

**APPENDIX A**  
**AGENCY CORRESPONDENCE**

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### MEDIA ANNOUNCEMENT

September 13, 2004

### **BROOME COUNTY TO HOLD PUBLIC SCOPING MEETING and LISTENING SESSION FOR THE BINGHAMTON INTERMODAL TRANSIT TERMINAL PROJECT**

Broome County is eager to hear what the public thinks about the proposed Binghamton Intermodal Transit Terminal project. Listening Sessions have been scheduled for:

TUESDAY, SEPTEMBER 28, 2004  
2:00 to 4:00 PM  
and  
6:30 to 8:00 PM  
BROOME COUNTY PUBLIC LIBRARY  
Exhibit Room  
185 Court Street, Binghamton

Broome County's project consultant, Wendel Duscherer Architects and Engineers, will open each meeting with a presentation on work performed to date and an explanation of the Federal and New York State environmental review process. These scoping meetings are a formal part of the process that provides the public an opportunity to bring forward issues they believe merit study.

Following the presentation, there will be an open discussion of the project. Representatives of Broome County and BMTS will listen to ideas, suggestions, and concerns from the public. These will be used to help shape the project as it moves into preliminary design phases.

#### BACKGROUND

The Binghamton Intermodal Transit Terminal is a project first proposed in concept by the Binghamton Metropolitan Transportation Study. The project began to proceed after funding was obtained through BMTS (\$1 million) and through legislative action by Congressman Maurice Hinchey (\$4.125 million). Broome County selected Wendel Duscherer Architects and Engineers as the lead design consultant last December. The terminal will serve as the hub for BC Transit, providing a safe, off-street location for riders to board and transfer among buses. It will also serve Greyhound and Coach USA/Shortline intercity bus service. The intent is to not only improve transportation services, but also act as another economic catalyst in the revitalization of downtown Binghamton.

MEDIA CONTACT: Steven Gayle, Executive Director  
778-2443

MEDIA ANNOUNCEMENT

October 8, 2004

**BROOME COUNTY TO HOLD PUBLIC SCOPING MEETING and  
LISTENING SESSION  
FOR THE BINGHAMTON INTERMODAL TRANSIT TERMINAL PROJECT**

Broome County is eager to hear what the public thinks about the proposed Binghamton Intermodal Transit Terminal project. Initial Listening Sessions were held in September. Another has been scheduled for:

WEDNESDAY, OCTOBER 20, 2004  
3:00 to 5:00 PM  
BROOME COUNTY PUBLIC LIBRARY  
Exhibit Room  
185 Court Street, Binghamton

The session will open with a presentation on work performed to date and an explanation of the Federal and New York State environmental review process. These scoping meetings are a formal part of the process that provides the public an opportunity to bring forward issues they believe merit study.

Following the presentation, there will be an open discussion of the project. Representatives of Broome County and BMTS will listen to ideas, suggestions, and concerns from the public. These will be used to help shape the project as it moves into preliminary design phases.

BACKGROUND
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The Binghamton Intermodal Transit Terminal is a project first proposed in concept by the Binghamton Metropolitan Transportation Study. The project began to proceed after funding was obtained through BMTS (\$1 million) and through legislative action by Congressman Maurice Hinchey (\$4.125 million). Broome County selected Wendel Duscherer Architects and Engineers as the lead design consultant last December. The terminal will serve as the hub for BC Transit, providing a safe, off-street location for riders to board and transfer among buses. It will also serve Greyhound and Coach USA/Shortline intercity bus service. The intent is to not only improve transportation services, but also act as another economic catalyst in the revitalization of downtown Binghamton.

MEDIA CONTACT: Steven Gayle, Executive Director  
778-2443  
[sgayle@co.broome.ny.us](mailto:sgayle@co.broome.ny.us)

**MEDIA ANNOUNCEMENT**  
**FOR IMMEDIATE RELEASE**

June 22, 2005

**BROOME COUNTY TO CONDUCT PUBLIC INFORMATION MEETINGS  
TO REVIEW DESIGN CONCEPTS FOR THE  
BINGHAMTON INTERMODAL TRANSIT TERMINAL**

Broome County and the Binghamton Metropolitan Transportation Study (BMTS) will be conducting Public Information Meetings:

**THURSDAY, JULY 7**  
**2:00 pm**  
**BROOME COUNTY PUBLIC LIBRARY**  
**DECKER COMMUNITY ROOM**

**6:00 pm**  
**BROOME COUNTY OFFICE BUILDING**  
**AUDITORIUM (2<sup>ND</sup> FLOOR)**

The primary purpose of the meeting is to share with the public design concepts for the Binghamton Intermodal Transit Terminal. The Broome County Legislature earlier this year designated the block bounded by Henry, Chenango, and Lewis Streets and Prospect Avenue as the site for the project. The project will include a terminal building; platform space for the intercity bus carriers, Greyhound and Coach USA/Shortline; separate platform space for BC Transit; and parking for staff and patrons. The County's design consultant has developed a number of concepts of how these uses can fit on the site, which buildings would be retained and which, if any, would be razed.

Broome County and BMTS recognize that public input on the design concepts is a critical piece of creating a successful project. This is a public facility and must have the continuing support of the community. It will enhance the safety and security of patrons of both local and intercity bus services, and help catalyze economic development of downtown Binghamton.

We appreciate your efforts to publicize this event, and encourage the public to attend.

**MEDIA CONTACT:** Rita Petkash, Broome County Planning Commissioner  
778-2114 [rpetkash@co.broome.ny.us](mailto:rpetkash@co.broome.ny.us)  
Steven Gayle, Executive Director BMTS  
778-2443 [sgayle@co.broome.ny.us](mailto:sgayle@co.broome.ny.us)

September 26, 2005

Dear Interested Participant:

Please be advised that we have scheduled the next public meetings for the Binghamton Intermodal Transit Terminal project:

**THURSDAY, OCTOBER 6**

**2:00 PM**

**BROOME COUNTY PUBLIC LIBRARY  
DECKER ROOM**

**6:30 PM**

**BROOME COUNTY OFFICE BUILDING  
2<sup>ND</sup> FLOOR AUDITORIUM**

The purpose of the meetings is to provide an opportunity for the architectural design team to get input on a variety of factors as they begin to prepare the conceptual designs.

Considerations include:

- ✓ How should the terminal fit in with the immediate neighborhood?
- ✓ How should the terminal fit in with the city? The region?
- ✓ Key design challenges that must be met
- ✓ Key design opportunities that should be taken advantage of

There will not be a separate Project Advisory Committee meeting this time. I hope you will be able to attend one of the public meetings and add your perspective on these important topics. This will help us achieve our goal of creating an award winning terminal.

Sincerely,

Steven Gayle  
Executive Director



FITZGERALD & HALLIDAY, INC.

72 Cedar Street, Hartford, Connecticut 06106  
Tel. (860) 247-7200  
Fax (860) 247-7206

March 21, 2005

Information Services  
New York Natural Heritage Program  
625 Broadway, 5<sup>th</sup> Floor  
Albany, NY 12233-4757

Re: Construction of Binghamton Intermodal Center  
Binghamton, NY

To Whom It May Concern:

Fitzgerald & Halliday, Inc. (FHI) is presently under contract to Broome County, NY to prepare an environmental assessment in accordance with the State Environmental Quality Review Act for the above referenced project. The project involves the construction of an intermodal transportation facility on the site of a fully developed urban block within the city of Binghamton, New York. The block is bounded by Lewis St to the north, Henry St to the south, Prospect Ave to the west, and Chenango St to the east. A consultation letter has been forwarded to the New York field office of the US fish & Wildlife Service, requesting information on Federally listed species as part of our investigation.

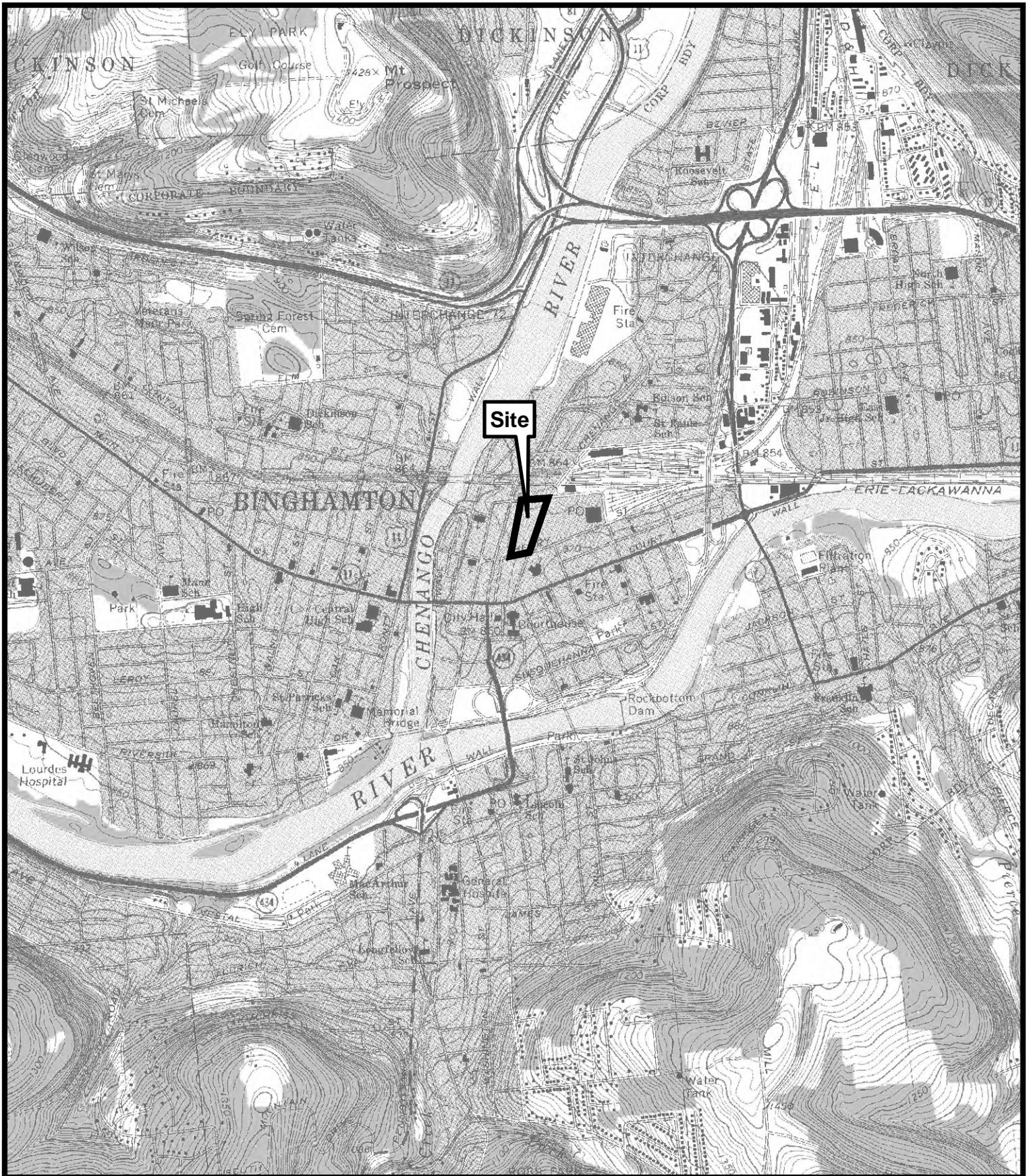
To support FHI's investigation into potential threatened and endangered species concerns, FHI requests that your office kindly forward any State threatened and endangered species information related to this project study area to the address indicated above. A map depicting the project study area has been included with this letter. We would also appreciate any comments on this action. Thank you for your assistance.

Very truly yours

FITZGERALD & HALLIDAY, INC.

David Laiuppa  
Planner II

Enclosure  
cc: P. Stanton/File (446.1)



# Binghamton Intermodal Transit Terminal EA

Binghamton, New York

U.S.G.S. Quadrangle: Binghamton West, NY

1:24,000

July, 2004





March 21, 2005

New York Field Office Supervisor  
United States Fish & Wildlife Service  
3817 Luker Rd  
Cortland, NY 13045

Re: Construction of Binghamton Intermodal Center  
Binghamton, NY

To Whom It May Concern:

Fitzgerald & Halliday, Inc. (FHI) is presently under contract to Broome County, NY to prepare an environmental assessment for the above referenced project. The project involves the construction of an intermodal transportation facility on the site of a fully developed urban block within the city of Binghamton, New York. The block is bounded by Lewis St to the north, Henry St to the south, Prospect Ave to the west, and Chenango St to the east. A cursory review of the Federally Listed and Proposed Endangered, Threatened, and Candidate Species in New York suggests that there are no species of concern in the project vicinity. Additionally, as part of our review, a letter has been forwarded to the New York Natural Heritage Program requesting information relative to endangered species and/or significant natural communities within the project area.

To support FHI's investigation into potential threatened and endangered species concerns, FHI requests that your office kindly forward any Federal threatened and endangered species information related to this project study area to the address indicated above. A map depicting the project study area has been included with this letter. We would also appreciate any comments on this action. Thank you for your assistance.

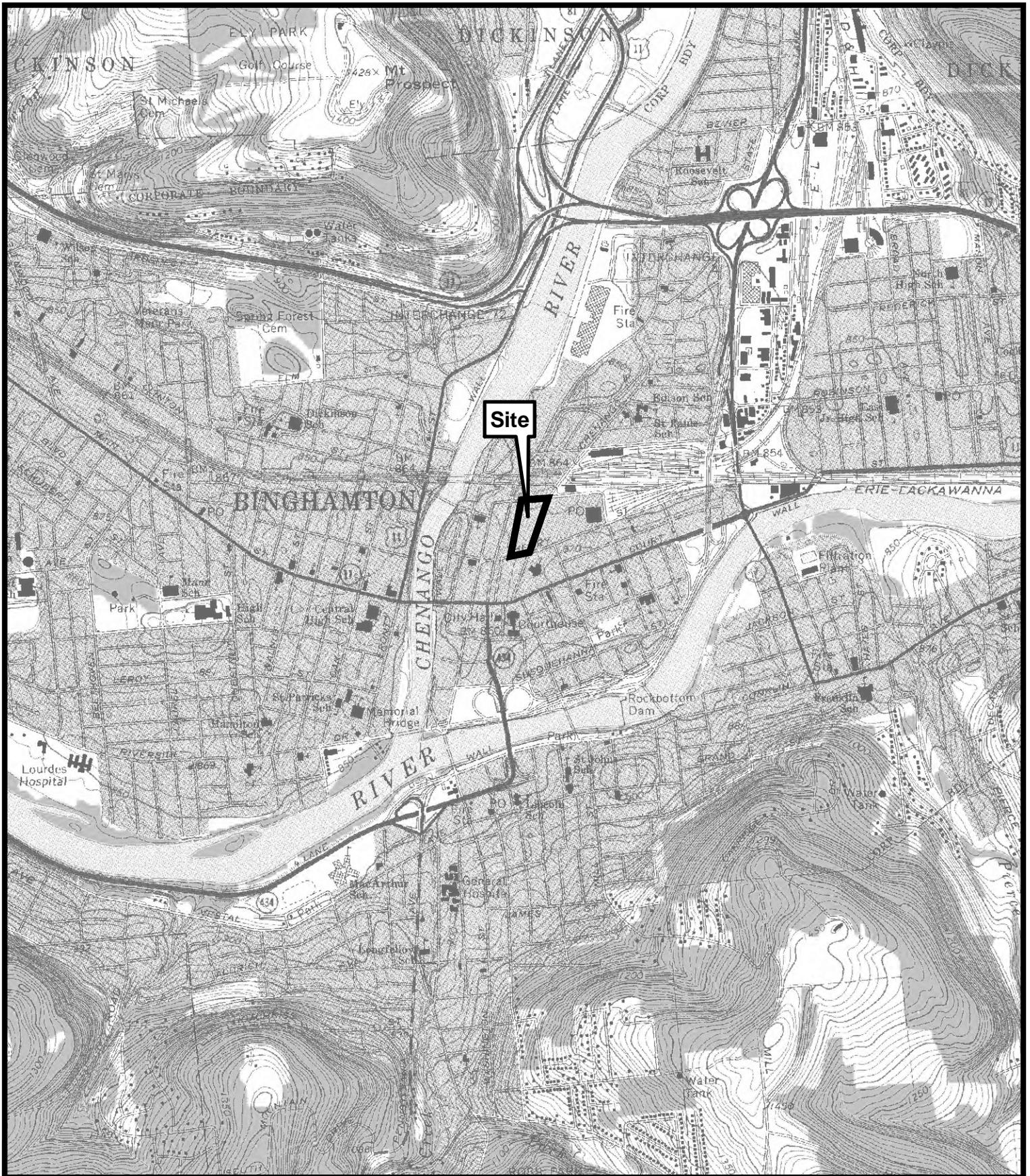
Very truly yours

FITZGERALD & HALLIDAY, INC.

David Laiuppa  
Planner II

Enclosure

cc: P. Stanton/ File (446.1)



# Binghamton Intermodal Transit Terminal EA

Binghamton, New York

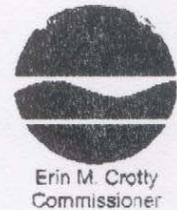
U.S.G.S. Quadrangle: Binghamton West, NY

1:24,000

July, 2004



**New York State Department of Environmental Conservation**  
**Division of Fish, Wildlife & Marine Resources**  
**New York Natural Heritage Program**  
625 Broadway, 5<sup>th</sup> floor, Albany, New York 12233-4757  
Phone: (518) 402-8935 • FAX: (518) 402-8925  
Website: [www.dec.state.ny](http://www.dec.state.ny)



April 22, 2005

David Laiuppa  
Fitzgerald & Halliday, Inc  
72 Cedar St  
Hartford, CT 06106

Dear Mr. Laiuppa:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to an Environmental Assessment for the proposed construction of Binghamton Intermodal Center, site as indicated on the map you provided, located in the City of Binghamton, Broome County.

Enclosed is a report of rare or state-listed animals and plants, significant natural communities, and other significant habitats, which our databases indicate occur, or may occur, on your site or in the immediate vicinity of your site. The information contained in this report is considered sensitive and may not be released to the public without permission from the New York Natural Heritage Program.

The presence of rare species may result in this project requiring additional permits, permit conditions, or review. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environment impact assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

Sincerely,

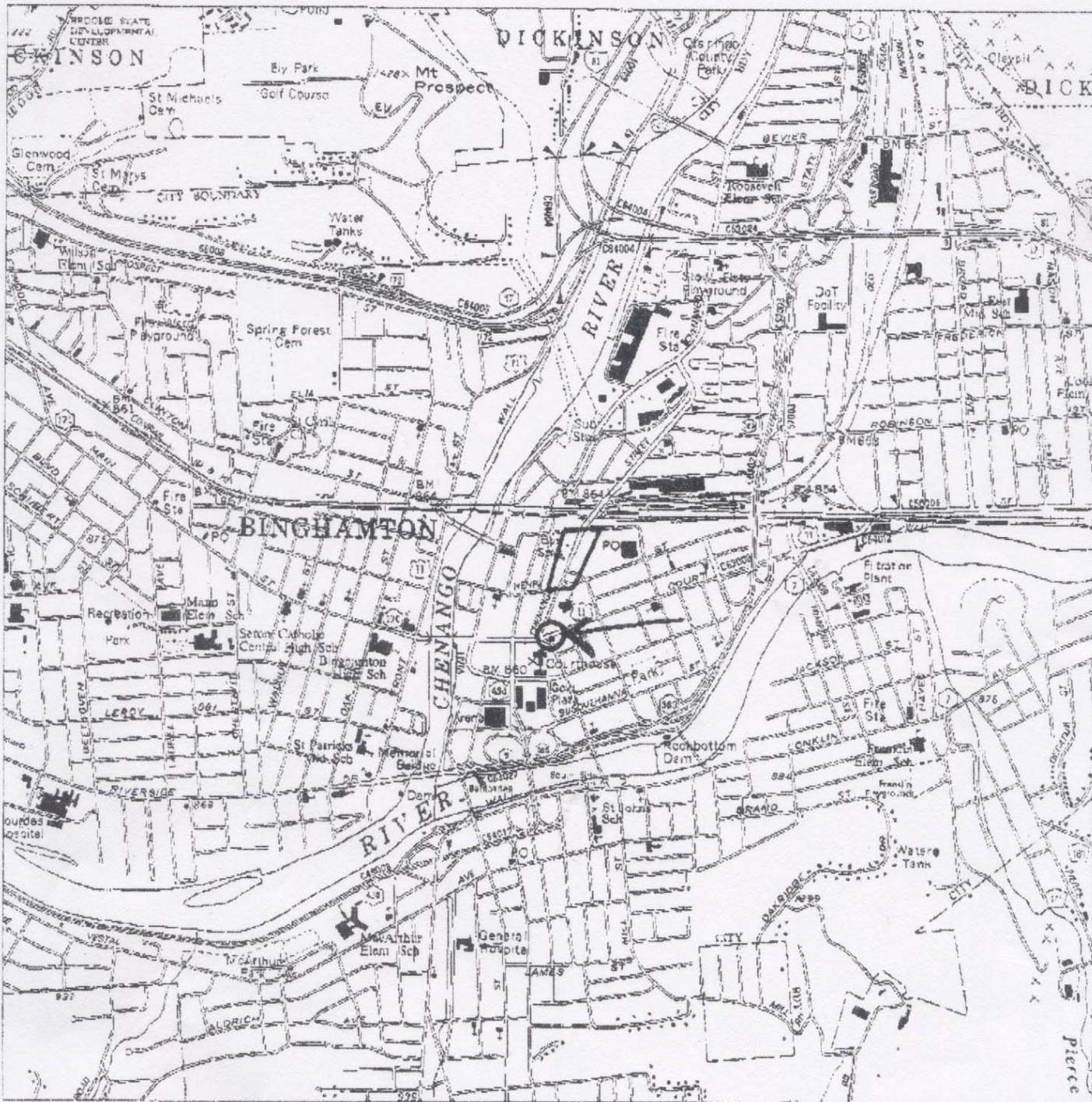
*Charlene Houle joo*  
Charlene Houle, Information Services  
NY Natural Heritage Program

Encs.

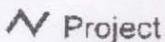
cc: Reg. 7, Wildlife Mgr.  
Reg. 7, Fisheries Mgr.  
Reg. 7, Bureau of Habitat  
Peter Nye, Endangered Species Unit,

# Natural Heritage Map of Rare Species and Ecological Communities

Prepared April 21, 2005 by the NY Natural Heritage Program, NYS DEC, Albany, NY



Map Overview



New York Natural Heritage Program Database Records

-  Animal
-  Community
-  Plant



Scale: 1:24,000

0.2 0 0.2 0.4 0.6 0.8 Miles

\*The locations that are displayed are considered sensitive and cannot be released to the public without permission. We do not provide map locations for all records. Please see report for details.

Natural Heritage Report on Rare Species and Ecological Communities



NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor,  
Albany, NY 12233-4757  
(518) 402-8935

\* Location displayed on map

- This report contains SENSITIVE information that may not be released to the public without permission from the NY Natural Heritage Program.
- Refer to the User's Guide for explanations of codes, ranks and fields.
- Location maps for certain species and communities may not be provided if 1) the species is vulnerable to disturbance, 2) the location and/or extent is not precisely known, and/or 3) the location and/or extent is too large to display.

**BIRDS**

*Falco peregrinus*

Office Use

Peregrine Falcon

NY Legal Status: Endangered

NYS Rank: S3B; Vulnerable

6207

Global Rank: G4; Apparently secure

EO Rank: \*\*

ESU

Last Report: \*\*

County: Broome

Town: City Of Binghamton

Location: Binghamton

Directions: Follow Route 11 west from the Chenango River to Exchange Street. The nest is located on a building on Exchange Street. The court house is to the west of the nest.

General Quality and Habitat: \*\*For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager or NYS DEC Endangered Species Unit at 518-402-8859.

**DRAGONFLIES  
and  
DAMSELFLIES**

*Ophiogomphus howei*

Office Use

Pygmy Snaketail

NY Legal Status: Unlisted, Special Concern

NYS Rank: S1; Critically imperiled

9404

Global Rank: G3; Vulnerable

M

EO Rank: \*\*

ESU

Last Report: \*\*

County: Broome

Town: Vestal, City Of Binghamton

Location: Susquehanna River Binghamton

Directions: Binghamton.

General Quality and Habitat: \*\*For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager or NYS DEC Endangered Species Unit at 518-402-8859.

2 Records Processed



FAX TRANSMITTAL RE: LISTED SPECIES REQUEST  
U.S. FISH AND WILDLIFE SERVICE  
New York Field Office  
3817 Luker Road, Cortland, NY 13045  
Phone: (607) 753-9334 Fax: (607) 753-9699



May 11, 2005

To: David Laiuppa

This responds to your March 21, 2005, request for listed species information in the vicinity of the proposed construction of the Binghamton Intermodal Center in the City of Binghamton, Broome County, New York.

Except for occasional transient individuals, no Federally-listed or proposed endangered or threatened species under our jurisdiction are known to exist within the project impact area. In addition, no habitat in the project impact area is currently designated or proposed "critical habitat" in accordance with provisions of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*). Therefore, no further ESA coordination or consultation with the U.S. Fish and Wildlife Service (Service) is required. Should project plans change, or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered. The most recent compilation of Federally-listed and proposed endangered and threatened species in New York\* is available for your information. If the proposed project is not completed within one year from the date of this FAX, we recommend that you contact us to ensure that the listed species presence/absence information for the proposed project is current. Should our determination change and any part of the proposed project be authorized, funded, or carried out, in whole or in part, by a Federal agency, further consultation between the Service and that Federal agency pursuant to the ESA may be necessary.

The above comments pertaining to endangered species under our jurisdiction are provided pursuant to the ESA. This response does not preclude additional Service comments under other legislation.

For additional information on fish and wildlife resources or State-listed species, we suggest you contact the appropriate State regional office(s),\* and:

New York State Department of Environmental Conservation  
New York Natural Heritage Program Information Services  
625 Broadway  
Albany, NY 12233-4757  
(518) 402-8935

Thank you for your time. If you require additional information please contact me at (607) 753-9334.

Sincerely,

Michael F. Stoll  
Endangered Species Biologist

\*Additional information referred to above may be found on our website at:  
<http://nyfb.fws.gov/es/section7.htm>



October 27, 2006

Ms. Charlene Houle  
Information Services  
New York Natural Heritage Program  
625 Broadway, 5<sup>th</sup> Floor  
Albany, NY 12233-4757

Re: Construction of Binghamton Intermodal Center  
City of Binghamton  
Broome County, New York

Dear Ms. Houle:

Back on March 21, 2005, Fitzgerald & Halliday, Inc. (FHI) submitted a request for listed species information in the vicinity of the proposed construction of the Binghamton Intermodal Center in the City of Binghamton, Broome County, New York. You responded to this request in a letter dated April 22, 2005 and we thank you for your cooperation. Attached to your April 22, 2005 letter (enclosed as reference) was a Natural Heritage Report on Rare Species and Ecological Communities that identified one endangered species (Peregrine Falcon) and one unlisted species of concern (Pygmy Snaketail Damselfly). A note on the attached report states that it contains SENSITIVE information that may not be released to the public without permission for the NY Natural Heritage Program (NYNHP).

The purpose of this letter is to request permission of the NYNHP to include the April 22, 2005 coordination letter in its entirety in an appendix to a National Environmental Policy Act (NEPA) Environmental Assessment (EA) that has been prepared for the above referenced project. The EA is a publicly circulated document. If including the letter verbatim in the EA is considered unacceptable by the NYNHP, we alternatively ask if it is appropriate if we include only the cover memo (excluding the more specific Natural Heritage Report on Rare Species and Ecologic Communities).

In the text of the EA, we have summarized our coordination with the NYNHP and the identification of the Peregrine Falcon and Pygmy Snaketail Damselfly in the following way so as not to divulge the specific location of the listed species:

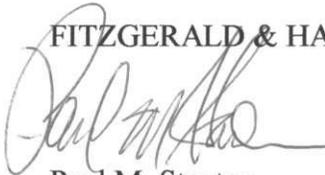
The NYDEC Division of Fish, Wildlife, & Marine Resources' Natural Heritage Program was contacted to identify ecologically sensitive areas and rare, threatened or endangered species that may exist in the general vicinity of the project site. The Natural Heritage Program reports that the Peregrine Falcon (*Falco peregrinus*), a State and Federal Endangered Species, and the Pygmy Snaketail Damselfly (*Ophiogomphus howei*), a State and Federal Special Concern Species, are listed in their database as occurring in the

Greater Binghamton Area (see NYDEC correspondence dated April 22, 2005 included in Appendix A). ... The Peregrine Falcon nest identified by the New York Natural Heritage Program is a few blocks away from the Proposed Action site and will not be impacted by the Proposed Action. The Pygmy Snaketail is a damselfly that occurs along the Susquehanna River Corridor. Because damselflies are associated with aquatic and riparian habitats, and since the construction of the Proposed Action is in an urban setting located approximately ½ mile north of the Susquehanna River, the Pygmy Snaketail damselfly will not be directly or indirectly impacted by the Proposed Action.

Please advise as to NYNHP's directive regarding the inclusion of the April 22, 2005 coordination letter as well as to the content of threatened and endangered species text we intend to include in the EA. Thanks for your cooperation on this matter.

Very truly yours

FITZGERALD & HALLIDAY, INC.

A handwritten signature in black ink, appearing to read 'Paul M. Stanton', written over the company name.

Paul M. Stanton  
Principal Planner

Enclosure

cc: D. Gray (Wendell Duchscherer)/ File (446.1)



October 27, 2006

Mr. Michael F. Stoll  
Endangered Species Biologist  
New York Field Office Supervisor  
United States Fish & Wildlife Service  
3817 Luker Rd  
Cortland, NY 13045

Re: Construction of Binghamton Intermodal Center  
City of Binghamton  
Broome County, New York

Dear Mr. Stoll:

Back on March 21, 2005, Fitzgerald & Halliday, Inc. (FHI) submitted a request for listed species information in the vicinity of the proposed construction of the Binghamton Intermodal Center in the City of Binghamton, Broome County, New York. You responded in a letter dated May 11, 2005 to this initial request and we thank you for your cooperation. In your May 11, 2005 letter (attached as reference) you indicated that if the proposed project is not completed within one year from the date of your letter, it is recommended that we again contact you to ensure that the listed species information for the proposed project is current.

Because the proposed project has not yet been completed, we are following your directive and are requesting updated correspondence from your office relative to listed species information. A map depicting the project study area is attached to help facilitate your review. Thank you for your assistance with this matter.

Very truly yours

FITZGERALD & HALLIDAY, INC.

Paul M. Stanton  
Principal Planner

Enclosure

cc: D. Gray (Wendell Duchscherer)/ File (446.1)

**Donald Gray**

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**From:** Paul Stanton [pstanton@fhiplan.com]  
**Sent:** Tuesday, November 07, 2006 4:41 PM  
**To:** Donald Gray  
**Subject:** New York Natural Heritage - Response to my letter - Binghamton

Hi Don,

A person by the name of Nick Conrad of the New York Natural Heritage Program just called me and asked a few questions about the intermodal center project – basically what is it and what does it involve. These questions were precipitated by the letter you asked me to prepare in response to Nina Chung's comments on our draft EA. After explaining the project to him, Mr. Conrad stated that he has no problem with us including the original NYNHP correspondence in its entirety in the EA document. The damselfly is not a sensitive species and Peregrine Falcons typically nest on buildings and this is not an issue relative to our project.

*Paul M. Stanton*  
Principal Planner  
Fitzgerald & Halliday, Inc.  
(860) 267-5982 P  
(860) 540-1126 F  
[pstanton@fhiplan.com](mailto:pstanton@fhiplan.com)  
[www.fhiplan.com](http://www.fhiplan.com)



**FAX TRANSMITTAL RE: LISTED SPECIES REQUEST**  
U.S. FISH AND WILDLIFE SERVICE  
New York Field Office  
3817 Luker Road, Cortland, NY 13045  
Phone: (607) 753-9334 Fax: (607) 753-9699



November 8, 2006

To: Paul M. Stanton

This responds to your October 27, 2006, request for listed species information in the vicinity of the proposed Binghamton Intermodal Center in the City of Binghamton, Broome County, New York.

Except for occasional transient individuals, no Federally-listed or proposed endangered or threatened species under our jurisdiction are known to exist within the project impact area. In addition, no habitat in the project impact area is currently designated or proposed "critical habitat" in accordance with provisions of the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*). Therefore, no further ESA coordination or consultation with the U.S. Fish and Wildlife Service (Service) is required. Should project plans change, or if additional information on listed or proposed species or critical habitat becomes available, this determination may be reconsidered. The most recent compilation of Federally-listed and proposed endangered and threatened species in New York is available for your information.\* Until the proposed project is complete, we recommend that you check our website every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project is current.\* Should our determination change and any part of the proposed project be authorized, funded, or carried out, in whole or in part, by a Federal agency, further consultation between the Service and that Federal agency pursuant to the ESA may be necessary. We highly recommend that you check our website before submitting future requests.\*

The above comments pertaining to endangered species under our jurisdiction are provided as technical assistance pursuant to the ESA. This response does not preclude additional Service comments under other legislation.

For additional information on fish and wildlife resources or State-listed species, we suggest you contact the appropriate New York State Department of Environmental Conservation regional office(s) and New York Natural Heritage Program Information Services.\*

Thank you for your time. If you require additional information please contact me at (607) 753-9334. Future correspondence with us on this project should reference project file 70107.

Sincerely,

Robyn A. Niver  
Endangered Species Biologist

\*Additional information referred to above may be found on our website at:  
<http://www.fws.gov/northeast/nyfo/es/section7.htm>

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October 18, 2004

Ms. Kathleen LaFrank  
New York State Historic Preservation Office  
Peebles Island Resource Center  
P.O. Box 189  
Waterford, NY 12188-0189

**Re: Binghamton Intermodal Transit Center Environmental Assessment  
Binghamton, New York**

Dear Ms. LaFrank:

On behalf of the Broome County Metropolitan Transportation Study (BMTS), Fitzgerald & Halliday, Inc. (FHI) is presently under contract to Wendel Duchscherer Architects & Engineers, PC to prepare a federal environmental assessment and SEQR documents for the creation of the Binghamton Intermodal Transit Center. The purpose of this letter is to request that your agency comment on the proposed project.

The study area for this project is bounded on the north by Lewis Street; on the east by Chenango Street; on the south by Henry Street; and on the west by Prospect Avenue. As discussed in our phone conversation on September 8, 2004, FHI is seeking to establish an Area of Potential Effect (APE) through coordination with your office. Since the planned development is going to occur within the existing envelope of the city block, FHI suggests that the APE form a perimeter measuring 250 feet in width surrounding the project area.

Potential historic resources located within or adjacent to the study area were identified through review of the SHPO archives; review of National Register of Historic Places listings; consultation with Binghamton Community and Urban Designer, Laurie Kimball, on August 12, 2004; and field inspections on August 12 and 13, 2004. This research revealed that a number of historic resources fall within or are adjacent to the proposed APE area. These include three National Register Districts (which are also state and local historic districts), and four potentially eligible structures. Historic resources that fall within or adjacent to the study area are listed in Table 5. Design plans are still in the preliminary stages, but they indicate that the three historic structures located within the study area will remain intact. As more definite design plans are developed, FHI will continue to coordinate with your office.

**Table 1: Historic Resources in the Area of Potential Effect of the Binghamton ITC**

<b>Name</b>	<b>Location</b>	<b>Date Built</b>	<b>Description</b>	<b>National Register Status</b>	<b>Effect from ITC Project</b>
Greyhound Station	81 Chenango Street	1938	Functioning Art Deco/Art Modern bus station.	Potentially eligible	None anticipated
Southern Tier Independence Center	87-89 Chenango Street	1903	Five-story, brick industrial building. Rusticated brickwork on the façade.	Potentially eligible	None anticipated
Little Venice	107-111 Chenango Street	c. 1910	Three-story, brick building with elaborate terra cotta embellishments on the façade	Potentially eligible	None anticipated
U-Haul Building	127 Chenango Street	c. 1900	Four-story brick building with buff brick façade and arched windows on the top story	Potentially eligible	Potential alteration/removal
Rail Terminal Historic District	Immediately north of the site	1876-1920	A district of 20 buildings. Most are two to five-story masonry buildings with brick facades built in the commercial/industrial style with Italianate-style embellishments.	Listed on the State and National Registers	None anticipated
Court Street Historic District	Immediately south of the site	1840-1940	The district contains 104 building. The majority of the structures are located within the Downtown area and include the courthouse and numerous Victorian-era commercial structures.	Listed of the State and National Registers	None anticipated
State and Henry Street Historic District	Immediately west of the site	1870-1935	The district consists of 23 buildings most of which are of masonry construction and	Listed of the State and National Registers	None anticipated

A project description, annotated tax map, a Sanborn Fire Insurance Map from 1887, maps of the historic districts and photos of each eligible or potentially eligible resource are attached for your review. In the coming weeks we expect to have a design plan of the proposed project, which we will send up to you as soon as it become available. Please send or fax any comments to the above address or fax number to my attention. You may also reach me at (860) 945-0688 if you have any questions.

Thank you for consideration.

FITZGERALD & HALLIDAY, INC.

Stacey S. Vairo  
Architectural Historian/ Planner II

cc: Paul Stanton  
Steven Bedford  
File P 449.1

## **PROJECT DESCRIPTION**

The Broome County Metropolitan Transportation Study (BMTS) is studying the potential for an intermodal terminal that will serve intercity bus operators and the local public transit service on the block bounded by Lewis Street, Chenango Street, Henry Street and Prospect Avenue. The current intercity bus operators are Greyhound and Coach USA / Shortline – both currently located within the study area. Public transportation in the area is provided by Broome County through its Department of Public Transportation. The local fixed route bus service, BC Transit, utilizes a hub-and-spoke route structure with pulse scheduling. Broome County also operates BC Lift, which is a demand-response urban handicapped transit service, and BC Country, which is a demand-response rural transit service. The new intermodal terminal will become the central transfer point for these intercity and local transportation services. The terminal will also potentially serve as the transit point for paratransit services from adjacent counties. As a central transportation hub, the terminal will also serve pedestrians, bicyclists, taxicabs, kiss-and-ride users, and shuttle services.

The new intermodal terminal will require a total site and building area of approximately 175,000 SF, or four (4) acres. Sixteen bus slips will be necessary for the local bus service, Broome County Transit. Nine bus slips each will be necessary for Greyhound and Coach USA/Shortline, for a total of eighteen (18) intercity slips. Total parking requirements are approximately 120 spaces.

Photos of the Project Area



Photo 1: Greyhound Station, 81 Chenango Street. View northwest.



Photo 2: Detail of Greyhound Station façade. View northwest.



Photo 3: Detail of Greyhound sign on façade. View north.



Photo 4: Stairwell on interior of Greyhound terminal. View west.



Photo 5: Southern Tier Building, 87-89 Chenango Street. View southwest.



Photo 6: Detail of Southern Tier Building. View northwest.



Photo 7: Little Venice, 107-111 Chenango Street. View northwest.

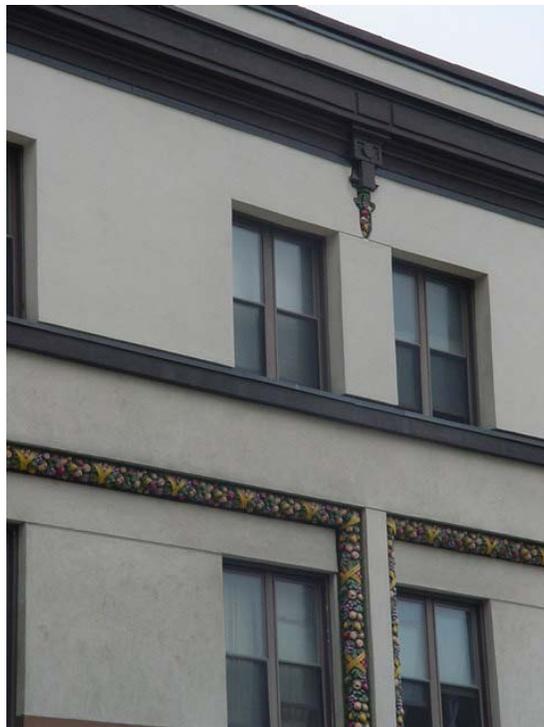


Photo 8: Detail of Little Venice façade



Photo 9: U-Haul Building, 127 Chenango Street. View northwest.



Photo 10: 127 Chenango and corner lot of the site. View southwest.



**New York State Office of Parks, Recreation and Historic Preservation**  
Historic Preservation Field Services Bureau  
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

December 8, 2004

Stacey S. Vairo  
Architectural Historian/Planner II  
Fitzgerald & Halliday, Inc.  
72 Cedar Street  
Hartford, Connecticut 06106

Re: **FTA**  
**Intermodal Transit Center**  
**(Environmental Assessment)**  
**Binghamton, Broome County**  
**04PR06145**

Dear Ms. Vairo:

Thank you for requesting the comment of the State Historic Preservation Office (SHPO). We have initiated the review of the project in accordance with Section 106 of the National Historic Preservation Act of 1966 and relevant implementing regulations.

Enclosed, please find Archeology Comments directing that a survey be conducted and the results submitted to our office for additional review. Also enclosed are Building Evaluation Comments recognizing that the Greyhound Building is eligible for listing in the National Register of Historic Places. As noted in the submitted Historic Resource Table, other adjacent buildings may also be eligible for the National Register but we will need additional information before we can answer this question.

Before our office can offer its formal opinion for the project, we will need project plans and building elevations in addition to the information requested above. Please provide this material as soon as it becomes available so that we can complete our review of the project. If you have any questions regarding this letter, please feel free to contact me at your convenience. Ext. 3273.

Sincerely,

Kenneth Markunas  
Historic Sites Restoration Coordinator

Cc: Nancy Danzig, FTA

Attachment: Archeology Comments & Building Evaluation Comments

# BUILDINGS/STRUCTURES/DISTRICTS EVALUATION COMMENTS

PROJECT NUMBER 04 PR 06145

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- Based upon a review of the information submitted and the scope of the project described, the State Historic Preservation Office (SHPO) has the following comments about historic buildings/structures/ districts within your project area.

As you note, the site is adjacent to a National Register listed district.

The Greyhound building is eligible for National Register listing. It is hard to tell about the others without a closer look and more information. They seem fairly marginal but that's just based on the image provided. Let's wait until we have a better idea of the potential impacts.

\*Please let us know if this project involves any state or federal funds or permits.

---

If you have any questions concerning these comments, please call Kathleen LaFrank at (518) 237-8643 ext. 261.

**PLEASE BE SURE TO REFER TO THE PROJECT NUMBER NOTED  
ABOVE WHEN RESPONDING TO THIS REQUEST**



**New York State Office of Parks, Recreation and Historic Preservation**

Historic Preservation Field Services Bureau

Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

Bernadette Castro  
Commissioner

In an effort to better serve the public and other agencies, the New York State Historic Preservation Office (SHPO) is introducing its **On Line Resource Center**. This tool is part of our new web site. Simply go to [www.nysparks.state.ny.us/shpo](http://www.nysparks.state.ny.us/shpo) and select **On Line Resources** from the menu. Here users will discover links to three new web based programs:

**Geographic Information System (GIS)**

A map based program that allows the user to select a community and view the boundaries of properties listed in the State and National Registers of Historic Places in New York State. The site also allows the user the ability to see a graphic depiction of areas that may be archeologically sensitive. These two components will provide most users with a comprehensive initial overview of the cultural resources of a specific location within the state.

**National Register Document Imaging Program**

This program contains the images of New York's more than 4,400 State and National Registers of Historic Places documents. An easy search program allows the user to select listed resources by community, type, style, materials, or historic use.

**SPHINX (State Preservation Historic Inventory Network Exchange)**

This system provides access to the State Historic Preservation Office's program-wide database for bureau records. This database includes information on more than 250,000 addresses in the state. (requires a password signup)

We are requesting that you utilize these applications to determine the **general** presence or absence of cultural resources in your community or project area **prior** to submitting a request for this data to our office. It is expected that these on-line tools should eliminate your need to submit information queries where only the State Environmental Quality Review Act (SEQRA) is involved. Consultation with the SHPO is mandatory when there is any state or federal involvement in a project.

If you should have questions regarding these new programs please do not hesitate to contact John Bonafide at (518) 237-8643, ext. 3263

Thank you for your assistance in helping us to streamline our process and to better meet your needs.

**ATTENTION**

Please find attached a **REVISED Project Review Cover Form**. This new version replaces the one currently in circulation. Please include this form with **ALL** submissions to this office.



# PROJECT REVIEW COVER FORM

Rev. 10-04

Please complete this form and attach it to the top of any and all information submitted to this office for review.  
 Accurate and complete forms will assist this office in the timely processing and response to your request.

This information relates to a previously submitted project.

PROJECT NUMBER PR

If you have checked this box and noted the previous Project Review (PR) number assigned by this office you do not need to continue unless any of the required information below has changed.

COUNTY \_\_\_\_\_

2. This is a new project.

If you have checked this box you will need to complete ALL of the following information.

Project Name \_\_\_\_\_

Location \_\_\_\_\_

You MUST include street number, street name and/or County, State or Interstate route number if applicable

City/Town/Village \_\_\_\_\_

List the correct municipality in which your project is being undertaken. If in a hamlet you must also provide the name of the town.

County \_\_\_\_\_

If your undertaking covers multiple communities/counties please attach a list defining all municipalities/counties included.

## TYPE OF REVIEW REQUIRED/REQUESTED (Please answer both questions)

A. Does this action involve a permit approval or funding, now or ultimately from any other governmental agency?

No  Yes

If Yes, list agency name(s) and permit(s)/approval(s)

Agency Involved	Type of permit/approval	State	Federal
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

B. Have you consulted the NYSPHO web site at <http://www.nysparks.state.ny.us/shpo> to determine the preliminary presence or absence of previously identified cultural resources within or adjacent to the project area? If yes:

Yes  No

Was the project site wholly or partially included within an identified archeologically sensitive area?

Yes  No

Does the project site involve or is it substantially contiguous to a property listed or recommended for listing in the NY State or National Registers of Historic Places?

Yes  No

## CONTACT PERSON FOR PROJECT

Name \_\_\_\_\_ Title \_\_\_\_\_

Firm/Agency \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ STATE \_\_\_\_\_ Zip \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_\_ E-Mail \_\_\_\_\_

## The Historic Preservation Review Process in New York State

In order to insure that historic preservation is carefully considered in publicly-funded or permitted undertakings\*, there are laws at each level of government that require projects to be reviewed for their potential impact/effect on historic properties. At the federal level, Section 106 of the National Historic Preservation Act of 1966 (NHPA) directs the review of federally funded, licensed or permitted projects. At the state level, Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law of 1980 performs a comparable function. Local environmental review for municipalities is carried out under the State Environmental Quality Review Act (SEQRA) of 1978. (regulations on line at: [www.nysparks.state.ny.us/shpo](http://www.nysparks.state.ny.us/shpo) Environmental Review)

Project review is conducted in two stages. First, the Field Services Bureau assesses affected properties to determine whether or not they are listed or eligible for listing in the New York State or National Registers of Historic Places. If so, it is deemed "historic" and worthy of protection and the second stage of review is undertaken. The project is reviewed to evaluate its impact on the properties significant materials and character. Where adverse effects are identified, alternatives are explored to avoid, or reduce project impacts; where this is unsuccessful, mitigation measures are developed and formal agreement documents are prepared stipulating these measures.

### ALL PROJECTS SUBMITTED FOR REVIEW SHOULD INCLUDE THE FOLLOWING MATERIAL(S).

**Project Description**

Attach a full description of the nature and extent of the work to be undertaken as part of this project. Relevant portions of the project applications or environmental statements may be submitted.

**Maps Locating Project**

Include a map locating the project in the community. The map must clearly show street and road names surrounding the project area as well as the location of all portions of the project. Appropriate maps include tax maps, Sanborn Insurance maps, and/or USGS quadrangle maps.

**Photographs**

Photographs may be black and white prints, color prints, or color laser/photo copies; standard (black and white) photocopies are NOT acceptable.

*-If the project involves rehabilitation, include photographs of the building(s) involved. Label each exterior view to a site map and label all interior views.*

*-If the project involves new construction, include photographs of the surrounding area looking out from the project site. Include photographs of any buildings (more than 50 years old) that are located on the project property or on adjoining property.*

**NOTE: Projects submissions will not be accepted via facsimile or e-mail.**

\**Undertaking* is defined as an agency's purchase, lease or sale of a property, assistance through grants, loans or guarantees, issuing of licenses, permits or approvals, and work performed pursuant to delegation or mandate.



New York State Office of Parks, Recreation and Historic Preservation  
 Historic Preservation Field Services Bureau  
 Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

### ARCHEOLOGY COMMENTS

04PR 06145

Based on reported resources, there is an archeological site in or adjacent to your project area. Therefore the Office of Parks, Recreation and Historic Preservation (OPRHP) recommends that a Phase 1A archeological survey is warranted. SHPO is aware that portions of the project have been subjected to substantial ground disturbance in the past. However, recent experience in similar areas throughout the state, has revealed that substantial and significant archeological deposits remain intact between the disturbed areas, often below existing street surfaces and structures. To better assess the level of ground disturbance at this property a detailed Phase 1A Survey is required at this time.

A Phase 1 survey is designed to determine the presence or absence of archeological sites or other cultural resources in the project's area of potential effect. The Phase 1 survey is divided into two progressive units of study including a Phase 1A sensitivity assessment and initial project area field inspection, and a Phase 1B subsurface testing program for the project area. The OPRHP can provide standards for conducting cultural resource investigations upon request. Cultural resource surveys and survey reports that meet these standards will be accepted and approved by the OPRHP.

Our office does not conduct cultural resources surveys. A 36 CFR 61 qualified archeologist should be retained to conduct the Phase 1 survey. Many archeological consulting firms advertise their availability in the yellow pages. The services of qualified archeologists can also be obtained by contacting local, regional, or statewide professional archeological organizations. Phase 1 surveys can be expected to vary in cost per mile of right-of-way or by the number of acres impacted. We encourage you to contact a number of consulting firms and compare examples of each firm's work to obtain the best product.

Documentation of ground disturbance should include a description of the disturbance with confirming evidence. Confirmation can include current photographs and/or older photographs of the project area, which illustrate the disturbance (approximately keyed to a project area map), past maps or site plans that accurately record previous disturbances, or current soil borings that verify past disruptions to the land.

If you have any questions concerning archeology, please call Mike Schifferli at (518) 237-8643 ext. 3281.

Post-it® Fax Note 7671		Date	1-12-05	# of pages	1
To:	STACY VAIRO	From:	KEN MARKUNAS		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	860 247-7206	Fax #			

M.Schifferli

12/03/04



October 13, 2005

Ms. Kathleen LaFrank  
New York State Historic Preservation Office  
Peebles Island Resource Center  
P.O. Box 189  
Waterford, NY 12188-0189

**Re: Binghamton Intermodal Transit Center Environmental Assessment  
Binghamton, New York  
04PR06145**

Dear Ms. LaFrank:

On behalf of the Broome County Metropolitan Transportation Study (BMTS), Fitzgerald & Halliday, Inc. (FHI) is presently under contract to Wendel Duchscherer Architects & Engineers, PC (WD) to prepare a federal environmental assessment and SEQR documents for the creation of the Binghamton Intermodal Transit Center. The purpose of this letter is to request that your agency comment on updated project information.

Since our phone conversation on October 5, 2005, I've determined that this project is 80% federally funded, 10% state funded and 10% locally funded. We have since received some plans which will determine the impacts to the historic structures located within the project area. These are attached. Option J shows the footprint plans for the preferred alternative. The Demolition plan shows that two historic properties and one property attached to a historic property will be directly impacted as a result of the project. The first building at 87-89 Chenango Street is the Southern Tier Independence Building (also known as the S.T.I.C. Building). It is a five story brick industrial building with arched windows on the top story and a rusticated brick façade (images are attached). There is a vitrolite façade with shop windows on the bottom story.

The S.T.I.C. building was the first industrial building to be constructed on this block between 1891 and 1898 (not 1903 as reported in the earlier letter). It was built for the George Kent and Company Cigar Factory and served as an electrical supply store between 1918 and 1940. It was most likely during this period that the rusticated brick façade and vitrolite storefront were added. As an indication of local support and connection with the building, the S.T.I.C. building was not included in the Local Landmark Nominations for the Susquehanna Urban Cultural Park (1987) prepared by the Office of Development and Community Services.

While they are not seeking a final recommendation without design and elevation plans of the proposed project, Wendell Duscherer is very concerned about the SHPO's determination regarding the demolition of the S.T.I.C. Building. Please contact us to discuss, and to let us know as soon as possible what additional materials if any are required to further evaluate any of this impacted property.

The second building that will be directly impacted is the Greyhound Terminal at 81 Chenango Street. In discussions with Don Gray, Project Manager at Wendell Duscherer, he indicated that he had received original drawings and plans of the station from Greyhound. The plans specify that a restaurant was located in the main lobby of the terminal. WD plans to bring the lobby space closer to the original design and restore missing features that may have been modified over the years. The mail sorting facility at the rear of the structure is the only portion that will be removed. This is a single-story concrete block addition that was added some time in the 1950s. The planned demolition would therefore bring the building back to its original built form. The facade of the structure would be incorporated into the enlarged terminal.

Finally, the Short Line Bus Terminal built c. 1965, a single-story former car showroom is attached to the south side of the Little Venice Building at 107 Chenango Street. Little Venice is an important local landmark in the community and therefore WD has recognized its importance. The plans call only for the removal of the terminal and the structure at 111 Chenango will remain as it is.

Images of all of the structures are attached.

Additionally, FHI has received the Phase I Archeology Report completed by the Public Archeology Facility at Binghamton University. The report indicates the need for Phase IB archeological testing prior to the start of the project based on the prehistoric and historic sensitivity of the site. We have included this report for your review.

In the coming weeks we expect to have elevation plans of the proposed project, which we will send to you as soon as they become available. In the interim if we could have your opinion on the S.T. I. C. building it would be greatly appreciated. We would also be pleased to set up a conference call to discuss this further at your convenience. Please send or fax any comments to the above address or fax number to my attention. You may also reach me at (860) 945-0688 if you have any questions.

Thank you for consideration.

FITZGERALD & HALLIDAY, INC.

Stacey S. Vairo  
Senior Architectural Historian/ Planner

cc: Paul Stanton  
File P 449.1

Photos of the Project Area



Photo 1: Greyhound Station, 81 Chenango Street. View northwest.



Photo 2: Detail of Greyhound Station façade (S.T.I.C. building is in the background). View northwest.



Photo 3: Detail of Greyhound sign on façade. View north.



Photo 4: Detail - entrance to Greyhound bus station.



Photo 5: Mail sorting facility at Greyhound Station. View northeast. (Source: PAF Report)



Photo 6: Lobby of the Greyhound Terminal



Photo 7: Southern Tier Building, 87-89 Chenango Street. View southwest.



Photo 8: Detail of rusticated façade of Southern Tier Building. View northwest.



Photo 9: Streetscape showing Chenango Street (S.T. I. C. Building is thris from right). View southwest. (Source: PAF Report)



Photo 10: Rear of S.T.I. C. Building (Source: PAF Report)



Photo 11: Little Venice and Short Line bus Terminal, 107-111 Chenango Street. View northwest.



New York State Office of Parks, Recreation and Historic Preservation  
Historic Preservation Field Services Bureau  
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

June 5, 2006

Commissioner Rita M. Petkash  
Broome County Department of Planning & Economic Development  
Broome County Office Building  
44 Hawley Street  
P.O. Box 1766  
Binghamton, N.Y. 13902

Re: FTA  
Binghamton Intermodal Transit Center  
Binghamton, Broome County  
04PR06145

Dear Commissioner Petkash:

Thank you for continuing to consult with the State Historic Preservation Office (SHPO). SHPO has reviewed the materials you submitted in accordance with Section 106 of the National Historic Preservation Act of 1966 and relevant implementing regulations and with the New York State Parks, Recreation and Historic Preservation Law, Section 14.09. The materials were received on December 1st, 2004, October 18<sup>th</sup>, 2005, March 1st, and April 28<sup>th</sup>, and May 10<sup>th</sup>, 2006.

The materials submitted included, but were not limited to a draft environmental assessment, a Phase 1A archeological study, a rendering and floor plan of the new terminal building that will incorporate the Greyhound bus terminal.

Based upon this review, the SHPO has determined that the Greyhound bus terminal is National Register Eligible, see enclosed Resource Evaluation. The Kent/STIC building is Not National Register Eligible, see enclosed Buildings/Structures/Districts Evaluation Comments. Questions regarding the eligibility of these two buildings may be addressed to Kathleen LaFrank at 518-237-8643 ext 3261. The Short Line Bus Terminal built in 1965 does not meet the fifty year threshold for eligibility.

The demolition of the Kent/STIC building and the Short Line Bus Terminal will not negatively effect cultural resources in or eligible for inclusion in the State and National Registers of Historic Places.

2

It is SHPO's preliminary opinion that the new terminal will not have a negative effect upon cultural resources in or eligible for inclusion in the State and National Registers of Historic Places if it is built as shown in the rendering prepared by Wendel-Duchscherer received on May 10<sup>th</sup>, 2006.

However, if the new terminal design follows the footprint outlined in drawing A101 titled Schematic Design, First Floor Plan dated May 2<sup>nd</sup>, 2006 prepared by Wendel-Duchscherer it is our opinion that the new terminal will have a negative effect on cultural resources.

Our formal comments regarding Effect will depend upon the final architectural plans submitted and the satisfaction of our concerns regarding archeology.

The SHPO can not evaluate the potential impacts of this project to archeological resources until the Phase 1B field investigation has been completed. Therefore, the SHPO recommends that this field investigation be completed as soon as possible to allow a determination if National Register Eligible archeological deposits are present and an evaluation of the effects of the project on those resources.

If the city of Binghamton and the FTA decide to move forward with the project without completing the evaluation of impacts to archeological resources in advance, SHPO recommends the development of a Programmatic Agreement that will outline procedures for insuring that proper identification, evaluation and if necessary mitigation, of any archeological resources present are carried out. Questions regarding archeology may be directed to Douglas Mackey 518-237-8643 ext 3291.

SHPO appreciates the opportunity to comment on this project. Should you have questions about this review, please contact me at 518-237-8643 ext 3284 or at [marie.sarchiapone@oprhp.state.ny.us](mailto:marie.sarchiapone@oprhp.state.ny.us). Using the PR# above will expedite the processing of future submissions. Thank you.

Sincerely,



Marie Sarchiapone  
Historic Sites Restoration Coordinator

Cc: Joe Pollack, DOT Region 9

**APPENDIX B**  
**NOISE ASSESSMENT TECHNICAL MEMORANDUM**  
**AND ASSOCIATED FTANOISE SPREADSHEETS**

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**FEDERAL TRANSIT ADMINISTRATION  
GENERAL NOISE ASSESSMENT**

**Binghamton Intermodal Transit Terminal**

**Prepared under contract to:**

**WENDEL DUCHSCHERER ARCHITECTS & ENGINEERS**

**For:**

**Broome County Department of Planning  
and Economic Development (BCDPED)**

**By:**

**FITZGERALD & HALLIDAY, INC.  
72 Cedar Street  
Hartford, Connecticut 06106**



**January 2006**

**Federal Transit Administration General Noise Assessment  
for  
Binghamton Intermodal Transit Terminal  
Binghamton, NY**

**PROJECT BACKGROUND**

The Proposed Action is the construction of a new intermodal passenger terminal in downtown Binghamton, New York, hereinafter referred to as the Binghamton Intermodal Transit Terminal (BITT). The BITT will serve as a central transportation hub and gateway to the City of Binghamton. It will accommodate local and intercity bus services, pedestrians, bicyclists, taxicabs, kiss-and-ride users, and shuttle and paratransit services. Specifically, services at the new BITT facility will include Broome County (BC) Transit, BC Country (on demand rural service), BC Lift (on demand ADA service), Greyhound Bus Lines, Coach USA/Shortline Bus, and potentially Tioga County Public Transit.

The Proposed Action is planned for the block bounded by Henry Street, Chenango Street, Lewis Street, and Prospect Avenue and includes the construction of a 14,000 to 18,000 square foot (SF) terminal. Approximately 2,500 to 3,500 SF of the total area will involve adaptive reuse of an existing Greyhound Terminal with the remaining square footage being new construction. The total site area needed for the project, including the building area, is estimated to be approximately 150,000 SF. The exact amount of square footage will be verified as the conceptual design progresses and a detailed space program is developed.

To assess the potential for project-related noise impacts to nearby noise sensitive land uses, the Federal Transit Administration's (FTA) General Noise Assessment Spreadsheet (FTANOISE) and associated FTA guidance manual, *Transit Noise and Vibration Impact Assessment* (DOT-T-95-16, April, 1995) was implemented.

This Technical Memorandum generally describes how the FTA General Noise Assessment was conducted for this project. It includes identification of noise sensitive land uses in the project's vicinity, clarification of data input parameters and assumptions used to estimate existing (2005) and future (2007) noise levels, an interpretation of the FTANOISE results, and a discussion of noise mitigation measures if it is determined that such mitigation measures are necessary and applicable. FTANOISE results for both existing (2005) and future (2007) conditions at each of the noise sensitive land uses are appended to this Technical Memorandum.

**FTA GENERAL NOISE ASSESSMENT METHODOLOGY**

The FTA General Noise Assessment procedure involves noise predictions commensurate with the level of detail available in the early planning stages of major investment transit projects. Estimates are made of project noise levels and of existing noise conditions to

determine potential impacts on nearby noise sensitive land uses. The assessment is conducted using FTANOISE, a spreadsheet program developed by the consulting firm of Harris Miller Miller & Hanson for the FTA based on detailed analysis of noise impacts from various transit related activities nationwide. It includes complex formulae that calculate predicted noise levels from input criteria entered by the user.

To estimate existing noise levels, the user is prompted by FTANOISE for specific data related to existing noise sources in the project area depending on the type of noise source present (i.e., rail corridor, highway corridor, bus facility, parking garage etc.). Data inputs include distance from noise source to receiver, number of hourly operations, and number of structures between noise source and receiver, among others. Additionally, the user is prompted for the Land Use Category (defined below) associated with the noise sensitive land use being evaluated. The prediction of future (2007) noise levels resulting from the project requires the user to input project specific data such as distance from project to receiver, number of daytime and nighttime hourly operations, and number of structures between the project and the noise sensitive land use, among others. The Land Use Category of the noise sensitive land use being evaluated is also required as input.

To determine the actual noise impact at a specific noise sensitive land use, the resulting existing noise levels and future project noise levels are compared using FTA noise impact criteria reported in the FTA guidance manual (DOT-T-95-19, April, 1995).

## **NOISE SENSITIVE LAND USE**

There are three categories of noise sensitive land uses defined by FTA. A Category 1 Land Use is generally defined as a tract of land where quiet is an essential element in its intended purpose, such as an outdoor concert pavilion or a National Historic Landmark where outdoor interpretation routinely takes place. Category 2 Land Uses include residences and buildings where people sleep, and Category 3 Land Uses include institutional land uses with primarily daytime and evening use such as schools, churches, and libraries. Parklands with both active and passive recreational use are also considered to be Category 3 Land Uses (DOT-T-95-16, April, 1995).

Land use within the project vicinity has been evaluated and is documented in detail in the Land Use section of the Environmental Assessment (EA). In general, the block slated for the BITT includes several commercial transportation uses, including two bus terminals and a large truck rental and self storage complex (U-Haul). Uses in the other few buildings on the block include mixed office/commercial and a restaurant. The block also contains two abandoned/vacant structures. Adjacent land uses include residential (two senior housing high-rises), a small pocket park, retail, office, institutional (federal courthouse), the Broome County arts center, parking lots and parking structures, and a variety of vacant/abandoned properties. The block west of the Proposed Action (between State Street and Prospect Avenue) tends to have a collection of older, comparatively small, former manufacturing sites that are gradually being refurbished and reoccupied.

They house a diversity of uses such as restaurants, student housing, art galleries, artist loft/studio space, and a few small industrial activities.

According to the noise screening procedure contained in Chapter 4 of the FTA guidance manual *Transit Noise and Vibration Impact Assessment* (DOT-T-95-16, April, 1995), only those noise sensitive land uses located within a maximum of 300 feet of the proposed BITT should be considered in the FTANOISE analysis. By overlaying the 300 foot noise screening buffer on an aerial photo of the project site, a total of five residential, or Category 2 Land Uses, were identified within 300 feet of the new BITT. These five noise sensitive receptors, labeled R1-through R5, are depicted in Figure 1. No Category 1 or Category 3 Land Uses were identified within the 300 foot screening buffer.

## **DETERMINATION OF EXISTING (2005) NOISE LEVELS**

Existing (2005) ambient noise levels have not been physically measured in the project vicinity and no prior studies addressing current noise levels are known to exist. Therefore, existing noise levels were estimated using FTANOISE in conjunction with the FTA guidance manual. To conduct the analysis, existing noise sources within the project area had to be identified, investigated, and the distance from each noise source to each noise sensitive land use (receptor) had to be determined.

### **Existing Noise Sources**

Traffic along adjacent city streets (Chenango Street, Henry Street, Lewis Street, Prospect Avenue, and State Street) are important existing noise sources within the project study area. Two other important existing noise sources are the intercity bus terminals (Greyhound and Coach USA/Shortline), which are located on the project block.

### Existing Traffic Noise

According to the FTA guidance manual, four of the five streets (excluding Prospect Avenue) are designated as “Other Roadways” for the purpose of estimating existing noise exposure at nearby noise sensitive land uses. “Other Roadways” are defined as “Parkways with traffic at 55 mph, but without trucks, and city streets with the equivalent of 75 or more heavy trucks per hour and 300 or more medium trucks per hour at 30 mph.”

2004 average annual daily traffic (AADT) volumes for four of the five streets were available and obtained from the Binghamton Metropolitan Transportation Study (BMTS). 2005 data was not available at the time of this analysis. Chenango Street between Lewis Street and Henry Street carried an AADT of 5,890 vehicles. Henry Street west of Chenango Street carried an AADT of 4,000 vehicles. Lewis Street carried an existing AADT of 2,500 vehicles, and State Street carried an AADT of 4,570 vehicles. There was no data available for Prospect Avenue. Field observations determined that Prospect Avenue functioned more like an alley than a city street. Besides an occasional vehicle using Prospect Avenue as a cut-through street to avoid the Lewis Street/Chenango Street

and Henry Street/Chenango Street signalized intersections, the only vehicles observed using Prospect Avenue were occasional buses accessing the intercity bus terminals on the project block or cars accessing parking lots located adjacent to Prospect Avenue. Based on field observations, an AADT of 1,000 vehicles was assumed for Prospect Avenue and used as input for this noise analysis.

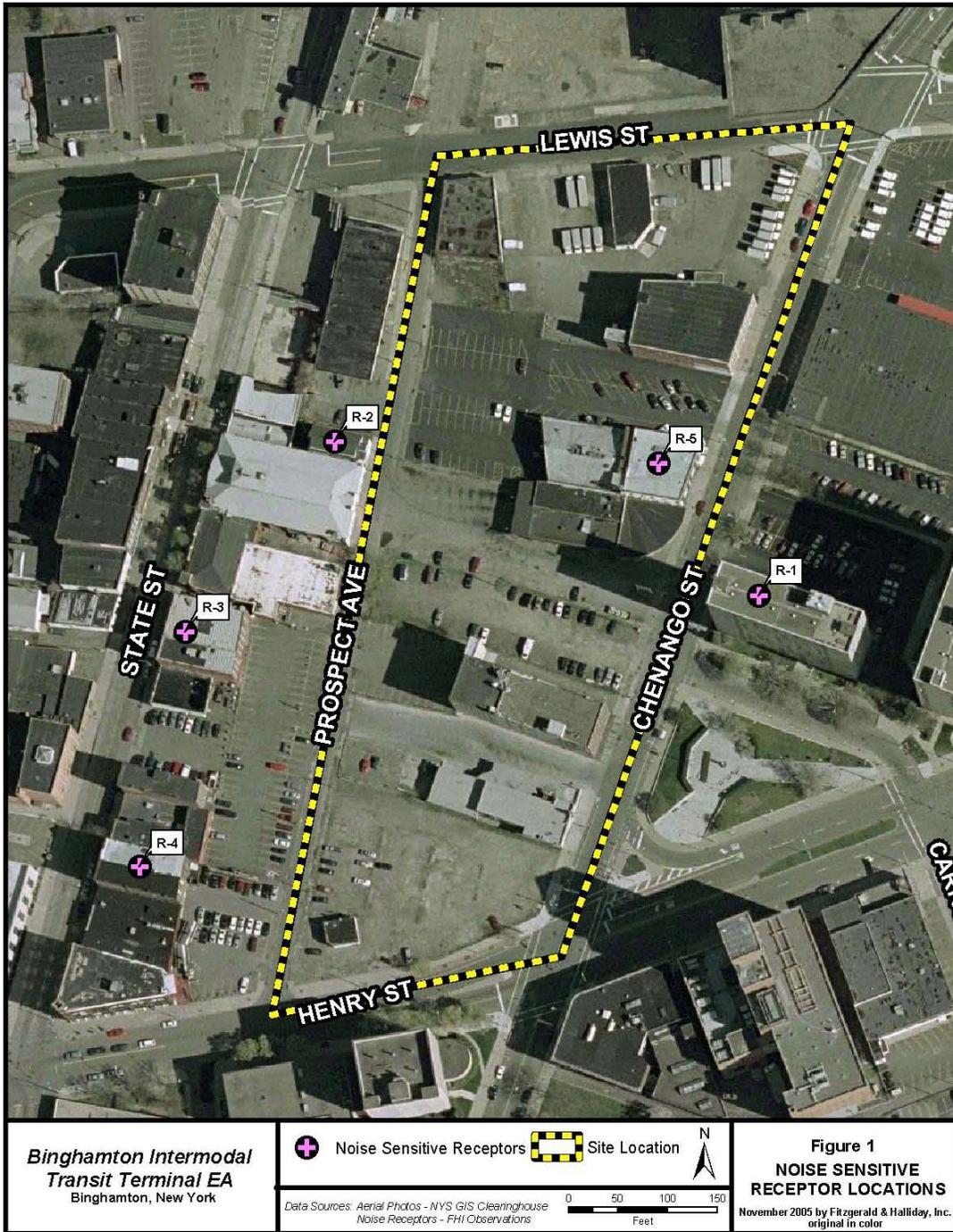
From the reported and estimated (Prospect Avenue) AADT's, the average number of vehicles per hour during daytime hours and nighttime hours was then derived for each street and was used as input into FTANOISE in order to calculate existing noise levels at each of the identified noise sensitive receptors. The average number of vehicles per hour for each street for both daytime and nighttime hours was derived by assigning 80% of the AADT to the daytime and 20% to the nighttime, and then dividing each AADT fraction by the number of hours comprising the respective daytime (7 A.M. to 10 P.M.) and nighttime (10 P.M. to 7 A.M.) time periods. The results are presented in Table 1 below:

**Table 1:  
Average Number of Vehicles Per Hour  
on Streets within the Project Study Area**

Street Name	Average Number of Vehicles Per Hour	
	Daytime Hours (7AM to 10 PM)	Nighttime Hours (10 PM to 7 AM)
Chenango Street	319	133
Lewis Street	133	56
Henry Street	213	89
State Street	244	102
Prospect Avenue	53*	22*

Source: Fitzgerald & Halliday, Inc. 2005

\* Vehicles per hour based on assumption that Prospect Avenue has an AADT of 1000 vehicles.



**Figure 1: Noise Sensitive Receptor Locations**

Intercity Bus Terminals

As previously mentioned, Greyhound and Coach USA/Shortline intercity bus terminals currently operate on the block slated for the BITT project. Buses traveling to and from

these terminals over the course of a day constitute another noise source in the project study area that must be considered. The number of buses per hour circulating through each terminal was used as input to FTANOISE to calculate the noise generated by each terminal.

Greyhound currently processes 35-40 buses daily during peak (holiday) times, four of which arrive or depart during the overnight hours between 10 P.M. and 7 A.M. This generally amounts to approximately two to three buses per hour during the daytime and evening hours (7 A.M. to 10 P.M) during peak periods and less than one bus per hour during the overnight hours. Coach USA/Shortline terminal processes a total of 24 buses daily with arrivals and departures between 10 P.M. and 7 A.M. being similar to that experienced by Greyhound. This generally amounts to approximately one to two buses per hour during daytime and evening hours (7 A.M. to 10 P.M) and less than one bus per hour during the overnight hours.

**Existing Noise Levels**

Traffic volumes (vehicles/hour) reported in Table 1, speed limits, number of bus operations per daytime and overnight hours, and the distance between each noise source and noise sensitive receptor were used as input in FTANOISE to estimate the existing noise levels at each of the five residential receptors. Existing (2005) noise levels are expressed by FTANOISE as day-night sound level ( $L_{dn}$ ), which describes a receiver’s cumulative noise exposure from all events over a full 24 hours, with events between 10 PM and 7 AM increased by 10 decibels to account for greater nighttime sensitivity to noise. The estimated existing noise levels at each of the five residential receptors are presented in Table 2.

**Table 2:  
Estimated Existing (2005) Noise Levels Using FTANOISE**

<b>Receptor</b>	<b>Estimated Existing Noise Level (dBA <math>L_{dn}</math>)</b>
R1	70
R2	62
R3	69
R4	69
R5	70

Source: Fitzgerald & Halliday, Inc. 2005

FTANOISE spreadsheets used to estimate existing (2005) noise levels at each of the five noise sensitive receptors are included in the appendix to this report. Marked up versions of the preferred BITT concept are also included in the appendix which document the location of each noise sensitive land use as well as important distances used as input into FTANOISE.

## DETERMINATION OF FUTURE (2006) NOISE LEVELS

As proposed, the BITT will serve as the hub for the BC Transit system as well as accommodate intercity bus (Greyhound and Coach USA/Shortline), taxi, automobile, bicycle, and pedestrian transportation modes. Future (2007) noise levels strictly attributed to the operation of the BITT were estimated by applying FTANOISE and the associated FTA guidance manual (April, 1995) to the preferred BITT concept.

The preferred concept includes 12 bays for BC Transit buses and 14 bays for intercity buses. For analysis purposes, it is assumed that a total of 12 BC Transit buses will pulse into the BITT twice per hour during daytime and evening hours (6 A.M. through 11 P.M.) once the facility is operational. No BC Transit buses will operate during the overnight hours (11 P.M. through 6 A.M.). In terms of intercity buses, both Greyhound and Coach USA/Shortline predict service levels to remain essentially the same as existing (2005) conditions. Based on this information, a total of 30 buses per hour (a conservative estimate) was used as input into the FTANOISE spreadsheet to calculate future (2007) noise levels at nearby noise sensitive receptors directly attributed to the project. Because BC Transit will not operate during the overnight hours, the same number of overnight intercity buses used to assess existing noise conditions was used as input into FTANOISE for the future (2007) condition.

Future noise levels strictly attributed to the BITT facility (i.e. excluding other noise sources in the project area) were predicted using FTANOISE for any location 50 feet from the new facility (to establish a noise impact contour), as well as at the five residential noise sensitive receptors located within the 300 foot noise screening buffer. At any location 50 feet from the proposed BITT, the noise exposure from future bus operations was estimated to be 67 dBA ( $L_{dn}$ ). Future noise levels at each of the five residential noise sensitive receptors, as predicted by FTANOISE, are presented in Table 3:

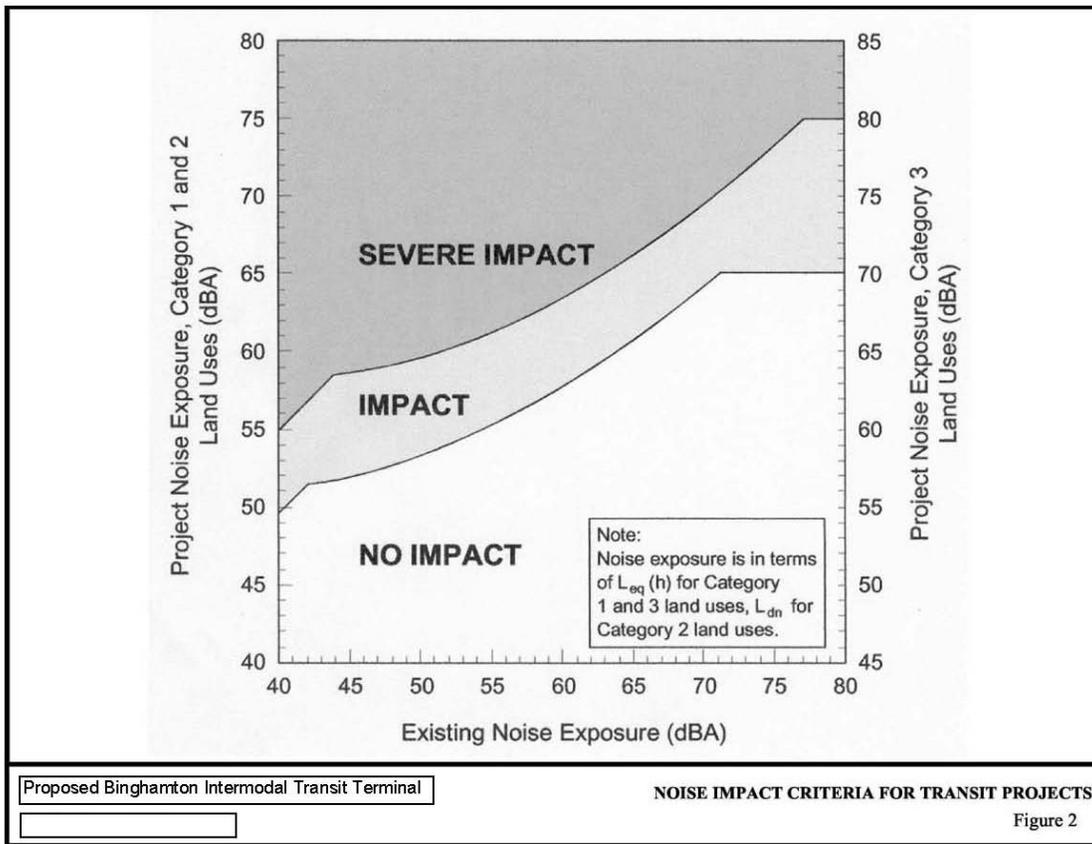
**Table 3:  
Estimated Future (2007) BITT Noise Levels**

<b>Receptor</b>	<b>Estimated Future Noise Level (dBA <math>L_{dn}</math>)</b>
R1	50
R2	43
R3	49
R4	46
R5	51

Source: Fitzgerald & Halliday, Inc. 2005

## INTERPRETATION OF FTANOISE RESULTS

To determine whether the proposed BITT facility will result in a noise impact at any one of the five residential noise sensitive receptors, a comparison of the existing (2005) outdoor noise levels and future (2007) outdoor noise levels resulting from the project is necessary. According to the FTA guidance manual, Figure 2, which depicts “Noise Impact Criteria for Transit Projects” (FTA April, 1995), is used to facilitate this comparison.



A vertical line is drawn that intersects the horizontal axis at the point representative of the existing noise exposure at a given noise sensitive receptor. Similarly, a horizontal line is drawn that intersects a vertical axis at the point representative of the project noise exposure for the same noise sensitive receptor. The vertical axis that is used depends on the Land Use Category of the noise sensitive receptor being evaluated. For this project, all noise sensitive receptors within the established noise screening distance of 300 feet are residential, or Category 2 Land Uses. Therefore, the left vertical axis of Figure 2 is used to represent the project noise exposure. The location where the existing noise exposure intersects the project noise exposure represents the degree of project noise impact at that noise sensitive receptor. For instance, receptor #1 (R1) has an estimated existing noise exposure of 70 dBA  $L_{dn}$  (from Table 2) and a project noise exposure of 50

dBA  $L_{dn}$  (from Table 3). The intersection of these two noise levels when plotted on the graph illustrated in Figure 2 falls within the No Impact range. Table 4 documents the results that are obtained when applying the aforementioned procedure to the five residential noise sensitive receptors.

**Table 4:  
Anticipated Noise Impact from the Proposed BITT Project**

<b>Noise Sensitive Receptor</b>	<b>Existing (2005) Noise Levels</b>	<b>Future (2007) Project Noise Levels</b>	<b>Result</b>
R1	70 dBA ( $L_{dn}$ )	50 dBA ( $L_{dn}$ )	No Impact
R2	62 dBA ( $L_{dn}$ )	43 dBA ( $L_{dn}$ )	No Impact
R3	69 dBA ( $L_{dn}$ )	49 dBA ( $L_{dn}$ )	No Impact
R4	69 dBA ( $L_{dn}$ )	46 dBA ( $L_{dn}$ )	No Impact
R5	70 dBA ( $L_{dn}$ )	51 dBA ( $L_{dn}$ )	No Impact

For Category 1 and 2 Land Uses, noise impact must also be evaluated in terms of cumulative noise, estimated by the addition of a project-related noise exposure and the existing noise exposure. The five residential noise sensitive receptors, which are Category 2 Land Uses, were evaluated with respect to cumulative noise impact using Table 5, “Noise Impact Criteria: Effect on Cumulative Noise Exposure”, which has been reproduced directly from the FTA noise guidance manual.

**Table 5:  
Noise Impact Criteria: Effect on Cumulative Noise Exposure**

<b>Noise Impact Criteria: Effect on Cumulative Noise Exposure</b>			
<b><math>L_{dn}</math> or <math>L_{eq}</math> in dBA (rounded to nearest whole decibel)</b>			
<b>Existing Noise Exposure</b>	<b>Allowable Project Noise Exposure</b>	<b>Allowable Combined Total Noise Exposure</b>	<b>Allowable Noise Exposure Increase</b>
45	51	52	7
50	53	55	5
55	55	58	3
60	57	62	2
65	60	66	1
70	64	71	1
75	65	75	0

Source: FTA, April 1995.

As previously mentioned, the existing noise exposure at site R1 is 70 dBA ( $L_{dn}$ ), and the project noise exposure is 50 dBA ( $L_{dn}$ ). According to the second column in Table 5, the allowable project noise exposure can be as high as 64 dBA ( $L_{dn}$ ) when the existing noise

exposure (column one) is 70 dBA ( $L_{dn}$ ) before a cumulative noise impact is realized. Since the BITT project noise exposure at receptor R1 (50 dBA ( $L_{dn}$ )) is well below the allowable project noise exposure for an existing noise exposure of 70 dBA ( $L_{dn}$ ), a cumulative noise impact will not occur at this residential noise sensitive receptor from the BITT project. Similar results are also obtained when applying this method to each of the other four residential receptors (Category 2 Land Uses).

In summary, the proposed BITT will not result in noise impacts to any of the five noise sensitive receptors identified within the immediate vicinity of the proposed project.

## **MITIGATION**

The project will not result in a noise impact to any of the identified noise sensitive land uses (residential receptors R1 through R5). Noise impacts are most likely to occur within 50 feet of the center of project noise generating activity, where future project noise levels are predicted to be at least 67 dBA ( $L_{dn}$ ). However, no noise sensitive land uses exist within 50 feet of the center of project noise generating activity. As such, mitigation measures are not required as part of the project. With respect to noise generated during construction, noise abatement measures will be included in project construction specifications. These measures will include the installation and maintenance of properly functioning muffler devices on all construction equipment and the scheduling of excessive noise-generating construction activities during appropriate daylight hours to avoid conflict with the local noise ordinance. These mitigation measures are discussed in the Construction Impacts section of the EA.

## **REFERENCE**

U.S. Department of Transportation, Federal Transit Administration, April 1995. *Transit Noise and Vibration Impact Assessment*, (DOT-T-95-16).

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**APPENDIX to FTA GENERAL NOISE ASSESSMENT Technical Memorandum**

**FTANOISE SPREADSHEETS**

**Federal Transit Administration**  
**General Transit Noise Assessment**  
**Case: Binghamton ITT EA - Receptor #1 (2005)**

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<b>RESULTS</b>			
<b>Noise Source</b>	<b>Ldn (dB)</b>	<b>Leq - daytime (dB)</b>	<b>Leq - nighttime (dB)</b>
All Sources	70	67	63
Source 1	70	67	63
Source 2	37	35	30
Source 3	48	44	41

*Enter noise receiver land use category below.*

<b>LAND USE CATEGORY</b>	
Noise receiver land use category (1, 2 or 3)	2

*Enter data for each noise source below - see reference list for source numbers.*

<b>NOISE SOURCE PARAMETERS</b>						
<b>Parameter</b>	<b>Source 1 - Chenango St</b>		<b>Source 2 - Greyhound</b>		<b>Source 3 - Coach USA</b>	
Source Num.	Automobiles	9	Bus Transit Center	16	Bus Transit Center	16
Dist. to receiver	distance (ft)	10	distance (ft)	250	distance (ft)	140
Daytime Hours (7 AM - 10 PM)	speed (mph)	30	buses/hour	3	buses/hour	2
	vehicles/hour	319				
Nighttime Hours (10 PM - 7 AM)	speed (mph)	30	buses/hour	1	buses/hour	1
	vehicles/hour	133				
Jointed Track?						
Embedded Track?						
Aerial Structure?						
Barrier Present?	Y/N	n	Y/N	Y	Y/N	n
Intervening Rows of Buildings	number	0	number	1	number	

**Federal Transit Administration**  
**General Transit Noise Assessment**  
**Case: Binghamton ITT EA - Receptor #2 (2005)**

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<b>RESULTS</b>			
<b>Noise Source</b>	<b>Ldn (dB)</b>	<b>Leq - daytime (dB)</b>	<b>Leq - nighttime (dB)</b>
All Sources	62	59	55
Source 1	33	31	26
Source 2	40	41	18
Source 3	62	59	55

*Enter noise receiver land use category below.*

<b>LAND USE CATEGORY</b>	
Noise receiver land use category (1, 2 or 3)	2

*Enter data for each noise source below - see reference list for source numbers.*

<b>NOISE SOURCE PARAMETERS</b>					
<b>Parameter</b>	<b>Source 1 - Greyhound</b>		<b>Source 2 - Coach USA</b>		<b>Source 3 - Prospect St</b>
Source Num.	Bus Transit Center	16	Bus Transit Center	16	Automobiles 9
Dist. to receiver	distance (ft)	360	distance (ft)	180	distance (ft) 10
Daytime Hours (7 AM - 10 PM)	buses/hour	3	buses/hour	2	speed (mph) 30
					vehicles/hour 53
Nighttime Hours (10 PM - 7 AM)	buses/hour	1	buses/hour		speed (mph) 30
					vehicles/hour 22
Jointed Track?					
Embedded Track?					
Aerial Structure?					
Barrier Present?	Y/N	y	Y/N	n	Y/N n
Intervening Rows of Buildings	number	1	number	0	number 0

**Federal Transit Administration**  
**General Transit Noise Assessment**  
**Case: Binghamton ITT EA - Receptor #3 (2005)**

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<b>RESULTS</b>			
<b>Noise Source</b>	<b>Ldn (dB)</b>	<b>Leq - daytime (dB)</b>	<b>Leq - nighttime (dB)</b>
All Sources	69	66	62
Source 1	69	66	62
Source 2	47	43	39
Source 3	40	37	33

*Enter noise receiver land use category below.*

<b>LAND USE CATEGORY</b>	
Noise receiver land use category (1, 2 or 3)	2

*Enter data for each noise source below - see reference list for source numbers.*

<b>NOISE SOURCE PARAMETERS</b>						
<b>Parameter</b>	<b>Source 1 - State Street</b>		<b>Source 2 - Prospect Ave</b>		<b>Source 3 - Greyhound</b>	
Source Num.	Automobiles	9	Automobiles	9	Bus Transit Center	16
Dist. to receiver	distance (ft)	10	distance (ft)	110	distance (ft)	310
Daytime Hours (7 AM - 10 PM)	speed (mph)	30	speed (mph)	30	buses/hour	3
	vehicles/hour	244	vehicles/hour	53		
Nighttime Hours (10 PM - 7 AM)	speed (mph)	30	speed (mph)	30	buses/hour	1
	vehicles/hour	102	vehicles/hour	22		
Jointed Track?						
Embedded Track?						
Aerial Structure?						
Barrier Present?	Y/N	n	Y/N	n	Y/N	n
Intervening Rows of Buildings	number	0	number	0	number	0

**Federal Transit Administration**  
**General Transit Noise Assessment**  
**Case: Binghamton ITT EA - Receptor #4 (2005)**

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<b>RESULTS</b>			
<b>Noise Source</b>	<b>Ldn (dB)</b>	<b>Leq - daytime (dB)</b>	<b>Leq - nighttime (dB)</b>
All Sources	69	66	62
Source 1	69	66	62
Source 2	46	43	39
Source 3	47	43	39

*Enter noise receiver land use category below.*

<b>LAND USE CATEGORY</b>	
Noise receiver land use category (1, 2 or 3)	2

*Enter data for each noise source below - see reference list for source numbers.*

<b>NOISE SOURCE PARAMETERS</b>						
<b>Parameter</b>	<b>Source 1 - State Street</b>		<b>Source 2 - Henry St.</b>		<b>Source 3 - Prospect Ave</b>	
Source Num.	Automobiles	9	Automobiles	9	Automobiles	9
Dist. to receiver	distance (ft)	10	distance (ft)	140	distance (ft)	110
Daytime Hours (7 AM - 10 PM)	speed (mph)	30	speed (mph)	30	speed (mph)	30
	vehicles/hour	244	vehicles/hour	213	vehicles/hour	53
Nighttime Hours (10 PM - 7 AM)	speed (mph)	30	speed (mph)	30	speed (mph)	30
	vehicles/hour	102	vehicles/hour	89	vehicles/hour	22
Jointed Track?						
Embedded Track?						
Aerial Structure?						
Barrier Present?	Y/N	n	Y/N	y	Y/N	n
Intervening Rows of Buildings	number	0	number	1	number	0

**Federal Transit Administration**  
**General Transit Noise Assessment**  
**Case: Binghamton ITT EA - Receptor #5 (2005)**

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<b>RESULTS</b>			
<b>Noise Source</b>	<b>Ldn (dB)</b>	<b>Leq - daytime (dB)</b>	<b>Leq - nighttime (dB)</b>
All Sources	70	67	63
Source 1	70	67	63
Source 2	57	53	50
Source 3	45	42	38

*Enter noise receiver land use category below.*

<b>LAND USE CATEGORY</b>	
Noise receiver land use category (1, 2 or 3)	2

*Enter data for each noise source below - see reference list for source numbers.*

<b>NOISE SOURCE PARAMETERS</b>						
<b>Parameter</b>	<b>Source 1 - Chenango St.</b>		<b>Source 2 - Coach USA</b>		<b>Source 3 - Prospect Ave</b>	
Source Num.	Automobiles	9	Bus Transit Center	16	Automobiles	9
Dist. to receiver	distance (ft)	10	distance (ft)	60	distance (ft)	140
Daytime Hours (7 AM - 10 PM)	speed (mph)	30	buses/hour	2	speed (mph)	30
	vehicles/hour	319			vehicles/hour	53
Nighttime Hours (10 PM - 7 AM)	speed (mph)	30	buses/hour	1	speed (mph)	30
	vehicles/hour	133			vehicles/hour	22
Jointed Track?						
Embedded Track?						
Aerial Structure?						
Barrier Present?	Y/N	n	Y/N	n	Y/N	n
Intervening Rows of Buildings	number	0	number	0	number	0

**Federal Transit Administration**  
**General Transit Noise Assessment**  
**Case: Binghamton ITT EA - 2007 at 50 feet**

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<b>RESULTS</b>			
<b>Noise Source</b>	<b>Ldn (dB)</b>	<b>Leq - daytime (dB)</b>	<b>Leq - nighttime (dB)</b>
All Sources	67	67	55
Source 1	67	67	55
Source 2	0	0	0
Source 3	0	0	0

*Enter noise receiver land use category below.*

<b>LAND USE CATEGORY</b>	
Noise receiver land use category (1, 2 or 3)	2

*Enter data for each noise source below - see reference list for source numbers.*

<b>NOISE SOURCE PARAMETERS</b>			
<b>Parameter</b>	<b>Source 1 - BITT</b>	<b>Source 2</b>	<b>Source 3</b>
Source Num.	Bus Transit Center	16	
Dist. to receiver	distance (ft)	50	
Daytime Hours (7 AM - 10 PM)	buses/hour	30	
Nighttime Hours (10 PM - 7 AM)	buses/hour	2	
Jointed Track?			
Embedded Track?			
Aerial Structure?			
Barrier Present?	Y/N	n	n
Intervening Rows of Buildings	number	0	0

**Federal Transit Administration**  
**General Transit Noise Assessment**  
**Case: Binghamton ITT EA - Receptor #1 (2007)**

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<b>RESULTS</b>			
<b>Noise Source</b>	<b>Ldn (dB)</b>	<b>Leq - daytime (dB)</b>	<b>Leq - nighttime (dB)</b>
All Sources	50	51	39
Source 1	50	51	39
Source 2	0	0	0
Source 3	0	0	0

*Enter noise receiver land use category below.*

<b>LAND USE CATEGORY</b>	
Noise receiver land use category (1, 2 or 3)	2

*Enter data for each noise source below - see reference list for source numbers.*

<b>NOISE SOURCE PARAMETERS</b>			
<b>Parameter</b>	<b>Source 1 - BITT</b>	<b>Source 2</b>	<b>Source 3</b>
Source Num.	Bus Transit Center	16	
Dist. to receiver	distance (ft)	220	
Daytime Hours (7 AM - 10 PM)	buses/hour	30	
Nighttime Hours (10 PM - 7 AM)	buses/hour	2	
Jointed Track?			
Embedded Track?			
Aerial Structure?			
Barrier Present?	Y/N	n	
Intervening Rows of Buildings	number	0	

**Federal Transit Administration**  
**General Transit Noise Assessment**  
**Case: Binghamton ITT EA - Receptor #2 (2007)**

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<b>RESULTS</b>			
<b>Noise Source</b>	<b>Ldn (dB)</b>	<b>Leq - daytime (dB)</b>	<b>Leq - nighttime (dB)</b>
All Sources	43	44	32
Source 1	43	44	32
Source 2	0	0	0
Source 3	0	0	0

*Enter noise receiver land use category below.*

<b>LAND USE CATEGORY</b>	
Noise receiver land use category (1, 2 or 3)	2

*Enter data for each noise source below - see reference list for source numbers.*

<b>NOISE SOURCE PARAMETERS</b>			
<b>Parameter</b>	<b>Source 1 - BITT</b>	<b>Source 2</b>	<b>Source 3</b>
Source Num.	Bus Transit Center	16	
Dist. to receiver	distance (ft)	280	
Daytime Hours (7 AM - 10 PM)	buses/hour	30	
Nighttime Hours (10 PM - 7 AM)	buses/hour	2	
Jointed Track?			
Embedded Track?			
Aerial Structure?			
Barrier Present?	Y/N	N	
Intervening Rows of Buildings	number	1	

**Federal Transit Administration**  
**General Transit Noise Assessment**  
**Case: Binghamton ITT EA - Receptor #3 (2007)**

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<b>RESULTS</b>			
<b>Noise Source</b>	<b>Ldn (dB)</b>	<b>Leq - daytime (dB)</b>	<b>Leq - nighttime (dB)</b>
All Sources	49	49	38
Source 1	49	49	37
Source 2	0	0	0
Source 3	0	0	0

*Enter noise receiver land use category below.*

<b>LAND USE CATEGORY</b>	
Noise receiver land use category (1, 2 or 3)	2

*Enter data for each noise source below - see reference list for source numbers.*

<b>NOISE SOURCE PARAMETERS</b>			
<b>Parameter</b>	<b>Source 1 - BITT</b>	<b>Source 2</b>	<b>Source 3</b>
Source Num.	Bus Transit Center	16	
Dist. to receiver	distance (ft)	260	
Daytime Hours (7 AM - 10 PM)	buses/hour	30	
Nighttime Hours (10 PM - 7 AM)	buses/hour	2	
Jointed Track?			
Embedded Track?			
Aerial Structure?			
Barrier Present?	Y/N	n	
Intervening Rows of Buildings	number	0	

**Federal Transit Administration**  
**General Transit Noise Assessment**  
**Case: Binghamton ITT EA - Receptor #4 (2007)**

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<b>RESULTS</b>			
<b>Noise Source</b>	<b>Ldn (dB)</b>	<b>Leq - daytime (dB)</b>	<b>Leq - nighttime (dB)</b>
All Sources	46	46	35
Source 1	46	46	35
Source 2	0	0	0
Source 3	0	0	0

*Enter noise receiver land use category below.*

<b>LAND USE CATEGORY</b>	
Noise receiver land use category (1, 2 or 3)	2

*Enter data for each noise source below - see reference list for source numbers.*

<b>NOISE SOURCE PARAMETERS</b>			
<b>Parameter</b>	<b>Source 1 - BITT</b>	<b>Source 2</b>	<b>Source 3</b>
Source Num.	Bus Transit Center 16		
Dist. to receiver	distance (ft) 340		
Daytime Hours (7 AM - 10 PM)	buses/hour 30		
Nighttime Hours (10 PM - 7 AM)	buses/hour 2		
Jointed Track?			
Embedded Track?			
Aerial Structure?			
Barrier Present?	Y/N n		
Intervening Rows of Buildings	number 0		

**Federal Transit Administration**  
**General Transit Noise Assessment**  
**Case: Binghamton ITT EA - Receptor #5 (2007)**

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<b>RESULTS</b>			
<b>Noise Source</b>	<b>Ldn (dB)</b>	<b>Leq - daytime (dB)</b>	<b>Leq - nighttime (dB)</b>
All Sources	51	52	40
Source 1	51	52	40
Source 2	0	0	0
Source 3	0	0	0

*Enter noise receiver land use category below.*

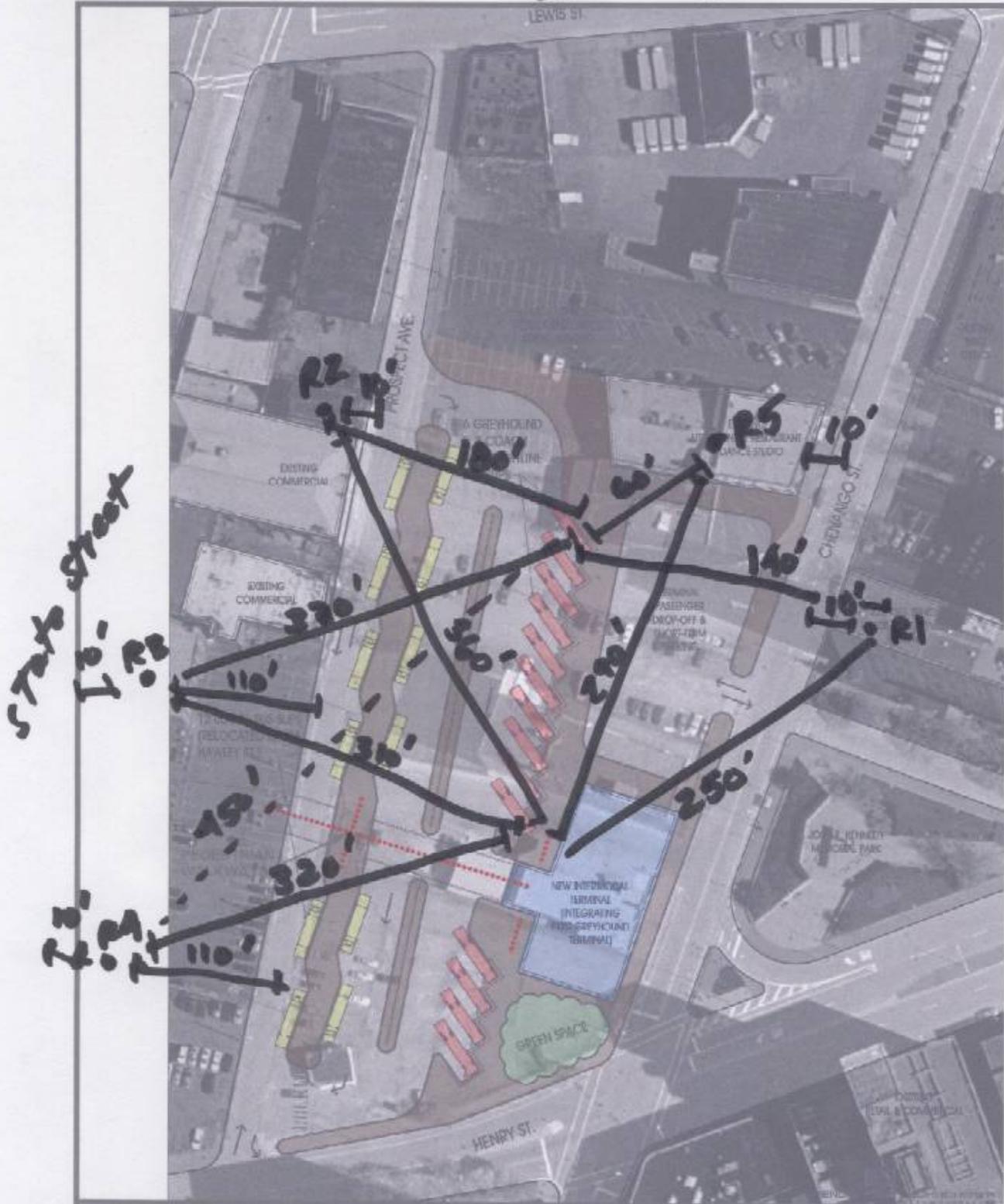
<b>LAND USE CATEGORY</b>	
Noise receiver land use category (1, 2 or 3)	2

*Enter data for each noise source below - see reference list for source numbers.*

<b>NOISE SOURCE PARAMETERS</b>			
<b>Parameter</b>	<b>Source 1 - BITT</b>	<b>Source 2</b>	<b>Source 3</b>
Source Num.	Bus Transit Center 16		
Dist. to receiver	distance (ft) 210		
Daytime Hours (7 AM - 10 PM)	buses/hour 30		
Nighttime Hours (10 PM - 7 AM)	buses/hour 2		
Jointed Track?			
Embedded Track?			
Aerial Structure?			
Barrier Present?	Y/N n		
Intervening Rows of Buildings	number 0		

BITT Noise

EXIST DISTANCES



Binghamton Intermodal  
Transit Terminal EA  
Binghamton, New York



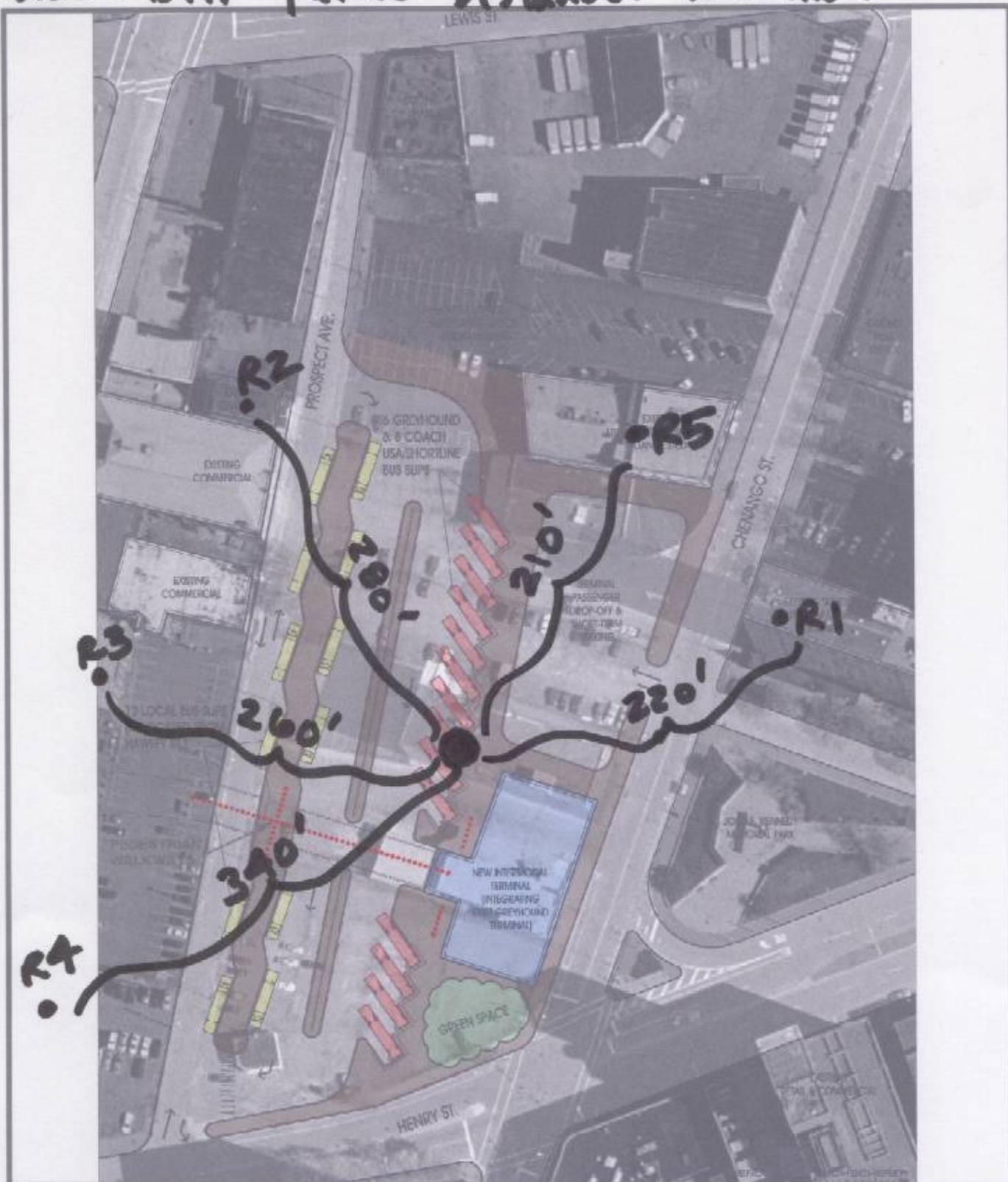
Date Source: Concept J - Wendel DuBois, Inc.

Figure 3  
CONCEPTUAL LAYOUT  
OF PROPOSED ACTION

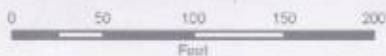
November 2005 by Fitzgerald & Halliday, Inc.  
original in color

- SEE MEMO FOR DISTANCES. -

# Noise: BITT Future Distances Worksheet



**Binghamton Intermodal  
Transit Terminal EA**  
Binghamton, New York



Data Sources: Concept J - Wendel Dachscherer

**Figure 3**  
**CONCEPTUAL LAYOUT**  
**OF PROPOSED ACTION**

November 2005 by Fitzgerald & Halliday, Inc.  
original in color

● = center of noise generating activity

Source: Transit Noise and Vibration Impact Assessment (DOT-T-95-16)  
April, 1995.

#### 4. NOISE SCREENING PROCEDURE

The noise screening procedure is designed to identify locations where a project has little possibility of noise impact. If no noise-sensitive land uses are present within a defined area of project noise influence, then no further noise assessment is necessary. This approach allows the focusing of further noise analysis on locations where impacts are likely. The screening procedure takes account of the noise impact criteria, the type of project and noise-sensitive land uses. For screening purposes, all noise-sensitive land uses are considered to be in a single category.

##### 4.1 SCREENING DISTANCES

The distances given in Table 4-1 delineate a project's noise study area. The areas defined by the screening distances are sufficiently large to encompass all potentially impacted locations. They were determined using scenarios that were conservative in terms of operating characteristics and source levels. This was done by estimating noise characteristics during maximum operations of a given project type and using the lowest threshold of impact from Chapter 3.

The noise screening procedure is applicable to all types of transit projects. The types of projects listed in Table 4-1 cover nearly all of the kinds of projects expected to undergo environmental assessment. Clarification can be obtained from FTA on any special cases that are not represented in the table.

##### 4.2 STEPS IN SCREENING PROCEDURE

The screening method works as follows:

1. Determine the type of project and locate on Table 4-1.

2. Determine the appropriate column under Screening Distance in Table 4-1. If buildings occur in the sound paths, then use the distances under Intervening Buildings. Otherwise use the distances under "Unobstructed."
3. Note the distance in feet for that project in Table 4-1. Apply this distance from the guideway centerline or nearest right-of-way line on both sides of a highway or access road. In the case of a fixed facility, apply the distance from the center of noise-generating activity for the project site.
4. Within the distance noted above, locate any of the noise-sensitive land uses listed in Table 3-2.
5. If it is determined that none of the listed land uses are within the distances noted in Table 4-1, then no further noise analysis is needed. On the other hand, if one or more of the noise-sensitive land uses are within the screening distances noted in Table 4-1 then further analysis is needed and the procedure described in Chapter 5 is followed.

Table 4-1 Screening Distances for Noise Assessments			
Type of Project		Screening Distance* (ft)	
		Unobstructed	Intervening Buildings
<i>Fixed Guideway Systems:</i>			
Commuter Rail Mainline		750	375
Commuter Rail Station		450	225
Rail Transit Guideway		700	350
Rail Transit Station		200	100
Access Roads		100	50
Low- and Intermediate-Capacity Transit	Steel Wheel	200	100
	Rubber Tire	125	75
	Monorail	300	150
Yards and Shops		2000	1000
Parking Facilities		150	75
Access Roads		100	50
Ancillary Facilities			
Ventilation Shafts		200	100
Power Substations		250	125
<i>Bus Systems:</i>			
Busway		500	250
 Bus Facilities	Access Roads	100	50
	Transit Mall	250	125
	Transit Center	300	150
	Storage & Maintenance	1000	500
	Park & Ride Lots	300	150
* Measured from centerline of guideway/roadway for mobile sources; from center of noise-generating activity for stationary sources.			

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**APPENDIX C  
CIRCULATION LIST**

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## CIRCULATION LIST

The following agencies/persons received a copy of the Draft Environmental Assessment for the Binghamton Intermodal Transit Terminal.

### Representatives/Senators

U.S Representative Maurice Hinchey C/O Dan Lamb Office of Representative Maurice Hinchey 100-A Federal Building 15 Henry Street Binghamton, NY 13901	U.S. Senator Hillary Clinton C/O Cathy Calhoun Office of Senator Hillary Clinton 100 South Clinton Street PO Box 7378 Syracuse, NY 13261-7378
---	--

### Broome County Officials

Mr. Patrick Brennan Deputy County Executive Broome County Executive Department Edwin L. Crawford Building 44 Hawley Street P.O. Box 1766 Binghamton, NY 13902-1766	Ms. Rita Petkash Commissioner Broome County Department of Planning and Economic Development Edwin L. Crawford Building 44 Hawley Street P.O. Box 1766 Binghamton, NY 13902-1766
Mr. Richard D'Attilio Executive Director Broome County Industrial Development Agency 225 Water Street, Garden Level P.O. Box 1510 Binghamton, NY 13902-1510	Mr. Steven Gayle Executive Director Binghamton Metropolitan Transportation Study Edwin L. Crawford Building 44 Hawley Street P.O. Box 1766 Binghamton, NY 13902-1766
Mr. Scott Reigle Senior Transportation Planner Binghamton Metropolitan Transportation Study Edwin L. Crawford Building 44 Hawley Street P.O. Box 1766 Binghamton, NY 13902-1766	

### U.S. Departments/Officials

Ms. Nina Chung Community Planner Federal Transit Administration, Region II One Bowling Green, Room 429 New York, New York 10004-1415	Mr. Thomas Kearney Community Planner Federal Transit Administration Leo O'Brien Federal Building 11 A Clinton Square Albany, New York, 12207
--	---

### State Departments/Officials

Mr. Chris O. Nweke New York State Department of Transportation State Campus 4-115 Albany, NY 12232-0414	Ms. Kathleen LaFrank New York State Historic Preservation Office Peebles Island Resource Center P.O. Box 189 Waterford, NY 12188-0189
Mr. David Ligeikis Regional Planning Project Manager New York State Department of Transportation Region 9 Edwin L. Crawford Building 44 Hawley Street P.O. Box 1766 Binghamton, NY 13902-1766	

### City Departments/Officials

Mr. Gary R. Holmes, P.E. City Engineer City of Binghamton Department of Engineering City Hall Binghamton, NY 13901	Ms. Jennifer Yonkoski City of Binghamton Department of Planning City Hall Binghamton, NY 13901
---	--

**APPENDIX D**  
**ENVIRONMENTAL RISK SITE/HAZARDOUS MATERIALS**  
**DATA SEARCH RESULTS – EXECUTIVE SUMMARY**

*(Note: As of August 2006, a Phase I Environmental Site Assessment (ESA) has not been prepared for the property transfers associated with this project. A Phase I ESA and potential additional ESA studies will be conducted by Broome County prior to initiation of property acquisition procedures)*

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**EDR™** Environmental  
Data Resources Inc

## **The EDR Radius Map with GeoCheck®**

**Proposed BITT  
Lewis Street/Chenango Street  
Binghamton, NY 13901**

**Inquiry Number: 01303709.1r**

**November 08, 2004**

## **The Standard in Environmental Risk Management Information**

440 Wheelers Farms Road  
Milford, Connecticut 06460

### **Nationwide Customer Service**

Telephone: 1-800-352-0050  
Fax: 1-800-231-6802  
Internet: [www.edrnet.com](http://www.edrnet.com)

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***Thank you for your business.***  
Please contact EDR at 1-800-352-0050  
with any questions or comments.

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## EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc. (EDR). The report meets the government records search requirements of ASTM Standard Practice for Environmental Site Assessments, E 1527-00. Search distances are per ASTM standard or custom distances requested by the user.

### TARGET PROPERTY INFORMATION

#### ADDRESS

LEWIS STREET/CHENANGO STREET  
BINGHAMTON, NY 13901

#### COORDINATES

Latitude (North): 42.101900 - 42° 6' 6.8"  
Longitude (West): 75.910200 - 75° 54' 36.7"  
Universal Transverse Mercator: Zone 18  
UTM X (Meters): 424737.4  
UTM Y (Meters): 4661277.5  
Elevation: 867 ft. above sea level

### USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property: 42075-A8 BINGHAMTON WEST, NY  
Source: USGS 7.5 min quad index

### TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

### DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ( "reasonably ascertainable " ) government records either on the target property or within the ASTM E 1527-00 search radius around the target property for the following databases:

### FEDERAL ASTM STANDARD

**NPL**..... National Priority List  
**Proposed NPL**..... Proposed National Priority List Sites  
**CERCLIS**..... Comprehensive Environmental Response, Compensation, and Liability Information System  
**CORRACTS**..... Corrective Action Report  
**RCRIS-TSD**..... Resource Conservation and Recovery Information System  
**ERNS**..... Emergency Response Notification System

### STATE ASTM STANDARD

**SWF/LF**..... Facility Register

## EXECUTIVE SUMMARY

<b>CBS UST</b> .....	Chemical Bulk Storage Database
<b>MOSF UST</b> .....	Major Oil Storage Facilities Database
<b>VCP</b> .....	Voluntary Cleanup Agreements
<b>SWTIRE</b> .....	Registered Waste Tire Storage & Facility List
<b>SWRCY</b> .....	Registered Recycling Facility List

### FEDERAL ASTM SUPPLEMENTAL

<b>CONSENT</b> .....	Superfund (CERCLA) Consent Decrees
<b>ROD</b> .....	Records Of Decision
<b>Delisted NPL</b> .....	National Priority List Deletions
<b>FINDS</b> .....	Facility Index System/Facility Identification Initiative Program Summary Report
<b>HMIRS</b> .....	Hazardous Materials Information Reporting System
<b>MLTS</b> .....	Material Licensing Tracking System
<b>MINES</b> .....	Mines Master Index File
<b>NPL Liens</b> .....	Federal Superfund Liens
<b>PADS</b> .....	PCB Activity Database System
<b>INDIAN RESERV</b> .....	Indian Reservations
<b>FUDS</b> .....	Formerly Used Defense Sites
<b>UMTRA</b> .....	Uranium Mill Tailings Sites
<b>ODI</b> .....	Open Dump Inventory
<b>DOD</b> .....	Department of Defense Sites
<b>RAATS</b> .....	RCRA Administrative Action Tracking System
<b>TRIS</b> .....	Toxic Chemical Release Inventory System
<b>TSCA</b> .....	Toxic Substances Control Act
<b>SSTS</b> .....	Section 7 Tracking Systems
<b>FTTS INSP</b> .....	FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

### STATE OR LOCAL ASTM SUPPLEMENTAL

<b>HSWDS</b> .....	Hazardous Substance Waste Disposal Site Inventory
<b>AST</b> .....	Petroleum Bulk Storage
<b>MOSF AST</b> .....	Major Oil Storage Facilities Database
<b>DEL SHWS</b> .....	Delisted Registry Sites
<b>DRYCLEANERS</b> .....	Registered Drycleaners
<b>AIRS</b> .....	Air Emissions Data
<b>SPDES</b> .....	State Pollutant Discharge Elimination System

### BROWNFIELDS DATABASES

<b>US BROWNFIELDS</b> .....	A Listing of Brownfields Sites
<b>Brownfields</b> .....	Brownfields Site List
<b>VCP</b> .....	Voluntary Cleanup Agreements

### SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.

Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

## EXECUTIVE SUMMARY

### FEDERAL ASTM STANDARD

**CERCLIS-NFRAP:** As of February 1995, CERCLIS sites designated "No Further Remedial Action Planned" (NFRAP) have been removed from CERCLIS. NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly without the need for the site to be placed on the NPL, or the contamination was not serious enough to require Federal Superfund Action or NPL consideration. EPA has removed approximately 25,000 NFRAP sites to lift the unintended barriers to the redevelopment of these properties and has archived them as historical records so EPA does not needlessly repeat the investigations in the future. This policy change is part of the EPA's Brownfields Redevelopment Program to help cities, states, private investors and affected citizens to promote economic redevelopment of unproductive urban sites.

A review of the CERC-NFRAP list, as provided by EDR, and dated 08/10/2004 has revealed that there is 1 CERC-NFRAP site within approximately 0.25 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
<b>US POSTAL SERVICE - BINGHAMTON</b>	<b>115 HENRY ST</b>	<b>0 - 1/8 ESE</b>	<b>D13</b>	<b>25</b>

**RCRIS:** Resource Conservation and Recovery Information System. RCRIS includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs): generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month. Small quantity generators (SQGs): generate between 100 kg and 1,000 kg of hazardous waste per month. Large quantity generators (LQGs): generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste from the generator off-site to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

A review of the RCRIS-LQG list, as provided by EDR, and dated 08/10/2004 has revealed that there is 1 RCRIS-LQG site within approximately 0.25 miles of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
<b>INDUSTRIAL ELECTROPLATERS INC</b>	<b>172-178 STATE ST</b>	<b>0 - 1/8 WSW</b>	<b>E15</b>	<b>27</b>

**RCRIS:** Resource Conservation and Recovery Information System. RCRIS includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Conditionally exempt small quantity generators (CESQGs): generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month. Small quantity generators (SQGs): generate between 100 kg and 1,000 kg of hazardous waste per month. Large quantity generators (LQGs): generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste from the generator off-site to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

A review of the RCRIS-SQG list, as provided by EDR, and dated 08/10/2004 has revealed that there are 16 RCRIS-SQG sites within approximately 0.25 miles of the target property.

## EXECUTIVE SUMMARY

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
<b>NYSEG KENT BUILDING</b>	<b>87-89 CHENANGO ST</b>	<b>0 - 1/8 ESE</b>	<b>A1</b>	<b>6</b>
<b>US POSTAL SERVICE - BINGHAMTON</b>	<b>115 HENRY ST</b>	<b>0 - 1/8 ESE</b>	<b>D13</b>	<b>25</b>
<b>MATTHEWS PONTIAC CADILLAC INC</b>	<b>151 COURT ST</b>	<b>1/8 - 1/4 SE</b>	<b>J31</b>	<b>58</b>
<b>DORON PRECISION SYSTEMS INC</b>	<b>174 COURT ST</b>	<b>1/8 - 1/4 ESE</b>	<b>L39</b>	<b>66</b>
<u>Lower Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
<b>STRATES REALTY</b>	<b>65-75 CHENANGO ST</b>	<b>0 - 1/8 SSE</b>	<b>B4</b>	<b>8</b>
<b>GOODYEAR TIRE</b>	<b>72-76 HENRY ST</b>	<b>0 - 1/8 SW</b>	<b>F17</b>	<b>29</b>
<b>BINGHAMTON NY LL CENTRAL OFFIC</b>	<b>64 HENRY ST</b>	<b>0 - 1/8 SW</b>	<b>F20</b>	<b>33</b>
<b>SUNOCO SERVICE STATION</b>	<b>WASHINGTON &amp; LEWIS STS</b>	<b>0 - 1/8 NW</b>	<b>23</b>	<b>36</b>
<b>NEW YORK TELEPHONE CO</b>	<b>62-64 HENRY ST</b>	<b>0 - 1/8 WSW</b>	<b>H26</b>	<b>42</b>
<b>SHERWIN-WILLIAMS CO THE #1106</b>	<b>3 LEWIS ST</b>	<b>1/8 - 1/4 NW</b>	<b>I29</b>	<b>55</b>
<b>BROOME COUNTY COURTHOUSE</b>	<b>COURT &amp; EXCHANGE ST</b>	<b>1/8 - 1/4 S</b>	<b>34</b>	<b>62</b>
<b>SPEAR ENTERPRISES</b>	<b>89 PROSPECT AVE</b>	<b>1/8 - 1/4 N</b>	<b>36</b>	<b>64</b>
<b>SECURITY MUTUAL LIFE INSURANCE</b>	<b>100 COURT &amp; EXCHANGE ST</b>	<b>1/8 - 1/4 S</b>	<b>38</b>	<b>65</b>
<b>CONTROL CONCEPTS &amp; LIEBERT COR</b>	<b>328 WATER ST PO BOX 138</b>	<b>1/8 - 1/4 NNW</b>	<b>40</b>	<b>66</b>
<b>AMERADA HESS STATION 32276</b>	<b>357 STATE ST</b>	<b>1/8 - 1/4 N</b>	<b>M43</b>	<b>69</b>
<b>GLEASON ELECTRIC</b>	<b>330 WATER ST</b>	<b>1/8 - 1/4 NNW</b>	<b>47</b>	<b>77</b>

### STATE ASTM STANDARD

**SHWS:** The State Hazardous Waste Sites records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. The data come from the Department of Environmental Conservation's Inactive Hazardous waste Disposal Sites in New York State.

A review of the SHWS list, as provided by EDR, has revealed that there are 3 SHWS sites within approximately 1 mile of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
<b>93 MAIN STREET</b>	<b>93 MAIN STREET</b>	<b>1/2 - 1 W</b>	<b>62</b>	<b>99</b>
<b>AMERICAN CLEANERS</b>	<b>48-50 WALNUT ST</b>	<b>1/2 - 1 WSW</b>	<b>64</b>	<b>102</b>
<u>Lower Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
<b>ALMY BROTHERS SITE</b>	<b>8 JACKSON STREET</b>	<b>1/2 - 1 ESE</b>	<b>63</b>	<b>100</b>

**LTANKS:** Leaking Storage Tank Incident Reports. These records contain an inventory of reported leaking storage tank incidents reported from 4/1/86 through the most recent update. They can be either leaking underground storage tanks or leaking aboveground storage tanks. The causes of the incidents are tank test failures, tank failures or tank overfills

A review of the LTANKS list, as provided by EDR, and dated 07/26/2004 has revealed that there are 21 LTANKS sites within approximately 0.5 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
<b>CHENANGO STREET</b>	<b>100 CHENANGO STREET</b>	<b>0 - 1/8 E</b>	<b>A2</b>	<b>6</b>
<b>U-HAUL</b>	<b>113 CHENANGO ST.</b>	<b>0 - 1/8 NE</b>	<b>C6</b>	<b>10</b>
<b>NORTON'S SERVICE</b>	<b>163 COURT ST.</b>	<b>1/8 - 1/4 SE</b>	<b>K35</b>	<b>62</b>

## EXECUTIVE SUMMARY

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
BINGHAMTON TECH CENTER RED BARREL- CHENANGO ST.	COURT / CARROL STREETS CHENANGO / DOUBLEDAY	1/8 - 1/4SE 1/4 - 1/2NE	K37 56	64 92
<u>Lower Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
CHENANGO ST. - TANK REMOV Not reported	65-75 CHENANGO ST. 72 HENRY ST	0 - 1/8 SSE 0 - 1/8 SW	B5 F18	9 31
GOODYEAR AUTO SERVICE	72 HENRY ST.	0 - 1/8 SW	F19	32
BROOME CO. LIBRARY	78 EXCHANGE ST.	1/8 - 1/4S	N45	75
<b>SHELTERED WORKSHOP FOR THE DIS</b>	<b>203 COURT ST.</b>	<b>1/4 - 1/2ESE</b>	<b>48</b>	<b>78</b>
NYSEG - NOYES ISLAND	ELDREDGE / WATER STS.	1/4 - 1/2N	O49	80
PIERSON OFFICE SUPPLY	350 WATER ST	1/4 - 1/2NNW	O50	82
BROOME CO. TRANS. DEPT	BROOME CO. HAWLEY / E	1/4 - 1/2SSW	51	83
<b>CITY HALL TRANSFORMER RETROFIL</b>	<b>38 HAWLEY ST</b>	<b>1/4 - 1/2SSW</b>	<b>52</b>	<b>84</b>
<b>PARLOR CITY PAPER BOX CO., INC</b>	<b>2 ELDREDGE ST.</b>	<b>1/4 - 1/2N</b>	<b>O53</b>	<b>86</b>
SINGER-LINK		1/4 - 1/2E	P54	89
Not reported	COURT / STUYVESANT	1/4 - 1/2E	P55	91
FISHER FUNERAL HOME	CHENANGO ST	1/4 - 1/2NE	57	94
BLAIR-MARTIN	45 WASHINGTON ST.	1/4 - 1/2SSW	58	95
BINGHAMTON CLUB	83 FRONT ST	1/4 - 1/2SW	59	96
WEHLE ELECTRIC	36 WASHINGTON ST.	1/4 - 1/2SSW	60	98

**UST:** The Underground Storage Tank database contains registered USTs. USTs are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA). The data come from the Department of Environmental Conservation's Petroleum Bulk Storage (PBS) Database

A review of the UST list, as provided by EDR, and dated 01/01/2002 has revealed that there are 13 UST sites within approximately 0.25 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
ABC HOUSING DEV FUND CO INC	100 CHENANGO ST	0 - 1/8 E	A3	7
BINGHAMTON U-HAUL	113 CHENANGO ST.	0 - 1/8 NE	C7	12
<b>U.S. POSTAL SERVICE</b>	<b>115 HENRY ST.</b>	<b>0 - 1/8 ESE</b>	<b>D12</b>	<b>19</b>
MATTHEWS PONTIAC-CADILLAC, INC	151 COURT ST.	1/8 - 1/4SE	J32	58
DORON PRECISION SYSTEMS INC.	174 COURT ST. P.O. BOX	1/8 - 1/4SE	L41	67
<u>Lower Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
INDUSTRIAL ELECTROPLATERS INC	172 STATE ST	0 - 1/8 WSW	E14	26
FIRST ASSEMBLY OF GOD	255 WASHINGTON ST.	0 - 1/8 WNW	G22	35
<b>NYNEX</b>	<b>62-64 HENRY ST.</b>	<b>0 - 1/8 WSW</b>	<b>H25</b>	<b>37</b>
<b>MIDTOWN SUNOCO</b>	<b>272 WASHINGTON ST.</b>	<b>0 - 1/8 WNW</b>	<b>G27</b>	<b>43</b>
BINGHAMTON FEDERAL BUILDING	15 HENRY ST.	1/8 - 1/4SW	30	56
WKOP RADIO STATION	122 STATE ST.	1/8 - 1/4SW	33	61
<b>HESS STATION #32276</b>	<b>357 STATE ST.</b>	<b>1/8 - 1/4N</b>	<b>M44</b>	<b>69</b>
BROOME COUNTY CENTRAL LIBRARY	78 EXCHANGE ST.	1/8 - 1/4S	N46	76

STATE OR LOCAL ASTM SUPPLEMENTAL

## EXECUTIVE SUMMARY

**CBS AST:** Chemical Bulk Storage Database. Registration data collected as required by 6 NYCRR Part 596. It includes facilities storing hazardous substances listed in 6 NYCRR Part 597, in aboveground tanks with capacities of 185 gallons or greater, and/or in underground tanks of any size. Includes facilities registered (and closed) since effective date of CBS regulations (July 15, 1988) through the date request is processed.

A review of the CBS AST list, as provided by EDR, and dated 01/01/2002 has revealed that there is 1 CBS AST site within approximately 0.25 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
CITY OF BINGHAMTON PARKS DEPT.	CARROLL ST. PARK POOL H	1/8 - 1/4 SE	42	68

**SPILLS:** Data collected on spills reported to NYSDEC. is required by one or more of the following: Article 12 of the Navigation Law, 6 NYCRR Section 613.8 (from PBS regs), or 6 NYCRR Section 595.2 (from CBS regs). It includes spills active as of April 1, 1986, as well as spills occurring since this date.

A review of the NY Spills list, as provided by EDR, and dated 07/26/2004 has revealed that there are 10 NY Spills sites within approximately 0.125 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
STUDIO C RESTORATIONS	209-211 STATE ST.	0 - 1/8 NW	8	14
US POST OFFICE	115 HENRY ST	0 - 1/8 ESE	D9	15
BINGHAMTON POST OFFICE	115 HENRY STREET	0 - 1/8 ESE	D10	16
US POST OFFICE -BINGHAMTO	115 HENRY ST	0 - 1/8 ESE	D11	17
120 CHENANGO ST	120 CHENANGO ST.	0 - 1/8 NE	16	28
KILMER BUILDING	CORNER OF CHENANGO/LEWI	0 - 1/8 NE	24	36

<u>Lower Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
<b>GOODYEAR TIRE</b>	<b>72-76 HENRY ST</b>	<b>0 - 1/8 SW</b>	<b>F17</b>	<b>29</b>
64 HENRY STREET	64 HENRY STREET	0 - 1/8 SW	F21	34
<b>MIDTOWN SUNOCO</b>	<b>272 WASHINGTON ST.</b>	<b>0 - 1/8 WNW</b>	<b>G27</b>	<b>43</b>
K-J ELECTRIC	5 LEWIS ST.	0 - 1/8 NNW	I28	54

### PROPRIETARY DATABASES

#### **Former Manufactured Gas (Coal Gas) Sites:**

The existence and location of Coal Gas sites is provided exclusively to EDR by Real Property Scan, Inc. Copyright 1993 Real Property Scan, Inc. For a technical description of the types of hazards which may be found at such sites, contact your EDR customer service representative

A review of the Coal Gas list, as provided by EDR, has revealed that there are 2 Coal Gas sites within approximately 1 mile of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Dist / Dir</u>	<u>Map ID</u>	<u>Page</u>
BINGHAMTON GAS WORKS	26 WATER ST.	1/2 - 1 SSW	61	99
BINGHAMTON GAS WORKS	291 COURT ST.	1/2 - 1 E	65	103

## EXECUTIVE SUMMARY

Due to poor or inadequate address information, the following sites were not mapped:

<u>Site Name</u>	<u>Database(s)</u>
NYSEG NOYSE ISLAND	CERC-NFRAP
DOUGLASS & BRADLEY	DRYCLEANERS
CHENANGO (T) SLF	SWF/LF
BINGHAMTON-JOHNSON CITY COMPOST	SWF/LF
SAVORY ENERGY PRODUCTS	LTANKS
NYS&W RAILROAD	LTANKS
SUNY BINGHAMPTON	LTANKS
BING. PSYCH CENTER	LTANKS
DAY & NIGHT #6	RCRIS-SQG, FINDS
NYSDOT BIN 105485 - 1 & 2	RCRIS-SQG, FINDS
NYSDOT BIN 105483 - 1 & 2	RCRIS-SQG, FINDS
NYSDOT BIN 1015900	RCRIS-SQG, FINDS
NYSDOT BRIDGE BIN 1013021 & 2	RCRIS-SQG, FINDS
NYSDOT BIN 1063340	RCRIS-SQG, FINDS
NYSDEC DHWR ELDREDGE ST	RCRIS-SQG, FINDS
UNITED STRUCTURES	RCRIS-SQG, FINDS
NORFOLK SOUTHERN CORP	RCRIS-LQG
NYSDOT	FINDS, RCRIS-LQG
NYSDOT BRIDGES BIN 1031181 & 2	FINDS, RCRIS-LQG
NYSDOT	FINDS, RCRIS-LQG
BINGHAMTON CITY BRIDGE BIN 2226170	FINDS, RCRIS-LQG
TRAVELPORT	NY Spills
CHENANGO PLAZA	NY Spills
RED BARREL	NY Spills
EXTRA MART	NY Spills
RT 17 WB NEXT TO EXIT 68	NY Spills
RT 17 & I 81 BRIDGE JOB	NY Spills
RT 17 WB	NY Spills
RT 17 E	NY Spills
RT 17E. AFTER FRONT ST EX	NY Spills
GARFIELD TRUCKING	NY Spills
ROADWAY AND STREAM	NY Spills
RT 17W TRUCK	NY Spills
ACCIDENT	NY Spills
DELAWARE & HUDSON R.R.	NY Spills
TRIBUTARY TO SUS RIVER	NY Spills
RT. 81 NB BAKER TRANS.	NY Spills
STROEHMANN TRUCK	NY Spills
TRAFFIC ACCIDENT	NY Spills
HIGHWAY 81-EXIT 2W	NY Spills
RT 81N- FAIRVIEW OVERPASS	NY Spills
RT. 81S - 17W	NY Spills
GORICK - RT. 81 S	NY Spills
BOWMAN TRANSPORTATION INC	NY Spills
RT 88 WEST BOUND	NY Spills
ILLSLEY CONST.	NY Spills
BING PHYC CENTER	NY Spills
STYRENE MONOMER	NY Spills
BINGHAMTON STATE OFF.BLDG	NY Spills
SAFETY KLEEN	NY Spills
CHENANGO RIVER - COURT ST	NY Spills
CHENANGO RIVER - SHEEN	NY Spills
CHENANGO RIVER	NY Spills
MCDONALD ST STORMDRAIN	NY Spills
KAY TERMINALS, BINGHAMTON	NY Spills
BOLUS TRUCKING	NY Spills
D.O.T.	NY Spills

## EXECUTIVE SUMMARY

LAUGHLIN CREEK  
FIRESTONE STORE  
STATE STREET UNDERPASS  
BINGHAMTON POST OFFICE  
OLD STATE RD  
WOODROW WILSON SCHOOL  
CHENANGO RIVER  
AMERICAN HEART ASSOCIATIO  
WASHINGTON ST.  
MURRAY'S CITGO  
SO WASHINGTON ST/VESTAL A  
NORFOLK SOUTHERN R.R.

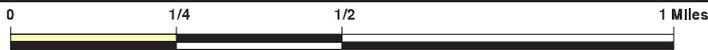
NY Spills  
NY Spills

# OVERVIEW MAP - 01303709.1r - Fitzgerald & Halliday



- ★ Target Property
- ▲ Sites at elevations higher than or equal to the target property
- ◆ Sites at elevations lower than the target property
- ▲ Coal Gasification Sites
- National Priority List Sites
- Landfill Sites
- Dept. Defense Sites

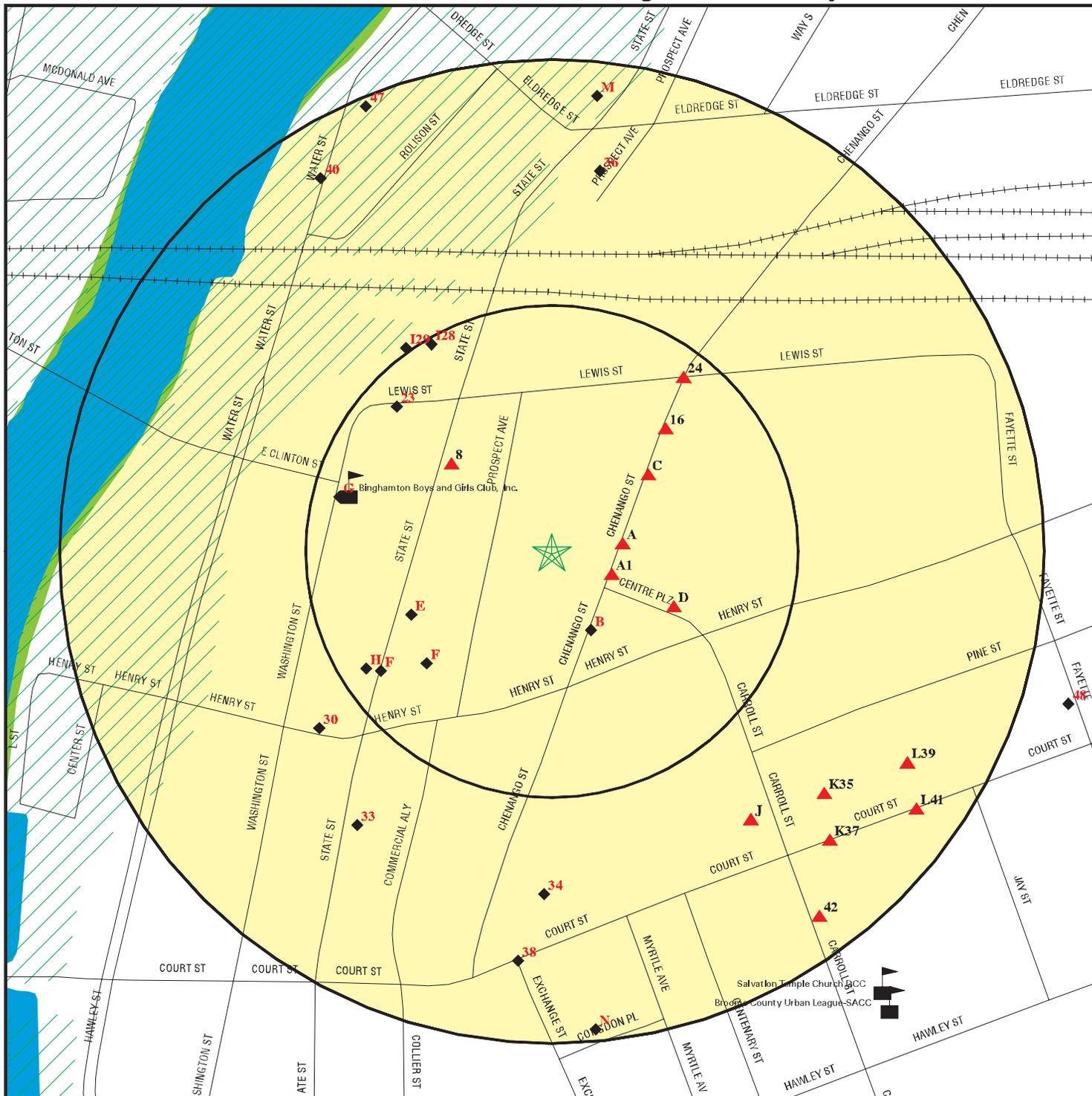
- Indian Reservations BIA
- Oil & Gas pipelines
- 100-year flood zone
- 500-year flood zone
- Federal Wetlands
- State Wetlands



**TARGET PROPERTY:** Proposed BITT  
**ADDRESS:** Lewis Street/Chenango Street  
**CITY/STATE/ZIP:** Binghamton NY 13901  
**LAT/LONG:** 42.1019 / 75.9102

**CUSTOMER:** Fitzgerald & Halliday  
**CONTACT:** Christopher E. Carls  
**INQUIRY #:** 01303709.1r  
**DATE:** November 08, 2004 6:42 pm

# DETAIL MAP - 01303709.1r - Fitzgerald & Halliday



- ★ Target Property
- ▲ Sites at elevations higher than or equal to the target property
- ◆ Sites at elevations lower than the target property
- ▲ Coal Gasification Sites
- Sensitive Receptors
- National Priority List Sites
- Landfill Sites
- Dept. Defense Sites

0 1/16 1/8 1/4 Miles

- Indian Reservations BIA
- Oil & Gas pipelines
- 100-year flood zone
- 500-year flood zone
- Federal Wetlands
- State Wetlands

N

**TARGET PROPERTY:** Proposed BITT  
**ADDRESS:** Lewis Street/Chenango Street  
**CITY/STATE/ZIP:** Binghamton NY 13901  
**LAT/LONG:** 42.1019 / 75.9102

**CUSTOMER:** Fitzgerald & Halliday  
**CONTACT:** Christopher E. Carls  
**INQUIRY #:** 01303709.1r  
**DATE:** November 08, 2004 6:43 pm

## MAP FINDINGS SUMMARY

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
<b><u>FEDERAL ASTM STANDARD</u></b>								
NPL		1.000	0	0	0	0	NR	0
Proposed NPL		1.000	0	0	0	0	NR	0
CERCLIS		0.500	0	0	0	NR	NR	0
CERC-NFRAP		0.250	1	0	NR	NR	NR	1
CORRACTS		1.000	0	0	0	0	NR	0
RCRIS-TSD		0.500	0	0	0	NR	NR	0
RCRIS Lg. Quan. Gen.		0.250	1	0	NR	NR	NR	1
RCRIS Sm. Quan. Gen.		0.250	7	9	NR	NR	NR	16
ERNS		TP	NR	NR	NR	NR	NR	0
<b><u>STATE ASTM STANDARD</u></b>								
State Haz. Waste		1.000	0	0	0	3	NR	3
State Landfill		0.500	0	0	0	NR	NR	0
LTANKS		0.500	5	3	13	NR	NR	21
UST		0.250	7	6	NR	NR	NR	13
CBS UST		0.250	0	0	NR	NR	NR	0
MOSF UST		0.500	0	0	0	NR	NR	0
VCP		0.500	0	0	0	NR	NR	0
SWTIRE		0.500	0	0	0	NR	NR	0
SWRCY		0.500	0	0	0	NR	NR	0
<b><u>FEDERAL ASTM SUPPLEMENTAL</u></b>								
CONSENT		1.000	0	0	0	0	NR	0
ROD		1.000	0	0	0	0	NR	0
Delisted NPL		1.000	0	0	0	0	NR	0
FINDS		TP	NR	NR	NR	NR	NR	0
HMIRS		TP	NR	NR	NR	NR	NR	0
MLTS		TP	NR	NR	NR	NR	NR	0
MINES		0.250	0	0	NR	NR	NR	0
NPL Liens		TP	NR	NR	NR	NR	NR	0
PADS		TP	NR	NR	NR	NR	NR	0
INDIAN RESERV		1.000	0	0	0	0	NR	0
FUDS		1.000	0	0	0	0	NR	0
UMTRA		0.500	0	0	0	NR	NR	0
ODI		0.500	0	0	0	NR	NR	0
DOD		1.000	0	0	0	0	NR	0
RAATS		TP	NR	NR	NR	NR	NR	0
TRIS		TP	NR	NR	NR	NR	NR	0
TSCA		TP	NR	NR	NR	NR	NR	0
SSTS		TP	NR	NR	NR	NR	NR	0
FTTS		TP	NR	NR	NR	NR	NR	0
<b><u>STATE OR LOCAL ASTM SUPPLEMENTAL</u></b>								
HSWDS		0.500	0	0	0	NR	NR	0

## MAP FINDINGS SUMMARY

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
AST		TP	NR	NR	NR	NR	NR	0
CBS AST		0.250	0	1	NR	NR	NR	1
MOSF AST		0.500	0	0	0	NR	NR	0
NY Spills		0.125	10	NR	NR	NR	NR	10
DEL SHWS		1.000	0	0	0	0	NR	0
DRYCLEANERS		0.250	0	0	NR	NR	NR	0
AIRS		TP	NR	NR	NR	NR	NR	0
SPDES		TP	NR	NR	NR	NR	NR	0
<b><u>EDR PROPRIETARY HISTORICAL DATABASES</u></b>								
Coal Gas		1.000	0	0	0	2	NR	2
<b><u>BROWNFIELDS DATABASES</u></b>								
US BROWNFIELDS		0.500	0	0	0	NR	NR	0
Brownfields		0.500	0	0	0	NR	NR	0
VCP		0.500	0	0	0	NR	NR	0

**NOTES:**

AQUIFLOW - see EDR Physical Setting Source Addendum

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

**APPENDIX E**  
**BINGHAMTON INTERMODAL TRANSPORTATION TERMINAL**  
**ALTERNATIVE EVALUATION CRITERIA AND COMPREHENSIVE**  
**ALTERNATIVE EVALUATION MATRIX**

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**Comprehensive Alternative Evaluation Matrix  
BINGHAMTON INTERMODAL TRANSPORTATION TERMINAL**

CRITERIA	DESCRIPTION	WEIGHT/SITES		
		1. Washington St.	2. Chenango St.	3. Carroll St.
<b>E. Compatible w/ strategic dev.</b>				
1. Parking Requirements	Adjacency to available parking and needs for additional parking on site.	1.00	2.00	1.00
2. Current Surroundings	Compatible and harmonious with existing uses and context.	4.00	4.00	2.00
3. Planned Development	Impact on current and future planning for this area.	4.00	5.00	4.00
4. Safety and Security	Passive and active measures to protect riders and property.	4.00	4.00	4.00
5. Displacement	Possible displacement of existing uses and the impact on their relocation	2.00	2.00	2.00
6. Zoning/Urban Renewal	Compatible with existing zoning and urban renewal area.	5.00	5.00	5.00
7. Adaptive Reuse	Constructive reuse of existing buildings and site features.	1.00	1.00	1.00
<b>CRITERIA WEIGHT = 6.0</b>				
<b>SITE TOTAL</b>		21.00	23.00	19.00
<b>SITE PERFORMANCE</b>		<b>5.48</b>	<b>6.00</b>	<b>4.96</b>
				<b>0.00</b>





**Comprehensive Alternative Evaluation Matrix  
BINGHAMTON INTERMODAL TRANSPORTATION TERMINAL**

		WEIGHT/SITES			
		5=Excellent; 4=Good; 3=Fair; 2=Poor; 1=Bad			
		1. Washington St.	2. Chenango St.	3. Carroll St.	
<b>TOTAL SITE PERFORMANCE</b>		85.20	85.88	71.24	0.00
		1. Washington St.	2. Chenango St.	3. Carroll St.	
<b>RANKING</b>		2	1	3	4

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**APPENDIX F**  
**DRAFT PROGRAMMATIC AGREEMENT BETWEEN THE FEDERAL TRANSIT**  
**ADMINISTRATION, BROOME COUNTY DEPARTMENT OF PLANNING AND**  
**ECONOMIC DEVELOPMENT, AND THE NEW YORK STATE HISTORIC**  
**PRESERVATION OFFICE**

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# ***PROGRAMMATIC AGREEMENT***

**AMONG THE  
FEDERAL TRANSIT ADMINISTRATION,  
BROOME COUNTY,  
AND  
NEW YORK STATE HISTORIC PRESERVATION OFFICE**

**REGARDING THE CONSTRUCTION OF THE  
BINGHAMTON INTERMODAL TRANSIT TERMINAL PROJECT  
IN BROOME COUNTY, NEW YORK**

**WHEREAS**, the Federal Transit Administration (“FTA”) has identified, through an Environmental Assessment (“EA”) prepared in 2007 under the National Environmental Policy Act (NEPA, codified at 42 USC 4321 et seq.), that the Binghamton Intermodal Transit Terminal Project (“Project”) may have an effect on properties included in or eligible for inclusion in the National Register of Historic Places; and

**WHEREAS**, the Broome County, through their Department of Planning and Economic Development, (“Broome County”) proposes to construct the Project using funds provided by the FTA. Accordingly, FTA is the Project’s lead federal agency pursuant to the NEPA and is the federal lead agency responsible for compliance with Section 106 of the National Historic Preservation Act (codified at 16 USC Section 470f, and herein “Section 106”); and

**WHEREAS**, pursuant to 36 CFR Sections 800.2(a)(3) and 800.2(c)(4), Broome County has participated with FTA in the consultation process prescribed by the regulations that implement Section 106, and the FTA has consulted with the New York State Historic Preservation Officer (“NYSHPO”) regarding the Project’s potential to affect historic resources; and

**WHEREAS**, FTA and Broome County, along with NYSHPO, as the result of a consultative process, in accordance with Section 106, have determined that it is appropriate to enter into this Programmatic Agreement, pursuant to Section 800.14(b) of the regulations implementing Section 106, which will govern the implementation of the Project and satisfy FTA’s compliance with Section 106; and

**WHEREAS**, pursuant to Section 106 regulations, FTA and Broome County, in consultation with NYSHPO, identified the Project’s area of potential effect (“APE”) (Attachment 1) for historic resources and determined that the APE is the area where potential effects on historic resources caused by the Project may occur; and

**WHEREAS**, generally, historic resources can be categorized as archaeological or built (see 36 CFR Section 800.16(1)); and this Programmatic Agreement specifies the appropriate approaches for archaeological resources in the APE; and

**WHEREAS**, the Project will be built in accordance with the rendering submitted to NYSHPO on May 10, 2006 by Wendel Duchscherer, on behalf of Broome County, and thus, the FTA, in consultation with the NYSHPO, have determined that the Project will have no adverse effect upon above-ground historic resources in or eligible for inclusion in the State and National Registers of Historic Places; and

**WHEREAS**, FTA has invited the Advisory Council on Historic Preservation (“ACHP”) to participate in the Section 106 process for this Project and ACHP has \_\_\_\_\_[accepted or declined]; and

**WHEREAS**, the FTA has made a reasonable and good faith effort to identify and contact by letter the appropriate Native American tribes and groups that could attach religious or cultural significance to sites within the APE upon which the Project could have an effect (Attachment 2); and

**WHEREAS**, the Oneida Indian Nation, in their letter dated January 25, 2007, requested notification if any native archaeological resources are discovered during construction and requested courtesy of reviewing archaeological reports (Attachment 2); and

**WHEREAS**, pursuant to 36 CFR Section 800.8(c), FTA has coordinated its compliance with Section 106 and NEPA through preparation of an EA for the Project; and

**WHEREAS**, the proposed Project will be bounded on the north by Lewis Street; on the east by Chenango Street; on the south by Henry Street; and on the west by Prospect Avenue (“Project site”) (Attachment 1); and

**WHEREAS**, the County has informed the public of the proposed Project by presentation at public meetings, in newspaper articles, and presentations before numerous civic groups; and

**WHEREAS**, to address the potential that archaeological deposits may be located within the project parcel, a Phase IA archaeological sensitivity study was conducted within the APE. This study, entitled *Phase IA Cultural Resource Assessment of the Binghamton Intermodal Transit Terminal Project, Broome County, New York*, by the Public Archaeology Facility at Binghamton University (State University of New York) (2005), identified the need for a Phase 1B archaeological field testing survey, due to the potential presence of both historic and prehistoric deposits and previous studies in the vicinity which have shown that archaeological deposits have survived beneath later development; and

**WHEREAS**, the County will continue to consult with the FTA and NYSHPO, and the FTA, in consultation with NYSHPO, will make a determination of effect on archaeological resources after completion of the Phase 1B survey; and

**NOW, THEREFORE**, in accordance with 36 CFR 800.14(b) the FTA, Broome County, and the NYSHPO have developed this Programmatic Agreement to meet their Section 106 requirements and agree that the Project shall be implemented in accordance with the following stipulations and administrative conditions in order to take into account the effect of the Project on archaeological resources.

## **Stipulations**

### **I. Identification, Evaluation and Treatment of Archaeological Sites**

- A. Broome County will perform Phase 1B testing as soon as acquisition of all property has been completed to determine the presence of National Register eligible archeological deposits. A map of the proposed test sites for the Phase 1B survey is provided in Attachment 4.
- The results of a Phase 1A Archaeological Survey concluded that the Project Site exists in a zone of high prehistoric archaeological sensitivity as there are twelve (12) known and documented prehistoric, four (4) prehistoric/historic, four (4) historic, one (1) historic Native American and one (1) unknown site within a 3.2 kilometer (2 mile) radius of the BITT Project Site. The Phase 1A project sensitivity map is included as Attachment 5.
- B. Once the results of the Phase 1B are known, Broome County will contact the NYSHPO and FTA to evaluate the resources and consult with FTA and NYSHPO about the appropriate measures to mitigate any effects or adverse effects to archaeological resources determined eligible for the National Register.
- C. Archaeological monitoring, in accordance with an Archaeological Monitoring Plan, will take place during construction activities in the areas deemed archeologically sensitive based on the results of the Phase 1B survey and consultation with NYSHPO. Broome County will prepare and submit the Archaeological Monitoring Plan to the NYSHPO for review and approval before construction begins. The Archaeological Monitoring Plan will include a protocol for treating historic resources that may be identified during this Monitoring.
- D. The Phase 1B survey will be conducted and consultation with FTA and NYSHPO will be completed prior to the commencement of construction. Broome County will employ a full-time construction manager to enforce the stipulations of the Monitoring Plan.
- E. During the Phase 1B survey or during construction, if any archaeological deposits are identified and determined to be eligible for the National Register and such resources cannot be avoided, then it will be determined that there are adverse

effects on these resources. Broome County will take appropriate steps to mitigate those adverse effects.

- F. For any archaeological resources, mitigative efforts will be implemented in accordance with the following: (1) Data Recovery and other documentation consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, (2) the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation and (3) the Advisory Council on Historic Preservation's Treatment of Archaeological Properties: A Handbook.
- G. All archaeological investigations, which include the Phase 1B survey and investigations conducted once construction has commenced, will be conducted by or under the direct supervision of a qualified archaeologist. Broome County shall ensure that all archaeological research, testing, analysis, and plans conducted pursuant to this Agreement are carried out by or under the direct supervision of a person or persons meeting at a minimum the Secretary of Interior's Professional Qualifications Standards.
- H. In areas outside of those deemed archaeologically sensitive as a result of the Phase 1A and 1B Surveys, Broome County, through their Project design consultant Wendel Duchscherer, and in coordination with the NYSHPO, will develop final construction documents that specify instructions for the contractors to immediately stop work should they encounter any unanticipated historic resource and seek direction from Broome County regarding how to proceed. Should a suspected historic resource be encountered, Broome County will have its archaeological consultant make an initial evaluation of the resource and prepare a submission for review by FTA and NYSHPO who will consult on what actions to take. Unanticipated resources would include any archaeological features, both historic or prehistoric, that are encountered outside of the areas identified as Sensitive in the Phase 1A, or human remains found anywhere within the APE. Construction will not be allowed to resume in the area until consultation has occurred and any appropriate steps have been take to mitigate identified adverse effects. If the unanticipated finds consist of human remains the NYSHPO: "Human Remains Discovery Protocol" will be followed (Attachment 3).
- I. All Data Recovery plans prepared as a result of paragraph I.F. above shall include the following elements:
  - 1. Information on the archaeological property or properties where data recovery is to be carried out, and the context in which such properties are considered eligible for the National Register;
  - 2. Information on any property, properties or portions of properties that will be destroyed without data recovery;
  - 3. Discussion of the research questions to be addressed through the data recovery with an explanation/justification of their relevance and importance;
  - 4. Description of the recovery methods to be used, with an explanation of their pertinence to the research questions;

5. Description of any specialist studies/analysis that may be appropriate and utilized (faunal, floral, parasite, dendrochronology, etc.)
  6. Arrangements for regular progress reports or meetings to keep FTA, the NYSHPO and any other consulting parties informed about the course of the work.
  7. The expected timetable for excavation, analysis and preparation of the final report.
  8. Methods for disseminating results of the work to the interested public.
  9. Information on the ultimate disposition and curation of the collection.
- J. Broome County shall notify the FTA, the NYSHPO and any other Consulting Parties (none are presently designated) in writing prior to the commencement of any archaeological fieldwork, this includes commencement of the Phase 1B survey as well as fieldwork associated with discovery of any resources. Site visits may be scheduled at any time, if the NYSHPO so requests. The County shall notify the NYSHPO in writing, with a copy to FTA, once the fieldwork portion of the data recovery is completed. Such notification will consist of submission of an End of Field Report, which is a management report that provides a brief summary of the results of fieldwork. Upon receipt and review of this End of Field Report, the NYSHPO will provide clearance for construction to proceed. NYSHPO will provide such clearance or request additional information, if needed, within five (5) business days from verified receipt of this notification (personal communication with the NYSHPO reviewer).
- K. Final Report(s), which include the Phase 1B survey report and End of Field Reports, will be completed in accordance with the timelines established in the Data Recovery Plans. A set date for delivery of the report(s) will be established in the NYSHPO's response to the End of Field Report. Any need for an extension to that date must be made to the NYSHPO in advance, and approved by them. Failure to have the report(s) completed on time will be viewed as a failure to meet the stipulations of this agreement and the adverse effects of the project will not have been mitigated. At such time, NYSHPO will request that the signatories to this Agreement take steps to rectify the situation.

## II. Continued Consultation to Monitor Design

The FTA and Broome County will continue to consult with the NYSHPO to ensure that the subsequent design of the Project corresponds to the rendering submitted to NYSHPO on May 10, 2006.

## III. Continued Notification

Broome County will provide information in writing on a regular basis to the local headquarters of the National Park Service about the progress of the Project and the results of the studies, if any, conducted under Stipulation I above.

## IV. Dispute Resolution.

- A. If at any time during the implementation of this PA, the County or the NYSHPO objects to any actions proposed or the manner in which the terms of this PA are implemented and cannot resolve the issue between them, they shall immediately notify and consult with FTA in order to resolve the objection. If FTA determines, within 30 days, that such objection(s) cannot be resolved, FTA will forward all documentation relevant to the dispute to the Council. Within 30 days after receipt of all pertinent documentation, the Council will either:
1. Provide FTA with recommendations, which FTA will take into account in reaching a final decision regarding the dispute; or
  2. Notify FTA that it will comment pursuant to 36 CFR Section 800.7(b) and Section 110(1) of the National Historic Preservation Act and then proceed to comment. Any Council comment provided in response to such a request will be taken into account by FTA in accordance with 36 CFR Section 800.6(a)(1)(C)(ii) with reference to the subject of the dispute.

If the Council does not provide comments regarding the dispute within 30 days of receipt of adequate documentation, FTA may render a decision regarding the dispute. In reaching its decision, FTA will take into account all comments regarding the dispute from the parties to the PA.

Any recommendation or comment provided by the Council will be understood to pertain only to the subject of the dispute; FTA's responsibility to carry out all other actions subject to the terms of this PA that are not the subject of the dispute remain unchanged.

FTA will notify all parties of its decision in writing before implementation of that portion of the Project that was subject to dispute. FTA's decision will be final.

## V. Amendments and Noncompliance

Modification, amendment, or termination of this agreement as necessary shall be accomplished by the signatories in the same manner as the original agreement pursuant to 36 CFR §§800.6(c)(7) and 800.6(c)(8).

Disputes regarding the completion of the terms of this agreement shall be resolved by the signatories. If the signatories cannot agree regarding a dispute, any one of the signatories may request the participation of the Council to assist in resolving the dispute.

## VI. Termination

If this PA is not amended following the consultation set out in Stipulation V, it may be terminated by any signatory. Within 30 days following termination, FTA shall notify

the signatories if it will initiate consultation to execute a PA with the signatories under 36 CFR §800.6(c)(1) or request the comments of the Council under 36 CFR §800.7(a) and proceed accordingly.

## VII. Duration

In the event that construction of this Project has not begun within 3 years of the date of this agreement, FTA and the County will consult with the NYSHPO to extend, amend or terminate this PA.

### **EXECUTION AND IMPLEMENTATION OF THIS PROGRAMMATIC AGREEMENT EVIDENCES THAT FTA HAS SATISFIED ITS SECTION 106 RESPONSIBILITIES FOR ALL INDIVIDUAL UNDERTAKINGS OF THE PROJECT.**

#### ATTACHMENT 1

Site Plan – Showing Area Of Potential Effect (APE), Project Site, Historic Properties and Historic Districts.

(Attachment 1 is also Figure 10 as contained in Chapter 14 – Section 106 Resources of the EA.)

#### ATTACHMENT 2

Letters sent to Federally Recognized Native American Tribes and their response

Oneida Indian Nation

Onondaga Indian Nation

#### ATTACHMENT 3

NYSHPO Human Remains Discovery Protocol

#### ATTACHMENT 4

Map of Proposed Test Sites

#### ATTACHMENT 5

Project Site Sensitivity Map

**APPROVAL AND SIGNATURE PAGE FOR  
PROGRAMMATIC AGREEMENT  
AMONG  
THE FEDERAL TRANSIT ADMINISTRATION,  
BROOME COUNTY  
AND  
THE NEW YORK STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE  
BINGHAMTON INTERMODAL TRANSIT TERMINAL PROJECT**

**EXECUTION AND IMPLEMENTATION OF THIS PROGRAMMATIC AGREEMENT EVIDENCES THAT FTA HAS SATISFIED ITS SECTION 106 RESPONSIBILITIES FOR ALL INDIVIDUAL UNDERTAKINGS OF THE PROJECT.**

FEDERAL TRANSIT ADMINISTRATION

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Brigid Hynes-Cherin  
Regional Administrator, Region II

NEW YORK STATE HISTORIC PRESERVATION OFFICER (NYSHPO)

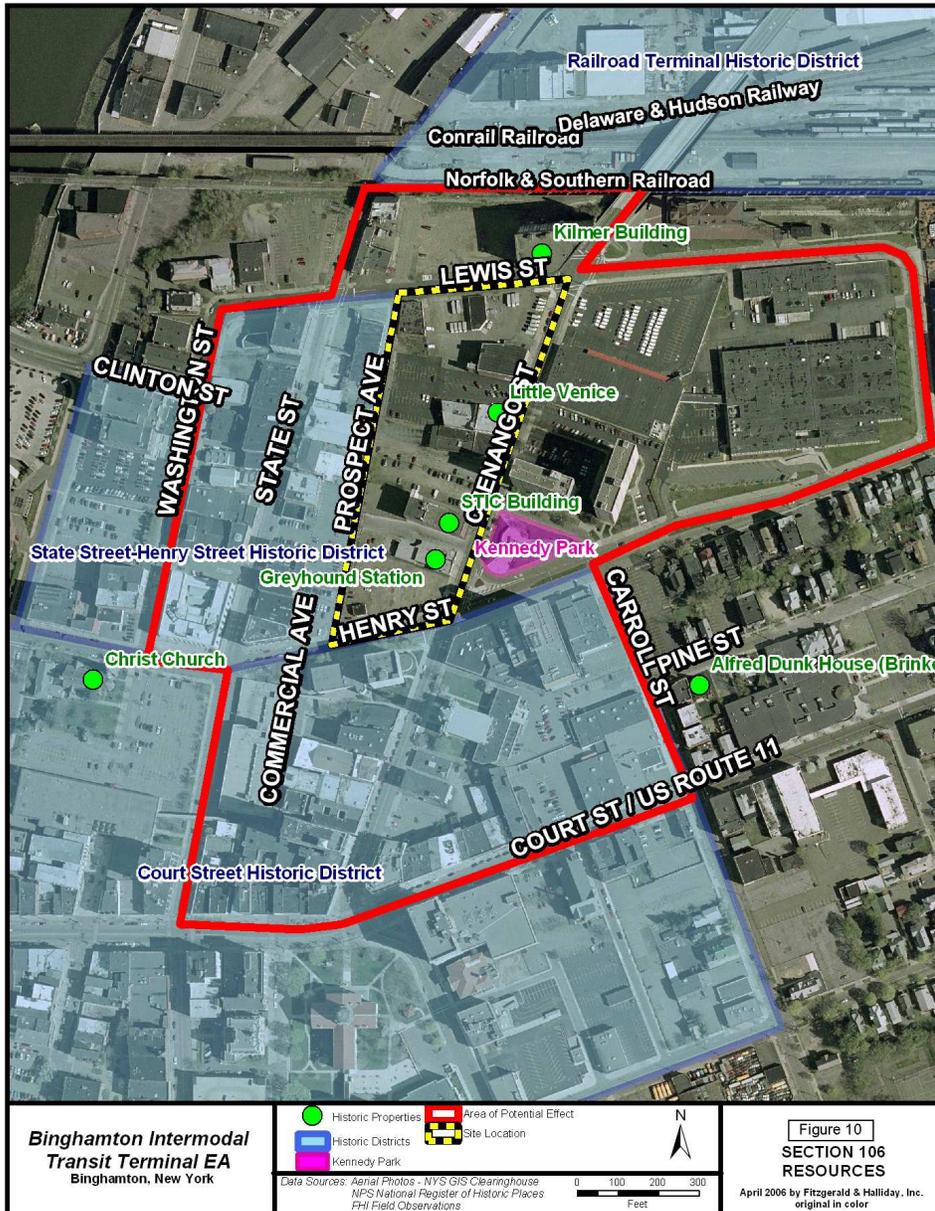
By: \_\_\_\_\_ Date: \_\_\_\_\_  
Carol Ash  
Commissioner

BROOME COUNTY

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Barbara J. Fiala  
County Executive



PROGRAMMATIC AGREEMENT – ATTACHMENT 1



- Note 1: This Attachment 1 is also Figure 10 as contained in Chapter 14 – Section 106 Resources of the EA.
- Note 2: The Area of Potential Effect (APE) was established and approved by the Field Services Bureau of the NY State Department of Parks, Recreation and Historic Preservation (NYSHPO).
- Note 3: In terms of Archaeological Resources, there are no known archaeological sites within the Project Site that are listed on or eligible for listing on the NRHP that are also important of being preserved in place.

PROGRAMMATIC AGREEMENT – ATTACHMENT 2

**Table of: Historic Resources in the Area of Potential Effect of the BITT**

<b><u>Resource Register</u></b>	<b><u>Location</u></b>	<b><u>Description</u></b>	<b><u>National</u></b>
Greyhound Station	81 Chenango St.	Built 1938, Functioning Art Deco/Art Modern station	Eligible for NRHP
Southern Tier Independence Center	87-89 Chenango St.	1891-1898, Six-story, brick industrial building. Rusticated brickwork on the façade.	Not eligible for NRHP
Little Venice	107-111 Chenango St.	c.1910 Three-story, brick building with elaborate terra cotta embellishments on the façade	Potentially eligible for NRHP
Kilmer Building	31-34 Lewis St.	1903 Six-story, Beaux-Arts factory building	Potentially eligible for NRHP
Court Street Historic District	Immediately south Of site	1840-1940 The district contains 104 buildings including the courthouse and Victorian-era commercial structures.	Listed on State and NRHP
Rail Terminal Historic District	Immediately north Of site	1876-1920 A district of 20 buildings built in the commercial/industrial style with Italianate-style embellishments	Listed on State and NRHP
State and Henry Street Historic District	Immediately west Of site	1870-1935 The district consists of 23 buildings most of which are of masonry construction	Listed on State and NRHP

Source: Fitzgerald & Halliday, Inc., June 2006

Note 1: This Attachment 2 is also Table 15 as contained in Chapter 14 – Section 106 Resources of the EA.

Note 2: The Area of Potential Effect (APE) was established and approved by the Field Services Bureau of the NY State Department of Parks, Recreation and Historic Preservation (NYSHPO).

Note 3: In terms of Archaeological Resources, there are no known archaeological sites within the Project Site that are listed on or eligible for listing on the NRHP that are also important of being preserved in place.

PROGRAMMATIC AGREEMENT – ATTACHMENT 3



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION II  
Connecticut,  
New Jersey,  
New York,  
Virgin Islands

One Bowling Green  
Room 429  
New York, NY 10004-1415  
212-668-2170  
212-668-2136 (fax)

Tony Wonderley  
Oneida Indian Nation  
Legal Department  
221 Union Street  
P.O. Box 662  
Oneida, NY 13421-0662

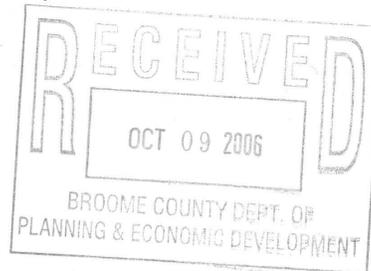
October 5, 2006

Dear Mr. Wonderley:

This letter is to notify you of the Federal Transit Administration (FTA) determination that the Binghamton Intermodal Transit Terminal project in downtown Binghamton (BITT project), New York proposed by the Broome County will be a Federal undertaking if FTA provides financial assistance. As such, the project is subject to Section 106 of the National Historic Preservation Act of 1966, as amended, and associated implementing regulations 36 CFR 800. Per Subpart A, Section 800.2(a)(3) and 800.2(c)(4) of these regulations, FTA is authorizing Broome County as an applicant for Federal assistance, to prepare information, analyses, and recommendations regarding Section 106 consultation for this project. The delegated authority to initiate consultation does not extend to making determinations, such as the area of potential effects or consulting parties.

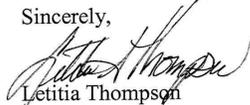
The BITT project is located on a city block bounded by Henry Street, Chenango Street, Lewis Street, and Prospect Avenue in the City of Binghamton. It involves the demolition of three existing buildings and the partial demolition of a fourth in order to construct a new transportation terminal. The effects of the project on historic and archaeological resources are being assessed in accordance with Section 106, in consultation with the New York State Historic Preservation Office (SHPO). Documentary research conducted raised the possibility that various archaeological resources may be buried within the project area. This includes one historic Native American site.

FTA and Broome County will be issuing an Environmental Assessment for public review and comment sometime in December 2006. Please let FTA know if you would be interested in receiving information on this project or would like to be a consulting party. If we do not hear from you within 30 days, we will assume that you do not wish to receive information nor be a consulting party.



Thank you in advance for your assistance on this project. Please contact Nina Chung of the FTA Regional Office on 212-668-2182 with any questions.

Sincerely,



Letitia Thompson  
Regional Administrator

cc: Rita Petkash, Broome County Department of Planning and Economic Development  
Douglas Mackey, NYSHPO



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION II  
Connecticut,  
New Jersey,  
New York,  
Virgin Islands

One Bowling Green  
Room 429  
New York, NY 10004-1415  
212-668-2170  
212-668-2136 (fax)

Mr. Irving Powless, Jr., Chief  
Onondaga Indian Nation  
RR #1, Box 319-B  
Nedrow, New York 13120

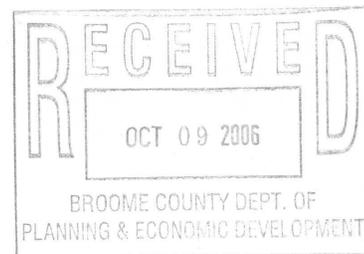
October 5, 2006

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This letter is to notify you of the Federal Transit Administration (FTA) determination that the Binghamton Intermodal Transit Terminal project in downtown Binghamton (BITT project), New York proposed by the Broome County will be a Federal undertaking if FTA provides financial assistance. As such, the project is subject to Section 106 of the National Historic Preservation Act of 1966, as amended, and associated implementing regulations 36 CFR 800. Per Subpart A, Section 800.2(a)(3) and 800.2(c)(4) of these regulations, FTA is authorizing Broome County as an applicant for Federal assistance, to prepare information, analyses, and recommendations regarding Section 106 consultation for this project. The delegated authority to initiate consultation does not extend to making determinations, such as the area of potential effects or consulting parties.

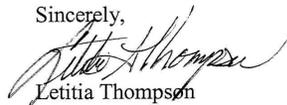
The BITT project is located on a city block bounded by Henry Street, Chenango Street, Lewis Street, and Prospect Avenue in the City of Binghamton. It involves the demolition of three existing buildings and the partial demolition of a fourth in order to construct a new transportation terminal. The effects of the project on historic and archaeological resources are being assessed in accordance with Section 106, in consultation with the New York State Historic Preservation Office (SHPO). Documentary research conducted raised the possibility that various archaeological resources may be buried within the project area. This includes one historic Native American site.

FTA and Broome County will be issuing an Environmental Assessment for public review and comment sometime in December 2006. Please let FTA know if you would be interested in receiving information on this project or would like to be a consulting party. If we do not hear from you within 30 days, we will assume that you do not wish to receive information nor be a consulting party.



Thank you in advance for your assistance on this project. Please contact Nina Chung of the FTA Regional Office on 212-668-2182 with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Letitia Thompson', written in a cursive style.

Letitia Thompson  
Regional Administrator

cc: Rita Petkash, Broome County Department of Planning and Economic Development  
Douglas Mackey, NYSHPO  
Joe Heath, Onondaga Nation Attorney  
Tony Gonyea, Faithkeeper

# ONEIDA INDIAN NATION



FTA/TRO-2  
2006 NOV 29 A 10:23

## ONEIDA NATION HOMELANDS

November 27, 2006

Letitia Thompson  
Regional Administrator  
U.S. Department of Transportation  
Federal Transit Administration  
Region II  
One Bowling Green Room 429  
New York, NY 10004-1415

Dear Ms. Thompson,

Thank you for soliciting Oneida Indian Nation involvement in the proposed Transit Terminal project in downtown Binghamton (BITT project, letter of October 5). And please forgive this delayed response--my apologies.

Binghamton falls within or is immediately adjacent to Oneida aboriginal territory (see attached map) and we are interested in the project's possible affects on Native American cultural resources

But we need some information. Would you please send us a copy of the Environmental Assessment when available in December? Equipped with that background, we could better judge whether to participate in consultations aimed to mitigate damage to archaeological resources.

Sincerely,

Anthony Wonderley, Ph D.  
Historian  
Oneida Indian Nation  
Legal Department  
1256 Union Street PO Box 662  
Oneida, NY 13421-0662

221 Union Street  
PO Box 662 • Oneida, NY 13421-0662  
(315) 829-8461 • Fax (315) 829-8473

## Broome County Department of Planning & Economic Development

Barbara J. Fiala, Broome County Executive . Rita M. Petkash, Commissioner



Broome County Office Building . 44 Hawley Street . P.O. Box 1766 . Binghamton, New York 13902  
(607) 778-2114 . Fax (607) 778-6051 . www.gobroomecounty.com

January 11, 2007

Mr. Anthony Wonderly, PhD  
Historian  
Oneida Indian Nation  
Legal Department  
256 Union St.  
P.O. Box 662  
Oneida, New York 13421-0662

Dear Mr. Wonderly:

On November 27, 2006, you sent a letter to Letitia Thompson of the FTA regarding the Intermodal Transit Terminal Project proposed for construction in downtown Binghamton, New York.

The purpose of my letter is to give you a brief history of what has occurred at the proposed site of the BITT and to invite you to visit the area.

The BITT is to be located on a city block in downtown Binghamton, bounded by Henry St., Lewis St., Chenango St. and Prospect Ave. Currently there are four structures on the site: the Greyhound Bus Terminal, the Southern Tier Independence Center building, the Shortline/Coach USA Bus Terminal and a vacant 15' x 20' one-story building. The Little Venice Restaurant and U-Haul Self-Storage Building are also on the same block, but are not a part of the project.

The area of the proposed BITT borders the site of the former Chenango Canal which was completed in 1836 and connected Binghamton to Utica and the Susquehanna River to the Erie Canal. Construction of the canal required the excavation and removal of soil and all other material encountered. After the canal was constructed, several warehouses and business buildings were constructed along the canal on the proposed BITT location. Other buildings were also constructed including apartment buildings, a tobacco factory, blacksmiths shop; a total of twenty in all. Many of the structures along Prospect Ave. were then demolished when the canal closed in 1876. The canal was filled in and used as a city street. In the early 1900's, most of the other buildings were either demolished or burned and new buildings were built – a grocery store, movie theatre, a department store among them. In the late 30's early 40's, most of these were demolished. In 1940 the Greyhound Bus Terminal was built and in the 1950's a gas station, a diner, drycleaner and two apartment buildings were constructed.

In 2001, the site of the former gas station, which had been demolished in the 1970's urban renewal effort, and is about a third of the proposed BITT location, was excavated, under DEC guidance and the former fuel tanks and well as 36.79 tons of soil were removed. New soil was trucked in to refill the area (see attached aerial photo).

In summary, the site of the proposed Intermodal Transit Terminal has been repeatedly excavated and build upon since the mid-1800's and even though the Phase 1A Archaeological Survey identified several prehistoric/historic and one native American site with a 2 mile radius of the properties, due to the documented extensive disturbance of all properties within this block, it is highly unlikely any significant archaeological resource exist.

Broome County has and continues to consult with the NYSHPO and FTA and will enter into a Programmatic Agreement with these two agencies regarding protocol and procedure in the event that during construction, a potential archaeological resource is encountered.

Should you wish to visit the site or if you have any questions, please do not hesitate to contact me at 607 778-2366.

Sincerely,



Rita M. Petkash  
Commissioner

CC: File



# ONEIDA INDIAN NATION



## ONEIDA NATION HOMELANDS

January 25, 2007

Rita M. Petkash  
Commissioner  
Broome County Department of Planning and Economic Development  
Broome County Office Building  
44 Hawley St. PO Box 1766  
Binghamton, NY 13902

Dear Commissioner Petkash,

I received your fax and letter (dated Jan. 11) at the same time. Thank you for providing us with information about the Intermodal Transit Terminal Project planned in downtown Binghamton. Our concerns are much allayed by knowing that Native American sites, mentioned in connection with the project, are some distance away and that the proposed construction area is heavily disturbed.

It is not clear from your letter whether any further cultural resource management work will be performed. If so, we would appreciate the courtesy of reviewing archaeological reports. And, since your project will take place in Oneida aboriginal territory, we ask that you contact us in the event that native archaeological materials are inadvertently encountered in the course of construction.

Sincerely,

A handwritten signature in black ink that reads 'Anthony Wonderley'.

Anthony Wonderley  
Historian  
Oneida Indian Nation  
Legal Department  
1256 Union St. PO Box 662  
Oneida, NY 13421-0662  
(twonderley@oneida-nation.org)

cc: Brian Patterson, Jesse Bergevin (OIN)



221 Union Street  
PO Box 662 • Oneida, NY 13421-0662  
(315) 829-8461 • Fax (315) 829-8473

PROGRAMMATIC AGREEMENT – ATTACHMENT 4

**State Historic Preservation Office  
New York State Office of Parks, Recreation and Historic Preservation  
Human Remains Discovery Protocol**

In the event that human remains are encountered during construction or archaeological investigations, the State Historic Preservation Office (SHPO) requires that the following protocol is implemented:

- At all times human remains must be treated with the utmost dignity and respect. Should human remains be encountered, work in the general area of the discovery will stop immediately and the location will be immediately secured and protected from damage and disturbance.
- Human remains or associated artifacts will be left in place and not disturbed. No skeletal remains or materials associated with the remains will be collected or removed until appropriate consultation has taken place and a plan of action has been developed.
- The county coroner and local law enforcement as well as the SHPO and the involved agency will be notified immediately. The coroner and local law enforcement will make the official ruling on the nature of the remains, being either forensic or archaeological. If the remains are archaeological in nature, a bioarchaeologist will confirm the identification as human.
- If human remains are determined to be Native American, the remains will be left in place and protected from further disturbance until a plan for their protection or removal can be generated. The involved agency will consult SHPO and appropriate Native American groups to determine a plan of action that is consistent with the Native American Graves Protection and Repatriation Act (NAGPRA) guidance.
- If human remains are determined to be Euro-American, the remains will be left in place and protected from further disturbance until a plan for their avoidance or removal can be generated. Consultation with the SHPO and other appropriate parties will be required to determine a plan of action.

PROGRAMMATIC AGREEMENT – ATTACHMENT 5

**Map of Proposed Test Sites – Phase 1B Survey**

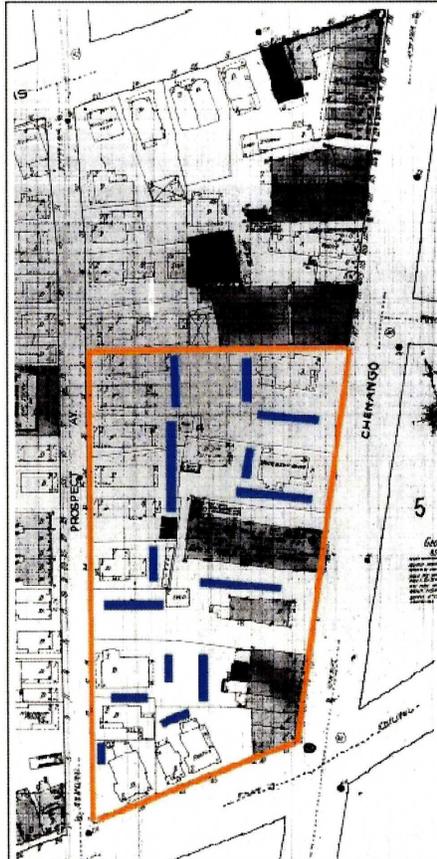
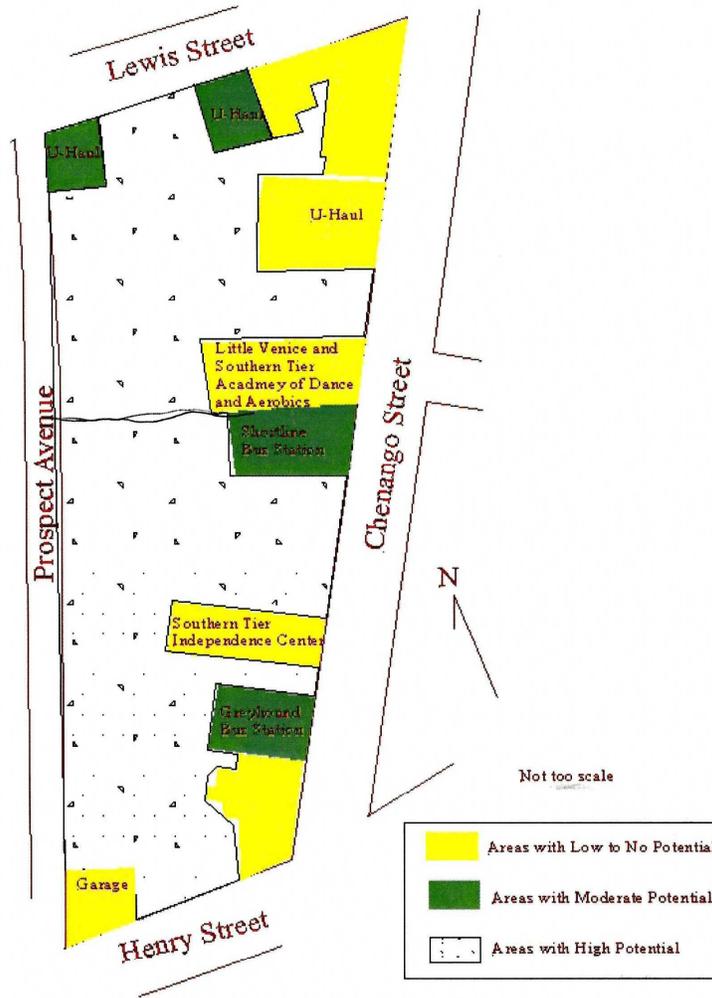


Figure 1. Approximate location of proposed trenches.

PROGRAMMATIC AGREEMENT – ATTACHMENT 6

**Archaeological Sensitivity Map**



The project area highlighted with the various degrees of potential for intact archaeological resources