

**T. ALBANY CO. DEPT. OF PLANNING AND CONSERVATION**

The following comments are taken from a letter dated April 24, 1996 from the Albany County Department of Planning and Conservation. A copy of the letter is included in Appendix 1.

**1. Comment:**

*The DGEIS also makes note of the fact that the efforts of the Albany Pine Bush Preserve Commission could realize much of the open space goal set forth in this document. This would be the case if all land identified as full or partial protection in the Commission's Implementation Guidelines were to be protected. However, the Pine Bush Commission has a strictly advisory role in recommending land-use protection outside of existing Preserve boundaries and therefore relies on willing sellers and/or the actions of local municipalities to meet its protection goals. This is where a generic environmental impact statement could be used as an important planning tool mindful of the need for increased protection of the Pine Bush and using techniques such as conservation zoning to help the Commission meet those protection goals.*

**Response:**

Refer to the response to comment A.1.

**2. Comment:**

*While the DGEIS discusses the expansion of utilities, infrastructure and subsequent development, it fails to identify the significant impacts that such development would have on the remaining open space in the study area. This is an omission in a document that otherwise accurately describes the existing resources in the area and the methods by which open space could be protected. The proposal to adopt local wetland laws, even stricter than those required by DEC, clearly has a lot of merit given the abundance of valuable wetland within the study area and the recent apparent willingness of DEC to favor various forms of mitigation over protection. Yet, the subsequent discussions of proposed new roads through these wetlands fails to adequately address the significant impacts on these systems that these traffic improvements would have.*

**Response:**

Discussion of the impacts future development could have on open space was presented on Page II-11 to II-14 of the DGEIS. The document states that if development according to the Projected Growth Development Scenario is realized, approximately 650 acres of undeveloped land in the Study Area could be converted to a more intensive use. The document further goes on to address

that the conversion of open space could be mitigated by changes to the zoning ordinance, land purchase, wetland regulations, conservation easements, transfer of development rights, and controlled growth laws.

The discussion of the impacts of the Cordell Road - Lisha Kill Connector Road was generic because the road location is conceptual. The alignment of the connector road illustrated on Figure II-H-7 is preliminary and should not be construed as the final alignment if the road was constructed. The purpose of the alignment is to illustrate potential traffic circulation patterns, and the effect they would have on the neighboring road network, if the road was constructed.

It is recognized, however, that if the road was constructed, it would not only have a direct impact on the wetlands that would be disturbed by construction, but would have a secondary effect on adjoining wetlands. The road could act as an obstruction for wildlife dispersal and migration, further fragmenting wildlife habitat in the area. The new road could also have an impact on the stormwater retention capabilities and flood control capabilities of the wetland.

**3. Comment:**

*The DGEIS seems to consider impacts on the vegetation and wildlife as unavoidable adverse environmental impacts and so fails to consider appropriate mitigation while at the same time devoting some attention to possible mitigation to lessen impacts to visual resources.*

**Response:**

The DGEIS proposes mitigation measures for minimizing impacts on pages II-30, II-31, and II-32. These measures included recommendations from the Albany Pine Bush Commission's Protection and Project Review Implementation Guidelines, continued enforcement of State and federal wetland regulations and the Town of Colonie's Watercourse Area Management Local Law, and encouragement of clustering and planned unit developments on sites with sensitive environmental areas.

**4. Comment:**

*A GEIS is an important planning tool that can serve as a blueprint for guiding sensitive development and coherent open space planning some time into the future. The DGEIS Lisha Kill - Kings Road Area while detailed and comprehensive in some aspects seems deficient in the fundamental goal of addressing the potential environmental impacts of the proposed development scenarios. By concluding that certain environmental impacts would be difficult*

*to mitigate and that effective mitigation would be a challenge, the DGEIS fails to address the important questions that it was meant to answer. While a detailed plan reflective of the particular sensitivity of the Pine Bush and other environmental resources within the study area could have gone a long way towards protecting these valuable assets to the quality of life in this area, the existing DGEIS leaves many questions unanswered.*

**Response:**

The DGEIS provides an assessment of environmental impacts of future development in the Study Area and proposes mitigation measures in Section II. A detailed plan of the particular sensitivity of the Pine Bush is not needed as this issue has been addressed at length by the Albany Pine Bush Preserve Commission. A detailed plan for protecting the Albany Pine Bush Preserve has been addressed in the Final Management Plan and Final Environmental Impact Statement for the Albany Pine Bush Preserve and the Albany Pine Bush Preserve: Protection and Project Review Implementation Guidelines and Final Environmental Impact Statement. The goal of the DGEIS was not to reinvent effort put forth by the commission, but incorporate their findings and recommendations to ensure future development proceeds in a manner consistent with their goals.