

Comment Response Matrix		
Seneca Army Depot Activity BRAC 95 Disposal and Reuse EIS		
#	Location and Comment	Comment Response
Commenter: Glen Coffee, US Army Engineer District - Mobile, AL		Date: 17 February 1997
1	<u>Page 1-1, line 15.</u> Suggested reword: "...to store hazardous materials and strategic ores" so as to be consistent with later discussions.	No change made because we used the language directly from the BRAC Action Announcement.
2	<u>Page 1-2, line 13.</u> Change "composing" to "comprising."	Change made to reflect comment.
3	<u>Page 2-1, lines 20-23.</u> There is no mention made of the ongoing mission of storage of hazardous materials and strategic ores. Shouldn't this mission also be discussed in this paragraph?	Not specifically identified until BRAC action closed depot and established enclave. Agree that it is currently part of the ongoing SEDA mission. Added tenant organization mission to line 23 to clarify breadth of mission. DS - 2 storage is an AMC function; ore piles are a DLA function. Added to end of sentence: "...as well as provide facilities for tenant commands, such as the Coast Guard, which operates a LORAN C station and for storage of strategic ores for the National Stockpile Program."
4	<u>Page 2-3, Figure 2-2:</u> (1) The installation boundary is not clear and should be made more obvious. (2) Show proposed enclave location on figure to help the reader. Figure A-1 also does not clearly show the enclave as stated in the text on page 2-4.	1- Boundary is made clearer with colored graphics in next iteration. 2- "Ore piles" site will be added to Figure 2-2 to keep this figure limited to existing (baseline) conditions. See also comment # 7
5	<u>Pages 2-1 thru 2-4, lines 24-3.</u> Suggest this paragraph be shortened and clarified by consolidating sentences. They are somewhat redundant.	Suggest replacing the sentence beginning on line 1, page 2-4, with: "The enclave will be about 30 acres in size and consist of warehouses for storing DS-2 and the ore piles."
6	<u>Page 2-6, lines 18-26.</u> Explain why the Army will still need to store DS-2 after closure of the installation occurs. What will be the source of this cleaning decontaminant after closure and how long will its storage be required? Why can't the Army dispose of this hazardous material elsewhere and remove from the Army's inventory since it apparently will no longer be needed? Also, something is missing at the end of the last sentence in the paragraph.	1-Establishment of an enclave for DS-2 storage and the ore piles was specified in the BRAC action. Tetra Tech did not analyze these issues, but discussions have occurred about the need for and nature of the enclave. Tetra Tech would need guidance from AMC/DLA on how to proceed with this issue. These are DoD management issues that are not in the scope of this document. No change will be made. 2-The word "properties" was added at the end of line 26.
7	<u>Pages 2-7 thru 2-8, lines 4-9.</u> Include in the text a figure that shows the eight planning areas discussed in the text, as well as the proposed enclave.	See new Figure 2-3, which duplicates Figure A-1, and is called out on page 2-5, line 20.

8	<u>Page 2-12, line 4.</u> Suggested reword: "...required to expeditiously identify real property offering..."	Change made to reflect comment.
9	<u>Page 3-8, lines 14-15.</u> This discussion implies that natural resources management will occur at the same level under the caretaker status as took place prior to installation closure. Is this a valid implication? If so, this would be completely different from the numerous other installations that have been closed where caretaker natural resources management was considerably reduced following closure. Verify this implication.	Natural Resource Management Programs will be reduced following closure. Change to lines 14-15, page 3-8 made. Substituted "reduction in level" for "continuation."
10	<u>Page 3-11, Table 3-1.</u> Footnote 5 is missing. Also verify 31,372 is the correct number since its form is completely out of line from similar numbers shown for the other reuse intensity scenarios.	Footnote 5 changed to: "Based on 115 employees in 3,607,741 square feet of warehouse, storage, and igloo space."
11	<u>Page 3-16, Table 3-2.</u> Why are the "employee density" figures missing for the three economic redevelopment areas? If they are supposed to be absent, an explanatory footnote should be included in the table.	"Not Applicable" inserted into blank spaces. These are totals not averages.
12	<u>Page 4-47, line 8.</u> The discussion states that Figure 4-5 (which was not provided with this document) shows the upland habitats at SEDA. Since that figure was not provided, it is difficult to tell how valuable this figure will be. Instead, it may be more valuable to include a figure that shows the location of the wetlands discussed in the following paragraph on this page (lines 10-17).	Uplands habitat will be "sensitive species" map and will be provided in future iterations. Wetland/Hydric soils map is Figure 4-6. (Page 4-52)

13	<p><u>Page 4-49, lines 1-8.</u> A later discussion on wetlands makes several remarks related to duck ponds. However, the discussion on birds does not refer to waterfowl, leaving the impression that waterfowl do not occur on the installation. Check to make sure information on waterfowl usage has not been omitted and reconsider the wetlands discussion.</p>	<p>Discussion of birds has been expanded to include several other waterfowl species that are common or probable breeders on Seneca. Because such a large number of bird species use SEDA habitat, only the ones believed to breed there are included in the text. Text was also added to reflect SEDA's location relative to the Eastern Flyway.</p> <p>"Past wildlife surveys of the installation have identified nearly 100 bird species using the wetlands, grasslands, shrub lands, and woodlands of the installation (SEDA, No date c). In addition to abundant and diverse habitat, one reason for the large number of bird species on SEDA is the installation's proximity to the Eastern Flyway. While many of the species are short-term migrants, numerous others have been observed breeding on an annual basis. Some of the common breeders include the green heron (<i>Butorides striatus</i>), mallard (<i>Anas platyrhynchos</i>), blue-winged teal (<i>Anas discors</i>), wood duck (<i>Aix sponsa</i>), American kestrel (<i>Falco sparverius</i>), osprey (<i>Pandion haliaetus</i>), ring-necked pheasant (<i>Phasianus colchicus</i>), great horned owl (<i>Bubo virginianus</i>), eastern bluebird (<i>Sialia sialis</i>), eastern meadowlark (<i>Sturnella magna</i>), and tree swallow (<i>Tachycineta bicolor</i>)."</p>
14	<p><u>Page 4-49, line 13.</u> Verify that no other reptiles, including lizards, occur on the installation.</p>	<p>Information on other reptiles and amphibians occurring on SEDA was added to the text. This information came from the Rare Species Survey conducted by USFWS in 1996. Results of the survey were not available during preparation of the PDEIS.</p> <p>"Reptiles and amphibians common to SEDA include the common snapping turtle (<i>Chelydra serpentina</i>), northern black snake (<i>Coluber c. constrictor</i>), dusky salamander (<i>Desmognathus</i> sp.), northern ringneck snake (<i>Diadophis punctatus edwardsii</i>), black rat snake (<i>Elaphne o. obsoleta</i>), four-toed salamander (<i>Hemidactylum scutatum</i>), gray treefrog (<i>Hyla versicolor</i>), eastern milk snake (<i>Lampropeltis t. triangulum</i>), northern water snake (<i>Nerodia s. sipedon</i>), smooth green snake (<i>Opheodys v. vernalis</i>), slimy salamander (<i>Plethodon g. glutinosus</i>), pickerel frog (<i>Rana palustris</i>), and brown snake (<i>Storeria</i> sp.) (Poole, 1996)."</p>
15	<p><u>Page 4-50, line 1-7.</u> Expand discussion to identify nesting areas on the installation for osprey and bluebirds since these species are of concern to the State of New York.</p>	<p>Figure 4-5 has been added showing osprey and northern harrier nesting locations. Rare plant locations are also shown on the map. Bluebird nesting locations have not been mapped by the depot.</p>

16	<p><u>Page 4-50, line 8.</u> The discussion on white deer needs an introduction. As presently written, the discussion launches into a four-paragraph treatise on these deer without providing the reader an explanation of why they are significant at the very beginning of the discussion.</p>	<p>Text has been modified per comment. Introduction has been added as follows:</p> <p>“Populations of white-tailed deer on SEDA include individuals that possess the expression of a rare genetic anomaly—an all-white coat. This condition differs from albinism in that the white deer are not lacking pigmentation, as evidenced by their brown eyes and noses... While it is fairly common for the occasional white deer to appear in a large population of normal, brown white-tailed deer, it is uncommon for an entire herd to develop...”</p>
17	<p><u>Page 4-51, line 9-13.</u> Suggest these sentences be reworded to more succinctly identify the number and types of wetlands occurring on the installation.</p>	<p>Lines 8-15 have been reworded to address comment.</p>
18	<p><u>Pages 4-51 thru 4-54, lines 14-23.</u> This discussion states that several wetlands are of “special note.” However, reading of the individual discussions do not inform the reader as to why the 12 wetlands areas singled out are “special.” Additional information should be added to explain their individual significance. Also, the acreage comprising each wetland should be included in the discussion.</p>	<p>1-Minor changes were made to line 14. Read as follows:</p> <p>“Wetlands of special note that are identified in the SEDA Wetlands, Fish and Wildlife Plan are described below (Figure 4-6).”</p> <p>The SEDA Wetland Plan describes the 12 wetlands as being “of special note.” This term is generally used in the context of high quality habitat.</p> <p>2-Tried to get additional information but no size information were available.</p>
19	<p><u>Page 4-51, line 22.</u> Why is wetland #2 “exceptional”?</p>	<p>Because it is breeding ground for American toad and Spotted newt, the following sentence is added at the end of line 24:</p> <p>“ These species require special habitats with periods of drydown for breeding, that are provided by this wetland.”</p>
20	<p><u>Page 4-52, Figure 4-6.</u> Why is it necessary to distinguish “hydric soils” from “wetland” on the figure? Inclusion of both these characteristics makes the “actual” wetland areas difficult to discern.</p>	<p>The map shows general locations of wetland boundaries. Hydric soils are shown on the map to indicate areas where additional wetlands could occur. This will be clearer once the map is in color.</p>
21	<p><u>Page 4-53, line 5.</u> Suggest changing “north” to “downstream.”</p>	<p>It is true, but actually “downstream” is 2 directions. The STP discharges to a drainage divide. Leave as “North.”</p>

22	<p><u>Page 5-9, lines 16-17.</u> Reconsider this wording. It is not clear what the last phrase means. Under no action (caretaker status) in which there will be little wildlife management, explain what is meant by “...but later might experience long-term adverse impacts as the results of being over managed in a closed system”?”</p>	<p>Text rewritten to clarify intent. Text reads as follows:</p> <p>Lines 14-17: “Adverse impacts on some wildlife populations could also occur under this scenario. White deer, for example, could experience short-term increases in population size due to less disturbance, but later might experience long-term adverse impacts as the result of being maintained in a closed (i.e., fenced) system...”</p> <p>Lines 21-23: “By removing deer through hunting that could potentially contributed “healthy” genes to the population and stemming the influx of new genetic material into the population, survivorship of the white deer would likely be reduced in the long term.”</p>
23	<p><u>Page 5-9, lines 17-23.</u> This discussion is also not clear. The implication given in previous discussions is that to maintain the herd of white deer, it is important to fence these animals off from other deer so that the genes contributing to the white deer characteristics will not become diluted by the more dominant genetic alleles. The discussion at this location implies that this management method may be harmful in the long term. Reconsider all discussions related to the white deer herd to make sure they are consistent and not contradictory in terms of preferred management practices to maintain the desired genetic material in the herd.</p>	<p>Replaced with the following text:</p> <p>5.2.11 Biological Resources</p> <p><i>Direct.</i> Long-term minor beneficial and adverse impacts would be expected. Beneficial impacts on biological resources, including all state-listed and special concern plant and wildlife species, could occur as the result of decreases in human disturbances, such as automobile traffic and trampling of vegetation. Adverse impacts on some wildlife populations could also occur under this scenario. White deer, for example, could experience short-term adverse impacts as the result of being maintained in a closed (i.e., fenced) system. To ensure the future presence of white deer on SEDA lands, it would be necessary to hunt non-white deer (though a small number of white deer will also be hunted) in order to reduce competition for resources and maintain the fence around the depot. It is important to note that while the fence functions to keep in the white deer, it also keeps out any new genetic material. Studies of white deer populations have indicated that, in addition to the all-white coat, white deer possess characteristics that seem to reduce their sustainability (see Section 4.11.3). By removing deer through hunting that could potentially contributed “healthy” genes to the population and stemming the influx of new genetic material into the population, survivorship of the white deer would likely be reduced in the long term.</p>

24	<u>Page 5-10, line 2.</u> Here the assumption is made that the deer hunting program will continue under no action (caretaker status) "...at or near its current intensity..." Is this a valid assumption? Who will manage the deer program? If it is to be the Army, will it be at the same level as before closure? If not the Army, the State of New York? Who will pay for continuation of management costs?	Added to line 2: "During caretaker status, the Army would maintain the fence and also be responsible for state-regulated hunting on SEDA property."
25	<u>Page 5-10, line 4.</u> Explain why there will be less habitat available for small game and nongame species under no action. You may also want to address pheasants in this discussion since the installation appears to have actively managed for this species prior to the closure decision.	Inserted at line 5: "Other adverse impacts during caretaker status could result from less intense wildlife and land management efforts. The deer hunting program is envisioned to continue at or near its current intensity but the management of smaller game and nongame species (e.g., ring-necked pheasant, wood ducks) is not. This might result in less habitat available to these species (Absolom, personal communication, 1997a). The eastern bluebird, a state species of special concern, could similarly be adversely impacted under this alternative, as the nest box program would not be continued."
26	<u>Page 5-9, Section 5.2.11.</u> The discussion of the impacts of the no action alternative should also address potential effects on State listed species of concern (i.e., osprey, bluebird, etc...).	Comment addressed by changes made in response to comments 22, 23, and 25.
27	<u>Page 5-10, line 8.</u> Eliminate second "the" at end of line.	Change made to reflect comment.
28	<u>Page 5-10, lines 7-12.</u> This discussion implies that the hamlet of Romulus's wastewater will no longer be treated at wastewater plant #4. If this is true, where will it be treated?	Army would not operate STP 4 under caretaker. If no other entity operates the plant, water to the wetland will be affected. Add ", although unlikely," after "discontinued."
29	<u>Page 5-20, lines 8-11.</u> This discussion implies that "jurisdictional wetlands" would be provided a greater level of protection with an encumbrance. The question raised is why is it necessary to encumber a jurisdictional wetland when these habitats are already protected under Federal law. It appears to me, encumbrances that protect the non-jurisdictional wetlands would be of more importance in the disposal process because such wetlands are not now recognized under Federal wetlands regulations.	The encumbrance would protect all wetlands and provide for buffer requirements not otherwise required under federal law. Last sentence of comment-good point. Removed "jurisdictional" from line 9.

30	<u>Page 5-20, lines 14-15.</u> Reconsider wording stating "...the degree of wetland protection would likely decrease as a result of greater acreage thresholds in federal and state wetland regulations." While I cannot speak to the State of New York's wetland regulations, it is my understanding that federal threshold in terms of the minimum acreage of a wetland regulated are the same regardless of who owns the property. The mere change of ownership from the Army to another entity should not influence applicable federal acreage threshold to determine jurisdictional authority.	New paragraph will read from line 12: " <i>Unencumbered Disposal, Direct.</i> Long-term minor adverse impacts on wetlands would be expected. Although federal and state wetland regulations would apply under the unencumbered disposal alternative, only jurisdictional wetlands would be regulated. The wetlands encumbrance would require protection of all wetland at SEDA but state and federal regulation of wetlands under the unencumbered disposal scenario does not necessarily equate to the protection of these wetlands. Executive Order 11990, which requires"
31	<u>Page 5-20, lines 14, 15-18.</u> The principals of Executive Order 11990 would be considered in any federal permit decision relative to jurisdictional wetlands of installation lands once into non-federal ownership.	Tetra Tech disagrees with this interpretation of how Executive Order 11990 would be considered following disposal of SEDA. No changes were made.
32	<u>Page 5-48, lines 10-15.</u> This discussion should be expanded to point out that permitted actions undertaken in jurisdictional wetland could require mitigation to compensate for significant adverse impacts on wetland resources.	Insert this on line 18: "Mitigation to compensate for adverse effects on wetland resources could occur through the permitting process."
33	<u>Page 5-49, line 3-5.</u> Examination of the figures in the EIS indicate that the 8,300-acre Ammunition Storage Area is not directly associated with Seneca Lake. Since this is the case, how would preservation of this area as a wildlife management area benefit osprey?	Because osprey nest on SEDA and the ammunition storage area is also near the lake. Added this parenthesis after "osprey" on line 4: "(because they nest in this area due to its proximity to Seneca Lake)."
Commenter: Bob Brockhouse -IOC		Date: 18 February 1997
34	<u>Page 2-6, line 26.</u> The sentence is incomplete.	Already addressed as per comment #6.
35	<u>Page 2-9, line 25.</u> Change to read: "... army would provide for minimum maintenance procedures to preserve and protect those facilities and items..."	Added the word "minimum."
36	<u>Page 5-5, line 13.</u> Change to read: "...disposal process, the no action alternative has been defined as minimum maintenance of the installation in..."	Change made to reflect comment.
37	<u>Appendix A, Page A-1.</u> The color/shading for the reuse plan is confusing and hard to read. There appears to be error in shading for the office/planned industrial development (PID) vs. that retained by federal government.	Shading will be clear when printed in color in future iterations (as was indicated on the map).
Commenter: Reita Kuster - Commander, US Army IOC		Date: 14 February 1997
38	<u>Page 2-11, lines 25-26.</u> "... the carrying out of long term pumping and treating or operation and maintenance..." to "...the carrying out of long-term remediation or operation and maintenance..."	Did not change because this language is directly from the statute.

39	<p><u>Page 4-25, line 4-6.</u> Suggested change: As of May 1996, the SEDA distribution system was not in compliance with the Surface Water Treatment Rule of the Safe Drinking Water Act (SDWA), as administered by the New York State Department of Health (NYSDOH). The SDWA requires filtration of all lake water, as opposed to the chlorination of lake water currently done by SEDA's water treatment facility.</p>	<p>Change made to reflect comment.</p> <p>Note: re-write of 4.8.1 moved the location of these sentences within the subsection.</p>
40	<p><u>Page 4-25, lines 7-11.</u> Suggested change: The town of Varick is undertaking a major water project and installing new water pipes. The town is scheduled to begin receiving filtered water from the village of Waterloo in October 1997. Rather than construct a new filtration/coagulation facility, SEDA will become a water customer of the town of Varick. (Leave footnote unchanged).</p>	<p>Text changed but footnote left unchanged.</p> <p>Note: re-write of 4.8.1 moved the location of these sentences within the subsection.</p>
41	<p><u>Page 4-25, lines 12-19.</u> Suggested change: Under SDWA compliance scheduled with EPA Region 2, SEDA has entered into an agreement and utility sales contract with Sampson State Park, which is also not in compliance with the SDWA. The park will begin purchasing potable water from SEDA during the summer of 1997. Once SEDA begins receiving potable water from the town of Varick, it will continue to provide potable water to Sampson State Park so that the park can meet the requirements of the SDWA. "Under the terms...."</p>	<p>Text changed to reflect comment.</p>
42	<p><u>Page 4-30, lines 10-11.</u> The subparagraph reads as if this area was used for bomb squad training prior to 1941 and since 1941 has been used for OB/OD. This should be clarified in that Seneca Depot Activity opened in 1941. Does this paragraph mean to imply that a prior landowner used the area for bomb squad training?</p>	<p>Clarification made in text:</p> <p>"This area has been in use since 1941, initially for open detonation and possibly for the disposal of explosives (Engineering-Science, 1994). Until recently, the site was used for bomb squad training."</p>

<p>43</p>	<p><u>Page 4-44, lines 20-28.</u> According to the paragraph, UXOs were stored in 37 buildings and every igloo on Seneca. It does not seem possible that Seneca has recovered enough UXO from ranges and other operations to fill all 519 igloos on the installation. Is the EIS using the same definition of UXO as we are? Furthermore, the paragraph pledges the Army to sweep all potential UXO areas to a depth of 2 to 4 feet. The paragraph identifies 1210 acres as UXO areas. Is the Army prepared to sweep this large of an area? If not, the Paragraph needs clarification on this point as well.</p>	<p>Paragraph to replace existing paragraph between lines 20 and 28 on page 4-44:</p> <p><u>“Residual (RXO) and Unexploded Ordnance (UXO).</u> Given the extensive nature of munitions storage and use at SEDA two categories of munition hazards are discussed in this section: 1) residual ordnance or ordnance which remains unaccounted for within storage structures, and 2) unexploded ordnance located in established firing ranges or in munition disposal areas. These two categories of munition hazards are referred to as RXO and UXO, respectively. Planned management activities at SEDA differ for RXO and UXO. Management of RXO areas will include visual inspections of igloos, review of records and documentation of inventories, interviews with current and past employees, per Army policy. Areas potentially impacted by UXO will be managed according to current Army policy which requires sweeping all areas to depths of 2 to 4 feet below the ground surface depending on the proposed future land use.</p> <p>Information on the potential presence of RXO and UXO at SEDA is available from recent studies, visual inspections, and interviews with SEDA staff (existing and prior). In all, RXO might be present inside of thirty-seven buildings and any of the 519 ammunition storage igloos. The presence of UXO is suspected at six areas, including actual firing ranges and areas that are or were permitted munition disposal/burning areas (See sections 4.8.4 & 4.8.5 for more information). The total amount of UXO in firing range is expected to be small as vast majority of spent munition type was non-explosive ball ammunition (Steve Absolom, personal communication).</p> <p>In all potential RXO and UXO impacts an area totaling approximately 1210 acres, most of which is comprise of area containing the 519 ammunition storage igloos. Figure 3 indicates the location of buildings/areas with RXO/UXO-related qualifications on use. Note, igloos are not highlighted on the figure to indicate UXO potential but igloos are to be investigated due to the potential for UXO use/disposal.</p>
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44	<u>Page 4-50, lines 1-7.</u> The osprey is not the only state-listed species known to occur on SEDA. In SEDA's 1992 Integrated Natural Resources Management Plan, Fish & Wildlife - Section IV, the state-threatened red-shouldered hawk was classified as a probable breeder on the installation, and the state-threatened northern harrier a possible breeder.	Changes made to address comment #15.
Commenter: Neil Robison, USACE - Mobile, AL		Date: 20 January 1997
45	<u>Page 4-57, line 12.</u> Change "mastadon" to "mastodon."	Change made to reflect comment.
46	<u>Page 4-59, lines 26-27.</u> Who had SEDA prior to AMC?	The last sentence on Page 4-59 will read as follows: "In 1996, SEDA was reassigned from the U.S. Army Depot System Command to the Army Materiel Command (Woodward-Clyde, 1996b)."
47	<u>Page 4-60, lines 6-7.</u> Change "conclusive evaluations" to "conclusive National Register evaluations."	Change made to reflect comment.
48	<u>Page 4-60, lines 10-15.</u> Replace this paragraph with the following: "In (<i>give year</i>), WCH Industries, Inc. conducted an archeological investigation of the Ash Landfill, in the southeast quadrant of SEDA. This small prehistoric site was found to contain diagnostic artifacts from the Middle Archaic and Early Woodland periods and was recommended to be (eligible/ineligible) for the National Register. The WCH Industries investigation also identified the remains of three or possibly four 29th century structures near West Smith Farm Road; none of which was believed to meet NRHP eligibility criteria (USACE, 1995)."	Change made to reflect comment.
49	<u>Page 4-60, line 17.</u> Check to see if these are actually Phase II surveys. Phase I usually entails the initial location of previously unknown sites. Phase II usually entails the testing of known sites to determine their National Register eligibility. Since these sites have already been located and have site numbers, I assume that these are Phase II surveys.	It was verified with Tom Enroth at SEDA that it is a Phase I study. In light of that information, Neil Robison has suggested the following change in text for Page 4-60 lines 16-18: "The Grail-Polhemus group is under contract with the USACE, New York District, to conduct a Phase I archeological survey of five SEDA historic sites (NYSM-4823, NYSM-4825, NYSM-4826, NYSM-4840, and UB-1260) previously identified through a map and literature search."

50	<u>Page 4-60, line 20 and on.</u> The original writeup sent to me on Seneca stated that Panamerican Consultants was doing archeological investigations at the SEDA airfield and adjacent areas southeast. Is this still going on?	Inserted following paragraph to page 4-61 after line 7: “Currently, two studies are in progress to determine the extent of archeological and architectural historic resources at SEDA. A report of documentary research for SEDA is being prepared by the Greeley-Polhemus Group for the USACE, New York District. A Phase I archeological and architectural survey of the Seneca Army airfield and adjacent areas southeast is also ongoing. It is being conducted by Panamerican Consultants for USACE, New York District. In addition, the USACE, Fort Worth District is planning on conducting a historic building survey in early 1997 (Austin, personal communication, 1996). The results of these studies will be included as soon as they become available (Enroth, personal communication, 1996).”
51	<u>Page 4-60, lines 18-19.</u> Replace the last sentence of this paragraph with the following: “in 1997, the USACE Fort Worth District, will contract for Phase I archeological surveys of all SEDA excess lands not adequately covered by prior investigations.”	Change made to reflect comment.
52	<u>Page 4-60, lines 25-26.</u> Were these buildings of local historical importance recommended as being eligible for the National Register? Or, were additional investigations recommended to determine their eligibility?	These buildings identified are of local importance only NOT of federal/national importance. To avoid confusion, it would be best to delete from Page 4-60 line 25 “The survey also identified...” to the end of the paragraph (Page 4-61, line 2).
53	<u>Page 4-61, line 7.</u> Change “Office’s staff” to “SHPO staff.”	Change made to reflect comment.
54	<u>Page 4-61, lines 3-7.</u> At the end of the section, note that the Fort Worth District is contracting for an updated historic building survey for SEDA.	Change made as per comment #50.
55	<u>Page 5-21, line 21.</u> Delete comma between “properties, in.”	Change made to reflect comment.
56	<u>Page 5-22, line 9.</u> Change “Section 106 determinations” to “Section 106 consultations.”	Change made to reflect comment.
57	<u>Page 5-51, line 13.</u> Replace this sentence with the following: “No adverse or nonmitigable effects on NRHP-eligible properties at SEDA would be expected.”	Change is not consistent with rest of Section 5.0 format. Changed text to read: “No adverse or nonmitigable effects would be expected.”
58	<u>Page 5-51, line 14.</u> Delete the words “or nonmitigable” from this sentence.	Change made to reflect comment.
59	<u>Page 5-51, line 15.</u> Insert the following sentence at the end of existing writeup: “Long-term minor adverse effects would be expected if the unencumbered disposal alternative is used and mitigation measure are determined to be necessary.”	Change made but modified to: “Long-term minor adverse effects would be expected if the unencumbered disposal alternative were used and mitigation measures were determined to be necessary for subsequent reuse.”

60	<u>Page 5-51, line 18.</u> Replace the existing writeup with the following: “No adverse effects would be expected if the unencumbered disposal alternative is used and mitigation measures are determined to be necessary.	Changed text to read: “No adverse effects would be expected if the unencumbered disposal alternative were used and mitigation measures were determined to be necessary for subsequent reuse.”
61	<u>Page 5-51, line 19.</u> Replace this sentence with the following: “No adverse or nonmitigable effects on NRHP-eligible properties at SEDA would be expected.”	Change text to read: “No adverse or nonmitigable effects would be expected.”
62	<u>Page 5-28 thru 5-33.</u> The net change in emissions were compared to the General Conformity Rule de minimis levels for evaluation of NEPA significance. However, it is stated that “it is unlikely that these problems (increased emissions) would be of sufficient magnitude to cause...downwind air quality control regions to fall into nonattainment for federal ambient air quality standards.” Based on the expected emissions, a formal determination from the State that the increase is insignificant or another means to determine that the action will not affect air quality (i.e., conformity analysis) is required.	<p>The determination that the expected emission would not have a significant impact on air quality was based partly on information consultation with NYDEC, Division of Air Quality personnel in Region 8 (Seneca County). They (Dan Walsch and Mike Wheeler) cited the generally good air quality that exists now and felt that total regional emissions would remain similar to or decrease from their current levels in future years.</p> <p>Add the following to the end of the paragraph on Page 5-31:</p> <p>“It is unlikely, however, that these problems would be of sufficient magnitude to cause the Genesee-Finger Lakes or downwind air quality control regions to fall into nonattainment for federal ambient air quality standards. This is based on the expectations that future overall regional emissions are likely to remain similar to or decrease from their current levels (Walsch, personal communication, 1997 and Wheeler, personal communication, 1996).”</p>
Commenter: Richard Muller - USACE Norfolk, VA		Date: 20 January 1997
63	<u>Page 4-13 lines 1-14.</u> Here and in other locations, reference is made to soil mapping. No such maps accompany the main text, or are noted to be available in any of the appendices. Soil maps would be particularly helpful in identification of areas where reuse would be constrained by hydric (lines 8 & 26) and prime farmland (lines 14 & 21) soils.	Changed discussion to eliminate references to soil maps because inclusion of maps would make document too voluminous if done at usable scale.

64	<p><u>Pages 4-14 thru 4-17.</u> USDA Form AD-1006 (10-83) Farmland Conversion Impact Rating is required to be filed with the US Dept of Agriculture when an action taken by a federal agency has the potential to adversely impact prime farmlands. Since these have been identified in the disposal/reuse area, this needs to be done (and so noted)</p>	<p>Text inserted on page 4-17:</p> <p>“Potential impacts to Prime and Unique Farmlands are determined by preparing the Farmland Conversion Impact Rating Form AD 1006.”</p> <p>On same page, the following text was inserted after last line of paragraph ending after line 16:</p> <p>“As stated, several soil mapping units on SEDA are designated as Prime Farmland soils or Soils of statewide importance. These soil mapping units extend over most of SEDA. Most of the proposed redevelopment areas are currently built up or have been extensively disturbed in the past (igloo areas) which preclude the mapping units from being considered as Prime Farmland or Farmland of statewide importance in these areas.</p>
65	<p><u>Page 4-17, line 4.</u> Place non-breaking spaces in CFR citation.</p>	<p>Change made to reflect comment.</p>

66	<p>Pages 5-17 & 5-42. (Infrastructure). These sections do not discuss impacts to roadways or traffic.</p>	<p><u>Section 5.3.8</u> There are no specific impacts for roads, traffic, or transportation. Because there would be no impacts under the encumbered disposal alternatives, no text was added. Under both unencumbered disposal alternatives, there would be impacts to other resources. Therefore, text was added to reflect no impacts for traffic or transportation.</p> <p><u>Section 5.4.8</u> Medium Intensity-direct. While the roadway capacity is probably sufficient to meet the increased demand associated with medium intensity development, additional signage and traffic signals may be necessary on the facility. Detailed traffic studies should be completed once the redevelopment plan is finalized.</p> <p>Medium Intensity-indirect. Increased traffic may cause increased “wear-and-tear” on the roads. This will result in the need for more frequent repairs and rehabilitation.</p> <p>Medium-low Intensity-direct. Same as Medium Intensity -direct</p> <p>Medium -low Intensity-indirect. Same as Medium Intensity-indirect.</p> <p>Low Intensity-direct. Same as Medium Intensity-direct.</p> <p>Low Intensity-indirect. Same as Medium Intensity-indirect.</p> <p>Tetra Tech attempted to quantify the capacity of roads, ability to handle volume increases and the effects of air quality. As per William Ritchie, Highway Superintendent in Romulus, NY, there are no traffic design criteria for the roadways, hence creating no major impacts on infrastructure because current and proposed levels of service are acceptable. Other information was also not available.</p>
Commenter: Stephen Absolom - Seneca Army Depot Activity		Date: 21 February 1997
67	Page ES-1, line 15. Closure is 13 July 2001.	Change made to reflect comment.

68	<u>Page ES-2, line 10.</u> Change Seneca Army Depot Local Redevelopment Authority (SEDLRA) to Seneca Army Depot Local Redevelopment Advisory Committee (SEDLRAC). Make change throughout document.	Global change made to SEDLRAC; added a footnote that it was formerly called the SEDLRA.
69	<u>Page 2-12, line 19.</u> Sites identified are 26, not 23.	Change made to reflect comment.
70	<u>Page 3-6, line 21.</u> SEDA furnishes potable water to the hamlet of Romulus. This is the hamlet's only source.	Substituted "This is the hamlet's only source" after "because" on line 20.
71	<u>Page 4-10, line 11.</u> Surface detonation with 8-12 feet of cover.	Change made to reflect comment.
72	<u>Page 4-21, line 14.</u> Off base contamination is probable, but not impacting adjacent wells.	Change made to reflect comment.
73	<u>Page 4-23, line 5.</u> Pump capacity of 650 gpm.	All figures changed to gallons per day (gpd).
74	<u>Page 4-23, line 12.</u> Covered reservoir in 1996.	Change made to reflect comment.
75	<u>Page 4-23, line 15.</u> Water is pumped to elevated storage tank and is then distributed in the distribution lines and to the second elevated storage tank.	The following sentence was added on line 14 to replace the existing sentence: "Water from the reservoir is rechlorinated and pumped to an elevated storage tank and then is distributed through the lines in the system to the second elevated storage tank, which serves the North Depot."
76	<u>Page 4-24, line 18.</u> Airfield reservoir is not permanently connected and is filled periodically.	The following sentence was added on line 20 before "A new pipeline..." : "The airfield reservoir is not permanently connected and is filled periodically."
77	<u>Page 4-26, line 27.</u> Sludge is held at on-site holding facility until disposal off post.	The following sentence was added on line 28 before "Discharges from..." : "Sludge is held at the on-site holding facility until disposed of offsite."
78	<u>Page 4-28, line 7.</u> South to Bldg 2434, a lift station, not Officer's Club.	This sentence was inserted on line 6: "Wastewater from the Lake Housing area flows south by gravity to a lift station south of Building 2434."
79	<u>Page 4-29, line 9.</u> Areas are not used to store firewood any longer.	Last sentence on line 9 was changed to: "This 1-acre site was used for storing firewood until the wood was sold (Engineering -Science, 1994)."

80	<u>Page 4-29, line 11-14.</u> This site is located adjacent to Bldg 309. Fire training no longer occurs there.	The section now reads as follows: “A scrapwood pile adjacent to Building 309 has been in use since 1986. Scrap wood is collected from the depot and stored in piles until sold. The fire department periodically held training exercises using the woodpile for fuel but no longer uses the site (Engineering-Science, 1994).”
81	<u>Page 4-31, line 23.</u> Infectious waste destruction ceased.	Lines 22-24 read as follows: “This building is a state-of-the-art incinerator used to burn classified paper documents (Engineering-Science, 1994). Infectious waste destruction is no longer conducted at the incinerator.”
82	<u>Page 4-32, line 2.</u> No known munitions were burned in the incinerator.	Sentence deleted.
83	<u>Page 4-33, line 1.</u> Concrete roads have asphalt overlay.	Sentence on line 1 reads as follows: “Fourteen miles of concrete roads with asphalt overlay are located in the administration...”
84	<u>Page 4-33, line 5.</u> There has been a program.	Sentence reads as follows: “There has been program to rehabilitate the macadam ...”
85	<u>Page 4-33, line 20.</u> Aircraft frequency is per week.	Change made to reflect comment.
86	<u>Page 4-34, line 15.</u> Disagree-- Rail system is safe for transporting ore and ammunition at the reduced speed limit.	Lines 14-16 read as follows after “safety standard”: “There is a 10 mph speed limit within the depot to minimize the potential for derailment and to ensure ammunition and ore, and transport safety.”
87	<u>Page 4-36, lines 2-3.</u> Delete last sentence.	Sentence deleted.
88	<u>Page 4-36, Line 18.</u> Boilers at 2079 have been abandoned and their condition is probably unusable and should not be referenced.	Change sentence to read: “...SEDA is an abandoned heating plant.”
89	<u>Page 4-37, line 20.</u> Delete comment regarding condition of Lake Housing Tanks.	“in good condition” deleted and changed to “empty and monitored monthly for the presence of water.”
90	<u>Page 4--39, line 3.</u> October 96 was the last inspection--same result.	New sentence on line 3 reads as follows: “The latest inspections (September 1995 and October 1996) found no violation or any situations requiring corrective action.”

91	<u>Page 4-39, line 22.</u> RCRA “B” permit pending. Operations are according to application. Current plan to stay interim until closure.	Added “interim RCRA status” to line 22.
92	<u>Page 4-42, lines 1-14.</u> Table to be updated in Final EBS.	Table updated according to Final EBS.
93	<u>Page 4-44, line 26.</u> Is this still policy?	Changes made as per comment #43.
94	<u>Page 4-45, line 11.</u> Add: All permitted single wall heating oil tanks will be removed or closed prior to transfer.	Sentence was added.
95	<u>Page 4-46, line 11.</u> See comment, page 4-39, line 22.	New sentence reads a follows from line 11: “...Satellite Accumulation Areas for interim RCRA Status exists for six TSD units.”
96	<u>Page 4-50, lines 1-7.</u> Update to F&WS report.	See attachment for revised text.
97	<u>Page 4-56, line 1.</u> Trapping by contract personnel.	First sentence on line 1 reads as follows: “Trapping is encouraged on the depot and is performed by contractors and in-house personnel.”
98	<u>Page 4-59, line 24.</u> Change to read: southeast corner.	Change made to reflect comment.
99	<u>Page 5-3, line 26.</u> Clarify. The State SEQR process is applicable to any development in NY except for Federal entities.	Text reads as follows from line 24: “Transfer or conveyance of SEDA lands to non-federal entities could also result in application of several additional statutes and regulations not applicable to federal ownership. For example, any future development of SEDA property, other than that which remains under federal control would be subject to the State Environmental Quality Review (SEQR). The US Coast Guard Loran Station and the Army’s enclave are known examples of areas that will remain under federal control.”
100	<u>Page 5-4, lines 19-25.</u> SEQR is required for all reuse activity within the state. NYSDEC has the lead for all SEQR activity. Comment in this section is only partially what the commentor’s understanding is.	Sentence added on line 19: “NYSDEC also has primary responsibility for implementing the SEQR regulations for all reuse activities at SEDA undertaken by non-federal entities.”
101	<u>Page 5-9, line 17.</u> Is undermanaged in a closed system correct? Less will be done.	No. Explained in comment # 22.

Response to comment # 96

4.11.3 Sensitive Species

A rare species survey was conducted on SEDA from March to September 1996 (Poole, 1996). Given the short survey time, only those areas on the installation having the highest habitat potential to support species of national, regional, or state concern were targeted, with areas of lesser potential surveyed as time allowed. Thus, not all areas on SEA were surveyed. Results are presented below.

Federally Listed Species. Except for the occasional transient individual, no federally listed endangered, threatened, or candidate species are known to occur on SEDA (Clough, personal communication, 1996; Poole, 1996).

State-Listed Species. Five state-listed species were found to occur on SEDA. These species include the osprey, northern harrier (*Circus cyaneus*), large-leaved aster (*Aster schreberi*), northern reedgrass (*Calamagrost stricta* var. *Inexpansa*), and rough avens (*Geum virginianum*). Nest and plant locations are identified in Figure 4-5.

The eastern bluebird, a species of special concern in New York, is known to breed on the depot, though it was not identified during the survey. The Cooper's hawk (*Accipiter cooperii*), least bittern (*Ixobrychus exilis*), and common barn owl (*Tyto alba*), are also listed as New York species of special concern, though they are considered only potential inhabitants of the depot. The state-endangered loggerhead shrike (*Lanius ludovicianus*) and state-threatened red-shouldered hawk (*Buteo lineatus*) are also considered potential inhabitants of SEDA.

In addition to the five state-listed species encountered during the survey, suitable habitat was documented for ten rare species of unconfirmed occurrence—cornel-leaved aster (*Aster puniceus*), brown bog sedge (*Carex buxbaumii*), false hop sedge (*Carex lupuliformis*), yellow harlequin (*Corydalis flavula*), rusty flatsedge (*Cyperus odoratus*), northern tansy-mustard (*Descurainia pinnata*), Nuttall's tick clover (*Desmodium nuttallii*), shrubby St. John's wort (*Hypericum prolificum*), small bur-reed (*Sparganium minimum*), and spreading globeflower (*Trollius laxus*).

No state-listed mammals, amphibians, or reptiles were identified during the survey.

102	<u>Page 5-12, line 4.</u> School would receive less aid and taxable property would not be increased. Schools would suffer financially.	New text changed as follows: “ <u>5.2.16 Quality of Life</u> <u>Direct:</u> Short term minor adverse impacts would be expected. Local school districts would receive less federal funding because of a decrease in the number of “federal” students in the ROI that each school district supports. Caretaker status would have no impact on family support, shop and services, recreation, or visual and aesthetic resources.”
103	<u>Page 5-42, lines 15-18.</u> The 170,000 includes hamlet of Romulus and would, thus, reduce the usage per day.	Used 100,000 gpd and recalculated.
104	<u>Page 5-43, line 1.</u> Disagree. Very few problems with the distribution system.	Lines 1-4 were deleted.
105	<u>Page A-1.</u> Update with final map.	Moved map to Section 2 as per comment #7.
106	<u>Page A-2.</u> Update chapter from Final Reuse Plan.	Chapter updated.
Commenter: Stan Lowe, Engineering Office - AMC		Date: No Date
107	<u>Page 5-7, line 7 - Page 5-16, line 14 & Page 5-35, line 3:</u> The discussion on farmland should be based upon the analysis developed by preparing the Farmland Conversion Impact Rating Form AD 1006. Details can be found at Title 7 CFR Part 658. The presences of igloos and other buildings may preclude the property from being considered suitable for protection as farmlands. Should be able to get the forms from the Natural Resources Conservation Service (previously the Soil Conservation Service).	On page 5-36, line 2, added: “Potential impacts to prime and unique farmlands could only be determined by preparation of the Farmland Conversion Impact Rating Form AD 1006. During caretaker status, the Army would not convert any farmland.” The first sentence of this was also added to the disposal alternative.
108	<u>Page 5-9, line 11 - Page 5-20, line 2 & Page 5-48, line 2:</u> Management of the white deer is not significantly discussed. They pose a potential problem, especially during caretaker management and during reuse. During the caretaker period, hunting will most probably be the management tool. Who will regulate the hunts? The Army, the State or others? It is my understanding that the State of New York does not protect white game animals - they can be killed during hunting seasons. There are those who will want to protect them, no matter what. Hunting needs to be discussed adequately for the caretaker period and for reuse. Tom Vorac or Rich Clewell at AMC I&SA are the AMC managers for Natural Resources. Their numbers are (309) 782-6042 and (309) 782-8252, respectively.	Under caretaker status, hunting would continue to be the primary tool for managing the white-tailed deer population on SEDA. Hunting of white-tailed deer would continue to be regulated by the state, while hunting of white-tailed deer would continue to be managed by the Army. This issue has been clarified in Section 3.2.3. For the analysis of reuse, the LRA reuse plan states that the 8,300-acre ammunition storage will be transferred to the state. When this occurs, the state of New York continues to be responsible for regulating the hunting of white-tailed deer on SEDA, including the white-deer. Since the white deer are not considered “rare”, they are not subject to any protective regulations.
Commenter: Shirley Barnett, PM, AMC BRAC Office		Date: 18 February, 1997
109	<u>On signature page</u> - At the top of the page, remove FINAL	Deletion made.

110	<u>Abstract Page, line 10:</u> Sentence should read: “ Billy K. Solomon, Major General, U.S. Army, Chief of Staff, AMC.	Signature block has been corrected.
111	<u>Abstract Page:</u> Since this is one paragraph summary of the EIS... should indicate that the proposed action is the disposal of approximately 10,594 acres made available by the closure of Seneca Army Depot.	First sentence rewritten as follows: “This Environmental Impact Statement (EIS) addresses actions directed by the Defense Base Closure and Realignment Commission: disposal of 10,594 acres of property made available by the closure of the Seneca Army Depot Activity.”
112	<u>Page ES-1, line 10:</u> To me, this paragraph did not flow. Can we state that Seneca is located on 10,594 acres of land in the Finger Lakes Region of Central Upstate New York...The entire installation with the exception of approximately 30 acre enclave identified though the BRAC process is excess to DoD. The depot is scheduled to close by September 30, 2001. <u>Page ES-1, line 17:</u> The write up on SVAD EIS sticks to the subheadings. It discusses disposal, alternatives, encumbrances...preferred alternative for disposal...The Army considers the LRA reuse plan...In Seneca we state laws and regulations applicable to the proposed action.	Text clarified as per comment.
113	<u>Page ES-2, line 12:</u> Change from “environmental contamination conditions on” to “environmental conditions of the property.”	Change made to reflect comment.
114	<u>Page ES-2, line 18:</u> After “simultaneously” add “during disposal of installation property.”	Change made to reflect comment.
115	<u>Page ES-2, line 24:</u> The 290 acres to the US Coast Guard, and less 30 acres for the enclave. You say on the following page that 10,594 acres will be available for transfer or conveyance to the SEDLRA. On page 2-6, it states DLA uses 17 locations at SEDA. Are we retaining these areas as well? Can we connect these pieces to see total acres and what not available. Don’t think it’s clear, on page 2-5, proposed action at SEDA involves three major aspects - or is it four? With DLA?	Global change made: <ul style="list-style-type: none"> • 10,564 - Total acreage to be disposed of • 10,594 - Includes 30 acres of enclave sites • Subtract 290 only when talking about the LRA portion.
116	<u>Page ES-2, line 27:</u> Write out SEDLRA the first time.	Spelled out first time on line 10.
117	<u>Page ES-4, line 1:</u> Move 3rd sentence beginning with “The environmental effects of no action...to 2nd sentence, to connect with caretaker statement.	Sequence of sentences changed.
118	<u>Page I-1, line 16:</u> Is it correct to say “Army military” needs? Aren’t they the same?	Left as is (per comments made during IPR).

119	<u>Page 1-2, line 13:</u> Can we end the sentence after “purposes.” Repeating excess to Army needs and BRAC recommendations in the same sentence.	Revised lines 12-14: “Following closure, the Army proposes to dispose of the 10,594 acres comprising SEDA, except for approximately 30 acres for enclave purposes and because of the BRAC Commission’s recommendation.”
120	<u>Page 2-6, line 26:</u> Sentence is incomplete “because of its corrosive..what?”	Already addressed in comment #34.
121	<u>Page 2-7, line 1:</u> You state “more than 10,500 acres would be available for transfer” on page 1-2, you state 10,594 will be disposed.	Fixed as per global change.
122	<u>Page 3-1, line 15:</u> Insert after “requirement” imposed by the National Defense Authorization Act for Fiscal Year 1996..that the reuse plan be treated as part of he proposed federal action. It is critical to add this since it is part of the cooperative agreement (Para g.)	Line 15 changed to standard BRAC text as per IPR: “Use of the reuse plan in this manner meets the requirement that the reuse plan be treated as part of the proposed federal action.”
123	<u>Page 3-6, line 4:</u> Bldg 103, fire department proposed for conveyance to the SEDLRA. See Page 2-6, line 15-16, you state that this building would serve as HQ facility for enclave operations.	Change text to reflect the Building will be used as the HQ. Add “(with an area proposed...)”
124	<u>Page 3-6, line 14:</u> The State rare or unique species? Is there a rare or unique species listing? Doesn’t the Army have to make a commitment to protect these rare deers. Not “might” ?	Specified what Army will do and provided details about the management plan. Change bullet title to “Unique Species.”
125	<u>Page 3-6, line 19:</u> Under the agreement,...Is this the SEDLRA reuse plan? If so, can we say SEDLRA reuse plan.	Sentence reads: “Under an installation agreement...”
126	<u>Page 1-3, line 22:</u> The cooperative agreement was signed on 21 Feb. ‘97 per Jim Davidson. Tetra Tech will be provided a copy when in receipt of the signed Cooperative MOA who will serve on the coordinating team in the EIS process for Seneca. Procedures will have to be worked out as to the exchange of comments and correspondence between the POCs listed in the MOA, along with the distribution of the Administrative Draft which should reflect changes of NST and Legal Office prior to being released to Seneca County and NYSDEC.	Used 21 Feb. 97 as MOA execution date. Date inserted.
127	<u>Page 5-4, line 20-23:</u> This sounds negative to me. I think we should add “Per CEQ regulations, 40 CFR 1506.2 requires Federal agencies to cooperate with State and local requirements to the fullest extent possible to reduce duplication between NEPA and State and local requirements. Next sentence is OK stating different regulations than those which govern the Army.	Paragraph ends at “EIS.” Lines 20-27 deleted.
Commenter: Robert Lingo, HQ AMC, Office of the Command Counsel		Date: No Date
128	<u>Abstract Page, line 16:</u> Verify acres--should include land going to USCG	Already changed as per comment #111.

129	<u>Abstract Page, line 23</u> : Should “unmitigable adverse impacts” be changed to “mitigable”? I thought most of the adverse impacts should be mitigated.	Sentence will read from line 22: “Implementation of the preferred action, encumbered disposal, would be expected to result in significant beneficial and adverse impacts...alternatives.”
130	<u>Page ES-1, line 22</u> : Add reference to DoD Base Closure Regulations, implementing Pryor Act, now at 32 CFR 174-176.	Added reference after “1949,”.
131	<u>Page ES-2, line 5</u> : Add reference to Executive Order 13007, Indian Sacred Sites	Inserted reference before environmental justice.
132	<u>Page ES-3, line 19</u> : Include new language that also, Army could sell, either by negotiated or competitive sale. More likely than holding on to it.	“sell or” is added before “retain.”
133	<u>Page ES-3, line 24</u> : Be consistent and correct on closure date, is it Sept or July 2001. Here it says July, ES-1 says Sept.	July date is correct. Changed in ES-1.
134	<u>Page ES-6, lines 5-9</u> : Delete. Denial of utilities is not an encumbrance. In fact, utilities are not included with sale, unless specially mentioned.	Replaced text with: “...the hamlet of Romulus to resolve water and sewer issues for both the hamlet and the Army’s enclave, following base closure.”
135	<u>Page ES-7, lines 14-16</u> : Add that NPDES or SPDES permitting would also be form of mitigation, lessening any adverse impacts.	Inserted “Such practices could be required by state permits and local ordinances” on line 15.
136	<u>Page 1-2, line 12</u> : Verify accuracy of date and acreage.	Date and acreage verified.
137	<u>Page 1-10, line 8</u> : Add 32 CFR Part 176, Revitalizing Base Closure Communities and Community Assistance--Community redevelopment and Homeless Assistance.	Code Citation added.
138	<u>Page 1-12, line 18-19</u> : Change “for federal facility transfers.” to “identification of uncontaminated parcels.”	Added “for identification of uncontaminated parcels” after “concurrence.” Deleted “for federal facility transfers.”
139	<u>Page 1-14, line 14</u> : Delete “operational.” All activities are subject to CWA.	Deleted the word “operational.”
140	<u>Page 2-5, line 15</u> : Change “dispose” to “transfer.”	Change made to reflect comment.
141	<u>Page 2-8, line 25</u> : Add sale.	Added the word “sale.”
142	<u>Page 2-10, lines 4-11</u> : I understood that Army and IOC had entered into some nature of agreement or understanding as to length and level of maintenance. If so, the terms of this specific understanding should be described.	No agreement has been reached according to SEDA (Steve Absolom); therefore, text was not changed.

143	<u>Page 4-9, lines 3-6</u> : Recommend, if possible inclusion of Table or other paragraph that would present total air pollutants from SEDA, from both stationary and mobile sources.	Added a Table summarizing Quantifiable Stationary and Mobile 1995 Air Emissions under Section 4.4.2. Table 4-1 called out and placed on page 4-9, and change made to other table numbers in the document.
144	<u>Page 4-25, lines 12-19</u> : Should provide current status of compliance with EPA Order, and date SEDA is now predicting it will connect with city supply. Seems DEIS devotes a great deal of space to describing drinking water system, which soon will have different source.	Section has been reorganized to address comment.
145	<u>Page 4-38, lines 19-26</u> : Hazardous waste management units either have interim status, or are covered by a RCRA Permit. Need to verify and correct these sentences.	Paragraph rewritten to reflect "interim RCRA Status."
146	<u>Page 4-42, Table 4-3</u> : Change title to DoD Environmental Category-- CERFA only pertains to clean parcels, e.g. where no release or disposal took place. Also, are acreage for Categories 1 and 2 based on redefinition of clean parcels, made by FY 97 Authorization Act. See DAIM-BO Letter, 9 Dec. 96	Footnote added to explain the legal status. Change the title categories to "DoD Environmental Category." Map and Legend changed.
147	<u>Page 4-43, Figure 4-4</u> : Redo Map. It uses old definitions. Cat 1 now areas where no storage or disposal took place; Cat 2 are areas where only release or disposal of petroleum products has occurred. Rename as DoD Environmental Categories, not CERFA Categories.	Made changes described in comment #146.
148	<u>Page 4-46, lines 9-12</u> : See comment 144 above.	Changed per comment #95.
149	<u>Page 4-48, lines 4-5</u> : Huh... what is this Figure supposed to be, and where is it cited?	Map will be a Sensitive Species Map. Also refer to comment #12.
150	<u>Page 5-8, lines 2-11</u> : Needs to be more specific as to plans for infrastructure during caretaker status. For example, how is sewer services to be provided if STP #4 closes, e.g. septic tanks, and are they feasible. How is service to be maintained for the enclave portions.	New sentence inserted on line 8 between "service area" and "Reduction": "Some arrangement would need to be made for an entity to operate STP #4 or an alternative would be needed."
151	<u>Page 5-9, lines 12-23</u> : It would equally seem that could be adverse impact on white deer herd, from lack of management, leading to uncontrolled growth of herd to point where herd is detrimental to Depot plant life, or by inbreeding and lack of food, herd suffers.	Refer to comments # 23, #24, and #25.
152	<u>Page 5-10, lines 7-12</u> : Change "could" to "would." Can we provide some definite analysis and figures. At what point would lower STP use result in loss of wetlands. What quantify effect would this have?	"could" was changed to "would."

153	<u>Page 5-11, line 16</u> : It would seem that there would be an impact on demographics from caretaker status.	Models indicated that no adverse effects on local employment would occur from caretaker (or disposal or reuse). Added a sentence to line 17: “Only $\frac{1}{10}$ of 1 percent of the two county ROI lived on SEDA in 1995 (2 people). Even if all 417 former employees were to move from the ROI, it would still have no effect on these sociological attributes because it represents only 0.3 percent of the ROI.
154	<u>Page 5-13, line 20</u> : add after T&E species, and also maybe species of special interest, e.g., White Deer.	Added “or species of special interest” to line 20.
155	<u>Page 5-19, line 7</u> : Check whether DoD/Army would abate LBP hazards: I think we will only notify purchaser, not abate.	Added on line 7 after “hazards abated”: “if future residential uses are to occur in the buildings.”
156	<u>Page 5-67, lines 11-15</u> : Disagree that Army would impose “encumbrance”; general rule is that buildings, etc are transferred without utilities. Providing utilities is the exception.	Changes made to address comment.
157	<u>Page 5-67, line 4</u> : Consider possible mitigation for maintaining White Deer herd.	Lines 4-5 deleted and rewritten as follows: “Maintain perimeter fence and continue the controlled hunt of the deer herd, including white deer.”
158	We use Savanna’s HAZMAT terminology for the DoD Environmental categories (CERFA).	Changes made as per comment #146.
159	We will address deer protection in reuse scenarios, particularly if igloo area goes to a non-management area reuse.	The first paragraph on page 5-49 will be expanded by these following sentences: “If, for some reason, the Ammunition Storage Area is not transferred to the state, adverse impacts on some or all of these sensitive resources could occur. The white deer herd, for example, could eventually be lost if the fence is removed from the depot. Other species could be adversely impacted if this area becomes developed for industrial purposes.”

160	<p>Table 4-3 and Figure 4-4: Summary states: "We use Savanna's HAZMAT terminology for the DoD Environmental categories (CERFA)"</p> <p>I recommended that these use the new DoD Environmental Condition Codes. If I remember correctly, Steve Absolom indicated that the Seneca EBS is being revised to also recategorize land areas, using the new DoD Environmental Condition Codes. If so, and if possible, recommended revising Figure 4-4, to show new categories of land areas using new DoD Environmental Condition Codes.</p>	Changes made as per comment #146.
161	<p><u>White Deer Herd</u>: Expand discussion of why it is unique, and impact of closed installation [fenced] in creating and maintaining herd. This issue should then be discussed both in terms of what might be required in any long term caretaker status, or disposal and reuse, particularly to other than wildlife management entity, e.g. state.</p>	Changes made as per comments 24 & 159.
162	<p><u>Utilities</u>: Need better description of utility systems, particularly drinking water and sewer systems, and connection to local communities who presently use these systems. Analyze potential effect of ceasing service, both on these communities, and potential ecological effect. Also, how do the utilities systems fit in with continued needs of Army enclave.</p>	The infrastructure subsections of Sections 4 and 5 have been changed to address this comment.
163	<p><u>Lead Based Paint</u>: Different standards for when housing was constructed; discuss required abatement versus non-abatement and DoD LBP policy; discuss as possible encumbrances to transfer of housing.</p>	<p>Paragraph added just after line 7 on page 4-44:</p> <p>"DOD policy with regard to lead-based paint (LBP) is to manage LBP at SEDA in accordance with the provisions of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X of P.L. 102-550), which requires that federal property transferred for residential use and constructed after 1960 and before 1978 be inspected for LBP and LBP hazards and the results of the inspection provided to prospective purchasers or transferees. Residential property constructed before 1960 must be inspected and all LBP hazards abated if future residential uses are to occur in the buildings."</p>

164	<u>Remediation</u> : In chapter 5, discuss effect of cleanup to unrestricted use and no encumbrances versus encumbered disposal with necessary restrictions. What environmental effect would each of these have.	Per IPR; deleted paragraph beginning on line 22 and added the following clarifying sentence after line 21: “Regardless of the type of disposal, the Army is under a mandate to characterize contamination, define the appropriate remediation in coordination with regulatory agencies, and conduct required remediation.”
165	<u>Enclave</u> : What portions will be retained as enclave, how will access to Army be retained, and effect on utility systems, etc.	The infrastructure subsections of Sections 4 and 5 have been changed to address this comment.
166	<u>Caretaker status</u> : What is required with regard to natural resources management, etc of caretaker status, and potential adverse effect and recommended mitigation, such as for white deer herd.	Changes made as per comment #24.
167	<u>Wetland Areas</u> : note and discuss difference between federal wetland areas, and non-Federal areas; possibility of encumbrance etc needed because of EO to protect and preserve wetland areas not subject to CWA and Corps of Engineers 404 program.	Changes made as per comments #29 and #32.
168	<u>Radiation Issues</u> : Did not mention at the time, but wasn't Seneca Depot a special weapons facility and also stored nuclear ores for Manhattan Project. How does this effect remediation and reuse, or does it?	Paragraph added just after line 17 on page 4-41: “A wide range of contaminant types are encountered at SEDA including radionuclides, solvents PCBs, and trace metals. These contaminants affect surface and subsurface soils and groundwater in local areas; however, there have not been any documented releases of contaminants off-base in levels which present an unacceptable health risk (as defined by USEPA criteria). To date, only 1,945 acres of the 10,594 acres at SEDA have been identified as areas impacted by releases/unacceptable disposal of hazardous wastes (see Table 4-3 for more details).
Commenter: Don Colon, HQDA NEPA Support		Date: 26 February 1997
169	The Hazardous Waste Section did not appear complete with situations not fully described. The introductory paragraph to Section 4.9 needs to be more specific and address the entire installation (not just 15% of it).	Added to line 15, page 4-38 these sentences: “For the remaining 85 percent of the land area, conditions have been fully characterized. In addition, sources of hazardous and toxic materials generated by normal operations at SEDA are well understood and are also described in the following subsections.”

170	Prime Farmland Soils statute discussion needs to be included in DOPAA.	<p>Inserted these paragraphs under Section 1.5.2:</p> <p><i>Farmland Protection Policy Act.</i> Prime farmland soils are protected under the Farmland Protection Policy Act (FPPA) of 1981. The intent of the Act is to minimize the extent to which federal programs contribute to the unnecessary or irreversible conversion of farmland soils to nonagricultural uses. The Act also ensures that federal programs are administered in a manner that, to the extent practicable, will be compatible with private, state, and local government programs and policies to protect farmland. The National Resources Conservation Service (NRCS) is responsible for overseeing compliance with the FPPA, and has developed the rules and regulations for implementation of the Act (see 7 CFR 658. USDA Final Rule, Farmland Protection Policy, July 5, 1984).</p> <p>Prime farmland soils are defined as land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses. The soil qualities, growing season, and moisture supply are those needed for a well managed soil to produce a sustained high yield of crops in an economic manner (the land could be cropland, pasture, rangeland, or other land, but not urban built up land or water). Farmland soil of statewide importance includes land, in addition to prime and unique farmlands, that is of statewide importance for the production of food, feed, fiber, and oilseed crops. Criteria for defining and delineating this land are determined by the appropriate state agency or agencies.</p> <p>The FPPA's and USDA's implementing procedures require federal agencies to evaluate the adverse effects (direct and indirect) of their activities on prime and unique farmland, as well as farmland of statewide and local importance, and to consider alternative actions that could avoid adverse effects.</p>
171	The discussion of potable water and wastewater in Section 4 should be modified to clarify new source of drinking water in October 1997 and existing capabilities that will be available for reuse at the sewage treatment plants. The Section 5 effects will be re-analyzed following these modifications to Section 4.	Discussion revised to address comment.
172	There need to be quantified traffic analyses and evaluations in the reuse analysis that link design, capacity, and use to air quality effects.	These were done for baseline and reuse analyses.

173	It was difficult to see the link between the Table 3-1 ratios to the traffic and population analysis. There needs to be analysis linkages between population/traffic changes and impacts, and a cross referencing of discussions in chapters 3 and 5.	Text has been confirmed to contain links between Sections 3, 4, and 5 (traffic and air quality).
174	We need to check on the signature sheet to be sure General House needs to be on the sheet.	Verified signature sheet.
175	<u>Abstract, line 22:</u> Change disposal action to preferred disposal action. <u>Line 23:</u> Delete unmitigable.	Change made as per comment #129.
176	<u>Page ES-3, line 19:</u> Insert sell or after could.	Changes made as per comment # 132.
177	<u>Section 1.3.1:</u> Let the first sentence read, “the Army invites full public participation in the NEPA process to promote open communication and better decision making.” <u>Line 13:</u> Insert “Formal” before “Public.” <u>Line 18:</u> End sentence with the phrase, “However, the Army invites public comments at any time throughout the process.” <u>Line 17:</u> After period insert, before initiating the proposed action.	Replaced entire subsection with: “The Army invites full public participation in the NEPA process to promote open communication and better decision making. All persons and organizations that have a potential interest in the proposed action, including minority, low-income, disadvantaged, and Native American groups, are urged to participate in the NEPA environmental analysis process.” “Public comments are invited anytime throughout the process. Formal opportunities for public participation following the Army publication of a notice of intent to prepare an EIS include submission of comments on the scope of the environmental evaluation, review of the draft EIS, presentation of comments at the public meeting, and review of the final EIS before initiating the proposed action. Each of these steps in the process is briefly discussed below. An additional public involvement process, applicable to contaminated site remediation, is also discussed.”
178	<u>Section 1.3.3, Line 5:</u> Insert -and agency- after public.	Added “and agency” to first sentence.
179	<u>Section 1.3.5:</u> Rewrite to inform public that notices will be issued announcing time and location. -present schedule looks like public meeting will be held during the __time frame.	Title of Section changed to Public Meeting. Text added: “The Army will conduct a public meeting in the vicinity of the installation to solicit comments concerning the adequacy of the EIS and the merits of the alternatives analyzed. The location and time of the public meeting will be announced in local newspapers.”
180	<u>Page 1-6, line 19:</u> after period insert, following completion of the FEIS.	“After a 30-day period following completion of the final EIS, during which further comments may be submitted for Army consideration, the Army will prepare a ROD, which will state how the disposal of SEDA will take place and include any required mitigation measures associated with disposal.”

181	<u>Section 1.5:</u> (Section 4-17 refers to the FPPA). Include this act as part of the framework since we refer to it in the document.	Added reference to FPPA in Section 1.5.2 Refer to comment # 170
182	<u>Figure 2-2:</u> Show enclave location.	Will show new enclave on Figure 2-3 (See comment # 4)
183	<u>Page 2-4, line 8:</u> Homeless reference is incorrect. LRA does this.	Changed text to read: "Disposal activities include a real estate screening process that identifies potential reuse entities, including federal, state, and local organizations."
184	<u>Page 2-10:</u> Make sure AMC legal Agrees with this description of maintenance level.	See comment #142.
185	<u>Section 2.3.3:</u> This document must fully identify and evaluate interim leasing before disposal as a proposed action.	Evaluation of leasing is premature because no proposals by the LRA or others for a Lease have been submitted to the Army. Proposals for Leases following completion of the EIS would be amenable for evaluation in NEPA documentation tiered from the EIS. At such time, there would be sufficient information upon which to make predictions of potential impacts.
186	<u>Page 3-1, lines 14-16:</u> Let's state the Army position a little better- The reuse plan is the (use the correct buzz words) primary factor in identifying and evaluating reasonable, foreseeable reuse plans.	Replaced with standard BRAC text: "Consideration of the reuse plan as part of the proposed federal action aids both the community and the Army in achieving informed decision making and consensus on redevelopment at SEDA."
187	<u>Page 3-3.</u> Great statement on the use of encumbrances to achieve environmental sustainability. We should use this approach in all of our disposal documents.	Acknowledged comment.
188	<u>Page 3-5, line 16:</u> Use same approach as ES-6 line 16 presents, "notify" the new owners of this responsibility.	New text being developed regarding "notification" to future users will be inserted in Section 3.2.1.
189	<u>Page 3-6, line 19:</u> After under, replace "the" with "an installation agreement."	Change made to reflect comment.
190	<u>Page 3-9, line 7:</u> Just a comment. This line picks up the essence of my comment #188. <u>Line 20,21:</u> Remove the two cans.	Change made to reflect comment.
191	<u>Section 3.3.2:</u> Good treatment of translating reuse (speculative) into impacts.	Changed first sentence of section 3.3.1 to read: "Reuse planning for SEDA consists of establishing reuse objectives, planning for compatible land uses that support environmentally sustainable reuse and the community's needs, and marketing among potential public and private-sector entities to obtain interest in use of the property."

192	<u>Page 4-6, lines 7-12:</u> Good job of picking up the new requirement to consider planned development in the cumulative effects of the ROI. Our other documents should follow the same method of consultation and documentation.	Acknowledged comment.
193	<u>Page 4-20, line 12-13:</u> The question is, is groundwater the major source of supply.	No, Army gets water from the Lake and distributes it to Romulus.
194	<u>Section 4.8.1:</u> Section gives average daily demand in gpd and capacity in gpm. This whole section should use the correct engineering units to describe and evaluate water supply. Please take a look at your figures. We are saying the current average daily flow is 170,000 gpd but then we're saying the capacity is $900 \times 60 \times 24 = 1,296,000$ gpd - only 10% of the capacity at this time. Is this correct? The limiting issue is, the system can deliver only $450 \text{ gpm} \times 60 \times 24 = 648,000$ gpd.	Numbers in this section have been recalculated to reflect baseline use by SEDA (100,000 gpd). Entire section has been streamlined and clarified. (See comment # 162).
195	<u>Page 4-26:</u> Let's be consistent with describing the Seneca County Dist 1 STP in Willard in the various sections. <u>Line 24,25:</u> Peak capacity of 600, 000 gpd is a hydraulic capacity. The limiting factor in a STP is the design capacity. This analysis should be based on that figure, not 600,000 gpd.	Global change made throughout the section- called "Willard STP." Lines 24-25 re: hydraulic capacity were deleted.
196	<u>Page 4-29:</u> This section begs the question, what was the process before transporting off site and before incineration. The document says there are no landfills but during the earlier period there must have been a landfill somewhere.	Requested further information from Steve Absolom. No additional information was available.
197	<u>Section 4.9:</u> This section should be clarified to show the whole installation has been considered not just 15%	Refer to comment #169
198	<u>Page 4-45, line 22-23:</u> This one is closed. Can it be re-opened and used for redevelopment?	Added on line 23 this following sentence: "A third STP is closed and could not easily be activated for reuse."
199	<u>Page 4-49, line 24:</u> Coordination should be with F&WL not a person.	Information per Clough from the USFWS (reference section)
200	<u>Page 4-50, line 8:</u> Begin this paragraph with an introduction with what's at the installation. Line 25, 26 would be a good beginning.	Refer to comment #16.

201	<u>Page 4-78, line 11</u> : The meaning of the word "additional" is unclear.	Added after 35,000 gpd "...over the 22,500 gpd currently sent there by SEDA."
202	<u>Page 5-10, line 10</u> : Insert after discontinued, although not very likely.	Changed text to read "unlikely."
203	<u>Section 5.4.8</u> : This analysis is incorrect. The reference to 408 gpd per person is not a true consumption figure and will lead to an erroneous evaluation. <u>Line 13</u> : The 900,000 gpd figure is incorrect. Based on Page 4-23 line 6, this figure should be 1,296,000 gpd.	Recalculated consumption and reworked section using the figure 936,000 (as per Steve Absolom).
204	<u>Page 5-43</u> : Delete lines 1-4.	Lines 1-4 were deleted, as per comment #104.
Commenter: Leigh Lindenberger		Date: 20 March 1997
205	<u>Abstract Page, line 10</u> : After "Major General", term should be U.S. Army and not "USA."	Change made as per previous comments.
Commenter: Hugh McClellan, NEPA support Team		Date: 26 February 1997
206	Describe the riparian corridor along Kendig Creek and the Lake Shoreline in the biological resources Section.	This part will be written under paragraph 4 of Section 4.11.1 "A riparian corridor exists along Kendig Creek that connects the main portion of SEDA to Seneca Lake. The corridor consists of steeply-sloping stream banks that support a community of woody vegetation. Dominant species found in this area include sugar maple (<i>Acer saccharum</i>), red maple (<i>A. rubrum</i>), black oak (<i>Quercus velutina</i>), and white oak (<i>Q. alba</i>). The corridor is surrounded by farmland and a housing area."
Commenter: Jeff Waugh - Army Environmental Center		Date: 24 February 1997
207	<u>Page 5-18, lines 15-17</u> : Update to reflect change in regulation	Issue revised on page 2-12 (see also footnote). Flag to Section 2.3.2 footnote added.
208	<u>Page 5-18, lines 22-26</u> : Remediation will be dependent on reuse which may result in additional encumbrances. For example, industrial use only.	Refer to comment # 164.
209	<u>Page 5-19, lines 2-7</u> : The Army policy for LBP is that all required actions be completed prior to occupancy, these actions do not have to be completed by the Army.	Refer to comment # 155.

MEMORANDUM OF AGREEMENT

BETWEEN

U.S. DEPARTMENT OF ARMY, ARMY MATERIEL COMMAND

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

AND

SENECA COUNTY, NEW YORK

FOR COOPERATING AGENCY STATUS

ON THE SENECA ARMY DEPOT DISPOSAL AND REUSE EIS

File
EIS

This Memorandum of Agreement (MOA) is entered into between the United States Department of the Army, Army Materiel Command (AMC), the New York State Department of Environmental Conservation (NYDEC), and Seneca County, New York (County) and authorizes the NYDEC and the County to be Cooperating Agencies (CA) for the Seneca Army Depot (SEAD) Disposal and Reuse Environment Impact Statement (EIS).

I. PREAMBLE

a. The Base Closure and Realignment Act of 1990, Public Law 101-510, mandates a series of base realignments and closures known as BRAC. Implementing that law in 1995, the Defense Secretary's Commission on Base Closure and Realignment recommended the following action at Seneca Army Depot in its report to the President, dated 1 July 1995. The President transmitted the recommendation to Congress on July 13, 1995, and the 1995 BRAC recommendations became effective on September 28, 1995, not being rejected by Congress.

The Commission recommends the following: Close Seneca Army Depot, except an enclave to store hazardous material and ores

b. Public Law 101-510 mandated that provisions of the National Environmental Policy Act (NEPA) apply to DoD actions during the process of property disposal. Therefore, an Environmental Impact Statement (EIS) on the disposal and reuse of SEAD will be prepared under the provisions of NEPA, the Council on Environmental Quality (CEQ) Regulations (40 CFR 1500 *et seq.*), Department of Defense (DoD) Guidance on Accelerating the NEPA Analysis Process for Base Disposal Decisions, Army Regulation 200-2, Environmental Effects of Army Action, and Army guidance. Thus, the EIS for SEAD will assess the environmental and socioeconomic effects associated with the disposal and reuse of SEAD.

c. The CEQ regulations, 40 CFR 1506.2(a) require Federal agencies to "cooperate with State and local agencies to the fullest extent possible to reduce duplication between NEPA and state and local requirements..." New York State's Environmental Conservation Law, sections 3-0301(1)(b), 3-0301(2)(m) and 8-0113 require compliance by Seneca County and the State of New York with the State Environmental Quality Review (SEQR) regulations at 6 NYCRR Part 617. Section 617.15(a) of those regulations allows the State of New York and Seneca County to utilize a Federal EIS to satisfy SEQR, so long as "the Federal EIS is sufficient to make findings under Section 617.11..." including a finding that "from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable."

d. The Secretary of the Army has designated the Assistant Secretary of the Army (Installations, Logistics and the Environment), (ASA(IL&E)), to serve as the Army's responsible official for NEPA matters. The Army Materiel Command has been designated by the ASA (IL&E) to be the lead agency responsible for BRAC 1995 NEPA documentation for SEAD.

e. In disposing of SEAD, the Department of the Army must also comply with the U.S. Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*), the National Historic Preservation Act of 1966 (16 U.S.C. 470 *et seq.*), the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*) and other applicable federal laws, including the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, and various Executive Orders, including Executive Order No. 12393, Environmental Justice, Executive Order No. 11990, Protection of Wetlands, and Executive Order No. 13007, Indian Sacred Sites.

f. The Seneca County Board of Supervisors by a resolution, dated 24 October 1995, created a Local Redevelopment Authority (SLRA) to develop a final Redevelopment Plan (Plan) and oversee the implementation of an economic redevelopment strategy that addresses the employment, economic, and land use issues arising from the closing of SEAD.

g. Section 2838 of the National Defense Authorization Act for FY 1996, Pub. L. 104-106 provides that the NEPA environmental assessment of the closure or realignment of an installation shall treat the redevelopment plan submitted by the redevelopment authority for the installation as part of the proposed federal action for the installation. Section 2911 of Pub. L. 103-160, the National Defense Authorization Act for FY 1994, requires the Army to complete the NEPA environmental impact analysis with respect to a closed installation and with respect to the redevelopment plan, if any, within 12 months after the date of submittal of the redevelopment plan to the Secretary of Defense.

h. The County and the State of New York, through the NYDEC, have requested and are authorized to be Cooperating Agencies in the NEPA preparation and review process for the Seneca Depot Disposal and Reuse EIS.

i. In conformance with 40 CFR 1506.2, the Army, the NYDEC, and the County shall make every effort to cooperate to the fullest extent possible to reduce duplication between NEPA and the requirement of the SEQRA.

j. It is in the interest of all parties to participate in the task of preparing the Seneca Army Depot Disposal and Reuse EIS. This will assist with the reduction in the duplication of staff efforts and sharing of existing staff expertise and information to meet the requirements of NEPA and SEQRA. This will produce a more efficient environmental analysis and public review process.

k. Nothing in this agreement shall alter the responsibility assigned to AMC to develop an EIS that fulfills the Army's responsibilities under NEPA, DoD and Army guidance, the CEQ regulations, and the cited provisions of various National Defense Authorization Act. Nothing in this agreement impairs, alters, limits or in any way affects NYDEC's statutory or common law rights, including but not limited to its rights under the New York State Environmental Conservation Law. No statements made in this agreement shall be deemed an admission or position adopted by NYDEC with respect to the environmental or other situation at SEAD.

2. PURPOSE. This Memorandum of Agreement (MOA) is to establish and record agreed upon principles of mutual support, cooperation, and responsibilities in the preparation of the EIS for disposal and reuse of SEAD. It is in the interest of all parties identified to participate in this effort to develop a timely, accurate, thorough, complete and impartial analysis of the anticipated direct and indirect effects of the disposal and reuse of SEAD arising from the disposal of the installation, including potential effects from the County's Redevelopment Plan

3. ORGANIZATION AND COORDINATION

a. GENERAL:

- (1) To the maximum extent practicable, the parties agree to share all relevant information regarding environmental conditions pertaining to SEAD, its disposal, and reuse and to the region surrounding SEAD.
- (2) When the term AMC is used in the MOA, it not only represent Army Materiel Command interests, but also represents the Industrial Operations Command (IOC), and Seneca Army Depot (SEAD) as participants in the development and review of the EIS.
- (3) AMC, including SEAD and the Mobile District Corps of Engineers (MDCOE), the County, and NYDEC shall each appoint a project representative who will serve as its primary point of contact for that party in the SEAD EIS process. Each party may change its designated representative upon formal notice to the other party.

(a) AMC - James Davidson, phone (703) 617-5510

(1) Mobile District COE - Hugh McClellan, phone (334) 694-4101

(2) SEAD - Stephen Absolom, phone (607) 869-5235

(b) County - Glen R. Cooke, phone (315) 539-5655

(c) NYDEC - Robert Scott, phone (716) 226-2466

- (4) These representatives shall constitute the SEAD Disposal and Reuse EIS Primary Coordinating Team.
- (5) The SLRA is preparing a Seneca Redevelopment Plan for SEAD, following extensive input and participation from the community, the region, and agencies of the State of New York. The Army and AMC support the development of a consensus redevelopment plan, recognizing that an approved redevelopment plan is a key factor in the successful reuse of a closing defense installation and is consistent with President Clinton's Five Point Plan for Revitalizing Base Closure Communities. AMC will cooperate with the SLRA and the County in the development of the redevelopment plan. The redevelopment plan, to the extent available, will be included and analyzed in SEAD Disposal and Reuse EIS.
- (6) Frequent and continued coordination will be maintained among the parties. AMC, including the MDCOE and SEAD, NYDEC, and the County will participate in planning and progress review meetings, as mutually determined necessary, to assure consistent coordination of effort. The parties shall cooperate to ensure that to the maximum extent permissible with Federal law and NEPA, the EIS includes information and analysis that will assist NYDEC and the County in fulfilling their duties under Section 617.11 of the SEQRR regulations, including the identification of practicable mitigation to identified adverse environmental impacts.
- (7) A copy of all comments and correspondence regarding the EIS received by any Party from other agencies, organizations, or individuals will be provided to the other Parties.

b. AMC

- (1) Is the lead agency for the preparation of the SEAD Disposal and Reuse EIS under the NEPA, CEQ regulations, DoD and Army guidance, and Army regulations
- (2) Directed the U.S. Army Corps of Engineers, Mobile District to be responsible for preparation of the Disposal and Reuse EIS, consistent with the NEPA and the

aims and objectives of the Parties to identify and assess the direct and indirect environmental impacts of the disposal and reuse of SEAD. The NEPA, Federal laws and regulations, Army regulations and applicable state environmental laws, such as SEQRR, to the extent consistent with NEPA, will be followed for the final determination of the content of the EIS.

- (3) Has sole responsibility for formal coordination with the U.S. Fish and Wildlife Service pursuant to the Endangered Species Act, and for formal coordination with the Advisory Council and the State Historic Preservation Office pursuant to the National Historic Preservation Act.
- (4) In furtherance of the objectives of this Agreement, AMC will
 - (a) Establish formal points of communication with the NYDEC and the County.
 - (b) Provide periodic in-process briefing on the development of the EIS.
 - (c) Identify and provide access to and an opportunity to comment on all studies and analyses to be used in the environmental documentation.
 - (d) Establish a centralized repository at SEAD of documents related to the EIS.
 - (e) Provide information on the proposed disposal alternatives and reuse descriptions to be analyzed in the EIS.
 - (f) Identify and discuss significant issues to be addressed in the EIS, including environmental impacts, possible mitigation measures, and recommended encumbrances.
 - (g) Provide information on and discuss the proposed description of high, medium, and low intensity reuse alternatives (Reuse Alternatives).
 - (h) Provide the County and NYDEC a copy of the Administrative Draft EIS (ADEIS) and an opportunity to review and comment on the ADEIS prior to final review and release by the Army of the Draft EIS.
 - (i) Provide the NYDEC and the County with copies and an opportunity to comment on all comments received by the Army on the proposed disposal and reuse of SEAD, including comments received on the Draft EIS.
 - (j) Provide the NYDEC and the County a copy of the Administrative Final EIS (AFEIS) and an opportunity to review and comment on the AFEIS prior to release by the Army of the Final EIS.

b. New York Department of Environmental Quality

- (1) Has the responsibility to work with the County in the development of a community consensus redevelopment plan for SEAD, which plan may include the identification of significant portions of the Depot to be transferred to the State of New York for wildlife or conservation purposes..
- (2) The level of participation by the NYDEC shall be determined in accordance with available Department resources and consistent with agency priorities.
- (3) In furtherance of the purposes of the MOA, the NYDEC will:
 - (a) Establish formal points of contact with AMC and the County for consultation on the SEAD NEPA process.
 - (b) Participate in joint working groups to exchange information, identify issues, and discuss analysis.
 - (c) Discuss, as necessary, with the SEAD NEPA process team the County consensus redevelopment plan and its anticipated environmental impact.
 - (d) Provide the Army access to any environmental documentation analyzing environmental conditions with relation to the Depot disposal or potential reuse in relation to or in support of the redevelopment plan.
 - (e) Provide the Army with access to correspondence received by the NYDEC related to environmental conditions or effects addressed in the EIS or in the redevelopment plan.
 - (f) Provide the Army with information on local or regional environmental conditions or development plans, to the extent known.
 - (g) Identify related proposals or developments which the Army should consider in assessing cumulative impact in the SEAD EIS.
 - (h) Identify significant environmental issues for consideration in the EIS, including issues known to be sensitive with the Seneca region.
 - (i) Provide comments to AMC respecting the description of intensity reuse alternatives (Reuse Alternatives) to be addressed in the EIS.
 - (j) Identify any particular environmental analysis concerns which need to be addressed under SEQRA, which would not be addressed under NEPA.

- (k) Provide information concerning the natural environment of the Seneca area, as well as information regarding socioeconomic impacts to the extent developed by the NYDEC.
- (l) Will consolidate all comments from the State of New York in a comment review package from New York State agencies, for the following review, and provide a consolidated State comment to AMC:
 - [1] Administrative Draft EIS (ADEIS) - within 20 calendar days
 - [2] Draft EIS (DEIS)
 - [3] Administrative Final EIS (AFEIS) - within 20 calendar days
 - [4] Final EIS (FEIS)

c. Seneca County, New York

- (1) Has the responsibility to approve a community consensus redevelopment plan for SEAD, as recommended and developed by the SLRA.
- (2) In furtherance of the purposes of the MOA, the SLRA on behalf of the County will:
 - (a) Establish formal points of contact with AMC for consultation on the SEAD NEPA process.
 - (b) Participate in joint working groups to exchange information, identify issues, and discuss analysis.
 - (c) Prepare and submit a consensus redevelopment plan, and discuss, as necessary, such plan with the SEAD NEPA process team.
 - (d) Provide the Army access to all environmental documentation developed in relation to or in support of the redevelopment plan.
 - (e) Provide the Army with access to correspondence received by the County or the SLRA related to the environmental conditions or effects addressed in the redevelopment plan.
 - (f) Provide the Army with information on local or regional environmental, social and economic conditions or development plans, to the extent known.

- (g) Identify related proposals or developments which the Army should consider in assessing cumulative impacts in the EIS.
- (h) Identify significant environmental issues for consideration in the EIS, including issues known to be sensitive within the region.
- (i) Provide comments to AMC respecting the description of intensity reuse alternatives (Reuse Alternatives) to be addressed in the EIS.
- (j) Identify any particular environmental analysis concerns which need to be addressed under SEQR, which would not normally be addressed under NEPA.
- (k) Provide information concerning the natural environment of the area, as well as information regarding socioeconomic impacts, to the extent developed by the County or the SLRA.
- (l) Will consolidate all comments from local government in a comment review package from local or county agencies, for the following reviews, and provide consolidated comments to AMC:
 - [1] Administrative Draft EIS (ADEIS) - within 20 calendar days
 - [2] Draft EIS (DEIS)
 - [3] Administrative Final EIS (AFEIS) - within 20 calendar days
 - [4] Final EIS (FEIS)

4. PUBLIC PARTICIPATION

a. The Notice of Intent (NOI) to prepare an EIS was published in the Federal Register, Vol. 60, Number 184, page 49265, September 22, 1995, as amended in the Federal Register, Vol. 61, No. 181, page 48920, September 17, 1996. The first scoping meeting was held on September 9, 1996, at the SEAD. Scoping of issues to be addressed in the EIS shall be an on-going process during the development of the DEIS.

b. AMC shall prepare a Public Involvement Plan as required by Chapter 7, AR 200-2. The NYDEC and County shall review and comment on the AMC Public Involvement Plan, and will cooperate in the development and implementation of the Public Involvement Program.

c. It is to the benefit of the Parties that all affected or interested persons or entities be aware of and participate in the SEAD NEPA process. The Parties shall cooperate in developing a master

mailing list of agencies, institutions, organization, groups, and persons who will receive copies of the Draft and Final EIS and notices for public hearing and workshops.

d. All information developed or provided to AMC, which pertains to the EIS process or used as backup or supporting information or data, shall be available to the public at a SEAD NEPA Reading Room, to be located at SEAD, except where release of such information would pose a danger to sensitive resources or violate Army or DoD national security restrictions

5. DOCUMENT REVIEW AND PREPARATION

a. As part of or in addition to its review of information development by the Army, the NYDEC and the County may request that the Army perform additional environmental studies either deems reasonable and necessary to verify, corroborate, or supplement existing environmental information or studies

b. If the Army declines to perform such studies, the NYDEC or the County may provide the information at its own cost, in which case the information will be included in the EIS analysis, provided it is timely provided to meet the Army's schedule for completing the EIS.

6. DISPUTE RESOLUTION

a. The Parties shall attempt to timely discuss and resolve any difference of opinion or conflicts regarding the technical data, reports, or information supporting the EIS analysis.

b. Should the Parties be unable to resolve conflicts or differences of a scientific or technical nature during the EIS preparation process, the difference or conflict shall be noted in the EIS and any information, studies, or data furnished by the NYDEC or the County shall be included, or summarized, in the EIS as an Appendix, or otherwise referenced in the EIS.

c. AMC shall determine the scope of the EIS. Should AMC determine not to require detailed treatment of a significant issue or factor identified by the NYDEC or the County, the EIS shall clearly identify the criteria used to eliminate such issue or factor from detailed consideration.

7. AGREEMENT, EFFECTIVE DATE, MODIFICATION AND TERMINATION

a. The Army, the NYDEC, or the County may terminate its participation in this agreement upon 30 days written notice served upon the other Parties. The Party electing to terminate the Agreement should demonstrate good cause and shall state in writing its reasons for desiring to terminate the Agreement

b. The MOA is effective upon the last date of signature by authorized representatives of AMC, the NYDEC, and the County, and shall remain in force until 30 days after the Army issues a Record of Decision for the Disposal and Reuse of SEAD.

Signed and agreed to among the Parties, on the date indicated, as set forth below:

MICHAEL C. SANDUSKY
 Chief, Special Analysis Office
 U.S. Army Materiel Command

XXXXXXXXXXXXXXXXXXXXX
 Director
 New York State Department of
 Environmental Conservation

XXXXXXXXXXXXXXXXXXXXX
 Chairperson
 Board of Supervisors
 Seneca County, New York



DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY MATERIEL COMMAND
5001 EISENHOWER AVENUE, ALEXANDRIA, VA 22333-0001

File
DRAFT EIS

REPLY TO
ATTENTION OF

AMCSO

November 5, 1997

Robert K. Scott
Deputy Regional Permit Administrator
New York State Department of Environmental Conservation
6274 East Avon-Lima Road
Avon, New York 14414-9519

Dear Mr. Scott:

This letter responds to your correspondence of July 17, 1997, which forwarded comments on the Administrative Draft Environmental Impact Statement (EIS) for disposal/reuse of Seneca Army Depot. Since your letter consolidated the comments of both your agency and the Local Redevelopment Advisory Committee, the Army is providing a single reply to you with copy furnished to the Advisory Committee.

Your comments are being addressed in the Draft EIS, which should be distributed in mid December 1997. We appreciate the clarity of the comments forwarded in your letter, and offer the following responses:

Executive Summary- paragraph 4.9.4 of the DEIS will reflect revisions to describe the BRAC clean-up schedule.

ES-2- The DEIS will address the amendment to the community's reuse plan.

ES-3- Section 3.3.1 of the DEIS will incorporate revisions to further clarify encumbrances. Section 5.3 will identify the predicted consequences of encumbered and unencumbered disposal.

ES-4- The Army looks at multiple intensity levels as the best means to capture the various kinds of impacts that may occur as a result of reuse. Although current planning may exceed the LIR employment projection, this would occur only if all the jobs were created immediately upon disposal.

ES-5- The treatment of mitigation in the Executive Summary will be revised in the DEIS.

1-1- The forecasted date for facility closure will be revised in the DEIS.

1-7- The schedule in Figure 1-1 will be updated in the DEIS.

1-11- The Army and the New York State Historic Preservation Officer have not reached a comprehensive agreement on the cultural resources of the depot, so specific buildings and sites cannot be identified at this time. As a result, Section 3.3.1 of the DEIS will address a standard preservation encumbrance for the time being, pending completion of a final agreement with the state.

1-12- No such resources are thought to exist on the depot. Note that section 4.12.3 states: "To date, no Iroquois sites have been identified by any archaeological studies."

1-13- The sentence has been modified as follows: "... certain responsibilities (e.g. selection of remedial actions) ..."

Post-it® Fax Note	7671	Date	# of pages ▶ 11
To	Steve Absalom	From	Shirley Barnett
Co./Dept.		Co.	
Phone #	607/869-1309	Phone #	617-8172
Fax #	607/869-1362	Fax #	703/617-3779

- 2-1- DS-2 is described in more detail on page 2-5, lines 30-34.
- 2-4- The Coast Guard has requested transfer of the subject property for continued use as an antenna station.
- 2-5- The DEIS will use a map reflecting the approved SEDLRAC Reuse Plan.
- 2-9- Figure 4.4 and section 4.9.4 identify the relevant information.
- 2-10 (line 29)- The 26 additional sites will be included in figure 4-4, "DOD Environmental Category Map", in the DEIS.
- 2-10- It is felt that the EBS, RAB, CERCLA and RCRA processes, rather than the NEPA document, are the proper forums to address contamination issues in the detail suggested by your comment. Army will not be able to dispose of any depot property without the concurrence of environmental regulators.
- 2-11- The disposal/reuse EIS does not address the environmental impacts of interim leasing. It is likely that there will be an interim lease in the local redevelopment authority, which could sublease to NYSDEC. Analysis of the environmental consequences of interim leasing will be addressed in a separate NEPA analysis.
- 2-12- Public benefit conveyances (reference 41 CFR 101-47) generally are at no cost to the recipient agency.
- 3-3- Section 3.3.1 of the DEIS provides greater detail on the expected encumbrances.
- 3-4- The Army does not propose an encumbrance with respect to wetlands which serve as tertiary Treatment for STP 4. Section 3.3.1 of the DEIS identifies an encumbrance pertaining to ground water.
- 3-5- The proposed encumbrance for "unique species" is withdrawn and will not appear in the DEIS.
- 3-7- The DEIS will incorporate the service agreement concept proposed by the Town of Varick.
- 3-10- DEIS will reflect requested change.
- 4-16- DEIS will reflect your correction.
- 4-22- We believe that the landfill site list is accurate.
- 5-7- DEIS will incorporate following change in response to your comment: "These wetlands are located within the headwaters adjacent to a watershed divide. The elimination of the 0.15 mgd flow from the treatment plant (0.1 mgd from SEDA and 0.05 mgd from the Hamlet of Romulus) would result in a modification of existing wetland hydrology by restricting water supplied to the wetlands to natural flows within the small headwaters drainage area. Historic records confirm that no wetlands existed there prior to SEDA and the establishment of the treatment plant."
- 5-16- The questioned statement is addressing economic development consequences under the unencumbered disposal alternative. The language used by the Army is considered appropriate for unencumbered disposal.
- 5-17- The "hazardous materials" being burned are subspecification propellants associated with the depot's ongoing ammunition mission, which won't end until the year 2000. The DEIS will be clarified to address your comment.
- 5-13- DEIS will be revised to document the applicability of both NRC and EPA standards.

5-29- We agree with your comment, and section 4 of the DEIS will be revised accordingly.

5-46- We agree with your comment. The DEIS will be revised consistent with the explanation provided above to your comment on 5-17 (line 26).

5-46, Mitigation- After careful consideration of this issue, the Army prefers the prose format to a table format in order to avoid many redundant entries describing mitigation actions.

7-1- The distribution list has been amended in accordance with your request.

Natural Gas- The DEIS will be expanded to include the following:

"Most of SEDA lies on the southern fringe of the Fayette-Waterloo natural gas field, which occurs in a south-dipping homoclinal trap, within the upper Ordovician Queenstown formation. The northern two-fifths of the depot is surrounded by producing gas wells that have been drilled since 1984. The northern section of the depot is expected to have a high potential for economic gas reserves, while the lower three-fifths of the installation is considered to have moderate potential. All of the wells in the area require the use of artificial fracture induction for economic well production. After artificial fracture, the gas wells located to the north of the installation typically test to 1 to 2 million cubic feet of gas per day.


Exotic Plants:- The Army has conducted an endangered species survey and none were discovered. The depot staff has discovered no exotic plants, and the Army is not aware that any have been introduced by our missions. We do not think additional survey is required.

Appendix- A summary of the community reuse plan is appended in accordance with our standard practice. For reasons of presentation clarity and economy, we would rather not add the other documents you suggest.

In accordance with our Memorandum of Agreement for Cooperating Agency Status, your agency and Seneca County will next be provided an opportunity to comment on all replies we receive on the DEIS.

Point of contact for this letter is Jim Davidson, (703) 617-5510. In the future, your point of contact from Army Materiel Command, for matters relating to the cooperating agency agreement, will be Shirley Barnett, (703) 617-8172.

Sincerely,


JAMES R DAVIDSON
Chairman
Reuse Task Force

Copy furnished:

Ms. Patricia Jones
Local Redevelopment Advisory Committee
Seneca Army Depot
Building 101
Romulus, New York
14541



BOB LINGO/CC/HQAMC/AMC/US

11/08/97 08:26 AM



To: SHIRLEY BARNETT/SO/HQAMC/AMC/US@AMC
cc: RMURPHY@RIA-EMH2.ARMY.MIL@SMTPGW, JAMES DAVIDSON/SO/HQAMC/AMC/US@AMC, LEIGH LINDENBERGER/SO/HQAMC/AMC/US@AMC, POLCHEKA@otjag.army.mil, Donald.M.Conlon@sam02.usace.army.mil, DuncaDM@hqda.army.mil, CASSANDRA JOHNSON/CC/HQAMC/AMC/US@AMC, MIKE STUMP/CC/HQAMC/AMC/US@AMC
Subject: Certification of Seneca Draft EIS

1. I have reviewed the Draft Environmental Impact Statement (DEIS) for Disposal and Reuse of Seneca Army Depot (SEDA). In my opinion, it is legally sufficient to be circulated as a DEIS, subject to correction of the following:

a. ES-7, lines 4-8 and page 5-45, lines 31-34 and page 5-46 lines 1-2 refer to the Army imposing an encumbrance by a deed provision that future utilities would not be available and future owners would be responsible for alternative utility sources. These sentences should be deleted. The normal procedure is for property to be conveyed without provision of utility services, and there is no obligation for the Army to assure continuation of utility services. A deed provision, as described, is inappropriate.

b. Section 5.3.9, page 5-14, lines 6-9 indicates there is no difference and no impacts for encumbered and unencumbered disposal with respect to hazardous and toxic substances. This is incorrect. While it is true that under either disposal alternative, the Army is obligated to remediate CERCLA hazardous substances, there would be significant differences in impacts if the Army would undertake actions to remove the necessity for encumbrances related to asbestos containing material, lead based paint, and unexploded ordnance. It is currently DoD and Army policy not to undertake such actions. This difference between encumbered and unencumbered disposal, and the effects thereof, should be analyzed and explained.

2. While the DEIS is legally sufficient, subject to the above comment, there are two areas of concern which were discussed extensively by the Army IPR team and deserve continued examination and perhaps greater detail in the Final EIS, based on continued examination and receipt of comments during the comment period.

a. Wetlands: Seneca Depot contains extensive wetland areas. The encumbered disposal alternative, page 3-6, presently states that the Army will merely notify transferees of areas identified as wetlands, while noting that EO 11990 authorizes the Army to impose other appropriate restrictions. These are left undefined. Compare this with the discussion of impacts on biological resources of disposal on page 5-14. While I understand that this approach is consistent with the approach taken in other Army BRAC NEPA documents, it is questionable whether mere notification of wetland areas is fully protective of wetlands as envisioned by EO 11990.

b. White Deer: Seneca Depot contains a unique herd of all white deer, which has developed because of the enclosed nature of the installation. Page 4-39. This is the only such herd in the United States. The DEIS does not propose any potential encumbrances to preserve this herd, page 3-5, indicating only that the Army would continue herd management activities as mitigation during caretaker status (No Action alternative), page 5-45. This is perhaps appropriate since it is understood that potential recipients, such as the State of New York, does not want to be bound to continue expense measures, such as fencing and herd management. Still, it would seem that this issue deserves more discussion, perhaps in the mitigation measures related to reuse.

3. Other items noted:

- a. ES-1, lines 16-17: Add, except for the retained enclave.
- b. ES-2, lines 1 and 2: Verify order of screening. Does the LRA really come before state and local authorities, and the homeless.
- c. ES-3, line 1: There appears to be a conflict between this statement, and the text on lines 32-39 on page ES-2. According to ES-2 and page 2-8, the IDA will see an EDC of five areas on SEDA.
- d. Page 4-39, line 20: It is my recollection that the IPR team agreed to change the name of the subsection to something other than **Unique Species** in sensitivity to the comments by New York that the White Deer are not truly a species.
- e. Section 5.4.8: I recommend that this section be expanded to discuss the potential effects of the proposed prison on infrastructure, such as waste water treatment systems, drinking water supply, etc.

Bob Lingo

HQDA NEPA SUPPORT TEAM CERTIFICATION
DRAFT ENVIRONMENTAL IMPACT STATEMENT
BRAC 95 DISPOSAL AND REUSE
SENECA ARMY DEPOT ACTIVITY, NEW YORK
NOVEMBER 1997

The HQDA NEPA Support Team has been integrally involved and worked closely with the preparers of this Environmental Impact Statement (EIS) throughout the entire process. We have advised the preparers of Army policy, guidance and expectations, and reviewed working documents.

DAIM-BO letter of 3 Apr 96, subject "General Information Concerning Base Realignment and Closure (BRAC) National Environmental Policy Act (NEPA) - BRAC 95" provides guidance that NEPA Analysis Action Plans (NAAPs) are not required for disposal and reuse actions if the standard methodology (encumbered-unencumbered-intensity) contained in the Army BRAC NEPA Manual is followed. In this case, Army policy and guidance for identifying and analyzing disposal and reuse alternatives have been followed and a NAAP is not required.

This document will be distributed to the public after review, comment and approval of HQDA. The U.S. Environmental Protection Agency (USEPA) will issue an environmental rating during the public review period.

The document conforms to the Council on Environmental Quality Regulations: 40 CFR 1500-1508, Army Regulation AR 200-2, and current Army policy and guidance.

The NEPA Support Team certifies that this document is technically adequate and consistent in approach sufficient for HQDA review.

This EIS document, page 3-6, describes the wetlands protection encumbrance as a notification process alerting the new owner to the 404 regulatory requirements. This approach is consistent with other Army BRAC NEPA disposal and reuse documents. The Army IPR team questioned if this approach complies with Section 4 of Executive Order 11990. Request HQDA address this issue to establish policy for this and future wetlands encumbrance decisions.

As background for consideration in the disposition of this issue, the present approach of notification was developed early in the BRAC process for several reasons:

- a. Section 4(a) of the Executive Order instructs Federal organizations to reference uses restricted under Federal, State or local regulations in the conveyance. It is not possible to make this determination without going through the 404 permitting

process, which led to the approach of notifying the new owner of this requirement.

b. Preempting the new owner (LRA, community) from the right to 404 evaluation to make determination of allowable uses did not appear to be a position the Army should take.

c. Earlier conclusions were that notification to the new owner of the 404 requirement to determine allowable uses satisfied the Executive Order and assured environmentally sustainable reuse alternatives as well.

Incorporation of the following comments by Dr. Neil Robison, NST, before distribution for public review will improve the cultural resource focus:

1. Page 4-47, Section 4.12.2 Previous Historic Resource Investigations/Section 106 Consultations, Archeological Investigations, line 29 - Add the following to the end of this paragraph:

"The Army is also negotiating with the New York SHPO to determine the level of additional archeological inventories needed for the SEDA BRAC action.

2. Page 4-47, Section 4.12.2 Previous Historic Resource Investigations/Section 106 Consultations, Historic Architectural Investigations, lines 35 through 37 - Replace the last two sentences of this paragraph with the following:

"In addition, the USACE conducted a historic building inventory for the SEDA BRAC parcels in 1997. The findings of these surveys will be coordinated with the SHPO to further the completion of the SEDA BRAC National Historic Preservation Act Section 106 consultations."

3. Page 4-48, Section 4.12.2 Previous Historic Resource Investigations/Section 106 Consultations, Historic Architectural Investigations, lines 6 through 8 - Replace this sentence with: "The SHPO memorandum also indicated that the Army will need to submit additional historic context documentation and an assessment of integrity to the SHPO before an official judgement concerning the eligibility of these properties can be made ."

4. Page 5-15, Section 5.3.12 Cultural Resources, Encumbered Disposal, Direct, lines 12 through 14 - Replace the last sentence of this paragraph with the following: "They describe a process for consulting with the SHPO to arrive at mutually agreeable and appropriate measures to either protect the historic properties or mitigate for the adverse effects of a proposed undertaking."

P.E. _____

Donald M. Conlon,

Executive Agent (Date)
HQDA BRAC NEPA Support Team

From: DowRA@hqda.army.mil on 11/12/97 04:41 PM
To: sbarnett@alexandria-emh1.army.MIL
cc: (bcc: SHIRLEY BARNETT/SO/HQAMC/AMC/US)
Subject: FW: Seneca Draft EIS

Shirley. Here are the comments from MAJ Polchek from DA Environmental law. and Deidre Duncan's (OGC)...they should be combined with Bob Lingo's to form the basis for the contractor to prepare a response matrix. I still need comments from OCLL, PAO and ODEP but I do not believe we will get any additional significant comments. I have copied Deidre's comments below Allison's to save paper.

I also have some "happy-to-glad comments myself:

1. Recommend we not use a new acronym(SEDLRAC) for the LRA . Either use SEDA LRA or Seneca County Industrial Development Agency(SCIDA) whichever is historically correct (not "authority" as is used in the document).
 2. Page ES-3, lines 1-7 is confusing. What 2 areas in the EDC? If Housing and PID then the sentence is structured wrong...also, the conservation area would be a PBC
 3. Chart on Pg 5-51: same as Deidre noted for that on ES-6.
 4. Pg 2-1, line 19-20. Please check with to see if this is accurate.
 5. The maps on pages 2-3 and 2-6 are not accurate for enclave sites (too much for DS-2 facilities and ore piles). As this is not finalized, AMC may choose not to change this right now in the interest of keeping the document moving. Lines 12-35, pg 2-5, should also be adjusted to reflect what we know to be true today.
 6. Pg 7-2. Pat Jone's title has changed....Glen Cooke is now the Director of the IDA. Also, do we send one to correctiuons for the law enforcement/prison piece of this? How about the other two libraries we mention in the NOA?
 7. Map on A-1 appears to shopw the potential prison site as being in the Warehouse area when it is in fact in the PID area.
- Again. If I get any more comments I will forward them but I believe its safe to start working on a response matrix now (need to beat that timelinel).

> -----Original Message-----

> From: ALLISON POLCHEK [SMTP:POLCHEKA@OTJAG.ARMY.MIL]
> Sent: Monday, November 10, 1997 2:07 PM
> To: Dow, Rob A., LTC, BRACO
> Cc: BLINGO@alexandria-emh1.army.MIL; Duncan, Deidre M., , OGC;
> Donald.M.Conlon@SAM02.usace.army.mil
> Subject: Seneca Draft EIS

>

> In general, a very good draft EIS. Only a couple of minor comments:

> 1. Page 2-13, line 5/ page 4-31, line 6. This section describes

> solid

> waste management units, yet it is a CERCLA IRP action. SWMU's are

> normally used in the RCRA process, not CERCLA. Why do we use this

> term as opposed to AOC's (area of concern)?

>

- > 2. Section 4.9, Hazardous and Toxic Substances, should not include
- > LBP, PCBs, asbestos, or UXO. These topics should be addressed under
- > a separate category as they are not considered hazardous substances.
- >
- > 3. Mr. Lingo raises the wetlands issue. In reading the Executive
- > Order, I
- > think our approach satisfies the EO. As required by section four, we
- > reference any uses which are restricted, and attach appropriate
- > restrictions, where necessary. I believe our approach of informing
- > the
- > transferee of the wetland and the requirement to comply with section
- > 404. If we have any further restrictions, we would put them in the
- > document. It seems to me that we have complied. Bob - if I am
- > missing
- > something here, let me know.
- >
- > 4. I agree with Mr. Lingo's comment regarding the white deer, and
- > recommend further clarification.
- >
- > MAJ Polchek
- > DAJA-EL
- > 696-1562.
- >
- >
- >

OGC Comments on the Seneca EIS:

1. AMC's comments on Wetlands: Agree with Don Conlon on this one. The future transferee will merely be notified in the transfer document that there are wetlands on the property, where they are, and that they will have to comply with Section 404 of the Clean Water Act. I don't see any reason to write other restrictions into the terms of the NEPA document. In some cases, fish and wildlife has asked for restrictions to be included in the NEPA document (Devens), but as they have not raised the issue here, recommend not including any other restrictions.
2. Agree with all AMC's other comments, especially the point of including recommended mitigation measures to control the impacts on the white deer.
3. Chart ES-1, there is no way to differentiate the long-term and short-term symbols. They look the same.
4. Generally, am I correct in understanding that this discussion is subject to change. When will that decision be made? In the document, it states that approximately 30 acres will be retained. Is that true?
5. Aren't we disposing of utilities? I don't see them mentioned as part of the disposal process. Recommend including them, if we are planning to dispose.
6. Section 3.5, page 3-13, states that the medium high and high intensity reuse represents an unrealistic outcome of reuse. This is not supported by any explanation.

7. Page 4-34, lines 30-34, states that Figure 4-4 indicates the locations of buildings and areas with UXO, I don't see that in Figure 4-4. Recommend including such a figure.

8. Recommend deleting the LBP, Asbestos, and Historic Properties covenants from the Appendices, as these could very well change. I would just make general statements that appropriate LBP, Asbestos, and Historic Property restrictions will be included in the terms of the transfer document as encumbrances.

Otherwise, looks good.
dd

**RECORD OF DECISION
FOR THE DISPOSAL AND REUSE OF
SENECA ARMY DEPOT ACTIVITY**

**DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
INSTALLATIONS, LOGISTICS AND ENVIRONMENT
110 ARMY PENTAGON
WASHINGTON, DC 20310-0110**

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL		# of pages ▶ 10
To	From	
DAVE KWISELY	SMR Assoc.com	
Dept /Agency	Phone #	
	607 869-1309	
Fax #	Fax #	
617-451-1560		

NSN 7540 01 912 2089

**RECORD OF DECISION
FOR THE DISPOSAL AND REUSE OF
SENECA ARMY DEPOT ACTIVITY**

1. DECISION

In my capacity as the Acting Assistant Secretary of the Army for Installations, Logistics and Environment, I have considered the following in making this Record of Decision (ROD) for the Disposal and Reuse of the Seneca Army Depot Activity (SEDA):

- *Final Environmental Impact Statement for BRAC 95 Disposal and Reuse of Property at the Seneca Army Depot Activity, New York*
- Results of real estate screening of SEDA property to other federal agencies.
- Seneca Army Depot Local Redevelopment Authority (SEDLRA) reuse plan and a range of intensity-based reuse scenarios which could occur as a result of redevelopment of the property.
- Provisions of relevant statutes, regulations, and Executive Orders that bear on the installation disposal process and environmental stewardship responsibilities of the Army.

Based on the foregoing, I have determined that the Final Environmental Impact Statement (FEIS) adequately addresses impacts of the Army's proposed disposal of the property and the SEDLRA's planned reuse of the property. Accordingly, the Army will proceed to dispose of excess property at SEDA as expressed in the preferred alternative in the FEIS and consistent with the terms of this ROD. The Army's preferred alternative is to provide an encumbered title on all SEDA property transfers. Property will be retained in caretaker status until transferred by encumbered title.

The remainder of this ROD provides additional information regarding the proposed action and alternatives, the environmental consequences associated with caretaker status, disposal and reuse, encumbrances identified with encumbered disposal, and mitigation measures. This ROD and the FEIS satisfy requirements of the National Environmental Policy Act (NEPA) to examine the environmental impacts of disposal and, secondarily, reuse of SEDA.

2. BACKGROUND

The process for closure of military installations was established in the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510). The Base Closure and

Realignment Act (Public Law 101-510) and the recommendations of the 1995 Defense Base Realignment and Closure (BRAC) Commission made in conformance with the Act require the closure of the SEDA. The Act further authorizes the Department of the Army to dispose of excess and surplus BRAC properties after closure, in accordance with applicable laws and regulations.

The Defense Base Closure and Realignment Act of 1990 specifies that NEPA is applicable to base closures during the process of property disposal. NEPA does not apply to the BRAC Commission's deliberation and decision process or to the need for closing or realigning an installation. Accordingly, the EIS prepared by the Army does not address the need for closing the SEDA. The exemption does not apply to disposal as an Army action and reuse of the property as an indirect effect of disposal. Therefore, an EIS was prepared which evaluates three disposal alternatives (encumbered, unencumbered, and no action or caretaker) as direct actions, and three reuse scenarios (low, medium-low, and medium intensity) as indirect effects of the Army's disposal action, which are not in the Army's control but deemed to be reasonably foreseeable consequences of the Army's action.

3. PROPOSED ACTION AND ALTERNATIVES

SEDA is located in central upstate New York approximately equidistant from the cities of Rochester and Syracuse. The Depot consists of three contiguous parcels designated as Lake Housing, Airfield, and Main Post. It occupies 10,594 acres, on which there are 927 buildings. The Lake Housing area consists of an Army travel camp, an officers' club, and 56 single-family housing units. The Airfield parcel contains a 7,000-foot runway and seven airfield operations buildings. The Main Post contains administration buildings, general-purpose warehouses, ammunition storage facilities, equipment maintenance facilities, troop barracks and support facilities, and family quarters. Conventional ammunition storage involves 519 igloos, 8 standard magazines, 2 inert materials warehouses, and 2 small arms warehouses having a total of 1,332,796 gross square feet. General supply and industrial plant equipment storage involves 19 general-purpose warehouses, 6 outside sites, 2 sheds, and 6 humidity-controlled warehouses having a total of 3,048,855 square feet.

The proposed action is the disposal of the 10,594 acre SEDA facility, except for a 30 acre enclave area, and possible leasing prior to disposal. Reuse by others is a secondary action resulting from disposal. The Army has identified three alternatives for its disposal action:

- **Encumbered Disposal.** The Army would dispose of the property with encumbrances. An encumbrance is any Army imposed or legal constraint on the future use or development of the property. Encumbrances can support future Army interests, regulatory and statutory compliance, hasten the availability of property, or mitigation requirements. Encumbrances relevant to disposal of the SEDA include unexploded ordnance, wetlands, historical resources, access

easements, asbestos-containing material, easements and rights-of-way, groundwater use prohibition, lead-based paint, and remedial activities.

- **Unencumbered Disposal.** Unencumbered disposal would involve the transfer or conveyance of the property by the Army without any encumbrances. However, removal of all encumbrances is not feasible, as there will most always have to be utility and access easements and other legal encumbrances placed on property during disposal. As such, this alternative analyzes the effects of disposal where the Army will remove those encumbrances that can be removed before the transfer occurs. This alternative would allow the property to be disposed of with fewer Army imposed restrictions to future use.
- **No Action-Caretaker Status.** The Army would not dispose of the property under this alternative but would retain it indefinitely. Under this alternative, the Army would maintain and preserve the installation in a caretaker status after the SEDA mission has been transferred. In consultation with the SEDLRA, the Army will determine an initial level of maintenance to preserve and protect facilities needed for reuse in an economic manner that facilitates base redevelopment. At the end of this initial level of maintenance and repair (normally a period of 12 months from the operational closure of SEDA), caretaker status would be reduced to the level of maintenance and repair consistent with Federal Government standards for excess and surplus properties.
- **Preferred Alternative.** The Army's preferred alternative is to provide encumbered title on all SEDA property transfers. Property will be retained in caretaker status until transfer by encumbered title.

Reuse: Reuse of surplus land at SEDA will not be an Army action. Impacts of proposed reuse are considered as indirect effects of the Army's disposal action and have thus been analyzed as secondary effects in the EIS. Potential impacts associated with proposed reuse have been evaluated under scenarios involving low intensity, medium-low intensity, and medium intensity reuse.

The Army will transfer approximately 292 acres in the southeast portion of the installation to the U.S. Coast Guard for continued use as a LORAN-C transmitting station. It is anticipated that the remaining property (less 30 acres as an Army enclave) available for conveyance to the Seneca County Industrial Development Agency (SCIDA), the community's successor to the SEDLRA, will be redeveloped in accordance with the community's reuse plan. That plan envisions the community's submission of an Economic Development Conveyance and subsequent use, sale or redevelopment of portions identified as the Lake Housing and Elliot Acres Housing, Institutional, Airfield/Special Events/Institutional and Training, Planned Industrial Development, and Warehouse areas.

4. ENVIRONMENTAL CONSEQUENCES

The EIS evaluated the potential environmental impacts of disposal and reuse on 16 resource areas: land use, climate, air quality, noise, geology, water resources, infrastructure, hazardous and toxic substances, permits and regulatory authorizations, biological resources, cultural resources, legacy resources, economic development, socioeconomic environment, quality of life, and installation agreements. Direct and indirect impacts identified in the EIS were characterized as either short-term or long-term, minor or significant, and adverse or beneficial. Cumulative impacts were also identified.

Encumbered and Unencumbered Disposal

Direct and indirect impacts on resource areas of the two disposal alternatives would include a variety of minor short-term and long-term adverse and beneficial impacts. The EIS indicates that neither encumbered disposal nor unencumbered disposal would result in significant adverse or beneficial impacts on any of the resource areas. For encumbered disposal, minor beneficial impacts would occur to air quality, geology, water resources, infrastructure, biological resources, sociological environment, and quality of life. Minor beneficial and adverse impacts would occur to land use, hazardous and toxic substances, and economic development. Minor adverse impacts would occur to noise and cultural resources. For unencumbered disposal, minor beneficial and adverse impacts would occur to land use, geology, hazardous and toxic substances, economic development, sociological development, and quality of life. Minor adverse impacts would occur to noise, water resources, infrastructure, and biological and cultural resources. The selection of a disposal alternative would not result in environmental impacts concerning hazardous or toxic substances, as the Army will proceed to remediate all known sites regardless of whether disposal is encumbered or unencumbered.

No Action-Caretaker Status

Caretaker status could result in minor beneficial impacts to air quality, noise, geology, water resources, and hazardous and toxic substances. There could be both minor adverse and beneficial impacts to land use, infrastructure, biological and cultural resources. Minor adverse impacts would be expected for economic development, sociological environment, quality of life, and installation agreements.

Reuse

Direct and indirect impacts of reuse on resource areas would include a variety of minor short-term and long-term adverse and beneficial impacts. The EIS indicates that medium intensity reuse (the highest level of reasonable reuse identified) could result in significant adverse impacts on land use and infrastructure. Medium intensity would

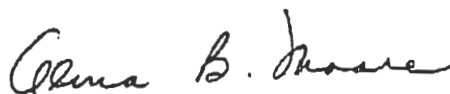
be present.

- Conveyance documents will identify past hazardous substance activities at each site as defined by the Comprehensive Environmental Response, Compensation, and Liability Act, as amended.

Reuse: Implementation of mitigation measures applicable to reuse is the responsibility of non-Army entities. As an aid to mitigation of impacts arising during reuse, the EIS identifies general mitigation measures that could be implemented by other parties for the reduction, avoidance, or compensation of impacts resulting from their actions, including actions to lessen the adverse impacts to land use, air quality, water resources, geology, and biological resources.

7. Conclusion

On behalf of the Department of the Army, I have decided to proceed with the preferred alternative of encumbered disposal of the SEDA. I have carefully considered the EIS and all comments provided during formal comment and waiting periods throughout the NEPA/EIS process. I have determined that the Army's preferred alternative strikes the proper balance between the necessary protection of the environment and disposal of the property consistent with the BRAC law and implementing regulations and policies. Furthermore, I have determined that the Army has identified and adopted all practical means to avoid or minimize harm to the environment that may be caused by implementation of the planned action.



Alma B. Moore
Acting Assistant Secretary of the Army
(Installations, Logistics and Environment)

Date: 5/12/98

result in beneficial impacts to economic development and minor adverse impacts to air quality, geology, water resources, sociological environment, and quality of life. Minor beneficial and adverse impacts would occur to noise and biological resources. Medium-low intensity would result in minor beneficial impacts to economic development. Minor beneficial and adverse impacts would occur to biological resources. Minor adverse impacts would occur to air quality; noise, geology, water resources, and infrastructure. Low intensity reuse would result in minor beneficial impacts to economic development, and minor adverse impacts to geology, water resources, and biological resources.

Cumulative Impacts

Cumulative impacts are those resulting from the incremental impact of the proposed action when added to other past, present, and reasonably foreseeable future actions regardless of the agency or entity undertaking such other actions. Disposal and reuse could result cumulatively in a variety of minor adverse and beneficial impacts on land use, air quality, infrastructure, permits and regulatory authorizations, cultural resources, economic development, and quality of life.

Specifically, caretaker status would result in minor adverse impacts to infrastructure and economic development. Encumbered disposal would result in minor beneficial cumulative impacts to land use, infrastructure, and quality of life. Minor adverse cumulative impacts would occur to air quality and permits. Unencumbered disposal would result in minor adverse cumulative impacts to air quality, infrastructure, permits, cultural resources, economic development, and quality of life.

Long-term minor beneficial cumulative impacts would be expected under the medium intensity reuse scenario. Achievement of medium reuse of SEDA would indicate successful marketing of SEDA assets and would positively affect other economic activity in the region of influence (ROI). The level of economic growth associated with medium intensity reuse would create demand for support throughout the ROI. For instance, upgrades to the Finger Lakes Regional Airport in Seneca County would be justified to enhance access to the SEDA property.

Medium-low reuse of SEDA would also result in minor beneficial cumulative impact. The benefits would be similar to those under the medium intensity reuse scenario but on a smaller scale. No cumulative effects would be expected under the low intensity reuse scenario. Implementation of this scenario would resemble the activity levels, economic conditions, and environmental conditions of baseline operations.

5. IMPLEMENTATION

The Army will maintain and secure the property while it remains in caretaker status. In addition, the Army is committed to environmental cleanup of the installation as required under applicable law and the Army's BRAC Installation Restoration Program.

Leases and licenses may be granted, where appropriate, to permit temporary use of real property at SEDA prior to disposal. These could help to ensure that SEDA property is productively used and maintained within acceptable standards while pending transfer to new owners.

It is anticipated that conveyance of the property available to the SCIDA will, at some locations, be delayed by requirements to clean up hazardous or toxic waste contamination. Accordingly, and depending on the needs of the SCIDA, transfer or conveyance may be in parcels rather than awaiting completion of cleanup of all areas.

The Army will transfer or convey property in an encumbered status. Pursuant to this ROD, SEDA property will be transferred subject to the following restrictions identified in the EIS.

- *Unexploded ordnance (UXO).* Eleven sites at SEDA are known or suspected to have UXO. The presence of UXO could present a hazard to numerous types of activities such as construction and most types of agricultural or silvicultural operations. Except where property has been fully investigated and declared free of UXO, restrictive covenants will be placed in transfer or conveyance documents to prohibit future owners from terrain-disruptive activities exceeding the depths of decontamination and to impose other requirements to ensure safety and protection of human health and the environment.
- *Wetlands.* An estimated 496 acres of wetlands occur at 87 distinct locations at SEDA. To provide for continued wetland protection, the Army will notify future property recipients of those areas which have been identified as wetlands and of their responsibility to comply with the Clean Water Act Section 404 permit process should development be planned in, or sufficiently near to, jurisdictional wetlands. Depending on proposed land uses, the Army may consider imposing restrictive covenants prohibiting certain land uses that would eliminate or degrade wetlands, including, as appropriate, requirements for buffer zones adjoining wetlands.
- *Historical resources.* Building 2301, located in the southwest corner of the installation near the airfield, is eligible for the National Register of Historic Places (NRHP) as an example of early 20th century classical revival architecture. Ongoing studies may result in additional determinations of NRHP eligibility of other depot buildings and structures. If properties eligible for NRHP are present within installation disposal parcels, encumbrances requiring protection of the historic properties or consultation with the State Historic Preservation Office (SHPO) to mutually agree on appropriate mitigating measures will be included in transfer documents.
- *Access easements.* Easements will be reserved by the Army to permit access to

and use of property retained for use as an enclave. Such access easements will be required with respect to ore piles located adjacent to the ammunition storage area and with respect to Building 103 (fire department) that is in an area proposed for conveyance to the SCIDA. A perpetual easement granted in 1942 in favor of the Cemetery Association of the First Baptist Church will be continued for access to and from a private cemetery located in the ammunition storage area.

- **Asbestos-containing material.** Surveys at SEDA reveal the presence of asbestos-containing material in approximately half of the buildings at the installation. Before transfer or conveyance, the Army will remove or encapsulate all friable asbestos that poses a risk to human health. Transfer or conveyance documents will notify new owners or lessees of the property that they will be responsible for any future remediation of asbestos-containing material found to be necessary.
- **Easements and rights-of-way.** Existing easements and rights-of-way benefiting or burdening SEDA property will continue after transfer or conveyance. For instance, the Army has granted an easement to New York State Electric and Gas to furnish service (underground lines) to the LORAN-C site used by the Coast Guard.
- **Groundwater use prohibition.** Groundwater trichloroethylene contamination is present on the southwestern side of the depot as a result of operation of a 4-acre ash landfill and municipal incinerator (Building 2207). Transfer or conveyance of property in the immediate vicinity of the release of trichloroethylene will include a prohibition on any consumptive use of groundwater. Ongoing and future investigations of groundwater may result in the identification of other contaminants that would cause similar groundwater use prohibitions. This encumbrance on the property will extend until such time as appropriate regulatory agencies certify the completion of remedial action pertaining to the groundwater.
- **Lead-based paint.** A wide range of structures, including family housing units, is subject to the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Public Law 102-550). Upon transfer or conveyance of buildings known or suspected of containing lead-based paint, the Army will impose appropriate restrictions consistent with the Act.
- **Remedial activities.** Operations at SEDA over several decades have resulted in localized hazardous waste contamination. The contaminants and substances of concern include volatile organic compounds, semivolatile organic compounds, and metals. For the most part, details of specific remedial actions remain to be determined. In conjunction with remedial activities that might be required during

an interim lease or upon conveyance, the Army will retain a right to conduct investigations and surveys; to have government personnel and contractors conduct field activities; and to construct, operate, maintain, or undertake any other response or remedial action as required.

6. MITIGATION

Caretaker Status: The Army will implement the following mitigation measures to reduce or avoid the adverse impacts associated with caretaker status as they occur:

- Conduct installation security and maintenance operations to the extent provided by Army policies and regulations for the duration of the caretaker period, and transfer responsibilities for these functions to non-Army entities as soon as practicable to minimize disruption of service.
- Identify clean or remediated portions of the installation for disposal and reuse and prioritize restoration and cleanup activities to ensure timely disposal and reuse of remaining portions.
- Maintain necessary natural resources management measures, including continued close coordination with other federal agencies such as the U.S. Fish and Wildlife Service and state agencies such as the New York State Department of Environmental Conservation.
- Maintain the perimeter fence and continue a controlled hunt of the deer herd, including white deer.
- Actively support interim leasing arrangements, where environmental restoration efforts permit, to provide for job creation, habitation and maintenance of structures, and rapid reuse of the installation.
- Until final disposal, maintain installation buildings, infrastructure, and natural resources in caretaker status.

Disposal: To avoid, reduce, or compensate for adverse impacts that might occur as a result of disposal, the Army will implement the following mitigation measures:

- Continue to work with the SCIDA to ensure that, to the maximum extent feasible, encumbered disposal transactions are consistent with the adopted community reuse plan.
- Prior to final disposal, complete cultural resources surveys of SEDA property in consultation with the State Historic Preservation Officer to identify important cultural resources and to ensure no adverse effects on the resources that might

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**RECORD OF DECISION
FOR THE DISPOSAL AND REUSE OF
SENECA ARMY DEPOT ACTIVITY**

DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
INSTALLATIONS, LOGISTICS AND ENVIRONMENT
110 ARMY PENTAGON
WASHINGTON, DC 20310-0110

OPTIONAL FORM 95 (7-90)

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