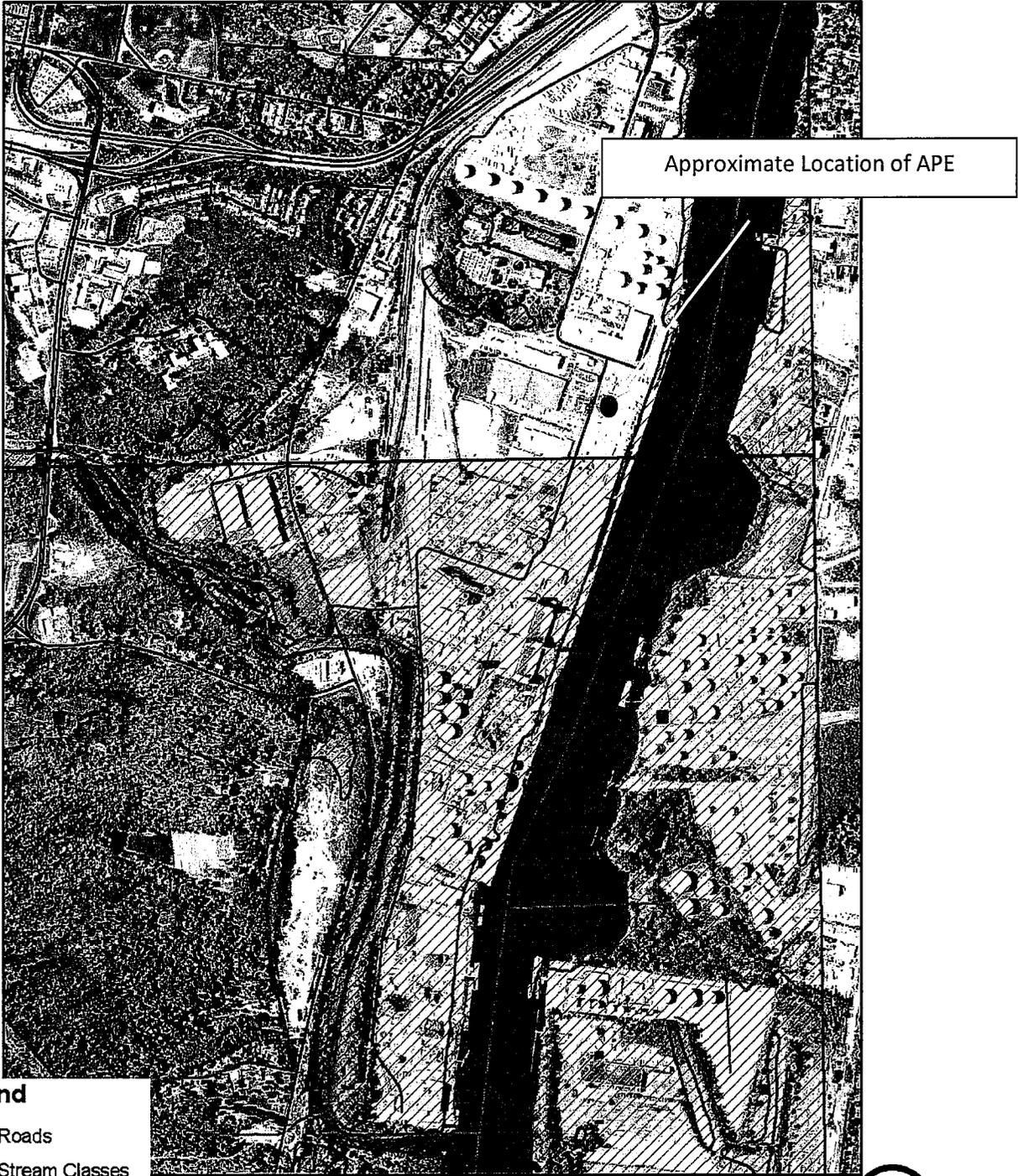


February 22, 2011

Disclaimer: This map was prepared by the New York State Parks, Recreation and Historic Preservation National Register Listing Internet Application. The information was compiled using the most current data available. It is deemed accurate, but is not guaranteed.

Figure 4: Wetlands Map with APE

Port of Albany, NY Wetlands Map



Legend

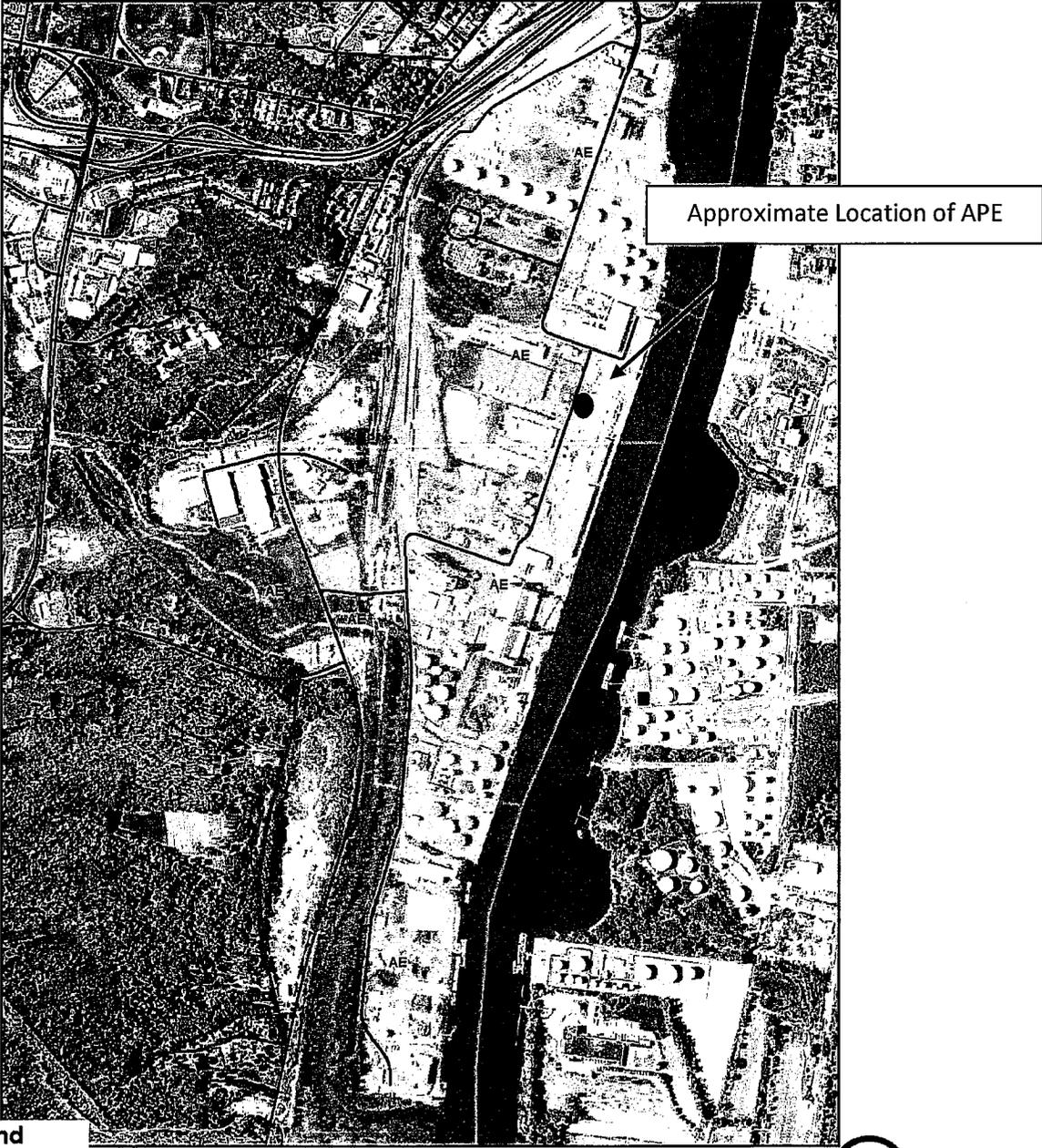
- Roads
- Stream Classes
-  NYS Wetlands
-  Fed. Wetland NWI

0 480 960 1,920 Feet



Figure 5: Floodplain Map with APE

Port of Albany, NY Floodplain Map



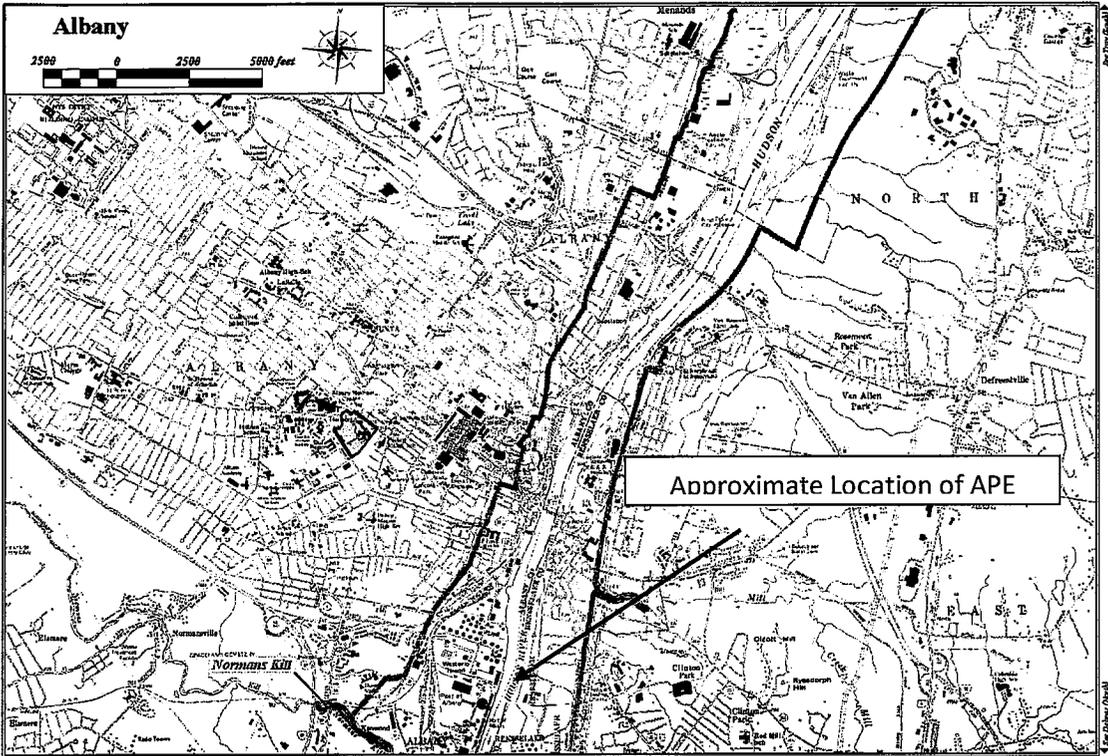
Legend

- Roads
- Floodplains

0 500 1,000 2,000 Feet

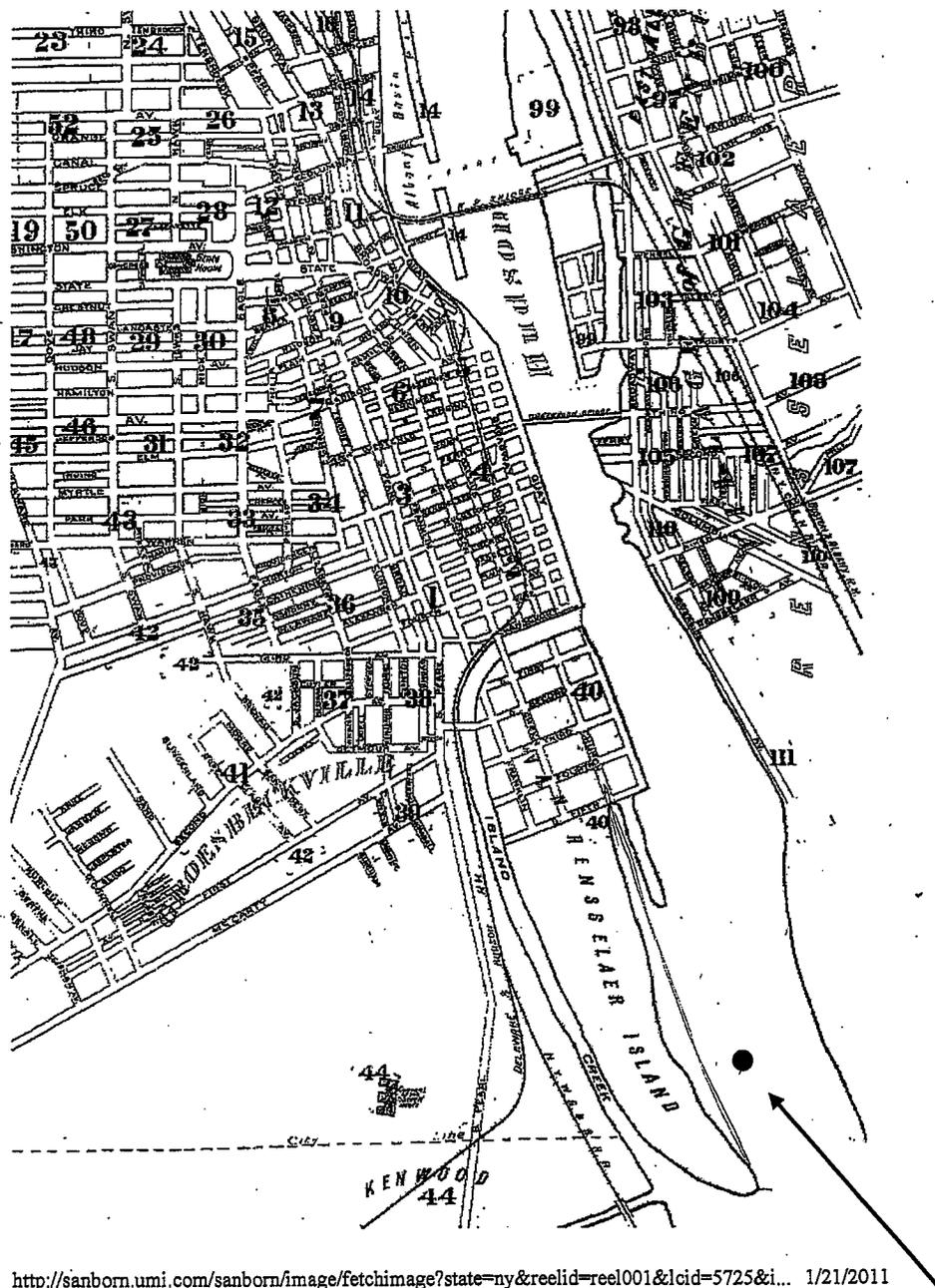


Figure 6: Coastal Management Zone



Key: = Area of CMZ

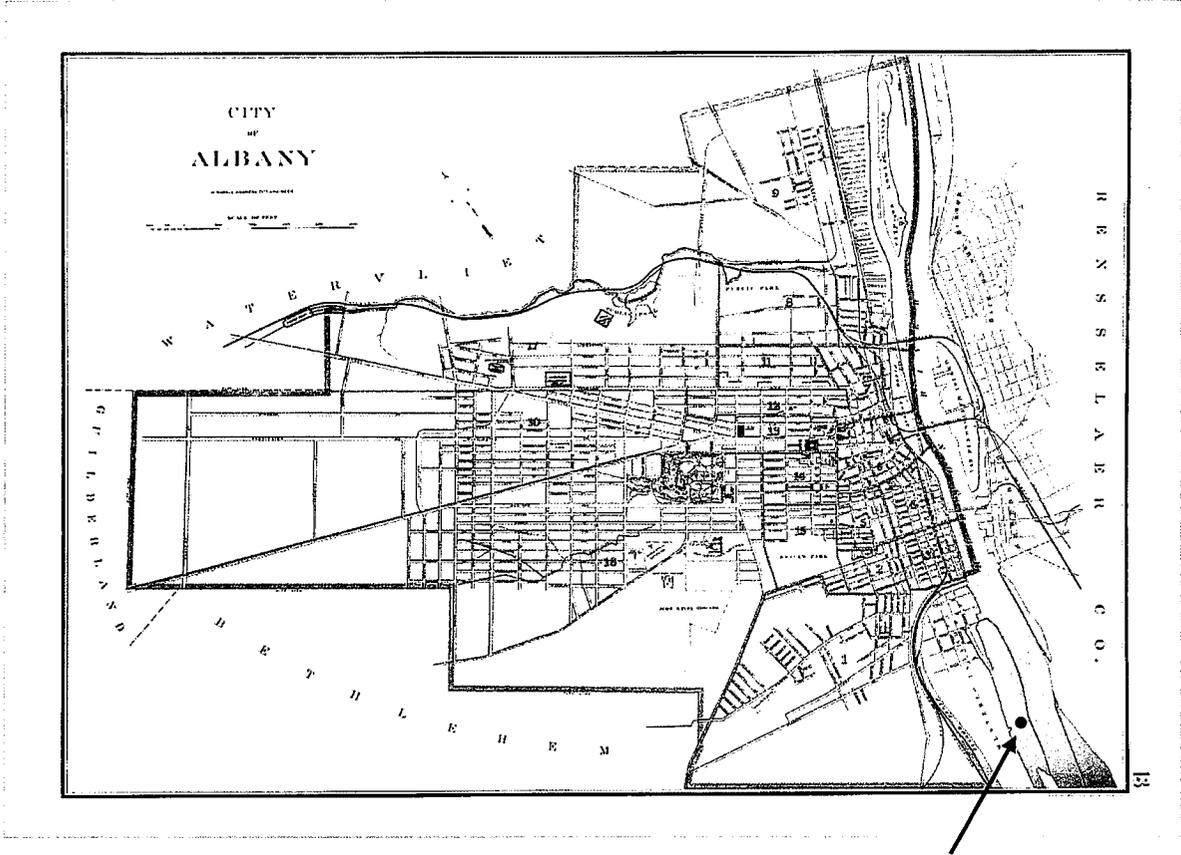
Figure 8: 1892 Sanborn Insurance Atlas Map



<http://sanborn.umi.com/sanborn/image/fetchimage?state=ny&reelid=reel001&lcid=5725&i...> 1/21/2011

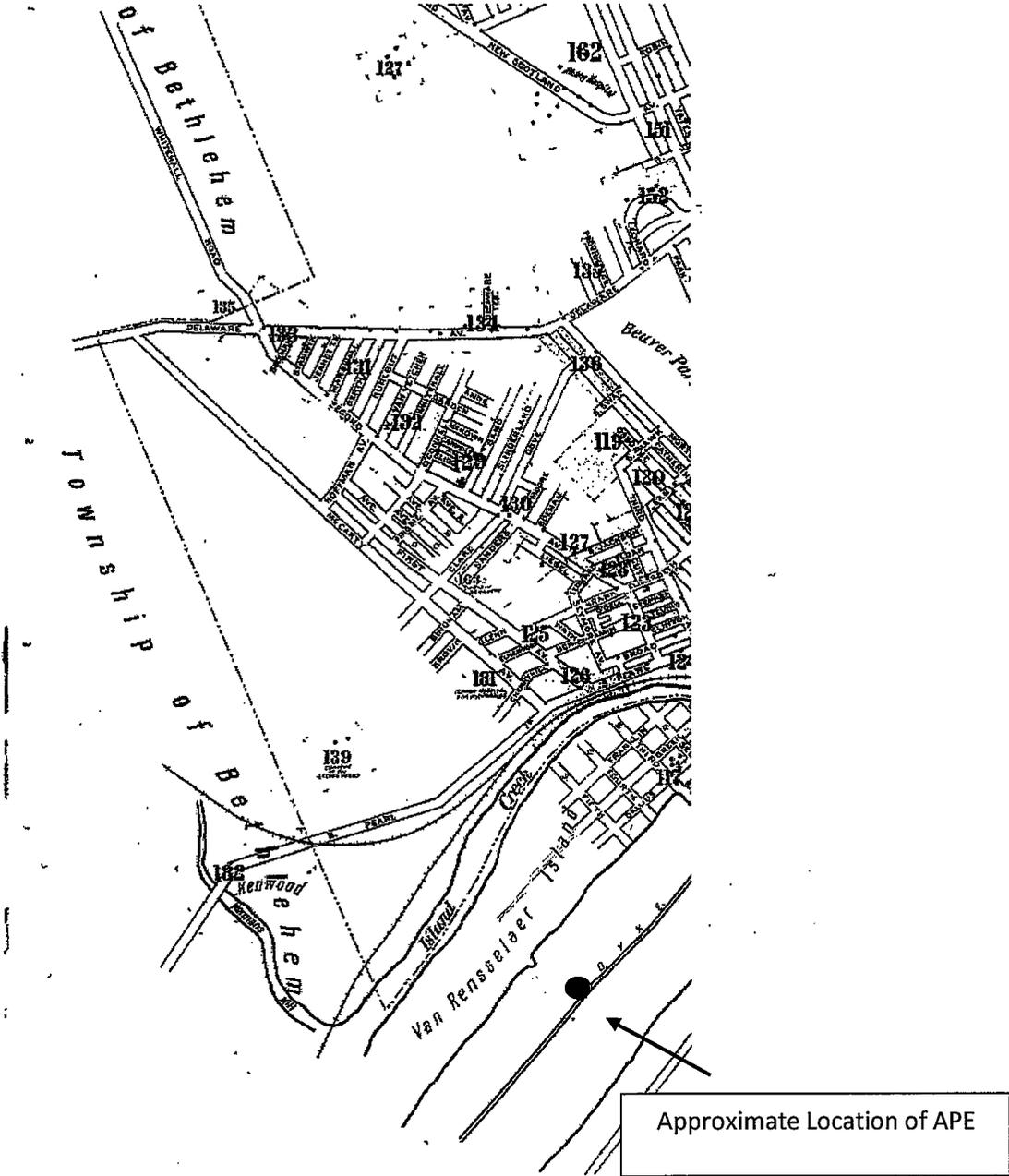
Approximate Location of APE

Figure 9: 1895 Horace Andrews *City of Albany* Map



Approximate Location of APE

Figure 10: 1909 Sanborn Insurance Atlas Map



<http://sanborn.umi.com/sanborn/image/fetchimage?state=ny&reelid=reel001&lcid=5725&i...> 1/21/2011

Figure 13: Metal, prefabricated structures



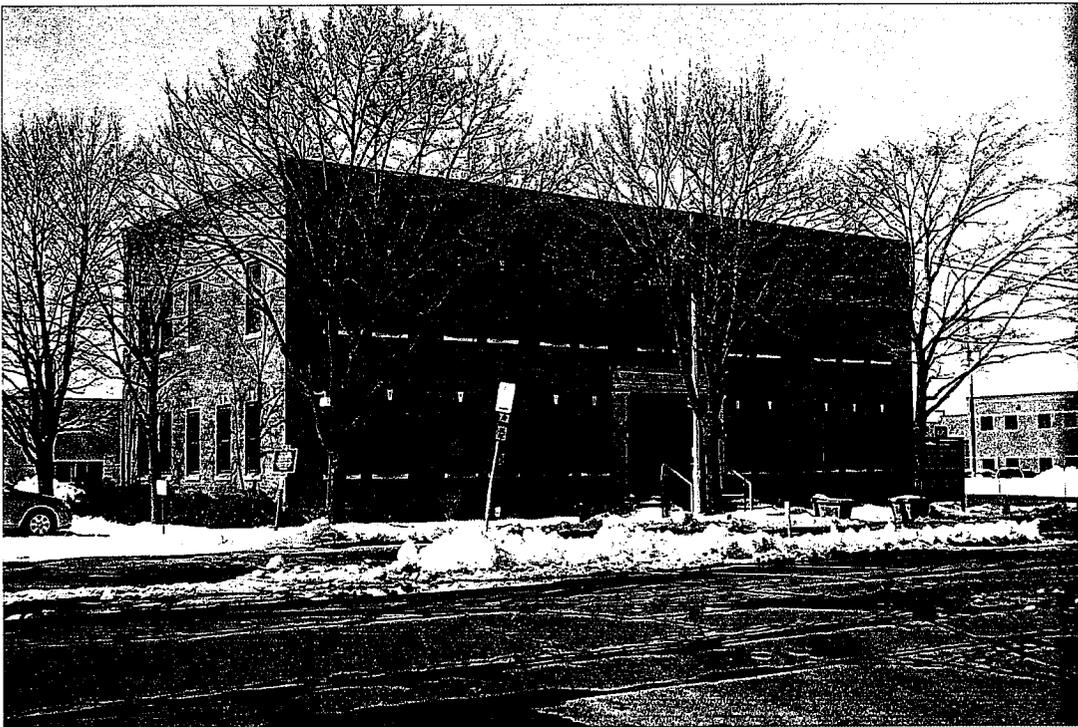
Figure 14: Metal Pre-fabricated Structures



Figure 15: Port Authority Administrative Office building



Figure 16: Port Authority Administrative Office building





New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau
Pebbles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

March 23, 2011

Megan Jadrosich
Regional Environmental Officer
Dept. of Homeland Security/FEMA
1220 Washington Avenue, Building 4
Albany, NY 12226-2251
(via e-mail only)

Re: FEMA
New Security Operations Building/Albany Port
District/2009-PU-T9-K018 IJ#3
109 Smith Boulevard / ALBANY, Albany County
11PR01958

Dear Ms. Jadrosich:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966.

Based upon this review, the SHPO's concurs with your agency's findings of No Historic Properties Affected by this undertaking. However, we feel that the adjacent Port Authority Administration Building (106 Smith Blvd.) may be determined eligible with additional research, however for this undertaking that should not be necessary.

If I can be of any further assistance do not hesitate to contact me at (518) 237-8643, ext. 3263.

Sincerely,

John A. Bonafide
Historic Preservation Services
Coordinator

cc: Kelly Britt, FEMA



**New York State Office of Parks,
Recreation and Historic Preservation**

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

August 16, 2011

Sue Vilord
Clough Harbour & Associates LLP
III Winners Circle
Albany, New York 12205

Re: FEMA
Port of Albany Security Operations Control
Building
107 Smith Blvd/ALBANY, Albany County
11PR05021

Dear Ms. Vilord:

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

Based upon this review, it is the SHPO's opinion that your project will have No Effect upon cultural resources in or eligible for inclusion in the National Registers of Historic Places.

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

Sincerely,

Ruth L. Pierpont
Acting Deputy Commissioner for Historic Preservation

RECEIVED

AUG 18 2011



FEMA

February 22, 2011

Coastal Resource Specialist
Consistency Review and Analysis
New York Coastal Management Program
New York Department of State
99 Washington Avenue, Suite 1010
Albany, NY 12231-0001

Re: FEMA-2009-PU-T9-K018 IJ #3
CMP Federal Consistency Review
PSGP Albany Port District Commission Security Operations Control Building,
Location: 106 Smith Boulevard, Albany, NY 12202

Dear Sir/Madam:

The Department of Homeland Security-Federal Emergency Management Agency (FEMA) is proposing to provide federal funding from its Port Security Grant Program (PSGP) to the Albany Port District Commission for the construction of a 4000-square foot Security Operations Control Building at 106 Smith Boulevard in Albany, New York. The funding

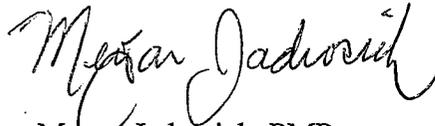
The scope of work for this project includes constructing a 40-foot by 100-foot Security operations Control Center. The building will be located at the main entrance to the Port of Albany terminal and will replace the existing security trailer. The existing security trailer will be moved to an alternate location or demolished. The project will require demolition of two US Coast Guard Quonset Huts located within/adjacent to the proposed building footprint. Additional work will include relocating the electronic security equipment including the command console, video wall comprising 6 flat panel LCD monitors, Digital Video Surveillance recorders and access control server used to manage all access control to the restricted areas of the Port of Albany. The project will involve security enhancements such as installation of fencing, cameras, TWIC readers, bollards, motion detection systems, x-ray machines and lighting will be constructed.

State Coastal Policies 1 through 44 has been reviewed with respect to their applicability to the work performed under the disaster recovery operations. Based on this review, FEMA certifies that the above-referenced activities that will result from the proposed grant project are consistent with the policies of the NYS Coastal Management Program (CMP) and will not hinder the achievement of those policies. A summary of the proposed project's consistency with State Coastal Policies is included as an attachment.

FEMA is seeking the New York State Department of State's (NYSDS) concurrence with our Federal Coastal Zone Consistency Determination, in accordance with the requirement of the Coastal Zone Management Act of 1972 (15 CFR Part 930), prior to the release of funds by FEMA to grant recipient.

We look forward to your office's feedback within 30 days of receipt, and will assume concurrence with our Federal Coastal Zone Consistency Review determination if a reply is not received from your office. If you have any questions, please contact me at 212-680-3635 or Megan.Jadrosich@dhs.gov.

Sincerely,

A handwritten signature in black ink that reads "Megan Jadrosich". The signature is written in a cursive style with a large, prominent "M" and "J".

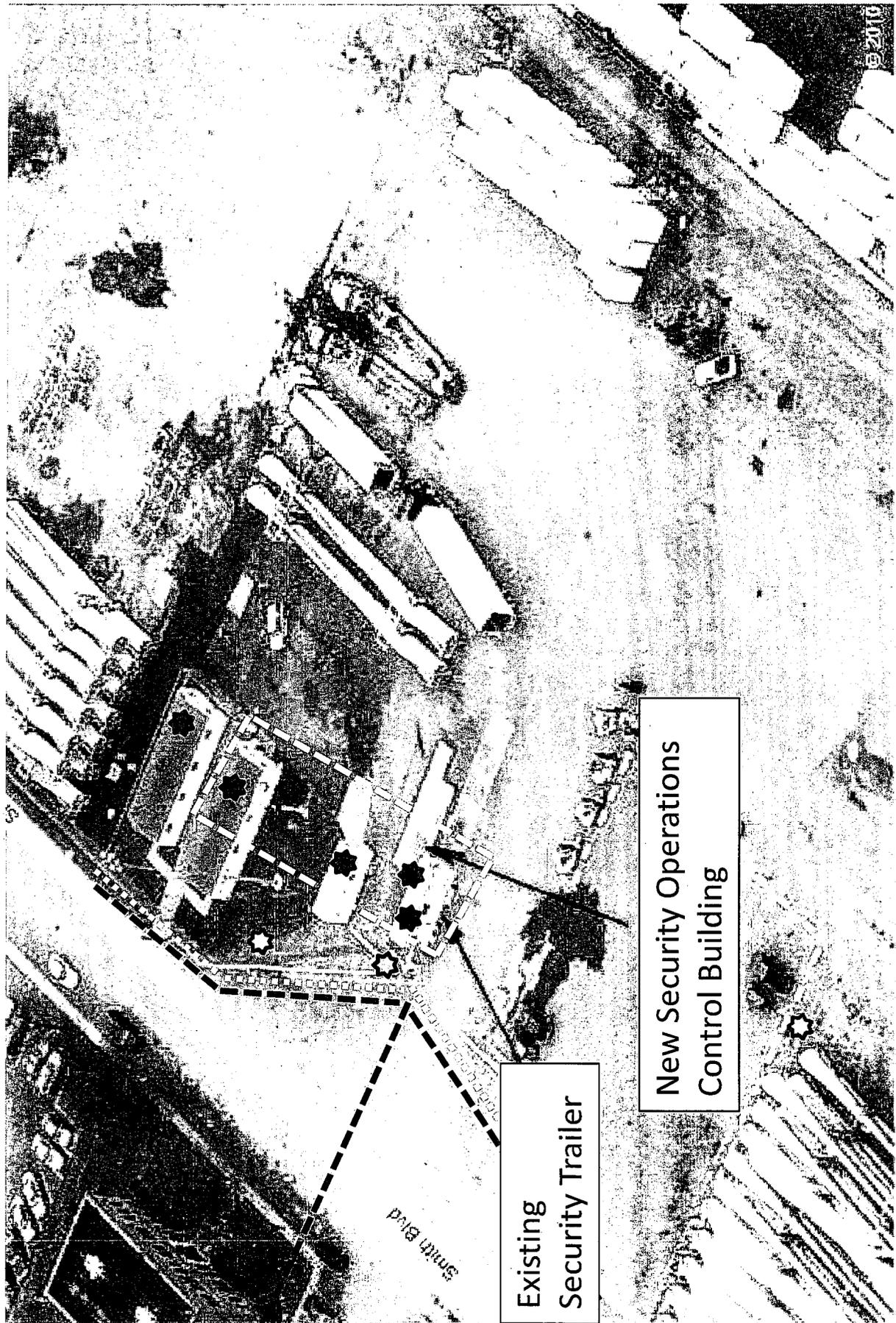
Megan Jadrosich, PMP
Regional Environmental Officer

Encl: Location map, NYS Coastal Zone Atlas Map, Aerial Photo with Project Footprint, Floodplain Map, and Summary Table for Project's Consistency with Coastal Policies

Figure 1: Location of Albany Port District Commission's Security Operations Control Building

Location of Project site





Existing Security Trailer

New Security Operations Control Building

- Water
- Electric
- Gas
- Phone
- New Building
- Fiber Optic
- Sewer

Port of Albany, NY Floodplain Map



Legend

- Roads
- Floodplains

0 500 1,000 2,000 Feet



Summary of Proposed Project's Consistency with Coastal Policies of New York State

Policy 1

Restore, revitalize, and redevelop deteriorated and underutilized waterfront areas for commercial, industrial, cultural, recreational, and other compatible uses.

Project supports utilization of Port District and is a compatible use per Policy 1. The project would provide necessary security for the Port District.

Policy 2

Facilitate the siting of water-dependent uses and facilities on or adjacent to coastal waters.

The project's location is functionally dependent due to its support of security for port operations that are water-dependent.

Policy 3

Further develop the state's major ports of Albany, Buffalo, New York, Ogdensburg, and Oswego as centers of commerce and industry, and encourage the siting, in these port areas, including those under the jurisdiction of state public authorities, of land use and development which is essential to,

The Project supports development of Albany Port District and provides the necessary security for the port operation.

Policy 4

Strengthen the economic base of smaller harbor areas by encouraging the development and enhancement of those traditional uses and activities which have provided such areas with their

The Project supports development of Albany Port District and provides the necessary security for the port operation.

Policy 5

Encourage the location of development in areas where public services and facilities essential to

The Project supports development of Albany Port District and provides the necessary security for the port operation. The project's location is functionally dependent due to its support of security for port operations that are water-dependent. There are existing site utilities for the new building in place.

Policy 6

Expedite permit procedures in order to facilitate the siting of development activities at suitable

FEMA requests NYSDOS response to Federal Coastal Zone Consistency Review within 30 days to expedite processing of the grant for this Port Project.

Policy 7

Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.

Construction of the building will be within previously disturbed area of the Port that is urbanized and does not support significant coastal fish and wildlife habitat.

Policy 8

Protect fish and wildlife resources in the coastal area from the introduction of hazardous wastes and other pollutants which bio-accumulate in the food chain or which cause significant sublethal

The project will be constructed using Construction Best Management Practices. An Underground Storage Tank will be removed following procedures required by all applicable local, state or federal law or regulations. The project is not anticipated to have any adverse impact on fish and wildlife resources.

Summary of Proposed Project's Consistency with Coastal Policies of New York State

Policy 9

Expand recreational use of fish and wildlife resources in coastal areas by increasing access to existing resources, supplementing existing stocks, and developing new resources.

N/A. Policy is not project's purpose.

Policy 10

Further develop commercial finfish, shellfish, and crustacean resources in the coastal area by encouraging the construction of new, or improvement of existing on-shore commercial fishing facilities, increasing marketing of the state's seafood products, maintaining adequate stocks, and

N/A. Policy is not project's purpose.

Policy 11

Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

Project's location is functionally dependent due to Port Operation. The project is located within a 100-Year Floodplain. Options for floodproofing or elevating the structure above the Base Flood Elevation will be considered.

Policy 12

Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features

Construction best management practices will be used for the project. The project is not located near beaches, dunes, barrier islands or bluffs.

Policy 13

The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated

N/A. Policy is not project's purpose.

Policy 14

Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding

The project is not anticipated to increase erosion. The site is located within a developed floodplain location and is not anticipated to induce flooding at the site or at other locations.

Policy 15

Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be

N/A. Policy is not project's purpose.

Policy 16

Public funds shall only be used for erosion protective structures where necessary to protect human life, and new development which requires a location within or adjacent to an erosion hazard area to be able to function, or existing development; and only where the public benefits outweigh the

N/A. Policy is not project's purpose.

Summary of Proposed Project's Consistency with Coastal Policies of New York State

Policy 17

Non-structural measures to minimize damage to natural resources and property from flooding and
Project is structural; however is not anticipated to damage natural resources nor cause any erosion. Options for floodproofing or elevating the proposed structure above the 100-Year Base Flood Elevation will be considered.

Policy 18

To safeguard the vital economic, social and environmental interests of the state and of its citizens, proposed major actions in the coastal area must give full consideration to those interests, and to the
Security of the Port is important to safeguarding port commerce.

Policy 19

Protect, maintain, and increase the level and types of access to public water-related recreation
Security of the Port is important to safeguarding port commerce. Public access is not supportable in the proposed project location.

Policy 20

Access to the publicly-owned foreshore and to lands immediately adjacent to the foreshore or the water's edge that are publicly-owned shall be provided and it shall be provided in a manner
Security of the Port is important to safeguarding port commerce. Public access is not supportable in the proposed project location.

Policy 21

Water-dependent and water-enhanced recreation will be encouraged and facilitated, and will be given priority over non-water-related used along the coast.
N/A. Policy is not project's purpose.

Policy 22

Development, when located adjacent to the shore, will provide for water-related recreation, whenever such use is compatible with reasonably anticipated demand for such activities, and is
N/A. Proposed building is not adjacent to the shore.

Policy 23

Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the state, its communities, or the nation.
FEMA will be conducting consultation with the State Historic Preservation Officer per Section 106 of the National Historic Preservation Office to address proposed ground disturbing activities and to document the demolition of two (2) US Coast Guard Quonset Huts. At this time, the project is anticipated to be no adverse effect on historic properties, to be confirmed through 106 process.

Policy 24

Prevent impairment of scenic resources of statewide significance.
No known scenic resources of statewide significance would be impacted by the proposed project.

Policy 25

Protect, restore or enhance natural and man-made resources which are not identified as being of statewide significance, but which contribute to the overall scenic quality of the coastal area.
N/A. Policy is not project's purpose.

Summary of Proposed Project's Consistency with Coastal Policies of New York State

Policy 26

Conserve and protect agricultural lands in the state's coastal area.

N/A. Policy is not project's purpose.

Policy 27

Decisions on the siting and construction of major energy facilities in the coastal area will be based on public energy needs, compatibility of such facilities with the environment, and the facility's need

N/A. Policy is not project's purpose.

Policy 28

Ice management practices shall not interfere with the production of hydroelectric power, damage significant fish and wildlife and their habitats, or increase shoreline erosion or flooding.

N/A. Policy is not project's purpose.

Policy 29

Encourage the development of energy resources on the outer continental shelf, in Lake Erie and in other water bodies, and ensure the environmental safety of such activities.

N/A. Policy is not project's purpose.

Policy 30

Municipal, industrial, and commercial discharge of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to state and national water quality

N/A. Policy is not project's purpose or function.

Policy 31

State coastal area policies and management objectives of approved local waterfront revitalization programs will be considered while reviewing coastal water classifications and while modifying water quality standards; however, those waters already overburdened with contaminants will be

N/A. Policy is not project's purpose or function.

Policy 32

Encourage the use of alternative or innovative sanitary waste systems in small communities where the costs of conventional facilities are unreasonably high, given the size of the existing tax base of

N/A. Policy is not project's purpose or function.

Policy 33

Best management practices will be used to ensure the control of stormwater runoff and combined
Construction best management practices will be used for the project to control stormwater runoff. The project will tie into existing utilities.

Policy 34

Discharge of waste materials into coastal waters from vessels subject to state jurisdiction will be limited so as to protect significant fish and wildlife habitats, recreational areas and water supply

N/A. Policy is not project's purpose or function.

Policy 35

Dredging and filling in coastal waters and disposal of dredged material will be undertaken in a manner that meets existing State permit requirements, and protects significant fish and wildlife habitats, scenic resources, natural protective features, important agricultural lands, and wetlands.

N/A. Policy is not project's purpose or function.

Summary of Proposed Project's Consistency with Coastal Policies of New York State

Policy 36

Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution

N/A. Policy is not project's purpose or function.

Policy 37

Best management practices will be utilized to minimize the non-point discharge of excess nutrients,

Construction best management practices will be used for the project to control stormwater runoff. The project will tie into existing utilities.

Policy 37

The quality and quantity of surface water and groundwater supplies will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.

N/A. Policy is not project's purpose or function.

Policy 39

The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural land,

The project will be constructed using Construction Best Management Practices. An Underground Storage Tank will be removed following procedures required by all applicable local, state or federal law or regulations. The project is not anticipated to have any adverse impact on fish and wildlife resources, groundwater supply, recreation areas, scenic resources or agricultural land.

Policy 40

Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to state water quality

N/A. Policy is not project's purpose or function.

Policy 41

Land use or development in the coastal area will not cause national or state air quality standards

Project will not impact state or national air quality standards. Construction equipment emissions would be below de minimus levels for air quality pollutants. The project is considered to be compliant with the State Implementation Plan for Air Quality.

Policy 42

Coastal management policies will be considered if the state reclassifies land areas pursuant to the prevention of significant deterioration regulations of the federal clean air act.

Coastal management policies have been considered.

Policy 43

Land use or development in the coastal area must not cause the generation of significant amounts

Project is not anticipated to cause acid rain precursors.

Policy 44

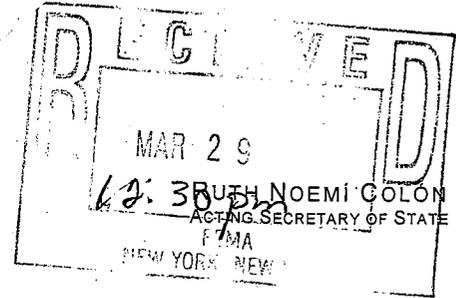
Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these

N/A. Policy is not project's purpose or function.



STATE OF NEW YORK
DEPARTMENT OF STATE
 ONE COMMERCE PLAZA
 99 WASHINGTON AVENUE
 ALBANY, NY 12231-0001

ANDREW M. CUOMO
 GOVERNOR



March 21, 2011

Megan Jadrosich, PMP
 Regional Environmental Officer
 U.S. Department of Homeland Security
 Region II
 Jacob K. Javits Federal Office Building
 Mitigation Division
 13th Floor, 26 Federal Plaza
 New York, New York 10278-0002

Re: F-2010-0140 (FA)
 Albany Port District Commission
 Construct a 40' x 100' Security Operations Control
 Center
 City of Albany, Albany County
General Concurrence - No Objection To Funding

Dear Ms. Jadrosich:

The Department of State received the information you submitted regarding the above matter on February 23, 2011.

The Department of State has determined that this proposal meets the Department's general consistency concurrence criteria. Therefore, the Department of State has no objection to the use of FEMA funds for this financial assistance activity. This concurrence pertains to the financial assistance activity for this project only. If a federal permit or other form of federal agency authorization is required for this activity, the Department of State will conduct a separate review for those permit activities. In such a case, please forward a copy of the federal application for authorization, a completed Federal Consistency Assessment Form, and all supporting information to the Department at the same time it is submitted to the federal agency from which the necessary authorization is requested.

When communicating with us regarding this matter, please contact Jeffrey Zappieri at (518) 474-6000 and refer to our file #F-2011-0140(FA).

Sincerely,

Jeffrey Zappieri
 Supervisor of Consistency Review
 Office of Coastal, Local Government
 and Community Sustainability

JZ/dc