

University at Albany
Emerging Technology and Entrepreneurship Complex (ETEC)
City of Albany, Albany County, New York

SEQRA FINDINGS STATEMENT

March 10, 2017

INTRODUCTION

This document is a Findings Statement prepared by the State University Construction Fund (SUCF), acting as Lead Agency for review of the proposed Emerging Technology and Entrepreneurship Complex (ETEC) as part of the State University of New York (SUNY) at Albany's (UAlbany) research, education, and economic development initiative (herein, the ETEC Project). This Findings Statement has been prepared pursuant to the New York State Environmental Quality Review Act (SEQRA) and its implementing regulations, Part 617 of Chapter 6 of the New York Code of Rules and Regulations (NYCRR). This Findings Statement draws upon the matters set forth in the SEQRA record, including the Environmental Impact Statement (EIS) record, consisting of the Supplemental Environmental Impact Statement (SEIS), and the Final Supplemental Environmental Impact Statement (FSEIS), as well as the public comments on the SEIS received at a public hearing and during the public comment period. The purpose of the EIS record was to identify and evaluate the potential significant adverse environmental impacts of the proposed construction of the ETEC Project and, where applicable, to identify reasonable alternatives or mitigation measures that would reduce the effect of those impacts to the maximum extent practicable.

This document represents the conclusion of the environmental review of the proposed Project by the Lead Agency. In accordance with SEQRA, this Findings Statement must:

1. Consider the relevant environmental impacts, facts and conclusions disclosed in the EIS record;
2. Weigh and balance relevant environmental impacts with social, economic and other considerations;
3. Provide a rationale for the Lead Agency's decision;
4. Certify that the requirements of SEQRA have been met;
5. Certify whether, consistent with social, economic and other essential considerations, from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and whether such adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to approval those mitigation measures that were identified in the EIS record, as practicable.

DESCRIPTION OF THE PROPOSED ACTION

The SUCF and UAlbany propose to construct an approximately 243,000-square-foot building complex (the ETEC Project) on a 12-acre parcel on what is presently the Office of General Services (OGS) Harriman Campus directly adjacent to the main/Uptown UAlbany Campus. The jurisdiction for this parcel will be transferred to UAlbany to become an extension of its Uptown Campus prior to construction and operation of the new facility. Additional improvements that will be associated with the Project include a pedestrian walkway, parking lots, roadway improvements, and utility improvements. The Project and associated disturbances are anticipated to encompass approximately 18.3 acres of land.

The ETEC is intended to serve as a catalyst for advancements in research and technology development, co-locating university researchers, students, private partners, and business development services. The ETEC programs, such as the College of Emergency Preparedness, Homeland Security and Cybersecurity (CEHC); the Atmospheric Science Research Center (ASRC); the Department of Atmospheric and Environmental Science (DAES); the private partners; the Small Business Development Center (SBDC); and the Office for Innovation Development and Commercialization (OIDC) are anticipated to be housed within this new facility.

The Harriman Campus is located east of the UAlbany Uptown Campus, and includes approximately 330 acres of land that is under the jurisdiction of the New York State OGS. The Harriman Campus houses sixteen New York State government office buildings and is largely encircled by a configuration of multi-lane ring roads. A portion of Harriman outside the ring roads to the west houses the New York State Police, which includes the State Police Department headquarters, the State Police Academy, the State Police Forensics Laboratory, and the New York State Emergency Management Office. The 12-acre parcel that is the planned location of the ETEC building and parking areas is located within the ring roads on the southwestern portion of the Harriman Campus. Additional improvements including the pedestrian walkway, improvements to the ring roads, and utility improvements are located west of this 12-acre parcel, at the southern edge of the State Police facility. The Project Site is bounded by University Drive to the west, a parking lot for one of the Harriman Campus tax and finance buildings to the southeast, and a patch of trees followed by a parking lot associated with the Harriman Campus to the northeast. A detailed description of the proposed action is included in Section 2.3 of the SEIS.

PROJECT PURPOSE, NEED, AND BENEFIT

As proposed in the SEIS, the purpose of the ETEC Project is to be a hub of innovation, co-locating researchers, instruction, entrepreneurs, and investors, providing the technology transfer and commercialization resources to drive economic growth, create jobs, and enhance New York's competitiveness in key industries. The ETEC Project is planned to give business access to various programmatic research clusters, providing advanced research facilities and fostering strategic partnerships in an environment that cultivates industry collaboration, accelerates commercialization and fuels future research.

Specifically, as outlined in the previous reports and current design documents, as well as the NYSUNY 2020 Challenge Grant, the ETEC Project will serve the following purposes with respect to public need and benefit:

- Renovate, restore and update academic facilities to meet the needs of current instructional practices.
- Enhance facilities with the installation of 21st century technology and support facilities.
- Upgrade campus infrastructure to meet academic and research needs.
- Create temporary construction jobs as well as permanent staff jobs.
- Generate additional external research funding.

SUMMARY OF THE SEQRA PROCESS

The SEIS and this FSEIS build on and serve as a continuation of the SEQRA reviews previously conducted for the UAlbany Capital Projects Plan and the OGS Harriman Campus master planning. The SEQRA review of the ETEC Project began in 2009 through Draft, Supplemental Draft, and Final Generic EIS (followed by a Statement of Findings) that were prepared for the UAlbany Capital Project Plan, which addressed previous iterations of the ETEC Project. The currently proposed Project Site is in a different location than what was evaluated in the 2015 Capital Project Plan SEQRA documents. However, redevelopment of the currently proposed Project Site was evaluated in the 2002 OGS Draft and Final Generic EIS for the Harriman Campus. These documents are included by reference in support of the evaluation of the proposed ETEC Project.

On March 28, 2016, the SUCF circulated to potentially interested/involved SEQRA agencies a Notice of Intent indicating that the SUCF intended to serve as Lead Agency for the proposed ETEC SEIS. Following the 30-day lead agency determination period, no agency or involved party objected to the SUCF assuming the role of Lead Agency. The SUCF, as Lead Agency, subsequently initiated the Public Scoping Process.

Public scoping represents an initial step in the review of potential environmental impacts under SEQRA. The primary goals of scoping are to focus an EIS on potentially significant impacts and to eliminate consideration of those impacts that are irrelevant or non-significant. Although public scoping was an optional step under the SEQRA process at that time, a Draft Scoping Document for the proposed ETEC Project was released for public and agency review and comment on May 6, 2016. The comment period provided an opportunity for agencies and the public to review and comment on the identification of significant environmental conditions and resources that may be affected by the proposed action, and the extent and quality of information necessary to address those issues during the SEQRA process. In addition, a public scoping meeting was held on May 25, 2016, and a professional stenographer recorded a transcript of all comments provided at this meeting. The public comment period formally ended on June 8, 2016. A Final Scoping Document was

issued on July 18, 2016, which identified the significant environmental conditions and resources that may be affected by the proposed ETEC Project, and defined the extent and quality of information necessary to address those issues. It reflected the Lead Agency's analysis of potential impacts and incorporated additional relevant issues raised during the public scoping process.

Pursuant to New York State Environmental Conservation Law Article 8, SEQRA; and 6 NYCRR Part 617, the SEIS for the proposed ETEC Project was prepared by an independent consultant. The SEIS for the ETEC Project was accepted as complete by the Lead Agency on November 23, 2016 and released for public review and comment on November 30, 2016. Copies of the SEIS were subsequently delivered to involved/interested agencies and posted to the SUCF's website (<http://www.sucf.suny.edu/project/environ.cfm>), as well as the UAlbany web site (<http://www.albany.edu/facilities/dgeis/uptown.html>). The recipients of the SEIS (in either digital [CD] or printed format) are listed in Section 2.6.1 of the SEIS. Hard copies were made publicly available at the UAlbany Uptown Campus (Service Building A), UAlbany Downtown Campus (Dewey Library at Hawley Hall), Albany Public Library (Pine Hills Branch), and the Guilderland Public Library.

Opportunities for detailed agency and public review were provided during the SEIS public comment period (November 30, 2016 through December 30, 2016). Written comments were accepted throughout the public comment period, and the Lead Agency held a public hearing on the SEIS at the UAlbany SEFCU Arena Hall of Fame Room on December 14, 2016. Appendix A of the FSEIS contains an index of the comments received during the public hearing and the written comment period for the SEIS. Copies of the written comment letters and emails are included in Appendix B of the FSEIS. A transcript memorializing the public hearing is included as Appendix C of the FSEIS.

The Lead Agency issued the FSEIS for the Project on February 24, 2017. Copies of the FSEIS were subsequently delivered to involved/interested agencies and posted to the SUCF's website (<http://www.sucf.suny.edu/project/environ.cfm>). Hard copies were made publicly available at the UAlbany Uptown Campus (Service Building A), UAlbany Downtown Campus (Dewey Library at Hawley Hall), Albany Public Library (Pine Hills Branch), and the Guilderland Public Library.

FACTS AND CONCLUSIONS RELIED ON TO SUPPORT THE FINDINGS

The Findings set forth in this Findings Statement consider the relevant environmental impacts, facts and conclusions disclosed in the EIS record; weigh and balance relevant environmental impacts with social, economic, and other considerations; and provide a rationale for the Lead Agency's decisions regarding the Project. The Findings contained here are based on the full record of the proceedings, submissions and comments that were presented to the Lead Agency and included as part of its administrative record. The facts and conclusions are summarized by topic below. Each

section presents a summary of potential significant adverse environmental impacts, necessary mitigation measures and conclusions regarding the Project's potential impacts on the resources covered in the topic area.

Topography, Geology, and Soils

Construction of the proposed Project is not anticipated to result in significant adverse impacts to soils or geology. However, minor localized soil disturbance as a result of clearing, excavation, and grading are likely to occur. During the scoping process for this Project, ground vibration from construction and its resulting impacts on the surrounding residences was identified as a concern for neighbors. As stated in the SEIS, ground vibrations from construction activities very rarely reach the levels that can damage structures, but can achieve the audible and feelable ranges in buildings very close to the site. However, the construction activities that typically generate the most vibrations are blasting and pile driving, neither of which will be utilized during construction of the Project. Considering the distance between the Project Site and the nearest residences, construction-related vibration impacts to surrounding residences are not anticipated. To minimize potential impacts on surrounding residences from vibrations resulting from construction activities, construction traffic will not be routed along residential streets; earthmoving and ground-impacting operations will be phased, where feasible, so as not to occur in the same time period; site excavation will be completed during normal working hours; and no blasting or pile driving will be utilized.

Construction of the proposed Project will result in a loss of pervious surfaces due to the construction of the ETEC building, parking lots, driveways, and the pedestrian walkway. Green infrastructure, such as the addition of porous pavement in two parking lots, will minimize the impact of this addition of impervious surfaces. Additionally, the Project will proceed in compliance with the Stormwater Pollution Prevention Plan (SWPPP), which includes sediment and erosion control measures, as well as comprehensive stormwater management systems. Temporary erosion and sediment control measures will be implemented during construction such as a stabilized construction entrance, dust control measures, silt fencing, temporary seeding, and turbidity curtains. Permanent measures include planting and maintenance, soil restoration, erosion control blankets, and stone check dams in vegetated dry swales.

The Lead Agency finds that because blasting and pile driving will not be used during construction, and because erosion and sediment controls will be in place, construction activity at the Project Site should have minimal impacts to topography, geology, and soils, and that this potential impact has been avoided and, where necessary, mitigated to the maximum extent practicable.

Water Resources

Water resources considered in the SEIS include surface waters, groundwater, floodplains and floodways, and stormwater, discussed as follows:

- *Surface waters.* No wetlands, streams, rivers, lakes, or ponds occur within or immediately adjacent to the Project Site. Indirect impacts to surface waters may result from sedimentation and erosion caused by construction activities (e.g., soil disturbance) and increase in runoff from reduction in pervious surfaces. However, a SWPPP has been prepared as part of the State Pollutant Discharge Elimination System (SPDES) General Permit for the Project, which will be approved by the New York State Department of Environmental Conservation (NYSDEC) prior to Project construction. The SWPPP and accompanying plans identify and detail stormwater management, pollution prevention, and erosion and sediment control measures necessary during and following completion of construction. Assuming proper implementation of sediment and erosion control measures, no adverse indirect impacts to surface waters are anticipated as a result of the Project.
- *Groundwater.* As stated in the SEIS, groundwater in the vicinity is relatively shallow. Potential groundwater quality impacts could result during the construction phase of the ETEC Project. Possible impacts to groundwater during construction activities include potential petroleum/raw material release, decreased quality of shallow groundwater, and potential increase in constituent releases from developed land uses. However, with proper mitigation and compliance with appropriate construction techniques, the potential for these impacts is not anticipated to be significant. To investigate whether the proposed Project could cause groundwater elevation increases that could worsen pre-existing drainage issues in the neighborhood to the south of the Project Site, a Groundwater Mounding Evaluation was prepared and discussed in the FSEIS. Groundwater mounding refers to an elevated area of groundwater that can occur beneath stormwater management structures designed to infiltrate runoff, such as under infiltration basins. The mounding evaluation was prepared with the primary purpose of determining if groundwater mounding on the Project Site could impact the basement of the ETEC building. However, because this modeling included an analysis of the height and extent of the anticipated mounding impacts, this evaluation also serves to provide an approximation of groundwater impacts off-site, including whether there could be impacts on the Eagle Hill neighborhood to the south. Based on the results of the groundwater modeling analysis (calculated using seasonally high water table data) and separating distance, the stormwater management controls planned for the ETEC Project are expected to have no impact on the elevation of groundwater in the residential neighborhood to the south of the Project Site.
- *Floodplains and floodways.* No portion of the Project Site occurs within a floodplain or floodway; therefore, the Project will have no impacts on such resources.
- *Stormwater.* The Project will result in the addition of impervious surfaces through the construction of the building, parking lot, and sidewalks. An increase in surface runoff has the potential to impact the capacity of stormwater management systems. The Project has been designed such that off-site stormwater discharges after construction are no greater than existing conditions. Stormwater management controls that are planned for the proposed ETEC Project include infiltration basins, infiltration chambers, and porous asphalt pavement. As discussed in the FSEIS, calculations of pre- and post-development peak discharge rates demonstrate that the

peak rate of runoff after Project construction is expected to be lower than existing conditions for the storm events studied. As discussed in the SEIS, to mitigate impacts to groundwater and avoid increasing flooding concerns, design and construction of the ETEC Project will be conducted in accordance with applicable regulations, guidelines, and policies for erosion and sediment control requirements, including the SPDES General Permit for stormwater discharges from construction activity, Permit No. GP-0-15-002, the UAlbany Stormwater Management Policy (SWMP), and the Project SWPPP, which will be finalized and approved prior to Project construction.

The Lead Agency finds that because of the erosion and sediment control measures and post-construction stormwater control practices that have been incorporated into the project design, no significant impacts to groundwater or off-site stormwater flows are anticipated. The Project has avoided impacts to stormwater and groundwater to the maximum extent practicable.

In addition to the mitigation measures outlined in the SEIS, the FSEIS indicates that UAlbany and the SUCF will continue to cooperate with the City of Albany Department of Water and Water Supply and the OGS as they evaluate and seek solutions for pre-existing drainage issues in the vicinity of the ETEC Project Site. These efforts are not related to potential impacts that may result from the ETEC Project and will be completed outside of the SEQRA process for the ETEC Project.

Climate and Air Quality

During the site preparation and construction of the ETEC, temporary adverse impacts to air quality may result from the operation of construction equipment and vehicles. Site clearing, grading, and waste generation will generate dust emissions. Measures to ensure air quality during construction are expected to include (at minimum):

- The site will be fenced with chain link and fabric.
- Soil/sediment/erosion controls will be implemented, including regularly scheduled inspections by a qualified monitor.
- The construction site will include a vehicle wash-down station.
- Stock piles will be covered or seeded.
- A dust control program will be implemented as necessary to control fugitive dust during construction. Control measures will include the application of mulch, water, stone, or approved chemical agent on public roads, access roads, exposed soils, or stockpiled soils when dry and windy conditions exist. High-traffic areas will be covered with gravel and exposed soils and roadways will be wetted as needed during extended dry periods to minimize dust generation. Typically, only plain water will be used for dust

suppression; chemical dust suppressants will be used only in situations where plain-water dust suppression is not effective.

Further, sustainable design elements have been incorporated into the design of the ETEC facility and will include measures to be implemented during operation of the Project, such as:

- The rooftop of the ETEC building will be suitable for the future installation of a rooftop solar photovoltaic system.
- The building will be heated and air-conditioned using geothermal heat pumps, as opposed to being hooked into a distributed system (steam and/or chilled water lines from a central plant). This equipment will be efficient, state-of-the-art, and would not require an air emissions permit from the NYSDEC.
- Laboratory fume hoods will be low-flow and will be installed with variable speed drives, which reduce fan speed during non-occupied hours.
- Occupancy sensors will be used to toggle HVAC and lighting between occupied and unoccupied settings.
- The Project will comply with appropriate air emission regulations and permit conditions.
- The project will promote the use of public transportation, carpooling, and alternative fuel vehicles.
- A manifold system with heat recovery will be utilized.
- The design of the facility will include stacks for the emission of chemicals from laboratory fume hoods in the ETEC. Typically, computer dispersion modeling is performed to assist in the height design and operation of these stacks so that these emissions can be dispersed without impacts to receptors. This modeling takes into account the presence of nearby structures, other emissions, and the distance to sensitive receptors.

The Lead Agency finds that with the implementation of dust control practices during construction, and the incorporation of sustainable design elements into the proposed Project, air quality impacts have been avoided and/or minimized to the maximum extent practicable.

Biological, Terrestrial, and Aquatic Ecology

The Project will result in minor and temporary impacts to biological resources on-site. The Project construction will result in the conversion of mowed lawn and woodland to impervious surface from construction of the ETEC building, parking lots, and sidewalks; however, pervious surfaces such as lawns and landscaping will be incorporated into the final design for the Project. The 18.3-acre parcel which currently includes limited impervious surface will see an increase by approximately 8 acres of impervious surface upon completion of construction. The few urban wildlife species that utilize the Project Site may be temporarily displaced during construction, but lawns and landscaping are common within the Harriman Campus and adjacent UAlbany Uptown Campus. Also, there are adjacent woodlands to the Project Site for

wildlife utilizing the wooded portion of the parcel. No impacts associated with habitat fragmentation, interference with migrating, wintering, foraging, breeding wildlife, or introduction of invasive species are anticipated.

The Lead Agency finds that no significant impacts to vegetation, wildlife, or rare species will occur as a result of construction or operation of the proposed ETEC Project.

Aesthetic/Visual Resources

The design of the ETEC Project has been developed in consideration of existing conditions in the Project vicinity, and in cooperation with representatives of the OGS, UAlbany, the SUCF, and other involved parties. The Project design has been selected to meet the programming goals of the proposed Project, while also relating to the size, scale, and design of other buildings in the surrounding area. Design alternatives were considered and evaluated throughout the design process, including design options that were taller than the selected alternative. The design and footprint of the ETEC, as currently proposed, minimizes the height of the building, mimics the existing contours of the Project Site, is consistent with the architectural character, size, and massing of nearby buildings and facilities on both the UAlbany and Harriman Campuses, and provides a strong visual link between the Harriman Campus and UAlbany. The alternatives analysis concluded that the Project as proposed meets the programming goals of the Project Sponsor while avoiding and minimizing potential adverse impacts to the greatest extent practicable. As part of the SEIS and the FSEIS, analyses of the visibility of the ETEC building were undertaken to identify those locations where there is potential for the proposed ETEC facility to be seen from ground-level vantage points, with a focus on the Eagle Hill residential neighborhood to the south of the Project Site.

The visual assessment analyses conducted for the SEIS and the FSEIS concluded that the ETEC building will be visible from selected locations within the residential neighborhood to the south, particularly from portions of Tudor Road and Clarendon Road. The visibility of the proposed ETEC facility from the nearby Eagle Hill neighborhood is minimized by the existing mature vegetation within and around these residential lots, as well as the vegetation around the perimeter of the OGS Campus and Harriman Ring Roads. As stated in the SEIS, to further minimize visibility of the ETEC building from the residential neighborhood to the south, selected evergreen tree plantings are planned along the fence along the outer ring road at the northern terminus of Tudor and Clarendon Streets. These plantings will be selected to minimize visibility of the ETEC building from the neighborhood, particularly during leaf-off conditions.

Based on the supplemental visual assessment that was prepared for this FSEIS, the visibility of the ETEC building will not be out of character with existing views from Tudor and Clarendon Road. Views from Tudor and Clarendon Roads toward the Project Site are substantially screened by buildings and mature trees. The Project will be partially visible from some locations through gaps between buildings and trees, and through vegetation during leaf-off conditions. Where visible,

views of the Project would be narrow, occasional, and in most cases substantially screened. Therefore, although the upper portions of the ETEC building will be visible from some locations, the proposed Project is not out of character with the existing visual environment and will not result in an undue adverse effect on the Eagle Hill neighborhood.

The Lead Agency finds that because the Project has been designed to be consistent with surrounding buildings on the Harriman and UAlbany campuses; based on the presence of existing buildings and vegetation that will serve to screen views of the proposed building from the neighborhood to the south; and because of the installation of the landscaping measures described above, visual impacts have been minimized and/or mitigated to the maximum extent practicable.

Historic, Cultural, and Archaeological Resources

As stated in the SEIS, archaeological surveys conducted at the Project Site concluded that the site is not likely to contain Native American archaeological resources or significant historic-period archaeological resources. Therefore, construction of the ETEC Project is not anticipated to affect significant archaeological resources. Further, construction of the Project will not require the demolition or physical alteration of buildings or other potential historic resources. No direct physical impacts to historic-architectural resources will occur as a result of the Project. Therefore, Project construction is not anticipated to have an effect on historic-architectural resources.

As stated in the FSEIS, the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) concluded that the proposed Project 'will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.'

The Lead Agency finds that based on the results of historic and archaeological surveys conducted at the Project Site, as well as concurrence from the NYOPRHP, the Project has avoided impacts to historic, cultural, and archaeological resources.

Open Space and Recreation

No designated recreational areas will be removed during site preparation and construction activities. During construction, informal open space/recreational users of the Project Site will lose access to existing on-site opportunities, including occasional pedestrian traffic that may traverse the site. While this is not considered a loss of public open space/recreation resources, safety and security measures such as construction fencing, construction gates, and signage will be utilized to protect students, faculty, and staff, and the general public from potential construction hazards.

During Project operation, informal recreation activities such as walking and jogging on the Project Site will be improved from the current condition. The ETEC facility will be designed to be pedestrian accessible and will include a lighted

walkway that will provide a safe, landscaped pedestrian connection from the UAlbany Podium to the Harriman Campus, thereby encouraging activities such as walking and jogging. The Project will result in an overall improvement of these types of recreational opportunities.

The Lead Agency finds that because the Project will have a positive effect on pedestrian and bicycle access between the UAlbany and Harriman Campuses, and because no public open space or recreational space will be lost, the Project has avoided adverse impacts to open space and recreation.

Traffic and Transportation

Construction of the Project will have a minor, short-term impact on traffic around the Project Site, including the addition of construction and associated delivery traffic. Traffic patterns and volumes on University Drive, Washington Avenue, Fuller Road, Western Avenue, and the ring road system (Harriman Ring Road and Campus Access Road) around Harriman Campus will most likely be affected. Construction vehicle access would be limited to access from the major highways, including Interstate 90 and NYS Route 85. Residential roadways surrounding the Harriman Campus will not be designated for construction equipment or construction deliveries. Access for construction vehicles will be designed to minimize impacts on surrounding neighborhoods, and a construction vehicle routing plan will be incorporated into the Project. Local traffic along these routes may experience minor delays due to slow moving vehicles and increased traffic volume during construction activities.

To avoid significant impacts to traffic flows during Project construction, predetermined detour routes will be implemented upon identification of construction-related traffic congestion. Proposed traffic safety measures will be implemented as necessary and may include, but are not limited to, placement of construction signage, use of vehicle escorts, speed limit restrictions, and hours of operation restrictions.

As discussed in the SEIS, traffic impact studies evaluated the expected traffic impacts of the proposed Project after construction, and concluded that the proposed Project is not anticipated to have an adverse effect on vehicular traffic. As identified in the traffic studies, the Harriman Ring Roads provide sufficient capacity to handle the increased vehicular traffic that is likely to result from construction of the ETEC facility. Some improvements to the ring roads are planned as part of this project to improve traffic flow, and to improve public transportation and pedestrian facilities. The Project will not impact traffic in the nearby neighborhoods to the south of the Project Site.

An increase in pedestrian activity is expected in the vicinity of the proposed Project Site. Improved pedestrian facilities are proposed from the UAlbany Uptown Campus to the proposed ETEC facility, which is expected to include a mid-block traffic signal (one at each ring road crossing) to facilitate pedestrian crossing of the ring roads. The pedestrian crossing

will have a minimal impact on Harriman Ring Road traffic, and will not be disruptive to area residents, as the pedestrian boulevard will not be in the vicinity of residential streets. Therefore, no mitigation is necessary for pedestrian activity.

An approximately 500 car surface parking lot will be constructed within the Project Site for the proposed ETEC. It is anticipated that many of the primary users of the proposed Project will walk, bike, and/or utilize the shuttle bus service to get to and from the ETEC. Based on the expected occupancy counts for ETEC, as well as the alternative means of accessing the facility, the new parking lot is anticipated to provide ample parking.

The Lead Agency finds that based on the selection of appropriate routing for construction vehicles, the implementation of traffic safety measures, planned improvements to the ring roads to improve traffic flow, and the planned improvements of pedestrian facilities, the Project has minimized and mitigated potential traffic impacts to the maximum extent practicable.

Noise and Odor

The Project Site is located in the vicinity of Interstate 90, Route 85, and other major roads within the City of Albany and Town of Guilderland. Noise associated with construction machinery is unlikely to significantly exceed noise associated with existing vehicular traffic in the vicinity of the Project Site. During construction, noise levels are likely to exceed existing ambient conditions (primarily during lulls in the normal daily traffic). Therefore, best management practices will be used to mitigate noise during construction. To mitigate potential noise impacts associated with Project construction, major construction activities such as site excavation will be restricted to normal workday hours.

Sources of noise during the operational phase of the Project may include increased vehicular and pedestrian activity in and around the Project Site and parking facilities, noise associated with building mechanical and/or ventilation systems, and a marginal increase in traffic-related noises. Potential sources of noise associated with the operation of the Project include noise associated with mechanical equipment, such as the building's HVAC system. Additional ambient and intermittent noise could be produced by pedestrians traveling to and from the building, as well as students congregating in the outside areas adjacent to the building and walkways, although this noise is not likely to impact residents in nearby areas. Noise levels associated with increased traffic are expected to be minimal. Overall, operation of the Project is not expected to generate significant noise that could potentially impact the adjacent community.

In designing building ventilation systems and selecting mechanical equipment, noise control considerations will be included. Operation-related noise associated with the Project is anticipated to be comparable to existing noise levels around the Project Site. However, if necessary, mitigation options that will be considered to reduce noise impacts during operation include: plantings, compliance with City of Albany code requirements, landscaping and banking for noise abatement, and the use of noise attenuation devices and/or building materials.

The proposed building will be largely programmed with laboratory, classroom, and conference spaces. However, an option for a modestly sized café is planned as part of the proposed Project. This café may include a space for limited on-site food preparation. Food preparation can result in cooking odors that may seem unpleasant to nearby residents. However, due to the limited amount of food preparation that will occur within the building, the Project is not expected to produce offensive odors. Operational measures used to reduce or eliminate the potential emission of cooking odors such as installation of grease traps and/or air filters and regular maintenance of the facilities will be implemented at the ETEC building, if needed.

The Lead Agency finds that because of the implementation of these measures, potential noise and odor impacts from the construction and operation of the ETEC Project have been avoided and/or minimized to the maximum extent practicable.

Public Health and Safety

Construction of the proposed Project will not have a significant adverse impact on public health. While under construction, the Project Site may pose typical safety concerns for construction personnel, as well as minor impacts for passing pedestrians. UAlbany health and safety protocols are overseen by the campus Office of Environmental Health and Safety. Compliance with campus safety protocols as well as compliance with applicable state, federal, and local laws and regulations will be required to avoid construction-related incidents. Construction activities may utilize local fire, police, and/or medical services; however, a significant increase in demand for these services is not anticipated.

Operation of the proposed Project is expected to necessitate a marginal increase in emergency services demand, as it represents an expansion of both the limits of the campus physically, and a growth in students and personnel. However, this growth was studied and planned for and will not pose unusual challenges or place demands on local service providers that are different from other institutional building projects.

Construction personnel will comply with applicable Occupational Safety and Health Administration (OSHA) regulations and contractor safety programs to minimize safety risks during construction of the Project. Public safety impacts during construction will be mitigated with appropriate fencing, lighting, and maintenance. Contractors will also review the UAlbany Office of Environmental Health and Safety policies and procedures and will adhere to policies and complete permits as necessary. In addition, contractor access will be restricted to designated site entrances and exits, so as to minimize safety risks to passing vehicular and pedestrian traffic.

Fire protection systems will be incorporated into the design of the ETEC facility, including automatic sprinklers, standpipes, and a fire pump if necessary. Coordination with the Albany Fire Department will be completed to ensure

compliance with applicable codes and connections. Security systems for the ETEC facility will include access control, intrusion detection, video surveillance, and emergency blue light intercom stations.

The Lead Agency finds that because of the implementation of the safety measures described above, the Project will minimize impacts to public health or safety to the maximum extent practicable.

Land Use and Zoning

Pre-construction and construction activities are expected to have potential temporary adverse impacts on land use in the area immediately surrounding the Project Site. These activities may include, but are not limited to temporary development of staging areas for construction equipment, and temporary construction-related closures and detours for pedestrians.

As New York State agencies, UAlbany and OGS are not subject to local land use controls, including but not limited to zoning regulation. However, the proposed Project is influenced by, and may in turn influence, a number of local land use plans and regulations that come to bear on adjacent properties. As discussed in the SEIS, the development and operation of the ETEC is helping to meet targeted goals of the Albany 2030: City of Albany Comprehensive Plan that was established in 2012. Further, the development of the ETEC is a direct reflection of UAlbany's focus on infrastructure and the environment. Specifically, the Project fits the following objectives of the UAlbany Strategic Plan:

- Create and maintain attractive and accessible places for learning, interaction, living and recreation;
- Seek opportunities to develop the campus to allow us to further support our mission and decompress where overcrowded; and
- Invest in sustainable or green infrastructure to advance the university's sustainability agenda.

The operational phase of the Project will not result in significant adverse impacts to land use. Construction-related impacts will be localized and temporary in nature. Potential mitigation measures to minimize impacts include:

- Coordination between project teams and contractors during the construction phase to minimize potential effects on current land uses;
- Restoration of temporary staging following construction activities; and
- Establishment of safe pedestrian crossings and detours around construction areas.

The Lead Agency finds that because the Project will be compliant with existing land use and zoning requirements, and based on the measures described above, impacts to land use and zoning have been avoided to the maximum extent practicable.

Growth and Character of the Community

Pre-construction and construction activities are anticipated to have temporary and localized impacts on community character in the area immediately surrounding the Project Site. These activities may include, but are not limited to:

- The installation of Project Site/construction logistics including fencing/wind screening, signage, alternate transportation routing, and development of staging areas;
- The installation of soil and erosion and sedimentation controls;
- Utility relocation and installation, including water supply and wastewater collection lines, electric, data, telecommunications, and gas;
- Site excavation;
- Construction-related closures and detours for pedestrians;
- Loading and unloading of materials and equipment; and
- Building construction.

The operation of the Project may have impacts to the community character and growth, although they are not considered to be significant or adverse impacts. Impacts resulting from the operation of the Project are discussed below.

- The Project includes the development of a previously undeveloped parcel. The existing parcel is not a designated open space, nor is it the location of formally designated recreational activities. The proposed facility will create a beneficial link between the Harriman Campus and UAlbany Uptown Campus. A pedestrian crosswalk will provide a safe connection between the two campuses for walkers and bicyclists in the area. Most facility users are expected to access the site by foot, by bicycle, or through the use of public transportation. Adequate parking will be provided on-site for those accessing the ETEC by vehicle.
- The ETEC facility will become an active hub of research, instruction, and business development. While the development of the facility will host more users than the current undeveloped space, the new building on the Harriman Campus and increased usage of the area is not anticipated to adversely affect the community character in terms of traffic or noise.
- The operation of the facility is expected to have positive socioeconomic impacts on the community character and growth of the area. The construction and operation of the facility will create jobs, including new permanent faculty positions as well as temporary construction jobs.

- The ETEC Project includes the development of a state-of-the-art educational, research, and private partnership facility on a campus occupied by state office buildings, adjacent to the UAlbany Uptown Campus. The facility will be comparable in use, scale, and design to existing buildings located in the surrounding area. Construction of the Project will not be out of character with existing site uses, and, therefore, is not anticipated to have an adverse impact on property values of nearby residences.

The operational phase of the Project will not result in significant adverse impacts to community character. Potential construction-related impacts will be localized and temporary in nature. Potential impacts on community character will be mitigated via measures taken to address aesthetic/visual, transportation, air quality, and noise-related impacts, as summarized below.

- Dust control procedures will be implemented to minimize the amount of dust generated by construction activities, in a manner consistent with the Standards and Specifications for Dust Control as outlined in the *New York State Standards and Specifications for Erosion and Sediment Controls*. In accordance with these procedures, the extent of exposed/disturbed areas on the site at one time will be minimized and restored/stabilized as soon as possible.
- Deliveries for construction materials will enter the campus from major highways, Interstate 90, and NYS Route 85 to avoid air quality impacts related to emissions and minimize construction related traffic impacts.
- To avoid, minimize, and mitigate impacts to off-site aquatic resources resulting from construction related siltation and sedimentation, an approved sediment and erosion control plan and SWPPP will be finalized and approved prior to construction, in accordance with the SPDES General Permit.
- Although exempt from the local ordinance, major construction activities such as site excavation will be conducted largely during normal working hours.
- Traffic controls will be installed and maintained to redirect vehicles and pedestrians as necessary. These controls include, but are not limited to, signage, detours, and flagging personnel.

The Lead Agency finds that because the Project will be consistent with the existing character of the surrounding vicinity, because growth impacts will be positive, and based on the measures described above to minimize construction impacts, impacts on growth and community character have been avoided and/or minimized to the maximum extent practicable.

Community Facilities and Services

Construction and operation of the ETEC Project will cause an increase in solid waste generation. Management of solid waste will be handled in accordance with standard UAlbany practices. Chemical wastes and hazardous wastes generated in the teaching and research laboratories of the ETEC will be managed appropriately in accordance with their

regulatory characterization, as with such wastes generated in science labs currently operating on the UAlbany Uptown Campus. The ETEC building will be connected to the existing municipal water system and the municipal sanitary sewer system that is present in the Project vicinity. The City of Albany municipal sanitary sewer system is owned, operated, and maintained by the Albany Water Board (AWB) and Albany Department of Water and Water Supply. The AWB, in connection with the OGS, is in the process of planning upgrades to the sanitary sewer system for the Project vicinity.

Mitigation measures for the increased demands on community facilities and services, including solid waste management, water supply, and wastewater disposal, consist of the following:

- Construction debris will be recycled to the maximum extent feasible;
- Construction waste will be handled in accordance with best management practices, including placing waste in containers, and transporting it off-site for disposal by a licensed contractor;
- Temporary sanitary facilities will be provided by the construction contractor throughout the construction phase;
- Solid waste generated during operation of the ETEC facility will be stored in enclosed, lidded units prior to transportation and management off-site;
- Chemical wastes and hazardous wastes generated in the teaching and research laboratories of the ETEC will be managed appropriately in accordance with their regulatory characterization;
- The Project design will incorporate measures to reduce potable water usage, such as ultra-low-flow fixtures and rainwater storage for irrigation use;
- Improvements to the municipal water connections and sanitary sewer connections will be completed in cooperation with service providers, the OGS, and UAlbany.

The Lead Agency finds that because existing community facilities and services are adequate to meet the demands of the Project, impacts to these types of resources have been avoided.

Summary of Impacts, Mitigation, and Balancing

The proposed Project will result in long-term benefits, including benefits to the community through creation of employment opportunities, new pedestrian access between UAlbany and the Harriman State Campuses, and benefits to the SUNY system through improved learning facilities and the ability to attract and retain students. Additionally, as described in the SEIS, the Project supports many of the goals enumerated in the recently adopted public planning documents for the City of Albany.

Despite the positive effects anticipated as a result of the Project, its construction and operation will necessarily result in certain unavoidable impacts to the environment. Many of these environmental impacts will be temporary, and will result

from construction activities (e.g., noise, dust, traffic). However, long-term unavoidable impacts associated with operation and maintenance of the Project will include localized and intermittent increased traffic on local roadways, loss of existing terrestrial and forested habitats, a reduction in undeveloped open space, increased demand on municipal water and sanitary sewer systems, consumption of petroleum hydrocarbon fuels, and the subsequent release of air pollutants and greenhouse gasses. These impacts relate to an increase in density of students, faculty, staff, and visitors to the Harriman Campus as a result of the construction of the ETEC facility. These impacts are evaluated through site-specific analyses, which are presented in the SEIS and FSEIS. Although these environmental impacts are not anticipated to be significant, they will be further minimized through the use of various general and site-specific avoidance and mitigation measures. As demonstrated in the EIS record and this Finding Statement, Project development and operation will incorporate adequate and specific measures to avoid, minimize, or mitigate potential impacts to specific resources.

The Lead Agency, having balanced relevant considerations, acknowledges that although adverse environmental impacts will occur, they will be minimized through the use of various general and site-specific avoidance and mitigation measures, as described above. The Project will result in short-term or temporary adverse environmental impacts associated with construction activities. These impacts will be minimized and/or mitigated to the maximum extent practicable by adherence to existing local and state regulations and best management practices during construction. Permanent impacts will be minimized and mitigated to the maximum extent practicable through measures such as evergreen tree plantings to minimize aesthetic impacts, implementation of traffic and pedestrian safety measures such as a crosswalk and traffic signal, and the construction of stormwater management infrastructure.

With the implementation of these mitigation measures, and those discussed above in this Findings Statement, the EIS record demonstrates that the adverse effects that cannot otherwise be avoided have been adequately balanced. In addition, benefits associated with the Project, including enhanced educational and technology opportunities for the UAlbany campus community; the attraction and retention of students, researchers, entrepreneurs, and investors; and employment opportunities for the broader public, further balance the identified impacts.

ALTERNATIVES ANALYSIS

SEQRA (6 NYCRR Part 617) requires that an EIS evaluate reasonable project alternatives. In determining the scope of alternatives to be considered, the emphasis is on what is "reasonable". As described in §617.9 (b)(5)(v), an EIS must contain a description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the Project Sponsor. The purpose of the proposed ETEC facility is to be a hub of innovation, co-locating researchers, instruction, entrepreneurs, and investors, providing the technology transfer and commercialization resources to drive economic growth, create jobs, and enhance New York's competitiveness in key industries. The ETEC Project is planned to give business access to various programmatic research clusters, providing

advanced research facilities and fostering strategic partnerships in an environment that cultivates industry collaboration, accelerates commercialization and fuels future research. Therefore, the preferred alternative is to construct a facility that achieves these goals. Paragraph 617.9(b)(5)(v) of the SEQRA regulations suggests that, in addition to the "no action" alternative, it may be appropriate in an EIS to consider alternative sites, technologies, scale or magnitude of action, project designs, timing or phasing of action, uses and types of actions. What constitutes a "reasonable" alternative will depend on the nature of the proposed action, the nature and range of potential adverse impacts, the sponsor of the action, and the general nature or class of the possible alternative. SEQRA does not require, and it is therefore not necessary, to explore every possible alternative density or size.

Alternatives to the proposed Project that were considered and evaluated in the SEIS include consideration of alternative Project sites and alternative project design/layout, as well as consideration of the no action alternative. Analysis of these alternatives revealed that both the location and size of the Project as currently proposed are necessary to achieve the programming goals of UAlbany while avoiding, minimizing, and/or mitigating environmental impacts to the greatest extent practicable. Relative to the five potential Project sites (and three alternates) that were considered, the preferred Project Site ranks relatively high for transit access, availability of space to meet the programming needs, availability of space for the necessary parking, design flexibility, opportunity for future expansion, and constructability when compared to the other potential sites considered. With the proposed mitigation measures described in the SEIS in place, the selection of the preferred Project Site also avoids significant environmental impacts to land, water, climate/air, wildlife, visual impacts, traffic and noise.

The alternatives analysis also included consideration of three building designs/site configurations. In addition to meeting the objectives and goals of the Project Sponsor, the design and footprint of the ETEC, as currently proposed, minimizes the height of the building, best mimics the existing contours of the Project Site; is consistent with the architectural character, size, and massing of nearby buildings and facilities on both the UAlbany and Harriman campuses; and provides a strong pedestrian and visual link between the Harriman Campus and UAlbany. The preferred design alternative also best relates to the design of the original UAlbany Campus buildings as well as the original Edward Durell Stone Master Plan for the campus. In summary, the alternatives analysis concluded that the Project as proposed meets the programming goals of the Project Sponsor while avoiding and minimizing potential adverse impacts to the greatest extent practicable.

CERTIFICATION OF FINDINGS

The State University Construction Fund, as Lead Agency for the environmental review of this action, pursuant to 6 NYCRR Part 617.11(d), having reviewed and accepted the Project SEIS and FSEIS, and having considered the preceding written facts and conclusions, hereby certifies that:

1. The requirements of 6 NYCRR Part 617 have been met;
2. Consistent with social, economic, and other essential considerations, from among the reasonable range of alternatives available, the proposed action is one that minimizes or avoids adverse environmental effects to the maximum extent practicable, including the effects disclosed in the EIS; and
3. Consistent with social, economic, and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact process will be minimized or avoided by incorporating as conditions to any funding or approval of the Project those mitigation measures that were identified as practicable.

Signature of Responsible Official

Christopher P. Marcella

Name of Responsible Official

Director of Design

Title of Responsible Official

March 10, 2017

Date

State University Construction Fund

Name of Agency