58-04

Draft

Description of Proposed Action and Alternatives for BRAC 95 Disposal and Reuse of Property at the Seneca Army Depot Activity, New York

Prepared for

US Army Materiel Command

by

US Army Corps of Engineers
Mobile District

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[Preparer's Note: This iteration of the DOPAA assumes matters as they are anticipated to be at the time of promulgation of the draft EIS. Some items in these chapters, such as discussion of public involvement (in the past or future tense) will be modified as the document moves from the draft stage to the final stage.]

SECTION 1.0:
PURPOSE, NEED, AND SCOPE

1.1 PURPOSE AND NEED

The Department of the Army is reducing its force structure in response to changing security requirements, resulting in fewer installations being needed. As the Army reduces, activities are being realigned and consolidated with maximum readiness to the most efficient installations capable of projecting and sustaining combat power in support of national military objectives.

The process for designating installations for closure or realignment was established in the Defense Base Closure and Realignment Act of 1990 (1990 Base Closure Act), Public Law 101-510, as amended. To recommend closure and realignment actions, the military services used criteria established by the Secretary of Defense and approved by Congress, and a force structure plan provided by the Joint Chiefs of Staff. The criteria evaluated military value, return on investment from cost savings, and environmental and socioeconomic impacts. A consolidated Department of Defense (DoD) list of recommended actions was submitted by the Secretary of Defense to a bipartisan commission appointed by the President and confirmed by the Senate. The 1995 Defense Base Closure and Realignment Commission (Commission) evaluated these recommendations and sent the findings to the President, who forwarded the recommendations to Congress on July 13, 1995. The 1990 Base Closure Act stipulated that the recommendations would be implemented unless Congress disapproved them within a specified period of time. No disapproval was issued, and thus the Commission's recommendations became binding on September 28, 1995. These recommendations are being implemented as required by the 1990 Base Closure Act.

The Commission's recommendations for base realignments and closures made in 1995 are referred to in this document as BRAC '95. The Commission recommended the following action for Seneca Army Depot Activity (SEDA) in its 1995 report to the President: "Close Seneca Army Depot, except for an enclave to store hazardous material and ores."

Pursuant to the above recommendations, all Army missions at SEDA, except those related to the storage of hazardous materials and ores at an enclave to be managed by the Defense Logistics Agency, must cease or be relocated. Following closure, the Army proposes to dispose of the 10,634 acres composing SEDA, except for approximately 30 acres for enclave purposes, since the property will be excess to Army needs because of the BRAC Commission recommendation. The purpose of the proposed action of disposal, as described more fully in Section 2.0, is to implement the Commission's recommendations. The proposed action supports the Army's need to transfer the excess property to new owners.

1.2 SCOPE

The 1990 Base Closure Act specifies that the National Environmental Policy Act of 1969 (NEPA) does not apply to actions of the President, the Commission, or DoD, except "(i) during the process of property disposal, and (ii) during the process of relocating functions from a military installation being closed or realigned to another military installation after the receiving installation has been selected but before the functions are relocated" (Public Law 101-510, Sec. 2905(c)(2)(A)).

The 1990 Base Closure Act further specifies that in applying the provisions of NEPA to the process, the Secretary of Defense and the secretaries of the military departments concerned do not have to consider "(i) the need for closing or realigning the military installation which has been recommended for closure or realignment by the Commission, (ii) the need for transferring functions to any military installation, or (iii) military installations alternative to those recommended or selected" (Public Law 101-510, Sec. 2905(c)(2)(B)).

The Commission's deliberation and decision, as well as the need for closing or realigning a military installation, are exempt from NEPA (Public Law 101-510, Sec. 2905(c)(2)). Accordingly, this

Environmental Impact Statement (EIS) does not address the need for closure or realignment. NEPA does, however, apply to disposal as an Army action and to reuse of property as an indirect effect of disposal; therefore, those actions are addressed in this document.

Two disposal alternatives (encumbered and unencumbered) are presented and evaluated in this EIS, as are three reuse scenarios (low, medium-low, and medium intensity), which encompass the community's reuse plan. The environmental effects of "no action," with the property remaining in caretaker status, are also evaluated. These alternatives and scenarios are further described in Section 3.0. The Army will prepare other NEPA documentation for interim leasing, if required, before the completion of a Record of Decision concerning the matters evaluated in this EIS.

1.3 PUBLIC INVOLVEMENT

1.3.1 NEPA Public Involvement Process

Under regulations issued by the Council on Environmental Quality (CEQ), the evaluation of potential environmental effects is open to the public. Public participation in the NEPA process promotes both open communications between the public and the Army 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 participation opportunities with respect to the proposed action that is the subject of this EIS are guided by CEQ regulations and Army Regulation 200-2, *Environmental Effects of Army Actions*. These regulations provide for five major aspects of public participation available in conjunction with preparation of this EIS: Notice of Intent, scoping, public review of the draft EIS, public hearing on the draft EIS, and public release of the final EIS and 30-day waiting period. Each of these aspects of the public nature of the NEPA process is discussed below. A related public involvement process, applicable to contaminated site remediation, is also discussed.

1.3.2 Notice of Intent

The Notice of Intent (NOI) is the first formal step in the NEPA public involvement process. It notifies the public that an EA or an EIS will be prepared. The notice is published in the *Federal Register* by the agency proposing the action, prior to the start of the scoping process. The NOI includes a description of the proposed action and gives the name and address of an agency contact person. An NOI announcing the Army's intent to prepare an EA for the disposal and reuse of SEDA was published in the *Federal Register* on September 22, 1995. Subsequent to a reassessment, an NOI for preparation of an EIS was published in the *Federal Register* on September 17, 1996.

1.3.3 Scoping Process

The purpose of scoping is to solicit public comment on issues or concerns that should be addressed in the EIS. It is designed to involve the public early in the EIS process. Public comments are solicited through mailings, media advertisements, and both agency and public scoping meetings. While informal comments are welcome at any time throughout the process, the scoping period and the scoping meeting provide formal opportunities for public participation in and comment on the environmental impacts analysis process.

A public scoping meeting was held on September 9, 1996, at the Seneca County building in Waterloo, New York. Display advertisements for the meeting were published in the *Finger Lakes Times* on August 27 and September 3, 1996, and in the *Reveille Between the Lakes* on August 29 and September 5, 1996. Notices concerning the public meeting were also sent to a mailing list including public officials, agencies, organizations, and individuals. Names on the list were compiled from a variety of sources, including the installation. All persons and organizations thought to have a potential interest, including minority, disadvantaged, and Native American groups, were included. The mailing identified a contact person at the installation for further information, as well as another contact person to whom comments could be sent by September 30, 1996.

Eight members of the community attended the public scoping meeting.

[The results of the scoping process will be summarized and inserted here after closure of the comment period and preparation of the Scoping Report. To date, there are few inputs as a result of scoping.]

1.3.4 Public Review of Draft EIS

A draft EIS will be made available for public review and comment. A notice of availability of the draft EIS will be published in the *Federal Register*, notices will be sent to those on the mailing list, and press releases will be provided to local news media announcing circulation of the draft EIS. In addition, copies of the draft EIS will be provided to local libraries. Agencies, organizations, and individuals will be invited to review and comment on the document. A review period of not less than 45 days will allow reviewers the opportunity to comment on the analysis or on other aspects of the EIS process.

1.3.5 Public Hearing

A formal public hearing will be held on the draft EIS to receive comments from those desiring to present them in a public forum.

1.3.6 Final EIS

As provided for in CEQ Regulations (40 CFR 1503.4), the Army will assess and consider all comments, both individually and collectively, provided by the public and agencies on the draft EIS. The final EIS will incorporate changes suggested by comments on the draft EIS, as appropriate, and will contain responses to all comments received during the review period. A notice of availability of the final EIS will be provided to all those who comment on the draft EIS. Copies of the final EIS will be mailed to selected federal, state, and local agencies. Copies will also be placed in local public libraries for review, and notice of the report's availability will be published in the *Federal Register*. After a 30-day period, during which further comments may be submitted for Army consideration, the

Army will prepare a Record of Decision[1] (ROD), which will state how the disposal and reuse of SEDA will take place and include any required mitigation measures associated with disposal.

1.3.7 Contaminated Site Remediation Public Review Process

Remediation or cleanup of contaminated sites under the Army's Installation Restoration Program (IRP) also includes public involvement where closure and disposal are involved. This program is separate from the NEPA process, but both cleanup and NEPA activities usually occur simultaneously during disposal of installation property. Studies and reports for remediation actions are made available at the public information repositories located in surrounding communities. Remedial actions under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) include formal opportunities for public participation in reviewing documents and attending public meetings. This EIS addresses the sites under remediation by describing the nature and extent of the contamination in an overall environmental context and identifying their remedial status (Section 4.0). The public will be kept informed about site remediation studies and will be invited to participate in public meetings associated with them.

The Army's policy of improved public involvement in base cleanup includes the local community in the installation cleanup program by making information available, providing opportunities for comment, and establishing and seeking active participation on a Restoration Advisory Board (RAB). The RAB is composed of an Army representative, U.S. EPA and state representatives, and members of the local community. The RAB is jointly chaired by the Base Environmental Coordinator at SEDA and a member of the Board. The responsibilities of the RAB are to conduct oversight of public outreach activities, to act as a vehicle for disseminating information, and to develop and implement community relations plans. The RAB conducts regular meetings that are open to the public and maintains mailing lists of "stakeholders" who wish to receive information on the cleanup program.

[1]The ROD for an EIS should not be confused with the ROD for hazardous waste cleanup decision making related to the Comprehensive Environmental Response, Compensation, and Liability Act. At SEDA, the Army intends to promulgate both types of RODs. As appropriate under the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 300), one or more RODs may be required to document decision making for selection of hazardous waste site cleanup alternatives.

1.4 IMPACT ANALYSIS PERFORMED

This EIS identifies, evaluates, and documents the effects of disposal and reuse of the SEDA property. Several other, related processes occur in conjunction with the Army's preparation of the property for closure and disposal. These associated processes and their time frames are shown in Figure 1-1.

An interdisciplinary team of environmental scientists, biologists, planners, economists, engineers, archaeologists, historians, and military technicians analyzed the proposed action against the existing conditions and identified the relevant beneficial and adverse effects associated with the action. The existing conditions at SEDA as of July 1995, which reflect the operating status of the facility prior to the BRAC Commission's recommendation, are described in Section 4.0, Affected Environment. These conditions, with information presented in the "no action" alternative (Section 3.0), constitute the baseline for the analysis of the environmental and socioeconomic effects of disposal and reuse. The effects are described in Section 5.0, Environmental and Socioeconomic Consequences.

The document analyzes direct impacts (those caused by the proposed action and occurring at the same time and place) and indirect impacts (those caused by the proposed action but occurring later in time or farther removed in distance but still reasonably foreseeable). Cumulative effects are also addressed. Mitigation measures are identified where appropriate.

The socioeconomic effects of disposal and reuse are assessed by use of the Economic Impact Forecast System (EIFS), developed by the U.S. Army Construction Engineering Research Laboratory. The region of influence (ROI) consists of Seneca County, New York, and the City of Geneva, New York, which is located in Ontario County. The rationale for selection of this area as the ROI is provided in Section 4.11.

1.5 FRAMEWORK FOR DISPOSAL

Numerous factors contribute to Army decisions relating to disposal of installation property. The 1990 Base Closure Act triggers reference to several other statutes and directives. In addition to adherence to the 1990 Base Closure Act's requirements, the Army must abide by rules pertaining to transfer of

Associated Processes and Time Frames for Seneca Army Depot

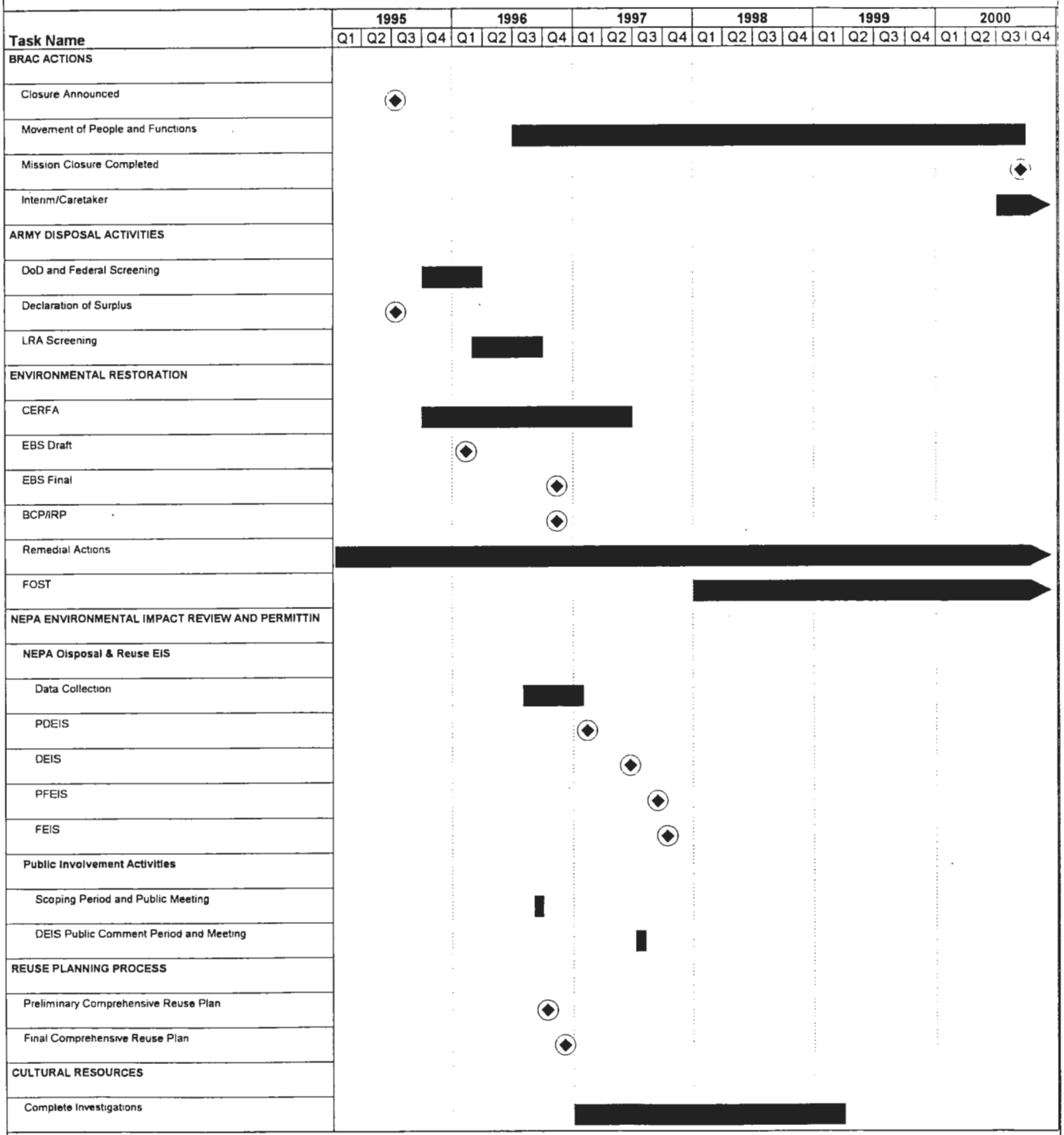


Figure 1-1

federal property, as well as executive branch policies. There are also practical concerns such as identifying base assets to allow for disposal in a manner most consistent with statutory and regulatory guidance. These matters are discussed further below.

1.5.1 BRAC Procedural Requirements

1.5.1.1 Statutory Provisions

The disposal process is governed by the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510, as amended) and the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq., as amended). The latter is implemented by the Federal Property Management Regulations at Title 41 *Code of Federal Regulations* (CFR), Subpart 101-47. The disposal process is also governed by 32 CFR Part 90 (*Revitalizing Base Closure Communities*) and 32 CFR Part 91 (*Revitalizing Base Closure Communities - Base Closure Community Assistance*), regulations issued by DoD to implement BRAC law, the Pryor Amendment, and the President's Five-Part Plan (see below).

1.5.1.2 Screening Process

Having been recommended for closure, the SEDA property has been determined to be excess to Army needs and, therefore, subject to specific procedures to identify potential subsequent public sector users. That is, the property has been offered to a hierarchy of potential users via procedures called the screening process. This process and its results to date are discussed in Section 2.3.4.

1.5.1.3 The President's Five Part Plan

On July 2, 1993, the President announced a major new program to speed the economic recovery of communities near closing military installations. The President pledged to give top priority to early use of each closing installation's most valuable assets. A principal goal of the initiative is to provide for rapid redevelopment and creation of new jobs. In announcing the program, the President outlined the five parts of his community revitalization plan:

- Jobs-centered property disposal that puts local economic redevelopment first.
- Fast-track environmental cleanup that removes delays while protecting human health and the environment.
- Appointment of transition coordinators at installations slated for closure.
- Easy access to transition and redevelopment help for workers and communities.
- Larger economic development planning grants to base closure communities.

The Army is fully committed to the President's Five-Part Plan. A Base Transition Coordinator has been appointed for SEDA property, and the Army has taken an active role in providing assistance to the local community.

1.5.1.4 The Pryor Amendment

Congress endorsed the President's plan by enacting Title XXIX of Public Law 103-160, Base Closure Communities Assistance Act, popularly known as the "Pryor Amendment" in recognition of its principal legislative sponsor. Title XXIX, as amended, provides legal authority to carry out the President's plan by granting conveyances of real and personal property at or below fair market value to local redevelopment authorities (LRAs). Title XXIX creates a new category of public benefit transfer, the economic development conveyance (EDC). An EDC can help induce a market for the property and thereby enhance economic recovery and generate jobs. Flexibility is given to the military departments and the communities to negotiate the terms and conditions of the EDC. A detailed application, including the approved community redevelopment plan, serves as the basis for a determination of whether an LRA will be eligible for an EDC. The DoD's final rule implementing the Pryor Amendment appears at 32 CFR Parts 90 and 91. The EDC is further described in Section 2.3.4.

1.5.2 Relevant Statutes and Executive Orders

Several statutes and Executive orders bear specifically on the disposal and reuse of the SEDA property. The following discussions note their relevance to the disposal and reuse process.

Comprehensive Environmental Response, Compensation, and Liability Act. CERCLA, better known as Superfund, addresses cleanup of past hazardous waste sites that pose threats to human health or the environment. The Superfund Amendments and Reauthorization Act of 1986 (SARA) expanded applicability of this law to federal facilities. SARA provides procedures to clean up toxic or hazardous substances at closed or abandoned hazardous waste sites.

Procedures for conducting cleanup are governed by the National Oil and Hazardous Substances Pollution Contingency Plan. Major steps in the cleanup process include preliminary assessment and site investigations of hazardous substance releases, remedial investigation and preparation of feasibility studies for cleanup, a ROD for selecting among cleanup alternatives, and design of remedial measures and implementation of remedial action. The process includes creation and maintenance of an administrative record for public review and notices to the public for review and comment at major junctures.

Army compliance with the National Oil and Hazardous Substances Pollution Contingency Plan occurs through the Installation Restoration Program (IRP). The IRP is conducted at locations having past hazardous waste sites requiring remediation.

Past practices at SEDA with respect to hazardous waste have resulted in spills and releases requiring action pursuant to CERCLA. SEDA was placed on the National Priorities List in March 1989. Requirements and procedures established in CERCLA apply in full to restoration activities at the installation.

Community Environmental Response Facilitation Act. In October 1992, Congress amended Section 120(h) of CERCLA with the Community Environmental Response Facilitation Act (CERFA), Public

Law 102-426. CERFA establishes new requirements for contamination assessment, cleanup, and regulatory agency notification and concurrence for federal facility transfers.

CERFA requires federal agencies to identify uncontaminated parcels, with regulatory concurrence, and it allows transfer by deed of remediated parcels at the point when successful operation of an approved remedy has been demonstrated to the U.S. Environmental Protection Agency (EPA).

CERFA requires that the identification consider petroleum products as well as CERCLA hazardous substances. For property that is part of a facility listed on the National Priorities List, the identification cannot be considered complete until concurred in by the EPA Administrator. For real property not on the National Priorities List, the identification cannot be considered complete until concurred in by the state.

The law requires a transferring agency to provide a covenant, when transferring parcels identified as uncontaminated, that any response action or corrective action found necessary will be undertaken by the United States. The deed for such parcels must also provide for a right of access to perform any additional response action, including appropriate investigations. Although CERFA does not mandate that the Army transfer real property identified as immediately available, it is the first step in satisfying the objective of identifying real property where no CERCLA-regulated hazardous substances or petroleum products were stored, released, or disposed of. The procedures mandated by CERFA will be observed in property disposal actions at SEDA.

Resource Conservation and Recovery Act. Under the Resource Conservation and Recovery Act (RCRA), EPA defines those wastes which are hazardous and regulates their generation, treatment, storage, transportation, and disposal. EPA also establishes technical and performance requirements for hazardous waste management units and exercises responsibility over a permit system for hazardous waste management facilities. RCRA is also the source for regulations pertaining to solid waste management and underground storage tank management. Hazardous waste activities at SEDA are subject to the provisions of RCRA.

Clean Air Act. The Clean Air Act (CAA) controls the emission of pollutants into the atmosphere. Under the CAA, EPA has established national air standards. These standards, which express concentrations of designated pollutants, are called the National Ambient Air Quality Standards (NAAQS). The NAAQS, uniformly applied throughout the Nation, are time-averaged concentrations of the specified pollutants that cannot be exceeded in the ambient air more than a specified number of times. Standards have been established for the pollutants sulfur dioxide, carbon monoxide, ozone, nitrogen oxides, lead, and inhalable particulate matter. The NAAQS are to be achieved by the states through State Implementation Plans, which provide for limitations, schedules, and timetables for compliance with NAAQS by stationary sources and transportation control plans for mobile sources.

Amendments to the Clean Air Act in 1990 introduced, at Section 176(c) of the Act, a requirement that "No department, agency, or instrumentality of the Federal Government shall engage in, support in any way, or provide financial assistance for, license or permit, or approve any activity which does not conform to an implementation plan ... approved or promulgated. The assurance of conformity ... shall be an affirmative responsibility of the head of such department, agency, or instrumentality." Conformity to an implementation plan means conformity to an implementation plan's purpose of eliminating or reducing the severity and number of violations of the NAAQS and achieving expeditious attainment of such standards. It further refers to conducting activities so that they will not cause or contribute to any new violation of any standard in any area, increase the frequency or severity of any existing violation of any standards in any area, or delay timely attainment of any standard of any required interim emission reductions or other milestone in any area. Regulations regarding determining conformity of general federal actions to implementation plans appear at 40 CFR Parts 51 and 93.

As shown by the discussion in Section 4.2, operational activities at SEDA are subject to the provisions of the Clean Air Act.

Clean Water Act. Since major amendments in 1977, the Federal Water Pollution Control Act has been known as the Clean Water Act (CWA). This statute, which seeks to restore and maintain the chemical, physical, and biological integrity of the Nation's waters, identifies certain pollutants and sets required treatment levels for those pollutants. The CWA addresses both point source and nonpoint

source discharges. Point sources are distinct entities that discharge into rivers, lakes, estuaries, or others waters of the United States, through discrete conveyances such as pipes, ditches, or canals. Nonpoint sources are those which do not discharge wastewater from a discrete conveyance (e.g., most agricultural lands, certain construction sites, parking lots, and streets).

Section 402 of the CWA establishes the National Pollutant Discharge Elimination System (NPDES) program. NPDES permits are required for all point source discharges to waters of the United States, including discharges of stormwater associated with industrial activities. The Clean Water Act also contains provisions for protection of wetlands and establishes a permitting process for activities having potential effects in wetlands areas.

Clean Water Act provisions apply to SEDA with respect to operations at the installation's wastewater treatment facilities, which are subject to the NPDES permitting provisions, and to jurisdictional wetlands at the depot.

National Historic Preservation Act. The National Historic Preservation Act of 1966 (NHPA) protects buildings, sites, districts, structures, and objects that have significant scientific, historic, or cultural value. The act establishes affirmative responsibilities of federal agencies to preserve historic and prehistoric resources. Effects on properties that are on, or eligible for, the National Register of Historic Places must be taken into account in planning and operations. Any property that may qualify for inclusion on the National Register of Historic Places must not be inadvertently transferred, sold, demolished, substantially altered, or allowed to deteriorate.

National Register of Historic Places criteria are those qualities of significance in American history, architecture, engineering, archaeology, and culture present in districts, sites, buildings, structures, and objects of state, local, regional, or national importance. These properties possess integrity of location, design, setting, materials, workmanship, feeling, and association.

Fulfillment of the purposes of the NHPA is assisted through coordination with the Advisory Council on Historic Preservation (ACHP) and with each State Historic Preservation Officer (SHPO). Prior to final disposal action, the Army must ensure that appropriate measures for the preservation of protected historical resources are undertaken at SEDA.

Archaeological Resources Protection Act. The Archaeological Resources Protection Act (ARPA) prohibits the removal, sale, receipt, and interstate transportation of archaeological resources obtained illegally (without permits) from public or Indian lands and authorizes agency permit procedures for investigations of archaeological resources on public lands under the agency's control. Installation officials believe the potential presence of archaeological resources subject to the protections afforded by the ARPA exist at SEDA.

The law states that the Secretaries of the Interior, Agriculture, and Defense and their respective employees and agents shall develop plans for surveying the lands under their control. Their task is to determine the nature and extent of archaeological resources and prepare a schedule for surveying those lands which are likely to contain the most scientifically valuable archaeological resources and develop documents for reporting suspected violations of the ARPA. The ARPA requires the issuance of permits for authorized professional excavation or removal of archaeological resources. The ARPA imposes civil and criminal penalties for unauthorized excavation, removal, damage, alteration, or defacement of archaeological resources or attempt to perform such unauthorized acts. Implementing regulations of the ARPA are contained in 18 CFR Part 1312, 32 CFR Part 229, 36 CFR Part 296, and 43 CFR Part 7.

American Indian Religious Freedom Act. The American Indian Religious Freedom Act of 1978 (AIRFA) states the policy of the United States to protect and preserve for American Indians, Eskimos, Aleuts, and native Hawaiians their inherent rights of freedom to believe, express, and exercise the traditional religions. These rights include, but are not limited to, access to sites, use and possession of sacred objects, and freedom to worship through ceremony and traditional rites. They also include the right of tribal leadership to be consulted by federal agencies before burial sites that appear to relate to tribal ancestors are disturbed by agency projects. The potential exists for the presence of sites at SEDA that could be subject to American Indian requests founded on AIRFA. Regulations implementing AIRFA are located at 43 CFR Part 7.

Endangered Species Act. Under the Endangered Species Act (ESA), federal agencies are required to conserve biological or wildlife species that have been federally listed as endangered or threatened. All federal agencies must consult with the U.S. Fish and Wildlife Service (USFWS) to ensure that any actions authorized, funded, or carried out by the agencies are not likely to jeopardize the continued

existence of any endangered or threatened species or to result in the destruction of or substantial damage to its critical habitat. This consultation, deriving from Section 7 of the Act, is often referred to as the Section 7 consultation process. While this consultation is in progress, an agency must not make an irretrievable commitment of resources to its project. A consultation typically leads to the USFWS's suggestion of alternatives or mitigating measures that can be incorporated into the project, thereby allowing its completion. In connection with disposal of SEDA, consultation with the USFWS is required to ensure thorough consideration of potential effects on endangered and threatened species.

The ESA prohibits the taking of endangered fish and wildlife species. Taking includes harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing, collecting, or attempting to do any of these things. With respect to the taking of endangered plants, it is prohibited to remove them or reduce them to one's possession. Under the ESA, the Secretary of the Interior issues regulations to conserve threatened species.

Amendments to the ESA in 1982 allow the Secretary of the Interior to approve "incidental" taking of listed species if, after notice and comment, the Secretary finds that the taking will be incidental, the applicant will exert maximum effort to minimize and mitigate effects of taking, the applicant will ensure adequate funding for the plan, and the taking will not appreciably reduce the likelihood of survival and recovery of the species in the wild.

Executive Orders. Six Executive Orders address topics relevant to the Army's disposal of SEDA.

- *Executive Order 11988, Floodplain Management* (May 24, 1977), requires federal agencies to take action to reduce the risk of flood loss, to minimize the impacts of floods on human safety, health, and welfare, and to restore and preserve the national and beneficial values served by floodplains in carrying out their responsibilities for managing and disposing of federal lands. Before taking an action, an agency must determine whether the proposed action will occur in a floodplain; if so, consideration must be made of alternatives to avoid adverse effects and incompatible development in floodplains.

- *Executive Order 11990, Protection of Wetlands* (May 24, 1977), requires federal agencies to take action to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance

the natural and beneficial values of wetlands in carrying out the agency's responsibilities for managing and disposing of federal lands and facilities. For any proposal for lease, easement, right-of-way, or disposal to nonfederal public or private parties, the federal agency is to reference in the conveyance document those uses which are restricted under federal, state, or local wetland regulations and to attach other appropriate restrictions to the uses of properties by the grantee or purchaser and any successor, except where prohibited by law, or withhold such properties from disposal. The presence of wetlands at SEDA makes this E.O. relevant to resource protection and land use planning at the installation.

- *Executive Order 12088, Federal Compliance with Pollution Control Standards* (October 13, 1978) provides that federal agencies are to comply with all federal, state, and local environmental requirements. In the context of property to be disposed of at SEDA, these requirements will continue as long as the Army retains ownership of the property, including the period during which any portion of the property would be held in caretaker status prior to disposal.

- *Executive Order 12580, Superfund Implementation* (January 23, 1987), delegates to agency heads several decision-making authorities under CERCLA. In the context of SEDA, certain responsibilities related to environmental restoration may not be transferred to other parties.

- *Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations* (February 11, 1994), requires that federal agencies conduct their programs, policies, and activities that substantially affect human health or the environment in a manner that ensures that such programs, policies, and activities do not have the effect of excluding persons (including populations) from participation in, denying persons (including populations) the benefits of, or subjecting persons (including populations) to discrimination under such programs, policies, and activities because of their race, color, or national origin. On February 11, 1994, the President also issued a memorandum for heads of all departments and agencies, directing that EPA, whenever reviewing environmental effects of proposed actions pursuant to its authority under Section 309 of the CAA, ensure that the involved agency has fully analyzed environmental effects on minority communities and low-income communities, including human health, social, and economic effects. The essential purpose of the E.O. is to ensure the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with

respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no groups of people, including racial, ethnic, or socioeconomic groups, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal programs and policies.

- *Executive Order 13007, Indian Sacred Sites* (May 24, 1996), requires that, to the extent practicable, federal agencies accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoid adversely affecting the physical integrity of such sacred sites. This E.O. pertains to SEDA disposal and reuse planning in light of the potential for there being Native American sacred sites at the installation.

Other Reuse Regulation and Guidance. The DoD's Office of Economic Adjustment published its *Community Guide to Base Reuse* in May 1995. The guide describes the base closure and reuse processes that have been designed to help with local economic recovery and summarizes the many assistance programs administered by DoD and other agencies. DoD's Office of the Assistant Secretary of Defense published the *DoD Base Reuse Implementation Manual* in July 1995. This volume serves as a handbook for the successful execution of reuse plans. DoD and the Department of Housing and Urban Development have published at 32 CFR Part 91 guidance required by Title XXIX of the National Defense Authorization Act for fiscal year 1994. The guidance establishes policy and procedures, assigns responsibilities, and delegates authority to implement the President's Program to Revitalize Base Closure Communities, July 2, 1993.

SECTION 2.0:
DESCRIPTION OF THE PROPOSED ACTION

2.1 INTRODUCTION

The proposed action (Army primary action) is to dispose of property made available by closure mandated by the 1995 BRAC Commission recommendation for SEDA. Redevelopment planning by others is a secondary action resulting from disposal.

SEDA is located in central upstate New York about halfway between Rochester and Syracuse (Figure 2-1). The depot consists of three contiguous parcels designated as the Lake Area, Airfield, and Depot proper. The installation consists of 10,634 acres, on which there are 927 buildings. The installation is served by 139 miles of roadway and 42 miles of railroad. The Lake Area consists of an Army Travel Camp, Officers Club, and 56 single-family housing units. The Airfield parcel contains a 7,000-foot runway and seven airfield operations buildings. The Depot proper contains administration buildings, general-purpose warehouses, ammunition storage facilities, equipment maintenance facilities, troops 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.

At the end of fiscal year 1996, SEDA closed out its two missions related to special weapons demilitarization and general supply. SEDA will continue two other missions until closure: the shipping, maintenance, storage, and demilitarization of conventional ammunition, and the storage of industrial plant equipment.

The proposed action analyzed in this EIS is disposal of the entire installation except for the property required to create and maintain an enclave for storage of hazardous materials and ores as directed by the BRAC Commission. The Army intends to retain ownership of about 30 acres of SEDA property

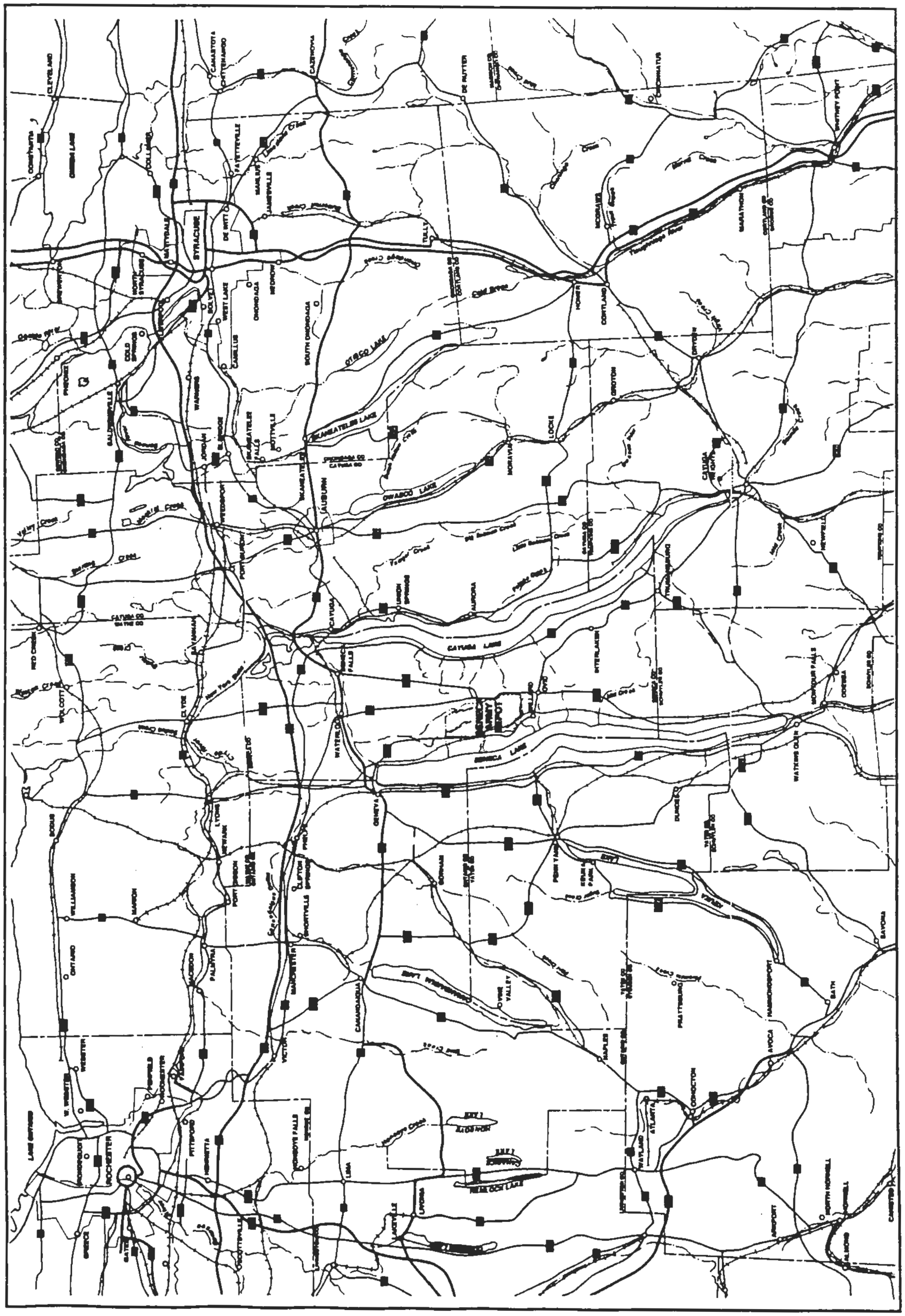

SYRACUSE
AUBURN
CAYUGA LAKE
SENECA LAKE
OWASCO LAKE
SKANEATELES LAKE
OTISCO LAKE
GENEVA
ROCHESTER
CORTLAND
WATERLOO
NEWARK
HEMLOCK LAKE

Figure 2-1

only for the purpose of DLA's operating enclave property and facilities for storage of hazardous materials and ores.

The BRAC process of property disposal includes predisposal activities and real estate disposal, which in turn will allow for subsequent reuse development. Predisposal activities include contaminated site cleanup, interim uses, and the caretaking of vacated facilities. Disposal activities include a real estate screening process that identifies potential reuse entities, including federal, state, and local organizations and homeless assistance providers. Reuse development, a secondary effect of disposal, requires extensive community involvement. The local community, represented by Seneca County, has established the Seneca Army Depot Local Redevelopment Authority (SEDLRA) to produce a reuse development plan for the surplus property to be made available to the community.

Property disposal can be either encumbered or unencumbered. Encumbered disposal involves transferring the property with conditions imposed by the Army. This might be required to protect Army interests, such as easements to ensure access to a retained piece of property in order to address on-site contamination problems or to limit certain types of future activities based on the past uses of that particular parcel. Encumbrances may also be appropriate to preserve or protect federally protected resources such as wetlands or listed endangered species. Unencumbered disposal would result in transferring the property with no Army-imposed conditions. The Army favors encumbered disposal, as described in Section 2.2. Encumbered and unencumbered disposal alternatives are further described in Section 3.0.

At SEDA, redevelopment is expected to occur under the guidance and management of the SEDLRA. The Army fully supports community planned reuse of the facilities and recognizes that determining specific reuses is beyond its direct responsibility or control. Among the goals established by the SEDLRA are:

- To serve as a community point of contact for input and information relating to installation reuse.
- To develop a reuse plan.
- To market depot properties based on long-term reuse potential.

- To promote creation of new, permanent jobs in Seneca County and the surrounding area.

Consistent with these goals, the SEDLRA has prepared a comprehensive reuse plan, an economic development strategy, and a job-generating market analysis for SEDA. The comprehensive reuse plan envisions mixed use of the lands and facilities that have been declared surplus. Detailed description of the SEDLRA's comprehensive reuse plan is provided in Section 2.2.

The Army has considered the SEDLRA's reuse plan as the primary factor in defining reuse scenarios. Alternative disposal actions and reuse scenarios are described in Chapter 3. Excerpts from the reuse plan prepared by the SEDLRA are provided in Appendix ___.

2.2 PROPOSAL IMPLEMENTATION

Identification of recipients of the property being disposed of at SEDA is governed by expression of interest submitted by those recipients in response to the Army's Declaration of Excess Property and Determination of Surplus Property. A complete discussion of the screening process is provided in Section 2.3.4. As a result of the screening process, the Army proposes to dispose of about 170 acres to the U.S. Coast Guard for continued use as a LORAN C antenna station. The remainder of the installation, less those portions required for the enclave directed by the BRAC Commission, would be available to the SEDLRA for redevelopment in accordance with its reuse plan.

Implementation of the Army's proposed action at SEDA involves three major aspects: transfer of property to the U.S. Coast Guard, establishment of an enclave, and transfer or conveyance of property to the SEDLRA for redevelopment. Details of these three aspects are provided below.

LORAN C Antenna Station. The U.S. Coast Guard, presently a tenant activity at SEDA, operates a LORAN C antenna station. Since 1978, the station has been used for the transmission of LORAN signals to the northeastern United States and the Great Lakes. The station also monitors and controls transmissions using remote monitor sites. The station is located on 170 acres having direct access to Route 96, which defines the base's eastern border in that vicinity. Transfer of the site to the Coast Guard would result in continued use of the property as in the past.

Enclave. The establishment of an enclave as directed by the BRAC Commission would require the Army's retention of about 30 acres. These would be used primarily to continue outdoor storage of ores maintained by DLA under the National Strategic Stockpile Program. At present, there are 20 ore piles. Fourteen of these are located within the main administrative area, four are located along the eastern fenceline of the ammunition storage areas, and two are located along the western fenceline of the ammunition storage areas. The ore piles would be retained at their present locations. Buildings 356 and 357, two warehouses each having about 200,000 square feet of space, would be used for storage of chemicals (classified as hazardous material) used for cleaning equipment. Operation of an enclave would also involve the Army's retention of Building 103, which presently houses the installation's fire department. That use would continue; Building 103 would also serve as headquarters for enclave operations.

SEDLRA Redevelopment Areas. Based on the foregoing transfer and enclave establishment, more than 10,500 acres would be available for transfer or conveyance to the SEDLRA. The SEDLRA reuse plan identifies the following principal planning areas at SEDA:

- *Conservation and Recreational Areas*. About 8,300 acres of SEDA are used primarily to support ammunition storage igloos.

- *Lake Housing Area*. A portion of SEDA fronting on Lake Seneca, consisting of about 120 acres, contains Flack Drive (30 single-family homes built in the 1980s and 1990s), Colonel Drive (5 older single-family homes relocated to the site), 21 lakefront cottages, a travel park having 21 mobile homes, the Officers' Club, and boat docking facilities.

- *Planned Office and Industrial Development (PID)*. This 620-acre portion of SEDA is the present main administrative area of the installation. It contains over 50 buildings having a total of about 273,900 square feet of floor space. These include eight office buildings (94,800 square feet), eight warehouses (49,700 square feet), and nine shops and garages (90,900 square feet). There are also 150 developable acres within the PID area available that could be used for construction of new facilities.

- *Elliot Acres Housing*. This 80-acre parcel, adjacent to the Administrative Area, contain 45 buildings having 124 residential units ranging from 1,300 to 1,900 square feet (totaling about 184,000 square feet).

- *Warehouse and Distribution Areas*. About 550 acres of SEDA support warehouse use. There are 29 warehouses with a total of 2,330,000 square feet, 6 shops and garages with 95,600 square feet, and 6 other buildings having 18,700 square feet.

- *Special Events Site*. This 450-acre area is an airfield with a 7,000-foot runway and 10 buildings having a total of about 30,500 square feet of space.

- *Training Ranges*. About 50 acres of SEDA south of the airfield serve as firearms training areas.

- *Institutional Area*. About 200 acres in the northern portion of SEDA support a comprehensive complex formerly used to house military personnel supporting the installation's special weapons mission. Buildings include facilities used for barracks, chapel, athletics and recreation, shops, dining, warehouses, and miscellaneous facilities. These facilities comprise 42 buildings having an estimated total of 303,400 square feet. There are another 21 buildings (119,600 square feet) in the former Q area (special weapons) adjacent to the military personnel area. Both of these sites are connected to the SEDA water supply system and have their own wastewater treatment plant.

Expressions of interest in areas available to the SEDLRA include interest by the New York State Department of Environmental Conservation's Division of Fish and Wildlife in use of the Conservation and Recreational Area for development and management of a wildlife refuge and natural area; the New York State Army National Guard in acquiring three warehouses within the Administrative Area; a private corporation in use of warehouse and rail facilities in the Administrative Area; the Finger Lakes Law Enforcement Academy in use of the Special Events Site for training of police and emergency personnel; the New York State Office of Parks, Recreation, and Historic Preservation (Finger Lakes Region) and the Finger Lakes Law

Enforcement Academy in use of the Training Area; and a national youth soccer organization in use of the Institutional Area for training, summer camps, and regional tournaments.

The SEDLRA reuse plan envisions acquisition of only the Lake Housing Area and the PID. The SEDLRA would seek conveyance of these two areas via a no-cost rural economic development conveyance (EDC). Following conveyance via an EDC from the Army, the SEDLRA would sell the Lake Housing Area and use proceeds of that transaction to fund operating and maintenance expenses for redevelopment of the PID. Other areas in the reuse plan could be sought, via various types of public benefit conveyances, by entities expressing interest in them, or the Army could retain portions of the property in caretaker status. With respect to the latter possibility, areas in which no specific interest has yet been shown are the Elliot Acres Housing and the Warehouse and Distribution Area.

Lands adjacent to SEDA are used predominantly for agricultural purposes. Lands on the depot would characteristically be zoned as mixed, consisting chiefly of light industrial use, or as conservation use. Following disposal, the present main administrative area might be zoned for industrial or commercial uses, depending on land use patterns and reuse actions instigated by the SEDLRA. Classifications for remaining portions of the installation could include institutional, residential, conservation, or recreation uses.

Under the Defense Base Closure and Realignment Act, closure is required no later than the end of the 6-year period beginning on July 13, 1995, the date on which the President transmitted his report to Congress containing the recommendations of the BRAC Commission. The Army plans to cease operations at SEDA not later than September 30, 2000.

Transfer or conveyance of SEDA property following closure may be subject to encumbrances. These include wetlands, historical resources, utilities interdependencies, utilities easements, and remedial activities. These encumbrances, arising from Army imposition or legal restraint, can be expected to influence future uses of the property. Section 3.2.1 provides information on the Army's procedures for identifying encumbrances. Section 4.18 describes in detail the encumbrances expected to exist at the time of transfer or conveyance.

[Preparer's Note: Identification and description of encumbrances applicable to disposal of SEDA is an evolving process. The list of encumbrances above may not include all that later analyses and consideration bring to light.]

2.3 DISPOSAL PROCESS

The following subsections discuss predisposal actions that will occur prior to transfer or conveyance and the steps required to accomplish disposal.

2.3.1 Caretaking of Property Until Disposal

Facilities and equipment at SEDA would be important to the eventual reuse of the installation. The Army would provide for maintenance procedures to preserve and protect those facilities and items of equipment needed for reuse in an economical manner that facilitates base redevelopment. Following closure, SEDA facilities and equipment would be subject to caretaker operations until transfer or conveyance occurs.

In consultation with the SEDLRA, the Army would determine the required levels of maintenance and repair of the installation's facilities and equipment. Initial levels of maintenance would not exceed the standard of maintenance and repair in effect on the date of closure approval; would not be less than maintenance and repair required to be consistent with government standards for excess and surplus properties; and would not require any property improvements, including construction, alteration, or demolition, except when the demolition would be required for health, safety, or environmental purposes, or would be economically justified in lieu of continued maintenance expenditures.

The Army would also determine the duration of the initial levels of maintenance and repair for SEDA. In the event the Army completes its NEPA analysis of disposal and reuse prior to the planned closure date, the time period for the initial levels of maintenance and repair would normally be no longer than one year after operational closure of the base. In the event the Army does not complete its NEPA analysis of disposal and reuse prior to the planned closure date, the time period for the initial levels of maintenance and repair would normally be 180 days after the Secretary of the Army approves the

NEPA analysis. The Army may extend the time period for the initial levels of maintenance and repair for property still under its control for an additional period if it determines that the SEDLRA is actively implementing its redevelopment plan and that such levels of maintenance are justified.

Once the time period for the initial or extended levels of maintenance and repair elapses, the Army would reduce the levels of maintenance and repair to levels consistent with federal government standards for excess and surplus properties (i.e., 41 CFR Part 101-47.402 and 412 CFR Part 101-47.4913).

2.3.2 Cleanup of Contaminated Sites

Activities prior to disposal of SEDA include cleanup of contaminated sites.

In March 1989, the EPA placed SEDA on the National Priorities List based on scoring of hazardous waste sites under the Hazard Ranking System. As provided for by CERCLA, the Army subsequently entered into a Federal Facilities Agreement with EPA and the New York State Department of Environmental Conservation (NYSDEC) to guide hazardous waste site assessment and remediation at SEDA. In preparing to dispose of the SEDA property, the Army is obligated to abide by CERCLA Section 120(h)(3), which requires that:

> (B)(i) A covenant warranting that all remedial action necessary to protect human health and the environment with respect to any such substances remaining on the property has been taken before the date of transfer...
>
> (C) For purposes of subparagraph (B)(i), all remedial action described in such subparagraph has been taken if the construction and installation of an approved remedial design has been completed, and the remedy has been demonstrated to the [EPA] Administrator to be operating properly and successfully. The carrying out of long-term pumping and treating, or operation and maintenance, after the remedy has been demonstrated to the Administrator to be operating properly and successfully, does not preclude transfer of the property.

Under CERFA, federal agencies are required to identify expeditiously real property offering the greatest opportunity for immediate reuse and redevelopment. Although CERFA does not mandate that the Army transfer real property so identified, the first step in satisfying this objective is the requirement to identify real property where CERCLA regulated hazardous substances or petroleum products were not stored, released, or disposed of. To these ends, the Army is preparing an Environmental Baseline Survey (EBS) to identify areas at SEDA where storage, release, or disposal of hazardous substances or petroleum products or their derivatives has occurred. The EBS also identifies non-CERCLA-related environmental or safety issues (i.e., asbestos, lead-based paint, radon, polychlorinated biphenyls (PCBs), radionuclides, and unexploded ordnance) that would limit or preclude the transfer of property for unrestricted use; completed or ongoing removal or remedial actions taken at the installation; and possible sources of contamination on adjacent properties that could migrate to the SEDA real property.

Previous investigations at SEDA resulted in classification of 72 sites as solid waste management units. Of these, 24 were classified as No Action Required; 20 as requiring Removal Action or Completion Report and Record of Decision; and 28 as requiring Remedial Action and Feasibility Study, Remedial Action, and Record of Decision. The EBS has identified an additional 23 sites potentially having areas of contamination. These sites are described in further detail in Section 4.9.

The EBS serves as a database describing all environmental conditions related to remediation issues. It also will be a contributing factor in formulation of the Base Cleanup Plan. Finally, the EBS is a major source for information in developing a Finding of Suitability to Lease (FOSL) for interim leases and, following completion of NEPA analysis, leases in furtherance of conveyance.

2.3.3 Interim Uses

Prior to disposal, the Army may execute interim leases to facilitate state and local economic adjustment efforts and to encourage economic redevelopment. Pending issuance of a ROD regarding the NEPA analysis for disposal and reuse of SEDA, the Army may not make commitments that would significantly affect the quality of the human environment or irreversibly alter the environment in a way that would preclude any reasonable alternative for disposal of the property. Hence, leases in

furtherance of conveyance prior to completion of the NEPA analysis of disposal and reuse and issuance of a ROD will not be considered. The Army may, however, enter into an interim lease having a duration beyond the expected completion date of the NEPA analysis of disposal and reuse of the installation. In such a case, the Army would consult with the LRA prior to entering into the lease. Such interim leases could only allow limited use of the property and facilities such that no reasonable reuse options would be foreclosed prior to the publication of the basewide disposal NEPA analysis conclusions. Prior to granting any lease, the Army would comply with NEPA requirements relevant to the lease and would prepare a Finding of Suitability to Lease to document the environmental condition of the property.

2.3.4 Real Estate Disposal Process

2.3.4.1 Disposal as a Package or in Parcels

Army policy provides that, upon completion of all required hazardous waste cleanup activities, property subject to disposal under BRAC may be disposed of as a single entity. Alternatively, the Army may dispose of the SEDA property in parcels. Based on identified reuse proposals, potential for tax revenue generation, and potential for jobs creation, disposal of individual parcels upon completion of site-specific hazardous waste cleanup activities could be found to be most appropriate.

The covenant assuring completion of hazardous waste cleanup under CERCLA, discussed in Section 2.3.2, applies to conveyances of property from the Army to any non-federal entity. To assist the SEDLRA in achieving its reuse objective of job creation, the Army may identify substantial areas or discrete parcels at SEDA that require no further action under CERCLA. These parcels may appropriately be conveyed, rather than awaiting completion of all hazardous waste remedial actions applicable to the entire area following completion of the EIS process.

2.3.4.2 *Disposal Process*

Methods available to the Army for property disposal include transfer to another federal agency, public benefit discount conveyance, economic development conveyance, negotiated sale, and competitive sale. The following is a description of each method.

Transfer to another federal agency. The Army would transfer the real property to another federal agency.

Public benefit discount conveyance. State or local government entities may obtain property at less than fair market value when sponsored by a federal agency for uses that would benefit the public such as education, parks and recreation, wildlife conservation, or public health.

Economic development conveyance. The 1994 Defense Authorization Act provides for conveyance of property to an LRA at or below fair market value using flexible payment terms. The EDC is intended to promote economic development and job creation in the local community. An EDC is not intended to supplant other federal property disposal authorities and cannot be used if the proposed reuse can be accomplished through another authority. If certain criteria are met for a rural installation, an EDC may be made at no cost. To qualify for an EDC, the LRA must submit a request to the Department of the Army describing its proposed economic development and job creation program.

Negotiated sale. The Army would negotiate the sale of the property to state or local agencies or private parties at fair market value.

Competitive sale. Sale to the public would occur through either an invitation for bids or an auction.

The method of disposal is determined, in part, by a two-step screening procedure that assesses the demand for the facilities by the DoD, other federal agencies, homeless assistance providers, and state and local agencies and organizations.

DoD and federal agency screening. The screening process first offers the property to other DoD agencies and federal agencies. A DoD or other federal agency indicating an initial interest must follow up with a firm proposal for the future use of the property. Under the 1994 Defense Authorization Act, DoD and other federal screening is to be completed within 6 months after September 28, 1995, the date of approval of the BRAC Commission's recommendations. Federal screening has been completed for SEDA, resulting in an expression of interest by the U.S. Coast Guard for about 170 acres for continued use as a LORAN C Antenna Station.

LRA screening. Pursuant to the Base Closure Community Redevelopment and Homeless Assistance Act of 1994, which amended the Defense Base Closure and Realignment Act of 1990, property that is surplus to the federal government's needs is to be screened via an LRA's soliciting notices of interest from state and local governments, representatives of the homeless, and other interested parties. An LRA's outreach efforts to potential users or recipients of the property include working with the Department of Housing and Urban Development and other federal agencies that sponsor public benefit transfers under the Federal Property and Administrative Services Act. Incorporating the notices of interest submitted to it, the LRA then prepares a redevelopment plan identifying the overall reuse strategy for the installation.

SECTION 3.0: ALTERNATIVES

This section addresses alternatives to the Army's primary action (property disposal) and to the secondary action (property reuse by other parties).

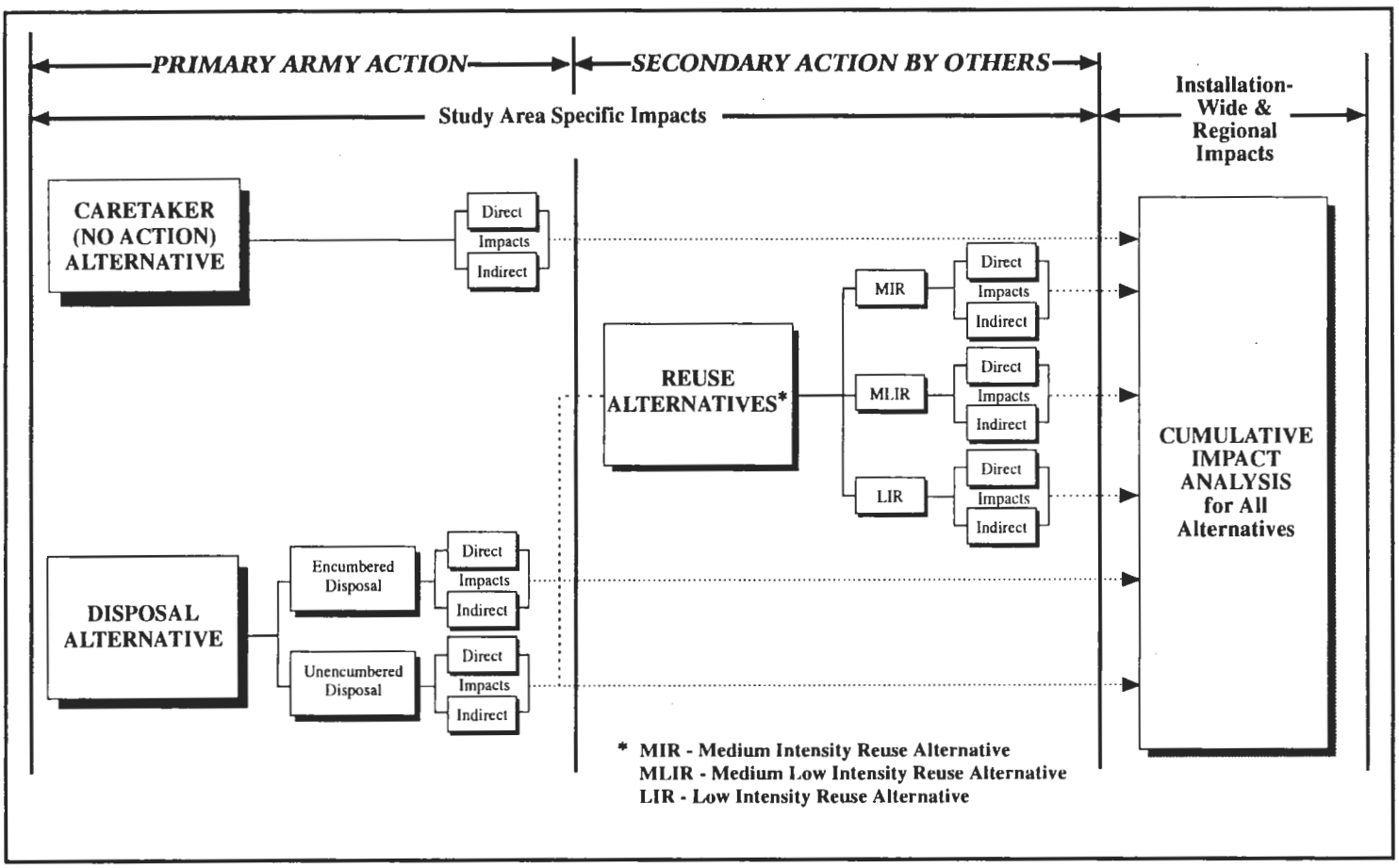
3.1 INTRODUCTION

Disposal alternatives are developed to help the Army decide whether to dispose of the property with or without restrictions. Disposal alternatives, with and without restrictions (called encumbrances; see Sections 3.2.1 and 3.2.2), as well as a no action alternative, are evaluated. Future reuse of surplus SEDA property is analyzed in the context of land use intensity levels as described in Section 3.3.2. The land use-intensity-based scenarios are used to inform Army decision makers and the public of environmental impacts expected to occur given the reasonable range of reuses future property owners might implement. The SEDLRA reuse plan is the primary factor in development of the proposed action, alternatives, and effects analysis in the Army's NEPA process for the disposal action. Use of the reuse plan in this manner meets the requirement that the reuse plan be treated as part of the proposed federal action. The alternatives evaluation process is shown in Figure 3-1.

The Army's preferred disposal alternative is encumbered disposal, as described in Section 2.0. The Army expresses no preference with respect to reuse scenarios since that decision will be made by others.

3.2 DISPOSAL ALTERNATIVES

Pursuant to the Defense Base Closure and Realignment Act of 1990 and the 1995 BRAC Commission recommendation pertaining to SEDA, continuation of operations at SEDA is not feasible. There is no alternative to disposal without further legislative direction. As discussed in Section 2.0, the Army is acting to implement BRAC '95 by disposing of surplus property. Interim actions include cleaning up hazardous waste contamination, caring for vacated facilities, and, as circumstances arise, making interim leasing arrangements. Disposal alternatives analyzed in this EIS are:



Alternatives Evaluation Process
Disposal and Reuse EIS

Figure 3-1

- Encumbered disposal.
- Unencumbered disposal.
- No disposal (caretaker status).

This subsection describes the encumbered and unencumbered alternatives that will be evaluated for potential impacts in Section 5.0.

3.2.1 Encumbered Disposal

An encumbrance is any Army-imposed or legal constraint on the future use or development of property to be disposed of. It is Army policy generally to create or recognize constraints only as may be required by a specific Army need, when required by federal or state law, or when established as a result of formal negotiations with an outside agency. It is also Army policy not to expend funds to unencumber property solely to increase its market value. Encumbrances can recognize and sustain protected resources; preserve rights of access for necessary ingress and egress, hastening the availability of property; and facilitate mitigation of disposal related impacts.

Encumbrances and their effects on reuse may vary, depending on the planned reuse. For example, a parcel that is underlain by contaminated groundwater may be considered encumbered for uses that would require the use of groundwater from the contaminated aquifer. The same encumbrance, however, likely would not adversely affect use for recreation not relying on groundwater use as long as soil contamination was not also present.

Encumbrances, whether restrictive or for planning purposes only, can be natural or can result from Army activities or decisions. Natural encumbrances are those associated with and arising from natural resources such as wetlands and critical habitat. Army-generated encumbrances are more numerous and varied. Six major categories of encumbrances can be identified:

Easements. Real estate may be burdened with utility system, roadway, access, or other infrastructure-related easements.

Use Restrictions. Activities on property may be limited by existing conditions or in recognition of adjacent land uses. For example, use of a former landfill site would preclude ground disturbance of a clay cap but would otherwise permit passive uses such as recreation. The presence of unexploded ordnance would preclude many uses of a parcel because of the potential safety hazards. In other instances, restrictive covenants could impose or maintain buffer zones between incompatible uses.

Habitat Protection. The presence of federally or state listed threatened or endangered species of wildlife or plants may constrain unlimited use of property.

Historic Building or Archaeological Site Protection. Negotiated terms of transfer or conveyance may result in requirements for new owners to maintain the status quo of historic buildings or archaeological sites or may impose a requirement for consultation with the State Historic Preservation Office prior to any actions affecting such resources.

Water Rights. Protective covenants or transfer of water rights may be required to protect existing well fields or aquifers.

Resources Dependencies. Utilities operated by the Army as a single system create dependencies in future owners unless the systems are individualized to separate parcels or facilities. Wastewater collection and treatment, potable water supply and distribution, solid waste, telecommunications, gas, electric, and storm drainage must be available to each property owner. An encumbrance exists wherever a parcel's or facility's use depends on a common or intermediary provider of these services.

3.2.2 Unencumbered Disposal

Unencumbered disposal would involve transfer or conveyance of the property with the Army's not having created any encumbrances or with the Army's having removed encumbrances that could be

removed. Removal of certain encumbrances is either not feasible or impracticable. For instance, elimination of easements providing for electric power line service could result in loss of that service.

Creation, retention, and removal of encumbrances must be considered in light of land use planning flexibility, market value, environmental concerns, potential increased management burdens on subsequent owners, and the potential for future property owners to be liable for failure to comply with encumbrance-related requirements.

3.2.3 No Action Alternative

Under this alternative, the Army would not dispose of the property but would maintain it in caretaker status. Army caretaker operations would be in accordance with Army Regulation 210-17 (*Inactivation of Installations*) and would include:

- Inspection, maintenance, and use of utility systems, telecommunications, and roads to the extent necessary to avoid their irreparable deterioration.

- Periodic maintenance of landscaping around unoccupied structures, as necessary, to protect them from fires or nuisance conditions.

- Maintenance of access to permit servicing of publicly owned or privately owned utility or infrastructure systems.

- Maintenance of security patrols, security systems, fire prevention, and protection services.

- Continuation of natural resources management programs including land management, pest control, forest management, and erosion control.

3.3 *REUSE ALTERNATIVES*

Consistent with Congress's mandate, the Army must cease performance of active missions at SEDA no later than July 13, 2001. Depending on numerous factors, including information presented in this EIS, disposal might occur as a single event involving disposal of the entire facility to one or more subsequent owners, or it might occur over time with multiple transactions involving the same or several new owners. Regardless of the method of disposal, timing, or identity of new owners, reuse of SEDA is reasonably foreseeable. Consistent with statutory requirements, this EIS treats the reuse plan as the primary factor in developing the proposed action and alternatives.

Council on Environmental Quality regulations require evaluation of reasonably foreseeable actions, without limitation on the party conducting them, and evaluation of consequent environmental impacts. Accordingly, reuse of the property is evaluated as an action secondary in time, following the Army's primary action of disposal. The following subsections discuss the methodology used to define the reuse scenarios to be considered. This EIS analyzes reuse of SEDA, which is expected to occur. The nature of the reuse cannot be identified precisely. The Army considers the LRA's redevelopment plan the primary factor in defining the reuse scenarios to be considered and evaluates that reuse plan for potential environmental effects.

3.3.1 *Development of Reuse Alternatives*

Reuse planning for SEDA consists of establishing reuse objectives, planning for compatible land uses that support the community's needs, and marketing among potential public and private-sector entities to obtain interest in use of the property. The reuse planning process is dynamic and often dependent on market and general economic conditions beyond the control of the reuse planning authority.

In recognition of the dynamics attending reuse planning, the Army uses intensity-based probable reuse scenarios to identify the range of reasonable reuse alternatives required by NEPA and by DoD implementing directives. That is, instead of speculatively predicting exactly what will occur at a site, the Army establishes ranges or levels of activity that reasonably *might* occur. These levels of activity, referred to as intensities, provide a flexible framework capable of reflecting the different kinds of uses

that could result at a location. Intensity reuse levels also can take into account the effects that encumbrances can exert on reuse. The SEDLRA's reuse plan is evaluated by use of this analytic framework.

3.3.2 Land Use Intensity Categories Described

Army analysis of reuse scenarios recognizes five intensity-based levels. These are low intensity reuse (LIR), medium-low intensity reuse (MLIR), medium intensity reuse (MIR), medium-high intensity reuse (MHIR), and high intensity reuse (HIR). At any given installation, analysis of all five levels of intensity might not be appropriate due to historical usage, physical limitations, or other reasons. Analysis of reuse of SEDA considers LIR, MLIR, and MIR.

The five levels of reuse intensity can be viewed as a continuum. At the low end of the scale, the LIR represents a minimal level of activity, such as might be found in undeveloped lands or in uses not requiring substantial building or infrastructure improvements (e.g., parks, recreation areas). At the high end of the scale, HIR approximates the maximum amount of activity that could occur over a given area. Indicators of levels of intensity can be quantified by counting the number of people at a location (employees or residents), the potential number of vehicle trips generated as a result of the nature of the activity, or the number of dwelling units. Other indicators of the intensity of use are the rates of resource consumption (electricity, natural gas, water) and the amount of building floor space per acre (identified as the floor area ratio (FAR), expressed as square feet per acre).

Development of intensity parameters is based on several sources, including existing land use plans for various types of projects and planning jurisdictions, land use planning reference materials, and prior Army BRAC land use planning experience. As a result of evaluating various types of indicators in light of their applicability to Army lands subject to BRAC action, the Army has selected three representative and illustrative intensity parameters. These are density, floor area ratio, and development ratio, which are discussed in the following paragraphs.

Density. Two types of density parameters are used. The first refers to the number of people who might reside or work in an area, expressed as dwelling units per acre. The second refers to the square

footage per employee in a structure such as an office building, commercial business, or industrial activity.

Floor Area Ratio. This ratio reflects how much building development occurs at a site or across an area. For example, a 3-story building having a 7,500-square-foot footprint on a 4-acre site would represent an FAR of 0.13 (22,500 square feet of floor space over 4 acres (174,240 square feet)).

Development Ratio. A third indicator of intensity is based on the amount of developed property in relation to the total amount of property subject to land use planning at a given location. Developed property includes the acreage of not only those specific sites on which structures have been erected, but also immediately adjacent areas capable of being easily served by existing infrastructure elements such as roadways, electrical service, water and sewer, natural gas, heating steam, and telecommunications systems. Developed property includes buildings, roadways, parking lots, and other structures such as storm water retention basins. The developed property indicator is expressed as the ratio of acres of developed property to the whole acreage within a planning unit (e.g., 0.5). This indicator is useful to provide a general estimate of the degree of buildout, or potentially full development, that has occurred at a location.

Employee density, FAR, and development ratio considerations are appropriate to describe intensity levels for reuse planning at SEDA. Table 3-1 provides the ranges of values for residential density, employee density, FAR, and development ratio. As applied to any particular parcel or area, or the whole installation, the values given might require some adjustment to account for the context in which an activity may be located. For instance, the size of a redevelopment project might result in distorting effects on the generalized values for the parameters provided. Larger redevelopment projects tend to involve greater amounts of green space; these often should not be considered in computing residential density or FAR. For instance, 100 single-family homes evenly distributed across 100 acres would represent 1 dwelling unit per acre. Depending on topography and other natural features such as wooded areas and watercourses, many developers would likely cluster the homes in a 50-acre area, resulting in 2 dwelling units per acre. In this case, home lots sizes would be reduced by 50 percent but aesthetic values could be considerably enhanced.

Table 3-1

Land Use Intensity Parameters

Intensity Level	Residential Density[1]	Employee Density[2]	Floor Area Ratio	Development Ratio
Low	< 2	> 600	< 0.05	< 0.02
Medium-Low	2 - 6	500	0.05 - 0.10	0.2 - 0.4
Medium	6 - 12	400	0.10 - 0.30	0.4 - 0.6
Medium-High	12 - 20	300	0.30 - 0.70	0.6 - 0.8
High	> 20	< 200	> 0.70	0.8 - 1.0
SEDA	1	18,689	0.01	0.25

[1]Dwelling units per acre.

[2]Square footage per employee.

3.3.3 Application of Intensity Categories

Present use of SEDA is characterized as low intensity. The total floor area of all facilities is 4,737,413 square feet spread over 10,634 acres, resulting in an FAR of 0.01. The density of the 231 employees occupying 4,317,120 square feet of nonresidential floor space results in 18,689 square feet for each employee. The development ratio is 0.25.

Two important considerations affect the foregoing computations. First, 519 ammunition storage igloos (1,010,899 square feet) and 44 safety shelters (1,980 square feet) occupy about 8,300 acres in the central portion of the installation. Elimination of these structures from the FAR calculation results in the remainder of the installation's having an FAR of 0.037. Second, the foregoing employee density calculation includes consideration of all ammunition storage igloos and warehouses. The igloos are designed to be unmanned; few warehouses are heated and include office space for being regularly occupied. Elimination of igloos (1,010,899), safety shelters (1,980), and warehouse space (2,596,842 square feet) from the employee density calculation results in there being 3,054 square feet

of space per employee. The present staffing level reflects recent cessation of missions and is considerably reduced from 1992, when SEDA employed about 1,500 persons. At that time, there were about 470 square feet of space per employee.

3.3.4 Local Reuse Plan

The SEDLRA's reuse plan recognizes several constraints to redevelopment of the installation. It considers the only feasible reuse for the 8,300 acres used by the Army for storage of ammunition to be used as a wildlife refuge. The SEDLRA's reuse plan identifies no potential for economic development of the ammunition storage area and notes that ownership by the state would preclude addition of the 8,300 acres to Seneca County's taxable property inventory. Future use of other portions of the installation would seek to capitalize on existing assets. Those existing assets, however, are limited by traits that make them difficult to adapt to private sector use or by their physical condition. As a result, the only areas of interest to the SEDLRA's are the Lake Housing Area to provide sale-proceeds capital for other development and the Administrative Area to be redeveloped as an planned office and industrial development site.

Future intensity-based reuse scenarios for SEDA are based on those portions of the installation which are likely to sustain redevelopment. In the absence of the SEDLRA's desire for transfer or conveyance of all available surplus property, for formulating future reuse intensities it is assumed that:

- The present ammunition storage area would be conveyed to the state for management as a wildlife refuge.

- The Lake Housing Area and Administrative Area would be conveyed to the SEDLRA for redevelopment of the latter as a planned office and industrial development site.

- The Elliot Acres Housing would be conveyed to a private sector entity for use as housing.

- The Warehouse and Distribution Area would be conveyed to various entities for light industrial or commercial use.

- The Special Events Site would be conveyed to the Finger Lakes Law Enforcement Academy for use as a training site or to some other entity for special events use.

- The Training Ranges would be conveyed to either the state for park purposes or to the Finger Lakes Law Enforcement Academy for training purposes.

- The Institutional Area would be conveyed to a private sector entity for an undetermined use consistent with institutional use.

Due to the nature of the activities that would occur at the ammunition storage area, airfield, or training range areas, it is likely there would be no or only minimal redevelopment activity and, hence, no increases in intensity levels. The housing areas would likely continue to be used for residential purposes. Two factors make it unlikely that greater levels of intensity would be achieved by construction of additional dwelling units. First, no interest has been shown by private sector entities having the capital to increase the number of units, especially in the Elliot Housing Area. Second, the rural location of the housing may reduce demand because of the distance from the more populous areas having more numerous job opportunities. Redevelopment would occur in three areas: the PID, the Warehouse and Distribution Area, and the Institutional Area. Together, these areas represent 1,370 acres that could be redeveloped to greater intensities of use.

Reuse intensity-level attributes based on consideration of the reuse plan and the foregoing are shown in Table 3-2. Calculation of the number of employees is based on future use and redevelopment of 1,370 acres at each intensity level. For warehouse and distribution activities, an employee density of 10,000 square feet per employee is used in lieu of the normal intensity parameter to reflect more accurately the space requirements of that type of activity. In reuse of SEDA, about 40 percent of the planning area would be used for warehouse and distribution activities (550 of 1,370 acres). In an LIR scenario, at an average FAR of 0.025, on 820 acres there would be 892,980 square feet of space,

which would provide work space for 1,488 employees at 600 square feet each; on 550 acres there would be 598,950 square feet of warehouse space which would provide work space for 60 employees at 10,000 square feet each, for a total of 1,491,930 square feet and a total of 1,548 employees. Calculation of residential population is based on there being a constant low intensity residential density and an average dwelling unit population of 2.5 people.

Table 3-2

Reuse Attributes

Reuse Intensity	Residential Population	Employee Density	FAR	Square Feet in Use	Employee Population
LIR	500	> 600	0.025	1,491,930	1,548
MLIR	500	500	0.075	4,475,790	5,538
MIR	500	400	0.20	11,935,440	18,340

3.4 ALTERNATIVES NOT TO BE ADDRESSED IN DETAIL

Two levels of reuse are not considered in this document.

Medium-High Intensity Reuse. Medium-high intensity reuse of the surplus property available for redevelopment would involve an FAR of at least 0.30 applied to the 1,370 redevelopable acres. This would result in almost 18 million square feet, or more than 4 times the amount of nonresidential space at the entire installation. Assuming that even half of the space were used for warehousing activities and that each warehouse employee would occupy 10,000 square feet of space, there would be a projected 30,900 employees. Assuming as much as one-half of the 3,000 acres would be reserved for green space, and assuming one-half of the buildings would be unmanned warehouse space, there would be 19,602,000 square feet of space and 32,670 employees (1 employee for every 300 square

feet of an available 9,801,000 square feet of space). This number of employees exceeds the 1990 population of Seneca County. This magnitude of redevelopment represents an unrealistic outcome of reuse. Accordingly, an MHIR is not feasible and is not further evaluated.

High intensity reuse. The HIR scenario would result in greater numbers of employees than could occur in the MHIR scenario. Based on the same reasoning applicable to the MHIR scenario, the HIR scenario is not feasible and is not further evaluated.