

**Lakeview Amphitheater
Onondaga County, New York**

SEQR FINDINGS STATEMENT

1.0 INTRODUCTION

This Findings Statement is prepared and issued by Onondaga County, acting as Lead Agency relating to the review of the Lakeview Amphitheater project, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations promulgated thereunder at 6 NYCRR Part 617 (collectively referred to as "SEQR"). This Findings Statement draws upon the matters set forth in the SEQR record, including the Environmental Impact Statement ("EIS"), consisting of the Draft Environmental Impact Statement ("DEIS") and the Final Environmental Impact Statement ("FEIS"), as well as the public comments on the DEIS received at two public hearings and during the public comment period. The purpose of the EIS was to identify and evaluate the potential significant adverse environmental impacts of the proposed Lakeview Amphitheater (the "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 SEQR, this Findings Statement must:

1. Consider the relevant environmental impacts, facts and conclusions disclosed in the EIS;
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 SEQR have been met;
5. Certify that 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 that any such adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified, in the EIS, as practicable.

2.0 DESCRIPTION OF THE PROPOSED ACTION

The Project will be an outdoor event complex, which will include an amphitheater with an estimated seating capacity of approximately 17,500 (both covered and lawn seats), a nature area, vendor area, recreational trails, and other amenities.

The Project site is located on Lakeview Point, on the western shore of Onondaga Lake (see FEIS Figure 1). Situated north of the existing New York State Fairgrounds parking lots and the Interstate 690 (I-690) and NYS Route 695 exchange, and east-southeast of the mouth of Nine Mile Creek, the Project site is located in the Town of Geddes approximately 1.2 miles north of the Village of Solvay, 1.0 mile south of the Village of Liverpool, and 1.9 miles northwest of the City of Syracuse.

A detailed description of the proposed action is included in Section 2.2 of the DEIS and further refined in Section 2.1 of the FEIS.

3.0 PROJECT PURPOSE, NEED, AND BENEFIT

As stated in the EIS, the purpose of establishing an outdoor events center at the Lakeview Point site is to help enhance public access to the western shore of Onondaga Lake, to take advantage of the new opportunities available as a result of the remediation and restoration efforts taking place on the western lakeshore and to further economic opportunity throughout the Syracuse Metropolitan Area and revitalization in the Town of Geddes and Village of Solvay. In addition, a key objective of this project is the enhancement and associated increased visitation of currently existing County-owned parkland on the western shore of Onondaga Lake. Although the recently opened West Shore Trail has increased visitation in this area, the County's parkland along the western shore of Onondaga Lake is currently underutilized. By hosting large-scale events at the Lakeview Amphitheater site, there will be enhanced exposure to the western shore, which is expected to increase use of this parkland in the future. Benefits of the Project include the following:

1. The concerts and other live events at the Lakeview Amphitheater will bring people together and increase visitation of County parkland along the western shores of Onondaga Lake.
2. The Amphitheater will provide a top-tier performance space, which will be a "must-play" destination for high profile artists in a unique, outdoor setting.
3. The Amphitheater will be located in a publicly accessible park adjacent to a historically significant natural resource (i.e., Onondaga Lake).
4. The Amphitheater will become a destination or starting point for children and their families, who walk, run, rollerblade, or ride along the lake.
5. The design and construction of the Amphitheater will have a direct economic impact of approximately \$50 million that will benefit the Town of Geddes, Village of Solvay and the Greater Syracuse Region.
6. Concerts will generate spending on tickets, food and beverage, merchandise and other items.
7. Concertgoers, including out-of-town travelers, will patronize local restaurants, retail establishments, and hotels that will benefit the Town of Geddes, Village of Solvay and the Greater Syracuse Region.

8. The County of Onondaga will receive sales tax and room occupancy tax revenues from spending by concertgoers.
9. The consumer spending induced by the Amphitheater will support additional jobs in the local economy that will benefit the Town of Geddes, Village of Solvay and the Greater Syracuse Region.

4.0 SUMMARY OF THE SEQR PROCESS

On February 14, 2014, Onondaga County circulated to potentially interested/involved SEQR agencies Part 1 of a Full Environmental Assessment Form (EAF) and a statement indicating that the County intended to serve as Lead Agency for the review of the proposed Lakeview Amphitheater. Following the required 30-day coordinated review period, no agency objected to Onondaga County assuming the role of Lead Agency. In addition, Onondaga County, as Lead Agency, issued a Positive Declaration (which necessitated the preparation of a DEIS), and initiated the Public Scoping Process on April 4, 2014.

Thereafter, a DEIS for the Project was prepared. The DEIS was accepted as complete on July 1, 2014, and copies of the DEIS were subsequently delivered to involved / interested agencies, and posted to the County's website (<http://www.ongov.net/environment/amphitheater.html>). A printed copy of the DEIS was also made available at the Solvay Public Library. Opportunities for detailed agency and public review were provided during the DEIS public comment period (July 9 through September 5, 2014), including public hearings conducted by the Lead Agency on July 23 and August 26, 2014, at the legislative chambers (room 407) in the downtown courthouse.

Following closure of the public comment period, an FEIS was prepared. Appendix F of the FEIS contains a copy of all the written comments received during the public comment period for the DEIS, along with a transcript of both public hearings. The FEIS includes responses to all comments received on the DEIS during the public comment period. The Lead Agency issued the FEIS for the Project on October 14, 2014. Copies of the FEIS were delivered to involved/interested agencies and posted to the County's website (<http://www.ongov.net/environment/amphitheater.html>). A printed copy of the FEIS was also made available at the Solvay Public Library.

All documents identified above were filed, distributed and noticed per the requirements set forth at 6 NYCRR Part 617.12(b)(1), including the Town of Geddes Supervisor, all involved agencies, and any person that requested a copy. Records of all such notifications are on file with Onondaga County.

5.0 FACTS AND CONCLUSIONS RELIED ON TO SUPPORT THE DECISION

The facts and conclusions set forth in this Findings Statement consider the relevant environmental resources, impacts and mitigation measures disclosed in the EIS; 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 herein 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 by topic area: (1) a summary of potential significant adverse environmental impacts; (2) a description of mitigation measures; and (3) the Lead Agency's Findings.

5.1 Geology, Soils, and Topography

5.1.1 *Potential Impacts*

Minimal disturbance of site soils will occur as a result of Project construction, as the nature of the Solvay Waste material presents challenges related to excavation and grading. Intrusive work will be limited predominantly to the installation of utilities and placement of piles and supporting foundations and associated grading. Granular materials will be imported to the site and placed as fill to form the grades and site features. Landscaping will include predominantly grassy areas for spectators with appropriate plantings and pedestrian pathways. Overall, Project construction is anticipated to disturb a total of up to approximately 120 acres; however, of this total, approximately 20 acres is currently disturbed as a result of ongoing remedial activities. Potential impacts could include disturbance of contaminated materials and/or elements of the site remedies, increased loads on site soils, slope stability issues and general construction related impacts. Potential impacts may also be associated with the stability of piles/foundations at this site.

On-site operations will involve vehicle traffic and pedestrian traffic during scheduled events. Impacts associated with this type of use include surface soil disturbance.

5.1.2 *Mitigation Measures*

Design of the surface and subsurface features of the amphitheater project are being coordinated with technical staff of Honeywell and the involved state and federal agencies so that they can be implemented in conjunction with the existing and proposed remedies for the site, including both the Crucible and Honeywell elements. Nationally recognized geotechnical experts, familiar with the soil conditions and this site in particular, have assisted the design team (and will continue to do so) in developing facilities which are compatible with these subsurface conditions. Pile materials and coatings will be chosen for compatibility with the soil media encountered, and borings will be installed in a manner that prevents migration of contaminants. Construction work will be carried out consistent with a NYS Department of Environmental Conservation (NYSDEC) approved Site Management Plan that will be largely in the

form of the existing Honeywell Construction Management Workplans, which have been used at the site throughout the Integrated Interim Remedial Measure (IRM) phase of work, were reviewed and approved by NYSDEC and have been effective (see <http://www.dec.ny.gov/chemical/37558.html>). In addition, all construction activities will be conducted in accordance with a Project specific Stormwater Pollution Prevention Plan (SWPPP) (see DEIS Appendix I), and the statewide NYSDEC State Pollution Discharge Elimination System (SPDES) Stormwater General Permit.

With respect to Project operations, maintenance will be provided through the Onondaga County Parks Department. The County Parks Department is well versed in maintaining areas of public use throughout the County and in protecting the County parks.

5.1.3 Finding

The Lead Agency finds that the potential adverse impacts to geology, soils, and topography will be avoided or minimized to the maximum extent practicable through the incorporation and implementation of the mitigation measures outlined above, and any remaining impacts will not be significant.

5.2 Water Resources

5.2.1 Potential Impacts

The most common water quality issue associated with construction activity is erosion and sedimentation runoff from areas disturbed by the construction effort. Removal of vegetative cover exposes bare soils, which enhances the erosion effects of precipitation. The proposed Project could potentially affect surface waters and groundwater quality on a short-term basis. Construction activities or seasonal activities such as use of lawn treatments, pest controls or de-icing chemicals (e.g., road salt) for roads and walkways can be concerns. Construction can also cause sediment-laden runoff to enter waterways. Both point source and non-point source runoff may contain pollutants such as metals, oils, greases, hazardous materials, solids, hydrocarbons, pesticides, and herbicides as well as sediments

As the Project development proceeds, the majority of the site will be covered with imported fill forming the desired grades and surface features. With newly constructed surface conditions and implementation of drainage designs, the potential leaching of contaminants to the groundwater will be reduced. As a result of increased percentages of impervious cover types, a greater amount of rainfall and snow melt will be directed to surface runoff rather than infiltration and groundwater recharge. In settings such as these, this generally has a beneficial effect on groundwater quality, although surface water quality can be adversely impacted by increased runoff.

As a result of site development, stormwater runoff rates and volumes are expected to increase as the percentage of impervious cover increases. Portions of the stormwater runoff volume which may previously have percolated to

groundwater, evaporated, or been taken up by vegetation may be redirected to Ninemile Creek, Onondaga Lake or adjacent land areas after being controlled by newly installed drainage features. Overall stormwater contaminants and pollutants associated with past uses of the site will be reduced as a result of remedial activities. As surface features at the site are developed, incident precipitation will contact manmade features and imported (non-contaminated) soil media rather than existing site soils. Pollutant loads associated with stormwater runoff will be consistent with parklands/open vegetated spaces, which will predominate over those previously existing at the site. In the case of this Project site, the net effect of this change is expected to be beneficial.

The Project also has the potential, through geotechnical borings, to create preferential pathways for contaminated groundwater.

5.2.2 Mitigation Measures

Mitigation available for erosion and sedimentation are identified in the Preliminary SWPPP (see DEIS Appendix I), and includes diversion ditches up-gradient of work areas, sedimentation basins, silt fences and other barriers such as straw bales. Such temporary measures will be maintained until vegetative cover is established to 80 percent or more. Fuel, lubricants, and any other construction-related chemicals, will be stored in specified, secondarily contained locations, and fueling and maintenance of equipment will be conducted at locations distant from the drainage areas so that spills or overfills can be cleaned up before reaching the water. The final design plans will capture, treat and/or reduce stormwater infiltration and/or runoff from the site, as outlined in the Preliminary SWPPP. Final specifications for stormwater mitigation at the site will be set forth in the Final SWPPP, and will be approved in concept by NYSDEC Region 7. Regarding long-term maintenance of the property, all stormwater management facilities will be maintained in accordance with the recommendations found in the NYS Stormwater design manual, and operations will conform to Onondaga County's Pest Management and Control Directive dated July 13, 2009 (included in Appendix E of the FEIS). This directive outlines the County's Integrated Pest Management (IPM) program, which promotes pest control strategies that are the least hazardous to human health and the environment by placing priority on prevention rather than undue reliance on chemical pesticides.

With respect to creating preferential pathways for contaminated groundwater, placement of geotechnical borings on the site have been, and will continue to be, conducted consistent with the Honeywell site work plans including, where appropriate, double cased borings with bentonite/cement pressure grouting to prevent creation of preferential groundwater pathways, and review and approval of piling plans by NYSDEC prior to installation.

5.2.3 Finding

The Lead Agency finds that the potential adverse impacts to water resources will be avoided or minimized to the maximum extent practicable through the incorporation and implementation of the mitigation measures outlined above, and any remaining impacts will not be significant. The net impact to water resources is expected to be beneficial.

5.3 Climate and Air Quality

5.3.1 Potential Impacts

During the site preparation and construction phases of the Lakeview Amphitheater, temporary adverse impacts to air quality may result from the operation of construction equipment and vehicles. Such impacts could occur as a result of emissions from engine exhaust and from the generation of fugitive dust during earth moving activities. Fugitive dust is potentially a greater concern at the Project site than in most areas because the Lakeview Amphitheater will be constructed on top of the Solvay Process wastebeds, which contains hazardous materials.

Once the Lakeview Amphitheater becomes operational, the existing off-site State Fairgrounds parking lots will experience increased use. It is anticipated that high volumes of traffic will utilize these lots during scheduled events at the Amphitheater, resulting in sporadic short-term increases in vehicle exhaust and dust emissions. Additional impacts may also include the effects of idling trucks associated with equipment delivery for concerts.

5.3.2 Mitigation Measures

The Project has been designed to minimize soil disturbance associated with construction activities. The contractors will be instructed to employ proper construction and dust suppression techniques, including wetting or shielding of work areas whenever significant potential for airborne particulates is present. Ultimately, 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*, and summarized in DEIS Section 3.3.3.1. In accordance with these procedures, the extent of exposed/disturbed areas on the site at any one time will be minimized and restored/stabilized as soon as practicable. Exclusion zones limiting public access to the Project site will be designated and enforced during certain phases of the construction of the Lakeview Amphitheater, thereby limiting the potential for exposure to fugitive dust generated during construction activities.

As opposed to excavating to create the desired grades, granular materials will be imported to the site and placed as fill atop the wastebeds/landfill to the extent practicable, and site features will be developed in this clean fill. In addition, construction work will be performed in compliance with a NYSDEC-approved Site Management Plan,

developed as part of the ongoing remediation effort for the larger Wastebeds 1-8 area. This plan will describe acceptable operating procedures for disturbance of waste materials and guidance regarding worker safety and protection of public health. The Site Management Plan will include a Community Air Monitoring Plan (CAMP), consistent with guidance provided in Appendix 1A of the NYSDEC Program Policy DER-10, *Technical Guidance for Site Investigation and Remediation*. Therefore, impacts associated with fugitive dust generated at the Solvay wastebeds will be mitigated.

With respect to vehicular exhaust, Project operation will result in sporadic short-term increases in vehicle exhaust. This is not anticipated to meaningfully increase the air quality effects that currently occur as a result of the 24-hour use of the adjacent Interstate 690. Utility hook-ups will be available for concert performance support vehicles so as to avoid idling.

5.3.3 Finding

The Lead Agency finds that the potential adverse impacts to climate and air quality will be avoided or minimized to the maximum extent practicable through the incorporation and implementation of the mitigation measures outlined above, and any remaining impacts will not be significant.

5.4 Biological, Terrestrial, and Aquatic Ecology

5.4.1 Potential Impacts

Project construction will result in temporary and permanent impacts to vegetation at the Project site. Construction-related impacts to vegetation (resulting from site preparation, earth-moving and excavation/backfilling) include cutting/clearing, removal of stumps and root systems, and increased exposure/disturbance of soil. These activities will result in disturbance of up to approximately 78 acres of shrub/forest vegetation and 22 acres of capped landfill vegetation at the Project site.

Following construction, a total of approximately 30 acres of existing vegetation will be restored or allowed to regenerate to natural communities. However, the Project will result in the permanent conversion of approximately 70 acres of naturally vegetated land to unvegetated/built facilities (e.g., buildings, roads/trails, lawn) at the Project site. It should be noted that for vegetation, permanent impacts include both conversion of natural communities to built facilities, and conversion of one vegetative community to another (e.g., successional shrubland to mowed lawn) for the life of the Project. Other than minor disturbances associated with routine maintenance (e.g., mowing) and occasional repair activities, as needed, no additional disturbance to plants and vegetative communities are anticipated as a result of Project operation.

Construction-related impacts to wildlife are anticipated to consist of limited incidental injury and mortality due to construction activity and vehicular movement, construction-related silt and sedimentation impacts on aquatic organisms, habitat disturbance/loss associated with clearing and earth-moving activities, and displacement of wildlife due to increased noise and human activities. Incidental injury and mortality should be limited primarily to sedentary/slow-moving species such as small mammals, reptiles, and amphibians that are unable to move out of the area being disturbed by construction. If construction occurs during the nesting season, wildlife subject to mortality could also include the eggs and/or young offspring of nesting birds, as well as immature mammalian species that are not yet fully mobile. More mobile species and mature individuals should be able to vacate areas that are being disturbed by construction. Impacts to wildlife habitat include disturbing up to approximately 78 acres of shrubland/forest and 22 acres of capped landfill vegetation. Of this total, approximately 20 acres will be converted to built facilities, while the remaining acreage will be converted to lawns and landscaped areas (approximately 50 acres) and restored to natural communities (approximately 30 acres) at the completion of construction. Depending on the timing of construction activities, project construction may reduce the availability of stopover habitat for migratory birds at the project site, both directly, through the loss of habitat, and indirectly, by inducing avoidance of stopover habitat in response to visual and/or noise disturbance.

In addition, some wildlife displacement will also occur due to the noise and human activity associated with Project construction. The significance of this impact will vary by species and the seasonal timing of construction activities. Within New York State, peak breeding time for birds common to successional forest and grassland habitat occurs in late spring and early summer (i.e., May and June). If construction begins before the initiation of breeding activities, then most breeding birds would likely avoid nesting in active construction areas. If construction begins during the breeding season, then some breeding birds are expected to remain in the area, increasing their risk of construction-related injury or mortality, while others will likely relocate to similar habitats nearby, if available. Habitat alteration and disturbance resulting from the operation of the Lakeview Amphitheater could make adjacent areas unsuitable or less suitable for nesting, foraging, resting, or other wildlife use. The true amount of wildlife habitat altered by the Project may extend beyond the functional project footprint, due to the increased human activity, along with the sporadic bright lighting and high sound levels from amphitheater events.

With respect to threatened and endangered species, the Project site provides suitable roosting and foraging habitat for the Indiana bat and northern long-eared bat and is within the range of the nearest hibernaculum. Therefore, it is assumed that both these protected bat species may utilize the Project site. If construction occurs during spring, summer, or fall when bats are active (i.e., not hibernating), roosting bats could be subject to mortality as a result of site clearing activities. In addition, human activity and noise associated with Project construction and operation could result in disturbance/displacement of protected bats.

The U.S. Fish and Wildlife Service (USFWS) stated in their July 11, 2014 comment letter on the DEIS that bald eagles have been delisted pursuant to the Endangered Species Act (ESA), but remain protected under the Bald and Golden Eagle Protection Act (BGEPA), Migratory Bird Treaty Act (MBTA), and by the State of New York. The nearest bald eagle nest is approximately 2.8 miles from the Project site. In addition, Onondaga Lake experiences wintering bald eagle activity; however, most of the eagle activity is at the southern end of the lake where water remains open during winter. Although the Amphitheater itself will not be open to the public during the winter, the building may be used for meetings. Despite the potential for winter eagle activity in close proximity to the Project, the USFWS does not anticipate any impacts to bald eagles as a result of this Project. However, if bald eagles are found within or near the Project site, the USFWS recommends the Bald Eagle Management Guidelines be followed.

5.4.2 Mitigation Measures

Mitigation of impacts to vegetation has been, and will continue to be, accomplished primarily through careful site planning. An overall Project master plan has been developed that maximizes the protection/integration of natural communities to the extent practicable (see FEIS Figure 3). Mitigation measures to avoid or minimize impacts to vegetation will also include delineating those natural communities where no disturbance or vehicular activities are allowed, educating the construction workforce on respecting and adhering to the physical boundaries of off-limit areas, employing best management practices during construction, and maintaining a clean work area within the designated construction sites. Following construction activities, temporarily disturbed areas will be seeded (and stabilized with mulch and/or straw if necessary) to reestablish vegetative cover in these areas. However, the Project will result in the unavoidable loss of up to approximately 70 acres of vegetation/wildlife habitat.

Mitigation for avian impacts includes elements of the Project's design. Specifically, the buildings associated with the Project will incorporate bird-friendly design. The glass incorporated in the buildings will be designed to reduce reflectivity and transparency. Tint and pattern can be used to avoid strikes, which will reduce bird mortality, and lighting will be evaluated both in type and time of operation, to reduce attracting birds to the building. To minimize potential nighttime impacts from exterior lighting when the proposed facility is not in use, exterior lighting will be restricted to the minimum acceptable lighting to ensure security and safety. In addition, all lighting fixtures associated with pedestrian pathways, roads, parking areas, and building exterior areas for the proposed facility will be "fully shielded" or fitted with opaque hoods, shields, louvers, shades, and/or other devices to insure that all light generated by the light source is directed downward and not outward horizontally. The lighting fixtures will be consistent with the intent of various "Dark Sky" initiatives. Commenters on the DEIS also suggested incorporation of other environmentally friendly amphitheater concepts, such as those found at the Cricket Wireless Amphitheater and the Hollywood Bowl. These facilities incorporate various "green initiatives" into their operating procedures, including

reduced paper usage, recycling, increased employee awareness, encouraging online purchases, utilizing recycled materials, energy and water conservation, and encouraging public transportation. Onondaga County embraces such practices, and commits to utilizing such practices to the extent practicable during facility operation.

Both Indiana and northern long-eared bats roost under the bark or in crevices/cavities of living, dying, and dead trees. Roosting bats could be subject to mortality as a result of site clearing activities if construction occurs during the spring, summer, or fall when bats are active (i.e., not hibernating). To avoid mortality of protected bat species that could be roosting in trees at the Project site, tree cutting will be restricted to between October 15 and March 31, when Indiana and northern long-eared bats are hibernating off-site. It is anticipated that the tree cutting timeframe will be applied to trees greater than or equal to 5 inches diameter at breast height (dbh). In addition, based on correspondence from the USFWS, the following mitigation measures will be implemented:

1. Avoid impacting potential roost trees to the greatest extent practicable to preserve the site for future use by bats. Retain standing live trees that have exfoliating bark and are greater than 12 inches dbh. Retain shellbark, shagbark, and bitternut hickories, along with black locusts, as much as possible, regardless of size and condition (live, dead, or dying). Retain snags or trees with cavities as much as possible regardless of species.
2. Use bright orange construction flagging or fencing to clearly demarcate trees to be protected compared with those to be cut prior to the initiation of any construction activities at the site. This will help ensure that contractors do not accidentally remove more trees than anticipated.
3. Long-term maintenance operations will be undertaken in accordance with the Onondaga County Pest Management and Control Directive dated July 13, 2009 (included in Appendix E of the FEIS).

With the implementation of this mitigation, the USFWS stated in their July 11, 2014 comment letter on the DEIS that no further consultation pursuant to the Endangered Species Act of 1973 is necessary for this Project provided that (1) the Project scope and activities remain unchanged, (2) any applicable conservation measures are implemented, and (3) there are no other changes (e.g., to the landscape, habitat, etc.) that may affect the Indiana bat or northern long-eared bat and that have not already been analyzed in the County's consultation with the USFWS.

In addition, the proposed location for the Lakeview Amphitheater (i.e., Lakeview Point) does not contain undisturbed, continuous habitat. Furthermore, irrespective of the proposed Project, the site is not a natural environment that has been, and will be, free from impacts. Specifically, Lakeview Point contains numerous existing and ongoing disturbances, including the recently opened West Shore Trail and the construction access roads, excavations, staging areas, and continued disturbances associated with Honeywell's remedial activities. Wildlife and ecological habitat disturbances will continue into the future, regardless of the Lakeview Amphitheater, in accordance with the

Proposed Remedial Action Plan (PRAP) prepared by the NYSDEC and the U.S. Environmental Protection Agency (USEPA). The PRAP is included as Appendix B to the FEIS, and a detailed summary is provided in FEIS Section 2.2.1. The selection of the appropriate remedy is beyond the scope of the action under consideration by the Lead Agency and is not within the Lead Agency's control.

5.4.3 Finding

The Lead Agency does not anticipate significant adverse impacts to biological, terrestrial, and aquatic ecology as a result of the Project. However, the proposed Lakeview Amphitheater will necessarily result in the permanent removal of wildlife habitat in order to construct and operate the facility. In addition, as a result of the increased human activity, along with the sporadic bright lighting and higher sound levels from events, concerts held at the Amphitheater may impact wildlife beyond the functional project footprint. The Lead Agency finds, however, that implementation and incorporation of the mitigation measures outlined above, including those recommended by the USFWS, will minimize impacts to biological, terrestrial, and aquatic ecology to the maximum extent practicable, and the remaining impacts are outweighed by the Project benefits as summarized above in Section 3.0 of this Findings Statement.

5.5 Visual and Aesthetic Resources

5.5.1 Potential Impacts

The visibility of the two primary design alternatives (the "Cove" concept and the "Beacon" concept) was evaluated through viewshed analysis and field verification (ballooning). The appearance of the Project was also illustrated by preparing computer-assisted wire frame renderings of the completed Project from representative/sensitive viewpoints throughout the visual study area. The topographic viewshed analysis indicates that some portion of the proposed Project could potentially be visible in approximately 94% of the 1-mile radius study area if it is constructed at the Beacon location, or approximately 89% of the 1-mile radius study area if it is constructed at the Cove location. To supplement the "worst case" topographic viewshed analysis, a vegetation viewshed was also prepared to illustrate the potential screening provided by forest vegetation. Within a 1-mile radius, the vegetative viewshed analysis indicates that approximately 87% of the study area could have views of the proposed Project if it is constructed in the Beacon location, or approximately 81% of the study area if it is constructed in the Cove location.

Visibility of the proposed Project was also evaluated in the field on April 28, 2014. Two 15-foot by 6-foot helium-filled balloons were tethered at approximately the center of each of the proposed Project sites and raised to a height of 87 feet above existing grade. The purpose of this exercise was to provide a locational and scale reference to verify visibility of the proposed Project and to obtain photographs for subsequent use in the development of wire frame renderings. Field personnel drove public roads and visited public vantage points within the 1-mile radius study area as well as points on the water and along the Onondaga Lake shoreline beyond the study area to document locations

from which the Project would likely be visible, partially screened, or fully screened, based on the visibility of the balloons raised at the potential Project sites. Photos were taken from 101 representative viewpoints within the study area, on and around the lake. Field review confirmed that actual Project visibility is likely to be more limited than suggested by viewshed mapping. This is primarily due to screening provided by buildings and street trees within more developed areas such as residential neighborhoods and the New York State Fairgrounds as well as some degree of screening by trees and scrub on Lakeview Point. Field review also indicates that the Beacon location is more visible in the southeastern portion of the visual study area (in the vicinity of the State Fair parking lots adjacent to I-690) than the Cove location; and that the Cove location is more visible from some areas in Lakeland than the Beacon location.

The photo documentation that resulted from the field verification effort was used for development of wire frame renderings. The wire frame renderings allow comparison between existing views and these same views following construction of the proposed Project in either the Beacon or the Cove location. Two different potential designs were used in developing the wire frame renderings; one that is more traditional and presents limited contrast to the landscape with its horizontal/gently rounded profile while the other design presents more of an architectural statement and visual focal point. These two designs represent opposite ends of the spectrum of potential architectural design. Because the renderings are intended to depict the proposed Project relative to existing conditions, they include existing features in the landscape that provide scale references and visual context for the Project; in some instances, these features may also serve to screen portions of the building.

Potential impacts associated with night lighting were also evaluated in the EIS. It is anticipated that the facility will host concerts, performances, and/or special events during the evening, and that during those events the Project will include significant lighting. It is anticipated that the effect of lighting during these events will generally be consistent with the effect of lighting from other existing, well-established, temporary (i.e., event-based) occurrences at the adjacent New York State Fairgrounds. During periods when the facility is not in use, it is anticipated that some exterior lighting will be necessary for security and public safety. Exterior lighting associated with periods when the facility is not in use may be necessary along the exterior of the amphitheater and other associated structures, along pathways and roads, and in parking areas.

5.5.2 Mitigation Measures

Project visibility and visual contrast with the existing landscape do not necessarily equate to an adverse visual impact in this situation. Adding a visually interesting focal point, attracting the attention of potential spectators, and creating a source of community pride are goals of this facility. If these goals are to be achieved while minimizing visual contrast with the existing landscape, the Cove Concept represents a more subtle addition to the landscape from most

viewpoints within the visual study area. The only exception would be views from the lake, particularly immediately east of Lakeview Point. In addition, the Project design is intended, in part, to blend with the environment through use of textures and materials (e.g., stone, wood) representative of nature. Since the visual change that this Project represents is not considered an adverse impact, no other formal mitigation measures are proposed.

To minimize potential nighttime impacts from exterior lighting when the proposed facility is not in use, exterior lighting will be restricted to the minimum acceptable lighting to ensure security and safety. In addition, all lighting fixtures associated with pedestrian pathways, roads, parking areas, and building exterior areas for the proposed facility will be "fully shielded" or fitted with opaque hoods, shields, louvers, shades, and/or other devices to insure that all light generated by the light source is directed downward and not outward horizontally. The lighting fixtures will be consistent with the intent of various "Dark Sky" initiatives.

5.5.3 Finding

The Lead Agency finds that adding a visually interesting focal point, attracting the attention of potential spectators, and creating a source of community pride are goals of this facility, and through development of the Cove Concept, these goals can be achieved while minimizing visual contrast with the existing landscape, as this concept represents a more subtle addition to the landscape from most viewpoints within the visual study area. In addition, through implementation of the mitigation measures summarized above relative to night lighting, the Project will result in minimal impacts to nighttime aesthetics. Therefore, the Project will not have significant adverse impacts on visual and aesthetic resources.

5.6 Historic, Cultural, and Archeological Resources

5.6.1 Potential Impacts

Due to the heavily-disturbed setting and deep deposits of fill (Solvay Process Waste) that occupy the Project site, there is little to no likelihood that the Project site will disturb Native American archeological resources or significant historic-period archeological resources. Any archeological resources that may be located within the Project site would be located in deeply-buried stratigraphic contexts that will not be disturbed during construction or operation of the Project, and as stated in DEIS Section 3.6.2.1.1, previous evaluations have determined that the presence of such sites is unlikely. Therefore, the Project is not expected to impact any archeological resources.

There are no historic-architectural resources located within or adjacent to the Project site. Construction of the Project will not require the demolition or physical alteration of historic buildings or other potential historic resources. Therefore, construction of the Project will not impact any historic-architectural resources. The only potential effect on historic properties resulting from the operation of the Project would be a change in a given historic property's visual

setting. As it pertains to historic properties, setting is defined as "the physical environment of a historic property" and is one of seven aspects of a property's integrity, which refers to the "ability of a property to convey its significance." There are no sites listed on or eligible for the National Register of Historic Places (NRHP) located within or adjacent to the Project site. The nearest NRHP-eligible sites are portions of the New York State Fairgrounds (located between approximately 0.8 and 1.0-mile from the Project site) which have been identified as an NRHP-eligible (proposed) historic district that includes 10 individual buildings identified as contributing resources. From locations at the New York State Fairgrounds where open views of the Project site are available, those views already include significant modern intrusions and infrastructure. Potential visibility of the Project will not affect the integrity of the visual setting associated with the NRHP-eligible New York State Fairgrounds. The presence and operation of the Project will not have an adverse impact on the visual setting associated with any historic properties.

Furthermore, in reviewing correspondence regarding the Project, the NYS Office of Parks, Recreation, and Historic Preservation (OPRHP) stated that the proposed Project "will have **No Impact** upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places".

5.6.2 Mitigation Measures

Construction and operation of the proposed Project will not result in any significant impacts to identified historic or archeological resources. Consequently, no further mitigation measures regarding these resources are proposed.

The Lead Agency also respectfully recognizes the cultural and historic importance of Onondaga Lake to the Onondaga Nation. Additionally, the Lead Agency recognizes that the Nation has consistently advocated for removal of the industrial waste as part of the remediation of the site, and the Nation has been consulted with respect to the development and selection of the appropriate remedy. The selection of the appropriate remedy is beyond the scope of the action under consideration by the Lead Agency and is not within the Lead Agency's control.

5.6.3 Finding

The Lead Agency finds that the Project will have no impact on cultural resources in or eligible for inclusion in the State and National Register of Historic Places, as determined by the OPRHP. As indicated above, the Lead Agency respectfully recognizes that the Onondaga Nation has consistently advocated for removal of the industrial waste as part of the remediation of the site. The Lead Agency finds that the selection of the appropriate remedy is beyond the scope of the action under consideration by the Lead Agency, is not within the Lead Agency's control, and is not dependent on the Project. Therefore, the Project will not have significant adverse impacts on Historic, Cultural, and Archeological Resources.

5.7 Open Space and Recreation

5.7.1 Potential Impacts

The Lakeview Amphitheater has been designed, in part, to complement the existing trail system and other recreational opportunities within and surrounding Onondaga Lake. There may be some impacts to the trail during Project construction to allow for completion of the facility and installation of utilities. These may range from temporary closures to relocation of some sections of the trail. For safety purposes, temporary exclusion zones limiting public access to the Project site will be designated and enforced during construction. The need to close off access to the portion of the trail traversing the footprint of the amphitheater grounds during paid events is an unavoidable impact of the proposed action. However, every effort will be made to minimize the duration of such closures.

By adding structures and access roads/paths, the proposed facility will reduce open space at the Project site. However, the Lakeview Amphitheater will enhance recreational opportunities. Following implementation of the Project, the Amphitheater site and surrounding area will still be available to the public for access to open space and recreation when concerts or other events are not scheduled. In fact, this project will provide public access to a greater portion of Lakeview Point (currently, public access is essentially restricted to the West Shore Trail). Additionally, parking associated with the event complex will increase access to the West Shore Trail extension.

5.7.2 Mitigation Measures

The County will make every effort to minimize the duration of closing off access to the portion of the West Shore Trail that traverses the Project footprint during paid events. Since the remaining impacts to open space and recreation from the proposed Project are believed to be positive, no additional mitigation measures are proposed.

5.7.3 Finding

The Lead Agency does not anticipate significant adverse impacts to open space and recreation. However, the need to close off access to the portion of the trail traversing the footprint of the amphitheater grounds during paid events is an unavoidable impact of the proposed action. The Lead Agency finds, however, that incorporation and implementation of the mitigation measures summarized above will minimize impacts to open space and recreation to the maximum extent practicable, and the remaining impact is outweighed by the Project benefits summarized above in Section 3.0 of this Findings Statement.

5.8 Traffic and Transportation

5.8.1 Potential Impacts

The methodology used in the revised Traffic Impact Study (TIS) to determine the impacts of the traffic generated by the proposed facility was developed in consultation with the NYS Department of Transportation (DOT) and the Federal Highway Administration (FHWA). Assumptions utilized in the analysis are consistent with operating plans and arrival data from comparable facilities such as the Saratoga Performing Arts Center (SPAC) and the Constellation Brands – Marvin Sands Performing Arts Center (CMAC). The revised TIS is included as Appendix C to the FEIS.

Parking for the facility will be accommodated by the Orange and Brown State Fair parking lots. The Orange Lot is estimated to be able to accommodate approximately 6,500 vehicles. While the Orange Lot will be able to accommodate the small, local event demand, use of the Brown Lot, which has an estimated capacity of 3,500 vehicles, with a connecting shuttle bus service to the Amphitheater entrance will be necessary for larger events that approach the Amphitheater's seating capacity. The combined use of these two lots will be able to accommodate the 7,000 vehicles anticipated with a large, sold out event. If an event at the Amphitheater is held in conjunction with the State Fair, other State Fair lots, off-site lots and shuttle service currently used for the State Fair would be available to patrons.

Trip generation and the associated traffic impacts due to operation of the facility were assessed based on the number of seats in the facility, size of event, and assumed vehicle occupancy ratio, and assumed arrival and departure patterns. The vehicle occupancy ratio is assumed to be 2.5 attendees per vehicle, and while other modes of transportation may be used to access the site, a mode share reduction was not applied to the analysis. The analysis evaluated two event scenarios, "small events" with up to 500 attendees (200 vehicles) and "large events" with 17,500 attendees (7,000 vehicles). It was determined that small events will result in minimal (if any) impacts on traffic flow conditions, while large events would likely result in significant adverse impacts to traffic flow (e.g., gridlock).

5.8.2 Mitigation Measures

With minimal impacts during small events, there are no required mitigation measures (i.e., improvements to the transportation system or changes in traffic control) for an event with approximately 500 attendees. However, while not necessary to maintain an acceptable level of traffic control law enforcement officers will be placed at the intersection of the I-690 Westbound Exit 7 off-ramp and the Orange Lot access.

Traffic mitigation associated with large events fits into two categories: capital improvements and operational improvements. Based on an analysis that simulated numerous scenarios for a sold-out event, the following

operational and capital improvement measures will be implemented in order to minimize impacts to the surrounding transportation system:

Operational Measures

- Provide public outreach regarding desired parking areas and traffic routing based on incoming direction of travel by posting directions on the facility website and other forms of social media, and broadcasting on Highway Advisory Radio.
- Utilize law enforcement officers on the ground to manually control key intersections in the area, focusing on moving traffic along Pumphouse Road, State Fair Boulevard, Bridge Street, the I-690 Westbound Exit 7 off-ramp, and ingress/egress at parking lots and shuttle bus access points.
- Utilize existing dynamic message signs (DMS) on the I-690 Eastbound and Westbound mainlines and install a new electronic message sign on NYS RT 695 Northbound to direct traffic in real-time and warn motorists of potential slowdowns.
- Utilize existing intelligent transportation system (ITS) cameras monitored by the NYSDOT Traffic Management Center during events to update the DMS in real-time and communicate with the police on the street controlling traffic to help ensure traffic is flowing as efficiently and safely as possible.
- Utilize permanently installed, "flip-up" style temporary signage to direct traffic to the appropriate lanes, exits and parking areas for both arriving and departing events.
- Utilize transit buses as shuttles to transport attendees between the Brown Lot and the facility before and after the event.

Capital Improvements

- Widen and lengthen the I-690 Westbound Exit 7 off-ramp to include three lanes approaching the connector road to State Fair Boulevard, providing approximately 400 feet of two-lane storage for a total length of approximately 2,600 feet.
- Reconstruct shoulders on the Exit 7 connector road and Pumphouse Road to full depth to allow for the full use of pavement width to accommodate additional travel lanes during large events, and reconfigure the approaches to a traditional four way intersection.

The traffic-related capital improvements phase of the Project will be carried out after the construction of the Amphitheater and will be phased for completion prior to the 2016 concert season. Use of the Amphitheater in the 2015 season is planned to be part of the State Fair Labor Day activities and therefore will have the advantage of the manned control and break-in-access mitigation measures which are already in place during State Fair operations. Consultation with FHWA and NYSDOT is ongoing with regard to the design, scheduling, and implementation of the

capital improvements. Potential impacts associated with these improvements include temporary disruption of traffic patterns, noise and dust generation as well as stormwater and erosion control issues. In order to address these potential impacts, any capital improvement work will be done in accordance Section 209 – Soil Erosion and Sediment Control of the NYSDOT Standard Specifications, NYSDOT 209 Series Standard Sheets, and the SPDES General Permit for Stormwater Discharges from Construction Activity – GP-0-10-001. A separate work zone traffic control plan for ramp improvement and shoulder construction work will also be utilized as part of the design package to mitigate traffic impacts and provide for vehicle and worker safety. The construction documents will also specify NYSDOT-approved erosion and stormwater control and mitigation measures for the highway construction work.

5.8.3 Finding

The Lead Agency finds that potential adverse impacts to traffic and transportation will be avoided or minimized to the maximum extent practicable through the incorporation and implementation of the mitigation measures outlined above, and any remaining impacts will not be significant.

5.9 Noise and Odor

5.9.1 Potential Impacts

Construction noise has the potential to disturb people at home in their residences, in office buildings or retail businesses and walking or travelling in the vicinity of the site. In the case of the Lakeview Point Amphitheater project, there are several occupied parcels including residences, a hotel and several businesses in the nearby hamlet of Lakeland in the Town of Geddes, which is located on the west side of I-690 (and north of the I-690/NYS 695 exchange). Similar receptors are located east of the Project across the lake in the Town of Salina. Other prime receptors of concern include those people using the Lake Trail or participating in boating or shore activities on Onondaga Lake. Noise from construction-related activities can also affect non-human species such as aquatic life and terrestrial and airborne animals. Issues related to vibration may also arise during Project development when driving piles or compacting surfaces. The type of noises generated during construction of this Project are expected to be those related to operation of heavy machinery such as bulldozers, excavators, cranes and dump trucks (engine noise and back up alarms), pile driving equipment, and power tools and equipment (including generators and air compressors). This type of equipment is similar to what is currently operating at or near the site associated with implementation of the shoreline IRM and the dredging/capping operations within Onondaga Lake. As a result, Project-related construction noise is anticipated to be similar to existing conditions.

Consistent with NYSDEC guidance as contained in Program Policy DEP-00-1, the initial noise impact evaluation for this Project predicted the Amphitheater source sound pressure levels (SPLs) anticipated from loud rock music in outdoor amphitheater venues of this type, based on data measured at similar venues. Attenuation in each band was

calculated based on a 20-log rule (- 6 dB for doubling of distance), and included the effect of temperature and humidity (70% RH; 25 degree Celsius – summer conditions). Additional attenuation of sound as allowed for in the guidance (such as variations in topography) were not added in to the analysis, nor did the analysis assume any sound reduction for excess attenuation related to sound propagation over grass, foliage, or any other “soft” surfaces. Therefore, the model can be considered conservative. Additionally, attenuation from wind effects was not included so as to simulate a worst case condition. Image 3-8 of the DEIS shows the anticipated maximum source sound levels within approximately 2 miles of the Amphitheater location. Image 3-9 compares expected maximum source sound levels from concerts in the proposed Amphitheater with expected maximum source sound levels from concerts in the existing State Fair Grandstand. As a further analysis, the model results were then overlaid on the zoning maps for the area to show the number of residential parcels within each source SPL contour (see FEIS Figure 4). This analysis indicates that the relative impacts to residential receptors with respect to source sound levels would be significantly lower for a concert at the Lakeview Point site than a similar concert held at the Fairgrounds and that this use would be compatible with the existing events in the area, as shown in the following table:

A	B	C	D
Source Sound Pressure Level	State Fairgrounds Site Receptors	Lakeview Amphitheater Site Receptors	Difference B - C
55 - 60 dBA	1316	826	- 490
60 – 65 dBA	663	245	-418
65 – 70 dBA	78	103	+ 25
70 + dBA	15	9	-6
Total	2072	1183	-889

The next step in the analysis considered ambient SPLs in the areas of potential impact to determine where a closer assessment of impact potential may be warranted. NYSDEC Program Policy DEP-00-1 guidance states that the addition of any noise source in a non-industrial setting should not raise the ambient noise level in a residential receptor area above a maximum of 65 dBA since this level still allows for undisturbed speech during outdoor activities. The guidance goes on to say that sound pressure level increases of more than 6 dB may require a closer analysis of impact potential depending on the character of the surrounding land uses and receptors, and that an increase of 10 dB (A) deserves consideration of avoidance and mitigation measures in most cases. It should be noted that the NYSDEC guidelines are intended for situations where the noise generated is continuous in nature and that the sound levels predicted in the amphitheater model are not continuous sound levels generated during each event, but instead are maximum anticipated sound levels that will occur for a portion of some events during certain times of a given performance. The duration of these maximum sound levels, the number of times during an event that they will occur, and the number of events during the season during which these sound levels may occur, will

depend on the events that are scheduled. Nevertheless, the NYSDEC guidelines were used as a reference for a conservative assessment of relative impact.

Based on the noise modeling analysis conducted, areas where the Amphitheater source levels exceeded 65 dBa were considered impacted regardless of ambient conditions. This included approximately 112 residential parcels in the Lakeland area. Based on further analysis of the increase over ambient conditions, an additional 67 parcels were considered impacted, bringing the total to 179 parcels out of a total of approximately 1,183 sites.

With regard to local zoning ordinances, SPLs beyond some portions of the County property line will exceed the Town of Geddes minimum performance standard for industrial use of 70 dBa daytime (6am to 10 pm) and may possibly exceed the 60 dBa nighttime (10pm to 6am) for brief periods. However, the 70 dBa threshold is not expected to be exceeded beyond the industrial zoned area of the Town with the exception of a small area of commercial (3) and residential (9) zoned parcels in Lakeland where SPLs may exceed 70 dBa. Currently, there appears to be only a single residence located within the 70+ dBa contour on those 12 parcels. It should also be noted that the sound levels shown are not continuous sound levels generated during each event, but instead are maximum anticipated sound levels that will occur for a portion of some events during certain times of a given performance. While the duration of these maximum sound levels, the number of times during an event they will occur, and the number of events during the season during which these sound levels may occur will depend on the events that are scheduled, the County does not anticipate that event-related sound levels will exceed the Town's established levels by more than 6 decibels for a period of more than six minutes during any 60-minute continuous period.

With respect to odor, the Amphitheater project is not expected to produce significant odors other than that associated with vehicle emissions during construction and events and food preparation. These will be at a significantly reduced scale than that which is experienced during the State Fair and numerous other large events at the Fairgrounds. No significant adverse odor impacts are expected to occur as a result of this Project.

5.9.2 Mitigation Measures

Although significant adverse impacts associated with noise are not predicted for the majority of receptors, the design and construction of the proposed Amphitheater will include measures to mitigate unwanted noise. Construction noise mitigation will include implementation of best management practices for sound abatement, including use of vibratory pile drivers versus impact hammers, inspection of equipment for proper muffling, and effective scheduling. Design mitigation features will include orientation of the facility, vegetative cover and bermed seating areas. As stated in the DEIS, and as recognized by the Town of Geddes in its exemption of "musical instruments when used as part of a band of music" from its unnecessary noises ordinance, sound generated on the stage by instruments, instrument

amplifiers and stage monitors are the artist's means of expression and these sound levels (Source One) along with sound generated by the large-scale sound reinforcement loudspeakers flanking the stage (Source Two) are controlled by the artist and their technicians. As such they cannot typically be managed by the venue other than possibly by contract in special cases. Source Three sounds, which are generated by medium-scale loudspeakers distributed along the leading edge of the roof and are mixed for the audience located on the lawn, can be and often are controlled by the venue. The design of the Amphitheater will allow for additional mitigation of unwanted noise through control of the Source Three speaker array (back edge of the shell) to shape sound for the lawn seating area and control off-site sound pressure levels. Also, given the temporal and intermittent nature of these events, public notice can be given to receptors in the area concerning times and dates for performances to allow for effective planning and avoidance.

5.9.3 Finding

The Lead Agency finds that the Project will not have significant adverse impacts on odor. Additionally, the Project will not result in continuous adverse impacts to noise. However, noise generated by concert events at the Lakeview Amphitheater is an unavoidable impact of the proposed action. The Lead Agency finds, however, that incorporation of mitigation measures summarized above will minimize impacts to noise to the maximum extent practicable, and the remaining impacts are outweighed by the Project benefits summarized above in Section 3.0 of this Findings Statement.

5.10 Documented Environmental Conditions

5.10.1 Potential Impacts

The Lakeview Point site is located within one of the Onondaga Lake superfund subsites, known as Wastebeds 1 through 8. The project area is also listed on the New York State Registry of Inactive Hazardous Waste Sites as a State Superfund Class 2 site (NYS Registry: 734081). The majority of the project site is located within the areas known as Wastebeds 5 and 6, although access to the site may involve portions of Wastebeds 1 through 4. Located on a portion of Wastebed 5 is the closed Crucible Steel landfill (NYS Registry: 734021), a former steel mill solid waste fill site which covers an area of approximately 20 acres and contains an estimated volume of about 225,000 cubic yards of both non-hazardous and hazardous wastes. Many environmental studies of the Project site and surrounding areas have been completed by Honeywell and others as part of the Wastebeds 1 – 8 remediation project and the Crucible post-closure monitoring plan. Soils and groundwater in the Wastebeds 1 -8 area have been tested extensively as part of these efforts. Contaminated soils are present in some areas beneath the Solvay Waste. Contamination is also present in the groundwater beneath the project site, in seeps that discharge along the steep banks of the project site, and in sediment associated with some area ditches and seeps. In general, the highest presence and concentrations of these compounds are located in the central and southeastern portions of the

Wastebeds 1-8 area while the majority of the Amphitheater project site area is considered to exhibit relatively lower levels of contaminants.

To address remediation of the site consistent with the proposed use, Honeywell has prepared a Feasibility Study (FS) for Operable Unit No. 1 (OU1) to evaluate remedies for the site. Each alternative developed as part of that plan is being evaluated consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and NYSDEC guidance. As part of the regulatory process established for the remedial alternatives, following review of the evaluations documented in the FS Report, NYSDEC and USEPA are proposing an alternative from the FS as the preferred remedy for the site and have published a PRAP for OU1 describing their findings. The PRAP is included as Appendix B to the FEIS. Following review of public comments on the PRAP, a selected remedial alternative will be finalized and documented in a Record of Decision (ROD) for the site. As presented in the PRAP, the preferred remedy involves placement of vegetated cover and engineering/institutional controls on the site as a function of the intended use of each area. The cover system would be applied over approximately 171 acres of the Wastebeds 1-8 site including all of the open areas within the Amphitheater project limits, exclusive of those which have already been remediated or capped. More specifically, the PRAP proposes placement of a vegetative cover system consisting of either vegetative enhancement or placement of a soil or structural fill substrate capable of providing water holding capacity, rooting volume and growing conditions to support a planted vegetative cover utilizing native species appropriate for each area of use. The placement and thickness of the substrate range from a basic wood fiber mulch/compost/fertilizer layer to as much as one foot of gravel or two feet of soil and would be a function of the characteristics and use of each area including areas of Passive Recreational Use (limited potential for soil contact, i.e. parking lots, etc.), areas of Active Recreational Use (potential for soil contact, i.e., park grounds, seating areas) and areas of Ecological Resources Value (undeveloped upland areas supporting native flora and fauna) among others.

During construction, the use of heavy equipment may produce volatile vapors and carbon monoxide emissions which, when added to background levels produced by motor vehicles, could result in short-term adverse impacts to air quality. Because of the current topography and subsurface conditions at the site, extensive excavation is not anticipated which will minimize levels of airborne particulates (dust). However, other construction activities including grading, placement of granular materials and transportation of materials on site can create airborne particulates and contaminants. In addition, Project construction will generate some quantity of solid waste materials. Solid waste associated with construction of the Project will include domestic waste generated by workers, and construction-related waste (e.g., containers and construction debris).

Early phases of construction of the Project will involve some intrusive work associated with installation of utilities, preliminary site grading and installation of foundations, while later stages of construction and site preparation, as well as the ultimate use of the facility, will benefit from the implemented remedy. It is not expected that the Project will result in significant impacts with regard to the environmental contaminants at the site. As indicated in Section 5.1.1 of this Findings Statement, Project operations will involve vehicle traffic and pedestrian traffic during scheduled events. Impacts associated with this type of use include surface soil disturbance, which may increase the chance of exposure to underlying contaminants if not properly mitigated.

5.10.2 Mitigation Measures

As indicated in Section 5.3.2 of this Findings Statement, specific measures will be implemented to mitigate impacts associated with airborne particulates. The contractors will be instructed to employ proper construction and dust suppression techniques, including wetting or shielding of work areas whenever significant potential for airborne particulates is present. Ultimately, 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*.

Mitigation to be implemented for other construction-related impacts includes adherence to a project specific SWPPP (see DEIS Appendix I), and the statewide NYSDEC SPDES Stormwater General Permit. In addition, fuel, lubricants, and any other construction-related chemicals, will be stored in specified, secondarily contained locations, and fueling and maintenance of equipment will be conducted at locations distant from the excavations so that spills or overfills can be cleaned up effectively.

Wastes will be segregated and disposed of as a contractual obligation by the site contractor. The contractor will also be obliged to provide sanitary waste collection and disposal for the workers. Prior to any intrusive work, the contractor must prepare a plan for the removal and proper disposal of any waste materials that are determined to be present at locations and concentrations indicative of a potential hazard.

Design of the surface and subsurface features of the Amphitheater project is being coordinated with technical staff of Honeywell and the regulators so that they can be implemented in conjunction with both the existing and proposed site remedies. Implementation of the remedy ultimately selected by the NYSDEC/USEPA would be phased to accommodate the timing of Amphitheater construction. Coordination of construction timing with implementation of the remedy will serve to limit the duration of disruption and eliminate the potential of having to disrupt an already completed remedy in order to construct the Project at a later date. Additionally, placement of geotechnical borings on the site have been, and will be conducted consistent with the Honeywell site work plans including, where appropriate,

double cased borings with bentonite/cement pressure grouting to prevent creation of preferential groundwater pathways and review and approval of piling plans by NYSDEC prior to installation.

To address operational related impacts, controls will be put in place to promote access to designated areas. Good landscape design practice that provides adequate wayfinding features, pathways and natural barriers will be implemented in order to promote proper pedestrian flow through the Project site. Fencing and signage will also be utilized in certain areas to enhance site control and security. Routine maintenance of the Project site will be performed by the Onondaga County Department of Parks while remedy specific maintenance will be carried out consistent with the long-term Site Management Plan and Institutional Controls as set forth in the ROD issued by the NYSDEC/ USEPA.

Other than for various phases of construction, the EIS impact analysis for the Amphitheater is based upon use of the site with the selected remedy in place. Therefore, public events at the Amphitheater will not be held until the remedy is in place at the Project site. Although not anticipated, if there are any material changes between the preferred remedy as presented in the PRAP and the final remedy selected by the NYSDEC/USEPA and set forth in the ROD, Onondaga County will conduct a supplemental environmental review to address the material differences to the extent that such changes affect the conclusions outlined in the EIS or this Findings Statement.

5.10.3 Finding

The Lead Agency finds that potential adverse impacts to existing environmental conditions will be avoided or minimized to the maximum extent practicable through the incorporation and implementation of the mitigation measures outlined above, and any remaining impacts will not be significant.

Following adoption of the FEIS, the Lead Agency was advised that the USEPA has supplemented the Supplemental Human Health Risk Evaluation, Onondaga Lake Superfund Site, Wastebeds 1-8, Lakeview Amphitheater, Geddes, NY, 2014, (HHRE) prepared by USEPA, "to estimate risks to children who may access the site for activities associated with amphitheater functions." As with the HHRE, the supplemental evaluation assessed the risks to this additional demographic based on the use of the site without remediation. The supplemental evaluation is included in an Addendum to the June HHRE, dated October 28, 2014, and is attached hereto as Exhibit A. Based on conservative assumptions, the USEPA determined that the risk and hazard to young children (ages 0-6) are within USEPA's acceptable levels. Remediation of the site will further reduce those risks. Accordingly, based upon the prior studies of the site undertaken by the regulatory agencies and the recent supplement to the HHRE (see Exhibit A hereto), the Lead Agency has determined that the proposed use of the site will not pose a risk to human health to any potential user.

5.11 Public Health and Safety

5.11.1 Potential Impacts

Potential adverse public health and safety impacts associated with the construction of this project can include air quality, water quality, noise, solid waste generation and physical hazards. These impact categories are typical for major construction efforts in urban areas with nearby commercial, recreational and/or aesthetic resources subject to multiple uses by the public. The existing public roadways, trails and waterways in the area may continue to serve the public during construction to the extent compatible with public safety.

Project operation will take place after the remedy is in place, and will involve vehicle traffic and pedestrian traffic during scheduled events. Impacts associated with this type of use include surface soil disturbance, which may increase the chance of exposure to underlying contaminants if not properly mitigated. There may also be increased risk of criminal activity or vandalism.

As indicated above, the Lakeview Point site is located within one of the Onondaga Lake superfund subsites, known as Wastebeds 1 through 8. The Project area is also listed on the New York State Registry of Inactive Hazardous Waste Sites as a State Superfund Class 2 site (NYS Registry: 734081). The majority of the Project site is located within the areas known as Wastebeds 5 and 6, although access to the site may involve portions of Wastebeds 1 through 4. Located on a portion of Wastebed 5 is the closed Crucible Steel landfill (NYS Registry: 734021), a former steel mill solid waste fill site which covers an area of approximately 20 acres and contains an estimated volume of about 225,000 cubic yards of both non-hazardous and hazardous wastes. A Human Health Risk Assessment (HHRA) for the Wastebeds 1-8 Site Geddes, New York dated April 2011 was prepared by O'Brien and Gere Engineers. The HHRA WB 1-8 document, which is included as FEIS Appendix H and can be viewed at <http://www.dec.ny.gov/chemical/37558.html> provides a comprehensive assessment of risk for the entire study area incorporating a range of exposure media, scenarios and receptors. The 2011 HHRA identified the potential exposure pathways by which populations may be exposed to site-related contamination, the toxicity of the chemicals that are present and the potential for cancer risks and non-cancer health hazards from exposure to those chemicals.

The HHRA work has recently been supplemented by the HHRE, which reflects the intended use of the area for the Amphitheater venue. The HHRE is included as FEIS Appendix I and can be viewed at <http://www.epa.gov/region02/water/lakes/onondaga.htm>. The HHRE evaluation included a comparison of the human receptors for the intended use (Amphitheater Attendee, Amphitheater Maintenance Worker, and Amphitheater Construction Worker) likely to be associated with the proposed Lakeview Amphitheater Facility to receptors that were quantitatively evaluated as part of the 2011 HHRA. It is important to note that the HHRA and the HHRE evaluated

the risks assuming there would be no remediation, nor access or use controls such as fencing or signage. Therefore, once the remedial measures and controls are implemented, there will be reduced potential for human exposure to site contaminants as compared to the conditions which were assumed in the HHRA and in the HHRE. The HHRE concluded that the potential risks and hazards associated with the Amphitheater Attendee and Amphitheater Maintenance Worker are expected to be within acceptable risk ranges and targets. The study does, however, recommend protective measures for Amphitheater Construction Workers while engaging in on-site activities. This is due to their proximity to potential contaminants in soil, groundwater and air while working on-site, including excavation work and handling of soil materials.

5.11.2 Mitigation Measures

The prime contractor conducting work on-site will prepare and utilize a site-specific construction plan including a Health and Safety Plan (HASP) meeting the minimum requirements of 29 CFR 1910.120 (see #2 in the list of applicable regulations below), NYSDEC DER-10 (see #7 in the list of applicable regulations below) and County specifications. These plans will be prepared by the prime contractor as pre-work submittals per County construction document requirements as is customary for public works projects. As portions of the Project site will be shared with the Honeywell Remediation team and there may be nearby public access areas, the Contractor will develop and implement a Site Control Plan (SCP) as part of the HASP, which will describe acceptable operating procedures to be implemented to provide for worker safety and protection of public health. This plan will be largely in the form of the existing Honeywell Construction Management Workplans, which have been used at the site throughout the Integrated IRM phase of work, were reviewed and approved by NYSDEC and have been effective. Typical site work plans, including Honeywell's Wastebeds 1-8 Integrated IRM Community Air Monitoring Plan, can be viewed at <http://www.dec.ny.gov/chemical/37558.html>. The Lead Agency has reviewed these existing plans, is familiar with their contents and found them to be appropriate in terms of content to address mitigation requirements. Site safety plans will be developed for each phase of work and include worker safety meetings to be held at periodic intervals during construction. The HASP will also include an Emergency Response Plan, which will provide procedures to be followed in the event that an incident requiring emergency response occurs at the site. The Emergency Response Plan will outline emergency response protocols, available safety equipment, evacuation routes, chain of command, communication protocols and specify members of the contractor's Emergency Response Team. The following submittals will be required from the contractor, and will be reviewed by the County prior to implementation:

- A. Contractor's HASP including Site Control and Emergency Response plans.
- B. Contractor's Community Air Monitoring Plan compliant with DER-10.
- C. Contractor's proposed procedures for handling, staging, transporting and disposing of impacted material (Soil Management Plan).
- D. Contractor's proposed sampling and laboratory analysis plan.

- E. Proposed waste transporters and disposal sites.
- F. Decontamination procedures for personnel and equipment including decontamination pad construction details.
- G. Waste manifests, bills of lading tracking, chain of custody sheets, staging area inspection forms.

The Contractor will comply with applicable federal, state, municipal, and local regulations and recommendations including, but not limited to, the following:

1. USEPA, including Title 40, Code of Federal Regulations.
2. Occupational Safety and Health Administration (OSHA), including Title 29, Code of Federal Regulations, and Parts 1910 and 1926, OSHA, U.S. Department of Labor.
3. State of New York Rules and Regulations, including 6 NYCRR Parts 360, 364, and 370-373 regarding management of non-hazardous solid waste, transportation of waste, and hazardous waste management.
4. Recommendations of the National Institute of Occupational Safety and Health (NIOSH).
5. Transportation regulations, including U.S. DOT regulations, including Title 29 Parts 171 and 172 and NYSDOT rules and regulations.
6. Onondaga County Department of Water Environment Protection Procedures Governing Acceptance and Treatment of Groundwater and Other Contaminated Waste.
7. NYSDEC Program Policy DER-10/Technical Guidance for Site Investigation and Remediation and State of New York Rules and Regulations 6 NYCRR Part 375 Environmental Remediation Programs.

As portions of the Project site will be shared with the Honeywell Remediation team and there may be nearby public access areas, the SCP will include acceptable operating procedures to be used to provide for protection of public health during construction. Proper planning and execution to provide for the safety of the workers and the general public during construction is central to the successful implementation of any major project, and is vital when the project is located in an area that may be visited and traversed by the public during the construction effort. Exclusion zones limiting access of the public will be designated in the plan and enforced so that Project-related activities will not physically affect the users of the West Shore Trail or other adjacent facilities (e.g., trail-related parking). Access to the West Shore Trail and adjacent areas may be restricted during certain phases of construction, and such restrictions will be subject to prior review and approval of the County.

To address operational related impacts, controls will be put in place to promote access to designated areas. Good landscape design practice that provides adequate wayfinding features, pathways and natural barriers will be implemented in order to promote proper pedestrian flow through the Project site. Fencing and signage will also be utilized in certain areas to enhance site control and security. Routine maintenance of the Project site will be

performed by the Onondaga County Department of Parks while remedy specific maintenance will be carried out consistent with the long-term Site Management Plan and Institutional Controls as set forth in the ROD issued by the NYSDEC/ USEPA. Public events at the Amphitheater will not be held until the remedy is in place at the Project site.

To mitigate for impacts associated with increased risk of criminal activity or vandalism, Project security measures will include fencing, specific area lighting, video surveillance, emergency communications network, and routine police/park ranger patrols.

5.11.3 Finding

The Lead Agency finds that potential adverse impacts to public health and safety will be avoided or minimized to the maximum extent practicable through the incorporation and implementation of the mitigation measures outlined above, and any remaining impacts will not be significant.

Following adoption of the FEIS, the Lead Agency was advised that the USEPA has supplemented the HHRE "to estimate risks to children who may access the site for activities associated with amphitheater functions." As with the HHRE, the supplemental evaluation assessed the risks to this additional demographic based on the use of the site without remediation. The supplemental evaluation is included in an Addendum to the June HHRE, dated October 28, 2014, and is attached hereto as Exhibit A. Based on conservative assumptions, the USEPA determined that the risk and hazard to young children (ages 0-6) are within USEPA's acceptable levels. Remediation of the site will further reduce those risks. Accordingly, based upon the prior studies of the site undertaken by the regulatory agencies and the recent supplement to the HHRE (see Exhibit A hereto), the Lead Agency has determined that the proposed use of the site will not pose a risk to human health to any potential user.

5.12 Land Use and Zoning

5.12.1 Potential Impacts

The Project site is currently zoned "Industrial A: General Industrial District" by the Town of Geddes (Code of Town of Geddes, 2010). As discussed in the DEIS Section 3.12.3, the proposed use is consistent with existing land uses and land use regulation pertaining to the Project site and adjacent areas.

Preconstruction and construction activities are expected to have temporary impacts on land use in the area immediately surrounding the Project site. Temporary construction activities will be largely limited to the Project site and the adjacent parking area. Construction activities may result in temporary minor impacts from dust, noise, vibration, and other minor inconveniences to nearby properties. Temporary adverse impacts to air quality may result from the operation of construction equipment and vehicles, which could generate engine exhaust emissions and

fugitive dust. Exclusion zones limiting public access to the Project site will be designated and enforced during construction of the Lakeview Amphitheater, thereby limiting exposure to most of the construction-related impacts. These exclusion zones could include short-term closures of the multi-purpose trail during certain phases of construction, resulting in a temporary reduction in recreational opportunities on-site.

Operation of the proposed Lakeview Amphitheater will change land use at the Project site by converting a large, vacant parcel on the lakeshore into an area utilized by the public for recreation and periodically for special performance events. As is described below in Section 5.13 (Growth and Character of the Community), this development is largely consistent with the goals of multiple planning documents. Operation of the proposed Project will impact the adjacent parking facilities only by increasing the frequency of use.

5.12.2 Mitigation Measures

Mitigation of construction-related impacts to nearby properties (noise, dust, emissions, and vibrations) have been addressed elsewhere in this Findings Statement (see, e.g., Sections 5.3 [Climate and Air Quality] and 5.9 [Noise and Odor]). The proposed Project is consistent with existing land uses and land use regulation of the Project site and adjacent areas. Due to this consistency, no significant impacts to land use are expected. Consequently, no further mitigation measures are proposed.

5.12.3 Finding

The Lead Agency finds that the Project will not have significant adverse impacts on land use and zoning.

5.13 Growth and Character of the Community

5.13.1 Potential Impacts

The Project location is a strategically important area of Onondaga County for many different stakeholder groups. For this reason, its future development is discussed in a variety of planning documents produced over the last few decades. These various plans provide guidance and direction regarding the physical development and programming of the area in order to contribute to the overarching strategies and goals of the various stakeholders. The proposed Project is consistent with the major goals common to many of the existing planning documents. Specifically, the Project is consistent with the concepts developed by local planners as expressed in the Onondaga Lake Development Plan 1991, the Syracuse-Onondaga County Planning Agency (SOCPA) 1995 Land Use Plan, the community's vision for the future of a revitalized Onondaga Lake as provided to the Onondaga Lake Partnership in the 2007 EcoLogic report and consistent with some of the historic findings in the recent report FOCUS on Onondaga Lake – A Road Map to Facilitating Reconnecting the Lake with the Community. These consistencies include:

- Redevelopment of underutilized properties,

- Addition of new recreational opportunities along the Onondaga Lake shoreline,
- Integration with existing transportation and recreational infrastructure,
- Continued public ownership of and enhanced public access to the Onondaga Lake shore

Specifically regarding the FOCUS report, on page 7 under the heading "Findings – Past Reports," the report states, "To a lesser, but not insignificant extent, the public has asked for boat tours and cruises, as well as cultural events and displays along the shoreline including concerts, an art park and an amphitheater." On page 17 of the FOCUS Report, under the heading "Findings - Interview Assessments," the report states, "Although no one interviewed even came close to suggesting that an amusement park be placed on the shoreline of Onondaga Lake, almost everyone advocated for activities that once again make the lake a destination spot." The County finds that the proposed Amphitheater is consistent with this goal.

Additionally, the proposed Project is generally consistent with existing land use and community character of the Project site and adjacent areas. The proposed design of the Project integrates the Amphitheater with the multipurpose recreational trail, and utilizes existing parking areas already used for other special events (i.e., State Fair parking lots). It also adds a similar and compatible use to an area adjacent to the Fairgrounds that is already accustomed to the presence of a large, seasonal special events and recreational land use.

5.13.2 Mitigation Measures

Due to the overall consistency with existing conditions and stated plans, no significant adverse impacts to community character are expected. Therefore, no additional mitigation measures are proposed.

5.13.3 Finding

The Lead Agency finds that the Project will have a beneficial impact on Growth and Community Character.

5.14 Community Facilities and Services

5.14.1 Potential Impacts

During construction, the existing Onondaga County Resource Recovery Agency (OCRRA) facilities will be used to process trash and recyclable materials. Onondaga County Water Authority (OCWA) existing water supply lines in the Town of Geddes will be extended to serve the Project site. In addition, existing sewer lines in the Geddes Sanitary District will be extended so that sanitary wastewater can be delivered to the Metropolitan Syracuse Wastewater Treatment Plant (Metro). OCWA and OCDWEP have indicated that they are capable of providing water and sewage treatment for the Amphitheater facility, without undue impacts to the existing infrastructure and systems. The existing

OCRRRA facilities will be used to process trash and recyclable materials, and adequate capacity exists to accommodate the proposed Project.

As previously discussed, there may be some impacts to the trail during Project construction to allow for completion of the facility and installation of utilities. These may range from temporary closures to relocation of some sections of the trail. For safety purposes, temporary exclusion zones limiting public access to the Project site will be designated and enforced during construction. The need to close off access to the portion of the trail traversing the footprint of the amphitheater grounds during paid events is an unavoidable impact of the proposed action. However, every effort will be made to minimize the duration of such closures.

Operation of the Lakeview Amphitheater will result in an increased demand for certain community facilities and services during events at the Amphitheater, including emergency services, solid waste disposal, water supply, and sanitary wastewater treatment. It is anticipated that emergency services during events at the amphitheater would be similar to those employed at other large County-run events, such as the Jamesville Balloonfest, Golden Harvest Festival, JP Morgan Corporate Challenge, and Syracuse Jazz Fest. Additionally, based on existing facilities and past events in the Syracuse area (e.g., Carrier Dome, State Fair), the local emergency services personnel have demonstrated an ability to adequately staff events larger than those proposed at the Lakeview Amphitheater.

5.14.2 Mitigation Measures

To ensure adequate emergency services coverage by the Onondaga County Park Rangers and Onondaga County Sheriffs, efforts will be made to avoid scheduling major events at the Lakeview Amphitheater concurrently with the Jamesville Balloonfest, Golden Harvest Festival, JP Morgan Corporate Challenge, or Syracuse Jazz Fest. However, if multiple events are scheduled on the same day/weekend, and include a large event at the Amphitheater, additional public safety personnel will be deployed.

With respect to the West Shore Trail, the County will make every effort to minimize the duration of closing off access to the portion of the West Shore Trail that traverses the Project footprint during paid events.

5.14.3 Finding

The Lead Agency does not anticipate significant adverse impacts to community facilities and services. However, the need to close off access to the portion of the trail traversing the footprint of the Amphitheater grounds during paid events is an unavoidable impact of the proposed action. The Lead Agency finds, however, that incorporation of mitigation measures summarized above will minimize impacts to community facilities and services to the maximum

extent practicable, and any remaining impacts are outweighed by the Project benefits summarized above in Section 3.0 of this Findings Statement.

6.0 ALTERNATIVES TO THE PROPOSED ACTION

The goal of the alternatives review in an EIS is to investigate means to avoid or reduce one or more identified potentially adverse environmental impacts associated with a proposed action. Suggested alternatives to be reviewed under SEQRA, in addition to siting, include items such as scale of the features and design of the project components. 6 NYCRR Part 617 further requires that the alternatives discussion include a range of reasonable alternatives which are feasible considering the objectives and capabilities of the project sponsor.

The proposed action under SEQRA is the construction and operation of an outdoor events center and the goals of the proposed action are as stated in the EIS and in Section 3.0 of this Findings Statement. In addition, a key objective of this Project is the development of currently existing County-owned parkland in order to increase visitation to County parkland on the western shore of Onondaga Lake, and build upon the success realized on the eastern shore of the lake (i.e., Onondaga Lake Park, which is the most popular park in Central New York with over 1 million visitors annually). Although the recently opened West Shore Trail has increased visitation in this area, the County's parkland along the western shore of Onondaga Lake is currently underutilized. By hosting large-scale events at the Lakeview Amphitheater there will be enhanced exposure to the western shore, which is expected to increase use of this parkland in the future and to further economic opportunity throughout the Syracuse Metropolitan Area and revitalization in the Town of Geddes and Village of Solway.

To investigate alternative sites that are consistent with and could support the objectives of the Project, various County-owned lands along the western shore of the lake were screened for their ability to support the Project concept and goals. Since the County owns approximately 90% of the lands abutting the Lake, the evaluation of suitable sites necessarily focused on County-owned property already dedicated to public recreation along the western shore. Based on spatial constraints as the first criterion, alternative locations were reviewed, and other than Lakeview Point, one alternative site that met the spatial requirement was identified (Maple Bay along the northwest shore of Onondaga Lake, as depicted on DEIS Image 5-2).

Lakeview Point and Maple Bay were then evaluated based on a further series of criteria related to suitability for development and operation, including proximity to residences and businesses, available public utilities, opportunities for community enhancement, sensitive receptors, visual impacts, construction impacts, engineering considerations and constructability and operability. In comparison, the Lakeview Point site had more positive attributes to support the intended use. Siting at the Maple Bay location would require offsite parking and shuttle service to accommodate

the planned events. Although alternative parking may be available at Longbranch Park or other County properties, none of these areas provide sufficient space for the expected 6500+ vehicles associated with a major event. Therefore under this alternative, construction would most likely take place at several sites concurrently to develop offsite parking and reduced scale amenities would be provided at the main venue site due to spatial constraints. Operating costs would be greater as most parking would remain offsite requiring use of shuttles. Currently, a large portion of the Maple Bay site is located within a documented wetlands area. Siting at this location would result in significant adverse impacts to wetland ecological resources, and require significant wetland mitigation to accommodate the necessary site work, thereby resulting in additional project cost and a lengthened implementation schedule. By contrast, there would be little concern at Maple Bay regarding impacted soils or contaminated groundwater and coordination with remedial construction would not be necessary as it would at Lakeview Point. The facility would be in relatively close proximity to housing developments along Lake Pines Trail and Nick's Way in Lakeland and homes and businesses on Van Vleck Road and the Dwight Industrial Park. Visual impact would also likely be more pronounced at the Maple Bay location given its relation to neighboring properties.

The Lakeview Point site's proximity to the State Fairgrounds parking lots would provide ease of access and lower operating cost. In addition, the site has sufficient acreage to support all of the planned facilities for a top tier venue. The site has ready access to public sewer, water, natural gas and low cost municipal electric service and favorable topography to minimize visual impacts. Operations and security would be enhanced through proximity to Honeywell's Visitor Center site and the State Fair grounds. There are fewer homes and businesses proximate to the site as compared to Maple Bay and the location could serve as a convenient waypoint between Longbranch Park and the Inner Harbor for Loop the Lake Trail users. Furthermore, Lakeview Point is located in an area that has historically been, and currently is, home to many large events. Existing impacts associated with this mature system, which includes the NYS Fair Parking Lots and CENTRO bus service, are well understood and have been accommodated by the affected communities for decades. The NYS Fair takes place on 12 consecutive days and the 2014 attendance ranged from 46,094 to 122,870 (average attendance of nearly 80,500 per day), as compared to the proposed Lakeview Amphitheater, which will host intermittent events with up to 17,500 attendees per event. Therefore, siting the proposed project in this specific location is a compatible use and would have comparatively lower impact relative to other potential alternative sites without this area's history and experience. For all of these reasons, the Lakeview Point location is considered the preferred alternative.

The alternatives analysis then focused on finding a favorable site within Lakeview Point. Several different alternative sites were evaluated that considered a variety of factors such as suitability for the proposed amphitheater facilities, constructability, geotechnical issues, acoustics, noise impacts, visual impacts and other environmental considerations. A total of four site locations were considered on Lakeview Point, and based on initial screening two

were evaluated in further detail (i.e., the "Cove" and "Beacon" concepts as presented in DEIS Section 5.2). The Cove concept is located along the northern shore of Wastebed 6 and the Beacon concept is located atop the peninsula between Wastebeds 5 and 6. These are shown conceptually in Images 5:4 and 5:5 of the DEIS. Each setting presents its own advantages and challenges. In evaluating each alternative setting, environmental impacts were considered. In comparison, the preferred alternative (Cove setting) minimizes physical disturbance of the upper surfaces of the wastebeds, provides additional cover and reinforcement of the northern wastebed dikes, helps to control drainage and runoff in the steeper slope areas, reduces impacts to the Crucible landfill site and has a lower visual impact on the surrounding areas. Therefore, the Cove concept is considered the preferred alternative.

The EIS also evaluated the No Action alternative. Under this alternative, the pre-existing site conditions on Wastebeds 5 and 6 would generally be maintained until an alternative use for the site was proposed and accepted. The final remedy selected for the sites would be a function of the intended future use. Under low use conditions, it is likely that minimal cover would be placed on the site as opposed to the substantial cover depths currently proposed for the amphitheater designated use. Access to the general area has increased recently as a result of the opening of the new bike trail segment of the West Shore Trail, however, under this alternative, the remaining features of the area would remain similar to those currently experienced with the exception that a proposed remedy would be completed by Honeywell to support a different use. Impacts related to construction would not occur as a result of the proposed action. The full potential of the site as envisioned in earlier planning documents would not be realized. Future site development costs would be higher if a project is to be constructed post remedy.

7.0 CUMULATIVE IMPACTS

The DEIS included a detailed evaluation of cumulative impacts. In general, cumulative impact analysis of external projects is required where the external projects have been specifically identified and either are part of a single plan or program, or there is a sufficient nexus of common or interactive impacts to warrant assessing such impacts together. Between Honeywell's remediation/restoration activities and the trail construction associated with the Loop-the-Lake trail development initiative, the west shore of the Onondaga Lake has been subject to ongoing construction and site work activities for several years, and this work is expected to continue in the foreseeable future. Therefore, these activities have the potential for cumulative impacts with the Lakeview Amphitheater.

Construction of the Amphitheater is anticipated to begin in the late fall/winter of 2014 and conclude in the fall of 2015. The 2.3-mile West Shore Trail Extension connects the portion of the West Shore Trail that starts at Long Branch Park to Honeywell's Onondaga Lake Visitor Center, passing through the Project site. Construction of the West Shore Trail Extension was completed in the spring of 2014. Planning is currently underway for the next phase of the Loop-the-Lake initiative, which will run between the current terminus of the trail near the Visitor Center and the Onondaga

Creekwalk, behind Destiny USA. Several preliminary routing options are under consideration, and a public meeting was held April 10, 2014. However, no construction dates have been announced for this project yet. Because development of this segment of the trail is still in the planning phase, it is unlikely that construction will occur simultaneously with construction of the Lakeview Amphitheater.

As previously indicated, implementation of the remedy ultimately selected by the NYSDEC/USEPA would be phased to accommodate the timing of Amphitheater construction. Coordination of construction timing with implementation of the remedy will serve to limit the duration of disruption, and eliminate the potential of having to disrupt an already completed remedy in order to construct the Project at a later date.

In addition, Onondaga County concluded the SEQR review of the Bridge Street/Milton Avenue Streetscape Revitalization Project through issuance of a Negative Declaration in early 2014. This project involves the streetscape improvements along Milton Avenue between the Village of Solvay/City of Syracuse municipal boundary to the east and the Village of Solvay/Town of Camillus municipal boundary to the west. The project limits along Bridge Street extend from Milton Avenue in the Village of Solvay to State Fair Boulevard in the Town of Geddes. Improvements to the streetscapes will enhance the appearance, pedestrian accommodations, community character, vehicular mobility, and overall functionality, as well as provide improved multi-modal access to local attractions. A number of potential cumulative impacts are possible, including potential impacts on traffic, noise levels, community character, and recreation. However, based on the analysis in the DEIS none of these potential cumulative impacts are considered significant.

In summary, there may be some minor temporary and permanent cumulative impacts associated with the construction and operation of the Lakeview Amphitheater, the Loop-the-Lake trail development initiative, Honeywell's remediation activities, and the Streetscape Improvement Project. However, as indicated above, these cumulative effects are not anticipated to result in any significant adverse impacts.

8.0 CERTIFICATION OF FINDINGS

Onondaga County, as Lead Agency for the environmental review of this action, pursuant to 6 NYCRR Part 617.11(d), having reviewed and accepted the Project DEIS and FEIS, 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 those mitigation measures that were identified as practicable.

Signature of Responsible Official

Name of Responsible Official

CHAIRMAN, COUNTY LEGISLATURE

Date

11/6/14.

COUNTY OF ONONDAGA

Name of Agency

Exhibit A:
ADDENDUM TO THE SUPPLEMENTAL HUMAN HEALTH
RISK EVALUATION
ONONDAGA LAKE: WASTEBEDS 1 – 8 SUBSITE

This addendum to the EPA Supplemental Human Health Risk Evaluation (HHRE) (EPA, 2014) for the Wastebeds 1 – 8 subsite was conducted to estimate risks to children who may access the site for activities associated with amphitheater functions. The HHRE did not include this population, since the populations that were included were considered representative of those with the greatest potential to visit the amphitheater. However, in order to present risks to all populations with potential to access the site, cancer risks and non-cancer hazards were estimated for children aged 0 – 6 years, and this evaluation based on current site conditions prior to the proposed remedial action indicates that both the cancer risk and non-cancer hazard for a Young Child were within EPA's acceptable levels.

Risks and hazards for children were estimated based on the risks and hazards quantified for other populations. Risk estimates presented in the Human Health Risk Assessment (HHRA) for the Wastebeds 1 – 8 (O'Brien & Gere, 2011) Site were consulted. In this report, the Young Adult (aged 18-30 years) was evaluated at Exposure Unit 3, which included the NY State Fair Parking Area, Upland Old Field Successional Area, Biosolids Area, and Lakeshore Area. The Young Adult was evaluated as a Trespasser/ATV recreator, with exposure to surface soil (0 – 2 feet below ground surface [bgs]) and sediment (0 – 1 foot bgs) through ingestion and dermal contact. This population was selected because the activities and media that were considered were consistent with or more conservative than those for a Young Child accessing the amphitheater. This Exposure Unit was identified because it represents many of the areas that are included in the amphitheater plans.

In order to compare the Young Child with the Young Adult, the exposure factors had to be identified. The ingestion rate, exposure frequency, and averaging time for carcinogens that were used for the Young Adult were also used for the Young Child, and these can be found in the

RAGS Part D Table 4 Series of the HHRA for Wastebeds 1 – 8. Population-specific parameters, such as averaging time for non-carcinogens, body weight, and exposure duration were identified for the Young Child, and compared to the Young Adult, in order to establish a ratio between these two populations assumed to have consistent exposures. Based on this approach, the incremental excess cancer risk posed to the Young Child was estimated to be 2E-06, while the non-cancer hazard was estimated to be 0.1.

It should be noted that some of the contaminants of potential concern at the Site, such as benzo(a)pyrene and other polycyclic aromatic hydrocarbons (PAHs), have been identified as acting through a mutagenic mode of action (MMOA). In other words, toxicological testing has identified that these chemicals are associated with induction of carcinogenicity through a mutagenic mode of action, and that exposure at certain ages increases the potential for carcinogenicity to be initiated. EPA guidance suggests that when exposure occurs at less than 2 years, the increase is 10-fold, while when the exposure occurs from ages of approximately 2 – 16 years, the increase is 3-fold (EPA, 2005). Therefore, it is appropriate to apply an age-dependent adjustment factor (ADAF) to the cancer risk estimates. The ratio approach used in this addendum is limited in its ability to provide specific risks and hazards, however, these risks and hazards are not likely to be underestimates of the true risks. In order to ensure that the MMOA consideration is applied to the ratio in a conservative, health-protective manner, the cancer risk was adjusted. Since the age range of the Young Child spans two age bins (0-2 years and 2-16 years) that are considered in the MMOA evaluation, the cancer risk value was adjusted for both ADAF values, first by a factor of 10, then by a factor of 3. This results in a risk estimate of 6E-05. As previously stated, this is a very conservative estimate of the cancer risk, since the total cancer risk would not be adjusted by either the 10x factor or the 3x factor; the risk would have been pro-rated for the 0 – 2 year population then adjusted by a factor of 10, and the 2 – 6 year population then adjusted by a factor of 3. For this evaluation the entire risk estimate was adjusted for each ADAF value.

In summary, the cancer risk estimate for the Young Child was estimated at 6E-05, and the non-cancer hazard quotient was estimated at 0.1. Both of these values were developed under a conservative approach that uses a ratio method, considering the risks and hazards to other

populations, and modified using population-specific parameters to account for the Young Child. Both the estimated risk and hazard for the Young Child are within EPA's acceptable levels based on current site conditions prior to the proposed remedial action.

References

EPA, 2005. *Supplemental Guidelines for Assessing Susceptibility From Early Life Exposure to Carcinogens*. Risk Assessment Forum, Washington, DC. EPA/630/R-03/003F.

EPA, 2014. *Supplemental Human Health Risk Evaluation, Onondaga Lake Superfund Site, Wastebeds 1-8, Lakeview Amphitheater Facility*, Geddes, New York. June.

O'Brien & Gere, 2011. *Baseline Human Health Risk Assessment, Wastebeds 1 through 8 Site*, Geddes, New York, April.