

**LEAD AGENCY FINDINGS STATEMENT
State Environmental Quality Review Act**

**New Greene County Jail
Environmental Impact Statement**

This Findings Statement has been prepared in accordance with Article 8 of the Environmental Conservation Law, the State Environmental Quality Review Act (SEQRA or SEQR) and its implementing regulations promulgated at 6 NYCRR Part 617.

Lead Agency: Greene County Legislature

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Name of Action: New County Jail

SEQRA Classification: Type I – Environmental Impact Statement

Description of Action: The action involves the construction of a new 130 bed County Jail with administration and operations spaces for the County Sheriff. The new jail will replace the existing aged and inadequate County Jail in the Village of Catskill. The new facility will include approximately 84,000 square feet of floor space incorporating a public entrance, visitation area, central command, Sheriff and Jail administration and staff spaces, intake/release/transport area with vehicle sally port, medical area, mechanical and maintenance spaces, food service and inmate housing areas with recreational yards. The project also involves extension of utility services including electricity, natural gas and telecommunications as well as public water and sewer services from the Village of Coxsackie via the Town of Coxsackie infrastructure. Site improvements will include roads, parking areas and stormwater management.

Location: The new Jail facility will be located on 50 acres of land in the Town of Coxsackie on the east side of Route 9W immediately south of the Coxsackie Correctional Facility.

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1.0 SEQR PROCESS HISTORY

The Greene County Legislature has conducted an environmental review of the new County Jail, an approximately 84,000 SF facility incorporating jail functions as well as Sheriff's administration in the Town of Coxsackie located on approximately 50 acres of land on the east side of US Route 9W just south of the State's Coxsackie Correctional Facility.

The Greene County Legislature classified the action of construction of the Greene County Jail as a Type 1 Action under the State Environmental Quality Review Act (SEQRA) and declared intent to act as Lead Agency on April 20, 2016. Circulation among the involved agencies was conducted and no other involved agency responded in writing with a desire to act as Lead Agency.

The Legislature prepared Parts 2 and 3 of the Full Environmental Assessment Form, the Greene County Legislature was declared the Lead Agency and found that potentially significant impacts on plants and animals and archeological resources were identified resulting in a Positive Declaration on May 16, 2016 resulting in preparation of an Environmental Impact Statement to further assess the potential impacts and recommend mitigations.

A Draft Environmental Impact Statement (DEIS) was prepared, adopted as complete and made available for public and involved agency comments on September 21, 2016. A Public Hearing regarding the DEIS was conducted on October 19th and subsequently, the comment period for the DEIS was closed. On December 21, 2016, the Greene County Legislature adopted and noticed the Final Environmental Impact Statement for the New Greene County Jail.

The Greene County Legislature has considered the comments of the public and involved and interested parties in the preparation of this Findings Statement. The adoption of a Findings Statement is the final step in the environmental review of the proposed Action and will conclude the SEQR process.

2.0 DETAILED PROJECT DESCRIPTION

SMRT Architects and Engineers prepared a *Schematic Design Report* in July 2016 which is the basis for this project description. The report includes a detailed description of the proposed Greene County Jail project, including Architectural, Site Design, Permits, Security, Construction Durability, Security Electronics, Food Service, Structural, Mechanical, Plumbing, Fire Protection and Electrical narratives. It also includes architectural and site material specifications, design for energy and environment considerations, an updated “Functional and Architectural Program”, a Fire and Life Safety Code Review, and preliminary site and building plans and renderings.

2.1 Architectural Description

The proposed Greene County Jail facility includes two structures. The main building is ~77,000 SF and contains the Jail and the Sheriff’s administrative offices. It is nominally a single story structure with a maximum height of 27 feet and includes an upper cell tier in some of the housing units. The small ~7,000 SF secondary structure is a multiple bay vehicle and storage garage.

The main building is rotated diagonally on the site and faces the southwest corner in order to offer a clear view of the main entrance and approach from Route 9W. The covered entry will create an inviting public area for visitors with a glazed façade and plaza area with benches and landscaping. The main building will house all activity areas of the facility including general and special management housing, medical programs, visitation, administration, intake/release, food service, laundry, and facility maintenance.

The exterior walls will be constructed of concrete masonry with reinforcing and grout to suit structural needs or security needs, whichever is greater. Variations in material color and texture and brick accent bands are proposed for architectural interest. Administrative and public area windows and entrances will be aluminum systems with insulated glazing. Insulated pre-cast concrete wall panels and pre-cast cell units are proposed for the housing units.

The jail roof will be nominally flat with steel joists and deck pitched to interior roof drains. The roof assembly will include rigid insulation, an insulating cover board and fully adhered EPDM rubber roofing. Daylighting will be provided where possible through insulating polycarbonate dome skylights sized to fit between roof framing members.

2.2 Site Access

Vehicular access to the site is proposed from Route 9W via two new entry points. The northern entrance will be designated for staff, service and delivery vehicles. A secured service and loading area at the northern end of the building will be directly accessed from this driveway. The County Route 42/US Route 9W intersection across from the northern entrance is hazardous with very poor sight lines. As part of the jail project, County Route 42 will be closed south of the Peter Bronck House historic site and this dangerous Y-intersection will be eliminated. The southern entrance will be the main public entry designated for visitors and intake traffic and will include lighted signage to identify the facility.

Creighton Manning Engineering conducted a Traffic Evaluation for the proposed jail project in order to evaluate sight distances, estimate trip generation and identify any potential impacts and mitigation measures associated with the operation of the facility. The report determined that the magnitude of site generated trips at peak hours is less than the New York State Department of Transportation (NYSDOT) and Institute of Traffic Engineers (ITE) thresholds and therefore the jail facility will be adequately served by the surrounding roadway network and no roadway improvements are required. The evaluation also determined that the two proposed unsignalized site driveway intersections will adequately serve the site with single lanes entering and exiting.

2.3 Parking

Principal public parking for the facility will be located southwest of the main building entrance and will be used primarily by visitors and vendors. Parking accommodations will be provided for persons with disabilities in accordance with the Americans with Disabilities Act (ADA) and an entry drop-off area will be provided. Administrative staff parking will be located to the northwest of the facility. A total of 64 spaces are proposed for the southern public parking lot and 45 spaces for the northern staff lot. Walkways for pedestrian access will be installed connecting the parking areas with building entrances as needed. The main public entrance will include an expanded plaza area with benches, plantings and flagpoles.

2.4 Water

Water supply for the proposed Greene County Jail will be provided by the Village of Coxsackie water system via an extension of existing publicly owned distribution infrastructure through the lands of the Coxsackie Correctional Facility. These services will be provided to the Greene County Jail through a three-party Intermunicipal Agreement which will outline the operational requirements and financial conditions.

The Village of Coxsackie water system is a robust system which has been recently improved to provide high quality water with excess capacity. With a permitted capacity of nearly 2.0 million gallons per day (gpd) and a demand of less than 600,000 gpd, the Village system has more than ample capacity to provide service to the proposed Greene County Jail which has an estimated demand of 22,500 gpd for potable water uses.

2.5 Sewer

Wastewater conveyance and treatment for the proposed Greene County Jail will be provided by the Village of Coxsackie through the extension of existing publicly owned conveyance infrastructure through the lands of the Coxsackie Correctional Facility. These services will be provided to the County Jail through a three-party Intermunicipal Agreement which will outline the operational requirements and financial conditions.

The Village wastewater system is currently subject to a NYSDEC Order on Consent which mandates repairs to the system and incorporates a moratorium on new connections until repairs that eliminate Sanitary Sewer Overflows (SSOs) are functional, or until mitigation activities are completed that reduce SSOs in an amount exceeding the estimated introduction of new wastewater into the system. The Village has conducted an engineering analysis and developed an SSO

elimination project which is anticipated to be completed in 2018. If the new County Jail is connected to Town of Coxsackie sewer system prior to completion of the SSO elimination project, the County may be required to contribute to the mitigation project.

2.6 Drainage and Stormwater Management

Drainage on the jail site presents a challenge due to shallow grades and poorly drained soils. New York State stormwater regulations require that runoff is captured and treated as close to the source of generation as possible and the use of green infrastructure that incorporates infiltration practices is highly encouraged. Stormwater runoff from impervious surfaces will be captured, attenuated and treated using numerous practices customized to the jail site. Infiltration practices, to the extent practicable, will be designed to accommodate the very slow percolation rates of the native soils. Bioswales and bio-retention basins are the most appropriate measures for this site. A Storm Water Pollution Prevention Plan (SWPPP) is currently being designed to meet the requirements of the NYSDEC State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity.

2.7 Electric, Gas and Communications

Electric, gas and communications facilities will be extended to the site of the proposed jail by the local service providers. Each of these services is available in proximity to the jail site. The extension of services will require coordination with the utility providers once the demands of the Jail have been determined and the site plan is fixed.

Central Hudson Gas & Electric Corporation is the provider of both electricity and natural gas in close proximity to the site. It is anticipated that primary electric service will come from a new Central Hudson utility pole on Route 9W. Primary wiring will be run underground to a new utility owned pad mount transformer outside the main electrical room. The transformer will feed a new main distribution switchboard in the electrical room and the fire pump. It is anticipated that a new gas service line will connect to the existing gas main on Plank Road at the entrance to Coxsackie Correctional Facility and run southward through Coxsackie Correctional to the new jail site. The State Telephone Company provides local, long distance, internet and fiber service in the vicinity of the project. Mid-Hudson Cablevision also provides cable television and internet service in the area and is working to expand its fiber optic network.

2.8 Landscaping

Landscape planting will include large and medium sized shade trees, small ornamental trees, and various shrubs, groundcovers, and perennials. Tree plantings will be located to provide shade, mitigate the visual impact of the mass of the building, and temper winds across the currently open and treeless expanse of the site. Shrubs and perennials will be introduced to provide accent at key points of entry and visual focus. The location, size, and opacity of plantings will be determined such that concerns for security will be addressed. Specifically, no new planting other than lawn is proposed for the eastern “secure” side of the facility, and planting on the western “public” side will be restrained to minimize places of concealment.

2.9 Lighting

Site lighting will be provided based on Illuminating Engineering Society of North America (IESNA) standards to achieve sufficient safe and secure lighting for all public and secure areas of the site. To the extent practicable, lighting will be ‘dark sky’ compliant. Exterior lighting will utilize LED fixtures with full-cutoff distribution to reduce the effects of light pollution. Lighting will include pole mounted fixtures in parking areas and roadways. Wall mounted lights will be utilized to illuminate the outer perimeter of the building and their locations will be selected to minimize glare in camera views.

2.10 Security

The Greene County Sheriff’s Department will operate the facility and provide on-site security at all times. The Jail will be constructed as a secure facility with multiple containment perimeters. The facility perimeter describes the total secured zone of the facility and is made up of the exterior structure including specially designed components including walls, glazing, doors, sally ports, louvers, roof and skylights. It does not include a fence, however a nuisance/emergency containment fence will restrict access to offender area windows and yards and provide a security barrier should an emergency require offenders to exit the building. There are also internal security perimeters around each housing unit and specific areas such as medical, kitchen, laundry and intake-release areas. Central control will have its own security perimeter designed at the same level as the facility perimeter.

The facility will have a hydraulically designed fire protection system and will be fully sprinklered to provide full fire protection as required by NFPA 13. Fire protection water will be stored in a dedicated 50,000 gallon underground storage tank. The tank will supply a wet well that will be drawn by a fire pump located in an exterior pump house.

In the event that emergency medical services are required, the Town of Cossackie Ambulance Service or Greene County EMS paramedics will be called. Greene County shall pay a pro-rata share of any increased costs related to demands on police, fire, emergency and health care services attributable to the jail site.

A diesel generator will be installed to provide 100% standby power to the facility. It will be located near the emergency electrical room and will be sized to provide a minimum of 96 hours of power at full load.

3.0 FACTS AND CONCLUSIONS

Review of the documentation, analysis and facts presented in the New Greene County Jail DEIS and FEIS reveals five areas where mitigation measures have been provided to alleviate negative impacts to the environment.

3.1 Surface Water – Wetlands

Approximately 2.13 acres of jurisdictional wetlands have been delineated on the proposed jail site and will be avoided to the extent possible during design and construction. The New York State Department of Environmental Conservation (NYSDEC) has determined that the 0.57 acre wetland in the southwest corner of the jail site is under their jurisdiction as it is hydraulically connected to NYSDEC freshwater wetland HN-105 located on the west side of Route 9W via a culvert. All other on site wetlands are under the jurisdiction of the US Army Corps of Engineers (ACOE) which issued a Jurisdictional Determination in August 2015.

Approximately 0.02 acres of a small ACOE wetland may be impacted by the rear ring driveway and will require an ACOE Nationwide Permit. In addition, construction of the southern entry drive may impact a small area (~0.32 acres) of the 100' buffer around the NYSDEC jurisdictional wetland, although no direct impacts are anticipated. Any physical disturbance within the boundary of this wetland or within the regulated 100-foot buffer area will require an Article 24 Freshwater Wetlands Permit. The final area of impact will be calculated during final site design and a Wetland Mitigation Plan will be prepared and submitted to NYSDEC for review and approval. Greene County will implement any mitigation measures that NYSDEC requires for the impacted wetland buffer area.

If required, the Mitigation Plan will include a justification for the direct impacts to the wetland area, rationale for site selection, invasive species control and management of the mitigation area.

3.2 Plants and Animals – Northern Harriers and Short-eared Owls Habitat

The New York Natural Heritage Program has identified the jail site as potential habitat for the state endangered Short-eared Owl and threatened Northern Harrier, and as a raptor winter concentration area. The US Fish and Wildlife Service has identified the site as being within the range of the federally endangered Indiana Bat and threatened Northern Long-eared Bat.

The jail project will disturb a maximum of 17.6 acres of grassland which is habitat for the Northern Harrier and Short-eared Owl. A NYSDEC Incidental Taking Permit will be required and a Habitat Mitigation Plan will be prepared at a 1:1 ratio for the loss of grassland habitat. The mitigation plan will include site identification to demonstrate appropriate habitat, invasive species control and management of the mitigation area. It is anticipated that the mitigation area will be created by putting a deed restriction on a portion of the adjacent County-owned parcel 70.00-4-5 to south, and that the Greene Land Trust will manage the mitigation area. It is possible that the mitigation area could also be partially created in the northern unused area of the jail site. No trees will be removed by the project, and a qualified biologist has reviewed the jail site and determined that habitat to support the federally listed bat species is not present.

3.3 Transportation – County Route 42

A Traffic Evaluation was conducted that indicates the existing roadway network is adequate to service the proposed Greene County Jail site with no mitigation. However, as part of the project the hazardous County Route 42/US Route 9W Y-intersection located near the northern entrance will be eliminated. Although this skewed intersection currently encounters minimal traffic, removal of the intersection will result in a standard intersection layout at the proposed northern site driveway and will improve traffic safety.

3.4 Surface Water – Wastewater Treatment

The estimated wastewater flow for the proposed Greene County Jail is 22,500 gallons per day (gpd) to be directed to the Town of Coxsackie sewer system and then to the Village of Coxsackie wastewater treatment plant (WWTP) for treatment and discharge to the Hudson River. The existing Village WWTP is permitted to discharge 1.25 million gallons per day (mgd) on a 30 day average basis. Current flows average 850,000 gpd; however, the sewer system is subject to significant infiltration and inflow during wet weather events resulting in peak flows at or above the plant's hydraulic capacity as well as discharges of untreated wastewater combined with stormwater into the environment at the remote pump station sites.

As a result, the Village wastewater system is currently subject to an Order on Consent executed by the NYSDEC and the Village which mandates repairs to the sewer system and incorporates a moratorium on new connections to the system until the repairs that eliminate the Sanitary Sewer Overflows (SSOs) are functional. New connections to the system are also permitted through the conduct of mitigation activities that result in reducing SSOs in an amount exceeding the estimated introduction of new wastewater to the system. The Village has conducted a detailed engineering analysis and developed a \$10.3 million wastewater improvement project. Engineering design will occur in the fall of 2016 through mid-year 2017 with bidding of improvements planned for the summer of 2017 and construction to occur from late 2017 through 2018.

If connection of the new jail to the Town of Coxsackie sewer system is made when the Village's overall improvement project has reached a stage of completion whereby SSOs have been eliminated, it may be possible for the jail extension to be made without mitigation required by the Village's Order on Consent. However, if the extension is to be connected to the Town/Village system prior to the elimination of the SSOs, mitigation may be required.

At this time, Greene County is working with the State of New York, the Town and the Village to determine if a contribution by the County is required. It would most likely involve sewer lining or replacement of sewer lines and/or manholes. If such a contribution is required it may be bundled with the overall wastewater improvement project. While the County will benefit from connecting the new Jail to the Town and Village sewer systems, the communities will benefit from a new customer that will share in the costs of operations and maintenance of the sewer system.

3.5 Historic and Archeological Resources – Precontact Site

Hartgen Archeological Associates conducted a comprehensive *Phase I Archeological Investigation and Phase II Site Evaluation* of the 50 acre Greene County Jail site during 2015 and 2016. The initial Phase I investigation identified three precontact site locations. The subsequent Phase II site evaluation determined that one of these sites is a National Register eligible site that has been named the Greene County Correctional Facility Precontact (GCCF) Site. The GCCF Site is a precontact lithic workshop with evidence of heat treatment to harden tools. It is located in a very limited area of the site and not near any planned ground disturbance.

The entire 50 acre site is now classified as the GCCF site. An Avoidance Area has been defined which includes a buffer area around the sensitive area and an Avoidance Plan has been prepared with short and long-term avoidance measures. Greene County has agreed to comply with the short-term avoidance measures during construction and to preserve the site after construction with a permanent deed restriction.

The project must obtain a permit from ACOE and because the project will impact a Native American archaeological site, the ACOE has the responsibility to engage in consultation with pertinent Native American Nations. Greene County is currently developing the final Site Plan for the new Jail. As soon as the Site Plan has been finalized and final impacts to streams and wetlands have been calculated, a Nationwide Permit application will be prepared and submitted to ACOE for disturbance or fill in the waters of the United States. ACOE will then be responsible for engaging in consultation with pertinent Native American Nations. Greene County will implement any further mitigation measures that are determined through the consultation process to be required.

4.0 BALANCE OF NEGATIVE ENVIRONMENTAL IMPACTS AND SOCIAL AND OTHER BENEFITS

The existing Greene County Jail in the Village of Catskill is the oldest jail in New York State. The original structure was built in 1905 on Bridge Street on a small site immediately behind the Greene County Courthouse, and an addition was constructed in approximately 1930. The majority of the existing structure is over 110 years old and has exceeded its useful life. The existing jail has 56 beds, but routinely has between 90 and 110 inmates, exceeding its capacity and requiring the County to board prisoners in surrounding facilities at a cost of approximately \$1 million per year. The County needs a larger facility to house its current inmates, but the existing jail site is extremely constrained and offers no room for expansion.

The New York State Commission of Correction (NYSCOC) issued letters in 2010 and 2013 noting concerns with the deterioration of the physical plant and the jail's structural integrity. Delaware Engineering staff conducted a visual inspection of the jail in July 2013 and prepared a structural assessment report which determined that the structure is safe for occupancy if the maintenance and repair recommendations included in the report are followed.

Greene County has been dealing with the structural, capacity and operational challenges of the existing jail for decades. Operational costs at the jail are high due to poor building infrastructure

and a lack of technological advancements that could improve the function of the jail and its administration. A new facility would contain modern features which would save energy, time and money in the jail operations.

In February 2016, RicciGreen Associates prepared a *Jail Needs Assessment* which is available on the County website at www.greene-gov.com/greene-government/proposed-jail-project. This report includes “Population Projections and Jail Bedspace Requirements” and a “Functional and Architectural Program.” The population projections extend to 2035. The report concludes that 119-149 beds is an appropriate planning range and that the high end of the range could be achieved by double bunking no more than 20% of the general population cells, in accordance with NYSCOC standards.

The social and other benefits of the construction of a New Greene County Jail are evident based on the age and condition of the existing jail structure as well as the Jail Needs Assessment which outlines the requirements for an expanded facility with modern accommodations to best serve the population of Greene County. Mitigation measures have been provided for the five areas of environmental impact identified in the DEIS and FEIS that reduce or eliminate negative impacts to the extent practical. In this way, a balance is achieved between the social and other benefits of the New Greene County Jail and the negative impacts the construction of the jail may have on the environment. Thus a Positive Findings Statement has been prepared.

5.0 CERTIFICATION

This Findings Statement provides the rationale for the SEQRA determination of the Lead Agency, the Greene County Legislature for the proposed New County Jail based on the Final Environmental Impact Statement (FEIS) prepared by the Lead Agency, as well as related documents and public comments received regarding the proposed action, including the Draft Environmental Impact Statement (DEIS).

The Lead Agency certifies:

1. Among the reasonable alternatives, the project avoids or minimizes adverse environmental impacts to the maximum extent practicable in consideration of social, economic and other necessary considerations.
2. Adverse environmental impacts will be avoided or minimized to the maximum extent practicable as described in the mitigations contained herein.
3. The EIS inclusive of the DEIS and the FEIS is comprehensive and contains the factual analysis with respect to the project details and potential environmental impacts and mitigation measures as well as the conclusions relied upon to support this Findings Statement.
4. The Greene County Legislature as Lead Agency has met the applicable requirements of 6 NYCRR Part 617 in conducting the environmental review of the proposed action, including but not limited to:

- Preliminary Classification of the Action
 - Establishment of Lead Agency through Coordinated Review
 - Preparation of a DEIS
 - Conduct of a Public Hearing regarding the DEIS
 - Receipt of Public and Agency Comments on the DEIS
 - Preparation of a FEIS
 - Adoption and Filing of Notice of Completion of the DEIS and FEIS.
 - Publication and circulation of all required notices.
5. 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 adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.