

RESOLUTION NO. - 2016

WHEREAS, there is pending before this Honorable Board a Local Law to amend Section 712.462 of the Laws of Westchester County in order to make the existing limitations on air carrier operations contained therein more flexible; and

WHEREAS, this Honorable Board has determined that the proposed Local Law would constitute an action under Article 8 of the Environmental Conservation Law, known as the New York State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, pursuant to SEQRA and its implementing regulations (6 New York Code of Rules and Regulations Part 617), this action is classified as an Unlisted action, which requires this Honorable Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

WHEREAS, the County of Westchester is the only involved agency for this action and, therefore, is assuming the role of Lead Agency; and

WHEREAS, in accordance with SEQRA and its implementing regulations, an Environmental Assessment Form has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

WHEREAS, this Honorable Board has carefully considered the proposed action and has reviewed the attached short Environmental Assessment Form and the criteria set forth in Section 617.7 of the implementing regulations and has identified the relevant areas of environmental concern, as described in the attached Environmental Assessment Form, to determine if this proposed action will have an effect upon the environment.

NOW, THEREFORE, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:

RESOLVED, that based upon the Honorable Board's review of the Environmental Assessment Form and for the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment from the Local Law amending Section 712.462 of the Laws of Westchester County in order to make the existing limitations on air carrier operations contained therein more flexible; and be it further

RESOLVED, the Clerk of the Board of Legislators, as responsible officer in Lead Agency, is authorized and directed to sign the Determination of Significance in the attached Environmental Assessment Form, which Form is made a part hereof; to issue this "Negative Declaration" on behalf of this Board pursuant to Article 8 of the Environmental Conservation Law; and to immediately transmit same to the

Commissioner of Planning to be filed, published and made available pursuant to the requirements of Part 617 of New York Code of Rules and Regulations; and be it further

RESOLVED, that the Resolution shall take effect immediately.

617.20
Appendix B
Short Environmental Assessment Form

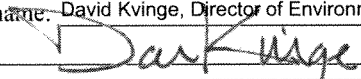
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: Westchester County Airport Terminal Use Procedures							
Project Location (describe, and attach a location map): Westchester County Airport, Harrison, Rye Brook and North Castle, Westchester County, NY							
Brief Description of Proposed Action: Amend Section 712.462 of the Laws of Westchester County, entitled: Westchester County Airport Terminal Use Procedures, to change the passenger limits from 240 per half hour to 11,520 per day. See attached narrative for further elaboration.							
Name of Applicant or Sponsor: County of Westchester		Telephone: (914) 995-4400					
		E-Mail: dsk2@westchestergov.com					
Address: 148 Martine Avenue							
City/PO: White Plains		State: NY	Zip Code: 10601				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">NO</th> <th style="width: 50%; text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">NO</th> <th style="width: 50%; text-align: center;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

<p>5. Is the proposed action,</p> <p>a. A permitted use under the zoning regulations?</p> <p>b. Consistent with the adopted comprehensive plan?</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	<p>N/A</p> <input type="checkbox"/>
<p>6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>8. a. Will the proposed action result in a substantial increase in traffic above present levels?</p> <p>b. Are public transportation service(s) available at or near the site of the proposed action?</p> <p>c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban</p>			
<p>15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>16. Is the project site located in the 100 year flood plain?</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	
<p>17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____ _____</p>	<p>NO</p> <input type="checkbox"/>	<p>YES</p> <input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>David Kvinge, Director of Environmental Planning</u>		Date: <u>February 5, 2016</u>
Signature: <u></u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

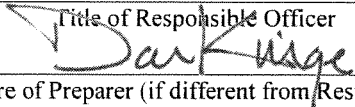
The proposed terminal use modifications would allow unused allocations from overnight time slots to be added to the more demanding time slots, which may cause an overall increase in passengers using the County Airport, in addition to increasing the number of passengers that may move through the terminal in a given hour. The total number of passengers at any point in time, however, will still ultimately be limited by the available ramps and terminal space. The County Airport is and remains limited to four gates. Due to current airline aircraft sizes, the number of passengers that could be accommodated at these four gates is approximately 464 passengers per half hour. Although nearly double the current passenger limit, due to longer turnaround times associated with larger planes at the gates, the number of aircraft operations would actually be no greater. The passenger limit modification will merely allow existing jets to fill to capacity providing economies of scale.

At the time that the capacity limit was first established, the total number of annual airport operations was 221,064, of which 26,052 were commercial (airline) operations that served a total of 234,690 passengers. Over time, the County Airport's fleet mix has changed from mostly turbo props to mostly jets, which have more seating. Total airport operations have declined through the years to a low of 137,151 in 2014. Commercial flights increased to a high of 48,639 in 1999, but then declined to a low 24,547 in 2014. Total number of passengers continued to rise into the 2000s, breaking the million mark in late 1997 and topping at 1,994,088 in 2010, before settling at 1,442,501 in 2014. As such, the proposed capacity limit modification would not generate more flights than in prior years.

Noise impacts associated with airport operations have also improved over time. In 1989, the County of Westchester designated the 60 Ldn noise contour associated with the Westchester County Airport as a Critical Environmental Area in order to ensure that airport noise levels are considered in connection with any proposed action. Since 1988, the County Airport's overall noise contours have contracted, due in part to the fleet changes and operation reductions mentioned above, as well as due to Federal Aviation Administration (FAA) noise standards which have resulted in quieter aircraft. Since the number of flights are not anticipated to exceed totals from prior years and since aircraft are quieter than before, the proposed capacity flexibility is not expected to alter any of the contours beyond 1988-89 levels.

Similarly, current-day planes are also more fuel efficient, resulting in less air emissions than their predecessors. Coupled with no increase in aircraft operations beyond prior levels, there will be no additional air quality impacts. Ongoing advancements in aircraft technology associated with FAA's CLEEN program is expected to further improve fuel efficiency/facilitate use of alternative fuels, reduce noise and reduce air emissions from future aircraft.

Since the proposed terminal use modification is not expected to increase aircraft operations, air emissions or noise beyond any pre-existing levels and since access to the airport is from a major highway and state roads that can accommodate any increase in vehicular traffic, no additional significant impacts on the surrounding community are anticipated.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
County of Westchester	
_____	_____
Name of Lead Agency	Date
_____	Clerk and Chief Administrator to the Board of Legislators
Print or Type Name of Responsible Officer in Lead Agency	_____
_____	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	
_____	Signature of Preparer (if different from Responsible Officer)

PRINT

Short Environmental Assessment Form

Westchester County Airport - Terminal Use Amendment

Part 1 – Narrative

In 1985, the County entered into a Stipulation and Order of Partial Settlement and Dismissal, which established a capacity limit of 240 passengers per half hour for the Westchester County Airport terminal. This capacity limit was extended two times until 2004, when it was codified into law under Article IV of Chapter 712 of the Laws of Westchester County.

At the time that the capacity limit was established, the terminal consisted of a Quonset hut that was approximately 10,000 square feet in size and the majority of aircraft using the terminal were 8- to 30-seat propeller driven aircraft. The current terminal building is now 41,000 square feet and the aircraft using the terminal include much larger 50- to 156-seat modern jet aircraft. The terminal is limited to 4 ramps/gates. Under the current passenger limitations, the concurrent use of just 2 gates by these larger jets would exceed the capacity limit for one half hour period.

The intent of the proposed action is to make the existing limitations on air carrier operations more flexible in order to meet the needs of the existing airlines at the airport and the public, as well as to attract new air carrier service.

The proposed amendment will allow for the 240 per half hour passenger limit to be redistributed over the course of 24 hours. This will enable airlines to use larger jets, as well as allow for passenger allocations associated with the less desirable time slots to be reallocated to the more demanding time periods. The total allowable number of passengers per day will remain at 11,520. It is noted that the redistribution will be limited by the actual physical constraints of the terminal, including available ramps/gates and fire/safety limits of the building.

Environmental resources that may potentially be affected include air, traffic and noise, which may also impact neighboring land uses.