

A. INTRODUCTION

As established by SEQRA, project sponsors are required to design projects to avoid, minimize, or mitigate environmental impacts to the maximum extent practicable. The technical analyses presented in this DGEIS examined the potential for significant adverse impacts to result from the Proposed Project. These analyses have concluded that no significant adverse impacts are anticipated as a result of the Proposed Project. Where necessary, measures to avoid adverse impacts have been identified in the preceding chapters of the DGEIS and are summarized below. Where impacts cannot be fully predicted at this time, measures to minimize and/or mitigate, to the maximum extent practicable, potentially significant adverse impacts that may be identified in the future are detailed in preceding chapters of the DGEIS and are summarized below.

B. IDENTIFIED MITIGATION MEASURES

As analyzed in the DGEIS, based on the scale, location, and the design considerations incorporated into the Proposed Project, the Proposed Project is generally not expected to result in significant adverse impacts requiring specific mitigation measures. This includes assessment of potential adverse impacts on land use, zoning, community character, and public policy; community services; geology, topography, and soils; natural resources; wetlands and waters; water supply and sanitary sewers; energy; air quality; noise; economic conditions; cultural resources and visual resources.

Mitigation measures have been incorporated as project elements into the following impact assessment areas.

LAND USE, COMMUNITY CHARACTER, ZONING, PUBLIC POLICY

The Proposed Project is not expected to result in any significant adverse impacts to Land Use, Community Character, Zoning, or Public Policy. Therefore, no mitigation would be required.

COMMUNITY SERVICES

No significant adverse impacts to community services would result from the Proposed Project and no mitigation would be required.

GEOLOGY, SOILS AND TOPOGRAPHY

Through the implementation of a New York State and City of Saratoga Springs-approved SWPPP, the Project would avoid any adverse impacts to soils and topographic resources. Principally through use of sedimentation and erosion control measures, discussed in Chapter 7, "Stormwater Management," the movement of soil downslope or downstream would be avoided. This would prevent detrimental impacts to receiving waters and wetlands. These measures

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would be installed prior to construction, and would be monitored and maintained constantly during construction.

With the implementation of the measures noted above, the potential cumulative impacts on the geology, soils and/or topography on or in the vicinity of the Project Site resulting from the development of the proposed project in conjunction with those associated with other approved projects in the area are not expected to be significant.

NATURAL RESOURCES

No significant impacts to natural resources are expected to occur with the propose project. Therefore, no natural resource specific mitigation is proposed. As explained in Chapter 7, “Stormwater Management,” erosion controls and stormwater management measures would be developed for each component of the Proposed Project with each phase of development. These measures would prevent the migration of sediment offsite and the potential for detrimental water quality impacts to offsite resources, including offsite habitats and wildlife.

SURFACE WATER RESOURCES AND WETLANDS

It is not expected that any direct (fill) or indirect (water quality) impacts to onsite or offsite wetlands and waters would occur with the Proposed Project. All areas of new building and new impervious surfaces would provide for stormwater runoff treatment within new management practices, as described in Chapter 7, “Stormwater Management.” In this way, indirect water quality impacts to onsite and offsite waters and wetlands would be avoided.

STORMWATER MANAGEMENT

No adverse stormwater impacts would be expected to effect on- or off-site infrastructure since, as noted in this chapter, any new incremental change in runoff based on the development of new impervious surfaces will be designed such that post-development peak flows for all storm categories required to be treated will be equal to or less than existing flows, in accordance with NYSDEC and City of Saratoga Springs requirements. Therefore, no additional mitigation is required.

All construction activities would also be required to adhere to erosion and sediment controls developed in accordance with the New York Standards and Specifications for Erosion and Sediment Controls, with SPDES General Permit GP-0-10-001 and NYSSMDM, and with City of Saratoga Springs Code Chapter 242: Stormwater Management. Inspection and maintenance of the proposed stormwater management features will be conducted to ensure that the erosion and sediment control practices that are part of the SWPPP continue to be effective in preventing sediment and other pollutants from entering the stormwater system. As a part of the SWPPP inspection and maintenance activities during construction, an Erosion and Sediment Control Inspection Report will be prepared and kept on-site. No additional mitigation is required.

WATER SUPPLY

New plumbing fixtures must comply with NYS Water Saving Plumbing Fixtures Law (Section 15-0314 of the Environmental Conservation Law). Based on the ability of the City’s water supply system to accommodate the Proposed Project’s estimated water demand, no mitigation is required.

SANITARY SEWER SERVICE

Any new plumbing fixtures installed on the Project Site would be required to comply with NYS Water Saving Plumbing Fixtures Law (Section 15-0314 of the Environmental Conservation Law). Overall, the anticipated increase in sewage flow generated by the Proposed Project is well within the available capacity of the conveyance and treatment systems and is not expected to generate adverse impacts. No additional mitigation is required.

ENERGY AND TELECOMMUNICATIONS

No mitigation is required to offset the increase in demand for telecommunication services.

TRANSPORTATION

As detailed in Chapter 11: “Traffic and Transportation,” adverse impacts were identified at four locations. As detailed in **Table 21-1**, possible mitigation measures include signal retiming to shift one to three seconds of green time to impacted movements.

Table 21-1

2024 No Build, Build, and Build with Mitigation Conditions Level of Service Analysis

Intersection	2024 No Build				2024 Build				2024 Build with Mitigation				Improvement Measures
	Lane Group	V/C Ratio	Delay (sec)	LOS	Lane Group	V/C Ratio	Delay (sec)	LOS	Lane Group	V/C Ratio	Delay (sec)	LOS	
Weekday Midday Peak Hour (12:00 PM - 1:00 PM)													
Circular Street & Union Avenue													
Westbound	L	0.45	30.5	C	L	0.45	30.5	C	L	0.45	30.5	C	-Signal Retiming (shift 1 second of green time from the EB phase to the NB/SB phase).
	R	0.33	7.5	A	R	0.33	7.5	A	R	0.33	7.5	A	
Northbound	TR	0.97	53.6	D	TR	0.98	55.7	E	TR	0.96	50.1	D	
Southbound	L	0.72	24.6	C	L	0.74	25.7	C	L	0.76	27.7	C	
	T	0.33	7.4	A	T	0.33	7.4	A	T	0.33	7.4	A	
	Intersection			C	Intersection			C	Intersection			C	
Saturday Midday Peak Hour (12:00 PM - 1:00 PM)													
East Avenue & Lake Avenue													
Eastbound	LT	0.68	18.7	B	LT	0.69	19.1	B	LT	0.67	17.7	B	-Signal Retiming (shift 1.5 seconds of green time from the NB/SB phase to the EB/WB phase).
	R	0.05	2.9	A	R	0.05	2.9	A	R	0.05	2.6	A	
Westbound	LTR	1.06	72.0	E	LTR	1.11	92.5	F	LTR	1.05	67.5	E	
Northbound	LTR	0.30	15.0	B	LTR	0.30	14.9	B	LTR	0.31	16.1	B	
Southbound	LTR	0.89	42.6	D	LTR	0.91	44.9	D	LTR	0.94	53.1	D	
	Intersection			D	Intersection			D	Intersection			D	
Saturday PM Peak Hour (6:00 PM - 7:00 PM)													
East Avenue & CR 50													
Eastbound	L	0.02	7.2	A	L	0.02	7.2	A	L	0.02	7.4	A	-Signal Retiming (shift 1 second of green time from the EB/WB phase to the NB/SB phase).
	TR	0.42	14	B	TR	0.42	14.3	B	TR	0.42	14.6	B	
Westbound	L	0.13	7.3	A	L	0.13	7.5	A	L	0.13	7.7	A	
	TR	0.48	11.5	B	TR	0.49	11.7	B	TR	0.49	11.9	B	
Northbound	LTR	0.86	54.4	D	LTR	0.87	55.3	E	LTR	0.87	53.9	D	
Southbound	LTR	0.65	53.1	D	LTR	0.63	51.4	D	LTR	0.62	50.2	D	
	Intersection			C	Intersection			C	Intersection			C	
East Avenue & Lake Avenue													
Eastbound	LT	0.72	22.9	C	LT	0.72	22.9	C	LT	0.75	26	C	-Signal Retiming (shift 3 seconds of green time from the EB/WB phase to the NB/SB phase).
	R	0.04	1.7	A	R	0.04	1.7	A	R	0.04	1.9	A	
Westbound	LTR	0.77	23.0	C	LTR	0.77	23.0	C	LTR	0.82	28.4	C	
Northbound	LTR	0.97	51.0	D	LTR	1.01	60.7	E	LTR	0.96	46.5	D	
Southbound	LTR	0.35	15.2	B	LTR	0.36	15.3	B	LTR	0.34	14.5	B	
	Intersection			C	Intersection			D	Intersection			C	
Notes: Bold indicates impact													
These locations currently do not use a Traffic Control Employee.													
L = Left Turn, T = Through, R = Right Turn; LOS = Level of Service.													
V/C = Volume to Capacity; Delay = Seconds per Vehicle; LOS = Level of Service.													

At the Nelson Avenue/Wright Street and Nelson Avenue/Crescent unsignalized intersections a signal would mitigate the LOS back to No Build conditions; however, it is anticipated that during most of the year outside of racing season, a signal would not be warranted. Off-season counts would need to be collected to verify the volumes do not meet the signal warrants. Therefore it is recommended that the current Traffic Control Employee protocol at these two locations remain in effect.

AIR QUALITY

Since there would be no significant adverse air quality impacts from the Proposed Project, mitigation is not required.

ECONOMIC CONDITIONS

The Proposed Project would be expected to have no impact or fiscal cost due to changes in demographic or workforce characteristics. Therefore, the Proposed Project would not adversely impact the study area populations or study area businesses and no mitigation is required to offset project generated changes.

CULTURAL RESOURCES

Because the Proposed Project involves ongoing design and refinement of selected improvements, a Draft LOR between NYRA, FOB, OGS, and OPRHP has been prepared, which sets forth a mechanism to avoid potential adverse impacts. While some direct impacts to contributing elements within the historic Race Course have been identified, these impacts would not be adverse, provided the design of Proposed Project elements progresses in keeping with the guidelines set forth in the LOR. The LOR also sets forth measures to avoid inadvertent construction-period impacts to historic resources and details measures to avoid potential impacts to archaeological resources. In terms of archaeological resources, as Proposed Project planning progresses and additional archaeological studies are undertaken as appropriate, if any potential adverse effects to archaeological resources are identified as a result of the Proposed Project, measures to avoid, minimize, and/or mitigate any such impacts would be identified and implemented in consultation with OPRHP pursuant to the LOR.

VISUAL RESOURCES

The Proposed Project is not expected to result in any significant adverse impacts to visual resources or visual character on the Project Site or within the Study Area. Measures to avoid adverse impacts to contributing architectural resources have been described in Chapter 15, Cultural Resources, and the associated Draft LOR. These avoidance measures would also ensure adverse impacts to visual resources are avoided. Thus, no additional mitigation is required.

HAZARDOUS MATERIALS

It is anticipated that potential adverse impacts resulting from the presence of hazardous materials would be avoided by performing construction activities in accordance with the following protocol:

- Soil and groundwater beneath the Project Site may have been affected by past and present, on- and off-site uses and from the spills reported at the Saratoga Race Course. Therefore, pre-construction activities would include a subsurface investigation involving collection and

laboratory analysis of subsurface (soil and groundwater) samples. The focus of the subsurface investigation within the Frontside should be in the vicinity of the pesticide/herbicide storage areas, the workshop areas, the maintenance building, and the generator room. The focus of the subsurface investigation within the Backstretch should be in Horse Haven immediately south of the Oklahoma Training Track in the vicinity of the site's maintenance facilities including the garage, carpenter's shop, blacksmith, and paint storage area, and numerous sheds.

- All containers of chemicals, antifreeze, diesel fuel, pesticides, herbicides and solvents not being used should be properly tested, labeled and disposed of at appropriate receiving facilities in accordance with federal, state and local requirements.
- Due to historic pesticide, herbicide, and fungicide use, any soil that is generated and intended to be disposed off-site should be characterized and disposed of in accordance with applicable federal, state, and local requirements.
- A Construction-Phase Environmental Health and Safety Plan (CHASP) would be prepared and implemented to manage disturbance of soil and a contingency plan to address sources or areas of contamination, if any, encountered during future construction activities. Elements of the CHASP will include the following:
 - Sampling of excavated soil generated during redevelopment would be performed if it is intended to be placed as shallow soil (within the top 2 feet) and not covered by a building or paved surface.
 - All soil and fill excavated as part of Project Site development activities would be managed in accordance with all applicable regulations. All soil intended for off-Site disposal would be tested in accordance with the requirements of the intended receiving facility. Transportation of all material leaving the Project Site for off-Site disposal would be in accordance with federal, state and local requirements covering licensing of haulers and trucks, placarding, truck routes, manifesting, etc. If dewatering is required for construction, it would be conducted in accordance with all applicable regulations. Pre-treatment of groundwater prior to discharge would be completed during any dewatering activities, if necessary.
 - If tanks, drums, or other sources of subsurface contamination are discovered at the Property during excavation activities, they would be removed in accordance with all applicable regulations. Any associated soil and groundwater contamination would be mitigated in accordance with the state, county, and local requirements.
- Appropriate erosion and sediment controls would be implemented in accordance with the project Stormwater Pollution Prevention Plan (SWPPP). This would minimize the potential of dust generation and sediment in stormwater during the soil disturbance activities.
- Prior to any construction or demolition activities, any suspected asbestos-containing materials or lead-based paint in the on-site structures or debris would be properly removed and disposed of in accordance with all federal, state, and local regulations.
- All lighting fixtures and electrical equipment would be disposed of in accordance with applicable federal, state and local requirements.

With the implementation of these measures, no significant adverse impacts related to hazardous materials would be expected to occur as a result of the construction activities for the Proposed

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Project. Following construction of the Proposed Project, there would be no further potential for adverse impacts. No additional mitigation measures are required.

CONSTRUCTION

As noted above and as set forth in the technical chapters of the DGEIS, the ability to avoid and minimize potential impacts is based on the coordination and management of construction activities utilizing key construction management practices as summarized below.

- Coordination with the City of Saratoga Springs and other agencies as appropriate to manage short-term and temporary closures of roads or lanes.
- Adherence to sediment and erosion controls during construction phases.
- Construction Protection Plan for work on and adjacent to contributing historic resources.
- Field testing for potential archeological resources in 8 areas identified with archaeological sensitivity.
- Pre-construction due diligence to test for the potential presence of hazardous materials at locations on both the Frontside and Backstretch and adherence to a CHASP established for the Project Site.

With these measures incorporated into the design and construction of the Proposed Project, no additional mitigation measures are required. *